

**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, AUGUST 19, 2004
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

**DAYS.
MOTION SECONDED BY MR. KOEPPPEL.
MOTION CARRIED UNANIMOUSLY.**

- B** Case #04-1702, Casa Cajico, Inc., 441 North Lake 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 debris to accumulate on property in the Town of Palm Beach.

Mr. Walton testified that palm fronds and debris have been stockpiled on this property and that the owner has requested fifteen (15) days to remove them.

**MOTION BY MR. HOFFMAN TO FIND THE DEFENDANT IN NON COMPLIANCE
AND ALLOW FIFTEEN (15) DAYS TO CORRECT THE VIOLATION WITH THE
PROVISION THAT IN THE EVENT OF A WINDSTORM, THE DEBRIS MUST BE
COVERED AND THE AREA PROTECTED.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- C** Case #04-1703, Jennifer S. Bagaj, 1520 No. Ocean 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.

Mr. Walton testified that this address is now a construction site. The property was overgrown but the contractor is now in the process of cutting the grass.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #04-1703 WITHOUT PREJUDICE.
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.**

- D** Case #04-1704, Kean Investments, Inc., 260 Miraflores
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.

Mr. Walton testified that this is a vacant lot that has become overgrown. This violation has existed in the past. His recommendation is a finding of non compliance and allow seven (7) days to bring the property into compliance.

**MOTION BY MR. KOEPPPEL TO FIND THE DEFENDANT IN NON COMPLIANCE
AND ALLOW SEVEN (7) DAYS TO ACHIEVE COMPLIANCE.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

- E** Case #04-1705, Richard J. & Irene T. Miller, 270 El Dorado 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 or other vegetation to become overgrown or accumulate.

**MOTION BY MR. KOEPPPEL TO DISMISS CASE #04-1705 FOR COMPLIANCE.
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.**

Mr. Walton requested that the Board postpone Case #'s 04-1706, 04-1707 and 04-1708 until the end of this Code Enforcement Board Hearing since Mr. Campaniello's property manager was not yet here to testify.

**MOTION BY MR. KOEPEL TO POSTPONE CASE #04-1706, 04-1707, 04-1708 UNTIL THE END OF THE HEARING.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

- F 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.
- G 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.
- H 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.

Robert S. Walton, Chief Code Compliance Officer requested that the Board hear all three cases at one time.

Michael Mosher, an Architect retained by Mr. Campaniello, testified that ARCOM approval to put a new facade on the building was received 1 ½ years ago. A demolition permit has been obtained to clean up the interior. Mr. Campaniello is in negotiations with a new tenant to take over the building. An application to ARCOM was submitted for approval of a new facade and ARCOM suggested that the overhang be removed and awnings be installed across all three storefronts. Completion of the project will take about four months.

Robert L. Moore, Director of Planning, Zoning and Building agreed that the previous ARCOM approvals are now expired and recommended to the Board that strong action be taken to encourage Mr. Campaniello to get the work done. The storefronts have also fallen into disrepair. A strong message should be sent to Mr. Campaniello through his Architect or Attorney that the Town wants action now and not later. The Board should find them in non compliance and set a fine and set a time frame that is very reasonable for them to obtain the building permits with a substantial fine imposed for failure to obtain these permits, begin the work and continue meaningful work as the building code calls for.

Mr. Moore stated that if ARCOM has approved this plan for the exterior work once, it would be reasonable to think it could be reactivated at the September meeting. If the applicant does not choose to come to ARCOM in September, then fines should begin for the exterior work. It is a ministerial action to reactivate that original approval.

Chairman Lawrence stated that there should be no reason why an application for permits for interior work could not be made immediately. The motion should be tiered to include application to ARCOM and a time frame when work will begin after receipt of Architectural Approval.

The time frame was discussed and Mr. Lawrence stated that two weeks time would be sufficient for application for permits for the interior work, application for ARCOM reinstatement to be heard in the month of September and an application for permit immediately thereafter.

Mr. Walton stated that there is general repair work on the exterior rear of the building that will not require ARCOM approval and should be included in the interior work.

MOTION BY MR. KOEPEL THAT THE DEFENDANT BE FOUND IN NON COMPLIANCE AND BE REQUIRED TO OBTAIN A BUILDING PERMIT FOR THE INTERIOR WORK AND REAR EXTERIOR REPAIRS WITHIN TWO WEEKS. THE DEFENDANT MUST SUBMIT AN APPLICATION FOR ARCOM APPROVAL BY SEPTEMBER 1, 2004 WHICH WILL BE HEARD BY THE ARCHITECTURAL COMMISSION AT THEIR SEPTEMBER 22, 2004 MEETING. IT IS FURTHER ORDERED THAT IN THE EVENT THAT THE DEFENDANT REQUESTS A POSTPONEMENT FROM ARCOM, ALL PREVIOUS POSTPONEMENTS OF THE CODE ENFORCEMENT BOARD WILL BE DECLARED NULL AND VOID. A BUILDING PERMIT MUST BE APPLIED FOR WITHIN TWO WEEKS OF ARCOM APPROVAL AND MEANINGFUL WORK MUST BE DILIGENTLY PURSUED AND CONTINUE UNTIL COMPLETION.
MOTION SECONDED BY MR. HOFFMAN AND MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.

- I Case #04-1709, Joshua Teverow, 3120 So. Ocean Blvd., Apt. #101
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 indicated that with the exception of an electrical permit, all of the required permits have been obtained.

Mr. Kenneth Lucas, the contractor on the job, indicated that they are waiting for the fire sprinkler permit to be issued. Mr. Lucas projected that the job would be completed within eight (8) weeks.

After further discussion, the following motion was made:

MOTION BY MR. KOEPEL TO ALLOW THIRTY (30) DAYS TO OBTAIN ALL REQUIRED PERMITS.
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.

- J Case #04-1710, Milton G. Dresner, 300 So. Ocean Blvd., #3G
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 indicated that this job was started without permits and that all permits have now been obtained.

Mr. Ronald Brown, the contractor hired by the home owner, stated that the project would take eight (8) weeks to complete. The building permit has been issued and the subcontractors should have their permits by Tuesday.

After further discussion, the following motion was made:

MOTION BY MR. KOEPEL TO ALLOW THIRTY (30) DAYS TO OBTAIN ALL REQUIRED PERMITS.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

- K Case #04-1711, David J. Jenkins, 300 Indian Road
Violation of Chapter 42, Section 42-126 of the Town of Palm Beach Code of Ordinances, is shall be unlawful for any person to permit any collection of standing water in which mosquitoes are likely to breed.

Mr. Walton stated that although this pool was cleaned up, it was not done in the required time frame. The Town would recommend a finding of non compliance but waive the fine at this time.

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

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- L Case #04-1712, James & Julie Byers, 278 La Puerta Way
Violation of Chapter 42, Section 42-126 of the Town of Palm Beach Code of Ordinances, is shall be unlawful for any person to permit any collection of standing water in which mosquitoes are likely to breed.

Mr. Walton requested that this case be dismissed for compliance as this house and pool have now been demolished.

MOTION BY MS. HOFFPAUER TO DISMISS CASE #04-1712 FOR COMPLIANCE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

- M 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 stated that this violation concerns the removal, without ARCOM approval, of certain landscape requirements that were a condition of the original ARCOM approval for this home.

Attorney Ron Kolins, here on behalf of the property owner, stated that a request for a sixty-day continuance has been made since his client has filed an application to the Architectural Review Commission concerning this matter. That application will be heard by ARCOM at their September meeting. Their ruling may make this case mute, but if the Zissons are not successful at the Architectural Commission Meeting the matter would return to the Code Enforcement Board; thus, the request for continuance.

Attorney Martin Klein, here on behalf of a neighbor, Mrs. Marix, stated that it would be unfair to the neighbors for the Board to grant this continuance as the Zissons

clearly usurped the law. He requested the Board to find Mr. Kolins' client in violation and hold him in violation, assessing fines, until he corrects the violation and replants the trees.

Attorney Kolins stated that the alleged violation does not involve health or safety issues. He remarked, "This is simply a case where one neighbor has a problem with the other." Ten years ago, Mrs. Marix was strongly opposed to the Zisson's new house plans, and after returning to ARCOM nine (9) times, the project was ultimately approved. Ten years ago, the landscape plan was approved for this property. Since then, certain trees on the property created a problem. They so shaded the lawn that it had to be replaced with zoyza grass at a cost of approximately \$9,000.00. The roots of these Ficus trees also destroyed a very expensive drainage system. It never occurred to the Zissons that they could not change trees on the property ten years later. The tree removal was not an intentional disregard of regulations. The area in question cannot be seen from Mrs. Marix's house. The side of her house that faces the Zisson property is her garage. Very high hedges also surround her house. As such, Mr. Kolins stated that Mrs. Marix is not negatively impacted by this tree removal. This situation avails Mrs. Marix another opportunity to cause another problem for the Zissons, according to Mr. Kolins. He urged the Code Enforcement Board to grant the request for a continuance to permit the Zissons to resolve this issue with ARCOM.

