

LEHTINEN  
SCHULTZ

LEHTINEN  
SCHULTZ  
RIEDI  
DE LA FUENTE

ALAN Q. RIEDI  
305.712.2800  
ALQ@LEHTINENSCHULTZ.COM

May 14, 2019

**VIA HAND DELIVERY AND  
ELECTRONIC MAIL**

Josh Martin  
Director, Planning, Building and Zoning  
Department  
360 S. County Rd.  
Palm Beach, FL 33480  
[jmartin@townofpalmbeach.com](mailto:jmartin@townofpalmbeach.com)

Paul Castro  
Zoning Administrator  
[pcastro@townofpalmbeach.com](mailto:pcastro@townofpalmbeach.com)

Re: Administrative Appeal: 1236 South Ocean Boulevard

Dear Messrs. Martin and Castro:

This Firm represents 100 Emerald Beach Way LC ("Abutting Neighbor"). Pursuant to Town of Palm Beach Code Section 134-141, *et. seq.*, this is an appeal of a "decision of an administrative official under any section of this chapter."<sup>1</sup> Abutting Neighbor is the immediate neighbor, is an aggrieved person, and is directly affected by the decision of the administrative official.

**The 12 Illegal Tow Away Signs**

There are 12 illegal tow away signs on Emerald Beach Way- a 300 foot private street that services a home owned by 100 Emerald Beach Way LC, which is located at 100 Emerald Beach Way (the "Emerald Home").<sup>2</sup> On or about April 18, 2019, the Town (a) made an administrative determination that ARCOM approval would not be required for 12 illegal tow away signs on Emerald Beach Way (Ex. B); and (b) John Lindgren purportedly issued an ARCOM staff approval for the 12 illegal tow away signs. Subsequently, on or about April 23, 2019, Wayne Bergman approved ARCOM/LPC compliance and the Town issued a permit for the 12 illegal tow-away signs, despite the fact that such signs are specifically and absolutely prohibited in the Town of Palm Beach. Ex. C. Abutting Neighbor appeals both of these administrative determinations.

<sup>1</sup> 134-143.

<sup>2</sup> Pictures attached as Ex. A.

**RECEIVED**

**MAY 14 2019**

**TOWN CLERK**

These 12 tow away signs were the subject of a code enforcement case that was scheduled to be heard by the Code Enforcement Board on May 16, 2019. Ex. D. Instead, counsel for Abutting Neighbor received an email from Officer Moriarty stating (Ex. E):

Case 19-1114 ("Tow Away" signs) has been closed.  
PZB issued permits for the signs to remain in place.

These actions by the Town violate its own Code. Section 134-2410<sup>3</sup> unambiguously prohibits tow away signs "on private property appurtenant to or obviously part of a single-family residence."

**Sec. 134-2410. - Tow-away signs.**

**Tow-away signs shall not be allowed on private property appurtenant to or obviously part of a single-family residence.** Tow-away signs for two-family, townhouse, multi-family, and institutional uses shall only be on private property and shall not exceed the minimum size, number and location as provided by Florida Statute. **In addition, all tow-away signs shall be uniform in appearance as approved by the town's Architectural Commission.** Tow-away signs on state, county and municipal governmental property shall also meet these requirements. A building permit shall be required for a tow-away sign.

**All tow-away signs which become nonconforming as a result of the adoption of this section of the Code shall be removed and replaced to come into compliance with this section of the Code by January 1, 2019, or said sign shall be in violation of the town's Code of Ordinance.**

In fact, Paul Castro, John Lindgren, and Josh Martin corresponded in February 2019 and determined that if in theory these signs would be considered, they would require ARCOM approval. Ex. F. Furthermore, no tow away signs are permitted within the right of way lines of any street. Emerald Beach Way, pursuant to PB 45-177, is a "dedicated as a private street." (Ex. G).

**Sec. 134-2373. - General regulations and definitions applicable to permitted signs.**

Under this article, the following shall apply to all signs:

(1) Signs of all types addressed herein are defined in section 134-2 of this code. All signs visible from a public or private roadway and/or sidewalk shall be classified as signs regardless of whether they are freestanding or attached or painted to or on or in the principal building they are accessory to.

**(5) No sign other than an official traffic sign erected by the town, Palm Beach County, the State of Florida, the United States government and/or any agency thereof shall be erected within the right-of-way lines of any street or public way, nor shall any sign or banner be hung on, from, or beneath any canopy, awning or marquee.**

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<sup>3</sup> See also Sec. 134-2372. - Compliance; substitution, and severability.

(1) *Compliance.* Signs may be erected and maintained only as authorized and when in compliance with the provisions of this article and other applicable town ordinances. All signs are subject to the Florida Building Code and Fire Prevention Code. **Signs that are not specifically permitted by this division are prohibited.**

The 12 illegal tow-away signs are specifically and absolutely prohibited in the Town of Palm Beach. Section 134-2410 states in no uncertain terms that tow-away signs are prohibited, and gives a date for removal and compliance of January 1, 2019, so there can be no nonconforming use argument. Therefore, the Town CANNOT issue a permit for the 12 illegal tow away signs, and certainly cannot issue an administrative ARCOM and zoning approval for the same. Since the determination of the administrative officials with regard to Sections 134-2371, *et. seq.* is ***prohibited*** by the Town Code, this Appeal must be granted.

### **The 13 Illegal Road Stamps**

There were also 13 illegal road stamps on Emerald Beach Way- a 300 foot private street servicing the Emerald Home (pictures attached as Ex. H). These painted road signs are a direct violation of Section 134-2372(12) (formerly Section 18-842):

No person shall paint, paste, print or nail any paper sign or any advertisement or notice of any kind whatsoever, or cause the same to be done, on any curbstone, flagstone or other portion of any sidewalk or street or upon any tree, lamppost, hitching post, telephone or telegraph pole, hydrant, bridge, workshop or tool shed, or upon any other structure within the limits of the town except by resolution of the town council.

These road stamps were also the subject of a code enforcement violation- CE 19-364 that was scheduled for the May 16, 2019 code enforcement board hearing. Instead, on May 14, 2019, counsel for Abutting Neighbor received the following email from Officer John Moriarty:

Case 19-364 ("No Parking" painted on the road surface) has been closed.  
The letters have been removed.

***That is in fact, not true.*** The pictures attached as Ex. I show that you can still read the "No Parking" stamps on the road. The case cannot be closed where the violation still clearly exists. The administrative decision of the Town to close code enforcement case 19-364 is in direct contravention of Section 134-2372(12) and therefore, this Appeal must be granted.

**The Town's Egregious Conduct and Public Records Violations**

The Town issued the permits for the 12 illegal tow away signs and deliberately misled counsel for Abutting Neighbor to thwart a potential appeal. Specifically, Josh Martin, Paul Castro, and John Lindgren previously determined that ARCOM approval would be required if the tow-away signs could be approved in theory (which they could not, because they are specifically prohibited by Section 134-2410.) (Ex. F).

Counsel for abutting neighbor submitted a public records request on April 23, 2019 (Ex. J), which is attached and includes the following:

3. All correspondence related to 100 Emerald Beach Way from March 18, 2019 to the date of the response, including, but not limited to, CE 18-1550.
4. All correspondence related to 1236 South Ocean Boulevard and/or 200 Emerald Beach Way from March 18, 2019 to the date of the response, including, but not limited to B-046-2017 and/or CE 19-114.



