

TOWN OF LOXAHATCHEE GROVES
TOWN HALL COUNCIL CHAMBERS
SPECIAL MAGISTRATE HEARING MINUTES
MONDAY, FEBRUARY 3, 2025 – 9:00 A.M. – 10:20 A.M.



Meeting Audio Available Upon Request in the Office of the Town Clerk

CALL TO ORDER

The meeting was called to order by Amity Barnard, Special Magistrate, at 9:00 A.M. on Monday, February 3, 2025.

SWEARING IN OF OFFICERS, STAFF AND RESPONDENTS

ROLL CALL

Staff Present:

- Torcivia, Donlon, Godeau, & Rubin, P.A.
 - Ameila Jadoo, Esq, Town Attorney
 - Tanya Early, Esq, Town Attorney - virtually attended
- Sammie Brown, FRA-RP, MEDP, Town Clerk Assistant
- John Suarez, Code Enforcement Officer
- Anthony Neonakis, Code Enforcement Officer
- Deangelo Campo. Code Enforcement Officer

Special Magistrate:

Amity R. Barnard, Esq.

Adjournment:

Meeting adjourned at 10:20 A.M.

PLEASE SEE THE FOLLOWING SPECIAL MAGISTRATE ORDERS

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 23060006

Petitioner,

v.

MARIA E FONTE & ROBERTO PEREZ,

Respondents.

ORDER GRANTING CONTINUANCE AND SETTING FINE ASSESSMENT HEARING

RE: Violation of Sections 05-040(A-B), 175-110, 175-170 and 175-240 of the Town ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION

LOXAHATCHEE GROVES W 1/2 OF S 1/2 (LESS S 20 FT) OF TR 24 BLK C

STREET ADDRESS:

3384 C Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:

41-41-43-17-01-324-0020

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 3rd day of February, 2025 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact and Order.

FINDINGS OF FACT

1. Respondents, MARIA E FONTE & ROBERTO PEREZ, are the owners of the above-described property.
2. Respondents were not present at the hearing; however, there was a finding of proper notice.
3. By the "Order Finding Violation" dated June 19, 2024, the Special Magistrate ordered the Respondent to comply with the above-referenced sections on or before August 16, 2024.
4. By the "Order Granting Continuance and Setting Fine Assessment Hearing" dated November 4, 2024, the Special Magistrate ordered the Respondent to comply with the above-referenced sections on or before January 10, 2025.
5. At the hearing on February 3, 2025, John Suarez, the Town's Code Enforcement Officer, testified under oath and presented documentary and photographic evidence of the violation continuing to occur on the property. The Town's documentary and photographic evidence were entered into the record as Composite Exhibit #1 without objection.
6. At the hearing on February 3, 2025, the Town requested to continue this matter.

ORDER

It is the Order of the Special Magistrate that this matter be continued. Respondents are hereby ordered to comply with Sections 05-040(A-B), 175-110, 175-170 and 175-240 of the Town ULDC of the Code of the Ordinances of the Town of Loxahatchee Groves no later than April 1, 2025. **This matter is set for Fine Assessment Hearing on April 7, 2025 at 9:00 am at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida 33470.** At such hearing, a fine in the amount of up to Two Hundred Fifty Dollars (\$250.00) may be assessed for each day that the violations continue to exist past April 1, 2025, the compliance deadline set by this Order.

Administrative costs for prosecuting the February 3, 2025 hearing are hereby *reserved*.

Upon complying in any code enforcement matter, it is always the responsibility of the Respondents to contact the Code Enforcement Department at (561) 793-2418 to request a re-inspection of the property.

DONE AND ORDERED THIS 3rd day of February, 2025.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: 
AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 24060020

Petitioner,

v.

ESCUE FARMS LLC,

Respondent.

ORDER GRANTING CONTINUANCE AND SETTING FINE ASSESSMENT HEARING

RE: Violation of Sections 20-010(G)(1) and 20-017 of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION
LOXAHATCHEE GROVES TRACT 5 BLK D

STREET ADDRESS:
1300 D Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:
41-41-43-17-01-405-0010

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 3rd day of February, 2025 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact and Order.

