

**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, APRIL 15, 2004
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
 Hugh C. Davis, III, Member
 Joel P. Koepfel, Member
 Thomas M. Youchak, Member
 George Klein, Alternate Member
 Larry Ochstein, Alternate Member
 Veronica Close, Assistant Director (prosecuting)
 John C. Randolph, Town Attorney

Absent: Richard A. Raffo, Member (unexcused)
 Robert S. Walton, Chief Code Compliance Officer

Recording Secretary: Deborah A. Morakis

III Election of Officers:
Chairman Lawrence passed the gavel to Attorney John C. Randolph for the election of officers.

**MOTION BY MR. HOFFMAN TO NOMINATE EUGENE LAWRENCE AS CHAIR
AND PAMELA HOFFPAUER AS VICE CHAIR.**
No other nominations were made.
MOTION SECONDED BY MR. KOEPPPEL.
MOTION CARRIED UNANIMOUSLY.

Attorney Randolph passed the gavel back to Chairman Lawrence.

IV Approval of the Minutes of March 18, 2004:
MOTION BY MR. KOEPPPEL FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. KLEIN.
MOTION CARRIED UNANIMOUSLY.

V 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.

Veronica Close, Assistant Director of the Planning, Zoning and Building Department is filling in today for Robert S. Walton, Chief Code Compliance Officer, who is on leave. Ms. Close introduced Mohammad S. Jamal, the Town's new Code Compliance Officer. Chairman Lawrence welcomed Jamal and wished him the best success.

VI Public Hearings:

- A Case #03-1611, William Condren, 240 Banyan Road
Violation of Chapter 18, Section 18-87 (d) of the Town of Palm Beach Code of Ordinances, all properties must retain or properly drain all soil and water contained on or from the property, and any modification which may alter the drainage plan must be approved by the Town.

Ms. Close requested that this case be postponed due to a lack of witnesses.

MOTION BY MR. KOEPEL TO POSTPONE CASE 03-1611 UNTIL THE MAY 20, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

- B Case #04-1614, Leonard Sessa, 1 Via Sunny
Violation of Chapter 126, Section 126-58 of the Town of Palm Beach Code of Ordinances: it is unlawful for any person to trim (*or materially alter the character of a tree by trimming*) any historic or specimen tree without written permission from the Town Manager.

Veronica Close stated that the Town Manager had requested the specimen tree that was trimmed be replaced with two alternate trees. It is unclear what types of trees will be acceptable replacements. A request has been made of Public Works to provide a letter indicating what trees can be used.

Mr. Paul Thibadeau, Attorney for Mr. Sessa requested that he first be advised what trees are acceptable before he can agree to a deadline.

Ms Close stated that she thought a Marsh tree and a Sorrowless tree are what will be suggested by Public Works. Public Works has been asked to write a letter identifying these trees.

MOTION BY MR. KOEPEL TO GIVE 30 DAYS IN WHICH TO COMPLY FROM RECEIPT OF THE LETTER FROM PUBLIC WORKS IDENTIFYING THE TREES.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

- C Case #04-1635, Landry's Restaurants, Inc., 456 So. Ocean Blvd.
Violation of Chapter 134, Section 134-889 of the Town of Palm Beach Code of Ordinances, commercial or quasi-commercial (commercial parking) use is prohibited in the R-B Zoning District.
Violation of Chapter 134, Section 134-2179 (f), off street parking, for parking along the interior parking lot lines, effective sight screening is required.
Violation of "Declaration of Use Agreement" dated 2/9/04, Item 3, the north east exit gate shall not be opened except in an emergency and shall be opening only from the inside.

Ms. Close stated that two of the violations have been corrected and would recommend dismissal for compliance of those two sections of the case. The violation of Chapter 134, Section 134-889 (commercial parking) and the violation of "Declaration of Use Agreement" (gate) have both been corrected. The violation of Chapter 134, Section 134-2179 (f) sight screening still exists

Chairman Lawrence recused himself from this case as Charlie's Crab is a client. He passed the gavel to the Vice Chair, Ms. Hoffpauer.

