



**CODE ENFORCEMENT  
SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA  
JANUARY 18, 2012 9:00 am**

**Special Magistrate: Christy L Goddeau**

**Agenda No.:** 001 **Status:** Active  
**Respondent:** TDO Investment Group LLC **CEO:** Bobbie R Boynton  
 10 SE 1st Ave, Ste C, Delray Beach, FL 33444  
**Situs Address:** 9305 Sunrise Dr, West Palm Beach, FL **Case No:** C-2010-04070032  
**PCN:** 00-43-42-18-02-000-0080 **Zoned:** RM

- Violations:**
- 1** **Details:** Installing windows without first obtaining required building permits is prohibited.  
**Code:** PBC Amendments to the FBC 2007 Edition - 105.1  
**Issued:** 04/09/2010 **Status:** MCEH
  - 2** **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. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system. Unit # 8 washing machine discharging onto ground. All sidewalks, walkways, stairs, driveways, parking lots, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.  
**Code:** PBC Property Maintenance Code - 302.2  
 PBC Property Maintenance Code - 405.3.1  
 PBC Property Maintenance Code - 405.5.1  
**Issued:** 04/09/2010 **Status:** MCEH

**cc:** Goldstein, Dale  
Tdo Investment Group Llc

**Agenda No.:** 002 **Status:** Active  
**Respondent:** Spots Inc **CEO:** Richard Colon  
 174 E Inlet Dr, Palm Beach, FL 33480  
**Situs Address:** 2904 Kentucky St, West Palm Beach, FL **Case No:** C-2010-07010010  
**PCN:** 00-43-44-05-08-002-0170 **Zoned:** RS

- Violations:**
- 1** **Details:** The exterior of all vacant structures shall be maintained in a manner required of occupied structures as provided in this code: window areas shall be maintained with appropriate glass and glazing treatment, exterior doors shall be water- and weather-tight, walls and roof areas shall be maintained in a clean, safe and intact condition, and water- and weather-tight.  
**Code:** PBC Property Maintenance Code - 301.3.1  
**Issued:** 07/07/2010 **Status:** MCEH
  - 2** **Details:** 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 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:** 07/07/2010 **Status:** MCEH

**cc:** Spots, Inc

**Agenda No.:** 003 **Status:** Active  
**Respondent:** Gun Club Subsidiary LLC; Gun Club Shopping Center LLC **CEO:** Elpidio Garcia  
 696 NE 125th St, Miami, FL 33161-5546  
**Situs Address:** 4645 Gun Club Rd, Winn Dixie, West Palm Beach, FL **Case No:** C-2010-05170009  
**PCN:** 00-42-44-01-28-000-0000 **Zoned:** CG

- Violations:**
- 1** **Details:** (Unit #11) A place of worship is being conducted from this location without the benefit of the proper approvals is not permitted in a CG district.  
**Code:** Unified Land Development Code - 4.B.1.29.B.1 & Table 4.A.3.A-1  
**Issued:** 05/17/2010 **Status:** MCEH

**cc:** Imc Property Management

**CODE ENFORCEMENT**  
**SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA**  
**JANUARY 18, 2012 9:00 am**

**Agenda No.:** 004 **Status:** Active  
**Respondent:** Polo Shopping LTD **CEO:** Elpidio Garcia  
2206 W Atlantic Ave, Ste 201, Delray Beach, FL 33445  
**Situs Address:** 770 S Military Trl, Bldg 3, West Palm Beach, FL **Case No:** C-2011-01060015  
**PCN:** 00-42-44-01-05-000-1100 **Zoned:** UC

**Violations:**

<b>1</b>	<b>Details:</b> Church without DRO approval in Unit J. (LOVE & UNITY FELLOWSHIP CHURCH, INC) a place of worship is being conducted from this location without the benefit of the proper approvals is not permitted in a CG district. <b>Code:</b> Unified Land Development Code - 4.B.1.29.B.1 & Table 4.A.3.A-1. <b>Issued:</b> 01/14/2011 <b>Status:</b> MCEH
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**cc:** Lewis Stroud & Deutsch, P.L.  
Love And Unity Fellowship Church, Inc  
Polo Shopping Ltd

