



CODE ENFORCEMENT BOARD MEETING

TOWN OF PALM BEACH

NOVEMBER 20, 2025

2:00 PM

TOWN HALL COUNCIL CHAMBERS, 2ND FLOOR | 360 SOUTH COUNTY RD | PALM BEACH, FL 33480

Martin Klein, Chair
Scotch Peloso, Vice Chair
Dave Brooker, Member
Harris S. Fried, Member
Chris Larmoyuex, Member
John McGowan Jr., Member
Pamela Saba, Member
Angel Arroyo, Alternate Member
John P. Cohen, Alternate Member

AGENDA

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES

1. Approval of Minutes from October 16, 2025, Code Enforcement Board

APPROVAL OF AGENDA

ADMINISTRATION OF THE OATH

COMMENTS

2. OFFICIALS

PUBLIC HEARINGS

3. Case # CE 25-2189, 152 Sunset Ave., Family Gutters: 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.
4. Case # CE 25-2146, 325 Worth Ave., Café Delamar: Violation of Chapter 134, Section 134-2373(8) of the Town of Palm Beach Code of Ordinances states A permit and review by the architectural review commission process for architectural and aesthetic review, or landmarks preservation commission process (if applicable), shall be required for the erection, alteration, reconstruction, painting or producing by artificial light of any other sign within the town.

5. Case # CE 25-2131, 400 Royal Palm Way, Painted Wolf: 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.
6. Case # CE 25-2032, 2000 S. Ocean Blvd., Advanced Roofing: Violation of Chapter 42, Section 42-199(b) of the Town of Palm Beach Code of Ordinances states Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m., and shall cease at the hour of 5:00 p.m., except Saturday, Sunday and observed town holidays, the days before and after Thanksgiving, and from December 24 through January 1, when all construction and lawn maintenance work, other than as excepted in section 42-230, is prohibited. In no event shall heavy equipment or other outdoor construction-related and lawn maintenance noise be permitted before 9:00 a.m. Beginning on May 1 until the Monday preceding Thanksgiving, work may commence at 8:00 a.m. and cease at the hour of 6:00 p.m., except Saturdays, Sundays and town observed holidays, when all construction and lawn maintenance work is restricted or prohibited. In no event shall heavy equipment or other outdoor construction-related and lawn maintenance noise be permitted before 9:00 a.m. Construction work is permissible on Saturdays from May 1 through the Monday preceding Thanksgiving, but subject to the following restrictions: work shall not begin until the hour of 9:00 a.m. and shall cease at the hour of 5:00 p.m.; all work must be quiet in nature and limited to indoor activity, with the exception of quiet lawn maintenance work and tree trimming; material deliveries are prohibited in all cases unless the Building Official waives such restriction due to compelling circumstances; concrete pours and concrete sawing is prohibited unless the Building Official waives such restrictions due to compelling circumstances; and the razing of buildings is prohibited, with the exception of non-mechanized debris clean-up. The permitted hours for construction work in the C-WA zoning district shall be from 8:00 a.m. until 8:00 p.m. during the months commencing May 1 and ending October 31, except Sundays and legal holidays, when all construction work is prohibited. Workers are prohibited from arriving at construction and lawn maintenance sites prior to 7:30 a.m. and are restricted from conducting any kind of site activity prior to 8:00 a.m. during the weekdays. Workers are prohibited from arriving at construction and lawn maintenance sites prior to 8:30 a.m. and are restricted from conducting any kind of site activity prior to 9:00 a.m. on Saturdays, when limited work is permitted from May 1 through the Monday preceding Thanksgiving.
7. Case # CE 25-1967, 221 Onondaga Ave., Cheryl Noska: Violation of Chapter 88, Section 88-16 of the Town of Palm Beach Code of Ordinances requires exterior property, and premises shall be maintained in a clean, safe and sanitary condition. Chapter 88, Section 88-16(d) of the Town of Palm Beach Code of Ordinances states premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 inches. Chapter 106, Section 106-159(b) of the Town of Palm Beach Code of Ordinance requires a clearance of 18 feet, measured vertically from the edges of the pavement and extending the full width of all streets and roadways is to be maintained at all times for the unobstructed passage of vehicles.
8. Case # 25-2017, 175 Via Palma, JD Real Properties LTD Partnership: Violation of Chapter 126, Section 125-58 of the Town of Palm Beach Code of Ordinances states no person shall, directly or indirectly, cut down, remove or move, or effectively destroy through damage any historic or specimen tree except after written permission duly obtained by application to and after a hearing before the town council. In addition, no person shall trim any historic or specimen tree without first receiving the written permission of the town manager, a person found guilty of a violation of this section shall be penalized pursuant to section 1-14 and shall be subject to mandatory injunctive relief in a civil proceeding and/or subject to the jurisdiction of the code enforcement board. Additionally, any person found guilty of a violation of this section shall be required to replace the

tree that has been damaged, removed or materially altered in character through illegal trimming with, to the extent possible, two trees of a size and kind to be determined by the town manager, or the town manager's designee. One of the two replacement trees shall be planted in the same location as the damaged or destroyed tree after the damaged or destroyed tree and its root system have been removed. The second replacement tree will be planted at a location to be determined by the town manager, or his designee, on the same property. Said trees shall be replaced within twenty days of written notice from the town. Failure to replace the tree in the manner set forth herein may result in a daily fine for each day the violation occurs.

