



**CODE ENFORCEMENT
SPECIAL MAGISTRATE HEARING AGENDA
FEBRUARY 13, 2020 9:00 AM**

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
 5132 2nd Rd, Lake Worth, FL 33467-5616 **Type:** **Repeat**
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 Velez **CEO:** Larry W Caraccio
 5132 2nd Rd, Lake Worth, FL 33467-5616 **Type:** **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

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Issued: 12/05/2019

Status: CLS

cc: Vintage Hotspot Restaurant Inc. And Lounge

Agenda No.: 005

Status: Removed

Respondent: SPECTRUM SQUARE LLC
4000 Hollywood Blvd, Ste 685B, Hollywood, FL 33021-6751

CEO: Dennis A Hamburger

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:

- 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: 11/21/2019 **Status:** CLS

Agenda No.: 006

Status: Active

Respondent: ELFBRA ONE INVESTMENT LLC
312 SE 17TH St, Fl 2, FORT LAUDERDALE, FL 33316

CEO: Jodi A Guthrie

Type: 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:

- 1** **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.
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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 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

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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. "