

**CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, MAY 18, 2006
AT THE TOWN COUNCIL CHAMBERS, 360 SO. COUNTY ROAD**

I Call to Order: The meeting was called to order at 2:00 p.m. by Timothy Hoffman.

II Roll Call:

Present:	Timothy Hoffman, Chairman Richard A. Raffo, Vice-chairman Joel P. Koeppel, Member Larry Ochstein, Member Catherine M. Duemler, Member Martin I. Klein, Member Harris S. Fried, Alternate Member John C. Randolph, Town Attorney
Absent:	Alfred J. Cinque, Alternate Member (unexcused)
Staff:	Robert S. Walton, Chief Code Compliance Officer Deborah A. Morakis, Recording Secretary

Let the record reflect that Mr. Fried will vote today.

**III Approval of the Minutes of April 20, 2006:
MOTION BY MR. KOEPPEL 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 by Recording Secretary Debby Morakis.***

V Public Hearings:

**A Case #06-1988, 515 No County Road, Trump Properties LLC
Violation of Agreement dated January 31, 1990, between Abraham Gosman and The Town of Palm Beach. The hedge along the west property line has been removed and not replaced per the agreement.**

Chief Code Compliance Officer Robert Walton requested that this case be postponed until the June Code Enforcement Board Hearing.

**MOTION BY MR. KOEPPEL TO POSTPONE CASE #06-1988 UNTIL THE JUNE 15, 2006
CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION CARRIED UNANIMOUSLY.**

- B Case #06-1989, 220 Esplanade Way, Brian McDaniel, LLC
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances: requires properties be maintained in good condition.
Violations of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances: all exterior walls, roofs, doors and windows shall be reasonably free of cracks, painted and shall be kept in a sound condition and good repair.
Violation of Chapter 18, Section 18-964 of the Town of Palm Beach Code of Ordinances (Building Regulations): missing numbers on home.

Chief Code Officer Walton reported that at the April 20, 2006 Code Enforcement Board Hearing, the Code Enforcement Board issued a finding of non compliance and ordered the defendant to comply with the Town's ordinances by securing the building. The building has been secured. A demolition permit has been obtained with demolition scheduled for May 22, 2006. Wildcat Demolition is the contractor. The Town would ask that the defendant be given seven days to demolish the building and sod and irrigate the lot.

**MOTION BY MR. KOEPEL TO GRANT SEVEN (7) DAYS TO DEMOLISH THE STRUCTURE AND SOD OR SEED AND IRRIGATE THE PROPERTY.
MOTION SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- C Case #06-1992, 216 Angler Avenue, Roxanne Quimby
Violation of Chapter 18, Section 18-241, of the Town of Palm Beach Code of Ordinances, and Florida Building Code 2001, Section 105: Building permits required.

Chief Walton reported that windows and a front door were installed without a permit. A permit was applied for on May 9. The plans have been approved and a permit should be issued today. Mr. Walton suggested a finding of non compliance, costs in the amount of \$150.00 and allow thirty (30) days to obtain any required inspections.

**MOTION BY MR. KLEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY COSTS IN THE AMOUNT OF \$150.00 AND IS GIVEN THIRTY (30) DAYS TO OBTAIN ALL REQUIRED INSPECTIONS.
MOTION SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.**

- D Case #06-1993, 252 Atlantic Avenue, Jane J. Simon, ET AL TR Holder
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.

Chief Walton reported to the Board that a generator was installed in the front yard without a permit. A permit has now been obtained, the generator has been relocated to a proper location, but no inspections have been done. After further discussion, the following motion was made:

**MOTION BY MR. KLEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY COSTS IN THE AMOUNT OF \$150.00 AND IS GIVEN SEVEN (7) DAYS TO OBTAIN ALL REQUIRED INSPECTIONS.
MOTION SECONDED BY MR. KOEPEL.
MOTION CARRIED UNANIMOUSLY.**

- E Case #06-1994, 253 Atlantic Avenue, Ruth A. Summers
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.
- Chief Walton advised the Board that a generator was replaced under warranty. However, no permit could be found for the original generator or the replacement. Carpenter Electric has applied for the permit and has asked for three weeks to complete the project.
- MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY COSTS IN THE AMOUNT OF \$150.00 AND IS GIVEN TWENTY-ONE (21) DAYS TO OBTAIN ALL REQUIRED INSPECTIONS.**
- MOTION SECONDED BY MR. OCHSTEIN.**
- MOTION CARRIED UNANIMOUSLY.**
- F Case #06-1995, 313 Dunbar Road, Cury Real Estate & Construction/Donald & Irene Dizney
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 be allowed 20 months.
- Chief Walton reported that this project is currently at twenty-eight (28) months and not finished. The Town Council authorized a two-month extension on all projects after the hurricanes.
- Attorney Ron Kolins, here on behalf of Mr. Cury, was sworn in and testified to the Board the various delays experienced with obtaining materials and thus delaying the completion of the project. After explaining the completion schedule, Mr. Kolins requested a sixty (60) day extension in order to complete the project.
- Attorney Greg Young, here on behalf of the Dizney's, advised the Board that the Town has the attention of the owners and the contractor and requested that the Town grant the requested extension.
- After further discussion, the following motion was made:
- MOTION BY MR. KLEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY COSTS IN THE AMOUNT OF \$150.00 AND IS GIVEN SIXTY (60) DAYS TO COMPLETE THE PROJECT AND OBTAIN ALL REQUIRED INSPECTIONS.**
- MOTION SECONDED BY MR. KOEPEL.**
- MOTION CARRIED UNANIMOUSLY.**
- G Case #06-1996, 2880 S Ocean Blvd., 2880 Development Group
Violation of Chapter 42, Sections 42-86 and 42-87 of the Town of Palm Beach Code of Ordinances requires properties be maintained in good condition.
- Chief Walton advised the Board that six of the eight items addressed in the violation letter have been completed. The two items remaining to be done are the parking lot repairs and soffit and fascia repairs.
- Mark McCorkle, property manager, indicated that the parking lot patches and bumpers will be completed by May 30, 2006. The soffit will also be repaired by that time. The plywood boards covering the windows will be painted to match the building and new storefront windows will be installed by the end of July.
- After further discussion, the following motion was made:

