

TOWN OF LOXAHATCHEE GROVES

TOWN HALL COUNCIL CHAMBERS

SPECIAL MAGISTRATE HEARING MINUTES

AUGUST 21, 2024 – 9:01 A.M. – 9:58 A.M.



Meeting Audio Available Upon Request in the Office of the Town Clerk

CALL TO ORDER

The meeting was called to order by Amity Barnard, Special Magistrate, at 9:01 A.M. on Wednesday, August 21st, 2024

ROLL CALL

Sammie Brown, Town Clerk Assistant, called the roll.

Staff Present:

- Francine L. Ramaglia, MPA, ICMA-CM, CPA, Town Manager
- Tanya Early, Esq, Town Attorney, Torcivia, Donlon, Godeau, & Rubin, P.A.
- Sammie Brown, FRA-RP, MEDP, Town Clerk Assistant
- Mario Matos, Code Enforcement Manager
- Jim Fleishmann, Town Planner

Special Magistrate:

Amity R. Barnard, Esq.

Adjournment:

Meeting adjourned at 9:58 A.M.

PLEASE SEE THE FOLLOWING SPECIAL MAGISTRATE ORDERS

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 24030005

Petitioner,

v.

NATHALIA MARIA URIBE & MANUEL JUAN URIBE SAENZ,

Respondents.

ORDER GRANTING CONTINUANCE AND SETTING FINE ASSESSMENT HEARING

RE: Violation of Section 20-017 of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION
LOXAHATCHEE GROVES W 280 FT OF E 580 FT OF TR 46 BLK F

STREET ADDRESS:
12873 Collecting Canal Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:
41-41-43-17-01-646-0020

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 21st day of August, 2024 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact and Order.

FINDINGS OF FACT

1. Respondents, NATHALIA MARIA URIBE & MANUEL JUAN URIBE SAENZ, are the owners of the above-described property.
2. Respondents were represented at the hearing by Susan Taylor, Esq., Counsel; there was also a finding of proper notice.
3. By the "Order Finding Violation" dated June 19, 2024, the Special Magistrate ordered the Respondents to comply with the above-referenced section on or before August 16, 2024.
4. At the hearing on August 21, 2024, Mario Matos, the Town's code enforcement officer, testified under oath and presented documentary and photographic evidence of the violation continuing to occur on the property. The Town's documentary and photographic evidence were entered into the record as Composite Exhibit #1 without objection.
5. At the hearing on August 21, 2024, the Town and Respondents mutually agreed to continue this matter.

ORDER

It is the Order of the Special Magistrate that this matter be continued. Respondents are hereby ordered to comply with Section 20-017 of the ULDC of the Code of the Ordinances of the Town of Loxahatchee Groves no later than September 4, 2024. **This matter is set for Fine Assessment Hearing on September 18, 2024 at 9:00 am at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida 33470.** At such hearing, a fine in the amount of Two Hundred Fifty Dollars (\$250.00) may be assessed for each day that the violations continue to exist past September 4, 2024, the compliance deadline set by this Order.

Administrative costs for prosecuting the August 21, 2024 hearing are hereby *reserved*.

Upon complying in any code enforcement matter, it is always the responsibility of the Respondents to contact the Code Enforcement Department at (561) 793-2418 to request a re-inspection of the property.

DONE AND ORDERED THIS 21st day of August, 2024.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY:



AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 23090002

Petitioner,

v.

BRIGHTVIEW LANDSCAPE SERVICES INC,

Respondent.

ORDER GRANTING CONTINUANCE AND SETTING FINE ASSESSMENT HEARING

RE: Violation of Section 87-030 of the Town ULDC and Section 18-24 of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION
LOXAHATCHEE GROVES W 487.68 FT OF TR 10 BLK E

STREET ADDRESS:
13710 Okeechobee Boulevard
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:
41-41-43-17-01-510-0030

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 21st day of August, 2024 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact and Order.

FINDINGS OF FACT

1. Respondent, BRIGHTVIEW LANDSCAPE SERVICES INC, is the owner of the above-described property.
2. Respondent was represented at the hearing by Shannon Lee, Planner; there was also a finding of proper notice.
3. By the "Order Finding Violation" dated June 19, 2024, the Special Magistrate ordered the Respondent to comply with the above-referenced sections on or before August 16, 2024.
4. At the hearing on August 21, 2024, Mario Matos, the Town's code enforcement officer, and the Jim Fleischman, the Town's Planning Consultant, testified under oath and presented documentary and photographic evidence of the violation continuing to occur on the property. The Town's documentary and photographic evidence were entered into the record as Composite Exhibit #1 without objection.
5. At the hearing on August 21, 2024, the Town requested to continue this matter.

ORDER

It is the Order of the Special Magistrate that this matter be continued. Respondent is hereby ordered to comply with Section 87-030 of the Town ULDC and Section 18-24 of the Code of the Ordinances of the Town of Loxahatchee Groves no later than October 1, 2024. **This matter is set for Fine Assessment Hearing on October 16, 2024 at 9:00 am at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida 33470.** At such hearing, a fine in the amount of Two Hundred Fifty Dollars (\$250.00) may be assessed for each day that the violations continue to exist past October 1, 2024, the compliance deadline set by this Order.

