

**MINUTES**  
**PALM BEACH COUNTY**  
**CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS (CBAA)**  
**LOCAL CONSTRUCTION REGULATION BOARD (LCRB)**  
**MAY 11, 2015**

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

Chairman Marc Weiner called the meeting to order at 9:00 a.m. The meeting was conducted in Room 1E-47, Palm Beach County Department of Planning, Zoning & Building, 2300 North Jog Road, West Palm Beach, Florida.

**A. ROLL CALL.**

**MEMBERS PRESENT:**

Marc Weiner, Chairman  
Bart Rasper  
Peter Dzenutis  
Duane Drawdy  
Margie Walden

**MEMBERS ABSENT:**

Ron Dixon  
Michael Walker  
Tom Donegan

**OTHERS PRESENT:**

Rebecca Caldwell, Executive Director, PZB  
Doug Wise, Building Official  
Shannon Fox, Assistant County Attorney  
Anne Helfant, Assistant County Attorney  
Amy Petrick, Senior Assistant County Attorney  
Bob Nicholls, Construction Services Coordinator  
Amanda Myer, Administrative Assistant  
Diane Burress, Acting Board Secretary

**2. APPROVAL OF CBAA MINUTES.**

There were no CBAA minutes for approval.

**3. ADJOURN AS CBAA / RECONVENE AS LCRB.**

The Board adjourned as the CBAA and reconvened as the LCRB.

**4. APPROVAL OF LCRB MINUTES.**

There were no LCRB minutes for approval.

**5. ADDITIONS & DELETIONS.**

There were no additions or deletions to the agenda.

**6. NEW BUSINESS.**

Acting Board Secretary Diane Burress swore in all persons planning to give testimony.

**A. Case 15-01 – Florida Screen Builders.**

Ms. Amy Petrick, Senior Assistant County Attorney for Palm Beach County, presented the case for Palm Beach County and made an opening statement. She indicated that Florida Screen Builders has been cited for numerous instances of willful building code violations and fraud, and that Palm Beach County is requesting that the Board revoke the building permit privileges for this contractor. She added that the design manual in question had been prepared by the Aluminum Association of Florida (AAF) and had been adopted into the Florida Building Code.

Mr. Thomas Dougherty, an attorney representing the respondent, Rene Cantin of Florida Screen Builders, made an opening statement. He indicated the following:

- There was no evidence that Mr. Cantin made alterations to the details or tables in the AAF manual used in the affected building permit applications.
- Many of the altered permit applications have since been signed and sealed by an engineer, and now may be considered compliant with the Florida Building Code.
- The affected structures were designed to meet the applicable wind codes.

Mr. Dougherty requested that the Board not revoke the building permit privileges for Mr. Cantin.

Graham Christie, Palm Beach County Structural II Building Inspector, testified on behalf of Palm Beach County. He indicated that he had failed an inspection of a screen enclosure constructed by Florida Screen Builders. He added that Florida Screen Builders submitted a contractor field change request form, which was compared to the AAF design manual used by Florida Screen Builders in the corresponding building permit application. A discrepancy was found, which lead to all of the building permit applications from Florida Screen Builders to be reviewed.

Doug Wise, Palm Beach County Building Official, testified on behalf of Palm Beach County. He indicated:

- Each of the 285 affected building permits was not in compliance with the Florida Building Code, and that each permit would need to be re-opened.
- The respondent could get an engineer to certify that each permit is code compliant or physically retrofit each structure to be compliant.
- The Florida Department of Business and Professional Regulation provided a copy of the formal complaint to the respondent.

Anthony Compagnone, Palm Beach County Construction Inspection Coordinator, testified on behalf of Palm Beach County. He discussed his inspections of affected screen enclosures.

Bob Nicholls, Palm Beach County Construction Services Coordinator, testified on behalf of Palm Beach County. He discussed his inspections of affected screen enclosures.

(The Board took a lunch break from approximately 12:10 p.m. to 12:40 p.m.)

Mike Driscoll, Structural Engineer, testified on behalf of Palm Beach County. He indicated:

- He had reviewed the altered pages submitted by Florida Screen Builders in permit applications to Palm Beach County, and the altered pages do not comply with the AAF manual.
- He would charge approximately \$1,200 to review each application to determine the appropriate method to bring a permit application into compliance with the AAF manual.
- Using screws instead of bolts in the designs weakens the connections in the enclosures, and that such designs would not comply with the Florida Building Code.
- The alterations made by Florida Screen Builders in their permit applications are substantial deviations from the requirements of the Florida Building Code.
- He did not conduct on-site inspections of the applicable permit applications.

Constantino Tarnowski, Structural Engineer, testified on the behalf of Florida Screen Builders. He indicated:

- He had inspected two of the screen enclosures constructed by Florida Screen Builders at 17664 Kendalwood Terrace and 6245 Woodbury Road. He stated that these two structures had been constructed stronger than required by the AAF manual, and that there were no deficiencies in these two structures. He added that the structures were built well and met the requirements of the Florida Building Code. He said the respondent did not take any shortcuts and used more-expensive materials than required by the AAF manual.
- Florida Screen Builders paid him \$250 for each inspection.

Bob Nicholls, Palm Beach County Construction Services Coordinator, testified again on behalf of Palm Beach County. He discussed his inspection of the screen enclosure at 4280 Cameros Lane. He indicated that the screen enclosure at this location is not built to meet the altered plans that were submitted for the permit for this enclosure.

Mike Driscoll, Structural Engineer, testified again on behalf of Palm Beach County. He indicated that:

- The altered permit applications do not meet the Florida Building Code.
- He, as a structural engineer, has never been asked to modify a detail from the AAF manual.

Ms. Petrick indicated that Palm Beach County rests its case.

Rene Cantin, building contractor and owner of Florida Screen Builders, testified on his own behalf. He indicated the following:

- He has read the administrative complaint filed against him.
- He acknowledged that altered pages had been submitted in the permit applications, but he did not alter the pages.
- He used the services of someone to prepare the building permit applications.

- The Palm Beach County Building Division informed him of the altered pages in his permit applications in April 2014, and he has made the appropriate changes to subsequent permit applications since that time.

Due to time limitations, the hearing for this case was continued to a date to be determined.

**7. OLD BUSINESS.**

There was no old business.

**8. BOARD MEMBER COMMENTS.**

There were no comments from the Board.

**9. STAFF MEMBER COMMENTS.**

There were no comments from staff.

**10. ADJOURNMENT.**

Chairman Wiener adjourned the meeting at approximately 4:30 p.m.

Signed for the Board by,



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Marc Wiener, Chairman

Respectfully submitted,

Amanda Myer  
Recording Secretary