



TOWN OF PALM BEACH

POLICE DEPARTMENT

A NATIONAL AND STATE ACCREDITED LAW ENFORCEMENT AGENCY



TOWN OF PALM BEACH

CODE ENFORCEMENT BOARD MINUTES

2:00 P.M. THURSDAY, APRIL 19, 2007

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 Chairman Timothy Hoffman.
- II. **ROLL CALL:**
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| Present: | Timothy Hoffman, Chairman
Richard A. Raffo, Vice-Chairman
Joel P. Koepfel, Member
Larry Ochstein, Member
Catherine M. Duemler, Member
Martin I. Klein, Member
Harris S. Fried, Member
Cynthia Van Buren, Alternate Member |
| Absent: | Madelyn Greenberg, Alternate Member (excused) |
| Staff: | Robert S. Walton, Code Compliance Officer
John C. Randolph, Town Attorney
Deborah A. Morakis, Recording Secretary |

III. **ELECTION OF OFFICERS**

Mr. Randolph asked for nominations for Chairman.

MOTION BY MR. KLEIN TO NOMINATE MR. HOFFMAN AS CHAIRMAN.

MOTION SECONDED BY MRS. DUEMLER.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. KLEIN TO DECLARE A UNANIMOUS BALLOT IN FAVOR OF MR. HOFFMAN AS CHAIRMAN.

MOTION SECONDED BY MR. FRIED.

MOTION PASSED UNANIMOUSLY.

Mr. Randolph asked for nominations for Vice-Chairman.

MOTION BY MR. KLEIN TO NOMINATE MR. RAFFO AS VICE CHAIRMAN.

MOTION SECONDED BY MRS. DUEMLER.

MOTION BY MR. FRIED TO DECLARE A UNANIMOUS BALLOT IN FAVOR OF MR. RAFFO AS VICE CHAIRMAN.

MOTION SECONDED BY MR. FRIED.

MOTION PASSED UNANIMOUSLY.

IV. APPROVAL OF THE MINUTES OF MARCH 15, 2007:

MOTION BY MR. KOEPEL FOR APPROVAL OF THE MINUTES.

MOTION SECONDED BY MRS. DUEMLER.

MOTION PASSED UNANIMOUSLY.

V. ADMINISTRATION OF THE OATH TO ALL PERSONS WISHING TO TESTIFY:

Let the record show that all persons wishing to testify were sworn in at this time by Recording Secretary Debby Morakis.

VI. PUBLIC HEARINGS:

A Case #07-2089, 151 Chilean, Capt. Erik Gilbertson

Violation of Chapter 42, Section 42-86 and 42-87 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 and 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.

Code Officer Walton reported that Mr. Gerry had held discussions with Mr. Gilbertson who had corrected some of the problems. However there were still several repairs needed. He recommended a finding of non-compliance and costs in the amount of \$150 and that the defendant be given until May 14, 2007 to bring the property into compliance.

MOTION BY MR. KLEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150, AND BE GRANTED MAY 14TH IN WHICH TO COMPLY WITH TOWN ORDINANCES.

MOTION SECONDED BY MR. FRIED.

MOTION PASSED UNANIMOUSLY.

B Case #07-2090, 260 Colonial Lane, Mr. Steven Apple

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.

Sergeant Hess reported that Code Officer Gerry was unable to attend this meeting. He circulated a photograph of the property and stated the defendant failed to obtain a permit for the canopy structure which violated setback ordinances. A letter was sent to the owner via certified mail; however there was no reply from the property owner, who was given 60 days to respond. Also, the property had been posted since January 24, 2007 with no response. Staff recommended a fine of \$250 per day starting April 6, 2007, the day after the deadline, and costs in the amount of \$150.

Mr. Fried wished to clarify that the owner had been contacted. Sergeant Hess stated that official notice requirements had been satisfied with no response from the property owner.

MOTION BY MR. KOEPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, ORDERED TO PAY ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150, AND BE

**GRANTED UNTIL MAY 14 TO COMPLY WITH TOWN ORDINANCES.
MOTION SECONDED BY MR. OCHSTEIN.
MOTION PASSED UNANIMOUSLY.**

- C Case #07-2091, 2310 South Ocean Blvd., Craig & Nancy Martone
Violation of Chapter 42, Section 42-86 and 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, it shall be unlawful and constitute a nuisance for any owner of land within the Town to allow items to accumulate and all interior walls and ceilings shall be structurally sound.

