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*"The Capital City of the Palm Beaches"*

## CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

### AGENDA

February 24, 2006

This regular meeting of the Construction Board of Adjustment and Appeals will be held on February 24, 2006, at 2 p.m. in the City Commission Chambers, West Palm Beach City Hall, 200 2<sup>nd</sup> Street, West Palm Beach, Florida.

**SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH A MEETING OR HEARING, HE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE HE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND THE EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY OF WEST PALM BEACH DOES NOT PREPARE OR PROVIDE SUCH A RECORD.**

- ▶ **CALL TO ORDER/ROLL CALL**
- ▶ **APPROVAL OF MINUTES** from the meeting of January 19, 2006

**CASE NUMBER 1283**      813 6<sup>th</sup> Street  
Lot 11  
Block 5  
Clows Add.  
Lulila Green  
James Van Dyke

At the meeting of January 19, 2006, the Board issued the following Order: **THE APPLICANT IS REQUIRED TO BOARD AND SECURE THE PROPERTY IMMEDIATELY, AND APPEAR AT THE NEXT REGULARLY SCHEDULED MEETING WITH WRITTEN PROOF OF OWNERSHIP.**

*"An Equal Opportunity Employer"*

**CASE NUMBER 1285**      1215 Henrietta Avenue  
Lot 1  
Block 21  
Freshwater Add.  
James Wilson Jr.  
Gregory Wilson

At the meeting of January 19, 2006, the Board issued the following Order: **THIS CASE SHALL BE CONTINUED AT THE NEXT REGULARLY SCHEDULED MEETING.**

**CASE NUMBER 1227**      800 N. Sapodilla  
Lot 7  
Block 1  
Amended Plat of Freshwater Add.  
Darden Holdings, Inc.

At the meeting of October 20, 2005, the Board issued the following Order: **THE BOARD AGREES WITH AND ADOPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. APPLICANT IS GRANTED UNTIL THE NOVEMBER MEETING TO SUBMIT PLANS TO THE CITY. ANY COMMENTS FROM THE CITY CONCERNING THE PLANS ARE TO BE ADDRESSED WITHIN 15 DAYS. AFTER PERMIT ISSUANCE, CONSTRUCTION IS TO BE COMPLETE WITHIN 120 DAYS.** At the November 17, 2005 meeting, Tom Moore, Building/Demolition Inspector, reported that all was in compliance.

**CASE NUMBER 1288**      610 Clematis  
BAP Clematis, LLC  
Luis Latorre

Applicant is requesting an extension to the Partial/Conditional Certificate of Occupancy beyond the allowable 90 days prescribed in the City's adopted Resolution No. 47-06 establishing the Building Permit Fee Schedule of Rates and Charges. This resolution authorizes the issuance of a Partial and/or Conditional Certificate of Occupancy valid for a period of 30 days, and up to 2 extensions of 30 days each for a total of 90 days. Any extensions beyond 90 days from the original issuance must be granted by the Construction Board of Adjustment and Appeals.

**CASE NUMBER 1289**      1003 Allendale Road  
Holy Spirit Episcopal Church, Inc.  
Howarth L. Lewis Jr., FAIA

The applicant is requesting a variance to the Florida Building Code, Existing Buildings, 2004 Edition, specifically Section 302.2, Area limitations, which states that no addition shall increase the area of an existing building beyond that permitted under the applicable provisions of Chapter 5 of the Florida Building Code, Building for new buildings unless fire separation as required by the Florida Building Code, Building is provided. The Florida Building Code, Building, Chapter 5, Table 503, establishes the maximum area by building type and use. The applicant proposes to add an additional 228 square feet to the kitchen portion of the building which already exceeds the allowable area for an Assembly A-3 occupancy of a Type III building.

**CASE NUMBER 1290**      4545 Maravilla Way  
Town & Country Builders  
Melanie McDonald

The applicant is requesting a variance to the Florida Building Code, Buildings, 2004 Edition, specifically Section 1014.1.1 which authorizes any exterior balcony, porch, gallery or similar space to serve as a means of egress if it complies with all the requirements specified in the code for means of egress and provided it complies with all the requirements of 1014. Also, at least 50 percent of the balcony, porch, gallery or similar space shall be open on the long side. This section provides an exception if the balcony or similar space is not open at least 50 percent on the long side, which then requires all openings in the building wall onto exterior balconies to be protected per Section 1006.2.4. Section 1006.2.4 requires all openings to be fixed or self-closing with a fire resistive assembly rating of ¾ hour. The applicant proposes to install alternate window opening protectives for those windows in the corridor walls where the opening on the long side is less than 50 percent. The alternative proposed is fire sprinkler over window openings. The applicant should be requesting a variance from Table 105.1.2 which requires opening protectives in exterior walls to be ¾ hour and Section 705.1.3 which requires all openings required to have opening protectives to be listed and labeled assemblies.

The regular meeting is to be adjourned and a separate Special Meeting commenced to hear the following cases:

*“An Equal Opportunity Employer”*

**SPECIAL MEETING**

**EMERGENCY DEMOLITIONS**

**CASE NUMBER 1291**      324 & 326 Trinity Place  
Lot 9  
Block E  
Phillips Point  
Love 718 Dixe, LLC  
Shutts & Bowen LLP

Applicant is appealing a Notice of Unsafe Building.

**CASE NUMBER 1292**      330 Trinity Place  
Lot 10  
Block E  
Phillips Point Add.  
Love 718 Dixe, LLC  
Shutts & Bowen LLP

Applicant is appealing a Notice of Unsafe Building.

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Neil K. Melick, CBO  
Building Official