



*"The Capital City of the Palm Beaches"*

**Construction Services Department**

P.O. Box 3366  
West Palm Beach, Florida 33402  
Telephone: 561/805-6700  
Fax: 561/659-8026

**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

**MINUTES**

**April 15, 2004**

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 2<sup>nd</sup> Street, West Palm Beach, Florida.

**PRESENT:** Charles Adams, Chairman  
Daniel Canavan  
Michael Davila  
Thomas McCarthy  
William Spillias, Assistant City Attorney/Board Counsel  
Pamela Yusko, Recording Secretary

**ABSENT:** Timothy Hulihan

**APPROVAL OF MINUTES:** Motion was made by Thomas McCarthy and seconded by Michael Davila to approve the Minutes of the March 18, 2004 meeting. Motion carried.

**CASE NUMBER 1183** 3109 Broadway, Lot 3  
**CASE NUMBER 1184** 3115 Broadway, Lot 2  
Block 42  
Northwood Add.  
Richard P. Zaretsky, Esq.  
American Residential Marketing

As there was no applicant present at this time to speak on behalf of these Cases, they were both heard at the end of the meeting.

*"An Equal Opportunity Employer"*

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

Contractor Timothy Wingate presented this case to the Board. Presenting the City's findings was Neil Melick, Building Official.

Motion was made by Thomas McCarthy and seconded by Daniel Canavan that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. SIXTY DAYS IS GRANTED TO COME UP WITH A SCHEDULE FOR COMPLETION OF THE PROJECT.** Motion carried.

**CASE NUMBER 1203**      736 Omar Road  
Lot 21  
Block 2  
Seminole Heights  
William J. Villari  
EDC, Inc.

Contractor David Damerou and owner Bill Villari presented a status check to the Board. Tom Moore, Building/Demolition Inspector, and Neil Melick, Building Official, represented the City. A videotape of the property was shown.

After heated discussion regarding work that was done, the City and Board determined that this case must now be heard before the City's Zoning Board. No Motion was necessary, as this case is being referred to the Planning and Zoning Department for further action.

**CASE NUMBER 1204**      920 6<sup>th</sup> Street  
Lot 6  
Block 9  
Clows Add.  
Thelma L. White  
Thelma W. Rich

Contractor Ken Ferruggia spoke on behalf of this Case. Tom Moore, Building/Demolition Inspector, and Neil Melick, Building Official, represented the City.

Motion was made by Daniel Canavan and seconded by Thomas McCarthy that: **SINCE PROGRESS IS BEING MADE AT THIS TIME, AN ADDITIONAL 60 DAYS IS GRANTED IN WHICH TO PROVIDE AN UPDATE BEFORE THE BOARD.** Motion carried.

**CASE NUMBER 1208**      3805 Greenwood  
                                      Lots 13 & 14  
                                      Block 56  
                                      Northwood  
                                      Stephen A. Chetek

Alexandra Payne presented this case to the Board. Speaking in favor of demolition of this property were neighbor Elyse Lee and Northwood Hills Neighborhood Association President Robert Beaulieu. Neil Melick, Building Official, presented the City's findings. A videotape of the property was shown.

Motion was made by Daniel Canavan and seconded by Michael Davila that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT. FIVE (5) DAYS IS GRANTED TO TOTALLY CLEAN UP THE SITE. THIRTY (30) DAYS IS GRANTED TO HAVE PLANS SUBMITTED FOR A PERMIT. IF THIS IS NOT DONE, THE DEMOLITION ORDER WILL BE REINSTATED.** Motion carried, with Charles Adams in opposition.

**CASE NUMBER 1219**      619 32<sup>nd</sup> Street  
                                      Lot 21  
                                      Block 40  
                                      Northwood Add.  
                                      Hamilton Holdings Group, Inc.

Bret Steinhart and Brett Sandman presented this case to the Board. Neil Melick, Building Official, represented the City. A videotape of the property was shown.

Motion was made by Thomas McCarthy and seconded by Michael Davila that: **THIS PROPERTY BE REINSTATED ON THE CITY'S DEMOLITION LIST.** Motion carried, with Daniel Canavan in opposition.

**CASE NUMBER 1228**      4011 Northshore  
                                      Repl. of Blocks 17-19  
                                      Westfield No. 1  
                                      Pastor Gregory Mack

Pastor Gregory Mack and contractor Donald Brown spoke on behalf of this case. Tom Moore, Building/Demolition Inspector, represented the City.

Motion was made by Daniel Canavan and seconded by Michael Davila that: **PETITIONER IS TO APPEAR AT THE NEXT BOARD MEETING WITH AN UPDATED SCHEDULE NOTING WHEN COMPLETION WILL BE ARRANGED.** Motion carried.

