

Braemar Isle

4740 South Ocean Boulevard, Highland Beach, FL 33487
Office – 561-395-2339/561-395-2421 Fax – 561-338-7527 Security – 561-391-3177

01/12/2023

Town of Highland Beach Code Enforcement Board
3614 South Ocean Blvd.
Highland Beach, Florida, 33487

Re: Braemar Isle Condominium, 4740 S Ocean Blvd, Case No. 2022-06-006

I am writing regarding the violation at Braemar Isle Condominium Association that was the subject of an Order of Violation dated November 16, 2022. The Violation involved elevated levels of moisture in Unit 116. The compliance date was set for January 16, 2023.

We have been working swiftly and diligently to address the violation, which was exacerbated by recent heavy rains that caused additional water damage. We tried resealing the perimeter of the door, but that did not work. According to our engineer, we now need to perform a more aggressive and thorough scope of work, which I will describe below. This was not something we anticipated at the time of the hearing. Accordingly, we request a 90-day extension from the compliance date to allow us to complete the work.

The scope of work that needs to be completed includes:

- Removing the sliding glass doors at Unit 116 and 216
- Installing weather walls to protect the units
- Doing full-depth concrete slab repairs at the door track of 216
- Waterproofing the slab at 216
- Reinstalling the sliding glass doors with new bucks and sealants
- Removing the weather walls

Our engineer has specs generally ready, but they must be assembled for this project, and it was not possible to complete this by the original compliance date. The following must take place:

- The Contractors have to bid on the work.
- We have to select a bidder and do contractual negotiations.
- After all this they have to submit for permit.
- After the permit is obtained, they have to do the work.
- All of this cannot happen by the compliance date.

We're doing our best to get this resolved, but we need more time, therefore I am reaching out to request an extension of an additional 90-days. If I can provide any additional information, please let me know.

Respectfully,


Anthony Lopez


BRAEMAR ISLE
Director of Operations
4740 South Ocean Blvd
Highland Beach, FL. 33487
Office 561-395-2339

TOWN OF HIGHLAND BEACH, FLORIDA
CODE ENFORCEMENT BOARD

TOWN OF HIGHLAND BEACH, FLORIDA,

Petitioner,

v.

BRAEMAR ISLE CONDOMINIUM ASS'N,
INC.
4740 South Ocean Boulevard
Highland Beach, FL 33487

Case No: 2022-06-006

PCN: 24-43-47-09-08-000-0000

LEGAL: BRAEMAR ISLE CONDO

Respondent.

ORDER FINDING VIOLATION

THIS MATTER having come before the Code Enforcement Board on November 16, 2022, and having heard the testimony of the parties, and having considered the evidence presented by the parties, and having been fully appraised of the circumstances, the Board does find as follows:

FINDINGS OF FACT

1. Respondent is the owner of the property located at 4740 S. Ocean Boulevard, Highland Beach, Florida, as described above.
2. By Notice of Violation, the Town advised Respondent that it was in violation of Section 6-29 of the Town Code of Ordinances (incorporating by reference the International Property Maintenance Code) for damaged drywall and elevated levels of moisture in Unit 116.
3. Respondent's property manager was in attendance.
4. All required notices were served in compliance with Section 162.12, Florida Statutes, and Section 2-106 of the Town Code of Ordinances.
5. The testimony and evidence presented at the hearing demonstrated that the violation remained on the Property as of the date of the hearing.

CONCLUSIONS OF LAW

1. By reason of the foregoing, Respondent is in violation of Section 30-122(A) of the Town Code of Ordinances and is therefore subject to the provisions of Article V, Chapter 2, of the Code of Ordinances of the Town of Highland Beach, under the authority of Chapter 162 of the Florida Statutes, as both may be amended from time to time.
2. Respondent remains in violation of the Code sections cited above.

COMPLIANCE

1. IT IS HEREBY ORDERED that Respondent shall comply with the above section of the Town of Highland Beach's Code of Ordinances as follows:

a. Respondent shall comply with the Town Code within sixty (60) days of the date of the hearing **or by January 15, 2023.**

b. Should Respondent fail to bring the Property into compliance by the date specified above, **a fine in the amount of \$250.00** shall be assessed against Respondent for each day the Property remains in violation past the date set for compliance.

c. No further action shall be required for the entry of such fine.

2. Respondent is further ordered to reimburse the Town in the amount of \$250.00 for administrative costs incurred in prosecuting the case before the Board, which shall be included in the Lien amount. Said costs shall be paid by the date set for compliance.

3. Should Respondent violate the same code section cited herein, such reoccurrence may subject the Respondent to a repeat violator fine of up to \$500.00 per day for every day of the violation, plus administrative costs in enforcing the action, pursuant to Chapter 162, Florida Statutes.

4. Respondent may submit a written request for a hearing to challenge this Order prior to its recordation as a Lien provided the Respondent does so within thirty (30) days from the date this Order was executed. If Respondent fails to comply with the Town Code within the specified deadline and timely request such a hearing in writing to the Town, the Town may record a certified copy of such Order in the Public Records of Palm Beach County, Florida, and thereafter the Order shall constitute a Lien against the real and/or personal property owned by Respondent. If such a hearing is requested, the Town shall notify the Respondent of the hearing date by regular and certified mail. Respondent is not entitled to a rehearing of the case, and there shall be no presentation of evidence as to the existence or non-existence of the violation. Instead, Respondent shall Show Cause why this Order should not be recorded as a Lien in the Public Records of Palm Beach County, Florida.

DONE AND ORDERED this 18 day of November, 2022.



Jane Perlow, Vice Chair
Code Enforcement Board

Copies Furnished to:

Respondent