

CERTIFIED MAIL



TOWN OF JUPITER

CODE COMPLIANCE DIVISION
SPECIAL MAGISTRATE
NOTICE OF HEARING

December 15, 2023

NANCY L SPANICK
1108 MOHICAN BLVD
JUPITER, FL 33458

CASE NO.: 23-001171

LOCATION: 1108 MOHICAN BLVD, Jupiter, Florida
PCN: 30424102030190080

You are hereby notified that on **01/10/24 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, 196 Military Trail, concerning the alleged violation of the Town Code:

Violation Information

PLEASE REMOVE THE LARGE PILE OF DEAD VEGETATION FROM THE DRIVEWAY AND PREPARE FOR PICKUP AND PLACE AT THE CURB ON PICKUP DAY

Violation Description

SOLID WASTE YARD TRASH FOR COLLECTION
16-4 PREPERATION OF YARD TRASH FOR COLLECTION

- (a) Yard trash and tree trimmings which are not placed in receptacles or containers shall be not more than eight feet in length and must be less than 50 pounds, bundled and neatly stacked or placed in the swale area between the street pavement and the sidewalk line, in front of the person's own property.
- (b) All grass clippings, leaves, pine needles, and similar small loose items must be bagged or containerized. Vegetative waste, except palm fronds, must be no more than six feet in length, and no single item shall weigh more than 50 pounds, and shall be placed neatly at the curb. Natural Christmas trees will be collected as vegetative waste, and any section must not be more than eight feet in length and must be less than 50 pounds.

Violation Information

PLEASE REMOVE THE WHITE STORAGE CONTAINER FROM THE DRIVEWAY OF THIS PROPERTY. THE UNIT HAS BEEN SITTING IN THE DRIVEWAY IN EXCESS OF 11 MONTHS, WHICH IS NOT PERMITTED BY THE TOWN OF JUPITER.
PLEASE CONTACT CODE OFFICER DOUGHERTY AT 561-764-8428 TO DISCUSS

Violation Description

- ZONING DETACHED GARAGES
27-1910(1)(d)(1-4) SHEDS, STORAGE BUILDINGS, GREENHOUSES, AND DETACHED GARAGES
- (1) Sheds shall satisfy the following requirements:
- Maximum size of 144 square feet.
 - Minimum side interior setback shall be three feet. Minimum side corner setback shall be 15 feet. Minimum rear setback shall be five feet. On lots abutting an alley, the minimum rear setback shall be three feet. If a greater easement width exists, the width of the easement shall be the minimum setback.
 - If a greater easement width exists, the width of the easement shall be the minimum setback.
 - Maximum height shall be eight feet.
 - Roof overhangs may encroach into the required setbacks a maximum of 24 inches.
 - The roof drainage shall be retained on the property and shall not adversely impact adjoining properties.

- g. The use of the shed is limited to the storage of household items and supplies and domestic equipment.
- (2) Storage buildings shall satisfy the following requirements:
 - a. Minimum size is greater than 144 square feet. The maximum size shall not exceed 25percent of the gross floor area of the principal building.
 - b. Maximum doorway width shall be six feet.
 - c. Side and rear setbacks shall be the same as a screened enclosure on the property, unless a greater easement width exists, in which case the width of the easement shall be the minimum setback.
 - d. Maximum height shall be ten feet.
 - e. The storage building shall be architecturally compatible to the principal building and shall not be constructed of metal or plastic.
 - (3) Greenhouses and shade houses shall satisfy the following requirements:
 - a. Side and rear setbacks shall be the same as a screened enclosure on the property unless a greater easement width exists, in which case the width of the easement shall be the minimum setback.
 - b. The maximum height of the greenhouse and shade house shall not exceed the height of the existing principal building on the lot.
 - (4) Detached garages shall satisfy the following requirements:
 - a. The maximum size shall not exceed 35 percent of the gross floor area of the principal building.
 - b. The required setbacks shall be the same as the principal building located on the same lot.
 - c. Shall be a single-story structure and shall not exceed the height of the existing building on the lot.
 - d. Detached garages shall be architecturally compatible to the principal building and shall not be constructed of metal or plastic.

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.: 23-001171
Date Posted: December 15, 2023
Property Owner: NANCY L SPANICK
Property Address: 1108 MOHICAN BLVD

Places of Posting: Town Hall
1108 MOHICAN BLVD

(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 15th day of December, 2023.


Notary Public