

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

Roll Call:

Present: Eugene Lawrence, Chairman
Pamela Hoffpauer, Vice-Chair
Timothy Hoffman, Member
Richard A. Raffo, Member
Thomas Youchak, Member
George Klein, Alternate Member
Robert S. Walton, Chief Code Compliance Officer
John C. Randolph, Town Attorney

Absent: Joel P. Koeppel, Member (excused)
Hugh C. Davis, III, Member (excused)
Larry Ochstein, Alternate Member (excused)

Recording Secretary: Deborah A. Morakis

Let the record show that Alternate Member, Mr. Klein will vote today.

Approval of the Minutes of November 18, 2004:
MOTION BY MR. HOFFMAN FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.

Administration of the Oath to all persons who wish to testify:
Let the record show that all persons testifying today were sworn in at this time.

Public Hearings:

Chief Code Compliance Officer Walton requested that the Board dismiss Case #04-1776, 04-1795, 04-1796 and 04-1800 for compliance.

A **Case #04-1776, Carol L. Hall, 233 Sandpiper Dr.**
Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, which states that the minimum clearance of eighteen (18) feet, measured vertically above roads and alleyways in the Town, shall be maintained at all times for the unobstructed passage of pedestrians and others using said roads and alleyways.
MOTION BY MS HOFFPAUER TO DISMISS CASE #'S 04-1776, 04-1795, 04-1796 AND 04-1800 FOR COMPLIANCE.
MOTION SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.

B Case #04-1791, Michael I. Keller, 126 Peruvian Avenue

Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, building permits are required to install, repair, or alter any building or building system. These permits must be obtained proper to commencing work.
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior walls shall be kept painted and in good repair and debris shall not be allowed to accumulate.

Chief Code Compliance Officer, Rob Walton reported that a contractor has been hired but no permits have yet been issued.

MOTION BY MR. HOFFMAN TO FIND THE DEFENDANT IN NON COMPLIANCE AND ORDERED COMPLETION OF BOTH INTERIOR AND EXTERIOR WORK BY FEBRUARY 17, 2005. THE DEFENDANT MUST GIVE A PROGRESS REPORT AT THE JANUARY 20, 2005 CODE ENFORCEMENT BOARD MEETING.

MOTION SECONDED BY MR. RAFFO

MOTION CARRIED UNANIMOUSLY.

C Case #04-1792, Mockingbird Trust, 1191 North Ocean Way

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, grass shall not grow to a height greater than 8" and debris shall not be allowed to accumulate on property in the Town of Palm Beach.

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior walls shall be kept painted and in good repair and debris shall not be allowed to accumulate.

MOTION BY MS. HOFFPAUER TO FIND THE DEFENDANT IN NON COMPLIANCE AND GIVE UNTIL JANUARY 20, 2005 TO REPAIR AND PAINT THE BUILDING.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

D Case #04-1793, James D. Sirigotis, 256 Miraflores

Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, building permits are required to install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.

Mr. Walton reported that he had spoken to the property owner, Mr. Sirigotis, who is hospitalized and having heart surgery. Mr. Walton requested that this case be postponed until the January 20, 2005 Code Enforcement Board hearing.

MOTION BY MR. HOFFMAN TO POSTPONE CASE #04-1793 UNTIL THE JANUARY 20, 2005 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

E Case #04-1794, 171 Royal Poinciana, 171 Royal Poinciana Way

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, grass shall not grow to a height greater than 8" and debris shall not be allowed to accumulate on property in the Town of Palm Beach.

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior walls shall be kept 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 Walton distributed photos of the violations to the Board. Ms. Veronica Close, Assistant Director of Planning, Zoning & Building stated that the property owner has been before the Town Council for Site Plan Review for a new home.

MOTION BY MR. HOFFMAN THAT THE DEFENDANT IS ORDERED TO CLEAN THE

**PROPERTY WITHIN 7 DAYS FROM TODAY AND REPAIR AND PAINT THE
PROPERTY WITHIN 15 DAYS FROM TODAY.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

- F Case #04-1795, Laura M. Berdon, 44 Cocoanut Row, #B613
Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, building permits are required to install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.
**MOTION BY MS HOFFPAUER TO DISMISS CASE #'S 04-1776, 04-1795, 04-1796 AND 04-1800 FOR COMPLIANCE.
MOTION SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- G Case #04-1796, Marlene I & Ronald G. Jaffe, 261 Nightingale Trail
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 trash and debris to accumulate.
**MOTION BY MS HOFFPAUER TO DISMISS CASE #'S 04-1776, 04-1795, 04-1796 AND 04-1800 FOR COMPLIANCE.
MOTION SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- H Case #04-1797, Evelyn A. Hall, 241 El Dorado Lane
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, grass shall not grow to a height greater than 8" and debris shall not be allowed to accumulate on property in the Town of Palm Beach.
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior walls shall be kept 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.
Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eighteen (18) feet above all roadways must be maintained to allow for unobstructed passage of pedestrians.

Mr. Walton requested that the Board find the Defendant in non compliance and allow 34 days to paint and repair the building.
**MOTION BY MR. HOFFMAN TO FIND THE DEFENDANT IN NON COMPLIANCE AND ORDER THEM TO COMPLY BY JANUARY 19, 2005.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- I Case #04-1798, Dave Scialabba, 233 Mockingbird Trail
Violation of Chapter 18, Section 18-242 (104.1.1.1) of the Town of Palm Beach Code of Ordinances, any site on which construction does not commence within fifteen (15) days of demolition, must be leveled, irrigated, sodded and maintained so as not to be in an unsightly condition.
**MOTION BY MS. HOFFPAUER TO POSTPONE CASE #04-1798 FOR HEARING AT THE JANUARY 20, 2005 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

- J Case #04-1799, James & Lidwina Scoroposki, 120 Clarke Avenue
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances,

all walls shall be kept in a safe condition and good state of repair.

