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**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, APRIL 19, 2001
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

I. Call to Order: The meeting was called to order at 2:02 p. m. by Chairman David J. Thomas.

II. Roll Call: PRESENT: David J. Thomas, Chairman
 Scott Sloane, Vice-Chairman
 Eugene Lawrence, Member
 J. Richard Allison, Member
 P. Robert Bale, Member
 Dr. Harry Horwich, Member
 M. S. Rukeyser, Jr., Member
 Lowell Levine, Alternate Member

RECORDING SECRETARY: Deborah A. Morakis

III. Approval of the Minutes of March 15, 2001:

MOTION BY MR. BALE TO ACCEPT THE MINUTES AS MAILED.
MOTION SECONDED BY MR. SLOANE.
MOTION CARRIED UNANIMOUSLY.

IV. Public Hearings:

- A Case #00-1204, Michael & Gayle Kalisman, 146 Dunbar Road
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all exterior walls, etc., shall be reasonably free of cracks, painted and shall be kept in sound condition and good repair.
MOTION BY MR. SLOANE TO DISMISS CASE #01-1204, CASE #01-1216, CASE #01-1222 AND CASE #01-1239 FOR COMPLIANCE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- B Case #01-1216, Joseph Burakoff, 201 El Dorado Lane
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1.1 of the Town of Palm Beach Code of Ordinances, a building permit is required to construct, install, repair, or alter any building or building system.
MOTION BY MR. SLOANE TO DISMISS CASE #01-1204, CASE #01-1216, CASE #01-1222 AND CASE #01-1239 FOR COMPLIANCE.

MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.

- C Case #01-1221. William A. Kaye. 302 Eden Road
Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eighteen (18) feet above all roadways must be maintained to allow for unobstructed passage of vehicles.
MOTION BY MR. SLOANE TO POSTPONE CASE #01-1221 UNTIL SERVICE IS OBTAINED.
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- D Case #01-1222. Noiseau Enterprises, Inc., 146 Atlantic Avenue
Violation of Sections 42-227 and 42-228 of the Town of Palm Beach Code of Ordinances, maximum db allowed is 58db at night.
MOTION BY MR. SLOANE TO DISMISS CASE #01-1204, CASE #01-1216, CASE #01-1222 AND CASE #01-1239 FOR COMPLIANCE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- E Case #01-1223. Juan Oliva. Black Tie Limousine. 2800 So. Ocean Blvd.
Violation of Chapter 130, Section 61 of the Town of Palm Beach Code of Ordinances, anyone establishing a limo stand must obtain a Certificate of Public Convenience and Necessity and permits from the Town of Palm Beach.
MOTION BY MR. HORWICH TO DISMISS CASE #01-1223.
MOTION SECONDED BY MR. ALLISON.
MOTION CARRIED UNANIMOUSLY.
- F Case #01-1227. Arthur Levine. 355 North Lake 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. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- G Case #01-1228. Martin Abrahms. The Cove Condo. 2784 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time of day.
MOTION BY MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- H Case #01-1229. Lou Fitzgerald. Atriums Condo. 3400 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time of day.
MOTION BY MR. ALLISON TO POSTPONE CASE #01-1229 UNTIL THE MAY 17, 2001 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. SLOANE.
MOTION CARRIED UNANIMOUSLY.

- I Case #01-1230. Don Mummert. Meridian Condo. 3300 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day.
MOTION BY MR. ALLISON TO POSTPONE CASE #01-1229 UNTIL THE MAY 17, 2001 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. SLOANE.
MOTION CARRIED UNANIMOUSLY.
- J Case #01-1231. Jerry Hillier. Flagler Systems/Breakers Hotel. 1 So. County Rd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, wasteful use of irrigation water and not repairing equipment that is defective.
MOTION BY MR. SLOANE TO DISMISS CASE #01-1231 SINCE THEY HAVE AN EXEMPTION FROM THE WATER MANAGEMENT DISTRICT.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.
- K Case #01-1232. Elizabeth H. Benson. 1530 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day.
MOTION BY MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- L Case #01-1233. Beverly Jarrel. "2500". 2500 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time of day.

After much discussion and testimony the following motion was made:

MOTION BY MR. SLOANE REGARDING CASE #01-1233 THAT THE DEFENDANT BE FOUND GUILTY AND ORDERED TO PAY THE FINE AND COSTS FOR A TOTAL DUE AND OWING OF \$182.30.

MOTION SECONDED BY MR. RUKEYSER.

MOTION CARRIED FOUR (4) TO TWO (2).

After hearing Case #01-1234, the following motion was made:

MOTION BY MR. BALE TO VACATE THE PREVIOUS ORDER ON CASE #01-1233 AND READDRESS THE CASE.

MOTION SECONDED BY MR. SLOANE.

MOTION CARRIED UNANIMOUSLY.

After further discussion and testimony:

MOTION BY MR. BALE TO FIND THE DEFENDANT GUILTY BUT VACATE AND WITHHOLD FINES AND COURT COSTS.

MOTION SECONDED BY MR. SLOANE.

MOTION CARRIED UNANIMOUSLY.

