

Thursday, July 18, 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 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:(02:00:00 PM)

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

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

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

Staff present: Support Services Manager Benjamin Alma, Code Enforcement Officer Julien Felix, Code Enforcement Officer John Moriarty, Deputy Town Manger Boodheswar, and Recording Secretary Carla Marcote.

III. Approval of the Minutes of June 20, 2019 :(02:00:23 PM)

**MOTION BY MR. MELTZER TO APPROVE THE JUNE 20, 2019 MINUTES
SECONDED BY MS. CARPENTER
MOTION PASSED UNANIMOUSLY**

IV. Administration of the Oath to Town Staff:(02:00:26 PM)

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics:(02:00:51 PM)

- 835 - year-to-date Code Enforcement cases
- 100 cases initiated since last Code Board Hearing
 - 52 cases self-initiated
 - 48 cases received (not self-initiated)
- 19 cases set to appear at May Code Board
- 14 achieved compliance before Hearing
- 5 New Cases to be heard today
- 2 Fine Consideration Cases to be heard today
- 2 Fine Reduction Cases to be heard today

VI. Public Hearings:(02:01:36 PM)

Chair Matthew Natale moved that item E, Case CE 19-576 to be the first case to be heard.

E. Case # CE 19-576, 1230 S. Ocean Blvd, SMM Realty LLC

Violation of Chapter 134, Section 134-2410 of the Town of Palm Beach Code of Ordinances states Tow-away signs shall not be allowed on private property appurtenant to or obviously part of a single-family residence. Tow-away signs for two-family, townhouse, multi-family, and institutional uses shall only be on private property and shall not exceed the minimum size, number and location as provided by Florida Statue. In addition, all tow-away signs shall be uniform in appearance as approved by the town's Architectural Commission. Tow-away signs on state, county and municipal governmental property shall also meet these requirements. A building permit shall be required for a tow-away sign.

Code Enforcement Officer Moriarty requested postponement until the September 19, 2019 Code Board Hearing since this issue of Tow-away signs goes before the Town Council on August 10, 2019.

MOTION BY MR. MAJTLIS TO GRANT A POSTPONEMENT UNTIL THE SEPTEMBER 19, 2019 CODE BOARD HEARING.

SECONDED MS. CARPENTER

MOTION PASSED UNANIMOUSLY

A. Case # CE 19-442, 110 Clarendon Ave., Alfred & Janis Malley

Violation of Chapter 10, Section 10-9 of the Town of Palm Beach Code of Ordinances, no person shall keep, possess, feed or maintain any live animal within the town other than domesticated household pets or domesticated animals. This provision shall not preclude the feeding and maintaining of feral cat colonies permitted and authorized by the town as part of an authorized program specifically designated by the town council for the control and regulation of feral cats within the town.

Code Enforcement Officer Felix stated the facts of the case. Deputy Town Manager Jay Booheshwar gave testimony in the case.

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

MOTION BY MR. MELTZER TO DISMISS ON THE BASIS OF THE AGREEMENT MADE BY THE PARTIES INVOLVED IN THE CASE.

SECONDED BY MS. WARTOW

MOTION PASSED UNANIMOUSLY

B. Case # CE 19-651, 1438 N. Ocean Blvd., Michael & Lisa Schultz

Violation of Chapter 46, Section 46-66 of the Town of Palm Beach Code of Ordinances does not allow conditions hazardous to the health, safety, welfare, life and property from fire explosion, certain codes in accordance with the Florida Prevention Code adopted by the State Fire Marshall

Code Enforcement Officer Moriarty requested a postponement until the September 19, 2019 Code Board Hearing.

MOTION BY MR. MAJTLIS TO GRANT A POSTPONEMENT UNTIL THE SEPTEMBER 19, 2019 CODE BOARD HEARING.

SECONDED BY MR. MCDONNELL

MOTION PASSED UNANIMOUSLY

C. Case # CE 19-652, 1480 N. Ocean Blvd., Jason Kalisman

Violation of Chapter 46, Section 46-66 of the Town of Palm Beach Code of Ordinances does not allow conditions hazardous to the health, safety, welfare, life and property from fire explosion, certain codes in accordance with the Florida Prevention Code adopted by the State Fire Marshall

Code Enforcement Officer Moriarty requested a postponement until the September 19, 2019 Code Board Hearing.