Sergeant Hess reported that Mr. Gerry had inspected the property on October 2, 2006. The parking lot had not been repaved or striped and there was massive interior damage visible. He reported that the property had been noticed since October 4, 2006 with a 6-month period to bring the property into compliance. Certified mail was also sent and the property was posted appropriately. No permits had been requested for this property since 1999. Staff recommended a finding of non-compliance and cost of \$150.

Stacy Martone, the property owner, stated had been working on a design to build on the property. She stated she was advised not to demolish the building until she had a new design approved by the Architectural Commission (ARCOM). She stated the building was currently safe and that she had received ARCOM for demolition. She was awaiting an approval for demolition letter from her mortgage company in order to get the Town's demolition permit. She expected to have this approval within one month.

Mr. Fried wished to clarify that the building was safe. Sergeant Hess stated he did not believe there were any live wires and confirmed that there were no unlocked doors. Mr. Walton stated there was no electrical service to the building and the building was still in severe disrepair.

Mr. Koeppel requested that the defendant be given until the next meeting to collect the last document needed and ordered that she improve the property's appearance by cutting the grass.

**MOTION BY MR. KOEPPEL THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE
AND ORDERED TO PAY A FINE OF \$150 AND ADMINISTRATIVE COSTS IN THE AMOUNT
OF \$150 AND IS GRANTED A DEADLINE OF MAY 16, 2007 IN WHICH TO COMPLY WITH
TOWN ORDINANCES.
MOTION SECONDED BY MR. FRIED.
MOTION PASSED UNANIMOUSLY.**

- D Case #07-2092, PCN # 50-43-43-03-09-000-0413, L.G. Jr. & Elizabeth Stratton
Violation of Chapter 134, Section 134-1472 of the Town of Palm Beach Code of Ordinances: which requires the ocean vista to be maintained on ocean properties easterly of Ocean Blvd., by maintaining 50% of the vegetation at 36" and 50% of the vegetation at 48".

Code Officer Walton requested to remove case #07-2092 from the agenda.

**MOTION BY MR. KLEIN TO REMOVE THESE CASES FROM THE AGENDA.
MOTION SECONDED BY MRS. DUEMLER.
MOTION PASSED UNANIMOUSLY.**

- E Case #07-2093, 1260 North Ocean Blvd., Carl Hirsch
Violation of Chapter 134, Section 134-1472 of the Town of Palm Beach Code of Ordinances: which requires the ocean vista to be maintained on ocean properties easterly of Ocean Blvd., by maintaining 50% of the vegetation at 36" and 50% of the vegetation at 48".

Code Officer Walton requested to remove case #07-2093 from the agenda.

**MOTION BY MR. KLEIN TO REMOVE THESE CASES FROM THE AGENDA.
MOTION SECONDED BY MRS. DUEMLER.
MOTION PASSED UNANIMOUSLY.**

- F Case #07-2094, 105 Clarendon Ave, 105 Clarendon Corp, Royal Palm Collection Inc.
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Small Projects, all new or remodel construction projects of 3,999 and less sq. ft. under roof be allowed 12 months.

Mr. Walton reported that this item along with Case #07-2095 involved the same issue and facts. There were two buildings on the same property which required two separate permits. The permit date on this project was December, 2003 therefore the defendant was 24 months overdue. Both buildings were being built at the same time. There were two separate contractors and two separate permits

Richard Evan, the owner's agent, explained that the defendants, Mr. and Mrs. Miller, were out of the country and had requested deferral to the next meeting. He stated that the electrical final inspection did not pass. He stated that the Millers made various revisions to the home.

Mr. Koepfel was not in favor of a postponement. Mr. Walton recommended a fining of non-compliance with costs to be assessed of \$150 along with an order to come back before the next hearing.

