

CERTIFIED MAIL



TOWN OF JUPITER

CODE COMPLIANCE DIVISION SPECIAL MAGISTRATE POSTPONEMENT NOTICE OF HEARING

November 01, 2023

MARSHA KIRCHHOFF
6219 DIMOND ST
JUPITER, FL 33458

CASE NO.: **23-001077**

LOCATION: **6219 DIMOND ST**, Jupiter, Florida
PCN: **30424122030850100**

You are hereby formally notified that the hearing of your case before the Town of Jupiter Code Compliance Special Magistrate, originally scheduled for **11/08/23**, has been postponed to the Special Magistrate hearing scheduled for **01/10/24 at 10:00 AM**. At that time, the hearing will be held in the Council Chambers of the Town of Jupiter Municipal Complex, 196 Military Trail. The hearing is concerning a violation of the Town Code Section(s):

Violation Information

DUE TO THE POOR STRUCTURAL CONDITION, THE JUPITER BUILDING DEPARTMENT HAS POSTED THIS HOME AS UNSAFE AND UNINHABITABLE ON SEPTEMBER 19, 2023. THE HOME MUST BE RETURNED TO A SAFE AND STRUCTURALLY SOUND CONDITION, CONTACT THE BUILDING DEPARTMENT FOR REQUIREMENTS OF RETURNING THE HOME TO A HABITABLE STRUCTURE AND FOR PERMIT REQUIREMENTS AT 561-741-2286.

Violation Description

BUILDINGS AND BUILDING REGULATIONS UNSAFE BLDG/STRUCTURE
21-198 UNSAFE DWELLINGS OR STRUCTURES

Unsafe dwellings or structures shall be abated in accordance with the requirements of the Florida Building Code, as amended.

Violation Information

THIS PROPERTY HAS AN INOPERABLE TOYOTA MATRIX IN THE DRIVEWAY. THE VEHICLE HAS FOUR FLAT TIRES AND AN EXPIRED TAG. REGISTER THE VEHICLE AND RETURN IT TO A SAFE AND ROADWORTHY STATE OR REMOVE THE VEHICLE FROM THE PROPERTY.

Violation Description

NUISANCES STORAGE OF INOP VEHICLES
13-9 RESIDENTIAL STORAGE OF INOPERATIVE MOTOR VEHICLES

(a) Inoperative motor vehicles may be stored or parked in a residential zoning district for a period not to exceed 30 days.

(b) Inoperative motor vehicles may be permanently stored in a residential zoning district within an enclosed garage or behind opaque fencing. Inoperative motor vehicles stored in this manner shall not be visible from adjacent properties or public rights-of-way.

Violation Information

BEEES ARE INHABITING THE WESTERN WALL ON THE BACK PORCH OF THIS HOME, POSING A HAZARD RISK TO THE SURROUNDING COMMUNITY. HAVE THE BEEES PROPERLY REMOVED FROM THE HOME AND HAVE THE AREA TREATED IF NECESSARY TO PREVENT RECURRENCE OF BEEES. ADDITIONALLY, THE GRASS AND WEEDS ARE OVERGROWN AND NEEDS TRIMMING

AND MAINTENANCE.

Violation Description

NUISANCES DESIGNATED NUISANCES

13-41(a) DESIGNATED NUISANCES

All places in which brush, weeds, palmetto, dead or dying trees, stumps, roots, obnoxious growths or things of any kind, filth, garbage, trash, debris, decayed or decaying buildings, obstructions, ruins of any kind, building docks, walls or other structures in a falling or dangerous condition collect and stand so as to become dangerous to the health or safety or to the general welfare of persons in the town are hereby declared to be nuisances, and the maintenance of any such nuisance by any person shall be unlawful. A building, wall, fence or other structure may be declared a nuisance where it is either not being used for its ordinary and intended use; is not habitable; the materials comprising the structure and any fixture related thereto do not comply with the town's codes; or such that the structure is not functioning as it was originally intended at the time of its construction.

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,

Chris Ailes
Code Compliance Officer
Town of Jupiter

CERTIFIED MAIL

AFFIDAVIT OF POSTING

Notice of Hearing

Case No.: 23-001077
Date Posted: November 02, 2023
Property Owner: MARSHA KIRCHHOFF
Property Address: 6219 DIMOND ST

Places of Posting: Town Hall
6219 DIMOND ST

(See Attached Copy of Posted Notice)

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared, **CHRIS AILES**, 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

Chris Ailes #1201

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

Sworn to and subscribed before me this 2nd day of November, 2023.

Dean Fowler
Notary Public

