

Special Magistrate: Earl K Mallory

Contested

Special Magistrate: Non-Contested

A. WELCOME

B. STAFF ANNOUNCEMENTS / REMARKS

C. DIVIDING THE HEARING - CONTESTED AND NON-CONTESTED

D. SCHEDULED CASES

Agenda No.: 001 Status: Active

Respondent: Lubin, Loyd S; Diaz, Ines Velez CEO: Larry W Caraccio

Situs Address: 5132 2nd Rd, Lake Worth, FL Case No: C-2019-01290033

PCN: 00-42-43-27-05-032-0803 Zoned: AR

Violations: 1 Details: Operating, playing or using any loud speaker, loud speaker system, sound amplifier, radio,

television, phonograph, musical instrument, or similar device which generates excessive noise

at the property line of inhabited residential land shall be prohibited.

Code: Unified Land Development Code - 5.E.4.B.1.c.

Issued: 01/29/2019 **Status:** CEH

Agenda No.: 002 Status: Active

Respondent:Lubin, Loyd S; Diaz, Ines VelezCEO:Larry W Caraccio5132 2nd Rd, Lake Worth, FL 33467-5616Type:Repeat Irreparable

Situs Address: 5132 2nd Rd, Lake Worth, FL Case No: C-2019-12130017

PCN: 00-42-43-27-05-032-0803 Zoned: AR

Violations: 1 Details: Operating, playing or using any loud speaker, loud speaker system, sound amplifier, radio,

television, phonograph, musical instrument, or similar device which generates excessive noise

at the property line of inhabited residential land shall be prohibited. **Code:** Unified Land Development Code - 5.E.4.B.1.c.

Issued: 01/09/2020 **Status:** CEH

Agenda No.: 003 Status: Active

Respondent: Ross, Frona S CEO: Nick N Navarro

765 Bamboo Dr, Boca Raton, FL 33432-3002

Situs Address: 4558 Avalon St, Boca Raton, FL Case No: C-2018-05300009

PCN: 00-41-47-25-05-008-0490

RE: Per Respondent's request and Notice regarding Imposition of Fine/Line & RSA approval, this case is added to 02/13/20

Special CEH

cc: Spink, Shrouder & Karns, P.A.

Agenda No.: 004 Status: Removed

Respondent: VINTAGE HOTSPOT RESTAURANT INC. AND LOUNGE CEO: Dennis A Hamburger

7843 Nautique Ct, Lake Worth, FL 33467

Situs Address: 7443 S Military Trl, Lake Worth, FL Case No: C-2019-12050001

PCN: 00-42-45-12-19-001-0030 **Zoned:** MUPD

Violations: 1 Details: A violation of any condition in a development order shall be considered a violation of this

Code. Failure to comply with conditions of approval and approved site plan for Resolution

#R-2004-0510 and Petition #DOA 1989-115E. Code: Unified Land Development Code - 2.A.11

Issued: 12/05/2019 **Status:** CLS

cc: Vintage Hotspot Restaurant Inc. And Lounge

Agenda No.: 005 Status: Removed

Respondent: SPECTRUM SQUARE LLC **CEO:** Dennis A Hamburger

4000 Hollywood Blvd, Ste 685B, Hollywood, FL 33021-6751

Situs Address: 7437 S Military Trl, Lake Worth, FL Case No: C-2019-11210013

PCN: 00-42-45-12-19-001-0030 Zoned: MUPD

Violations:

Details: A violation of any condition in a development order shall be considered a violation of this Code. Failure to comply with conditions of approval and approved site plan for Resolution #

R-2004-0510 and Petition # DOA 1989-115E.

Code: Unified Land Development Code - 2.A.11

Issued: 11/21/2019 Status: CLS

Agenda No.:006Status:ActiveRespondent:ELFBRA ONE INVESTMENT LLCCEO:Jodi A Guthrie312 SE 17TH St, Fl 2, FORT LAUDERDALE, FL 33316Type:Life Safety

Situs Address: 2939 S Haverhill Rd, Building B, West Palm Beach, FL Case No: C-2019-12300002

PCN: 00-42-44-14-64-000-0020 Zoned: RH

Violations:

Details: Charges for Excessive False Alarms in Commercial

Structures. The activation of four (4) or more false alarms within a twelve

(12) month period will be handled according to the following:

1. For the fourth through sixth false alarm within a twelve (12) month period, the alarm user or building owner shall be assessed a two hundred fifty dollar (\$250.00) fine per occurrence, which shall be considered a debt owed to Palm

Beach County.

27

2. For the seventh through ninth false alarm within a twelve (12) month period, the alarm user or building owner shall be assessed a five hundred dollar (\$500.00) fine per occurrence, which shall be considered a debt owed to Palm Beach County.