**MOTION BY MR. KLEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE AND ORDERED TO PAY ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150 AND BE GRANTED UNTIL MAY 16, 2007 TO COMPLETE THE PROJECT.
MOTION SECONDED BY MRS. DUEMLER.
MOTION PASSED UNANIMOUSLY.**

- G Case #07-2095, Palm Beach Building & Development, 874 South County Road Corp.
Violation of Chapter 18, Section 18-242, Subsection 104.5.1.6, Small Projects, all new or remodel construction projects of 3,999 and less sq. ft. under roof be allowed 12 months.

Mr. Walton stated the facts were the same in this case as in Case #07-2094.

**MOTION BY MR. KLEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE AND ORDERED TO PAY ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150 AND BE GRANTED UNTIL MAY 16, 2007 TO COMPLETE THE PROJECT.
MOTION SECONDED BY MRS. DUEMLER.
MOTION PASSED UNANIMOUSLY.**

- H Case #07-2096, Wildes Builders LLC, 260 Via Bellaria LLC
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.

Mr. Walton explained the permit was obtained in September of 2004 and was at its end date.

Steve Wildes, of Wildes Builders, the second contractor on this project, distributed copies of a schedule of work and requested an additional 6 months to complete the project. Mr. Walton stated there were members of the public present who wished to speak on this topic.

Mr. J. Pashkow, a neighbor of the defendant distributed photographs of the property along with a personal note from neighbor, General Dinkins, expressing his feelings about the case. He spoke of damage to his property and various inconveniences he had suffered over the course of this project. He stated this was the only property on the street with no privacy wall or hedge and requested that the defendant be ordered to include this. He acknowledged that Mr. Wildes had done much to correct these problems.

Mr. Wildes stated he had had come on to this project with several permits that had not been completed. He requested 6 months to correct all the problems and indicated only inside work remained. He added that this was a restoration of a landmarked house, with many materials coming from overseas.

Mr. Klein voiced his concern about leniency in such cases and stressed that residents should not be subjected to these inconveniences. Mr. Walton stated that staff was tightening up its tracking of such permit time limit violations and spoke of Mr. Wildes' efforts to keep the project moving. Mr. Walton recommended a finding of non-compliance, for costs of \$150 to be assessed, and for compliance to be ordered by May 15. He stated that landscaping had been installed but was unsure of the landscaping requirements. Mr. Pashkow stated he was in favor of having the project completed faster and would be happy with a privacy hedge. Mrs. Duemler asked whether the road was in disrepair. Mr. Pashkow stated he did not see any purpose to fixing the road as neighbors wanted the work done quickly.

Mr. Klein suggested giving the defendant a short period of time such as 30 or 60 days to come into compliance, and then consider imposing fines as a further inducement to comply sooner. He also suggested adding temporary screening to the motion. Mr. Randolph did not feel it was appropriate to modify any landscaping conditions if interior work was now being done. After further discussion, the following motion was made:

MOTION BY MR. KLEIN THAT THE DEFENDANT IS FOUND IN NON COMPLIANCE, AND ORDERED TO PAY ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150, AND BE GRANTED UNTIL MAY 14, 2007 TO COMPLY WITH TOWN ORDINANCES.

Mr. Hoffman recommended that the chains be taken down during construction days and that trucks be parked in the driveway or on the side of the house. Mr. Klein accepted this addition to the motion.

MOTION SECONDED BY MRS. DUEMLER.

Mr. Fried stated he was not inclined to agree with the motion on the floor. He felt it did not make sense to give the property owner or contractor conditions that it was clear they were unable to fulfill. He was in favor of giving defendant an extension of 6 months and having the contractor prepare a schedule of completion and report every other month to the Board as to the progress of the improvements.

ROLL CALL VOTE:

MR. KLEIN	YES
MRS. DUEMLER	YES
MR. FRIED	NO
MR. KOEPEL	YES
MR. OCHSTEIN	YES
MR. RAFFO	NO
MR. HOFFMAN	NO

MOTION CARRIED 4-3.

VII NEW BUSINESS:

VIII OLD BUSINESS:

A Case #06-2037, 365 So. County Road, PBI, LLC

Violation of Chapter 42, Section 42-86 and 42-87 of the Town of Palm Beach Code of Ordinances: requires properties be maintained in a good condition. For consideration of fine.

Mr. Walton stated that this defendant was granted an extension for compliance which expired on April 15, 2007.

