

I	<u>Call to Order:</u>	Chairman Lawrence called the meeting to order at 2:04 p.m.
II	<u>Roll Call:</u>	Present: Eugene Lawrence, Chairman Pamela Hoffpauer, Vice-Chair Timothy Hoffman, Member Joel P. Koeppel, Member Richard A. Raffo, Member (arrived at 2:05 p.m.) Hugh C. Davis, III, Member Thomas Youchak, Member George Klein, Alternate Member Larry Ochstein, Alternate Member Robert S. Walton, Chief Code Compliance Officer John C. Randolph, Town Attorney

Recording Secretary: Deborah A. Morakis

**MOTION BY MR. HOFFMAN FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

Let the record show that all persons testifying today were sworn in at this time.

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.

Attorney Alan Ciklin testified on behalf of the property owner, Mr. Sirigotis. The property owner hired a contractor to install a property wall. The work was done without a permit. A sixty (60) day postponement of the case was requested in order to hire a contractor to obtain the permit and any necessary inspections.

MOTION BY MR. KOEPEL TO FIND THE DEFENDANT IN NON COMPLIANCE, AND GRANT SIXTY (60) DAYS TO ACHIEVE COMPLIANCE. THE DEFENDANT MUST ALSO COME BACK AND REPORT TO THE CODE ENFORCEMENT BOARD. MOTION SECONDED BY MR. DAVIS. MOTION CARRIED UNANIMOUSLY.

- B Case #04-1798, Dave Scialabba, 233 Mockingbird Trail
Violation of Chapter 18, Section 18-242 (104.1.1.1) of the Town of Palm Beach Code of Ordinances, any site on which construction 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.

Mr. Walton reported that this house was demolished in July of 2003. There was a permit issued to build a new house but the contractor cancelled the permit in July of 2004. The property owner has begun the installation of a sprinkler system on the lot, but has not cleaned it, sodded or seeded.

MOTION BY MR. HOFFMAN TO FIND THE DEFENDANT IN NON COMPLIANCE. IT IS FURTHER ORDERED THAT THE DEFENDANT COMPLETE THE INSTALLATION OF THE SPRINKLER SYSTEM AND SEED OR SOD THE PROPERTY WITHIN FIFTEEN (15) DAYS.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

- C Case #04-1801, Branch Construction, 220 No. Ocean Blvd.
Violation of Chapter 18, Sections 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.

Mr. Walton reported that the first permit was issued in March of 2003. The allowable time for a job this size is twenty (20) months.

Mr. Jack F. Bylsma II, the president of Branch Construction stated that most of the remaining work will be completed within 4 to 6 weeks. Jerusalem stone for the front steps has been ordered and is due in about February 1. Spindles for handrails are also holding up the job. The bigger trees are being installed and due to customer changes, some are being changed out. The proposed finish date is April 4, 2005.

MOTION BY MS. HOFFPAUER TO FIND THE DEFENDANT IN NON COMPLIANCE. THE DEFENDANT IS ORDERED TO PAINT AND LANDSCAPE WITHIN 4 WEEKS AND OBTAIN THE CERTIFICATE OF OCCUPANCY WITHIN 10 WEEKS.

MOTION SECONDED BY MR. YOUCHAK.

MR. HOFFMAN REQUESTED THAT THE MOTION BE AMENDED TO INCLUDE THAT THE DEFENDANT MUST COME BACK AT THE FEBRUARY 17, 2005 CODE ENFORCEMENT BOARD MEETING WITH A PROGRESS REPORT.

AMENDED MOTION CARRIED UNANIMOUSLY.

- D Case #04-1802, Three 50 Realty Corporation, 350 South County Road
Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, debris, trash or garbage shall not be allowed to accumulate on property in the Town of Palm Beach.
Violation of Chapter 134, Section 134-2179 (f) of the Town of Palm Beach Code of Ordinances, effective sight screening is required of off street parking of not less than six (6) feet along any street.

MOTION BY MR. KOEPPPEL TO FIND THE DEFENDANT IN NON COMPLIANCE AND GIVE FIVE (5) DAYS TO CLEAN THE TRASH AND THIRTY (30) DAYS TO INSTALL SIGHT SCREENING.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

Mr. Walton requested that Case #'s 04-1803, 04-1806 and 04-1807 be dismissed for compliance.

