

7C-1

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date: February 1, 2011

Department: Planning, Zoning & Building

Submitted By: Building Division

Advisory Board Name: Construction Board of Adjustment and Appeals

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to approve: The appointment/reappointment of the following named individuals to the Construction Board of Adjustment and Appeals (CBAA):

<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated By</u>
Marc Wiener	4	Architect	2/2/11-2/1/14	CIMC
<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated By</u>
Margie Walden	8	Citizen At Large	2/2/11-2/1/12	Comm. Abrams

Summary: Palm Beach County Ordinance 89-31 created the Construction Board of Adjustment and Appeals. Marc Wiener is nominated by the Construction Industry Management Council of Palm Beach County (CIMC), with a term of office of three years. Margie Walden is nominated by Commissioner Steven L. Abrams, with a term of office of one year. The nominations represent the Architect member and the Alternate Citizen At-Large member of the Board as required by the Palm Beach County Ordinance 2002-005, as amended, Palm Beach County Amendments to the Florida Building Code, 2007 Edition. The Board is comprised of seven members consisting of one registered architect; one registered engineer; one general contractor; one electrical contractor; one HVAC contractor; one plumbing contractor and any other contractor licensed category. In addition to the seven members, there should be two alternate members, one member with the qualifications referenced above and one member at large from the public. A memorandum from the Building Division was sent to the BCC on October 6, 2010 requesting nominations for Seat 8. There were no other nominations. (Building Division) Countywide (DW)

Background and Justification: continued on page 3

Attachments:

1. Board Appointment Information Form
2. Letter of Recommendation
3. Memo to Commissioners on October 6, 2010
4. Resumes
5. Sunshine Amendment & Code of Ethics Forms
6. Palm Beach County Code of Ethics Forms
7. Attendance Record
8. Section 116 of the Palm Beach County Amendments to the Florida Building Code, 2007 Edition

Recommended By: [Signature] 1/14/11  
Department Director Date

Legal Sufficiency: [Signature] 1/20/11  
Assistant County Attorney Date

**II. REVIEW COMMENTS**

**A. Other Department Review:**

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**Department Director**

REVISED 06/92  
ADM FORM 03  
(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

continued from page 1

**Background and Justification:** The Construction Board of Adjustment and Appeals shall have the power, as further defined in 116.3, to hear appeals of decisions and interpretations of the Building Official and consider variances of the technical codes.

The Board shall establish rules and regulations for its own procedure not consistent with the provisions of this code. The board shall meet on call of the chairman. The board shall meet within 30 calendar days after notice of appeal has been received.

This advisory committee membership has 9 seats, 4 currently filled and 5 vacancies and a diversity count of Asian: 0 (0.00%), Black: 0 (0.00%), Hispanic: 0 (0.00%), White: 4 (100%) and unknown: 0 (0.00%). The gender ratio (male:female) is 4:0.

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ADVISORY BOARD NOMINEE INFORMATION FORM

The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.

**Part I (to be filled out by Department):** (Please Print)

Board Name: Construction Board of Adjustment and Appeals

At Large Appointment or  District Appointment

Term of Appointment: 3 Years. From: 2/2/11 To: 2/1/14

Seat Requirement: Architect Seat #: 4

\*Reappointment or  New Appointment

or  to complete the term of \_\_\_\_\_ Due  resignation  other to: \_\_\_\_\_

Completion of term to expire on: \_\_\_\_\_

\*When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.

0 Number of previously disclosed voting conflicts during the previous term

**Part II (to be filled out and signed by Applicant):** (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Wiener Marc  
Last First Middle

Occupation/Affiliation: Architect

Business Name: Marc Wiener, R.A., P.A.

Business Address: 33 SE 4th Street #101

City & State: Boca Raton, FL Zip Code: 33432

Residence Address: 1111 SW 19th Street

City & State: Boca Raton, FL Zip Code: 33432

Home Phone: (561) 866-1411 Business Phone: (561) 750-4111 Ext.

