



**CODE ENFORCEMENT
SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA
SEPTEMBER 21, 2011 9:00 am**

Special Magistrate: Earl K Mallory

Agenda No.: 001 **Status:** Active
Respondent: Zulaica, Homer Jr **CEO:** Maggie Bernal
 4796 Square Lake Dr, Palm Bch Gdns, FL 33418-6140
Situs Address: 4796 Square Lake Dr, Palm Beach Gardens, FL **Case No:** C-2010-08020024
PCN: 00-42-42-24-01-000-0621 **Zoned:** RE

- Violations:**
- 1** **Details:** Interior and/or exterior renovations including but not limited to repairs, alterations, and/or additions of electrical, plumbing, mechanical, and/or non-structural and structural building systems (i.e. exterior doors/windows, interior walls) without the proper permits is prohibited.
Code: PBC Amendments to the FBC 2007 Edition - 105.1
Issued: 08/04/2010 **Status:** MCEH
 - 2** **Details:** Interior and/or exterior renovations including but not limited to repairs, alterations, and/or additions of electrical, plumbing, mechanical, and/or non-structural and structural building systems (i.e. exterior doors/windows, interior walls) without the proper permits is prohibited.
Code: PBC Amendments to the FBC 2007 Edition - 105.1
Issued: 08/04/2010 **Status:** MCEH

Agenda No.: 002 **Status:** Active
Respondent: Dieudonne, Barbara **CEO:** Eduardo D De Jesus
 10705 Ember St, Boca Raton, FL 33428-4180
Situs Address: 10705 Ember St, Boca Raton, FL **Case No:** C-2010-08250028
PCN: 00-41-47-25-10-042-0060 **Zoned:** RS

- Violations:**
- 1** **Details:** Hedges may be planted and maintained along or adjacent to a lot line to a height not exceeding eight feet in the required side (to the required front setback) and rear yards and not exceeding a height of four feet in the required front yards.
Code: Unified Land Development Code - 5.B.1.A.2.a
Issued: 09/09/2010 **Status:** MCEH
 - 2** **Details:** All premises and exterior property shall be maintained free from weeds or uncultivated vegetation: (1) Greater than eighteen (18) inches in height when located on vacant lots, or (2) Greater than seven (7) inches in height when located on developed residential or developed nonresidential lots; as set forth in Chapter 6. All noxious weeds shall be prohibited. This term shall not include cultivated flowers and gardens, or native vegetation.
Code: PBC Property Maintenance Code - 302.3
Issued: 09/09/2010 **Status:** MCEH

Agenda No.: 003 **Status:** Active
Respondent: Gonzalez Rocha, Filemon **CEO:** Matthew M Doumas
 325 Pelman St, Dallas, TX 75224-2117
Situs Address: 4135 Luzon Ave, Lake Worth, FL **Case No:** C-2010-07190023
PCN: 00-42-44-24-00-000-5023 **Zoned:** RM

- Violations:**
- 1** **Details:** All premises and exterior property shall be maintained free from weeds or uncultivated vegetation: (1) Greater than eighteen (18) inches in height when located on vacant lots, or (2) Greater than seven (7) inches in height when located on developed residential or developed nonresidential lots. All noxious weeds shall be prohibited.
Code: PBC Property Maintenance Code - 302.3
Issued: 07/27/2010 **Status:** MCEH
 - 2** **Details:** It shall be considered a nuisance to have accumulations of waste, yard trash or rubble and debris upon any lot. It shall be unlawful for the owner or occupant of a building, structure or property to utilize the premises of such property for the open storage of any motor vehicle which is inoperable and in a state of disrepair, ice box, refrigerator, stove, or other appliances, glass, building material, building rubbish, debris, garbage or similar items. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. More specifically, remove openly stored items including furniture, shutters and other debris.
Code: PBC Property Maintenance Code - 302.1
PBC Property Maintenance Code - 305.1
PBC Property Maintenance Code - 602.1
Issued: 07/27/2010 **Status:** MCEH

