



TOWN OF HIGHLAND BEACH TOWN CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

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

Date: December 13, 2022
Time: 1:00 PM

1. CALL TO ORDER

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

2. ROLL CALL

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

Absent

Board Member David Axelrod

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: Perilman/Cherbini - Moved to approve the agenda as presented, which passed unanimously 6 to 0.

5. SWEARING IN OF THE PUBLIC

Mrs. DeHart swore in those giving testimony.

6. PUBLIC COMMENT *(limited to three (3) minutes per speaker)*

There were no public comments.

7. APPROVAL OF MINUTES

A. November 9, 2022

MOTION: Perlow/Murray- Moved to approve the minutes, which passed unanimously 6 to 0.

8. UNFINISHED BUSINESS

A. CASE NO. CC2022-06-007

Albert J Brok Trust
3700 S. Ocean Blvd. 805
Highland Beach FL, 33487
PCN: 24-43-47-04-51-001-0805
Legal Description: TOSCANA NORTH COND UNIT 805

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

Violations: Observed AC changeout without permit

Chairperson Schlam read the title of Item 8.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.

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 and recommended waving the prosecution costs in the amount of \$250.00

Albert Brok provided comments about the violation on the property.

The public hearing was closed followed by a motion.

Motion: Perlow/Lasorsa - 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 which passed unanimously 6 to 0.

9. NEW BUSINESS

A. CASE NO. CC20222-10-006

Michael & Magdalena Radu
1091 Bel Lido Dr.
Highland Beach FL, 33487
PCN:24-43-47-04-02-005-0030
Legal Description: BEL LIDO LT 3 BLK 5

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

Violations: Installation of paver bricks without permits

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.

Code Compliance Officer Osowsky mentioned that the violations continue to exist, but the owner has applied for a permit that is currently under plan review.

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: Lasorsa/Perlow - Moved that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and that they be ordered to comply within 15 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 a roll call. Member Lasorsa (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member

Murray (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

B. CASE NO. CC2022-10-027

Karin Mueller/Paris & James 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: 30-122 (B) Expiration of building permit;17-3 NUISANCES Nuisance; 28-10 LANDSCAPE Failure to Maintain Landscaping; IPMC 303.1 Swimming pools; IPMC 303.2 Swimming pool enclosures

Violations: Expired permits; Overgrowth; Unsecure construction fence; open and exposed pool; dirty pool water

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 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.

Code Compliance Officer Adam Osowsky mentioned that today they are only looking at the dirty pool violation, which continues to exist. The other violations were moved to Case NO CC2022-11-019.

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.

Chris Belle, the property's contractor, provided comments about the violation on the property

The public hearing was closed followed by a motion.

Motion: Lasorsa/Cherbini - Moved that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and that they be ordered to comply within 15 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 a roll call. Member Lasorsa (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Murray (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

C. CASE NO. CC2022-10-014

Jordan Cohen
1123 Highland Beach Dr. 3
Highland Beach FL, 33487
PCN: 24-43-47-04-02-002-0223
Legal Description: BEL LIDO TH PT OF LT 22 K/A UNIT 3 BLK 2

Code Sections: 34-5 (A) Application for Vacation Rental Certificate

Violations: Unregistered Vacation Rental

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 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, website printouts of vacation rental, and paper postings at the property address and at Town Hall.

Code Compliance Officer Adam Osowsky mentioned that the violation remains. The property owner has submitted an application that is being reviewed, and a rental inspection is also required.

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.

Jordan Cohen provided comments about the violation on the property.

The public hearing was closed followed by a motion.

Motion: Perlow/Murray - Moved that the Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that they be ordered to comply within 15 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 a roll call. Member Lasorsa (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Murray (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

D. .CASE NO. CC2022-10-022

3200 SEAGATE LLC
3200 S. Ocean Blvd.
Highland Beach, FL 33487
PCN:24-43-46-33-00-001-0210

Code Sections: 12-6 Hours of Construction

Violations: Construction workers arriving/setting up before the allowed time by code

Chairperson Schlam read the title of Item 9.D. 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 closed the case and pulled it from the hearing, citing computer issues with incorrect parcel information.

