



Construction Services Department

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"The Capital City of the Palm Beaches"

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

MINUTES

November 20, 2008

This regular meeting of the City of West Palm Beach Construction Board of Adjustment and Appeals was called to order at 2 p.m. in the City Hall Commission Chambers, 200 2nd Street, West Palm Beach, Florida.

PRESENT: Daniel Canavan, Chairman
Everett Fennell
Timothy Hulihan
Larry Rowe
Kimberly Rothenburg, Assistant City Attorney/Board Counsel
Pamela Yusko, Recording Secretary

ABSENT: Michael Davila
Thomas McCarthy
Keith Spina

APPROVAL OF MINUTES: Motion was made by Larry Rowe and seconded by Everett Fennell to approve the Minutes of the October 16, 2008 meeting. Motion carried.

CASE NUMBER 1337 500 Division
Lot 6
Block 18
Clows Add.
Alice E. Moore
Michael Brown

As Michael Brown was not in attendance at this time, the Board will hear this case at the end of the agenda.

"An Equal Opportunity Employer"

CASE NUMBER 1362 427 Evernia
Lots 7, 8, 9 & 10
Block 18
Town of WPB
Broadway Bank
Susan Tjarksen

Susan Tjarksen was in attendance to present this case to the Board. Also speaking was Brenda Kelly (City of West Palm Beach Community Redevelopment Agency). Tom Moore, Building/Demolition Inspector, represented the City and showed a videotape of the property.

Motion was made by Larry Rowe and seconded by Timothy Hullihan that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED, AND GRANTS AN EXTENSION OF TIME TO THE END OF JANUARY 2009. THE PROPERTY IS TO BE KEPT SECURED DURING THIS TIME. IF CONDITIONS ARE NOT MET, THE DEMOLITION ORDER SHALL BE RE-INSTATED.** Motion carried.

CASE NUMBER 1352 800 Handy Avenue
Lot 38
Block 12
Roosevelt Estates
Arverne Mosely

As no applicant was present, the Notice of Unsafe Building Order on this property shall be reinstated, as was a condition of the previous Order.

CASE NUMBER 1364 4020 Waverly Drive
Lot 14
Block 3
Palm Beach Lakes North PL 1
Yolanda Murray

Yolanda Murray presented this case to the Board. Tom Moore, Building/Demolition Inspector, showed a videotape of the property. Robert Brown, Interim Building Official, also spoke.

Motion was made by Everett Fennell and seconded by Timothy Hulihan that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. A SECURITY FENCE IS TO BE INSTALLED AROUND THE PROPERTY WITHIN SEVEN (7) DAYS. DRAWINGS ARE TO BE SUBMITTED FOR PERMIT AND THE WALLS BRACED WITHIN THE NEXT THIRTY (30) DAYS. CONSTRUCTION IS TO BEGIN WITHIN SIXTY (60) DAYS.** Motion carried.

CASE NUMBER 1363 2485 Metrocentre Blvd.
Metrolodging, LLC
Sanjay Parag

Sanjay Parag presented this case to the Board. Robert Brown, Interim Building Official, represented the City.

Motion was made by Timothy Hulihan and seconded by Larry Rowe that: **A THIRTY (30) DAY EXTENSION OF THE TCO IS GRANTED TO RESOLVE ALL MATTERS. THE OPTION FOR TWO (2) ADDITIONAL TCO EXTENSIONS TO RESOLVE A CURRENT LANDSCAPING ISSUE IS ALSO GRANTED.** Motion carried.

CASE NUMBER 1365 303 Banyan Blvd.
Lots 11-20
Block 53
303 Banyan Blvd., LLC
Rene Tercilla

Rene Tercilla presented this case to the Board. Robert Brown, Interim Building Official, spoke on behalf of the City.

Motion was made by Everett Fennell and seconded by Larry Rowe that: **THE BOARD AGREES WITH ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. VARIANCE IS GRANTED FOR THE USE OF A FOAM-TYPE/URETHANE PRODUCT IN LIEU OF STONE. THE ARCHITECT IS TO PRESENT HIS DATA SHEETS TO THE CITY FOR APPROVAL. IF NOT ACCEPTABLE TO THE CITY, THE ARCHITECT AND CITY SHALL WORK TOGETHER TO FIND A MUTUALLY ACCEPTABLE, NON-COMBUSTIBLE MATERIAL.** Motion carried.

CASE NUMBER 1337 500 Division
Lot 6
Block 18
Clows Add.
Alice E. Moore
Michael Brown

Michael Brown will not be able to attend this hearing. Janie Peters advised that she has no knowledge of the current status. A videotape of the property was shown by Tom Moore, Building/Demolition Inspector.

Motion was made by Larry Rowe and seconded by Everett Fennell that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. AN ENGINEER'S SIGNED AND SEALED PLANS ARE TO BE SUBMITTED TO THE CITY WITHIN THIRTY (30) DAYS, AND THERE MUST BE SOME SORT OF REPRESENTATION AT THE NEXT HEARING. IF THE AUGUST 21, 2008 ORDER IS COMPLIED WITH, THE APPLICANT DOES NOT NEED TO REAPPEAR. IF THESE CONDITIONS ARE NOT MET, THE DEMOLITION ORDER WILL BE REINSTATED.** Motion carried.

As there was no further business to come before the Board at this time, this meeting was adjourned at 3:12 p.m.

Daniel T. Canavan
Chairman