

DRAFT



TOWN OF HIGHLAND BEACH CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

Library Community Room
3618 South Ocean Boulevard
Highland Beach, Florida 33487

Date: December 12, 2023
Time: 1:00 PM

1. CALL TO ORDER

Chairperson Schlam called the meeting to order at 1:00 P.M.

2. ROLL CALL

Board Member Michael Cherbini
Board Member Bryan Perilman
Board Member Robert Lasorsa
Board Member James Murray
Vice Chairperson Jane Perlow
Chairperson Myles Schlam
Town Attorney Leonard Rubin
Deputy Town Clerk Jaclyn DeHart

ABSENT

Board Member David Kaufman

Additional Staff Present

Code Compliance Officer Adam Osowsky

3. PLEDGE OF ALLEGIANCE

The Code Enforcement Board led the Pledge of Allegiance of the United States of America.

4. APPROVAL OF THE AGENDA

Motion: Murray/Perlow - Moved to approve the agenda as presented which passed 6 to 0.

5. SWEARING IN OF THE PUBLIC

Ms. DeHart swore in those giving testimony.

4. PUBLIC COMMENT

There were no public comments.

5. APPROVAL OF MINUTES

A. November 14, 2023

Motion: Perlow/Murray - Moved to approve the minutes of November 14, 2023 which passed 6 to 0.

6. UNFINISHED BUSINESS

**A. CASE NO. CC2023-02-014
Fine Reduction Request**

Margaret Oumano
2565 S. Ocean Blvd. Unit 303N
Highland Beach FL, 33487
PCN: 24-43-46-28-47-001-3030
Legal Description: TOWNHOUSES OF HIGHLAND BEACH COND BLDG
NORTH UNIT 303-N

Code Sections: 30-122 (B) Expiration of building permit, IPMC 304.3 Premises identification- Address numbers

Violations: Expired Permit and Missing address numbers.

Chairperson Schlam read the title of 8.A. and mentioned that this item was tabled on August 08, 2023 and brought back on October 10, 2023 and tabled again because the requestor was not present. He asked the Board members if they had any ex parte communications to disclose in the matter? Hearing none he reopened the fine reduction hearing and called for Code Compliance Officer Osowsky to give testimony.

The requestor was not present.

Motion: Perlow/Murray – Moved to deny the request for a fine reduction. Based upon a roll call, Vice Chairperson Perlow (Yes), Member Murray (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Lasorsa (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

7. NEW BUSINESS

A. CASE NO. CC2023-10-028

James Paris & Karin Mueller Paris
1106 Bel Air Dr. B
Highland Beach FL, 33487
PCN: 24-43-47-04-03-000-0072
Legal Description: HIGHLAND BEACH ISLES E 61.59 FT OF LT 7

Code Sections:12-4(D)(3) Temporary Construction Fence Locked and Secure

Repeat Violation: Unsecured construction fence.

Chairperson Schlam read the title of Item 9.A. and asked the Board members if they had any ex parte communications to disclose in the matter? Hearing none, he opened the public hearing and called for Code Compliance Officer Osowsky to give testimony and recommendations regarding the violation.

Code Compliance Officer Adam Osowsky provided a brief timeline of the facts of the case. He entered submittals of evidence into the record. He mentioned that this is a repeat violation of code section 12-4(D)(3) Temporary Construction Fence Locked and Secure. They are now in compliance and the Town recommends that they be found in repeat violation and fined \$500 a day for eight (8) days and to assess prosecution costs in the amount of \$250 to be paid within 30 days.

Christopher Beale, of Beale Con, talked about the missing section of fence and locking the fence.

Member Lasorsa moved that there was no violation of the Town Code as alleged in the Notice of Violation, but the motion failed due to a lack of a second.

Vice Chairperson Perlow moved that the respondent be found in repeat violation of the Town Code as alleged in the notice of violation and that he/she be fined \$250 per day for 8 days and assess prosecution costs in the amount of \$250 payable within 10 days, but the motion failed due to a lack of a second.

Motion: Perilman/ Perlow – Moved that the respondent be found in repeat violation of the Town Code as alleged in the notice of violation and that he/she be fined \$100 per day for 8 days and assess prosecution costs in the amount of \$250 payable within 10 days. Based upon a roll call, Member Perilman (Yes), Vice Chairperson Perlow (Yes), Member Cherbini (Yes), Member Lasorsa (No), Member Murray (Yes), and Chairperson Schlam (Yes). The Motion passed 5 to 1.

B. CASE NO. CC2023-09-019

Michael Duggan
4229 Tranquility Dr.
Highland Beach FL, 33487
PCN: 24-43-47-04-02-005-0170

Legal Description: BEL LIDO LT 17 BLK 5

Code Sections: 12-6 (B) Hours of construction-Saturdays, 12-6 (A) Hours of construction, 12-2(A) Construction site cleanliness; construction site safety, 12-

2(B) Construction Site Cleanliness/Construction Site Safety, 12-2(E)
Construction site cleanliness; construction site safety.

Violations: 1) Dirt/debris from construction site spilling into the public roadway. 2)
Hours of construction on Saturdays.

Chairperson Schlam read the title of Item 9.B. and asked the Board members if they had any ex parte communications to disclose in the matter? Hearing none, he opened the public hearing and called for Code Compliance Officer Osowsky to give testimony and recommendations regarding the violation.

Code Compliance Officer Adam Osowsky mentioned that the violation has been corrected. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and recommended to assess prosecution costs in the amount of \$250.00 payable set by the date for compliance.

The respondent was not present.

The public hearing was closed followed by a motion.

Motion: Perlow/Cherbini - Moved that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation, Section 12-2(E), but is now in compliance and that a do not repeat order be issue and assess prosecution costs in the amount of \$250.00 payable within 30 days. Based upon a roll call, Vice Chairperson Perlow (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Lasorsa (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

C. CASE NO. CC2023-10-021

Jeanette Leaf
3720 S. Ocean Blvd. Unit 1606
Highland Beach FL, 33487
PCN: 24-43-47-04-53-000-1606

Legal Description: TOSCANA WEST CONDOMINIUM UNIT 1606/1607

Code Sections: FBC 110.5 Inspection requests, FBC 110.6 Approval required.

Repeat Violation: Inspections required. Unpaid permit fees. Permit AC23-0153
MECHANICAL AC CHANGEOUT.

Chairperson Schlam read the title of Item 9.C. and asked the Board members if they had any ex parte communications to disclose in the matter? Hearing none, he opened the public hearing and called for Code Compliance Officer Osowsky to give testimony and recommendations regarding the violation.

Code Compliance Officer Adam Osowsky stated that the property has been brought into compliance since the Notice of Hearing and the case is closed.

D. 2024 PROPOSED CODE ENFORCEMENT BOARD MEETING DATES

Chairperson Schlam introduced the item, and the Board discussed the dates.

Motion: Perlow/Murray – Moved to accept the 2024 Code Enforcement Board Meeting schedule as presented, which passed unanimously 6 to 0.

8. ANNOUNCEMENTS

Chairperson Schlam read the announcements as follows.

December 14, 2023	9:30 AM	Planning Board Regular Meeting
December 19, 2023	1:30 PM	Town Commission Meeting

9. ADJOURNMENT

The meeting adjourned at 1:38. P.M.

APPROVED January 09, 2024, Code Enforcement Regular Meeting

Myles B. Schlam, Chairperson

ATTEST:

Transcribed by: Jaclyn DeHart

January 09, 2024

Jaclyn DeHart
Deputy Town Clerk

Date

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the event of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town’s Media Archives & Minutes webpage: <https://highlandbeach-fl.municodemeetings.com>