

Thursday, July 20, 2023, 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: (2:00:32)

II. Roll Call: (2:00:33)

Bram Majtlis, Chairman
Scotch Peloso, Vice Chairman
Pamela Saba
Chris Larmoyeux
John McGowan Jr.
Harris S. Fried, Alternate Member

III. Approval of the Minutes of the June 15, 2023, Minutes: (2:01:08)

MOTION BY MS. SABA TO APPROVE MAY 18, 2023, MINUTES.

MOTION SECONDED BY MR. FRIED

MOTION PASSED UNANIMOUSLY.

IV. Administration of the Oath to Town Staff: (2:01:22)

V. Code Statistics: (2:01:41)

- 1279 Year to date Code Enforcement cases.
- 294 cases initiated since the last Code Board Hearing.
- 157 cases officer generated.
- 137 cases were received (not self-initiated).
- 24 cases are set to appear at the June Code Board.
- 15 cases achieved compliance before the hearing.
- 2 new cases to be heard today.
- 7 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: (2:02:28)

Board Secretary Marcote gave the Code Enforcement Board an updated financial report on outstanding fines.

VII. Public Hearing: (2:03:57)

A. Case # CE 23-965, 200 Blk N Ocean Blvd.(beach), Hennessy Beach Club – Madison Hennessy (02:04:07):

Violation of Chapter 106, Section 106-257 of the Town of Palm Beach Code of Ordinances states there shall be held at the location requested no more than one special event per month, without priority for any particular date, to be granted to the first person to submit a completed application designating that day. The town reserves the right to limit use of public spaces at any time to prevent overuse and/or adverse impacts to adjacent neighborhoods.

Officer Felix presented the facts and entered evidence into the record.

M. Hennessey was present and gave testimony.

MOTION BY LARMOYEUX OF FINDING NON-COMPLIANCE, ASSESS ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 TO BE PAID WITHIN 30 DAYS OF THIS ORDER.

MOTION SECONDED BY MR. FRIED.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 23-651, 127 El Bravo Way, 127 El Bravo Trust: (2:17:33)

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 Felix presented the facts 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 WITHIN 30 DAYS OF THIS ORDER AND TO COME INTO COMPLIANCE BY AUGUST 14, 2023, OR RETURN TO THE AUGUST 17, 2023, CODE BOARD HEARING FOR FINE CONSIDERATION.

MOTION SECONDED BY MR. McGOWAN.

MOTION PASSED UNANIMOUSLY.

VIII. Fine Consideration: (2:21:32)

A. Case # CE 22-2055, 401 Peruvian Ave., Peruvian Terrace Condominium: (2:21:46)

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 Rodriguez requested a dismissal for compliance.

MOTION BY MR. LARMOYEUX TO DISMISS THE CASE COMPLIANCE HAS BEEN MET.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

B. Case # CE 23-575, 220 Onondaga Ave., Erin & Peter Sayer: (2:22:46)

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 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. FRIED TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY COMMENCING ON JULY 18, 2023, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSED UNANIMOUSLY.

C. Case # CE 23-428, 241 El Dorado Lane, Cristina & Desmond Keogh: (2:26:40)

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 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. FRIED TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY COMMENCING ON JULY 18, 2023, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MR. MCGOWAN.

MOTION PASSED UNANIMOUSLY.

D. Case # CE 22-1397, 354 Chilean Ave., Mr. Samuel Dashiell: (2:28:48)

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.

Mr. Larmoyeux disclosed Ex parte communications.

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 JULY 19, 2023, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MS. SABA.

MOTION PASSED UNANIMOUSLY.

E. Case # CE 22-540, 246 Everglade Ave., 246 Everglade LLC: (2:35:52)

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 Felix reminded the board of the facts of the case.

Sean Tuney was present on behalf of the property owner.

MOTION BY MR. LARMOYEUX TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY COMMENCING ON JANUARY 17, 2023, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MR. FRIED.

MOTION PASSED UNANIMOUSLY.

F. Case # CE 22-1743, 232 Cherry Lane, Leona Flynn: (2:49:34)

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.

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

Ms. Harriet Golding addressed the board regarding this case.

MOTION BY MR. LARMOYEUX TO ASSESS A DAILY RUNNING FINE IN THE AMOUNT OF \$250.00 A DAY COMMENCING ON JULY 18, 2023, AND TO CONTINUE UNTIL COMPLIANCE IS MET.

MOTION SECONDED BY MR. PELOSO.

MOTION PASSED UNANIMOUSLY.

G. Case # CE 22-1046, 304 S. County Road, Thomas Campaniello: (2:59:09)

Violation of Chapter 18, Section 18-16(c) of the Town of Palm Beach Code of Ordinances states sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

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

Mr. McPherson was present on behalf of the property owner but did not testify.

MOTION BY MR. PELOSO TO POSTPONE THIS CASE UNTIL NOVEMBER 16, 2023, HEARING.

MOTION SECONDED BY MR. McGOWAN.

MOTION PASSED UNANIMOUSLY.

IX. Board Comments: (3:03:54)

Vice Chair Mr. Peloso stated he appreciated it when residents involved in the case came to speak.

X. Adjournment: (3:04:27)

MOTION TO ADJOURN BY MR. FRIED.

MOTION SECONDED BY MR. McGOWAN.

MOTION PASSED UNANIMOUSLY.