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**TOWN OF PALM BEACH
CODE ENFORCEMENT BOARD MINUTES
2:00 P.M. THURSDAY, JANUARY 17, 2002
AT THE TOWN COUNCIL CHAMBERS, 360 S. COUNTY ROAD**

I. **Call to Order:** The meeting was called to order at 2:00 p.m. by Chairman David J. Thomas.

II. **Roll Call:** PRESENT: David J. Thomas, Chairman
Scott Sloane, Vice-Chairman
Eugene Lawrence, Member
Dr. Harry Horwich, Member
P. Robert Bale, Member
M. S. Rukeyser, Jr., Member
Pamela Hoffpauer, Member

ABSENT: Lowell Levine, Alternate Member (Unexcused)

RECORDING SECRETARY: Deborah A. Morakis

III. **Approval of the Minutes of December 20, 2001:**

MOTION BY MR. BALE TO APPROVE THE MINUTES OF THE DECEMBER 20, 2001
CODE ENFORCEMENT BOARD MEETING.

MOTION SECONDED BY MR. SLOANE.

MOTION CARRIED UNANIMOUSLY.

IV. **Public Hearings:**

A Case #01-1356, Michael & Elizabeth Kaiser, 225 Dunbar Road
Violation of Chapter 30, Section 30-114 of the Town of Palm Beach Code of
Ordinances, the water quality will be protected by the retention of the first two (2)
inches of rain fall prior to discharge into the Town's system.

MOTION BY DR. HORWICH TO POSTPONE CASE #01-1356 UNTIL THE FEBRUARY 21,
2002 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. RUKEYSER.

MOTION CARRIED UNANIMOUSLY.

- B Case #01-1382, Leopold Balestrieri, 105 Casa Bendita
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.
- All parties were sworn in and testimony was heard by Mr. Balestrieri and his Attorney, Mr. Fields. Mr. Fields indicated that they will begin the process of demolishing the home within forty-five (45) days and within ten (10) days thereafter it will be completed. We will then be sodding and irrigating the lot.
- Mr. House indicated that since there was a fire there, they would not have to go to ARCOM for approval but that it would be an ordered demolition. Sod and irrigation is required by the code. We have no objection to the forty five (45) day time limit with a ten (10) day allowance for sod and irrigation. They have to get disconnections and a permit, etc. so we can give sixty (60) days total for all work to be completed.
- After further discussion took place, the following motion was made:
- MOTION BY MR. SLOANE THAT THE DEFENDANT BE ORDERED TO COMPLY BY COMPLETING DEMOLITION OF THE EXISTING HOUSE, INSTALLATION OF SOD AND A SPRINKLER SYSTEM WITHIN SIXTY (60) DAYS.
- MOTION SECONDED BY DR. HORWICH.
- MOTION CARRIED UNANIMOUSLY.
- C Case #01-1383, Keene Investments, Inc., 260 Miraflores Drive
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.
- Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, trash and debris shall not be allowed to accumulate on property in the Town of Palm Beach.
- MOTION BY MR. BALE TO POSTPONE CASE #01-1383 UNTIL THE FEBRUARY 21, 2002 CODE ENFORCEMENT BOARD HEARING.
- MOTION SECONDED BY MR. SLOANE.
- MOTION CARRIED UNANIMOUSLY.
- D Case #01-1384, Roddy Limited Partnership, 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.
- MOTION BY MR. LAWRENCE TO POSTPONE CASE #01-1384 UNTIL THE FEBRUARY 21, 2002 CODE ENFORCEMENT BOARD HEARING.
- MOTION SECONDED BY MS. HOFFPAUER.
- MOTION CARRIED UNANIMOUSLY.
- E Case #01-1385, Charles T. Roddy, 432 Brazilian 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.

Violation of Chapter 42, Section 42-86 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, or other such items to accumulate.

MOTION BY MR. SLOANE TO POSTPONE CASE #01-1385 UNTIL THE FEBRUARY 21, 2002 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MS. HOFFPAUER.

MOTION CARRIED UNANIMOUSLY.

V. Presentation of New Cases to Set for Hearing:

- A Case #02-1386, Thomas L. Holland, ET AL TRS, 323 Arabian Road
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained above all roadways.
- B Case #02-1387, Michael & Judith Andrassy, 642 North County Road
Violation of Chapter 106, Section 106-159 of the Town of Palm Beach Code of Ordinances, a clearance of eighteen (18) feet must be maintained to allow for unobstructed passage of vehicles.
- C Case #02-1388, Arvida Realty Services, 340 Royal Poinciana Way, Suite 320
Violation of Section 14-31 of the Town of Palm Beach Code of Ordinances, an Occupational License is required for each individual Real Estate Salesperson working in the Town of Palm Beach.
- D Case #02-1389, Chase Manhattan Bank, 225 Everglades Avenue
Violation of Section 102-45 of the Town of Palm Beach Code of Ordinances, placing yard trash on Town right-of-way out of line with the schedule.

MOTION BY MR. BALE TO SET CASE #'S 02-1386, 02-1387, 02-1388, 02-1389 FOR HEARING AT THE FEBRUARY 21, 2002 CODE ENFORCEMENT BOARD HEARING.

MOTION SECONDED BY MR. SLOANE.

MOTION CARRIED UNANIMOUSLY.

VI. New Business:

VII. Old Business:

- A Case #01-1354, Laura Andre, Inc., 159 Sunset Avenue
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, Small Projects, all new or remodel construction projects of 3,999 sq. ft. or less shall be allowed twelve (12) months.
- B Case #01-1355, Laura Andre, Inc., 159 Sunset Avenue
Violation of Section 104.6.1.4 of the Town of Palm Beach Code of Ordinances, Small Projects, all new or remodel construction projects of 3,999 sq. ft. or less shall be allowed twelve (12) months.

MOTION BY DR. HORWICH TO BRING CASE #01-1354 AND CASE #01-1355 BACK FOR

HEARING AT THE FEBRUARY 21, 2002 CODE ENFORCEMENT BOARD MEETING.
MOTION SECONDED BY MR. RUKEYSER.
MOTION CARRIED UNANIMOUSLY.

VIII. Reports:

- A Case #01-1277, William J. Condren, 240 Banyan Road
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, prior to commencing work.

A verbal report was given by Brian K. House regarding the status of Case #01-1277. No one was sworn in to give testimony since this was a report only. He indicated that although the fence has been removed to his specifications, it was done three (3) days later than ordered. There are two (2) pieces of fence remaining, one at each end of the piece that was removed. The Defendant had not been previously ordered to remove these two pieces specifically. It was an oversight on my part to specifically indicate these two (2) pieces, but they have ordered a contractor to have them removed. If they do not remove them, we will bring this back as a new case, since they have reached compliance according to what was previously ordered.

A brief statement was given by Lowry Bell and Dianna Bell. They were advised that they could not be sworn in and give testimony but that they could make a statement.

The Board declined to take any action.

- IX. Adjournment:** The meeting was adjourned at 2:25 p.m. without benefit of a motion.