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**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, DECEMBER 18, 2003
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

I Call to Order: Chairman Eugene Lawrence called the meeting to order at 2:00 p.m.

II Roll Call: Present: Eugene Lawrence, Chairman
Timothy Hoffman, Member
Joel P. Koeppel, Member
Richard A. Raffo, Member
Hugh C. Davis, III, Member
Thomas M. Youchak, Member
George Klein, Alternate Member
Larry Ochstein, Alternate Member
Robert S. Walton, Code Compliance Officer
John C. Randolph, Town Attorney

Absent: Pamela Hoffpauer, Vice Chair (excused)

Recording Secretary: Deborah A. Morakis

Let the record show that alternate member, Mr. Klein will vote today.

III Approval of the Minutes of November 20, 2003:
MOTION BY MR. HOFFMAN FOR APPROVAL OF THE MINUTES.

**MOTION SECONDED BY MR. KOEPPEL.
MOTION CARRIED UNANIMOUSLY.**

Let the record show that all parties giving testimony today were sworn in by Code Enforcement Board Secretary Debby Morakis.

IV Public Hearings:

- A Case #03-1593, First Union National Bank of Florida, 255/257 South County Road
Violation of Chapter 134, Section 134-2179, required or supplemental off-street parking shall be effectively screened with hedges or walls placed between the off-street parking and any street.

Chief Code Compliance Officer Robert S. Walton requested that this case be postponed until the January 15, 2004 Code Enforcement Board Hearing.
KOEPPEL TO POSTPONE CASE #03-1593 UNTIL THE CODE ENFORCEMENT BOARD HEARING.

**MOTION BY MR.
JANUARY 15, 2004**

**MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- B Case #03-1595, Herbert J. Richman, 350 Seaspray 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 systems. This permit must be obtained prior to commencing work.

Chief Code Compliance Officer Robert S. Walton stated that a permit for the installation of the gate was applied for. It did not pass inspections since it is too close to the road. They have applied for a variance and will be heard by the Town Council in March. The Town requests that this case be postponed until the March 18, 2004 Code Enforcement Board Hearing.

MOTION BY MR. KOEPPEL TO POSTPONE CASE #03-1595 UNTIL THE MARCH 18, 2004 CODE ENFORCEMENT BOARD HEARING.

**MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

- C Case #03-1602, Mark & Deborah Remson, 2270 Ibis Isle Road
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.

Chief Code Compliance Officer Robert S. Walton requested that this case be postponed until the January 15, 2004 Code Enforcement Board Hearing.
MOTION BY MR. HOFFMAN TO POSTPONE CASE #03-1602 UNTIL THE

JANUARY 15, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

- D Case #03-1603, David Hruda, 143 Reef Road
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.

Chief Code Compliance Officer Robert S. Walton requested that this case be postponed until the February 19, 2004 Code Enforcement Board Hearing.

**MOTION BY MR. KOEPEL TO POSTPONE CASE #03-1603 UNTIL THE
FEBRUARY 19, 2004 CODE ENFORCEMENT BOARD HEARING.**

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

- E Case #03-1604, Robinson K. Nottingham, 435 Seaspray 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. KOEPEL TO DISMISS CASE #03-1604 FOR
COMPLIANCE.**

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

- F Case #03-1605, Fairfield Palm Beach, LP, 2560 So. Ocean Blvd.
Violation of Chapter 114, Section 14-34 of the Town of Palm Beach Code of Ordinances, it is unlawful to rent apartment units without obtaining a valid occupational license.

**MOTION BY MR. KOEPEL TO DISMISS CASE #03-1605 FOR
COMPLIANCE.**

MOTION SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

- G Case #03-1606, JPBK PROP 2, 232 Via Marila
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste in Town right-of-way out of line with the schedule.

**MOTION BY MR. KOEPEL TO ACCEPT THE GUILTY PLEA AND
PAYMENT OF THE FINE.**

MOTION SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

- H Case #03-1607, Jerome P. Heilwell, 1632 South Ocean Blvd.
Violation of 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 shall be referred to the Town's Code Enforcement Board.

MOTION BY MR. KOEPPLE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

V Presentation of New Cases to Set for Hearing:

- A Case #03-1608, Timothy Dale, 5 South Lake Trail
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, of the Town of Palm Beach Code of Ordinances, Large Projects, all new or remodel construction projects of 9,000 sq. ft. or more shall be allowed 27 months.
- B Case #03-1609, Charles T. Roddy, 432 Brazilian Avenue
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, it shall be unlawful and constitute a nuisance for any owner of land within the Town to allow building materials, non operative boats, or other such items to accumulate.
- C Case #03-1610, 332 South County Road, LLC, 332 South County Road
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach, it shall constitute a nuisance for any owner to permit on their property sand or soil to be stock piled resulting from any construction project.
- D Case #03-1611, William Condren, 240 Banyan Road
Violation of Chapter 18, Section 18-87 (d) of the Town of Palm Beach Code of Ordinances, all properties must retain or properly drain all soil and water contained on or from the property, and any modification which may alter the drainage plan must be approved by the Town.
- E Case #03-1612, Deborah Mullin, 2505 So. Ocean Blvd., #203
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1 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, permits for plumbing and

electric are also required by Chapter 18, Section 18-242. These permits are required to be obtained prior to commencing work.

