

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



**August 4, 2026 at 10:00 AM
Town Hall Commission Chambers**

APPROVAL OF MINUTES

1. Approval of Minutes of the July 7, 2026, Regular Meeting

CASES TO BE HEARD

2. CASE NO. CS2026-0111

CASE NO. CS2026-0111

**PORTOFINO AT OCEAN RIDGE CONDO
ASSN, INC.**

5855 N OCEAN BLVD, OCEAN RIDGE, FL
33435

**RE: PORTOFINO TOWN CROSSOVER
TOWN OF OCEAN RIDGE ROW**

NATURE OF VIOLATION

**SEC. 66-161 PERMIT REQUIRED FOR
VEGETATION REMOVAL**

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 watch the meeting, go to: <https://www.youtube.com/@oceanridge9274>. 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@oceanridge.gov or by calling Town Hall during business hours before the meeting date and time and providing your comment to the Town Clerk.

COMMUNITY STANDARDS SPECIAL MAGISTRATE TOWN OF OCEAN RIDGE

PAGE 1 OF 2

CE CASE NO.: CS2026-0111

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 7/8/26, at 11:00 AM hours, the Respondent(s),

Portofino at Ocean Ridge Condo Association, Inc owner(s) of the property
located at Portofino Town Crossover, Ocean Ridge, FL 33435, did violate
Section(s) 66-161(a) the Town's

Code of Ordinances by:

Sec. 66-161. - Vegetation.

(a) Permit required for planting or removal of vegetation. It shall be unlawful for any person to plant vegetation or to remove, cover, prune or destroy the natural vegetation growing upon any dune located within the town without first having obtained a permit therefor from the administrative official. Permits may be granted by the administrative official only upon approval by the town subsequent to site plan review. Respondent cut the towns vegetation (encroached 10') without a permit.

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 Portofino Town Crossover

Pursuant to Town Code Section(s) 66-161(a),
and Chapter 162, Florida Statutes, the violation(s) must be corrected within 10 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
August 04, 2026.

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.: CS2026-0111

To avoid a hearing in this case, it is your obligation to notify the undersigned Community Standards Officer of compliance on or before N/A 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.

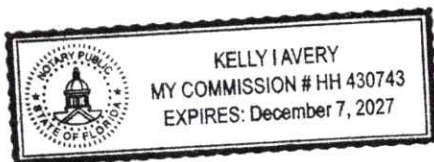
Printed: Steve Shahn

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 8th day of July, 2026 by Steve Shahn, 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: 12/7/27



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

COMMUNITY STANDARDS

CE CASE NO.: CS2026-0111

Code Section(s): 66-161(a)

vs.

Portofino at Ocean Ridge
Condo Association, Inc

Respondent

of the Town's Code of Ordinances

VIOLATION ADDRESS: Portofino Town Crossover, Ocean Ridge, FL 33435

I, Steve Shahin, Community Standards Officer, hereby certify and return
that I have served a Community Standards Special Magistrate Affidavit and Notice of Violation for
August 04, 2026 at 10:00 A.M. on the above named respondent on

7/8/26 at 11:00 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.

07/08/2026

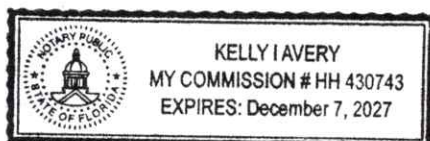
Date

[Signature]
Community Standards Officer

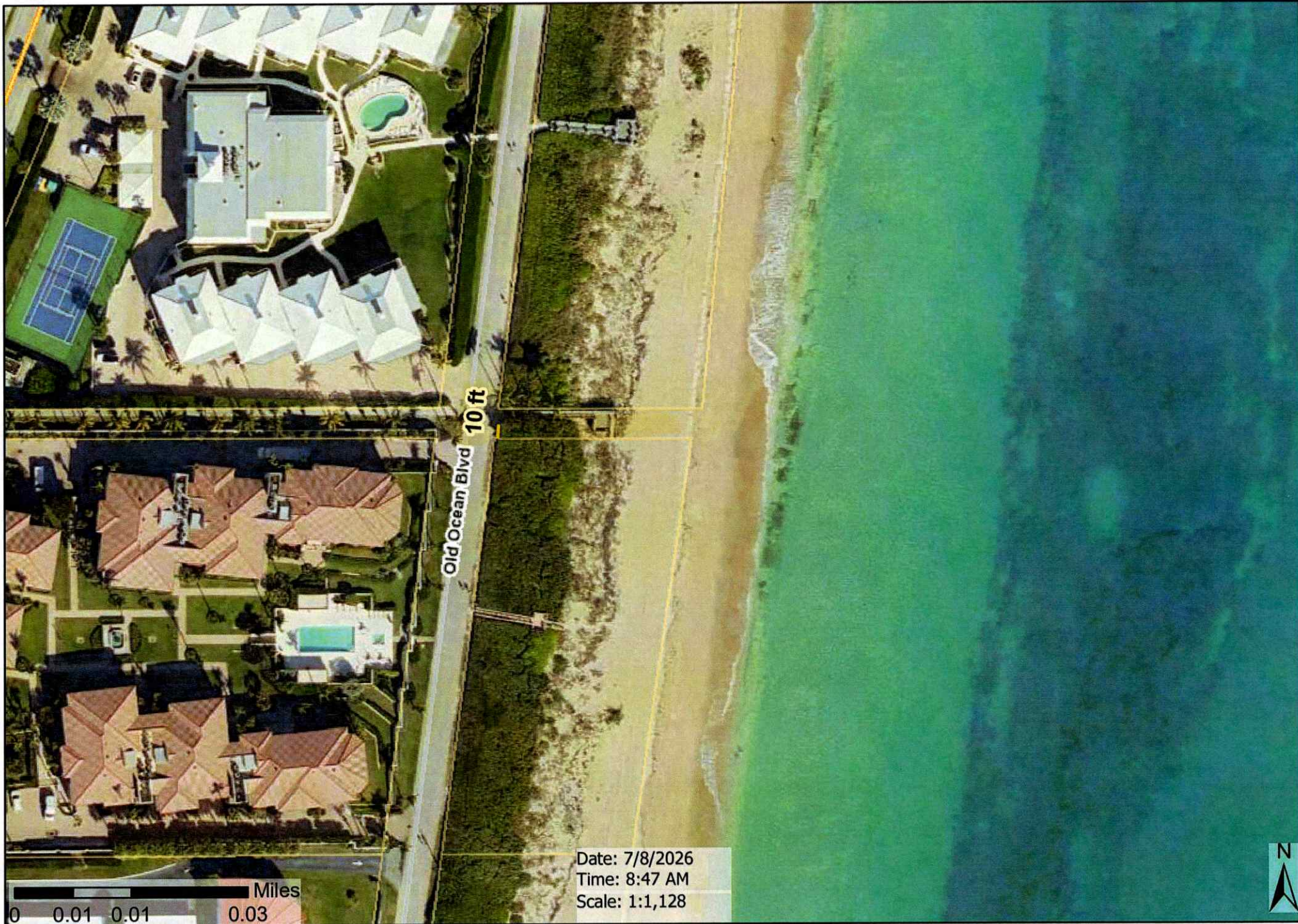
Sworn to and Subscribed

Before me by means of physical presence, this 8th day of July, 2026

(SEAL)



