

TOWN OF LOXAHATCHEE GROVES

TOWN HALL COUNCIL CHAMBERS

155 F. ROAD, LOXAHATCHEE GROVES, FL 33470

SPECIAL MAGISTRATE HEARING

MINUTES

SEPTEMBER 8, 2025 – 9:00 AM – 10:16 AM



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

I. CALL TO ORDER

The meeting was called to order by Amity Barnard, Special Magistrate at 9:00 AM on Wednesday, September 8, 2025.

II. ROLL CALL

Staff Present:

- Amity Barnard, Esq. ,Special Magistrate
- Jeff Kurtz, Town Attorney
- Caryn Gardner –Young, Director of Community Standards
- Deanna Thomas, Lead Code Compliance Officer
- John Suarez, Code Compliance Officer
- Gabriella Croasdaile, Assistant to the Town Clerk/Board Clerk

Special Magistrate:

Amity Barnard, Esq.

III. ADDITIONS, DELETIONS, AND/OR MODIFICATION TO THE AGENDA

Director of Community Standards Caryn Gardner-Young provided deletions and modifications to the Special magistrate agenda - Section IV. Item 1,2,6. were deleted from the agenda. Section III. Item 2 was moved first in the hearing.

IV. NOTICE OF STATUS/FINE ASSESMENT HEARING

1. PALENZULA GISELA & PALENZUELA LEONARDO

- 2793 C Rd
- 25040066
- PCN: 41-41-43-17-01-238-0020
- Violation Section(s): 175-110, 175-170, 175-240 – FDA Requirements, 20-017 Prohibited Use

Please see Exhibit A for the corresponding Order.

2. SEIFERT MARGARET & SEIFERT KENNETH

- 3255 E Rd
- 23020001
- PCN: 41-41-43-17-01-434-0030
- Violation Section(s): 30-43, 30-44, 30-45, 30-49(a) – Manure Violation

Please see Exhibit B for the corresponding Order.

V. VIOLATION HEARINGS/NEW BUSINESS

3. J&J REALTY INVESTMENT HOLDINGS LLC

- 1555 Folsom Rd
- CE-25-15
- PCN: 41-41-43-17-01-637-0010
- Violation Section(s): 22-132, 22-134, 22-135 – Business Tax Receipt

Please see exhibit C for the corresponding Order.

VI. AGREED ORDERS

There were no agreed orders at this hearing.

VII. CONFIRMATION OF THE NEXT HEARING DATE

The next Special Magistrate hearing is scheduled for Wednesday, September 17, 2025 at 9:00 AM.

VIII. ADJOURNMENT

The meeting was adjourned at 10:16 AM.



Amity R. Barnard, Esquire, Special Magistrate



Gabriella Croasdaile,
Assistant to the Town Clerk

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

EXHIBIT A

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. 25040066

Petitioner,

v.

LEONARDO PALENZUELA & GISELA PALENZUELA,

Respondents.

ORDER ASSESSING FINE

RE: Violation of Sections 175-170, 175-110, 175-240 and 20-017 of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION

LOXAHATCHEE GROVES S 1/2 OF TR 38 BLK B

STREET ADDRESS:

2793 C Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:

41-41-43-17-01-238-0020

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 8th day of September, 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. Respondents, LEONARDO PALENZUELA & GISELA PALENZUELA, 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 2, 2025, the Special Magistrate ordered the Respondents to comply with Sections 175-170, 175-110, 175-240 and 20-017 of the ULDC of the Code of Ordinances of the Town of Loxahatchee Grove on or before July 7, 2025 for the violation of Section 20-017, on or before July 7, 2025 by applying for the required FDA permit for the violation of Sections 175-170, 175-110 and 175-240 and on or before August 29, 2025 by obtaining the required FDA permit for the violation of Sections 175-170, 175-110, 175-240.
4. At the hearing on September 8, 2025, John Suarez, the Town's Code Enforcement Officer testified under oath and presented documentary and photographic evidence of violations remaining on the property. Mr. Suarez testified that the Respondents had timely complied with the violation of Section 20-017 and Sections 175-170, 175-110 and 175-240 with regard to applying for the required FDA permit; however, Mr. Suarez testified that the required FDA permit had not been issued by the required compliance date of August 29, 2025 as the Respondents had not yet executed the required FDA permit, therefore the violation of Sections 175-170, 175-110 and 175-240 was not in compliance regarding issuance of the required FDA permit. The Town's documentary and photographic evidence were entered into the record without objection as Composite Exhibit 1.

