

DRAFT



TOWN OF HIGHLAND BEACH TOWN SPECIAL MAGISTRATE HEARING MINUTES

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

Date: September 08, 2026
Time: 1:00 PM

1. CALL TO ORDER

Special Magistrate Kevin Wagner called the meeting to order.

2. EXPLANATION OF PROCEEDINGS

Special Magistrate Wagner explained the process of the proceedings.

3. SWEARING OF WITNESSES

Deputy Clerk DeHart swore in those giving testimony.

4. APPROVAL OF MINUTES

A. July 22, 2026

Special Magistrate Wagner approved the minutes of July 22, 2026.

5. VIOLATIONS

A. CASE NO. CC-26-149

**KAPPEL JAMES S & DEBRA TRUST & MONTGOMERY JOEL W & SARAH
K TRUST**

2809 S. Ocean Blvd.

Highland Beach FL, 33487

PCN:24-43-46-33-00-001-0040

**Legal Description: 33-46-43, S 200 FT OF N 400 FTOF FRAC SEC LYG
BET FIND CNL & ATLANTIC OCEAN (LESS SR) A/K/ACITY LOT NO 114**

Code Section: 30-122 (A) - Building Permits Required.

**Violations: Owner failed to secure plumbing and electrical permits for the
installation of water softener and salt tanks and electrical outlets at
exterior of property.**

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.

The respondent was not present.

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 November 3, 2026. Should Respondent fail to bring the Property into compliance by the date specified above, a fine in the amount of \$250.00 per violation shall be assessed against Respondent for each day the Property remains in violation past the date set for compliance. Respondent is further ordered to reimburse the Town in the amount of \$250.00 for administrative costs incurred in prosecuting the case before the Magistrate, which shall be included in the Lien amount. Said costs shall be paid by the date set for compliance. Should Respondent violate the same code section cited herein, such reoccurrence may subject the Respondent to a repeat violator fine of up to \$500.00 per day for every day of the violation, plus administrative costs in enforcing the action, pursuant to Chapter 162, Florida Statutes.

B. CASE NO. CC-26-155

SPELL, CHARLES E.
3912 S. Ocean Blvd., 1210
Highland Beach FL, 33487
PCN: 24-43-47-04-13-001-1210
Legal Description: REGENCY HIGHLAND CLUB COND UNIT 1210 PHASE
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Code Section: 30-122 (A) - Building Permits Required.

Violations: Owner failed to secure permit for water heater changeout.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Orlando Curet stated that the property had come into compliance and the case was closed.

C. CASE NO. CC-26-165

CHIMIENTI, NICHOLAS
4746 S. Ocean Blvd. 2
Highland Beach FL, 33487
PCN: 24-43-47-09-07-000-0020
Legal Description: EVANTON BAYE TOWNHOMES COND UNIT 2

Code Section: 30-122 (A) - Building Permits Required.

Violations: Owner failed to secure permit for A/C changeout.

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.

The respondent was not present.

Special Magistrate Wagner closed the hearing.

Special Magistrate Wagner found the respondent in violation of the listed code sections. Respondent shall comply with the Town Code by October 8, 2026. Should Respondent fail to bring the Property into compliance by the date specified above, a fine in the amount of \$250.00 per violation shall be assessed against Respondent for each day the Property remains in violation past the date set for compliance. Respondent is further ordered to reimburse the Town in the amount of \$250.00 for administrative costs incurred in prosecuting the case before the Magistrate, which shall be included in the Lien amount. Said costs shall be paid by the date set for compliance. Should Respondent violate the same code section cited herein, such reoccurrence may subject the Respondent to a repeat violator fine of up to \$500.00 per day for every day of the violation, plus administrative costs in enforcing the action, pursuant to Chapter 162, Florida Statutes. Should Respondent violate the same code section cited herein, such reoccurrence may subject the Respondent to a repeat violator fine of up to \$500.00 per day for every day of the violation, plus administrative costs in enforcing the action, pursuant to Chapter 162, Florida Statutes.

D. CASE NO. CC-26-166

**WALLACH LAWTON TRUST
2727 S. Ocean Blvd. 1201
Highland Beach FL, 33487
PCN: 24-43-46-28-51-000-1201
Legal Description: VILLA MAGNA COND UNIT 1201**

Code Section: 30-122 (A) - Building Permits Required.

Violations: Owner failed to secure permit for water heater changeout.

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.

The respondent was not present.

Special Magistrate Wagner closed the hearing.

Special Magistrate Wagner found the respondent in violation of the listed code sections. Respondent shall comply with the Town Code by October 8, 2026. Should Respondent fail to bring the Property into compliance by the date specified above, a fine in the amount of \$250.00 per violation shall be assessed against Respondent for each day the Property remains in violation past the date set for compliance. Respondent is further ordered to reimburse the Town in the amount of \$250.00 for administrative costs incurred in prosecuting the case before the Magistrate, which shall be included in the Lien amount. Said costs shall be paid by the date set for compliance. Should Respondent violate the same code section cited herein, such reoccurrence may subject the Respondent to a repeat violator fine of up to \$500.00 per day for every day of the violation, plus administrative costs in enforcing the action, pursuant to Chapter 162, Florida Statutes.

E. CASE NO. CC-26-171

WILD OAK FARMSTEAD LLC
1023 Russell Dr. 1
Highland Beach FL, 33487
PCN: 24-43-47-04-03-000-0190
Legal Description: HIGHLAND BEACH ISLES LT 19

Code Sections: 30-68(G)(1)(A) - Accessory Marine Facilities and 30-68(G)(1)(B) - Accessory Marine Facilities

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.

The respondent was not present.

Special Magistrate Wagner closed the hearing.

Special Magistrate Wagner found the respondent in violation of the listed code sections. Respondent shall comply with the Town Code by September 22, 2026. Should Respondent fail to bring the Property into compliance by the date specified above, a fine in the amount of \$250.00 per violation shall be assessed

against Respondent for each day the Property remains in violation past the date set for compliance. Respondent is further ordered to reimburse the Town in the amount of \$250.00 for administrative costs incurred in prosecuting the case before the Magistrate, which shall be included in the Lien amount. Said costs shall be paid by the date set for compliance. Should Respondent violate the same code section cited herein, such reoccurrence may subject the Respondent to a repeat violator fine of up to \$500.00 per day for every day of the violation, plus administrative costs in enforcing the action, pursuant to Chapter 162, Florida Statutes.

6. ADJOURNMENT

The meeting adjourned at 1:23 PM.

APPROVED: October 13, 2026, Special Magistrate Hearing

ATTEST:

Signed Minutes on file in the Town
Clerk's Office

Kevin Wagner,
Code Enforcement Magistrate

Transcribed by
Jaclyn DeHart

10/13/2026

Jaclyn DeHart
Deputy Town Clerk

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/>.