FINDINGS OF FACT

1. Respondent, ESCUE FARMS LLC, is the owner of the above-described property.
2. Respondent was represented at the hearing by Shahmir Quareshi, Owner and Reginald Stambaugh, Counsel; there was also a finding of proper notice.
3. By the "Order Finding Violation" dated September 18, 2024, the Special Magistrate ordered the Respondent to comply with the above-referenced sections on or before December 16, 2024.
4. At the hearing on February 3, 2025, John Suarez, the Town's Code Enforcement Officer, testified under oath and presented documentary and photographic evidence of the violation continuing to occur on the property. The Town's documentary and photographic evidence were entered into the record as Composite Exhibit #1 without objection.
5. At the hearing on February 3, 2025, the Town requested to continue this matter.

ORDER

It is the Order of the Special Magistrate that this matter be continued. Respondent is hereby ordered to comply with Sections 20-010(G)(1) and 20-017 of the ULDC of the Code of the Ordinances of the Town of Loxahatchee Groves no later than February 10, 2025. **This matter is set for Fine Assessment Hearing on March 3, 2025 at 9:00 am at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida 33470.** At such hearing, a fine in the amount of up to Two Hundred Fifty Dollars (\$250.00) may be assessed for each day that the violations continue to exist past February 10, 2025, the compliance deadline set by this Order.

Administrative costs for prosecuting the February 3, 2025 hearing are hereby *reserved*.

Upon complying in any code enforcement matter, it is always the responsibility of the Respondent to contact the Code Enforcement Department at (561) 793-2418 to request a re-inspection of the property.

DONE AND ORDERED THIS 3rd day of February, 2025.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: _____


AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
701 Northpoint Parkway, Suite 205
West Palm Beach, FL 33407

Returned to:
Town of Loxahatchee Groves
155 F Rd
Loxahatchee Groves, FL 33470

**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

TOWN OF LOXAHATCHEE GROVES, FLORIDA,

CASE NO. 24110012

Petitioner,

v.

MATTHEW OTERO,

Respondent.

_____ /

ORDER FINDING VIOLATION

RE: Violation of Section 92-010(a) of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION

LOXAHATCHEE GROVES W 193.40 FT OF E 1160.40 FT OF TR 3 BLK F

STREET ADDRESS:

13327 Marcella Boulevard
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:

41-41-43-17-01-603-0100

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 3rd day of February, 2025 regarding the above-referenced case and based on the evidence presented at that hearing, enters the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent, MATTHEW OTERO, is the owner of the above-described property.

2. Respondent was present at the hearing; there was also a finding of proper notice.
3. At the hearing on February 3, 2025, John Suarez, the Town's Enforcement Officer, testified under oath and presented documentary and photographic evidence of the violation occurring on the property. The Town's documentary and photographic evidence were entered into the record as Composite Exhibit 1, without objection.

CONCLUSIONS OF LAW

The above-stated facts constitute a violation of Section 92-010(a) of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

ORDER

Respondent is hereby ordered to comply with Section 92-010(a) of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves no later than April 14, 2025. **This matter is set for a Fine Assessment Hearing on May 5, 2025 at 9:00 am at the Town of Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, Florida 33470.** At such hearing, a fine in the amount of One Hundred Dollars (\$100.00.00) may be assessed for each day that the violation continues to exist past April 14, 2025, the compliance deadline set by this Order.

Respondent is further assessed administrative costs in the amount of Two Hundred Thirty-Four Dollars and Five Cents (\$234.05) for prosecuting the February 3, 2025 hearing, payable within thirty (30) days of the date of this order.

Should a dispute arise concerning compliance, either party may request a hearing before the Code Enforcement Special Magistrate on the issue of compliance only.

Should you violate the same Section of the Code again, you may be subject to a fine of up to \$500.00 per day for such repeat violation. Additionally, the Code Inspector is not required to give a reasonable time to correct the repeat violation and the case may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing.

Upon complying in any code enforcement matter, it is always the responsibility of the Respondent to contact the Code Enforcement Department at (561) 793-2418 to request a re-inspection of the property.

DONE AND ORDERED THIS 3rd day of February, 2025.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: _____


AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE

Prepared By:
Amity Barnard, Esq.
Davis & Associates, P.A.
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**SPECIAL MAGISTRATE HEARING
TOWN OF LOXAHATCHEE GROVES, FLORIDA
(561) 793-2418**

**TOWN OF LOXAHATCHEE GROVES, FLORIDA, CASE NOS. 202006122, 22050001,
23080004, 23090001, 23050031,
23030005**

Petitioner,

v.

