

Thursday, August 16, 2018, 02:00 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 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:(02:00:29 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 Bram Majtlis.

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.

III. Approval of the Minutes of July 19, 2018:(02:00:43 PM)

**MOTION BY MR. MCDONNELL TO APPROVE THE JULY 19, 2018 MINUTES
SECONDED BY MS. CARPENTER
MOTION PASSED UNANIMOUSLY**

IV. Administration of the Oath to Town Staff:(02:01:33 PM)

The Town staff were sworn in by Recording Secretary Dunn.

V. Code Statistics(02:01:44 PM)

- 925 - year-to-date Code Enforcement cases
- 99 cases initiated since last Code Board Hearing
 - 37 cases self-initiated
 - 62 cases received (not self-initiated)
- 26 cases set to appear at August Code Board
- 18 achieved compliance before Hearing
- 5 new cases to be heard today
- 2 Fine Consideration cases to be heard today
- 1 Fine Reduction Consideration cases to be heard today

VI. Public Hearings:

A. Case # CE 18-428, 380 Cocanut Row, Alban Family Trust

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 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. MCDONNELL

MOTION PASSED UNANIMOUSLY

B. Case # CE 18-584, 301 S. County Rd., Lori Jayne Monogramming, Lori Jayne Inc., Pems Partnership LTD

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 this case is now in compliance and requested it be dismissed.

MOTION BY MS. CARPENTER TO DISMISS THE CASE FOR COMPLIANCE

SECONDED BY MR. MELTZER

MOTION PASSED UNANIMOUSLY

C. Case # CE 18-615, 305 S. County Rd. AKA 301 S. County Rd., All Brand Vacuums, Inc. & Pems Partnership LTD

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; Violation of Chapter 134, Section 134-2373, signs required to have permits and approvals prior to installation

Code Enforcement Officer Moriarty advised the representative for this property owner has requested a postponement in the case and the Town had no objections. The Town recommended a postponement in this case until the October 18, 2018 hearing.

**MOTION BY MR. MELTZER TO POSTPONE THIS CASE UNTIL
OCTOBER 18, 2018 CODE ENFORCEMENT BOARD HEARING
SECONDED BY MS. WARTOW
MOTION PASSED UNANIMOUSLY**

D. 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 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 September 17, 2018 to comply.

Neither the business owner nor the property owner were present at the hearing and there was a finding of proper notice.

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

E. Case # CE 18-798, 101 El Brillo Way, Kim J. Davis

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; Violation of Chapter 42, Section 42-86, overgrown grass/weeds in excess of 8 inches in height not allowed

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 September 17, 2018 to comply.

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

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

VII. Fine Consideration:

A. Case # CE 18-400, 2840 S. Ocean Blvd. #223, Husnija Spahic

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 Felix briefly reviewed the case. The Town recommended a fine be assessed in the amount of \$250.00 a day commencing on August 15, 2018 and continuing until compliance is achieved.

Husnija Spahic was present at the hearing, gave his testimony and requested more time to comply.

**MOTION BY MR. DONNELLEY TO GIVE THEM MORE TIME TO COMPLY, UNTIL SEPTEMBER 15, 2018. HE FURTHER ORDERED THAT IF NO COMPLIANCE IS ACHIEVED BY SEPTEMBER 15, 2018 A FINE IN THE AMOUNT OF \$250.00 A DAY WILL COMMENCE ON SEPTEMBER 16, 2018 AND CONTINUE UNTIL COMPLIANCE IS ACHIEVED
SECONDED BY MS. CARPENTER
MOTION PASSED UNANIMOUSLY**

B. Case # CE 18-563, 127 Everglade Ave., Howard & Lana Russeck

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 Felix briefly reviewed the case. The Town recommended a fine be assessed in the amount of \$250.00 a day commencing on August 14, 2018 and continuing until compliance is achieved.

Georgina Palmer was present on behalf of the property owner, gave her testimony and requested more time to comply.

**MOTION BY MS. CARPENTER TO GIVE THEM MORE TIME TO COMPLY, UNTIL SEPTEMBER 14, 2018. SHE FURTHER ORDERED THAT IF NO COMPLIANCE IS ACHIEVED BY SEPTEMBER 14, 2018 A FINE IN THE AMOUNT OF \$250.00 A DAY WILL COMMENCE ON SEPTEMBER 15, 2018 AND CONTINUE UNTIL COMPLIANCE IS ACHIEVED
SECONDED BY MS. WARTOW
MOTION PASSED UNANIMOUSLY**

VIII. Fine Reduction Considerations:

A. Case # CE 18-318, 301 Polmer Park, Bracxa Palm Beach Trust

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 Felix briefly reviewed the case. The Town had no recommendation. Mr. Natale advised of ex-parte contact in the form of a voicemails.

Attorney John Dotterer and Contractor Kevin Sykes were present on behalf of the property owner. Mr. Dotterer gave his testimony in the case and requested the fine be waived.

**MOTION BY MS. CARPENTER TO WAIVE THE OUTSTANDING FINE
SECONDED BY MR. MELTZER
MOTION PASSED UNANIMOUSLY**

IX. Board Comments:(02:59:00 PM)

Mr. Natale asked questions and made comments in reference to the ongoing case on the property at 160 Royal Palm Way.

X. Adjournment:(03:00:19 PM)

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