Administrative costs for prosecuting the August 21, 2024 hearing are hereby *reserved*.

Upon complying in any code enforcement matter, it is always the responsibility of the Respondent to contact the Code Enforcement Department at (561) 793-2418 to request a re-inspection of the property.

DONE AND ORDERED THIS 21st day of August, 2024.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY:



AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 24050005

Petitioner,

v.

BRIGHTVIEW LANDSCAPE SERVICES INC,

Respondent.

ORDER GRANTING CONTINUANCE AND SETTING FINE ASSESSMENT HEARING

RE: Violation of Sections 05-040(A-B), 175-110, 175-170 and 175-240 of the Town ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION
LOXAHATCHEE GROVES W 487.68 FT OF TR 10 BLK E

STREET ADDRESS:
13710 Okeechobee Boulevard
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:
41-41-43-17-01-510-0030

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 21st day of August, 2024 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact and Order.

FINDINGS OF FACT

1. Respondent, BRIGHTVIEW LANDSCAPE SERVICES INC, is the owner of the above-described property.
2. Respondent was represented at the hearing by Shannon Lee, Planner; there was also a finding of proper notice.
3. By the "Order Finding Violation" dated June 19, 2024, the Special Magistrate ordered the Respondent to comply with the above-referenced sections on or before August 16, 2024.
4. At the hearing on August 21, 2024, Mario Matos, the Town's code enforcement officer, testified under oath and presented documentary and photographic evidence of the violation continuing to occur on the property. The Town's documentary and photographic evidence were entered into the record as Composite Exhibit #1 without objection.
5. At the hearing on August 21, 2024, the Town requested to continue this matter.

ORDER

It is the Order of the Special Magistrate that this matter be continued. Respondent is hereby ordered to comply with Sections 05-040(A-B), 175-110, 175-170 and 175-240 of the Town ULDC of the Code of the Ordinances of the Town of Loxahatchee Groves no later than October 1, 2024. **This matter is set for Status/Fine Assessment Hearing on October 16, 2024 at 9:00 am at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida 33470.** At such hearing, a fine in the amount of up to Two Hundred Fifty Dollars (\$250.00) may be assessed for each day that the violations continue to exist past October 1, 2024, the compliance deadline set by this Order.

Administrative costs for prosecuting the August 21, 2024 hearing are hereby *reserved*.

Upon complying in any code enforcement matter, it is always the responsibility of the Respondent to contact the Code Enforcement Department at (561) 793-2418 to request a re-inspection of the property.

DONE AND ORDERED THIS 21st day of August, 2024.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: 
AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 24020007

Petitioner,

v.

GALT LIFE LLC,

Respondent.

ORDER GRANTING CONTINUANCE AND SETTING FINE ASSESSMENT HEARING

RE: Violation of Sections 05-040(A-B), 175-110, 175-170 and 175-240 of the Town ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION
LOXAHATCHEE GROVES E 1/2 OF N 1/2 OF TR 32 BLK B

STREET ADDRESS:
3571 C Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:
41-41-43-17-01-232-0010

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 21st day of August, 2024 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact and Order.

FINDINGS OF FACT

1. Respondent, GALT LIFE LLC, is the owner of the above-described property.
2. Respondent was not present at the hearing; however, there was a finding of proper notice.
3. By the "Order Finding Violation" dated June 19, 2024, the Special Magistrate ordered the Respondent to comply with the above-referenced sections on or before August 16, 2024.
4. At the hearing on August 21, 2024, Mario Matos, the Town's code enforcement officer, testified under oath and presented documentary and photographic evidence of the violation continuing to occur on the property. The Town's documentary and photographic evidence were entered into the record as Composite Exhibit #1 without objection.
5. At the hearing on August 21, 2024, the Town requested to continue this matter.

ORDER

It is the Order of the Special Magistrate that this matter be continued. Respondent is hereby ordered to comply with Sections 05-040(A-B), 175-110, 175-170 and 175-240 of the Town ULDC of the Code of the Ordinances of the Town of Loxahatchee Groves no later than October 13, 2024. **This matter is set for Status/Fine Assessment Hearing on October 16, 2024 at 9:00 am at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida 33470.** At such hearing, a fine in the amount of Two Hundred Fifty Dollars (\$250.00) may be assessed for each day that the violations continue to exist past October 13, 2024, the compliance deadline set by this Order.

Administrative costs for prosecuting the August 21, 2024 hearing are hereby *reserved*.

Upon complying in any code enforcement matter, it is always the responsibility of the Respondent to contact the Code Enforcement Department at (561) 793-2418 to request a re-inspection of the property.

DONE AND ORDERED THIS 21st day of August, 2024.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: _____


AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA, CASE NO. 23010003 & 23010006

Petitioner,

v.