[Signature]
NOTARY PUBLIC, State of Florida
My Commission Expires: 12/7/27

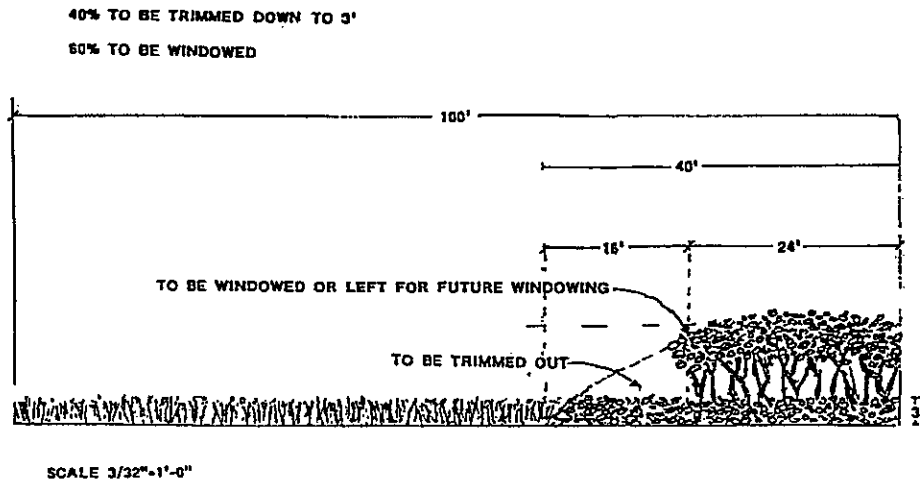
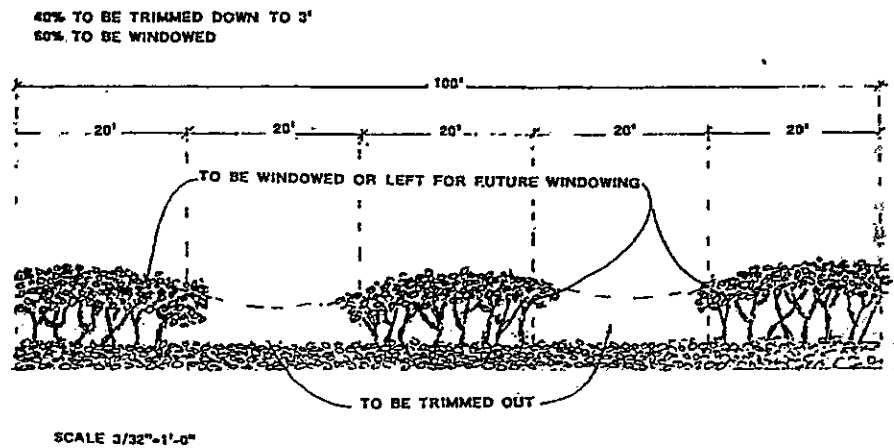
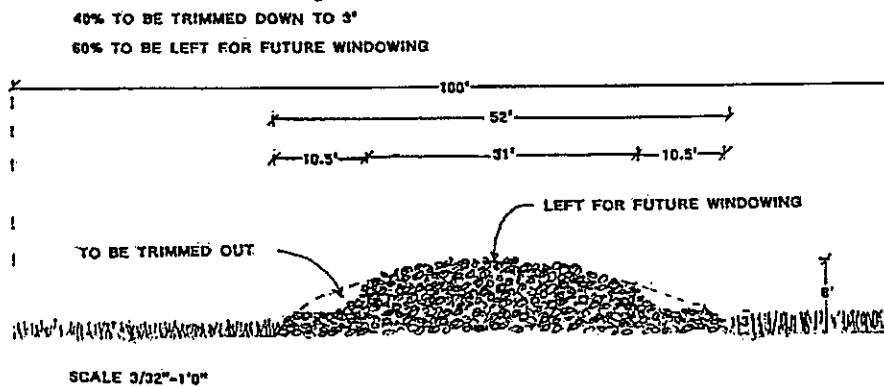


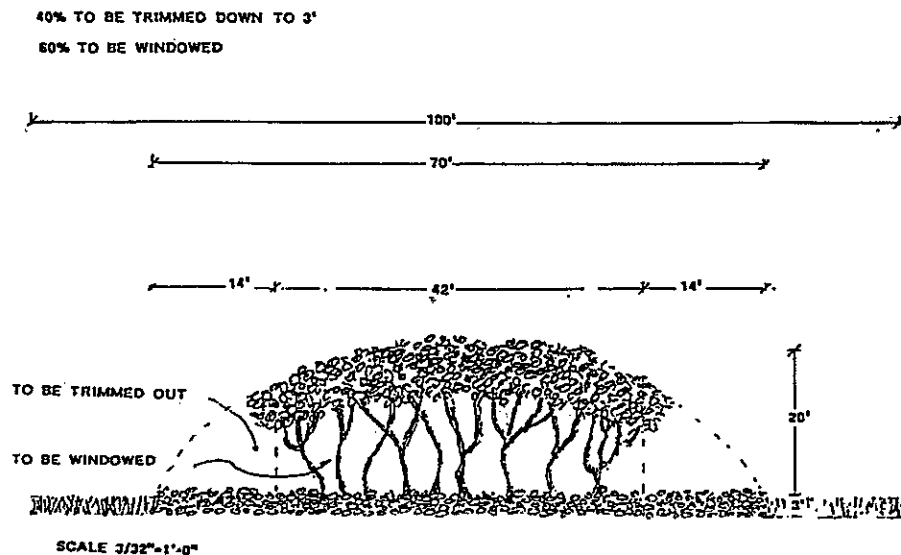
Sec. 66-161. - Vegetation.

