

SPECIAL MASTER CODE ENFORCEMENT HEARING OF OCT. 12, 1999

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MASTER CODE ENFORCEMENT HEARING
OCTOBER 12, 1999

Present: Ken Spillias, Town Attorney, Gregory Dunham, Town Manager, Karen Hancsak, Town Clerk, Edward Hillery, Director of Public Safety and Lt. Stefan Katz.

Meeting called to order at 8:45 A.M.

A. Special Master Randy Zeldin approved the minutes of Aug. 10, 1999.

B. APPEAL REQUEST

1. Mr. Eric Carlstrom, 680 SE 1st Street, Deerfield Beach FL 33441 is requesting to appeal an assessed fine of \$100.00 in connection with notification of a grass height violation pursuant to Section 34-6 of the Ocean Ridge Code of Ordinances for Lot 12, Block 6, Boynton Beach Park Subdivision. CE99-20.

The respondent, Eric Carlstrom, was present and sworn in by Special Master Zeldin.

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

Attorney Spillias commented that the town and respondent had entered into a verbal stipulation to pay a \$25.00 fine. Special Master Randy Zeldin questioned Mr. Carlstrom on whether he understood that by entering the stipulation he admits that a violation existed. Mr. Carlstrom stated he understood.

Attorney Spillias stated that he would also like entered into the record that a future violation would be subject to the \$200.00 lot violation fine. Mr. Carlstrom stated he understood. He also requested that the Town Clerk notify him via telephone of future violations. Special Master Zeldin stated that he would need to discuss this request with the administrative staff. Town Manager Dunham stated he would contact Mr. Carlstrom.

2. Mr. Henry Meneely, Personal Representative for Donald Neily who passed February 8, 1999, requesting to rescind a fine brought under Section 16-9 of Article I of the Ocean Ridge Code of Ordinances regarding a fine and subsequent lien for an Australian pine tree cited under Section 26-47 of the Ocean Ridge Code of Ordinances. CE98-15.

Special Master Randy Zeldin questioned if Mr. Meneely was present to which he was advised that he was not, however, a letter was submitted to Mr. Zeldin with a certification from Mr. Meneely stating his request and related information.

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Attorney Spillias suggested that Director Hillery provide testimony relating to this case since Mr. Meneely's letter only provides hearsay evidence.

Special Master Randy Zeldin stated that he did not feel it was necessary to hear testimony from Director Hillery and stated that he planned to dismiss this case without prejudice, however, he would give the respondent an opportunity to re-file their request. He cited that he felt the letter speaks for itself and if they felt concerned enough regarding the violation they would be present. Attorney Spillias suggested that a time certain be given to re-file their request.

Special Master Randy Zeldin stated that his Final Order would reflect that this case is dismissed without prejudice and they would have thirty (30) days to re-file and to appear before him.

C. Adjournment

The meeting was adjourned at approximately 8:55 AM.

Town Clerk