# CODE ENFORCEMENT BOARD MEETING

## TOWN OF PALM BEACH

MARCH 19, 2026

2:00 PM

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

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

## AGENDA

**CALL TO ORDER AND ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MINUTES**

**1.** Approval of Minutes from February 19, 2026, Code Enforcement Board

**APPROVAL OF AGENDA**

**ADMINISTRATION OF THE OATH**

**PUBLIC HEARINGS**

**2.** Case # CE 25-2766, 110 Atlantic Ave., Twin Hearts Palm Beach Realty Trust:
Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances adopts the Florida Building Code with 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.

**3.** Case # CE 25-2683, 170 Chilean Ave. #2A, Edwin & Nancy Bitter:
Violation of Chapter 18, Section 18-233 of the Town of Palm Beach Code of Ordinances adopts the Florida Building Code with 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 26-52, 1300 N Ocean Way, TK Vandy LLC:
Violation of Chapter 42, Section 42-199 of the Town of Palm Beach Code of Ordinances states the permitted hours for construction work shall be from 8:00 a.m. until 5:00 p.m. during the months commencing November 1 and ending April of each year, except Sundays and legal holidays, when all

construction work is prohibited.

**5.** Case # CE 25-2798, 157 Wells Road, 157 Wells Road LLC:
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances requires a clearance of 8 feet, measured vertically from the edges and extending the full width of all sidewalks and bike trails in the Town to be maintained at all times for the unobstructed passage of pedestrians and others using such sidewalks and bike trails.

**6.** Case # CE 25-2357, 177 Clarendon Ave., Garland & James Alban:
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances states that all bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code enforcement board.

**7.** Case # CE 25-2356, 167 Clarendon Ave., Barbara & Alfred Marulli:
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances states that all bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code enforcement board.

**8.** Case # CE 25-2353, 129 Clarendon Ave., Gloria & David Stuart:
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances states that all bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code enforcement board.

**9.** Case # CE 25-2352, 170 Clarendon Ave., Rocco Marcello Trust:
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances states that all bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code enforcement board.

**10.** Case # 25-2350, 130 Clarendon Ave., Laura & Harry Slatkin:
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances states that all bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code enforcement board.

**11.** Case # CE 25-2349, 120 Clarendon Ave., Kimberly Sorrentino & Lawrence Rolnick:
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances states that all bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code

enforcement board.

**12.** Case # CE 25-2348, 110 Clarendon Ave., 110 Clarendon Trust/Louis Hamby III Trust:
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances states that all bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code enforcement board.

**FINE CONSIDERATIONS/REDUCTIONS**

**13.** Case # CE 25-2482, 153 Australian Ave., Casa Lagan Inc.:
Violation of Chapter 106, Section 106-159(a) of the Town of Palm Beach Code of Ordinances states a clearance of eight (8) feet, measured vertically from the edges and extending the full width of all sidewalks and bike trails in the town, shall be maintained at all times for the unobstructed passage of pedestrians and others using said sidewalks and bike trails. Chapter 88, Section 88-16 of the Town of Palm Beach Code of Ordinances states exterior 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(L) of the Town of Palm Beach Code of Ordinances  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 whitefly are prohibited.

**14.** 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

**15.** Case # CE 25-2322, 331 Worth Avenue, Worth Avenue Holding LLC:
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.

**16.** Case # CE 25-1232, 361 S. County Road, 361 South County Road LLC:
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.

**17.** Case # CE 25-1495, 2875 S Ocean Blvd., Cyber Gen Inc.:
Violation of 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.

**COMMENTS**

**18.** OFFICIALS

**MEETING SCHEDULE**

**19.** The next meeting is scheduled for April 16, 2026.

**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, February 19, 2026, 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:

Chair, Mr. Brooker called the hearing to order.

## ROLL CALL:

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

## PLEDGE OF ALLEGIANCE:

## APPROVL OF THE JANUARY 15, 2026, CODE BOARD MINUTES

Motion by Mr. Fried to approve the minutes of January 15, 2026.
Motion seconded by Mr. McGowan
Motion passed unanimously.

## APPROVAL OF THE AGENDA:

The agenda was amended with the removal of item #2.
Motion by Mr. Fried to approve the amended agenda
Motions Seconded by Mr. McGowan
Motion passed unanimously.