- (a) *Permit required for planting or removal of vegetation.* It shall be unlawful for any person to plant vegetation or to remove, cover, prune or destroy the natural vegetation growing upon any dune located within the town without first having obtained a permit therefor from the administrative official. Permits may be granted by the administrative official only upon approval by the town subsequent to site plan review. This can either be a part of the regular site plan review as specified in article IV of chapter 63 of this land development code or a separate plan if no other development activity is involved. If the application is not part of a major site plan review, and is for dune vegetation trimming or pruning only, the administrative official shall review the plan and may issue a permit without town commission consideration. Under such circumstances, the applicant may appeal the decision of the administrative officer to the town commission at the next following regular town commission meeting. A "no fee" permit, issued by the administrative official shall be required for the removal from the dune or dry sandy beach on a single-family residential property, by its owner or occupant, or certain invasive plant species, which are prohibited or restricted by law. A "no fee" permit for such removal may also be granted for multifamily residential property, upon receipt of a request from the condominium, cooperative or property owners' association. A regular town permit shall be required for removal of any plant more than six feet high, or for removal of more than 20 percent of the plants on the dune or dry sandy beach of a property within any six-month period. Unless removal is a result of a town-initiated requirement, any removal of plants on the dune or beach shall require replacement, within ten days, with beneficial plants of similar spread or canopy, and shall be of the permitted species listed in subsection (g)(2) herein. Where removal is the result of town-initiated action, the landowner shall have up to 12 months to replace the plant material in accordance with this section. Temporary irrigation shall be provided to replacement plants in a manner adequate to sustain at least 90 percent of such plants. Invasive plant species, as used herein, shall include those listed in section 66-119 herein, and those listed as "invasive" in the Plant Guide II, published by the South Florida Water Management District.
- (b) *Application for permit.* Applications for permits under this section shall describe the property upon which the applicant proposes to plant vegetation or to remove, cover, prune or destroy the natural vegetation growing upon any dune within the town, and shall show the existing and proposed elevations of such property. Detailed plans shall be submitted with such application and shall specify in detail all existing vegetation and the vegetation proposed for planting, removal, covering, pruning or destruction.
- (c) *Site plan review.* No permit shall be issued prior to site plan review and approval by the town. No site plan shall be approved by the town unless the following conditions are met:
- (1)

The granting of a permit under this section will not result in the erosion or inundation of the dunes, beaches or banks, or lands adjacent thereto.

- (2) The applicant must provide an affidavit from a licensed engineer or other expert satisfactory both to the applicant and the town, which affidavit shall set forth that the granting of a permit will not result in the erosion or inundation of the dunes, beaches or banks, or lands adjacent thereto.
 - (3) The applicant must deposit with the town a good and sufficient performance bond in an amount sufficient to ensure that the granting of a permit will not cause the erosion or inundation of the dunes, banks or beaches, or lands adjacent thereto.
 - (4) The town may impose any lawful conditions upon the permit which are aimed at providing for the protection of the dunes, banks or beaches, and lands adjacent thereto.
 - (5) The town commission may, in its discretion, waive any of the requirements set forth in this section if subsection (c)(1) of this section can be satisfied in the absence of such condition.
- (d) *Living hedges and gates.* Living hedges and gates within an area five to eight feet from the east edge of the pavement of Old Ocean Boulevard shall be permitted. Living hedges shall not exceed four feet in height. Wooden or metal gates are permissible and shall not measure more than four feet in height and four feet in width, with only one gate per parcel of property. The installation of a hedge or gate may take place after receipt of a building permit from the town.
- (e) *Grandfathering.* Landscaping or vegetation in conjunction with structures constructed prior to November 4, 1974, may be maintained or pruned but may not be supplemented without a permit from the town.
- (f) *Seagrape trimming and windowing.* Seagrapes located on a coastal dune shall be subject to the following special provisions:
- (1) Seagrapes plants growing not higher than six feet above the immediately adjacent elevation, and up to 30 linear feet along the dune, may be trimmed to not lower than three feet above the immediately adjacent elevation.
 - (2) Seagrapes plants growing higher than six feet above the immediately adjacent elevation, or more than 30 linear feet along the dune, may be trimmed to not lower than three feet above the immediately adjacent elevation, except that at least 60 percent of such seagrapes must be windowed or set aside for future windowing, in accordance with the standards set forth herein. In no event shall more than 40 percent of such seagrapes be trimmed to within three feet of the immediately adjacent elevation.
 - (3) The standards for and examples of such trimming and windowing are contained in figures 66-1 through 66-4 herein.

Trimmed Down Figure 66-1Trimmed Figure 66-2Trimmed Down Figure 66-3



Windowed Figure 66-4

(g) *Dune plant types; prohibited; permitted.*

- (1) In addition to those species prohibited for planting in the town, no non-native or invasive vegetation such as scavola, Australian pines, St. Augustine grass, shall be planted upon the coastal dunes. Any such invasive plant now located on the dune shall be removed as a condition for the granting of a permit within this section.
- (2) Only native salt-tolerant dune vegetation is permitted on the dunes. The following are examples of permitted vegetation:

1.	Seagrape	<i>Cocoloba Uvifera</i>
2.	Cocoplum	<i>Chrysobalanus Icaco</i>
3.	Myrsine	<i>Myrsine Floradana</i>
4.	Saw palmetto	<i>Serenoa Repens</i>
5.	Spanish stopper	<i>Eugenia Foetida</i>
6.	Purple morning glory	<i>Ipomoea Indica</i>
7.	Sea oats	<i>Unifolia Paniculata</i>
8.	Spanish bayonet	<i>Yucca Aloifolia</i>

9.	Beach sunflower	<i>Helianthus Latifolia</i>
10.	Spider lily	<i>Hymenocallis Latifolia</i>
11.	Railroad vine	<i>Ipomoea Per-Capra</i>

- (3) Consideration will be given to the planting of substitute plant materials which are native, or which otherwise contribute to the overall benefit of the dunes. No other materials shall be planted upon the dunes, except upon the approval of the town commission.

(Code 1993, § 26-109; Ord. No. 577, § 2, 5-5-2008)



TOWN OF OCEAN RIDGE

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

Community Standards Special Magistrate Receipt of Affidavit

Code Enforcement Special Magistrate Affidavit and Notice of Violation Community Standards Case
Number 52026-0116, along with a copy of Town Code Section(s): 66-161(a), were
hand delivered to: Melie McIndoe of Partino Land Ocean Ridge, Florida
33435, on July 08, 2026, by the undersigned Ocean Ridge
Community Standards Officer Steve Shahan at 10:55 hours.

