

**MINUTES**  
**PALM BEACH COUNTY**  
**CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS (CBAA)**  
**January 11, 2018**

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

Chair Marc Wiener 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:**

Marc Wiener, Architect, Chair  
Bart Rasper, Plumbing Contractor  
Manny Oyola, Roofing Contractor  
Margie Walden, Public At-Large

Ron Dixon, Engineer, Vice Chair  
Gary Sullivan, Electrical Contractor  
Steven Markel, HVAC Contractor  
Justin McIntosh, Alt - Public At-Large

**MEMBERS ABSENT:**

Milton Grey, Division I Contractor      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  
Serge Tews, 19843 NW 87 CT Investment LLC  
Steve Dermangian, Kir Boynton  
Daniel Tubb, 7-11  
Emerson Ramirez, Property Owner  
Chris Goetzfried  
Chris Rogers, Lennar Homes  
Robert St. Mary, Dig It Unlimited  
Tom Palbicke, Lennar Homes  
Sender Kagan

**B. APPROVAL OF MINUTES**

Ms. Walden made a motion to approve the minutes of November 9, 2017. Mr. Oyola seconded the motion. The motion carried unanimously.

**2. ADDITIONS & DELETIONS**

A. CBAA Case 17-16 was deleted from the agenda

**3. OLD BUSINESS**

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

**A. 15-04 – 17744 Fieldbrook Cir W – Vesta Properties**

Mr. Wise requested to enter the updated County Staff Report into evidence.

The structure was damaged by fire several years ago. Construction to rehabilitate the structure on the property is ongoing. Mr. Wells estimated construction should be completed in three months.

Ms. Walden made a motion to grant the Appellant a three-month extension to complete the project. Mr. Sullivan seconded the motion. The motion carried unanimously.

**B. 17-11 – 9803 S Military Trl – Kir Boynton**

Mr. Wise requested to enter the County Staff Report into evidence.

The mansard on the structure is collapsing. The property has been sold to a new owner. A demolition permit was submitted by the new owner on January 11, 2018. Staff recommended additional time be granted to demolish the building. Mr. Tubbs requested additional time for permit approval and demolition of the structure.

Discussion ensued.

Ms. Walden made a motion to grant a three-month extension to complete the demolition. Mr. Dixon seconded the motion. The motion carried unanimously.

**4. NEW BUSINESS**

**A. 17-13 – 2942 Genoa PL – 19843 NW 87 CT Investment LLC**

The structure was damaged by fire. The subject unit is one-fourth of a quadruplex. The surrounding units had smoke damage.

Mr. Wise requested to enter the County Staff Report into evidence.

Serge Tews on behalf of the Appellant indicated a willingness to cooperate with County to rehabilitate the structure. Some cleanup of the property and work on the property has

already been completed by a previous owner.

Staff indicated no permits were issued to complete rehabilitation work.

Discussion ensued.

Ms. Walden made a motion to grant the Appellant 30 days to get a complete engineer's report for repair of the structure, and require the Appellant to appear before the Board at the next hearing date with a complete timeline for repair of the structure. Mr. Sullivan and Mr. Dixon seconded the motion.

Discussion ensued.

Ms. Walden amended the motion to also require the Appellant cooperate with the Building Division and allow access to the structure to inspect. Mr. Sullivan seconded the amended motion. The motion carried unanimously.

**B. 17-14 – 6104 Chipewyan – Emerson Ramirez**

Mr. Wise requested to enter the County Staff Report into evidence.

The property has changed hands since the beginning of the case. County staff believes the structure can be repaired. Appellant has an engineer working on repair plans. Appellant began cleaning the property after the roof completely collapsed. Code Enforcement has an active case against Appellant for work without permits. Appellant indicated a willingness to cooperate with County to obtain necessary permits, and requested additional time.

Discussion ensued.

Ms. Walden made a motion to grant the Appellant 30 days to get a complete engineer's report for repair of the structure, and require the Appellant to appear before the Board at the next hearing date with a complete timeline for repair or demolition of the structure. Mr. Oyola seconded the motion. The motion carried unanimously.

**C. 17-16 – 2679 Frenchmen's Passage – Poseidon Dredge & Marine Inc**

Case deleted from agenda.

**D. 17-17 – 6072 Beaconwood Rd – Dig It Unlimited / Harold Goodman**

Mr. Wise requested to enter County Staff Report into evidence.

Appellant requested a variance of provisions of National Fire Protection Association Standard 58, Section 6.3.1 to allow Appellant to install an underground liquid propane storage tank less than 10 feet from the property line. County supports the variance request with the condition that a removal agreement that property owner agrees to remove the underground tank to avoid any potential source of ignition in the future be recorded in the public records of Palm Beach County.

Discussion ensued.

Mr. Oyola made a motion to approve the variance as recommended by the County.

Discussion ensued.

Mr. Oyola amended the motion to require some type of decorative rock or landscaping to protect the plastic cap of the tanks and removal agreement. Mr. Sullivan seconded the motion. The motion carried unanimously.

**5. ADJOURN AS CBAA**

Chairman Marc Wiener adjourned the meeting as the Construction Board of Adjustments and Appeals at approximately 2:47 p.m.

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

**7. NEW BUSINESS**

**A. 17-15 – Lots 1 through 33, Plat – Villa Tara – Lennar Homes**

Mr. Dixon recused himself from the case due to conflict of interest.

Mr. Wise requested to enter County Staff Report into evidence.

The Applicant is requesting a variance of the Flood Damage Provisions in Article 18 of the ULDC for higher standards for an additional foot of freeboard to the lowest finished floor elevation. Permit applications were approved prior to the new FEMA maps adopted in October 2017. Applicant intends to remove the project from the new Special Flood Hazard Area through a LOMR with FEMA. The permits meet FEMA regulations, but not higher standards of Palm Beach County.

County recommends approval of the variance to the minimum NFIP, but not below the minimum NFIP, with the condition that the Applicant complete the LOMR process with FEMA.

Discussion ensued.

Mr. Sullivan made a motion to grant the variance in accordance with Palm Beach County's recommendation including the condition to complete the LOMR process. Mr. Oyola seconded the motion.

Discussion ensued.

Ms. Walden requested the Board be notified when the LOMR process is completed.

The motion carried unanimously.

**8. BOARD MEMBER COMMENTS - NONE**

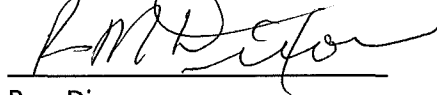
**9. STAFF MEMBER COMMENTS**

A. The next meeting scheduled is February 8, 2018.

**10. ADJOURNMENT**

Chairman Marc Wiener adjourned the meeting as the Flood Damage Prevention Board at approximately 3:08 p.m.

Signed for the Board by,



Ron Dixon  
Vice Chairman

Respectfully submitted,  
Jacquelyn Anderson  
Recording Secretary