

Thursday, November 21, 2019, 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: (02:00:00 PM)

II. Roll Call: (02:00:39)

Matthew Natale, Chair
Scotch Peloso, Vice Chair
Bram Majtlis
Daniel McDonnell
Rosemary Carpenter
Linda K. Wartow
Steven Meltzer
Herbert A. Roemmele, Alternate Member

III. Approval of the Minutes of the October 17, 2019 (02:00:43 PM)

**MOTION BY MRS. CARPENTER TO APPROVE THE OCTOBER 17, 2019 MINUTES
SECONDED BY MR. MAJTLIS
MOTION PASSED UNANIMOUSLY**

IV. Approval of the 2020 Code Board Calendar (02:01:00)

**MOTION BY MR. MELTZER TO ADOPT THE 2020 CODE BOARD CALENDAR.
SECONDED BY MS. WARTOW
MOTION PASSED UNANIMOUSLY**

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

The Town staff were sworn in by Secretary Marcote.

VI. Code Statistics: (02:02:01 PM)

- 1396 – year-to-date Code Enforcement cases
- 127 cases initiated since last Code Board Hearing
- 38 cases self-initiated
- 89 cases received (not self-initiated)
- 17 cases set to appear at the October Code Board
- 12 achieved compliance before Hearing
- 2 new cases to be heard today
- 2 fine consideration cases to be heard today
- 1 fine reduction case to be heard today

VII. Public Hearings: (02:02:57 PM)

A. Case #CE 18-1550, 100 Emerald Beach Way, 100 Emerald Beach Way – Lamia Jacobs

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

Code Enforcement Officer Moriarty briefly reviewed the facts of the case.

The Town requested Administrative costs in the amount of \$150.00 and give them until December 16, 2019 to come into compliance.

Amanda Hand and Jeff Schneider were present on behalf of the Jacobs and gave testimony and presented evidence in the case.

Timothy Hanlon and James McGuire were present on behalf of the Thornton's and gave testimony and presented evidence in the case.

MOTION BY MR. MAJTLIS TO DISMISS THE CASE.

SECONDED BY MR. MCDONNELL

THE CHAIR CALLED FOR A ROLL CALL VOTE.

MR. PELOSO	YES
MR. MAJTLIS	YES
MR. MCDONNELL	YES
MS. CARPENTER	YES
MS. WARTOW	YES
MR. MELTZER	YES
MR. NATALE	YES

MOTION PASSED UNANIMOUSLY.

B. Case #CE 19-1076, 1473 N Lake Way, Nicholas Coleman

Violation of Chapter 18, Section 18-206 of the Town of Palm Beach Code of Ordinances Requires any site in which reconstruction does not commence within 30 days after demolition to be irrigated and sodded so as to assure the property will have a neat and clean landscaped appearance.

Code Enforcement Officer Moriarty presented the facts of the case and submitted evidence into the record. The Town recommended Administrative costs in the amount of \$150.00 and to give them until December 16, 2019 to come into compliance.

The violators were not present at the hearing and there was a finding of proper notice.

**MOTION BY MS. CARPENTER TO GRANT A POSTPONEMENT.
SECONDED BY MR. MAJTLIS.
MOTION PASSED UNANIMOUSLY.**

VIII. Fine Consideration Hearing: (02:52:33)

- A. Case #CE 19-952, 331 Worth Ave., Worth Avenue Holdings LLC
Violation of Chapter 42, Section 42-86(15) of the Town of Palm Beach Code of Ordinances does not allow any accumulation of stagnant water permitted or maintained on any lot or piece of ground. Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances requires All outside appurtenances such be kept in a state of good repair.

Code Enforcement Officer Moriarty briefly reviewed the facts of the case. The Town requested \$100.00 a day fine, retro-active to November 19, 2019 and to Stay in effect until compliance is met.

The violators were not present at the hearing and there was a finding of proper notice.

**MOTION BY MR. MAJTLIS TO ASSESS \$100.00 A DAY FINE AND BE
RETROACTIVE TO NOVEMBER 19, 2019. THIS FINE IS TO STAY IN
EFFECT UNTIL COMPLIANCE IS MET.
SECONDED BY MR. MELTZER
MOTION PASSED UNANIMOUSLY.**

- B. Case #CE 19-853, 123 Chilean Ave., Nancy Shubert
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances does not allow vegetation infested with pests such as whitefly.

Code Enforcement Officer Moriarty briefly reviewed the facts of the case. The Town requested \$100.00 a day fine, retro-active to November 19, 2019 and to stay in effect until compliance is met.

The violators were not present at the hearing and there was a finding of proper notice.

**MOTION BY MR. MELTZER TO ASSESS A FINE \$200.00 A DAY FINE AND TO BE
RETROACTIVE TO NOVEMBER 19, 2019. THIS FINE IS TO STAY IN EFFECT
UNTIL COMPLIANCE IS MET.
SECONDED BY MR. MAJTLIS
MOTION PASSED UNANIMOUSLY**

IX. Fine Reduction Hearing: (02:57:18)

A. Case #CE 18-226, 3230 S. Ocean Blvd., #A201, Yvonne Anderson

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.

Code Enforcement Officer Moriarty briefly reviewed the facts of the case. The Town has no recommendations for the Board only that if a reduction of the fine is granted that it be paid within 30 days of the order or the fine will revert back to the original amount.

Yvonne Anderson, the homeowner was present and gave testimony and presented evidence in this case.

MOTION BY MR. MELTZER TO REDUCE THE FINE TO \$1500.00. THE NEW FINE MUST BE PAID WITHIN 30 DAYS OF THIS ORDER OR THE FINE WILL REVERT BACK TO THE ORIGINAL AMOUNT.

X. Board Comments: (03:01:00)

Chair Natale expressed it was a pleasure to work with the Board.

XI. Adjournment: (03:01:27)

**MOTION TO ADJOURN BY MR. MELTZER
SECONDED BY MR. MCDONNELL
MOTION PASSED UNANIMOUSLY**