- E Case #04-1803, Thomas Campaniello, 288 So. County Road
Violation of Chapter 22, Section 22-57 and 22-58 of the Town of Palm Beach Code of Ordinances, all windows of buildings located in the commercial zoning districts, either vacant or under renovation shall screen the interior for the full size of the window. This screen shall be 40 inches or more in depth and shall be decorated and lighted.
MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1803, 04-1806 AND 04-1807 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.
- F Case #04-1804, Dogramaciyan Grabis, 329 Worth Avenue
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 read a letter to the Code Board from the manager of the property who had written requesting a thirty (30) day postponement because he is out of the country. The store has since been opened and work is being done on the property to bring it into compliance. Mr. Walton recommended that the Board postpone this case until the February 17, 2005 Code Enforcement Board Hearing.
- MOTION BY MS. HOFFPAUER TO POSTPONE CASE #04-1804 FOR THIRTY (30) DAYS UNTIL THE FEBRUARY 17, 2005 CODE ENFORCEMENT BOARD HEARING.**
MOTION SECONDED BY MR. KOEPPPEL.
MOTION CARRIED UNANIMOUSLY.
- G Case #04-1805, Martha S. Reed, 114 Clarke Avenue
Violation of Chapter 18, Section 18-241 of the Town of Palm Beach Code of Ordinances, building permits (plumbing, electrical & HVAC) are required to install, repair, or alter any building or building system. These permits must be obtained prior to commencing work.
- Testimony was heard by Mr. Reed who explained that a generator needed to be installed for his wife for health reasons. This work was done without a permit. A contractor is now in the process of obtaining the permit.
- Robert Smythe, the electrical qualifier for Personalized Air Conditioning, advised the Board that this generator was installed without a permit. He asked for a week to submit the permit application and obtain the necessary approvals.
- Mr. Walton reported that the only permit that has been applied for to date was a gas permit. This generator was installed in October, 2004. Mr. Walton requested a finding of non compliance and thirty days to come into compliance.
- MOTION BY MR. RAFFO TO FIND IN NON COMPLIANCE AND GIVE 30 DAYS TO GET PERMITS. IT IS FURTHER ORDERED THAT THE DEFENDANT MUST REPORT TO THE CODE ENFORCEMENT BOARD AT THE FEBRUARY 17, 2005 MEETING.**
MOTION SECONDED BY MS. HOFFPAUER.
MR. DAVIS REQUESTED THAT THE MOTION BE AMENDED TO INCLUDE THAT THE PERMITS MUST BE APPLIED FOR WITHIN SEVEN (7) DAYS AND THE WORK MUST BE COMPLETED WITHIN THIRTY (30) DAYS.
AMENDED MOTION CARRIED UNANIMOUSLY.
- H Case #04-1806, Pentland Dev LTD, 267 Merrain Road
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 debris to accumulate.
MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1803, 04-1806 AND 04-1807 FOR COMPLIANCE.
MOTION SECONDED BY MR. HOFFMAN.
MOTION CARRIED UNANIMOUSLY.

- I Case #04-1807, Say Hey, LLC, 735 Island Drive
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.

MOTION BY MR. KOEPPPEL TO DISMISS CASE #'S 04-1803, 04-1806 AND 04-1807 FOR COMPLIANCE.

MOTION SECONDED BY MR. HOFFMAN.

MOTION CARRIED UNANIMOUSLY.

VI Presentation of Cases to Set for Hearing:

- A Case #04-1693, Balestrieri Real Estate Corporation, 271 La Puerta Way
REPEAT 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.
- B 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.
- C Case #05-1809, Paolo Bergmann, TR, 267 Atlantic Avenue
Violation of Chapter 42, Sections 42-86 and 42-87 of the Town of Palm Beach Code of Ordinances, grass shall not grow to a height greater than eight (8") inches and debris shall not be allowed to accumulate and all buildings and appurtenances shall be maintained in a sound condition.
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eight (8) feet must be maintained above all sidewalks.
Violation of Chapter 18, Section 18-242, Subsection 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.
- D Case #05-1810, Agincourt Realty Trust, 235 So. County Road
Violation of Chapter 22, Sections 22-57 and 22-58 of the Town of Palm Beach Code of Ordinances, all windows of buildings located 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.
- E Case #05-1811, Anne T. Cooney and Robert A. Cooney, 211 Ocean Terrace
Violation of Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet, measured vertically above roads and alleyways in the Town, shall be maintained at all times for the unobstructed passage of pedestrians and others using said roads and alleyways.
- F Case #05-1812, Salamander Palm Beach, LLC, 155 No. County Road
Violation of Chapter 22, Sections 22-57 and 22-58 of the Town of Palm Beach Code of Ordinances, all windows of buildings located 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 #05-1813, Stephen J. Macari, 245 Queens Lane
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.

