

**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, SEPTEMBER 21, 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
 Robert W. Gottfried, Member
 J. Richard Allison, Member
 P. Robert Bale, Member
 Dr. Harry Horwich, Member
 M. S. Rukeyser, Jr., Alternate Member
 Lowell Levine, Alternate Member

ABSENT: Eugene Lawrence, Member (Unexcused)

RECORDING SECRETARY: Deborah A. Morakis

III. Approval of the Minutes of August 17, 2000:

MOTION BY MR SLOANE TO ACCEPT THE MINUTES AS MAILED.

MOTION SECONDED BY MR. ALLISON.

MOTION CARRIED UNANIMOUSLY.

A brief statement was made by Chairman Thomas in memory of Max Schorr who passed away. He was a member of this board for a short time. A brief moment of silence was observed in his memory.

IV. Public Hearings:

A Case #00-1163, Jean M. Van Waveren, 101 El Brillo Way
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.

MOTION BY MR. ALLISON TO POSTPONE DUE TO LACK OF SERVICE.

MOTION SECONDED BY MR. BALE.

MOTION CARRIED UNANIMOUSLY.

B Case #00-1164, Stanley & Roberta A. Bogen, 1560 South Ocean Blvd.

Violation of Chapter 106, Section 106-159 of the Town of Palm beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.
MOTION BY MR. SLOANE TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

C Case #00-1165, Robert Fairchild, 302 North Woods Road
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.
MOTION BY MR. SLOANE TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

D Case #00-1166, Grant & Gloria Stoddard, 246 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 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 TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

E Case #00-1167, William W. Powell, 211 Jungle Road
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.
MOTION BY MR. ALLISON TO FIND THE DEFENDANT GUILTY AND BE ORDERED TO COMPLY BY OCTOBER 18, 2000.
MOTION SECONDED BY MR. SLOANE.
MOTION CARRIED UNANIMOUSLY.

F Case #00-1168, Pierre Cuenant, 9 Lagomar Road
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.
MOTION BY MR. SLOANE TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

G Case #00-1169, Richard Reventlow, 201 Bermuda Lane
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.
MOTION BY MR. SLOANE TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

H Case #00-1170, Ira A. Eichner, 301 Polmer Park
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of

Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.
MOTION BY MR. SLOANE TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

- I Case #00-1171, John L. & Louisa L. Cohan, 241 Kenlyn Road
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.
MOTION BY MR. SLOANE TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.
- J Case #00-1172, Michael & Judith Andrassy, 642 North County Road
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 DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.
- K Case #00-1173, David G. Lambert, 711 Hi Mount Road
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, it is unlawful for any property owner to allow grass or weeds to grow to a height greater than eight (8) inches, stumps or other vegetation to become overgrown or accumulate.
MOTION BY MR. SLOAN TO FIND THE DEFENDANT GUILTY AND BE ORDERED TO COMPLY BY OCTOBER 18, 2000.
MOTION SECONDED BY MR. ALLISON.
MOTION CARRIED UNANIMOUSLY.
- L Case #00-1174, Vera G. Marino, 250 Queens Lane
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1 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 (plumbing, electrical, HVAC). The permit must be obtained prior to commencing work.
MOTION BY MR. SLOANE TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.
- M Case #00-1175, Amigo Partnership, 329 Australian Avenue
Violation of Section 42-87 (2) of the Town of Palm Beach Code of Ordinances, exterior walls shall be reasonably free of cracks or holes through which weather elements can enter the building or structure, and all exterior walls shall be kept painted and in good repair.
MOTION BY MR. SLOANE TO DISMISS FOR COMPLIANCE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.
- N Case #00-1176, C. C. Wang, 640 So. 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.

Testimony was given by Robert Kennedy, Trash Bureau Supervisor.

Mr. Richard Lyman, representative for C. C. Wang, was sworn in and also gave testimony that the landscape material found in the right-of-way was actually from the property across the street.

MOTION BY MR. SLOANE TO DISMISS CASE #00-1176.

MOTION SECONDED BY MR. ALLISON.

MOTION CARRIED UNANIMOUSLY.

O Case #00-1177, Judith Maddock, 249 Colonial Lane

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 MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.

MOTION SECONDED BY MR. ALLISON.

MOTION CARRIED UNANIMOUSLY.

P Case #00-1178, Meredith T. Jenney, 220 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 MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.

MOTION SECONDED BY MR. ALLISON.

MOTION CARRIED UNANIMOUSLY.

Q Case #00-1179, John 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 MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.

MOTION SECONDED BY MR. ALLISON.

MOTION CARRIED UNANIMOUSLY.

R Case #00-1180, William B. & Elizas Meyer, 205 Nightingale Tr.

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 MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.

MOTION SECONDED BY MR. ALLISON.

MOTION CARRIED UNANIMOUSLY.

V. Presentation of New Cases to Set for Hearing:

A Case #00-1181, Howard Finkelstein, 615 North Lake Trail

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all accessory structures must be kept in a safe condition and in a good state of repair.

- B 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.
- C Case #00-1183, Atwater Kent III, 412 Australian 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.
- D Case #00-1184, William Fx Moody, 341 North Lake Way
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.
- E 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. SLOANE TO SET THE ABOVE CASES: #00-1181, #00-1182, #00-1183, #00-1184, #00-1185 FOR THE OCTOBER 19, 2000 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY DR. HORWICH.
MOTION CARRIED UNANIMOUSLY.

VI. New Business:

VII. Old Business:

- A Case #00-1161, Mary F. Turner, 360 Seaspray Avenue
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard trash in Town right-of-way out of line with the schedule.
Mr. Brian House and Ms. Mary Frances Turner were sworn in. Mr. House stated that the case began on July 13, 2000 when a notice to appear was written by him and sent to Ms. Turner and it was received. It was then set for hearing in August. Ms. Turner wrote to him and asked him to postpone the hearing until September and he forgot. He had asked for a finding of guilt and a penalty to be imposed. Mr. House requested that the Board vacate the order and the finding of guilt and then retry the case with Ms. Turner here.
MOTION BY MR. ALLISON TO VACATE THE PREVIOUS FINDING OF GUILT AND ORDER TO PAY THE FINE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

After further testimony and discussion the following motion was made.
MOTION BY MR. BALE TO FIND THE DEFENDANT GUILTY WITH NO FINE

AND NO COURT COSTS IMPOSED.
MOTION SECONDED BY MR. ALLISON.
MOTION CARRIED UNANIMOUSLY.

- B Case #00-1162, Paige Benjamin, 222 Seaspray 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 MR. SLOANE TO ACCEPT THE PLEA OF GUILTY AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. ALLISON.
MOTION CARRIED UNANIMOUSLY.

VIII. Adjournment: The meeting was adjourned at 2:52 p.m. without benefit of a motion.