MOTION BY MR. HOFFMAN TO DISMISS FOR COMPLIANCE THE PORTION OF CASE #04-1635 REGARDING THE VIOLATIONS OF CHAPTER 134, SECTION 134-889 AND DECLARATION OF USE AGREEMENT.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

Ms. Close indicated that the violation for sight-screening still exists. Some hedges have been installed but more are needed. Code Officer Mohammad Jamal spoke to them and they have agreed to plant additional hedges. The Town would recommend a finding of guilt and give them 14 days to comply.

Mark Hines, General Manager of the restaurant stated that the additional amount of hedges will be installed.

MOTION BY MR. KOEPEL TO FIND THE DEFENDANT IN VIOLATION OF CHAPTER 134, SECTION 134-2179 (f) AND GIVE FOURTEEN (14) DAYS IN WHICH TO COMPLY.

MOTION SECONDED BY MR. KLEIN.

MOTION CARRIED UNANIMOUSLY.

- D Case #04-1636, Paivi T. Alperson, 157 Everglades 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 DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- E Case #04-1637, Roger Schank, 166 Everglades 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 DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- F Case #04-1638, Clara P. Aquilera, 158 Everglades 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 DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- G Case #04-1639, Louis E. Guyott, II, 149 Everglades 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 DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.

- H Case #04-1640, Robert Grossman, 271 La Puerta Way
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 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 MR. HOFFMAN TO POSTPONE CASE 04-1640 FOR LACK OF SERVICE.
MOTION SECONDED BY MR. KOEPEL
MOTION CARRIED UNANIMOUSLY.
- I Case #04-1641, Thomas B. Waldin, 357 North Lake Way
Violation of Chapter 106, 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.
Violation of 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. HOFFPAUER TO DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- J Case #04-1642, Elaine & Ralph Gill, 3456 So. Ocean Blvd. #205
Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, building permits (plumbing electrical and HVAC) are required to install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.
MOTION BY MS. HOFFPAUER TO DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- K Case #04-1643, Sydelle Meyer, Tr., 1040 North Lake Way
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 DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.

- L Case #04-1644, Sireny Investors, Inc., 106 Hammon Avenue
 Violation of Chapter 14, Section 114-32 of the Town of Palm Beach Code of Ordinances, no person shall rent apartments without first having obtained a valid occupational license from the Town.
MOTION BY MS. HOFFPAUER TO DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- M Case #04-1645, Dorra Shaw & Dugan, 270 So. County Road
 Violation of Section 134-229 (12) of the Town of Palm Beach Zoning Ordinances, acceptable Town-Serving documentation is required annually at occupational license renewal.
MOTION BY MS. HOFFPAUER TO DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- N Case #04-1646, Brighton Pavillion, 336 Worth Avenue
 Violation of Chapter 14, Section 114-32 of the Town of Palm Beach Code of Ordinances, no person shall conduct business without first having obtained a valid occupational license from the Town.
 Violation of Chapter 14, Section 114-38 (c) of the Town of Palm Beach Code of Ordinances, licenses are approved for indoor occupancy only.
- Mr. Paul Castro, Zoning Administrator for the Town of Palm Beach testified that after meeting the Fictitious Name Registration requirements the owner of Brighton Pavilion and Devonshire submitted an application to change the tax identification number which then created a violation of the zoning code by expanding the square footage that one business could have on Worth Avenue without a Special Exception. They were advised of the Special Exception process and the deadlines involved.
- Attorney Ann Lynch, was here to represent the owner. She stated that the store owner is currently working on the application for the Special Exception and she is here to ask for more time to get the application for special exception completed and submitted.
- After further discussion, the following motions were made:
- MOTION BY MR. HOFFMAN TO POSTPONE HEARING THE SECTION OF CASE #'S 04-1646 AND 04-1647 INVOLVING THE VIOLATION OF CHAPTER 14, SECTION 114-32 UNTIL THE MAY 20, 2004 CODE ENFORCEMENT BOARD HEARING.**
MOTION SECONDED BY MS. HOFFPAUER.
MOTION CARRIED UNANIMOUSLY.
- MOTION BY MR. KOEPPPEL TO DISMISS FOR COMPLIANCE WITHOUT PREJUDICE THE PORTION OF CASE #'S 04-1646 AND 04-1647 PERTAINING TO SECTION 114-38 (C).**
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.
- O Case #04-1647, Devonshire, 340 Worth Avenue

