



VILLAGE OF

# NorthPalm Beach

501 U.S. HIGHWAY 1 • NORTH PALM BEACH, FLORIDA 33408 • 561-841-3355 • FAX 561-881-7469

OFFICE OF THE VILLAGE CLERK

## NOTICE OF RESCHEDULED FINE ASSESSMENT HEARING

CASE NO. 2019-162

VILLAGE OF NORTH PALM BEACH )  
 VS. )  
 FAZLUL & ZARNA INVESTMENT LLC )  
 9267 PROSPERITY FARMS ROAD )  
 NORTH PALM BEACH, FL 33408 )

TO: **FAZLUL & ZARNA INVESTMENT LLC**  
 ADDRESS OF VIOLATION: **9267 PROSPERITY FARMS ROAD, NORTH PALM BEACH, FL**  
 CODE SECTION(S) CITED:

- Appendix A Section VII Appearance Plan Maintenance for Good Appearance
- Section 6-115(h)(1)(2)(3)(4) Signs & Outdoor Displays – Street Numbers
- Section 6-117(h) Signs & Outdoor Displays – Maximum Window Coverage

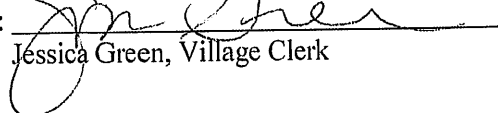
To the above-named addressee:

You are hereby formally notified that the **Fine Assessment Hearing** scheduled for Monday, January 4, 2021 at 5:30 p.m. before the CODE ENFORCEMENT SPECIAL MAGISTRATE OF THE VILLAGE OF NORTH PALM BEACH in the above referenced case has been **rescheduled for the 1st day of FEBRUARY, 2021**, in the Council Chambers of the North Palm Beach Village Hall, 501 U.S. Highway One, North Palm Beach, Florida 33408, at **5:30 o'clock, p.m.**

You are hereby ordered to appear before the Code Enforcement Special Magistrate to be heard for **Fine Assessment** in this case. The Special Magistrate entered an Order Finding Violation on December 2, 2019, finding the respondent in violation, allowing 93 days to comply and imposing a fine in the amount of \$100.00 per day per violation for each day of non-compliance thereafter. The Fine Assessment Hearing will be held to certify the fine. Failure to appear may result in the Code Enforcement Special Magistrate proceeding in your absence.

All testimony shall be under oath and shall be recorded. In accordance with the Americans with Disabilities Act, any person who may require special accommodation to participate in this meeting should contact the Village Clerk's office at 561-841-3355 at least 72 hours prior to the hearing date.

Signed this 23rd day of DECEMBER, 2020.

BY:   
 Jessica Green, Village Clerk

**VILLAGE OF NORTH PALM BEACH, FLORIDA  
CODE ENFORCEMENT DIVISION**

Case No. 2020-77

**VILLAGE OF NORTH PALM BEACH, FLORIDA**

**Petitioner,**

v.

**IZQUIERDOS LLC  
8546 NW 47<sup>TH</sup> STREET  
CORAL SPRINGS, FL 33067**

**PCN: 68-43-42-16-01-000-2201**

**Respondent.**

**ORDER FINDING VIOLATION**

**THIS CAUSE**, having come before the Special Magistrate for the Village of North Palm Beach, Florida on SEPTEMBER 8, 2020, and the Special Magistrate having heard the testimony and considered the evidence presented by the parties; and otherwise being fully apprised of the circumstances, does find as follows:

**FINDINGS OF FACT**

1. The Respondent, Izquierdos LLC, is the owner or occupant of the real property located at: 100 U.S. Highway 1 in the Village of North Palm Beach, Florida ("Property"), and which is legally described as follows: PALM BEACH LAKE WORTH ESTS S 50 FT OF LT 220 & LT 221.
2. A Village Code Compliance Officer conducted a personal inspection of the Property and determined that violations of the Village Code as charged in the Notice of Violation existed on the Property. The Respondent was given a reasonable time to correct the violation, but failed to do so within the allotted time, and the Property is still in violation as of the date of this Order.

**CONCLUSIONS OF LAW**

3. The Findings of Fact support, by a preponderance of the evidence, that Respondents have violated Section 6-17 (FBC 105.1 & FBC 110.3) which incorporates Section 105.1 of the Florida Building Code, by not obtaining a Building Permit and receiving all inspections required to complete the work associated with a Building Permit which has been issued, Appendix A Section VII Appearance Plan Maintenance, Section 14-80(1)(2)(3) Health & Sanitation – Uses or Activities Constituting a Public Nuisance, and Section 6-73(1)(2)(3)(4)(5)(6) Abatement of Unsafe or Unsanitary Buildings and Structures as charged in the Notice of Violation issued in this case.

**IT IS HEREBY ORDERED** as follows:

The Respondent shall come into compliance on the following dates:

**October 9, 2020**

- Section 6-17 (FBC 105.1) Building Permit Required: Submit permit application for review and processing and submit a signed and sealed letter from engineer detailing damage to steel posts and remedy to correct.

