

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

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

B Case #04-1741, Spencer M. Partrich, 22 Middle Road

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

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

C Case #04-1753, James J. Smith, 101 Seminole 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 permit on their property sand or soil to be stock piled and weeds shall not grow to a height greater than eight (8) inches.

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, walls shall be free of cracks and painted.

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.

Mr. Walton stated that the violations of Chapter 42, Sections 42-86 and 42-87 have been corrected and requested that the Board dismiss these violations for compliance. Mr. Walton also stated that the contractor has applied for a permit. He requested that the Board find them in non compliance and give 15 days to either obtain a permit or irrigate and seed or sod.

MOTION BY MR. KOEPPPEL TO DISMISS SECTIONS 42-86 AND 42-87 FOR COMPLIANCE AND FIND THE DEFENDANT IN NON COMPLIANCE OF SECTION 18-242 AND GIVE 15 DAYS TO OBTAIN A PERMIT OR IRRIGATE, SEED OR SOD.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

D Case #04-1754, Sidney Spiegel TR #3120371, Royal Poinciana Plaza

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 systems. These permits must be obtained prior to commencing work.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

E Case #04-1755, Numer Pangilian, 235 Sunrise Avenue, #2258

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

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

F Case #04-1756, Lacoste, 150 Worth Avenue, #115A

Violation of Chapter 134, Section 134-2372 of the Town of Palm Beach Code of Ordinances, no sign shall be permitted that is flashing or has any animation or movement associated with it.

Mr. Walton stated that the wrong section fo the Code was cited and asked that this case be dismissed without prejudice. It will come back under a different section of the Code.

MOTION BY MS. HOFFPAUER TO DISMISS CASE #'S 04-1756 WITHOUT PREJUDICE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

G Case #04-1757, D. J. Beuttenmuller, Jr. & Marilyn Beuttenmuller, 1555 No. Lake Way

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

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

H Case #04-1758, Franklyn P. De Marco, Jr., 1098 No. Lake Way

Violation of Chapter 106, 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 time for the unobstructed passage of pedestrians.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

I Case #04-1759, Sally A. Diller, 1177 No. Lake Way

Violation of Chapter 106, 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 time for the unobstructed passage of pedestrians.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

J Case #04-1760, Dora D. Dixon, 1265 No. Lake Way

Violation of Chapter 106, 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 time for the unobstructed passage of pedestrians.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

K Case #04-1761, Maria C. Fanjul, 1161 No. Lake Way

Violation of Chapter 106, 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 time for the unobstructed passage of pedestrians.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

L Case #04-1762, John Flynn, 1230 No. Lake Way

Violation of Chapter 106, 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 time for the unobstructed passage of pedestrians.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

M Case #04-1763, J. Ira Harris, 310 Wells Road

Violation of Chapter 106, 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 time for the unobstructed passage of pedestrians.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

N 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.

Mr. Walton stated that Mrs. Keenan has asked for a postponement.

MOTION BY MR. KOEPPPEL TO POSTPONE CASE #04-1764 UNTIL THE NOVEMBER 18, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

O Case #04-1765, Sidney Kohl, 1070 No. Lake Way

Violation of Chapter 106, 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 time for the unobstructed passage of pedestrians.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

P Case #04-1766, Lot 23 25 Orange Grove Park, LLC, 230 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 or other vegetation to become overgrown or accumulate.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

Q Case #04-1767, Adele S. Merck, George F. Merck, 1197 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 must be maintained to allow for the unobstructed passage of vehicles.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

R Case #04-1768, Joan G. Booth, 211 Orange Grove Road

Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing

yard waste on Town right-of-way out of line with the schedule.

After testimony was heard by Robert Kennedy, Trash Bureau Supervisor and Joan Booth, the following motion was made:

MOTION BY MR. KOEPPPEL TO FIND THE DEFENDANT IN NON COMPLIANCE BUT WAIVE THE FINE.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

- S Case #04-1769, Rita & William Williams, 251 Merrain Road
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste on Town right-of-way out of line with the schedule.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- T Case #04-1770, Joan J. Zeeman, 230 Palmo Way
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste on Town right-of-way out of line with the schedule.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1736, 04-1741, 04-1754, 04-1755, 04-1757, 04-1758, 04-1759, 04-1760, 04-1761, 04-1762, 04-1763, 04-1765, 04-1766, 04-1767, 04-1769, AND 04-1770 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- U 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.