On May 8, 2019, counsel for Abutting Neighbor requested an update on the request. Ex. K. On May 10, 2019 at 5:02 pm, counsel received a response indicating that responsive records were attached. Counsel for Abutting Neighbor reviewed the records over the weekend and determined that the records did not include anything related to 1236 South Ocean Boulevard or CE 19-114. On May 13, 2019, Ms. Dominguez responded and said she would follow up to obtain the correct records. Ex. L. The correspondence and permits regarding the 12 illegal tow-away signs, including a purported and still undisclosed email of April 17, 2019 by the PZB director approving the signs – was undeniably within the scope of the public records request for “all correspondence related to 1236 South Ocean Boulevard” and specifically including “CE 19-114.” However, **NO RECORDS HAVE BEEN PRODUCED IN RESPONSE.**

This fact is extremely important because at the same time that the Town was approving and issuing permits for the 12 illegal tow away signs, Abutting Neighbor was being told something completely different by the Town. On April 23, 2019, counsel for Abutting Neighbor sent an email to Paul Castro (Zoning Administrator), John Moriarty (Code Enforcement), Skip Randolph (Legal Counsel to the Town), Benjamin Alma (Code Enforcement) and Carla Marcote (Code Enforcement) asking whether the 12 illegal tow-away signs was confirmed for the May 16 Code Enforcement Board hearing. Ms. Marcote responded on April 24, 2019 “Yes, unless they come into compliance before then.” Ex. M. *This statement was untrue.*

Unbeknownst to counsel for Abutting Neighbor, the Town had already issued a permit for the 12 illegal tow-away signs the *DAY BEFORE* counsel was advised the matter was proceeding to the May 16 code enforcement board hearing. The Town intentionally misled counsel – who copied Paul Castro, Skip Randolph on her email – in advising her that the hearing would be going forward **KNOWING THAT A PERMIT HAD ALREADY BEEN ISSUED.**<sup>4</sup>

To date, neither the Planning Zoning and Building Department nor the Town’s Legal Counsel have given written notice to the Abutting Neighbor that the Town approved and issued permits for the 12 illegal tow away signs.

When counsel for Abutting Neighbor received the email from Officer Moriarty that the CE 19-114 and CE 19-264 were closed and the May 16, 2019 hearing would not be proceeding forward, counsel immediately asked Paul Castro and Skip Randolph for a copy of the referenced PZB permit, and also the written determination that the 12 illegal tow-away signs would not have to go to ARCOM. As of the time of the filing of this appeal, counsel has not received a response.

Counsel for Abutting Neighbor submitted a public records request which scope included all records related to 1236 South Ocean Boulevard and specifically including CE 19-114. however, those records were intentionally not provided to thwart a potential appeal. Counsel for Abutting Neighbor asked a DIRECT QUESTION on the very day the permit for the 12 illegal tow-away signs was issued as to whether the matter would be proceeding to code enforcement board May 16, and the response was **YES**. This conduct is egregious and is done for the specific purpose of eliminating Abutting Neighbor’s due process rights.

May 14, 2019

Page 6

Abutting Neighbor submits this appeal pursuant to Town Code Section 134-141, *et. seq.* However, Abutting Neighbor reserves all rights and remedies, and specifically reserves the right to supplement this appeal because the Town has failed to produce records in response to pending public records requests in order to intentionally interfere with Abutting Neighbor's due process rights.

Please govern yourselves accordingly.

LEHTINEN SCHULTZ PLLC

By: /s/ Amanda Quirke Hand  
Amanda Quirke Hand, P.A.

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<sup>4</sup> The Town also advised the same day that the code enforcement proceeding on the road stamps would be proceeding. See also Ex. M.





Exhibit A





NO PARKING  
PRIVATE PROPERTY  
VEHICLES MUST  
MOVE AWAY





NO PARKING



PRIVATE  
PROPERTY

UNAUTHORIZED  
VEHICLES  
TOWED AWAY















NO PARKING



PRIVATE  
PROPERTY

UNAUTHORIZED VEHICLES WILL BE  
REMOVED AT OWNERS RISK

AWAY





# TOWN OF PALM BEACH FLORIDA

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Applied	Approved	Issued	Final	Expires
04/17/2019	04/18/2019		04/18/2019	04/11/2020

Type **A-ARCOM STAFF APPROVAL**
Status **final**

Permit Description **ARCOM- INSTALL TEN TOW AWAY SIGNS AROUND BOUNDARIES OF EMERALD BEACH WAY.**
Permit Address **1236 S OCEAN BLVD PALM BEACH FL 33480**

Applicant **ALLEY MAASS ROGERS AND LINDSAY PA Owner N**
Owner **THORNTON JOHN L &**

Viewing **Actions** ▼ <-- Select the information you would like to view.

Group	Action	Approver	Start Date	Comp'd Date	Comp'd Code	Comment
BB-COUNTER	A-APPLICATION INTAKE	cconklin		04/17/2019	Complete	
BB-CASHIER,	PAYMENT PROCESSING - INTAKE	iwebuser		04/17/2019		
BA-ARCOM STAFF APPROVAL	PLAN REVIEW - ARCOM/LPC COMPLIANCE	lindgren		04/18/2019	Approved	Approval of tow away signs per PZB Director approval in 4/17/19 e-mail string and stamped application form with the condition that: "All signs associated with this permit shall be located in the private street area."

Exhibit B



# TOWN OF PALM BEACH

## FLORIDA

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**▲ Permits and Inspections: Actions**
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Applied	Approved	Issued	Final	Expires
04/23/2019	04/23/2019	04/23/2019		10/20/2019

Type 
Status

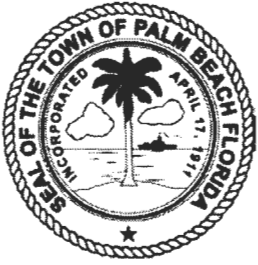
Permit Description 
Permit Address

Applicant 
Owner

Viewing 
← Select the information you would like to view.

Group	Action	Approver	Start Date	Comp'd Date	Comp'd Code	Comment
BB-COUNTER	APPLICATION INTAKE - CONSTRUCTION	jmurphy		04/23/2019	Complete	
BB-CASHIER	PAYMENT PROCESSING - INTAKE	iwebuser		04/23/2019		
BD-DEVT REVIEW	PLAN REVIEW - ZONING COMPLIANCE	wbergman		04/23/2019	Approved	
BL-BTR	PLAN REVIEW - BUSINESS LICENSES	wbergman		04/23/2019	Reviewed/Not Applicable	
BA-ARC/LPC	PLAN REVIEW - ARCOM/LPC COMPLIANCE	wbergman		04/23/2019	Approved w/ conditions	
BA-ARCHAEOL	PLAN REVIEW - ARCHEOLOGIC SITE COMPLIANCE	wbergman		04/23/2019	Reviewed/Not Applicable	
BB-PZB PL REV	PLAN REVIEW - CONSTRUCTION WITH PLANS	wbergman		04/23/2019	Approved	
BB-COUNTER	ISSUE PERMIT	cconklin		04/23/2019	Complete	
BB-INSPECTORS	GRADE BEAM POUR/FOOTER/FOUNDATION					
BB-INSPECTORS	WALL STEEL/COLUMNS					
BB-INSPECTORS	FINAL, BUILDING					
BB-INSPECTORS	RED IRON					
BB-INSPECTORS	FRAMING, WALLS					
BB-INSPECTORS	ROUGH, UNDERGROUND					
BB-INSPECTORS	FINAL, ELECTRIC					
BB-INSPECTORS	ROUGH, WALL					

Exhibit C



## TOWN OF PALM BEACH POLICE DEPARTMENT

DEDICATED TO EXCELLENCE



April 1, 2019

John & Margaret Thornton  
P.O. Box 3163  
Palm Beach, FL 33480

John & Margaret Thornton  
1236 S. Ocean Blvd.  
Palm Beach, FL 33480

CERTIFIED MAIL

9314 8699 0430 0057 5274 62

### NOTICE OF CODE VIOLATION AND HEARING

**1236 S. Ocean Blvd., Palm Beach**

**Case # CE 19-114**

**Property Control Number: 50-43-44-02-09-000-0020**

Dear Property Owner(s),

A recent re-inspection of your property found "Tow Away" signs placed along the roadway to 100 Emerald Beach Way.

Chapter 134, Section 134-2410 of the Town of Palm Beach Code of Ordinances, states Tow-away signs shall not be allowed on private property appurtenant to or obviously part of a single-family residence. Tow-away signs for two-family, townhouse, multi-family, and institutional uses shall only be on private property and shall not exceed the minimum size, number and location as provided by Florida Statute. In addition, all tow-away signs shall be uniform in appearance as approved by the town's Architectural Commission. Tow-away signs on state, county and municipal governmental property shall also meet these requirements. A building permit shall be required for a tow-away sign.

Please remove the signs or replace them with the proper signage in a permitted location by **April 16, 2019**.

Should compliance with the Town Ordinances not be met within this time frame, you are hereby notified there will be a public hearing before the Code Enforcement Board on **May 16, 2019 at 2:00 p.m.** in the second floor Town Council Chambers at City Hall, 360 S. County Road, Palm Beach.

If you decide not to be present, the hearing will be held in your absence. If you are found in violation of the Town Code, the Code Enforcement Board has the power by law to levy fines up to Two Hundred Fifty (\$250.00) Dollars a day against you and your property for every day any violation continues beyond the date set in the order for compliance. An administrative fee of One Hundred Fifty (\$150.00) Dollars for the cost of the hearing may be assessed to you should your case be heard.



John & Margaret Thornton  
April 1, 2019  
Page 2

If you have any questions, please do not hesitate to call me at (561) 227-6422. Your immediate attention to this matter is appreciated.

Sincerely,

John T. Moriarty  
Code Enforcement Officer

cc: Code Enforcement File  
Property File

## Amanda Quirke

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**From:** John Moriarty <JMoriarty@PalmBeachPolice.com>  
**Sent:** Tuesday, May 14, 2019 8:34 AM  
**To:** Amanda Quirke  
**Cc:** Carla Marcote  
**Subject:** 1236 s ocean blvd. violations

Hello,

Case 19-364 ("No Parking" painted on the road surface) has been closed.  
The letters have been removed.

Case 19-114 ("Tow Away" signs) has been closed.  
PZB issued permits for the signs to remain in place.

John Moriarty  
Town of Palm Beach  
Police Department  
Code Enforcement Unit  
Office: 561-227-6422

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.

Exhibit E



**From:** [Joshua Martin](#)  
**To:** [John Lindgren](#)  
**Cc:** [Joshua Martin](#)  
**Subject:** RE: 1236 S. Ocean Blvd. right-of-way signs  
**Date:** Thursday, February 21, 2019 6:26:25 PM

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Ok thanks for the update!

**Josh Martin, AICP, CNU-A  
Director**

Town of Palm Beach  
Planning, Zoning, Building  
360 S. County Road  
Palm Beach, FL 33480  
Office: 561-227-6401  
Mobile: 843-247-2057  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

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**From:** John Lindgren <[JLindgren@TownofPalmBeach.com](mailto:JLindgren@TownofPalmBeach.com)>  
**Sent:** Thursday, February 21, 2019 5:05 PM  
**To:** Joshua Martin <[jmartin@TownOfPalmBeach.com](mailto:jmartin@TownOfPalmBeach.com)>  
**Subject:** RE: 1236 S. Ocean Blvd. right-of-way signs

Josh,  
Just spoke to Paul, and he told me that the code changed, and ARCOM does have to review tow away signs. So let me look a little more at this before we discuss further with PW. Thanks.  
John

**John Lindgren, AICP  
Planning Administrator**

Town of Palm Beach  
Planning, Zoning & Building Department  
360 S. County Road  
Palm Beach, FL 33480  
Phone: 561-227-6414  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

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**From:** Joshua Martin <[jmartin@TownOfPalmBeach.com](mailto:jmartin@TownOfPalmBeach.com)>

**Sent:** Thursday, February 21, 2019 4:54 PM

**To:** Paul Brazil <[PBrazil@TownofPalmBeach.com](mailto:PBrazil@TownofPalmBeach.com)>

**Cc:** Jay Boodheshwar <[JBoodheshwar@TownofPalmBeach.com](mailto:JBoodheshwar@TownofPalmBeach.com)>; John (Skip) C. Randolph <[JRandolph@jonesfoster.com](mailto:JRandolph@jonesfoster.com)>; John Lindgren <[JLindgren@TownofPalmBeach.com](mailto:JLindgren@TownofPalmBeach.com)>; Wayne Bergman <[wbergman@TownOfPalmBeach.com](mailto:wbergman@TownOfPalmBeach.com)>; Joshua Martin <[jmartin@TownOfPalmBeach.com](mailto:jmartin@TownOfPalmBeach.com)>

**Subject:** RE: 1236 S. Ocean Blvd. right-of-way signs

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If it's private property and can be viewed from the public right-of-way then they need an ARCOM sign approval.

Please let me know if you have any questions.

Thanks Paul!!!

Josh

**Josh Martin, AICP, CNU-A  
Director**

Town of Palm Beach  
Planning, Zoning, Building  
360 S. County Road  
Palm Beach, FL 33480  
Office: 561-227-6401  
Mobile: 843-247-2057  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

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**From:** Paul Brazil <[PBrazil@TownofPalmBeach.com](mailto:PBrazil@TownofPalmBeach.com)>

**Sent:** Thursday, February 21, 2019 12:29 PM

**To:** Joshua Martin <[jmartin@TownOfPalmBeach.com](mailto:jmartin@TownOfPalmBeach.com)>

**Cc:** Jay Boodheshwar <[JBoodheshwar@TownofPalmBeach.com](mailto:JBoodheshwar@TownofPalmBeach.com)>; John (Skip) C. Randolph <[JRandolph@jonesfoster.com](mailto:JRandolph@jonesfoster.com)>

**Subject:** FW: 1236 S. Ocean Blvd. right-of-way signs

I want to talk to you before I respond.

If the signs are on private property, PW does not have any authority. Paul Colby most likely should have never been involved and Paul Castro sent them to PW.

Let me know what you think.