Cell Phone: (561) 866-1411 Fax: (561) 750-5298

Email Address: marc@mwarchitecture.com

Mailing Address preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No

If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

**Minority Identification Code:**

- IF (Native-American Female)
- AF (Asian-American Female)
- BF (African-American Female)
- HF (Hispanic-American Female)
- WF (Caucasian Female)
- IM (Native-American Indian Male)
- AM (Asian-American Male)
- BM (African-American Male)
- HM (Hispanic-American Male)
- WM (Caucasian Male)

Applicant's Signature: \_\_\_\_\_ Date: 7.20.10

**Part III (to be filled out by Commissioner):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# CONSTRUCTION INDUSTRY MANAGEMENT COUNCIL



Bruce G. Kaleita, General Counsel

Natasha V. Cannon, Executive Director

\*\*\* FURNISHED VIA FACSIMILE AND US MAIL \*\*\*

February 19, 2010

Rebecca Caldwell, Building Official  
Department of Planning Zoning & Building  
2300 North Jog Road  
West Palm Beach, Florida 33411

Re: Architect Nominee to CBAA

Dear Ms. Caldwell:

The members of the Construction Industry Management Council voted unanimously to nominate Marc Weiner, Architect, to serve another term on Seat 4 of the Construction Board of Adjustment & Appeals.

In addition to our letter, I have also enclosed for your perusal, the letter to CIMC from AIA Palm Beach nominating Mr. Weiner to this board.

If you have any further questions, you can reach me at (561) 200-4788.

Sincerely,

Natasha V. Cannon

Natasha V. Cannon  
Executive Director

NVC/dn

Enc.: Nomination letter

Cc: Marc Weiner

AIA Palm Beach

THE MANAGEMENT LEVEL OF ASSOCIATIONS, REPRESENTING TRADES,  
SKILLS AND DESIGN PROFESSIONALS IN THE CONSTRUCTION INDUSTRY.

Aluminum Association of Florida, Palm Beach • American Institute of Architects of Palm Beach • Associated General Contractors • Associated Builders & Contractors Association • Construction Association of South Florida Electrical Council of Florida • Gold Coast Builders Association • National Association of Women In Construction • Palm Beach Air Conditioning Contractors of America • Palm Beach County Roofing & Sheet Metal Contractors Association • Plumbing Heating Cooling Contractors • Plumbing & Air Conditioning Contractors Industry Fund • Sunshine State One Call of Florida, Inc. • Trowel Guild  
Underground Contractors Association of South Florida

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MARC WIENER A.I.A.  
ARCHITECTURE / PLANNING

MARC WIENER, A.I.A. - FIRM PROFILE

Marc Wiener has been a major contributor to design and planning in the greater South Florida area since 1976. A 1971 graduate of Ohio State University, enrolling in its architectural program after having attended Syracuse University.

Upon graduating, he was employed as Project Architect for the firm of Dewberry & Davis in Fairfax, Virginia; one of the largest and most influential architectural and Engineering firms in the Mid - Atlantic area.

In 1976 Marc began working with Peabody & Childs Architects Inc. in Pompano Beach, Florida when the firm had 8 employees. The firm grew to over 50 employees, Marc became Vice President and Partner in 1979.

Marc has operated his Architectural firm since 1985. He has successfully integrated his unique design concepts, along with a sound knowledge base of commercial, business and retail development to attract a diverse clientele and work base, including: retail center development with tenants, among which are Publix Supermarkets, Walgreen's Pharmacies, Whole Foods Markets, Barnes & Noble, Bed, Bath & Beyond, Sports Authority, Old Navy, Petsmart, LA Fitness, and Blockbuster Videos, to name a few. Corporate clients include Rexall / Sundown, Ethan Allen, Metropolitan Life, New York Life, Crown Theatres and MDR Fitness. Our Office Development experience is extensive with almost 1 million square feet of recent projects for Procacci Development. Much of this development involved Governmental Agency tenancy.

Some of the Residential Clients for which Marc and his staff design high end rental developments for are: Altman Development, RAM Development, Fairfield Residential & Transeastern Development. The Firm's vast experience in retail, office and residential development has resulted in the obvious transition to Mixed Use Development, with recent projects such as: The Lucerne in Lake Worth, Fl., The Broadway Promenade in Sarasota, Fl., Mainstreet at Midtown in Palm Beach Gardens, Fl. and The Collection in Naples, Fl.

