

**TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING
AGENDA**



**February 4, 2025 at 10:00 AM
Town Hall Commission Chambers**

APPROVAL OF MINUTES

1. Approval of the Minutes of the January 7, 2025 Meeting

CASES TO BE HEARD

2. **CASE NO. 2025-001**

CASE NO 2025-001

RACHELLE ERIN MULLER

501 HIGH ST., BOCA RATON, FL 33432

CITATION PO1679OR

VIOLATION @ OLD OCEAN
BLVD/BEACHWAY DR.

NATURE OF VIOLATION

54-2 ILLEGAL PARKING (NO PARKING AS
POSTED)

3. **CASE NO. 2024-023**

CASE NO 2024-023

OCEAN RIDGE FAMILY LLC

2805 E OAKLAND PARK BLVD, STE 437, FT.
LAUDERDALE, FL 33306

RE: 20 HUDSON AVE

BOYNTON BEACH PARK LOT 12 BLK 5

NATURE OF VIOLATION

FINE CHALLENGE OF ORDERS ON 12/3/24

4. **CASE NO. 2024-029**

CASE NO 2024-029

JAY WALLSHEIN

119 MARLIN DR., OCEAN RIDGE, FL 33435

RE: 81 ISLAND DR.

MC CORMICK MILE ADD 1 LT 81

NATURE OF VIOLATION

SEC 67-51 WORKING WITHOUT A PERMIT
& FBC 105.1

ADJOURNMENT

Please be advised that if a person decides to appeal any decision with respect to any matter considered at this meeting, such person will need a record of the proceedings, and that for such purpose, he/she 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. The town neither provides nor prepared such record.

Persons who need an accomodation in order to attend or participate in this meeting should contact the

Town Clerk at 561-732-2635 at least 5 days prior to the meeting in order to request such assistance. Please take notice that one or more Town Commissioners may be present at any board or commission meeting of the Town of Ocean Ridge.

The Town of Ocean Ridge is holding all meetings in-person, with an additional option of listening to the audio live. Any person wishing to listen to the audio live can access the feed on the date and time of the meeting by dialing +1 (571) 317-3122 and using 910-698-933 as the access code. Persons who are unable to attend the meeting in person may submit public comments to be read into the record by emailing the Town Clerk a minimum of one business day prior to the meeting at kavery@oceanridgeflorida.com or by calling Town Hall during business hours before the meeting date and time and providing your comment to the Town Clerk.

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/COMMUNITY STANDARDS HEARING
JANUARY 7, 2025

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 OCTOBER 1, 2024, MINUTES

The Community Standards Hearing Minutes of December 3, 2024, were adopted as submitted by Special Magistrate Barnard.

2. CASE NO. 2024-030

**JOHN G DEFALCO
22092 AQUILA ST, BOCA RATON, FL 33428
CITATION PO1666OR
VIOLATION @ 21 OCEAN AVE
NATURE OF VIOLATION
64-46 OFF STREET PARKING, ILLEGAL
PARKING**

Town Attorney Goddeau introduced the case for the Special Magistrate.

Officer Jimmy Pilon provided testimony regarding the parking citation.

Town Attorney Barnard requested a fine of Forty Dollars and the Town's administrative costs in the amount of One Hundred Seventy-Three Dollars and Sixty-Four Cents (\$173.64).

The Respondent was not present.

Special Magistrate Barnard entered the Town's case file as Exhibit #1 into the record without objection. Special Magistrate Barnard 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 Section 64-46 as outlined in Resolution No. 2022-02. She assessed the fine in the amount of Forty Dollars and Zero Cents (\$40.00) and the Town administrative costs in the amount of One Seventy-Three Dollars and Sixty-Four Cents (\$173.64) payable within (30) days.

3. CASE NO. 2024-031

**JENNIFER KNOWLES
32 HERSEY DR, OCEAN RIDGE, FL 33435
CITATION PO1672OR
VIOLATION @ OLD OCEAN BLVD ON BEACH**

NATURE OF VIOLATION

62-28 DOGS ON THE BEACH, FIRST OFFENSE

Town Attorney Goddeau announced that the case was dismissed.

4. **CASE NO. 2024-0824PD JAY WALLSHEIN**
 119 MARLIN DR, OCEAN RIDGE, FL 33435
 RE: 81 ISLAND DR S
 MC CORMICK MILE ADD 1 LT 81
 NATURE OF VIOLATION
 Sec. 67-1 (G) – FAILURE TO REMOVE NON-
 PERMITTED MATERIAL FROM PROPERTY
5. **CASE NO. 2024-029 JAY WALLSHEIN**
 119 MARLIN DR., OCEAN RIDGE, FL 33435
 RE: 81 ISLAND DR
 MC CORMICK MILE ADD 1 LT 81
 THE BEACH
 NATURE OF VIOLATION
 SEC 67-51 WORKING WITHOUT A PERMIT
 & FBC 105.1

Town Attorney Goddeau requested that both cases be continued for February's Hearing.

Special Magistrate Barnard asked was their good sufficient notice was given and Town Clerk Avery answered her question. Town Attorney Goddeau requested that CASE NO. 2024-0824PD be dismissed because it is the same violation.

The Respondent and his attorney were not present.

Special Magistrate Barnard stated that based on the evidentiary case file, she found that there was good and sufficient notice given for the hearing. She ordered that the case CE2024-029 be continued to the February Hearing.

6. **CASE NO. 2024-022 AIVA ROZENBERGA DRUMMOND**
 6520 N OCEAN BLVD #35, OCEAN RIDGE, FL,
 33435
 RE: 6520 N OCEAN BLVD #35
 OCEAN PARK MANOR COND UNIT 35
 NATURE OF VIOLATION
 REQUESTING AN EXTENSION OF THE
 ORDER FROM 10/1/24.

Town Attorney Goddeau introduced the case for the Special Magistrate and requested an amendment to the previous Order Finding Violation and extend the compliance date for the work completion and permit close out to January 2, 2025

The Respondent was not present.

SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING OF JANUARY 7, 2025

Special Magistrate Barnard stated that she will modify the compliance date for the completion of work, inspection, and permit close to reflecting a compliance date of January 2, 2025.

7. **CASE NO. 2024-023** **OCEAN RIDGE FAMILY LLC**
 2805 E OAKLAND PARK BLVD, STE 437,
 FT LAUDERDALE, FL 33306
 RE: 20 HUDSON AVE
 BOYNTON BEACH PARK LOT 12 BLK 5
 NATURE OF VIOLATION
 FINE CHALLENGE OF ORDERS ON 12/3/24

Town Attorney Goddeau introduced the case for the Special Magistrate and requested to maintain the fine of Two Thousand Dollars (\$2,000.00) for four (4) days for non-compliance.

The Respondent was not present.

Special Magistrate Barnard requested that the Respondent attend the hearing. She stated that based on the evidentiary case file, she found that there was good and sufficient notice given for the hearing and requested that the hearing be continued to February's hearing.

ADJOURNMENT

The hearing was adjourned at 10:18 A.M.

Minutes prepared by Deputy Town Clerk Pinder and adopted by Special Magistrate Barnard on February 4, 2025.

ATTEST:

Kelly Avery, Town Clerk



PARKING VIOLATION

VIOLATOR INSTRUCTIONS

THIS CITATION IS ISSUED PURSUANT TO CHAP. 16, ART. IV, SEC. 16-32 OF THE TOWN OF OCEAN RIDGE CODE OF ORDINANCES. THE VIOLATION(S) CHARGED IS A CIVIL INFRACTION THAT COULD SUBJECT YOU TO A CIVIL PENALTY OF \$250 PER VIOLATION PER DAY AND UP TO \$500 PER DAY FOR A REPEAT VIOLATION, PLUS ADMINISTRATIVE COSTS AND THE CITATION FINE SET FORTH BELOW.

YOU MAY AVOID A HEARING, CIVIL PENALTY, AND ADDITIONAL COSTS BY COMPLYING WITH THE CODE SECTION(S) CITED, OBTAINING A REINSPECTION, AND PAYING THE CITATION FINE AMOUNT (BY EITHER CASH, ON-LINE PAYMENT, OR CHECK MADE PAYABLE TO THE TOWN OF OCEAN RIDGE), NO LATER THAN TEN (10) DAYS FROM THE DATE OF CITATION ISSUANCE.