LANTANA HOLDINGS, LLC,

Respondent.

_____ /

ORDER CONTINUING HEARING

RE: Violation of Sections 20-017 (Case No. 23010003) and 87-030 (Case No. 23010006) of the
Town ULDC, Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION

36-43-40, SLY 922 FT OF WLY 926.54 FT OF E 1/4 LYG N OF & ADJ TO SR 80 R/W

STREET ADDRESS:

16169 Southern Boulevard
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:

41-40-43-36-00-000-1020

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 21st day of August, 2024 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact and Order.

FINDINGS OF FACT

1. Respondent, LANTANA HOLDINGS, LLC, is the owner of the above-described property.
2. Respondent, represented by Cody German, Esq., Counsel for tenant FERP Holdings, was present remotely at the hearing and stipulated to service on both cases and waived any claim related to legally sufficient service and/or due process for the hearing.
3. At the hearing on August 21, 2024, Mario Matos, the Town's code enforcement officer, testified under oath and presented documentary and photographic evidence.

ORDER

To the extent still necessary, the parties shall have until close of business September 16, 2024 to submit via email to mitt@davislawteam.com with copy to opposing counsel, their brief/memorandum of law (3 page maximum) addressing the issue of authority as it relates to the termination/dissolution of the Stipulation Agreement dated April 3, 2019, as amended.

A Hearing will be held before the Special Magistrate on **September 18, 2024 at 9:00 am at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida 33470** at which time a ruling may be entered as to:


1. Violation of the Stipulated Agreement, as amended;
2. The assessment of costs or fines; and
3. Such other matters as may be appropriate.

Upon complying in any code enforcement matter, it is always the responsibility of the Respondent to contact the Code Enforcement Department at (561) 793-2418 to request a re-inspection of the property.

DONE AND ORDERED THIS 21st day of August, 2024.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: _____


AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 24060006

Petitioner,

v.

TRAVERS FARM LLC,

Respondent.

ORDER DENYING RESPONDENT'S MOTION FOR REHEARING

RE: Violation of Section 87-030 of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION
LOXAHATCHEE GROVES E 1/2 OF S 1/2 OF TR 45 BLK D

STREET ADDRESS:
1557 E Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:
41-41-43-17-01-445-0030

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 21st day of August, 2024 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent submitted a "Request for Appeal Hearing", dated July 31, 2024 requesting reconsideration on the issue of service in the Order Finding Violation, dated July 17, 2024.
2. The Respondent's motion was placed on the August 21, 2024 hearing agenda.
3. The Respondent was present at the hearing and provided testimony relative to the request for rehearing.

CONCLUSIONS OF LAW AND ORDER

It is the Order of the Town of Loxahatchee Groves Special Magistrate that Respondent's Motion is hereby denied.

DONE AND ORDERED THIS 21st day of August, 2024.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: _____


AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 24060005

Petitioner,

v.

TRAVERS FARM LLC,

Respondent.

ORDER GRANTING RESPONDENT'S MOTION FOR REHEARING

RE: Violation of Section 20-050(a)(1) of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION
LOXAHATCHEE GROVES E 1/2 OF S 1/2 OF TR 45 BLK D

STREET ADDRESS:
1557 E Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:
41-41-43-17-01-445-0030

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 21st day of August, 2024 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent submitted a "Request for Appeal Hearing", dated July 31, 2024 requesting reconsideration on the issue of service in the Order Finding Violation, dated July 17, 2024.
2. The Respondent's motion was placed on the August 21, 2024 hearing agenda.
3. The Respondent was present at the hearing and provided testimony relative to the request for rehearing.

CONCLUSIONS OF LAW AND ORDER

It is the Order of the Town of Loxahatchee Groves Special Magistrate that Respondent's Motion is hereby granted. Based on the additional testimony provided by Respondent and the Town at the time of rehearing, the Special Magistrate hereby orders that the previous Order Finding Violation dated July 17, 2024 in the above-referenced matter be rescinded and vacated by separate order.

DONE AND ORDERED THIS 21st day of August, 2024.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: _____


AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 24060005

Petitioner,

v.

TRAVERS FARM LLC,

Respondent.

_____ /

ORDER RESCINDING AND VACATING ORDER FINDING VIOLATION

RE: Violation of Section 20-050(a)(1) of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION

LOXAHATCHEE GROVES E 1/2 OF S 1/2 OF TR 45 BLK D

STREET ADDRESS:

1557 E Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:

41-41-43-17-01-445-0030

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 21st day of August, 2024 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Respondent is the owner of the above-described property.
2. On July 17, 2024, the Special Magistrate entered an Order Finding Violation which found the property in violation of Section 20-050(a)(1) of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.
3. The Respondent and Village have requested that the Order Finding Violation be rescinded, vacated and released.

ORDER

It is the Order of the Special Magistrate that the prior Order Finding Violation dated July 17, 2024 be **RESCINDED, VACATED AND RELEASED**.

DONE AND ORDERED THIS 21st day of August, 2024.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: _____


AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE