



TOWN OF HIGHLAND BEACH CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

Town Hall / Commission Chambers
3614 South Ocean Boulevard
Highland Beach, Florida 33487

Date: October 11, 2022
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 James Murray
Board Member Robert Lasorsa
Board Member Michael Cherbini
Board Member David Axelrod
Board Member Bryan Perlman
Vice Chairperson Jane Perlow
Chairperson Myles Schlam
Town Attorney Kara Land
Administrative Support Specialist Ganelle Thompson

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.

APPROVAL OF THE AGENDA

MOTION: Perlman/Axelrod- Moved to approve the agenda as presented, which passed unanimously 7 to 0.

4. SWEARING OF THE PUBLIC

Ms. Thompson swore in those giving testimony.

September 13, 2022

5. PUBLIC COMMENT

There were no public comments.

6. APPROVAL OF MINUTES

MOTION: Perlow/Perlman - Moved for the approval of the minutes, which passed unanimously on a 7 to 0 vote.

7. UNFINISHED BUSINESS

None.

8. NEW BUSINESS

A. CASE NO. CC2022-08-008 (STAFF IS REQUESTING THIS ITEM BE POSTPONED TO THE NEXT MEETING)

45 Ocean Condo Assoc. Inc.
4505 S. Ocean Blvd Cond
Highland Beach FL, 33487

Code Sections: 30-122 (A) Building Permit Required

Violations: Tesla charger installed without permit.

MOTION: Perlow/Axelrod - Moved to continue the case to next month, which passed unanimously 7 to 0.

B. CASE NO. CC2022-04-013

Sirota Aleksander
3700 S Ocean Blvd 907
Highland Beach, FL 33487
PCN: 24-43-47-04-51-001-0907
Legal Description: Toscana North Cond Unit 907

Code Sections: 30-122 (A) Building Permits Required

Violations: Observed fire sprinkler work in unit without permit

Chairperson Schlam read the title of Item 8.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 provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service, supporting documents, photos taken of the property that fairly and accurately represented the violation observed during the onsite inspections, and paper postings at the property address and at Town Hall. In addition, Code Compliance Officer Osowsky mentioned that to date, no permit had been applied for and the violation remains. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation, the violator be fined \$250.00 per day for each day the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance.

Aleksander Sirota was present virtually and provided testimony related to the case.

The public hearing was closed followed by a motion.

MOTION: Perliman/Lasorsa - Moved that Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that he be ordered to comply within 14 days or be fined \$250.00 per day for each day the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance. Based upon roll call: Member Perliman (Yes), Member Lasorsa (Yes), Member Murray (Yes), Member Axelrod (Yes), Member Cherbini (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 7 to 0 vote.

C. CASE NO. CC2022-08-007

Janice and Richard Kaplan
3210 S Ocean Blvd 803
Highland Beach, FL 33487
PCN: 24-43-46-33-39-000-8030
Legal Description: Villa Costa Cond Unit 803

Code Sections:30-122 (A) Building Permits Required

Violations: Interior remodel of kitchen without permit.

Chairperson Schlam read the title of Item 8.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 provided a brief timeline of the facts of the case. He entered submittals of evidence into the record that included proof of service, supporting documents, photos taken of the property that fairly and

accurately represented the violation observed during the onsite inspections, and paper postings at the property address and at Town Hall. Additionally, Code Compliance Officer Osowsky mentioned that the violator is now in compliance. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation, the violator pay prosecution costs in the amount of \$250.00 payable by the date set for compliance.

The public hearing was closed followed by a motion.

MOTION: Axelrod/Perlow - Moved that the Respondent be found in violation of the Town Code as alleged in the Notice of Violation but is now in compliance and that a do not repeat order be issued and assess prosecution costs in the amount of \$250.00 because the Town proved that a violation did exist. Based upon roll call: Member Axelrod (Yes), Vice Chairperson Perlow (Yes), Member Perilman (Yes), Cherbini (Yes), Lasorsa (Yes) Murray (Yes), and Chairperson Schlam (Yes). The motion passed on a 7 to 0 vote.