**January 6, 2021**

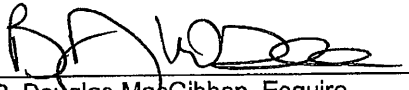
- Section 6-17 (FBC 105.1 & FBC 110.3) Building Permit and Inspections Required: Finalize all work with approved inspections.
- Appendix A Section VII Appearance Plan Maintenance
- Section 14-80(1)(2)(3) Health & Sanitation – Uses or Activities Constituting a Public Nuisance
- Section 6-73(1)(2)(3)(4)(5)(6) Abatement of Unsafe or Unsanitary Buildings and Structures

**IMPORTANT: IT IS THE RESPONSIBILITY OF THE RESPONDENT TO REQUEST AN INSPECTION OF THE PROPERTY AS SOON AS COMPLIANCE IS ACHIEVED BY CALLING THE VILLAGE CODE COMPLIANCE OFFICER AT (561) 841-3365.** If Respondent fails to bring the Property into compliance by the dates specified herein, a fine in the amount of **\$100.00** per day per violation is hereby imposed, for each and every day of non-compliance. The Village is entitled to recover its administrative and prosecution costs and may include such costs in a subsequent order assessing a fine and imposing a lien.

**The Code Enforcement Special Magistrate shall conduct a fine assessment hearing on the 1st day of February, 2021, at 5:30 p.m. at Village Hall, 501 U.S. Highway One, North Palm Beach, FL 33408.**

Should the Respondent come into compliance in accordance with this Order Finding Violation, and subsequently violate the same Code Section(s), within a five (5) year period, such reoccurrence shall subject the Respondent(s) to an administrative fine for a repeat violation of up to \$500.00 per day, for every day of violation.

**DONE AND ORDERED THE 8TH DAY OF SEPTEMBER, 2020.**

  
B. Douglas MacGibbon, Esquire  
Special Magistrate

VILLAGE OF NORTH PALM BEACH, FLORIDA  
CODE ENFORCEMENT DIVISION

Case No. 2020-108

VILLAGE OF NORTH PALM BEACH, FLORIDA

Petitioner,

v.

DANIEL B. ROSS  
713 SANDPIPER WAY  
NORTH PALM BEACH, FL 33408

PCN: 68-43-42-08-02-044-0040

Respondent

### ORDER FINDING VIOLATION

**THIS CAUSE**, having come before the Special Magistrate for the Village of North Palm Beach, Florida on DECEMBER 7, 2020, and the Special Magistrate having heard the testimony and considered the evidence presented by the parties; and otherwise being fully apprised of the circumstances, does find as follows:

#### FINDINGS OF FACT

1. The Respondent, Daniel B. Ross, is the owner or occupant of the real property located at: 712 Waterway Circle in the Village of North Palm Beach, Florida ("Property"), and which is legally described as follows: VILLAGE OF NORTH PALM BCH PL 6 LOT 4 BLK 44.
2. The Respondent received proper notice of the hearing.
3. A Village Code Compliance Officer conducted a personal inspection of the Property and determined that violations of the Village Code as charged in the Notice of Violation existed on the Property. The Respondent was given a reasonable time to correct the violation, but failed to do so within the allotted time, and the Property is still in violation as of the date of this Order.

#### CONCLUSIONS OF LAW

The Findings of Fact support, by a preponderance of the evidence, that Respondent has violated Section 45-36R(2)(a)(b)(c)(d) General Provisions – Formerly Developed Vacant Lots – Ground Treatment as charged in the Notice of Violation issued in this case.

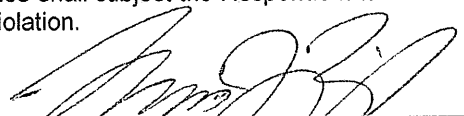
**IT IS HEREBY ORDERED** as follows:

On or before **January 6, 2021**, Respondent shall come into compliance with the Section(s) of the Village Code as charged in the Notice of Violation in this case. **IMPORTANT: IT IS THE RESPONSIBILITY OF THE RESPONDENT TO REQUEST AN INSPECTION OF THE PROPERTY AS SOON AS COMPLIANCE IS ACHIEVED BY CALLING THE VILLAGE CODE COMPLIANCE OFFICER AT (561) 841-3365.** If Respondent fails to bring the Property into compliance by the date specified herein, a fine in the amount of **\$100.00** per day is hereby imposed. The Village is entitled to recover its administrative and prosecution costs and may include such costs in a subsequent order assessing a fine and imposing a lien.

**The Code Enforcement Special Magistrate shall conduct a fine assessment hearing on the 1st day of February, 2021, at 5:30 p.m. at Village Hall, 501 U.S. Highway One, North Palm Beach, FL 33408.**

Should the Respondent come into compliance in accordance with this Order Finding Violation, and subsequently violate the same Code Section(s), within a five (5) year period, such reoccurrence shall subject the Respondent to an administrative fine for a repeat violation of up to \$500.00 per day, for every day of violation.

**DONE AND ORDERED THE 7TH DAY OF DECEMBER, 2020.**

  
Thomas J. Baird, Esquire  
Special Magistrate