IF YOU FAIL TO COMPLY WITH THE CITED VIOLATION(S) AND/OR PAY THE CITATION FINE AMOUNT IN ACCORDANCE WITH THIS CITATION, OR YOUR CHECK FAILS TO CLEAR, OR YOU WISH TO CONTEST THE CITATION, YOU ARE HEREBY COMMANDED AND SUMMONED TO APPEAR AT A HEARING, BEFORE THE SPECIAL MAGISTRATE, ON THE VIOLATION(S) CHARGED, AS INDICATED ON CITATION, IN THE COMMISSION CHAMBERS AT TOWN HALL, LOCATED AT 6450 N. OCEAN BLVD., OCEAN RIDGE, FL 33435.

IF YOU FAIL TO APPEAR AT THE HEARING TO CONTEST THE CITATION, YOU SHALL BE DEEMED TO HAVE WAIVED YOUR RIGHT TO A HEARING AND RIGHT TO CONTEST THE CITATION, AND AN ORDER MAY BE ENTERED AGAINST YOU FOR AN AMOUNT UP TO THE MAXIMUM DAILY CIVIL PENALTY, TOGETHER WITH THE CITATION FINE AND ADMINISTRATIVE COSTS.

AGENCY CASE # 24-36838	CITATION # PO1679OR	DATE 12/11/2024	TIME 07:55
AGENCY NAME OCEAN RIDGE POLICE DEPARTMENT		TYPE OF DEPARTMENT 2-PD	
COUNTY OF CITATION PALM BEACH		PLACE OR CITY OF CITATION OCEAN RIDGE	
VIOLATOR INFORMATION			
CHECK IF OWNER IS BUSINESS OR THE GOVERNMENT ☐			
BUSINESS NAME			
FIRST RACHELLE	MIDDLE ERIN	LAST MULLER	SUFFIX
STREET 501 HIGH ST		CITY BOCA RATON	STATE FL
ZIP 33432			
DL/ID # [REDACTED]	STATE FL	BIRTH DATE 02/06/1999	RACE W
GENDER F	TELEPHONE		
YR VEHICLE 2024	TAG # RWCD06	TRAILER TAG #	TAG EXP DATE 02/06/2026
STATE FL			
COLOR WHI	STYLE 4 DOOR SED	MAKE TESL	MODEL SWDAN
V.I.N. OR MOTOR # 5YJ3E1EA8RF869269			
ROADWAY INFORMATION			
BUSINESS NAME			
ADDRESS #			
OCCURRED ON STREET, ROAD, HIGHWAY OLD OCEAN BLVD			
FEET	MILES	DIRECTION	AT/FROM STREET, ROAD, HIGHWAY BEACHWAY DR
LATITUDE -80.049640		LONGITUDE 26.514855	ZONE OCEAN RIDGE
VIOLATION			
CODE # 54-2	CHARGE DESCRIPTION NO PARKING AS POSTED		
OTHER VIOLATION COMMENTS ILLEGALPARKING			
PAYMENT INFORMATION			
NAME TOWN OF OCEAN RIDGE			
ADDRESS 6450 N OCEAN BLVD.			
CITY OCEAN RIDGE		ZIP 33435	PHONE # (561) 732-8331
EMAIL ADDRESS		WEB SITE PAGE	
IF PAID WITHIN 10 DAYS	IF PAID AFTER 10 DAYS	FINE \$30.00	FINE \$40.00
FILING FEE			
COURT INFORMATION(if applicable)			
COURT DATE 02/04/2024	COURT TIME 10:00	COURTROOM # / OTHER DETAIL TOWN HALL	

REPORTING OFFICER			
OFFICER SIGNATURE <i>J. Pilon</i>	BADGE # 540	ID # 540	TROOP UNIT PATROL
RANK OFFICER	FIRST J	MIDDLE R	LAST PILON

VIOLATOR SIGNATURE: _____



Town of Ocean Ridge Office of Community Standards
6450 N Ocean Blvd. Ocean Ridge, Florida ph. (561) 732-2635

NOTICE OF HEARING

DATE: 1/27/25

CASE NO.: CE 2025-001

Owner / Respondent: Rachelle Erin Muller

Violation Location: Old Ocean Blvd/ Beachway Dr. – Ocean Ridge, FL

You are hereby formally notified that there will be a public hearing in the Town Commission Chambers of the Town of Ocean Ridge, Florida, Town Hall, located at 6450 N Ocean Boulevard, Ocean Ridge, Florida 33435 on: **February 4, 2025 at 10:00 am**

The hearing will address the above referenced code compliance case number and violation(s) of the following Code Section(s) of the Code of Ordinances of the Town of Ocean Ridge, Florida:

- (1) Violation of Section 54-2 of the Ocean Ridge Code of Ordinances
- (2) Violation of Section _____ of the Ocean Ridge Code of Ordinances

You are hereby ordered to appear before the Community Standards Special Magistrate on the above referenced date at the above referenced time in order to answer these charges. Failure to appear may result in the Special Magistrate proceeding in your absence.

NOTICE: THIS CASE SHALL BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATIONS HAVE BEEN CORRECTED PRIOR TO THE HEARING AND FINES AND COSTS MAY STILL BE IMPOSED. Fines up to \$250.00 per day for the first violation and up to \$500.00 per day for Repeat Violations may be assessed by the Special Magistrate.

This “Notice of Violation Hearing” is issued pursuant to Chapter 162 of the Florida Statutes.

Please govern yourself accordingly.

Kelly Avery, Town Clerk

U.S. Postal Service™
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Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy) \$

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☒ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

2025-02
Postmark
Here
1/8/25

Paquette Erin Mulher

501 Hish St.

Booca Baton, FL 33432

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
 - A unique identifier for your mailpiece.
 - Electronic verification of delivery or attempted delivery.
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- ### Important Reminders:
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 - For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature).
 - You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;
 - To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

**CODE ENFORCEMENT HEARING
COST RECOVERY CALCULATION WORKSHEET
TOWN OF OCEAN RIDGE**

CASE NUMBER: 2024-028
 HEARING DATE: December 3, 2024
 ADDRESS: OLD OCEAN BLVD
 DATE PAID:
 METHOD OF PAYMENT:

ITEM	UNIT AMOUNT	# OF UNITS	TOTAL
CODE ENF. HEARING FEE	\$ 100.00	1	\$ 100.00
CODE ENFORCEMENT CLERK	\$ 34.00	1	\$ 34.00
CODE ENFORCEMENT OFFICER	\$ 30.00	1	\$ 30.00
BUILDING OFFICIAL	\$ 36.00	0	\$ -
ZONING OFFICIAL	\$ 45.00	0	\$ -
CERTIFIED MAILING	\$ 9.68	1	\$ 9.68
PHOTOGRAPHS	\$ -	0	\$ -
TOTAL AMOUNT DUE			\$ 173.68

Received

DEC 20 2024

Town of Ocean Ridge

December 20, 2024

Town of Ocean Ridge
% Town Clerk
Town Hall
6450 N Ocean Blvd
Ocean Ridge, FL 33435

Re: **REQUEST FOR HEARING FOR 2024-023**

Dear Town of Ocean Ridge,

This letter is to kindly request a hearing regarding the fine set for case 2024-023 for 20 Hudson Avenue.

Kind Regards,

Austen Bernstein And Tricia Russel
Ocean Ridge Family, LLC

Return Service To:
Ocean Ridge Family, LLC
% Tricia Russel
2805 E Oakland Park Blvd STE 437
Fort Lauderdale, FL 33306

Prepared by, record and return to:
Amity R. Barnard, Esq.
Town of Ocean Ridge
6450 N. Ocean Blvd.
Ocean Ridge, FL 33435

**TOWN OF OCEAN RIDGE
COMMUNITY STANDARDS**

**ORDER FINDING IRREPERABLE/IRREVERSIBLE VIOLATION,
ASSESSING FINE, AND IMPOSING LIEN**

TOWN OF OCEAN RIDGE,

Case No.: 2024-023

Petitioner,

v.

