



TOWN OF PALM BEACH

POLICE DEPARTMENT

A NATIONAL AND STATE ACCREDITED LAW ENFORCEMENT AGENCY



TOWN OF PALM BEACH

CODE ENFORCEMENT BOARD MINUTES

2:00 P.M. THURSDAY, NOVEMBER 15, 2007

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 Timothy Hoffman.

II. **Roll Call:**

Present:	Timothy Hoffman, Chairman Richard A. Raffo, Vice-Chairman Joel P. Koepfel, Member Larry Ochstein, Member Catherine M. Duemler, Member Martin I. Klein, Member Harris S. Fried, Member Madelyn Greenberg, Alternate Member Cynthia Van Buren, Alternate Member
Staff:	Town Attorney John Randolph Captain Kirk Blouin, Support Services Sgt. Fred Hess, Code Enforcement/Parking Lead Code Enforcement Officer Rob Walton Code Enforcement Officer Nick Gerry Code Enforcement Officer Bryant Weymer Nickie Altomaro, Recording Secretary Raychel Houston, Recording Secretary

III. **Approval of the Minutes of October 18, 2007:**

MOTION BY MR. KLEIN FOR APPROVAL OF THE OCTOBER 18, 2007 MINUTES.

MOTION SECONDED BY MS. DUEMLER.

MOTION PASSED UNANIMOUSLY.

IV. Administration of the Oath to all persons who wish to testify:

Let the record show that all persons wishing to testify were sworn in at this time by Recording Secretary Nickie Altomaro.

V. Comments regarding water violations by Sergeant Hess:

Sgt. Hess reported there are 30 water restriction violation cases on today's agenda. Despite a drop in violations in prior months, there has been an increase in the number of water violations perhaps due to seasonal residents returning. Sgt. Hess announced to the public to meet with Bryant Weymer in the back conference room to discuss their water violation.

VI. Public Hearings:

- A. Case # 07-2327, 300 Seabreeze Avenue, Action Home Remodeling LLC, Jane & Harry Phillips
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Small projects, all new or remodel construction projects 3,999 sq. ft. or less under roof be allowed 13 months.

Code Enforcement Officer Nick Gerry presented the facts of this case and reported that this project has exceeded the allowable time and has received complaints from residents. The Town's recommendation is that they be found in non compliance, assess an administrative fee in the amount of \$150.00, have a final inspection completed within seven days and at a subsequent meeting for fine consideration, we would request a \$250.00 a day fine.

Mrs. Jane Phillips, homeowner at 300 Seabreeze Avenue, addressed the Board to advise that during renovation it became apparent the home needed a lot more structural and engineering work than anticipated. Mrs. Phillips stated that this house was built in 1919 and is one of the 100 oldest homes in Palm Beach and expressed that they are trying to preserve the historical value of this property. They are requesting an additional 45 days to complete this project.

**MOTION BY MR. KOEPPPEL TO FIND THIS DEFENDANT IN NON COMPLIANCE, AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND TO GRANT A (45) DAY EXTENSION TO COMPLETE THIS PROJECT. THE DEFENDANT IS ADVISED THAT IF THIS PROJECT IS NOT COMPLETED IN (45) DAYS AT A SUBSEQUENT MEETING FOR FINE CONSIDERATION A FINE UP TO \$250.00 A DAY MAY BE ASSESSED.
SECONDED BY MR. OCHSTEIN.**

MOTION OPPOSED.

ROLL CALL VOTE:

MR. KOEPPPEL	YES
MR. OCHSTEIN	YES

MS. DUEMLER	YES
MR. KLEIN	NO
MR. FRIED	NO
MR. RAFFO	NO
MR. HOFFMAN	NO

MOTION FAILED 4-3

MOTION BY MR. FRIED TO FIND THIS DEFENDANT IN NON COMPLIANCE, AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND FINAL INSPECTION COMPLETED WITHIN SEVEN DAYS. THE DEFENDANT IS ADVISED THAT IF THIS PROJECT IS NOT COMPLETED WITHIN SEVEN DAYS AT A SUBSEQUENT MEETING FOR FINE CONSIDERATION A FINE UP TO \$250.00 A DAY MAY BE ASSESSED.

