



**CODE ENFORCEMENT
SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA
MARCH 15, 2017 9:00 AM**

Special Magistrate: Thomas H Dougherty

Agenda No.: 001 **Status:** Active
Respondent: Losito, Marilyn **CEO:** Frank T Austin
 122 2nd St, West Palm Beach, FL 33413-1714 United States
Situs Address: 122 2nd St, West Palm Beach, FL **Case No:** C-2016-01250004
PCN: 00-42-43-34-02-003-0130 **Zoned:** AR

- Violations:**
- | | |
|----------|---|
| 1 | Details: All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.
Code: Palm Beach County Property Maintenance Code - Section 14-45 (c) (1)
Issued: 01/25/2016 Status: MCEH |
| 2 | Details: Every window, door and frame shall be kept in sound condition, good repair and weather tight.
Code: Palm Beach County Property Maintenance Code - Section 14-33 (m)
Issued: 01/25/2016 Status: MCEH |
| 3 | 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: Palm Beach County Property Maintenance Code - Section 14-34 (c)
Issued: 01/25/2016 Status: MCEH |
| 4 | Details: Erecting/installing Shade Canopy Structure without first obtaining required building permits is prohibited.
Code: PBC Amendments to FBC 5th Edition (2014) - 105.1
Issued: 01/25/2016 Status: CLS |
| 5 | Details: One (1) address sign shall be required for each principal building or use on premises showing the numerical address designation on the premises upon which they are maintained or in multi-unit buildings which utilize a marquee/signboard, the full building address shall be posted on such marquee/signboard. The address shall be posted in a color contrasting that of the marquee/signboard or building a minimum of 4" for residential and 6" for commercial structure, and of sufficient size to be plainly visible and legible from the roadway.
Code: Palm Beach County Property Maintenance Code - Section 14-33 (c)
Issued: 01/25/2016 Status: CLS |
| 6 | Details: All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.
Code: Palm Beach County Property Maintenance Code - Section 14-34 (b)
Issued: 01/25/2016 Status: MCEH |
| 7 | Details: All electrical equipment, wiring and appliances shall be property installed and maintained in a safe and approved manner.
Code: Palm Beach County Property Maintenance Code - Section 14-46 (d) (1)
Issued: 01/25/2016 Status: MCEH |

cc: Losito, Marilyn

Agenda No.: 002 **Status:** Active
Respondent: Baitul Mukarram of FLorida, Inc. **CEO:** Maggie Bernal
 9969 Equus Cir, Boynton Beach, FL 33462
Situs Address: 4665 Kirk Rd, Lake Worth, FL **Case No:** C-2015-01220004
PCN: 00-42-44-25-00-000-5690 **Zoned:** RM

- Violations:**
- | | |
|----------|--|
| 1 | Details: Trees on the East End of the Parking Lot have been Improperly pruned, known as tree topping (Hatracked) is prohibited.
Code: Unified Land Development Code - 7.E.6.A.4
Issued: 02/24/2015 Status: MCEH |
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cc: Baitul Mukarram Of Florida, Inc.
 Baitul Mukarram Of Florida, Inc.
 Zoning Division

CODE ENFORCEMENT
SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA
MARCH 15, 2017 9:00 AM

Agenda No.: 003 **Status:** Active
Respondent: Cajuste, Harriette; Cajuste, Marc C **CEO:** Maggie Bernal
7386 Willow Springs Cir E, Boynton Beach, FL 33436-9413
Situs Address: 7386 Willow Spring Cir E, Boynton Beach, FL **Case No:** C-2016-01280014
PCN: 00-42-45-12-12-000-0900 **Zoned:** RS

- 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, appliances, glass, building material, construction debris, automotive parts, tires, vegetative debris, garbage, trash or similar items.
It shall be unlawful for any owner of land in any residential district to park on, cause to be parked on, or allow to be parked on residentially zoned land any unlicensed or unregistered vehicle for a period exceeding one hour in any 24 hour period.

More Specifically: Outdoor storage of unlicensed/unregistered and/or inoperable vehicle(s) is not permit in a residential area.
Code: Palm Beach County Property Maintenance Code - Section 14-35 (a)
Unified Land Development Code - 6.A.1.D.19.a.2)
Issued: 02/09/2016 **Status:** MCEH
 - 2 **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, appliances, glass, building material, construction debris, automotive parts, tires, vegetative debris, garbage, trash or similar items.

