

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

Thursday, June 15, 2017, 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 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:(02:01:12 PM)

The meeting was called to order by Chairman Ballentine at 2:00 p.m.

II. Roll Call:(02:01:18 PM)

Upon roll call, the following Board members were present: Chair James Ballentine, Jr., Vice Chair Cynthia Van Buren, Members Robert G. Donnelley, Matthew Natale, Scotch Peloso, Jay N. Nisberg, Daniel McDonnell, Alternate Members Donald B. Scott, Jr. and Rosemary G. Carpenter.

Staff present: Town Attorney John Randolph, Code Enforcement Manager Benjamin Alma, Code Enforcement Officer John Moriarty, Code Enforcement and Recording Secretary Joan Dunn.

III. Approval of the Minutes of May 18, 2017:(02:01:42 PM)

**MOTION BY MR. MC DONNELL TO APPROVE THE MAY 18, 2017 MINUTES
SECONDED BY MS. VAN BUREN
MOTION PASSED UNANIMOUSLY**

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

The Town staff were sworn in by Recording Secretary Dunn.

V. Code Statistics(02:02:15 PM)

Code Enforcement Officer Moriarty reviewed the Code Enforcement statistics for the month as follows:

- 706 - year-to-date Code Enforcement cases
- 95 cases initiated since last Code Board Hearing
 - 52 cases self-initiated
 - 43 cases received (not self-initiated)
- 20 cases set to appear at June Code Board
- 16 achieved compliance before Hearing
- 4 new cases to be heard today

VI. Public Hearings:

A. Case # CE 17-122, 150 Worth Ave. #234, Costa Palm Beach LLC & Wilson 150 Worth LLC

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 facts of the case. The Town recommended the Board order a finding of non-compliance, assess administrative costs in the amount of \$150.00 and give them until July 17, 2017 to comply. Fire Marshall DeLoach was sworn in and gave his testimony in the case.

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

The Board discussed a more expedited compliance date.

**MOTION BY MR. DONNELLEY TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS THE ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL JUNE 23, 2017 TO COMPLY
SECONDED BY MS. VAN BUREN
MOTION PASSED UNANIMOUSLY**

B. Case # CE 17-422, 319 Seaspray Ave., Robert A. Toohey

Violation of Chapter 18, Section 18-206 of the Town of Palm Beach Code of Ordinances, any site in which reconstruction does not commence within 30 days after demolition to be irrigated and sodded as as to assure the property will have a neat and clean landscaped appearance

Code Enforcement Officer Moriarty presented the facts of the case. The Town recommended the Board order a finding of non-compliance, assess administrative costs in the amount of \$150.00 and give them until June 22, 2017 to comply.

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

Neighbor Mazie Grace was present at the hearing and gave her testimony in the case.

**MOTION BY MS. VAN BUREN TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS THE ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL JUNE 22, 2017 TO COMPLY
SECONDED BY MR. NISBERG
MOTION PASSED UNANIMOUSLY**

C. Case # CE 17-456, 89 Middle Rd., 89 Middle Road LLC

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; Violation of Chapter 18, Section 18-175 ARCOM approval required prior to the issuance of certain permits

Code Enforcement Officer Moriarty presented the facts of the case. The Town recommended the Board order a finding of non-compliance, assess administrative costs in the amount of \$150.00 and give them until July 17, 2017 to comply.

Greg Young was present on behalf of the property owner, gave his testimony in the case and requested this case be postponed until the July 20, 2017 hearing.

Resident Mazie Grace was present at the hearing and gave her testimony in the case.

**MOTION BY MR. NATALE TO POSTPONE THE CASE TO THE JULY 20, 2017 HEARING
SECONDED BY MR. DONNELLEY
MOTION PASSED UNANIMOUSLY**

- D. Case # CE 17-573, 760 N. Ocean Blvd., Palm Beach Country Club
Violation of Chapter 106, Section 106-40 of the Town of Palm Beach Code of Ordinances, offensive deposits or discharges on any street not allowed

Code Enforcement Officer Moriarty presented the facts of the case. The Town recommended the Board order a finding of non-compliance, assess administrative costs in the amount of \$150.00 and give them until July 17, 2017 to comply.

Tom Youchak was present on behalf of the property owner, gave his testimony in the case and requested the case be dismissed for compliance.

**MOTION BY MR. PELOSO TO DISMISS THE CASE FOR COMPLIANCE
SECONDED BY MR. NISBERG
MOTION PASSED UNANIMOUSLY**

VII. Board Comments:(03:29:05 PM)

Ms. Van Buren shared a newspaper article with the Board and discussed its content. Mr. Donnelley expressed his concerns in reference to case 17-122.

VIII. Adjournment:(03:32:48 PM)

**MOTION BY MR. NISBERG TO ADJOURN THE HEARING
SECONDED BY MR. DONNELLEY
MOTION PASSED UNANIMOUSLY**