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Agenda No.: 004 **Status:** Active
Respondent: HSBC BANK USA, NATIONAL ASSOCIATION AS **CEO:** Jose Feliciano
TRUSTEE FOR THE ASSET BACKED PASS-THROUGH
CERTIFICATES EQUITY LOAN TRUST, SERIES 2006-FM2
7105 Corporate Dr, Mailstop PTX-B-35, Plano, TX 75024-4100
Situs Address: 16368 84th Ct N, Loxahatchee, FL **Case No:** C-2010-08200015
PCN: 00-40-42-24-00-000-5170 **Zoned:** AR

- Violations:**
- 1** **Details:** It shall be unlawful for the owner or occupant of a building, structure or property to utilize the premises of such property for the open storage of any motor vehicle which is inoperable and in a state of disrepair, ice box, refrigerator, stove, or other appliances, glass, building material, building rubbish, debris, garbage or similar items. Trash and debris scattered throughout property exterior.
Code: PBC Property Maintenance Code - 305.1
Issued: 08/31/2010 **Status:** MCEH
 - 2** **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. All landscaping and vegetation is overgrown and not being maintained throughout property.
Code: PBC Property Maintenance Code - 602.3
Issued: 08/31/2010 **Status:** MCEH

Agenda No.: 005 **Status:** Active
Respondent: Lequerique, Mario G **CEO:** Joanne J Fertitta
13659 51st Pl N, Royal Palm Beach, FL 33411-8163
Situs Address: 13659 51st Pl N, West Palm Beach, FL **Case No:** C-2010-02110012
PCN: 00-41-43-04-00-000-7080 **Zoned:** AR

- Violations:**
- 1** **Details:** Installing electric to Tiki Huts and various outdoor features without first obtaining required electrical permits is prohibited.
Code: PBC Amendments to the FBC 2007 Edition - 105.1
Issued: 04/15/2010 **Status:** MCEH
 - 2** **Details:** Every permit issued shall expire unless the work authorized by such permit is commenced within 6 months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 6 months after the time the work is commenced.
B04022356 Pool Residential - In- Ground inactive
B06006071 Wall landscape - Site inactive
B07025336 Addition - Residential inactive
Code: PBC Amendments to the FBC 2007 Edition - 105.4
Issued: 04/15/2010 **Status:** MCEH
 - 3** **Details:** Erecting/installing shed without first obtaining required building permits is prohibited.
Code: PBC Amendments to the FBC 2007 Edition - 105.1
Issued: 04/15/2010 **Status:** MCEH

cc: Robert A. D'Angio, Jr., P.A.

Agenda No.: 006 **Status:** Active
Respondent: Barteet, Dominique **CEO:** Jamie G Illicete
2299 Palm Harbor Dr, Palm Beach Gardens, FL 33410-2089
Situs Address: 2299 Palm Harbor Dr, Palm Beach Gardens, FL **Case No:** C-2011-04180045
PCN: 00-43-41-32-19-000-0110 **Zoned:** RS

- Violations:**
- 1** **Details:** Residential swimming pools/spas shall be completely surrounded by a safety barrier in accordance with the Florida Building Code. In-ground swimming pool not completely surrounded by a safety barrier in accordance with the Florida Building Code.
Code: Florida Building Code - 424.2.17
Issued: 04/20/2011 **Status:** MCEH

cc: Chance McClain, Esq
Richman Greer Professional Association
Richman Greer Professional Association

Agenda No.: 007 **Status:** Removed
Respondent: Nascimento, Ginivania; Silva, Marivaldo **CEO:** Cynthia S McDougal
5018 Cleveland Rd, Delray Beach, FL 33484-4222
Situs Address: 5018 Cleveland Rd, Delray Beach, FL **Case No:** C-2010-01140018
PCN: 00-42-46-23-03-000-7950 **Zoned:** RS

