

SPECIAL MASTER CODE ENFORCEMENT HEARING OF JUNE 16, 1999

MINUTES  
TOWN OF OCEAN RIDGE  
SPECIAL MASTER CODE ENFORCEMENT HEARING  
JUNE 16, 1999

Present: Karen Hancsak, Town Clerk and Lt. Stefan Katz.

Meeting called to order at 8:30 A.M.

A. Special Master Randy Zeldin approved the minutes of April 13, 1999.

B. APPEAL REQUEST

Mr. Lee Burke, 282 Crawford Blvd., Boca Raton FL 33432 is requesting to appeal an assessed fine of \$200.00 in connection with notification of a grass height violation pursuant to Section 34-6 of the Ocean Ridge Code of Ordinances for Lot A & B, Shoreview Subdivision.

The respondent, Lee Burke, was present.

At this point Mr. Burke was sworn in by Special Master Randy Zeldin.

Special Master Randy Zeldin clarified that this appeal was based on a letter Mr. Burke received concerning a lot violation fine.

Mr. Burke stated that he has been a resident and/or property owner for the past fifteen years and currently owns property at the end of Hersey Drive where a cul-de-sac was built and deeded over to the town. He commented that he believed that he has always had a good relationship with the town, however, he received what he believes was an unjust notice in the mail that the lot was overgrown with an attached fine. He stated that when he received the letter he had his secretary contact the maintenance company who advised her that the lot was not overgrown.

At this point he gave 2 photographs to Lt. Katz and Special Master Randy Zeldin which were subsequently entered as Exhibit #1 and #2 that he said his secretary had taken that showed that the lot was not overgrown. Lt. Katz questioned the date the photos were taken to which Mr. Burke advised that he was unsure of the exact date, however, he believed that it was a day or two after the violation.

Mr. Burke continued by stating that the lot has been mowed and is 99% clear except for some small patches of weeds and questioned whether the lot was cited for overgrown grass or weeds. He concluded by stating that he felt the \$200 fine was too harsh.

At this point Lt. Katz was sworn in and agreed with Mr. Burke's comment regarding a good standing relationship with the town. He stated that Sgt. Tinfina wrote up a violation concerning grass and weeds on May 7, 1999. He added that he spoke with Sgt. Tinfina

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who advised that the lot was overgrown in the center and in the area located on the northwest end of the property. Lt. Katz then showed Mr. Burke and Special Master Randy Zeldin three photographs taken by Director Hillery on June 2, 1999 (and subsequently entered as Exhibit #3, 4 and 5) where there was weeds and underbrush located at the northwest corner of the property.

Lt. Katz continued by stating that prior to forwarding a letter to the owner the Town Clerk has the lot in violation reinspected and on May 25, 1999 Denise Welsh, secretary for Mr. Burke, called and was advised that the lot was still in violation per Officer Eve Eubanks. He added that the photographs were then taken on June 2, 1999.

There being no further testimony Special Master Randy Zeldin stated that based on testimony and photographs he finds that the property is in substantial compliance and the remainder of the weeds at the northwest corner, north property line and along the perimeter of the adjacent wall must be trimmed within ten (10) days failing which the \$200.00 fine would then be imposed.

Mr. Burke questioned whether the property owner was responsible for mowing an easement area to which he was advised that all other property owners mow in easement areas.

C. Adjournment

The meeting was adjourned at approximately 8:50 AM.

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Town Clerk