

Thursday, November 17, 2022, 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: (2:00:23)

II. Roll Call: (2:00:24)

Scotch Peloso, Vice Chairman
Ms. Wartow
Martin Klein
Chris Larmoyeux
Pamela Saba
Harris S. Fried, Alternate Member
Pamela Davies, Alternate Member

BOARD SECRETARY INFORMED THE VICE CHAIRMAN THAT MR. HARRIS AND MS. DAVIES WOULD BE VOTING MEMEBERS FOR THIS HEARING FILLING MR. MAJTLIS AND MR. McGOWAN SEATS. VICE CHAIRMAN MR. PELOSO WAS THE ACTING CHAIRMAN FOR THIS HEARING.

III. Approval of the Minutes of the October 20, 2022, Minutes: (2:00:57)

**MOTION BY MR. KLEIN TO APPROVE THE OCTOBER 20, 2022, MINUTES.
SECONDED BY MS. WARTOW
MOTION PASSED UNANIMOUSLY.**

IV. Administration of the Oath to Town Staff (2:01:09)

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics: (2:01:57)

- 2037 Year to date Code Enforcement cases.
- 209 cases initiated since the last Code Board Hearing
- 115 cases officer generated
- 94 cases were received (not self-initiated)
- 9 cases set to appear at the November Code Board
- 4 cases achieved compliance before the hearing
- 1 new cases to be heard today
- 4 fine consideration cases to be heard today
- 0 fine reduction cases to be heard today
- 0 old business case to be heard today

Prior to the Public Hearings, Town Attorney J. Randolph addressed the board. Mr. Randolph requested to Postpone the cases involving the Warton House and Ocean Towers that are due back before the board in December. He requested that these cases be postponed until the February 16, 2023 hearing since both cases are in civil litigation.

MOTION BY MR. LARMOYEUX TO POSTPONE THESE CASES UNTIL FEBRUARY 16, 2023 HEARING.

SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

VI. Public Hearing: (2:02:15)

A. Case # CE 22-1377, 201 El Vedado Road, Perri & Robert Bishop: (2:05:112)

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

Mr. Mark Kairalla was present on behalf of the property owner and entered evidence into the record.

All members declared Ex Parte Communications.

MOTION BY KLIEN OF NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER. TO OBTAIN PERMITS BY FEBRUARY 13, 2023, OR RETURN FOR A FINE REDUCTION HEARING ON FEBRUARY 16, 2023.

MOTION SECONDED BY MR. FRIED

VII. Fine Consideration: (2:18:40)

A. Case # CE 22-1046, 304 S. County Road, Thomas Campaniello: (2:18:46)

Violation of Chapter 18, Section 18-16 of the Town of Palm Beach Code of Ordinances states sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

Officer Moriarty represented the facts of the case.

Mr. McPhearson was present on behalf of the property owner.

MOTION BY MR. LARMOYEAUX TO GRANT A POSTPONEMENT. THE PROPERTY OWNER MUST OBTAIN A PERMIT AND HAVE WORK COMMENCING BY DECEMBER 12, 2022 OR WILL HAVE TO RETURN FOR A FINE REDUCTION HEARING.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 21-765, 1280 N Lake Way, AK Family TR, Giselle Asplundh Tr., Jeffrey D Asplundh Tr., Rowland M. Smith III. Tr. (2:28:30)

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 Moriarty represented the facts of the case.

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

MOTION BY MR. FRIED TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY TO COMMENCE ON NOVEMBER 15, 2022 AND TO RUN UNTIL COMPLIANCE IS MET.

SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 22-871 3360 S. Ocean Blvd., 3360 South Ocean Condo Association (2:30:54)

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances states that 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.

Officer Moriarty represented the facts of the case.

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

MOTION BY KLEIN TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY COMMENCING ON NOVEMBER 15, 2022, AND CONTINUING UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

D. Case # CE22-1412, 359 S. County Road, Amy Saleeby Trust Number 1: (2:47:15)

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances states that 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 and sanitary condition.

Officer Moriarty represented the facts of the case.

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

MOTION BY MR. KLEIN TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY TO COMMENCE ON NOVEMBER 15, 2022, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.

IX. Board Comments: (2:51:16)

It was suggested that the Chairman draft a letter of concern regarding 3360 S. Ocean Blvd. regarding the condition of the condominium, since there was no representative present at the hearing.

A question was asked on how fines are determined for cases. The Town Attorney addressed the board and explained that the fines are set by state statute.

X. Adjournment: (3:15:06)

MOTION TO ADJOURN BY MS. SABA.

MOTION SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.