

Thursday, March 18, 2021, 2:00 p.m. – Via Zoom

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:

Matthew Natale, Chair
Bram Majtlis, Vice Chair
Daniel McDonnell
Rosemary Carpenter
Linda K. Wartow
Mr. Meltzer
Mr. Klein
Pamela Saba, Alternate Member

III. Approval of the Minutes of the February 18, 2021

**MOTION BY MRS. WARTOW TO APPROVE THE FEBRUARY 18, 2021 MINUTES.
SECONDED BY MR. MCDONNELL
MOTION PASSED UNANIMOUSLY.**

IV. Administration of the Oath to Town Staff:

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics:

- 318 Year to date Code Enforcement cases.
- 124 Cases initiated since the last Code Board Hearing
- 54 cases self-initiated
- 70 cases were received (not self-initiated)
- 16 cases set to appear at the February Code Board
- 12 cases achieved compliance before the hearing
- 3 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 21-107, Sandpiper Drive, Sandpiper LLC:

Violation of Chapter 10, Section 110-128 of the Town of Palm Beach Code of Ordinances states a minimum of five feet shall be reserved at the rear or side within all platted lots for drainage and utilities, and the dedication thereof shall appear on the face of the plat. All utilities shall be installed underground in accordance with Chapter 134. Up to a three foot easement shall be dedicated within platted lots on each side of a dedicated street right-of-way if the pavement exceeds 27 feet, for the purpose of laying street lighting cables, the easement to remain unpaved, and no wall, trees, fences or similar structures or growth shall be allowed or placed on or over such easement. Limited-access easements and nuisance strips may be required by the town when situations dictate. Chapter 134, Section 134-2179(f) of the Town of Palm Beach Code of Ordinances, utilization of yards. Other permitted and special exceptions uses screening shall also be required along the interior lot lines and shall not be less than four feet in height and shall not encroach upon the rear easement line.

Code Enforcement Officer Moriarty informed the Board that the case had come into compliance prior to the hearing. Officer Moriarty requested that the case be dismissed.

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

MOTION BY MR. MAJTLIS TO DISMISS THE CASE.

MOTION SECONDED BY MR. MELTZER.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 20-1099, 3140 S. Ocean Blvd., Florida Stone:

Violation Chapter 38, Section 38-62 of the Town of Palm Beach Code of Ordinances requires alarm users to first obtain a permit. Furthermore, alarm user fees not paid within 30 days accrue an automatic ten percent penalty per month and are subject to Code Enforcement action including, but no limited to filing alien on the property. Chapter 38, Section 38-35 allows for service charges and late penalties to be assessed to alarm system owners who exceed the maximum allowable false alarms in any given calendar year beginning in October 1.

Code Enforcement Felix presented the facts of the case. Fire Marshall DeLoach also gave testimony in the case.

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

MOTION BY MR. KLEIN OF NON-COMPLIANCE, PAY ADMINISTRATIVE FEE OF \$150.00 AND ALL FINES AND FEES TO BE PAID WITHIN 30 DAYS OF THIS ORDER.

MOTION SECONDED BY MR. MELTZER.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 20-1097, 2720 S. Ocean Blvd., Alansamir Air Conditioning:

Violation Chapter 38, Section 38-62 of the Town of Palm Beach Code of Ordinances requires alarm users to first obtain a permit. Furthermore, alarm user fees not paid within 30 days accrue an automatic ten percent penalty per month and are subject to Code Enforcement action including, but not limited to filing lien on the property. Chapter 38, Section 38-35 allows for service charges and late penalties to be assessed to alarm system owners who exceed the maximum allowable false alarms in any given calendar year beginning in October 1.

Code Enforcement Felix presented the facts of the case. Fire Marshall DeLoach also gave testimony in the case.

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

MOTION BY MR. KLEIN OF NON-COMPLIANCE, PAY ADMINISTRATIVE FEE OF \$150.00 AND ALL FINES AND FEES TO BE PAID WITHIN 30 DAYS OF THIS ORDER.

MOTION SECONDED BY MR. MAJTLIS.

MOTION PASSED UNANIMOUSLY.

VII. Old Business:

A. Case # CE 20-1127, 2800 S. Ocean Blvd., Four Seasons:

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 Fire Prevention Code adopted by the State Fire Marshall.

Code Enforcement Officer Felix represented the facts of the case. Fire Marshall Martin DeLoach and Electrical Inspector/Plan Reviewer Robin Rivera gave testimony in this case.

Gunjan Luitel and Mazen Saleh were present on behalf of the Four Seasons gave and testimony in this case.

MOTION ONE: BY MR. KLEIN OF NON-COMPLIANCE FOR ITEMS ONE AND TWO OF FIRE MARSHALL'S REPORT. TO FINE THE FOUR SEASONS A DAILY RUNNING FINE OF \$250.00 A DAY COMMENCING ON MARCH 16, 2021 AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MS. CARPENTER.

MOTION PASSED UNANIMOUSLY.

MOTION TWO: BY MR. MAJTLIS ALL OTHER ISSUES IN THE FIRE MARSHALL'S REPORT EXCLUDING ITMES 1 AND 2 ARE TO BE CORRECTED ON OR BEFORE AUGUST 17, 2021 AND THE FOUR SEASONS IS TO RETURN TO THE AUGUST 19, 2021 HEARING.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

IX. Board Comments:

Chair Mr. Natale thanked all the Board members for a great meeting and all their hard work.

X. Adjournment:

**MOTION TO ADJOURN BY MR. MELTZER.
SECONDED BY MS. CARPENTER.
MOTION PASSED UNANIMOUSLY.**