



TOWN OF HIGHLAND BEACH SPECIAL MAGISTRATE HEARING MINUTES

**Town Hall Commission Chambers
3614 South Ocean Boulevard
Highland Beach, Florida 33487**

**Date: October 08, 2024
Time: 1:00 PM**

1. CALL TO ORDER

Special Magistrate Kevin Wagner called the meeting to order.

2. EXPLANATION OF PROCEEDINGS

Special Magistrate Wagner explained the process of the proceedings.

3. SWEARING OF WITNESSES

Ms. DeHart swore in those giving testimony.

4. APPROVAL OF MINUTES

A. None

5. VIOLATIONS

A. CASE NO. CC-24-249

**Gail Palestrini
4301 Tranquility Dr.
Highland Beach FL, 33487
PCN: 24-43-47-04-02-003-0220**

Legal Description: BEL LIDO LT 22 BLK 3

Code Sections: IPMC 303.1 - Swimming pools.

Violations: Pool water is dirty and unmaintained.

Special Magistrate Wagner opened hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service, photos, supporting documents, and paper postings at the property address and at Town Hall.

Code Compliance Officer Adam Osowsky mentioned that the violation remains. Therefore, the Town recommends that the Respondents be found in violation of

the Town Code as alleged in the Notice of Violation, the violator be fined \$250.00 per day for each day the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance.

The respondent was not present.

Special Magistrate Wagner found the respondent in violation of Code Section IPMC 303.1 specifically the swimming pool not being properly maintained, the respondent has 14 days, October 23, 2024, to bring the property into compliance or be fined in the amount of \$250 per day and assess prosecution costs in the amount of \$250.

B. CASE NO. CC-24-280

**David C Joseph Jr.
1100 Highland Beach Dr. A
Highland Beach FL, 33487
PCN: 24-43-47-04-02-002-0152**

Legal Description: BEL LIDO SLY 110.41 FT OF LT 15 BLK 2

Code Sections: 30-122 (A) - Building Permits Required.

Violations: Construction work started without an issued permit: Pavers, fence, electrical, dock/seawall. pool demo, plumbing etc.

Special Magistrate Wagner opened hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service, supporting documents, and paper postings at the property address and at Town Hall.

Code Compliance Officer Adam Osowsky mentioned that the violation remains. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation, the violator be fined \$250.00 per day for each day the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance.

The respondent, David Joseph, was present and gave testimony on the violation.

Special Magistrate Wagner found the respondent in violation of Code Section 30-122 (A) Building Permits Required for the construction started without a permit, the pavers, fence, electrical, dock/seawall, pool demolition, and plumbing. The respondent has 30 days, November 08, 2024, to bring the property into compliance or be fined in the amount of \$250 per day and assess prosecution costs in the amount of \$250.

C. CASE NO. CC-24-312

**Bettye Wolf
4740 S. Ocean Blvd. 1010
Highland Beach FL, 33487
PCN: 24-43-47-09-08-000-1010**

Legal Description: BRAEMAR ISLE COND UNIT 1010

Code Sections: 30-122 (B) - Expiration of building permit.

Violations: Permit PWH23-0031 expired. Missing final inspection.

Special Magistrate Wagner opened hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service, and supporting documents.

Code Compliance Officer Adam Osowsky mentioned that the violation remains. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation, the violator be fined \$250.00 per day for each day the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance.

The respondent was not present.

Special Magistrate Wagner found the respondent in violation of Code Section 30-122 (B) expiration of building permit for a water heater, the respondent has 14 days, October 23, 2024, to bring the property into compliance or be fined in the amount of \$250 per day and assess prosecution costs in the amount of \$250.

D. CASE NO. CC2023-05-035

Fine Reduction Hearing

**Jordan Cohen
1119 Highland Beach Dr. 2
Highland Beach FL, 33487
PCN:24-43-47-04-02-002-0212**

Legal Description: BEL LIDO TH PT OF LT 21 K/A NORTH UNIT BLDG 1 BLK 2

Code Sections: 34-5 (A) Application for Vacation Rental Certificate

Violations: Unregistered Vacation Rental.

Special Magistrate Wagner opened hearing.

Code Compliance Officer Adam Osowsky reviewed the history of the case. He mentioned that the respondent only contacted the Town after the foreclosure

process was started against the lien on the property to request a lien reduction hearing. The property was in violation for 42 days and the fine total is \$10,500.

The respondent, Jordan Cohen, was present and gave testimony on the violation.

Special Magistrate Wagner granted the respondent's request for a fine reduction in the amount of \$1,050 to be paid by November 08, 2024, or revert to the original amount of \$10,500.

**E. CASE NO. CC2022-10-020
Fine Reeducation Hearing**

**Jordan Cohen
1119 Highland Beach Dr. 3
Highland Beach FL, 33487
PCN: 24-43-47-04-02-002-0214
Legal Description: BEL LIDO TH PT OF LT 21 K/A WEST UNIT BLDG 2 BLK 2**

Code Sections: 34-5 (A) Application for Vacation Rental Certificate

Violations: Unregistered Vacation Rental.

Special Magistrate Wagner opened hearing.

Code Compliance Officer Adam Osowsky reviewed the history of the case. He mentioned that the respondent only contacted the Town after the foreclosure process was started against the lien on the property to request a lien reduction hearing. The property was in violation for 255 days and the fine total is \$63,750.

The respondent, Jordan Cohen, was present and gave testimony on the violation.

Special Magistrate Wagner granted the respondent's request for a fine reduction in the amount of \$6,375 to be paid by November 08, 2024, or revert to the original amount of \$63,750.

**F. CASE NO. CC2022-10-014
Fine Reduction Hearing**

**Jordan Cohen
1123 Highland Beach Dr. 3
Highland Beach FL, 33487
PCN: 24-43-47-04-02-002-0223
Legal Description: BEL LIDO TH PT OF LT 22 K/A UNIT 3 BLK 2**

Code Sections: 34-5 (A) Application for Vacation Rental Certificate

Violations: Unregistered Vacation Rental.

Special Magistrate Wagner opened hearing.

Code Compliance Officer Adam Osowsky reviewed the history of the case. He mentioned that the respondent only contacted the Town after the foreclosure

process was started against the lien on the property to request a lien reduction hearing. The property was in violation for 255 days and the fine total is \$63,750.

The respondent, Jordan Cohen, was present and gave testimony on the violation.

Special Magistrate Wagner granted the respondent's request for a fine reduction in the amount of \$6,375 to be paid by November 08, 2024, or revert to the original amount of \$63,750.

5. ADJOURNMENT

The meeting adjourned at 1:32 P.M.

APPROVED: November 12, 2024, Special Magistrate Hearing

Signed Minutes on file in the Town
Clerk's Office.

ATTEST:

Kevin Wagner,
Code Enforcement Magistrate

Transcribed by
Jaclyn DeHart

Jaclyn DeHart
Deputy Town Clerk

11/12/2024

Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the events of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: <https://highlandbeach-fl.municodemeetings.com/>.