

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

Thursday, December 15, 2016, 02:00 p.m.

Please be advised that in keeping with a 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:(02:00:38 PM)

II. Roll Call:(02:01:31 PM)

Upon roll call, the following Board members were present: Chair James Ballentine, Jr., Vice Chair Madelyn Greenberg, Members Robert G. Donnelley, Matthew Natale, Scotch Peloso, Jay N. Nisberg, Alternate Members Donald B. Scott, Jr. and Daniel McDonnell. Member Cynthia Van Buren had an excused absence.

Staff present: Town Attorney John Randolph, Code Enforcement Manager Benjamin Alma, Code Enforcement Officer John Moriarty, Code Enforcement Officer Julien Felix, and Recording Secretary Joan Dunn

Mr. Ballentine advised Mr. Scott would be a voting member today.

III. Approval of the Minutes of November 17, 2016:(02:01:37 PM)

**MOTION BY MS. GREENBERG TO APPROVE THE NOVEMBER 17, 2016
MINUTES
SECONDED BY MR. DONNELLEY
MOTION PASSED UNANIMOUSLY**

IV. Administration of the Oath to Town Staff:(02:01:54 PM)

The Town staff were sworn in by Recording Secretary Dunn.

V. Code Statistics(02:02:12 PM)

Code Enforcement Officer Moriarty reviewed the Code Enforcement statistics for the month.

VI. Public Hearings:

- A. Case # CE 16-947, 691 N. County Rd., Robert B. Cohen, James S. Cohen and Harriet Cohen

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

Code Enforcement Officer Moriarty advised the property owner was unable to attend the hearing and has requested a postponement of this case. The Town had no objection to a postponement.

**MOTION BY MS. GREENBERG TO POSTPONE THIS CASE UNTIL THE
JANUARY 19, 2017 HEARING
SECONDED BY MR. PELOSO
MOTION PASSED UNANIMOUSLY**

- B. Case # CE 16-1012, 315 Worth Ave., Trillion and David Neff

Violation of Chapter 10, Section 10-9 of the Town of Palm Beach Code of Ordinances, unlawful to feed or maintain any animal within the Town other than domesticated household pets

Code Enforcement Officer Felix presented the facts of the case and submitted photographs into the record. The Town recommended the Board find the violator in non-compliance, assess administrative costs in the amount of \$150.00 and order them to pay the \$250.00 fine.

Tatiana Van Zandt was present at the hearing on behalf of the business and gave her testimony in the case.

**MOTION BY MS. GREENBERG TO FIND THE VIOLATOR IN NON-
COMPLIANCE, WAIVE THE ADMINISTRATIVE COSTS IN THE AMOUNT
OF \$150.00 AND WAIVE THE \$250.00 FINE
SECONDED BY MR. NISBERG
MOTION PASSED UNANIMOUSLY**

VII. Fine Consideration:

A. Case # CE 16-709, 353 Seaspray Ave., Cornelia M. Lorentzen

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, grass/weeds in excess of 8 inches in height and accumulations of vegetative debris not allowed

Code Enforcement Officer Moriarty briefly reviewed the case. The Town recommended the Board assess a fine in the amount of \$100.00 a day commencing on December 3, 2016 and continuing until compliance is achieved.

**MOTION BY MR. NISBERG TO ASSESS A FINE IN THE AMOUNT OF \$100.00 A DAY, COMMENCING ON DECEMBER 3, 2016 AND CONTINUING UNTIL COMPLIANCE IS ACHIEVED
SECONDED BY MR. DONNELLEY
MOTION PASSED UNANIMOUSLY**

VIII. Fine Reduction Considerations:

A. Case # CE 15-1166, 1556 N. Ocean Blvd., Fatemeh & Niaz Nazarian

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior surfaces required to be painted and in a good state of repair

Code Enforcement Officer Moriarty briefly reviewed the case. The Town had no recommendation.

Fatemeh Nazarian was present at the hearing and gave her testimony in the case, asking for a fine reduction.

**MOTION BY MR. NATALE TO REDUCE THE MONIES OWED TO THE \$150.00 ADMINISTRATIVE COSTS AND A \$250.00 FINE, FOR A TOTAL OF \$400.00 OWED. HE FURTHER MOTIONED IF THE \$400.00 WAS NOT PAID WITHIN 30 DAYS THE MONIES OWED WOULD RETURN TO ITS ORIGINAL AMOUNT OF \$4,850.00
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

IX. Board Comments:(02:49:02 PM)

Building Official William Bucklew was present at the the hearing to answer a question posed at the previous month's hearing in reference to construction time frames and who was responsible for monitoring them. He reviewed the process and advised Planning, Zoning and Building was responsible for monitoring these time frames. He reviewed their procedures for imposing fines.

X. Adjournment:(02:57:55 PM)

**MOTION BY MR. DONNELLEY TO ADJOURN THE MEETING
SECONDED BY MR. SCOTT
MOTION PASSED UNANIMOUSLY**