CONCLUSIONS OF LAW

The above-stated facts constitute a continuing violation of Sections 175-170, 175-110 and 175-240 of the ULDC of the Code of Ordinances of the Town of Loxahatchee Groves.

ORDER

It is hereby the Order of the Special Magistrate that a Fine of Two Thousand Five Hundred Dollars (\$2,500.00) is hereby assessed beginning August 30, 2025 through September 8, 2025, a period of ten (10) days, and continuing to accrue at Two Hundred Fifty Dollars (\$250.00) per day for each day that the violation continues to exist until compliance is achieved.

Respondents are further assessed administrative costs in the amount of \$234.50 for prosecuting the September 8, 2025 hearing, payable within thirty (30) days of the date of this order. Administrative costs in the amount of \$234.05 for prosecuting the June 2, 2025 hearing are also hereby *reaffirmed*.

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.

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

A certified copy of this Order may be recorded in the Public Records of Palm Beach County, Florida, and, once recorded, shall constitute a lien against the property upon which the violation exists and upon any other real or personal property owned by the Respondents, pursuant to Chapter 162, Florida Statutes.

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 8th day of September, 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

EXHIBIT B

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. 23020001

Petitioner,

v.

MARGARET M & KENNETH SEIFERTH,

Respondents.

ORDER ASSESSING FINE

RE: Violation of Ordinance No. 2012-03 Sections 2 and 8 codified at Sections 30-43, 30-44, 30-45 and 30-49(a) of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION

LOXAHATCHEE GROVES W 1/2 OF S 1/2 OF TR 34 BLK D

STREET ADDRESS:

3255 E Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:

41-41-43-17-01-434-0030

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 8th day of September, 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. Respondents, MARGARET M & KENNETH SEIFERTH, are the owners of the above-described property.
2. Respondents were represented at the hearing by James Gavigan, Esq., Counsel; there was also a finding of proper notice.

3. By the "Order Finding Irreparable/Irreversible Violation" dated February 6, 2023, the Special Magistrate ordered the Respondents to comply with Ordinance No. 2012-03 Sections 2 and 8 codified at Sections 30-43, 30-44, 30-45 and 30-49(a) on or before March 6, 2023.
4. At the hearing on September 8, 2025, Deanna Thomas, the Town's Code Enforcement Officer and Town Attorney testified under oath and presented documentary and photographic evidence of violations remaining on the property. The Town's documentary and photographic evidence were entered into the record without objection as Composite Exhibit 1.
5. The Town Attorney advised that the prior Order Finding Irreparable/Irreversible Violation dated February 6, 2023 had been appealed to the Circuit Court of the Fifteen Judicial Circuit and affirmed per curiam (Case No. 50-2023-CA-002107-XXXX-MB).
6. The Town Attorney and Respondent's counsel agreed that given resolution of the appeal, jurisdiction was back with the Special Magistrate and further advised that the Parties were in mutual agreement to resolve the matter for a one-time fine in the amount of \$5,000 for the irreparable/irreversible violation previously found on the property plus the previously imposed administrative costs.

CONCLUSIONS OF LAW

The above-stated facts constitute an irreparable/irreversible violation of Ordinance No. 2012-03 Sections 2 and 8 codified at Sections 30-43, 30-44, 30-45 and 30-49(a) of the Code of Ordinances of the Town of Loxahatchee Groves.

ORDER

It is hereby the Order of the Special Magistrate that a one-time Fine of Five Thousand Dollars (\$5,000.00) is hereby assessed for the irreparable/irreversible violation of Ordinance No. 2012-03 Sections 2 and 8 codified at Sections 30-43, 30-44, 30-45 and 30-49(a) of the Code of Ordinances of the Town of Loxahatchee Groves. Administrative costs in the amount of \$234.05 for prosecuting the February 6, 2023 hearing are also hereby assessed, payable within thirty (30) days of the date of this order.

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.

