

TOWN OF PALM BEACH

POLICE DEPARTMENT

Code Enforcement Unit

Notice of Violation

10197



Robert Kraus
Respondent's Name

Alonso & Associates Inc
Name of Company/Resident/Business

Respondent's Address

Property/Business Address

YOU ARE NOTIFIED that on Wed. Feb. 16, 2022 at 1008 hrs
(day) (date) (time)

a violation of Obstruction of the right of way w/o permit.
(description of violation)

which violate the following Town of Palm Beach Code of Ordinances: 106-1
(chapter and section)

occurred at: 756 High Mount RD Palm Beach FL, 33480
(violation address)

YOUR OPTIONS ARE INDICATED BELOW:

1) YOU MAY ADMIT to the violation by making payment by mail or in person between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, at the Town's Finance Department at 360 South County Road., Palm Beach, Florida 33480. **NO LATER THAN 5:00 P.M. ON THE MONDAY BEFORE THE SCHEDULED HEARING NOTED BELOW.** The fine amount is \$ 125.00

OR

YOU MAY ELECT TO APPEAR IN PERSON before the Code Enforcement Board on Friday
March 18, 2022 at 2 P.M. in the Town Council Chambers, Town Hall, located at 360 South County Road., Palm Beach, Florida 33480. For further information call 561/227-7080

2) THIS CASE WILL BE HEARD BEFORE THE CODE ENFORCEMENT BOARD on Thursday, _____ at 2 P.M. in the Town Council Chambers, Town Hall, located at 360 South County Road., Palm Beach, Florida 33480. For further information call 561/227-7080

I ACKNOWLEDGE RECEIPT OF THIS CODE ENFORCEMENT NOTICE OF VIOLATION

[Signature]
Signature of Respondent

This will be your only notice of the hearing. Failure to pay the fine or appear at the hearing will result in this matter being held in absentia. The maximum fine imposed may be \$250 for a first offense, \$500 for repeat offenses, or a maximum of \$5,000 if irreparable in nature, in addition to the administrative costs.

J. Feix/9080 2/16/2022 10/0hrs 22-047-075
Code Enforcement/Police Officer - I.D. Date Time Case/CAD #

I WISH TO ADMIT TO THE CHARGES, WAIVE MY RIGHT TO A HEARING AND PAY FINE.

Signature of Respondent

OFF-22-075

TOWN OF PALM BEACH

10214



POLICE DEPARTMENT Code Enforcement Unit Notice of Violation



Robert Kraus

Respondent's Name

561-837-9820

Respondent's Address

Alonso & Associates Inc

Name of Company/Resident/Business

561 837 9820

Property/Business Address

YOU ARE NOTIFIED that on Thursday, March 17, 2022 at 1600 hrs

a violation of Obstruction of the right of way w/o Permit

which violate the following Town of Palm Beach Code of Ordinances: 106-1

occurred at: 756 Hi Mount Rd Palm Beach FL, 33480

YOUR OPTIONS ARE INDICATED BELOW:

1) YOU MAY ADMIT to the violation by making payment by mail or in person between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, at the Town's Finance Department at 360 South County Road., Palm Beach, Florida 33480. **NO LATER THAN 5:00 P.M. ON THE MONDAY BEFORE THE SCHEDULED HEARING NOTED BELOW.** The fine amount is \$ ~~250.00~~ 250.00

OR

2nd offense

YOU MAY ELECT TO APPEAR IN PERSON before the Code Enforcement Board on Thursday, April 21, 2022 at 2 P.M. in the Town Council Chambers, Town Hall, located at 360 South County Road., Palm Beach, Florida 33480. For further information call 561/227-7080

2) THIS CASE WILL BE HEARD BEFORE THE CODE ENFORCEMENT BOARD on Thursday, _____ at 2 P.M. in the Town Council Chambers, Town Hall, located at 360 South County Road., Palm Beach, Florida 33480. For further information call 561/227-7080

I ACKNOWLEDGE RECEIPT OF THIS CODE ENFORCEMENT NOTICE OF VIOLATION

Signature of Respondent

This will be your only notice of the hearing. Failure to pay the fine or appear at the hearing will result in this matter being held in absentia. The maximum fine imposed may be \$250 for a first offense, \$500 for repeat offenses, or a maximum of \$5,000 if irreparable in nature, in addition to the administrative costs.

J Olivares / 0272
Code Enforcement/Police Officer - I.D.

3-17-22
Date

1632 hrs
Time

2022-076-149
Case/CAD #

I WISH TO ADMIT TO THE CHARGES, WAIVE MY RIGHT TO A HEARING AND PAY FINE.