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- Violations:**
- 1 **Details:** Uncultivated vegetation when 1) greater than 18" in height located on vacant lots, or 2) greater than 7" in height when located on developed residential or developed non-residential lots is prohibited.
Code: PBC Property Maintenance Code - 602.3
Issued: 01/28/2010 **Status:** MCEH
 - 2 **Details:** All accessory structures, including detached garages, fences, walls, and swimming pools shall be maintained structurally sound and in good repair (fence in disrepair).
Code: PBC Property Maintenance Code - 302.4
Issued: 01/28/2010 **Status:** MCEH
 - 3 **Details:** Uncultivated vegetation when 1) greater than 18" in height located on vacant lots, or 2) greater than 7" in height when located on developed residential or developed non-residential lots is prohibited.
Code: PBC Property Maintenance Code - 602.3
Issued: 01/28/2010 **Status:** MCEH
 - 4 **Details:** All accessory structures, including detached garages, fences, walls, and swimming pools shall be maintained structurally sound and in good repair (fence in disrepair).
Code: PBC Property Maintenance Code - 302.4
Issued: 01/28/2010 **Status:** MCEH

cc: Silva, Marivaldo B

Agenda No.: 008 **Status:** Active
Respondent: Lainhart, John E **CEO:** Julia F Poteet
1206 Wynnedale Rd, West Palm Beach, FL 33417-5634
Situs Address: 1206 Wynnedale Rd, West Palm Beach, FL **Case No:** C-2005-12140012
PCN: 00-42-43-26-18-008-0090 **Zoned:** RS

- Violations:**
- 1 **Details:** OPERATING A BOARDING/ROOMING HOUSE IN A RESIDENTIAL DISTRICT IS PROHIBITED. DOING INTERIOR RENOVATIONS INCLUDING BUT NOT LIMITED TO ERECTING WALLS IN THE GARAGE, FAMILY ROOM, LIVING ROOM AND PATIO WITHOUT PROPER PERMITS IS PROHIBITED. DOING ELECTRICAL WORK, MECHANICAL, PLUMBING AND STRUCTURAL WORK WITHOUT PERMITS.
Code: Florida Building Code - 105.1
Unified Land Development Code - 4.A.3.A.7; TABLE 4.A.3.A.-1
Issued: 12/20/2005 **Status:** MCEH

cc: Lainhart, Robin

Agenda No.: 009 **Status:** Active
Respondent: Abouzid, Usama **CEO:** Cynthia L Sinkovich
3930 Chipewyan Dr, Lake Worth, FL 33462-2153
Situs Address: 3930 Chipewyan Dr, Lake Worth, FL **Case No:** C-2008-06100030
PCN: 00-43-45-06-04-017-0180 **Zoned:** RM