More Specifically: Remove all open/outdoor storage appliances, furniture, Miscellaneous equipment, glass, building material, construction debris, automotive parts, tires, vegetative trash/debris, garbage, and/or similar items on the property.
Code: Palm Beach County Property Maintenance Code - Section 14-35 (a)
Issued: 02/09/2016 **Status:** CLS

Agenda No.: 004 **Status:** Active
Respondent: Ebersold, Christopher; Ebersold, Jeanne **CEO:** Jose Feliciano
2433 Sun Up Ln, Lake Worth, FL 33462-2541
Situs Address: 2433 Sunup Ln, Lake Worth, FL **Case No:** C-2015-10260020
PCN: 00-43-45-05-06-001-0531 **Zoned:** RS

- Violations:**
- 1 **Details:** Erecting/installing wooden fences throughout property without first obtaining required building permits is prohibited.
Code: PBC Amendments to FBC 5th Edition (2014) - 105.1
Issued: 11/12/2015 **Status:** MCEH
 - 2 **Details:** Erecting/installing a metal roofed awning at property west without first obtaining required building permits is prohibited.
Code: PBC Amendments to FBC 5th Edition (2014) - 105.1
Issued: 11/12/2015 **Status:** MCEH
 - 3 **Details:** Erecting/installing an exterior hot water heating device on west exterior wall without first obtaining required building permits is prohibited.
Code: PBC Amendments to FBC 5th Edition (2014) - 105.1
Issued: 11/12/2015 **Status:** MCEH
 - 4 **Details:** Erecting/installing a home generator system at west yard area without first obtaining required building permits is prohibited.
Code: PBC Amendments to FBC 5th Edition (2014) - 105.1
Issued: 11/12/2015 **Status:** MCEH

Agenda No.: 005 **Status:** Active
Respondent: Rivera, Donald; Rivera, Emma **CEO:** Rick E Torrance
551 SW 168th Way, Fort Lauderdale, FL 33326
Situs Address: 16090 Okeechobee Blvd, Loxahatchee, FL **Case No:** C-2010-03050008
PCN: 00-40-43-25-00-000-1100 **Zoned:** AR

- Violations:**
- 1 **Details:** Erecting/installing fence without required permits is prohibited. permit originally issued was voided.
Code: PBC Amendments to FBC 2004 Edition - 105.1
Issued: 03/05/2010 **Status:** CLS
 - 2 **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 building material, building rubbish, debris, garbage or similar items.

Openly storing plastic pots, a remainder of a previous nursery, is not permitted
Code: Palm Beach County Property Maintenance Code - 305.1
Issued: 03/05/2010 **Status:** MCEH

CODE ENFORCEMENT

SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA

MARCH 15, 2017 9:00 AM

3	Details: Uncultivated vegetation when greater than 18" in height when located on vacant lots is prohibited. Code: Palm Beach County Property Maintenance Code - 602.3 Issued: 03/05/2010 Status: MCEH
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cc: Rivera, Donald
Rivera, Emma

Agenda No.: 006	Status: Active
Respondent: Dauksis, Joseph A 4062 Belle Rd, Lake Worth, FL 33461-2705	CEO: Ray F Leighton
Situs Address: 4062 Belle Rd, Lake Worth, FL	Case No.: C-2016-03090005
PCN: 00-42-44-24-03-000-0140	Zoned: RM

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, appliances, glass, building material, construction debris, automotive parts, tires, vegetative debris, garbage, trash or similar items.
Code: Palm Beach County Property Maintenance Code - Section 14-35 (a)
Issued: 03/09/2016
Status: MCEH |
| 2 | Details: Weeds. All premises and exterior property shall be maintained free from weeds or uncultivated vegetation:
greater than seven (7) inches in height when located on developed residential or developed nonresidential lots,
as set forth in division 6. All noxious weeds shall be prohibited. This term shall not include cultivated flowers and gardens, or native vegetation.
Code: Palm Beach County Property Maintenance Code - Section 14-32 (c) (2)
Issued: 03/09/2016
Status: MCEH |
| 3 | Details: Recreational vehicles, boats, sports vehicles and trailers shall be located in the side or rear yard and screened from surrounding property and streets with an opaque wall, fence or hedge a minimum of six feet in height.
Code: Unified Land Development Code - 6.A.1.D.19.b.5)c)
Issued: 03/09/2016
Status: MCEH |
| 4 | Details: A maximum of one recreational vehicle and any two of the following, or a maximum of three of any of the following, may be parked outdoors on a residential parcel with a residential unit: sports vehicle, boat or vessel with accompanying trailers, and trailers.
Code: Unified Land Development Code - 6.A.1.D.19.b.5)
Issued: 03/09/2016
Status: MCEH |
| 5 | Details: One commercial vehicle of not over one ton rated capacity may be parked per dwelling unit, providing all of the following conditions are met: vehicle is registered or licensed; used by a resident of the premises; gross vehicle weight rating (gvwr) does not exceed 12,500 pounds; height does not exceed nine feet, including any load, bed, or box; and total vehicle length does not exceed 26 feet.
Code: Unified Land Development Code - 6.A.1.D.19.b.1)
Issued: 03/09/2016
Status: MCEH |