Signature of Community Standards Officer

Signature of Recipient

Aerial of ROW



© All EagleView Technology Corporation

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AMENDED PLAT OF PART OF BOYNTON'S SUBDIVISION SEC.27,T45S,R43E BOYNTON FLA.

Scale:-1"=200'

June 1925.

H.C.Fugate Eng.Co.

STATE OF Michigan S.S.
COUNTY OF St. Clair

KNOW ALL MEN BY THESE PRESENTS that the N.S. Boynton Estate Corporation, a corporation existing under the laws of the state of Michigan and duly authorized to transact business in the state of Florida, has caused to be surveyed and plotted as shown hereon a part of Boynton's Subdivision of part of the town of Boynton, Florida.

IN WITNESS WHEREOF, the said N.S. Boynton Estate Corporation has caused these presents to be signed by its President and attested by its Secretary and its corporate seal to be hereto affixed at West Palm Beach, Fla. this the 10th day of June A.D. 1925.

Signed, Sealed and delivered
in the presence of:-

Mildred J. Dalziel.
Emily E. Phillips

N.S. BOYNTON ESTATE CORPORATION

By George H. Boynton
PresidentAttest H.H. Wright
SecretarySTATE OF Michigan S.S.
COUNTY OF St. Clair

I HEREBY CERTIFY that on this day personally appeared before me George H. Boynton and H.H. Wright, to me well known, and known by me to be the president and secretary respectively of the said N.S. Boynton Estate Corporation, the corporation named in the foregoing instrument, and they did acknowledge before me that they executed the same for and on behalf of the said corporation for the purposes therein expressed.

IN WITNESS WHEREOF I have hereunto set my hand and official seal at West Palm Beach, Fla. this the 10th day of June A.D. 1925.

Reuben W. Carr
Notary Public

My Commission Expires Jan. 14, 1927STATE OF FLORIDA S.S.
COUNTY OF PALM BEACH

I HEREBY CERTIFY that the attached plat is a true and correct representation of a survey made under my direction, and that it is accurate to the best of my knowledge and belief. That lots A, B, C, D, E, F and G are in that portion of the southwest quarter (SW 1/4) of the Northwest quarter (NW 1/4) and Northwest quarter (NW 1/4) of the Southwest quarter (SW 1/4) of Section 27, Township 45 South of Range 43 East, lying east of the right-of-way of the Florida Coast Line Canal and Transportation Company, that the balance of said plat is in the South half (S 1/2) of Government Lot 1, Government Lot 2 and the Southeast quarter (SE 1/4) of the Northwest quarter (NW 1/4) of Section 27, Township 45 South of Range 43 East.

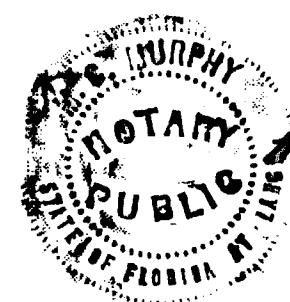
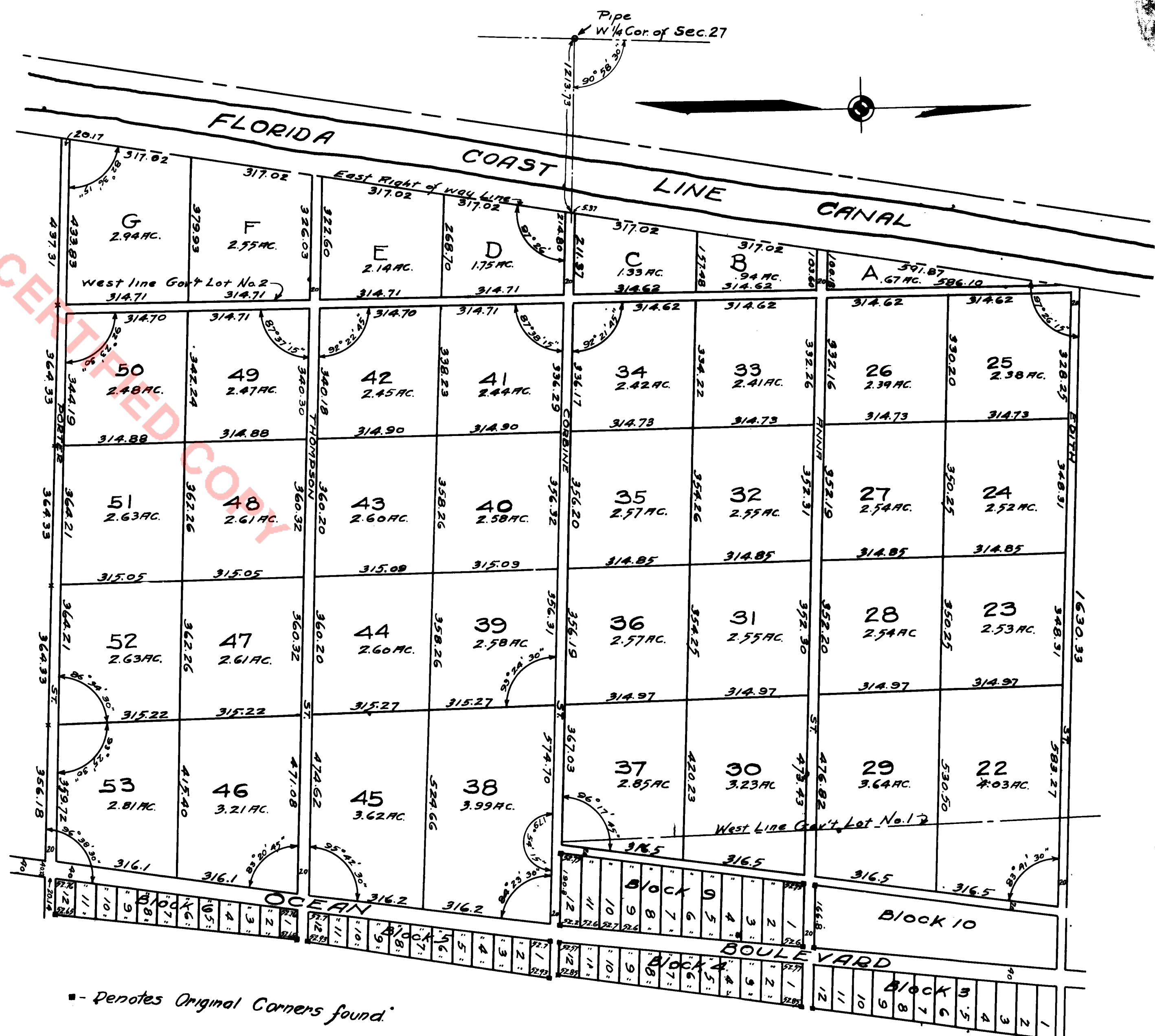
Said amended Plat being a part of Boynton Subdivision of a part of the Town of Boynton, filed in Book 1 of Plats, Page 29.