## ADMINISTRATION OF OATH TO TOWN STAFF:

## PUBLIC HEARING:

Case # CE 25-2709, 211 Garden Road, Florida Plastering & Pool Remodeling LLC:

Violation of Chapter 106, Section 106-40 of the Town of Palm Beach Code of Ordinances states except as otherwise provided by this Code, shall be unlawful to throw or deposit offal or other offensive matter in any street or discharge or permit to be discharged from any premises, so much water of other liquids as may put any part of the streets in bad repair, or to obstruct the gutter or sewers with dirt, trash, wood, lumber, brick or other material.

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. McGowan of finding of non-compliance, assess administrative fee of $150.00 and to pay a fine of $250.00 within 30 days of this order.
Motion seconded by Mr. Cohen.
Motion passed unanimously.

Case # CE 25-2482, 153 Australian Ave., Casa Lagan Inc.:
Violation of Chapter 106, Section 106-159(a) of the Town of Palm Beach Code of Ordinances states a clearance of eight (8) feet, measured vertically from the edges and extending the full width of all sidewalks and bike trails in the town, shall be maintained at all times for the unobstructed passage of pedestrians and others using said sidewalks and bike trails. Chapter 88, Section 88-16 of the Town of Palm Beach Code of Ordinances states exterior 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(L) of the Town of Palm Beach Code of Ordinances 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 whitefly are prohibited.

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. Fried of 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 March 16, 2026, or this case will return for fine consideration at the March 19, 2026, Code Board Hearing.
Motion seconded by Mr. McGowan.
Motion passed unanimously.

**FINE CONSIDERATION/REDUCTION:**

Case # CE 25-2467, 250 Seminole Ave., PB Capital Royalty LLC:

Violation of Chapter 46, Section 46-66(a) of the Town of Palm Beach Code of Ordinances 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.

Mr. Fried recused himself from this case.

Officer Moriarty reminded the board of the facts of the case. Fire Inspector K. Cline gave testimony.
The property owner was not present and there was a finding of proper notice.

Motion by Mr. McGowan of a daily running fine of $250.00 commencing on February 17, 2026, and to continue until compliance is met.
Motion seconded by Mr. Cohen.
Motion passed unanimously.

Case # CE 25-55, 323 Seabreeze Ave., Nominee Filoxenia Trust:

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.
Attorney Guy Rabidue was present on behalf of the property owner and gave testimony in the case.

Motion by Mr. McGowan to postpone this case until the May 21, 2026, code board hearing.
Motion seconded by Mr. Fried.
Motion passed unanimously.

Case # CE 24-1235, 235 Sanford Ave., Richard Bernstein:

Violation of Chapter 88, Section 88-18 of the Town of Palm Beach Code of Ordinances requires the exterior, or 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 or Ordinances requires exterior property, and premises shall be maintained in a clean, safe and sanitary condition. 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.

Mr. Fried declared Exparte.

Officer Moriarty reminded the board of the facts of the case.
Property owner Mr. Bernstein and Attorney M. Ziska gave testimony.

Motion by Mr. Fried to grant a fine reduction to $2,500.00 to be paid within 30 days of this order or the fine will revert back to the original amount of $64,750.00.
Motion seconded by Mr. McGowan.
Motion passed unanimously.

Case # CE 25-2017, 175 Via Palma, JD Real Properties LTD Partnership:

Violation of Chapter 126, Section 126-58 of the Town of Palm Beach Code of Ordinances states no person shall, directly, 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.

Officer Moriarty reminded the board of the facts of the case.
The property owner was not present after requesting fine reduction hearing.

Motion by Mr. Peloso to not grant the fine reduction.
Motion seconded by Mr. Cohen.
Motion passed unanimously.

**OFFICALS COMMENTS:**

Chairman Mr. Brooker turned this portion of the hearing over the Code Enforcement Attorney. B. Lashley.
Attorney Lashley presented a power point presentation on Sunshine Law.

There was a discussion regarding Quasi-Judicial standards, not allowing public comments and procedural changes in recommendations to eliminate fine consideration hearings by including it in the initial motion. Members were all in favor of the procedural change. The last item that was discussed was the Maritime vessels.

**MEETING SCHEDULE:**

The next hearing date of March 19, 2026, was announced.

**ADJOURNMENT:**

Motion by Ms. Saba to adjourn.
Motion seconded by Mr. Fried.
Motion passed unanimously.