**H. Paul Brazil, P.E.  
Director of Public Works**

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Town of Palm Beach



Public Works Department  
951 Old Okeechobee Road  
West Palm Beach, FL 33401  
Phone: 561-838-5440  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

**From:** Tim Hanlon <[tim.hanlon@amrl.com](mailto:tim.hanlon@amrl.com)>  
**Sent:** Thursday, February 21, 2019 10:52 AM  
**To:** Paul Castro <[PCastro@TownofPalmBeach.com](mailto:PCastro@TownofPalmBeach.com)>  
**Cc:** Paul Brazil <[PBrazil@TownofPalmBeach.com](mailto:PBrazil@TownofPalmBeach.com)>; Patricia Strayer <[PStrayer@TownofPalmBeach.com](mailto:PStrayer@TownofPalmBeach.com)>; Joshua Martin <[jmartin@TownOfPalmBeach.com](mailto:jmartin@TownOfPalmBeach.com)>; Wayne Bergman <[wbergman@TownOfPalmBeach.com](mailto:wbergman@TownOfPalmBeach.com)>; John (Skip) C. Randolph <[JRandolph@jonesfoster.com](mailto:JRandolph@jonesfoster.com)>  
**Subject:** RE: 1236 S. Ocean Blvd. right-of-way signs

Thank you Paul Castro.

Paul Brazil and Patricia, I am not sure whether you are familiar with this issue, but the Thorntons (at the recommendation of Paul Colby) installed Tow Away signs on their property at 1236 S. Ocean Blvd. last year.

This is a unique area because Emerald Beach Way is actually part of the Thornton property and just a right of ingress and egress is granted to the two neighbors on the west and the east by Plat. Many vendors and service personnel from 100 Emerald Beach Way have parked on Emerald Beach Way (the portion owned by the Thorntons).

In an effort to stop the unauthorized parking on their property and at the suggestion of the Town, the Thorntons installed Tow Away signs on their property adjacent to Emerald Beach Way. Code Enforcement has now cited the Thorntons and is requiring them to remove the signs.

It appears that the Code allows them to install "No Parking" signs, so we are proposing to remove the Tow Away signs and replace them with No Parking signs, but I want to make sure that the No Parking signs are permitted. As you can understand, the Thorntons don't want to go through the installation and removal yet again.

Because the Thorntons have been cited by Code Enforcement, please confirm at your earliest convenience.

If you have any questions, please contact me.

Thanks, Tim

M. Timothy Hanlon  
Alley, Maass, Rogers & Lindsay P.A.  
340 Royal Poinciana Way, Suite 321  
Palm Beach, Florida 33480

Phone: (561) 659-1770  
Fax: (561) 833-2261  
Direct Fax: (561) 804-4617  
[tim.hanlon@amrl.com](mailto:tim.hanlon@amrl.com)

**From:** Paul Castro <[PCastro@TownofPalmBeach.com](mailto:PCastro@TownofPalmBeach.com)>  
**Sent:** Thursday, February 21, 2019 9:40 AM  
**To:** Tim Hanlon <[tim.hanlon@amrl.com](mailto:tim.hanlon@amrl.com)>  
**Cc:** Paul Brazil <[PBrazil@TownofPalmBeach.com](mailto:PBrazil@TownofPalmBeach.com)>; Patricia Strayer <[PStrayer@TownofPalmBeach.com](mailto:PStrayer@TownofPalmBeach.com)>; Joshua Martin <[jmartin@TownOfPalmBeach.com](mailto:jmartin@TownOfPalmBeach.com)>; Wayne Bergman <[wbergman@TownOfPalmBeach.com](mailto:wbergman@TownOfPalmBeach.com)>  
**Subject:** RE: 1236 S. Ocean Blvd. right-of-way signs

Tim,

Street signage in the right-of-way is within the responsibility of the Public Works Department.  
Please contact Paul Brazil or Patricia Strayer at the email address in the heading.

Thank you,

*Paul Castro, AICP*

**Zoning Administrator**

**360 South County Road**  
**Palm Beach, FL 33480**  
**561-227-6406**  
**[www.pcastro@townofpalmbeach.com](mailto:www.pcastro@townofpalmbeach.com)**

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**From:** Tim Hanlon <[tim.hanlon@amrl.com](mailto:tim.hanlon@amrl.com)>  
**Sent:** Tuesday, February 12, 2019 6:31 PM  
**To:** Paul Castro <[PCastro@TownofPalmBeach.com](mailto:PCastro@TownofPalmBeach.com)>  
**Subject:** 1236 S. Ocean Blvd.

Hi Paul. John Moriarty sent me an email requesting that the Thorntons remove the tow away signs. I will review the Code, but are the Thorntons able to replace the "tow away" signs with "No Parking" signs.

Thanks, Tim

M. Timothy Hanlon  
Alley, Maass, Rogers & Lindsay P.A.  
340 Royal Poinciana Way, Suite 321

.



Palm Beach, Florida 33480  
Phone: (561) 659-1770  
Fax: (561) 833-2261  
Direct Fax: (561) 804-4617  
[tim.hanlon@amrl.com](mailto:tim.hanlon@amrl.com)

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.

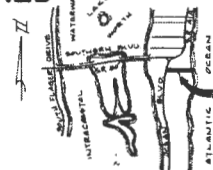
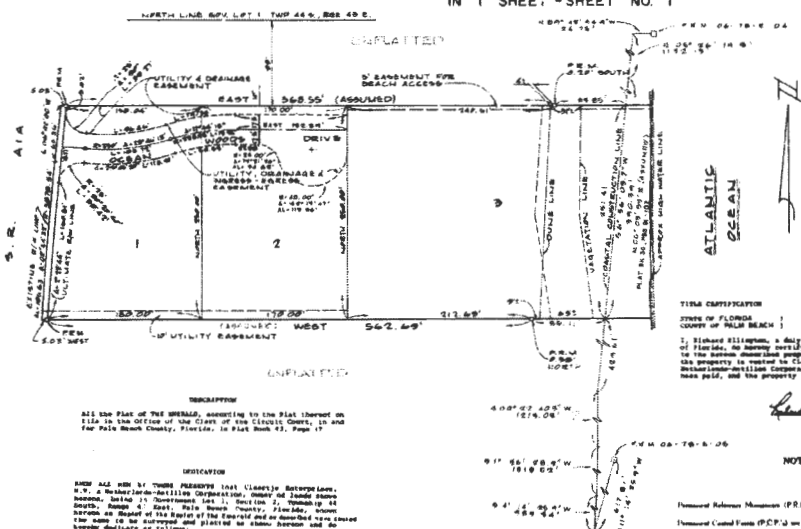
35 075427

# REPLAT OF THE REPLAT OF THE EMERALD

IN GOVERNMENT LOT 1, SECTION 2, TWP. 44 S., RGE. 43 E.  
BEING A REPLAT OF THE REPLAT OF THE EMERALD  
RECORDED IN PLAT BOOK 43, PAGE 17  
PALM BEACH COUNTY, FLORIDA  
TOWN OF PALM BEACH  
IN 1 SHEET - SHEET NO. 1

177

COUNTY OF PALM BEACH  
TOWN OF PALM BEACH  
PLAT BOOK 43, PAGE 17  
REPLAT OF THE REPLAT OF THE EMERALD  
IN 1 SHEET - SHEET NO. 1



LOCATION MAP  
NOT TO SCALE



## TITLE CERTIFICATION

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
I, Richard Ellington, a duly licensed Surveyor in the State of Florida, do hereby certify that I have examined the title to the above described property, and I find the title to the property is vested in Charles H. Ellington, Jr., a duly licensed Surveyor in the State of Florida, and the property is unencumbered by any mortgage.

