

**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, JUNE 16, 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
 Pamela Hoffpauer, Vice-Chair
 Timothy Hoffman, Member
 Joel P. Koeppe, Member
 Thomas Youchak, Member
 Hugh C. Davis, III, Member
 George Klein, Alternate Member
 Larry Ochstein, Alternate Member
 Robert S. Walton, Chief Code Compliance Officer
 John C. Randolph, Town Attorney

Absent: Richard A. Raffo, Member

Recording Secretary: Deborah Morakis

Let the record show that Alternate Member George Klein will be voting today.

III Approval of the Minutes of May 19, 2005:
 MOTION BY MS HOFFPAUER FOR APPROVAL OF THE MINUTES.
 MOTION SECONDED BY MR. YOUCHAK.
 MOTION PASSES UNANIMOUSLY.

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

V Public Hearings:

A Case #05-1850, 1072 No. Ocean Blvd., First Construction of the Palm Bchs, Inc.
 Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Medium Projects, of the
 Town of Palm Beach Code of Ordinances: all new or remodel construction projects of
 4,000 sq. ft. to 8,999 sq. ft. under roof shall be allowed 20 months.

Chief Code Compliance Officer Robert Walton advised the Board that this construction
project has gone on for 23 months which is over the allowed 20 months for a project of
this size. At last months meeting, the Board found First Construction in non
compliance and ordered that they come to this meeting with a completion schedule.
The Town has now been advised that this contractor has resigned the job.

Diana Abouzeid, the property owner, testified that First Construction has resigned from the project. A decision has been made to cancel the proposed addition because of the time involved. They want to extend the bathroom and turn the existing bathroom into an office for a desk and study for her secretary. The storage shed has been removed. Construction equipment is being stored in the house. Ninety percent of the yard has been cleaned up. Materials are on site for the refinishing of the pool paving of the driveway.

After further discussion, the following motion was made:

**MOTION BY MR. KOEPPPEL TO CONTINUE CASE #05-1850 UNTIL THE JULY 21, 2005 CODE ENFORCEMENT BOARD HEARING. A STATUS REPORT AND SCHEDULE WILL BE REQUIRED AT THAT TIME.
MOTION AMENDED TO INCLUDE A FINDING OF NON COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**

- B Case #05-1858, 220 Esplanade Way (aka 224/244 Esplanade Way), Clement Prouix
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.

A recommendation was made by Chief Code Compliance Officer Robert Walton to find the Defendant in non compliance and give 5 days to complete the work.

**MOTION BY MS. HOFFPAUER TO FIND THE DEFENDANT IN NON COMPLIANCE AND GIVE 5 DAYS IN WHICH TO COMPLY.
MOTION SECONDED BY MR. YOUCHAK.**

Mr. Hoffman suggested that the motion be amended to give a date certain to achieve this work. A suggestion was made to allow to Friday, June 24, 2005.

**MOTION AMENDED TO FIND THE DEFENDANT IN NON COMPLIANCE AND GIVE UNTIL JUNE 24, 2005 TO COMPLY.
AMENDED MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

- C Case #05-1859, 740 Hi Mount Road, Bartlett Burnap
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 the property owner has hired a contractor to install the required landscaping and therefore requested that this case be postponed until the July 21, 2005 Code Enforcement Board Hearing.

**MOTION BY MR. KOEPPPEL TO POSTPONE CASE #05-1859 UNTIL THE JULY 21, 2005 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.**

- D Case #05-1860, 179 Main Street (aka 177/181 Main Street), 177 Main Street, LLC.

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 42-87 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, and all doors, windows and stairs shall be in a maintained condition.

Mr. Walton requested that this case be postponed until the July 21, 2005 Code Enforcement Board Hearing.

MOTION BY MR. KOEPEL TO POSTPONE CASE #05-1860 UNTIL THE JULY 21, 2005 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

E Case #05-1861, 210 Manana Lane, Jane L. Scott, Joel Scott

Violation of Chapter 118, Section 118-88 of the Town of Palm Beach Code of Ordinances, it is unlawful to park a boat trailer on private property within the Town, between any street and the building setback line on the property where such boat trailer is parked.

Mr. Walton advised the Board that he has been in contact with the owner. They previously kept this boat at the Sailfish Club but after the docks were blown away after the hurricane, they have kept in on a trailer. They intend to move it back to the marina.

MOTION BY MR. KOEPEL TO FIND THE DEFENDANT IN NON COMPLIANCE AND GIVE FIFTEEN (15) DAYS TO REMOVE THE BOAT.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

F Case #05-1862, 128 Ocean View Road, 128 Ocean View, LLC.

