

**Town of Palm Beach
Code Enforcement Board
Minutes**

Thursday, December 20, 2012, 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 of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording of the meeting by contacting Joan Dunn, Secretary to the Code Enforcement Board at (561) 227-6388. 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:(2:01:26 p.m.)

The meeting was called to order by Chairman Hoffman at 2:00 p.m.

II. Roll Call:(2:01:36 p.m.)

Upon roll call, the following Board members were present: Chairman Timothy Hoffman, Vice Chairman Harris S. Fried, Members Larry Ochstein, Madelyn Greenberg, Cynthia VanBuren, James Ballentine, W. Anthony Dowell, alternate members Scotch Peloso and Alan S. Golboro.

Staff present: Town Attorney John Randolph, Code Enforcement Manager Raychel Houston, Lead Code Enforcement Officer Robert Walton, Code Enforcement Officer John Moriarty and Recording Secretary Joan Dunn.

III. Approval of the Minutes of November 13, 2012 (2:01:55 p.m.)

**MOTION BY MS. GREEBERG TO APPROVE THE NOVEMBER 13, 2012
MINUTES**

SECONDED BY MR. FRIED

MOTION PASSED UNANIMOUSLY

IV. Administration of the Oath to Town Staff: (2:02:05 p.m.)

The Town staff were sworn in by Recording Secretary Dunn.

V. Public Hearings:

A. Case # CE 12-1410, 359 Seaspray Ave., Scott & Jamie Murray

Violation of Chapter 18, Section 18-242 of the Town of Palm Beach Code of Ordinances, permits required 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

Code Enforcement Officer Moriarty presented the facts to support the case, advised it was a result of a call in complaint and submitted photographs into evidence. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and give them until January 14, 2013 to comply.

Scott Murray was present at the hearing and testified that one awning was removed and the other awning will be removed by January 14, 2013.

**MOTION BY MR. FRIED TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL JANUARY 14, 2013 TO COMPLY
SECONDED BY MR. BALLENTINE
MOTION PASSED UNANIMOUSLY**

B. Case # CE 12-1455, Parcel G, 200 block of Kawama Lane, Phipps Estates Homeowners Assn.

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, dead or dying trees not allowed

Code Enforcement Officer Moriarty presented the facts to support the case, advised it was a result of a call in complaint and showed photographs of the violation. He advised the hedges have now been replaced. The Town recommended the Board dismiss the case for compliance.

**MOTION BY MR. DOWELL TO DISMISS THE CASE FOR COMPLIANCE
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

Mr. Hoffman welcomed Councilman Diamond and thanked him for his attendance at the hearing. Mr. Diamond wished everyone happy holidays.

C. Case # CE 12-1521, 2660 S. Ocean Blvd., Carousel Construction

Violation of Chapter 42, Section 42-199 of the Town of Palm Beach Code of Ordinances, construction work before allowable hours

Lead Code Enforcement Officer Walton advised the fine in this case was paid prior to the hearing. The Town recommended the Board accept payment of the fine and no further action be taken.

**MOTION BY MS. VAN BUREN TO ACCEPT PAYMENT OF THE FINE
AND NO FURTHER ACTION BE TAKEN
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

D. Case # CE 12-1436, 151 Reef Rd., Gayle P. Petersen Tr.

Violation of Chapter 122, Section 122-78 of the Town of Palm Beach Code of Ordinances, watering outside allowable day or hours during non-emergency water restrictions

Lead Code Enforcement Officer Walton presented the facts to support the case and submitted photographs into evidence. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and order them to pay the fine of \$75.00.

**MOTION BY MR. FRIED TO FIND THE VIOLATOR IN NON-
COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF
\$150.00 AND ORDER THEM TO PAY THE \$75.00 FINE
SECONDED BY MR. OCHSTEIN
MOTION PASSED UNANIMOUSLY**

VI. Fine Reduction:

A. Case # 08-2585, 242 Cherry Ln., Charles W. Smith

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior walls to be reasonably free of cracks or holes through which weather elements can enter the building or structure, roofs to be maintained so as not to leak and all exterior surfaces and appurtenances to be painted and in good repair

Lead Code Enforcement Officer Walton advised the facts in the next case are the same as this case. He advised that a postponement of these cases has been requested. The Town recommended the Board postpone both cases until the January 17, 2013 hearing.

**MOTION BY MR. FRIED TO POSTPONE THE CASE UNTIL THE
JANUARY 17, 2013 HEARING
SECONDED BY MR. OCHSTEIN
MOTION PASSED UNANIMOUSLY**

B. Case # CE 11-200, 242 Cherry Ln., Charles W. Smith

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, appurtenances such as driveways to be maintained in good condition and all exterior and interior walls and ceilings to be kept in good condition and roofs to be maintained so as not to leak

See case A above for information on this case.

**MOTION BY MR. FRIED TO POSTPONE THE CASE UNTIL THE
JANUARY 17, 2013 HEARING
SECONDED BY MR. OCHSTEIN
MOTION PASSED UNANIMOUSLY**

VII. Board Comments: (2:14:41 p.m.)

Code Enforcement Manager Raychel Houston advised the Board members that their new parking pass is located in their packets and reviewed where parking was allowed.

Mr. Golboro asked Mr. Walton about a previous case on Ibis Isle Rd.

Mr. Walton and Manager Houston thanked the Board for their service this past year.

Mr. Hoffman thanked the staff and the Board for their work and service for this past year and reminded everyone of the date for the January 2013 meeting.

VIII. Adjournment: (2:17:11 p.m.)

The hearing was adjourned without benefit of a motion.