



Construction Services Department

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"The Capital City of the Palm Beaches"

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

MINUTES

October 20, 2005

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 2nd Street, West Palm Beach, Florida.

PRESENT: Daniel Canavan, Chairman
Michael Davila
Everett Fennell
Timothy Hullihan
Thomas McCarthy
Larry Rowe
Jennifer Hunecke, Assistant City Attorney/Board Counsel
Pamela Yusko, Recording Secretary

ABSENT: Keith Spina

APPROVAL OF MINUTES: Motion was made by Timothy Hullihan and seconded by Michael Davila to approve the Minutes of the September 15, 2005 meeting. Motion carried.

CASE NUMBER 1286 614 33rd Street
Lot 8
Block 40
Northwood Addition
American Engineering & Contractor's Inc.
Elaine M. Gatsos, Esq.

Elaine Gatsos, Shahan Hasseli and Ghasem Khavanin presented this case to the Board. Representing the City were Neil Melick, Building Official and Friederike Mittner, Historic Preservation Planner. City staff's report and video were entered as evidence.

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Motion was made by Michael Davila and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. BASED ON TESTIMONY BY THE BUILDING OFFICIAL, 60 DAYS ARE GRANTED TO SUBMIT PLANS. ANY COMMENTS FROM THE CITY REGARDING THE PLANS ARE TO BE ADDRESSED WITHIN 15 DAYS AND RESUBMITTED. ONCE A PERMIT IS ISSUED, CONSTRUCTION IS TO COMMENCE IMMEDIATELY AND BE COMPLETED WITHIN 180 DAYS. IF ANY OF THESE CONDITIONS ARE NOT MET, THE DEMOLITION ORDER WILL BE REINSTATED.** Motion carried.

CASE NUMBER 1285 1215 Henrietta Avenue
Lot 1
Block 21
Freshwater Add.
James Wilson Jr.
Gregory Wilson

Merry Herring and Erica Wilson presented this case to the Board. Representing the City was Neil Melick, Building Official. City staff's report and video were admitted into evidence.

Motion was made by Everett Fennell and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. THE PROPERTY IS TO BE BOARDED AND SECURED WITHIN 7 DAYS. APPLICANT IS TO APPEAR AT THE DECEMBER MEETING WITH PROOF OF FINANCING, AS WELL AS A REPORT FROM AN ARCHITECT OR ENGINEER AS TO VALUE/NEED/EXTENT OF REPAIRS. AT THAT TIME, APPLICANT SHALL ADVISE THE BOARD OF THEIR INTENT CONCERNING THE PROPERTY.** Motion carried.

CASE NUMBER 1279 954 30th Court
Lots 60 & 61
Block 89
Northwood Addition
Leroy & Virginia Rushing

Charlene Montford, Economic & Community Development Director, presented this case to the Board and requested that it be continued to the November meeting, pending sale to the City.

Motion was made by Thomas McCarthy and seconded by Timothy Hulihan that: **THIS CASE WILL BE CONTINUED AT THE NOVEMBER MEETING.** Motion carried.

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

Tim Wingate presented this case to the Board. Speaking on behalf of the City were Tom Moore, Building/Demolition Inspector, and Neil Melick, Building Official. City staff's report and video were admitted as evidence.

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. APPLICANT IS GRANTED UNTIL THE NOVEMBER MEETING TO SUBMIT PLANS TO THE CITY. ANY COMMENTS FROM THE CITY CONCERNING THE PLANS ARE TO BE ADDRESSED WITHIN 15 DAYS. AFTER PERMIT ISSUANCE, CONSTRUCTION IS TO BE COMPLETE WITHIN 120 DAYS.** Motion carried.

CASE NUMBER 1154 619 4th Street
Lot 16
Block 17
Clows Add.
Virgil Lee & Rosa Bolden

Virgil Lee Bolden and Garabet Khatchikian presented this case to the Board. Representing the City were Tom Moore, Building/Demolition Inspector, and Neil Melick, Building Official. City's staff report and video were admitted as evidence.

Motion was made by Michael Davila and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. THIRTY (30) DAYS ARE GRANTED FOR PLANS TO BE SUBMITTED FOR PERMIT. ANY COMMENTS FROM THE CITY CONCERNING THE PLANS ARE TO BE ADDRESSED WITHIN 15 DAYS. ONCE A PERMIT IS ISSUED, 90 DAYS ARE GRANTED TO COMPLETE CONSTRUCTION. IF NONE OF THESE CONDITIONS ARE MET, THE DEMOLITION ORDER IS TO BE REINSTATED.** Motion carried, with Timothy Hulihan in opposition.

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As there were no further cases to come before the Board, this meeting was adjourned at 3:35 p.m., and the election of officers was held immediately afterward. At this time, Thomas McCarthy left the meeting.

Other Business – Election of Officers

Nomination was made by Timothy Hulihan and seconded by Everett Fennell that Daniel Canavan remain as Chairman. Nomination was accepted. All were in favor.

Nomination was made by Michael Davila and seconded by Everett Fennell that Timothy Hulihan remain as Vice-Chairman. Nomination was accepted. All were in favor.

It was suggested that Neil Melick, Construction Services Director, research revising the Board's fee structure for appearances before the Board, to include a fee for reappearing.

Daniel T. Canavan
Chairman