



*"The Capital City of the Palm Beaches"*

**Construction Services Department**

P.O. Box 3366  
West Palm Beach, Florida 33402  
Telephone: 561/805-6700  
Fax: 561/805-6676

**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

**MINUTES**

**May 21, 2009**

This regular meeting of the City of West Palm Beach Construction Board of Adjustment and Appeals was called to order at 2:12 p.m. in the City Hall Commission Chambers, 200 2<sup>nd</sup> Street, West Palm Beach, Florida.

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

**ABSENT:** Michael Davila  
Keith Spina

**APPROVAL OF MINUTES:** Motion was made by Tom McCarthy and seconded by Timothy Hulihan to approve the Minutes of the April 17, 2009 meeting. Motion carried.

**CASE NUMBER 1374** 2509 N. Dixie Highway  
Lots 1-8  
Block 16  
Alfie Makboul

Presenting this case to the Board were Alfie Makboul and Harry Gardner. Representing the City was Tom Moore, Building/Demolition Inspector, who provided a videotape of the property.

*"An Equal Opportunity Employer"*

Motion was made by Timothy Hulihan and seconded by Everett Fennell that: **APPLICANT IS GRANTED UNTIL THE MEETING OF JUNE 18, 2009 TO PREPARE A PRESENTATION, WHICH WILL INCLUDE AN ESTIMATE OF COSTS TO RENOVATE THE PROPERTY, AS WELL AS A FINANCIAL PLAN DETAILING HOW COSTS WILL BE MET. PLANS SHALL BE READY TO BE SUBMITTED AT THAT TIME.** Motion carried.

**CASE NUMBER 1379**      438 21<sup>st</sup> Street  
Lot 17  
Block 5  
Pleasant City of West Palm Beach  
Theodore Smith Sr.  
Theodore Smith Jr.

Presenting this case to the Board were Theodore Smith Jr. and Theodore Smith Sr. Representing the City was Building/Demolition Inspector, Tom Moore. A slideshow of the property was shown to the Board.

Motion was made by Timothy Hulihan and seconded by Tom McCarthy that: **APPLICANT IS GRANTED 60 (SIXTY) DAYS TO APPLY FOR A PERMIT, AND SHALL APPEAR BEFORE THIS BOARD AT THE JULY 16, 2009 MEETING WITH A STATUS UPDATE.** Motion carried.

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

Presenting this case to the Board was Michael Brown. Speaking on behalf of the City were Building/Demolition Inspector Tom Moore, Building Official Doug Wise, and Assistant City Attorney Kimberly Rothenburg. A slideshow was shown of the property.

Motion was made by Larry Rowe and seconded by Tom McCarthy that: **APPLICANT IS GRANTED 30 (THIRTY) DAYS TO PROVE THAT THE BUILDING IS SAFE, SHALL TALK WITH HISTORIC PRESERVATION ABOUT THE HISTORIC OPINION ON THE PROPERTY, AND SHALL GET A PLAN IN ORDER. IF THESE CONDITIONS ARE NOT MET, THERE IS NO NEED TO APPEAR AGAIN BEFORE THE BOARD, THE PROPERTY SHALL BE DEMOLISHED.** Motion carried, with Timothy Hulihan in opposition.

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

Presenting this case to the Board was Dean Mosely. Representing the City was Tom Moore, Building/Demolition Inspector.

Motion was made by Larry Rowe and seconded by Timothy Hulihan that: **APPLICANT IS GRANTED A 30 (THIRTY) DAY EXTENSION TO HAVE AN ENGINEERED SET OF PLANS SUBMITTED TO THE BUILDING DEPARTMENT. AFTER SUBMITTAL, ANY COMMENTS SHALL BE REPLIED TO WITHIN 15 (FIFTEEN) DAYS. THERE WILL BE AN UPDATE AT THE NEXT MEETING. IF THESE CONDITIONS ARE NOT MET, THIS PROPERTY SHALL BE DEMOLISHED.** Motion carried.

**CASE NUMBER 1372**      1315 Worthington Street  
Lot 20  
Block 5  
Mercer Park  
Estate of Godlove  
Sharon Restrepo

Motion was made by Timothy Hulihan and seconded by Tom McCarthy that: **AS THERE WAS NO APPLICANT PRESENT, THIS STRUCTURE SHALL BE DEMOLISHED.** Motion carried.

**CASE NUMBER 1340**      376 Forest Hill Blvd.  
Lot 10  
Block A  
Broadmore Sec. 4  
Alceu Souza

Applicant called and advised that they could not appear at this meeting. Tom Moore, Building/Demolition Inspector, represented the City and showed a slideshow of the property.

Motion was made by Larry Rowe and seconded by Tom McCarthy that: **AT THE REQUEST OF THE APPLICANT AND THE CITY, THIS CASE WILL BE CONTINUED AT THE MEETING OF JULY 16, 2009.** Motion carried.

**CASE NUMBER 1381**      801 Northpoint Parkway  
801 Northpoint, LLC  
Alrali Construction Corp.

Presenting this case to the Board were Roberto Gambach and Jose Puig. They showed a photo board to the Board Members. Representing the City was Doug Wise, Building Official.

Motion was made by Larry Rowe and seconded by Tom McCarthy that: **THIS REQUEST FOR VARIANCE IS GRANTED BECAUSE IT APPLIES TO ONLY 2 (TWO) UNITS AND THE MAJORITY OF THE CURB IN QUESTION MEETS THE MINIMUM HEIGHT REQUIREMENT OF THE CODE.** Motion carried.

As there was no further business to come before the Board at this time, this meeting was adjourned at 3:38 p.m.

---

Daniel T. Canavan  
Chairman