



TOWN OF HIGHLAND BEACH CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

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

Date: September 13, 2022
Time: 1:00 P.M.

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
Vice Chairperson Jane Perlow
Chairperson Myles Schlam
Town Attorney Leonard Rubin
Administrative Support Specialist Ganelle Thompson

ABSENT

Board Member Michael Cherbini
Board Member David Axelrod
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 unanimously 4 to 0.

5. SWEARING IN OF THE PUBLIC

Ms. Thompson swore in those giving testimony.

6. PUBLIC COMMENT

Robert Lozano a Florida Licensed Asbestos Contractor provided comments in regard to asbestos issues.

7. APPROVAL OF MINUTES

A. August 09, 2022

MOTION: Perlow/Murray – Moved for the approval of the minutes as presented, which passed unanimously 4 to 0.

8. UNFINISHED BUSINESS

None.

9. NEW BUSINESS

A. CASE NO. CC2022-05-013

Javier Alvarado Tr

3300 S Ocean Blvd. 819-C

PCN: 24-43-46-33-08-005-8190

Legal Description: SEAGATE OF HIGHLAND COND 3 APT 819-C

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

Violations: Plumbing work without 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 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 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.

Chairperson Schlam closed the public hearing and called for a motion.

MOTION: Murray/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 and that a do not repeat order be issued and that that \$250.00 in prosecution cost be paid within 30 days. Based upon roll call, Member Murray (Yes), Member Lasorsa (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 4 to 0 vote.

B. CASE NO. CC2022-07-001

Nicholas Perricone

4211 S Ocean Blvd. 2

PCN: 24-43-47-04-56-001-0020

Legal Description: OCEAN PLACE VILLAS CONDO UNIT 2 BLDG A

Code Sections: 30-122 (A) Building Permits Required: 4-8(C) Lighting restrictions for the protection of sea turtles.

Violations: Observed 3rd floor, east balcony lights on during turtle season in violation of Town Ordinance 4-8. Access was granted by James Sadler who accompanied the Building Official to the lighting violation. While having this violation corrected, it was discovered that there was constructed work being performed inside the unit without a building permit in violation of Town Ordinance 30-122(A). A stop work order was posted on the job site on 07/11/2022.

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 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.

Chairperson Schlam closed the public hearing and called for a motion.

MOTION: Perlow/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, Vice Chairperson Perlow (Yes), Member Lasorsa (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed on a 4 to 0 vote.

C. CASE NO. CC2022-07-002

Inna Mikhaylova

3301 S Ocean Blvd. 608

PCN: 24-43-46-33-12-000-0608

Legal Description: AMBASSADORS V SOUTH COND APT 608

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

Violations: Demolition of gypsum board reportedly containing asbestos in the kitchen and a wall on the other side. Work performed in a threshold building without the required permits under the Florida Building Code (FBC).

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, 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 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.

Robert Lozano provided comments about the project and the work that needed to be done on the property.

Chairperson Schlam closed the public hearing and called for a motion.

MOTION: Lasorsa/Perlow – Moved that there was no violation of the Town Code as alleged in the Notice of Violation. Based upon roll call, Member Lasorsa (Yes), Vice Chairperson Perlow (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed on a 4 to 0 vote.

D. CASE NO. CC2022-07-003

Jill Giles

4023 S Ocean Blvd.

PCN: 24-43-47-04-00-005-0080

Legal Description: 4-47-43, N 100 FT OF S 445 FT OF GOV LT 5 E OF SR 140 A/K/A CITY LOT NO 47

Code Sections: 30-122 (A) Building Permits Required: 4-8(C) Lighting restrictions for the protection of sea turtles.

Violations: Repeat complaint about exterior lights left on during turtle season at night; noticed electrical work being performed then noticed exposed framing near a fireplace. In the kitchen area, there is a bathroom that was gutted, getting a full remodel.

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 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.

Chairperson Schlam closed the public hearing and called for a motion.

Jill Giles and Daren Bomerico provided comments about the violation on the property.

MOTION: Perlow/Murray – 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, Vice Chairperson Perlow (Yes), Member Murray (Yes), Member Lasorsa (Yes), and Chairperson Schlam (Yes). The motion passed on a 4 to 0 vote.

E. CASE NO. CC2022-07-005

Jamaica Manor Inc Lessee
2711 S Ocean Blvd.
PCN: 24-43-46-28-63-000-0000
Legal Description: JAMAICA MANOR INC LESSEE COMMON AREA A/K/A
BYRD BEACH S 10 FT OF LT 23, LTS 24 & 24-A A/K/A CITY LT NO 118

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

Violations: Observed several plumbing vehicles and employees and was told they were repairing/replacing the lines.no permit on file: need to obtain a permit.

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, 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 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.

Chairperson Schlam closed the public hearing and called for a motion.

MOTION: Lasorsa/Perlow – Moved that there was no violation of the Town Code as alleged in the Notice of Violation. Based upon roll call, Member Lasorsa (Yes), Vice Chairperson Perlow (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed on a 4 to 0 vote.

F. CASE NO. CC2022-07-007

Joshua & Megan Davison
1015 Russell Drive Unit D
PCN: 24-43-47-04-22-001-0040
Legal Description: SHAMROCK I COND UNIT D

Code Sections: IPMC 303.2 Swimming pool enclosures

Violations: *Life Safety Pool Barrier*: Observed an open and exposed pool with a fence in disrepair.

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.

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Chairperson Schlam closed the public hearing and called for a motion.

Joshua Davison provided comments about the case.

MOTION: Perlow/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, Vice Chairperson

Perlow (Yes), Member Lasorsa (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed on a 4 to 0 vote.

G. CASE NO. CC2022-08-001

1114 Belair LLC
1114 Bel Air Drive
PCN: 24-43-47-04-03-000-0090
Legal Description: HIGHLAND BEACH ISLES LOT 9

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

Violations: Observed exterior work being done to the front of the building without any permits for this work on file.

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, 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 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.

Chairperson Schlam closed the public hearing and called for a motion.

Jose Menzes with Elysse Homes, LLC provided comments related to the case.

MOTION: Perlow/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, Vice Chairperson Perlow (Yes), Member Lasorsa (Yes), Member Murray (Yes), and Chairperson Schlam (Yes). The motion passed on a 4 to 0 vote.

10. BOARD MEMBERS REPORT

None.

11. ANNOUNCEMENTS

Chairperson Schlam read the announcements as follows:

September 21, 2022 - 5:01 P.M. Town Commission Special Second Public Hearing
Budget Meeting

September 28, 2022 - 9:30 A.M. Natural Resources Preservation Advisory Board
Special Meeting

October 10, 2022 - Town Hall Closed in Observance of Columbus Day

October 11, 2022 - 1:00 P.M. Code Enforcement Board Regular Meeting

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

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

12. ADJOURNMENT

The meeting adjourned at 2:12 P.M.

APPROVED October 11, 2022, Code Enforcement Regular Meeting.

Myles B. Schlam, Chairperson

ATTEST:

Transcribed by: Ganelle Thompson

October 11, 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>