Some of the Residential Clients for which Marc and his staff design high end rental developments for are: Altman Development, RAM Development, Fairfield Residential & Transeastern Development. The Firm's vast experience in retail, office and residential development has resulted in the obvious transition to Mixed Use Development, with recent projects such as: The Lucerne in Lake Worth, Fl., The Broadway Promenade in Sarasota, Fl., Mainstreet at Midtown in Palm Beach Gardens, Fl. and The Collection in Naples, Fl.

With vast experience in commercial, and residential design, Marc and his exceptional staff, whose combined years of experience exceed 75 years, have maintained a high quality in their work, and a deep commitment to their community. Their creative stamp is indelibly placed on the city of Boca Raton, with the advent of the new Publix Supermarket at the Southern Gateway to the City's downtown district along with the myriad shopping centers that literally flow out of the office.

Marc has his Architectural Registration in the States of Florida, South Carolina, Virginia, Georgia, and is N.C.A.R.B. certified. He is currently a member, and former President of the Palm Beach Chapter of the American Institute of Architects, and is a board member and Chairs the Palm Beach County Construction Board of Adjustment and Appeals.

**TO: ADVISORY BOARD MEMBERS**  
**FROM: ROBERT WEISMAN**  
**COUNTY ADMINISTRATOR**  
**RE: STATE GUIDE TO THE SUNSHINE AMENDMENT &**  
**CODE OF ETHICS**

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As an appointee to a Palm Beach County Advisory Board, you must familiarize yourself with the State Guide to the Sunshine Amendment and Code of Ethics. The purpose of this guide is to ensure adherence to the highest standards of ethics, protect the integrity of County government and foster public confidence.

This guide addresses conflict of interest, disclosure, acceptance and reporting of gifts, use of position or property, voting conflicts, political activities, prohibition against misuse of the code, and enforcement. This Guide also addresses conflicts, prohibitions on doing business with the County or having conflicting employment or contractual relationships. The Guide can be found on the web at: <http://www.pbcgov.com/ethics/advisory.htm>

Please read and make yourself familiar with the Guide and return the acknowledgment form below to Palm Beach County PZB, 2300 N. Jog Road, WPB, FL 33411. If you cannot access this document on the web, please contact (561) 233-5103 for other arrangements.

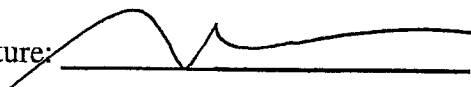
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**Acknowledgement of Receipt**

NAME: MARC WIENER  
Print or Type

ADVISORY BOARD(S): CB AA

I acknowledge that I have read the State of Florida Guide to the Sunshine Amendment and the Code of Ethics. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature:  Date: 7.20.10



TO: ADVISORY BOARD MEMBERS  
 FROM: ROBERT WEISMAN  
 COUNTY ADMINISTRATOR  
 RE: PALM BEACH COUNTY CODE OF ETHICS

Effective May 1, 2010, contractual relationships between Palm Beach County government and advisory board members, their employers, or businesses, are prohibited conflicts of interest as set forth in the Palm Beach County Code of Ethics, Ordinance 2009-051. This conflict of interest must be waived by an affirmative vote of five (5) members of the Board of County Commissioners upon full disclosure at a public meeting in order to accept appointment to an advisory board. In the space provided below, please identify any such contractual relationships, or verify that none exist at this time. The Ordinance (2009-051) and the training requirement can be found on the web at: <http://www.pbcgov.com/ethics/advisory.htm>

<u>Type of Contract</u>	<u>Which Department/Division</u>	<u>Effective Date</u>	<u>Term</u>
NA			

Yes, submit a waiver to the Board of County Commissioners, since I or my employer have/has the above named contract(s);

OR

At this time, I nor my employer have contract(s) with the Board of County Commissioners

**As a (current or potential) advisory board member you are required to receive training on the PBC Code of Ethics and acknowledge that you have read and understand the PBC Code of Ethics Ordinance.**

If you are unable to access the training and/or Ordinance on the web, please call (561) 233-5103 for other arrangements.

