

MINUTES
TOWN OF OCEAN RIDGE
SPECIAL MAGISTRATE/CODE ENFORCEMENT HEARING
June 3, 2008

Present: Karen Hancsak; Town Clerk, Keri-Ann Baker, Town Atty representing Ken Spillias, and Sgt. Eubanks.

Meeting called to order at approximately 10:00 A.M.

There was no one present in the audience.

A. ADOPTION OF MAY 6, 2008 MINUTES

The minutes were approved and adopted.

B. FINE ASSESSMENT/STATUS HEARING

CASE NO. CE#2008-008

6393 N OCEAN BLVD. LLE, 979 Dale Road, Jenkintown, Pa 19046 and David Marvisi, 100 S. Point Drive #5, Miami Beach FL 33139

RE: Boynton Beach Park S 125' of N 175' of Unmbrd Blk Lyg E of Ocean Blvd. (6393 N Ocean Blvd.)

NATURE OF VIOLATION

Violate Section/s 64-42(a) of the Town's Code of Ordinances by having a swimming pool on the lot without a principal structure on the lot

Atty Baker summarized the case by stating that the pool has not been brought into compliance. She added that Sgt. Eubanks will testify that the violation still exists. She produced a copy of the Final Order and the green certified receipts.

Sgt. Eubanks testified that she had inspected the property on this date and observed no work had been done. Town Clerk Hancsak testified that she had spoke with the respondent and a potential contractor but no permits have been pulled.

Atty. Baker stated that the Town was seeking a \$50 daily fine effective June 1, 2008, and reimbursement for the administrative costs in the amount of \$210.78.

Special Magistrate Donlon accepted the following Town exhibits: Code Enforcement Order Finding Violation and certified mail receipts as #A; the administrative recovery worksheet in the amount of \$210.78 as #B; and one photograph taken on June 3, 2008 as #C.

Special Magistrate Donlon stated that she did find there was proper notice and advised that the owner shall be fined \$50 per day commencing with June 1, 2008, and the administrative recovery costs in the amount of \$210.78 are to be paid immediately and the Town may file a lien on the property.

C. VIOLATION HEARING

CASE NO. CE#2008-013

Amy L. Cavanaugh, 5520 North Ocean Blvd. #205, Ocean Ridge FL 33435

RE: Paget House Condominium Co., Inc. Unit 205 (5520 N Ocean Blvd. #205)

NATURE OF VIOLATION

Violate Section/s 67-51 of the Town's Code of Ordinances by removing drywall and the bathroom toilet and sink without a permit

Atty. Baker summarized the violation and stated that un-permitted renovations were started without a building permit and a Stop Work has been issued. She also stated that the property owner submitted a faxed letter yesterday explaining her absence today and her reasons for the violation.

Town Clerk Hancsak testified that in regards to #4 in the respondent's letter that the Town Hall staff does not recall ever advising the respondent that a permit is not required for drywall removal as one usually is. She added that she spoke with the respondent after the fact and advised her what would be needed to apply for the permit and also got her in touch with the building official, who does not accept direct telephone calls but in fact only returns messages.

Sgt. Eubanks testified that the respondent was cited on March 31, 2008 and after the letter was returned unclaimed it was hand delivered on May 6, 2008. She added that she had until May 19, 2008 to bring the property into compliance.

Special Magistrate Donlon accepted the following Town exhibits: the faxed letter submitted by the respondent as #A; the Affidavit and Notice of Violation along with the proof of delivery and proof of ownership as #B; and the administrative recovery worksheet in the amount of \$198.28 as #C.

Special Magistrate Donlon stated that she did find there was proper notice and the violation does exist and based on the Town's recommendation she would give the respondent 60 days to come into compliance or possibly be fined up to \$250 per day which may be assessed at the Fine Assessment Hearing scheduled for August 5, 2008 if they did not comply within that time frame. She also stated that the administrative recovery costs in the amount of \$198.28 shall be paid also within the 60 days.

C. ADJOURNMENT

The meeting was adjourned at approximately 10:10 AM.

Town Clerk