

Thursday, June 17, 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:

II. Roll Call:

Bram Majtlis, Chairman
Mr. Meltzer, Vice Chairman
Daniel McDonnell
Linda K. Wartow
Mr. Klein
Scotch Peloso
Chris Larmoyeux
Pamela Saba, Alternate Member
Julie Herzig-Desnick, Alternate Member

III. Approval of the Minutes of the May 20, 2021:

**MOTION BY MR. KLEIN TO APPROVE THE MAY 20, 2021 MINUTES.
SECONDED BY MR. MELTZER.
MOTION PASSED UNANIMOUSLY.**

IV. Administration of the Oath to Town Staff:

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics:

- 700 Year to date Code Enforcement cases.
- 110 Cases initiated since the last Code Board Hearing
- 47 cases officer generated
- 63 cases were received (not self-initiated)
- 17 cases set to appear at the June Code Board
- 14 cases achieved compliance before the hearing
- 2 new cases to be heard today
- 0 fine consideration cases to be heard today
- 0 fine reduction cases to be heard today
- 1 old business case to be heard today

VI. Public Hearing:

A. Case # CE 21-308, 223 Monterey Road, 239 Monterey Road LLC:

Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances 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.

Mr. Peloso recused himself from this case and left the chambers.

Alternate Member Ms. Saba was a voting member for this case.

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

Mr. Steven Cohen was present on behalf of the property owner and gave testimony in the case.

MOTION BY MR. LARMOYEUX TO FIND THE OWNER IN NON-COMPLIANCE WITH AN ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER AND GIVEN A COMPLIANCE DATE OF JULY 12, 2021.

MOTION SECONDED BY MR. MELTZER.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 20-1349, 253 Park Ave., 1970 S. Dixie LLC:

Violation of Chapter 134, Section 134-889 of the Town of Palm Beach Code of Ordinances prohibits the use of any building or land in the R-B medium density residential district for any commercial or quasi-commercial use or purpose. Chapter 134, Section 134-2 of the code defines commercial use as the occupancy of residential properties for periods of less than three months more frequently than three times per calendar year.

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

The Kathryn Stewart the property owner was present and gave testimony in the case.

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 OF THIS ORDER AND NO FURTHER RENTALS FOR THE 2021 CALENDAR YEAR, OR THE CASE WILL RETURN FOR FINE CONSIDERATION.

HAVING NO SECOND MOTION THE MOTION FAILED.

MOTION BY MR. LARMOYEUX TO DISMISS THE CASE.

AFTER FURTHER DISCUSSION WITH THE BOARD, MR. LARMOYEUX WITHDREW HIS MOTION.

MOTION BY MR. KLEIN TO FIND THE VIOLATOR IN NON-COMPLIANCE AND TO ASSESS AN ADMINISTRATIVE FEE OF 150.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER.

MOTION SECONDED BY MR. LARMOYEUX.

MOTION PASSED UNANIMOUSLY.

VII. Old Business:

B. Case # CE 20-1300, 145 Seagate Road, Khooshe Aiken:

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. Violation of Chapter 134, Section 134-1667(b) walls and fences in a required front yard, street side yard or rear street yard more than four feet in height shall be set back three feet from the street property line and have landscaping on the street side of the wall or fence consisting of a continuous hedge at least three feet in height at the time of planting.

Code Enforcement Officer Moriarty represented the facts of the case.

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

MOTION BY MR. KLEIN TO FIND THE VIOLATOR IN COMPLIANCE FOR THE PLANTING OF THE HEDGES AND TO HAVE AN APPROVED PERMIT OR REMOVE THE POSTS AND WIRES BY AUGUST 16, 2021.

MOTION SECONDED BY MR. LARMOYEUX.

MOTION PASSED UNANIMOUSLY.

VIII. Board Comments:

Mr. Larmoyeux expressed that it was a pleasure to see everyone in person this month in Chambers.

Council President Margaret Zeidman thank the board members for their dedication and service to the town.

IX. Adjournment:

MOTION TO ADJOURN BY MELTZER.

SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.