- M Case #01-1234, David Eubanks, Stratford Condo, 2580 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time of day.
MOTION BY MR. ALLISON TO FIND THE DEFENDANT GUILTY BUT ABATE FINES AND COURT COSTS.
MOTION SECONDED BY MR. BALE.
MOTION CARRIED UNANIMOUSLY.
- N Case #01-1235, Scott Rutan, Halcyon Condo, 3440 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day and time.
MOTION BY MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- O Case #01-1236, Scott Rutan, Halcyon Condo, 3440 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day, 2nd violation.
MOTION BY MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- P Case #01-1237, Mummert, Meridian Condo, 3300 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day and time, 2nd violation.
MOTION BY MR. ALLISON TO POSTPONE CASE #01-1229 UNTIL THE MAY 17, 2001 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. SLOANE.
MOTION CARRIED UNANIMOUSLY.
- Q Case #01-1238, Rodney Hepburn, Irwin & Terry Kramer, 1295 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day and time.
MOTION BY MR. SLOANE TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.
MOTION SECONDED BY MR. LAWRENCE.
MOTION CARRIED UNANIMOUSLY.
- R Case #01-1239, Per A. & Rachel C. Lorentzen, 216 Garden Road
Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eighteen (18) feet above all roadways must be maintained to allow for unobstructed passage of vehicles.
MOTION BY MR. SLOANE TO DISMISS CASE #01-1204, CASE #01-1216, CASE #01-1222 AND CASE #01-1239 FOR COMPLIANCE.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.

V. Presentation of New Cases to Set for Hearing:

- A Case #01-1240, House of Kahn, 231 Peruvian 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.
- B Case #01-1241, Antos Glogowski, 305 Indian Road
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.
- C Case #01-1242, Anna T. Mysbergh, 262 Park Avenue
Violation of Chapter 42, Sections 42-86 and 42-87 of the Town of Palm Beach Code of Ordinances, by having rotting wood, ripped screens, paint chipping and peeling, roof shingles missing, windows boarded up and debris strewn throughout the property.
- D Case #01-1243, J. F. Fine, 242 Wells Road
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, all exterior walls, etc., shall be reasonably free of cracks, painted and shall be kept in sound condition and good repair.
- E Case #01-1244, Stephen H. Durland, 176 Seminole 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.
- F Case #01-1245, Louis J. Furlo, Jr., 840 South Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day.
- G Case #01-1246, Anne Schank, 166 Everglade Avenue
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day.
- H Case #01-1247, Anne Schank, 166 Everglade Avenue
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on the wrong day, 2nd violation.
- I Case #01-1248, Paul Emmitt, Meredith Quarre, 143 Seminole Avenue
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on the wrong day and time.
- J Case #01-1249, Richard Krock, 130 Clarendon Avenue
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on the wrong day and time.
- K Case #01-1250, Society of the Four Arts, 439 Royal Palm Way
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on the wrong day and time.

- L Case #01-1251. Meridian Condo. Don Mummert. 3300 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on the wrong day and time.
- M Case #01-1252. Sloan's Curve Condo. Suzanne Cipriani. 2000 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on the wrong day and time.
- N Case #01-1253. Juan Sarminto. 680 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day.
- O Case #01-1254. Paul Pomfret. 168 Reef Road
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on the wrong day and time.
- P Case #01-1255. Atriums Condo.. Lou Fitzgerald. 3400 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time.
- Q Case #01-1256. Niaz & Fatemeh Nazarian. 1556 No. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day.
- R Case #01-1257. Edna Caruso. 247 Wells Road
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day.
- S Case #01-1258. Dreamlife Corp.. James Hill. 214 Dunbar Road
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time.
- T Case #01-1259. Sloan's Curve Condo.. Suzanne Cipriani. 2000 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on wrong day.
- U Case #01-1260. Sloan's Curve Condo.. Sue Cipriani. 2000 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time, 2nd violation.
- V Case #01-1261. Harrison Ridgley. 101 Jungle Road
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time, 2nd violation.
- W Case #01-1262. Mary K. Coffin. 210 Onondaga Avenue
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, by placing yard trash on Town right-of-way out of line with the schedule.
- X Case #01-1263. Adrienne Newman. 1020 No. Lake Way
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, by placing yard trash on Town right-of-way out of line with the schedule.

- Y Case #01-1264. Lymus Ltd.. 1055 No. Lake Way
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, by placing yard trash on Town right-of-way out of line with the schedule.
- Z Case #01-1265. Richard A. Raffo. 173 E. Inlet Dr.
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, by placing yard trash on Town right-of-way out of line with the schedule.
- AA Case #01-1266. Steven L. Apple. 1572 No. Ocean Way
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, by placing yard trash on Town right-of-way out of line with the schedule.
- BB Case #01-1267. A. Bostwick. 2730 So. Ocean Blvd.
Violation of Section 18-367 of the Town of Palm Beach Code of Ordinances, by installing drive lite and new wire.
- CC Case #01-1268. Sloans Curve Condo. Ray Chicliani. 2000 So. Ocean Blvd.
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system on the wrong day and time.
- DD Case #01-1269. Max Fisher. 920 No. Lake Way
Violation of Section 122.53 of the Town of Palm Beach Code of Ordinances, operating sprinkler system at wrong time.

MOTION BY MR. BALE TO SET THE ABOVE CASES, #01-1240, 01-1241, 01-1242, 01-1243, 01-1244, 01-1245, 01-1246, 01-1247, 01-1248, 01-1249, 01-1250, 01-1251, 01-1252, 01-1253, 01-1254, 01-1255, 01-1256, 01-1257, 01-1258, 01-1259, 01-1260, 01-1261, 01-1262, 01-1263, 01-1264, 01-1265, 01-1266, 01-1267, 01-1268 AND 01-1269 FOR HEARING AT THE MAY 17, 2001 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. SLOANE.
MOTION CARRIED UNANIMOUSLY.

- VI. New Business:
- VII. Old Business:
- VIII. Adjournment: The meeting was adjourned at 3:15 p.m. without benefit of a motion.