

**TOWN OF PALM BEACH  
CODE ENFORCEMENT BOARD MINUTES  
2:00 P.M. THURSDAY, NOVEMBER 18, 2004  
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

**I     Call to Order:**                      Vice-Chair Hoffpauer called the meeting to order at 2:00 p.m.

**II     Roll Call:**                      Present:                      Pamela Hoffpauer, Vice-Chair  
                                                                                 Timothy Hoffman, Member  
                                                                                 Joel P. Koepfel, Member  
                                                                                 Hugh C. Davis, III, Member  
                                                                                 Richard A. Raffo, Member  
                                                                                 George Klein, Alternate Member  
                                                                                 Larry Ochstein, Alternate Member  
                                                                                 Robert S. Walton, Chief Code Compliance Officer  
                                                                                 John C. Randolph, Town Attorney

Absent:                      Eugene Lawrence, Chairman (unexcused)

Recording Secretary:    Deborah A. Morakis

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

**III    Approval of the Minutes of October 21, 2004:**  
                                                                                 **MOTION BY MR. KOEPEL FOR APPROVAL OF THE MINUTES.**  
                                                                                 **MOTION SECONDED BY MR. HOFFMAN.**  
                                                                                 **MOTION CARRIED UNANIMOUSLY.**

**IV    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.*

**V     Public Hearings:**  
                                                                                 Chief Code Compliance Officer Robert S. Walton requested that the Code Enforcement Board dismiss the following cases for compliance: 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789.

**A     Case #04-1764, Owen G. Kenan, 1400 No. Lake Way**  
                                                                                 Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eighteen (18) feet, measured vertically above all roadways in the Town, shall be maintained at all time for the unobstructed passage of vehicles.  
                                                                                 **MOTION BY MR. KOEPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**  
                                                                                 **MOTION SECONDED BY MR. DAVIS.**  
                                                                                 **MOTION CARRIED UNANIMOUSLY.**

**B     Case #04-1771, 251 Sunrise, 251 Sunrise 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. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**C**     Case #04-1772, William Struna, 2300 So. Ocean Blvd.

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.

Violation of Chapter 42, Section 42-126 of the Town of Palm Beach Code of Ordinances, it shall be unlawful for any person to permit any collection of standing water in which mosquitoes are likely to breed.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**D**     Case #04-1773, R. B. I. Enterprises, Inc., 278 La Puerta Way

Violation of Chapter 18, Section 18-242 ( 104.1.1.1 ) of the Town of Palm Beach Code of Ordinances, any site on which reconstruction 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 MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**E**     Case #04-1774, Moda Imports, Inc., 206 Worth Avenue

Violation of Chapter 22, Sections 22-57 and 22-58 of the Town of Palm Beach Code of Ordinances, all windows of buildings located in the commercial zoning district, either vacant or under renovation, shall screen the interior for the full size of the window and this screen shall be decorated and lighted.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**F**     Case #04-1775, Julia McConnell, 128 Seabreeze 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.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**G**     Case #04-1776, Carol L. Hall, 233 Sandpiper Dr.

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a 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 MR. KOEPPPEL TO POSTPONE CASE #04-1776 UNTIL THE DECEMBER 16, 2004 CODE ENFORCEMENT BOARD HEARING.**

**MOTION SECONDED BY MR. HOFFMAN**

**MOTION CARRIED UNANIMOUSLY.**

**H**     Case #04-1777, John S. Gagne & Julie K. Gagne, 1181 No. Lake Way

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eight (8) feet, measured vertically above the lake trail in the Town, shall be maintained at all times for the unobstructed passage of pedestrians.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**I**     Case #04-1778, Giacomo & Patricia A. Furnari, 340 Garden Road

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet, measured vertically above alleyways in the Town, shall be maintained at all times for the unobstructed passage of pedestrians and others using said alleyways.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**J**     Case #04-1779, William S. Friedman, 211 Eden Road

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet, measured vertically above all alleyways in the Town, shall be maintained at all times for the unobstructed passage of pedestrians and others using said alleyways.

