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| Directory     | Code             | Type         | Minutes                   | Category | Code Enforcement |

**TOWN OF PALM BEACH  
CODE ENFORCEMENT BOARD MINUTES  
2:00 P.M. THURSDAY, DECEMBER 21, 2000  
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

I. Call to Order: The meeting was called to order at 2:04 p.m. by Chairman David J. Thomas.

Brian K. House, Chief Code Compliance Officer advised Chairman Thomas and all Members of the Code Enforcement Board that Mr. Robert Gottfried has decided to retire. In his absence, Mr. Rukeyser will act as a voting member for today's meeting.

II. Roll Call: PRESENT: David J. Thomas, Chairman  
Scott Sloane, Vice-Chairman  
Eugene Lawrence, Member  
J. Richard Allison, Member  
P. Robert Bale, Member  
Dr. Harry Horwich, Member  
M. S. Rukeyser, Jr., Alternate Member  
Lowell Levine, Alternate Member

RECORDING SECRETARY: Deborah A. Morakis

III. Approval of the Minutes of November 16, 2000:  
MOTION BY MR. BALE TO ACCEPT THE MINUTES AS MAILED.  
MOTION SECONDED BY MR. ALLISON.  
MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:  
A Case #98-999, Three Thousand South Ocean, Inc., 3000 South Ocean Blvd.  
Violation of Chapter 12, Section 12.17 of the Town of Palm Beach Code of Ordinances regarding the condition of the building.  
Violation of Section 19-7 of the Town of Palm Beach Code of Ordinances regarding overgrown vegetation.  
Mr. Eugene Lawrence stated that since he is a consultant to a potential purchaser of this property, he would like to recuse himself from this matter.  
MOTION BY MR. BALE THAT THE DEFENDANT BE FOUND GUILTY AND ORDERED TO ACHIEVE FULL COMPLIANCE BY JANUARY 17, 2001.  
MOTION SECONDED BY DR. HORWICH.  
MOTION CARRIED UNANIMOUSLY.

- B     Case #00-1200, Joseph Burakoff, 201 El Dorado Lane  
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1, a building permit is required to construct, install, repair, or alter any building or building system.  
MOTION BY MR. ALLISON THAT THE DEFENDANT BE FOUND GUILTY AND ORDERED TO OBTAIN A PERMIT OR TEAR THE FENCE DOWN WITHIN FIFTEEN (15) DAYS.  
MOTION SECONDED BY MR. SLOANE.  
MOTION CARRIED UNANIMOUSLY.
- C     Case #00-1188, Palm Worth, 2850 South Ocean Blvd.  
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all porches and appurtenances shall be constructed and maintained to be safe to use and capable of supporting the load that normal use may cause to be placed on them, structural members, exterior walls and windows shall be reasonably free of cracks, painted and shall be kept in sound condition and good repair.  
MOTION BY MR. SLOANE TO DISMISS WITHOUT PREJUDICE.  
MOTION SECONDED BY MR. ALLISON.  
MOTION CARRIED UNANIMOUSLY.
- D     Case #00-1193, Kevin A. & Gloria M. Daigh, 236 Pendleton Avenue  
Violation of Chapter 18, Section 18-242, Subsection 104.1.1 of the Town of Palm Beach Code of Ordinances, a building permit is required to construct, install, repair or alter any building or building system. This permit must be obtained prior to commencing work.  
MOTION BY MR. LAWRENCE TO DISMISS FOR COMPLIANCE.  
MOTION SECONDED BY MR. SLOANE.  
MOTION CARRIED UNANIMOUSLY.

V. Presentation of New Cases to Set for Hearing:

- A     Case #00-1201, Sandell Corp., 111 Atlantic Avenue  
Violation of Chapter 106, Section 19-6 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eight (8) feet above all sidewalks must be maintained to allow for unobstructed passage of pedestrians.  
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, it is unlawful for any property owner to allow grass or weeds to grow to a height greater than eight (8) inches, or other vegetation to become overgrown or accumulate.
- B     Case #00-1202, J. E. & Michele R. Whitmarsh, 429 Seaview  
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, small projects, all new or remodel of 3,999 square feet or less shall be allowed 12 months.
- C     Case #00-1203, Rhonda Nasser, 246 Park Avenue  
Violation of Chapter 134, Section 134-2179 of the Town of Palm Beach Code of Ordinances, in the R-C residential district required parking shall be located within a garage.  
Violation of Chapter 134, Section 134-1757 of the Town of Palm Beach Code of Ordinances, swimming pools shall not be located within side, rear or front setbacks.
- D     Case #00-1204, Michael & Gayle Kalisman, 146 Dunbar Road  
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all exterior walls, etc., shall be reasonably free of cracks, painted and shall be kept in sound condition and good repair.
- E     Case #00-1205, Nick Raich Building Corp., 215 Indian Road  
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing trash in right-of-way out of line with the schedule.

