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*"The Capital City of the Palm Beaches"*

## CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

### AGENDA

**November 18, 2004**

This regular meeting of the Construction Board of Adjustment and Appeals will be held on November 18, 2004, at 2 p.m. in the City Commission Chambers, West Palm Beach City Hall, 200 2<sup>nd</sup> Street, West Palm Beach, Florida.

**SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH A MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE HE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND THE EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD.**

- ▶ **CALL TO ORDER/ROLL CALL**
- ▶ **APPROVAL OF MINUTES** from meeting of October 21, 2004

**CASE NUMBER 1170E**      953 39<sup>th</sup> Court  
                                      Lots 11-13  
                                      Block 57  
                                      Northwood Add.  
                                      Alan Mentser

**AND**

**CASE NUMBER 1171E**      957 39<sup>th</sup> Court  
                                      Lots 9 & 10  
                                      Block 57  
                                      Northwood Add.  
                                      Alan Mentser

*"An Equal Opportunity Employer"*

These cases originally came before the Board as emergency demolitions at the meeting of May 2, 2002.

At the meeting of May 2004, the Board issued the following Order for Case #1170E: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS SUBMITTED. THIRTY DAYS IS GRANTED TO LANDSCAPE AND COMPLETE THE EXTERIOR PORTION OF THE CONSTRUCTION. TOTAL OF SIXTY DAYS IS GRANTED TO FINISH THE PROJECT COMPLETELY.**

At the meeting of May 2004, the Board issued the following Order for Case #1171E: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS SUBMITTED. THIRTY DAYS IS GRANTED TO LANDSCAPE AND COMPLETE THE EXTERIOR PORTION OF THE CONSTRUCTION. PETITIONER IS GRANTED UNTIL THE END OF JULY TO COMPLETE THE WORK, AS WAS REFERENCED IN THE LETTER BY THE PROSPECTIVE OWNER.**

<b><u>CASE NUMBER 1183</u></b>	3109 Broadway, Lot 3
<b><u>CASE NUMBER 1184</u></b>	3115 Broadway, Lot 2 Block 42 Northwood Add. Keith Miller

At the meeting of October 21, 2004, the Board decided that: All is satisfactory at this time, however, the Motion from August 19, 2004 to continue with meeting to meeting updates is to remain in effect.

<b><u>CASE NUMBER 1204</u></b>	920 6 <sup>th</sup> Street Lot 6 Block 9 Clows Add. Thelma L. White Thelma W. Rich
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At the meeting of October 21, 2004, the Board ordered that: **APPLICANT IS TO REPORT BACK AT THE NEXT MEETING, WITH THE UNDERSTANDING THAT DRAWINGS WILL HAVE BEEN SUBMITTED FOR PERMIT BY THAT TIME AND WORK WILL HAVE STARTED ON REPLACING THE ROOF AND THE SECOND FLOOR. APPLICANT IS TO ALSO HAVE PLANS WHICH SHOW THAT THE REMAINDER OF THE BUILDING WILL BE BROUGHT UP**

**TO A HABITABLE STATUS. IF THESE CONDITIONS ARE NOT MET, THE DEMOLITION ORDER WILL BE REINSTATED.**

**CASE NUMBER 1190**      620 7<sup>th</sup> Street (aka 624)  
**CASE NUMBER 1189**      620 7<sup>th</sup> Street (aka 638)  
Lot 6  
Block 3  
Clows Add.  
Alice Moore

At the meeting of October 21, 2004, the Board ordered that: **THIS CASE IS TO BE POSTPONED UNTIL THE NOVEMBER 18, 2004 MEETING.**

**CASE NUMBER 1227**      800 N. Sapodilla  
Lot 7  
Block 1  
Amended Plat of Freshwater Add.  
Darden Holdings, Inc.

At the meeting of May 20, 2004, the Board ordered that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS SUBMITTED BY STAFF. DRAWINGS PREPARED BY AN ARCHITECT OR ENGINEER ARE TO BE SUBMITTED FOR PERMIT WITHIN 30 DAYS. DOCUMENTS SHALL INDICATE THAT THE EXISTING STRUCTURE WAS BUILT ACCORDING TO THE CODE AT THE TIME IT WAS BUILT. ALL PERMIT REVIEW COMMENTS ARE TO BE ADDRESSED AND DRAWINGS RESUBMITTED WITHIN 15 DAYS AFTER NOTIFICATION THAT REVISIONS ARE REQUIRED. CONSTRUCTION SHALL START WITHIN 15 DAYS AFTER ISSUANCE OF THE PERMIT, AND SHALL BE SUBSTANTIALLY COMPLETE WITHIN 120 DAYS. WORK MUST STEADILY PROGRESS TO COMPLETION. IF ANY OF THESE REQUIREMENTS ARE NOT MET, THE DEMOLITION ORDER SHALL BE REINSTATED.**

**CASE NUMBER 1264**      1555 Palm Beach Lakes Blvd.  
E. Llwyd Ecclestone, Jr.  
Lynda J. Harris

This case has been postponed from the meeting of October 21, 2004.

The applicant is requesting a variance to the requirements of the Florida Building Code, Section 3401.4, which states that an existing building shall not be increased in height unless the entire building is altered to meet the requirements of the code for a new building. This application is specific to the addition of two new levels (108 parking spaces) to an existing multi-level parking garage. The applicant is requesting to install a fire protection system and fire alarm notification system, in lieu of meeting all the code requirements of a new building.

**CASE NUMBER 1265**      444 W. Railroad Avenue  
Lot 00010  
Block 036  
Subdivision 06  
Court House Commons LLC  
Keith Grant

At the meeting of October 21, 2004, the Board ordered that: **THIS CASE IS TO BE TABLED UNTIL THE MEETING OF NOVEMBER 18, 2004.**

Applicant is appealing the decision of the Building Official and requesting a variance to Table 600, Fire Resistance Ratings of the Florida Building Code, 2001 Edition with 2003 revisions, which regulates the allowable percentage of wall openings. The variance request is to allow the use of the Florida East Coast Railway (FECR) property for the purpose of an assumed property line.

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Neil K. Melick  
Building Official