

Thursday, June 26, 2025, 2:00 p.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be “abbreviated” in style. Persons interested in listening to the meeting, after the fact, may access the audio from the item via the Town’s website at www.townofpalmbeach.com or may obtain an audio recording of the meeting by contacting the Code Enforcement Board Secretary at (561)227-7080. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

CALL TO ORDER:

Chairman Mr. Klein called the hearing to order.

ROLL CALL:

Martin Klein, Chairman
Scotch Peloso, Vice Chairman
Pam Saba
John McGowan
Chris Larmoyuex
Dave Brooker
Harris S. Fried
John P. Cohen, Alternate Member
Angel Arroyo, Alternate Member

PLEDGE OF ALLEGIANCE:

APPROVAL OF THE MAY 15, 2025 CODE BOARD MINUTES.

1. Motion by Mr. McGowan to approve the May 15, 2025, Minutes.

Motion seconded by Mr. Fried.

Motion passed unanimously.

ADMINISTRATION OF OATH TO TOWN STAFF:

COMMENTS:

2. Officials – No Board Comments.

PUBLIC HEARING:

3. Case # CE 25-55, 323 Seabreeze Ave., Andrea D. Luccio:
Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances adopts the Florida Building Code which requires building permits to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure or install, alter, repair, remove, convert or replace any electrical, mechanical or plumbing system.

All members declared Ex-parte communications regarding this case.

Officer Felix presented the facts of the case and entered evidence into the record.

Nicole Topak was present on behalf of the property owner and gave testimony in the case.

Motion by Mr. Peloso of a finding of non-compliance, assess Administrative fee in the amount of \$150.00 to be paid within 30 days of this order and to come into compliance by July 14, 2025, or this case will return for fine consideration at the July 17, 2025, Code Board Hearing.

Motion seconded by Mr. McGowan.

Motion passed unanimously.

FINE CONSIDERATION/REDUCTION:

4. Case # CE 24-1033, 332 S. County Road, 332 South County Road:

Violation of Chapter 88 Section 88-19 of the Town of Palm Beach Code of Ordinances states the interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances states the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. Chapter 88- 23(a) of the Town of Palm Beach Code of Ordinances states structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

All members declared Ex-parte communication regarding this case.

Officer Moriarty reminded the board of the facts of the case. Building Official Wayne Bergman and Fire Marshall Martin Deloach gave testimony in the case.

Mr. Roddy and his attorney Genny Contreras were present and gave testimony in the case and presented evidence.

Motion by Mr. Larmoyeux to postpone the fine consideration case until the July 17, 2025, Code Board Hearing at which time the property owner will have entered into a Construction Management Agreement with the Town and address the Board with an update and if compliance is not met the fine would be retroactive to June 24, 2025.

Motion seconded by Ms. Saba.

Motion passed unanimously.

5. Case # CE 25-784, 332 S. County Road, 332 South County Road:

Violation of Chapter 46, Section 46-66 (a) of the Town of Palm Beach Code of Ordinances states there are hereby adopted by the town, for the purpose of prescribing regulations governing conditions hazardous to the health, safety, welfare, life and property from fire or explosion, certain codes in accordance with F.S. §§ 633.202 and 633.208 the "Florida Fire Prevention Code" adopted

by the State Fire Marshal Chapter 69A-60 of the Florida Administrative Code, as may be amended, including N.F.P.A. 1 Fire Code, Florida Edition, and the N.F.P.A. 101 Life Safety Code, Florida Edition, both as modified by Chapter 69A-60 of the Florida Administrative Code, all of which are deemed adopted by reference, as fully as if set out at length herein, as the minimum fire safety code. If conflicts exist between the codes, the more stringent shall be applied at the discretion of the fire chief or his or her representatives.

All members declared Ex-parte communication.

Officer Moriarty reminded the board of the facts of the case. Fire Marshall M. DeLoach gave testimony in the case.

Mr. Roddy was represented by his attorney Genny Contreras.

Motion by Mr. Larmoyeux to assess a daily running fine in the amount of \$250.00 a day commencing on June 24, 2025, and to continue until compliance is met.

Motion seconded by Mr. McGowan.

Motion passed unanimously.

6. Case # CE 25-136, 2842 S Ocean Blvd., 2842 S Ocean LLC, Tideline Resort:

Violation of Chapter 46, Section 46-66 (a) of the Town of Palm Beach Code of Ordinances states there are hereby adopted by the town, for the purpose of prescribing regulations governing conditions hazardous to the health, safety, welfare, life and property from fire or explosion, certain codes in accordance with F.S. §§ 633.202 and 633.208 the "Florida Fire Prevention Code" adopted by the State Fire Marshal Chapter 69A-60 of the Florida Administrative Code, as may be amended, including N.F.P.A. 1 Fire Code, Florida Edition, and the N.F.P.A. 101 Life Safety Code, Florida Edition, both as modified by Chapter 69A-60 of the Florida Administrative Code, all of which are deemed adopted by reference, as fully as if set out at length herein, as the minimum fire safety code. If conflicts exist between the codes, the more stringent shall be applied at the discretion of the fire chief or his or her representatives.

No Ex-parte.

Officer Moriarty reminded the board of the facts of the case. Fire Marshall Martin Deloach gave testimony and entered evidence into the record.

The property owner was not present and there was a finding of proper notice.

Motion by Mr. McGowan to assess a daily running fine in the amount of \$250.00 a day commencing on June 27, 2025, and to continue until compliance is met.

Motion seconded by Mr. Fried.

Motion passed unanimously.

7. Case # CE 22-1046, 304 S. County Road, Thomas Campaniello:

Violation of Chapter 88, Section 88-16(C) of the Town of Palm Beach Code of Ordinances states sidewalks, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

No Ex-parte.

Officer Moriarty reminded the board of the facts of the case.

The property owner was not present and there was a finding of proper notice.

Motion by Mr. Peloso to postpone the fine consideration hearing until the September 18, 2025 Code Board Hearing.

Motion seconded by Mr. Fried.

Motion passed unanimously.

8. Case # CE 25-40, 2730 S. Ocean Blvd., Palm Beach Ambassador Fee Borrower LLC: Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare. Chapter 88, Section 88-8 of the Town of Palm Beach Code of Ordinances states an unsafe structure is none that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Mr. Klein declared Ex-parte.

Officer Felix reminded the board of the facts of the case. Fire Marshall Martin Deloach gave testimony in the case.

Henry Caso was present on behalf of the property owner and gave testimony in the case.

Motion by Mr. Larmoyeux to postpone the fine consideration hearing case until the September 18, 2025, Code Board Hearing at which time the property will be vacated of tenants and hotel guests by September 1, 2025, except for the office space on the property and will be inspected by the Fire Marshall. This case will return to the September 18, 2025 Code Board Hearing at which time compliance will be determined or the fine will revert back to the June 26, 2025.

Motion seconded by Mr. Peloso.

Motion passed unanimously.

9. Case # CE 24-2119, 280 El Pueblo Way, Danielle & David Ganek:

Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances adopts the Florida Building Code which requires building permits to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure or install, alter, repair, remove, convert or replace any electrical, mechanical or plumbing system.

Officer Pelayo reminded the board of the facts of the case.

Paul from Coastal Gardens was present on behalf of the property owner

XI. Board Comments: (3:10:02)

There were no board comments.

XII. Adjournment: (3:10:27)

MOTION BY MR. McGOWAN.

MOTION SECONDED BY MR. FRIED.

MOTION PASSES UNANIMOUSLY.