Violation of Chapter 14, Section 114-32 of the Town of Palm Beach Code of Ordinances, no person shall conduct business without first having obtained a valid occupational license from the Town.

Violation of Chapter 14, Section 114-38 (c) of the Town of Palm Beach Code of Ordinances, licenses are approved for indoor occupancy only.

MOTION BY MR. HOFFMAN TO POSTPONE HEARING THE SECTION OF CASE #'S 04-1646, 04-1647 INVOLVING THE VIOLATION OF CHAPTER 14, SECTION 114-32 UNTIL THE MAY 20, 2004 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

MOTION BY MR. KOEPPPEL TO DISMISS FOR COMPLIANCE WITHOUT PREJUDICE THE PORTION OF CASE #'S 04-1646 AND 04-1647 PERTAINING TO SECTION 114-38 (C).

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

P Case #04-1648, Arlene Desidero, Renato's Restaurant, 87 Via Mizner

Violation of Section 134-229 of the Town of Palm Beach Zoning Ordinances, acceptable Parking Lease Agreement is required annually at occupational license renewal.

MOTION BY MS. HOFFPAUER TO DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

Q Case #04-1649, Mariposa, Laura Andre, 220 Australian Avenue

Violation of Chapter 14, Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, no person shall conduct business without first having obtained a valid occupational license from the Town.

MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 04-1649, 04-1650, 04-1653, AND 04-1654 WITHOUT PREJUDICE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

R Case #04-1650, Michael Gorwitz, 420 So. County Road

Violation of Chapter 14, Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, no person shall conduct business without first having obtained a valid occupational license from the Town.

MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 04-1649, 04-1650, 04-1653, AND 04-1654 WITHOUT PREJUDICE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

S Case #04-1651, Julie Robinson, 417 Peruvian Avenue

Violation of Chapter 14, Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, no person shall conduct business without first having obtained a valid occupational license from the Town.

MOTION BY MS. HOFFPAUER TO DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

T Case #04-1652, Tina Anderson, 417 Peruvian Avenue

Violation of Chapter 14, Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, no person shall conduct business without first having obtained a valid occupational license from the Town.

MOTION BY MS. HOFFPAUER TO DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

U Case #04-1653, Patrick Quinlan, 417 Peruvian Avenue

Violation of Chapter 14, Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, no person shall conduct business without first having obtained a valid occupational license from the Town.

MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 04-1649, 04-1650, 04-1653, AND 04-1654 WITHOUT PREJUDICE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

V Case #04-1654, La Mode of Palm Beach, Inc., 340 Royal Poinciana Way, 6C

Violation of Chapter 14, Section 114-31 and 114-32 of the Town of Palm Beach Code of Ordinances, no person shall conduct business without first having obtained a valid occupational license from the Town.

MOTION BY MR. HOFFMAN TO DISMISS CASE #'S 04-1649, 04-1650, 04-1653, AND 04-1654 WITHOUT PREJUDICE.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

W Case #04-1655, Seymour Fox, 237 Brazilian Avenue

Violation of Chapter 14, Section 114-32 of the Town of Palm Beach Code of Ordinances, no person shall rent apartments without first having obtained a valid occupational license from the Town.

Code Compliance Officer Mohammad Jamal testified that he spoke with the property owner who is in New York and that Mr. Fox confirmed that there are rental units at this address.

David Fox, Seymour Fox's son testified that this has been a rental unit since 1981 and there are a total of six units.

