

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/COMMUNITY STANDARDS HEARING
AUGUST 6, 2024

Present: Special Magistrate Amity Barnard, Town Attorney Christy Goddeau, and Town Clerk Kelly Avery.

The meeting was called to order at 10:00 A.M. by Special Magistrate Barnard.

Special Magistrate Barnard explained the hearing process, noting that the Town will call cases as they appear on the agenda. All those persons planning to provide testimony were sworn in by Special Magistrate Barnard.

1. ADOPTION OF JULY 2, 2024, MINUTES

The Community Standards Hearing Minutes of July 2, 2024, were adopted as submitted by Special Magistrate Barnard.

2. CASE NO. 2024-010

**OCEAN RIDGE YACHT CLUB HOA INC-
RENAISSANCE MGT
1800 N CONGRESS AVE, STE 120
BOYNTON BEACH, FL 33426
RE: 5600 N OCEAN BLVD
OCEAN RIDGE YACHT CLUB COMMON
AREA K/A PT OF LTS 1 & 2 BENSON
BROTHERS SUB & PT OF LT A TROPICAL SHORES
NATURE OF VIOLATION
64-81, 67-174(a)(1) & 67-174(a)(2)**

Town Attorney Goddeau introduced the case for the Special Magistrate.

Town Clerk Avery provided background information on the case.

Code Enforcement Officer Manny Palacios provided background information and stated that the property was a hazard.

Jill Gallo, Property Manager, and Tricia Schmidt, Director of Operations, represented the Respondent. Special Magistrate Barnard asked if they had any objections to the documents shown on the screen by the Town and they had none. Mrs. Gallo informed the Special Magistrate that they needed clarity on the code and explained they were correcting the violation.

Special Magistrate Barnard asked for the Town's recommendation. Town Attorney Goddeau recommended that the Respondent apply for permits and approval from the Army Corp of Engineers. She also requested a fine of One Hundred Dollars (\$100.00) per day if the Respondent does not comply within a reasonable amount of time and costs of One Hundred Seventy-Three and Forty-Seven Cents (\$173.47) for administrative costs.

Special Magistrate Barnard entered the Towns case file exhibit #1 into the record without objection. She ordered that based on the proper notice of the violation and found that the property violates sections 64-81,67-174(a)(1) of the Code of Ordinances of the Town. She stated that the respondent must provide a written engineer's/marine report assessing the condition of the onsite docks and program for repair or replacement within forty-five (45) days of the date of this order. She also required all dock repairs/replacement within one hundred twenty (120) days of the date of this order. She mentioned if state or federal permits are required, the Respondent may request a hearing for additional time to comply. She also assessed administrative costs of \$173.47 payable within 30 days.

3. CASE NO. 2024-011 LINEAR ALLOCATION IV LLC
2985 N OCEAN DR
DELRAY BEACH, FL 33483
RE: 15 HARBOUR DR. N
RIDGE HARBOUR ESTATES LT 24
NATURE OF VIOLATION
64-81 & 67-17(a)(1)

Town Attorney Goddeau summarized the case for the Special Magistrate. She stated the Town has notice of service and photos.

Special Magistrate Barnard stated that in Case 2024-010, based on the evidentiary case file, she found that there was good and sufficient notice given for the hearing.

Town Clerk Avery provided background information on the case.

Ileen Gonzalez represented the Respondent. Special Magistrate Barnard asked if she had any objections to the documents shown on the screen by the Town and she had no objections. Special Magistrate Barnard entered the Towns case file exhibit #1 into the record without objection and included R1(the Respondent authorization letter). Special Magistrate Barnard asked for the Town's recommendation. Town Attorney Goddeau recommended that the Respondent comply within thirty (30) days and a letter from an engineer. She requested a fine of One Hundred Dollars (\$100.00) per day if the Respondent is not compliant within a reasonable amount of time. She also assessed the costs of One Hundred Seventy-Three and Forty-Seven Cents (\$173.47) payable within thirty (30) days and a letter from an engineer. Special Magistrate Barnard granted her requests.

4. CASE NO. 2024-012 IAN GOLDBAUM
6 SABAL ISLAND DR
RE: 6 SABAL ISLAND
MC CORMICK MILE LT 6
NATURE OF VIOLATION
67-51 & FBC 105.1

Town Clerk Avery summarized the case for the Special Magistrate.

The Respondent was not present.

