CERTIFIED MAIL

TOWN OF JUPITER

CODE COMPLIANCE DIVISION
SPECIAL MAGISTRATE
NOTICE OF HEARING

September 16, 2025

775 INDIANTOWN LLC
ATTN REG AGENT: JAMES M COHEN
10050 W BROADVIEW DR
BAY HARBOR, FL 33156

CASE NO.: **25-000700**

LOCATION: **775 W INDIANTOWN RD**, Jupiter, Florida
PCN: **3042410142**

You are hereby notified that on **10/08/25 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, 210 Military Trail, concerning the alleged violation of the Town Code:

Violation Information

THE LANDSCAPE FOR THIS PROPERTY IS NOT MAINTAINED AS REQUIRED PER THE APPROVED PLAN. RESTORE AND REPLANT ALL LANDSCAPE TO ORIGINALLY APPROVED CONDITIONS AND MAINTAIN LANDSCAPE ON A REGULAR MAINTENANCE SCHEDULE. FOR MORE INFORMATION ABOUT THIS VIOLATION AND HOW TO CURE THIS VIOLATION, CONTACT BENJAMIN R. DOLAN AT, 561-575-9557 OR VIA EMAIL AT BEN@2GHO.COM.

Violation Description

LANDSCAPING LANDSCAPE MAINTENANCE
23-97(a)(1-8) LANDSCAPE MAINTENANCE
(a) The owner, tenant and his agent, if any, shall be jointly and severally responsible for the continued regular maintenance of all landscaping materials, and shall keep them in a healthy, neat, and orderly appearance, free from disease, pests, weeds, refuse and debris at all times. Property maintenance shall include:
(1) Periodic watering to maintain healthy flora, the use of more drought-tolerant material, minimizing fungus growth and stimulating deep root growth;
(2) Pruning shall be in accordance with good horticultural standards as defined in the ANSI A300 Standards (or the most current standards), as set forth by the National Arborists Association and approved by the American National Standards Institute (with the exception of section 2.3.1 of the ANSI A300 Standards, which requires that pruning be performed only by arborists or arborist trainees). A copy of the ANSI A300 Standards shall be maintained by the department of planning and zoning and shall be available during regular business hours. Trees and shrubs shall not be severely pruned, hat racked, hacked or headed back. A maximum of one-fourth of a tree canopy may be removed from a tree within a one-year period, provided that the removal conforms to the standards of crown cleaning, crown thinning, crown raising, vista pruning, and crown restoration techniques. At the discretion of the department and based on the severity of the violation, a tree which is pruned in excess of these requirements shall either be replaced in accordance with section 26-121 or shall be subject to corrective pruning by a certified arborist. Nuisance and exotic species as identified in section 26-125 shall be exempt from the pruning requirements of this chapter;
(3) Turf and weeds shall be mowed as required and shall not exceed six inches in height for developed nonresidential areas and eight inches in height in developed residential areas. Grasses and weeds shall not exceed 12 inches in height on vacant undeveloped properties;
(4) All roadways, curbs and sidewalks shall be edged by the party responsible for installing and

maintaining the grass adjacent to the roadway, curb and/or sidewalk when necessary to prevent encroachment of grasses;

(5) All lawns and planted areas shall be fertilized periodically to ensure continued healthy growth;

(6) Replacement of dead plant material under the provisions of this chapter;

(7) Removal of unprotected, prohibited, harmful and illegal plant species shall occur as outlined in chapter 26; and

(8) All tree canopies that are planted on private property and overhang onto a public and/or private right-of-way shall remain clear from the ground level up to a height of eight feet six inches over sidewalks or drainage areas, and to a height of 13 feet six inches over public alleys, streets or highways.

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,

Henry Cardoso
Code Compliance Officer
Town of Jupiter

CERTIFIED MAIL

AFFIDAVIT OF POSTING

Notice of Hearing

Case No.:   **25-000700**
Date Posted: **September 16, 2025**
Property Owner: **ATTN REG AGENT: JAMES M COHEN**
Property Address: **775 W INDIANTOWN RD**

Places of Posting: **Town Hall**
                              775 W INDIANTOWN RD

(See Attached Copy of Posted Notice)

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared, **HENRY CARDOSO**, 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
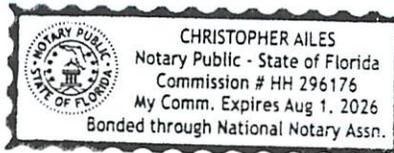
Henry Cardoso

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

Sworn to and subscribed before me this __16__ day of __September__, 2025.

[signature]
Notary Public

CHRISTOPHER AILES
Notary Public - State of Florida
Commission # HH 296176
My Comm. Expires Aug 1. 2026
Bonded through National Notary Assn.

September