

**TOWN OF JUPITER**  
**CODE COMPLIANCE MAGISTRATE**  
**HEARING AGENDA**

July 14, 2021  
10:00 AM  
Town Council Chambers

**PLEASE TAKE NOTICE AND BE ADVISED** that if any interested person desires to appeal any decisions made by the Magistrate with respect to any matter considered at this hearing, such interested person may need a verbatim record of the proceedings made, including the testimony and evidence presented at this hearing.

**QUASI-JUDICIAL PROCEEDINGS:** The Magistrate has the jurisdiction and authority, pursuant to Chapter 162, Florida Statutes, and Town ordinances, to hear and decide alleged violations of the codes and ordinances enacted by the Town of Jupiter, including but not limited to the following codes: building, electrical, fire, gas, landscape, plumbing, sign, zoning, and other similar types of codes which may be adopted by the Town of Jupiter in the future which regulate aesthetics, construction, safety, use of property, or location of any structure on real property in the Town of Jupiter.

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**OLD BUSINESS:**

1.	<b><u>Case No.:</u></b> 21-000482	<b>Continued from June 9, 2021</b>
	<b>Respondent:</b>	Agios Gabriel Holdings, Inc.
	<b>Address of Violation:</b>	50 S. Old Dixie Hwy
	<b>Code Section:</b>	23-97 (a)(1-8) Landscape maintenance
	<b>Description of Violation:</b>	Dead and missing landscape

**Staff Recommendation:**

Respondent be given until July 29, 2021 to comply with the code or be fined \$150.00 per day for every day the violation continues thereafter and also be assessed administrative costs.

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**VIOLATION CASES:**

1.	<b><u>Case No.:</u></b> 21-000532	<b>Stipulation and Agreed Order</b>
	<b>Respondent:</b>	Agios Gabriel Holdings, Inc.
	<b>Address of Violation:</b>	50 S. Old Dixie Hwy
	<b>Code Sections:</b>	23-97 (a)(2) Tree pruning.
	<b>Description of Violation:</b>	Improper tree pruning

**Staff Recommendation:**

Due to the irreparable/irreversible nature of the violation, staff requests respondent be found in violation and be assessed a fine of \$250.00 for the hat-racked tree and submit a 3 year corrective pruning plan and also be assessed administrative costs due on or before July 28, 2021.

2. **Case No.:** 21-000790

**Respondent:** Michael L. and Edith A. Booth  
**Address of Violation:** 1115 Neoga St.  
**Code Sections:** 21-108 Purpose and authority for housing regulations.  
21-110 (a)(6) Occupant compliance.  
21-171 Occupancy limitations.  
**Description of Violation:** Exceedance of occupancy limitations.

**Staff Recommendation:**

Due to the irreparable/irreversible nature of the violation staff requests respondent be found as having been in violation and given until July 29, 2021 to comply or be fined \$250.00 per day, and also be assessed administrative costs.

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3. **Case No.:** 21-000846

**Respondent:** Circle K Stores Inc.  
**Address of Violation:** 150 W Indiantown Rd.  
**Code Section:** 26-154 Protective barriers  
26-155 Protection of buffer zones, drip lines  
**Description of Violation:** Removal of protective barriers and debris stored within protection buffer zones.

**Staff Recommendation:**

Due to the irreparable/irreversible nature of the violations, staff requests the respondent be found as having been in violation and be assessed \$500.00 per day for 30 days that the violation existed, a total of \$15,000.00, and should any existing tree die within five years, replacement with an approved tree be required and also be assessed administrative costs.

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4. **Case No.:** 21-000884

**Stipulation and Agreed Order**

**Respondent:** The Island at Abacoa Home Owner Assoc.  
**Address of Violation:** 179 Freeport Dr.  
**Code Section:** 26-35 (b) Vegetation removal permit.  
**Description of Violation:** 4 large oak trees were removed without first obtaining a vegetation removal permit.

**Staff Recommendation:**

Due to the irreparable/irreversible nature of the violation, staff requests the respondent be found as having been in violation and pay a fine \$250.00 for each of the four trees removed, a total of \$1,000.00, due on or before July 28, 2021 and also be assessed administrative costs. Additionally 20 live oaks or other acceptable trees shall be planted or donated for planting in Town approved areas on or before October 13, 2021, or respondent shall be fined \$150.00 per day for every day the violation continuous thereafter.

**MOTION TO STAY ENFORCEMENT:**

1. **Case No.:** 16-00005371

<b>Respondent:</b>	Walgreen Co.
<b>Address of Violation:</b>	439 W. Indiantown Rd.
<b>Code Section:</b>	23-38 (b)(5) Administrative Remedies 23-87 (a) Landscape maintenance
<b>Description of Violation:</b>	Multiple landscape violations including dead and missing plant material.
<b>Original Hearing Date:</b>	<b>April 12, 2017</b>
<b>Finding:</b>	Found in violation, given until 5/31/2017 to comply or be fined \$150.00 per day. Administrative costs of \$340.34, were paid on 4/25/2017.  <b>The total amount due to the Town of Jupiter is \$210,900.00</b>
<b>Fine Abatement Hearing Date:</b>	<b>May 12, 2021</b>
<b>Finding:</b>	Magistrate reduced the fine from \$210,900.00 to \$100,000.00 and gave 60 days, until 07/12/21, to pay fine otherwise it will revert to the original amount.

**ANNOUNCEMENT:** THE NEXT MAGISTRATE HEARING WILL BE ON AUGUST 11, 2021 AT 10:00AM.  
**ADJOURN**

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