



TOWN OF HIGHLAND BEACH CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

**LIBRARY COMMUNITY ROOM
3618 South Ocean Boulevard
Highland Beach, Florida 33487**

**Date: May 09, 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 James Murray
Board Member Michael Cherbini
Vice Chairperson Jane Perlow
Chairperson Myles Schlam
Town Attorney Leonard Rubin
Deputy Town Clerk Jaclyn DeHart

ABSENT

Board Member David Axelrod
Board Member Robert Lasorsa
Board Member Bryan Perilman

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 unanimously 4 to 0.

5. SWEARING IN OF THE PUBLIC

Ms. DeHart swore in those giving testimony.

6. PUBLIC COMMENT

There were no public comments.

7. APPROVAL OF MINUTES

A. April 11, 2023

Motion: Cherbini/Murray- Moved to approve the minutes of April 11, 2023, which passed unanimously 4 to 0.

8. UNFINISHED BUSINESS

A. CASE NO. CC202-10-032

Mandalco LLC
1121 Bel Air Dr.
Highland Beach FL, 33487
PCN: 24-43-47-04-03-001-0100
Legal Description: BEL LIDO LT 10 BLK 1

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

Violations: Exterior work to balcony/railing 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 Osowsky provided a brief timeline of the facts since the hearing. The property was out of compliance for 85 days past the date set for compliance. The fine total is \$21,250. The property is now in compliance.

Lorena Moscoso, real estate agent for the property, gave testimony about the violation and the timeline of events that transpired after the hearing. She requested a reduction in fines.

Motion: Perlow/Murray - Moved to reduce the respondents fine to \$10,000.00 payable within 30 days of the date of the hearing or the fine shall revert to the original amount of \$21,250.00. Based up a roll call, Vice Chairperson Perlow (Yes), Member Murray (Yes), Member Cherbini (Yes), and Chairperson Schlam (Yes). The motion passed 4 to 0.

9. NEW BUSINESS

A. CASE NO. CC2023-03-007

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: 12-2(B) Construction Site Cleanliness/Construction Site Safety, 12-4 Temporary construction fences, IPMC 14-35(A) PMC - Rubbish and Garbage

Violations: Construction/Building material not screened to code.

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 stated that the property has been brought into compliance since the Notice of Hearing and the case is closed.

B. CASE NO. CC2023-02-014

Margaret Oumano
2565 S. Ocean Blvd. 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 14-35(A) PMC - Rubbish and Garbage, IPMC 304.3 Premises identification- Address numbers

Violations: Expired Permit, Missing address numbers, open store of trash/debris/construction material

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 the violations remain. Therefore, the Town recommends that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation, and the violator be fined \$250.00 per day for each day the violations remain 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/Cherbini - 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 30 days or be fined \$250.00 per day for each day the violations remain 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, Vice Chairperson Perlow (Yes), Member Cherbini (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed 4 to 0.

C. CASE NO. CC2023-04-010

Theodore Harwood

1032 Russell Dr.

Highland Beach FL, 33487

PCN: 24-43-47-04-01-000-1052

Legal Description: DELRAY-BY-THE-SEA TH PT OF LT 105 IN OR2759P234

A/K/A UNIT 57 BOCA COVE

Code Sections: 24-3(B) Storage and collection - Time

Violations: Garbage/recycle cans out during prohibited time.

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.

10. ANNOUNCEMENTS

Chairperson Schlam read the announcements as follows.

May 11, 2023	9:30 A.M.	Planning Board Regular Meeting
May 16, 2023	1:00 P.M.	Town Commission Meeting
June 06, 2023	1:00 P.M.	Town Commission Meeting
June 08, 2023	9:30 A.M.	Planning Board Regular Meeting

11. ADJOURNMENT

The meeting adjourned at 1:26 P.M.

APPROVED June 13, 2023, Code Enforcement Regular Meeting

Myles B. Schlam, Chairperson

ATTEST:

Transcribed by: Jaclyn DeHart

June 13, 2023

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>