

MINUTES
PALM BEACH COUNTY
CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS (CBAA)
November 8, 2018

1. CALL TO ORDER

Vice Chair Ron Dixon called the meeting to order at 2:00 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
Rex Kirby, Division I Contractor

Bart Rasper, Plumbing Contractor
Steven Markel, HVAC Contractor
Justin McIntosh, Alt - Public At-Large

MEMBERS ABSENT:

Marc Wiener, Architect, Chair

OTHERS PRESENT:

Doug Wise, Building Official, Palm Beach County
Brad Brown, Deputy Building Official, Palm Beach County
Dean Wells, Construction Services Coordinator
Tom Banzhaf, Construction Services Coordinator
Shannon Fox, Assistant County Attorney
Anne Helfant, Assistant County Attorney
Jacquelyn Anderson, Recording Secretary
Giselle Badillo, Senior Secretary
Dennis Hamburger, Code Enforcement Officer
Jeremy Dennis, Contractor Certification Field Investigator
Tammy Nevin, Contractor Certification Field Investigator
Dennis Vandercook, Property Owner
Joseph Caruso, Moss Devco Inc

B. APPROVAL OF MINUTES

Mr. Kirby made a motion to approve the minutes of October 11, 2018. 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. 18-10 – 1189 ROSEBUD LANE – MIA REAL HOLDINGS LLC

Mr. Wise summarized the prior Board Order issued in September 2018. Mr. Wise advised the Appellant applied for permits to rehabilitate the structure and provided a shoring engineer analysis. The shoring analysis does not satisfy the Board Order. Additional engineering detail is needed.

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

Mr. Caruso stated a shoring analysis was submitted. The permit for shoring has been issued and shoring was taking place at the time of the hearing. The engineer intends to analyze the property after the shoring was completed.

Board Members questioned the Appellant and Staff. Discussion ensued.

Mr. Oyola made a motion to grant 60 days.

Mr. Markel seconded the motion. Discussion ensued.

Mr. Oyola modified the motion to grant 60 days and shoring be completed within that time frame.

Discussion ensued. The motion died on the floor.

Mr. Kirby made a motion that shoring be implemented within 10 days and to grant 60 days to be permitted and under construction.

Mr. Oyola and Mr. Markel seconded the motion. The motion carried unanimously

4. NEW BUSINESS

A. 18—13 – 5484 WOODLAND DR – DENNIS VANDERCOOK

Mr. Wise stated the property involves a multi-unit complex which includes a main two-story single –family dwelling with three one-story units, tennis courts, and in-ground pool and spa.

Mr. Wells summarized the case history. Most of the structures were secured. The main structure has heavy fire damage. There is an in-ground pool that is covered, and a spa that is covered. There are walkways throughout the structure. There are gazebos and other structures. There have been vagrants on the property. The appeal was to request additional time.

Mr. Wise questioned Mr. Wells and discussion ensued.

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

Mr. Vandercook stated he did not know that he was an interested party to the property. The property was purchased in 2005. He attempted to sell, but was unsuccessful. Mr. Vandercook ran out of money and was advised by his attorney to file for bankruptcy. The bankruptcy was discharged in 2010. He vacated the property in 2010 when the sheriff issued the eviction notice.

Board members questioned the Appellant and Staff. Discussion ensued.

Mr. Oyola made a motion to grant 60 days to come back with a plan. Discussion ensued.

Mr. Oyola amended the motion to grant the Appellant 50 days to come back with a plan to the Building Division; to have the property secured by the County for life safety immediately; and that the County move forward with demolition immediately.

Discussion ensued.

Mr. Kirby seconded the motion. The motion passed unanimously.

5. BOARD MEMBER COMMENTS

Mr. Oyola wished everyone safe travels and happy holidays.

6. STAFF MEMBER COMMENTS

Mr. Wise invited the Board to the Building Division's End of the Year Services Awards and luncheon.

7. ADJOURNMENT

Vice Chair Dixon adjourned the CBAA meeting at approximately 2:44 p.m.

Signed for the Board by,



Ron Dixon
Chairman

Respectfully submitted,
Jacquelyn Anderson
Recording Secretary