Attorney Maura Ziska was present to testify on behalf of the homeowner and Livingston Builders, the contractor hired by the owner to do the work. She reported that the permit had been applied for and stated that the work should be completed in about 45 days from permit issuance. The existing wall needs to be removed and rebuilt.

After further discussion, the following motion was made:

MOTION BY MR. HOFFMAN THAT THE EXISTING WALL SHALL BE REMOVED WITHIN FIVE (5) DAYS OF RECEIPT OF THE PERMIT. CONSTRUCTION OF THE NEW WALL SHOULD BE COMPLETED WITHIN THIRTY (30) DAYS AFTER REMOVAL OF THE EXISTING WALL (35 DAYS TOTAL).

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

- K Case #04-1800, 332 South County Road, LLC, 332 South County Road
Violation of Chapter 42, Section 42-86 (3) of the Town of Palm Beach Code of Ordinances, grass shall not grow to a height greater than 8" and debris shall not be allowed to accumulate on property in the Town of Palm Beach.
MOTION BY MS HOFFPAUER TO DISMISS CASE #'S 04-1776, 04-1795, 04-1796 AND 04-1800 FOR COMPLIANCE.
MOTION SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.

VI Presentation of New Cases to Set for Hearing:

- A Case #04-1801, Branch Construction, Branch Construction
Violation of Chapter 18, Sections 18-242, Subsection 104.5.1.6, Medium Projects, of the Town of Palm Beach Code of Ordinances, all new or remodel construction projects of 4,000 sq. ft. to 8,999 sq. ft. under roof be allowed 20 months.
- B Case #04-1802, Three 50 Realty Corporation, 350 South County Road
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, debris, trash or garbage shall not be allowed to accumulate on property in the Town of Palm Beach.
Violation of Chapter 134, Section 134-2179 (f) of the Town of Palm Beach Code of Ordinances, effective sight lighting is required of off street parking of not less than six (6) feet along any street.
- C Case #04-1803, Thomas Campaniello, 288 So. County Road
Violation of Chapter 22, Section 22-57 and 22-58 of the Town of Palm Beach Code of Ordinances, all windows of buildings located in the commercial zoning districts, either vacant or under renovation shall screen the interior for the full size of the window. This screen shall be 40 inches or more in depth and shall be decorated and lighted.
- D Case #04-1804, Dogramaciyan Grabis, 329 Worth Avenue
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.
- E Case #04-1805, Martha S. Reed, 114 Clarke Avenue
Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, building permits (plumbing, electrical & HVAC) are required to install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.
- F Case #04-1806, Pentland Dev LTD, 267 Merrain 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 trash and debris to accumulate.

- G Case #04-1807, Say Hey, LLC, 735 Island Drive
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.

**MOTION BY MS. HOFFPAUER TO SET CASE #'S 04-1801, 04-1802, 04-1803, 04-1804, 04-1805, 04-1806 AND 04-1807 FOR HEARING AT THE JANUARY 20, 2005 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

VII New Business:

NONE

VIII Consideration of Foreclosure:

NONE

IX Old Business:

- A Case #04-1665, Three 50 Realty Corporation, 350 So. County Road
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior surfaces 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.

Mr. Brian House, a representative for Three 50 Realty Corporation, reported that the roof leaks have been repaired and the roof is watertight now. The windows have been ordered and will be shipped the week of January 3, 2005. The installation company has been unable to provide an installation date but it is hoped that the installation will take place immediately.

After further discussion, the following motion was made:

**MOTION BY MR. RAFFO THAT MR. HOUSE SHOULD GIVE A PROGRESS REPORT AT THE JANUARY 20, 2005 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.**

- B Case #04-1752, Gloria G. Stuart, 129 Clarendon Avenue
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all walls shall be kept in a safe condition and a good state of repair.

David Stuart, the owner's husband and Samuel Dosdourian of Dosdourian Enterprises, the general contractor, were here to speak to the Board. Mr. Dosdourian stated that the permit was issued today and that completion was scheduled for the week of March 7, 2005. Mr. Dosdourian stated that the work was slated to be done long ago but was delayed due to the hurricanes. He will contact the neighbor to gain permission to shore the wall from the neighbors side. After further discussion, the following motion was made:

MOTION BY MS. HOFFPAUER THAT THE WALL SHALL BE SECURED WITHIN 7 DAYS AND EVIDENCE BE PROVIDED THAT THE WALL IS NOT IN JEOPARDY. THE PROJECT MUST BE STARTED BY JANUARY 31, 2005 OR EARLIER AND COMPLETE BY THE WEEK OF MARCH 7, 2005. A PROGRESS REPORT MUST

**BE GIVEN AT THE JANUARY 20, 2005 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

- C Case #04-1787, Charles T. Roddy, 432 Brazilian Avenue
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 racks, painted and shall be kept in a sound condition and good repair.
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, automobiles or other such items to accumulate.

Mr. Charles Roddy, the property owner was here to speak to the Board. Mr. Roddy read a letter from Dr. Leonard Cruz. Mr. Roddy has been under his care for Obsessive Compulsive Disorder.

After further discussion, the following motion was made:

**MOTION BY MS. HOFFPAUER THAT THE DEFENDANT IS GIVEN SEVEN (7) DAYS IN WHICH TO CLEAN AND REPAIR THE PROPERTY. IF THIS IS NOT COMPLETED BY DECEMBER 23, 2004 A FINE IN THE AMOUNT OF \$50.00 PER DAY WILL BE IMPOSED RETROACTIVE TO NOVEMBER 24, 2004.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

- XI Adjournment: The meeting was adjourned at 3:15 p.m. without benefit of a motion.