SECONDED BY MR. KLEIN.

MOTION OPPOSED.

ROLL CALL VOTE:

MR. FRIED	YES
MR. KLEIN	YES
MR. KOEPPPEL	NO
MR. OCHSTEIN	NO
MS. DUEMLER	NO
MR. RAFFO	YES
MR. HOFFMAN	YES

MOTION PASSES 4-3

- B. Case # 07-2328, 221 Seaspray Avenue, Home Technical Building Contractor, Tatiana Platt, Maura Ziska, TR Title Holder

Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Small projects, all new or remodel construction projects 3,999 sq. ft. or less under roof be allowed 13 months.

Code Enforcement Officer Nick Gerry presented the facts of this case and reported that this project has exceeded the allowable time. The Town's recommendation is that they be found in non compliance, an administrative fee in the amount of \$150.00, final inspection completed within seven days and at a subsequent meeting for fine consideration, we would request a \$250.00 a day fine.

Mike Retino, contractor for this property, addressed the Board to state that there is no objection to the Town's recommendation.

MOTION BY MR. KLEIN TO FIND THIS DEFENDANT IN NON COMPLIANCE, ASSESS AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND HAVE A

**FINAL INSPECTION COMPLETED WITHIN SEVEN DAYS. THE DEFENDANT IS ADVISED THAT IF THIS PROJECT IS NOT COMPLETED WITHIN SEVEN DAYS AT A SUBSEQUENT MEETING FOR FINE CONSIDERATION A FINE UP TO \$250.00 A DAY MAY BE ASSESSED.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- C. Case # 07-2329, 235 Sunrise Avenue, CJ's Simply Gourmet
Violation of Chapter 134, Section 134-944, requiring that no person shall use any building, accessory building or land for the purpose of any commercial or quasi-commercial use or purpose.

Sgt. Hess presented the facts of this case to the Board and recommended that this defendant be found in non compliance and a fine of \$50.00.

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND A FINE OF \$50.00.
SECONDED BY MS. DUEMLER.
MOTION CARRIED UNANIMOUSLY.**

- D. Case # 07-2330, 235 Sunrise Avenue, Palm Ballroom
Violation of Chapter 102, Section 102-8, requiring that no owner or tenant of any property located in a commercial zoning district that is contiguous and adjacent to a residentially zoned district may dump, transfer or move garbage or recyclable materials outside the commercial establishment between the hours of 8:00 p.m. and 8:00 a.m.

Sgt. Hess presented the facts of this case to the Board and recommended that this defendant be found in non compliance, a fine of \$150.00 for the first offense and a fine of \$250.00 for the second offense.

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND A FINE OF \$150.00 FOR THE FIRST OFFENSE.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND A FINE OF \$250.00 FOR THE SECOND OFFENSE.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- E. Case # 07-2331, 235 Sunrise Avenue, Palm Ballroom

Violation of Chapter 42, Section 42-37, requiring that no occupant shall allow or permit any offal or offensive matter of any kind to accumulate or remain in or upon the premises.

Sgt. Hess presented the facts of this case to the Board and recommended that this defendant be found in non compliance and a fine of \$125.00.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND A FINE OF \$250.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

F. Case # 07-2332, 235 Sunrise Avenue, Palm Ballroom

Violation of Chapter 118, Section 118-146, requiring that business's located within a commercial area providing valet services are required to obtain a permit

Sgt. Hess presented the facts of this case to the Board and advised that this defendant received notification of the Town's Ordinances prior to any violations. The violation occurred October 27, 2007 causing a traffic obstruction. Sgt. Hess recommends a finding of non compliance, and administrative fee in the amount of \$150.00 and a fine in the amount of \$250.00.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND A FINE OF \$250.00.
SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

At this time Chairman Hoffman recognized Council Member Markin and Council President Kleid to thank them for their interest in the Code Enforcement proceedings.

Sgt. Hess addressed the Board regarding the water restriction violation cases.