Special Magistrate Barnard asked for the Town's recommendation. Town Attorney Goddeau recommended compliance within thirty (30) days, a \$50.00 per day if the Respondent does not

comply, and administrative costs of One Seventy-Two Dollars and Ninety-Seven Cents (\$172.97). Special Magistrate Barnard entered the Towns case file exhibit #1 into the record without objection. She stated that based on the evidentiary case file, she found that there was good and sufficient notice given for the hearing. She finds that the property violates sections 67-51 & FBC 105.1 for the white vinyl fence that is installed without the required permits and requested that the Respondent comply by obtaining a building permit within thirty (30) days or be assessed with a fine of Fifty Dollars (\$50.00) per day for each day the violation continues. She also assessed the administrative cost payable within thirty (30) days.

**5. CASE NO 2024-013 DONALD H. TRACEY
380 GLENBROOK DR.
ATLANTIS, FL 33462
CITATION PO1610OR
VIOLATION @ 17 OCEAN AVE
NATURE OF VIOLATION
67-1 (D) CONSTRUCTION SITE PARKING,
3RD + OFFENSE**

Town Attorney Goddeau summarized the case for the Special Magistrate. She explained that this was the third parking offense.

Officers Sigelakis and Pilon provided testimony regarding the parking violation.

Donald Tracey explained that this was his second offense, and he provided written permission that he was allowed to park on the property by the owner. Special Magistrate Barnard asked the Town if they had any objections to the letter and they had none.

Town Attorney Goddeau read the section on Resolution 2022-02 regarding parking citation procedures.

Special Magistrate Barnard entered R1 written notice and the Towns case file exhibit #1 into the record without objection. She stated that based on the evidentiary case file, she found that there was good and sufficient notice given for the hearing. She finds that the Respondent violates sections 67-1 for construction site parking. She assessed a fine of One Hundred Dollars (\$100.00) and administrative costs of One Hundred Sixty-Four Dollars (\$164.00) payable within thirty (30) days.

**6. CASE NO 2024-015 CPI REAL ESTATE INC
3500 45TH ST STE 11
WEST PALM BEACH, FL 33407
RE: 5019 N OCEAN BLVD
PALM BEACH SHORE ACRES BLKS A, B, & Z
W 272 FT OF LT 17 (LESS W 18 FT N OCEAN
BLV & N 10 FT TROPICAL DR R/WS) BLK A
NATURE OF VIOLATION
67-51 Working w/out permit & FBC 105.1**

Town Attorney Goddeau summarized the case for the Special Magistrate.

SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING OF AUGUST 6, 2024

Code Enforcement Officer Manny Palacios provided background information, and he stated that as of today the violation still exists on the property. Town Clerk Avery added that the Respondent applied for a permit that was issued but had a penalty and had not been picked up.

Donna Horrigan, owner of the property, explained that she had paid the fine and provided the receipt.

Town Attorney Goddeau stated that the owner has complied, and the town is only seeking the administrative costs of One Hundred Sixty-Four Dollars (\$164.00).

Special Magistrate Barnard asked Mrs. Horrigan did she had any objections to the documents on the screen and she had none. Special Magistrate Barnard entered the Towns case file exhibit #1 into the record without objection. She stated that based on the evidentiary case file, she found that there was good and sufficient notice given for the hearing. She finds that the Respondent violated sections 67-51 for work without a permit and complied but not within the specified time. She assessed administrative costs of \$164.00 payable within thirty (30) days.

7. **CASE NO 2024-017** **ERIC J HOCHSTADT**
 6407 BELLA CIRCLE APT, 404
 BOYNTON BEACH, FL 33437
 CITATION 0469
 VIOLATION @ OCEANFRONT PARK
 NATURE OF VIOLATION
 62-28 ANIMAL ON BEACH, FIRST OFFENSE

Town Attorney Goddeau introduced the case and Sergeant Gary Roy summarized the case for the Special Magistrate.

The Respondent was not present.

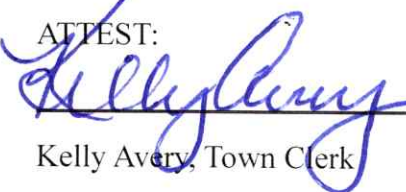
Town Attorney Goddeau recommended thirty (30) days to pay off the fine and a daily fine of Twenty-Five Dollars (25.00) a day if the Respondent fails to pay within the time specified. Special Magistrate Barnard entered the Town case file exhibit #1 into the record without objection. She finds that the Respondent violated sections 62-28 regarding animals on the beach. She assessed costs of \$164.00 payable within thirty (30) days and a daily fine of Twenty -Five Dollars (\$25.00) for each day for non-payment of the citation.

ADJOURNMENT

The hearing was adjourned at 11:22 A.M.

Minutes prepared by Deputy Town Clerk Pinder and adopted by Special Magistrate Barnard on September 3, 2024.

ATTEST:


Kelly Avery, Town Clerk

