

Thursday, August 21, 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:

Chairman Mr. Klein called the hearing to order.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE:

APPROVAL OF THE AGENDA:

Motion by Mr. McGowan to amend the agenda with moving staff cases first.

Motions Seconded by Mr. Fried.

Motion passed unanimously.

APPROVAL OF THE JULY 17, 2025, CODE BOARD MINUTES.

Motion by Mr. Fried to approve the July 17, 2025, Minutes.

Motion seconded by Mr. McGowan.

Motion passed unanimously.

ADMINISTRATION OF OATH TO TOWN STAFF:

COMMENTS:

Chairman extended best wishes to Mr. Cohen.

PUBLIC HEARING:

Case # CE 25-1548, 389 S. Lake Drive, John J. Doyle Development:

Violation of Chapter 106, Section 106-1 of the Town of Palm Beach Code of Ordinances states it shall be unlawful to obstruct or cause to be obstructed any sidewalk or crossing in any way.

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

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

Motion by Mr. McGowan to find non-compliance 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. Fried.

Motion passed unanimously.

Case # CE 25-1531, 334 Chilean Ave., Courchene Development Corp:

Violation of Chapter 106, Section 106-1 of the Town of Palm Beach Code of Ordinances states it shall be unlawful to obstruct or cause to be obstructed any sidewalk or crossing in any way.

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

Ken Dover was present and gave testimony in the case

Motion by Mr. Larmoyeux to find non-compliance, 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. Peloso

Motion passed 6 to 1 with Mr. Fried voting no.

Case # CE 25-1361, 314 Chilean Ave., Neal Roofing & Waterproofing:

Violation of Chapter 42, Section 42-199 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, and the days before and after Thanksgiving, 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.

Officer Rodriguez 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. Peloso to find non-compliance, assess administrative fee in the amount of \$150.00 and to pay a fine of \$250.00 within 30 days of this order.

Motion seconded by Mr. McGowan.

Motion passed unanimously.

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.

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

John Hart and Samuel Raja were present 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, to erect a fence with self-latching gate and clean the pool of

stagnant water within 10 days due to life safety concerns and to come into compliance for all other violations by September 15, 2025 or this case will return for fine consideration at the September 18, 2025 Code Enforcement Board Hearing.

Motion seconded by Mr. McGowan

Motion passed unanimously.

Case # CE 25-306, 215 Mediterranean Road, Tatiana Van Zandt:

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

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

Motion by Mr. McGowan 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 September 15, 2025 or this case will return for fine consideration at the September 18, 2025 Code Board Hearing.

Motion seconded by Ms. Saba.

Motion passed unanimously.

Case # CE 25-1517, 235 Sunrise Ave. CM19, Highland Park Investors II LLC:

Violation Of Chapter 46, Section 46-66 (a) of the Town of Palm Beach Code of Ordinances states there are hereby adopted by the town, for the purpose of prescribing regulations governing conditions hazardous to the health, safety, welfare, life and property from fire or explosion, certain codes in accordance with F.S. §§ 633.202 and 633.208 the "Florida Fire Prevention Code" adopted by the State Fire Marshal Chapter 69A-60 of the Florida Administrative Code, as may be amended, including N.F.P.A. 1 Fire Code, Florida Edition, and the N.F.P.A. 101 Life Safety Code, Florida Edition, both as modified by Chapter 69A-60 of the Florida Administrative Code, all of which are deemed adopted by reference, as fully as if set out at length herein, as the minimum fire safety code. If conflicts exist between the codes, the more stringent shall be applied at the discretion of the fire chief or his or her representatives.

Officer Moriarty presented the facts of the case and entered evidence into the record. Fire Marshall Deloach was present and gave testimony in the case.

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

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 September 15, 2025, or this case will return for fine consideration at the September 18, 2025, Code Enforcement Board Hearing.

Motion seconded by Ms. Saba

Motion passed unanimously.

Case # CE 25-635, 251 Dunbar Road, Alexandra Hamm:

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 Pelayo presented the facts of the case and entered evidence into the record.

Nicole Tobak was present on behalf of the property owner and gave testimony in the case.

Motion by Mr. McGowan 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 November 17, 2025, or this case will return for fine consideration at the November 20, 2025, Code Board Hearing.

Motion seconded by Ms. Saba.

Motion passed unanimously.

FINE CONSIDERATION/REDUCTION:

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 a 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. Wayne Bergman gave testimony.

Lisa Reves was present on behalf of the property owner and gave testimony in the case.

Mr. Glaser gave testimony in the case.

Motion by Mr. Fried to assess a daily running fine in the amount of \$250.00 a day commencing on August 19, 2025, and to continue until compliance is met.

Mr. Fried was asked with he would withdraw his motion.

Mr. Fried made a motion to withdraw his motion.

Mr. McGowan seconded the withdrawal.

Mr. Larmoyeux made a motion to postpone the fine consideration hearing until the September 18, 2025, code board hearing at which time shoring will have been completed and an update will be given but if a fine is imposed at the September hearing it will revert back to the August 19, 2025.

Motion seconded by Mr. Peloso.

Motion passed unanimously.

Mr. Fried had to leave the chambers and Mr. Arroyo became a voting member for the rest of the hearing.

Case # CE 25-974, 333 Sunset Ave., Royal Poinciana South:

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 Felix 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. McGowan to assess a daily running fine in the amount of \$250.00 a day commencing on August 19, 2025, and to continue until compliance is met.

Motion seconded by Mr. Arroyo.

Motion passes unanimously.

Case # CE 25-869, 2560 S. Ocean Blvd., 2560 South Ocean 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, 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 Felix 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. Peloso to assess a daily running fine in the amount of \$250.00 a day commencing on August 19, 2025, and to continue until compliance is met.

Motion seconded by Mr. McGowan.

Motion passed unanimously.

Case # CE 25-441, 455 N County Road, Daren Metropoulos:

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 Felix 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. Peloso to assess a daily running fine in the amount of \$250.00 a day commencing on August 19, 2025, and to continue until compliance is met.

Motion seconded by Ms. Saba.

Motion passed unanimously.

Case # CE 24-2578, 3460 S. Ocean Blvd., Claridges Condominium Inc.:

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.

Attorney Gavigan was present on behalf of the property owner.

Motion by Mr. Peloso to postpone the fine consideration hearing until the December 18m, 2025 Code Board Hearing.

Motion seconded by Ms. Saba.

Motion passed unanimously.

MEETING SCHEDULE:

Board secretary Marcote announced the date of the next code board hearing as September 18 2025.

ADJOURNMENT:

Motion by Ms. Saba.

Motion seconded by Mr. Pelosos.

Motion passed unanimously.