Town Attorney Leonard Rubin mentioned that no further action was necessary.

E. CASE NO. CC2022-10-020

Jordan Cohen
1119 Highland Beach Dr. 3
Highland Beach FL, 33487
PCN: 24-43-47-04-02-002-0214
Legal Description: BEL LIDO TH PT OF LT 21 K/A WEST UNIT BLDG 2 BLK 2

Code Sections: 34-5 (A) Application for Vacation Rental Certificate

Violations: Unregistered Vacation Rental

Chairperson Schlam read the title of Item 9.E. 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, website printouts of vacation rental, and paper postings at the property address and at Town Hall.

Code Compliance Officer Adam Osowsky mentioned that the violation remains. The property owner has submitted an application that is being reviewed, and a rental inspection is also required.

Therefore, the Town recommends that the Respondent 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: Lasorsa/Murray -Moved that Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that they be ordered to comply within 15 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 a roll call. Member Lasorsa (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Murray (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

F. CASE NO. CC2022-10-007

1114 Bel Air LLC
1114 Bel Air Dr. 1
Highland Beach FL, 33487
PCN: 24-43-47-04-03-000-0090
Legal Description: HIGHLAND BEACH ISLES LOT 9

Code Sections: 12-2(B) Construction Site Cleanliness/Construction Site Safety; 12-2(E) Construction site cleanliness; construction site safety; 12-2(E) Construction site cleanliness; construction site safety; 12-4 Temporary construction fences; 12-4(D)(2) Temporary Construction Fence Maintenance; IPMC 14-35(A) PMC - Rubbish and Garbage

Violations: Open storage; improper construction fence and site cleanliness

Chairperson Schlam read the title of Item 9.F. 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.

Code Compliance Officer Adam Osowsky mentioned that the violations have 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 within 30 days.

The public hearing was closed followed by a motion.

Motion: Perlow/Lasorsa - Moved that the Respondents 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 issue and assess prosecution costs in the amount of \$250.00 payable within 30 days. Based upon a roll call. Member Lasorsa (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Murray (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

G. CASE NO. CC2022-11-005

William & Suzanne Fleming TR TITL HLDRS

1053 Boca Cove Ln.

Highland Beach, FL 33487

PCN:24-43-47-04-01-000-1146

Legal Description: DELRAY-BY-THE-SEA TH PT OF LTS 114 & 115 & TH PT OF FLORIDA AVE AS INOR5635 P1243 A/K/A UNIT 6 BLDG 2 BOCA COVE

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

Violations: A/C changeout without permit

Chairperson Schlam read the title of Item 9.G. 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, website printouts of vacation rental, and paper postings at the property address and at Town Hall.

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 and to assess prosecution costs in the amount of \$250.00 payable within 30 days.

William Fleming provided comments about the violation on the property.

The public hearing was closed followed by a motion.

Motion: Perlow/Murray - Moved that the Respondents 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 issue and assess prosecution costs in the amount of \$250.00 payable within 30 days. Based upon a roll call. Member Lasorsa (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Murray (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

8. ANNOUNCEMENTS

Chairperson Schlam read the announcements as follows:

December 13, 2022- 6:00 P.M. Public Meeting Accessory Marine Facility Regulations:

December 15, 2022 – 5:00P.M.-7:30 P.M.- Mingle and Jingle Food Truck Event

December 23, and 26,2022 Town Hall Closed in observance of Christmas Holiday

January 02, 2023 Town Hall Closed in observance of New Year's Holiday

9. ADJOURNMENT

The meeting adjourned at 1:54 P.M.

APPROVED January 10, 2023, Code Enforcement Regular Meeting

Myles B. Schlam, Chairperson

ATTEST:

Transcribed by: Jaclyn DeHart

January 10, 2023

Jaclyn DeHart
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>