- F     Case #00-1206, Howard Rudolph, 2253 Ibis Isle Road East  
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing trash in right-of-way out of line with the schedule.
- G     Case #00-1207, George Kantor, 765 Hi-Mount Road  
Violation of Section 38-35(b) of the Town of Palm Beach Code of Ordinances, alarm system users with fines not paid within thirty (30) days of first billing.
- H     Case #00-1208, Jerome Heilwell, 1632 South Ocean Blvd.  
Violation of Section 38-35(b) of the Town of Palm Beach Code of Ordinances, alarm system users with fines not paid within thirty (30) days of first billing.
- I     Case #00-1209, Jegor De Saint Hippolyte, 340 Royal Poinciana Way #330  
Violation of Section 38-35(b) of the Town of Palm Beach Code of Ordinances, alarm system users with fines not paid within thirty (30) days of first billing.  
MOTION BY MR BALE TO SET THE ABOVE CASES: #00-1201, #00-1202, #00-1203, #00-1204, #00-1205, #00-1207, #00-1208, #00-1209 FOR THE JANUARY 18, 2001 CODE ENFORCEMENT BOARD HEARING. CASE #00-1206 WILL NOT BE SET FOR HEARING AT THIS TIME.  
MOTION SECONDED BY MR. RUKEYSER.  
MOTION CARRIED UNANIMOUSLY.

VI.   New Business:     No new business.

VII. Old Business:

- A     Case #99-1089, Catherine F. Bradley, 255 Park Avenue.  
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, requiring exterior walls to be reasonably free of cracks, painted and in good repair, all doors and windows shall be constructed and maintained to exclude weather elements and insects from entering the structure.  
  
Attorney Stuart Gottlieb, on behalf of the new property owner, requested that the Code Enforcement Board abate the fines that are continuing to accrue. After discussion, the subject died for lack of a motion.
- B     Case #00-1185, Palm Beach Tamarin, Inc., 226 Coral Lane  
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, by placing yard trash on Town right-of-way out of line with the schedule.  
  
MOTION BY MR. ALLISON TO VACATE THE PREVIOUS ORDER ENTERED AT THE NOVEMBER 16, 2000 CODE ENFORCEMENT BOARD MEETING AND ACCEPT THE DEFENDANT'S GUILTY PLEA AND PAYMENT OF THE FINE.  
MOTION SECONDED BY DR. HORWICH.  
MOTION CARRIED UNANIMOUSLY.

VIII. Adjournment:     The meeting was adjourned at 2:55 p.m. without benefit of a motion.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

|                                                             |                             |                                                                                                                                                                        |  |
|-------------------------------------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| LAST NAME—FIRST NAME—MIDDLE NAME<br><i>LAURENCE, EUGENE</i> |                             | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br><i>CODES ENFORCEMENT BOARD</i>                                                                          |  |
| MAILING ADDRESS<br><i>205 KORM AVE</i>                      |                             | THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br><i>CITY</i> <i>COUNTY</i> <i>OTHER LOCAL AGENCY</i>                          |  |
| CITY<br><i>Palm Beach</i>                                   | COUNTY<br><i>PAUM BEACH</i> | NAME OF POLITICAL SUBDIVISION:                                                                                                                                         |  |
| DATE ON WHICH VOTE OCCURRED<br><i>21 DECEMBER 2000</i>      |                             | MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE<br><i>DEC 28 2000</i><br><i>RECEIVED</i><br><i>CLERK OF THE BOARD</i> |  |

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

### ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.

- A copy of the form should be provided immediately to the other members of the agency.

- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### DISCLOSURE OF STATE OFFICER'S INTEREST

I, EUGENE LAWRENCE, hereby disclose that on 21 DECEMBER, 192000:

(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☐ inured to the special gain of \_\_\_\_\_, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

I AM A CONSULTANT TO A POTENTIAL PURCHASER OF THE PROPERTY. THE ACTION OF THE BOARD COULD BE CONSIDERED AS INFLUENCING THE POTENTIAL PURCHASE.

21 DECEMBER 2000  
Date Filed

Eugene Lawrence  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.