OCEAN RIDGE FAMILY LLC,

Respondent.

RE: Violation of Section 67-118 of the Code of Ordinances of the Town of Ocean Ridge

PROPERTY ADDRESS: 20 Hudson Avenue
Ocean Ridge, FL 33435

LEGAL DESCRIPTION: BOYNTON BEACH PARK LOT 12 BLK 5

PCN: 46-43-45-27-07-005-0120

The Special Magistrate appointed by the Town Commission to hear Community Standards cases for the Town of Ocean Ridge, in accordance with Chapter 162, Part I, Florida Statutes, has received evidence and heard testimony under oath at the Community Standards hearing held on the 3rd day of December, 2024, and based on the evidence and testimony presented, makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and enters the following ORDER:

FINDINGS OF FACT

1. The Respondent, who was represented at the hearing by Tricia Russell, is the owner of the above-described property ("Property").

2. The Respondent received proper notice of the code violation(s) at the Property, which violation(s) are set forth below.
3. Respondent is in irreparable/irreversible violation of Section 67-118 of the Code of Ordinances of the Town of Ocean Ridge for the expired fill permit and incomplete work under the permit which expired on October 29, 2024 after a 90 day extension was granted by the Town, from the October 30, 2024 through December 3, 2024, a violation which will continue until all work required under the fill permit issued by the Town in December 2023 is complete and the permit is closed out.
4. The Town's evidentiary case file was entered into the record as Composite Exhibit #1 without objection.
5. Respondent's exhibits were entered into the record as Composite Exhibit #R2 without objection.

CONCLUSIONS OF LAW

The Respondent is in irreparable/irreversible violation of the following section(s) of the Town of Ocean Ridge Code of Ordinances:

Sections 67-118 of the Code of Ordinances
of the Town of Ocean Ridge

Code Violation: Expired fill permit

ORDER

It is the Order of the Community Standards Special Magistrate that the Respondent shall be fined **TWO THOUSAND DOLLARS (\$2,000.00) PER DAY** for the irreparable/irreversible violation occurring on the Property, beginning on December 3, 2024 and continuing to accrue at Two Thousand Dollars (\$2,000.00) per day for each day that the irreparable/irreversible violation continues to exist at the Property.

Respondent is further assessed administrative costs in the amount of One Hundred Seventy-Three Dollars and Ninety-Six Cents (\$173.96) for the Town's administrative costs in prosecuting the December 3, 2024 hearing, payable within thirty (30) days of the date of this order.

THE BURDEN SHALL REST UPON RESPONDENT TO REQUEST A REINSPECTION FROM THE TOWN CLERK AT (561) 732-2635 TO DETERMINE WHETHER THE VIOLATION(S) HAS BEEN BROUGHT INTO COMPLIANCE.

A certified copy of this order may be promptly recorded in the Official Records of Palm Beach County and if recorded, shall constitute notice pursuant to Section 162.07(4), Florida Statutes. Within twenty (20) days of the date of this order, the Respondent may deliver a written request to the Town Clerk at Town Hall, 6450 N. Ocean Blvd, Ocean Ridge, FL 33435, for a hearing to challenge the fine amount imposed by this order. If such a hearing is timely requested, the Town shall notify the Respondent of the hearing date and time by regular U.S. mail sent to the address provided in the request. The hearing will be limited to a consideration of only those new findings necessary to impose an appropriate fine amount. The Respondent shall bear the burden of proof at such hearing and shall be required to show cause why the fine amount stated herein should not be imposed. However, if the Respondent fails to timely request a hearing as described above and fails to bring the violation(s) into compliance and/or pay all fines and costs as ordered herein, the Town, if it has not already done so pursuant to Section 162.07(4), Florida Statutes, may record a certified copy of this order in the Official Records of Palm Beach County, Florida, and thereafter this order shall constitute a lien pursuant to Section 162.09, Florida Statutes. If a certified copy of this order has previously been recorded pursuant to Section 162.07(4), Florida Statutes, then the recorded order shall constitute a lien pursuant to Section 162.09, Florida Statutes. The lien shall be assessed against the real property upon which the violation(s) exists or existed and any other real and personal property of the Respondent. After three (3) months from recording the lien which remains unpaid, the Special Magistrate may authorize the Town Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Future violations of the aforementioned code section(s) may be

considered a repeat violation for which a fine of up to Five Hundred Dollars (\$500.00) per day may be imposed beginning on the date the violation begins along with an administrative fee.

Respondent may appeal an order of the Special Magistrate to the Circuit Court of Palm Beach County, which appeal shall be limited to appellate review of the record created before the Special Magistrate. Such appeal, if filed, shall be considered timely if it is filed within thirty (30) days of the execution of the order being appealed.

DONE AND ORDERED this 3rd day of December, 2024.

TOWN OF OCEAN RIDGE
COMMUNITY STANDARDS

BY: [Signature]
SPECIAL MAGISTRATE

I hereby certify that a true and correct copy of the foregoing order has been furnished to Ocean Ridge Family, LLC
at see below by U.S. Regular Certified Mail this 4th day of December, 2024.

[Signature]
Town Clerk or designee



emailed to:
tricia@bldrgroup.com
+
austen.bernstein@gmail.com

Mailed to:
Ocean Ridge Family, LLC
2805 E. Oakland Park Blvd.
Ste. 437
Ft. Lauderdale, FL 33306

Prepared by, record and return to:
Amity R. Barnard, Esq.
Town of Ocean Ridge
6450 N. Ocean Blvd.
Ocean Ridge, FL 33435

**TOWN OF OCEAN RIDGE
COMMUNITY STANDARDS**

ORDER GRANTING CONTINUANCE

TOWN OF OCEAN RIDGE,

Case No.: 2024-023

Petitioner,

v.

OCEAN RIDGE FAMILY LLC,

Respondent.

_____/

RE: Violation of Section 67-118 of the Code of Ordinances of the Town of Ocean Ridge

PROPERTY ADDRESS: 20 Hudson Avenue
Ocean Ridge, FL 33435

LEGAL DESCRIPTION: BOYNTON BEACH PARK LOT 12 BLK 5

PCN: 46-43-45-27-07-005-0120

The Special Magistrate appointed by the Town Commission to hear Community Standards cases for the Town of Ocean Ridge, in accordance with Chapter 162, Part I, Florida Statutes, has received evidence and heard testimony under oath at the Community Standards hearing held on the 7th day of January, 2025, and based on the evidence and testimony presented, makes the following FINDINGS OF FACT and enters the following ORDER:

FINDINGS OF FACT

1. The Respondent submitted correspondence to the Town dated December 20, 2024 contesting the fine previously imposed in the above-referenced matter.
2. Despite this contest, the Respondent was not present at the hearing.

ORDER

It is the Order of the Community Standards Special Magistrate that the requested hearing be continued. Please take notice that you must appear at the Hearing which will be held on the **4th day of February, 2025 at 10:00 a.m.** at the Ocean Ridge Town Hall, 6450 N. Ocean Blvd., Ocean Ridge, Florida 33435 unless the Town certifies that you have timely brought your property into compliance.

Should a dispute arise concerning compliance, either party may request a hearing before the Community Standards Special Magistrate on the issue of compliance only.

Upon complying in any community standards enforcement matter, it is always the responsibility of the Respondent to contact the Ocean Ridge Town Clerk at (561) 732-2635 to request a re-inspection of the property.

DONE AND ORDERED this 7th day of January, 2025.

TOWN OF OCEAN RIDGE
COMMUNITY STANDARDS

BY: [Signature]
SPECIAL MAGISTRATE

I hereby certify that a true and correct copy of the foregoing order has been furnished to Tricia Russell
at see below by U.S. Regular / Certified Mail this 7th day of January, 2024.

[Signature]
Town Clerk or designee



emailed to:

austen.bernstein@gmail.com
tricia@bidgroup.com

mailed to:
Ocean Ridge Family LLC
2805 E Oakland Park Blvd
Ste. 437
Ft. Lauderdale, FL
33306

From: [Austen Bernstein](#)
To: [Kelly Avery](#)
Cc: [Tricia Russel](#)
Subject: Re: FW: 20 Hudson - Request for Fine Challenge Hearing
Date: Tuesday, January 7, 2025 3:13:54 PM
Attachments: [image001.png](#)
[image002.png](#)

Got it. Must have went to spam?

