



**Construction Services Department**

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

*"The Capital City of the Palm Beaches"*

**CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

**MINUTES**

**September 15, 2005**

This regular meeting of the City of West Palm Beach Construction Board of Adjustment and Appeals was called to order at 2:05 p.m. in the City Hall Commission Chambers, 200 2<sup>nd</sup> Street, West Palm Beach, Florida.

**PRESENT:** Daniel T. Canavan, Chairman  
Michael Davila  
Everett Fennell  
Larry Rowe  
Jennifer Hunecke, Assistant City Attorney/Board Counsel  
Pamela Yusko, Recording Secretary

**LATE:** Timothy Hulihan  
Keith Spina

**ABSENT:** Thomas McCarthy

**APPROVAL OF MINUTES:** Motion was made by Michael Davila and seconded by Larry Rowe to approve the Minutes of the August 18, 2005 meeting. Motion carried.

**CASE NUMBER 1279**      954 30<sup>th</sup> Court  
Lots 60 & 61  
Block 89  
Northwood Addition  
Leroy & Virginia Rushing

Neil Melick, Building Official, spoke on behalf of this case and asked that it be continued at the next regularly scheduled meeting.

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Motion was made by Michael Davila and seconded by Everett Fennell that: **THIS CASE WILL BE HEARD AT THE NEXT REGULARLY SCHEDULED MEETING.** Motion carried.

**CASE NUMBER 1281**      805 20<sup>th</sup> Street (2 structures)  
Lot 19  
Block 6  
Washington Heights  
Michael Edwards

Presenting this case to the Board was Michael Edwards. Representing the City were Neil Melick, Building Official and Tom Moore, Building/Demolition Inspector. A videotape of the property was shown.

Motion was made by Michael Davila and seconded by Timothy Hulihan that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. THE PROPERTY IS TO BE BOARDED AND SECURED WITHIN SEVEN (7) DAYS. PLANS ARE TO BE SUBMITTED FOR PERMIT IN SIXTY (60) DAYS. IF THERE ARE ANY QUESTIONS RESULTING FROM THE CITY'S REVIEW OF THE PLANS, THEY ARE TO BE RESPONDED TO WITHIN FIFTEEN (15) DAYS. AFTER THE PERMIT IS OBTAINED, CONSTRUCTION IS TO BEGIN IMMEDIATELY, WITH SUBSTANTIAL COMPLETION WITHIN SIX (6) MONTHS AFTER ISSUANCE OF THE PERMIT. IF ANY OF THESE DEADLINES ARE NOT MET, THE DEMOLITION ORDER WILL BE REINSTATED.** Motion carried.

**CASE NUMBER 1282**      809 N. Dixie Highway  
Lots 5,6,7,8  
Block 4  
Brelsford Park  
Dixie Partners, LLC  
Jeffrey H. Kotzen, MD

James Centanni Jr. and Jeff Kotzen presented this case to the Board. Speaking on behalf of the City were Neil Melick, Building Official and Mike Carsillo, Fire Marshal.

Motion was made by Michael Davila and seconded by Timothy Hulihan that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS SUBMITTED, AS WELL AS THE TESTIMONY PRESENTED; THAT UNDER**

**THE 2004 CODE, THE EGRESS REQUIREMENTS WOULD BE WHAT THIS VARIANCE IS GRANTED FOR. VARIANCE IS GRANTED WITH THE PROVISOS THAT THEY ADHERE TO MANDATORY POSTING THAT THE OCCUPANCY IS LIMITED TO 30 PEOPLE PER FLOOR. THE FIRE PROTECTION SYSTEM SHALL BE CONTINUOUSLY MONITORED AND ALWAYS MAINTAINED. Motion carried.**

**CASE NUMBER 1283**      813 6<sup>th</sup> Street  
Lot 11  
Block 5  
Clows Add.  
Lulila Green  
James Van Dyke

Jim Telepman presented this case to the Board. Representing the City were Neil Melick, Building Official and Friederike Mittner, Historic Preservation Planner. A videotape of the property was shown.

Motion was made by Keith Spina and seconded by Timothy Hulihan that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. NINETY (90) DAYS EXTENSION IS GRANTED FOR THE APPLICANT TO AGAIN APPEAR BEFORE THIS BOARD AND SHOW CLEAR TITLE. THEY SHALL ALSO HAVE A STRUCTURAL ENGINEER OR REGISTERED ARCHITECT SUBMIT A REPORT STATING THAT THEY ARE CAPABLE OF RENOVATING THE STRUCTURE, AND AN IDEA OF COST ESTIMATE FROM A GENERAL CONTRACTOR. Motion carried.**

**CASE NUMBER 1284**      5800 Corporate Way (Autism Project of Palm Beach Co.)  
Len Tylka

Len Tylka presented this case to the Board. Speaking on behalf of the City were Neil Melick, Building Official and Mike Carsillo, Fire Marshal.

Motion was made by Larry Rowe and seconded by Keith Spina that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. THIS VARIANCE IS GRANTED BASED ON THE FACT THAT THERE IS A SPRINKLER SYSTEM IN PLACE. OCCUPANCY MUST BE POSTED AT NO MORE THAN 99 PEOPLE. Motion carried.**

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

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Daniel T. Canavan  
Chairman

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