- H Case #05-1814, Mildred C. Dayton & Eric M. Levine, 317 Garden Road
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.
- I Case #05-1815, Vesenaz Holding Corp., 108 No. County Road
Violation of Chapter 22, Sections 22-57 and 22-58 of the Town of Palm Beach Code of Ordinances, all windows of buildings located 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.
- J Case #05-1816, Westminster Financial Securities, 2875 So. Ocean Blvd., #101
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.
- K Case #05-1817, Trevini, Inc. (dba Caffè Latte), 150 Worth Avenue, #236
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.
- L Case #05-1818, Escada USA Retail, Inc. (dba Escada), 222 Worth Avenue
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.
- M Case #05-1819, Therapy Too, Inc. (dba Sprinkles of Palm Beach, Inc.), 279 Royal Poinciana Way
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.
- N Case #05-1820, Bridgett Mark, (dba Trainers), 235 Sunrise Avenue, #C23-26
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.
- O Case #05-1821, Lesser Lesser & Landy PA, 375 So. County Road, #220
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.
- P Case #05-1822, Geoffrey A. Orley & Shabahang Persian Carpets, LLC (dba Orley Shabahang Persian Carpets), 240 So. County Road
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.

Q Case #05-1823, Southern Community Bank of South Florida, 319 Peruvian Avenue
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.

R Case #05-1824, WA Boutique of Palm Bch, Inc., (dba Tuberose), 150 Worth Avenue, #130
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 MS. HOFFPAUER TO SET CASE #'S 04-1693, 05-1808, 05-1809, 05-1810, 05-1811, 05-1812, 05-1813, 05-1814, 05-1815, 05-1816, 05-1817, 05-1818, 05-1819, 05-1820, 05-1821, 05-1822, 05-1823 AND 05-1824 FOR HEARING AT THE FEBRUARY 17, 2005 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. YOUCHAK.

MOTION CARRIED UNANIMOUSLY.

VII New Business:

NONE

VII Old Business:

Mr. Walton requested that the Board postpone hearing Case #04-1621 until the end of this meeting since Attorney Peter Broberg was not yet here to testify.

MOTION BY MR. HOFFMAN TO POSTPONE CASE #04-1621 UNTIL THE END OF THE MEETING.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

A Case #04-1621, Boston Homes, Inc., 312 Cherry Lane
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.

Mr. Walton reported to the Board that Boston Homes had obtained the final inspection and was now in compliance. A \$250.00 per day fine had been previously ordered by the Board and ran for 159 days. The total fine due is \$39,750.00.

Attorney Peter Broberg reported on behalf of Boston Homes to request that the Board reduce the fine to \$17,750.00.

Ms. Veronica Close, Assistant Director of Planning, Zoning and Building indicated that the Building Department may have been unable to perform inspections for up to ten (10) days during that time due to the hurricanes and the Department's involvement in damage assessments.

After further discussion, the following motion was made:

MOTION BY MR. KOEPPPEL TO REDUCE THE TOTAL FINE AMOUNT TO \$28,750.00.

MOTION SECONDED BY MR. HOFFMAN.

After further discussion by the Board and a roll call vote, the MOTION PASSED 6 TO 1 WITH MR. DAVIS OPPOSED.

- B 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.

Mr. Walton stated that this case started in March 2004 and reminded the Board of the facts in this case. He recommended a finding of non compliance with time certain to complete the windows and roof work. After further discussion, the following motion was made:

**MOTION BY MR. KOEPEL THAT THE DEFENDANT BE FOUND IN NON COMPLIANCE AND GIVEN 45 DAYS IN WHICH TO COMPLETE THE PROJECT.
MOTION SECONDED BY MR. YOUCHAK.
MR. RAFFO REQUESTED THAT THE MOTION BE AMENDED TO INCLUDE A PROGRESS REPORT BE GIVEN AT THE FEBRUARY 17, 2005 CODE ENFORCEMENT BOARD HEARING.
AMENDED MOTION CARRIED UNANIMOUSLY.**

Chief Code Compliance Officer Walton requested that testimony for Case #'s 04-1706, 04-1707 and 04-1708 be heard together, but that separate motions should be made for each case.

