

# TOWN OF PALM BEACH

Information for Town Council Meeting on: March 19, 2019

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To: Mayor and Town Council

Via: Josh Martin, Director of Planning, Zoning & Building

From: Wayne Bergman, Asst. Director of Planning, Zoning & Building

Re: Expired Permits, 70 Middle Road

Date: March 5, 2019

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## **STAFF RECOMMENDATION**

Staff recommends that the Town Council consider the recent history and the present condition of the property, in which all construction permits for a lengthy renovation have expired and the building and site conditions are unfinished. The matter before you centers on whether the Town should approve the re-activation of the construction permits to allow Worth Builders (or the owner) to complete the work.

## **GENERAL INFORMATION**

70 Middle Road is currently owned by Jennifer J. Naegele. She purchased the property June of 2004. A series of renovations began in 2013 with Jackson Construction Group. Worth Builders took over the renovation project in 2015. Thirty three (33) permits have been issued for the renovations and revisions to the project. The renovation began with electrical work, repairs to beams and columns, adding a bathroom, limited demolition, rebuilding stairs, and other interior renovations. The renovation project grew, over time, to include plumbing and HVAC replacements. A large number of revisions were submitted and approved over the years. The final permit issued by the Town was for “a permit value update, rebuild existing back stairs, add chandelier, and hurricane mitigation”. That final permit was issued on January 17, 2018. There have not been any requested and approved inspections under the permits for the last six months.

Under the Florida Building Code (FBC), Chapter 1, Section 105.4.1, any permit that does not have an approved inspection within a six month time frame is considered invalid. Therefore, the owner and contractor are not able to complete the remaining work. Further, the Town Code of Ordinances (TCOO), Chapter 18, Section 18-237, requires the construction work of a remodel to a house between the size of 10,000 sf and 19,999 sf to be completed within 36 months. This section also requires the permits to be terminated if the construction work is not completed in accordance with the maximum time schedule (in this case, 36 months).

## **RECENT MATTERS**

Code Enforcement recently open a case on the property and issued a Stop Work Order. A meeting was held on February 22 with Code Enforcement, Worth Builders, and PZB. We discussed the length of the project and a possible path to allow completion of the project. Shortly after that meeting, PZB Director Josh Martin determined that the matter could not be considered administratively and that the entire matter should be considered by the Town Council, in accordance with Town code. I visited the property on two occasions over the last few weeks and took the photographs included in this packet. On each visit I noticed that the north building wall appears to be bare, unpainted stucco, a window A/C is installed in a second floor window opening (also enclosed with plywood), several windows are covered with metal and clear plastic storm panels, and both garage doors are partially opened. A number of vehicles were present at the property each day, although no exterior work was taking place.

Attachments

WRB

cc: Ben Alma, Code Enforcement Unit