

**MINUTES**  
**CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS**  
**March 12, 2015**

**1. CALL TO ORDER/CONVENE AS CBAA**

The Chairman, Marc Weiner, called the meeting to order at 2:00 pm in the Vista Center 1<sup>st</sup> 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**

*Marc Wiener, Chair*

*Ron Dixon, Vice Chair*

*Peter Dzenutis*

*Michael Walker*

*Bart Rasper*

*Margie Walden*

*Duane Drawdy*

**MEMBERS ABSENT**

*Tom Donegan*

**OTHERS PRESENT**

*Doug Wise, Building Official*

*Vickie Day, Recording Secretary & Notary*

*Shannon Fox, Asst. County Attorney*

*Bob Nicholls, Construction Services Coordinator*

*Anne Helfant, Asst. County Attorney*

*Ms. Martha Ann Gray, property owner*

*Dean Wells, Construction Services Coordinator*

*Mr. Herbert Happ, property owner*

**1.B. Approval of Minutes - NONE**

**2. ADDITIONS & DELETIONS – NONE**

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

**3.A. Case #15-02 – 37051 2<sup>nd</sup> Street Canal Point, Florida 33438; PBC Amendments Section 116**

Ms. Gray – states she is requesting additional time to get proposals for both repair of the structure and demolition. I would like to mention that I will be paying out of pocket for these estimates and the work itself, please keep this in mind when deciding the amount of extension if granted

Mr. Wise – from the County's perspective, we have properly noticed the owner and Ms. Gray has been in contact with us during this entire process. We are looking for a dates certain when this will happen or we will move forward with the proceedings. We will not contest whether she wants to repair or demolish the structure.

Mr. Wells – I have not been inside the structure, the outside is damaged quite extensively. The first notice was sent out July 2014; Ms. Gray mentioned to me the same as she advised the Board, she has numerous items inside the structure and is not sure if it is worth the cost to repair the structure.

Mr. Wiener – asks if there are any comments from the Board

Mr. Donegan - asks if this is the first request for an extension, yes

Mr. Drawdy – asks how long is Ms. Gray looking for? What does the County recommend?

Ms. Gray – I think I should have proposals by the end of April.

Mr. Wise – depending on the severity of the findings, I agree 30 days is not sufficient

Mr. Wells – the building is secure as the way it stands; it is just reaching continuous deterioration as there is no one to maintain the structure. I do not think 90 days is long enough to get plans and go through Plan review if she wants to repair. A demo permit would take only 30 days. This structure is wood structure on piles. The County predicts, should we demo the structure, it would be approximately \$10,000.

Ms. Gray – vacant since about

Mr. Wise - provided the history of the property and showed a presentation of photographs.  
9/2014 – the Appeal was requested and filed. If we believe Ms. Gray has the ability to rehabilitate this structure, then I think the Board needs to give her the time she is asking for.

Mr. Donegan – looking at the photos, it looks like it would be much more costly to repair than to demolish;

Mr. Gray – what is the value of the property? In other words, I don't really own the property if I did this?

Ms. Day – according to the Property Appraiser, the total market value is 18,286

Mr. Wise – if we would demolish, a lien would be placed against the property first. Then there will be a supplemental assessment equal in priority to taxes, which would go on the next tax bill. Theoretically, someone could purchase it at a tax sale.

Ms. Fox – the County is not here to give you legal advice on the options. The Board is entertaining your request for extension of time. The legal affect of any decision, the County obviously thinks the building should be demolished. You have the option of getting bids and doing the demo yourself, or you can bring the structure back into a compliance state.

Mr. Walker – Can we give just 60 days to get some rough bids and then you could make a decision. If we give you 180 days, then too much turn-around time.

Mr. Drawdy – if Ms. Gray decides to repair, then she would need additional time, possibly 120 days to apply for permit.

Ms. Walden – I am in line with the 60 days as this process has been in place for some time.

***Mr. Walker – I make a motion that we grant the applicant 60 days to obtain costs and prepare to demo or repair the structure. At the end of the sixty (60) day extension, the applicant is to return to the Board and advise how she is to proceed. 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.***

***Mr. Drawdy– Seconds the motion***

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

**3.B. Case #15-03 – 5057 Cheryl Lane West Palm Beach, Florida 33415: PBC Amendments Section 116**

25:48 37:34 30 days to apply for permit Drawdy,

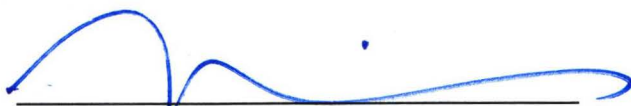
**4. OLD BUSINESS –**

**5. BOARD MEMBER COMMENTS – NONE**

**6. STAFF MEMBER COMMENTS – NONE**

**7. ADJOURNMENT**

The Chair adjourned the meeting.



Marc Wiener, Chair

Respectfully submitted,

Vickie Day  
Recording Secretary