



February 4<sup>th</sup>, 2020

Town of Palm Beach Building Department  
360 S. County Road  
Palm Beach, Florida 33480

Ref: 217 Via Tortuga  
Stop Work Order Appeal

Dear Mr. Bergman,

Having never been in this position before, I would like to begin by stating that while the events that have led me to this point are truly regrettable, they should not be construed as a disregard for the Town Ordinances, your office, the Town Police Department, Public Works, and Code Enforcement. My hope is that by the time you are done reading this you will see that great measures were taken to abide by the Town Ordinances, great measures were taken reduce our footprint on Via Tortuga, and great measures were taken specially to placate the immediate neighbor to the west located at 223 Via Tortuga.

When I applied / pulled the permit of this renovation project in April of 2019, I made a decision NOT to apply for Parking Permits. At the time the scope of work was smaller and therefore our original scheduled time to be onsite was not going to extend beyond mid-November and our work force was going to be smaller. A decision I have now come to regret. Once we started in early May of 2019 unforeseen conditions and changes increased the scope of work. However, I made a unilateral decision not ask for more time as I knew how important it was to my Clients to be able to enjoy their new home that they recently purchased earlier in 2019.

We received our 1<sup>st</sup> ROW Violation on November 1<sup>st</sup>. That afternoon I sent out an email (please see attached) to all pertinent parties that parking on the street was not allowed. We spent that weekend organizing two cargo van rentals, two full time chauffers, and communicating with all of the subs to coordinate the new modus operandi starting Monday morning. While the aforementioned was taking place we received our 2<sup>nd</sup> ROW Violation by 8:30 am Saturday morning the 2<sup>nd</sup> of November. With that second violation in hand we then added a full time valet / parking attendant whose sole responsibility was to sit on a chair at the base of the driveway of 217 Via Tortuga and to monitor the street. Over the span of the last two and a half months, between the two rental van costs (\$22,000.00), two fulltime drivers (\$20,000.00), and the parking attendant (\$8,000.00) we have spent upwards of \$50,000.00. With all of this in place and approximately one week later, a rogue subcontractor pulled up to the property to drop off a hole saw and to remove his tools from the jobsite since he was not returning and the 3<sup>rd</sup> ROW Violation was received.

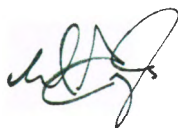
Since then we have managed to go without incident until this week. As the job is 99% complete (a subject I will bring up at later) we had to decommission the site. We had to remove 8 months of materials, tools, personal, etc... On Tuesday of this week I called John Moriarty and emailed him (out of professional courtesy) to inform him of what we were doing that day and that there would be cars parked on the street for that morning while we were decommissioning the job site. (PLEASE NOTE: I mention John Moriarty for informational purposes only. I have nothing but the utmost respect for him and the manner in which he conducts his job.) Demobilizing the jobsite extended into Tuesday afternoon and the 4<sup>th</sup> ROW Violation was issued. The following morning Coastal Gardens, the owner's maintenance company, had a work truck parked on the driveway and another parked on the street while unloading sod patches and other misc. materials. Coastal Gardens has been maintaining this property since it was the Burn's Residence (the previous owners) and is not a subcontractor to us. This is when the 5<sup>th</sup> ROW Violation was handed out. I was informed that morning that while there is an open permit on a property, maintenance crews – even the owners house keeper's vehicle would be considered a construction vehicle. This last fact was one that I was not aware of.

As I mentioned earlier, we are 99% complete with the project. Tew and Taylor will be turning in their inspection log book to the Town between today and Monday in order to close the permit. While I would appreciate any consideration being given to the total cost incurred of the ROW Violations and in light of the cost already incurred, I implore you to please reconsider the Stop Work Order. With the exception of final paint punch, Crestron programing, minor final cleaning, and other minor items – we are complete.

As the owner of Angles Construction and regardless of the circumstances I take full responsibility for the events that have transpired and for that I sincerely apologize for any inconvenience this has caused you, your office and other Town Office's and personal.

In closing, I would like to thank you for your time and consideration and I look forward to hearing from you.