**MOTION BY MR. HOFFMAN THAT THE DEFENDANT BE FOUND IN NON COMPLIANCE AND GIVEN SIX (6) DAYS IN WHICH TO COMPLY.**

**MOTION SECONDED BY MR. RAFFO.**

**MOTION CARRIED UNANIMOUSLY.**

**K**     Case #04-1780, John Flynn, 1230 No. Lake Way

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eight (8) feet, measured vertically above the bike trail in the Town, shall be maintained at all times for the unobstructed passage of pedestrians and others using the bike trail.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**L**     Case #04-1781, Brent & Karen Finnegan, 323 Eden Road

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet, measured vertically above all alleyways in the Town, shall be maintained at all times for the unobstructed passage of pedestrians and others using said alleyways.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**M**     Case #04-1782, Esther Evans & Leslie R. Evans, 257 Sandpiper Drive

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet, measured vertically above all 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 MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**N**     Case #04-1783, Jacqueline B. Drake & Rodman L. Drake, 275 Tradewind Drive

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eighteen (18) feet above all roadways in the Town, shall be maintained at all times for the unobstructed passage of vehicles.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**O**     Case #04-1784, Reinhard & Claudia Brandner, 315 Eden Road

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet, measured vertically above all alleyways in the Town, shall be maintained at all times for the unobstructed passage of pedestrians and others using said alleyways.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**P**     Case #04-1785, Arturo Burigatto, 137 Australian Avenue

Violation of Chapter 18, Section 18-242 ( 104.1.7 ) of the Town of Palm Beach Code of Ordinances, any site, on which reconstruction 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 MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**Q**     Case #04-1786, Fred Keller TR, 1480 No. Lake Way

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eighteen (18) feet above all alleyways in the Town, must be maintained at all times for the unobstructed passage of vehicles.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**R**      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.

Members of the Code Enforcement Board were shown photographs of the property by Chief Code Compliance Officer Walton.

**MOTION BY MR. HOFFMAN TO FIND IN NON COMPLIANCE AND GIVE SIX (6) DAYS TO COMPLY.**

**MOTION SECONDED BY MR. KOEPPPEL**

**MOTION CARRIED UNANIMOUSLY.**

**S**      Case #04-1788, Daniel Tucker & Elaina L. Tucker, 202 Manana Lane

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet, measured vertically above all streets and roadways in the Town, shall be maintained at all times for the unobstructed passage of vehicles and others using said streets and roadways.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**T**      Case #04-1789, Marion Boulton Stroud Swingle, 1221 No. Lake Way

Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eight (8) feet, measured vertically above the lake trail in the Town, shall be maintained at all times for the unobstructed passage of pedestrians.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1764, 04-1771, 04-1772, 04-1773, 04-1774, 04-1775, 04-1777, 04-1778, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1788 AND 04-1789 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**U**      Case #04-1790, David J. Jenkins, 300 Indian Road

**REPEAT** 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 any collection of standing water in which mosquitoes are likely to breed.

Mr. Walton recommended that the Board find the defendant in non compliance so that if the pool is found in poor condition again, a fine in the amount of \$150.00 per day could commence immediately. The property will be checked on a regular basis.

**MOTION BY MR. KOEPPPEL TO FIND THE DEFENDANT IN NON COMPLIANCE**

WITH NO FINE AT THIS TIME. IT IS FURTHER ORDERED THAT IF THE POOL REVERTS TO A MOSQUITO HARBORAGE A \$150.00 PER DAY FINE WILL COMMENCE IMMEDIATELY.

MOTION SECONDED BY MR. DAVIS.

Mr. Hoffman recommended that the fine be increased to \$250.00 per day.

MOTION AMENDED BY MR. KOEPEL TO FIND THE DEFENDANT IN NON COMPLIANCE WITH NO FINE AT THIS TIME. IT IS FURTHER ORDERED THAT IF THE POOL REVERTS TO A MOSQUITO HARBORAGE A \$250.00 PER DAY FINE WILL COMMENCE IMMEDIATELY.

AMENDED MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

**VI      Presentation of New Cases to Set for Hearing:**

MOTION BY MR. KOEPEL TO SET CASE #'S 04-1791, 04-1792, 04-1793, 04-1794, 04-1795, 04-1796, 04-1797, 04-1798, 04-1799 AND 04-1800 FOR HEARING AT THE DECEMBER 16, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

- A      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 prior 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.
- B      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.
- C      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.
- D      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.
- E      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.
- F      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.

- G 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.
- H 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.
- I 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.
- J 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.

**VII New Business:**

NONE

**VIII Consideration of Foreclosure:**

- A Case #04-1621, Boston Homes, Inc., 312 Cherry Lane  
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6 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.

Mr. Walton reported that the Code Enforcement Board ordered a fine to commence on June 17, 2004 to continue until the Certificate of Occupancy was issued. There are inspections on a daily basis and they are very close to completion. However, there is still not a certificate of occupancy at this time. The fine will stop once the property is in compliance and the CO is issued but the fine will remain a lien on the property. This is only a report at this time. No action required.