Mr. Walton stated that service has not been obtained on the Notice of Hearing and requested that this case be postponed until the November 18, 2004 Code Enforcement Board Hearing.

MOTION BY MR. KOEPPPEL TO POSTPONE CASE #04-1764 UNTIL THE NOVEMBER 18, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- V Case #04-1745, Arthur Levine, 355 No. Lake Way
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances, all bulkheads and sea walls within the Town shall be maintained in good repair and in an impervious condition without cracks and or holes that allow for the passage of sand.

Mr. Walton indicated that he has a copy of the contract from the contract to do the repairs. The permit is being updated to include the seawall repair. Mr. Walton asked for a finding of non compliance and 60 days to come into compliance.

MOTION BY MR. HOFFMAN TO FIND THE DEFENDANT IN NON COMPLIANCE AND GIVE SIXTY (60) DAYS TO OBTAIN COMPLIANCE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

VI Presentation of New Cases to Set for Hearing:

- A 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.
- B 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.
- C 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.
- D 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.
- E 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.
- F 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.
- G 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.
- H 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.
- I 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.

- J 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.
- K 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.
- L 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.
- M 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.
- N 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.
- O 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.
- P 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.
- Q 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.
- R 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 SET CASE #'S 04-1772, 04-1773, 04-1774, 04-1775, 04-1776, 04-1777, 04-1778, 04-1779, 04-1780, 04-1781, 04-1782, 04-1783, 04-1784, 04-1785, 04-1786, 04-1787, 04-1788, 04-1789 FOR HEARING AT THE NOVEMBER 18, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

VII New Business:

NONE

VIII Consideration of Foreclosure:

NONE

IX Old Business:

- A Case #04-1662, Sharon Talbot, 264 Seminole Avenue
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1, building 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 DISMISS CASE #04-1662 FOR COMPLIANCE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

- B 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.

Testimony was heard by Mr. House, the property manager. He indicated that the roof is under construction. The windows cannot be installed until the roof is completed. The tenant space is no longer in his possession. The tenant has taken down the window decorations. After further discussion, the following motion was made:

MOTION BY MR. KOEPPPEL TO FIND THE DEFENDANT IN NON COMPLIANCE AND GIVE FIFTEEN (15) DAYS TO HAVE THE WINDOWS LIGHTED AND SCREENED IN CONFORMANCE WITH THE STATUTE.

MOTION SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

- C Case #04-1679, Michael Formica, 2773 So. Ocean Blvd., Apt. 212
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 requested a dismissal for compliance.

MOTION BY MR. KLEIN TO DISMISS CASE #04-1679 FOR COMPLIANCE.

MOTION SECONDED BY MS HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

D Case #04-1681, David A. Freeman, 216 Colonial Lane

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 shall be kept in a good state of repair.

Mr. Walton indicated that the property owner has applied for the demolition permit and requested the Board grant 30 days to obtain compliance. MR. Walton indicated that the Board has already found them in non compliance. ARCOM approval has been obtained.

MOTION BY MR. HOFFMAN TO FIND IN NON COMPLIANCE AND ORDER DEMOLITION TO START WITHIN FIFTEEN DAYS OF RECEIVING THE PERMIT.

MOTION SECONDED BY MR. KOEPEL.

MOTION CARRIED UNANIMOUSLY.

E Case #04-1687, Barbara Zaneri, 3450 So. Ocean Blvd., #706

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 stated that permits have been obtained and requested that the Board dismiss Case #04-1687.

MOTION BY MR. DAVIS TO DISMISS CASE #04-1687.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

F Case #04-1693, Balestrieri Real Estate Corporation, 271 La Puerta Way

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.

