

DRAFT



TOWN OF HIGHLAND BEACH CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

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

Date: November 14, 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 (virtual)
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 Bryan Perilman

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 5 to 0.

5. SWEARING IN OF THE PUBLIC

Deputy Town Clerk Jaclyn DeHart swore in those giving testimony.

6. PUBLIC COMMENT

There were no public comments.

7. APPROVAL OF MINUTES

A. October 10, 2023

Motion: Murray/Perlow - Moved to approve the minutes of October 10, 2023 which passed 5 to 0.

8. UNFINISHED BUSINESS

A. None.

9. NEW BUSINESS

A. CASE NO. CC2023-10-011

Monterey House Condominium, Inc.
3114 S. Ocean Blvd.
Highland Beach FL, 33487

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

Violations: Installed Driveway Pavers without a Permit

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 20-122 (A) Building Permits Required.

Code Compliance Officer Osowsky Town is asking for repeat violation only for the three days \$500 a day for three of the days and to assess prosecution costs in the amount of \$250 to be paid within 30 days.

Gabriel Darocha, from the construction company, provided comments on the permitting process.

Paula Marra, Rosenbaum PLLC Attorneys at Law, who is the attorney for Monterey House Condominium, provided comments on the repeat violation.

Motion: Lasorsa/Murray – Moved that the respondent be found in repeat violation of the Town Code as alleged in the Notice of Violation

and be ordered to pay a fine of \$500.00 and assess prosecution costs in the amount of \$250 payable within 30 days. Based upon a roll call, Member Lasorsa (Yes), Member Murray (Yes), Member Cherbini (No), Vice Chairperson Perlow (No), and Chairperson Schlam (Yes). The motion passed on a 3-2 vote.

B. CASE NO. CC2023-09-006

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: 12-1.5 Construction Site Parking; Storage of Materials

Violations: Improperly parked construction vehicles.

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.

Code Compliance Officer Adam Osowsky mentioned that the violation has been corrected. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and recommended assessing prosecution costs in the amount of \$250.00 payable within 30 days.

Christopher Beale, construction manager, provided comments about parking.

The public hearing was closed and 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, Vice Chairperson Perlow (Yes), Member Lasorsa (Yes), Member Murray (Yes), Member Cherbini (Yes), and Chairperson Schlam (Yes). The motion passed on a 5 to 0 vote.

C. CASE NO. CC2023-10-010

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: 13-2 Unlawful accumulations-Declared nuisance.
Overgrowth**

Violations: Overgrowth. 7th Violation Since August 2022

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.

Code Compliance Officer Adam Osowsky mentioned that the violation has been corrected. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and recommended assessing prosecution costs in the amount of \$250.00 payable within 30 days.

Christopher Beale, construction manager, was present but provided no comments.

The public hearing was closed and 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, Vice Chairperson Perlow (Yes), Member Murray (Yes), Member Lasorsa (Yes), Member Cherbini (Yes), and Chairperson Schlam (Yes). The motion passed on a 5 to 0 vote.

D. CASE NO. CC2023-09-020

James Paris & Karin Mueller Paris

1106 Bed 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: 12-2(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, IPMC 302.1

Sanitation, IPMC 304.1 Exterior Structure- General, and IPMC 308.1 PMC - Rubbish and Garbage.

Violations: Dirt/debris from job site in public roadway.

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 provided a brief timeline of the facts of the case. He entered submittals of evidence into the record.

Code Compliance Officer Adam Osowsky mentioned that the violation has been corrected. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and recommended assessing prosecution costs in the amount of \$250.00 payable within 30 days.

Christopher Beale, construction manager, was present but provided no comments.

The public hearing was closed and 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, Vice Chairperson Perlow (Yes), Member Murray (Yes), Member Lasorsa (Yes), Member Cherbini (Yes), and Chairperson Schlam (Yes). The motion passed on a 5 to 0 vote.

E. CASE NO. CC2023-09-021

AJR GRAND HIGHLAND BEACH LLC
1106 Grand Ct.
Highland Beach FL, 33487
PCN: 24-43-47-09-00-002-0090

Legal Description: 9-47-43, LT 6 & SELY 35.68 FT OF LT 7 UNREC GRAND CAY ESTS IN N 1/2 OF GOVLT 2 AS IN OR10274P1371

Code Sections: 12-4 Temporary construction fences.

Violations: Porta Potty not screened to code.

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

F. CASE NO. CC2023-09-007

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: 12-1.5 Construction Site Parking; Storage of Materials, 16-4 - Unlawful parking, generally, 28-10 LANDSCAPE Failure to Maintain Landscaping

Violations: 1) Unmaintained landscaping 2) Prohibited parking on unapproved surfaces

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.

Code Compliance Officer Adam Osowsky mentioned that the violation has been corrected. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and recommended assessing prosecution costs in the amount of \$250.00 payable within 30 days.

The public hearing was closed and 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, Vice Chairperson Perlow (Yes), Member Murray (Yes), Member Lasorsa (Yes), Member Cherbini (Yes), and Chairperson Schlam (Yes). The motion passed on a 5 to 0 vote.

G. CASE NO. CC2023-09-025

Gloria Stuart & Robert Spahr
4225 Tranquility Dr.
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: Installing a new A/C without a required 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.

Code Compliance Officer Adam Osowsky mentioned that the violation has been corrected. Therefore, the Town recommended that the Respondents be found in violation of the Town Code as alleged in the Notice of Violation and recommended assessing prosecution costs in the amount of \$250.00 payable within 30 days.

Robert Spahr, the property owner, was present and provided comments on the permit.

The public hearing was closed and 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, Vice Chairperson Perlow (Yes), Member Murray (Yes), Member Lasorsa (Yes), Member Cherbini (Yes), and Chairperson Schlam (Yes). The motion passed on a 5 to 0 vote.

10. ANNOUNCEMENTS

Chairperson Schlam read the announcements as follows.

November 21, 2023	1:30 PM	Town Commission Meeting
December 05, 2023	1:30 PM	Town Commission Meeting
December 12, 2023	1:00 P.M.	Code Enforcement Regular Meeting

11. ADJOURNMENT

The meeting adjourned at 1:59 P.M.

APPROVED December 12, 2023, Code Enforcement Regular Meeting

Myles B. Schlam, Chairperson

ATTEST:

Transcribed by: Jaclyn DeHart

December 12, 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>