

**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, NOVEMBER 16, 2000
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

- I. Call to Order: The meeting was called to order at 2:00 p.m. by Chairman David J. Thomas.

- 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

ABSENT: Robert W. Gottfried, Member (unexcused)

RECORDING SECRETARY: Deborah A. Morakis

- ### III. Approval of the Minutes of October 19, 2000:

MOTION BY MR SLOANE TO ACCEPT THE MINUTES AS MAILED.

MOTION SECONDED BY MR. BALE.

MOTION CARRIED UNANIMOUSLY.

- #### IV. Public Hearings:

- A Case #00-1182, Frank G. Howard, Jr., 257 Oleander 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, stumps or other vegetation to become overgrown or accumulate.
MOTION BY MR. SLOANE THAT THE DEFENDANT BE ORDERED TO COMPLY WITHIN FIFTEEN (15) DAYS AND PAY COSTS IN THE AMOUNT OF \$121.88.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- 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 THAT THE DEFENDANT BE FOUND GUILTY AND ORDERED TO PAY A FINE IN THE AMOUNT OF \$50.00 PLUS COSTS IN THE AMOUNT OF \$82.30 FOR A TOTAL DUE AND OWING OF \$132.30
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- C Case #00-1186, James Nemec, 1438 No. Ocean Blvd.
Violation of Section 104.1.1 of Chapter 18 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 THAT THE DEFENDANT BE FOUND GUILTY AND ORDERED TO PAY A FINE IN THE AMOUNT OF \$50.00 PLUS COSTS IN THE AMOUNT OF \$82.30 FOR A TOTAL DUE AND OWING OF \$132.30
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.

Ordinances, before a fence is installed a building permit must be obtained.
MOTION BY MR. BALE TO DISMISS CASE #00-1186 FOR COMPLIANCE.
MOTION SECONDED BY DR. HORWICH.
MOTION CARRIED UNANIMOUSLY.

- D Case #00-1187, Ms. Donna Pearson, 200 Everglade Avenue, Apt. 1A
Violation of Section 104.1.1 of Chapter 5 of the Town of Palm Beach Code of Ordinances, requires a permit be obtained before a structure such as an awning is installed.
MOTION BY MR. BALE TO DISMISS CASE #00-1187 FOR COMPLIANCE.
MOTION SECONDED BY DR. HORWICH.
MOTION CARRIED UNANIMOUSLY.
- E 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 POSTPONE CASE #00-1188 UNTIL THE DECEMBER 21, 2000 CODE ENFORCEMENT BOARD MEETING.
MOTION SECONDED BY MR. ALLISON.
MOTION CARRIED UNANIMOUSLY.
- F Case #00-1189, Rick O. & Heidi Torres, 339 Seaspray 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.
MOTION BY MR. BALE TO DISMISS CASE #00-1189 FOR COMPLIANCE.
MOTION SECONDED BY DR. HORWICH.
MOTION CARRIED UNANIMOUSLY.
- G Case #00-1190, Percival P. Steinhart III, 425 Seaspray 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.
MOTION BY MR. ALLISON REGARDING CASE #00-1190 THAT THE DEFENDANT BE ORDERED TO COMPLY WITHIN FIFTEEN (15) DAYS.
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- H Case #00-1191, James B. Donahue, 346 Seaspray 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.
MOTION BY MR. SLOANE TO POSTPONE CASE #00-1191 UNTIL THE DECEMBER 21, 2000 CODE ENFORCEMENT BOARD MEETING.
MOTION SECONDED BY MR. ALLISON.
MOTION CARRIED UNANIMOUSLY.
- I Case #00-1192, Marvin Adler, 247 Seaspray 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.

MOTION BY MR. SLOANE TO POSTPONE CASE #00-1192 UNTIL THE DECEMBER 21, 2000 CODE ENFORCEMENT BOARD MEETING.

MOTION SECONDED BY MR. ALLISON.

MOTION CARRIED UNANIMOUSLY.

- J 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. SLOANE TO POSTPONE CASE #00-1193 UNTIL THE DECEMBER 21, 2000 CODE ENFORCEMENT BOARD MEETING.
MOTION SECONDED BY MR. ALLISON.
MOTION CARRIED UNANIMOUSLY.
- K Case #00-1194, George Brittain Landscape, 230 Clarke Avenue
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.
MOTION BY DR. HORWICH REGARDING CASE #00-1194 TO ACCEPT THE DEFENDANT'S GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- L Case #00-1195, Randall T. Oen, Worth Avenue Parking Inc., 150 Worth Avenue
Violation of Section 114-30 of the Town of Palm Beach Code of Ordinances, doing business without Town occupational licenses 1999/2000.
MOTION BY DR. HORWICH REGARDING CASE #00-1195 TO ACCEPT THE DEFENDANT'S GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- M Case #00-1196, Joseph M. & Susan K. Idy, 212 Clarke Avenue
Violation of Section 102-45 of the Town of Palm Beach Code of Ordinances, placing yard trash on Town right-of-way out of line with the schedule.
MOTION BY DR. HORWICH REGARDING CASE #00-1196 TO ACCEPT THE DEFENDANT'S GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- N Case #00-1197, James Nemec, Tr. Hldr, 1438 N. Ocean Blvd.
Violation of Section 102-45 of the Town of Palm Beach Code of Ordinances, placing yard trash on Town right-of-way out of line with the schedule.
MOTION BY DR. HORWICH REGARDING CASE #00-1197 TO ACCEPT THE DEFENDANT'S GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- O Case #00-1198, Robert S. Cuillo, 1260 No. Lake Way
Violation of Section 102-45 of the Town of Palm Beach Code of Ordinances, placing yard trash on Town right-of-way out of line with the schedule.

MOTION BY DR. HORWICH REGARDING CASE #00-1198 TO ACCEPT THE DEFENDANT'S GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.

- P Case #00-1199, One 450 No Lake Way, 1450 No. Lake Way
Violation of Section 102-45 of the Town of Palm Beach Code of Ordinances, placing yard trash on Town right-of-way out of line with the schedule.
MOTION BY DR. HORWICH REGARDING CASE #00-1199 TO ACCEPT THE DEFENDANT'S GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.

V. Presentation of New Cases to Set for Hearing:

- 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 Bach Code of Ordinances regarding overgrown vegetation.
- 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 SLOANE TO SET THE ABOVE CASE #98-999 AND CASE #00-1200 FOR THE DECEMBER 21, 2000 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

VI. New Business:

VII. Old Business:

VIII. Adjournment: The meeting was adjourned at 2:20 p.m. without benefit of a motion.