

DRAFT



TOWN OF HIGHLAND BEACH SPECIAL MAGISTRATE HEARING MINUTES

Town Hall Commission Chambers
3614 South Ocean Boulevard
Highland Beach, Florida 33487

Date: July 22, 2026
Time: 1:00 PM

1. CALL TO ORDER

Special Magistrate Kevin Wagner called the meeting to order at 1:00 P.M.

Town Attorney Elizabeth Lenihan was present.

2. EXPLANATION OF PROCEEDINGS

Special Magistrate Wagner explained the process of the proceedings.

3. SWEARING OF WITNESSES

Deputy Town Clerk Jaclyn DeHart swore in those giving testimony.

4. APPROVAL OF MINUTES

A. November 12, 2025

Special Magistrate Wagner approved the minutes of November 12, 2025.

5. VIOLATIONS

A. CASE NO. CC-26-87

4117 S. Ocean LLC

4117 S. Ocean Blvd.

Highland Beach FL, 33487

PCN:24-43-47-04-00-006-0010

Legal Description: 4-47-43, S 100 FT OF N 155 FT OF GOV LT 6 E OF RD
140 A/K/A CITY LOT NO 38

Code Sections:30-122 (A) - Building Permits Required. 302.3 - Sidewalks and driveways, 304.2 - Protective treatment, G29. - Property Maintenance Code, I7-3 - Nuisance. Generally; declared unlawful., J0.69(CXIXAXI) - PARKING LOTS AND VEHICULAR USE AREAS.

Violations: Windows installed without permit, driveway pavers missing permit, damaged driveway pavers, chipping/peeling protective treatment/paint on structure, dirt/mildew on structure and concrete wall/fence, and damaged stucco on structure.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Orlando Curet provided a brief timeline of the facts of the case. He entered submittals of evidence into the records that included proof of services, and supporting documents.

Code Compliance Officer Curet explained that the last reinspection of the property was July 22, 2026, and the property remains noncompliant. The town has had personal contact with the property owner. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and be given thirty days to come into compliance or be fined \$250.00 per day for each day that the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by August 21, 2026.

Mr. Edgar Belaval, attorney for the respondent, addressed the violations. He explained that the respondent's intent to resolve the violations.

There was a brief discussion about potentially giving the respondent more to or a schedule a status hearing. Town Attorney Lenihan commented that a status hearing was not necessary.

Special Magistrate Wagner closed the hearing.

Special Magistrate Wagner found the respondent in violation of the listed code sections. The respondent shall come into compliance with the Town Code by August 21, 2026, by applying for and obtaining the necessary permits to remedy the violations. In the absence of said compliance, the respondent was assessed a fine in the amount of \$250.00 per day until the property comes into compliance. The Respondent is assessed prosecution costs in the amount of \$250.00.

B. CASE NO. CC-26-100

**EMC Global LLC
4226 Tranquility Drive
Highland Beach FL, 33487
PCN:24-43-47-04-02-005-0040
Legal Description: BEL LIDO LT 4 BLK 5**

Code Sections:6-29. - Property Maintenance Code, 30-122 (A) - Building Permits Required, IPMC 304.1 - Exterior Structure- General, 28-10(A) - Maintenance standards for cultivated landscape areas.

Violations: Chipping/Peeling Paint on Fascia, landscaping debris (dead/decaying plant material), faded/cracked damaged driveway, and missing permits for interior renovations.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Orlando Curet provided a brief timeline of the facts of the case. He entered submittals of evidence into the records that included proof of services, and supporting documents.

Code Compliance Officer Curet explained that the last reinspection of the property was July 22, 2026, and the property remains noncompliant. The town has had personal contact with the property owner. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and be given thirty days to come into compliance or be fined \$250.00 per day for each day that the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by August 21, 2026.

Ms. Anita Mascotti, Director, EMC Global, commented on the violations. She asked for a two month extension and has 60 days, September 22, 2026 to come into compliance.

Special Magistrate Wagner found the respondent in violation of Code Sections:6-29, 30-122 (A) and IPMC 304.1, adopted by reference of the testimony of Code Compliance Officer Curet, to the nature of those violations. Respondent is given until September 22, 2026 to bring the property into compliance or be fined in the amount of \$250.00 per day until the property comes into compliance. The Respondent is assessed prosecution costs in the amount of \$250.00.

6. FUTURE MEETING DATES

2026 SPECIAL MAGISTRATE HEARING DATES

There was discussion about the 2026 Special Magistrate Hearing dates specific to August 18, 2026 meeting. The meeting was tentatively scheduled for August 19, 2026 at 2:00 P.M.

7. ADJOURNMENT

The meeting adjourned at 1:22 P.M.

APPROVED: September 08, 2026, Special Magistrate Hearing

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Signed Minutes on file in the Town
Clerk's Office

ATTEST:

Kevin Wagner,
Code Enforcement Magistrate

Transcribed by
Jaclyn DeHart

Jaclyn DeHart
Deputy Town Clerk

09/08/2026

Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the events of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: <https://highlandbeach-fl.municodemeetings.com/>.