

Thursday, January 20, 2022, 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
Steven Meltzer, Vice Chairman
Daniel McDonnell
Linda Wartow
Martin Klein
Scotch Peloso
Chris Larmoyeux
Pamela Saba, Alternate Member
Julie Herzig-Desnick, Alternate Member

III. Approval of the Minutes of the January 20, 2022:

**MOTION BY MR. MELTZER TO APPROVE THE JANUARY 20, 2022 MINUTES.
SECONDED BY MR. KLEIN.
MOTION PASSED UNANIMOUSLY.**

IV. Administration of the Oath to Town Staff:

The Town staff were sworn in by Secretary Marcote.

V. Code Statistics:

- Total Code Enforcement Cases for 2021 was 1586
- 120 Year to date Code Enforcement cases.
- 195 Cases initiated since the last Code Board Hearing
- 121 cases officer generated
- 74 cases were received (not self-initiated)
- 23 cases set to appear at the September Code Board
- 18 cases achieved compliance before the hearing
- 4 new cases to be heard today
- 1 fine consideration cases to be heard today
- 0 fine reduction cases to be heard today
- 0 old business case to be heard today

VI. Public Hearing:

A. Case # CE 21-1425, 101 Seminole Ave., Robert Meister:

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.

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

The Stanley William Moore was present on behalf of the property owner and gave testimony and presented evidence into the case.

MOTION BY MR. LARMOYEUX TO DISMISS THE CASE WITHOUT PREJUDICE.

MOTION SECONDED BY MS. WARTOW.

CHAIRMAN MAJTLIS CALLED FOR A VOTE.

MR. MCDONNELL – YES

MS. WARTOW – YES

MR. MELTZER – NO

MR. KLEIN – NO

MR. PELOSO – NO

MR. LARMOYEUX - YES

MR. MAJTLIS – NO

THE MOTION FAILED.

MOTION BY MR. MELTZER TO POSTPONE THE CASE UNTIL THE FEBRUARY 17, 2022 HEARING

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 21-764, 350 S. County Road, Buccan:

Violation of Chapter 134, Section 134-288 of the Town of Palm Beach Code of Ordinances require special exception uses and their related accessory uses or any expansion, enlargement, or modification of an existing special exception use or any physical expansion of an existing special use or facility shall be permitted only upon authorization by the town council, provided that such uses shall be found by the town council to comply with the requirements in this subdivision and other applicable requirements as set forth in the chapter. All special exception uses require site plan review in accordance with article III of this chapter. Additional standards applicable to planned unit developments are contained in article V of this chapter.

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

Sam Slattery was present on behalf of Buccan and gave testimony in the case.

**MOTION BY MR. PELOSO TO POSTPONE THE CASE UNTIL THE APRIL 21, 2022
CODE BOARD HEARING.**

MOTION SECONDED BY MR. KLEIN

MOTION PASSED UNANIMOUSLY.

C. Case # CE 21-1517, 191 Bradley Place, Meat Market

Violation of Chapter 134, Section 134-2106(9) of the Town of Palm Beach Code of Ordinances states all outdoor café seating furniture, including all accessory appurtenances including but not limited to approved space heaters, misters and portable umbrellas that are located within the outdoor seating area shall be stored inside a building after close of business

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

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

**MOTION BY MR. KLEIN OF NON-COMPLIANCE AND TO ASSESS
ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND A FINE OF \$250.00 TO
BE PAID WITHIN 30 DAYS OF THIS ORDER.**

MOTION SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.

D. Case # CE 21-1438, 401 Worth Ave. #202, Nxtgen Construction Inc.

Violation of Chapter 106, Section 106-1 of the Town of Palm Beach Code of Ordinances does not allow placement of obstructions/structures in the Town's right of ways.

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

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

**MOTION BY MR. KLEIN OF NON-COMPLIANCE AND TO ASSESS
ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND TO PAY A FINE OF
\$125.00 WITHIN 30 DAYS OF THIS ORDER.**

MOTION SECONDED BY MR. MELTZER

MOTION PASSED UNANIMOUSLY

VII. Fine Consideration Hearing;

A. Case CE 21-511, 425 Chilean Ave. Loraine S. Charman:

Violation of Chapter 66, Section 66-23(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.

MOTION BY MR. LARMOYEAUX TO POSTPONE THIS CASE UNTIL THE MARCH 18, 2022 HEARING.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY

VIII. Board Comments:

There were no board comments.

IX. Adjournment:

MOTION TO ADJOURN BY MR MELTZER.

SECONDED BY MS. WARTOW.

MOTION PASSED UNANIMOUSLY.