Signature of Respondent

WHITE - PD Case File

BLUE - PD Log

GREEN - Finance

CANARY - Respondent

215-512
CE 22-512

TOWN OF PALM BEACH

POLICE DEPARTMENT

Code Enforcement Unit

Notice of Violation

10215



Robert Kraus
Respondent's Name
561 239 6738
Respondent's Address

Alonso & Associates
Name of Company/Resident/Business
561 837 9320
Property/Business Address

YOU ARE NOTIFIED that on Thursday, March 17, 2022 at 1710 hrs,
a violation of Construction hours / working Pass 1700 hrs (5:00 pm)
(day) (date) (time)
which violate the following Town of Palm Beach Code of Ordinances: 42-199
(description of violation)
occurred at: 756 Hi Mount Rd Palm Beach FL 33480
(chapter and section)
(violation address)

YOUR OPTIONS ARE INDICATED BELOW:

1) YOU MAY ADMIT to the violation by making payment by mail or in person between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, at the Town's Finance Department at 360 South County Road., Palm Beach, Florida 33480. **NO LATER THAN 5:00 P.M. ON THE MONDAY BEFORE THE SCHEDULED HEARING NOTED BELOW.** The fine amount is \$ 250.00

OR

YOU MAY ELECT TO APPEAR IN PERSON before the Code Enforcement Board on Thursday, April 21, 2022 at 2 P.M. in the Town Council Chambers, Town Hall, located at 360 South County Road., Palm Beach, Florida 33480. For further information call 561/227-7080

2) THIS CASE WILL BE HEARD BEFORE THE CODE ENFORCEMENT BOARD on Thursday, _____ at 2 P.M. in the Town Council Chambers, Town Hall, located at 360 South County Road., Palm Beach, Florida 33480. For further information call 561/227-7080

I ACKNOWLEDGE RECEIPT OF THIS CODE ENFORCEMENT NOTICE OF VIOLATION

Signature of Respondent

This will be your only notice of the hearing. Failure to pay the fine or appear at the hearing will result in this matter being held in absentia. The maximum fine imposed may be \$250 for a first offense, \$500 for repeat offenses, or a maximum of \$5,000 if irreparable in nature, in addition to the administrative costs.

J Olivares / 0272 3-17-22 1720 hrs 2022-076-149
Code Enforcement/Police Officer - I.D. Date Time Case/CAD #

I WISH TO ADMIT TO THE CHARGES, WAIVE MY RIGHT TO A HEARING AND PAY FINE.

Signature of Respondent

WHITE - PD Case File BLUE - PD Log GREEN - Finance CANARY - Respondent

E 22-512



TOWN OF PALM BEACH
Planning, Zoning & Building Department

March 23, 2022 Via email & mail: aalonso@alonsoandassociates.com; irucci@iruccilawgroup.com

Alonso & Associates Inc
% Rene Alonso
421 24th St
West Palm Beach, FL 33407

Re: Construction Parking & Construction Site Management Citations –756 Hi-Mount Rd, B-21-88268
STOP WORK ORDER PENDING

As you know, the Town of Palm Beach Standards Applicable To Public Rights-Of-Way And Easements Within The Town Of Palm Beach regulates the number of construction-related vehicles that can be parked on Town streets in conjunction with building project sites within the Town and other construction site matters. Attached to all construction permits issued to a job is information regarding these regulations.

This letter is to serve as notice that on **three** separate occasions you have received citations:

Strike 3 March 18, 2022 (NOV-10214 – Obstruction of Right-of-Way & PW-6406 – Fine for 2nd Strike, PW-6408 for third strike)

Strike 2 March 18, 2022 (NOV-10215 – Construction Hours, working past 5:00pm)

Strike 1 February 16, 2022 (NOV-10197 – Obstruction of Right-of-Way without a permit

Per Town Resolution No. 001-2022, because you have received three strikes, a fine in the amount of \$500 is being imposed and is payable immediately to the Town of Palm Beach. This fine is in addition to all right-of-way fines referenced above (PW6408)

Therefore, under the Town's rules (referred to as the "3-strike" rule), the Chief of Police or the Director of Public Works has notified the Planning, Zoning & Building Department of these violations, and requested that a "Stop Work" order be issued as allowed by Section 18-204 of Town Code.

An appeal to the Chief of Police needs to be submitted in writing within seven (7) calendar days of the date of issuance of the citation. If an appeal is denied or is not filed in a timely fashion, a "Stop Work" order will be issued by the Building Official effective the end of the working day March 29, 2022. After that date, no work may be performed at the site under any permits issued by the Town of Palm Beach.

All requests to lift a "Stop Work" order would need to be decided by the Town Council. The next Town Council meeting date is Tuesday, April 12, 2022. In order for this item to be considered at that meeting, you would need to submit a written request to me no later than **Wednesday, April 6, 2022 prior to 5:00 PM.**

Sincerely,

Wayne Bergman

Wayne Berman
Director, Planning, Zoning & Building Department

cc: Hi Mount LLC, % Rucci Law Group, 10 Old Kings Hwy S, Darien, CT 06820
Jay Boodheshwar, Deputy Town Manager; H. Paul Brazil, Public Works Director; Nicholas Caristo, Police Chief; Benjamin Alma, Support Services Manager

Post Office Box 2029 * 360 South County Road * Palm Beach, FL 33480 * (561) 838-5430



March 29, 2022

Mr. Nicholas Caristo
Chief of Police, Town of Palm Beach
Via Email

Re: 756 Hi-Mount Rd. Citations

Dear Chief Caristo,

I am writing to you in an effort to respectfully appeal the "stop work order pending" due to the citations given to us on the construction site located at 756 Hi-Mount Road. See ROW Violation Notices attached (Strikes 2 and 3).