D. CASE NO. CC2022-08-008

Bruce D. Madorsky Family Trust
3114 S Ocean Blvd 401
Highland Beach, FL 33487
PCN: 24-43-46-33-09-000-4010
Legal Description: Monterey House Cond Apt 401

Code Sections: 30-122 (A) Building Permits Required

Violations: Installing hurricane-resistant impact windows and doors

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 that included proof of service, supporting documents, photos taken of the property that fairly and accurately represented the violation observed during the onsite inspections, and paper postings at the property address and at Town Hall. Also, Code Compliance Officer Osowsky mentioned that to date, no permit had been applied for and the violation remains. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation, the violator be fined \$250.00 per day for each day the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance.

The public hearing was closed followed by a motion.

MOTION: Perlow/Lasorsa - Moved that Respondent(s) be found in violation of the Town Code as alleged in the Notice of Violation and that he/she/they be ordered to comply within 14 days or be fined \$250.00 per day for each day the violation remains after the date set for compliance and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance. Based upon roll call Vice Chairperson Perlow (Yes), Member Lasorsa (Yes), Member Cherbini (Yes), Member Perlman (Yes), Member Murray (Yes), Member Axelrod (Yes), and Chairperson Schlam (Yes). The motion passed on a 7 to 0 vote.

E. CASE NO. CC2022-08-009

Robert Spahr
4225 Tranquility Drive
Highland Beach, FL 33487
PCN: 24-43-47-04-02-005-0160
Legal Description: Bel Lido LT 16 BLK 5

Code Sections: 30-122 (A) Building Permits Required

Violations: Open storage of building/construction debris, no fence as required, interior and exterior work being performed.

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 that included proof of service, supporting documents, photos taken of the property that fairly and accurately represented the violation observed during the onsite inspections, and paper postings at the property address and at Town Hall. In addition, Code Compliance Officer Osowsky mentioned that to date, the Violator is now in Compliance. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation, but the violator is now in compliance and that there is an assessment of prosecution costs in the amount of \$250.00 payable by the date set for compliance.

Robert Spahr, property owner provided testimony relevant to his case.

Building Official Jeff Remas explained the permit fees and the fines associated with the permit fees. He explained that the cost differs from the cost of prosecution.

The public hearing was closed followed by a motion.

MOTION: Perlow/Axelrod - Moved that the Respondent(s) be found in violation of the Town Code as alleged in the Notice of Violation but is now in compliance and that a do not repeat order be issued compliance and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance. because the Town proved that a violation did exist. Based upon roll call, Vice Chairperson Perlow (Yes), Member Axelrod (Yes), Member Cherbini (Yes), Member Perlman (Yes), Member Lasorsa (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed on a 7 to 0 vote.

F. CASE NO. CC2022-08-016

Patrick Culleton and Julia Wanklyn
1102 Russell Drive
Highland Beach, FL 33487
PCN: 24-43-47-01-000-1071
Legal Description: Delray-by-The-Sea TH PT OF LT 107 IN OR2755P308
A/K/A UNIT 64 Boca Cove

Code Section: 30-122 (A) Building Permits Required

Violations: Mechanical AC changeout.

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 that included proof of service, supporting documents, photos taken of the property that fairly and accurately represented the violation observed during the onsite inspections, and paper postings at the property address and at Town Hall. In addition, Code Compliance Officer Osowsky mentioned that to date, a permit had been applied for and the violation was corrected. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and assess prosecution costs in the amount of \$250.00 payable by the date set for compliance.

The public hearing was closed followed by a motion.

MOTION: Axelrod/Lasorsa - Moved that the Respondent(s) be found in violation of the Town Code as alleged in the Notice of Violation but is now in compliance. The motion may exclude the assess prosecution cost of \$250.00. Based upon roll call: Member Axelrod (Yes), Member Lasorsa (Yes), Member Cherbini (Yes), Member

Perliman (Yes), Member Murray (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 7 to 0 vote.

9. BOARD MEMBERS REPORT

None.

10. ANNOUNCEMENTS

Chairperson Schlam read the announcements as follows:

October 13, 2022 - 9:30 A.M. Planning Board Regular Meeting

October 18, 2022- 1:30 P.M. Town Commission Meeting

October 27, 2022 - 11:30 A.M. Financial Advisory Board Regular Meeting

November 09, 2022 - 1:00 P.M. Code Enforcement Board Regular Meeting

11. ADJOURNMENT

The meeting adjourned at 1:37 P.M.

APPROVED November 09, 2022, Code Enforcement Regular Meeting

Myles B. Schlam, Chairperson

ATTEST:

Transcribed by: Ganelle Thompson

November 09, 2022

Ganelle Thompson
Administrative Support Specialist

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>