



Palm Beach County
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS (CBAA)
July 11, 2024 MEETING
MINUTES

I. CALL TO ORDER

Rex Kirby, Chair, called the meeting to order at 2:05 pm. The meeting was conducted in Room 1W-47, Palm Beach County Planning, Zoning and Building Department, 2300 N Jog Road, West Palm Beach, FL.

A. Roll Call

Members Present

Rex Kirby, Division 1 Contractor, **Chair**
Manuel Oyola, Roofing Contractor
Steven Markel, HVAC Contractor

Bart Rasper, Plumbing Contractor
Timothy Wingate, Division 1 Contractor

Members Absent

Jessica Dornblaser, Architect, **Vice Chair**

William Reicherter, Electrical Contractor

Others Present

Michael Gauger, Division Coordinator/ Building Official
MacArthur Megie, Assistant Deputy of Inspections
Bianca Filiponi, Recording Secretary
Thomas Banzhaf, Construction Services Coordinator (PBC)

Shannon Fox, Senior Count Attorney
Ryan Maher, Assistant County Attorney
Michelle Carter, Recording Secretary
Robin Barrack, Customer Service Specialist

B. Approval of Minutes

- ★ Mr. Oyola made a motion to approve the March 14, 2024 meeting minutes. Mr. Wingate seconded the motion. The motion carried unanimously.

C. Administer Oath to Witnesses

Ms. Carter administered an oath to the witnesses testifying in the proceedings.

II. ADDITIONS AND DELETIONS

None

III. OLD BUSINESS

A. 2023-04 – 1115 Filer Road

- ♦ Mr. Banzhaf states how he has become involved with this case. Proceeds to go over previous site visits, issues that have been inspected and also goes over floorplan to show what has been added without permits.
- ♦ Mr. Maher asks Mr. Banzhaf to remind the board of what they ordered from the first meeting.
- ♦ Mr. Banzhaf reiterates the board order stating appellant is granted 120 days to obtain an evaluation of the plumbing systems and electrical systems and to have a design professional evaluate what will be required to bring the house to within code standards.
- ♦ Mr. Oyola asks if this home is due to be condemned why Ms. Sosa able to obtain a reroof permit.
- ♦ Mr. Banzhaf states that it was prior to him being assigned this case.
- ♦ Mr. Oyola asks if the mini split air conditioner is still at the home currently.
- ♦ Mr. Banzhaf stated they have been removed.
- ♦ Mr. Banzhaf continues to state Ms. Sosa has applied for an electrical permit to repair the electrical riser and electrical panel, in which has also be inspected.

- ♦ Mr. Maher asks Mr. Banzhaf if anything else has been done to comply with the board order.

Discussion ensues

- ♦ Mr. Wingate asks Mr. Banzhaf if when staff went to inspect the property had there been any unauthorized construction.
- ♦ Mr. Kirby states, to his understanding, that when Mr. Banzhaf went out to inspect that he had found violations and he had noticed unpermitted work. So new work was permitted but old work was unpermitted.
- ♦ Mr. Banzhaf states a contractor had been hired to fix the wall from where the car had hit the home. When going to inspect that work violations had come to light.
- ♦ Ms. Fox asks if the respondent has complied with the board order.
- ♦ Mr. Banzhaf states Ms. Sosa has hired an architect and she did have drawings to submit for a permit but the permit does not cover the scope of work out there.

Discussion ensues on floor plan specifics and unpermitted alterations.