**Acknowledgement of Receipt**

NAME: Marc Wiener  
 Print or Type

FIRM/COMPANY/ORGANIZATION: Marc Wiener, R.A., PA.

ADVISORY BOARD(S): CBAA

I acknowledge that I have taken the required training; and read and understand the Palm Beach County Code of Ethics Ordinance, the provisions of which are effective May 1, 2010. I understand that as an advisory board member of the above-mentioned board(s), I am bound by it.

Signature: [Signature] Date: 7.20.10

Please sign and return this FORM to Palm Beach County PZB, 2300 N. Jog Road, WPB, FL 33411. .



PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
ADVISORY BOARD NOMINEE INFORMATION FORM

The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.

**Part I (to be filled out by Department):** (Please Print)

Board Name: Construction Board of Adjustments & Appeals

At Large Appointment or  District Appointment

Term of Appointment: 1 Years. From: 2/2/11 To: 2/2/12

Seat Requirement: Citizen At Large Seat #: 8

\*Reappointment or  New Appointment

or  to complete the term of \_\_\_\_\_ Due  resignation  other to: \_\_\_\_\_

Completion of term to expire on: \_\_\_\_\_

\*When a person is being considered for re-appointment, the number of previous disclosed voting conflicts shall be considered by the Board of County Commissioners.

       Number of previously disclosed voting conflicts during the previous term

**Part II (to be filled out and signed by Applicant):** (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: WALDEN MARGIE Joy  
Last First Middle

Occupation/Affiliation: EXEC. VP

Business Name: ALLIANCE OF DELRAY

Business Address: 13900 JOG ROAD, Suite 203-212

City & State: DELRAY BEACH, FL Zip Code: 33446

Residence Address: 6103 CALADIUM ROAD

City & State: DELRAY BEACH, FL Zip Code: 33484

Home Phone: ( ) Business Phone: ( ) Ext. \_\_\_\_\_

Cell Phone: (561) 699-4011 Fax: (561) 381-3356

Email Address: mjwalden1@bellsouth.net

Mailing Address preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No X  
If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

**Minority Identification Code:**  
 IF (Native-American Female)  IM (Native-American Indian Male)  
 AF (Asian-American Female)  AM (Asian-American Male)  
 BF (African-American Female)  BM (African-American Male)  
 HF (Hispanic-American Female)  HM (Hispanic-American Male)  
 WF (Caucasian Female)  WM (Caucasian Male)

Applicant's Signature: Margie Joy Walden Date: 11/9/10

**Part III (to be filled out by Commissioner):**

Appointment to be made at BCC Meeting on: 2/11/11

Commissioner's Signature: Steven L. Abrome Date: 10-16-10



## INTEROFFICE MEMORANDUM

**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

**Palm Beach County  
Board of County  
Commissioners**

Burt Aaronson, Chair

Karen T. Marcus, Vice Chair

Shelley Vana

Steven L. Abrams

Jess R. Santamaria

Priscilla A. Taylor

**County Administrator**

Robert Weisman

**DATE:** October 6, 2010

**TO:** Burt Aaronson, Chair and Members of the Board of County Commissioners

**FROM:** Rebecca D. Caldwell, Building Official *RDC*  
Building Division

**RE:** CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS

A nomination is needed to fill Seat No. 8 on the County's Construction Board of Adjustments and Appeals. The requirement for the seat is to be a member from the public at large.

If you have a nomination for this seat, please send me contact information. Attached is a list of current members of the Board.

Please return your nomination to me as soon as possible. Staff will prepare an Agenda Item for the Board's consideration, as soon as we receive your response.

If you have any questions concerning this appointment, you may contact me at 233-5101.

Attachment

c: Commissioner Karen T. Marcus, Vice Chair  
Commissioner Shelley Vana  
Commissioner Steven L. Abrams  
Commissioner Jess R. Santamaria  
Commissioner Priscilla A. Taylor  
Verdenia Baker, Deputy County Administrator  
Barbara Alterman, Executive Director, PZB  
Patty Hindle, Agenda Coordinator

Margie J. Walden  
6103 Caladium Road  
Delray Beach, FL 33484  
Cell: (561) 699-4011  
E-mail: [mjwalden1@bellsouth.net](mailto:mjwalden1@bellsouth.net)

**EXPERIENCE:**

**ALLIANCE OF DELRAY RESIDENTIAL ASSOCIATIONS, INC.** Delray Beach, FL  
**EXECUTIVE VICE PRESIDENT** January 2009-present  
Oversees all programming and membership for this civic organization of 76 homeowner and condo communities representing 90,000 people in Delray Beach.