ELDAD ITSKOVICH,

Respondent.

_____ /

ORDER AUTHORIZING FORECLOSURE

RE: Violation of Sections 175-110, 05-040(A-B), 20-010(G)(3)e, 20-050(a)(1), 20-050(a)(5),
18-24 and 87-030 of the Town Code and Town ULDC, Code of Ordinances of the Town
of Loxahatchee Groves.

LEGAL DESCRIPTION
LOXAHATCHEE GROVES SW ¼ OF TR 35 BLK E

STREET ADDRESS:
1032 Hyde Park Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:
41-41-43-17-01-535-0030

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement
Special Magistrate Hearing held on the 3rd day of February, 2025 regarding the above-referenced

case and based on the evidence presented at that hearing, enters the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. The Respondent, ELDAD ITSKOVICH, is the owner of the above-described property.
2. The Respondent was present at the hearing, along with Katie Edwards-Walpole, Esq., Counsel; there was also a finding of proper notice of the hearing.
3. As of the hearing on February 3, 2025, based on testimony and evidence presented by Town staff, the Town has valid liens imposed by the recording of certified copies of the following:
 - Case No. 202006122: “Order Assessing Fine” dated May 17, 2021 in the Public Records for Palm Beach County at ORB 35135, Pages 72-73, filed on July 11, 2024. Such lien has been recorded for more than three (3) months and remains unpaid. Thus, the required conditions had been satisfied to authorize foreclosure of such lien by the Special Magistrate pursuant to Sec. 162.09(3), *Florida Statutes*.
 - Case No. 22050001: “Order Assessing Fine” dated December 14, 2022 in the Public Records for Palm Beach County at ORB 35134, Pages 1718-1719, filed on July 11, 2024. Such lien has been recorded for more than three (3) months and remains unpaid. Thus, the required conditions had been satisfied to authorize foreclosure of such lien by the Special Magistrate pursuant to Sec. 162.09(3), *Florida Statutes*.
 - Case No. 23080004: “Order Assessing Fine” dated October 18, 2023 in the Public Records for Palm Beach County at ORB 34625, Pages 253-254, filed on October 23, 2023. Such lien has been recorded for more than three (3) months and remains unpaid. Thus, the required conditions had been satisfied to authorize foreclosure of such lien by the Special Magistrate pursuant to Sec. 162.09(3), *Florida Statutes*.
 - Case No. 23090001: “Order Finding Repeat Violation and Assessing Fine” dated September 20, 2023 in the Public Records for Palm Beach County at ORB 34571, Pages 618-619, filed on September 21, 2023. Such lien has been recorded for more than three (3) months and remains unpaid. Thus, the required conditions had been satisfied to authorize foreclosure of such lien by the Special Magistrate pursuant to Sec. 162.09(3), *Florida Statutes*.
 - Case No. 23050031: “Order Finding Repeat Violation and Assessing Fine” dated June 21, 2023 in the Public Records for Palm Beach County at ORB 34423, Pages 1253-1254, filed on July 11, 2023. Such lien has been recorded for more than three (3) months and remains unpaid. Thus, the required conditions had been satisfied to authorize foreclosure of such lien by the Special Magistrate pursuant to Sec. 162.09(3), *Florida Statutes*.
 - Case No. 23030005: “Order Assessing Fine” dated April 20, 2023 in the Public Records for Palm Beach County at ORB 34309, Pages 265-266,

filed on May 18, 2023. Such lien has been recorded for more than three (3) months and remains unpaid. Thus, the required conditions had been satisfied to authorize foreclosure of such lien by the Special Magistrate pursuant to Sec. 162.09(3), *Florida Statutes*.

CONCLUSIONS OF LAW

Based on the above-stated facts, the required conditions have been satisfied for the Special Magistrate to authorize foreclosure of such liens or suit to recover a money judgment pursuant to Sec. 162.09(3), *Florida Statutes*.

ORDER

It is the Order of the Special Magistrate that the Town of Loxahatchee Groves is hereby authorized to foreclose on the subject property located at 1032 Hyde Park Road, Loxahatchee Groves, Florida 33470, or to sue to recover a money judgment for the amount of the liens plus accrued interest pursuant to Sec. 162.09(3), *Florida Statutes*.

DONE AND ORDERED THIS 3rd day of February, 2025.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: _____


AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE