

**TOWN OF PALM BEACH  
CODE ENFORCEMENT BOARD MINUTES  
2:00 P.M. THURSDAY, JUNE 19, 2003  
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

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

**II      Roll Call:**        Present:        Eugene Lawrence, Chairman  
                                                                                 Pamela Hoffpauer, Vice Chair  
                                                                                 Timothy Hoffman, Member  
                                                                                 Joel P. Koepfel, Member  
                                                                                 Hugh C. Davis, III, Member  
                                                                                 Thomas M. Youchak, Member  
                                                                                 George Klein, Alternate Member  
                                                                                 Larry Ochstein, Alternate Member  
                                                                                 Robert S. Walton, Code Compliance Officer  
                                                                                 John C. Randolph, Town Attorney

Absent:            Richard A. Raffo, Member (excused absence)

Recording Secretary: Deborah A. Morakis

**III     Approval of the Minutes of May 15, 2003:**  
                                         MOTION BY MR. HOFFMAN FOR APPROVAL OF THE MINUTES.  
                                         MOTION SECONDED BY MR. KOEPPEL.  
                                         MOTION CARRIED UNANIMOUSLY

**IV     Public Hearings:**

- A        Case #03-1515, Edward Carter, Jr., 320 Barton 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.  
                                         MOTION BY MS. HOFFPAUER TO POSTPONE CASE #'S: 03-1515, 03-1538 FOR LACK OF SERVICE.  
                                         MOTION SECONDED BY MR. YOUCHAK.  
                                         MOTION CARRIED UNANIMOUSLY.
- B        Case #03-1516, Hector Cortes, 212 Australian 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.  
                                         MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.  
                                         MOTION SECONDED BY MR. HOFFMAN.  
                                         MOTION CARRIED UNANIMOUSLY.

- C     Case #03-1518, Palm Beach Park Centre 1, LLC, 440 Royal Palm Way  
Violation of The Life Safety Code ( NFPA 101 ) as adopted by the Town of Palm Beach, where means of egress doors are power operated, the design shall be such that in the event of a power failure the door opens manually allow egress travel.  
**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- D     Case #03-1523, Allen W. Heise, 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 service systems. These permits must be obtained prior to commencing work.  
**MOTION BY MR. KOEPPPEL TO POSTPONE CASE #'S: 03-1523, 03-1524, 03-1525, 03-1530, 03-1540, AND 03-1546 UNTIL THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- E     Case #03-1524, Allen W. Heise, 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 service systems. These permits must be obtained prior to commencing work.  
**MOTION BY MR. KOEPPPEL TO POSTPONE CASE #'S: 03-1523, 03-1524, 03-1525, 03-1530, 03-1540, AND 03-1546 UNTIL THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- F     Case #03-1525, Allen W. Heise, 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 service systems. These permits must be obtained prior to commencing work.  
**MOTION BY MR. KOEPPPEL TO POSTPONE CASE #'S: 03-1523, 03-1524, 03-1525, 03-1530, 03-1540, AND 03-1546 UNTIL THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- G     Case #03-1526, Elia Zois, 870 So. Ocean Blvd.  
Violation of Chapter 134, Section 134-1637, of the Town of Palm Beach Code of Ordinances, vegetation at intersections must be maintained at a height no greater than thirty (30) inches for a distance of thirty (30) feet along the thru street (South Ocean Blvd.) and fifteen (15) feet along the side street (Via Vizcaya) from the point of intersection of the two street lot lines. The height of vegetation may be no higher than thirty (30) inches within the vision triangle.  
**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- H     Case #03-1527, William Civitella, 272 Country Club Road

Violation of Chapter 18, Section 18-242, Subsection 104.1.11, of the Town of Palm Beach Code of Ordinances, any site on which reconstruction does not commence within fifteen (15) days of demolition, the site must be leveled, irrigated, sodded and maintained so as not to be in an unsightly condition.

*Let the Record show that all parties giving testimony today were sworn in by Ms. Morakis in preparation for their testimony.*

Mr. Robert Walton, Code Compliance Officer for the Town of Palm Beach, stated that this house was torn down in October 2002. There has been some work done on the lot. It has been cleaned up, the hedges have been cut, a fence has been put around the pool. It has not been sodded or seeded and irrigated as required.

Mr. William Civitella testified that the house was torn down and that the hedges were kept in place and maintained. After the first notice was received, he contacted Mr. Walton and each of the violations were abated. A fence was put around the pool, no trespassing signs were installed and the black fence in the hedges was removed.

Mr. Mike Civitella stated that the house will be four and one-half feet up after the proper fill is installed. He would like to request thirty (30) days to install the fill and pilings. He cannot submit the permit application until the engineer has his paperwork ready.

Mr. Walton stated the Town is asking that the lot be sodded and irrigated within fifteen (15) days.

After further discussion and testimony the following motion was made:

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN VIOLATION AND GIVEN 30 DAYS TO FILL THE LOT AND INSTALL THE PILINGS.**

**MOTION SECONDED BY MR. HOFFMAN**

Mr. Davis asked if Mr. Koepfel would consider adding a directive to the motion that include that they submit plans and an application for a building permit within the next thirty (30) days

Robert L. Moore, Director of Planning, Zoning and Building was sworn in and gave testimony about the Architectural Review Commission approval for demolition and the requirement of the installation of sod, seed and irrigation. Under certain circumstances, the Town will issue a foundation permit if there are pilings to be installed in order to allow a project to get starting while the building plans are being reviewed.

Mr. William Civitella questioned Mr. Moore relevant to his knowledge of the project.

Mr. Moore stated that their engineer would like to see the pilings installed in two lifts. The first lift would have the fill put in, compacted, auger pilings put in, then the second lift would be put in. The project would be well under construction. The only problem they might have would be with the retention of that fill. It may mean the installation of a retaining wall.

Mr. Moore stated that it would be a waste to make them sod and irrigate the lot while they are trying to install pilings. He suggested the Board order them to do one or the other within thirty (30) days. If they are not installing the fill and the pilings they must sod and irrigate.

After further discussion, the motion was amended to read:

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN VIOLATION AND GIVEN 30 DAYS TO FILL THE LOT AND INSTALL THE PILINGS OR INSTALL SOD AND IRRIGATION.**

**MOTION SECONDED BY MR. HOFFMAN  
MOTION CARRIED UNANIMOUSLY.**

- I Case #03-1528, Mark & Deborah Remson, 2270 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.  
**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- J Case #03-1529, Three Hundred One Chilean Avenue, 301 Chilean 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 and extending the full width of all sidewalks and bike trails must be maintained to allow unobstructed passage of pedestrians.  
**MOTION BY MR. KOEPEL THAT THE DEFENDANT IN CASE #03-1529 IS GUILTY AND GIVEN FIFTEEN (15) DAYS TO COMPLY WITH THE ORDINANCE.**  
**MOTION SECONDED BY MS. HOFFPAUER.**  
**MOTION CARRIED UNANIMOUSLY.**
- K Case #03-1530, Edna C. Schmitt, 300 Seabreeze Avenue  
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.  
**MOTION BY MR. KOEPEL TO POSTPONE CASE #'S: 03-1523, 03-1524, 03-1525, 03-1530, 03-1540, AND 03-1546 UNTIL THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- L Case #03-1531, Tuscany Homes, 361 South County Road, Suite I  
Violation of Section 114.31 of the Town of Palm Beach Code of Ordinances, any person doing business in Town must obtain a Town occupational license, including any Code required special exceptions or parking agreements.  
**MOTION BY MR. HOFFMAN TO DISMISS CASE #'S: 03-1531, 03-1544, AND 03-1548.**  
**MOTION SECONDED BY MR. KLEIN.**  
*Let the record show that Mr. Klein is a regular voting member today as the senior alternate in the absence of Mr. Raffo.*  
**MOTION CARRIED UNANIMOUSLY.**
- M Case #03-1532, Peter Flanagan, Warwick Simses Bauer & Banister, 140 Royal Palm Way, Suite 205  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations.  
**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526,**

**03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**

- N Case #03-1533, Robert Simses, Warwick Simses Bauer & Banister, 140 Royal Palm Way, Suite 205  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- O Case #03-1534, Brighton Pavillion, 336 Worth Avenue  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
  
Margerie Roche testified that in the past she had turned these matters over to her accountant in Virginia who did not register the Corporation with the State of Florida. She has a fine in the amount of \$12,865.00 to pay to the State before Brighton Pavillion can register the fictitious name. There has been no business so we hope you can give us a little more time to reach compliance.  
**MOTION BY MR. HOFFMAN THAT THE DEFENDANT IN CASE #03-1534 IS GUILTY AND GIVEN FIFTEEN (15) DAYS TO COMPLY WITH THE ORDINANCE.**  
**MOTION SECONDED BY MR. KOEPEL.**  
**MOTION CARRIED UNANIMOUSLY.**
- P Case #03-1535, Calypso, 247 Worth Avenue, Suite B  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
**MOTION BY MR. KOEPEL THAT THE DEFENDANT IN CASE #03-1535 IS GUILTY AND GIVEN FIFTEEN (15) DAYS TO COMPLY WITH THE ORDINANCE.**  
**MOTION SECONDED BY MR. KLEIN.**  
**MOTION CARRIED UNANIMOUSLY.**
- Q Case #03-1536, Casa Alegre Apt. Rentals, 234 Australian Avenue  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**
- R Case #03-1537, Devonshire, 340 Worth Avenue

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, balance due of \$34.70 and must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
**MOTION BY MR. HOFFMAN THAT THE DEFENDANT IN CASE #03-1537 IS GUILTY AND GIVEN FIFTEEN (15) DAYS TO COMPLY WITH THE ORDINANCE AND PAY THE BALANCE OF \$34.70.**  
**MOTION SECONDED BY MR. KOEPPPEL.**  
**MOTION CARRIED UNANIMOUSLY.**

S     Case #03-1538, First Impressions Creative Services, 205 Worth Avenue, #307E  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
**MOTION BY MS. HOFFPAUER TO POSTPONE CASE #'S: 03-1515, 03-1538 FOR LACK OF SERVICE.**  
**MOTION SECONDED BY MR. YOUCHAK.**  
**MOTION CARRIED UNANIMOUSLY.**

T     Case #03-1539, Gallery Via Veneto, 250 Worth Avenue, Suite 1  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**

U     Case #03-1540, Huit Rue St. Sulpice, 302 So. County Road  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
**MOTION BY MR. KOEPPPEL TO POSTPONE CASE #'S: 03-1523, 03-1524, 03-1525, 03-1530, 03-1540, AND 03-1546 UNTIL THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**

V     Case #03-1541, I Strada, 323 Worth Avenue, Suite 4  
Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.  
**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**  
**MOTION SECONDED BY MR. HOFFMAN.**  
**MOTION CARRIED UNANIMOUSLY.**

W     Case #03-1542, Chris Kellogg, 256 Worth Avenue, Suite 3A

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. HOFFMAN.**

**MOTION CARRIED UNANIMOUSLY.**

X Case #03-1543, Leggiadro, 317 Worth Avenue, Suite A

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. HOFFMAN.**

**MOTION CARRIED UNANIMOUSLY.**

Y Case #03-1544, Palm Beach Pets, 256 Worth Avenue, Suite

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

**MOTION BY MR. HOFFMAN TO DISMISS CASE #'S: 03-1531, 03-1544, AND 03-1548.**

**MOTION SECONDED BY MR. KLEIN.**

**MOTION CARRIED UNANIMOUSLY.**

Z Case #03-1545, Palmway Apartments, 290 So. County Road

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

**MOTION BY MR. DAVIS TO DISMISS CASE #'S: 03-1516, 03-1518, 03-1526, 03-1528, 03-1532, 03-1533, 03-1536, 03-1539, 03-1541, 03-1542, 03-1543, AND 03-1545 FOR COMPLIANCE.**

**MOTION SECONDED BY MR. HOFFMAN.**

**MOTION CARRIED UNANIMOUSLY.**

AA Case #03-1546, Ralph Lauren, 300 Worth Avenue

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

**MOTION BY MR. KOEPEL TO POSTPONE CASE #'S: 03-1523, 03-1524, 03-1525, 03-1530, 03-1540, AND 03-1546 UNTIL THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING.**

**MOTION SECONDED BY MR. HOFFMAN.**

**MOTION CARRIED UNANIMOUSLY.**

BB Case #03-1547, 312 Worth Ave Northern Trust, 312 Worth Avenue

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IN CASE #03-1547 IS GUILTY AND GIVEN FIFTEEN (15) DAYS TO COMPLY WITH THE ORDINANCE.**

**MOTION SECONDED BY MR. DAVIS.**

**MOTION CARRIED UNANIMOUSLY.**

**CC**     Case #03-1548, A DiMille Made in Italy, 237 Worth Avenue

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

**MOTION BY MR. HOFFMAN TO DISMISS CASE #'S: 03-1531, 03-1544 & 03-1548.**

**MOTION SECONDED BY MR. KLEIN.**

**MOTION CARRIED UNANIMOUSLY.**

**DD**     Case #03-1549, Caviarteria, 150 Worth Avenue, Suite 125

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, must provide missing information from application and evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

Ms. Denise Hunt stated that she faxed over her fictitious name registration today and a payment receipt was presented but that is not sufficient evidence of registration.

**MOTION BY MS. HOFFPAUER THAT THE DEFENDANT IN CASE #03-1549 IS GUILTY AND GIVEN FIFTEEN (15) DAYS TO COMPLY WITH THE ORDINANCE.**

**MOTION SECONDED BY MR. YOUCHAK.**

**MOTION CARRIED UNANIMOUSLY.**

**EE**     Case #03-1550, Adelphia, 360 So. County Road

Violation of Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, failure to renew Town Occupational License, balance due of \$65.00 and must provide evidence of registration of a fictitious name with the Florida Department of State, Division of Corporations pursuant to Section 865.09 of the Florida Statutes.

Doug Bennett, General Manager for Adelphia's Palm Beach County area stated that they are operating under the name Adelphia Communications West Palm Beach LLC. An application is in the approval process to update the license.

**MOTION BY MS. HOFFPAUER TO POSTPONE CASE #03-1550 UNTIL THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING.**

**MOTION SECONDED BY MR. YOUCHAK.**

**MOTION CARRIED UNANIMOUSLY.**

**FF**     Case #03-1551, Tourneau Jewelers, 175 Worth 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.

**MOTION BY MR. KOEPEL TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE IN CASE #'S: 03-1551, 03-1552.**

**MOTION SECONDED BY MR. KLEIN.**

**MOTION CARRIED UNANIMOUSLY.**

GG Case #03-1552, Citibank FL FSB, 400 Royal Palm Way  
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.  
**MOTION BY MR. KOEPEL TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE IN CASE #'S: 03-1551, 03-1552.**  
**MOTION SECONDED BY MR. KLEIN.**  
**MOTION CARRIED UNANIMOUSLY.**

**V Presentation of New Cases to Set for Hearing:**

- A Case #03-1553, Pauline Pitt Interiors, 140 Royal Palm Way, Suite 205  
Violation of Section 114.31 of the Town of Palm Beach Code of Ordinances, any person doing business in Town must obtain a Town occupational license.
- B Case #03-1554, Lovedy Barbatelli, % Henry Loos TR HLDR, 200 Kawama Lane  
Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, a building permit is required to install, repair or alter any building or building system. This permit must be obtained prior to commencing work.
- C Case #03-1555, Thomas Campaniello, 304 South 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.
- D Case #03-1556, Thomas Campaniello, 306 South 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.
- E Case #03-1557, Thomas Campaniello, 308 South 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.
- F Case #03-1558, Thomas Campaniello, 206 Royal Palm Way  
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 #03-1559, Thomas Campaniello, 290 South 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 #03-1560, Robert G. Simses, 241 West Indies Drive  
Violation of Chapter 18, Section 18-242, Subsection 104.1.1, 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.
- I Case #03-1561, Pearlman Family LTD Prtnrshp, 225 Barton 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.
- J Case #03-1562, Lenne Gapstur, % Murphy Reid Pilotte Ord & Austin, 340 Royal Palm Way, Suite 100  
Violation of Sections 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, anyone failing to renew their occupational license is doing business without a license.
- K Case #03-1563, Sally Protell, % Shoe Inn South, 288 South County Road  
Violation of Sections 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, anyone failing to renew their occupational license is doing business without a license (Fictitious Name Registration).
- L Case #03-1564, Emilio Pucci, 150 Worth Avenue, Suite 109  
Violation of Sections 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, anyone failing to renew their occupational license is doing business without a license (Fictitious Name Registration).
- M Case #03-1565, Federal Insurance Company, 179 Bradley Place  
Violation of Sections 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, anyone failing to renew their occupational license is doing business without a license (Fictitious Name Registration).
- N Case #03-1566, Palm Beach Eyes, 311 Worth 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 shall be referred to the Town's Code Enforcement Board.
- O Case #03-1567, Dominick Robustelli, 3100 So. Ocean Blvd., #305N  
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 shall be referred to the Town's Code Enforcement Board.

**MOTION BY MR. KOEPEL TO SET CASE #'S: 03-1553, 03-1554, 03-1555, 03-1556, 03-1557, 03-1558, 03-1559, 03-1560, 03-1561, 03-1562, 03-1563, 03-1564, 03-1565, 03-1566 AND 03-1567 FOR HEARING AT THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING.  
MOTION SECONDED BY MR. DAVIS.  
MOTION CARRIED UNANIMOUSLY.**

VI **New Business:** The Town has no new business.

## VII Old Business:

- A Case #01-1384, 332 South County Road, LLC, 332 South County Road  
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.

Robert Walton stated that the work has not been completed and the fine has been running for more than ninety (90) days. The Town would ask that the Board authorize the Town Council to proceed with foreclosure.

Peter Milecci from the office of Brooks Ricca, was here on behalf of the owner of the property and stated that the owner is aware that the Board has been very patient. The owner has a permit application in the building department. The permit has not yet been issued. There is evidence that work is going on.

Chief Code Compliance Officer Brian K. House was sworn in and stated that the fine has been running since January 15 because meaningful work has not continued. This would be a very appropriate time to send this to the Town Council.

After further discussion, the following motion was made:

**MOTION BY MR. KOEPEL THAT THE DEFENDANT IS ORDERED TO MAKE A SUBSTANTIAL PARTIAL PAYMENT OF THE FINE THAT HAS ACCRUED TO DATE WITHIN FIVE (5) DAYS. IF PAYMENT IS MADE AND MEANINGFUL WORK CONTINUES, WE WILL REVISIT THIS ISSUE AT THE JULY 17, 2003 CODE ENFORCEMENT BOARD HEARING. IF PAYMENT IS NOT MADE IN FIVE (5) DAYS, THE BOARD AUTHORIZES THE TOWN COUNCIL TO PROCEED IMMEDIATELY WITH FORECLOSURE ACTION.  
MOTION SECONDED BY MR. HOFFMAN.  
MOTION CARRIED 4 TO 3 AFTER ROLL CALL VOTE.**

- B Case #03-1504, Robert L. Forbes, 171 Clarke 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.

**MOTION BY MR. KOEPEL TO DISMISS CASE # 03-1504 FOR COMPLIANCE  
MOTION SECONDED BY MR. HOFFMAN.  
MOTION CARRIED UNANIMOUSLY.**

- C Case #03-1517, Bernd Lembcke, Mar-a-Lago Club, 1100 So. Ocean Blvd.  
Violation of Chapter 54, Section 54-71 of the Town of Palm Beach Code of Ordinances, no exterior feature of a building under the Jurisdiction of the Landmark Preservation Commission may be altered without either Staff approval or a certificate of appropriateness issued by the Landmark Preservation Commission. Following Landmarks Preservation Commission approval, a building permit is required. This permit must be obtained prior to commencing work.  
**MOTION BY MR. HOFFMAN TO DISMISS CASE 03-1517.  
MOTION SECONDED BY MR. YOUCHAK.  
MOTION CARRIED UNANIMOUSLY.**

## VIII Reports:

Mr. Walton expressed a heartfelt farewell to Brian House who is retiring. He will be missed. Chairman Lawrence welcomed Larry Ochstein to the Board and requested that a resolution commending Mr. House for his years of service to the Code Enforcement Board be presented at the next meeting for approval.

**IX      Adjournment:**            The meeting was adjourned without benefit of a motion.