**PALM BEACH COUNTY SPORTS COMMISSION**  
**BOARD OF DIRECTORS** April 2009-present  
Appointed to serve on this Board to increase tourism by bringing sporting events to Palm Beach County

**RUTH RALES JEWISH FAMILY SERVICE (RRJFS)** Boca Raton, FL  
**DIRECTOR OF DEVELOPMENT** January 2008-October 2008  
Directed staff to raise funds for RRJFS counseling and educational programs offered throughout south Palm Beach County.  
\*Directed all fund raising activities, special events, annual solicitations, major gifts and planned giving raising \$300,000+ in eight months  
\*Initiated strategic partnerships with corporate donors  
\*Developed policies and procedures for donor recognition and directed database improvements  
\*Directed Board member committees for special events and financial resource development  
\*Educated the community about RRJFS programs and services and created an integrated marketing plan

**SMALL ASSOCIATION MANAGEMENT, INC.** Delray Beach, FL  
**CONSULTANT** January 2007-October 2007  
Served as the Executive Director for the Florida Academy of Audiology with the major responsibility of raising funds and marketing the annual meeting.  
\* Raised \$71,000 in direct sponsorships from major corporations  
\* Directed the annual meeting planning for 250 and supervised all accommodations, menu planning and the design of the exhibit hall  
\* Organized all speaker travel and audio visual requirements  
\* Provided Board support with meeting planning and minutes

**CAMPAIGN FOR FLORIDA STATE REPRESENTATIVE, DISTRICT 90**  
**CONSULTANT** June 2006-October 2006  
Served as an advisor to Harvey Arnold in his campaign for State Representative, District 90.  
\* Supervised fund raising efforts and organized activities for the community to meet the candidate  
\* Reviewed all publications and advised on public relations and marketing  
\* Wrote speeches and coached the candidate for delivery

**FLORIDA ATLANTIC UNIVERSITY** Boca Raton, FL 33431  
**CHARLES E. SCHMIDT COLLEGE OF SCIENCE**  
**DIRECTOR OF DEVELOPMENT** January 2005-May 2006  
Directed staff to raise funds for FAU's Charles E. Schmidt College of Science and to educate the community about research being conducted in the Departments of Biological Sciences, Biomedical Science, Chemistry & Biochemistry, Geosciences, Mathematics, Physics, and Psychology.  
\* Directed all fundraising activities, special events, annual solicitations, major gifts and planned giving for scholarships, programs, and research raising over \$900,000  
\* Supervised all marketing and public relations activities including media relations and the development of a new brochure and web materials.  
\* Directed a twenty-five member Advisory Board of high level executives from Miami-Dade, Palm Beach and Broward counties and supervised all committee activities increasing participation by 85%  
\* Enhanced strategic alliances with community organizations, foundations and corporations

**BACHMANN-STRAUSS DYSTONIA & PARKINSON FOUNDATION, New York, NY 10029**

**EXECUTIVE DIRECTOR**

January 2001-January 2004

**Directed a staff of four, outside consultants, and teams of volunteers to raise funds for cutting-edge research for dystonia and Parkinson's disease, and to raise awareness of these diseases within the public and medical communities.**

- \* Directed all fundraising activities, special events, annual solicitations, major gifts, and planned giving raising over \$6 million from 2001-2004
- \* Collaborated with Board of Directors on all activities and developed the program and materials for all meetings
- \* Developed, implemented, and monitored budget of \$1.7 million+
- \* Directed hiring of office staff, interns, volunteers, and consultants
- \* Directed production and distribution of all public relations and communications materials, such as newsletters, brochures, Annual Report, and web site

