

3. **NEW BUSINESS-** Case # 12-02 Variance Request. 5777 Rae Avenue. – FBC, Article 18 Flood Damage Prevention

Mr. Gathright requests that the people who are testifying today now be sworn in; Mr. Blake, Mr. Gathright and Mr. Bower, property owner were sworn in to testify.

Mr. Gathright summarized the case by saying Olde Port Properties, LLC has been put in violation for an addition to a single family home that they own. During the plan review process on this violation, we had a few comments. The violation is at the rear of the house, measuring approximately 23x37.5. In 1968 a permit was issued and inspected to add a Florida Room. The addition was B34963 and final on 11/13/1968; this addition which was permitted in 1968 was approximately 14x11. This 23x37.5 addition wraps around the addition that was built in 1968. There was no finished floor on these plans. Since this initial review process, we were provided with a survey, lot is in Flood zone B and the road elevation is 16.40. Original house was at 17.74 elevation, addition at 17.42 – there is a step down in this addition. South property set back from building to property line is 5.96, required set back is 7.5. These were the items that were discovered and in Article 18.A.3.B1 requires construction in a sub division that is in a non-special flood hazard to be at least 18.00 inches above the lowest adjacent road crown. Original house was final on 2/10/62, and after viewing aerial photographs & records; the addition was built between 1/22/68 and 10/25/70. According to survey provided the finished floor is 1.02 feet above the nearest road crown; .48 feet too low. Mr. Bower is requesting a variance of .48 feet from the required 1.50 feet above the lowest adjacent road crown. At this time we are unable to determine if this property (Gramercy Park) is in a subdivision with an engineered master drainage plan.

Mr. Blake took photographs of the property earlier this day – Exhibit 1.

Mr. Bower confirms these are photos of the property in discussion.

Mr. Gathright from these photos, you can see there are swales in the neighborhood and th road has been over-layed which has hurt the elevation level of the house.

Mr. Godfrey mentioned he did not see an elevation on the original survey.

Mr. Gathright explains how this was found when there was no permit for the substantial work being performed. We need to review this process for revitalization. Other areas will have to be addressed

Mr. David Bower and Mr. Lewis Carran, owners of Old Port Properties stated they purchased the foreclosed property – contacted the town to find any liens, etc. they were unaware of this situation at the time of purchase. It looked like the addition was part of the original house.

Mr. Dixon asked if they have researched if the property was in an approved subdivision in PB County; response was they have not.

Mr. Gathright responds to a question, there was a similar situation on Congress avenue which the Board granted the variance request.

Ms. Walden asks how this situation came to be. Code Enforcement was at the property in 2007

Mr. Gathright states the property was built prior to PB County having a flood ordinance.

Mr. Dixon summarizes the 3 options: 1)Grant the variance 2) Raise the flooring 3) Tear the house down.

Mr. Gathright explains the option to defer this case to next meeting; giving time to locate if it is in a master drainage plan.

***A motion was made to grant a 30-day continuation. The motion was seconded and carried unanimously.***

4. **OLD BUSINESS – NONE**

5. **BOARD MEMBER COMMENTS – NONE**

6. **STAFF MEMBER COMMENTS – NONE**

7. **ADJOURNMENT**

The Vice Chairman, Ron Dixon, adjourned the meeting at 2:45p.m.



Marc Wiener, Chair

**MINUTES**  
**CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS**  
**April 12, 2012 2:00 PM**

**1. CALL TO ORDER/CONVENE AS CBAA**

The Vice Chairman, Ron Dixon, called the meeting to order at 2:05 pm in the Vista Center 1<sup>st</sup> Floor Conference Room 1E-60, Palm Beach County Planning, Zoning & Building Department, 2300 North Jog Road, West Palm Beach, Florida.

**A. ROLL CALL**

**MEMBERS PRESENT**

*Ron Dixon, Vice Chair*

*Albert Godfrey*

*Bart Rasper*

*Margie Walden*

**MEMBERS ABSENT**

*Marc Weiner, Chair*

*Michael Walker*

*Peter Dzenutis*

*Tom Donegan*

*Duane Drawdy*

**OTHERS PRESENT**

*Richard Gathright, Deputy Building Official*

*Dawn Wynn, Asst. County Attorney*

*Ashley Salvati, Recording Secretary*

*Peggy Costa, Notary*

*Lewis Carran, Old Port Properties*

*David Bower, Old Port Properties*

**B. Approval of Minutes. NONE**

**2. ADDITIONS & DELETIONS – NONE**

**3. NEW BUSINESS – NONE**

**4. OLD BUSINESS – NONE**

**5. BOARD MEMBER COMMENTS – Ron Dixon asks for the staff to contact members to ensure their attendance at future meetings.**

**6. STAFF MEMBER COMMENTS – NONE**

**7. ADJOURNMENT** The Vice Chairman, Ron Dixon, adjourned the meeting at 2:15 p.m.

**8. CONVENE AS FLOOD DAMAGE PREVENTION BOARD**

The Vice Chairman, Ron Dixon, called the meeting to order at 2:15 pm in the Vista Center 1<sup>st</sup> Floor Conference Room 1E-60, Palm Beach County Planning, Zoning & Building Department, 2300 North Jog Road, West Palm Beach, Florida.

**A. ROLL CALL**

**MEMBERS PRESENT**

*Ron Dixon, Vice Chair*

*Albert Godfrey*

*Bart Rasper*

*Margie Walden*

*Duane Drawdy (arrived 2:30pm)*

**MEMBERS ABSENT**

*Marc Weiner, Chair*

*Michael Walker*

*Peter Dzenutis*

*Tom Donegan*

**OTHERS PRESENT**

*Richard Gathright, Deputy Building Official*

*Dawn Wynn, Asst. County Attorney*

*Ashley Salvati, Recording Secretary*

*Peggy Costa, Notary*

*Lewis Carran, Old Port Properties*

*David Bower, Old Port Properties*

**B. Approval of Minutes- NONE**

**2. ADDITIONS & DELETIONS – NONE**