On Tue, Jan 7, 2025 at 3:10 PM Kelly Avery <kavery@oceanridge.gov> wrote:

FYI – This is what I sent 2 weeks ago. No worries. I just sent you the new notice for your next hearing.

Kelly Avery

Town Clerk

PBCMCA Immediate Past President

kavery@oceanridge.gov

Town of Ocean Ridge

6450 N. Ocean Blvd.
Ocean Ridge, FL 33435

561-732-2635 (Main Line)

561-742-1838 (Direct Line)

Mon-Fri 8:30 – 3:00pm

Public Records Requests - [Record Request Portal](#)

www.oceanridge.gov



From: Kelly Avery

Sent: Monday, December 23, 2024 3:12 PM

To: Austen Bernstein <austen.bernstein@gmail.com>; Tricia Russel <tricia@bldrgroup.com>

Subject: 20 Hudson - Request for Fine Challenge Hearing

Good afternoon Austen & Tricia!

Attached is your notice for the upcoming hearing that you have requested. I will also mail a hard copy to the address on file.

Thank you & have a happy holiday!

Kelly Avery

Town Clerk

PBCMCA Immediate Past President

kavery@oceanridge.gov

Town of Ocean Ridge

6450 N. Ocean Blvd.

Ocean Ridge, FL 33435

561-732-2635 (Main Line)

561-742-1838 (Direct Line)

Mon-Fri 8:30 – 3:00pm

Public Records Requests - [Record Request Portal](#)

www.oceanridge.gov



PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the Town of Ocean Ridge officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. The views expressed in this message may not necessarily reflect those of the Town of Ocean Ridge. If you have received this message in error, please notify us immediately by replying to this message, and please delete it from your computer. Thank you

--

Austen Bernstein

Managing Partner | New Story Capital Partners
m. 9172708957



As of 1/28/25, the Town finds the following due:

Fine of \$2,000 per day from 12/3 -12/6 = \$8,000

Interest on fines = \$146.85

Administrative Fee = \$173.96

Lien Filing/Release = \$60.00

Total due (up until 2/15/25): \$8,380.81

COMMUNITY STANDARDS SPECIAL MAGISTRATE TOWN OF OCEAN RIDGE

PAGE 1 OF 2

CE CASE NO.: 2024-029

AFFIDAVIT AND NOTICE OF VIOLATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he(she) has just and reasonable grounds to believe and does believe that on 11/22/24, at _____ hours, the Respondent(s),
JAY WALLSHEIN owner(s) of the property
located at 81 ISLAND DR. S (MC CORMICK MILE ADD 1 LT 81), Ocean Ridge, FL 33435, did violate
Section(s) 67-51 & FBC 105.1 of the Town's
Code of Ordinances by:

Sec. 67-51 Working w/out permit & FBC 105.1 - Please apply for permits for all construction that is occurring at the property.
YOU WERE NOTIFIED 11/22/24 TO STOP WORKING. YOU WILL NEED TO OBTAIN A PERMIT IN ORDER TO WORK ON
YOUR PROPERTY.

This violation notice is base upon: ☒ personal observation/investigation, ☐ or upon a witness
Affidavit (check one or both); Witness Affidavit, if any, must be attached hereto. The legal description of the
property where the violation occurred is 81 ISLAND DR. S (MC CORMICK MILE ADD 1 LT 81)
Pursuant to Town Code Section(s) 67-51 & FBC 105.1,
and Chapter 162, Florida Statutes, the violation(s) must be corrected within IMMEDIATELY calendar days from the
receipt of this notice, failing which this matter shall be heard by a Community Standards Special Magistrate
at Town Hall, 6450 N Ocean Blvd., Ocean Ridge, FL 33435, Telephone 561-732-2635, at 10:00 A.M. on
JANUARY 7, 2025.

If unsure as to how to correct the violation, contact the undersigned Code Enforcement Officer Immediately.

YOU ARE HEREBY ORDERED to appear and answer the above charges. Your failure to appear may
result in the Special Magistrate proceeding in your absence.

AFFIDAVIT AND NOTICE OF VIOLATION

PAGE 2 OF 2

CE CASE NO.: 2024-029

To avoid a hearing in this case, it is your obligation to notify the undersigned Community Standards Officer of compliance on or before IMMEDIATELY at the Town of Ocean Ridge 561-732-2635.

If you are found in violation of the Town Code, the Special Magistrate has the legal authority to levy fines of up to \$250.00 a day against you and your property for every day that any violation continues beyond the date set in an order of the Special Magistrate for compliance, or, in the case of a repeat violation, a fine of up to \$500.00 a day upon a finding that repeat violation has been committed. If a violation is found to be irreparable or irreversible in nature, a fine of up to \$5,000 may be imposed by the Special Magistrate as per F.S.162.09 (2)(a).

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You will have the opportunity to present witnesses as well as question witnesses against you prior to the Special Magistrate making a determination. You should be prepared, at the hearing, to present evidence concerning the amount of time you will need to correct the alleged violation should you be found in violation of the Town Code. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Town Clerk's Office at 561-732-2635.

Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings, and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented.

If you need a special accommodation in order to attend the hearing, you must advise the Town Clerk's Office at 561-732-2635 at least thirty-six (36) hours prior to the hearing.

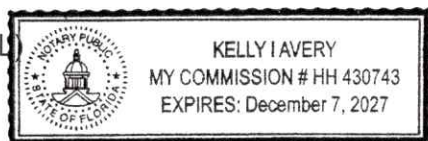
Printed: Steven Shahin

Signed: [Signature]
Community Standards Officer

The foregoing Affidavit and Notice of Violation was sworn to (or affirmed) and subscribed before me by means of physical presence this 2nd day of December by Steven Shahin, who is personally known to me to be a Community Standards Officer of the Town of Ocean Ridge, Florida, and who did take an oath.

Witness my hand and seal the day and year first written above.

(SEAL)



[Signature]
NOTARY PUBLIC, State of Florida
My Commission Expires: 12/07/27



TOWN OF OCEAN RIDGE

6450 North Ocean Boulevard, Ocean Ridge, Florida 33435
(561) 732-2635 Main ♦ (561) 737-8359 Fax

AFFIDAVIT OF SERVICE

TOWN OF OCEAN RIDGE

Petitioner

vs.

Respondent

COMMUNITY STANDARDS

CE CASE NO.: 2024-029

Code Section(s):

67-51 & FBC 105.1

of the Town's Code of Ordinances

VIOLATION ADDRESS: 81 ISLAND DR. S (MC CORMICK MILE ADD 1 LT 81), Ocean Ridge, FL 33435

I, Steven Shakin, Community Standards Officer, hereby certify and return that I have served a Community Standards Special Magistrate Affidavit and Notice of Violation for JANUARY 7, 205 at 10:00 A.M. on the above named respondent on

JAY WELSHEN

at 1:45

AM

PM

SERVICE OBTAINED BY POSTED: By posting a Community Standards Special Magistrate Affidavit and Notice of Violation at the violation address and in the lobby of Town Hall, and by mailing a Community Standards Special Magistrate Affidavit and Notice of Violation by first class mail to the above named respondent.

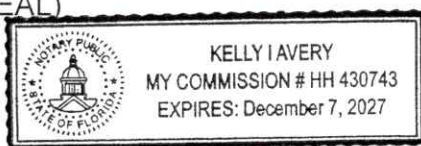
12-2-24
Date

[Signature]
Community Standards Officer

Sworn to and Subscribed

Before me by means of physical presence, this 2nd day of December 2024.

