

MINUTES
PALM BEACH COUNTY
CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS (CBAA)
June 8, 2017

1. CALL TO ORDER / CONVENE AS CBAA

Vice Chair Ron Dixon called the meeting to order at 2:02 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:

Ron Dixon, Engineer, Vice Chair
Manny Oyola, Roofing Contractor
Margie Walden, Public At-Large

Bart Rasper, Plumbing Contractor
Gary Sullivan, Electrical Contractor

MEMBERS ABSENT:

Marc Wiener, Architect, Chair
Justin McIntosh, Alternate Public At-Large

Rex Kirby, Division I Contractor

OTHERS PRESENT:

Doug Wise, Building Official, Palm Beach County
Dean Wells, Construction Services Coordinator
Shannon Fox, Assistant County Attorney
Anne Helfant, Assistant County Attorney
Jacquelyn Anderson, Recording Secretary
Anand Poonai, Dcota Contracting, Inc.
Rich Link, Aspen Homes
Brandon H., Aspen Homes
Urania Lopez, Property Owner

B. APPROVAL OF MINUTES

Ms. Walden made a motion to approve the minutes of May 11, 2017. Mr. Oyola seconded the motion. The motion carried unanimously.

2. ADDITIONS & DELETIONS - NONE

3. OLD BUSINESS

Ms. Anderson administered an oath to all witnesses who planned to testify.

A. 16-03 – Multiple Properties - Estates of Boynton Waters

Mr. Wise requested the County Staff Report be admitted into evidence.

Mr. Link requested the Appellant's packet of information be submitted into evidence.

Mr. Wise stated the case was being brought before the Board in follow up to the two previous orders issued by the Board. There were dumpsters placed in front of the buildings, and there are photographs to reflect that. There were rodent traps installed, and Mr. Wells confirmed that.

Mr. Wells showed photographs taken the day before the hearing which documented the lots were cleaned up and dumpsters were in place. The slideshow presented showed pictures of each property the way they previously looked and how they looked at the time of inspection which documented the progress made. The properties are fenced and being maintained. The Appellants complied with the May 2017 Board order to put dumpsters on the properties. There are rodent traps that are drain pipes with bait inside.

Mr. Link stated there are also traps purchased from Home Depot or Lowe's that are designed to be a rat trap. He stated he has never seen rodents on site in the year and two months that he has worked on the project, only rabbits.

Ms. Walden questioned Mr. Link regarding the status of lot 131 which showed the exterior already completed on the completion schedule.

Discussion ensued.

Mr. Link concurred that the property was listed as exterior complete on the schedule, but was fully not complete because a re-roof was required which he estimated would be finished by 6/23/2017.

Ms. Walden questioned Mr. Link regarding the status of lot 108 which showed a completion date of 5/31/17.

Discussion ensued.

Mr. Link concurred that the exterior of lot 108 was not painted and gave an estimated completion date of 6/19/2017.

Mr. Oyola questioned Mr. Link regarding stucco debris in front of the home rather than in the dumpster when part of the Board order was to remove debris on a weekly basis.

Discussion ensued.

Mr. Link stated the debris would be picked up by the end of the day.

Ms. Walden questioned Mr. Link regarding lot 112 that is due to be finished within a week.

Discussion ensued.

Ms. Walden stated a new completion schedule needs to be submitted because now that lots 131, 108, and 112 exterior completion dates are different, the interior dates will also be different.

Mr. Link stated the interior dates should remain the same.

Discussion ensued.

Ms. Walden made a motion to hold the Appellant to the projected completion dates, that the dates be realistic, and the Appellant can meet them. If not, the County will ensue demolition.

Mr. Link stated it is difficult to give exact completion dates with things like delays in materials, weather and things that are out of their control.

Discussion ensued.

Mr. Wise suggested the Board define what the Board means by complete exterior. Mr. Wise also gave examples of what he would consider a completed exterior.

Discussion ensued.

[Ms. Walden's previous motion died for lack of a second.]

Mr. Oyola made a motion to define reasonable exterior completion as having exterior doors, windows, stucco, paint, and roof.

Discussion ensued.

Ms. Walden seconded Mr. Oyola's motion. The motion passed unanimously.

Ms. Walden made a motion that the new updated schedule for completion will be adhered to and that Mr. Wise's office will inspect and keep the Board updated that the buildings are in the completed stages of what the Board has defined as completion.

Mr. Sullivan seconded the motion.

Mr. Wise asked when the updated completion schedule has to be submitted.

Ms. Walden stated as soon as possible. An unidentified Board member stated right away.

Discussion ensued.

Ms. Walden amended her motion to include that if the new schedule the Board was given is not adhered to, the County should ensue demolition.

Mr. Sullivan renewed his second to the amended motion. The motion passed unanimously.

B. 17-03 – 4594 Hibiscus Ave – Hamilton Lopez

Mr. Wise requested the County Staff Report be admitted into evidence.

Mr. Wise stated this case is in follow up to what the Board heard previously.

Mr. Wells stated he inspected the property and the fence was installed, the building is secure, and a demolition permit has been issued. The initial demolition inspection was scheduled. The Appellants have complied with the Board's previous order.

Discussion ensued.

Mr. Dixon stated that since the Appellant had complied with the Board's previous order, it did not appear a motion was needed.

Ms. Walden commended the Appellant for doing everything they said they would do, and she encouraged the Appellant to continue the demolition to completion.

4. NEW BUSINESS

A. 17-07 – 12356 Sandy Run Road - Altisource

Mr. Wise asked for confirmation that service was obtained on the Notice of Hearing as the Appellant failed to appear.

Ms. Anderson stated the Notice of Hearing was sent by certified mail, and the return receipt was signed by B. Wasser. The Notice of Hearing was also sent by email and regular mail.

Mr. Wise requested the staff report be admitted into evidence.

Mr. Wells stated the property was originally Mr. Nicholls' case. Mr. Nicholls took the photos when the property management company were on site. The amount of damage

seen in the photographs is substantial. There is a hole in the roof about 10' x 10'. The structure has been open to the elements for years. It is a wood-framed structure. The structure is about 4500 ft². According to Mr. Nicholls' report, the two ends of the structure were not damaged by fire, but were damaged by heavy smoke and water damage. The center portion is gone as indicated in the photos.

Mr. Wells stated he spoke to the Applicant, and the appeal was for more time to go to the financier to determine whether they will tear the structure down or repair. The Applicant was told to contact the secretary to file the appeal form. They were supposed appear at the hearing. Mr. Wells stated had no further contact with the Applicant.

Board members questioned Staff and discussion ensued.

Ms. Walden made a motion that the County begin the process for demolition of the structure. Mr. Sullivan seconded the motion. The motion carried unanimously.

5. BOARD MEMBER COMMENTS – NONE

6. STAFF COMMENTS

A. Next meeting scheduled is July 13, 2017.

7. ADJOURNMENT

Vice Chair Ron Dixon adjourned the meeting at approximately 2:43 p.m.

Signed for the Board by,



Marc Wiener
Chairman

Respectfully submitted,
Jacquelyn Anderson
Recording Secretary