**Agenda No.:** 005 **Status:** Active  
**Respondent:** Clancy, Michael James **CEO:** Jamie G Illicete  
1824 Tudor Rd, Juno Isles, FL 33408-2433  
**Situs Address:** 1824 Tudor Rd, North Palm Beach, FL **Case No:** C-2010-08190020  
**PCN:** 00-43-41-33-03-007-0080 **Zoned:** RS

**Violations:**

<b>1</b>	<b>Details:</b> Erecting/installing accordion shutters on windows and garage door without first obtaining required building permits is prohibited. <b>Code:</b> PBC Amendments to the FBC 2007 Edition - 105.1 <b>Issued:</b> 08/23/2010 <b>Status:</b> MCEH
<b>2</b>	<b>Details:</b> Erecting/installing a fence without first obtaining required building permits is prohibited. <b>Code:</b> PBC Amendments to the FBC 2007 Edition - 105.1 <b>Issued:</b> 08/23/2010 <b>Status:</b> MCEH

**cc:** Contractors Licensing

**Agenda No.:** 006 **Status:** Active  
**Respondent:** Suero, Signey; Suero, Mireya **CEO:** Ray F Leighton  
2639 Lakehaven Rd, West Palm Beach, FL 33415-8299  
**Situs Address:** 2639 Lakehaven Rd, West Palm Beach, FL **Case No:** C-2010-11120007  
**PCN:** 00-42-44-13-12-004-0070 **Zoned:** RM

**Violations:**

<b>1</b>	<b>Details:</b> Erecting/installing a addition behind the house,shed, fence, and enclosing the carport without first obtaining required building permits is prohibited. <b>Code:</b> PBC Amendments to the FBC 2007 Edition - 105.1 <b>Issued:</b> 11/17/2010 <b>Status:</b> MCEH
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**Agenda No.:** 007 **Status:** Active  
**Respondent:** Ahmed, Tareq **CEO:** Lorraine Miller  
245 W 38th St, New York, NY 10018-4509  
**Situs Address:** 22568 Blue Fin Trl, Boca Raton, FL **Case No:** C-2011-07110030  
**PCN:** 00-41-47-27-04-002-0380 **Zoned:** RT

**Violations:**

<b>1</b>	<b>Details:</b> Water clarity shall be maintained. When standing at the pools edge at the deep end, the deepest portion of the swimming pool floor shall be visible. <b>Code:</b> PBC Property Maintenance Code - 302.4.1 <b>Issued:</b> 08/15/2011 <b>Status:</b> MCEH
<b>2</b>	<b>Details:</b> Residential swimming pools/spas shall be completely surrounded by a safety barrier in accordance with the Florida Building Code. The screen enclosure doors does not close properly. <b>Code:</b> Florida Building Code - 424.2.17 <b>Issued:</b> 08/15/2011 <b>Status:</b> MCEH

**Agenda No.:** 008 **Status:** Active  
**Respondent:** Broward Motorsports of Palm Bch LLC **CEO:** Julia F Poteet  
9500 S Dadeland Blvd, Ste 708, Miami, FL 33156  
**Situs Address:** 2300 Okeechobee Blvd, West Palm Beach, FL **Case No:** C-2011-02080023  
**PCN:** 00-43-43-30-23-001-0000 **Zoned:** CG

**Violations:**

<b>1</b>	<b>Details:</b> Erecting/installing signs without first obtaining required building permits is prohibited. <b>Code:</b> PBC Amendments to the FBC 2007 Edition - 105.1 <b>Issued:</b> 02/09/2011 <b>Status:</b> MCEH
<b>2</b>	<b>Details:</b> Require Electrical permit for mobil modular office which was removed. <b>Code:</b> PBC Amendments to the FBC 2007 Edition - 105.1

**CODE ENFORCEMENT**  
**SPECIAL MAGISTRATE MODIFICATION HEARING AGENDA**  
**JANUARY 18, 2012 9:00 am**

**3**      **Issued:** 02/09/2011      **Status:** MCEH  
**Details:** Operating commercial parking lot is not permitted pursuant to the ULDC within this CG zoning district.  
**Code:** Unified Land Development Code - 4.B.1.A.96  
**Issued:** 02/09/2011      **Status:** MCEH