(SEAL)



Kelly Iavery
NOTARY PUBLIC, State of Florida

My Commission Expires: 12/7/27

Property Detail

Location Address : 81 ISLAND DR S
Municipality : OCEAN RIDGE
Parcel Control Number : 46-43-45-22-10-000-0810
Subdivision : MC CORMICK MILE ADD 1 IN
Official Records Book/Page : 30346 / 1116
Sale Date : DEC-2018
Legal Description : MC CORMICK MILE ADD 1 LT 81

Owner Information

Owner(s)	Mailing Address
WALLSHEINN JAY	119 MARLIN DR OCEAN RIDGE FL 33435 3311

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
DEC-2018	\$1,987,500	30346 / 01116	WARRANTY DEED	WALLSHEINN JAY
MAR-2014	\$1,387,014	26869 / 01709	WARRANTY DEED	SVI CAPITAL LLC
AUG-2013	\$902,200	26235 / 00259	CERT OF TITLE	HSBC BANK USA TR
JUN-2007	\$10	22024 / 00359	QUIT CLAIM	TAMPOSI CANDACE A
AUG-2001	\$1,287,500	12875 / 00285	WARRANTY DEED	TAMPOSI CANDACE A &
AUG-1993	\$300,000	07866 / 00874	WARRANTY DEED	
JAN-1969	\$35,000	01697 / 00202		

Exemption Information

No Exemption Information Available.

Property Information

Number of Units : 1
***Total Square Feet :** 4496
Acres : .28
Property Use Code : 0100—SINGLE FAMILY
Zoning : RSF—SINGLE FAMILY RESIDENTIAL (46-OCEAN RIDGE)

Appraisals

Tax Year	2024	2023	2022	2021	2020
Improvement Value	\$1,995,399	\$1,991,723	\$1,761,496	\$1,478,514	\$1,403,811
Land Value	\$2,023,768	\$1,984,086	\$1,284,800	\$800,000	\$680,000
Total Market Value	\$4,019,167	\$3,975,809	\$3,046,296	\$2,278,514	\$2,083,811

Assessed and Taxable Values

Tax Year	2024	2023	2022	2021	2020
Assessed Value	\$3,032,702	\$2,757,002	\$2,506,365	\$2,278,514	\$2,083,811
Exemption Amount	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$3,032,702	\$2,757,002	\$2,506,365	\$2,278,514	\$2,083,811

Taxes

Tax Year	2024	2023	2022	2021	2020
AD VALOREM	\$61,479	\$58,493	\$50,840	\$44,228	\$40,491

Sec. 67-51. - Permit required generally; demolition permits.

(a) *Permits generally.* No construction, alteration, remodeling or demolition of any improvement on any lot may be commenced without a permit by the town building official.

(b) *Demolition permits.*

- (1) *Partial demolition.* Applications for permits for a partial demolition of any improvement must be accompanied by one of the following:
 - a. An approved building permit for any reconstruction, alteration or remodeling which is the purpose for which the partial demolition permit is being sought, including a time certain within which new construction will commence and be completed; or
 - b. Plans prepared by a registered architect or engineer demonstrating that once the partial demolition has been completed, the property and improvements remaining will consist of a complete, finished structure(s) in compliance with all other applicable provisions of the town's zoning and building requirements.
- (2) *Complete demolition.* Applications for permits for complete demolition shall include a plan to meet the applicable clearing, groundcover and other requirements of sections 67-136, 67-137, 67-153 and all other applicable provisions of town's Code of Ordinances, or be accompanied by an approved building permit for any reconstruction, alteration or remodeling which is the purpose for which the complete demolition permit is being sought, including a time certain within which new construction will commence and be completed.
- (3) *Timeframes.* For purposes of this section, and notwithstanding any code section to the contrary, once demolition or partial demolition begins, a contractor has 60 days to complete the demolition. In addition, the requirements under sections 67-136, 67-137, 67-153 and all other applicable requirements of town's Code of Ordinances must be completed no later than 120 days of the issuance of the demolition permit. These requirements do not extend the timeframes for construction as set forth in section 67-52.
- (4) *Posting.* Permits for the demolition or partial demolition of any improvements on land within the town shall be posted in the same manner as and pursuant to the same requirements for construction permits as required by the town's Code of Ordinances, including but not limited to those found in sections 67-59 and 67-153, as well as the Florida Building Code and any applicable county amendments thereto.
- (5) *Letter of credit.* To ensure that a demolition occurs within the timeframes set forth herein, the town requires that the property owner, developer or contractor, as appropriate, file with the town documents guaranteeing that the demolition will occur as set forth herein. Such guarantee shall be a personal bond secured by an unconditional and irrevocable letter of credit in an amount equal to 110 percent of the total cost of the demolition project which shall include grading and other requirements of sections 67-136, 67-137, 67-153, and all other

applicable requirements of the town's Code of Ordinance. The expiration date of the letter of credit shall be at least three months after the expiration date of the anticipated demolition project date. The letter of credit shall be issued to the town by a state or United States banking institution. The town, after 30 days' written notice to the property owner, developer, or contractor, as appropriate, shall have the right to use any funds resulting from drafts on the letter of credit to secure satisfactory completion of the demolition project in the event the property owner, developer, or contractor, as appropriate, fails to complete the demolition project within the timeframe prescribed. Notwithstanding the requirements set forth herein, the town building official may waive the guarantee requirement of providing an unconditional and irrevocable letter of credit, provided that the property owner, developer, or contractor has complied with subsection (b)(1), and the building official has determined that the demolition will have limited adverse impacts and no life-safety issues, and that the timeframe(s) for the partial demolition or interior demolition does not require clearing, groundcover and other requirements of sections 67-136, 67-137, 67-153, and all other applicable provisions of town's Code of Ordinances.

(6) *Penalties.* Failure to comply with these requirements of this section will subject the property owner to code enforcement, injunction, or any other remedies under the town's Code of Ordinances or the law.

(Ord. No. 613, § 2(B), 12-7-2015; Ord. No. 2021-01, § 2, 4-5-2021; Ord. No. 2022-05, § 2, 6-2-2022)

Editor's note— Ord. No. 2021-01, § 2, adopted April 5, 2021, changed the title of § 67-51, from "Permit required" to read as herein set out.

[A]105.1 Required.

Any *owner* or owner's authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*.

Prepared by, record and return to:
Amity R. Barnard, Esq.
Town of Ocean Ridge
6450 N. Ocean Blvd.
Ocean Ridge, FL 33435

**TOWN OF OCEAN RIDGE
COMMUNITY STANDARDS**

ORDER GRANTING CONTINUANCE

TOWN OF OCEAN RIDGE,

Case No.: 2024-029

Petitioner,

v.

JAY WALLSHEIN,

Respondent.

_____/

RE: Violation of Section 67-51 of the Code of Ordinances of the Town of Ocean Ridge and Section 105.1 of the Florida Building Code

PROPERTY ADDRESS: 81 Island Drive
Ocean Ridge, FL 33435

LEGAL DESCRIPTION: MCCORMICK MILE ADD 1 LT 81

PCN: 46-43-45-22-10-000-0810

The Special Magistrate appointed by the Town Commission to hear Community Standards cases for the Town of Ocean Ridge, in accordance with Chapter 162, Part I, Florida Statutes, has received evidence and heard testimony under oath at the Community Standards hearing held on the 7th day of January, 2025, and based on the evidence and testimony presented, makes the following FINDINGS OF FACT and enters the following ORDER:

FINDINGS OF FACT

1. The Respondent, who was not present at the hearing, is the owner of the above-described property ("Property").
2. There was a finding of proper notice.
3. The Respondent, via counsel, requested a continuance of the hearing due to illness.

ORDER

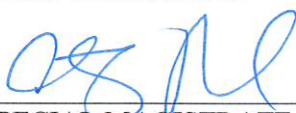
It is the Order of the Community Standards Special Magistrate that the violation hearing be continued. Please take notice that you must appear at the Violation Hearing which will be held on the **4th day of February, 2025 at 10:00 a.m.** at the Ocean Ridge Town Hall, 6450 N. Ocean Blvd., Ocean Ridge, Florida 33435 unless the Town certifies that you have timely brought your property into compliance.

Should a dispute arise concerning compliance, either party may request a hearing before the Community Standards Special Magistrate on the issue of compliance only.

Upon complying in any community standards enforcement matter, it is always the responsibility of the Respondent to contact the Ocean Ridge Town Clerk at (561) 732-2635 to request a re-inspection of the property.