Surveyor's Signature  
Date of Survey  
S.S. 1963

## NOTES

Plat Book Reference (PBR) is designated from 150.  
Plat Book Reference (PBR) is designated from 150.  
Building setback lines shall be as required by ordinance of the Town of Palm Beach, Florida.  
Surveying as shown herein is based on the State Line of Government, Lot 1, Block 1, Township 44 South, Range 43 East, bearing S87° 11' 00\"/>

## SURVEYOR'S CERTIFICATION

I hereby certify that the plat shown herein is a true and correct representation of a survey made under my personal supervision and that the same is correct in accordance with the laws of the State of Florida, and that I am a duly licensed Surveyor in the State of Florida, and the property is unencumbered by any mortgage.

Date: December 6, 1963  
By: Richard I. Ellington  
Florida Cert. No. 5748

ALL THE PLAT OF THE EMERALD, according to the Plat Book on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, in Plat Book 43, Page 17

## INDICATION

AND ALL THE PLAT OF THE EMERALD, according to the Plat Book on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, in Plat Book 43, Page 17

1. Utility Easements - The utility easements as shown are hereby dedicated to the public in perpetuity for the construction and maintenance of utilities.

2. Utility and Drainage Easements - The utility and drainage easements as shown are hereby dedicated to the public in perpetuity for the construction and maintenance of utilities and drainage.

3. Beach Access Easements - The beach access easements as shown are hereby dedicated to the public in perpetuity for the construction and maintenance of beach access.

4. Easements and Easement Easements - The easements and easement easements as shown are hereby dedicated to the public in perpetuity for the construction and maintenance of easements and easement easements.

5. Easements and Easement Easements - The easements and easement easements as shown are hereby dedicated to the public in perpetuity for the construction and maintenance of easements and easement easements.

6. Easements and Easement Easements - The easements and easement easements as shown are hereby dedicated to the public in perpetuity for the construction and maintenance of easements and easement easements.

7. Easements and Easement Easements - The easements and easement easements as shown are hereby dedicated to the public in perpetuity for the construction and maintenance of easements and easement easements.

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20. Easements and Easement Easements - The easements and easement easements as shown are hereby dedicated to the public in perpetuity for the construction and maintenance of easements and easement easements.

## ACKNOWLEDGMENT

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
Before me personally appeared Carl L. Gentry Jr., to me personally known, and known to me to be the same person as named in and who executed this instrument, as authorized agent and attorney in law for CHARLES H. ELLINGTON, JR., a duly licensed Surveyor in the State of Florida, and the property is unencumbered by any mortgage.

WITNESS my hand and official seal this 20th day of December, 1963.

Notary Public in and for the State of Florida  
My Commission Expires: 1965

By: Carl L. Gentry Jr.  
Notary Public

My Commission Expires: 1965

By: Carl L. Gentry Jr.  
Notary Public

My Commission Expires: 1965

By: Carl L. Gentry Jr.  
Notary Public

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My Commission Expires: 1965

PLAT BOOK 43 PAGE 17	ROBERT E. DUYER & ASSOCIATES, INC. ENGINEERS - PLANNERS - SURVEYORS WEST PALM BEACH FLORIDA	REPLAT OF THE REPLAT OF THE EMERALD IN 1 SHEET - SHEET NO. 1	82-1040 AS SHOWN ON JULY 1, 1963 BY OF 2280 C
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Exhibit H



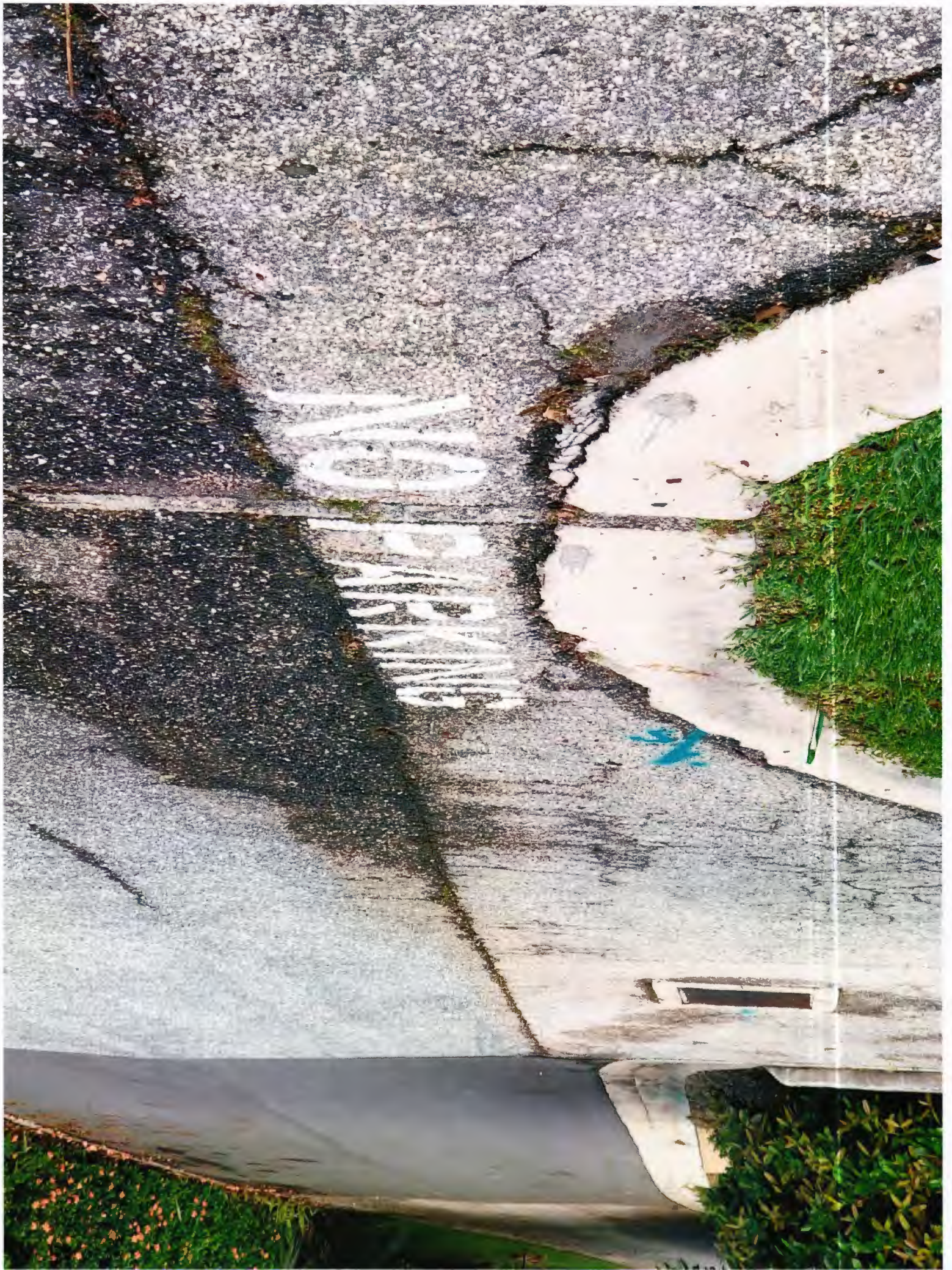


















Exhibit 1





## Amanda Quirke

---

**From:** Amanda Quirke  
**Sent:** Tuesday, May 14, 2019 10:02 AM  
**To:** Amanda Quirke  
**Subject:** FW: Records Request Confirmation

1. From December 2018 to the date of the response, all correspondence by, between, or among Matthew Natale OR Steven Meltzer and Margaret Thornton, M. Timothy Hanlon, Alley Mass Rogers, or anyone acting on behalf of John or Margaret Thornton.
2. From December 1, 2018 to the date of the response, all correspondence by, between, or among Matthew Natale OR Steven Meltzer related to 100 Emerald Beach Way, including, but not limited to, CE 18-1550.
3. All correspondence related to 100 Emerald Beach Way from March 18, 2019 to the date of the response, including, but not limited to, CE 18-1550.
4. All correspondence related to 1236 South Ocean Boulevard and/or 200 Emerald Beach Way from March 18, 2019 to the date of the response, including, but not limited to B-046-2017 and/or CE 19-114.

For purposes of this request, correspondence includes, but is not limited to, letters, faxes, phone messages, Facebook or other social media messages, text messages on public or private phones, and emails on public or private email accounts.

### Amanda Quirke Hand

Of Counsel

Board Certified in City, County, and Local Government Law

### Lehtinen Schultz | Attorneys

Lehtinen Schultz Riedi de la Fuente

Sabadell Financial Center, 1111 Brickell Avenue, Suite 2200, Miami, FL 33131

Direct: 305.733.2800 Fax: 305.356.5720

[www.Lehtinen-Schultz.com](http://www.Lehtinen-Schultz.com)

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**From:** JustFOIA Notification <donotreply@request.justfoia.com>  
**Sent:** Tuesday, April 23, 2019 12:24 PM  
**To:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Subject:** Records Request Confirmation

Thank you for submitting a request for records.

Your request security key is 553750.

Your request reference number is Request Number: TC-107-2019.

Please have this security key and reference number available when communicating with our staff regarding your request.

Note: This is an automated email notification. Please do not respond to this email.

Exhibit J



## Amanda Quirke

---

**From:** Amanda Quirke  
**Sent:** Wednesday, May 8, 2019 12:34 PM  
**To:** John (Skip) C. Randolph; David Donta  
**Cc:** Amanda Quirke  
**Subject:** FW: Records Request Confirmation

Skip and David,  
Can I please get an update on this request?

## Amanda Quirke Hand

Of Counsel  
Board Certified in City, County, and Local Government Law

## Lehtinen Schultz | Attorneys

Lehtinen Schultz Riedi de la Fuente  
Sabadell Financial Center, 1111 Brickell Avenue, Suite 2200, Miami, FL 33131  
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**Sent:** Tuesday, April 23, 2019 12:24 PM  
**To:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Subject:** Records Request Confirmation

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Your request reference number is Request Number: TC-107-2019.

Please have this security key and reference number available when communicating with our staff regarding your request.

Note: This is an automated email notification. Please do not respond to this email.

## Amanda Quirke

---

**From:** Kathleen Dominguez <KDominguez@TownofPalmBeach.com>  
**Sent:** Friday, May 10, 2019 5:02 PM  
**To:** Amanda Quirke  
**Cc:** David Donta; Joshua Martin; John (Skip) C. Randolph  
**Subject:** Public Records Request - TC-107-2019 Responsive Documents

Dear Ms. Hand,

I am contacting you regarding your records request #TC-107-2019.

Following is a link to our public records tracking portal where you can access the requested records:  
<https://palmbeachfl.justfoia.com/publicportal/home/track>

When you get to the portal page, please enter request number: TC-107-2019 and security key#: 553750 and click "track".

A compressed zip folder will appear for downloading all of the records responsive to your request.

Please let us know if you have any issues with accessing the requested information.

Sincerely,  
Kathleen Dominguez

**From:** JustFOIA Notification <[donotreply@request.justfoia.com](mailto:donotreply@request.justfoia.com)>  
**Sent:** Tuesday, April 23, 2019 12:24 PM  
**To:** Amanda Quirke <[AQuirke@Lehtinen-Schultz.com](mailto:AQuirke@Lehtinen-Schultz.com)>  
**Subject:** Records Request Confirmation

Thank you for submitting a request for records.

Your request security key is 553750.

Your request reference number is Request Number: TC-107-2019.

Please have this security key and reference number available when communicating with our staff regarding your request.

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## Amanda Quirke

---

**From:** Amanda Quirke  
**Sent:** Monday, May 13, 2019 1:28 PM  
**To:** Kathleen Dominguez  
**Cc:** David Donta; Joshua Martin; John (Skip) C. Randolph; Amanda Quirke  
**Subject:** RE: Public Records Request - TC-107-2019 Responsive Documents

Kathleen,

The emails look like they are limited to CE 18-1550, but the request was more broad. Can you please advise?

## Amanda Quirke Hand

Of Counsel

Board Certified in City, County, and Local Government Law

## Lehtinen Schultz | Attorneys

Lehtinen Schultz Riedi de la Fuente

Sabadell Financial Center, 1111 Brickell Avenue, Suite 2200, Miami, FL 33131

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---

**From:** Kathleen Dominguez <KDominguez@TownofPalmBeach.com>  
**Sent:** Friday, May 10, 2019 5:02 PM  
**To:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Cc:** David Donta <jdonta@townofpalmbeach.com>; Joshua Martin <jmartin@TownOfPalmBeach.com>; John (Skip) C. Randolph <JRandolph@jonesfoster.com>  
**Subject:** Public Records Request - TC-107-2019 Responsive Documents

Dear Ms. Hand,

I am contacting you regarding your records request #TC-107-2019.

Following is a link to our public records tracking portal where you can access the requested records:

<https://palmbeachfl.justfoia.com/publicportal/home/track>

When you get to the portal page, please enter request number: TC-107-2019 and security key#: 553750 and click "track".

A compressed zip folder will appear for downloading all of the records responsive to your request.

Please let us know if you have any issues with accessing the requested information.

Sincerely,  
Kathleen Dominguez

Exhibit L

**From:** JustFOIA Notification <[donotreply@request.justfoia.com](mailto:donotreply@request.justfoia.com)>  
**Sent:** Tuesday, April 23, 2019 12:24 PM  
**To:** Amanda Quirke <[AQuirke@Lehtinen-Schultz.com](mailto:AQuirke@Lehtinen-Schultz.com)>  
**Subject:** Records Request Confirmation

Thank you for submitting a request for records.

Your request security key is 553750.

Your request reference number is Request Number: TC-107-2019.

Please have this security key and reference number available when communicating with our staff regarding your request.

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## Amanda Quirke

---

**From:** Carla Marcote <CMarcote@PalmBeachPolice.com>  
**Sent:** Wednesday, April 24, 2019 7:38 AM  
**To:** Amanda Quirke  
**Subject:** RE: CE 19-114 Illegal Tow Away signs

Yes, unless they come into compliance before then.

