

**From:** [Kirk Blouin](#)  
**To:** [John Page](#)  
**Cc:** [Police Code Enforcement](#)  
**Subject:** Re: ARCOM  
**Date:** Thursday, June 26, 2008 2:09:06 PM

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JP,

Here is a copy of the minutes from the April CEB hearing. Each month thereafter the case was postponed because we were aware that it was being brought to ARCOM. Now that this matter has been resolved with ARCOM we will proceed with a code enforcement case until the property is in compliance (meaning they plant the shrubbery and hedges approved by the Town).

Sgt. Krauel or Rob Walton will be available on July 23rd as I will be attending a conference.

H. Case # 08-2484, 515 N. County Road, Trump Properties, LLC

Violation of Chapter 18, Section 18-205 of the Town of Palm Beach Code of Ordinances, the Architectural Commission may attach conditions to any approval it grants (Declaration of Use Agreement).

Lead Code Enforcement Walton presented the facts of the case and said the previous owner of the property, Abe Gosman, had been granted approval by the Architectural Commission to do some remodeling. One of the conditions of this approval was that the hedge along the front of the property be maintained in the condition it was in at the time the approval was granted. This agreement was a binding agreement, which passes on to any subsequent property owner. The agreement was made January 31, 1990. The subsequent buyer of this property was Mr. Trump, Trump Properties, LLC and some remodeling work was done, removing the previous hedge. A new hedge was planted to replace the original hedge and that one has now been removed. This is a violation of the agreement. A letter was received from Mr. Royce, representing Mr. Trump, asking for a postponement of today's hearing. The Town does not feel this matter should be postponed.

Mr. Randolph summarized the letter from Mr. Royce which indicated the ficus hedge keeps dying and they want to replace it with something different. They plan on hiring a landscape architect to go before the next Architectural Commission meeting to get approval to install a hedge in an attempt to meet the conditions of the declaration of use agreement. Mr. Randolph said he had discussions with Mr. Royce and Mr. Walton and Mr. Royce was told the Town could not recommend a postponement and the recommendation would be that they are found in violation, assessed the \$150.00 in administrative costs and be given until June 18th, which is the day before the June Code Enforcement Board meeting, to comply. This would give them the opportunity to appear before the Architectural Commission to see if they can get approval to re-plant a hedge. The hedge has to be installed to the height which existed at the time of the agreement which Mr. Randolph said he believed was twenty-two (22) feet. Mr. Randolph said Mr. Royce was not present today because he had a planned vacation.

**MOTION BY MR. FRIED TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS OF \$150.00 AND GIVE THEM UNTIL JUNE 18, 2008 TO COMPLY.**

**SECONDED BY MS. VAN BUREN**

## **MOTION PASSED UNANIMOUSLY**

From: John Page/PalmBeach  
To: Kirk Blouin/PalmBeach@PalmBeach  
Cc: Tim Frank/PalmBeach@PalmBeach  
Date: 06/26/2008 09:00 AM  
Subject: ARCOM

Kirk: We had our June monthly ARCOM meeting yesterday. You likely know that ARCOM is working with Mr. Trump to re-install a hedge on his North County Road property. I believe this case is now pending in front of Code Enforcement. In May, ARCOM approved a plan to replace the former hedge with silver buttonwood shrubbery, which would additionally be back-planted with silver buttonwood trees....the overall effect would be an eventual 20' high screen. The shrubs have been planted, but yesterday attorney Ray Royce asked for postponing the trees until the end of the Hurricane season. ARCOM said NO and directed the attorney and landscaper to get the trees in ASAP. Also, more shrubbery was required at the main entry (north side) to match the newly installed hedge on the south side.

As the meeting was ending, the Commissioners asked for one of two things. They asked that either 1) a quick written report from Code Enforcement be made available to them at their next meeting on July 23 (9:00 a.m.) about the enforcement status of the case, or 2) that someone from Code Enforcement attend their meeting to provide a verbal status report. Their patience is wearing thin with the whole hedge issue, and it has them naturally curious about what is happening with their counterparts on Code Enforcement.

Would you or the appropriate representative from Code Enforcement be available on July 23? That would be my preference because follow-up questions almost always pop up. If not, can you provide me with a brief summary of your enforcement history and pending status? Thanks, JP