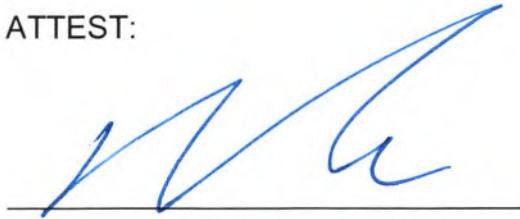


Code Board Hearing
January 12,2023 Meeting Minutes

The undersigned is the Secretary of the Code Board and the information provided herein is the minutes of the meeting of said Code Board on January 12,2023 which minutes were formally approved and adopted by the Board on February 09, 2023.

ATTEST:



CHAIR



ADVISORY BOARD LIAISON

NOTE TO READER: If the minutes you have received are not completed as indicated above, this means they are not the official minutes of the (Board Name). They will become official minutes only after review and approval, which may involve some amendments, additions, or deletions.



Code Board Hearing was held on **January 12, 2023**,
was called to order at 1:35pm , Adjourned 4 :09 pm.

Code Enforcement Present:

Al Anglo, Supervisor Code Officer
Marc Woods, Code Officer
Khatoya Wesley, Code Officer

Code Enforcement Board Members Present:

Nicholas Coppola
Michael Schiff
Courtney Tito
Stephen Butera
Ingrid Lee
Wayne Pasik

Code Enforcement Board Members Absent:

Jonathan Jonas

City Staff Present to represent a case:

Rubenson Dejadin, Code Officer (Translator)

Owners and/ or Respondents Present:

Fritz Joseph
John Kemp
Yolande Joseph
Julie Joseph
David Trubnikov
Tom Albrecht



Case 21-11396**Owners Name: Heidi Starnes****Property Address: 1023 Nassau Street****Original Code Officer: David Freed****Presented by: Marc Woods**

Code Officer Marc Woods presented a General Violation 4.5.1 (E) (9) concerning a Zoning Code (Maintenance of Historic Sites) at the property of 1023 Nassau Street. Officer Marc Woods presented six (06) photographs into evidence. City Attorney Lawonda Warren questioned Marc Woods on the photographs pertaining to the case. Stephen Butera made the motion to accept the photos into evidence, and Wayne Pasik made the second motion; all were in favor.

Heidi Starnes was present to testify on behalf of the case. She had the siding replaced on 2015 however the process was done incorrectly, and deuteration began from not using the correct materials. She mentioned that it has been difficult to find someone to do the work for her.

The cities recommendation is \$100 a day if not in compliance within 90 days to apply for a certificate of appropriateness for historic preservation and a building permit.

Stephen Butera made the motion in respect to case 21-11396 that the violation does exist, and maintenance is required on your historic property. You must come into the city to apply for the permit through the Building Department and a certificate of appropriateness through Planning and Zoning. The violation shall be corrected within 90 days or face a fine of \$100 per day thereafter for noncompliance; Ingrid Lee seconded the motion.

Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes

Case 22-9170**Owners Name: Fritz Joseph & Micheline Joseph****Property Address: 1015 SW 8th Avenue****Presented by: Khatoya Wesley**

Code Officer Khatoya Wesley presented a General Violation 4.6.16 (I) (1) concerning a Zoning Code (Landscape Maintenance) at the property of 1015 SW 8th Avenue. Officer Khatoya Wesley presented four (04) photographs into evidence. City Attorney Lawonda Warren questioned Khatoya Wesley on the photographs pertaining to the case.

Ingrid Lee made the motion to accept the photographs into evidence, and Michael Schiff made the second motion; all were in favor.



Fritz Joseph was present to testify on behalf of his case. Rubenson Dejadin was present to translate for Mr. Fritz Joseph.

Ingrid Lee made the motion to accept the photographs into evidence, and Wayne Pasik made the second motion; all were in favor.

The cities recommendation is 30 days to come into compliance, or a \$50.00 daily fine if they do not come into compliance.

Ingrid Lee made the motion in respect to case 22-9170 that the violation does exist, and that the violation be corrected within 30 days by cutting the grass or pay of fine of \$50.00 per day thereafter for noncompliance; Stephen Butera seconded the motion.

Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes

Case 22-12099

Owners Name: Fritz Joseph & Micheline Joseph

Property Address: 1015 SW 8th Avenue

Presented by: Khatoya Wesley

Code Officer Khatoya Wesley presented a General Violation 7.4.1 (307.4) concerning a Building Code (Care of Premises) at the property of 1015 SW 8th Avenue. Officer Khatoya Wesley presented four (04) photographs into evidence. City Attorney Lawonda Warren for identification purposes questioned Khatoya Wesley on the photographs pertaining to the case.

Stephen Butera made the motion to accept the photographs into evidence, and Courtney Tito made the second motion; all were in favor.

Fritz Joseph was present to testify on behalf of his case. Rubenson Dejadin was present to translate for Mr. Fritz Joseph. Mr. Joseph apologized for the delay on resolving the issue, but the truck is supposed to be shipped to Haiti, but it does not have an engine. Mr. Joseph had asked if the code officer could give him more time. Officer Khatoya Wesley mentioned that she had already given him an extension of 30 days.

The cities recommendation is 30 days to come into compliance, or a \$50.00 daily fine thereafter if they do not come into compliance.

Courtney Tito asked if there had been complaints about this case, and Khatoya Wesley said that the neighbors have complained about it.



Stephen Butera made the motion in respect to case 22-12099 that the violation does exist, and that the violation be corrected within 45 days by removing the vehicles from the premises, or pay of fine of \$50.00 per day thereafter for noncompliance; Courtney Tito seconded the motion.

Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes

Case 22-10304

Owners Name: John Kemp & Annie Kemp

Property Address: 602 SW 8th Court

Presented by: Khatoya Wesley

Code Officer Khatoya Wesley presented a General Violation 7.4.1 (307.4) concerning a Building Code (Care of Premises) at the property of 602 SW 8th Court. Officer Khatoya Wesley presented five (05) photographs into evidence. City Attorney Lawonda Warren for identification purposes questioned Khatoya Wesley on the photographs pertaining to the case.

Michael Schiff made the motion to accept the photographs into evidence, and Stephen Butera made the second motion; all were in favor.

Attorney Lawonda asked Code Officer Khatoya if she had spoke to the owner about the violation, which she commented that she had. She spoke to the owner' son first, and he mentioned that he was unable to move the vehicle. Khatoya mentioned to them that if they pumped the tires, got proper tags and placed in the driveway, she would be able to close the case.

John Kemp was present to testify on behalf of his case. Mr. Kemp mentioned that because of hardships of his son, they were having a hard time placing this violation into compliance.

The cities recommendation is 30 days to come into compliance, or a \$50.00 daily fine thereafter if they do not come into compliance.

The board felt like more time would be appropriate. Nicolas Coppola asked Mr. John Kemp if 60 days would be enough time to come into compliance, and Mr. Kemp agreed on the 60 days as being sufficient.

Courtney Tito made the motion in respect to case 22-10304 that the violation does exist, and that the violation be corrected within 60 days by removing all inoperable vehicles from the property or pay of fine of \$50.00 per day thereafter for noncompliance; Wayne Pasik seconded the motion.



Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes

Case 22-11060

Owners Name: Yolande Joseph

Property Address: 1037 SW 4th Avenue

Presented by: Khatoya Wesley

Code Officer Khatoya Wesley presented a General Violation 2.4.6 (B) (1 to 5) concerning a Building Code at the property of 1037 SW 4th Avenue. Officer Khatoya Wesley presented five (05) photographs into evidence. City Attorney Lawonda Warren for identification purposes questioned Khatoya Wesley on the photographs pertaining to the case.

Julie Joseph was present to testify on behalf of his case and her mother. Julie Joseph mentioned that translation was not necessary, and they we could proceed with the case.

Michael Schiff made the motion to accept the exhibits 1-5 into evidence, and Stephen Butera made the second motion; all were in favor.

Julie Joseph had mentioned that she called several times asking what needed to be done in order to move forward; she felt that proper guidance was not given in order to clear things up so they could do the right thing. Julie Joseph mentioned that now because of finances she was not sure what they would do, and if just removing the materials would be an option.

The cities recommendation is 30 days to come into compliance, or a \$50.00 daily fine thereafter if they do not come into compliance.

Michael Schiff made the motion in respect to case 22-11060 that the violation does exist, and that the violation pertaining to your landscape be corrected within 30 days by removing all materials from your property, or apply for the proper permits with the city of Delray Beach if you choose to continue fixing up your property or pay of fine of \$50.00 per day thereafter for noncompliance; Stephen Butera seconded the motion.

Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes



NONCOMPLIANCE OF BOARD ORDER AND ASSESSMENT OF FINE:

Started with Case 21-12056 once the board realized that David Trunikov was present we moved forward in the agenda to Case 22-3243 because he had a family emergency.

Case 22-3243

Owners Name: David Trubnikov

Property Address: 15925 SW 8th Avenue

Original Code Officer: Khatoya Wesley

Presented by: Al Anglo

Code Officer Al Anglo presented a General Violation 2.4.6 (B) (1 to 5) concerning a Building Code at the property of 15925 SW 8th Avenue. Officer Al Anglo presented eight (8) photographs just to refresh the boards memory and presented three (03) new exhibits into evidence. City Attorney Lawonda Warren went through the previous photos and then questioned Al Anglo for identification purposes on the photographs pertaining to the case.

Lawonda mentioned that David Trubnikov must reapply for the permits because they are expired.

Courtney Tito made the motion to accept the photographs into evidence, and Wayne Pasik seconded the motion; all in favor.

Code Officer Al Anglo mentioned that considering the way things were coming along to just freeze the fines and do a status check in thirty (30) days.

Courtney Tito made the motion in respect to case 22-3243 to freeze all fines for 30 days and reset for the next Code Board Hearing for a status check.

Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes

Back to Case 21-12056

Case 21-12056

Owners Name: John Gannaway & Laura Gannaway

Property Address: 101 NW 10th Avenue

Original Code Officer: Rubenson Dejadin



Presented by: Al Anglo

Code Officer Al Anglo presented a General Violation 4.4.3 concerning a Zoning Code at the property of 101 NW 10th Avenue. Officer Al Anglo presented four (4) photographs just to refresh the boards memory and presented two (02) new exhibits into evidence. City Attorney Lawonda Warren went through the previous photos and then questioned Al Anglo for identification purposes on the photographs pertaining to the case.

Ingrid Lee made the motion to accept the photographs into evidence and Stephen Butera seconded the motion; all in favor.

The city suggests that the respondent is in noncompliance with prior orders in this case. That a lien of \$6,700.00 be lien against the property for noncompliance and that the daily fines continue until the property comes into compliance.

Ingrid Lee made the motion that the respondent is in noncompliance with prior orders in this case. A lien of \$6,700.00 shall be filed against the subject property as a fine for periods of noncompliance and a daily fine shall continue until compliance is achieved. Stephen Butera seconded the motion.

Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes

Case 22-1910

Owners Name: KM Property Consultants LLC

Register Agent: Abdiel Lopez

Property Address: 1127 Poinsettia Drive

Original Code Officer: Khatoya Wesley

Presented by: Al Anglo

Code Officer Al Anglo presented a General Violation 2.4.5 (G) (1) (A to D) concerning a Building Code at the property of 1127 Poinsettia Drive. Officer Al Anglo presented four (6) photographs just to refresh the boards memory and presented five (05) new exhibits into evidence. City Attorney Lawonda Warren went through the previous photos and then questioned Al Anglo for identification purposes on the photographs pertaining to the case. Tom Albrecht was present to testify on this case.

Courtney Tito made the motion to accept the five (5) exhibits into evidence, and Stephen Butera seconded the motion; all in favor.



All applications were disapproved; he needs to come into the city and speak with Planning and Zoning and see what is the necessary requirements that are needed to be able to come into compliance.

Courtney Tito made the motion that they freeze all fines for 30 days and reset for next Code Board Hearing for a status check. Ingrid Lee second the motion.

Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes

Case 22-1913

Owners Name: KM Property Consultants LLC

Register Agent: Abdiel Lopez

Property Address: 1127 Poinsettia Drive

Original Code Officer: Khatoya Wesley

Presented by: Al Anglo

Code Officer Al Anglo presented a General Violation 4.6.11 concerning a Zoning Code (Outside Storage) at the property of 1127 Poinsettia Drive.

Tom Albrecht was present to testify on this case.

City Attorney Lawonda Warren suggested that they keep the same motion as case 22-1910 to just keep everything together.

Courtney Tito made the motion that they freeze all fines for 30 days and reset for next Code Board Hearing 30 for a status check. Ingrid Lee second the motion.

Board Polled Passes 6-0

<i>Nicholas Coppola</i>	Yes
<i>Michael Schiff</i>	Yes
<i>Courtney Tito</i>	Yes
<i>Steven Butera</i>	Yes
<i>Ingrid Lee</i>	Yes
<i>Wayne Pasik</i>	Yes