DONE AND ORDERED this 7th day of January, 2025.

TOWN OF OCEAN RIDGE
COMMUNITY STANDARDS

BY: 
SPECIAL MAGISTRATE

I hereby certify that a true and correct copy of the foregoing order has been furnished to _____
at _____ by U.S. Regular / Certified Mail this ____ day of _____,
2024.

Town Clerk or designee

From: R. Max Lohman <max@lohmanlawgroup.com>
Sent: Tuesday, January 7, 2025 12:05 PM
To: Christy Goddeau <christy@torcivialaw.com>
Subject: Re: Request for Continuance - Walsheim code case

Good morning,

Thank you. On behalf of Mr. Walsheim, I accept this as sufficient notice of the 2/4 hearing @ 10:00 am.

Thank you again for your consideration.

R. Max Lohman

Sent from my iPhone please excuse typos.

On Jan 7, 2025, at 11:42 AM, Christy Goddeau <christy@torcivialaw.com> wrote:

Good Morning, The Magistrate has continued the case (Case No. 2024-029 – work without a permit) to the February 4th hearing at 10 am.

The Town has dismissed the other case (Case No. 2024-0824PD – non-permitted material) since it arises out of the same violation in Case No. 2024-029.

Please let me know if this is sufficient notice for the February 4th hearing or if you will need a separate notice sent to your client.

Thanks!

Christy L. Goddeau, Esquire

*Board Certified City County and Local
Government Attorney*

**TORCIVIA, DONLON,
GODDEAU & RUBIN, P.A.**

Northpoint Corporate Center
701 Northpoint Parkway, Suite 209

West Palm Beach, FL 33407
(561) 686-8700
(561) 686-8764 fax
christy@forcivilaw.com
www.forcivialaw.com

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS ATTORNEY PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE COLLECT AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL REIMBURSE YOU FOR YOUR EXPENSES. THANK YOU.

7022 3330 0001 1264 9241

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Received

DEC 03 2024

Postmark
Here
Town of Ocean Ridge
2024 - 029

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy)

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

Postage

Total Postage and Fees

Sent To

Jay Weissneim

Street and Apt. No., or PO Box No.

119 Martin Dr

City, State, ZIP+4®

Ocean Ridge FL 33435

See Reverse for Instructions

PS Form 3800, April 2015 PSN 7530-02-000-9047

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.

- Adult signature service, which requires the addressee to be at least 21 years of age (not available at retail).

- Adult signature restricted delivery service, which requires the addressee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).

- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.
- Important Reminders:
- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is *not* available for international mail.
- Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
- Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*, attach PS Form 3811 to your mailpiece.











**CODE ENFORCEMENT HEARING
COST RECOVERY CALCULATION WORKSHEET
TOWN OF OCEAN RIDGE**

CASE NUMBER: 2024-029
 HEARING DATE: February 4, 2025
 ADDRESS: 81 ISLAND DR S
 DATE PAID:
 METHOD OF PAYMENT:

ITEM	UNIT AMOUNT	# OF UNITS	TOTAL
CODE ENF. HEARING FEE	\$ 100.00	1	\$ 100.00
CODE ENFORCEMENT CLERK	\$ 34.00	1	\$ 34.00
CODE ENFORCEMENT OFFICER	\$ 30.00	1	\$ 30.00
BUILDING OFFICIAL	\$ 36.00	0	\$ -
ZONING OFFICIAL	\$ 45.00	0	\$ -
CERTIFIED MAILING	\$ 9.64	1	\$ 9.64
PHOTOGRAPHS	\$ -	0	\$ -
TOTAL AMOUNT DUE			\$ 173.64

COMMUNITY STANDARDS SPECIAL MAGISTRATE TOWN OF OCEAN RIDGE

PAGE 1 OF 2

CE CASE NO.: 2024-0824

AFFIDAVIT AND NOTICE OF VIOLATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

THE UNDERSIGNED CERTIFIES AND SWEARS that he(she) has just and reasonable grounds to believe and does believe that on 11/18/2024, at 06:33 hours, the Respondent(s),
Jay Wallsheinn owner(s) of the property

located at 81 Island Dr. South, Ocean Ridge, FL 33435, did violate

Section(s) 67-1(G) of the Town's

Code of Ordinances by:

Failure to remove none-permitted material from property.

This violation notice is base upon: ☒ personal observation/investigation, ☐ or upon a witness

Affidavit (check one or both); Witness Affidavit, if any, must be attached hereto. The legal description of the property where the violation occurred is MC CORMICK MILE ADD 1 LT 81

Pursuant to Town Code Section(s) 67-1(G),
and Chapter 162, Florida Statutes, the violation(s) must be corrected within 5 calendar days from the receipt of this notice, failing which this matter shall be heard by a Community Standards Special Magistrate at Town Hall, 6450 N Ocean Blvd., Ocean Ridge, FL 33435, Telephone 561-732-2635, at 10:00 A.M. on Tuesday, January 7th, 2025.

If unsure as to how to correct the violation, contact the undersigned Code Enforcement Officer Immediately.

YOU ARE HEREBY ORDERED to appear and answer the above charges. Your failure to appear may result in the Special Magistrate proceeding in your absence.

AFFIDAVIT AND NOTICE OF VIOLATION

PAGE 2 OF 2

CE CASE NO.: 2024-0824

To avoid a hearing in this case, it is your obligation to notify the undersigned Community Standards Officer of compliance on or before Ofc J. Pilon or Clerk K. Avery at the Town of Ocean Ridge 561-732-2635.

If you are found in violation of the Town Code, the Special Magistrate has the legal authority to levy fines of up to \$250.00 a day against you and your property for every day that any violation continues beyond the date set in an order of the Special Magistrate for compliance, or, in the case of a repeat violation, a fine of up to \$500.00 a day upon a finding that repeat violation has been committed. If a violation is found to be irreparable or irreversible in nature, a fine of up to \$5,000 may be imposed by the Special Magistrate as per F.S.162.09 (2)(a).

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You will have the opportunity to present witnesses as well as question witnesses against you prior to the Special Magistrate making a determination. You should be prepared, at the hearing, to present evidence concerning the amount of time you will need to correct the alleged violation should you be found in violation of the Town Code. If you wish to have witnesses subpoenaed or if you have other questions, you may contact the Town Clerk's Office at 561-732-2635.

Any interested party seeking to appeal any decision of the Special Magistrate with respect to any matter considered at the hearing will need a record of the proceedings, and will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence presented.

If you need a special accommodation in order to attend the hearing, you must advise the Town Clerk's Office at 561-732-2635 at least thirty-six (36) hours prior to the hearing.

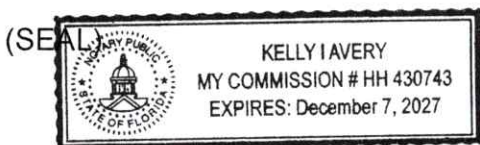
Printed:

Signed:

Jimmy Pilon
Community Standards Officer

The foregoing Affidavit and Notice of Violation was sworn to (or affirmed) and subscribed before me by means of physical presence this 18th day of November, 2024
by J. Pilon, who is personally known to me to be a Community Standards Officer of the Town of Ocean Ridge, Florida, and who did take an oath.

Witness my hand and seal the day and year first written above.



Kelly J. Avery
NOTARY PUBLIC, State of Florida
My Commission Expires: 12/7/27



TOWN OF OCEAN RIDGE

6450 North Ocean Boulevard, Ocean Ridge, Florida 33435
(561) 732-2635 Main ♦ (561) 737-8359 Fax

AFFIDAVIT OF SERVICE

TOWN OF OCEAN RIDGE

Petitioner

vs.