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

MOTION BY MR. DAVIS TO DISMISS CASE #'S 05-1862, 05-1863, 05-1864, 05-1865 AND 05-1867 FOR COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

G Case #05-1863, 301 Ridgeview Road, Donald Carmichael

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 thru street (North Lake Way) and fifteen (15) feet along the side street (Ridgeview Drive) from the point of intersection of the two street lot lines. The height of vegetation may be no higher than thirty (30) inches within this vision triangle.

MOTION BY MR. DAVIS TO DISMISS CASE #'S 05-1862, 05-1863, 05-1864, 05-1865 AND 05-1867 FOR COMPLIANCE.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

- H Case #05-1864, 205 Royal Palm Way, J. P. Morgan Trust Company NA
Violation of Section 134-229 of the Town of Palm Beach Code of Ordinances, 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.

MOTION BY MR. DAVIS TO DISMISS CASE #'S 05-1862, 05-1863, 05-1864, 05-1865 AND 05-1867 FOR COMPLIANCE.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

- I Case #05-1865, 350 Royal Palm Way, Deutsche Bank Florida NA
Violation of Section 134-229 of the Town of Palm Beach Code of Ordinances, 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.

MOTION BY MR. DAVIS TO DISMISS CASE #'S 05-1862, 05-1863, 05-1864, 05-1865 AND 05-1867 FOR COMPLIANCE.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

- J Case #05-1866, 247 Southland Road, Daniels Brothers, Inc.
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, 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 under roof shall be allowed 20 months.

Ronald Daniels of Daniels Brothers, Inc., reported to the Board that this project experienced many plan changes and revisions. The permit was obtained before they were prepared to start the project. Mr. Daniels requested that the Board grant 30 to 40 days for the project to be completed.

Chief Code Compliance Officer Rob Walton requested that the Board find the Defendant in non compliance and give until July 31, 2005 to complete the project.

MOTION BY MR. HOFFMAN TO FIND THE DEFENDANT IN NON COMPLIANCE AND GIVE UNTIL JULY 31, 2005 TO COMPLY.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.

- K Case #05-1867, 2252 West Ibis Isle Road, Walter Jackson
Violation of Chapter 42, Section 42-86 (3) 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 and other vegetation to become overgrown or accumulate.
Violation of Chapter 106, Section 106-59 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eighteen (18) feet above all roadways must be maintained to allow unobstructed passage of vehicles.

MOTION BY MR. DAVIS TO DISMISS CASE #'S 05-1862, 05-1863, 05-1864, 05-1865 AND 05-1867 FOR COMPLIANCE.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

VI

Presentation of Cases to Set for Hearing:

Chief Code Compliance Officer Walton requested that Case #'s 05-1868, 05-1869, 05-1870, 05-1871, 05-1872, 05-1873, 05-1874, 05-1875, 05-1876, 05-1877, 05-1878 and 05-1879 be set for hearing at the July 21, 2005 Code Enforcement Board Hearing.

- A Case #05-1868, 115 Gulfstream Road, Jeffrey E. Giangrande 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 trash and grass or weeds to grow to a height greater than eight (8) inches or other vegetation to become overgrown or accumulate.
- B Case #05-1869, 230 Esplanade Way, Olivier Bernadeau
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.
- C Case #05-1870, 183 No. County Road, Janith P. Holmes
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all exterior surfacing shall be kept painted and in good repair.
- D Case #05-1871, 211 Seaview Ave., Lori Jayne Monogramming & More.....
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.
- E Case #05-1872, 230 Royal Palm Way #207, Jewish Arts Foundation, 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.
- F Case #05-1873, 2875 S. Ocean Blvd., #200-25, Palm Realty Associates, 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.
- G Case #05-1874, 2875 S. Ocean Blvd., #200-30, Jordyn Taylor Properties, 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.

- H Case #05-1875, 2875 S. Ocean Blvd. #200-33, Premier Baby Care, LLC
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.
- I Case #05-1876, 2875 S. Ocean Blvd. #104, Safe Technologies International
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.
- J Case #05-1877, 310 Australian Avenue, Thomas A. Hoadley, Trustee
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.
- K Case #05-1878, 756 Slope Trail, Slope Trail LLC
Violation of Chapter 18, Section 242 (104.1.7) of the Town of Palm Beach Code of Ordinances, any site on which there is demolition, and reconstruction does not commence within 15 days of the demolition, the site must be irrigated, sodded or seeded and maintained so as not to be in an unsightly condition.
- L Case #05-1879, 1071 North Ocean Blvd., Janina Radtke Trust
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 MS. HOFFMAN TO SET CASE #'S 05-1868, 05-1869, 05-1870, 05-1871, 05-1872, 05-1873, 05-1874, 05-1875, 05-1876, 05-1877, 05-1878 AND 05-1879 FOR HEARING AT THE JULY 21, 2005 CODE ENFORCEMENT BOARD HEARING. MOTION SECONDED BY MR. YOUCHAK. MOTION CARRIED UNANIMOUSLY.