E.L. Baird
Florida Certificate #509

Subscribed and sworn to before me at West Palm Beach, Florida, this the 15th day of June A.D. 1925.

M. L. Murphy
Notary Public
My Commission Expires May 11, 1929

STATE OF FLORIDA }
County of Palm Beach }
This instrument was filed for record at
5 PM, this 16 day of June
1925 and duly recorded in the 16 day of
June 1925 in Book 18
of Plats on Page 45 Record Verified
By Geo. E. Sarno Clerk Circuit Court
O.C.



Feb 13, 2026 at 3:49:07 PM
5853-5857 Old Ocean Blvd
Ocean Ridge FL 33435
United States



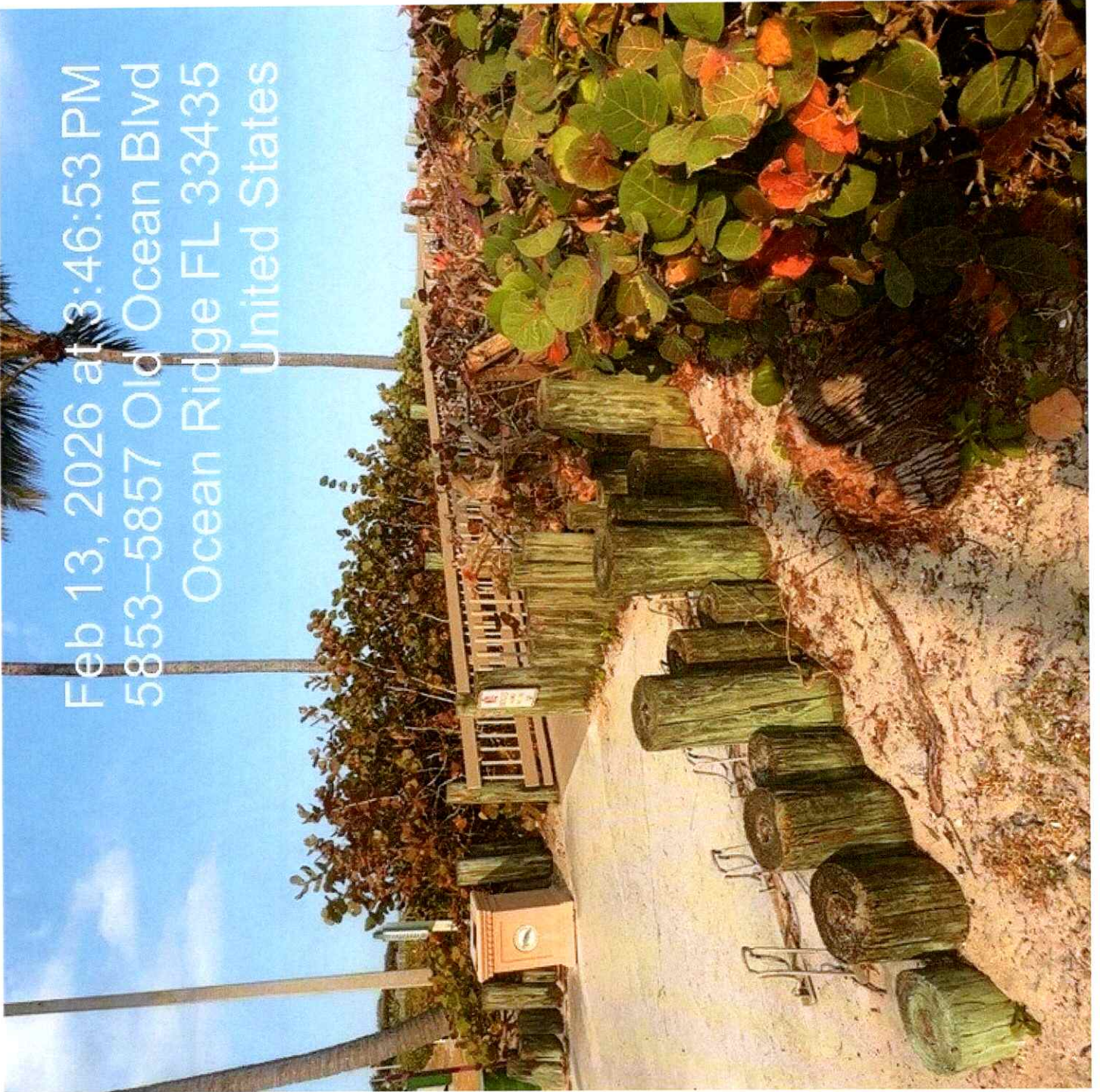