MOTION BY MR. OCHSTEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY COSTS IN THE AMOUNT OF \$150.00 AND IS GRANTED UNTIL MAY 30, 2006 TO PAINT ALL PLYWOOD WINDOW COVERINGS AND COMPLETE THE PARKING LOT REPAIRS. THE DEFENDANT MUST COMPLETE THE INSTALLATION AND INSPECTIONS REQUIRED FOR THE REPLACEMENT OF THE WINDOWS AND DOORS BEFORE JULY 31, 2006.

MOTION SECONDED BY MR. KOEPPPEL.

MOTION CARRIED UNANIMOUSLY.

- H Case #06-1997, 251 Sunrise Avenue, Deco of Palm Beach 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.

Chief Code Compliance Officer Walton requested that this case be postponed due to lack of service. This case will be brought back when service is obtained.

MOTION BY MR. KOEPPPEL TO POSTPONE CASE #06-1997.

MOTION SECONDED BY MR. OCHSTEIN.

MOTION CARRIED UNANIMOUSLY.

VI New Business:

None.

VII Old Business:

- A Case #04-1787, Charles T. Roddy, 432 Brazilian Avenue
REPEAT Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, it shall be unlawful and constitute a nuisance for any owner of land within the Town to allow building materials, non operative boats, automobiles or other such items to accumulate.

Attorney Len Rubin addressed the Board on behalf of Mr. Roddy and stated that at a future date he would like to come back to the Board to request some sort of abatement of the fine.

Report only. No action by the Board required.

Case #06-1990 was heard out of order, to accommodate Mr. Rubin.

- F Case #06-1990, 432 Brazilian Avenue, Charles T. Roddy
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1 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 the work being commenced.

MOTION BY MR. KOEPPPEL TO POSTPONE CASE #06-1990 UNTIL THE JUNE 15, 2006 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. OCHSTEIN.

MOTION CARRIED UNANIMOUSLY.

- B Case #05-1941, 308 Cocconut Row, Anitra Thorhaug
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.
- Chief Code Officer Walton reported to the Board that status of the project. Completion is anticipated within about three months.
- Report only. No action by the Board required or taken.
- C Case #06-1956, 201 El Vedado (fka 680 So. County Rd.), Daniels Brothers, Inc./True 680
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Large Projects, all new or remodel construction projects of 9,000 sq. ft. or more under roof be allowed 27 months.
- Ron Daniels of Daniels Brothers Inc. reported to the Board that they will be ready for final inspections in July. The driveway will be done today. Planting will be done soon. The second floor will be completed by the end of May. The project will be completed at the end of July.
- Report only. No action by the Board required or taken
- D Case #06-1957, 143 Clarendon Ave., Elias Mgmt & Const, Inc./Robert C. Echele
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Medium Projects, all new or remodel construction projects of 4,000 sq. ft. to 8,999 sq. ft. under roof be allowed 20 months.
- Chief Code Compliance Officer Walton read a letter submitted by Mr. Elias, reporting that the house is proceeding on schedule. Insulation and drywall is scheduled to be done by the 20th. The project is on schedule.
- Report only. No action by the Board required or taken.
- E Case #06-1977, 240 Sanford Ave., Frances B. Cornell
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1 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 reported to the Board the status of this case.
- MOTION BY MR. KLEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY COSTS IN THE AMOUNT OF \$150.00 AND IS GIVEN TWO (2) WEEKS AFTER THE PERMIT IS ISSUED TO REMOVE THE STRUCTURE.**
MOTION SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.

IX Adjournment:

A discussion took place regarding the proper method by which Board Members should share comments about a proposed orientation manual being created for new members.

Veronica Close, Director of Planning, Zoning & Building advised the Board that any comments could be directed to the Department and they would be incorporated and brought back to the next Code Enforcement Board Hearing for discussion.

Martin Klein suggested that public awareness and education be done publicizing the necessity of obtaining a permit. Further comments were made by the Board.

Mr. Raffo requested a progress report from Ms. Close regarding the revamp of the zoning code and sections of the code pertaining to citations. Ms. Close reported that the zoning season study items will be in front of the Town Council in June and some items will be considered in July.

Mr. Fried commented about the Civic Association, Code Enforcement Board and methods of operations. Skip Randolph advised the Board that the Town Council has placed Code Enforcement as a priority. Veronica Close advised the Board that the Town Council will be hearing a report from staff and suggested that she come back to the Board with a report at the next Code Enforcement Board Hearing.

There being no further business, the meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Deborah A. Morakis
Secretary for the Code Enforcement Board