

**CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, SEPTEMBER 15, 2005
AT THE TOWN COUNCIL CHAMBERS, 360 SO. COUNTY ROAD**

I Call to Order: Chairman Lawrence called the meeting to order at 2:00 p.m.

II Roll Call:

Present:	Eugene Lawrence, Chairman Timothy Hoffman, Member Hugh C. Davis, III, Member George Klein, Alternate Member Larry Ochstein, Alternate Member Robert S. Walton, Chief Code Compliance Officer Stirling E. Clark, Town Attorney's Office
Absent:	Pamela Hoffpauer, Vice-Chair (excused) Joel P. Koepfel, Member (excused) Richard A. Raffo, Member (excused)
Recording Secretary:	Deborah Morakis

III Approval of the Minutes of August 18, 2005:
MOTION BY MR. OCHSTEIN FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. KLEIN.
MOTION PASSED UNANIMOUSLY.

IV Administration of the Oath to all persons who wish to testify:
Let the record show that all persons testifying were sworn in at this time.

V Public Hearings:

A Case #05-1884, 770 So. County Road, Elizabeth E. Swope
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 dead or dying trees, stumps or other vegetation to accumulate.

Testimony was heard by Chief Code Compliance Officer Robert Walton. This case was postponed until today due to a death in the family. During the hurricanes last year, a large tree fell over damaging a wall. The wall has since been repaired. However, the stump has not been removed. Pictures of the stump were circulated to the Board. Chief Walton recommended that the Board find in non compliance and allow ten days to comply.

**MOTION BY MR. HOFFMAN TO FIND IN NON COMPLIANCE AND ALLOW UNTIL
SEPTEMBER 25, 2005 TO REMOVE THE STUMP.**
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

- B Case #05-1899, 225 Worth Avenue, Brooks Brothers, Inc.
Violation of Chapter 114, Section 114-31 of the Town of Palm Beach Code of Ordinances, anyone doing business in the Town of Palm Beach must obtain an occupational license.
MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- C Case #05-1900, 137 Dunbar Road, Parker B. Ladd TR, Arnold Scaasi TR
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.
MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- D Case #05-1901, 147 Dunbar Road, Jane B. Holzer
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 in the Town, shall be maintained at all times for the unobstructed passage of vehicles.
MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- E Case #05-1902, 230 Royal Palm Way, Suite 232A, FJK Properties, Inc.
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.
MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- F Case #05-1903, 3230 So. Ocean Blvd., #307, Dinair O. Fisher
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.

After testimony was heard by Chief Code Compliance Officer Robert Walton, testimony was heard by Dinair O. Fisher, the owner of the condominium. She spoke to the Board explaining that she purchased the apartment in February 2005. She then hired an interior designer who drew the plans to remodel the kitchen and baths. A contractor was hired. The work did not flow as planned, and this contractor was discharged. A new contractor was hired.

Ron Kramer, friend of Ms. Fisher, stated that this is Ms. Fishers first renovation and she perhaps misunderstood the agreement with the contractor. She discharged that general contractor and has obtained a new general contractor who will have the plumber and electrical contractor apply for the required permits. After further discussion, the following motion was made:

MOTION BY MR. HOFFMAN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE. IT IS FURTHER ORDERED THAT THE DEFENDANT MUST OBTAIN ALL REQUIRED PERMITS, COMPLETE ALL WORK, AND CALL FOR ALL REQUIRED INSPECTIONS BY DECEMBER 14, 2005.

MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.

- G Case #05-1904, 211 Tangier Avenue, Janina Radtke TR
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. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- H Case #05-1905, 215 Seminole Avenue, Brenda H. Schwerin
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. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- I Case #05-1906, 208 Mockingbird Trail, Carol A. Casey, John J. Casey
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. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- J Case #05-1907, 209 Mockingbird Trail, Kathryn's Corp.
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.
MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- K Case #05-1908, 110 Angler Avenue, Eileen/Francis/Patrick/Sean Bresnan
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.

Chief Code Compliance Officer Walton requested that the Board find in non compliance and give seven (7) days to comply.
MOTION BY MR. OCHSTEIN TO FIND THE DEFENDANT IN NON COMPLIANCE AND ALLOW 7 DAYS TO COMPLY.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.
- L Case #05-1909, 244 Sunset Avenue, George J. Payne, President
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, every inside and outside stair, every porch and appurtenance thereto shall be constructed so as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be kept in safe condition and a good state of repair.