**Carla Marcote**  
**Code Enforcement Specialist**

Palm Beach Police Department  
345 S. County Road  
Palm Beach, FL 33480

**From:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Sent:** Tuesday, April 23, 2019 12:55 PM  
**To:** Carla Marcote <CMarcote@PalmBeachPolice.com>; Paul Castro <PCastro@TownofPalmBeach.com>; John Moriarty <JMoriarty@PalmBeachPolice.com>; John (Skip) C. Randolph <JRandolph@jonesfoster.com>; Benjamin Alma <BAlma@PalmBeachPolice.com>  
**Cc:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Subject:** FW: CE 19-114 Illegal Tow Away signs

**Carla,**  
**Is this item confirmed for the May 16 Board hearing?**

Begin forwarded message:

**From:** Carla Marcote <CMarcote@PalmBeachPolice.com>  
**Date:** April 8, 2019 at 7:51:41 AM EDT  
**To:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Subject:** RE: CE 19-114 Illegal Tow Away signs

Good Morning Ms. Hand,

Attached is a copy of the letter you requested.

**Carla Marcote**  
**Code Enforcement Specialist**

Palm Beach Police Department  
345 S. County Road

Exhibit **M**



Palm Beach, FL 33480

---

**From:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Sent:** Monday, April 01, 2019 12:38 PM  
**To:** Benjamin Alma <BAlma@PalmBeachPolice.com>; John Moriarty <JMoriarty@PalmBeachPolice.com>; John (Skip) C. Randolph <JRandolph@jonesfoster.com>; Paul Castro <PCastro@TownofPalmBeach.com>  
**Cc:** Carla Marcote <CMarcote@PalmBeachPolice.com>; Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Subject:** RE: CE 19-114 Illegal Tow Away signs

Officer Alma,  
Has the notice of violation been issued? If so, can I please get a copy.

## Amanda Quirke Hand

Of Counsel

Board Certified in City, County, and Local Government Law

### Lehtinen Schultz | Attorneys

Lehtinen Schultz Riedi de la Fuente

Sabadell Financial Center, 1111 Brickell Avenue, Suite 2200, Miami, FL 33131

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---

**From:** Benjamin Alma <BAlma@PalmBeachPolice.com>  
**Sent:** Tuesday, March 26, 2019 8:47 AM  
**To:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>; John Moriarty <JMoriarty@PalmBeachPolice.com>; John (Skip) C. Randolph <JRandolph@jonesfoster.com>; Paul Castro <PCastro@TownofPalmBeach.com>  
**Cc:** Carla Marcote <CMarcote@PalmBeachPolice.com>  
**Subject:** RE: CE 19-114 Illegal Tow Away signs

Dear Attorney Hand,  
As this matter progresses, you will be updated.  
I am also adding Carla Marcote to this email tree, she is our Code Board Secretary. Additionally, I am attaching the direct link for public records requests, <https://www.townofpalmbeach.com/905/Police-Records-Request---FOIA> in the event, you wish to make and track your requests.

Thank you,  
Ben

---

**From:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Sent:** Monday, March 25, 2019 2:55 PM  
**To:** Benjamin Alma <BAlma@PalmBeachPolice.com>; John Moriarty <JMoriarty@PalmBeachPolice.com>; John (Skip) C. Randolph <JRandolph@jonesfoster.com>; Paul

Castro <PCastro@TownofPalmBeach.com>

Cc: Amanda Quirke <AQuirke@Lehtinen-Schultz.com>

Subject: FW: CE 19-114 Illegal Tow Away signs

Dear Officer Moriarty, Officer Alma, Paul, and Skip,

Attached are pictures of the illegal tow away signs on Emerald Beach Way. There are 12 of them on a single street. As you know, these signs are in violation of Section 134-2410:

Tow-away signs shall not be allowed on private property appurtenant to or obviously part of a single-family residence...

All tow-away signs which become nonconforming as a result of the adoption of this section of the Code shall be removed and replaced to come into compliance with this section of the Code by January 1, 2019, or said sign shall be in violation of the town's Code of Ordinances.

As I mentioned, there are 12 illegal signs on Emerald Beach Way, including two that flank the entrance gates to the property located at 100 Emerald Beach Way. It cannot be disputed that these signs are in violation of Section 134-2410. I understand that Tim Hanlon has raised an argument that "the Town" advised him that the signs could be put up. I don't know who at "the Town" would have said this, but it is well settled that a town employee cannot advise a property owner to act in violation of the Town Code. There is no permit or approval for said signs or any other action on which the property owner could possibly rely.

Please send me a copy of the Notice of Violation. Please advise me when this matter will be set for hearing.

## **Amanda Quirke Hand**

Of Counsel

Board Certified in City, County, and Local Government Law

## **Lehtinen Schultz | Attorneys**

**Lehtinen Schultz Riedi de la Fuente**

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## Amanda Quirke

---

**From:** Amanda Quirke  
**Sent:** Tuesday, April 23, 2019 12:55 PM  
**To:** Carla Marcote; Paul Castro; John Moriarty; John (Skip) C. Randolph; Benjamin Alma  
**Cc:** Amanda Quirke  
**Subject:** FW: CE 19-114 Illegal Tow Away signs  
**Attachments:** 1236 S. Ocean Blvd. - Tow away signs - Notice - 04-19.pdf

Carla,  
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**Date:** April 8, 2019 at 7:51:41 AM EDT  
**To:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
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**Code Enforcement Specialist**

Palm Beach Police Department  
345 S. County Road  
Palm Beach, FL 33480

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**Cc:** Carla Marcote <CMarcote@PalmBeachPolice.com>; Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
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**Amanda Quirke Hand**  
Of Counsel  
Board Certified in City, County, and Local Government Law



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**Cc:** Carla Marcote <CMarcote@PalmBeachPolice.com>

**Subject:** RE: CE 19-114 Illegal Tow Away signs

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Thank you,

Ben

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**Sent:** Monday, March 25, 2019 2:55 PM

**To:** Benjamin Alma <BALma@PalmBeachPolice.com>; John Moriarty <JMoriarty@PalmBeachPolice.com>; John (Skip) C. Randolph <JRandolph@jonesfoster.com>; Paul Castro <PCastro@TownofPalmBeach.com>

**Cc:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>

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**Amanda Quirke Hand**

Of Counsel

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Sabadell Financial Center, 1111 Brickell Avenue, Suite 2200, Miami, FL 33131

Direct: 305.733.2800 Fax: 305.356.5720

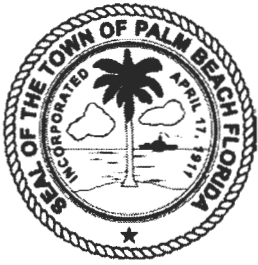
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# TOWN OF PALM BEACH POLICE DEPARTMENT

DEDICATED TO EXCELLENCE



April 1, 2019

John & Margaret Thornton  
P.O. Box 3163  
Palm Beach, FL 33480

John & Margaret Thornton  
1236 S. Ocean Blvd.  
Palm Beach, FL 33480

CERTIFIED MAIL  
9314 8699 0430 0057 5274 62

## NOTICE OF CODE VIOLATION AND HEARING

**1236 S. Ocean Blvd., Palm Beach**

**Case # CE 19-114**

**Property Control Number: 50-43-44-02-09-000-0020**

Dear Property Owner(s),

A recent re-inspection of your property found "Tow Away" signs placed along the roadway to 100 Emerald Beach Way.