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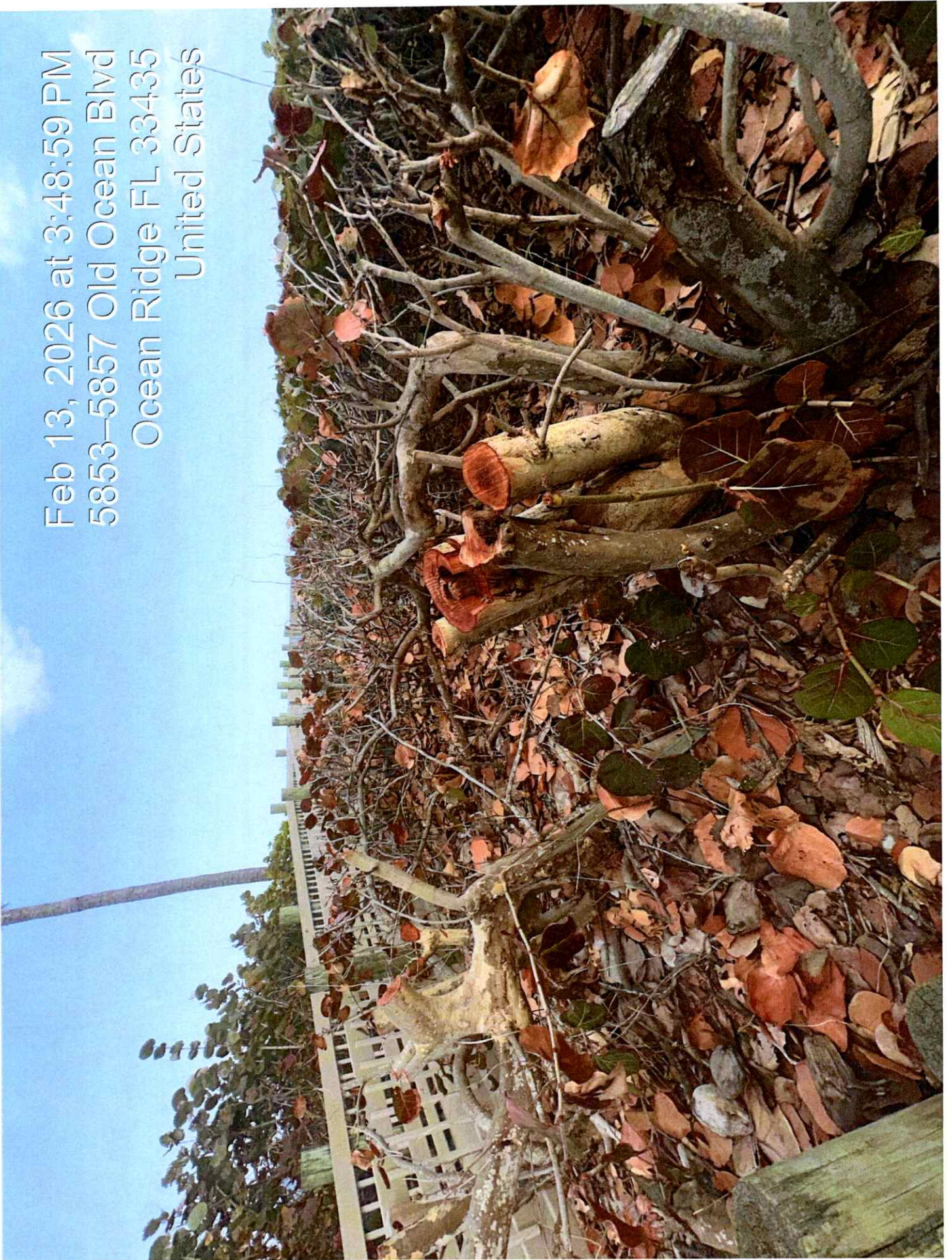
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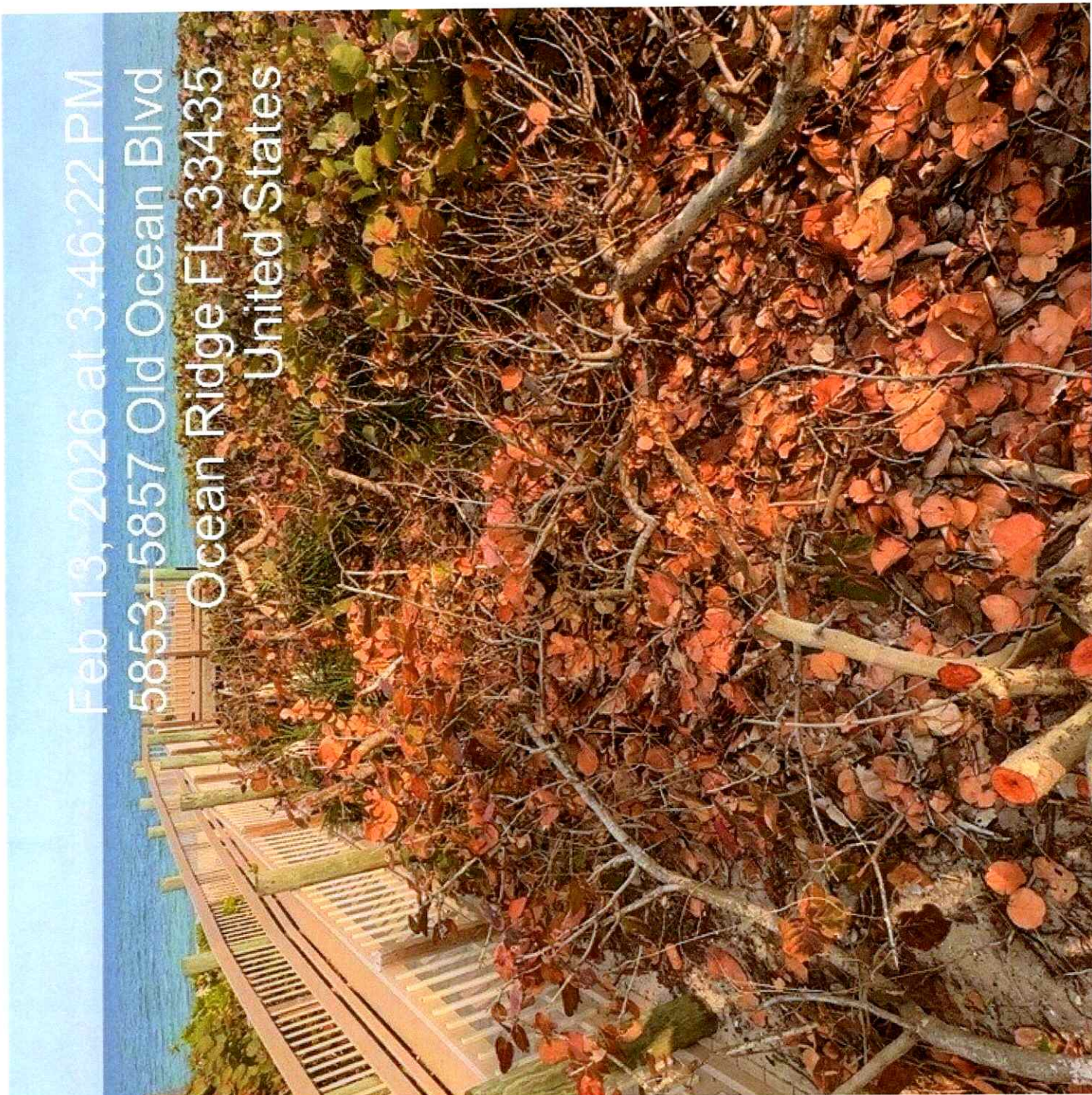
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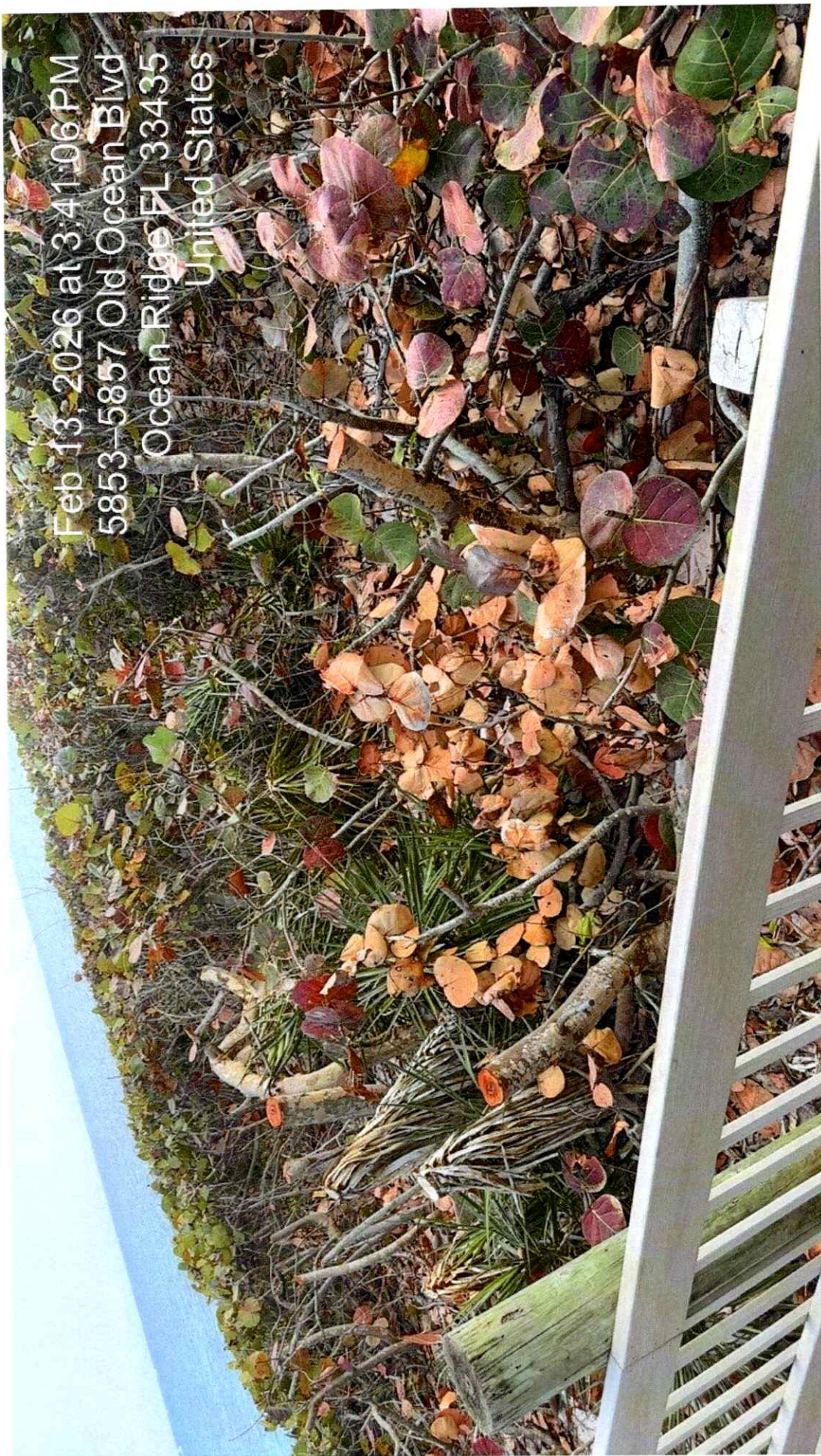


