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**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, NOVEMBER 21, 2002
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
P. Robert Bale, Vice Chairman
Pamela Hoffpauer, Member
Dr. Harry Horwich, Member
M.S. Rukeyser Jr., Member
Joel P. Koepfel, Member
Richard A. Raffo, Member
Timothy Hoffman, Alternate Member
Brian K. House, Chief Code Compliance Officer
John C. Randolph, Town Attorney (arrived at 2:02 p.m.)

Absent: None

Recording Secretary: Cynthia M. Delp

III. **Approval of the Minutes of October 17, 2002:**
MOTION FOR APPROVAL OF THE MINUTES BY MR. KOEPPPEL.

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

IV. Public Hearings:

Let the record show that Mrs. Delp administered the oath to Mr. House in preparation for his testimony.

- A Case #02-1472, Ms. Jane Freeman, 268 Nightingale Trail
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all structures must be kept painted and in a good state of repair.

Mr. House requested postponement to allow the owner the chance to continue with the work.

**MOTION BY MR. RUKEYSER TO POSTPONE CASE #02-1472.
MOTION SECONDED BY MR. KOEPEL.
MOTION CARRIED UNANIMOUSLY.**

- B Case #02-1473, House of Kahn, 231 Peruvian 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.

**MOTION BY MR. KOEPEL TO DISMISS CASE #02-1473, CASE #02-1474,
AND
CASE # 02-1476 FOR COMPLIANCE.**

**MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.**

- C Case #02-1474, Arthur T. Scholfied, 2185 Ibis Isle, Apt. 1
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 #02-1473, CASE #02-1474,
AND
CASE # 02-1476 FOR COMPLIANCE.**

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

- D Case #02-1475, 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 vegetation to become overgrown or accumulate.

agreed Mr. House testified that he had met with Mr. Remson, and Mr. Remson had to cut the grass. As of this morning, the grass is still greater than 8" in height. Mr. House requested a guilty finding with an order to comply within seven (7) days. It was noted that this is a vacant lot.

MOTION BY MR. KOEPPPEL TO FIND THE OWNER GUILTY AND GIVE THE PROPERTY OWNER SEVEN (7) DAYS TO COMPLY.

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

Mr. House noted that if the owner does not comply within the seven (7) day time period, he will return to the CEB next month to request that a fine be imposed.

- E Case #02-1476, Sloans Curve North, Inc., 1980 South Ocean Blvd.
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, trash and debris shall not be allowed to accumulate on property in the Town of Palm Beach.

AND **MOTION BY MR. KOEPPPEL TO DISMISS CASE #02-1473, CASE #02-1474,
CASE # 02-1476 FOR COMPLIANCE.**

**MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.**

V. **Presentation of New Cases to Set for Hearing:**

A Case #02-1477, 150 Dunbar Road, Inc., 150 Dunbar Road
Violation of Section 42-228 of the Town of Palm Beach Code of Ordinances, noise exceeding the allowable noise level in the Town of Palm Beach.

B Case #02-1478, William Struna, 2300 South Ocean Blvd.
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.

C Case #02-1479, Frances J. Holland EST, 162 Dolphin Road
Violation of Chapter 42, Section 42-87 (2) of the Town of Palm Beach Code of Ordinances, all exterior surfacing material shall be kept painted and in good repair.

D Case #02-1480, Abe Gosman, vacant lot at the Blossom Estates
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, stumps or other vegetation to become overgrown or accumulate.

E Case #02-1481, Sandell Corporation, vacant lot on Atlantic Avenue
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 and stumps or other vegetation to become overgrown or accumulate.
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.

F Case #02-1482, Washington Mutual Bank, FA, 159 Sunset Avenue
Violation of Section 42-87 of the Town of Palm Beach Code of Ordinances: Brush, weeds or grass may not be allowed to grow to a height greater than eight (8) inches; and decayed or decaying buildings or structures, ruins of any kind or buildings, docks, walls or other structures in a falling or dangerous condition are unlawful; and Section 42-87 requires exterior walls to be reasonably free of cracks or holes through which weather elements can enter the building or structures, and all exterior surfacing material shall be kept painted and in good repair.

G. 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.

MOTION BY MS. HOFFPAUER TO SET CASE #02-1477, CASE #02-1478, CASE #02-1479, CASE #02-1480, CASE #02-1481, CASE #02-1482, AND CASE #01-1384 FOR HEARING AT THE DECEMBER 19, 2002 MEETING OF THE CODE ENFORCEMENT BOARD.

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

VI. New Business:

VII. Old Business:

A Case #01-1354, Laura Andre, Inc., 159 Sunset Avenue
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, Small Projects, all new or remodel construction projects of 3,999 sq. ft. or less shall be allowed twelve (12) months.

B Case #01-1355, Laura Andre, Inc., 159 Sunset Avenue
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, Small Projects, all new or remodel construction projects of 3,999 sq. ft. or less shall be allowed twelve (12) months.

Mr. House stated that the above two cases had been heard by the Code Enforcement Board; an order had been issued; the order was ignored; and a fine was begun which ran for over 90 days. The Town Council and the Code Enforcement Board had authorized foreclosure. Staff later discovered that the property had already been foreclosed upon by Washington Mutual Bank, thus wiping out the Town's lien. As such, these two cases are closed. This property will return to the Code Enforcement Board next month, under a new case number and new ownership.

VIII. Adjournment:

The meeting was adjourned by Mr. Lawrence at 2:07 p.m. without benefit of a motion.

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