



**Construction Services Department**

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

*"The Capital City of the Palm Beaches"*

**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS  
LOCAL CONSTRUCTION REGULATION BOARD**

**MINUTES**

**July 17, 2008**

The 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. Immediately following was a meeting of the Local Construction Regulation Board.

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

**ABSENT:** Everett Fennell  
Keith Spina

**APPROVAL OF MINUTES:** Motion was made by Thomas McCarthy and seconded by Timothy Hullihan to approve the Minutes of the June 19, 2008 meeting. Motion carried.

**CASE NUMBER 1309** 5304 Webster Avenue  
Lots 16 & 17  
Block 4 less 67'  
Colonial Estates  
Robert D. Shorr

*"An Equal Opportunity Employer"*

Presenting this case to the Board was Robert Shorr. Representing the City was Tom Moore, Building/Demolition Inspector. A videotape of the property was shown.

Motion was made by Timothy Hullihan and seconded by Larry Rowe that: **NINETY (90) DAYS IS GRANTED TO HAVE THE STRUCTURE DRIED IN AND DILIGENT CONTINUAL PROGRESS TOWARD COMPLETION IS TO BE SHOWN AFTER THAT. IF THIS DOES NOT OCCUR, IN THE BUILDING DEPARTMENT'S OPINION, THE DEMOLITION ORDER SHALL BE REINSTATED.** Motion carried.

**CASE NUMBER 1355**      Along Intracoastal Waterway at Flagler Drive from Banyan Street to Flagler Memorial Bridge  
Palm Harbor Marina  
Moffatt & Nichol

Frank Proctor presented this case to the Board. Representing the City was Neil Melick, Building Official. Mr. Melick admitted the City's Staff Report and Findings of Fact into evidence.

Motion was made by Larry Rowe and seconded by Thomas McCarthy that: **THE BOARD DOES NOT AGREE WITH OR ACCEPT THE CITY'S FINDINGS OF FACT AS PRESENTED. THIS APPEAL TO DISREGARD THE GUARDRAIL ALONG THE PROPERTY IN QUESTION IS GRANTED, BASED ON THE FACT THAT BOATS MAY BE LOADED AND UNLOADED UP AGAINST THE SEAWALL.** Motion carried.

As there was no further business to come before the Construction Board of Adjustment and Appeals at this time, a Motion was made by Thomas McCarthy, seconded by Timothy Hullihan, to adjourn this meeting at 2:31 p.m.

### **LOCAL CONSTRUCTION REGULATION BOARD**

This meeting of the Local Construction Regulation Board was called to order at 2:31 p.m.

► **CALL TO ORDER/ROLL CALL**

*"An Equal Opportunity Employer"*

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

**Absent:** Everett Fennell  
Keith Spina

**LCRB CASE NUMBER 5**

John C. Cassidy A/C Inc.  
John C. Cassidy, Jr.

John Cassidy and Dale Vernatter presented this case to the Board. Representing the City were Neil Melick, Building Official, and Harold Moser, Chief Mechanical Inspector.

Motion was made by Thomas McCarthy and seconded by Timothy Hulihan that: **THE BOARD FINDS THAT CASSIDY A/C INC. IS NOT IN WILLFUL VIOLATION OF THE CODE. EVERY EXPIRED PERMIT PULLED BY THE APPLICANT SINCE 2005 IS TO BE CLEARED BY THEM.** Motion carried.

As there was no further business to come before the Board at this time, this meeting was adjourned at 3:41 p.m.

---

Daniel Canavan  
Chairman