

**TOWN OF LAKE PARK, FLORIDA  
CODE COMPLIANCE DIVISION**

**Case No. 23090024**

**TOWN OF LAKE PARK, FLORIDA**

**Petitioner,**

**v.**

**754 PARK AVENUE LAKE PARK LLC**



**PCN # 36-43-42-20-01-010-0201**

**Respondent**

**ORDER FINDING VIOLATION**

**THIS CAUSE**, having come before the Special Magistrate for the Town of Lake Park, Florida, on **December 13, 2023**, and the Special Magistrate having heard the testimony of the Parties, and having considered the evidence presented by the Parties; and having been fully apprised of the circumstances, does hereby find as follows:

**FINDINGS OF FACT**

The Respondent is the owner of the real property located at **754 PARK AVENUE, LAKE PARK, FLORIDA 33403** ("Property"), and which is legally described as follows: **KELSEY CITY LT 20 (LESS E 10 FT) & LTS 21 TO 24 INC BLK 10**

A Town of Lake Park Code Compliance Officer conducted a personal inspection of the Property on **September 27, 2023**, as charged in the Notice of Violation, existed on the Property. The Respondent was given a reasonable time in which to correct the violations, but failed to comply within the allotted time period. As of the date of this Order, the Property remains in violation.

**CONCLUSIONS OF LAW**

The Findings of Fact support, by a preponderance of the evidence that the Respondent has violated **Section 105.1 of the Town of Lake Park Code of Ordinances** as charged in the Notice of Violation issued in this case. The Town of Lake Park is entitled to recover all costs, including attorney's fees and Special Magistrate fees, incurred in successfully prosecuting this action.

**IT IS HEREBY ORDERED** that the Respondent shall comply with **Code Section 105.1** as charged in the Notice of Violation, as follows:

**COMPLIANCE DATE:**

On or before February 11, 2024, the Respondent shall come into compliance with **Section 105.1 of the Town of Lake Park Code of Ordinances**, as charged in the Notice of violation in this case. If the Respondent fails to comply by the Compliance Date specified herein, a fine in the amount of \$ 150<sup>00</sup> per day is hereby imposed for each and every day of non-compliance.

Pursuant to Chapter 162, Florida Statutes, if the fines are not paid by the date specified herein, a certified copy of this Order shall be recorded in the Public Records of Palm Beach County, Florida, and shall constitute a lien against the Property upon which the violation exists, and any other real or personal property owned by the Respondent. In addition, a recorded copy of this Order shall constitute notice that the findings contained herein are binding any subsequent purchasers, successors-in-interest, or assigns of the Respondent.

The Respondent may submit a written request for a hearing to challenge the fine imposed by this Order within 15 days from the date of this Order. If a hearing challenging the amount of the fine assessed is requested testimony as to the existence of the violation is not permitted; rather the hearing is limited to the amount of the fine and costs assessed by this Order, and why a lien to recover the fines and costs should not have been authorized by this Order. The Respondent shall bear the burden of demonstrating why the fines and costs assessed herein should not constitute a Final Order Assessing Fine and authorizing the imposition of a Lien against the property. If the Respondent fails to timely make such a request, and the violation remains, the Order shall be constitute a FINAL ORDER ASSESSING A FINE, the Town may record a Certified Copy of the Order in the Public Records of Palm Beach County, Florida, which shall constitute a lien against the

Respondent's real and/or personal property and any other real or personal property owned by the Respondents; and at any time more than THREE MONTHS after its recordation the Town is hereby authorized to foreclose on the Lien of the Town against the real and/or personal property owned by the Respondents.

IT IS FURTHER ORDERED THAT the Respondent is assessed the administrative costs of this action in the amount of \$269.69 as provided by law, and shall pay the same to the Town Clerk, at 535 Park Avenue, Lake Park, Florida, on or before the Compliance Date.

DONE AND ORDERED this 13<sup>th</sup> day of December, 2023.

I, KB Rowley do hereby certify that the foregoing is a true and correct copy of the original Code Compliance document as maintained in the Official Records of the Town of Lake Park.  
Witness my hand, this 12<sup>th</sup> day of February 2024  
Kimberly B Rowley  
CODE COMPLIANCE DIVISION  
TOWN OF LAKE PARK, FLORIDA

Paul Nicoletti  
Paul Nicoletti, Special Magistrate  
Town of Lake Park, Florida

ATTEST:

Vivian Mendez  
VIVIAN MENDEZ,  
TOWN CLERK

