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**TOWN OF PALM BEACH  
CODE ENFORCEMENT BOARD MINUTES  
2:00 P.M. THURSDAY, JANUARY 18, 2001  
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

I. Call to Order: The meeting was called to order at 2:04 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., Alternate Member  
                                                                 Lowell Levine, Alternate Member

RECORDING SECRETARY:      Deborah A. Morakis

III. Approval of the Minutes of December 21, 2000:

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

IV. Public Hearings:

- A      Case #00-1201, Sandell Corp., 111 Atlantic Avenue  
Violation of Chapter 106, Section 19-6 of the Town of Palm Beach Code of Ordinances, a vertical clearance of eight (8) feet above all sidewalks must be maintained to allow for unobstructed passage of pedestrians.  
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. ALLISON TO DISMISS FOR COMPLIANCE.  
MOTION SECONDED BY DR. HORWICH.  
MOTION CARRIED UNANIMOUSLY.
- B      Case #00-1202, J.E. & Michele R. Whitmarsh, 429 Seaview  
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, small projects, all new or remodel of 3,999 square feet or less shall be allowed 12 months.

MOTION BY MR. SLOAN TO FIND THE DEFENDANT GUILTY AND ALLOW THEM FIFTEEN (15) DAYS TO PLANT GRASS, COMPLETE PROJECT AND OBTAIN THE FINAL INSPECTION.  
MOTION SECONDED BY MR. LAWRENCE.  
MOTION CARRIED UNANIMOUSLY.

C     Case #00-1203, Rhonda Nasser, 246 Park Avenue

Violation of Chapter 134, Section 134-2179 of the Town of Palm Beach Code of Ordinances, in the R-C residential district required parking shall be located within a garage.  
Violation of Chapter 134, Section 134-1757 of the Town of Palm Beach Code of Ordinances, swimming pools shall not be located within side, rear or front setbacks.  
MOTION BY MR. ALLISON TO DISMISS FOR COMPLIANCE.  
MOTION SECONDED BY DR. HORWICH.  
MOTION CARRIED UNANIMOUSLY.

D     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. ALLISON TO POSTPONE CASE #00-1204 UNTIL THE FEBRUARY 15, 2001 CODE ENFORCEMENT BOARD MEETING.  
MOTION SECONDED BY MR. ALLISON.  
MOTION CARRIED UNANIMOUSLY.

E     Case #00-1205, Nick Raich Building Corp., 215 Indian Road

Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing trash in right-of-way out of line with the schedule.  
MOTION BY MR. SLOAN TO ACCEPT THE GUILTY PLEA AND PAYMENT OF THE FINE.  
MOTION SECONDED BY MR. ALLISON.  
MOTION CARRIED UNANIMOUSLY.

F     Case #00-1207, George Kantor, 765 Hi-Mount 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.  
MOTION BY MR. LAWRENCE TO DISMISS CASE #00-1207 FOR COMPLIANCE.  
MOTION SECONDED BY MR. BALE.  
MOTION CARRIED UNANIMOUSLY.

G     Case #00-1208, Jerome Heilwell, 1632 South Ocean Blvd.

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. ALLISON TO FIND THE DEFENDANT IN VIOLATION AND REQUIRE THEM TO PAY THE \$300.00 FINE AND \$25.00 REGISTRATION FEE.  
MOTION SECONDED BY MR. SLOAN.  
MOTION CARRIED UNANIMOUSLY.

H     Case #00-1209, Jegor De Saint Hippolyte, 340 Royal Poinciana Way #330

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. ALLISON TO DISMISS CASE #00-1209 FOR COMPLIANCE.  
MOTION SECONDED BY MR. SLOAN.  
MOTION CARRIED UNANIMOUSLY.

V. Presentation of New Cases to Set for Hearing:

- A     Case #00-1206, Howard Rudolph, 2253 Ibis Isle Road East  
Violation of Section 102.45 of the Town of Palm Beach Code of Ordinances, placing trash in right-of-way out of line with the schedule.
- B     Case #01-1210, Rhona Lieberman, 121 Australian Avenue  
Violation of Section 118.50 of the Town of Palm Beach Code of Ordinances, unlawfully parked commercial truck.  
Violation of Chapter 18, Section 104.1.1 of the Town of Palm Beach Code of Ordinances, signs and awnings have been installed without a permit.
- C     Case #01-1211, David P. Kane, 323 Chilean 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.
- D     Case #01-1212, Mr. Allen Heise, Mr. James Fazio, 251 Sunrise  
Violation of Town of Palm Beach Zoning Ordinance 2-74, as amended, before a restaurant opens or expands a Special Exception must be obtained from the Town Council.  
MOTION BY MR. BALE TO SET THE ABOVE CASES: 00-1206, 01-1210, 01-1211, 01-1212 FOR THE FEBRUARY 15, 2001 CODE ENFORCEMENT BOARD HEARING.  
MOTION SECONDED BY DR. HORWICH.  
MOTION CARRIED UNANIMOUSLY.

VI. New Business:

VII. Old Business:

Case #00-1200, Joseph Burakoff, 201 El Dorado Lane  
Violation of Chapter 18, Section 18-242, Subsection 1 104.1.1 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. ALLISON TO FIND THE DEFENDANT GUILTY OF NOT BRINGING HIS PROPERTY INTO COMPLIANCE AS PREVIOUSLY ORDERED. DUE TO SAID NON-COMPLIANCE, A \$50.00 A DAY FINE WILL BE IMPOSED STARTING FROM JANUARY 5, 2001 AND CONTINUING UNTIL COMPLIANCE IS ACHIEVED.  
MOTION SECONDED BY MR. SLOAN.  
MOTION CARRIED UNANIMOUSLY.

VIII. Adjournment:       The meeting was adjourned at 2:36 p.m. without benefit of a motion.