MOTION BY MR. KOEPEL THAT THE DEFENDANTS BE FOUND GUILTY AND GIVEN UNTIL MAY 14, 2004 TO COMPLY.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

X Case #04-1656, Seymour Fox, 237 Brazilian Avenue

Violation of Chapter 42, Section 42-87 (2) of the Town of Palm Beach Code of Ordinances, all exterior surfacing materials shall be kept painted and in good repair.

Code Officer Jamal indicated that he inspected the property this morning and the violation has not been corrected.

Mr. Fox stated that they had planned to paint the building but have now entered into a contract for the sale of the property. A wooden fence has already been removed at the request of Mr. Walton.

After further discussion, Veronica Close recommended finding the Defendant in

violation and give until May 14, 2004 to bring the property into compliance.
**MOTION BY MR. HOFFMAN TO FIND THE DEFENDANT IN VIOLATION AND GIVE
UNTIL MAY 14, 2004 TO BRING THE PROPERTY INTO COMPLIANCE.
MOTION SECONDED BY MR. YOUCHAK.
MOTION CARRIED UNANIMOUSLY.**

- Y Case #04-1657, Sunset Avenue, 240 Sunrise Avenue
Violation of Chapter 14, Section 114-31 of the Town of Palm Beach Code of Ordinances, any person doing business in Town must obtain a Town occupational license.
**MOTION BY MS. HOFFPAUER TO DISMISS CASE #'S 04-1636, 14-1637, 04-1638, 04-1639, 04-1641, 04-1642, 04-1643, 04-1644, 04-1645, 04-1648, 04-1651, 04-1652, AND 04-1657 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.**
- Z Case #04-1658, House of Kahn, 231 Peruvian Avenue
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard trash in right-of-way out of line with the schedule.
**MOTION BY MR. KOEPPPEL TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE IN CASE #'S 04-1658, 04-1659.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**
- AA Case #04-1659, One Hundred El Vedado Way, Inc., 100 El Vedado Way
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard trash in right-of-way out of line with the schedule.
**MOTION BY MR. KOEPPPEL TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE IN CASE #'S 04-1658, 04-1659.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

VII Presentation of New Cases to Set for Hearing:

- A Case #04-1660, Robert A. Cooney, 211 Ocean Terrace
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, it is unlawful for any property owner to have a non operative automobile on their property.
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, gates shall be kept safe and in a good state of repair.
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.
- B Case #04-1661, Parkland Corporation, 340 Royal Poinciana Way, 3C
Violation of Chapter 42, 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.
- C Case #04-1662, Sharon Talbot, 264 Seminole Avenue
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1, building permits are

required to construct, install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.

- D Case #04-1663, Mr. & Mrs. Al Reiss, 2774 So. Ocean Blvd., Apt. #503
Violation of Article 110.26 of the National Electrical Code, an open working clearance of thirty-six (36) inches in front of the panel is required.
- E Case #04-1664, Neil Kozokoff, 315 Seaspray Avenue
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 systems. These permits must be obtained prior to commencing work.
- F Case #04-1665, Three 50 Realty Corporation, 350 So. County Road
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior surfaces 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. Violation of Sections 22-57 and 22-58 of the Town of Palm Beach Code of Ordinances, all windows of buildings locating in the commercial zoning districts, either vacant or under renovation shall screen the interior for the full size of the window and this screen shall be decorated and lighted.
- G Case #04-1666, Burton & Marilyn Sultan, 314 Dunbar 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, 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 #04-1667, Suzy Jafine Tr., 3460 So. Ocean Blvd., #512
Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, building permits (plumbing, electrical and HVAC) are required to install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.
- I Case #04-1668, Avram Glazer, 137 Woodbridge Road
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste in right-of-way out of line with the schedule.
- J Case #04-1669, Wang Prop. Ltd., 228 Brazilian Avenue
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste in right-of-way out of line with the schedule.
- K Case #04-1670, Peter & Henrietta Heydon, 307 Brazilian Avenue
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste in right-of-way out of line with the schedule.
- L Case #04-1671, Franklyn P. DeMarco, Jr., 321 Brazilian Avenue
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste in right-of-way out of line with the schedule.
- M Case #04-1672, Nicholas & Carola Ribis, 161 Woodbridge Road
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste in right-of-way out of line with the schedule.
- N Case #04-1673, John C. Cassidy, 228 Seabreeze Avenue
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing

yard waste in right-of-way out of line with the schedule.

