

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/COMMUNITY STANDARDS HEARING
FEBRUARY 4, 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 JANUARY 7, 2025, MINUTES

The Community Standards Hearing Minutes of January 7, 2025, were adopted as submitted by Special Magistrate Barnard.

- 2. 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- ILLEGAL PARKING (NO PARKING AS
POSTED)

Town Attorney Goddeau announced that the case was dismissed.

- 3. 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.

Sean Schwartz, Esq., the Respondent's attorney, explained the request. He also stated that the statute allows ninety (90) days from the termination of the emergency order. Town Attorney Goddeau explained that the Town denied the order. There was a discussion regarding the Respondent extension request and the fine assessed.

Town Attorney Goddeau stated that the Town would reduce the fine to the amount of Five Thousand Dollars (\$5,000.00) and the administrative costs. Mr. Schwartz requested the fine for the original amount of Two Thousand Dollars (\$2,000.00).

Special Magistrate Barnard explained that the Respondent had ample time to comply with the code's requirements. She asked Mr. Schwartz if he had any objections to the documents shown on the screen, and Mr. Schwartz had no objections.

Special Magistrate Barnard entered the Town's evidentiary case file as Composite Exhibit #1 and the Respondent's exhibit into the record as Exhibit #R2 without objection. She granted the fine of Eight Thousand Dollars (\$8,000.00) and reduced the fine to the amount of Five Thousand Dollars (\$5,000.00). She also reaffirmed the Town's administrative costs of One Hundred Seventy-Three Dollars and Ninety-Six Cents (\$173.96) payable within thirty (30) days.

4. 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**

Town Attorney Goddeau introduced the case to the Special Magistrate and explained that the case was in the January hearing. She stated that it was continued at the request of the Respondent's attorney who is present today.

R. Max Lohman, Esq., the Respondent's attorney, stated that he objected to the Towns Building Official providing testimony. Special Magistrate Barnard explained she understood his objection although the Town would present its case first and she called for the Town witness.

There was a discussion regarding who observed the violation and completed the affidavit of service.

Code Enforcement Officer Shahin gave his testimony and Mr. Lohman cross-examined Code Enforcement Officer Shahin. Code Enforcement Officer Shahin provided testimony on what occurred on November 24th. There was further discussion regarding Code Enforcement Officer Palacios advised Code Enforcement Officer Shahin.

Louis Miller, Town Inspector, stated that he was advised that work we being done without a permit. He stated that he entered the property and saw pavers in the front and back of the property. He also mentioned that a permit was issued for windows that were being installed. Town Attorney Goddeau and Mr. Lohman cross-examined Mr. Miller.

Town Attorney Goddeau asked for testimony from Town Clerk Avery and Mr. Lohman had objections to Town Clerk Avery providing testimony. There was a discussion between Attorney Goddeau and Lohman regarding the relevance of Town Clerk Avery providing testimony. Special Magistrate Barnard allowed Town Clerk Avery's testimony.

Town Clerk Avery testified on the findings for issuing the notice of the violation. Town Attorney Goddeau cross-examined Mrs. Avery.

SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING OF JANUARY 7, 2025

Special Magistrate Barnard asked for the Town's recommendation and Town Attorney Goddeau requested that a permit be applied for immediately for pavers and complaint within thirty (30) days. She also requested a One Hundred Dollars (\$100.00) fine and administrative costs of One Hundred Seventy-Three and Sixty-Four Cents (\$173.64).

Attorney Lohman provided closing arguments for the case.

Jay Wallshein, owner of the property, testified regarding the Fourth Amendment issue. Town Attorney Goddeau cross-examined Mr. Wallshein. There was a discussion regarding pavers being installed and photos taken of the property.

Attorney Goddeau and Lohman provided final agreements for the case.

Special Magistrate Barnard dismissed the case without prejudice.

ADJOURNMENT

The hearing was adjourned at 11:49 A.M.

Minutes prepared by Deputy Town Clerk Pinder and adopted by Special Magistrate Barnard on April 1, 2025.

ATTEST:


Kelly Avery, Town Clerk