Agenda No.: 007	Status: Active
Respondent: Kovarik, John A 19805 Hibiscus Dr, Tequesta, FL 33469-2189	CEO: Michelle I Malkin-Daniels
Situs Address: 19805 Hibiscus Dr, Jupiter, FL	Case No.: C-2016-03030006
PCN: 00-42-40-25-27-003-0040	Zoned: RS

Violations:

- | | |
|----------|---|
| 1 | Details: It shall be unlawful for any owner of land in any residential district to park on, cause to be parked on, or allow to be parked on residentially zoned land any unlicensed or unregistered vehicle for a period exceeding one hour in any 24 hour period.
Code: Unified Land Development Code - 6.A.1.D.19.a.2)
Issued: 03/08/2016
Status: MCEH |
| 2 | 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, appliances, glass, building material, construction debris, automotive parts, tires, vegetative debris, garbage, trash or similar items.
Code: Palm Beach County Property Maintenance Code - Section 14-35 (a)
Issued: 03/08/2016
Status: MCEH |

Agenda No.: 008	Status: Active
Respondent: Castro, Ricardo; Valero, Lucero A 13925 Orange Grove Blvd, Royal Palm Beach, FL 33411-8424	CEO: Rick E Torrance
Situs Address: 13925 Orange Grove Blvd, West Palm Beach, FL	Case No.: C-2015-12280022

CODE ENFORCEMENT
SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA
MARCH 15, 2017 9:00 AM

PCN: 00-41-43-09-00-000-3300

Zoned: AR

Violations:

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|----------|--|
| 1 | <p>Details: Erecting/installing fencing, carport and accessory structures without first obtaining required building permits is prohibited.</p> <p>Code: PBC Amendments to FBC 5th Edition (2014) - 105.1</p> <p>Issued: 01/28/2016 Status: MCEH</p> |
| 2 | <p>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, appliances, glass, building material, construction debris, automotive parts, tires, vegetative debris, garbage, trash or similar items.</p> <p>Code: Palm Beach County Property Maintenance Code - Section 14-35 (a)</p> <p>Issued: 01/28/2016 Status: MCEH</p> |
| 3 | <p>Details: Uses not identified in a district column as permitted by right, by a Special Permit, or as a Conditional Use are not allowed in the District, unless otherwise expressly permitted by this Code. More specifically, A contractor's storage yard.</p> <p style="text-align: center;">The list of uses in Table 4.A.3.A, Use Matrix, is intended to classify uses on the basis of common functional characteristics and land use compatibility.</p> <p>Code: Unified Land Development Code - 4.A.3.A - Use Matrix Table
 Unified Land Development Code - 4.A.3.A.7</p> <p>Issued: 01/28/2016 Status: MCEH</p> |

cc: Castro, Ricardo
 Valero, Lucero A

Agenda No.: 009

Status: Active

Respondent: Silver Glen At Citrus Isles Homeowners Association Inc.
 840 US Hwy 1, Ste 345, North Palm Beach, FL 33408-3834

CEO: Rick E Torrance

Situs Address: 9134 Citrus Isle Ln, Lake Worth, FL
 9201 Silver Glen Way, FL

Case No: C-2013-05150018

PCN: 00-42-44-30-09-012-0000,
 00-42-44-30-09-016-0000

Zoned: PUD

Violations:

- | | |
|----------|--|
| 1 | <p>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 PDD 1997-031. More specifically, with regard to landscaping and street trees within the common areas of the development. Numerous trees and required landscaping are missing along the streets, in the required buffer areas, and in the recreational areas.</p> <p>Code: Unified Land Development Code - 2.A.1.P</p> <p>Issued: 01/21/2014 Status: MCEH</p> |
| 2 | <p>Details: Required or preserved vegetation that becomes damaged, diseased, removed or is dead shall be immediately replaced with plant material to comply with the approved standards and height requirements of this Article or conditions of approval, whichever is greater. Trees that are removed or damaged, shall be replaced in accordance with the tree replacement credit standards of Table 7.D.2.D, Tree Credit and Replacement. Landscape trees planted or preserved to meet the minimum landscape code requirements may be removed provided a Tree Removal Permit is approved.</p> <p>Code: Unified Land Development Code - 7.E.8</p> <p>Issued: 01/21/2014 Status: MCEH</p> |

cc: Levesque, Elizabeth
 Silver Glen At Citrus Isles Hoa Inc
 Silver Glen At Citrus Isles Homeowners Association Inc.
 Silver Glen At Citrus Isles Homeowners Association Inc.
 Silver Glen At Citrus Isles Homeowners Association Inc.

Agenda No.: 010

Status: Active

Respondent: Andreasen, Kim K; Andreasen, Helle K
 2570 Washington Mill Rd, Bellbrook, OH 45305-9724

CEO: Ray A Felix

Situs Address: 2620 Buck Ridge Trl, Loxahatchee, FL

Case No: C-2016-03110001

PCN: 00-40-43-21-01-000-1080

Zoned: AR

CODE ENFORCEMENT
SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA
MARCH 15, 2017 9:00 AM

Violations:

- 1** **Details:** No structure or land shall hereafter be located, extended, converted, developed, built or structurally altered without full compliance with the terms of this Article and other applicable regulations.
- Methods of Reducing Flood Losses
 In order to accomplish its objectives, this Article includes methods and provisions for:
1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in adverse impacts from erosion, flood heights or floodwater velocities;
 2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage throughout their intended life span;
 3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
 4. Controlling filling, grading, dredging, minimum floor elevations and other construction detail which may affect flood damage to buildings; and
 5. Preventing or regulating the construction of flood barriers that will unnaturally divert floodwaters, which may increase flood hazards in other areas.
- Requirement for Building Permit and Elevation Confirmation
 A building permit shall be required in conformance with the provisions of this Article and building codes prior to the commencement of any building activities. All required minimum elevations for building floors or components shall be confirmed by a certified survey prior to subsequent building inspections.
- Code:** Unified Land Development Code - 18.A.1.D
 Unified Land Development Code - 18.A.1.E
 Unified Land Development Code - 18.A.1.F
- Issued:** 04/19/2016 **Status:** MCEH

cc: Andreasen, Helle
 Andreasen, Helle K

Agenda No.: 011

Status: Active

Respondent: PALOMINO PROPERTIES LLC
 5800 Pepertree Cir W, Davie, FL 33314-6918

CEO: Kenneth E Jackson

Situs Address: 8087 Palomino Dr, Lake Worth, FL

Case No: C-2013-05070007

PCN: 00-42-43-27-05-024-0151

Zoned: AR

Violations:

- 1** **Details:** Uses not identified in a district column as permitted by right, by a Special Permit, or as a Conditional Use are not allowed in the District, unless otherwise expressly permitted by this Code. More specifically, __.
- * OPERATING AN EXCAVATION COMPANY WITHOUT PROPER PERMITS *
 - * OPERATING A WHOLESALE NUSERY BUSINESS WITHOUT PERMITS *
- Code:** Unified Land Development Code - 4.A.3.A.7
Issued: 05/07/2013 **Status:** MCEH
- 2** **Details:** A lot used for the storage of construction material, equipment, or three or more commercial vehicles used by building trades and services, other than construction sites.
 Mechanical implement principally used in construction activity.
- * A CONTRACTOR STORAGE YARD IS IN VIOLATION OF THE ZONING CODE FOR THE AR ZONING DISTRICT / AND IS NOT PERMITTED *
- Code:** Unified Land Development Code - 4B1A35(a)
Issued: 05/07/2013 **Status:** MCEH

cc: P. J.'S Land Clearing & Excavating Inc.
 Scro, Salvatore G

Agenda No.: 012

Status: Active

Respondent: Gilo Realty, LLC a Florida limited liability company
 845 NE 79th St, Miami, FL 33138

CEO: Ray F Leighton

Situs Address: 1941 S Military Trl, West Palm Beach, FL

Case No: C-2015-06030013

PCN: 00-42-44-12-00-000-7190

Zoned: UC

Violations:

- 1** **Details:** Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard. Electrical panel boxes, in all three electrical rooms, have open space/missing plate covers.
- Code:** Palm Beach County Property Maintenance Code - Section 14-46 (c) (3)
Issued: 06/05/2015 **Status:** CLS
- 3** **Details:** All electrical equipment and wiring shall be properly installed and maintained in a safe and approved manner. Ceiling lighting inside Flea Market is in disrepair and not working.
- Code:** Palm Beach County Property Maintenance Code - Section 14-46 (d) (1)

CODE ENFORCEMENT
SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA
MARCH 15, 2017 9:00 AM

Issued: 06/05/2015 **Status:** CLS

4 **Details:** Required or preserved vegetation that becomes damaged, diseased, removed or is dead shall be immediately replaced with plant material to comply with the approved standards and height requirements of this Article or conditions of approval, whichever is greater. Missing/dead/dying trees and hedges. Non-compliance with landscape site plan as shown on Petition #1981-157.

Regular maintenance of all landscaping is required. All landscaping shall be free from disease, pests, weeds, and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching, or any other actions needed, consistent with acceptable horticultural practices. Landscape not being maintained.

Code: Unified Land Development Code - 7.E.5.A.2.
 Unified Land Development Code - 7.E.8

Issued: 06/05/2015 **Status:** MCEH

cc: Gilo Realty, Llc A Florida Limited Liability Company
 Gilo Realty, Llc A Florida Limited Liability Company
 Gilo Realty, Llc A Florida Limited Liability Company
 Land Research Management, Inc.

Agenda No.: 013 **Status:** Active
Respondent: PEREIRA, NORMA C; PEREIRA, JOSE **CEO:** Paul Pickett
 7 Ellis Ave, Medford, MA 02155-6328
Situs Address: 8371 Huntsman Pl, Boca Raton, FL **Case No.:** C-2016-04110074
PCN: 00-42-47-32-04-000-1010 **Zoned:** RS

Violations:

1 **Details:** Erecting/installing FENCE without first obtaining required building permits is prohibited.
Code: PBC Amendments to FBC 5th Edition (2014) - 105.1
Issued: 04/26/2016 **Status:** MCEH

Agenda No.: 014 **Status:** Active
Respondent: Gilo Realty LLC, a Florida limited liability company **CEO:** Ray F Leighton
 845 NE 79th St, Miami, FL 33138
Situs Address: 1941 S Military Trl, West Palm Beach, FL **Case No.:** C-2015-09240011
PCN: 00-42-44-12-21-000-0013 **Zoned:** UC

Violations:

1 **Details:** Use of Required Off-Street Parking:
 Off-street parking spaces shall be provided for the use of residents, customers, patrons and employees. Required parking spaces shall not be used for the storage, sale or display of goods or materials or for the sale, repair, or servicing of vehicles. All vehicles parked within off-street parking areas shall be registered and capable of moving under their own power. Required off-street parking spaces shall be free from building encroachments, except that a portion of the required parking area may be used for the following purposes:
 Required parking spaces being used to store/park semi-truck trailer. Furniture, trash and debris in parking lot.
Code: Unified Land Development Code - 6.A.1.D.3
Issued: 09/28/2015 **Status:** CLS

2 **Details:** Required or preserved vegetation that becomes damaged, diseased, removed or is dead shall be immediately replaced with plant material to comply with the approved standards and height requirements of this Article or conditions of approval, whichever is greater.
 Regular maintenance of all landscaping is required. All landscaping shall be free from disease, pests, weeds, and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching, or any other actions needed, consistent with acceptable horticultural practices. Required landscape trees and hedges not being maintained. Dead/dying/missing trees and hedges on property. Grass and/or weeds are overgrown. Landscape areas not being kept mulched and free from litter. Non-compliance with Site Plan Petition 1981-000157.
Code: Unified Land Development Code - 7.E.5.A.2.
 Unified Land Development Code - 7.E.8
Issued: 09/28/2015 **Status:** MCEH

3 **Details:** All parking lots, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Parking lot not being kept in proper state of repair. Potholes observed in parking lot.
Code: Palm Beach County Property Maintenance Code - Section 14-32 (b)
Issued: 09/28/2015 **Status:** CLS

CODE ENFORCEMENT
SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA
MARCH 15, 2017 9:00 AM

cc: Gilo Realty Llc, A Florida Limited Liability Company
Gilo Realty Llc, A Florida Limited Liability Company
Gilo Realty Llc, A Florida Limited Liability Company
Land Research Management

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. "