Rick Robinson spoke of problems that had occurred during the roof repair process. He stated the roof was finished and that final inspection would be done the following day. He requested an extension through the final inspection the following day plus an additional two weeks in case of any unforeseen problems with this inspection. Mr. Walton stated staff was not in favor of a further extension as the defendant was granted an extension previously. Mr. Koepfel stated he was not in favor of penalizing defendants when they worked hard on meeting compliance.

MOTION BY MR. KOEPEL THAT THE DEFENDANT BE GRANTED UNTIL APRIL 27, 2007 TO COMPLY WITH TOWN ORDINANCES, AND ORDERED TO PAY ADMINISTRATIVE COSTS IN THE AMOUNT OF \$250 PER DAY IF COMPLIANCE IS NOT MET BY THIS DATE. MOTION SECONDED BY MR. KLEIN. MOTION CARRIED UNANIMOUSLY.

B Case #06-2064, 3230 So. Ocean Blvd., #407, Theodoros & Kathryn Agelopoulous

Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances and Florida Building Code 2001, Section 104 Building Permits required. Request for fine reduction.

Mr. Walton reported that on February 15, the defendant had been fined \$150 per day until the project was completed. The project was completed on April 17 and the defendant was requesting a fine reduction.

Yanni Agelopoulous explained he was unaware of the permit requirement for repairs to the home but had applied for the permit immediately upon being so advised. He stated the permit application was not granted until January 22, 2007 which meant he was 15 days over deadline versus 45 days. He stated his final inspection had passed on Tuesday, April 17. Mr. Walton confirmed this information was accurate and stated the defendant tried diligently to complete the project. Staff felt the request for reduction of fines was reasonable.

MOTION BY MR. KOEPEL TO REDUCE THE FINE TO 15 DAYS. MOTION SECONDED BY MRS. DUEMLER. MOTION CARRIED UNANIMOUSLY.

C Case #07-2078, 2243 Ibis isle Road, Robert D. Marcinek

Violation of Chapter 134, Section 134-2 of the Town of Palm Beach Code of Ordinances: a residence in the Town of Palm Beach may be rented weekly three (3) times per calendar year.

Sergeant Hess advised that staff had obtained a copy of a valid 2-month lease agreement which appeared to be in order; therefore there was no violation. Staff was therefore withdrawing this case.

D Case #07-2079, 2875 So. Ocean Blvd., Leslie Robert Evans, 2875 Development Group

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, structural members shall supply substantial support for the structure, interior walls and ceilings shall be structurally sound, all exterior walls shall be reasonably free of cracks, painted and shall be kept in sound condition and good repair. Failure to commence repairs as required by

the letter from Acting Building Official dated October 11, 2006.

Mr. Walton spoke of the background of this item and indicated there was a court order regarding this case. He advised that the Code Enforcement Board had given the defendant until July 15 to complete repairs to the property.

Mr. Mrachek advised that a building permit for repairs had been pulled on April. Also, a notice of commencement was filed on the same date. He stated that all tenants except Wachovia had been vacated and that Wachovia had filed a lawsuit in its efforts to remain at the site until its 17-year lease expired. He advised that Ken Marshall, the engineer producing the scope of work, was present. Also, Michael Harstad who pulled the permits was present. Mr. Mrachek requested an extension to complete the work as it was impossible to get the work done by July 15. He stated it had been difficult to locate a structural engineer to make the appraisal of the truss system and the roof. He stated that all the required repairs would make this a 10-12 month project.

Herb C. Gibson, representing Wachovia Bank, stated he had an estimate from a contractor to do the repair work to the building. He spoke of the bank's desire to continue doing business at the site. He distributed a certified copy of a court injunction relevant to this property. He asked the Board to not give any tolerance to the owner as the bank's contractor had assured them that basic structural repairs could be completed by July 15. He requested that the Board stand by its original order to the property owner and hold them to the July 15 schedule.

Mr. Mrachek objected to Mr. Gibson's construction estimate and assertion that the repair work could be done by July 15. Mr. Hoffman referred to a letter from the Town dated October 11, 2006 ordering the defendant to repair or demolish the building by July 15. He stated that the Board's order to the defendant was based only on the repairs stipulated in this letter. Mr. Mrachek stated that per the stipulations in the Town's October letter, the entire building would need to be brought up to Code.

Sharon Fay, an employee who worked in the building temporarily, spoke of illness she had suffered from exposure to mold in the building.

Mr. Raffo asked whether the building was unsafe. Mr. Walton assured the Board that the building was safe. Mr. Klein felt the Board had issued a reasonable order but suggested it might be in everyone's best interest to let another month go by to see if the defendant was proceeding diligently toward completing repairs. Mr. Klein asked Mr. Walton for his recommendation. Mr. Walton recommended that the Board stand by its original order. Mr. Mrachek agreed the Board's order was reasonable but pointed out there was no way at the time it was issued to gauge how long the repairs would take.

Mr. Fried asked what it would take to bring the building into compliance by October and requested hearing from the contractor.

William Bower, General Manager, Special Services of Anderson Moore Construction, referred to his proposal and estimate. He spoke of extensive hurricane damage to the building and relevant structural repairs that were needed. He stated that no evidence of damage had been found in the Wachovia space itself.

Sgt. Hess requested that the Board hold to its March ruling. He stressed that the Town's concern was safety and aesthetics, not engineering issues. Mr. Hoffman pointed out that the schedule of repair had not yet been provided. Mr. Mrachek acknowledged this and stated that per the Town's October 11, 2006 order, the defendant had attempted demolition but ended up in litigation over this. He stated there were delays because the defendant had gone down the wrong route and again requested an extension.

Mr. Klein felt many of these issues were being raised prematurely. He asked when Mr. Mrachek could provide a schedule of repairs. Mr. Klein believed the Board came to a reasoned conclusion before and asked for a schedule of repairs as soon as possible. He offered a motion to deny the request as being premature. Mr. Walton suggested the Board could grant the defendant until the next meeting to provide a schedule of repairs. Mr. Klein suggested that the defendant be given until May 14 to provide the schedule.

Harry Ackerman, Town of Palm Beach, stated that per Town Code, any repairs beyond 30% of floor or roof space required bringing the entire building up to Code. However, without the complete scope of work it was difficult to tell where the repairs on this building fell within these stipulations.

Mr. Koeppel asked if repairs being considered factored the mold situation. Mr. Ackerman stated that the new walls would eliminate this problem.

MOTION BY MR. KOEPPEL TO DENY THE REQUEST FOR EXTENSION AND GRANT THE DEFENDANT UNTIL MAY 14 TO PROVIDE A SCHEDULE OF REPAIRS.
MOTION SECONDED BY MR. FRIED.
MOTION CARRIED UNANIMOUSLY.

- E Case #07-2083, 2565 So. Ocean Blvd., #222, Eugene F. McAuliffe, Elinor McAuliffe
Violation of Chapter 18, Section 18-241, 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 requested that this case be postponed until April 19.

MOTION BY MR. KOEPPEL TO POSTPONE UNTIL MAY 17TH CODE ENFORCEMENT MEETING.
MOTION SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.

- F Case #07-2085, 311-315 S. County Rd., Margrit Bessenroth
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances: Environment. Violation of Chapter 118, Section 118-147 of the Town of Palm beach Code of Ordinances: Traffic and Vehicles.

Mr. Walton stated that this defendant had been found in non-compliance and ordered to replace missing awning frames and covers and obtain a valid valet parking permit by April 15. None of these stipulations had been met.

Peter Broberg, representing the defendant, explained that the permit for the awnings had been delayed because of a technicality in the building license issued by the state. He stated that the permit had finally been received and that work on the awnings would begin shortly. He advised the defendant had received its insurance policy that day, which included the Town as an additional insured. This would be submitted the following morning. He requested an extension.

MOTION BY MR. RAFFO TO GRANT THE DEFENDANT UNTIL MAY 16 TO PROVIDE THE RELEVANT LICENSES AND PERMITS AND ORDER THE DEFENDANT TO PAY HEARING COSTS.
MOTION SECONDED BY MR. KOEPPEL.
MOTION CARRIED UNANIMOUSLY.

- G Case #07-2086, 311 S. County Road, Marbess Day Spa/Salon Margrit, Inc.
Violation of Chapter 114, Section 114-38 of the Town of Palm Beach Code of Ordinances: taxation.

