



"The Capital City of the Palm Beaches"

Construction Services Department

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CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

MINUTES

October 21, 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 2nd Street, West Palm Beach, Florida.

PRESENT: Daniel Canavan, Chairman
Michael Davila
Everett Fennell
Timothy Hulihan
Keith Spina
William Spillias, Assistant City Attorney/Board Counsel
Pamela Yusko, Recording Secretary

ABSENT: Thomas McCarthy
Larry Rowe

APPROVAL OF MINUTES: Motion was made by Timothy Hulihan and seconded by Michael Davila to approve the Minutes of the regular meeting of August 19, 2004. Motion was made by Michael Davila and seconded by Timothy Hulihan to approve the Minutes of the emergency meeting of September 16, 2004. Both Motions carried.

Board Member Everett Fennell stated at this time that his firm has been involved with the applicants in the first case (Case 1228). He will submit a conflict memorandum and refrain from voting.

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

"An Equal Opportunity Employer"

Pastor Gregory Mack, as well as his contractor, was presenting this case to the Board. Representing the City were Tom Moore, Building/Demolition Inspector, and Neil Melick, Building Official. A videotape was shown of the property.

Motion was made by Timothy Hulihan and seconded by Michael Davila that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. SINCE PROGRESS AND INTENT TO COMPLETE HAS BEEN SHOWN BY THE APPLICANT, AN EXTENSION OF 120 DAYS IS GRANTED FOR COMPLETION.** Motion carried.

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| <u>CASE NUMBER 1183</u> | 3109 Broadway, Lot 3 |
| <u>CASE NUMBER 1184</u> | 3115 Broadway, Lot 2 Block 42 Northwood Add. Keith Miller |

Keith Miller presented these cases to the Board. Representing the City were Tom Moore, Building/Demolition Inspector and Neil Melick, Building Official. A videotape of the properties was shown.

All is satisfactory at this time, however, the Motion from August 19, 2004 to continue with meeting to meeting updates is to remain in effect.

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| <u>CASE NUMBER 1254</u> | 962 30 th Street Lots 62 & 63 Block 88 Northwood Add. William V. Ayers |
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William Ayers presented this case to the Board. Representing the City were Tom Moore, Building/Demolition Inspector, Neil Melick, Building Official, and Sherry Piland, Historic Preservation Planner. Speaking against allowing any additional time for repair was neighbor Nicole Kilhefner. A videotape of the property was shown.

Motion was made by Timothy Hulihan and seconded by Everett Fennell that: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. PROPERTY IS TO BE CLEANED UP WITHIN 5 DAYS AND THE COLLAPSED FENCE SECURED WITHIN 14 DAYS. FOURTEEN DAYS IS GRANTED TO APPLY FOR A BUILDING PERMIT. RESPOND TO ANY COMMENTS FROM THE BUILDING DEPARTMENT WITHIN 14 DAYS AFTER NOTIFICATION OF SUCH. CONSTRUCTION IS TO COMMENCE**

UPON ISSUANCE OF THE PERMIT. CERTIFICATE OF OCCUPANCY IS TO BE OBTAINED WITHIN 120 DAYS. IF NONE OF THESE ITEMS OR THRESHOLDS WITHIN THE TIMELINES IS MET, THE DEMOLITION ORDER IS TO BE REINSTATED. Motion carried.

CASE NUMBER 1190 620 7th Street (aka 624)
CASE NUMBER 1189 620 7th Street (aka 638)
 Lot 6
 Block 3
 Clows Add.
 Alice Moore

Neil Melick, Building Official, stated that at the request of the City's Economic and Community Development Department, this case will be postponed to the next scheduled meeting.

Motion was made by Timothy Hullihan and seconded by Keith Spina that: **THIS CASE IS TO BE POSTPONED UNTIL THE NOVEMBER 18, 2004 MEETING.** Motion carried.

CASE NUMBER 1204 920 6th Street
 Lot 6
 Block 9
 Clows Add.
 Thelma L. White
 Thelma W. Rich

Presenting this case to the Board were Thelma Rich and Gwendolyn Todd. Representing the City were Tom Moore, Building/Demolition Inspector, Neil Melick, Building Official, and Sherry Piland, Historic Preservation Planner. Jose Cardona also spoke on behalf of the applicant. A videotape of the property was shown.