- C Case #04-1706, Mr. Thomas Campaniello, 308 So. County 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, interior walls and ceilings shall be structurally sound, 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.

Mr. Walton requested that Case #'s 04-1706, 04-1707 and 04-1708 be heard together since the facts in each case are the same. It was noted that testimony for these Cases may be heard together but separate motions should be made for each case.

Mr. Walton read a letter to the Board from the property manager, which included a construction schedule. They asked for a sixty day delay for the penalty phase.

Mr. Walton reminded the Board that at the October meeting, the Board found the owner in non compliance and gave them until January 10, 2005 to achieve compliance. Mr. Walton recommended a fine be imposed in the amount of \$50.00 per day for each case. The Board was advised that it could go back as far as August 19, 2004 to start the fine. After further discussion the following motion was made:

**MOTION BY MR. KOEPEL TO IMPOSE A \$50.00 PER DAY FINE, RETROACTIVE TO JANUARY 10, 2005 AND CONTINUING UNTIL THEY COME INTO COMPLIANCE.
MOTION SECONDED BY MR. DAVIS.
MOTION CARRIED UNANIMOUSLY.**

- D Case #04-1707, Mr. Thomas Campaniello, 306 So. County 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, interior walls and ceilings shall be structurally sound, 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.

**MOTION BY MR. KOEPEL TO IMPOSE A \$50.00 PER DAY FINE, RETROACTIVE TO JANUARY 10, 2005 AND CONTINUING UNTIL THEY COME INTO COMPLIANCE.
MOTION SECONDED BY MR. RAFFO.
MOTION CARRIED UNANIMOUSLY.**

- E Case #04-1708, Mr. Thomas Campaniello, 304 So. County 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, interior walls and ceilings shall be structurally sound, 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.

MOTION BY MR. KOEPPPEL TO IMPOSE A \$50.00 PER DAY FINE, RETROACTIVE TO JANUARY 10, 2005 AND CONTINUING UNTIL THEY COME INTO COMPLIANCE.

MOTION SECONDED BY MR. RAFFO.

MOTION CARRIED UNANIMOUSLY.

Mr. Walton clarified that these fines will run until C.O.

F Case #04-1714, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-H

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. These permits must be obtained prior to commencing work.

Mr. Walton requested that the board hear testimony for Case #'s 04-1714, 04-1715 and 04-1716 together. It was noted that separate motions should be made for each case.

Mr. Walton indicated that this case is regarding construction work done without a permit. Three rooms at the Palm Beach Hotel were combined into one large room without permits. The son moved away and the father has taken over, hiring Jesse Nelson as a contractor. They tried to convert this back to three rooms but this was a problem with zoning. The Zoning Department considered this to be an expansion of a non-conforming use. A unity of title was obtained and a permit to remove the walls and make it one unit were issued in November 2004. Mr. Walton's recommendation is that they be given 30 days to get all the appropriate inspections.

MOTION BY MS. HOFFPAUER TO GRANT A 30 DAY EXTENSION IN ORDER FOR THE OWNERS TO OBTAIN ALL NECESSARY INSPECTIONS.

MOTION SECONDED BY MR. HOFFMAN.

MR. KOEPPPEL REQUESTED THAT THE MOTION BE AMENDED TO INCLUDE A FINDING OF NON COMPLIANCE AND FAILURE TO OBTAIN THE APPROPRIATE INSPECTIONS.

AMENDED MOTION CARRIED UNANIMOUSLY.

THIS SAME MOTION WAS INTENDED FOR CASE #04-1714, 04-1715 AND 04-1716.

G Case #04-1715, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-J

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. These permits must be obtained prior to commencing work.

MOTION BY MS. HOFFPAUER TO GRANT A 30 DAY EXTENSION IN ORDER FOR THE OWNERS TO OBTAIN ALL NECESSARY INSPECTIONS.

MOTION SECONDED BY MR. HOFFMAN.