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Ocean Ridge FL 33435
United States



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United States





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United States



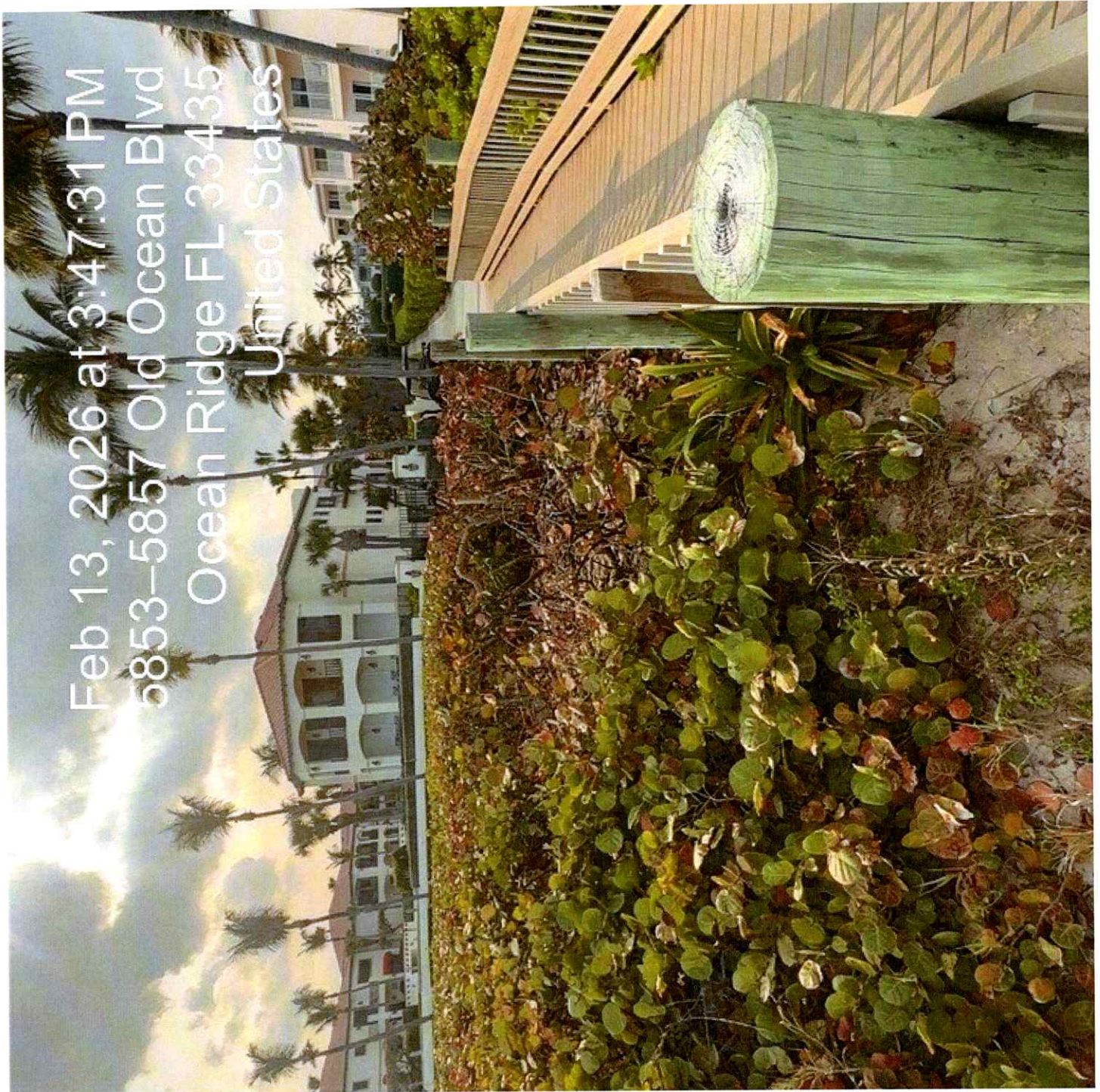


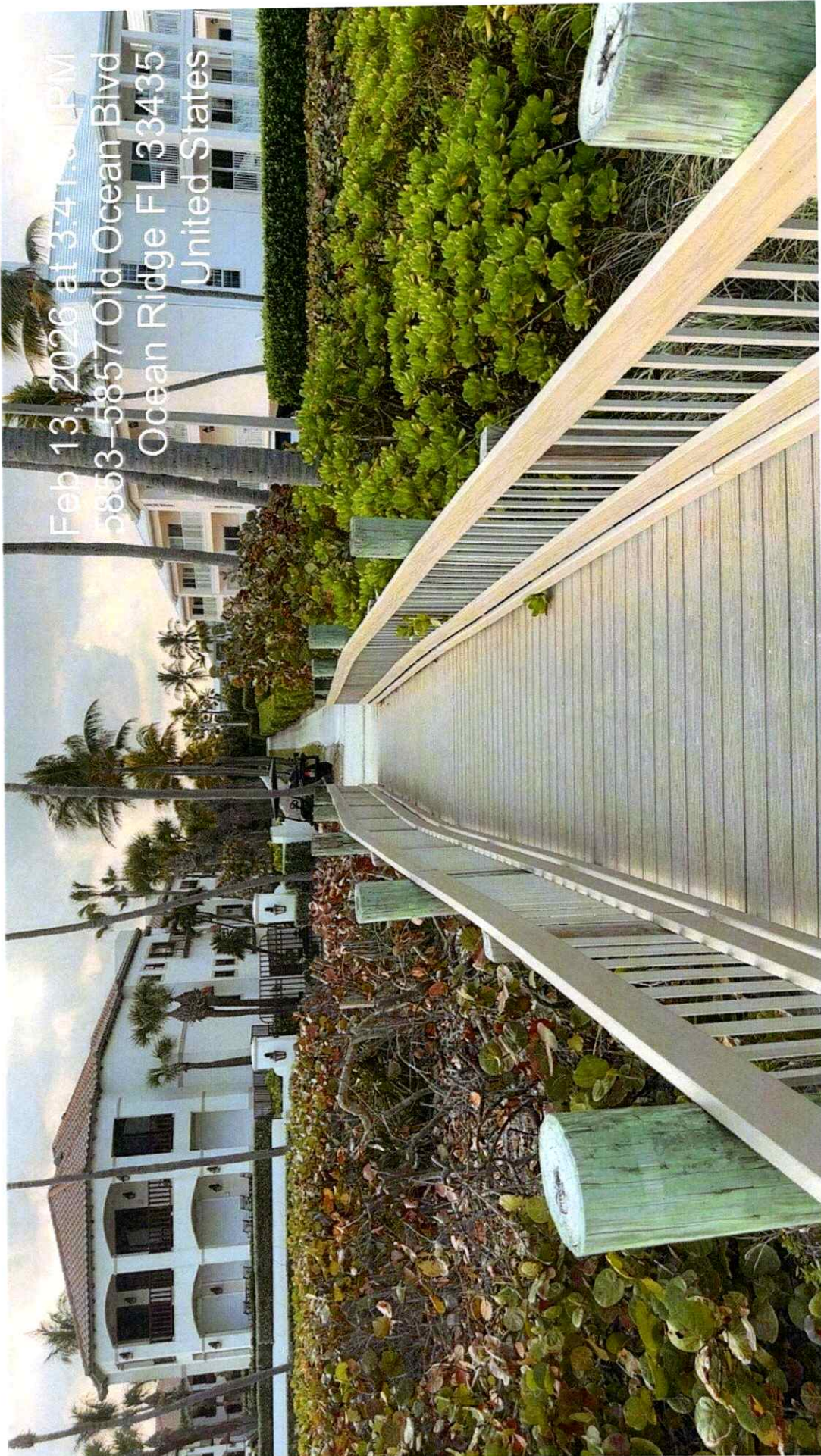


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United States



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United States





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Ocean Ridge FL 33435/
United States



Jul 7, 2026 12:01:35 PM
5856 Old Ocean Boulevard
Ocean Ridge
Palm Beach County
Florida



Jul 7, 2026 12:01:49 PM
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Ocean Ridge
Palm Beach County
Florida



Jul 7, 2026 12:02:23 PM
5857-5999 Old Ocean Boulevard
Ocean Ridge
Palm Beach County
Florida







NO
BICYCLES
ALLOWED
PAST THIS
POINT





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

CASE NUMBER: CS2026-0111
 HEARING DATE: AUGUST 4, 2026
PORTOFINO TOWN
 ADDRESS: CROSSOVER
 DATE PAID:
 METHOD OF PAYMENT:

ITEM	UNIT AMOUNT	# OF UNITS	TOTAL
CODE ENF. HEARING FEE-1ST VIOLATION	\$ 150.00	1	\$ 150.00
CODE ENF. HEARING FEE- REPEAT VIOLATION	\$ 250.00	0	\$ -
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	\$ 10.73	0	-
PHOTOGRAPHS	\$ -	0	\$ -
TOTAL AMOUNT DUE			\$ 214.00