**AMERICAN INSTITUTE OF CHEMICAL ENGINEERS (AIChE), New York, NY**

**MANAGER, MEMBER ACTIVITY GROUPS**

1998-December 2000

**Managed staff of six with a budget of \$1 million+ for providing consultations, publications, and training to AIChE's leaders in over 300 local affiliates and technical societies.**

- \* Conducted on-site consultations worldwide with local affiliates in strategic planning, marketing, fundraising, and programming
- \* Supervised production of publications, guides, and brochures in print and online
- \* Managed all aspects of two annual leadership training conferences, negotiated all contracts, and increased attendance by 31%, the number of corporate sponsors by 65%, and corporate funding by 36%

**GIRL SCOUTS OF THE USA, New York, NY**

**MEMBERSHIP AND PROGRAM CONSULTANT**

1996-1998

**Served as a consultant to 42 Girl Scout Councils with total membership of 500,000 and budgets in excess of \$60 million**

- \* Provided on-site consultation, training, and technical expertise to Girl Scout Councils for marketing and membership extension with 4.5% membership increase in 1 year
- \* Developed, wrote, and coordinated production of content for membership and program publications with emphasis on multi-cultural marketing and global affairs

**TAIWAN INTERNATIONAL ALLIANCE, New York, NY**

**EXECUTIVE DIRECTOR**

1993-1996

**Directed this organization of four with the goal of developing strategies to increase Taiwan's recognition in the United States and the international arena**

- \* Provided strategic counsel to former Vice President Annette Lu and Taiwan government officials
- \* Supervised a promotional campaign to educate the diplomatic community about Taiwan, served as spokesperson, and lectured at national and international conferences

**EDUCATION:**

Institute for Multi-Track Diplomacy, Washington, DC. Diplomacy Training  
SUNY College of Environmental Science, Graduate Program, Syracuse, NY  
SUNY Buffalo, Buffalo, NY. Bachelor of Arts, Magna Cum Laude, Phi Beta Kappa

**PUBLICATIONS:**

*Go Global*, Girl Scouts of the USA, New York, NY 1999.  
*Girl Scouting and the American Indian Community*, Girl Scouts of the USA, New York, NY 1999.  
"A Perspective on Taiwan Independence and the Concept of Nation-State", *Taiwan Independence and Limitations to the Nation-State Concept*, The Pacific Institute/The Asia Institute, pp. 122-133, 1997.

**AWARDS:**

2002 Dalton Pen Communications Award: Award of Merit for the 2001 Bachmann-Strauss Dystonia & Parkinson Foundation Annual Report

**ADDITIONAL BOARDS & APPOINTMENTS:**

Board member, West Atlantic Development Coalition (WARC), Delray Beach, FL 2010-present  
Commission member, Allegheny Franciscan Ministries, Palm Beach Region, 2010-present  
Family Caregiver Advocate, Arden Courts Alzheimer's Assisted Living, Delray Beach, FL 2009-present  
Board of Directors, Dover House, Delray Beach, FL (managed by Landex Resorts International, Inc.) 2006-present

**Department of Planning,**

**Zoning & Building**

2300 North Jog Road

West Palm Beach, FL 33411

(561) 233-5000

Planning Division 233-5300

Zoning Division 233-5200

Building Division 233-5100

Code Enforcement 233-5500

Contractors Certification 233-5525

Administration Office 233-5005

Executive Office 233-5228

[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

**Palm Beach County  
Board of County  
Commissioners**

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Shelley Vana

Steven L. Abrams

Jess R. Santamaria

Priscilla A. Taylor

**County Administrator**

Robert Weisman

"An Equal Opportunity  
Affirmative Action Employer"

**TO: ADVISORY BOARD MEMBERS**

**FROM: ROBERT WEISMAN,  
COUNTY ADMINISTRATOR**

**RE: STATE GUIDE TO THE SUNSHINE AMENDMENT  
& CODE OF ETHICS**

As an appointee to a Palm Beach County Advisory Board, you must familiarize yourself with the State Guide to the Sunshine Amendment and Code of Ethics. The purpose of this guide is to ensure adherence to the highest standards of ethics, protect the integrity of County government and foster public confidence.

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Please read and make yourself familiar with the Guide and return the acknowledgment form below to: Planning, Zoning, and Building, Building Division, 2300 N. Jog Road, West Palm Beach, FL, 33411. If you cannot access this document on the web, please contact Ashley Salvati at 561-233-5103 for other arrangements.