Motion was made by Keith Spina and seconded by Everett Fennell that: **APPLICANT IS TO REPORT BACK AT THE NEXT MEETING, WITH THE UNDERSTANDING THAT DRAWINGS WILL HAVE BEEN SUBMITTED FOR PERMIT BY THAT TIME AND WORK WILL HAVE STARTED ON REPLACING THE ROOF AND THE SECOND FLOOR. APPLICANT IS TO ALSO HAVE PLANS WHICH SHOW THAT THE REMAINDER OF THE BUILDING WILL BE BROUGHT UP TO A HABITABLE STATUS. IF THESE CONDITIONS ARE NOT MET, THE DEMOLITION ORDER WILL BE REINSTATED.** Motion passed, with Timothy Hullihan in opposition.

CASE NUMBER 1267 500-506 Kanuga Drive
Lots 6 & 7
Block 9
Flamingo Park
Alan R. Patrusevich

Presenting this case to the Board was Michael Docsh. Also speaking was new owner, Mike Maher. Representing the City were Tom Moore, Building/Demolition Inspector, Neil Melick, Building Official and Captain Mike Carsillo, Fire Department. A videotape of the property was shown.

Motion was made by Keith Spina and seconded by Everett Fennell that: **AN EXTENSION OF ONE YEAR IS GRANTED FOR COMPLETION.** Motion passed, with Timothy Hulihan in opposition.

CASE NUMBER 1264 1555 Palm Beach Lakes Blvd.
E. Llwyd Ecclestone, Jr.
Lynda J. Harris

At the applicant's request, this case has been postponed to the November 18, 2004 meeting.

CASE NUMBER 1265 444 W. Railroad Avenue
Lot 00010
Block 036
Subdivision 06
Court House Commons LLC
Keith Grant

Board Member Keith Spina stated that, although he has had contact with the applicant's attorney, he is able to make an impartial decision when voting.

Presenting this case to the Board were Kerry Kilday, Larry Alexander, Peter McAllister and Noel Kucich. Representing the City were Neil Melick, Building Official, Captain Mike Carsillo, Fire Department and Ana Maria Aponte, Planning Department.

After lengthy discussion, a Motion was made by Timothy Hulihan and seconded by Keith Spina that: **THIS CASE IS TO BE TABLED UNTIL THE MEETING OF NOVEMBER 18, 2004.** Motion carried.

CASE NUMBER 1268 419 Lakeview Avenue
Lots 1-8 and 13-20
Block 57
Opera Place LLC
Luis Latorre

Presenting this case to the Board was Luis Latorre. Representing the City were Neil Melick, Building Official and Captain Mike Carsillo, Fire Department.

Motion was made by Timothy Hulihan and seconded by Michael Davila that: **THE BOARD ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. VARIANCE IS GRANTED WITH THE CONDITION THAT AN NFPA 13-D APPROVED FIRE SPRINKLER SYSTEM SHALL BE INSTALLED AND THE TEMPORARY STRUCTURE IS TO BE REMOVED WITHIN 24 MONTHS.** Motion carried.

CASE NUMBER 1269 809 N. Dixie Highway
Lots 5-8
Block 4
Brelsford Park
Dixie Partners, LLC
Jeffrey H. Kotzen, M.D.

Presenting this case to the Board was James Centanni, Jr. Representing the City were Neil Melick, Building Official and Captain Mike Carsillo, Fire Department.

Motion was made by Timothy Hulihan and seconded by Keith Spina that: **FIRE SPRINKLERS AND AN ACCEPTABLE SECONDARY MEANS OF EGRESS, WHICH IS ACCEPTABLE TO BOTH THE CONSTRUCTION SERVICES DEPARTMENT AND THE FIRE DEPARTMENT, IS TO BE PROVIDED.** Motion carried.

CASE NUMBER 1270 401 Evernia Street
Lots 1,2,3,4
Block 19
Evernia Properties LLLP
Enrique Dillon

This case was withdrawn at the applicant's request.

As there was no further business to come before the Board at this time, this meeting was adjourned at 5:40 p.m.

Daniel T. Canavan
Chairman