Chief Walton advised the Board that these stairs are rotten. The permit for the replacement of the stairs has been obtained.

**MOTION BY MR. KLEIN TO FIND THE DEFENDANT IN NON COMPLIANCE AND ALLOW UNTIL OCTOBER 19, 2005 TO COMPLY.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

- M Case #05-1910, 280 No. Ocean Blvd., Rami Toram Weisfisch
Violation of Chapter 74, Section 74-223 of the Town of Palm Beach Code of Ordinances, all ocean front property owners must ensure that no artificial light shall illuminate any area of beach or water that may be used by nesting sea turtles and hatchlings anytime from March 1st until October 31st.

Chief Code Compliance Officer Walton asked that this case be postponed since service was not obtained.

**MOTION BY MR. HOFFMAN TO POSTPONE CASE #05-1910 UNTIL THE OCTOBER 20, 2005 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- N Case #05-1911, 353 Peruvian Avenue, Steve & Linda Horn, Inc.
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 lighted and decorated.

**MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.**

- O Case #05-1912, 408 Chilian Avenue, Danielle Debenedictis
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.

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. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.**

- P Case #05-1913, 111 Atlantic Avenue, Sandell Corp.
Violation of Chapter 106, Section 106-159 of the Town fo 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.

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, it is unlawful or 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. HOFFMAN TO DISMISS CASE #'S 05-1899, 05-1900, 05-1901, 05-1902, 05-1904, 05-1905, 05-1906, 05-1907, 05-1911, 05-1912, 05-1913 FOR COMPLIANCE.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.**

Presentation of Cases to Set for Hearing:

MOTION BY MR. HOFFMAN TO SET CASE #'S 05-1914, 05-1915, 05-1916, 05-1917, 05-1918, 05-1919, 05-1920, 05-1921, 05-1922 AND 05-1923 FOR HEARING AT THE OCTOBER 20, 2005 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED Y MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

- A Case #05-1914, 1438 No. Ocean Blvd., Lisa Schultz/Michael Schultz
 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 such as fences shall be kept in a good state of repair.
- B Case #05-1915, 242 Colonial Lane, Reynco, Inc.
 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 trash and debris to accumulate.
 Violation of Chapter 42, Section 42-87 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.
- C Case #05-1916, 129 Woodbridge Road, Abe Haruvi
 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 streets and roadways in the Town, shall be maintained at all times for the unobstructed passage of vehicles and other using said streets and roadways.
- D Case #05-1917, 140 No. County Road, Barnett Bank Palm Beach County
 Violation of Chapter 106, Chapter 106-159 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eight (8) feet above all sidewalks must be maintained to allow unobstructed passage of pedestrians.
 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 the roadways.
- E Case #05-1918, 248 Colonial Lane, Charles Sullivan
 Violation of Section 126-32 of the Town of Palm Beach Code of Ordinances, all cocoanut trees in the Town shall be required to be trimmed annually so that on August 1 of each year, all cocoanut trees in the Town shall be free of cocoanuts, cocoanut blooms, and dead or dying fronds.
- F Case #05-1919, 1299(fka 1300) So. Ocean Blvd., 1300 South Ocean Blvd. Trust
 Violation of Chapter 126, Section 126-58 of the Town of Palm beach Code of Ordinances, it is unlawful for any person to cut down, remove or move, or effectively destroy through damage any historic or specimen tree without written permission and a hearing before the Town Council.
- G Case #05-1920, 100 Everglades Avenue, 100 Everglades Avenue
 Violation of Chapter 74, Section 74-223 of the Town of Palm Beach Code of Ordinances, all ocean front property owners must ensure that no artificial light shall illuminate any area of beach or water that may be used by nesting sea turtles and hatchlings anytime from March 1st until October 31st.
- H Case #05-1921, 240 Atlantic Avenue, J. Lee Rifkind, ET AL TRS TI HLR
 Violation of Chapter 74, Section 74-223 of the Town of Palm Beach Code of Ordinances, all ocean front property owners must ensure that no artificial light shall illuminate any area of beach or water that may be used by nesting sea turtles and hatchlings anytime from March 1st until October 31st.