**Acknowledgement of Receipt**

NAME: Margie Joy Walden MARGIE JOY WARDEN

ADVISORY BOARD(S): Construction BOARD OF ADJUSTMENTS & APPEALS  
CBA

I acknowledge that I have read the State of Florida Guide to the Sunshine Amendment and the Code of Ethics. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: Margie Joy Walden Date: 11/9/10

**Please sign and return to Administration.**

Revised 3/15/10



TO: ADVISORY BOARD MEMBERS  
 FROM: ROBERT WEISMAN  
 COUNTY ADMINISTRATOR  
 RE: PALM BEACH COUNTY CODE OF ETHICS

Effective May 1, 2010, contractual relationships between Palm Beach County government and advisory board members, their employers, or businesses, are prohibited conflicts of interest as set forth in the Palm Beach County Code of Ethics, Ordinance 2009-051. This conflict of interest must be waived by an affirmative vote of five (5) members of the Board of County Commissioners upon full disclosure at a public meeting in order to accept appointment to an advisory board. In the space provided below, please identify any such contractual relationships, or verify that none exist at this time. The Ordinance (2009-051) and the training requirement can be found on the web at: <http://www.pbcgov.com/ethics/advisory.htm>

<u>Type of Contract</u>	<u>Which Department/Division</u>	<u>Effective Date</u>	<u>Term</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\_\_\_\_\_ Yes, submit a waiver to the Board of County Commissioners, since I or my employer have/has the above named contract(s);

**OR**

At this time, I nor my employer have contract(s) with the Board of County Commissioners

**As a (current or potential) advisory board member you are required to receive training on the PBC Code of Ethics and acknowledge that you have read and understand the PBC Code of Ethics Ordinance.**

If you are unable to access the training and/or Ordinance on the web, please contact Ashley Salvati at 561-233-5103 for other arrangements.

**Acknowledgement of Receipt**

NAME: MARGIE JOY WALDEN  
Print or Type

FIRM/COMPANY/ORGANIZATION: ALLIANCE OF DELRAY

ADVISORY BOARD(S): CBAA

I acknowledge that I have taken the required training; and read and understand the Palm Beach County Code of Ethics Ordinance, the provisions of which are effective May 1, 2010. I understand that as an advisory board member of the above-mentioned board(s), I am bound by it.

Signature: Margie Joy Walden Date: 11/9/10

Please sign and return this FORM to Planning, Zoning, and Building, Building Division, 2300 N. Jog Rd., West Palm Beach, FL 33411.

**Construction Board of Adjustment and Appeals – ATTENDANCE RECORD 2010**

<b>MEMBER</b>	<b>J</b>	<b>F</b>	<b>M</b>	<b>A</b>	<b>M</b>	<b>J</b>	<b>J</b>	<b>A</b>	<b>S</b>	<b>O</b>	<b>N</b>	<b>D</b>
Dixon, Ron	N		C	C	C	C	C	A	C	C	C	
Drawdy, Duane	N		C	C	C	C	C		C	C	C	
Dzenutis, Peter	N		C	C	C	C	C		C	C	C	
Godfrey, Albert	N	A	C	C	C	C	C		C	C	C	
Rasper, Bart	N		C	C	C	C	C		C	C	C	
Rich, Arnold	N		C	C	C	C	C		C	C	C	
Walker, Michael	N	A	C	C	C	C	C		C	C	C	
Wiener, Marc	N		C	C	C	C	C		C	C	C	

No entry indicates member in attendance

“A” entry indicates member absent

“N” entry indicates no meeting held

“C” entry indicates scheduled meeting cancelled

“N/A” entry indicates no appointee or pending appointment

same manner as mortgage liens are foreclosed. Such lien shall bear interest from date of abatement of nuisance at the rate of ten (10) percent per annum and shall be enforceable if unsatisfied as other liens may be enforced by the governing agency.

#### **115.4 Appeals.**

**115.4.1** An aggrieved party, including the local governing body, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

### **SECTION 116 BUILDING BOARD OF ADJUSTMENT AND APPEALS**

**116.1** Appointment. There is hereby established a board to be called the Building Board of Adjustment and Appeals, which shall consist of seven members and two alternates. The applicable governing body shall appoint the Board.