MOTION BY MR. MCDONNELL TO GRANT A POSTPONEMENT UNTIL THE SEPTEMBER 19, 2019 CODE BOARD HEARING.

SECONDED BY MS. CARPENTER

MOTION PASSED UNANIMOUSLY

D. Case # 19-632, 339 Cocoanut Row, Deborah Winsor

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 presented the facts of the case and submitted evidence into the record. The Town recommended Administrative costs in the amount of \$150.00 and given until August 12, 2019 to come into compliance.

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

MOTION BY MS. CARPENTER TO ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE UNTIL AUGUST 12, 2019 TO COME INTO COMPLIANCE.

SECONDED BY MR. MAJTLIS

MOTION PASSED UNANIMOUSLY

VII. Fine Consideration:(02:23:28 PM)

A. Case # 19-478, 212 Oleander Ave. #4, JLZ Realty South LLC

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 presented the facts of the case and submitted evidence into the case. The Town recommended a daily running fine of \$100.00 to be retroactive to July 15, 2019 and to stay in effect until compliance is met.

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

MOTION BY MR. MELTZER TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$100.00, TO BE RETROACTIVE TO JULY 15, 2019 AND TO STAY IN EFFECT UNTIL COMPLIANCE IS MET.

SECONDED BY MS. CARPENTER

MOTION PASSED UNANIMOUSLY

B. Case # 19-439, 222 Phipps Plaza, Carole Lieff

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 Felix presented the facts of the case and submitted evidence into the case. The Town recommended a daily running fine of \$100.00 to be retroactive to July 16, 2019 and to stay in effect until compliance is met.

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

MOTION BY MR. MELTZER TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$100.00, TO BE RETROACTIVE TO JULY 16, 2019 AND TO STAY IN EFFECT UNTIL COMPLIANCE IS MET.

SECONDED BY MS. CARPENTER

MOTION PASSED UNANIMOUSLY

VIII. Fine Reduction: (02:33:02 PM)

A. Case # 18-1404. 235 Sunrise Ave. #2019, David & Sabrina Marr

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 Felix reviewed the facts of the case. The Town had no recommendations other than if a fine reduction is granted that it be paid within 30 days of the order or the fine reverts to the original amount.

Mr. David Marr was present and gave testimony in the case.

MOTION BY MR MAJTLIS TO REDUCE THE FINE TO \$500.00. FINE TO BE PAID WITHIN 30 DAYS OF THE ORDER OR THE FINE AMOUNT REVERTS TO THE ORIGNAL AMOUNT OWED

SECONDED BY MS. WARTOW

MOTION PASSED UNANIMOUSLY

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

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 Felix reviewed the facts of the case. The Town had no recommendations other than if a fine reduction is granted that it be paid within 30 days of the order or the fine reverts to the original amount.

Mr. T. Miller a representative for Mr. James Pirrie & Marianne Carey was present and gave testimony. The Construction Manager for Watermark Construction was present and gave testimony.

MOTION BY MR. MAJTLIS TO REDUCE THE FINE TO \$1500.00. MOTION FAILED TO BE SECONDED.

MOTION BY MS. CARPENTER TO REDUCE THE FINE TO \$2500.00. FINE TO BE PAID WITHIN 30 DAYS OF THE ORDER OR THE FINE AMOUNT REVERTS TO THE ORIGINAL AMOUNT OWED

SECONDED BY MR. PELOSO

MOTION PASSED UNANIMOUSLY

VIII. Board Comments:(02:57:35 PM)

Mr. Roemmele spoke to practices in New Jersey regarding emergency access to buildings.

IX. Adjournment:(02:59:35 PM)

MOTION BY MR. MAJTLIS TO ADJOURN THE MEETING

SECONDED BY MS. CARPENTER

MOTION PASSED UNANIMOUSLY