- I Case #05-1922, 190 So. Ocean Blvd., Edwin L. Ecclestone, Jr.
Violation of Chapter 74, Section 74-223 of the Town of Palm Beach Code of Ordinances, all ocean front property owners must ensure that no artificial light shall illuminate any area of beach or water that may be used by nesting sea turtles and hatchlings anytime from March 1st until October 31st.
- J Case #05-1923, 560 So. Ocean Blvd., James A. Patterson
Violation of Chapter 74, Section 74-223 of the Town of Palm Beach Code of Ordinances, all ocean front property owners must ensure that no artificial light shall illuminate any area of beach or water that may be used by nesting sea turtles and hatchlings anytime from March 1st until October 31st.

VII New Business:

NONE

VIII Old Business:

Chief Code Compliance Officer Walton requested that Case #05-1839, 05-1880, 05-1887, 05-1888, 05-1890 be dismissed for compliance. These cases were found in non compliance and given time limits to comply. They have complied within those time limits and should now be dismissed.

MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1839, 05-1880, 05-1887, 05-1888 AND 05-1890.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

Chief Walton advised the Board that testimony will be heard together for Case #'s 04-1706, 04-1707, and 04-1708. However, separate motions for each case will need to be made. The buildings are now in compliance and Mr. Campaniello and his attorney are here to seek a reduction in the fine amount.

Attorney Jeff Baron, representing Mr. Campaniello, stated that the fines should be reduced since the violations were not of public safety, health or welfare. The project is complete and the property is now in compliance. After further statements by Attorney Baron, he questioned Michael Mosher, an Architect licensed in the State of Florida who described for the Board the problems encountered in the project.

Planning, Zoning & Building Director, Robert L. Moore spoke to the Board and advised that the Architect and the building manager have been very cooperative with the building department. They are asking for a 90% reduction of a fine that was only 20% of the maximum allowed by Town Ordinance. Mr. Campaniello's only choice if he is not happy with your decision today, would be to appeal to the circuit court. The Town Council has made strong recommendations to this Board, through its staff, for you to hold the line on these fines and if anything, they want to see these fines increased. Mr. Moore recommended that these fines not be reduced.

After further comments, the following motions were made:

- A 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.
MOTION BY MR. HOFFMAN THAT THE TOTAL FINE DUE FOR CASE #04-1706 SHALL REMAIN AT \$11,650.00.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.
- B 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.
MOTION BY MR. HOFFMAN THAT THE TOTAL FINE DUE FOR CASE #04-1707 SHALL REMAIN AT \$11,650.00.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.
- C 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.
MOTION BY MR. HOFFMAN THAT THE TOTAL FINE DUE FOR CASE #04-1708 SHALL REMAIN AT \$11,650.00.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.
- D Case #05-1809, Paolo Bergmann, TR, 267 Atlantic Avenue
Violation of Chapter 42, Sections 42-86 and 42-87 of the Town of Palm Beach Code of Ordinances, grass shall not grow to a height greater than eight (8") inches and debris shall not be allowed to accumulate and all buildings and appurtenances shall be maintained in a sound condition.
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eight (8) feet must be maintained above all sidewalks.
Violation of Chapter 18, Section 18-242, Subsection 104.1.1 of the Town of Palm Beach Code of Ordinances, building permits are required to construct, install, repair or alter any building or building system. These permits must be obtained prior to commencing work.

Chief Walton advised the Board that this case was on the agenda and was to be heard for a reduction of the fine but the property owner has agreed to pay the fine. Therefore, this case should be taken off the agenda.