**cc:** Broward Motorsports Of Palm Beach, Llc  
Casey And Ciklin

**Agenda No.:** 009      **Status:** Active  
**Respondent:** Village Center Associates, L.C.      **CEO:** Karen A Wytovich  
1166 W Newport Center Dr, 114, Deerfield Beach, FL  
33442-7743  
**Situs Address:** 15280 S Jog Rd, Bldg A Sales Office, Delray Beach, FL      **Case No:** C-2010-11090001  
**PCN:** 00-42-46-22-25-001-0000      **Zoned:** MUPD

**Violations:**

**1**      **Details:** Erecting/installing electrical work in units A and B without first obtaining required building permits is prohibited.  
**Code:** PBC Amendments to the FBC 2007 Edition - 105.1  
**Issued:** 12/07/2010      **Status:** MCEH

**Agenda No.:** 010      **Status:** Active  
**Respondent:** Home Depot USA Inc      **CEO:** Charles Zahn  
1201 Hays St, Tallahassee, FL 32301-2525 United States  
**Situs Address:** 220 S State Road 7, New Home Depot, West Palm Beach, FL      **Case No:** C-2011-03240042  
**PCN:** 00-42-43-27-05-008-0221      **Zoned:** CG

**Violations:**

**1**      **Details:** Merchandise shall not be located in any required setback, parking space, loading space, loading area, vehicular use area, fire lane, landscape buffer, or required sidewalk, ADA accessibility route, or drainage easements.  
**Code:** Unified Land Development Code - 5.B.1.A.4.C Outdoor Display  
**Issued:** 04/22/2011      **Status:** MCEH

**2**      **Details:** The violation shall be rectified prior to any public hearing or meeting on the issuance of any subsequent development order for that project, unless the subsequent application seeks to amend the condition that has been violated. Unless otherwise specified in the development order, an approved use must comply with all conditions prior to implementing the approval.

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-2003-0098 and Petition #77-048E.

The violation shall be subject to any and all enforcement procedures available as provided by Article 10, Enforcement, and by all applicable laws and ordinances.

**Code:** Unified Land Development Code - 2.A.1.P  
Unified Land Development Code - 2.A.1.P.1  
Unified Land Development Code - 2.A.1.P.2  
**Issued:** 04/22/2011      **Status:** MCEH

**cc:** Home Depot Usa Inc  
The Home Depot

**Agenda No.:** 011      **Status:** Active  
**Respondent:** Balboa, Mayda      **CEO:** Cynthia L Sinkovich  
7206 Skyline Dr, Delray Beach, FL 33446-2216  
**Situs Address:** 7206 Skyline Dr, Delray Beach, FL      **Case No:** C-2010-07300005  
**PCN:** 00-42-46-15-01-001-0070      **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. Specifically: Open storage of building materials such as concrete blocks.  
**Code:** PBC Property Maintenance Code - 305.1  
**Issued:** 08/04/2010      **Status:** CLS

**2**      **Details:** The exterior of all vacant structures shall be maintained in a manner required of occupied structures as provided in this code: window areas shall be maintained with appropriate glass and glazing treatment, exterior doors shall be water- and weather-tight, walls and roof areas shall be maintained in a clean, safe and intact condition, and water- and weather-tight.  
**Code:** PBC Property Maintenance Code - 301.3.1  
**Issued:** 08/04/2010      **Status:** CLS

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**JANUARY 18, 2012 9:00 am**

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| <b>3</b> | <b>Details:</b> All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.<br><b>Code:</b> PBC Property Maintenance Code - 303.6<br><b>Issued:</b> 08/04/2010 <span style="float:right"><b>Status:</b> CLS</span>  |
| <b>4</b> | <b>Details:</b> The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.<br><br>The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and down spouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates an adjacent public nuisance.<br><b>Code:</b> PBC Property Maintenance Code - 303.1<br>PBC Property Maintenance Code - 303.7<br><b>Issued:</b> 08/04/2010 <span style="float:right"><b>Status:</b> CLS</span> |
| <b>5</b> | <b>Details:</b> 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.<br><b>Code:</b> PBC Amendments to the FBC 2007 Edition - 105.4<br><b>Issued:</b> 08/04/2010 <span style="float:right"><b>Status:</b> MCEH</span>  |

cc: Balboa, Mayda

**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. "