

MINUTES
CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS
November 14, 2013

1. CALL TO ORDER/CONVENE AS CBAA

The Vice Chairman, Ron Dixon, called the meeting to order at 2:00 pm in the Vista Center 1st Floor Hearing Room 1E-47, Palm Beach County Planning, Zoning & Building Department, 2300 North Jog Road, West Palm Beach, Florida.

1.A. ROLL CALL

MEMBERS PRESENT

Ron Dixon, Vice Chair

Peter Dzenutis

Bart Rasper

Margie Walden

Tom Donegan

MEMBERS ABSENT

Marc Weiner, Chair

Michael Walker

OTHERS PRESENT

Doug Wise, Building Official

Richard Gathright, Deputy Building Official

John Blake, Construction Services Coordinator

Shannon Fox, Asst. County Attorney

Anne Helfant, Asst. County Attorney

Vickie Day, Recording Secretary & Notary

Amanda Myer, Administrative Assistant

Daniel King

Mr. & Mrs. Santos

1.B. Approval of Minutes. *The motion was made to approve the minutes of September 12, 2013 meeting. The motion was seconded and carried unanimously.*

2. ADDITIONS & DELETIONS – NONE

3. NEW BUSINESS Vickie Day swore in all those giving testimony.

3.A. Case #13-0004 - 15694 89th Place Loxahatchee, Florida 33470; PBC Amendments Section 116

John Blake provided the history of the property and showed a presentation of photographs. *Exhibit A were put into evidence.*

8/11/2011 – House fire occurred

9/17/2012 – Case was referred by Code Enforcement

9/18/2012 – Site Inspection performed by the Building Department

9/19/2012- *Notices of Intent to Demolish or Substantially Repair and Inspect*, were posted on the site and at the courthouse

9/19/2012- *Notices of Intent to Demolish or Substantially Repair and Inspect*, along with an Appeal application were sent certified mail and first class to the owners

11/5/2012 – Re-inspection was made. No attempt to remove the unsafe condition was observed.

12/18/2012 – An Asbestos survey and a request for demolition was made

2/26/2013 – Demolition permit was issued to the BG Group

3/21/2013 & 4/10/2013 – Site visits were made and it was discovered that the owner was demolishing the structure himself.

5/10/2013- A site visit was made. The slab and septic tank remained. Nearly all structural debris had been removed. BG Group advised they would not demolish just the slab and the septic tank. The owner advised Building department if they could sell the property as is with slab and septic tank.

Mr. Wise states the applicant asks if they could keep the slab and septic tank; from the County's perspective it is an attractive nuisance, there is no use for it, we do not know if everything was abandoned correctly as the owner did not pull permits and did hire a contractor. Asbestos survey was not done at the time. The plumbing can not be inspected as the pipes are under the ground.

Mr. King states he is the owner and is here to state his case. The purchasers are present as well. The only item that is outstanding is to update the plans to the current Building Code. The plumbing was effected by the fire, however, the septic tank was not so we are looking to keep the septic tank. We are looking to rebuild a structure similar to the original.

Mr. Rasper asks if there is a contract on the house and has money changed hands.

Mr. King advised yes we have any attorney, contract was drawn and Mr. Santos has paid payments.

Ms. Walden asks who is living on the property now?

Mr. King replies that Mr. Santos and his wife are living there in a mobile home with a portable toilet. They are not using the septic tank.

Ms. Walden asks how to you control neighborhood children from getting onto the property.

Mr. King states there is a fence, beware of dog signs and with the Santos living on property. I keep an eye on the property as well as I live down the street.

Mr. Dixon asks the appellant how much time would he need to correct the situation.

Mr. King says 5-6 months to be able to get the permits and complete building the structure.

Mr. Dixon asks how much time to get the proper documents to the building department to obtain the permits and get started on the structure.

Mr. King says they have an engineer working on the updated plans. Owner/builder permit

Mr. Dzenutis asks how the slab and septic can be encompassed in the new plans.

Mr. Wise reiterates that a licensed engineer review and approves the plans; Health department reviews.

Ms. Walden asks what has been done since May 2013 to correct the situation.

Mr. Rasper asks how do they know that the 21 year old septic tank in good condition

Ms. Walden asks staff what does the timeline look like to have everything completed

Mr. Wise it depends on the appellant. If an engineer, contractor and architect could come back in a short amount of time with new plans to use the slab and septic tank at least 60 days. Owner/builder would certainly be longer. It is more time than I as the Building Official can extend.

Mr. Gathright mentions that conceivably the septic tank would not have to be changed to be meet standards. Whatever was the standard back in 2012.

Mr. Rasper – I make a motion that we grant the applicant 60 days to secure new drawings and financing. At the end of the sixty (60) day extension, if this has not been done, the Board will uphold the decision of the Building Official and the county will take over and complete the demolition.

Ms. Walden – Seconds the motion

Mr. Dixon - The motion offered and seconded. All members in favor. None opposed. Motion passed

4. OLD BUSINESS –

4.A. Case # 13-0002 – 4396 Coconut Road West Palm Beach, FL 33406; Appellants complied with the order. Follow up necessary only if permit goes inactive on January 17, 2014.

4.B. Case #13-0003 – 2132 Indian Road West Palm Beach, FL 33409; Appellants complied with the order. Clean up of the lot completed, painted the structure. Follow up necessary only if annexation process is not completed or the property's lot is not in code compliance by March 12, 2014.

5. BOARD MEMBER COMMENTS – NONE

6. STAFF MEMBER COMMENTS – NONE

7. ADJOURNMENT

At 2:35pm, the Chair adjourned the meeting.



Marc Weiner, Chair

Respectfully submitted,

Vickie Day
Recording Secretary