- ♦ Mr. Maher asks Mr. Banzhaf the list of items he put together, what items is he advising be addressed.
- ♦ Mr. Banzhaf breaks down the 17 items on the list and stating why they have been listed. States that now that he made a list for Ms. Sosa she can determine whether she will be able to address the issues.
- ♦ Mr. Wingate asks Mr. Banzhaf what amps is the electrical panel.
- ♦ Mr. Banzhaf answers with 150 amps.
- ♦ Mr. Wingate states that the electrical panel looks overloaded and it is a fire awaiting to happen. I believe we should look into that before we go any further, it seems like there will be an electrical overload with all the outlets being added.
- ♦ Mr. Banzhaf states that her designer have to do a load calc.
- ♦ Mr. Kirby asks Ms. Sosa if there is anything she would like to add.
- ♦ Mr. Armando Alfonso, Ms. Sosa attorney asks to speak for her.
- ♦ Mr. Alfonso states Ms. Sosa has bought this house as is and has been doing her best to comply. At the last meeting the board requested items, but it was also stated she would be able to save the roof without raising it. We want to make corrections so we can come to a conclusion.
- ♦ Mr. Kirby asks if the work on the house was done before or after she bought the home.
- ♦ Ms. Alfonso translates for Ms. Sosa that the kitchen was removed or modified when she purchased the property and she closed the entrance to the front porch. She was not able to find plans and when she got plans from the appraisal it even had three bedrooms and two bathrooms. Based on the city suggestions she removed the rooms and moved the kitchen, contacted an electrician in which he did everything necessary. The plumber had written a certified letter for the plumbing.
- ♦ Mr. Kirby asks if there is one or two septic tanks.
- ♦ Ms. Alfonso translates for Ms. Sosa that there is one.
- ♦ Mr. Wingate states he is all for providing additional time, he is unsure of the board but he is willing. The biggest concern is the electrical.
- ♦ Mr. Maher asks Ms. Sosa if she purchased it as a three bedroom and two bathroom.

- ♦ Ms. Sosa states yes but if she has to convert the home back she can do so.
- ♦ Mr. Oyola asks the county about the letter what exactly was she certifying, the letter is vague and unprofessional.
- ♦ Mr. Gauger states that it is unfortunate incident exposed all the illegal activity that was being done at the property itself. This started as an unpermitted car port being converted into a bedroom. The permits that were issued do not address any of the issues. Once we have an architect or engineer go out and come up with a comprehensive plan of exactly what needs to be done then we can decide whether it can make the substantial improvements to comply with code.

Discussion ensues

- ♦ Mr. Oyola goes over the certified letter and asks if comprehensive plans were submitted.
- ♦ Mr. Banzhaf answers no.
- ♦ Mr. Markel states with the document and commentary if Ms. Sosa has any plans to turn in.
- ♦ Ms. Alfonso translates for Ms. Sosa that the architect drafted a comprehensive plan on how to proceed and also for the wall.
- ♦ Mr. Kirby asks which plan.
- ♦ Ms. Alfonso translates for Ms. Sosa that it's for the repair of the exterior wall.
- ♦ Mr. Markel clarifies, from the certified letter, it states that there was plans submitted but yet there were no plans submitted.
- ♦ Mr. Megie goes over the permits that have been submitted into our ePZB portal.
- ♦ Mr. Gauger states there are permits issued yet none of them address the issues on the property.
- ♦ Mr. Oyola asks Ms. Sosa how much time will she need to get an engineer or architect to give her a plan and estimate to get this list done so the home can be brought into compliance to avoid demolition.
- ♦ Ms. Alfonso translates for Ms. Sosa that she is asking for a year.
- ♦ Mr. Kirby states it should not take a year if you have the correct design professional working on this.
- ♦ Mr. Markel adds that the process can take a year but your submission should not.
- ♦ Mr. Oyola makes a motions to grant 30 days to come back with a architectural plan or engineers letter to take care of the list. Once done she can then go for permits.
- ♦ The board agrees on amending the motion.
- ♦ Ms. Fox clarifies the motion 30 days to come up with a written plan/proposal of how to take care of the list created by Mr. Banzhaf.
- ♦ Mr. Oyola clarifies a proposal by an engineer or architect, design professional, who will outline every step of what needs to be done to bring this property up to code.
- ♦ Mr. Wingate seconds motion, additionally stating, when Ms. Sosa comes back to the board he wants to see the architect and/or engineer.
- ♦ Motion carries unanimously.

V. BOARD MEMBER COMMENTS

VI. STAFF COMMENTS

VII. ADJOURNMENT

Rex Kirby adjourned the meeting at approximately 3:15 PM.

Signed for the Board by,



Rex Kirby, Chair

Respectfully submitted by
Bianca Filiponi, Recording Secretary