

Thursday, July 15, 2021, 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: (2:00:03)

CHAIRMAN REMINDS STAFF AND PRESENTERS OF SOCIAL DISTANCING.

II. Roll Call: (2:00:29)

Bram Majtlis, Chairman
Steven Meltzer, Vice Chairman
Daniel McDonnell
Martin Klein
Scotch Peloso
Chris Larmoyeux
Pamela Saba, Alternate Member
Julie Herzig-Desnick, Alternate Member

BOARD SECRETARY MARCOTE INFORMS CHAIRMAN MAJTLIS THAT MS. SABA WILL BE A VOTING MEMBER FOR THIS MEETING, REPLACING MS. WARTOW’S SEAT FOR THIS HEARING.

III. Approval of the Minutes of the June 17, 2021: (2:01:06)

**MOTION BY MR. MELTZER TO APPROVE THE JUNE 17, 2021 MINUTES.
SECONDED BY MR. KLEIN.
MOTION PASSED UNANIMOUSLY.**

IV. Administration of the Oath to Town Staff: (2:01:15)

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics: (2:01:33)

- 781 Year to date Code Enforcement cases.
- 87 Cases initiated since the last Code Board Hearing
- 26 cases officer generated
- 61 cases were received (not self-initiated)
- 14 cases set to appear at the July Code Board
- 9 cases achieved compliance before the hearing
- 4 new cases to be heard today
- 0 fine consideration cases to be heard today
- 1 fine reduction cases to be heard today
- 0 old business case to be heard today

VI. Public Hearing: (2:02:25)

A. Case # CE 21-511, 425 Chilean Ave., Lorraine S. Charman: (2:02:31)

Violation of Chapter 66, Section 66-236(a) of the Town of Palm Beach Code of Ordinances vegetation removal permits, not sought in conjunction with building permits, shall be obtained by making application prior to removal, relocation or replacement of the building official or his designee, at least ten working days prior to the proposed date of removal.

Officer Moriarty presented the facts of the case and entered evidence into the record.

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

MOTION BY MR. KLEIN TO FIND THE OWNER IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS AND GIVEN A COMPLIANCE DATE OF AUGUST 16, 2021.

MOTION SECONDED BY MR. MELTZER.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 21-495, 235 Sunrise Ave., Palm Beach Hotel Condo Association: (2:06:31)

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances requires all outside appurtenances such be kept in a state of good repair.

Code Enforcement Officer Moriarty presented the facts of the case and entered evidence into the record.

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

MOTION BY MR. MELTZER TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEES IN THE AMOUNT OF \$150.00 TO BE PAID WITHIN 30 DAYS AND GIVEN A COMPLIANCE DATE OF AUGUST 16, 2021.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 21-277, 226 Oleander Ave., J & J Realty South LLC: (2:09:09)

Violation of chapter 66, Section 66-212(4) of the Town of Palm Beach Code of Ordinances states properties must maintain and improve the aesthetic appearance of the town through appropriate landscape design, thereby protecting and increasing the property values throughout the community.

Code Enforcement Officer Moriarty presented the facts of the case and entered evidence into the record.

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

MOTION BY MR. LARMOYEAUX TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 TO BE PAID WITHIN 30 DAYS AND TO GIVE THEM UNTIL AUGUST 10, 2021 TO OBTAIN ARCOM APPROVAL AND PERMIT TO COME INTO COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

D. Case # CE 21-66, 123 Chilean Ave., Nancy Shubert: (2:25:51)

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

Officer Moriarty presented the facts of the case and entered evidence into the record.

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

MOTION BY MR. KLEIN TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 TO BE PAID WITHIN 30 DAYS AND GIVE THEM UNTIL AUGUST 16, 2021 TO COME INTO COMPLIANCE.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

VII. Fine Reduction Hearing:

A. Case # CE 20-322, 214 Chilean Ave., Casa 214 Condominium Association Inc.: (2:33:34)

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 or explosion, certain codes in accordance with the Florida Prevention Code Adopted by the State Fire Marshall.

Code Enforcement Officer Kloiber represented the facts of the case. Fire Marshall Deloach was also present and gave testimony in the case.

Peter Broberg and Richard Hallett were present on behalf of the property owner and gave testimony.

MOTION BY MR. KLEIN TO REDUCE THE FINE TO \$15,000.00 AND TO BE PAID WITHIN 30 DAYS OF THIS ORDER OR THE FINE WOULD REVERT BACK TO THE ORIGINAL AMOUNT OF \$33,500.00.

HAVING NO SECOND, THE MOTION FAILED.

MOTION BY MR. KLEIN TO REDUCE THE FINE TO \$17,500.00 AND TO BE PAID WITHIN 30 DAYS OF THIS ORDER OR THE FINE WOULD REVERT BACK TO THE ORIGINAL AMOUNT OF \$33,500.00.

HAVING NO SECOND, THE MOTION FAILED.

MOTION BY MR. KLEIN TO REDUCE THE FINE TO \$20,000.00 AND TO BE PAID WITHIN 30 DAYS OF THIS ORDER OR THE FINE WOULD REVERT BACK TO THE ORIGINAL AMOUNT OF \$33,500.00.

MOTION SECONDED BY MR. PELOSO.

MOTION PASSED WITH A VOTE OF 6 TO 1 WITH MR. MCDONNELL VOTING NO.

VIII. Board Comments: (3:15:13)

IX. Adjournment: (3:15:17)

**MOTION TO ADJOURN BY MELTZER.
SECONDED BY MS. SABA.
MOTION PASSED UNANIMOUSLY.**