The following is a description of the three violations that were cited as the three strikes:

Strike I (alleged)

On Wednesday February 16th, 2022 we were given a citation for unloading re-bar where the only thing sticking into the street was part of the cab (Exhibit A). We have two (2) parking passes. We had no other cars parked on the street. This citation, we were told by Julian Felix, would not be a "strike" citation, but just a parking violation. And to that point, we never got a R.O.W Violation Notice advising us that this was "Strike One". In addition, we were told that they would not issue ROW permits on Hi-Mount, a fact that was never told to us when we got our building permit.

Strike II

On Thursday March 17th, 2022 we had a 250 yard concrete pour. This pour had to be done in one day because our slab is a "post-tensioned" slab and "must" be poured with no cold joints. We were struggling to pour within the "allowed working hours" of 9-5. In one instance we had two trucks that were emptying concrete in to the concrete pump. One was sticking out into the street approx 4 feet (Exhibit B). We were given a citation for this. Again we have 2 parking spaces and this would have been no more invasive than if we had a car parked in that spot. Also, I might add that in 25 concrete trucks that were there that day, this was the only incident where we had one stick out into the right of way. And, again we could not pull a ROW permit. We applied for one and it was denied.

Strike III

This was issued to us, also, on Thursday March 17th. While we are well aware of the 9-5 rule these extenuating circumstances of having "one single pour" for this post-tensioned slab required us to go past the 5pm curfew. Stopping the pour at 5:00 would have been devastating and the entire pour would have had to be jack hammered and removed. Of course, we never intended for this to go past 5pm. The inconvenience to the neighbor of going past the 5'o clock curfew would be minuscule compared to the inconvenience that would



have followed. This would have involved jack hammering and core cutting that entire slab from 9am to 5pm over the next 2 months.

When the Strike 3 R.O.W Violation Notice was sent to us on Wednesday March 24, you can imagine that we were dumbfounded since had no idea we had a "strike one".

We also feel that we are being harassed by our neighbor to the north. On Thursday the 17th, a police officer came to the site trailer and told us that we must have "pissed off" someone very powerful because his sergeant told him to drive by the site every hour. In addition, when our project manager asked the code enforcement officer (Mr. Felix) to be patient and explained to him the circumstances of this concrete pour, Mr. Felix told him that his boss has been calling him constantly regarding this job and that there was no way that he was "not" going to give us a violation. While I understand the pressures that a Palm Beach resident can put on code enforcement (I've been building in this town for 25 years) it should also be understood that the persons that we are building for are Palm Beach residents too. I think that strike 1 and 2 could have been avoided by a ROW permit that we could not get and in fact what we were asking for as reasons for a ROW permit were not very intrusive in the end - certainly not any more intrusive than the amount of large landscape trucks parked at the North end of Hi-Mount everyday (Exhibit C).

As to Strike 3, these were extenuating circumstances. While we didn't expect to go past the 5pm curfew, and as much planning that we did, the concrete company did not get off to a good start in the morning and things began to back up. As I explained above, we had no other option. For that we apologize.

In closing, I ask, respectfully, that you dismiss these strikes. We'll pay the fines and we will be better communicators in the future. We still have a long way to go. For example, another 250 yards of concrete for the second floor and the trusses, for this house, will have to be scheduled. All of which will require large equipment and careful planning. On the bright side, this will all happen after May 1. We ask that you please consider our request.

Sincerely,

Rene Alonso, President
Alonso & Associates
CGC017637



TOWN OF PALM BEACH POLICE DEPARTMENT

DEDICATED TO EXCELLENCE



March 29, 2022

Mr. Rene Alonso
Alonso & Associates
421 24th Street
West Palm Beach, FL 33407

Re: Code Violations
756 Hi-Mount Road

Dear Mr. Alonso,

I am in receipt of your appeal request for 756 Hi-Mount Road.

Town Ordinance allows ten days after each violation to contest the violation.

Notice of Violation #10197 for Obstruction of the Right-of-Way Without Permit was issued on February 16, 2022. This was not contested and was paid in full.

Your appeal for Notice of Violation #10214 for Obstruction of the Right-of-Way Without Permit issued on March 17, 2022 is denied.

Your appeal for the third strike for the Notice of Violation #10215 for construction hours outside the allowable hours permitted issued on March 17, 2022 is denied.

After thorough review of the Town Ordinance and the Town's Right-of-Way Manual, along with the violations and the subsequent actions of the construction staff, the request for dismissal of the violations are denied.

With the recent changes in Town ordinances and the Town's commitment to strongly enforce construction site violations, I have an obligation to ensure consistencies in the enforcement and appeal process. You may contact the Planning, Zoning, and Building Department for any next steps in appearing before Town Council or restarting work.

Sincerely,

Nicholas Caristo
Chief of Police

cc: Paul Brazil Public Works Director
Wayne Bergman, Planning Zoning Building Director