3. For the tenth and each successive false alarm within a twelve (12) month period, the alarm user or building owner shall be assessed a one thousand dollar (\$1,000.00) fine per occurrence, which shall be considered a debt owed to Palm

Beach County.

4. The tenth and each successive false alarm within a twelve (12) month period shall be determined to be a public nuisance. In this event the AHJ may (a) process a complaint for each occurrence to the Palm Beach County Code Enforcement Special Master for corrective action, or (b) enter into an agreement with the owner to implement appropriate corrective action to remedy said nuisance(s); or (c) pursue any other legally available remedies.

5. Funds documented as expended by the owner for corrective action, shall, upon receipt of documentation by the AHJ, be deducted from the debt owed to Palm Beach County for excessive false alarms.

6. The provisions of this section shall not apply to required alarm systems for an initial period of two (2) months from the date the fire alarm system is accepted by the AHJ.

7. False alarms transmitted during a natural disaster shall not be counted in calculating excessive false alarm fines hereunder. In the event of a hurricane, the natural disaster shall be deemed to commence with the start of a hurricane watch and continue through five (5) calendar days thereafter.

The Authority Having Jurisdiction (AHJ) shall determine the number and frequency of such false alarm

Print Date: 2/12/2020 08:01 AM

signals and notify the alarm user or building owner of amounts owed and shall make demand thereof, pursuant to the provisions of this Code. The County may initiate proceedings to collect said fines after demand thereof has been made by the AHJ.

Code: National Fire Protection Association 1 - 10.6.6.3

Issued: 12/31/2019 **Status:** CEH

Details: Maximum No. of False Alarms in a 12 Month Period. The

transmission of more than three (3) false alarm signals by an automatic fire detection system or a medical alarm system within a twelve (12) month time period is excessive. This period of time shall begin October 1 and continue through September 30 of the following year. No person shall allow or cause the prevention of the transmission of, for any reason, an alarm by an automatic fire detection system or a medical alarm system. This includes systems used by anyone or systems serving the premises of a building occupied or controlled by such person.

Code: National Fire Protection Association 1 - 10.6.6.1

Issued: 12/31/2019 **Status:** CEH

cc: Coral Bay Health Care Associates, Llc

Elfbra One Investment Llc Elfbra One Investment Llc

Fire Rescue

1

West Palm Beach Condominium Association, Inc

Agenda No.: 007 Status: Active

Respondent: SPECTRUM SQUARE LLC CEO: Dennis A Hamburger

4000 Hollywood Blvd, Ste 685B, Hollywood, FL 33021-6751

Situs Address: 7437 S Military Trl, Lake Worth, FL Case No: C-2020-01290031

PCN: 00-42-45-12-19-001-0030 **Zoned:** MUPD

Violations:

Details: A violation of any condition in a development order shall be considered a violation of this

Code. Failure to comply with conditions of approval and approved site plan for Resolution

#R-2004-0510 and Petition #DOA 1989-115E **Code:** Unified Land Development Code - 2.A.11

Issued: 01/29/2020 **Status:** CEH

2 Details: Hours of operation shall not exceed 6am-11pm when located within 250 feet of a parcel of land

with a residential use or F.L.U. designation. **Code:** Unified Land Development Code - 5.E.4.5

Issued: 01/29/2020 **Status:** CEH

Agenda No.:008Status:PostponedRespondent:RUSSELL, JONATHAN DCEO:Nick N Navarro

7525 169th St N, Palm Beach Gardens, FL 33418-7612

Situs Address: 811 Chukker Rd, Delray Beach, FL Case No: C-2018-06040034

PCN: 00-43-46-04-00-001-0410 **Zoned:** RM

Violations:

Details: Uncultivated vegetation when 1) greater than 18 inches in height located on vacant lots, or 2) greater than 7 inches in height when located on developed residential or developed non-residential lots shall be considered a nuisance.

Specifically: Overgrown/Uncultivated Vegetation

Code: Palm Beach County Property Maintenance Code - Section 14-62 (3) (a) and (b) Issued: 06/06/2018 Status: CEH

Details: A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months

after the time the work is commenced.

More specifically: The below permit(s) have become inactive or expired.

B-1989-018621-0000 Single Family Dwelli... Inactive .
B-2002-005721-0000 Wall or Partition -Inactive

Code: PBC Amendments to FBC 6th Edition (2017) - 105.4.1

cc: Resident, Resident

Print Date: 2/12/2020 08:01 AM

E. HOUSE KEEPING ITEMS (CONTESTED HEARING)

F. CLOSING REMARKS

- 1. SPECIAL MAGISTRATE
- 2. COUNTY ATTORNEY
- 3. STAFF

"IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING HE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED."

Print Date: 2/12/2020 08:01 AM