**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.  
Violation of Sections 22-57 and 22-58 of the Town of Palm Beach Code of Ordinances,

all windows of buildings locating in the commercial zoning districts, either vacant or under renovation shall screen the interior for the full size of the window and this screen shall be decorated and lighted.

Mr. Walton reported that the windows have been screened and decorated and this recommended that the violation of Sections 22-57 and 22-58 be dismissed for compliance. Mr. Walton recommended that the violation of Chapter 42, Section 42-87 be continued for thirty days.

**MOTION BY MR. KOEPPPEL TO DISMISS SECTIONS 22-57 AND 22-58 FOR COMPLIANCE AND BRING BACK SECTION 42-87 AT THE DECEMBER 16, 2004 CODE ENFORCEMENT BOARD HEARING.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**B**     Case #04-1682, Diana S. Wister, 335 El Vedado Road

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 vehicles.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #04-1682 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. HOFFMAN.**

**MOTION CARRIED UNANIMOUSLY.**

**C**     Case #04-1706, Mr. Thomas Campaniello, 308 So. County Road

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, all doors and windows shall be in a maintained condition and other appurtenances shall be kept in a good state of repair.

**D**     Case #04-1707, Mr. Thomas Campaniello, 306 So. County Road

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, all doors and windows shall be in a maintained condition and other appurtenances shall be kept in a good state of repair.

**E**     Case #04-1708, Mr. Thomas Campaniello, 304 So. County Road

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, all doors and windows shall be in a maintained condition and other appurtenances shall be kept in a good state of repair.

Mr. Walton reported to the Board that Case #04-1706, 04-1707 and 04-1708 were found in non compliance and ordered to install a wall. They have fallen behind in schedule. The Town is watching this project. No action or motion is required by the Board at this time.

**F**     Case #04-1714, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-H

Violation of Chapter 18, Section 18-242, Subsection 104.1.1 of the Town of Palm Beach Code of Ordinances, permits are required to construct, install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.

**G**     Case #04-1715, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-J

Violation of Chapter 18, Section 18-242, Subsection 104.1.1 of the Town of Palm

Beach Code of Ordinances, permits are required to construct, install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.

- H Case #04-1716, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-K  
Violation of Chapter 18, Section 18-242, Subsection 104.1.1 of the Town of Palm Beach Code of Ordinances, permits are required to construct, install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.  
**MOTION BY MR. KOEPPPEL TO FIND THE DEFENDANT IN CASE #04-1714, 04-1715 AND 04-1716 IN NON COMPLIANCE AND GIVE UNTIL DECEMBER 15, 2004 TO COMPLY.**  
**MOTION SECONDED BY MR. DAVIS.**  
**MOTION CARRIED UNANIMOUSLY.**

Mr. Walton requested that the Board dismiss Case #'s 04-1721, 04-1737 and 04-1753 for compliance.

- I Case #04-1721, Jeffrey J. Lorenz, 1220 No. 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, roofs must be maintained so as not to leak, all doors and windows shall be in a maintained condition and other appurtenances such as fences shall be kept in a good state of repair.  
**MOTION BY MR. HOFFMAN TO DISMISS CASE #04-1721, 04-1737 AND 04-1753 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. KOEPPPEL.**  
**MOTION CARRIED UNANIMOUSLY.**
- J Case #04-1737, Henry Kaufer, 326 Peruvian Avenue  
Violation of Chapter 134 (Zoning) of the Town of Palm Beach Code of Ordinances, a change of use from residential to commercial requires Town Council variance approvals for required parking and a more intense usage of the space.  
**MOTION BY MR. HOFFMAN TO DISMISS CASE #04-1721, 04-1737 AND 04-1753 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. KOEPPPEL.**  
**MOTION CARRIED UNANIMOUSLY.**
- K Case #04-1753, James J. Smith, 101 Seminole Avenue  
Violation of Chapter 18, Section 18-242, Subsection 104.1.7 of the Town of Palm Beach Code of Ordinances, any site on which reconstruction does not commence within 15 days of demolition or the reconstruction permit becomes void, must be leveled, irrigated, sodded and maintained so as not to be in an unsightly condition.  
**MOTION BY MR. HOFFMAN TO DISMISS CASE #04-1721, 04-1737 AND 04-1753 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. KOEPPPEL.**  
**MOTION CARRIED UNANIMOUSLY.**

- XI **Adjournment:** The meeting was adjourned without benefit of a motion at 2:35 p.m.