After further comments and discussion, the following motion was made:

**MOTION BY MR. KOEPPPEL TO POSTPONE CASE #04-1713 FOR SIXTY DAYS.
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.**

VI Presentation of New Cases to Set for Hearing:

- A Case #04-1714, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-H
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 system. These permits must be obtained prior to commencing work.
- B Case #04-1715, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-J
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 system. These permits must be obtained prior to commencing work.
- C Case #04-1716, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-K
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 system. These permits must be obtained prior to commencing work.
- D Case #04-1717, One 01 El Vedado, 101 El Vedado
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.

- E Case #04-1718, Milton Partnership, LTD, 300 South County Road
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 districts, either vacant or under renovation shall screen the interior for the full size of the window and this screen shall be decorated ad lighted.
- F Case #04-1719, Edna C. Schmitt TR, 300 Seabreeze Avenue
Violation of Chapter 126, Section 126-32 of the Town of Palm Beach Code of Ordinances, all coconut trees in the Town are required to be trimmed annually by August of each year, so as to be free of coconuts and dead or dying fronds.
- G Case #04-1720, Jeffrey J. Lorenz, 1220 No. 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.
- H Case #04-1721, Jeffrey J. Lorenz, 1220 No. Ocean Blvd.
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.
- I Case #04-1722, Park Equity Corp., 253 Park Avenue
Violation of Chapter 134, Section 134-948 (4) of the Town of Palm Beach Code of Ordinances, the R-C (Medium Density Residential) zoning district allows a density of six dwelling units per Palm Beach acre (40,000 sq ft).
- J Case #04-1723, New Palm, 325 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.
- K Case #04-1724, Thomas Campaniello, 306 So. County Road
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 #04-1725, Daniel A. Hanley TR, 230 So. County Road
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 #04-1726, 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.

- N 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.
- O 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.
- P 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.
- Q Case #04-1730, FJK Prop., Inc., 230 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.
- R Case #04-1731, FJK Prop., Inc., 232 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.
- S Case #04-1732, FJK Prop., Inc., 230 Royal Palm Way, Suite 228
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.
- T Case #04-1733, Sidney Spiegel, 340 Royal Poinciana Way, Suite 317
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.
- U Case #04-1734, Sidney Spiegel, 340 Royal Poinciana Way, Suite 333
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.
- V Case #04-1735, Avram Glazer, 5 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 times for the unobstructed passage of pedestrians and others using said sidewalks and bike trails.

- W Case #04-1736, Jane D. Foster, 17 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 times for the unobstructed passage of pedestrians and others using said sidewalks and bike trails.
- X Case #04-1737, Henry Kaufer, 326 Peruvian Avenue
Violation of Chapter 134 (Zoning) of the Town of Palm Beach Code of Ordinances, a change of use from residential to commercial requires Town Council variance approvals for required parking and a more intense usage of the space.
- Y Case #04-1738, RSDL, 121 Australian Avenue
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.
- Z Case #04-1739, Elizabeth Bryant, 159 Australian Avenue
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.
- AA Case #04-1740, Hyperion Farms, 153 Australian Avenue
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.
- BB 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.
- CC Case #04-1742, Mark Remson, 2267 Ibis Isle 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 or other vegetation to become overgrown or accumulate.
- DD Case #04-1743, Eric R. & Colleen Hanson, 20 Middle 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 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.
- EE Case #04-1744, Louis J. Gartner, 357 Seabreeze Avenue
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 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.

- FF 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.
- GG Case #04-1746, Judith Bea, 1436 No. Ocean 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 roadways in the Town, shall be maintained at all time for the unobstructed passage of vehicles.
- HH Case #04-1747, Axel N. Zdarsky, 735 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 time for the unobstructed passage of vehicles.
- II Case #04-1748, Say Hey, LLC, 735 Island Drive.
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.
- JJ Case #04-1749, Ann Mitchell Anderson, 209 Tradewind Drive
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 time for the unobstructed passage of vehicles.
- KK 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.
- LL Case #04-1751, Gloria G. Stuart, 129 Clarendon Avenue
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.
- MM Case #04-1752, Gloria G. Stuart, 129 Clarendon 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.

MOTION BY MR. HOFFMAN TO SET CASE #'S 04-1714 THROUGH 04-1752 FOR HEARING AT THE SEPTEMBER 23, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. KOEPEL.

MOTION CARRIED UNANIMOUSLY.

VII New Business:

Mr. Walton stated that a request has been made to postpone the September 16, 2004 Code Enforcement Board Hearing until September 23, 2004 due to Rosh Hashanah.

**MOTION BY MR. HOFFMAN TO CHANGE THE DATE OF THE NEXT CODE ENFORCEMENT BOARD HEARING FROM SEPTEMBER 16, 2004 TO SEPTEMBER 23, 2004.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

VIII Consideration of Foreclosure:

NONE

IX Old Business:

A 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.

Mr. Brian House, representing the property owner of 350 South County Road stated that a contractor has been hired and paid to begin work on the roof. Another contractor has been hired to design and build windows for the second floor. Roofing Unlimited, the roofing contractor has said that work will begin on Monday. The windows cannot be replaced until the roof work is done. There are tenants in the building that are being inconvenienced. He would like to request additional time to get the work done.

**MOTION BY MR. KOEPPPEL TO POSTPONE CASE #04-1665 FOR 30 DAYS TO SEE THE STATUS.
MOTION SECONDED BY MS. HOFFPAUER.**

Mr. Hoffman asked how long Mr. House would continue with this roofing contractor? Mr. House stated that on Tuesday morning he would hire another contractor if necessary and that would be part of his commitment.

**MOTION AMENDED TO INCLUDE THAT IF THE CONTRACTOR DOES NOT START BY NEXT TUESDAY, ANOTHER CONTRACTOR WOULD BE HIRED.
MOTION CARRIED UNANIMOUSLY.**

B Case #04-1666, Burton & Marilyn Sultan, 314 Dunbar 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, 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. KOEPPPEL TO POSTPONE CASE #04-1666 UNTIL THE

**SEPTEMBER 23, 2004 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. DAVIS.
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.

**MOTION BY MR. KOEPEL TO POSTPONE CASE #04-1679 UNTIL THE
SEPTEMBER 23, 2004 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

- D Case #04-1680, Maria G. Vetromile, 2773 So. Ocean Blvd., Apt. #215
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 MS. HOFFPAUER TO DISMISS CASE #04-1680 FOR
COMPLIANCE.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

- E 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.

Attorney Maura Ziska was here on behalf of the property owner to request a thirty to sixty day extension. An application has been made to ARCOM for demolition of the property.

Mr. Walton stated that there are no hazards on the property. After further discussion, the following motion was made:

**MOTION BY MR. KOEPEL TO GRANT A SIXTY DAY POSTPONEMENT TO
ALLOW TIME TO GET A DEMOLITION PERMIT.
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.**

- F 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.

**MOTION BY MR. KOEPEL TO POSTPONE CASE #04-1687 UNTIL THE
SEPTEMBER 23, 2004 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

- G Case #04-1691, Clement Proulx, 224 Esplanade Way (aka 244 Esplanade 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.

Mr. Walton stated that the Board had already found this Defendant in non compliance and granted them seven days in which to comply. Compliance has been achieved, however it took an additional seven days. The property had to be posted. The property owner came back from Canada, saw the house posted, and now has someone to take care of the property on a weekly basis.

**MOTION BY MR. HOFFMAN TO WAIVE THE FINE.
MOTION SECONDED BY MR. KOEPPPEL.
MOTION CARRIED UNANIMOUSLY.**

- H Case #04-1698, Salvatore Mittica, 401 Peruvian Avenue, Suite 401
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 MS. HOFFPAUER TO POSTPONE CASE #04-1698 FOR THIRTY DAYS.
MOTION SECONDED BY MR. KOEPPPEL.
MOTION CARRIED UNANIMOUSLY.**

- I Case #04-1699, Rocco Romanelli Trust, 3475 So. Ocean Blvd., #701
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. KOEPPPEL TO POSTPONE CASE #04-1699 FOR THIRTY DAYS.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

XI Adjournment:

The meeting was adjourned at 3:20 p.m. without benefit of a motion.