

Thursday, February 21, 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:

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

Staff present: Code Enforcement Officer Julien Felix, Recording Secretary Carla Marcote.

III. Approval of the Minutes of January 17, 2019 :(02:00:38 PM)

MOTION BY MS. CARPENTER TO APPROVE THE JANUARY 17, 2019 MINUTES SECONDED BY MR. MELTZER MOTION PASSED UNANIMOUSLY

IV. Administration of the Oath to Town Staff:(02:00:48 PM)

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics:(02:01:06PM)

- 179 - year-to-date Code Enforcement cases • 137 cases initiated since last Code Board Hearing – 44 cases self-initiated
 - 93 cases received (not self-initiated)
 - 13 cases set to appear at February Code Board
 - 9 achieved compliance before Hearing
 - 4 New Cases to be heard today
 - 1 Fine Reduction Consideration cases to be heard today • 0 Old Business case to be heard today
- VII. Public Hearings:(02:05:05 PM)

A. Case # CE18-1404, 235 Sunrise Ave., #2019, David & Sabrina Marr

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.

Code Enforcement Officer Felix stated that the homeowner asked that this case be postponed until the April 18, 2019 Code Board Hearing. Officer Felix recommended that a postponement be granted.

MOTION BY MR. DONNELLEY TO POSTPONE UNTIL APRIL 18, 2019 CODE BOARD HEARING. SECONDED BY MS. WARTOW

MOTION PASSED UNANIMOUSLY

B. Case # CE 18-1372, 535 N. County Rd., 535 North County Road LLC

Chapter 18, Section 18-206 of the Town of Palm Beach Code of Ordinances requires property owner's to abide by the ARCOM conditions placed upon the property that are part of the granting of a demolition permit, such as preserving certain landscaping on the property.

Code Enforcement Officer Felix advised the Board that the Town recommends the case be

dismissed for compliance.

MOTION BY MR. MCDONNELL TO DISMISS THE CASE. SECONDED BY MS. CARPENTER MOTION PASSED UNANIMOUSLY

C. Case # CE 18-255, 235 Sunrise Ave. CM23-CM26, Trainer's Gym of Palm Beach LLC Chapter 114, Section 114-32 of the Town of Palm Beach Code of Ordinances requires a business tax receipt for any person who carries on, engages in or conducts an occupation, business or profession enumerated in Chapter 114-43 of the Code. Chapter 134, Section 134-1107 requires Town Council special exception approval for certain businesses exceeding the permitted gross leasable area.

Code Enforcement Officer Felix advised the Board that the Town recommends the case be postponed until the May 16, 2019 Code Board Hearing, after the April Town Council Meeting on this matter.

MOTION BY MR. MELTZER TO POSTPONE UNTIL MAY 16, 2019 CODE BOARD HEARING.

SECONDED BY MS. WARTOW

MOTION PASSED UNANIMOUSLY

D. Case # CE 19-53, 258 Country Club Rd., Big Bear Developers LLC Chapter 106, Section 106-1 of the Town of Palm Beach Code of Ordinances it shall be unlawful to obstruct or cause to be obstructed any sidewalk or crossing in any way as to prevent convenient and safe use thereof by the public.

Code Enforcement Officer Felix presented the facts of the case and submitted and submitted evidence into the record. The Town recommended a finding of non-compliance, assess administrative cost in the amount of \$150.00 and a Fine of \$125.00.

MOTION BY MR. DONNELLEY TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND A FINE OF \$125.00. SECONDED BY MR. MCDONNELL MOTION PASSED UNANIMOUSLY

VIII. Fine Reduction Consideration:(02:07:59 PM)

A. Case # CE 17-1482, 1 Via Los Incas, Klaus G. Mistelbauer Chapter 18, Section 18-233 and 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.

Code Enforcement Officer Felix presented the facts of the case and stated the Town had no recommendations.

The property owner was not present but was represented by Council Mr. William Carroll. Mr. Carroll stated his case for a fine reduction.

MOTION BY MS. WARTOW TO GRANT A FINE REDUCTION IN THE AMOUNT OF \$2700.00, AND TO REIMBURSE THE HOMEOWNER THE REDUCED AMOUNT. SECONDED BY MS. CARPENTER CHAIR CALLED FOR ROLL CALL VOTE.

ROLL CALL VOTE

MR. DONNELLEY NO MR. PELOSO NO MR. MCDONNELL NO

MS. CARPENTER YES

MS. WARTOW YES MR. MELTZER NO MR. NATALE YES MOTION FAILED 4 TO 3

MOTION BY MR. DONNELLEY TO AFFIRM THE FINE. SECONDED BY MR.

MELTZER.

CHAIR CALLED FOR A ROLL CALL VOTE. MR. DONNELLEY YES

MR. PELOSO YES

MR. MCDONNELL YES

MS. CARPENTER NO MS. WARTOW NO MR. MELTZER YES

MR. NATALE YES

MOTION PASSED 5 TO 2

IX. Board Comments:(02:50:31 PM)

There were no Board comments.

X. Adjournment:(02:57:31 PM)

MOTION BY MR. MCDONNELL TO ADJOURN THE MEETING
SECONDED BY MR. DONNELLEY MOTION PASSED UNANIMOUSLY