



Construction Services Department

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"The Capital City of the Palm Beaches"

CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

MINUTES

March 20, 2008

This regular meeting of the City of West Palm Beach Construction Board of Adjustment and Appeals was called to order at 2 p.m. in the City Hall Commission Chambers, 200 2nd Street, West Palm Beach, Florida.

PRESENT: Daniel Canavan, Chairman
Everett Fennell
Thomas McCarthy
Larry Rowe
Kimberly Rothenburg, Assistant City Attorney/Board Counsel
Pamela Yusko, Recording Secretary
Neil Melick, Building Official
Tom Moore, Building/Demolition Inspector

ABSENT: Michael Davila
Timothy Hulihan
Keith Spina

APPROVAL OF MINUTES: Motion was made by Thomas McCarthy and seconded by Everett Fennell to approve the Minutes of the February 21, 2008 meeting. Motion carried.

CASE NUMBER 1348 410 Evernia
Lot 10
Block 19
Evernia Property
Bovis Lend Lease

As this property has already been issued a Certificate of Occupancy, there is no reason to hear this request for an extension to the Temporary Certificate of Occupancy.

"An Equal Opportunity Employer"

CASE NUMBER 1321 814 10th Street
Lot 4
Block 13
Freshwater Add to WPB Amended
Lauriston Simms
Joy Sugrue

As there was no applicant present at this time to speak before the Board, this case will be heard at the end of the meeting.

CASE NUMBER 1339 1105 22nd Street
Lot 44
Grant Park Addition
Chainy Mae Nelson

Nelson Sheely presented this case to the Board. Neil Melick and Tom Moore represented the City. The City's staff report, findings of fact and a videotape of the property were submitted as evidence.

Motion was made by Larry Rowe and seconded by Everett Fennell that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. THE BUILDING IS TO BE BOARDED AND MADE SAFE WITHIN 15 DAYS. APPLICANT IS TO COME BACK BEFORE THE BOARD AT THE MEETING OF APRIL 17, 2008 WITH AN ARCHITECT, ENGINEER OR CONTRACTOR WHO CAN PRESENT A PLAN OF ACTION. AN UPDATE SHALL ALSO BE PRESENTED ON THE STATUS OF CITY FUNDING CURRENTLY BEING SOUGHT BY THE OWNER.** Motion carried.

CASE NUMBER 1340 376 Forest Hill Blvd.
Lot 10
Block A
Broadmore Sec. 4
Marli Souza

Marli Souza presented this case to the Board. Representing the City were Neil Melick and Tom Moore. The City's staff report, findings of fact and a videotape of the property were submitted as evidence.

Motion was made by Larry Rowe and seconded by Everett Fennell that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED AND GRANTS THE APPLICANT UNTIL THE NEXT MEETING ON APRIL 17, 2008 TO RESOLVE THE OUTSTANDING MONEY ISSUES. THE BUILDING IS TO REMAIN BOARDED AND SECURED, AND A PLAN OF ATTACK NEEDS TO BE PRESENTED AT THE NEXT MEETING.** Motion carried.

CASE NUMBER 1341 303 Sapodilla (aka 307 & 309)
E½ of Lot 1
Block 34
Town of WPB
Leap Group III, LLC
Michael Friedman, Esq.

Presenting this case to the Board were Michael Friedman and Steve Tsompanas (Project Manager for Leap Group). Also speaking were Carol Cohen, president of the Metropolitan Condo Association and Rafael Clemente with the Downtown Development Authority. Representing the City were Neil Melick and Tom Moore.

Motion was made by Everett Fennell and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED AND ACCEPTS THE APPLICANT'S REQUEST FOR AN EXTENSION OF TIME. THE APPLICANT IS TO APPEAR AGAIN AT THE MEETING OF MAY 15, 2008 WITH AN UPDATE AS TO THE STATUS OF DEMOLITION PROCEEDINGS.** Motion carried.

CASE NUMBER 1342 710 Evernia
E½ of Lot 2
Block 34
Town of WPB
Leap Group III, LLC
Michael Friedman, Esq.

