



TOWN OF HIGHLAND BEACH CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

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

Date: July 11, 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 Bryan Perilman
Board Member Robert Lasorsa
Board Member David Axelrod
Board Member James Murray
Vice Chairperson Jane Perlow
Chairperson Myles Schlam
Town Attorney Leonard Rubin (virtual)
Deputy Town Clerk Jaclyn DeHart

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: Axelrod/Perilman - Moved to approve the agenda as presented which passed 7 to 0.

5. SWEARING IN OF THE PUBLIC

Deputy Town Clerk Jaclyn DeHart swore in those giving testimony.

6. PUBLIC COMMENT

Mike Oumano, Town Houses of Highland Beach, requested the names of the Board Members and Town Attorney before he left the meeting.

7. APPROVAL OF MINUTES

A. June 13, 2023

Motion: Axelrod/Perlman - Moved to approve the minutes of June 13, 2023 which passed 7 to 0.

8. UNFINISHED BUSINESS

A. None

9. NEW BUSINESS

A. CASE NO. CC2023-05-005

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: IPMC 308.1 PMC - Rubbish and Garbage

Violations: Open storage of trash/debris/construction material.

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 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 property owner's son, Mike Oumano, gave comments on the violation.

Alex Petrurowski provided comments about a previous code violation.

The public hearing was closed followed by a motion.

Motion: Axelrod/Perlow - 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 Axelrod (Yes), 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 7 to 0 vote.

B. CASE NO. CC2023-05-001

Clarendon Condo Association
3407 S. Ocean Blvd. Condo
Highland Beach FL, 33487
PCN:24-43-46-33-22-000-0000

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

Violations: Building Management replaced piping behind walls inside unit 10C without a valid permit.

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 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 Board Members were given an email correspondence from John Shoemaker, President of the Clarendon Condominium Association, that provided comments about management changeover in relation to the violation.

Timothy Favors, Association Manager, gave comments on the violation and the timeline of events.

The public hearing was closed followed by a motion.

Motion: Perlow/Axelrod - 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 Axelrod (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Lasorsa (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed 7 to 0.

C. CASE NO. CC2023-04-035

A. Borg Family Trust
2921 S. Ocean Blvd. Unit 701
Highland Beach FL, 33487
PCN:24-43-46-33-35-000-7010
Legal Description: HIGHLAND TOWERS INC APT 701

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

Violations: Interior remodel without permits.

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, and paper postings at the property address and at Town Hall.

Code Compliance Officer Adam Osowsky mentioned that 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: Axelrod/Perlow - 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, Member Axelrod (Yes), Vice

Chairperson Perlow (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Lasorsa (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed 7 to 0.

D. CASE NO. CC2023-05-004

Karon Hylton
3100 S. Ocean Blvd. Unit 3160
Highland Beach FL, 33487
PCN:24-43-46-33-05-000-3160
Legal Description: PENTHOUSE HIGHLANDS APT 316

Code Sections: 30-122 (A) Building Permits Required, 12-2(B) Construction Site Cleanliness/Construction Site Safety, 12-2(E) Construction site cleanliness; construction site safety, IPMC 302.1 Sanitation

Violations: Complete interior demolition and remodel without required town permits.

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 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 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.

Brian Antonelli, a representative for Mr. Hylton, provided comments about the violation and the issues with the contractor in reference to communication about permits. He thanked Code Enforcement Officer Adam Osowsky for his professional communication.

The public hearing was closed followed by a motion.

Motion: Perlow/Perilman - 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 Perilman (Yes), Member Cherbini (Yes), Member Lasorsa (Yes), Member Axelrod (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed 7 to 0.

E. CASE NO. CC2023-05-021

Eugenia and Themistokies Theodosopoulos
3700 S. Ocean Blvd. Unit 807
Highland Beach FL, 33487
PCN:24-43-47-04-51-001-0807
Legal Description: TOSCANA NORTH COND UNIT 807

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

Violations: No Submittals since February. Permit not issued APP23-0403=Replace electric water heater.

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, and paper postings at the property address and at Town Hall.

Code Compliance Officer Adam Osowsky mentioned that 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.

Themistokies Theodosopoulos was sworn in by Jaclyn DeHart, Deputy Town Clerk. He provided comments about the violation and asked for a longer time to comply with the violation.

The public hearing was closed followed by a motion.

Motion: Perlow/Axelrod - 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 Axelrod (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Lasorsa (No), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed 6 to 1.

F. CASE NO. CC2023-06-003

Carl and Rashmi Benda
4203 Tranquility Dr.
Highland Beach FL, 33487
PCN:24-43-47-04-02-005-0120
Legal Description: BEL LIDO LT 12 BLK 5

Code Sections: 12-4 Temporary construction fences.

Violations: Dumpster not screened to code.

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 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 public hearing was closed followed by a motion.

Motion: Axelrod/Perlow - 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 Axelrod (Yes), 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 7 to 0 vote.

G. CASE NO. CC2023-05-035

Jordan Cohen
1119 Highland Beach Dr. 2
Highland Beach FL, 33487
PCN:24-43-47-04-02-002-0212
Legal Description: BEL LIDO TH PT OF LT 21 K/A NORTH UNIT BLDG 1 BLK 2

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

Violations: Unregistered Vacation Rental

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, and paper postings at the property address and at Town Hall.

Code Compliance Officer Adam Osowsky mentioned that 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/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 14 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 Murray (Yes), Member Cherbini (Yes), Member Perilman (Yes), Member Lasorsa (Yes), Member Axelrod (Yes), and Chairperson Schlam (Yes). The motion passed 7 to 0.

8. ANNOUNCEMENTS

Chairperson Schlam read the announcements as follows.

July 13, 2023

9:30 A.M.

Planning Board Regular Meeting

| | | |
|-----------------|------------|----------------------------------|
| July 18, 2023 | 1:30 P.M. | Town Commission Special Meeting |
| July 27, 2023 | 11:30 A.M. | Financial Advisory Board Meeting |
| August 01, 2023 | 1:30 P.M. | Town Commission Meeting |
| August 08, 2023 | 1:00 P.M. | Code Enforcement Regular Meeting |

9. ADJOURNMENT

The meeting adjourned at 2:06 P.M.

APPROVED August 08, 2023, Code Enforcement Regular Meeting

Myles B. Schlam, Chairperson

ATTEST:

Transcribed by: Jaclyn DeHart

August 08, 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>