

Thursday, April 17, 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.

I. Call to Order: (1:59:59)

Chairman Mr. Klein called the hearing to order.

II. Roll Call: (2:00:16)

Martin Klein, Chairman
Scotch Peloso, Vice Chairman
Pam Saba
John McGowan
Dave Brooker
Harris Fried
Angel Arroyo, Alternate Member

Chairman was informed that Mr. Cohen and Mr. Larmoyeux would not be present for this hearing and Mr. Arroyo would be a voting member at this hearing.

III. Pledge of Allegiance: (2:00:46)

IV. Chairman’s Comments: (2:00:58)

The Chairman wished Mr. Cohen a speedy recovery and wished to congratulate Mr. Larmoyeux.

V. Approval of the Minutes of March 20, 2025, Minutes: (2:01:29)

MOTION BY MR. FRIED TO APPROVE THE MARCH 20, 2025, MINUTES.

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSED UNANIMOUSLY.

VI. Administration of Oath to Town Staff: (2:01:41)

VII. Code Statistics: (2:02:03)

- 845 Year to date Code Enforcement cases.

- 212 cases initiated since the last Code Board Hearing.
- 143 cases officer generated.
- 69 cases were received (not self-initiated).
- 28 cases are set to appear at the March Code Board.
- 20 cases achieved compliance before the hearing.
- 6 new cases to be heard today.
- 2 fine consideration cases to be heard today.
- 0 fine reduction case to be heard today.
- 0 old business cases to be heard today.

VIII. Financial Report: (2:02:03)

The Financial report was presented by the Board Secretary Marcote.

IX. Public Hearing: (2:03:19)

A. Case # CE 25-136, 2842 S Ocean Blvd., 2842 S Ocean LLC, Tideline Resort: (2:03:28)

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 Felix presented the facts of the case and entered evidence into the record. Fire Inspector K. Cline entered evidence into the record and gave testimony in the case. Building Official W. Bergman gave testimony in the case.

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

MOTION BY MR. MR. PELOSO 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 MAY 12, 2025. COMPLIANCE WILL BE THE COMPLETION OF THE FIRE INSPECTORS REPORT. IF COMPLIANCE IS NOT MET, THIS CASE WILL RETURN FOR FINE CONSIDERATION AT THE MAY 15, 2025, CODE BOARD HEARING.

MOTION SECONDED BY MR. FRIED.

MOTION PASSES UNANIMOUSLY.

B. Case # CE 24-2578, 3460 S Ocean Blvd, Claridges Condominium Inc.: (2:17:09)

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 presented the facts of the case and entered evidence into the record. Building Official W. Bergman gave testimony in the case.

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

MOTION BY MR. MR. FRIED 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 AUGUST 18, 2025. IF COMPLIANCE IS NOT MET THIS CASE WILL RETURN FOR FINE CONSIDERATION AT THE AUGUST 21, 2025, CODE BOARD HEARING.

MOTION SECONDED BY MR. BROOKER.

MOTION PASSED 6 TO 1.

C. Case # CE 24-2119, 280 El Pueblo Way, Danielle & David Ganek: (2:25:56)

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.

Paul from Coastal Gardens was present on behalf of the property owner

MOTION BY MR. McGOWAN 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 MAY 12, 2025, OR THIS CASE WILL RETURN FOR FINE CONSIDERATION AT THE MAY 15, 2025 CODE BOARD HEARING.

MOTION SECONDED BY MS. FRIED.

MOTION PASSED UNANIMOUSLY.

D. Case # CE 25-528, 132 El Brillo Way, Lopez Group: (2:29:37)

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 Felix requested that this case be dismissed for compliance.

MOTION BY MR. FRIED TO DISMISS THE CASE FOR COMPLIANCE.

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSED UNANIMOUSLY.

- E. Case # CE 25-375, 348 Eden Road, Elliot Donnelley Section 12 & Shawn M. Donnelley: (2:30:43)

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 Felix requested that this case be dismissed for compliance.

MOTION BY MR. MCGOAN TO DISMISS THE CASE FOR COMPLIANCE.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

- F. Case # CE 25-236, 145 Clarendon Ave., 145 Clarendon PB LLC: (2:31:33)

Violation of Chapter 88, Section 88-16(L) of the Town of Palm Beach Code of Ordinances states rank vegetational growth that exudes unpleasant or noxious odors, high or rank vegetational growth that may conceal pools of water, trash or filth, or any other deposits that may be detrimental to health; dead or dying trees, stumps, roots or obnoxious growth; dead, dying or defoliated hedges or trees; and hedges, trees or other plants infested with exotic pests such as are prohibited. 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 88-16(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.

Officer Felix requested that this case be dismissed for compliance.

MOTION BY MR. MCGOAN TO DISMISS THE CASE FOR COMPLIANCE.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

- X. **Fine Consideration: (2:32:29)**

- A. Case # CE 25-40, 2730 S. Ocean Blvd., Palm Beach Ambassador Fee Borrower LLC: (2:32:37)

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 88-8 of the Town of Palm Beach Code of Ordinances states an unsafe structure is none that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

All board members declared Ex-Parte Communications.

Officer Felix reminded the board of the facts of the case. Building Official W. Bergman gave testimony in the case.

Attorney James Gavigan and Henry Caso were present on behalf of the property owner and gave testimony in the case.

MOTION BY MR. MCGOWAN TO POSTPONE THE FINE CONSIDERATION CASE UNTIL THE MAY 15, 2025, CODE ENFORCEMENT BOARD HEARING AT WHICH TIME THE PROPERTY OWNER OR HIS REPRESENTATIVE WILL RETURN TO ADDRESS THE BOARD AND GIVE AN UPDATE ON THE PROGRESSION OF THE REPAIRS. COMPLIANCE IN THIS CASE WILL BE DETERMINED BY THE BUILDING OFFICIAL W. BERGMAN.

MOTION SECONDED BY MR. PELOSO.

MOTION PASSED UNANIMOUSLY.

- B. Case # CE 24-2304, 2560 S. Ocean Blvd. #406, Karen Allison: (3:09:03)
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, remove, convert or replace any electrical, mechanical or plumbing system.

Officer Felix requested this case be dismissed for compliance.

MOTION BY MR. MCGOWN TO DISMISS THE CASE FOR COMPLIANCE.

MOTION SECONDED BY MR. FRIED.

MOTION PASSED UNANIMOUSLY.

XI. Board Comments: (3:10:02)

There were no board comments.

XV. Adjournment: (3:10:27)

MOTION BY MR. McGOWAN.

MOTION SECONDED BY MR. FRIED.

MOTION PASSES UNANIMOUSLY.