



Construction Services Department

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"The Capital City of the Palm Beaches"

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

MINUTES

February 24, 2006

This regular/special 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
Everett Fennell
Timothy Hulihan (arrived after roll call)
Thomas McCarthy
Larry Rowe
Keith Spina
Jennifer Hunecke, Assistant City Attorney/Board Counsel
Pamela Yusko, Recording Secretary
Neil Melick, Building Official
Ken Conrad, Chief Building Inspector
Renee Broderick, Demolition Secretary

ABSENT: Michael Davila

APPROVAL OF MINUTES: Motion was made by Thomas McCarthy and seconded by Everett Fennell to approve the Minutes of the January 19, 2006 meeting. Motion carried.

CASE NUMBER 1283

813 6th Street
Lot 11
Block 5
Clows Add.
Lulila Green
James Van Dyke

"An Equal Opportunity Employer"

Jim Van Dyke presented this case to the Board. Representing the City was Neil Melick, Building Official, who submitted the City's staff report and Findings of Fact on the property.

Motion was made by Keith Spina and seconded by Thomas McCarthy that: **THIS CASE WILL BE HEARD AT THE NEXT REGULARLY SCHEDULED MEETING. APPLICANT IS TO APPEAR WITH A BUDGET ESTIMATE FROM THE GENERAL CONTRACTOR AND A DECISION AS TO WHETHER OR NOT HE WILL BUY THE PROPERTY.** Motion carried.

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

Merry Herring presented this case to the Board. Speaking on behalf of the City was Neil Melick, Building Official, who submitted the City's staff report and Findings of Fact on the property.

Motion was made by Everett Fennell and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. APPLICANT IS TO APPEAR AT THE NEXT REGULARLY SCHEDULED MEETING WITH A LETTER FROM THE OWNER AUTHORIZING HER TO REPRESENT HIM CONCERNING THIS CASE. APPLICANT SHALL ALSO PROVIDE AN ESTIMATE OF CONSTRUCTION COSTS TO RENOVATE THE PROPERTY, AS WELL AS A REPORT FROM AN ARCHITECT OR ENGINEER.** Motion carried, with Timothy Hulihan in opposition.

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

Boone Darden presented this case to the Board. Neil Melick, Building Official, presented the City's staff report and Findings of Fact.

Motion was made by Timothy Hulihan and seconded by Thomas McCarthy that: **THE CITY AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. COMMENTS ARE TO BE RETURNED TO THE CITY WITH ALL NECESSARY UPDATES AND CORRECTIONS TO THE DOCUMENTS WITHIN 15 DAYS OF THIS MEETING AND ANY OTHER PRIOR OR SUBSEQUENT COMMENTS ARE TO BE ADDRESSED IN A LIKE MANNER (15 DAYS FOR RE-SUBMITTAL TO THE CITY). THIS EFFORT SHALL CONTINUE DILIGENTLY UNTIL THE PERMIT IS OBTAINED. AFTER ISSUANCE OF THE PERMIT, 120 DAYS ARE GRANTED FOR COMPLETION OF THE PROJECT. IF THESE CONDITIONS ARE NOT MET, THE DEMOLITION ORDER SHALL BE REINSTATED.** Motion carried.

CASE NUMBER 1288 610 Clematis
 BAP Clematis, LLC
 Luis Latorre

Luis Latorre, Raymond MacKeen and Greg Kino spoke on behalf of this case. Neil Melick, Building Official, presented the City's staff report and Findings of Fact.

Motion was made by Larry Rowe and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. APPLICANT IS GRANTED UNTIL MAY 9, 2006 TO OBTAIN A CERTIFICATE OF OCCUPANCY. WATER ISSUES/PROBLEMS ARE TO BE ADDRESSED AND APPLICANT AGREES TO PAY \$500 PER MONTH FOR EVERY 30 DAYS OR PART THEREOF FOR THE TEMPORARY CERTIFICATE OF OCCUPANCY EXTENSION.** Motion carried, with Timothy Hulihan in opposition.

CASE NUMBER 1289 1003 Allendale Road
 Holy Spirit Episcopal Church, Inc.
 Howarth L. Lewis Jr., FAIA

Presenting this case to the Board were Howarth Lewis and Father Hallock Martin. Neil Melick, Building Official, presented the City's staff report and Findings of Fact. The City Fire Department was represented by Fire Marshall Mike Carsillo.

Motion was made by Timothy Hulihan and seconded by Keith Spina that: **THIS CASE SHALL BE CONTINUED AT THE NEXT REGULARLY SCHEDULED MEETING.** Motion carried.

CASE NUMBER 1290 4545 Maravilla Way
Town & Country Builders
Melanie McDonald

David Wallace, John Smollett and Paul Bohres presented this case to the Board. Neil Melick, Building Official, presented the City's staff report and Findings of Fact. The City Fire Department was represented by Fire Marshall Mike Carsillo.

Motion was made by Timothy Hulihan and seconded by Everett Fennell that: **THIS REQUEST FOR VARIANCE IS DENIED.** Motion carried.

As there was no further regular business to come before the Board at this time, this meeting was adjourned at 3:55 p.m.

SPECIAL MEETING

This special meeting of the City of West Palm Beach Construction Board of Adjustment and Appeals was called to order at 3:57 p.m. in the City Hall Commission Chambers, 200 2nd Street, West Palm Beach, Florida.

EMERGENCY DEMOLITIONS

As Cases 1291 and 1292 share the same applicant and owner, they were heard at one time.

CASE NUMBER 1291 324 & 326 Trinity Place
Lot 9
Block E
Phillips Point
Love 718 Dixie, LLC
Shutts & Bowen LLP

CASE NUMBER 1292 330 Trinity Place
Lot 10
Block E
Phillips Point Add.
Love 718 Dixie, LLC
Shutts & Bowen LLP

Presenting both these cases to the Board was Attorney Larry Alexander. Neil Melick, Building Official, presented the City's staff reports and Findings of Fact.

CASE 1291: Motion was made by Timothy Hulihan and seconded by Thomas McCarthy that: **THIS REQUEST FOR APPEAL IS DENIED.**

CASE 1292: Motion was made by Timothy Hulihan and seconded by Larry Rowe that: **THIS REQUEST FOR APPEAL IS DENIED.**

As there was no further business to come before the Board at this time, this special meeting was adjourned at 4:25 p.m.

Daniel T. Canavan
Chairman