MR. KOEPPPEL REQUESTED THAT THE MOTION BE AMENDED TO INCLUDE A FINDING OF NON COMPLIANCE AND FAILURE TO OBTAIN THE APPROPRIATE INSPECTIONS.

AMENDED MOTION CARRIED UNANIMOUSLY.

THIS SAME MOTION WAS INTENDED FOR CASE #04-1714, 04-1715 AND 04-1716.

H Case #04-1716, Richard A. Heise, Sr., 235 Sunrise Avenue, Apt. MZ-K

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. These permits must be obtained prior to commencing work.

MOTION BY MS. HOFFPAUER TO GRANT A 30 DAY EXTENSION IN ORDER FOR THE OWNERS TO OBTAIN ALL NECESSARY INSPECTIONS.

MOTION SECONDED BY MR. HOFFMAN.

MR. KOEPEL REQUESTED THAT THE MOTION BE AMENDED TO INCLUDE A FINDING OF NON COMPLIANCE AND FAILURE TO OBTAIN THE APPROPRIATE INSPECTIONS.

AMENDED MOTION CARRIED UNANIMOUSLY.

THIS SAME MOTION WAS INTENDED FOR CASE #04-1714, 04-1715 AND 04-1716.

- I Case #04-1745, Arthur Levine, 355 No. Lake Way
Violation of Chapter 62, Section 62-77 of the Town of Palm Beach Code of Ordinances, all bulkheads and sea walls within the Town shall be maintained in good repair and in an impervious condition without cracks and/or holes that allow for the passage of sand.

MOTION BY MR. DAVIS TO DISMISS CASE #04-1745 FOR COMPLIANCE.

MOTION SECONDED BY MR. KOEPEL.

MOTION CARRIED UNANIMOUSLY.

- J 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.

Mr. Walton advised the Board that at the December 16, 2004 Code Enforcement Board Hearing, the Board ordered Ms. Stuart to come back at this meeting with a report regarding her wall. No one was here to report to the Board but a letter was received from a certified engineer stating that the wall was not in a condition that would fall down. Mr. Walton reported to the board that the wall is still standing, it has not been repaired. It is not a hazard. They have a start date ordered by the Board of January 31, 2005. This was a report only. No motion by the Board required or made.

- K Case #04-1791, Michael I. Keller, 126 Peruvian Avenue
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 proper to commencing work.
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior walls shall be kept painted and in good repair and debris shall not be allowed to accumulate.

Mr. Walton reported to the Board that at the December 16, 2004 Code Enforcement Board Hearing, the Board ordered that they be given until February 17, 2005 to complete the project and appear at this meeting to give a report. Mr. Walton read a letter and status report to the Board since Mr. Keller was unable to be here. No motion by the Board required or made.

- L Case #04-1794, 171 Royal Poinciana, 171 Royal Poinciana Way
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.

Lynn Minn, the owner of 171 Royal Poinciana Way (aka 171 Main Street), addressed the Board. She stated that she had not supplied the town with her new address which caused a delay in her receipt of the notices. The front and most of the back of the building has been cleaned and further cleaning will be done by the end of Friday.

After further testimony, the following motion was made:

MOTION BY MR. KOEPEL TO IMPOSE A FINE IN THE AMOUNT OF \$25.00 PER DAY, RETROACTIVE TO NOVEMBER 8, 2004 RELATIVE TO THE CLEANUP OF THE PROPERTY. SECURE THE PROPERTY BY MONDAY, JANUARY 24, 2005 OR A \$50 PER DAY FINE WILL COMMENCE. THE DEFENDANT MUST ALSO REPORT TO THE BOARD WITH RESULTS OF THE FEBRUARY 15, 2005 TOWN COUNCIL MEETING AT THE FEBRUARY 17, 2005 CODE ENFORCEMENT BOARD HEARING. THEY MUST IMMEDIATELY COMMENCE REPAIRS OR DEMOLITION BY FEBRUARY 22, 2005.

MOTION SECONDED BY MR. DAVIS.

MOTION CARRIED UNANIMOUSLY.

M Case #04-1797, Evelyn A. Hall, 241 El Dorado Lane

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.

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 pedestrians.

Mr. Walton requested that the Board dismiss this case for compliance.

MOTION BY MR. HOFFMAN TO DISMISS CASE #04-1797 FOR COMPLIANCE.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

XI Adjournment: