

CERTIFIED MAIL



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# TOWN OF JUPITER

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CODE COMPLIANCE DIVISION  
SPECIAL MAGISTRATE  
NOTICE OF HEARING

October 25, 2024

DENNIS J MASSAD  
17361 BENDROSS RD  
JUPITER, FL 33458

CASE NO.: 24-000112

LOCATION: 17349 BENDROSS RD, Jupiter, Florida  
PCN: 30424103000007610

You are hereby notified that on **11/13/24 at 10:00 AM** there will be a hearing conducted by the Town of Jupiter Special Magistrate in the Council Chambers of the Town of Jupiter Municipal Complex, 210 Military Trail, concerning the alleged violation of the Town Code:

Violation Information

REMOVE AND PROPERLY DISPOSE OF THE JUNK , TIRES, WOODEN CRATE, WHEEL BARROW AND ALL OTHER DEBRIS THAT HAS ACCUMULATED ON THE PROPERTY.

Violation Description

NUISANCES ILLEGAL ACCUMULATION/STORAGE  
13-2 ILLEGAL ACCUMULATION/STORAGE

The unauthorized or illegal accumulation or storage of abandoned property, construction debris, inert waste material, refuse, hazardous wastes or similar waste products upon any public or private property within the town is hereby declared to be a public nuisance.

Violation Information

REMOVE THE INOPERABLE FORD PICKUP TRUCK AS WELL AS THE INOPERABLE CHEVROLET PICKUP TRUCK FROM THE PARCEL.

Violation Description

NUISANCES JUNKED VEHICLE-NUISANCE  
13-69 JUNKED VEHICLES-NUISANCE

The location or presence of any junked vehicle or any abandoned, wrecked or derelict property on any lot, tract, or parcel of land, or portion thereof, private, improved or unimproved, occupied or unoccupied, within the town shall be deemed a public nuisance. It shall be unlawful for any person in the town to cause or maintain such public nuisance by wrecking, dismantling, rendering inoperable, abandoning or discarding his vehicle on the property of another, or to suffer, permit or allow the same to be placed, located, maintained or to exist upon his own real property, provided that this section shall not apply to:

- (1) A vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property;
- (2) A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer of a junkyard; or
- (3) Any unlicensed inoperable vehicle stored on private property; provided, however, that the vehicle and outdoor storage area are maintained in such a manner that they do not constitute a health hazard, and that the vehicle is screened from ordinary public view from the fronting street or roadway, and from the property of any abutting owners, by means of a fence, trees, shrubbery or other lawful means. It is the sole intent of this subsection to permit the temporary storage of such a vehicle during a period of

196 MILITARY TRAIL, JUPITER FL 33458 PH: (561) 741-2477 FX: (561) 741-2420

continuous activity of necessary repairs in order to make it operable.

Violation Information

CUT/MOW THE HIGH WEEDS ON THE PARCEL AND MAINTAIN ON A REGULAR BASIS. GROWTH IS IN EXCESS OF 12" IN HEIGHT CURRENTLY

Violation Description

LANDSCAPING Mowing Turf and Weeds

23-97(a)(3) MOWING TURF AND WEEDS

(3) Turf and weeds shall be mowed as required and shall not exceed six inches in height for developed nonresidential areas and eight inches in height in developed residential areas. Grasses and weeds shall not exceed 12 inches in height on vacant undeveloped properties;

You are hereby ordered to appear before the Special Magistrate on the above-referenced date to respond to the alleged violation and to present any oral or written testimony regarding the alleged violation. Failure to appear will result in the Special Magistrate proceeding in your absence. You will have the opportunity to present witnesses, as well as question the witnesses against you, prior to the Special Magistrate making a determination. You have the right to obtain an attorney, at your expense, to represent you before the Special Magistrate. **CASE FILES WILL BE AVAILABLE FOR REVIEW BY RESPONDENTS ONE-HALF HOUR PRIOR TO THE START OF THE HEARING.**

If the alleged violation still exists as of the compliance date specified in the notice of violation, this case may proceed to the hearing whether or not compliance is achieved prior to the hearing date, with a request to the Special Magistrate for a finding of violation and assessment of **ADMINISTRATIVE COSTS**. If the alleged violation still exists at the time of the hearing and you are found in violation, the Special Magistrate may enter an order against you and may assess both **ADMINISTRATIVE COSTS** and a fine of up to **\$1,000.00 PER DAY PER VIOLATION** for every day the violation continues beyond the date set by the Special Magistrate in the order for compliance. If the violation is considered by the Special Magistrate to be irreparable or irreversible in nature, a fine may be imposed not to exceed **\$15,000.00 PER VIOLATION**. If you are found in violation and subsequently violate the same code section(s) again at a later date, a repeat violator fine of up to **\$5,000.00 PER VIOLATION PER DAY** could be assessed for every day of violation, plus administrative costs.

Should any interested party seek to appeal any decision made by the Special Magistrate with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and for such purpose he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

There is a procedure whereby an alleged violator may stipulate to the existence of a violation and waive appearance at the above hearing. If you so wish to, you may enter into stipulation with the Town whereby you are admitting to the violation described herein.

Sincerely,

**Don Dougherty**  
Code Compliance Officer  
Town of Jupiter

**CERTIFIED MAIL**

**AFFIDAVIT OF POSTING**

**Notice of Hearing**

Case No.: 24-000112  
Date Posted: October 25, 2024  
Property Owner: DENNIS J MASSAD  
Property Address: 17349 BENDROSS RD

Places of Posting: Town Hall  
17349 BENDROSS RD

(See Attached Copy of Posted Notice)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared, **DON DOUGHERTY**, a duly-designated Code Compliance Officer of the Town of Jupiter, who, after being duly sworn by me under oath, deposes and says:

1. Prior to posting this notice, the undersigned has reviewed the file of this matter and has determined that a bona fide attempt was made to hand-deliver or mail notice to the alleged violator.
2. This Affidavit of Posting shall serve to meet the notice requirements of Section 162.12, Florida Statutes.
3. This property was posted for at least ten (10) days in two (2) locations, the first being upon the property where the code violation is alleged to exist, the address of which is listed herein above, and the second being at the Jupiter Town Hall, 210 Military Trail, Jupiter, Florida 33458, in accordance with Section 162.12(2)(b), F.S. The undersigned affiant submits this affidavit as proof of compliance with the requirements of Section 162.12(2)(b), F.S.

FURTHER AFFIANT SAYETH NOT



Personally appeared before me the undersigned authority, and acknowledged that (he)/(she) did execute the foregoing affidavit.

Sworn to and subscribed before me this 25<sup>th</sup> day of October, 2024.

  
Notary Public