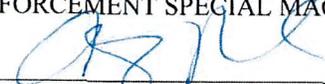
Should a dispute arise concerning compliance, either party may request a hearing before the Code Enforcement Special Magistrate on the issue of compliance only.

A certified copy of this Order may be recorded in the Public Records of Palm Beach County, Florida, and, once recorded, shall constitute a lien against the property upon which the violation exists and upon any other real or personal property owned by the Respondents, pursuant to Chapter 162, Florida Statutes.

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 8th day of September, 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

EXHIBIT C

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. CE-25-15

Petitioner,

v.

J & J REALTY INVESTMENT HOLDINGS LLC,

Respondent.

**ORDER FINDING VIOLATION AND DELINQUENCY AND
ASSESSING FINES AND PENALTIES**

RE: Violation of Sections 22-132, 22-134 and 22-135 of the Code of Ordinances of the Town of Loxahatchee Groves.

LEGAL DESCRIPTION

LOXAHATCHEE GROVES TR 37 (LESS W 1450.14 FT & E 50.02 ADDL FOLSOM RD R/W)
BLK F

STREET ADDRESS:

1555 Folsom Road
Loxahatchee Groves, Florida 33470

PARCEL CONTROL NUMBER:

41-41-43-17-01-637-0010

The Code Enforcement Special Magistrate heard testimony at the Code Enforcement Special Magistrate Hearing held on the 8th day of September, 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, J & J REALTY INVESTMENT HOLDINGS LLC, is the owner of the above-described property.
2. Respondent was not present at the hearing; however, there was a finding of proper notice.
3. Documentation and/or evidence was produced at the September 8, 2025 hearing indicating that the Respondent has not paid the Business Tax imposed by the Town of Loxahatchee Groves for the preceding years of 2023 and 2024 and such tax is now delinquent beyond 150 days after the initial notice of tax due. The Town's documentary and/or photographic evidence were entered into the record as Composite Exhibit 1 without objection.

CONCLUSIONS OF LAW

The above-stated facts constitute a violation of Sections 22-132, 22-134 and 22-135 of the Code of Ordinances of the Town of Loxahatchee Groves and subjects Respondent to penalties as set forth at Chapter 205, F.S.

ORDER

Pursuant to Section 205.053(2), F.S., Respondent is delinquent in the payment of the required Business Taxes which were due on September 30, 2023 and September 30, 2024 and have been assessed the maximum delinquency penalty of up to twenty-five percent (25%) of the tax due in addition to any other penalty provided by law or ordinance.

It is hereby Ordered that the Respondent pay the required Business Tax due in the amount of One Hundred Dollars (\$100.00) for 2023 pursuant to Sections 22-132, 22-134 and 22-135 of the Code of Ordinances of the Town of Loxahatchee Groves, plus a penalty of twenty-five percent (25%) of the tax due in accordance Section 205.053(2), F.S., equal to Twenty-Five Dollars (\$25.00), for the year 2023. It is further Ordered that the Respondent pay the required Business Tax due in the amount of One Hundred Dollars (\$100.00) for 2024 pursuant to Sections 22-132, 22-134 and 22-135 of the Code of Ordinances of the Town of Loxahatchee Groves, plus a penalty of twenty-five percent (25%) of the tax due in accordance Section 205.053(2), F.S., equal to Twenty-Five Dollars (\$25.00), for the year 2024. Accordingly, Respondent is hereby assessed a total tax and penalty amount due of \$250.00, all in accordance with Section 205.053, F.S.

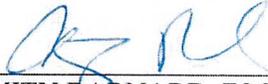
Should you violate the same Section of the Code again, you may be subject to a fine of up to \$500.00 per day for such repeat violation. Additionally, the Code Inspector is not required to give a reasonable time to correct the repeat violation and the case may be presented to the Special Magistrate even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

A certified copy of this Order shall be recorded in the Public Records of Palm Beach County, Florida, and, once recorded, shall constitute a lien against the property of the original amount upon which the violation existed and upon any other real or personal property owned by the Respondent, pursuant to Chapter 162, Florida Statutes for the original amount.

DONE AND ORDERED THIS 8th day of September, 2025.

TOWN OF LOXAHATCHEE GROVES
CODE ENFORCEMENT SPECIAL MAGISTRATE

BY: 
AMITY BARNARD, ESQ.
SPECIAL MAGISTRATE