VII New Business:

NONE

VIII Old Business:

- A 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.

Rob Walton requested that this case be continued until July 21, 2005 Code Enforcement Board Hearing. The Defendant was found in non compliance at the last meeting. A fine can be considered at the next meeting.

**MOTION BY MS. HOFFPAUER TO CONTINUE CASE #04-1752 AT THE JULY 21, 2005 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

- B Case #04-1794, 171 Royal Poinciana, 171 Main Street
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, grass shall not grow to a height greater than 8" 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, exterior walls shall be kept free of cracks and painted, interior walls and ceilings 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.

Mr. Walton requested that Case #'s 04-1794, 05-1857, 05-1808, 05-1829, 05-1832, 05-1838, and 05-1854 be dismissed for compliance.

**MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 04-1794, 05-1857, 05-1808, 05-1829, 05-1832, 05-1838, and 05-1854 FOR COMPLIANCE.
MOTION SECONDED BY MR. KOEPPPEL.
MOTION CARRIED UNANIMOUSLY.**

- C Case #05-1857, 224 So. Ocean Blvd., Kevin M. & Lisa McGovern
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, and all doors, windows and stairs shall be in a maintained condition.

**MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 04-1794, 05-1857, 05-1808, 05-1829, 05-1832, 05-1838, and 05-1854 FOR COMPLIANCE.
MOTION SECONDED BY MR. KOEPPPEL.
MOTION CARRIED UNANIMOUSLY.**

- D Case #05-1808, Joseph Burakoff, 201 El Dorado Lane
Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of

Ordinances, building permits (plumbing, electrical or HVAC) 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 04-1794, 05-1857, 05-1808, 05-1829, 05-1832, 05-1838, and 05-1854 FOR COMPLIANCE.

MOTION SECONDED BY MR. KOEPPPEL.

MOTION CARRIED UNANIMOUSLY.

- E Case # 05-1829, 3230 So. Ocean Blvd., #306, Elfriede Preuss & Rita Scozzafava
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 04-1794, 05-1857, 05-1808, 05-1829, 05-1832, 05-1838, and 05-1854 FOR COMPLIANCE.

MOTION SECONDED BY MR. KOEPPPEL.

MOTION CARRIED UNANIMOUSLY.

- F Case # 05-1832, 110 Atlantic Avenue, Tim Givens Building & Remodeling, Inc.
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, 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. under roof be allowed 20 months.

MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 04-1794, 05-1857, 05-1808, 05-1829, 05-1832, 05-1838, and 05-1854 FOR COMPLIANCE.

MOTION SECONDED BY MR. KOEPPPEL.

MOTION CARRIED UNANIMOUSLY.

- G Case #05-1838, 253 Oleander Avenue, Sharon P. Talbot TR
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 04-1794, 05-1857, 05-1808, 05-1829, 05-1832, 05-1838, and 05-1854 FOR COMPLIANCE.

MOTION SECONDED BY MR. KOEPPPEL.

MOTION CARRIED UNANIMOUSLY.

- H Case #05-1854, 159 Sunset Avenue, 159 Sunset Avenue, LLC

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances: it shall constitute a nuisance for any property owner to permit on their property sand or soil to be stock piled and weeds shall not grow to a height greater than eight (8) inches.

Violation of Chapter 18, Section 18-242 (104.1.7) of the Town of Palm Beach Code of Ordinances: any site on which reconstruction does not commence within 15 days or demolition of the reconstruction permit becomes void, must be leveled, irrigated, sodded and maintained so as not to be in an unsightly condition.

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. HOFFMAN TO DISMISS CASE #'S 04-1794, 05-1857, 05-1808, 05-1829, 05-1832, 05-1838, and 05-1854 FOR COMPLIANCE.

MOTION SECONDED BY MR. KOEPEL.

MOTION CARRIED UNANIMOUSLY.

IX

Reports:

NONE

X

Adjournment: The meeting was adjourned at 2:40 p.m. without benefit of a motion.