MOTION BY MR. HOFFMAN TO REMOVE CASE #05-1809 FROM THE AGENDA.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

- E Case #05-1836, 263 Oleander Avenue, George L. Lynn
Violation of Chapter 18, Section 18-242, Subsection 104.1.1.1, of the Town of Palm Beach Code of Ordinances: Building permits are required to construct, install, repair, or alter any building or building system.
- Chief Walton advised the Board that this case was heard back in April. Gene Pandula spoke on behalf of the property owner at the last meeting and thought that all the issues would be taken care of. He has requested that this case be postponed until the October 20, 2005 Code Enforcement Board Hearing.
- MOTION BY MR. KLEIN TO POSTPONE CASE #05-1836 UNTIL THE OCTOBER 20, 2005 CODE ENFORCEMENT BOARD HEARING.**
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- F Case #05-1839, 264/270 Seminole Avenue, Sharon Talbot
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1.1, of the Town of Palm Beach Code of Ordinances: Building permits are required to construct, install, repair, or alter any building or building system.
- 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 cracks, painted and shall be kept in sound condition and good repair.
- Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances: Debris shall not be allowed to accumulate on property in the Town of Palm Beach.
- MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1839, 05-1880, 05-1887, 05-1888 AND 05-1890 FOR COMPLIANCE.**
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.
- G Case #05-1880, 232 Tradewind Dr, TAJA Realty TR, Lewis J. Dinitto TR, Henry M. Rosen TR
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. HOFFMAN TO DISMISS CASE #'S 05-1839, 05-1880, 05-1887, 05-1888 AND 05-1890 FOR COMPLIANCE.**
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.
- H Case #05-1883, 233 Mockingbird Trail, Dave Scialabba
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.
- Chief Code Officer Walton reminded the Board that this Defendant was found in non compliance at the August 18, 2005 Code Enforcement Board Hearing and given seven (7) days to cut and clean the property. Chief Walton recommended that the Board impose a fine in the amount of \$25.00 per day to start on August 26, 2005.
- MOTION BY MR. OCHSTEIN TO START A FINE IN THE AMOUNT OF \$50.00 PER DAY STARTING ON AUGUST 26, 2005.**
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.
- I Case #05-1887, 216 Colonial Lane, David A. Freeman
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. HOFFMAN TO DISMISS CASE #'S 05-1839, 05-1880, 05-1887, 05-1888 AND 05-1890 FOR COMPLIANCE.**
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

J Case #05-1888, 1438 No. Ocean Blvd., Lisa Schultz, Michael Schultz
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 trash and debris to accumulate.
MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 05-1839, 05-1880, 05-1887, 05-1888 AND 05-1890 FOR COMPLIANCE.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

K Case #05-1890, 1348 No. Lake Way, Taja Realty Trust
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. HOFFMAN TO DISMISS CASE #'S 05-1839, 05-1880, 05-1887, 05-1888 AND 05-1890 FOR COMPLIANCE.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

L Case #05-1898, 1530 No. Lake Way, Malcolm Geffer, Katherine Kirk
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all appurtenances such as a driveway shall be kept in a safe condition and a good state of repair. 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 dead or dying trees, stumps or vegetation to accumulate.

Contractor Brett Elhilow of Marion Construction advised the Board that the violation will be corrected by Tuesday.

MOTION BY MR. HOFFMAN TO EXTEND THE DEADLINE TO REMOVE THE STUMP AND DRIVEWAY UNTIL NEXT TUESDAY.
MOTION DIED FOR LACK OF A SECOND.

MOTION BY MR. KLEIN TO IMPOSED A FINE IN THE AMOUNT OF \$50.00 PER DAY STARTING SEPTEMBER 15, 2005 AND CONTINUING UNTIL THE TREE AND DRIVEWAY ARE REMOVED.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.

IX Reports:

A Case #05-1851, 231 Kenlyn Road, Woolems, Inc.
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, small projects, of the Town of Palm Beach Code of Ordinances: all new or remodel construction projects of 3,999 sq. ft. or less under roof shall be allowed 12 months.

Mr. Walton reported to the Board that the project is continuing and that the Board previously granted until the end of October 2005 to complete the project.

B Case #05-1896, 279 Colonial Lane, Doris & Licinio Cruz, CSS Building & Design, Inc.
Violation of Chapter 18, Section 18-242, Subsection 105.6.1.6, Small Projects, of the Town of Palm Beach Code of Ordinances, all new or remodel construction projects of 3,999 sq. ft. or less under roof shall be allowed 12 months.

An updated schedule was distributed to the Board by J. P. DeMisa, the owners representative. The project is proceeding as scheduled.

X Adjournment: Meeting adjourned at 3:15 p.m. without benefit of a motion.