- Violations:**
- 1 **Details:** 1) ALL EXTERIOR DOORS AND HARDWARE SHALL BE MAINTAINED IN GOOD CONDITION. LOCKS AT ALL ENTRANCES TO DWELLNG UNITS, ROOMING UNITS AND GUESTROOMS SHALL TIGHTLY SECURE THE DOOR.
Code: PBC Property Maintenance Code - 1) 303.14
Issued: 06/11/2008 **Status:** MCEH
 - 2 **Details:** 2) UNCULTIVATED VEGETATION GREATER THAN SEVEN (7) INCHES IN HEIGHT WHEN LOCATED ON DEVELOPED RESIDENTIAL LOT IS PROHIBITED.
Code: PBC Property Maintenance Code - 2) 602.3
Issued: 06/11/2008 **Status:** MCEH
 - 3 **Details:** 3) IT SHALL BE UNLAWFUL FOR THE OWNER OR OCCUPANT OF A BUILDING, STRUCTURE OR PROPERTY TO UTILIZE THE PREMISES OF SUCH PROPERTY FOR THE OPEN STORAGE OF ANY MOTOR VEHICLE WHICH IS INOPERABLE AND IN A STATE OF DISREPAIR, ICE BOX, REFRIGERATOR, STOVE, OR OTHER APPLIANCES, GLASS, BUILDING MATERIAL, BUILDING RUBBISH, DEBRIS, GARBAGE OR SIMILAR ITEMS. IT SHALL BE THE DUTY AND RESPONSIBILITY OF EVERY SUCH OWNER OR OCCUPANT TO KEEP THE PREMISES OF SUCH PROPERTY CLEAN AND TO REMOVE FROM THE PREMISES ALL SUCH ITEMS LISTED ABOVE INCLUDING BUT NOT LIMITED TO DEAD TREES, TRASH, GARBAGE, OR SIMILAR ITEMS. SPECIFICALLY: INOPERABLE MOTOR VEHICLES STORED OPENLY ON THE PROPERTY.
Code: PBC Property Maintenance Code - 3) 305.1
Issued: 06/11/2008 **Status:** MCEH
 - 4 **Details:** 4) FENCE ERECTED ON THE PROPERTY WITHOUT THE PROPER PERMITS.
Code: PBC Amendments to FBC 2004 Edition - 4) 105.1
Issued: 06/11/2008 **Status:** MCEH
 - 5 **Details:** 5) ALL ACCESSORY STRUCTURES, INCLUDING DETACHED GARAGES, FENCES, WALLS, AND SWIMMING POOLS SHALL BE MAINTAINED STRUCTURALLY SOUND AND IN GOOD REPAIR. SPECIFICALLY: FENCE IN DISREPAIR.

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Code: PBC Property Maintenance Code - 5) 302.4
Issued: 06/11/2008 **Status:** MCEH

Agenda No.: 010 **Status:** Active
Respondent: Kelly, Donald T; Kelly, Judith L **CEO:** Charles Zahn
1609 N Federal Hwy, Lake Worth, FL 33460-6644 United States
Situs Address: 483 Tall Pines Rd, West Palm Beach, FL **Case No.:** C-2010-07060032
PCN: 00-42-43-35-02-003-0102 **Zoned:** RM

- Violations:**
- 1 **Details:** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.
Code: PBC Property Maintenance Code - 304.3
Issued: 07/19/2010 **Status:** MCEH
 - 2 **Details:** Installing air conditioning without first obtaining required building permits is prohibited.
Code: PBC Amendments to the FBC 2007 Edition - 105.1
Issued: 07/19/2010 **Status:** MCEH

Agenda No.: 011 **Status:** Active
Respondent: Zulaica, Homer Jr **CEO:** Maggie Bernal
4796 Square Lake Dr, Palm Bch Gdns, FL 33418-6140
Situs Address: 4796 Square Lake Dr, Palm Beach Gardens, FL **Case No.:** C-2010-10140015
PCN: 00-42-42-24-01-000-0621 **Zoned:** RE

- Violations:**
- 1 **Details:** Erecting/installing Driveway/Fence/columns/gates w/electrical without first obtaining required building permits is prohibited.
Code: PBC Amendments to the FBC 2007 Edition - 105.1
Issued: 10/14/2010 **Status:** MCEH

Agenda No.: 012 **Status:** Active
Respondent: Connor, Winsome J; Bernard, Delores **CEO:** Charles Zahn
2601 Glenwood Rd, 6L, Brooklyn, NY 11210-2261
Situs Address: 42nd Rd N, FL **Case No.:** C-2009-06100032
PCN: 00-41-43-11-00-000-7530 **Zoned:** AR