Mr. Walton reminded the Board that at the July 2004 Code Enforcement Board Hearing the owner was found in non compliance but no penalty was assessed at that time since he had cleaned the property and treated the pool. At the September hearing, the case was brought back as a property previously found in violation. The property violation was dismissed and the pool violation was given seven days to comply. The pool has not been maintained in a bug free condition. Mr. Walton asked the Board to order that the Town maintain the pool in a mosquito free condition and charge the owner with all costs associated.

After further discussion, the following motion was made:

**MOTION BY MR. KOEPEL TO BRING THIS MATTER TO THE TOWN COUNCIL
RELATIVE TO THE MAINTENANCE ISSUE. THE POOL SHALL BE SECURED
WITH A SOLID COVERING AND MAINTAINED SO AS NOT TO BE A HEALTH
HAZARD WITHIN FIFTEEN DAYS, OR A FINE IN THE AMOUNT OF \$150.00 PER
DAY WILL BEGIN ON OCTOBER 1, 2004.**

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED WITH MR. HOFFMAN OPPOSED.

Mr. Walton requested that the Board hear Case #04-1706, 04-1707 and 04-1708 at the same time since they involve the same property owner and violation.

- G 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.
- H 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.
- I 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 reminded the Board that they found these properties in non compliance and ordered them to go to ARCOM for approvals. At the September hearing the property owner was ordered to submit a construction schedule and report back to the Board at the October 2004 hearing.

Mr. Guido, the property manager for Mr. Campaniello, addressed the Board and advised that Mr. Campaniello has hired Castle Florida as the contractor for the project. ARCOM did approve the exterior work and Castle applied for the permits 10 days ago.

After further discussion, the following motion was made:

**MOTION BY MR. KOEPEL TO REQUIRE A GREEN PAINTED WALL BE
INSTALLED TO SCREEN THE EXTERIOR ON THE STREET SIDE WITHIN SEVEN
DAYS AND COMPLETE CONSTRUCTION IN ACCORDANCE WITH THE
SCHEDULE AS SUBMITTED.**

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

- J Case #04-1713, James Zisson, 1600 No. Ocean Blvd.
Violation of Section 18-205 of the Town of Palm Beach Code of Ordinances, the Architectural Commission may approve building plans with conditions.

Mr. Walton advised the board that a deed restriction has been placed of record requiring Mr. Zisson to maintain the hedge at 13 feet, and requested that the Board dismiss this case.

**MOTION BY MR. HOFFMAN TO DISMISS CASE #04-1713 FOR COMPLIANCE.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

Mr. Walton asked the Board to hear Case #'s 04-1726, 04-1727 and 04-1728 at the same time as they involve the same Section of Code and the same property owner.

K Case #04-1726, CPS Prop., Ltd., 314 Royal Palm Way
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 and this screen shall be decorated and lighted.

L Case #04-1727, CPS Prop., Ltd., 318 Royal Palm Way
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 and this screen shall be decorated and lighted.

M Case #04-1728, CPS Prop., Ltd., 320 Royal Palm Way
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 and this screen shall be decorated and lighted.

Mr. Walton advised the Board that at the September hearing, they were found in non compliance and given 20 days to comply. They have obtained the building permit for these units. However, the windows still have not been screened.

**MOTION BY MR. HOFFMAN TO FIND THEM IN NON-COMPLIANCE AND FINE THEM \$50.00 PER DAY STARTING ON OCTOBER 13, 2004 PER VIOLATION AND CONTINUE UNTIL COMPLIANCE.
MOTION SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

N Case #04-1729, Palm V Assoc., Ltd., 224 Worth Avenue
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 and this screen shall be decorated and lighted.

**MOTION BY MR. KOEPEL TO DISMISS CASE #04-1729 FOR COMPLIANCE.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

O Case #04-1750, Jeffrey J. Lorenz, 1220 No. Ocean Blvd.
Violation of 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 #04-1750 FOR COMPLIANCE.
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.

XI Adjournment: The meeting was adjourned without benefit of a motion at 3:10 p.m.