Respondent

COMMUNITY STANDARDS

CE CASE NO.: 2024-0824

Code Section(s):

67-1(G)

of the Town's Code of Ordinances

VIOLATION ADDRESS: 81 Island Dr. South, Ocean Ridge, FL 33435

I, J. Pilon, Community Standards Officer, hereby certify and return that I have served a Community Standards Special Magistrate Affidavit and Notice of Violation for Tuesday, January 7th, 2025 at 10:00 A.M. on the above named respondent on

November 18th at 11:20 (AM) PM
Jay Wallerstein - 70
2024

SERVICE OBTAINED BY POSTED: By posting a Community Standards Special Magistrate Affidavit and Notice of Violation at the violation address and in the lobby of Town Hall, and by mailing a Community Standards Special Magistrate Affidavit and Notice of Violation by first class mail to the above named respondent.

11/18/2024

Date

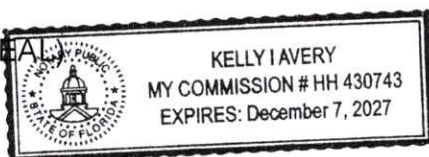
J. Pilon

Community Standards Officer

Sworn to and Subscribed

Before me by means of physical presence, this 18th day of November, 2024.

(SEAL)



Kelly Iavery
NOTARY PUBLIC, State of Florida

My Commission Expires: 12/7/27

Ocean Ridge Police Department



CAD Event Report

EVENT NUMBER: 240034139 **CASE NUMBER:** 2024-0150 **OPEN DATE:** 2024/11/14 09:31 **CLOSED DATE:** 2024/11/18 07:07

DISPATCHER: 536 HAMMOND, COURTNEY **LOCATION:** 81 ISLAND DR S **ZONE:** B

ADDRESS: 81 ISLAND DR S **CITY:** OCEAN RIDGE **STATE:** FL **ZIP CODE:** 33435

REFERENCE: **LOCATION DETAILS:**

SIGNAL: 824 **DESCRIPTION:** VTC ALL OTHER **PRIORITY:** 09 **HOW CALL RECIEVED:** RADIO

RECIEVED: 2024/11/14 09:31 **DISPATCHED:** 2024/11/14 09:31 **ON SCENE:** 2024/11/14 09:31 **CLEARED SCENE:** 2024/11/14 10:21 **PRIMARY UNIT:** 540

NARRATIVE

DATE: 2024/11/18 **TIME:** 06:33 **DISPATCHER:** 579 **NARRATIVE:** 540 OUT ON F-UP AT 81 ISLAND DR S

VEHICLE INFORMATION

TAG NUMBER: **TAG STATE:** **TAG TYPE:** **VEHICLE:** **YEAR:** **MODEL:** **COLOR:**

UNITS

UNIT: 540 **DISPATCHED:** 2024/11/14 09:31 **ENROUTE:** 2024/11/14 09:31 **ARRIVED:** 2024/11/14 09:31 **CLEARED:** 2024/11/14 10:21
START TRANSPORT: **END TRANSPORT:** **STATION:**

UNIT: 540 **DISPATCHED:** 2024/11/18 06:33 **ENROUTE:** 2024/11/18 06:33 **ARRIVED:** 2024/11/18 06:33 **CLEARED:** 2024/11/18 06:40
START TRANSPORT: **END TRANSPORT:** **STATION:**

PERSON INFORMATION

DISPOSITION

UNIT #:	DISPO. CODE:	DESCRIPTION:	NARRATIVE:
540	WARN	DispositionDesc	TOWN CODE WRITTEN WARNING ISSUED TO 81 ISLAND DRIVE S. FOR VIOLATION OF TOWN CODE 67-1(G) STORAGE OF UNPERMITTED MATERIALS ON PROPERTY. VIOLATOR ADVISED TO HAVE PROPERTY CLEARED OF MATERIALS WITHIN 24 HOURS OF NOTICE PER TOWN CODE OR A CODE RNFORCEMENT HEARING WOULD BE ISSUED. WARNING POSTED ON DOOR AND EMAILED TO VIOLATOR.
540	WARN	DispositionDesc	NOTICE LEFT AT 10:21
540	OPEN	DispositionDesc	UPON RE-INSPECTION, I FOUND THAT THE HOMEOWNER HAS FAILED TO COME INTO COMPLIANCE. THE BUILDING MATERIALS WERE STILL BEING STORED IN THE FRONT DRIVEWAY. PHOTOGRAPHS WERE TAKEN AS EXHIBIT B FOR THIS TOWN CODE VIOLATION. THE MATTER WILL NOW BE FORWARDED TO THE MAGISTRATE AND A NOTICE OF HEARING WILL BE ISSUED TO THE VIOLATOR.

Sec. 67-1. - Removal of debris from construction sites; storage of equipment and materials.

- (a) All building and construction sites within the town shall at all times be kept free of loose debris, paper, construction material waste, scrap construction material and other trash produced from the site. All materials and equipment used, placed or stored upon any building or construction site shall be maintained within the perimeter of the building site.
- (b) All building and construction sites within the town shall provide suitable on-site commercial container(s), as determined and designated by the town, for the collection of loose debris, paper, construction material waste, scrap construction material and other trash produced from the site. The construction container(s) shall be provided with a cover or covering that will prevent spilling or blowing of material from the container(s). The size and number of containers shall be adequate, as determined by the town, for the amount of material generated on the building or construction site. All said materials shall be containerized by the end of each day.
- (c) Nothing in this section shall be deemed to permit the owner, general contractor or any of their employees, agents, or representatives to remove or dispose of debris, paper, construction material waste, scrap construction material and other trash produced from or on the site by onsite burning, or by piling or storage of said materials or equipment in the public streets or on property adjacent to the construction site.
- (d) During construction, off-street parking for all personal vehicles and construction equipment shall be provided and shall be utilized to prevent on-street parking by construction personnel and equipment. The parking of any vehicle or equipment associated with the construction activities or construction personnel on the public right-of-way is prohibited, unless approval is obtained from the town building official. The building official may only allow use of the public right-of-way if he/she determines, based on the information provided by the developer/owner, that the site space is not adequate to accommodate all of the parking needs on site. If the building official allows parking in the public right-of-way, it must be pursuant to the developer/owner purchasing right-of-way parking permits and in no event shall any construction development be issued more than two right-of-way parking permits. The cost of each permit shall be set by resolution of the town commission.
- (e) Where concrete or any other substance permanently affixes itself to any road surface, public or private, causing the surface to be uneven or defaced, it shall be immediately removed by the person or persons responsible. Where mud or excessive dirt or soil from a construction site is tracked or deposited, by vehicle or otherwise, onto any road surface, public or private, it shall be immediately removed by the person or persons responsible. The person or persons responsible as identified in this section, shall mean the driver of the vehicle which deposited the substance

onto the road surface, his employer, the owner of the real property containing the construction or demolition site and/or the general contractor in charge of a site from where the substance originated.

- (f) If at any time the town notifies the owner or general contractor, personally or through their agent(s) or representative(s), in writing that construction activities are being conducted, or the construction site or any part thereof is being maintained, in violation of the provisions of this section, said violations shall be corrected within 24 hours of the notice. If the owner or general contractor does not satisfactorily correct the situation within 24 hours of said notification, in addition to any other enforcement actions available to the town pursuant to this Code or otherwise provided by law, upon written notice from the town given to the owner of the property, or to the general contractor, or to their agent(s), representative(s), or the person doing the work, work on the site shall immediately cease. Such written notice shall also state the conditions under which work may be resumed. Upon being notified of the elimination of the violation of the provisions of this section, the town shall inspect the site for compliance and allow resumption of the work.
- (g) It shall be unlawful to unload and/or store any material used or required on any construction site without a permit having been issued for construction and/or demolition at that specific site.
- (h) It shall be unlawful to store any material in an unsecured area which is deemed unsafe or a danger to those accessing the site. It shall be unlawful to store any construction materials in any manner whereby the material or a portion of the materials is stored outside the legal boundaries of the site. Reasonable exceptions to this subsection, for a reasonable period of time, may be considered on a case-by-case basis by the town manager.
- (i) All areas surrounding construction sites which are affected by dust, dirt and debris from the construction site shall be swept clean of such dust, dirt and debris a minimum of two times per day; at least one of which must be at the conclusion of work for that day.
- (j) Any pool under construction shall be kept clean of any debris until such time as the pool is properly filtered and must be properly fenced. All sitting water in pools under construction must be properly treated to eliminate algae, insects, etc.
- (k) The contractor shall be responsible for placement and emptying of adequate disposal containers for food, wrappers and other nonconstruction related garbage.
- (l) The owner of the property and the general contractor shall be jointly and severally responsible for compliance with the provisions of this section.
- (m) The owner, or general contractor, personally or through their agent(s) or representative(s), shall have the right to appeal from the decision of the town ordering the cessation of all work and to appear before the code enforcement special master at a specified time and place to show cause why they should not comply with said notice.
- (n)

The enforcement procedures contained in this section are in addition to, and not in lieu of, any other enforcement procedures or remedies available to the town for the enforcement of its Code of Ordinances.