Presenting this case to the Board were Michael Friedman and Steve Tsompanas (Project Manager for Leap Group). Also speaking were Carol Cohen, president of the Metropolitan Condo Association and Rafael Clemente with the Downtown Development Authority. Representing the City were Neil Melick and Tom Moore.

Motion was made by Everett Fennell and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED AND ACCEPTS THE APPLICANT'S REQUEST FOR AN EXTENSION OF TIME. THE APPLICANT IS TO APPEAR AGAIN AT THE MEETING OF MAY 15, 2008 WITH AN UPDATE AS TO THE STATUS OF DEMOLITION PROCEEDINGS.** Motion carried.

CASE NUMBER 1343 709 Evernia
E½ of Lot 9 less S20' St. R/W
Block 35
Town of WPB
Leap Group III, LLC
Michael Friedman, Esq.

Presenting this case to the Board were Michael Friedman and Steve Tsompanas (Project Manager for Leap Group). Also speaking were Carol Cohen, president of the Metropolitan Condo Association and Rafael Clemente with the Downtown Development Authority. Representing the City were Neil Melick and Tom Moore.

At the applicant's request, this case has been withdrawn.

CASE NUMBER 1344 708 Evernia
W½ of Lot 1 less N20' St. R/W
Block 34
Town of WPB
Leap Group III, LLC
Michael Friedman, Esq.

Presenting this case to the Board were Michael Friedman and Steve Tsompanas (Project Manager for Leap Group). Also speaking were Carol Cohen, president of the Metropolitan Condo Association and Rafael Clemente with the Downtown Development Authority. Representing the City were Neil Melick and Tom Moore.

Motion was made by Everett Fennell and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED AND ACCEPTS THE APPLICANT'S REQUEST FOR AN EXTENSION OF TIME. THE APPLICANT IS TO APPEAR AGAIN AT THE MEETING OF MAY 15, 2008 WITH AN UPDATE AS TO THE STATUS OF DEMOLITION PROCEEDINGS.** Motion carried.

CASE NUMBER 1345 631 Evernia
W½ of Lot 7
Block 30
Town of WPB
Leap Group III, LLC
Michael Friedman, Esq.

Presenting this case to the Board were Michael Friedman and Steve Tsompanas (Project Manager for Leap Group). Also speaking were Carol Cohen, president of the Metropolitan Condo Association and Rafael Clemente with the Downtown Development Authority. Representing the City were Neil Melick and Tom Moore.

At the applicant's request, this case has been withdrawn.

CASE NUMBER 1346 723 22nd Street
Lot 9
Block 1
Washington Heights
Marie J. Limousin

Presenting this case to the Board were David Seltzer(?) and Marie Limousin. Representing the City were Neil Melick and Tom Moore. The City's Findings of Fact and Staff Report, as well as a videotape, were submitted as evidence.

Motion was made by Larry Rowe and seconded by Everett Fennell that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. THE APPLICANT IS GRANTED AN EXTENSION OF TIME UNTIL THE MEETING OF MAY 15, 2008, AT WHICH TIME AN UPDATE SHALL BE GIVEN ON THE FUNDING SITUATION AND A TIMELINE FOR COMPLETION OF WORK SHALL BE PRESENTED. THE BUILDING SHALL REMAIN SECURED DURING THIS TIME.** Motion carried.

CASE NUMBER 1321 814 10th Street
Lot 4
Block 13
Freshwater Add to WPB Amended
Lauriston Simms
Joy Sugrue

There was no applicant in attendance to present this case to the Board. Neil Melick and Tom Moore represented the City and submitted the City's staff report, findings of fact, and videotape of the property into evidence.

Motion was made by Everett Fennell and seconded by Thomas McCarthy that: **THE BOARD AGREES WITH AND ACCEPTS THE CITY'S FINDINGS OF FACT AS PRESENTED. AS THERE WAS NO APPLICANT PRESENT TO SPEAK ON BEHALF OF THIS PROPERTY, THE DEMOLITION ORDER IS TO BE REINSTATED.** Motion carried.

As there was no further business to come before the Board at this time, this meeting was adjourned at 3:32 p.m.

Daniel T. Canavan
Chairman