- O Case #04-1674, Haisfield Family Invest., 206 Dunbar Road
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste in right-of-way out of line with the schedule.
- P Case #04-1675, Francesco & Holly Blanco, 168 Seabreeze Avenue
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing yard waste in right-of-way out of line with the schedule.

**MOTION BY MR. KOEPEL TO SET CASE #04-1660 THROUGH 04-1675 FOR HEARING AT THE MAY 20, 2004 CODE ENFORCEMENT BOARD HEARING.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

VIII New Business:

None

IX Consideration of Foreclosure:

None

X 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.

Veronica Close testified that the violations have been corrected and that the balance of the fine due is \$51,250.00. The total of the fine was \$74,250.00 and they have paid \$23,000.00 to date. The balance is \$51,250.00 and the attorney for the defendant has written to the board and requested the board accept \$25,625.00 which represents 50 percent of the balance of the fine.

Brooks Ricca, was here today representing Mr. Roddy, the owner of the property. He stated that a compromise was met with Town staff and his client is prepared to pay the fine within ten (10) days.

After further discussion and clarification of the amount of the fine, the following motion was made:

**MOTION BY MR. KLEIN THAT THE FINES BE REDUCED TO THE AMOUNT OF \$26,625.00 AND BE PAID WITHIN TEN (10) DAYS.
MOTION SECONDED BY MR. KOEPEL.
MOTION CARRIED UNANIMOUSLY.**

(Let the record show that although Mr. Ricca and Mr. Roddy had proposed that the fine be reduced to an amount equal to fifty percent of the balance due (\$25,625.00), Mr. Ricca incorrectly stated the amount as \$26,625.00. It was later clarified and corrected by Ms. Close.)

XI Other Business:

Ms. Close indicated that although Case #04-1637, Roger Schank, 166 Everglades Avenue was dismissed, the property owner wished to make a comment.

Amy Schank, the property owner of 166 Everglades Avenue addressed the Board and asked about the violation and stated that she had replaced her hedges. She asked about other violations on her street and Ms. Close advised her to speak to Rob Walton, Chief Code Compliance Officer next week when he returned to the office.

A brief general discussion regarding fines imposed and abated by the Board took place.

Rebecca Williams, a homeowner from 232 Seabreeze Avenue addressed the Board about the certified letter she received from the Town regarding her case #04-1674 and although she paid the fine of \$50.00, asked why she did not receive a warning instead. Chairman Lawrence referred this matter to Staff to see if the procedures needed to be examined to give a warning before they give a citation.

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

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Lawrence, Eugene		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CODE ENFORCEMENT	
MAILING ADDRESS 205 Worth Avenue, Suite No. 301		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach, FL 33480	COUNTY	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED April 15, 2004		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

APR 26 2004
TOWN OF PALM BEACH
PZB Dept.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

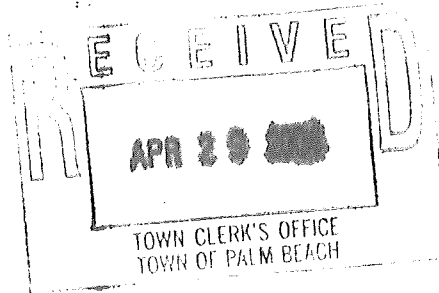
DISCLOSURE OF LOCAL OFFICER'S INTEREST

EUGENE LAURENCE, hereby disclose that on 15 APRIL 2004, 19:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☒ inured to the special gain or loss of CHARLEY'S CRAB RESTAURANT, LAHIDREY'S SEAFOOD, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:



27 APRIL 2004
Date Filed

Eugene Laurence
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.