

BEFORE THE VILLAGE OF WELLINGTON SPECIAL MAGISTRATE

Village of Wellington,

Petitioner,

vs.

**CASE NO.
NOH-18-00003666**

**RENEE WEINSTEIN TRUST
RENEE WEINSTEIN TRUSTEE
BERNARD WEINSTEIN TRUSTEE**

Respondent(s)

ORDER FINDING VIOLATION(S)

Property Owner/Respondent/ Authorized Representative Name and Address

RENEE WEINSTEIN TRUST
RENEE WEINSTEIN TRUSTEE
BERNARD WEINSTEIN TRUSTEE
1016 LAKE BREEZE DR
WELLINGTON, FL 33414

Location of Violation: 1016 LAKE BREEZE DR, Wellington, FL

Property Control Number: 73-41-44-03-17-004-008-0

Legal Description: EMERALD FOREST OF WELLINGTON LT 8 BLK 4

The Special Magistrate appointed by the Village Council to hear code enforcement cases for the Village of Wellington, in accordance with Chapter 162, Florida Statutes, has heard testimony at the Code Enforcement Hearing held on the **20th of September 2018** and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER are hereby entered:

FINDINGS OF FACT

A Notice of Violation/Notice of Hearing was served on the respondent(s) consistent with Section 162.12, Florida Statutes.

The respondent(s) ~~was~~/was not present at the hearing. An agent for the respondent(s) ~~was~~/was not present at the hearing.

Based on the sworn testimony, photographs and other competent substantial evidence presented to the Special Magistrate during the course of the hearing, the Special Magistrate finds the walls stained and discolored.

CONCLUSIONS OF LAW

Based on the sworn testimony, photographs and other competent substantial evidence presented to the Special Magistrate during the course of the hearing, the Special Magistrate finds as follows:

The Respondent(s) is/are in violation of Wellington Code Section(s) 36-22(B)(1). (See attached violation detail)

ORDER

1. The Respondent(s) is/are hereby ordered to correct the following violation(s) on or before **October 18, 2018**.
 - Wellington Code Section 36-22(B)(1)
2. **Costs related to the prosecution of this case in the amount of \$246.81 are assessed against the Respondent(s).** Respondent(s) is/are ordered to pay such costs to the Village of Wellington Code Compliance Division within **30 days** from the date of this Order. Failure to pay the costs as ordered will result in a lien being filed against the property.
3. **The respondent(s) is/are ordered to cease and desist, for a period of five years, from any future violations of the charge or pay a fine for each day of the re-occurrence.**
4. **The respondent(s) is/are further ordered to contact the Village of Wellington Code Compliance Division (561-753-2566/lbot@wellingtonfl.gov) once the property is brought into compliance so that the property may be inspected.** Otherwise, a presumption may be made that the violation has not been corrected and a fine will be assessed. Should a dispute arise to whether the property is in compliance, either the Village or the respondent(s) may request a hearing before the Special Magistrate to determine same.
5. **In the event the Code Compliance Division is not contacted as required in paragraph 4 and/or the violations are not corrected as ordered in paragraph 1, a fine certification hearing will be held before the Special Magistrate on November 15, 2018 at 9:00 a.m. at the Wellington Municipal Complex, 12300 Forest Hill Boulevard, Wellington Florida. At the fine certification hearing, the Code Compliance Officer will request certification of a fine in an amount not to exceed \$25.00 per day. No additional notification of the intent to impose a fine will be given.**
6. A certified copy of this Order may be recorded in the Public Records of Palm Beach County, Florida.

DONE AND ORDERED in the Village of Wellington, Palm Beach County, Florida on this 21st day of September, 2018.

VILLAGE OF WELLINGTON
CODE ENFORCEMENT
SPECIAL MAGISTRATE

By: 
Alan Zangen, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by U. S. Mail to the Respondent(s) at the addresses listed on Page 1, this 27 day of September, 2018.


Elizabeth Merideth, Clerk to the Special Magistrate

Date Received: 
Village of Wellington
Code Compliance Division

CASE NUMBER 18-00003666
PROPERTY ADDRESS 1016 LAKE BREEZE DR

VIOLATION: PROPERTY MAINT GENERAL QUANTITY: 1
DESCRIPTION: CODE SECTION 36-22 (B) (1) DATE: 6/07/18
LOCATION:

NARRATIVE :

1. Exterior walls stained/discolored (front)

ORDINANCE DESCRIPTION :

B. General Regulations

1. All principal and accessory buildings and structures and their appurtenances shall be maintained free of debris, stains, mold, discoloration or deterioration.

CORRECTIVE ACTION REQUIRED :

Clean and/or repair to a condition free of debris, stains, mold, discoloration or deterioration.