Code Enforcement Officer Bryant Weymer addressed the Board regarding the water violation cases. The following cases are on today's agenda, however the fine associated with each case has been paid prior to the start of the hearing. The Town's recommends to accept the payment of the fine and the admission of the charge for the following cases:

The cases are: #07-2335, #07-2336, #07-2339, #07-2340, #07-2342, #07-2345, #07-2346, #07-2353, #07-2356, #07-2358, #07-2359.

**MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE(S) AND ADMISSION OF THE CHARGE.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

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Mr. Weymer stated that in each of the following cases no one has responded either by paying the fine or attending today's hearing. Mr. Weymer recommends that the Board find them in non compliance, assess an administrative fee in the amount of \$150.00 and payment of the fine(s):

The cases are: #07-2333, #07-2334, #07-2338, #07-2341, #07-2343, #07-2347, #07-2348, #07-2349, #07-2350, #07-2351, #07-2354, #07-2355, #07-2362.

**MOTION BY MR. KOEPPPEL THAT THESE DEFENDANTS ARE FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND PAYMENT OF THE FINE(S).
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

Mr. Weymer recommends the following cases to be rescheduled to the December Code Board Hearing:

The cases are: #07-2344, #07-2352, #07-2357, #07-2361.

**MOTION BY MR. KOEPPPEL TO RESCHEDULE THESE CASES TO THE NEXT CODE ENFORCEMENT BOARD MEETING ON DECEMBER 20, 2007.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- G. Case # 07-2333, 893 South County Road, Joseph Cain
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- H. Case # 07-2334, 297 Tradewind Drive, Maya Cohen
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.**

MOTION CARRIED UNANIMOUSLY.

- I. Case # 07-2335, 201 West Indies Drive, Lorraine Odasso
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND
ADMISSION OF THE CHARGE.**

SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY.

- J. Case # 07-2336, 400 Seaspray Avenue, Della Guistina Joseph A
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND
ADMISSION OF THE CHARGE.**

SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY.

- K. Case # 07-2337, 125 Seminole Avenue, Taja Realty Trust
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

Code Enforcement Officer Weymer presented the facts in this case. This case was scheduled to have a mandatory hearing today due to their sixth violation. The Town recommends a fine of \$500.00 be assessed and the Town does not seek the administrative fee due to the fact the property owner showed the intent to pay the fine associated with the violation prior to today's hearing. All past water fines associated with this property are paid and up to date.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON
COMPLIANCE AND TO ASSESS A \$500.00 FINE.**

SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- L. Case # 07-2338, 135 Chilean Avenue, Rosalie Carr
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water

for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- M. Case # 07-2339, 273 List Road, Victor Demarinis
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPEL TO ACCEPT THE PAYMENT OF THE FINE AND ADMISSION OF THE CHARGE.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- N. Case # 07-2340, 205 Colonial Lane, Ronald Fraser
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPEL TO ACCEPT THE PAYMENT OF THE FINE AND ADMISSION OF THE CHARGE.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- O. Case # 07-2341, 269 Queens Lane, James Vance
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- P. Case # 07-2342, 152 Sunset Avenue, Jay Nisberg

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND ADMISSION OF THE CHARGE.

SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY.

Q. Case # 07-2343, 1430 North Ocean Blvd., Joseph Visconti

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$300.00.

SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

R. Case # 07-2344, Via Vizcaya, 13 Via Vizcaya LLC

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL TO RESCHEDULE THIS CASE TO THE NEXT CODE ENFORCEMENT BOARD MEETING ON DECEMBER 20, 2007.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

S. Case # 07-2345, 150 Brazilian Avenue, Richard Pagliari

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND ADMISSION OF THE CHARGE.

SECONDED BY MR. FRIED.

MOTION CARRIED UNANIMOUSLY.

- T. Case # 07-2346, 240 Seminole Avenue, Raquel Lambert
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND
ADMISSION OF THE CHARGE.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- U. Case # 07-2347, 241 Orange Grove Road, Seaside Partners LLC
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON
COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE
AMOUNT OF \$150.00 AND THE FINE OF \$300.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- V. Case # 07-2348, 2259 West Ibis Isle Road, Bruce Watkins
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON
COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE
AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- W. Case # 07-2349, 1240 North Ocean Blvd., William J Casey
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON
COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE
AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.**

MOTION CARRIED UNANIMOUSLY.