(Code 1993, § 14-1; Ord. No. 621, § 3, 5-1-2017)

Cross reference— Nuisances, ch. 34; deposit of debris or trash on private lots or rights- of-way prohibited, § 34-3; outdoor storage or disposal of appliances, furniture and similar items prohibited under certain circumstances, § 34-5.



LOCAL ORDINANCE

VIOLATION INFORMATION							
AGENCY CASE # 24-34139		WARNING # PW15530R		DATE 11/14/2024		TIME 9:50 AM	
AGENCY INFORMATION							
AGENCY NAME OCEAN RIDGE POLICE DEPARTMENT				TYPE OF DEPARTMENT 2-PD			
COUNTY OF CITATION PALM BEACH				PLACE OR CITY OF CITATION OCEAN RIDGE			
VIOLATOR INFORMATION							
CHECK IF OWNER IS BUSINESS OR THE GOVERNMENT ☐		BUSINESS NAME					
FIRST JAY		MIDDLE		LAST WALLSHEINN		SUFFIX	
STREET 81 ISLAND DR. SOUTH		CITY OCEAN RIDGE		STATE FL		ZIP 33435	
DL/ID #		STATE		BIRTH DATE		RACE	
						GENDER (561) 512-743	
YR VEHICLE 1900		TAG #		TRAILER TAG #		TAG EXP DATE	
COLOR		STYLE		MAKE NA		MODEL	
						V.I.N. OR MOTOR #	
							
ROADWAY INFORMATION							
BUSINESS NAME							
ADDRESS # 81		OCCURRED ON STREET, ROAD, HIGHWAY ISLAND DR S					
FEET		MILES		DIRECTION		AT/FROM STREET, ROAD, HIGHWAY	
LATITUDE		LONGITUDE				ZONE OCEAN RIDGE	
VIOLATION							
CODE # 67-1(G)		CHARGE DESCRIPTION REMOVAL OF DEBRIS FROM CONSTRUCTION SITES; STORAGE OF EQUIPMENT AND MATERIALS					
OTHER VIOLATION COMMENTS							
PLEASE REMOVE UNPERMITTED MATERIALS/PAVERS FROM THE PROPERTY WITHIN : OF THIS NOTICE. FAILURE TO COMPLY WILL RESULT IN A CODE ENFORCEMENT FINE BEING ISSUED.							
REPORTING OFFICER							
OFFICER SIGNATURE <i>J. Pilon</i>		BADGE # 540		ID # 540		TROOP	
RANK OFFICER		FIRST J		MIDDLE R		LAST PILON	

Ocean Ridge Police Department



CAD Event Report

<u>EVENT NUMBER:</u>	<u>CASE NUMBER:</u>	<u>OPEN DATE:</u>	<u>CLOSED DATE:</u>
240034139	2024-0150	2024/11/14 09:31	2024/11/18 11:21

<u>DISPATCHER:</u>	<u>LOCATION:</u>	<u>ZONE:</u>
536 HAMMOND, COURTNEY	81 ISLAND DR S	B

<u>ADDRESS:</u>	<u>CITY:</u>	<u>STATE:</u>	<u>ZIP CODE:</u>
81 ISLAND DR S	OCEAN RIDGE	FL	33435

<u>REFERENCE:</u>	<u>LOCATION DETAILS:</u>
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<u>SIGNAL:</u>	<u>DESCRIPTION:</u>	<u>PRIORITY:</u>	<u>HOW CALL RECIEVED:</u>
824	VTC ALL OTHER	09	RADIO

<u>RECIEVED:</u>	<u>DISPATCHED:</u>	<u>ON SCENE:</u>	<u>CLEARED SCENE:</u>	<u>PRIMARY UNIT:</u>
2024/11/14 09:31	2024/11/14 09:31	2024/11/14 09:31	2024/11/14 10:21	540

NARRATIVE

<u>DATE:</u>	<u>TIME:</u>	<u>DISPATCHER:</u>	<u>NARRATIVE:</u>
2024/11/18	06:33	579	540 OUT ON F-UP AT 81 ISLAND DR S
2024/11/18	11:16	579	540 OUT AT 119 MARLIN ON F-UP

VEHICLE INFORMATION

<u>TAG NUMBER:</u>	<u>TAG STATE:</u>	<u>TAG TYPE:</u>	<u>VEHICLE:</u>	<u>YEAR:</u>	<u>MODEL:</u>	<u>COLOR:</u>
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UNITS

<u>UNIT:</u>	<u>DISPATCHED:</u>	<u>ENROUTE:</u>	<u>ARRIVED:</u>	<u>CLEARED:</u>
540	2024/11/14 09:31	2024/11/14 09:31	2024/11/14 09:31	2024/11/14 10:21

<u>START TRANSPORT:</u>	<u>END TRANSPORT:</u>	<u>STATION:</u>
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<u>UNIT:</u>	<u>DISPATCHED:</u>	<u>ENROUTE:</u>	<u>ARRIVED:</u>	<u>CLEARED:</u>
540	2024/11/18 06:33	2024/11/18 06:33	2024/11/18 06:33	2024/11/18 06:40

<u>START TRANSPORT:</u>	<u>END TRANSPORT:</u>	<u>STATION:</u>
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<u>UNIT:</u>	<u>DISPATCHED:</u>	<u>ENROUTE:</u>	<u>ARRIVED:</u>	<u>CLEARED:</u>
540	2024/11/18 11:16	2024/11/18 11:16	2024/11/18 11:16	2024/11/18 11:21

<u>START TRANSPORT:</u>	<u>END TRANSPORT:</u>	<u>STATION:</u>
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PERSON INFORMATION

DISPOSITION

<u>UNIT #:</u>	<u>DISPO. CODE:</u>	<u>DESCRIPTION:</u>	<u>NARRATIVE:</u>
540	WARN	DispositionDesc	TOWN CODE WRITTEN WARNING ISSUED TO 81 ISLAND DRIVE S. FOR VIOLATION OF TOWN CODE 67-1(G) STORAGE OF UNPERMITTED MATERIALS ON PROPERTY. VIOLATOR ADVISED TO HAVE PROPERTY CLEARED OF MATRIALS WITHIN 24 HOURS OF NOTICE PER TOWN CODE OR A CODE RNFORCEMENT HEARING WOULD BE ISSUED. WARNING POSTED ON DOOR AND EMAILED TO VIOLATOR.
540	WARN	DispositionDesc	NOTICE LEFT AT 10:21

Ocean Ridge Police Department



CAD Event Report

540	OPEN	DispositionDesc	UPON RE-INSPECTION, I FOUND THAT THE HOMEOWNER HAS FAILED TO COME INTO COMPLIANCE. THE BUILDING MATERIALS WERE STILL BEING STORED IN THE FRONT DRIVEWAY. PHOTOGRAPHS WERE TAKEN AS EXHIBIT B FOR THIS TOWN CODE VIOLATION. THE MATTER WILL NOW BE FORWARDED TO THE MAGISTRATE AND A NOTICE OF HEARING WILL BE ISSUED TO THE VIOLATOR.
540	OPEN	DispositionDesc	NOTICE OF HEARING WAS POSTED ON THE FRONT DOOR OF THE MAILING ADDRESS 119 MARLIN DR FOR TOWN CODE VIOLATION 67-1(G). THE NOTICE GIVES THE VIOLATOR 5 DAYS FROM THE DATE OF NOTICE TO COMPLY WITH THE TOWN CODE OR THEY MUST APPEAR FOR THE HEARING.























