

Thursday, November 15, 2018, 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 the 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:(02:00:19 PM)

The meeting was called to order by Code Enforcement Chair Matthew Natale 2:00 p.m.

II. Roll Call:

Upon roll call, the following Board members were present: Chair Matthew Natale, Vice Chair Scotch Peloso, Members Robert G. Donnelley, Daniel McDonnell, Rosemary G. Carpenter, Linda K. Wartow, Steven Meltzer and Alternate Members Bram Majtlis and Herbert A. Roemmele.

Staff present: Code Enforcement Manager Benjamin Alma, Code Enforcement Officer John Moriarty, Code Enforcement Officer Julien Felix, Recording Secretary Joan Dunn and Secretary Carla Marcote.

III. Approval of the Minutes of October 18, 2018:(02:00:51 PM)

**MOTION BY MR. DONNELLEY TO APPROVE THE OCTOBER 18, 2018
MINUTES
SECONDED BY MR. MCDONNELL
MOTION PASSED UNANIMOUSLY**

IV. Administration of the Oath to Town Staff:(02:01:00 PM)

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics(02:01:18 PM)

- 1417 - year-to-date Code Enforcement cases
- 116 cases initiated since last Code Board Hearing
 - 42 cases self-initiated
 - 74 cases received (not self-initiated)
- 35 cases set to appear at November Code Board
- 28 achieved compliance before Hearing
- 6 New Cases to be heard today
- 1 Fine Reduction Consideration cases to be heard today

VI. Public Hearings:(02:02:02 PM)

- A. Case # CE 18-255, 235 Sunrise Ave. #CM23 - CM26, Trainer's Gym of Palm Beach LLC & Palm Beach Hotel

Violation of Chapter 114, Section 114-32 of the Town of Palm Beach Code of Ordinances, business tax receipt required

Code Enforcement Officer Felix advised the Board that the Town Council has postponed its decision about the special exception requested. The Town recommended the Board postpone this case to the February 21, 2019 meeting.

**MOTION BY MR. MELTZER TO POSTPONE THE CASE UNTIL THE
FEBRUARY 21, 2019 MEETING
SECONDED BY MS. WARTOW
MOTION PASSED UNANIMOUSLY**

- B. Case # CE 18-580, 328 Chilean Ave., James Pirrie & Marianne Carey

Violation of Chapter 18, Section 18-233 of the Town of Pam Beach Code of Ordinances, which adopts the Florida Building Code, which requires building permits to construct, enlarge, alter, repair, move or demolish a building or structure, 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 Felix presented the facts of the case and submitted evidence into the record. The Town recommended a finding of non-compliance, assess administrative costs in the amount of \$150.00 and give them until December 17, 2018 to comply.

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

**MOTION BY MR. MELTZER TO FIND THE VIOLATOR IN NON-
COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF
\$150.00 AND GIVE UNTIL DECEMBER 17, 2018 TO COMPLY
SECONDED BY MR. MCDONNELL
MOTION PASSED UNANIMOUSLY**

- C. Case # CE 18-627, 160 Chilean Ave., Lisa L. Paolozzi

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all outside appurtenances required to be kept in a state of safe and good repair

Code Enforcement Officer Moriarty advised this case is now in compliance and requested it be dismissed.

**MOTION BY MR. DONNELLEY TO DISMISS THE CASE FOR COMPLIANCE
SECONDED BY MR. PELOSO
MOTION PASSED UNANIMOUSLY**

D. Case # CE 18-1091, 101 N. County Rd., Wade Shavell Est.

Violation of Chapter 22, Section 22-57 and Section 22-58 of the Town of Palm Beach Code of Ordinances, all windows and doors of vacant buildings under construction located within the commercial zoning district whose windows and doors can be viewed from the public street and expose the interior of the building to be screened

Code Enforcement Officer Moriarty advised the Board that the property owner has requested a postponement in this case. The Town was not opposed.

**MOTION BY MS. CARPENTER TO POSTPONE THE CASE UNTIL THE DECEMBER 20, 2018 MEETING
SECONDED BY MS. WARTOW
MOTION PASSED UNANIMOUSLY**

E. Case # CE 18-1112, 210 Debra Ln., Ken Development Company Inc.

Violation of Chapter 18, Section 18-233 of the Town of Pam Beach Code of Ordinances, which adopts the Florida Building Code, which requires building permits to construct, enlarge, alter, repair, move or demolish a building or structure, 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 of the case and submitted evidence into the record. The Town recommended a finding of non-compliance, assess administrative costs in the amount of \$150.00 and give them until December 17, 2018 to comply.

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

**MOTION BY MR. MELTZER TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE UNTIL DECEMBER 17, 2018 TO COMPLY
SECONDED BY MR. DONNELLEY
MOTION PASSED UNANIMOUSLY**

F. Case # CE 18-1214, 3360 S. Ocean Blvd., The Thirty-Three Sixty Condo Assoc. Inc.

Violation of Chapter 18, Section 18-233 of the Town of Pam Beach Code of Ordinances, which adopts the Florida Building Code, which requires building permits to construct, enlarge, alter, repair, move or demolish a building or structure, 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 of the case and submitted evidence into the record. The Town recommended a finding of non-compliance, assess administrative costs in the amount of \$150.00 and give them until December 17, 2018 to comply.

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

**MOTION BY MR. MCDONNELL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE UNTIL DECEMBER 17, 2018 TO COMPLY
SECONDED BY MR. DONNELLEY
MOTION PASSED UNANIMOUSLY**

VII. Fine Reduction Considerations:

A. Case # CE 18-630, 313 Worth Ave. AKA 309 Worth Ave., Peter Millar, Peter Millar LLC & Love LLC

Violation of Chapter 18, Section 18-233 of the Town of Pam Beach Code of Ordinances, building permits required to construct, enlarge, alter, repair, move or demolish a building or structure, 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 presented the facts of the case. The Town had no recommendation.

Lindsay Smith Hartz and Anthony McCray were present on behalf of the business and property owner and gave their testimony in the case. They requested a fine reduction.

**MOTION BY MR. DONNELLEY TO REDUCE THE FINE TO \$500.00. HE FURTHER ORDERED THE REDUCED FINE OF \$500.00 BE PAID WITHIN 30 DAYS OR THE FINE RETURNS TO THE ORIGINAL AMOUNT OF \$2,050.00
SECONDED BY MR. MELTZER
MOTION PASSED UNANIMOUSLY**

VIII. Board Comments:(02:29:11 PM)

There were no Board comments

IX. Adjournment:(02:29:39 PM)

**MOTION BY MS. CARPENTER TO ADJOURN THE MEETING
SECONDED BY MR. MELTZER
MOTION PASSED UNANIMOUSLY**