

Thursday, April 18, 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: (2:01:47)

II. Roll Call: (2:01:48)

Scotch Peloso, Vice Chairman
Martin Klien
John McGowan
Pamela Saba
Harris Fried
Armand Harris, Alternate Member
John P. Cohen, Alternate Member

Board Secretary Marcote informed the Vice Chair that Mr. Majtli and Mr. Larmoyeux were not present and Mr. Harris and Mr. Cohen would be voting members for this meeting.

III. Approval of the Minutes of the March 21, 2024, Minutes: (2:02:17)

MOTION BY MR. KLEIN TO APPROVE MARCH 21, 2024, MINUTES.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

IV. Administration of the Oath to Town Staff: (2:02:24)

V. Code Statistics: (2:02:30)

- 957 Year to date Code Enforcement cases.
- 349 cases initiated since the last Code Board Hearing.
- 118 cases officer generated.
- 231 cases were received (not self-initiated).
- 29 cases are set to appear at the April Code Board.
- 22 cases achieved compliance before the hearing.
- 2 new cases to be heard today.
- 5 fine consideration cases to be heard today.
- 0 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 Board Secretary Marcote.

VII. Public Hearing: (2:03:44)

A. Case # CE 24-288, 437 Chilean Ave., Wray Cerasoli Associates LLP: (2:03:52)

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.

Officer Rodriguez 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. KLEIN 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 MAY 20, 2023 OR THIS CASE WILL RETURN FOR FINE CONSIDERATION AT THE MAY 23, 2024 CODE BOARD HEARING.

MOTION SECONDED BY MR. HARRIS.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 23-2276, 288 S. County Road, Aroma 360: (2:06:21)

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 an electrical or plumbing system.

Officer Viramontes 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 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 20, 2024, OR THIS CASE WILL RETURN FOR FINE CONSIDERATION AT THE MAY 23, 2024, HEARING.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSED UNANIMOUSLY.

VIII. Fine Consideration Hearing: (2:10:17)

A. Case # CE 23-2304, 3440 S. Ocean Blvd., Halcyon Condominium: (2:10:25)

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 or plumbing system.

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

Alana Savano was present on behalf of the property owners and gave testimony.

MOTION BY MR. FRIED TO POSTPONE THE FINE CONSIDERATION HEARING UNTIL THE JULY 18, 2024, CODE BOARD HEARING.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSES UNANIMOUSLY.

B. Case # CE 23-2209, 300 S. Ocean Blvd., Three Hundred South Ocean Blvd. Apts. 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 or plumbing system.

All board members declared Ex parte stating they had received email from residents of the building.

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

Ms. Marra and Ms. Bilton were present on behalf of the property owners and gave testimony.

Mr. Grazabian was also present and gave testimony.

MOTION BY MR. KLIEN TO POSTPONE THE FINE CONSIDERATION HEARING UNTIL SEPTEMBER 19, 2024, CODE BOARD HEARING.

MOTION SECONDED BY MR. McGOWAN

MOTION PASSES UNANIMOUSLY.

C. Case # CE 23-1758, 1464 N Ocean Blvd., Evan & Manuel Castelo: (2:44:35)

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 the criteria of the ARCOM approval is complied with.

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

John Eubanks was present on behalf of the property owner, gave testimony in the case.

All board members declared ex-parte stating they have read the emails sent to them.

MOTION BY MR. McGOWAN TO POSTPONE THE FINE CONSIDERATION HEARING UNTIL THE JULY 18, 2024, CODE BOARD HEARING.

MOTION SECONDED BY MR. KLEIN.

MOTION PASSES UNANIMOUSLY.

D. Case # CE 24-202, 123 Chilean Ave., Robert & Perry Bishop: (2:55:45)

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. Chapter 42, Section 42-126 of the Town of Palm Beach Code of Ordinances does not allow conditions which provide breeding places.

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

Susan Taylor was present on behalf of the property owner and gave testimony in the case.

MOTION BY MR. FRIED TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY TO COMMENCE ON APRIL 16, 2024, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

SECONDED BY MR. KLEIN.

MOTION PASSES UNANIMOUSLY.

E. Case # CE 23-1905, 259 Pendleton Ave., Judith & Thomas Iovino: (3:09:25)

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 or plumbing system.

MOTION BY MR. KLEIN TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY COMMENCING ON APRIL 16, 2024, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

SECONDED BY MR. McGOWAN.

MOTION PASSES UNANIMOUSLY.

IX. Board Comments: (3:13:57)

Mr. Fried thanked the Vice-Chair for a speedy meeting.

Mr. Peloso, Vice Chairman, welcomed Mr. Cohen to the Code Enforcement Board.

XI. Adjournment: (3:14:09)

MOTION TO ADJOURN BY MS. SABA.

MOTION SECONDED BY MR. McGOWAN.

MOTION PASSED UNANIMOUSLY.