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**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, SEPTEMBER 20, 2001
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

I. **Call to Order:** The meeting was called to order at 1:59 p.m. by Chairman David J. Thomas.

II. **Roll Call:** PRESENT: David J. Thomas, Chairman
Scott Sloane, Vice-Chairman
Eugene Lawrence, Member
Dr. Harry Horwich, Member
M. S. Rukeyser, Jr., Member
P. Robert Bale, Member
Pamela Hoffpauer, Member (arrived at 2:02 p.m.)
Lowell Levine, Alternate Member

RECORDING SECRETARY: Deborah A. Morakis

III. **Approval of the Minutes of August 16, 2001:**

Mr. Bale requested that Page 4 of the August 16, 2001 minutes be corrected to indicate that the Motion to set the new cases for hearing at the September 20, 2001 Code Enforcement Board Meeting was made by Mr. Lawrence and not by Mr. Bale.

MOTION BY MR. SLOANE TO APPROVE THE MINUTES OF THE JULY 19, 2001 CODE ENFORCEMENT BOARD MEETING AS CORRECTED.

MOTION SECONDED BY DR. HORWICH.

MOTION CARRIED UNANIMOUSLY.

Chairman Thomas asked that we acknowledge the tragedy that befell this country last week and that we express our sorrow and sympathy for all those who were affected by the horrible attacks that happened in New York and Washington and share a moment of silence.

Mr. Robert Walton presented the following cases for public hearing today.

IV. **Public Hearings:**

- A Case #01-1312, Sydell Miller, 1415 So. Ocean Blvd.
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, large projects of 9,000 square feet or more are permitted a maximum of twenty-seven (27) months for completion.
Brian House read into the record part of the agreement to comply and recommended a motion to dismiss without prejudice. Further discussion continued.

MOTION BY MR. SLOANE TO DISMISS CASE # 01-1312 WITHOUT PREJUDICE.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

- B Case #01-1326, Marilyn R. Sultan, 314 Dunbar Road
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, grass shall not be permitted to grow to a height greater than eight (8) inches 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, all exterior walls, etc., shall be reasonably free of cracks, painted and shall be kept in sound condition and good repair.
MOTION BY DR. HORWICH TO DISMISS CASE #'S 01-1326, 01-1328, 01-1331, 01-1332, 01-1333, 01-1334 FOR COMPLIANCE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.

- C Case #01-1327, Salvatore J. Balsamo, % One South, 280 Tradewinds Drive
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 heard by Mr. Robert Kennedy, Trash Bureau Supervisor and Mr. Phil Campolo on behalf of Mr. Balsamo.
MOTION BY MR. LAWRENCE REGARDING CASE #01-1327 THAT THE DEFENDANT BE FOUND GUILTY AND ORDERED TO PAY THE \$50.00 FINE PLUS COURT COSTS IN THE AMOUNT OF \$82.30.
MOTION SECONDED BY MR. SLOANE.
MOTION CARRIED UNANIMOUSLY.

- D Case #01-1328, Fred Keller, 100 Worth Avenue, #118
Violation of Section 18-242 of the Town of Palm Beach Code of Ordinances, a building permit is required to add to the gate on Hammon Avenue leading to your apartment. Violation of Section 18-146 through 18-208, approval of the subject structure by the Town's Architectural Review Commission is required.
MOTION BY DR. HORWICH TO DISMISS CASE #'S 01-1326, 01-1328, 01-1331, 01-1332, 01-1333, 01-1334 FOR COMPLIANCE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.

- E Case #01-1329, Muriel Siebert & Co., Inc., 240 South County Road, Suite A
Violation of Section 134-229 (12) of the Town of Palm Beach Zoning Ordinance,

requires as part of your Special Exception approval to occupy and conduct business at your present location, you are required to provide the Town of Palm Beach with acceptable Town-Serving documentation at the time of yearly renewal of your occupational license.

The Town has asked for a 30 day postponement due to travel difficulty in coming from New York.

MOTION BY MR. BALE TO POSTPONE CASE #01-1329 UNTIL THE OCTOBER 18, 2001 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY DR. HORWICH.

MOTION CARRIED UNANIMOUSLY.

F Case #01-1330, Paul J. & Florence M. Chase, 10 Middle 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.

The Town asked for a 30 day postponement due to agreement to comply.

MOTION BY MS. HOFFPAUER TO POSTPONE CASE #01-1330 UNTIL THE OCTOBER 18, 2001 CODE ENFORCEMENT BOARD MEETING.

MOTION SECONDED BY MR. RUKEYSER.

MOTION CARRIED UNANIMOUSLY.

G Case #01-1331, Elliot H & Fruema A. Klorfein, 254 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 DR. HORWICH TO DISMISS CASE #'S 01-1326, 01-1328, 01-1331, 01-1332, 01-1333, 01-1334 FOR COMPLIANCE.

MOTION SECONDED BY MR. RUKEYSER.

MOTION CARRIED UNANIMOUSLY.

