

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Meeting Minutes**

**Monday, January 29, 2018**

**6:30 PM**

**Village Hall - Council Chambers**

### **Construction Board of Adjustments & Appeals**

*Bruce Tumin, Chair  
Lee Kantor, Vice-Chair  
Terrence Bailey  
Miguel Alonso  
Tripp Long  
John Donaldson  
John Strandberg*

**I. CALL TO ORDER**

Mr. Tumin, Chair, called the meeting of the CBAA on January 29, 2018 to order at 6:30 pm.

The following board members were present: Bruce Tumin, Lee Kantor, Miguel Alonso, John Donaldson, John Strandberg, and Tripp Long.

Board members not in attendance: Terrence Bailey

**II. REMARKS BY CHAIRMAN**

Mr. Tumin recited part of the Wellington Code section 113.3 and 113.4 regarding the powers of the Construction Board of Adjustments and Appeals.

Mr. Tumin made the remark that the Construction Board should be an unbiased body and should not always assume that the Building Official is always correct.

**III. PLEDGE OF ALLEGIANCE**

The Board recited the Pledge of Allegiance.

**IV. APPROVAL OF MINUTES**

A motion to approve the minutes made by the Chair.

Lee Kantor seconded the motion.

The Board approved the Minutes of the October 16, 2017 meeting unanimously.

**V. ADDITIONS/DELETIONS/REORDERING OF AGENDA**

Mr. Tumin stated that he has a concern about adding anything to the agenda at this time and asked the attorney for clarification.

Attorney, Megan Rogers, explained what this agenda item is intended for.

**VI. SWEARING IN OF SPEAKERS/EXPARTE COMMUNICATION**

Attorney, Ms. Megan Rogers, administered the Oath to all that would be giving testimony in these matters.

Ms. Rogers asked the Board members to disclose any ex-parte communications they may have had in this matter.

Board members indicated that they had no ex-parte communications to disclose.

## **VII. OLD BUSINESS**

Mr. Jacek Tomasik, Village of Wellington Building Official updated the Board with the follow up from the previous hearing.

Mr. Tomasik explained that Florida Delta Mechanical was released in November to apply for permits again as they were able to close all of the expired permits within the timeline specified.

Mr. Tomasik also explained that J Howen Inc unfortunately was not able to close all of their expired permits and did not indicate that they made any effort to close all of their expired permits. He noted that on the date of this hearing they still had five expired permits remaining. J Howen Inc is still not able to obtain permits in the Village of Wellington.

Mr. Tomasik advised the Board of the new code changes that were made that became effective December 31, 2017. These changes allow the Building Official to deny a contractor a permit if they have 2 or more expired permits in the Village of Wellington.

The Board asked Mr. Tomasik questions regarding the Old Business and the new code changes.

## **VIII. NEW BUSINESS**

Mr. Tomasik introduced Mr. Matthew Mills, Chief Building Inspector for the Village of Wellington as he was involved in communications with the homeowner and contractor. Mr. Tomasik also introduced Mr. David Hill, Building Inspector for the Village of Wellington that performed the inspections at the home where the case took place.

Mr. Tomasik presented the case of a willful code violation of the Florida Building Code specific to provisions 105.4.1, 105.4.1.3, 105.5.1, 105.5.3, 105.6.2. referring Shawn Wolfe of Three Guys Roofing to the CBAA Board. He explained that the homeowner would also like to present the case to the Board.

Mr. Tomasik gave a summary of the variety of violations that took place

at the residence.

The contractor, Shawn Wolfe of Three Guys Roofing, testified. Mr. Wolfe spoke about the roof installation, the inspections and exactly what happened on this job.

Mr. Tomasik spoke to what the contractor stated and advised the Board that the contractor was given until January 10th to correct the violation and the deadline was not met.

Mrs. Holme, the homeowner, presented the case and went over the timeline that she created.

Mrs. Holme introduced Melvin, from Alliance Construction and Cabinetry Company who she and her husband hired to inspect Mr. Wolfe's work and present the results of the inspection to the Board. Melvin presented his inspection report to the Board.

The Board asked Mr. Tomasik questions about the presentation.

Mr. Tomasik thoroughly went over the pictures provided by the homeowner and the code violations that were indicated in those pictures. He also went over the complete inspection history.

Mr. Tumin, Chair, asked Mr. Hill, Village of Wellington Building Inspector, questions regarding his inspections.

The Board asked questions of the contractor, Mr. Wolfe.

The Board asked questions of the homeowner, Mrs. Holme.

Mr. Kantor made a motion to close the testimony that was seconded.

Mr. Tomasik gave the Board the recommendation to set a specific time limit for the contractor to complete the roof.

After deliberating, a motion was made by Lee Kantor, seconded by John Donaldson to find Shawn Wolfe guilty of a willful Building Code violation and limit his ability to obtain building permits in the Village of Wellington contingent upon a ninety day extension of the permit to complete and satisfy the Building Department. If the contractor succeeds, his ability to obtain permits should be restored. If not, the contractor's ability to obtain permits in the Village of Wellington should be revoked indefinitely.

The motion was amended by Tripp Long to leave the extension amount

of time to the discretion of the Building Official due to the fact that third party involvements (roofing material manufacturer) are necessary. John Donaldson seconded the amendment to the motion.

The motion with the amendmendment was passed unanimously.

**IX. COMMENTS FROM THE PUBLIC**

**X. COMMENTS FROM STAFF**

**XI. COMMENTS FROM THE BOARD**

**XII. ADJOURN**

There being no further business to come before the Board, Mr. Tumin adjourned the meeting at 8:45pm.

**NOTICE**