

Thursday, August 19, 2021, 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.

I. Call to Order: (2:00)

II. Roll Call: (2:00)

Bram Majtlis, Chairman
Steven Meltzer, Vice Chairman
Daniel McDonnell
Linda Wartow
Martin Klein
Scotch Peloso
Chris Larmoyeux
Pamela Saba, Alternate Member
Julie Herzig-Desnick, Alternate Member

BOARD SECRETARY MARCOTE INFORMED CHAIRMAN MAJTLIS THAT ALL MEMBERS ARE PRESENT FOR TODAYS HEARING.

III. Approval of the Minutes of the July 15, 2021: (2:01)

**MOTION BY MR. MELTZER TO APPROVE THE JULY 15, 2021 MINUTES.
SECONDED BY MR. KLEIN.
MOTION PASSED UNANIMOUSLY.**

IV. Administration of the Oath to Town Staff: (2:01)

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics: (2:02)

- 923 Year to date Code Enforcement cases.
- 142 Cases initiated since the last Code Board Hearing
- 68 cases officer generated
- 74 cases were received (not self-initiated)
- 20 cases set to appear at the August Code Board
- 16 cases achieved compliance before the hearing
- 1 new cases to be heard today
- 3 fine consideration cases to be heard today
- 0 fine reduction cases to be heard today
- 0 old business case to be heard today

VI. Public Hearing: (2:03)

A. Case # CE 21-425, 232 Colonial Lane, George & Zvenka Kleinfeld:

Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances 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 Kloiber presented the facts of the case and entered evidence into the record.

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

MOTION BY MR. KLEIN TO FIND THE OWNER IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS AND GIVEN A COMPLIANCE DATE OF SEPTEMBER 13, 2021.

MOTION SECONDED BY MR. LARMOYEAUX.

MOTION PASSED UNANIMOUSLY.

VII. Fine Consideration Hearing : (2:05)

A. Case # CE 21-511, 425 Chilean Ave., Loraine S. Charman:

Violation of Chapter 66, Section 66-236(a) of the Town of Palm Beach Code of Ordinances vegetation removal permits, not sought in conjunction with building permits, shall be obtained by making application prior to removal, relocation or replacement of the building official or his designee, at least ten working days prior to the proposed date of removal.

Code Enforcement Officer Moriarty re-presented the facts of the case.

Mr. Francis Lynch was present on behalf of the property owner gave testimony and entered evidence into the case.

MOTION BY MR. KLEIN TO POSTPONE THE FINE CONSIDERATION HEARING UNTIL THE SEPTEMBER 17, 2021 HEARING AT WHICH TIME THE HOMEOWNER OR HIS/HER REPRESENTATIVE MUST RETURN WITH AN UPDATE ON THE CASE. THE ADMINISTRATIVE FEE OF \$150.00 MUST BE PAID PRIOR TO THE HEARING IN SEPTEMBER.

MOTION SECONDED BY MR. LARMOYEUX

MOTION PASSED WITH A VOTE OF 6 TO 1 WITH MR. MELTZER VOTING NO.

B. Case # CE 21-66, 123 Chilean Ave., Nancy Shubert:

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 88-16 of the Town of Palm Beach Code of Ordinances requires exterior property and premises shall be maintained in a clean, safe and sanitary condition.

Officer Moriarty re-presented the facts of the case.

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

MOTION BY MR. MELTZER OF A \$250.00 DAILY RUNNING FINE TO COMMENCE ON AUGUST 17, 2021 AND TO RUN UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 20-1127, 2800 S. Ocean Blvd., Four Seasons, JV Associates PB LLC:

Violation of Chapter 46, Section 46-66 of the Town of Palm Beach Code of Ordinances does not allow conditions hazardous to the health, safety, welfare, life and property from fire or explosion, certain codes in accordance with the Florida Fire Prevention Code adopted by the State Fire Marshall.

Officer Kloiber re-presented the facts of the case and entered the updated Fire Marshall's report into evidence. Fire Marshall DeLoach was present and gave testimony in the case.

Randa Lao, Madhav Timsina and Billy Cueto were present on behalf of the property owner and gave testimony in the case.

MOTION BY MR. KLEIN OF A \$250.00 DAILY RUNNING FINE TO COMMENCE ON AUGUST 18, 2021 AND TO RUN UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.

VIII. Board Comments: (3:08)

Mr. Peloso recommended that the word non-compliance not be included in the fine consideration cases recommendation, since the property owner has already been found in non-compliance at the original hearing.

IX. Adjournment: (3:09)

MOTION TO ADJOURN BY MELTZER.

SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.