**CASE NUMBER 1243**      436 & 438 Lilac Court  
Lot 2  
Block 8  
P.B. No. Resub of Blocks 7 & 8  
Jeffrey S. Viselli

Jeff Viselli presented this case to the Board. Neil Melick, Building Official, presented the City's findings. A videotape of the property was shown.

As the applicant has adhered to the original Motion, the Board determined that he is in compliance and no Motion is necessary, however, he needs to be sure that progress continues.

**CASE NUMBER 1249**      407 Malverne Road (rear)  
Lots 367 & 368  
Estates of SPB Revised  
Arthur Roebuck

Patricia Swindle was in attendance to speak to the Board on behalf of this case. Neil Melick, Building Official, represented the City.

Motion was made by Daniel Canavan and seconded by Thomas McCarthy that: **APPLICANT IS GRANTED THIRTY (30) DAYS TO EITHER DEMOLISH THE REAR STRUCTURE THEMSELVES OR HAVE THE CITY DEMOLISH IT. APPLICANT SHALL MEET WITH THE CITY TO DETERMINE WHAT OTHER FEES ARE NEEDED TO SATISFY THE LIEN.** Motion carried.

At this time, Neil Melick, Building Official, informed the Board that it was determined by the City's Law Department that Orders issued by this Board are final and will be enforced. If deadlines mandated by a Board Order are not adhered to, the case does not

need to appear before the Board again. The applicant must contact the Circuit Court for further action.

**CASE NUMBER 1254**      962 30<sup>th</sup> Street  
Lots 62 & 63  
Block 88  
Northwood Add.  
Paul Raucci  
Todd Burrows

Todd Burrows presented this case to the Board. Speaking on behalf of demolition of this property was neighbor Nicole Kilhefner. Speaking in favor of rehab was Sherry Piland, the City's Historic Preservation Planner. Tom Moore, Building/Demolition Inspector and Neil Melick, Building Official, presented the City's findings. A videotape of the property was shown.

Motion was made by Daniel Canavan and seconded by Michael Davila that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS SUBMITTED BY STAFF. PETITIONER IS TO CONTINUE TO PROVIDE SECURITY TO THE BUILDING AND INSTALL CHAIN LINK FENCING WITHIN FIFTEEN (15) DAYS TO SECURE THE SITE FROM PUBLIC ACCESS. DRAWINGS PREPARED BY AN ARCHITECT OR ENGINEER ARE TO BE SUBMITTED FOR PERMIT WITHIN 120 DAYS. DOCUMENTS SHALL INDICATE THAT THE EXISTING STRUCTURE MEETS, EXCEEDS, OR IS BEING BROUGHT UP TO CURRENT CODES. AFTER SUBMISSION FOR PERMIT, IF THERE ARE ANY PERMIT REVIEW COMMENTS THAT NEED TO BE ADDRESSED, THEY SHALL BE ADDRESSED AND DRAWINGS RE-SUBMITTED WITHIN FIFTEEN (15) DAYS OF NOTIFICATION OF SUCH. CONSTRUCTION IS TO BE SUBSTANTIALLY COMPLETE WITHIN 180 DAYS AFTER COMMENCING WITH THE WORK AND WORK IS TO STEADILY PROGRESS TO COMPLETION. IF NONE OF THESE CONDITIONS ARE MET, THE DEMOLITION ORDER SHALL BE REINSTATED.** Motion carried.

**CASE NUMBER 1255**      650 Okeechobee Blvd.  
Palm Beach County  
Sean M. Hockman

Sean Hockman and Paul Murray spoke on behalf of this case. Neil Melick, Building Official, presented the City's findings.

Motion was made by Daniel Canavan and seconded by Thomas McCarthy that: **PETITIONER IS GRANTED AN ADDITIONAL NINETY DAYS (90) TO OBTAIN A CERTIFICATE OF OCCUPANCY.** Motion carried.

At this time, Cases 1183 and 1184, which were postponed from the beginning of this meeting, were heard.

There was still no applicant in attendance to present this case to the Board. Neil Melick, Building Official, presented the City's findings. A videotape of the property was shown. Motions were made as follows:

**Case 1183** 3109 Broadway, Lot 3, Block 42, Northwood Add.

Motion was made by Daniel Canavan and seconded by Thomas McCarthy that: **THE DEMOLITION ORDER BE REINSTATED.** Motion carried.

**Case 1184** 3115 Broadway, Lot 2, Block 42, Northwood Add.

Motion was made by Michael Davila and seconded by Thomas McCarthy that: **THE DEMOLITION ORDER BE REINSTATED.** Motion carried.

As there was no further business to come before the Board at this time, this meeting was adjourned at 3:45 p.m.

---

Charles S. Adams  
Chairman