



TOWN OF HIGHLAND BEACH CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

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

Date: January 10, 2023
Time: 1:00 PM

1. CALL TO ORDER

Chairperson Schlam called the meeting to order at 1:02 P.M.

2. ROLL CALL

Board Member Robert Lasorsa
Board Member Michael Cherbini
Board Member James Murray
Board Member David Axelrod
Vice Chairperson Jane Perlow
Chairperson Myles Schlam
Town Attorney Leonard Rubin
Administrative Support Specialist Jaclyn DeHart

Absent

Board Member Bryan Perilman

Additional Staff Present

Code Compliance Officer Adam Osowsky
Building Official Jeff Remus

3. PLEDGE OF ALLEGIANCE

The Code Enforcement Board led the Pledge of Allegiance of the United States of America.

4. APPROVAL OF THE AGENDA

Chairperson Myles Schlam mentioned one new item was added to the agenda, Item 9F Consideration and Approval of the 2023 Proposed Code Enforcement Board Meeting Schedule, under new business.

MOTION: Murray/Perlow - Moved to approve the agenda as amended, which passed unanimously 6 to 0.

5. SWEARING IN OF THE PUBLIC

Mrs. DeHart swore in those giving testimony.

6. PUBLIC COMMENT

There were no public comments.

7. APPROVAL OF MINUTES

A. December 13, 2022

MOTION: Axelrod/Cherbini- Moved to approve the minutes, which passed unanimously 6 to 0.

8. UNFINISHED BUSINESS

None.

9. NEW BUSINESS

A. CASE NO. CC2022-10-032

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 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 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: Cherbini/Lasorsa - 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 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 a roll call. Member Lasorsa (Yes), Member Cherbini (Yes), Member Murray (Yes), Member Axelrod (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

B. CASE NO. CC2022-11-006

AJR Grand Highland Beach LLC

1006 Grand Ct. Lot 6

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: FBC SECTION 116.1 Unsafe buildings, structures, equipment or service systems, 30-24 (11) BUILDING OFFICIAL

Violations: Open permit for the installation of a 40,000 pound, ten-post platform boat lift. First notified July 2022. No contact with Building Official since August 2022. This has been deemed an unsafe building/structure by the Building Code Official Jeff Remas.

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.

Jeff Remus, Building Official, provided comments on the violation.

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 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 a roll call. Member Lasorsa (Yes), Member Cherbini (Yes), Member Murray (Yes), Member Axelrod (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

C. CASE NO. CC2022-11-012

Barbara Fonteboa and Jonathan Nelson
4502 S. Ocean Blvd.
Highland Beach FL, 33487
PCN: 24-43-47-04-37-000-0070
Legal Description: CAMINO COVE IN PB49P107 UNIT 7

Code Sections: IPMC 303.1 Swimming pools.

Violations: Dirty Pool

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 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 within 30 days.

John Carlo Pantone, contractor, provided comments about the violation on the property.

The public hearing was closed followed by a motion.

Motion: Axelrod/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. Member Lasorsa (Yes), Member Cherbini (Yes), Member Murray (Yes), Member Axelrod (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

D. CASE NO. CC2022-10-011

ROMANO TR, MICHAEL & ANN
4215 S Ocean Blvd. # 6
Highland Beach FL, 33487
PCN: 24-43-47-04-56-002-0060
Legal Description: OCEAN PLACE VILLAS CONDO UNIT 6 BLDG B

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

Violations: 10/5/22 - 10/6/22 it was discovered that the second-floor exterior balcony lights were on. No artificial light shall illuminate any area of the beach which may be used for turtle nesting and hatching. Bathroom remodel without 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 violations have 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 within 30 days.

Jefferson Kalil, contractor, provided comments about the violation on the property.

The public hearing was closed followed by a motion.

Motion: Axelrod/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. Member Lasorsa (Yes), Member Cherbini (Yes), Member Murray (Yes), Member Axelrod (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes). The motion passed on a 6 to 0 vote.

E. CASE NO. CC2022-10-023

COMPRES LISA A HYNES & LUIS J TRUST

3114 S Ocean Blvd. Apt. 101

Highland Beach FL, 33487

PCN: 24-43-46-33-09-000-1010

Legal Description: MONTEREY HOUSE COND APT 101

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

Violations: Interior work to closet without 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 asked the board to postpone this item till the February meeting because the respondent is not in town. They had requested it be postponed so they could attend.

Motion: Murray/Lasorsa - Moved to continue the case to the Board hearing scheduled for February 14, 2023 at 1:00 p.m. at Highland Beach Town Hall, 3614 S. Ocean Boulevard, Highland Beach, FL 33487, which passed unanimously 6 to 0 vote.

F. Consideration and Approval of the 2023 Proposed Code Enforcement Board Meeting Schedule.

Chairperson Schlam introduced the item.

Motion: Perlow/Lasorsa – Moved to accept the 2023 Code Enforcement Board Meeting schedule as presented, which passed unanimously 6 to 0 vote.

8. ANNOUNCEMENTS

Chairperson Schlam read the announcements as follows:

January 12, 2023	9:30 A.M.	Planning Board Regular Meeting
January 16, 2023		Town Hall closed in observance of Martin Luther King, Jr. Day
January 17, 2023	1:30 P.M.	Town Commission Meeting
January 24, 2023	9:00 A.M.	Coffee with the Mayor
January 26, 2023	11:30 A.M.	Financial Advisory Board Regular Meeting

9. ADJOURNMENT

The meeting adjourned at 1:43 P.M.

APPROVED February 14, 2023, Code Enforcement Regular Meeting

ATTEST:

Myles B. Schlam, Chairperson

Transcribed by: Jaclyn DeHart

February 14, 2023

Jaclyn DeHart
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>