- X. Case # 07-2350, 860 South Ocean Blvd., 860 South Ocean Builders Inc.
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- Y. Case # 07-2351, 1295 South Ocean Blvd., Terry Allen Kramer
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$200.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- Z. Case # 07-2352, 3120 South Ocean Blvd., Thirty One Twenty Condo.
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL TO RESCHEDULE THIS CASE TO THE NEXT CODE ENFORCEMENT BOARD MEETING ON DECEMBER 20, 2007.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- AA. Case # 07-2353, 79 Middle Road, Geraldine Nesbitt
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND ADMISSION OF THE CHARGE.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- BB. Case # 07-2354, 210 El Brillo Way, Maury Shields
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.

- CC. Case # 07-2355, 1220 North Ocean Blvd., Jeffrey Lorenz
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$100.00.
SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.

- DD. Case # 07-2356, 2500 South Ocean Blvd., Twenty Five Hundred South Ocean Blvd. Condo
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND ADMISSION OF THE CHARGE.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.

- EE. Case # 07-2357, 1482 South Ocean Blvd., Malcom Glazer
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL TO RESCHEDULE THIS CASE TO THE NEXT CODE ENFORCEMENT BOARD MEETING ON DECEMBER 20, 2007.
MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- FF. Case # 07-2358, 995 South Ocean Blvd., Mary Conrad
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND
ADMISSION OF THE CHARGE.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- GG. Case # 07-2359, 1620 South Ocean Blvd., 1620 South Ocean LLC
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

**MOTION BY MR. KOEPPPEL TO ACCEPT THE PAYMENT OF THE FINE AND
ADMISSION OF THE CHARGE.
SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- HH. Case # 07-2360, 663 Island Drive, Harold Baxter
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

Code Enforcement Officer Weymer recommends that this case be dismissed due to new plantings.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #07-2360.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- II. Case # 07-2361, 2560 South Ocean Blvd., 2560 South Ocean Boulevard Condominium
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL TO RESCHEDULE THIS CASE TO THE NEXT CODE ENFORCEMENT BOARD MEETING ON DECEMBER 20, 2007.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- JJ. Case # 07-2362, 2600 South Ocean Blvd., Twenty Six Hundred Condominium
Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances: the Town Council authorizes the Director of Public Works to order curtailment of the use of water for certain nonessential purposes including specifying certain days and hours when lawns and shrubbery may be watered.

MOTION BY MR. KOEPPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$150.00 AND THE FINE OF \$100.00.

SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

VII. New Business:

None.

VIII. Old Business:

- A Case # 07-2301, 167 E. Inlet Drive, The Landfall Group, Ajax Equity, LLC
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Medium projects, all new or remodel construction projects 4,000 sq. ft. to 8,999 sq. ft. under roof be allowed 22 months.

Code Enforcement Officer Nick Gerry recommends a \$250.00 fine per day be assessed retroactive to October 25, 2007.

Attorney Frank Lynch addressed the Board to ask for the fine to be \$125.00, but ideally we are requesting that the fine be waived and given 60 additional days to complete this project.

MOTION BY MR. FRIED THAT THE DEFENDANT IS ORDERED TO PAY A FINE OF \$250.00 A DAY RETROACTIVE TO BEGIN ON OCTOBER 25, 2007 UNTIL COMPLIANCE IS ACHIEVED.

MOTION SECONDED BY MS. DUMELER.

MOTION OPPOSED.

ROLL CALL VOTE:

MR. FRIED

YES

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MS. DUEMLER	YES
MR. RAFFO	YES
MR. KOEPPPEL	NO
MR. OCHSTEIN	YES
MR. KLEIN	YES
MR. HOFFMAN	NO
MOTION PASSES	5-2

- B Case # 07-2302, 9 Via Viscaya, Macari Building & Design, Casa Picchio, LLC
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Large projects, all new or remodel construction projects of 9,000 sq. ft. or more under roof be allowed 30 months.

