



TOWN OF HIGHLAND BEACH CODE ENFORCEMENT BOARD REGULAR MEETING MINUTES

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

**Date: August 09, 2022
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 David Axelrod
Board Member James Murray
Board Member Bryan Perilman
Board Member Michael Cherbini (virtually)
Chairperson Myles Schlam
Vice Chairperson Jane Perlow
Town Attorney Leonard Rubin
Town Clerk Lanelda Gaskins

ADDITIONAL STAFF PRESENT

Code Compliance Officer Adam Osowsky

ABSENT

Board Member Robert Lasorsa

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: Perilman/Axelrod - Moved to approve the agenda. The motion passed unanimously on a 6 to 0 vote.

5. SWEARING IN OF THE PUBLIC

Town Clerk Gaskins swore in those giving testimony.

6. PUBLIC COMMENT

There were no public comments.

7. APPROVAL OF MINUTES

A. July 12, 2022

MOTION: Perlow/Murray - Moved for the approval of the minutes. The motion passed unanimously on a 6 to 0 vote.

8. UNFINISHED BUSINESS

Code Compliance Officer Adam Osowsky introduced himself.

A. Case No. CC2022-03-014

LG Associates LLC (Lea Gabbay)
4511 S Ocean Blvd 503
PCN: 24-43-47-04-10-001-0503
Legal Description: 45 OCEAN CONDO BLDG 1 APT 503

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

Violation: Observed washer/dryer box installation without permit (no required trap)

Chairperson Schlam read the title of Item 8.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 and that they are fined \$ 250.00 per day for each day.

Town Clerk Gaskins swore in Building Official Jeff Remas who then provided comments about this case.

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

MOTION: Perilman/Perlow - Moved that the Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that they be ordered to obtain a permit within 20 days of this date 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 roll call: Member Perilman (Yes), Vice Chairperson Perlow (Yes), Member Axelrod (Yes), Member Murray (Yes), Chairperson Schlam (Yes), and Member Cherbini (Yes), which passed on a 6 to 0 vote.

B. CASE NO. CC2022-04-016

James L. Day
4430 Tranquility Dr.
PCN: 24-43-47-04-02-003-0150
Legal Description: BEL LIDO LT 15 BLK 3

Code Sections: 17-3 NUISANCES Nuisance; 34-6(A)(2) Swimming pool, spa, and hot tub screening; IPMC 303.1 Swimming pools; and IPMC 303.2 Swimming pool enclosures

Violations: Complied 5/10/2022 observed pool pump system in disrepair creating noise nuisance; Observed pool mechanical equipment with no required screening fence; and Observed broken pool enclosure gate latch.

Chairperson Schlam read the title of Item 8.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 Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that he be fined \$ 250.00 per day for each day.

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

MOTION: Perlow/Murray - Moved that the Respondent 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. This motion may include the assessment of prosecution cost in the amount of \$250.00 because the Town provided that the violation did exist and

payable within 30 days. Based upon roll call: Vice Chairperson Perlow (Yes), Members Murray (Yes), Axelrod (Yes), Perilman (Yes), Member Cherbini (Yes), and Chairperson Schlam (Yes), which passed on a 6 to 0 vote.

C. CASE NO. CC2022-05-004

Timothy Fischer
1123 Highland Beach Dr. 1
PCN: 24-43-47-04-02-002-0221
Legal Description: BEL LIDO TH PT OF LT 22 K/A UNITS 1 & 2 BLK 2

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

Violations: AC changeout (split to mini-split) without permit.

Chairperson Schlam read the title of Item 8.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 Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that he be fined \$ 250.00 per day for each day.

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

MOTION: Perilman/Axelrod - Moved that the Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that he be ordered to comply within two weeks from this date and obtain a permit 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: Member Perilman (Yes), Members Axelrod (Yes), Murray (Yes), and Cherbini (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes), which passed on a 6 to 0 vote.

D. CASE NO. CC2022-05-006

Jill Gilles
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.

Violations: Observed earth removal east of the Coastal Construction Line without permit.

Chairperson Schlam read the title of Item 8.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 Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that she be fined \$ 250.00 per day for each day.

Mr. Joshua Stuckwish, representative of Ms. Jill Gilles provided comments about this case.

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

MOTION: Axelrod/Perilman - Moved to continue this case to the October Code Enforcement Board meeting. Upon roll call: Members Axelrod (Yes), Perilman (Yes), Murray (Yes), Cherbini (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes), which passed on a 6 to 0 vote.

E. CASE NO. CC2022-05-014

TKS LLC
4108 S. Ocean Blvd.
PCN: 24-43-47-04-00-005-0050
Legal Description: 4-47-43, N 100 FT OF S 145 FT OF E 100 FT OF GOV LT 5
W OF SR NO 140 A/K/A
CITY LOT NO 41

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

Violations: Observed front door installation without permit.

Chairperson Schlam read the title of Item 8.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 and that they be fined \$250.00 per day for each day.

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

MOTION: Perilman/Axelrod - Moved that the Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that they be ordered to comply and obtain a building permit within two weeks from this date 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: Members Perilman (Yes), Axelrod (Yes), Murray (Yes), Cherbini (Yes), Vice Chairperson Perlow (Yes), and Chairperson Schlam (Yes), which passed on a 6 to 0 vote.

9. NEW BUSINESS

A. CASE NO. CC2022-06-002

Nicholas Economos
3646 S. Ocean Blvd #13
PCN: 24-43-47-04-50-000-0130
Legal Description: OCEAN GRANDE PLACE LT 13 A/K/A S 88 FT OF N 200 FT OF W 55.10 FT OF ELY 315.70 FT OF GOV LT 1 LYG W OF & ADJ TO SR A-1-A R/W

Code Sections: 17-3 NUISANCES Nuisance; 30-122 (A) Building Permits Required.

Violations: Observed roof in disrepair causing nuisance/hazard.

Chairperson Schlam read the title of Item 8.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 Respondent 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/Perilman- Moved that the Respondent be found in violation of the Town Code as alleged in the Notice of Violation and that he be ordered to comply and obtain a building permit within two weeks from this date 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), Members Perilman (Yes), Axelrod (Yes), Murray (Yes), Cherbini (Yes), and Chairperson Schlam (Yes), which passed 6 to 0 vote.

10. BOARD MEMBERS REPORT

None.

11. ANNOUNCEMENTS

Chairperson Schlam read the announcements as followed:

August 16, 2022 - 1:30 P.M. Town Commission Meeting

August 25, 2022 - 12:00 P.M. Town Commission Special Meeting

September 06, 2022 - 1:30 P.M. Town Commission Meeting

September 06, 2022 - 5:01 P.M. Town Commission Special First Public Hearing
Budget Meeting

September 08, 2022 - 9:30 A.M. Planning Board Regular Meeting

September 13, 2022 - 1:00 P.M. Code Enforcement Board Regular Meeting

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

12. ADJOURNMENT

The meeting adjourned at 2:00 P.M.

APPROVED September 13, 2022, Code Enforcement Regular Meeting.

ATTEST:




Ganelle Thompson
Administrative Support Specialist


Myles B. Schlam, Chairperson

Transcribed by: Lanelda Gaskins and
Ganelle Thompson

September 13, 2022

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.municodem meetings.com>