



TOWN OF HIGHLAND BEACH SPECIAL MAGISTRATE HEARING MINUTES

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

Date: January 14, 2025
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. December 10, 2024

Special Magistrate Wagner approved the minutes of December 10, 2024.

5. VIOLATIONS

A. CASE NO. CC-24-446

Shulman Roberta Personal Res Trust II
Highland Beach FL, 33487
PCN: 24-43-46-28-51-000-0306
Legal Description: VILLA MAGNA COND UNIT 306

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

Violations: Repair/remodel in both bathrooms without permits. Including but not limited to plumbing and electrical.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Osowsky mentioned that he spoke with the Respondent's attorney, and they requested that the case be postponed until February 11, 2025 hearing next month. The Town has no objections to this.

Special Magistrate Wagner postponed the case until February 11, 2025.

B. CASE NO. CC-24-429

**Ocean Pines Condominium Association Inc.
3009 S. Ocean Blvd.
Highland Beach FL, 33487
PCN: 24-43-46-33-14-000-000**

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

**Violations: The domestic water pumps are being replaced at this location.
No permit for the work.**

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service, and supporting documents.

Code Compliance Officer Adam Osowsky mentioned that the violation has been corrected. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and assess prosecution costs in the amount of \$250.00 payable within 30 days.

Special Magistrate Wagner found the respondent in violation of Code Section 30-122 (A) building permit required, and assessed prosecution costs in the amount of \$250 to be paid by February 14, 2025.

C. CASE NO. CC-24-469

**Louis Jr & June Buendia
3212 S. Ocean Blvd. 106-A
Highland Beach FL, 33487
PCN: 24-43-46-33-08-001-1060
Legal Description: SEAGATE OF HIGHLAND COND ONE APT 106-A**

Code Sections: 30-122 (B) - Expiration of building permit.

Violations: Permit 24-317-WD REMOVE AND REINSTALL ONE DOOR TO IMPACTED has expired.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Adam Osowsky stated that the property has been brought into compliance since the Notice of Hearing and the case is closed.

D. CASE NO. CC-24-471

**Andrea & Marc Sherry
3740 S. Ocean Blvd. Apt. 403
Highland Beach FL, 33487
PCN: 24-43-47-04-54-005-4030
Legal Description: TOSCANA SOUTH CONDOMINIUM UNIT # 403**

Code Sections: 30-122 (B) - Expiration of building permit.

Violations: Permit 24-228-BR Removing existing granite tops and backsplashes and replacing it with quartz has expired.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service, and supporting documents.

Code Compliance Officer Adam Osowsky mentioned that the violation has been corrected. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and assess prosecution costs in the amount of \$250.00.

The Respondent was not present.

Special Magistrate Wagner found the respondent in violation of Code Section 30-122 (B) expiration of building permit, and assessed prosecution costs in the amount of \$250 to be paid by January 31, 2025.

E. CASE NO. CC-24-388

**Elsa M & Gustavo R Suarez
2701 S. Ocean Blvd. 18
Highland Beach FL, 33487
PCN: 24-43-46-28-33-000-0180
Legal Description: CARLTON HOUSE COND UNIT 18**

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

Violations: Complete interior remodel without valid permits.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service, and supporting documents.

He mentioned that as of today the last permit needed it pending. Therefore, the Town recommends that the Respondent be found in violation of the Town Code as alleged in the Notice of Violation and they come into compliance within 14 days or be fined \$250 each day after and assess prosecution costs in the amount of \$250.

The respondent was present and requested 30 or 21 days to come into compliance.

Special Magistrate Wagner found the respondent in violation of Code Section 30-122 (A). The respondent has 21 days, February 07, 2025, to bring the property into compliance or be fined in the amount of \$250 per day and assess prosecution costs in the amount of \$250.

F. CASE NO. CC-24-451

**Maria G & Robert J Braverman
3301 S. Ocean Blvd. 110
Highland Beach FL, 33487
PCN: 24-43-46-33-12-000-0110
Legal Description: AMBASSADORS V SOUTH COND APT 110**

Code Sections: 30-122 (B) - Expiration of building permit.

Violations: Permit P23-0045 Bathroom & Kitchen Remodeling.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Adam Osowsky stated that the property has been brought into compliance since the Notice of Hearing and the case is closed.

G. CASE NO. CC-24-480

**Diana Kantor Trust
3212 S. Ocean Blvd. 405-A
Highland Beach FL, 33487
PCN: 24-43-46-33-08-001-4050
Legal Description: SEAGATE OF HIGHLAND COND ONE APT 405-A**

Code Sections: 30-122 (B) - Expiration of building permit.

Violations: Permit REV23-0224 Add shower pan tile removal and reinstallation expired. Permit BR23-0201 Kitchen expired. Permit P23-0191 PLUMBING expired. Permit E23-0197 Kitchen and Bathroom Remodeling Kantor expired.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service and supporting documents.

Code Compliance Officer Adam Osowsky mentioned that the violations remain. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and be given 14 days to come into compliance or be fined \$250 per day for each day the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable within 14 days.

The Respondent was not present.

Special Magistrate Wagner found the respondent in violation of Code Section 30-122 for four expired permits, the respondent shall comply with the Town Code by January 31, 2025 or be fined in the amount of \$250 per day. The Respondent is assessed prosecution costs in the amount of \$250 payable by the date set for compliance.

H. CASE NO. 2023-12-017
Extension Request

STEPHEN & MARLA GARCHIK,
2474 S. Ocean Blvd.
Highland Beach FL, 33487
PCN: 24-43-46-28-09-000-0131

Legal Description: BYRD BEACH LT 13A (LESS N 10 FT) & LT 14A

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

Violations: Pergola built without an issued permit.

Special Magistrate Wagner opened the hearing.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case and that the Respondent had requested a fine reduction. The property was in violation for 8 days with a total of \$2000 in fines and the Town recommends reducing the fine to \$250.

Michael Marshall, Lawyer for the property, was in agreement of the fine reduction.

Special Magistrate Wagner granted the respondent's request for a fine reduction in the amount of \$250 to be paid by February 14, 2025 or revert to the original amount of \$2,000.

6. ADJOURNMENT

The meeting adjourned at 1:18 PM.

APPROVED: February 11, 2025, Special Magistrate Hearing

ATTEST:

Kevin Wagner,
Code Enforcement Magistrate

Transcribed by
Jaclyn DeHart

Jaclyn DeHart
Deputy Town Clerk

02/11/2025

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/>.