FINE CONSIDERATIONS/REDUCTIONS

9. Case # CE 25-1455, 548 N County Road, Claudia & Nelson Peltz: 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.
10. Case # CE 22-1046, 304 S. County Road, Thomas Campaniello: Violation of Chapter 18, Section 18-16(C) of the Town of Palm Beach Code of Ordinances states sidewalks, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
11. Case # CE 25-1167, 336 Australian Ave., Sharon Handler Loeb: Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare. Chapter 88, Section 88-16 of the Town of Palm Beach Code of Ordinances requires the exterior a property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition. Chapter 88, Section 88-17(b) of the Town of Palm Beach Code of Ordinances states private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier not less than 48 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors such barriers shall be self-closing and self-latching. Where the self-latching device is not less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. Chapter 42, Section 42-126 of the Town of Palm Beach Code of Ordinances does not allow conditions which provide breeding places. Chapter 88, Section 88-17 (a)(b) of the Town of Palm Beach Code of Ordinances states (a) Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. (b) Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier not less than 48 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is not less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. Chapter 42, Section 42-359(c) of the Town of Palm Beach Code of Ordinances states front, side, and rear yard landscaping shall be maintained in accordance with the town's standard at the time registration was required. Landscape shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, or decorative rock or bark.

MEETING SCHEDULE

12. The next meeting is scheduled for December 18, 2025.

ADJOURNMENT

Access this meeting video on the 'Public Meetings' page at www.townofpalmbeach.com.

If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Disabled persons needing accommodations to participate in this meeting should contact the Town Clerk's Office at (561) 838-5416 at least one day prior to the meeting.

Thursday, October 16, 2025, 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.

CALL TO ORDER:

Vice Chairman Mr. Pelosos called the hearing to order.

ROLL CALL:

Dave Brooker, Member
Harris S. Fried, Member
Chris Larmoyuex, Member
Pamela Saba, Member
Angel Arroyo, Alternate Member
John P. Cohen, Alternate Member

Mr. Cohen and Mr. Arroyo were voting members for this hearing.

PLEDGE OF ALLEGIANCE:

APPROVAL OF THE AGENDA:

Motion by Mr. Fried to amend the agenda with the removal of item #3 and moving item #9 up to be heard as the first case.
Motions Seconded by Ms. Saba.
Motion passed unanimously.

APPROVAL OF THE SEPTEMBER 18, 2025, CODE BOARD MINUTES.

Motion by Mr. Fried to approve the September 18, 2025, Minutes.

Motion seconded by Ms. Saba.

Motion passed unanimously.

ADMINISTRATION OF OATH TO TOWN STAFF:

COMMENTS:

Vice Chairman Peloso recognized Council Member Crampton and Council Member Moran and welcomed them to today’s hearing.

FINE CONSIDERATION:

Case # CE 25-847, 200 N Ocean Blvd., Warden House Condo Association:

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare.

Officer Moriarty reminded the board of the facts of the case.

Ms. Silverberg and Amy Sunny were present on behalf of the Wardon House and gave testimony in the case.

Motion by Mr. Fried to postpone the fine consideration hearing until December 18, 2025, and for an update to be given at that time. If a fine is imposed it will revert back to September 19, 2025

Motion seconded by Ms. Saba.

Motion passed unanimously.

PUBLIC HEARING:

Case # CE 25-1817, 640 Island Drive, Rogers General Contracting:

Violation of Chapter 18 of the Town of Palm Beach Code of Ordinances adopts the Florida Building Code F.B.C. 3307 damage to property.

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

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

Motion by Mr. Larmoyeux to assess administrative fee in the amount of \$150.00 to be paid within 30 days of this order and to pay a fine of \$250.00.

Motion seconded by Mr. McGowan

Motion passed unanimously.

Case # CE 25-1668, 1246 N Lake Way, Michelle & Myron Miller:

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, convert or replace any electrical, mechanical or plumbing system.

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

Kathryn and Thomas Martin were present on behalf of the property owner and gave testimony in the case.

Mr. James McNalley gave testimony in the case.

Motion by Larmoyeux of a finding of non-compliance, assess administrative fee in the amount of \$150.00 to be paid within 30 days of this order and to come into compliance by December 15, 2025, or this case would return for fine consideration at the December 18, 2025, code board hearing.