- Violations:**
- 1 **Details:** If the nuisance consists solely of uncultivated vegetation as provided in Section 602.3, 602.4, 602.5, and the parcel is less than 1/2 acre in size, the nuisance shall be abated in its entirety. if the parcel is greater than 1/2 acre in size only so much of the nuisance shall be abated as lies within twenty-five (25) feet of the boundary of any adjacent property which is developed and used or has been used for residential, commercial or industrial purposes.
Code: PBC Property Maintenance Code - 603.2
Issued: 06/22/2009 **Status:** MCEH
 - 2 **Details:** Uncultivated vegetation when 1) greater than 18" in height located on vacant lots, or 2) greater than 7" in height when located on developed residential or developed non-residential lots is prohibited.
Code: PBC Property Maintenance Code - 602.3
Issued: 06/22/2009 **Status:** MCEH
 - 3 **Details:** Schinus terebinthifolius (commonly known as Brazilian Pepper) bushes or trees, if uncultivated, shall be considered a nuisance.
Code: PBC Property Maintenance Code - 602.4
Issued: 06/22/2009 **Status:** MCEH
 - 4 **Details:** If the nuisance consists solely of uncultivated vegetation as provided in Section 602.3, 602.4, 602.5, and the parcel is less than 1/2 acre in size, the nuisance shall be abated in its entirety. if the parcel is greater than 1/2 acre in size only so much of the nuisance shall be abated as lies within twenty-five (25) feet of the boundary of any adjacent property which is developed and used or has been used for residential, commercial or industrial purposes.
Code: PBC Property Maintenance Code - 603.2
Issued: 06/22/2009 **Status:** MCEH
 - 5 **Details:** Uncultivated vegetation when 1) greater than 18" in height located on vacant lots, or 2) greater than 7" in height when located on developed residential or developed non-residential lots is prohibited.
Code: PBC Property Maintenance Code - 602.3
Issued: 06/22/2009 **Status:** MCEH
 - 6 **Details:** Schinus terebinthifolius (commonly known as Brazilian Pepper) bushes or trees, if uncultivated, shall be considered a nuisance.
Code: PBC Property Maintenance Code - 602.4
Issued: 06/22/2009 **Status:** MCEH

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| 7 | <p>Details: If the nuisance consists solely of uncultivated vegetation as provided in Section 602.3, 602.4, 602.5, and the parcel is less than 1/2 acre in size, the nuisance shall be abated in its entirety. if the parcel is greater than 1/2 acre in size only so much of the nuisance shall be abated as lies within twenty-five (25) feet of the boundary of any adjacent property which is developed and used or has been used for residential, commercial or industrial purposes.</p> <p>Code: PBC Property Maintenance Code - 603.2 Issued: 06/22/2009 Status: MCEH</p> |
| 8 | <p>Details: Uncultivated vegetation when 1) greater than 18" in height located on vacant lots, or 2) greater than 7" in height when located on developed residential or developed non-residential lots is prohibited.</p> <p>Code: PBC Property Maintenance Code - 602.3 Issued: 06/22/2009 Status: MCEH</p> |
| 9 | <p>Details: Schinus terebinthifolius (commonly known as Brazilian Pepper) bushes or trees, if uncultivated, shall be considered a nuisance.</p> <p>Code: PBC Property Maintenance Code - 602.4 Issued: 06/22/2009 Status: MCEH</p> |
| 10 | <p>Details: If the nuisance consists solely of uncultivated vegetation as provided in Section 602.3, 602.4, 602.5, and the parcel is less than 1/2 acre in size, the nuisance shall be abated in its entirety. if the parcel is greater than 1/2 acre in size only so much of the nuisance shall be abated as lies within twenty-five (25) feet of the boundary of any adjacent property which is developed and used or has been used for residential, commercial or industrial purposes.</p> <p>Code: PBC Property Maintenance Code - 603.2 Issued: 06/22/2009 Status: MCEH</p> |
| 11 | <p>Details: Uncultivated vegetation when 1) greater than 18" in height located on vacant lots, or 2) greater than 7" in height when located on developed residential or developed non-residential lots is prohibited.</p> <p>Code: PBC Property Maintenance Code - 602.3 Issued: 06/22/2009 Status: MCEH</p> |
| 12 | <p>Details: Schinus terebinthifolius (commonly known as Brazilian Pepper) bushes or trees, if uncultivated, shall be considered a nuisance.</p> <p>Code: PBC Property Maintenance Code - 602.4 Issued: 06/22/2009 Status: MCEH</p> |

ADJOURNMENT:

"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. "