Chapter 134, Section 134-2410 of the Town of Palm Beach Code of Ordinances, states Tow-away signs shall not be allowed on private property appurtenant to or obviously part of a single-family residence. Tow-away signs for two-family, townhouse, multi-family, and institutional uses shall only be on private property and shall not exceed the minimum size, number and location as provided by Florida Statute. In addition, all tow-away signs shall be uniform in appearance as approved by the town's Architectural Commission. Tow-away signs on state, county and municipal governmental property shall also meet these requirements. A building permit shall be required for a tow-away sign.

Please remove the signs or replace them with the proper signage in a permitted location by **April 16, 2019**.

Should compliance with the Town Ordinances not be met within this time frame, you are hereby notified there will be a public hearing before the Code Enforcement Board on **May 16, 2019 at 2:00 p.m.** in the second floor Town Council Chambers at City Hall, 360 S. County Road, Palm Beach.

If you decide not to be present, the hearing will be held in your absence. If you are found in violation of the Town Code, the Code Enforcement Board has the power by law to levy fines up to Two Hundred Fifty (\$250.00) Dollars a day against you and your property for every day any violation continues beyond the date set in the order for compliance. An administrative fee of One Hundred Fifty (\$150.00) Dollars for the cost of the hearing may be assessed to you should your case be heard.

John & Margaret Thornton  
April 1, 2019  
Page 2

If you have any questions, please do not hesitate to call me at (561) 227-6422. Your immediate attention to this matter is appreciated.

Sincerely,

.  
John T. Moriarty  
Code Enforcement Officer

cc: Code Enforcement File  
Property File



## Amanda Quirke

---

**From:** Carla Marcote <CMarcote@PalmBeachPolice.com>  
**Sent:** Wednesday, April 24, 2019 7:39 AM  
**To:** Amanda Quirke  
**Subject:** RE: Illegal Road Stamps- Emerald Beach Way

This case is also scheduled for the May Hearing unless compliance is met.

### Carla Marcote Code Enforcement Specialist

Palm Beach Police Department  
345 S. County Road  
Palm Beach, FL 33480

---

**From:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Sent:** Tuesday, April 23, 2019 12:53 PM  
**To:** Benjamin Alma <BALma@PalmBeachPolice.com>; John Moriarty <JMoriarty@PalmBeachPolice.com>; Paul Castro <PCastro@TownofPalmBeach.com>; John (Skip) C. Randolph <JRandolph@jonesfoster.com>  
**Cc:** Carla Marcote <CMarcote@PalmBeachPolice.com>; Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Subject:** FW: Illegal Road Stamps- Emerald Beach Way

Officers Alma and Moriarty,  
What is the status of this complaint?

### Amanda Quirke Hand

Of Counsel  
Board Certified in City, County, and Local Government Law

### Lehtinen Schultz | Attorneys

Lehtinen Schultz Riedi de la Fuente  
Sabadell Financial Center, 1111 Brickell Avenue, Suite 2200, Miami, FL 33131  
Direct: 305.733.2800 Fax: 305.356.5720  
[www.Lehtinen-Schultz.com](http://www.Lehtinen-Schultz.com)

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**From:** Amanda Quirke  
**Sent:** Monday, March 25, 2019 2:53 PM  
**To:** 'balma@palmbeachpolice.com' <[balma@palmbeachpolice.com](mailto:balma@palmbeachpolice.com)>; 'jmoriarty@palmbeachpolice.com' <[jmoriarty@palmbeachpolice.com](mailto:jmoriarty@palmbeachpolice.com)>; 'Paul Castro' <[PCastro@TownofPalmBeach.com](mailto:PCastro@TownofPalmBeach.com)>; 'John (Skip) C. Randolph' <[JRandolph@jonesfoster.com](mailto:JRandolph@jonesfoster.com)>

**Cc:** Amanda Quirke <[AQuirke@Lehtinen-Schultz.com](mailto:AQuirke@Lehtinen-Schultz.com)>

**Subject:** Illegal Road Stamps- Emerald Beach Way

Dear Officer Alma, Officer Moriarty, Paul, and Skip,

The Thorntons' illegal road stamps should have been included in CE 19-114, but apparently, they were not. Please see the attached pictures of the illegally painted road signs throughout Emerald Beach Way. There are 13 of them on a single residential street that only has 3 residential lots. As you know, these painted road signs are a direct violation of Section 134-2372(12) (formerly Section 18-842):

No person shall paint, paste, print or nail any paper sign or any advertisement or notice of any kind whatsoever, or cause the same to be done, on any curbstone, flagstone or other portion of any sidewalk or street or upon any tree, lamppost, hitching post, telephone or telegraph pole, hydrant, bridge, workshop or tool shed, or upon any other structure within the limits of the town except by resolution of the town council.

Would you please investigate this matter and enforce the violations. In my view, each one is a separate violation. Please send me a copy of the Notice of Violation. Please advise me when the matter is set for hearing.

## **Amanda Quirke Hand**

Of Counsel

Board Certified in City, County, and Local Government Law

## **Lehtinen Schultz | Attorneys**

**Lehtinen Schultz Riedi de la Fuente**

Sabadell Financial Center, 1111 Brickell Avenue, Suite 2200, Miami, FL 33131

Direct: 305.733.2800 Fax: 305.356.5720

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## Amanda Quirke

---

**From:** Joshua Martin <jmartin@TownOfPalmBeach.com>  
**Sent:** Tuesday, May 14, 2019 10:08 AM  
**To:** Amanda Quirke; John (Skip) C. Randolph; Paul Castro  
**Cc:** John Lindgren; Wayne Bergman; Jay Boodheshwar; Joshua Martin  
**Subject:** RE: Emerald Beach Way

Amanda:

Good morning. I hope this email finds you well.

I was out of the office yesterday and am in the process of catching up. We will send you this information by close of business today.

Thanks again for your continued cooperation in this matter.

Respectfully,  
Josh

**Josh Martin, AICP, CNU-A**  
**Director**

Town of Palm Beach  
Planning, Zoning, Building  
360 S. County Road  
Palm Beach, FL 33480  
Office: 561-227-6401  
Mobile: 843-247-2057  
[www.townofpalmbeach.com](http://www.townofpalmbeach.com)

**From:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Sent:** Tuesday, May 14, 2019 9:53 AM  
**To:** John (Skip) C. Randolph <JRandolph@jonesfoster.com>; Paul Castro <PCastro@TownofPalmBeach.com>; Joshua Martin <jmartin@TownOfPalmBeach.com>  
**Cc:** Amanda Quirke <AQuirke@Lehtinen-Schultz.com>  
**Subject:** Emerald Beach Way

Please send me the written decision that the tow away signs on Emerald Beach Way do not have to go to ARCOM. As you know, there was a previous written communication that the tow away signs would require ARCOM approval.

## Amanda Quirke Hand

Of Counsel  
Board Certified in City, County, and Local Government Law

## Lehtinen Schultz | Attorneys

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Sabadell Financial Center, 1111 Brickell Avenue, Suite 2200, Miami, FL 33131  
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Exhibit N

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