Mr. Walton stated that no business tax license had been received. Mr. Broberg explained efforts his defendant had made to clarify the business licensing issue with the state. Mr. Broberg hoped these would all be clarified by the next meeting. Mr. Walton recommended giving the defendant until May 16 to provide the relevant licenses and permits. He requested that the defendant be required to pay both hearing costs for both cases.

MOTION BY MR. RAFFO TO GRANT THE DEFENDANT UNTIL MAY 16 TO PROVIDE THE RELEVANT LICENSES AND PERMITS AND ORDER THE DEFENDANT TO PAY HEARING COSTS.

MOTION SECONDED BY MR. KOEPEL.

MOTION CARRIED UNANIMOUSLY.

H Case #07-2087, 2560 So. Ocean Blvd., Whitehouse 94, LLC

Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances and Florida Building Code, Section 105: Permits Violation of Chapter 114, Section 114-32 of the Town of Palm Beach Code of Ordinances: Business tax.

Mr. Walton stated this defendant had been found in non-compliance and ordered to obtain permits and pass required inspections. The permit had been obtained but the defendant was past the April 15 compliance date. He requested that a fine of \$250 per day be assessed until all inspections passed and the permit was completed.

MOTION BY MR. FRIED TO ORDER THE DEFENDANT TO PAY \$250 PER DAY IN FINES UNTIL ALL INSPECTIONS AND PERMITS WERE IN COMPLIANCE.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

I Case #07-2088, 2842 So. Ocean Blvd., CSC Palm Beach, LP, OC Beach Resort

Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances and Florida Building Code, Section 105: Permits Violation of Chapter 114, Section 114-32 of the Town of Palm Beach Code of Ordinances: Business tax.

Mr. Walton stated that the defendant had not obtained the relevant business tax or permit previously ordered by the Town.

Jim Brindell, representing the defendant, explained that the Town would not review the permit, inspect the sign, or issue the tax certificate because the defendant was also requesting zoning approvals for renovations to the hotel. His client was willing to file the necessary applications to changes to the renovation plan by May 16. He requested an extension until May 17 under this condition.

MOTION BY MR. KLEIN TO GRANT THE DEFENDANT AN EXTENSION UNTIL MAY 19.

MOTION SECONDED BY MR. KOEPEL.

MOTION CARRIED UNANIMOUSLY.

J Case #07-2073, 129 Chilean Avenue, Robert & Beverly Lowden

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances: requires roofs be maintained so as not to leak and kept in a good state of repair.

Mr. Walton stated the defendant was not present to address the Board; therefore no action was required.

IX. REPORTS:

A Case #06-2003, 2295 So. Ocean Blvd., Harbour House of Palm Beach

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.

Mr. Walton reported that this defendant was on schedule with work on the balconies.

- B Case #06-2015, 302 Eden Road, Macari Building & Design, Inc. & William & Lisa Kaye
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 22 months.

Mr. Walton reported that this defendant was on schedule with work on this project.

- C Case #06-2049, 1742 So. Ocean Blvd., Gunther E. Lehmann
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances: all exterior walls, gates and fences situated on the property shall be kept in a good state of repair.

Mr. Walton reported that this defendant was on schedule with work on this project.

- D Case #06-2050, 1744 So. Ocean Blvd., Norman Travers
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances: all exterior walls, gates and fences situated on the property shall be kept in a good state of repair.

Mr. Walton reported that this defendant was on schedule with work on this project.

X. COMMENTS FROM THE BOARD:

Mr. Hoffman asked for comments from the Board. Mr. Raffo asked for comments from the Police Department regarding the Board's work.

Sergeant Kirk Blouin stated he oversaw the code enforcement function for the department. He felt the hearing went well and suggested getting away from having defendants argue back and forth. He wanted the Board to focus on compliance or non compliance issues only. He advised that more Code officers were on staff and would begin training the following week.

Mr. Raffo felt the Wachovia issue was a money conflict and questioned why the Board would be involved in such discussions. Mr. Blouin agreed and stressed that the Board's concern was compliance or non-compliance.

XI. ADJOURNMENT:

The meeting was adjourned without benefit of a motion at 4:37 p.m.