Motion seconded by Mr. Fried.

Motion passed unanimously.

Case # CE 25-1565, 120 N County Road, Palm Beach Orthodox Synagogue Inc.:

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare.

Mr. Frie recused himself from this case.

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

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

Motion by Mr. Brooker to find non-compliance assess administrative fee in the amount of \$150.00 to be paid within 30 days of this order and to come into compliance by October 27, 2025, or this case would return for fine consideration at the November 20, 2025, code board hearing.

Motion seconded by Mr. Larmoyeux.

Motion passed unanimously.

Mr. Fried returned to the chambers for the next case.

Case # CE 25-1455, 548 N County Road, Claudia & Nelson Peltz:

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, convert or replace any electrical, mechanical or plumbing system.

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

Building Official Wayne Bergman was present and gave testimony

Maura Ziska was present on behalf of the property owner and gave testimony.

Motion by Mr. Larmoyeux to find non-compliance assess administrative fee in the amount of \$150.00 to be paid within 30 days of this order and to come into compliance by October 30, 2025, or this case would return for fine consideration at the November 20, 2025, code board hearing.

Motion seconded by Mr. Fried.

Motion passed by a vote of 6 - 1.

Case # CE 25-1140, 3456 S. Ocean Blvd., Claridges Condominium:

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, convert or replace any electrical, mechanical or plumbing system.

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

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

Motion by Mr. Brooker to postpone the hearing until the December 18, 2025 code board hearing.

Motion seconded by Mr. Fried.

Motion passed unanimously.

FINE CONSIDERATION/REDUCTION:

Case # CE 24-1033, 332 S. County Road, 332 South County Road:

Violation of Chapter 88, Section 88-19 of the Town of Palm Beach Code of Ordinances states the interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances states the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. Chapter 88, Section 88-23(a) of the Town of Palm Beach Code of Ordinances states structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

All board members declared Ex-Parte communications with receiving the email that staff had sent to them.

Officer Moriarty and Building Official W. Bergman gave testimony in the case.

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

Motion by Mr. Fried to assess a daily running fine in the amount of \$250.00 commencing on June 24, 2025, and to continue until compliance is met.

Motion seconded by Mr. Brooker.

Motion passed unanimously.

Case # CE 25-1167, 336 Australian Ave., Sharon Handler Loeb:

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare. Chapter 88, Section 88-16 of the Town of Palm Beach Code of Ordinances requires the exterior a property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition. Chapter 88, Section 88-17(b) of the Town of Palm Beach Code of Ordinances states private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier not less than 48 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors such barriers shall be self-closing and self-latching. Where the self-latching device is not less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate.

Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. Chapter 42, Section 42-126 of the Town of Palm Beach Code of Ordinances does not allow conditions which provide breeding places. Chapter 88, Section 88-17 (a)(b) of the Town of Palm Beach Code of Ordinances states (a) Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. (b) Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier not less than 48 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is not less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. Chapter 42, Section 42-359(c) of the Town of Palm Beach Code of Ordinances states front, side, and rear yard landscaping shall be maintained in accordance with the town's standard at the time registration was required. Landscape shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, or decorative rock or bark.

Officer Felix reminded the board of the facts of the case.

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

Motion by Mr. Larmoyeux to postpone the case until the November 20, 2025, code board hearing but any fines will be retroactive to September 16, 2025.

Motion seconded by Mr. Fried.

Motion passed unanimously.

Case # CE 25-731, 480 S. Ocean Blvd., Patricia Kahn, Est.:

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare. Chapter 42, Section 42-359 of the Town of Palm Beach Code of Ordinances states front, side, and rear yard landscaping shall be maintained in accordance with the town's standard at the time registration was required. Landscape shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings or decorative rock or bark.

Officer Rodriguez reminded the board of the facts of the case. Ms. Mittner gave testimony in the case.

Mr. Minoff, Ms. Ziska, and Mr. Givens all gave testimony in the case.

Motion by Mr. Brooker to Postpone the case until the December 18, 2025, code board hearing.

Motion seconded by Mr. Fried.

Motion passed unanimously.

Case # CE 24-2519, 299 Tradewind Drive, Faye Falcone:

Violation of Chapter 18, Section 18-205(a) of the Town of Palm Beach Code of Ordinances states the architectural commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction only after consideration of whether certain criteria is complied with. 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 Rodriguez reminded the board of the facts of the case.

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

Motion by Mr. Larmoyeux to assess a daily running fine in the amount of \$250.00 a day commencing on October 14, 2025, and to run until compliance is met.

Motion seconded by Mr. Fried.

Motion passed unanimously.

MEETING SCHEDULE:

Board secretary Marcote announced the date of the next code board hearing will be held on November 20, 2025.

ADJOURNMENT:

Motion by Ms. Saba.

Motion seconded by Mr. Fried.

Motion passed unanimously.