H Case #01-1332, Boston Homes, Inc., 312 Cherry Lane

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 DR. HORWICH TO DISMISS CASE #'S 01-1326, 01-1328, 01-1331, 01-1332, 01-1333, 01-1334 FOR COMPLIANCE.

MOTION SECONDED BY MR. RUKEYSER.

MOTION CARRIED UNANIMOUSLY.

I Case #01-1333, PFG Group, 241 South 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 DR. HORWICH TO DISMISS CASE #'S 01-1326, 01-1328, 01-1331, 01-1332, 01-1333, 01-1334 FOR COMPLIANCE.

MOTION SECONDED BY MR. RUKEYSER.

MOTION CARRIED UNANIMOUSLY.

- J Case #01-1334, PB Land Investments, Inc., 334 El Vedado Road
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, Medium projects, all new or remodel construction projects of 4,000 sq. ft. to 8,999 sq. ft. shall be allowed twenty (20) months.
MOTION BY DR. HORWICH TO DISMISS CASE #S 01-1326, 01-1328, 01-1331, 01-1332, 01-1333, 01-1334 FOR COMPLIANCE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- K Case #01-1335, Anthony & Mary J. Underwood, 257 Fairview Road
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. LAWRENCE REGARDING CASE #01-1335 TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.

V. Presentation of New Cases to Set for Hearing:

- A Case #01-1336, Stephen H. Durland, 176 Seminole Avenue
Violation of Chapter 106, Section 106-59 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eight (8) feet above all sidewalks and bike trails must be maintained to allow unobstructed passage of pedestrians.
- B Case #01-1337, Dan E. Swanson, 205 Via Toruga
Violation of Chapter 18, Section 18-242, 18-367, 18-407, and 18-477 of the Town of Palm Beach Code of Ordinances, before any construction work begins, permits must be obtained.
- C Case #01-1338, Rush & Marta Limbaugh, 1495 No. Ocean Blvd.
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances requires that construction work on a residence involving over 9,000 square feet be completed within twenty-seven (27) months.
- D Case #01-1339, Mildred Resnick, Linda A Gary Real Estate, 420 So. County Rd.
Violation of Section 14-31 of the Town of Palm Beach Code of Ordinances, an occupational license is required for each individual Real Estate Salesperson working in the Town of Palm Beach.
- E Case #01-1340, Stephen Ploof, Linda A. Gary Real Estate, 420 So. County Rd.
Violation of Section 14-31 of the Town of Palm Beach Code of Ordinances, an occupational license is required for each individual Real Estate Salesperson working in the Town of Palm Beach.
- F Case #01-1341, Bunny Forman, Linda A. Gary Real Estate, 420 So. County Rd.
Violation of Section 14-31 of the Town of Palm Beach Code of Ordinances, an occupational license is required for each individual Real Estate Salesperson working in the Town of Palm Beach.

- G Case #01-1342, Angela DeFina, Linda A. Gary Real Estate, 420 So. County Rd.
Violation of Section 14-31 of the Town of Palm Beach Code of Ordinances, an occupational license is required for each individual Real Estate Salesperson working in the Town of Palm Beach.
- H Case #01-1343, Story Redfield, Linda A. Gary Real Estate, 420 So. County Rd.
Violation of Section 14-31 of the Town of Palm Beach Code of Ordinances, an occupational license is required for each individual Real Estate Salesperson working in the Town of Palm Beach.
- I Case #01-1344, Donna H. Ross, 163 Seabreeze Avenue
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, Small Projects, all new or remodel construction projects of 3,999 sq. ft. or less shall be allowed twelve (12) months.
- J Case #01-1345, Paramount Church, Inc. 139 North County Road
Violation of Chapter 42, Section 42-86 and Section 42-87 of the Town of Palm Beach Code of Ordinances, all structures must be kept painted and in a good state of repair and shall not provide harborage for vermin (termites), or any deposits that may be detrimental to health allowed to accumulate.
- K Case #01-1346, Benjamin Wohl, 111 Dunbar Road
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, Small Projects, all new or remodel construction projects of 3,999 sq. ft. or less shall be allowed twelve (12) months.
- L Case #01-1347, Donna A. Ward, 1564 South Ocean Blvd.
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.
- M Case #01-1348, Down By the Sea LLC, 224 South Ocean Blvd.
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all structures must be kept painted and in a good state of repair and roofs shall be maintained so as not to leak.
- N Case #01-1349, Laura Andre, Inc., 159 Sunset Avenue
Violation of Chapter 42, Section 42-86 (2) of the Town of Palm Beach Code of Ordinances, no property shall become overgrown with vegetation and debris may not be allowed to accumulate on same. Also, according to the same Code, Chapter 106, Section 106-159 (a) and (b) a vertical clearance of eight (8) feet above the Lake Trail and sidewalks and extending the full width above all sidewalks and the Lake Trail must be maintained.

MOTION BY MR. SLOANE TO SET THE ABOVE CASE #'S 01-1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349 FOR HEARING AT THE OCTOBER 18, 2001 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.

VI. **New Business:**

VII. **Old Business:**

VIII. **Adjournment:** The meeting was adjourned at 2:18 without benefit of a motion.