

MINUTES
PALM BEACH COUNTY
CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
SEPTEMBER 10, 2015

1. CALL TO ORDER / CONVENE AS CBAA.

Chairman Marc Wiener called the meeting to order at 2:05 p.m. The meeting was conducted in Room 1W-47, Palm Beach County Planning, Zoning and Building Department, 2300 North Jog Road, West Palm Beach, Florida.

A. ROLL CALL

MEMBERS PRESENT:

Marc Wiener, Chairman
Peter Dzenutis
Bart Rasper
Gary Sullivan

Ron Dixon, Vice Chairman
Duane Drawdy
Michael Walker
Margie Walden

MEMBERS ABSENT:

Thomas Donegan

OTHERS PRESENT:

Doug Wise, Building Official
Shannon Fox, Assistant County Attorney
Anne Helfant, Assistant County Attorney

Bob Nicholls, Construction Services Coordinator
Jacquelyn Anderson, Recording Secretary

B. APPROVAL OF MINUTES

A motion was made and seconded to approve the CBAA minutes of July 9, 2015. The motion passed

2. ADDITIONS & DELETIONS.

There were no additions or deletions to the agenda.

3. NEW BUSINESS.

Assistant County Attorney Shannon Fox swore in all those giving testimony.

Case 15-07 – 1012 Highview Rd, Lantana, FL 33462 – Gary and Ruth Marcinkoski

Building Official Doug Wise submitted the Building Division's Staff Report into evidence and presented the case to the Board. He stated that the home was hit by a car in May 2015. He indicated that the damage was initially thought to be a simple repair, but after investigation, the home was found to have substantial termite damage. He affirmed that the property owner requested additional time to repair the structure the request was granted to the extent allowable under the code, but Mr. Wise was unable to approve any additional extension of time so as not to set precedence for similar types of cases. He asked that the Board hear the testimony of the homeowner to judge the case on its own merits as to whether additional time

extension should be granted. Mr. Wise also stated that a permit application was filed on August 7th and was still undergoing review. He stated that the property is a rental property and not owner occupied.

Gary Marcinkoski, homeowner, testified on his own behalf. He stated that it took time for him to get the tenants out of the house. He indicated that he had an engineer draw up plans and hired a contractor. The plans were submitted five weeks before the hearing. He affirmed that the home was vacant, boarded up and secured from use. He stated that he believed he was moving as quickly as possible. He testified that he intends to complete all the repairs once the permit is issued, and he requested an additional six months to complete the repairs.

Discussion ensued among the Board members, the property owner, and County staff.

A motion was made and seconded to grant the property owner eight months from the date of the hearing (September 10, 2015) to get a permit and complete the repairs on the home. The motion passed unanimously.

4. BOARD MEMBER COMMENTS.

There were no comments from the Board.


5. STAFF MEMBER COMMENTS.

There were no comments from County staff.

6. ADJOURNMENT.

Chairman Marc Wiener adjourned the meeting at approximately 2:40 p.m.

Signed for the Board by,



Marc Wiener, Chairman

Respectfully submitted,
Jacquelyn Anderson, Recording Secretary