

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

Thursday, October 15, 2015, 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:(01:59:44 PM)

II. Roll Call:(01:59:54 PM)

Upon roll call, the following Board members were present: Chairman Harris S. Fried, Vice Chairman James Ballentine, Members Madelyn Greenberg, Cynthia Van Buren, Robert G. Donnelley, Matthew Natale, Scotch Peloso and Alternate Member Jay N.Nisberg.

Staff present: Town Attorney John Randolph, Code Enforcement Officer John Moriarty, Building Official William Bucklew and Recording Secretary Joan Dunn.

III. Approval of the Minutes of September 17, 2015:(02:00:12 PM)

**MOTION BY MS. GREENBERG TO APPROVE THE SEPTEMBER 17, 2015
MINUTES**

**SECONDED BY MS. VAN BUREN
MOTION PASSED UNANIMOUSLY**

IV. Administration of the Oath to Town Staff:(02:00:36 PM)

The Town staff were sworn in by Recording Secretary Dunn.

V. Public Hearings:

A. Case # CE 15-736, 375 S. County Rd., #107, Pastry Heaven

Violation of Chapter 134, Section 134-2372 of the Town of Palm Beach Code of Ordinance, permits required for the erection or installation of any sign within the Town; Violation of Chapter 18, Section 18-175, ARCOM approval prior to the issuance of certain permits

Code Enforcement Officer Moriarty presented the case and submitted photographs into the record. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and give them until November 16, 2015 to comply.

Michael Cohen was present on behalf of the business and gave his testimony in the case.

The Board discussed an alternate compliance date and waiving the administrative costs.

**MOTION BY MS. GREENBERG TO FIND THE VIOLATOR IN NON-COMPLIANCE, WAIVE THE ADMINISTRATIVE COSTS AND GIVE THEM UNTIL DECEMBER 14, 2015 TO COMPLY
SECONDED BY MR. DONNELLEY
MOTION PASSED UNANIMOUSLY**

B. Case # CE 15-799, 300 S. County Rd. AKA 296 S. County Rd., Bleu Provence, Inc & Milton Partnership LTD

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all windows to outside to be maintained in safe and good repair

Code Enforcement Officer Moriarty presented 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 give them until December 23, 2015 to comply.

Charlott Miroir was present on behalf of the business and gave her testimony in the case.

The Board discussed an alternative compliance date.

MOTION BY MR. NATALE TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL NOVEMBER 16, 2015 TO COMPLY

SECONDED BY MR. PELOSO

MOTION PASSED UNANIMOUSLY

- C. Case # CE 15-829, 214 Chilean Ave., Casa 214 Condominium Assoc. Inc.
Violation of Chapter 66, Section 66-311 of the Town of Palm Beach Code of Ordinances, certain invasive non-native plants, such as the Schefflera, to be removed

Code Enforcement Officer Moriarty presented 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 give them until November 16, 2015 to comply.

Peter Broberg, attorney for some of the condo members, was present at the hearing and gave his testimony in the case. Vaughn Greene, another condo member, gave her testimony in the case. Councilman Richard Kleid clarified the recent actions of the Town Council that were pertinent to this case.

MOTION BY MR. DONNELLEY TO POSTPONE THIS CASE UNTIL JANUARY 18, 2016 AND RE-HEAR THE CASE AT THE JANUARY 21, 2016 BOARD HEARING IF NECESSARY. HE FURTHER MOTIONED THAT THE SEED PODS BE REMOVED FROM THE EXISTING SCHEFFLERA TREES BY OCTOBER 22, 2015.

SECONDED BY MR. NATALE

MOTION PASSED UNANIMOUSLY

- D. Case # CE 15-978, 250 Seminole Av., #4, Scott Derrin & Rhona Lieberman
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, remove, convert or replace any electrical, mechanical or plumbing system

Code Enforcement Officer Moriarty presented 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 give them until November 9, 2015 to comply.

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

**MOTION BY MR. BALLENTINE TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL NOVEMBER 9, 2015 TO COMPLY
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

VI. Fine Reduction:

- A. Case # CE 14-1118, 233 Royal Poinciana Way, Jeyanandarajan Sundarampillai Tr.
Violation of Chapter 18, Section 18-241 and 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 briefly reviewed the case. The Town was not in favor of a fine reduction. Building Official Bucklew gave his testimony in the case.

Corey Corano, attorney for the proper owner, was present at the hearing and gave his testimony in the case. He requested the fine be reduced.

Due to no motion to reduce the fine, the fine remains at \$55,750.00.

VII. Board Comments:(03:19:53 PM)

The Board commented on the Code Enforcement statistics given at the beginning of the meeting and requested they be broken down into self-initiated versus call in complaints at future meetings.

VIII. Adjournment:(03:22:32 PM)

The meeting was adjourned without benefit of a motion.