Code Enforcement Officer Nick Gerry recommends a \$250.00 fine per day be assessed retroactive to October 25, 2007.

MOTION BY MR. KLEIN THAT THE DEFENDANT IS ORDERED TO PAY A FINE OF \$250.00 A DAY RETROACTIVE TO BEGIN ON OCTOBER 25, 2007 UNTIL COMPLIANCE IS ACHIEVED.
MOTION SECONDED BY MR. OCHSTEIN.

MOTION OPPOSED.

ROLL CALL VOTE:

MR. KLEIN	YES
MR. OCHSTEIN	YES
MR. RAFFO	NO
MR. KOEPPPEL	NO
MS. DUEMLER	YES
MR. FRIED	YES
MR. HOFFMAN	NO
MOTION PASSES	4-3

- C Case # 07-2303, 231 Kenlyn Road, Mr. Robert Roddy
Violation of Chapter 42, Section 42-87, exterior surfacing material shall be kept in good repair, swimming pool shall be kept safe and in a good state of repair, Chapter 134, Section 2174, driveways must be constructed of a durable material.

Code Enforcement Officer Nick Gerry recommends a \$250.00 fine per day be assessed retroactive to October 19, 2007.

MOTION BY MR. KLEIN THAT THE DEFENDANT IS ORDERED TO PAY A FINE OF \$250.00 A DAY RETROACTIVE TO BEGIN ON OCTOBER 19, 2007 UNTIL

**COMPLIANCE IS ACHIEVED.
MOTION SECONDED BY MS. DUMELER.
MOTION CARRIED UNANIMOUSLY.**

- D Case # 07-2269, 102 Gulfstream Road, The Cury Group, 470 South Ocean, LLC
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Large projects, all new or remodel construction projects of 9,000 sq. ft. or more under roof be allowed 30 months.

Code Enforcement Officer Nick Gerry recommends a \$250.00 fine per day be assessed retroactive to October 25, 2007.

**MOTION BY MR. KLEIN THAT THE DEFENDANT IS ORDERED TO PAY A FINE OF \$250.00 A DAY RETROACTIVE TO BEGIN ON OCTOBER 25, 2007 UNTIL COMPLIANCE IS ACHIEVED.
MOTION SECONDED BY MR. FRIED.**

MOTION OPPOSED.

ROLL CALL VOTE:

MR. KLEIN	YES
MR. FRIED	YES
MR. RAFFO	YES
MR. KOEPPPEL	NO
MR. OCHSTEIN	YES
MS. DUEMLER	YES
MR. HOFFMAN	YES

MOTION PASSES 6-1

- E Case # 07-2081, 900 North Lake Way, Dale Construction Corporation, Craig I. Menin
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Large projects, all new or remodel construction projects 9,000 sq. ft. or more under roof be allowed 27 months.

Code Enforcement Officer Nick Gerry recommends a \$250.00 fine per day be assessed retroactive to September 28, 2007.

**MOTION BY MR. KLEIN THAT THE DEFENDANT IS ORDERED TO PAY A FINE OF \$250.00 A DAY RETROACTIVE TO BEGIN ON SEPTEMBER 28, 2007 UNTIL COMPLIANCE IS ACHIEVED.
MOTION SECONDED BY MS. DUMELER.
MOTION CARRIED UNANIMOUSLY.**

IX. Comments:

Chairman Hoffman asked for any comments at this time.

Mr. Raffo asked Sgt. Hess for a report on the changes in enforcement of the codes since the Police Department has taken over the code enforcement function. Mr. Klein asked if the Police Department would also include in that report what is being done on the delinquent accounts.

Captain Blouin commented that the delinquent accounts have been discussed with the Finance Department and these cases will be brought in front of the Code Board.

Chairman Hoffman asked Town Attorney Randolph to explain why they must come back for a second hearing to impose a fine. Town Attorney Randolph stated you should consider a fine at a subsequent hearing so you can give consideration to what has gone into compliance for that particular individual. It is solely within your discretion to allow them more time beyond the time granted at the first hearing.

X. Adjournment:

The meeting was adjourned without benefit of a motion.