

Thursday, October 17, 2024, 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: (2:00:06)

Chairman Mr. Klein called the hearing to order.

II. Roll Call: (2:00:40)

Martin Klein, Chairman
Scotch Peloso, Vice Chairman
Chris Larmoyeux
John McGowan
Harris Fried
Armand Harris, Alternate Member
John P. Cohen, Alternate Member

Alternate Members Armand Harris and John P. Cohen are voting members for this hearing.
Chairman Klein wished Mr. Brooker a speedy recovery and Ms. Saba a safe flight and looks forward to seeing them at the November Code Board Hearing.

III. Approval of the Minutes of September 19, 2024, Minutes: (2:01:32)

MOTION BY MR. MCGOWAN TO APPROVE THE SEPTEMBER 19, 2024, MINUTES.

MOTION SECONDED BY MR. FRIED.

MOTION PASSED UNANIMOUSLY.

IV. Administration of Oath to Town Staff: (2:01:42)

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

- 2184 Year to date Code Enforcement cases.
- 127 cases initiated since the last Code Board Hearing.
- 82 cases officer generated.
- 45 cases were received (not self-initiated).
- 21 cases are set to appear at the October Code Board.
- 15 cases achieved compliance before the hearing.
- 3 new cases to be heard today.
- 0 fine consideration cases to be heard today.
- 3 fine reduction case to be heard today.
- 0 old business cases to be heard today.

VI. Financial Report: (2:02:56)

The Financial report was presented by the Board Secretary Marcote.

VII. Public Hearing: (2:04:19)

A. Case # CE 24-1694, 137 El Vedado Road, Francoise & Jacques Cohen: (2:05:41)

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.

Mr. Jacques Cohen was present and gave testimony in the case.

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 JANUARY 13, 2025 OR THIS CASE WILL RETURN FOR FINE CONSIDERATION AT THE JANUARY 16, 2025 CODE BOARD HEARING.

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSES UNANIMOUSLY.

B. Case # CE 24-1455, 174 Via Del Lago, 174 VDL Investments LLC: (2:16:53)

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 requested that this case be dismissed compliance has been met.

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

MOTION SECONDED BY MR. FRIED.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 24-1551, 150 Australian Ave., Retriever Asset Holding Corp: (2:18:11)

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 exterior property, and premises shall be maintained in a clean, safe and sanitary condition.

Officer Moriarty requested a dismissal for compliance.

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

MOTION SECONDED BY MR. HARRIS.

MOTION PASSED UNANIMOUSLY.

VIII. Fine Reduction Hearing: (2:18:58)

A. Case # CE 24-288, 437 Chilean Ave., Wray Cerasoli Associates LLP: (2:19:05)

Violation of Chapter 88, Section 88-16(L) of the Town of Palm Beach Code of Ordinances prohibits vegetation infested with pests such as whitefly.

All board members declared ex-parte communications that they received the documentation from Mr. Cerasoli that was sent to them for their review.

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

Mr. Cerasoli was present, gave testimony and presented evidence into the record.

MOTION BY MR. FRIED TO GRANT A FINE REDUCTION IN THE AMOUNT OF \$4,825.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER OR THE FINE WILL REVERT BACK TO THE ORIGINAL AMOUNT OF \$9,650.00.

NO SECOND.

MOTION FAILED.

MOTION BY MR. LARMOYEUX TO WAIVE THE FINE, \$150.00 ADMINISTRATIVE FEE OF \$150.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER OR THE FINE WILL REVERT BACK TO THE ORIGINAL AMOUNT OF \$9,650.00.

MOTION SECONDED BY MR. MCGOWAN.

THE CHAIRMAN CALLED FOR A ROLL CALL VOTE.

MR. MCGOWN	YES
MR. FRIED	NO
MR. LARMOYEUX	YES
MR. PELOSO	NO
MR KLEIN	NO
MR. HARRIS	YES
MR. COHEN	YES

MOTION PASSED 4 TO 3.

B. Case # CE 23-2003, 2860 S Ocean Blvd., La Palm Condominium: (2:40:12)

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 are complied with.

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

Ms. Lane the property manager was present on behalf of the property owners and gave testimony.

MOTION BY MR. LARMOYEUX TO GRANT A FINE REDUCTION IN THE AMOUNT OF \$2,000.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER OR THE FINE WILL REVERT BACK TO THE ORIGINAL AMOUNT OF 10,500.00.

MOTION SECONDED BY MR. COHEN.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 24-506, 242 S. County Road, Luxury Kitchen: (2:55:25)

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 A. Barbuto was present on behalf of the property owner.

MOTION BY MR. FRIED TO GRAND A FINE REDUCTION IN THE AMOUNT OF \$8,500.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER OR THE FINE WILL REVERT BACK TO THE ORIGINAL AMOUNT OF \$12,000.00.

MOTION SECONDED BY MR. HARRIS.

THE CHAIRMAN CALLED FOR A ROLL CALL VOTE.

MR. MCGOWN	YES
MR. FRIED	YES
MR. LARMOYEUX	NO
MR. PELOSO	NO
MR KLEIN	YES
MR. HARRIS	YES
MR. COHEN	NO

MOTION PASSED 4 TO 3.

IX. Board Comments: (3:20:07)

No Board Comments.

X. Adjournment: (3:20:09)

MOTION BY MR. FRIED.

MOTION SECONDED BY MR. McGOWAN.

MOTION PASSES UNANIMOUSLY.