Respectfully,



Digitally signed by Marc F. Angles  
DN: cn=Marc F. Angles, o=Angles  
Construction, Inc., ou=President,  
email=marc@anglesconstruction.  
com, c=US  
Date: 2020.02.04 15:00:25 -05'00'

Marc F. Angles  
President



Marc Angles &lt;anglesconstruction@gmail.com&gt;

**\*\*\*217 VIA TORTUGA PARKING\*\*\***

Marc Angles <marc@anglesconstruction.com> Fri, Nov 1, 2019 at 3:17 PM  
Bcc: Gregory Hale <ghale@benchmark3.com>, Milo Orvis <bm3milo@gmail.com>, Sherri Wilson <sherri@customplumb.com>, James Savnik <james@customplumb.com>, David Elbers <DElbers@fandicorp.com>, David Nichols <drysoxman@aol.com>, "Godfrey, Justin" <Justin-ess@comcast.net>, "Godfrey, Lou" <louis-ess@comcast.net>, Scott Miller <scott.alan.miller.1@gmail.com>, Chris Peetz <chris@peetzwindows.com>, "Renan D. Paredes" <renan@jackvogelplaster.com>, samuelvillafuerte011701 <samuelvillafuerte011701@gmail.com>, al huert <huertaalvino@gmail.com>, Mike Leggett <mleggett@etc.fm>, Fred Ogg <fred@etcsimplify.com>, pawel Kozlowski <kozlowski479@gmail.com>, Hank Benzenberg <hank@etc.fm>

Team 217 -

As of this afternoon we are no longer allowed to have cars parked on the street along Via Tortuga. With that being said, we will be busing workers in from the parking lot of the Publix on Southern, between Parker Ave and Georgia Ave. Please have your employees park in the furthest most northern parking spaces of the parking lot. In other words, as far from Publix as possible.

There will be two bus routes daily. The 1st pick up will take place @ 7:30 am and the second pick up will take place at 8:30 am. Please let me know which time slot you prefer to use and the number of workers that are being transported to make sure we can accommodate that number of passengers.

Drop off will be as follows: First drop off will depart from 217 Via Tortuga @ 4:00 pm and the second drop off from Via Tortuga @ 5:00 pm. Please let me know which time slot you prefer to use and the number of workers that are being transported to make sure we can accommodate that number of passengers.

If you need to drop off materials / tools for the days work prior to or during these hours, please communicate with Scott so we can coordinate driveway space and time slots for these deliveries.

Lastly, we are open to suggestions if any of you know of a better pick up / meeting location.

If you have any questions or concerns - please do not hesitate to call / email me.

Thank you for your cooperation with this.

Best,  
MFA

Marc F. Angles  
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# TOWN OF PALM BEACH POLICE DEPARTMENT

DEDICATED TO EXCELLENCE



January 27, 2020

Mr. Marc F. Angles, President  
Angles Construction, Inc.  
6540 SE Harbor Circle  
Stuart, FL 34996

Dear Mr. Angles,

Thank you for your letter of January 23, 2020 regarding the Stop-Work Order at 217 Via Tortuga.

Prior to any Right-of-Way (ROW) citations being issued by members of the Police Department, Code Enforcement Officer John Moriarty made a courtesy call to you. The purpose of his call was to explain that the Police Department received multiple complaints from various homeowners in the area. Mr. Moriarty also explained that you needed to apply for ROW parking permits to avoid being cited.

ROW permits were not obtained which resulted in the following citations:

11/1/19 - \$450.00 (3 vehicles at \$150.00 each)  
11/2/19 - \$2000.00 (8 vehicles at \$250.00 each)  
11/7/19 - \$500.00 (1 vehicle at \$500.00 each)

Town Ordinance allows ten days after each violation to contest the violation. These citations were not contested until January 23, 2020, which far exceeds the maximum ten-day time frame.

In addition to the parking violations, on Saturday, November 2, 2019, there was active construction work occurring outside on the property. Work on Saturday is a violation of a Town Ordinance. Angles Construction has been working at this site since April, 2019 and should be cognizant that only quiet interior work is allowed on Saturdays.

The inattention to this Town Ordinance resulted in a verbal warning from Code Enforcement. Angles Construction was also issued a ROW violation for the parked construction vehicles. Angles Construction could have also received a Notice of Violation Citation in addition to the ROW violation but received only the lesser of the two penalties.

permits. The contractor expressed his concern that the permits would not be issued in a timely enough manner to prevent additional citations. Mr. Moriarty suggested making copies of the paid receipt(s) to place the windows of each vehicle. The contractor has yet to apply for the ROW parking permits. He has opted instead to continue to park on the street without them. In addition, Code Enforcement Officers have witnessed Angles Construction employees parking cars on Kawama Lane. This has created parking issues on Kawama Lane as well.

On January 21, 2020, a fourth ROW citation was issued in the amount of \$2750.00 (11 vehicles at \$250.00 each).

On January 22, 2020, Angles Construction was issued their fifth ROW citation in the amount of \$1,000.00 (2 vehicles at \$500.00 each). As of January 22, 2020, Angles Construction currently has an outstanding balance of \$6,700.00 in fines.

On multiple occasions, Code Enforcement Officers have visited the 217 Via Tortuga job site, where a parking attendant/valet has not been visible.

Due to the circumstances outlined above, the Stop-Work-Order Appeal must be denied.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nicholas Caristo', with a stylized flourish at the end.

Nicholas Caristo  
Chief of Police