- F Case #03-1613, Dunville's L'Antiquaire, LTD, 329 Worth Avenue
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 shall be referred to the Town's Code Enforcement Board.

MOTION BY MR. KOEPEL TO SET CASE #'S: 03-1608, 03-1609, 03-1610, 03-1611, 03-1612 AND 03-1613 FOR HEARING AT THE JANUARY 15, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

VI New Business:

None.

VII Consideration of Foreclosure:

None.

VIII Old Business:

- A Case #01-1384, 332 South County Road, LLC, 332 South County Road
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all exterior walls, doors and windows shall be reasonably free of cracks, painted and shall be kept in sound condition and good repair.

Chief Code Compliance Officer Robert S. Walton stated that both the attorney and owner are out of town for the holidays and have requested that this case be postponed to the January 15, 2004 Code Enforcement Board Hearing. The balance due on the fines is \$51,250.00.

MOTION BY MR. KOEPEL TO POSTPONE CASE 01-1384 UNTIL THE JANUARY 15, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

B Case #03-1592, Kevin M. McGovern, 224 South Ocean Blvd.

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior walls shall be free of cracks and painted, interior walls and ceilings shall be structurally sound, roofs must be maintained so as not to leak, and all doors, windows and stairs shall be in a maintained condition.

Chief Code Compliance Officer Robert S. Walton reported that this house is now painted. They applied for the roofing permit today and are waiting for the shingles to come in. They are working towards compliance.

MOTION BY MR. KOEPEL TO POSTPONE CASE 03-1592 UNTIL THE JANUARY 15, 2004 CODE ENFORCEMENT BOARD HEARING AND REQUESTED THAT ROBERT WALTON OBTAIN A DATE FOR COMPLIANCE.

MOTION SECONDED BY MR. HOFFMAN.

After further discussion,

MOTION CARRIED WITH MR. KLEIN OPPOSED.

C Case #03-1534, Brighton Pavillion, 336 Worth Avenue

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

MOTION BY MR. KOEPEL TO POSTPONE CASE 03-1534 and 03-1537 UNTIL THE JANUARY 15, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

D Case #03-1537, Devonshire, 340 Worth Avenue

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, balance due of \$34.70 and must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

MOTION BY MR. KOEPEL TO POSTPONE CASE 03-1534 and 03-1537 UNTIL THE JANUARY 15, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

There was no other business on the regular agenda. The meeting continued with the Workshop relative to a portion of the Strategic Plan, Governance Actions, Boards and Commissions.

Chairman Lawrence introduced Veronica Close, Assistant Director, and Robert L. Moore Director, of the Planning, Zoning and Building Department. Mr. Moore explained that the Council was asked to review the procedures that we use now, and in doing that, the Council felt that it would be very beneficial to hear from the Code Enforcement Board as a group.

Veronica Close indicated that there are four categories for discussion today: Mission and Purpose, Requirements of the position of prospective board members, ongoing education and training that would be beneficial, and interviewing prospective applicants.

CODE ENFORCEMENT BOARD WORKSHOP

THURSDAY, DECEMBER 18, 2003

**IMMEDIATELY FOLLOWING THE REGULAR MEETING
TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH**

I WORKSHOP RELATIVE TO PORTION OF STRATEGIC PLAN, GOVERNANCE ACTIONS, BOARDS AND COMMISSIONS: Review and revise Town policies regarding appointed commissions and boards to include the following considerations:

- **Task:** Clarify commission and board “missions” to provide for greater coordination, consistency with policies and the Strategic Plan, clarity of purpose and authority, etc.

The “mission” as it exists now: Promote, protect, improve health, safety, welfare through equitable, expeditious, effective, inexpensive enforcement of codes

Board comments were as follows:

- Education of public regarding code requirements with ability to enforce the codes to the fullest extent, e.g., ability to foreclose, or use other methods to obtain compliance
- Induce compliance (emphasis on compliance, not revenue generation)

- **Task:** Define requirements relating to levels of experience and/or mandatory courses applicable to the expertise relevant to each board and commission.

Board comments were as follows:

- An attorney should be added to the list of recommended fields of experience for board members (not unanimous)
- Alternates should be chosen from the recommended list first. If no one is available with the recommended experience, then appoint a general member

- **Task:** Consider providing additional training to enhance the effectiveness of boards and individuals

Board Comments were as follows:

- Orientation meetings annually including a review of Quasi-judicial procedures
- Seminars regarding dealing with people
- Attendance at conferences
- Newsletters/subscriptions
- Meetings with staff - status/procedures/planning
- Manual for each Board Member to include its mission, codes, procedures, define evidence, etc
- Case presentation should include any pending action by other commissions

- **Task:** Interview procedures and/or requirements

Board comments were as follows:

- Code Enforcement Board (or Committee of the Board) should interview prospective applicants (not unanimous)

- Questionnaire/Supplemental application should include more detail

II ADJOURNMENT

The meeting and workshop was adjourned at 3:16 p.m. without benefit of a motion.