#### **116.2 Membership and Terms**

**116.2.1** Membership. The Building Board of Adjustment and Appeals shall consist of seven members. Such board members shall be composed of individuals with knowledge and experience in the technical codes to include, to the greatest extent possible, to an architect, engineer, general contractor, electrical contractor, HVAC contractor, plumbing contractor, and any other contractor licensed category. In addition to the regular members, there should be two alternate members, one member with the qualifications referenced above and one member at large from the public. A board member shall not act in a case in which he has a personal or financial interest.

**116.2.2** Terms. The terms of office of the board members shall be staggered so no more than one-third of the board is appointed or replaced in any 12-month period. The two alternates, if appointed, shall serve one-year terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Three absences of any member from required meetings of the board shall in a 12 month period, at the discretion of the applicable governing body, render any such member subject to immediate removal from office.

**116.2.3** Quorum and voting. A simple majority of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. In modifying a decision of the building official, not less than four affirmative votes, but not less than a majority of the board, shall be required. In the event that regular members are unable to attend a meeting, the alternate members, if appointed, shall vote.



**116.2.4 Secretary of board.** The building official or his/her authorized representative shall act as secretary of the board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member, and any failure of a member to vote.

**116.3 Powers.** The Building Board of Adjustments and Appeals shall have the power, as further defined in 116.4, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes.

#### **116.4 Appeals**

**116.4.1 Decision of the building official.** The owner of a building, structure or service system, or duly authorized agent, may appeal a decision of the building official to the Building Board of Adjustment and Appeals whenever any one of the following conditions are claimed to exist:

1. The building official rejected or refused to approve the mode or manner of construction proposed to be followed, or materials to be used in the installation or alteration of a building, structure, or service system.
2. The provisions of this code do not apply to this specific case.
3. That an equally good or more desirable form of installation can be employed in any specific case, which the building official has rejected or refused.
4. The true intent and meaning of this code or any of the regulations hereunder have been misconstrued or incorrectly interpreted.

**116.4.2 Variances.** The Building Board of Adjustments and Appeals, when upon written request, has been so appealed to and after a hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:

1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.
2. That the special conditions and circumstances do not result from the action or inaction of the applicant.
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures or service system.
4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.
5. That the grant of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety and general welfare.

**116.4.2.1** Conditions of the variance. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Violation of the conditions of a variance shall be deemed a violation of this code.

**116.4.3** Notice of appeal. Notice of appeal shall be in writing and filed within 30 calendar days after the building official renders the decision. Appeals shall be in a form acceptable to the building official.

**116.4.4** Unsafe or dangerous buildings or service systems. In the case of a building, structure or service system, which in the opinion of the building official, is unsafe, unsanitary or dangerous, the building official may, in the order, limit the time for such appeals to a shorter period.

#### **116.5** Procedures of the board.

**116.5.1** Rules and regulations. The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The board shall meet on call of the chairman. The board shall meet within 30 calendar days after notice of appeal has been received.

**116.5.1.1** Rules of Evidence. Formal rules of evidence shall not apply, but fundamental due process should be observed and govern the proceedings. Upon determination by the Chairperson, irrelevant, immaterial, or unduly repetitious evidence may be excluded, but all other evidence of a type commonly relied upon by reasonable, prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form. The Board may request certain evidence be provided by an architect or engineer registered in the State of Florida, in which case said evidence shall be signed, sealed, and dated.

**116.5.1.2** Testimony. Any member of the Board or the attorney representing the Board may inquire of, or question, any witness before the Board. Any member of the Board, the petitioner or his/her attorney, and/or the building official shall be permitted to inquire of any witness before the Board. The Board may consider testimony presented by the building official, the petitioner, or any other witness.

**116.5.2** Decisions. The Building Board of Adjustment and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official or varies the application of any provision of this code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or

otherwise to the appellant and a copy shall be kept publicly posted in the office of the building official for two weeks after filing. Every decision of the board shall be final; subject however to such remedy as any aggrieved party might have at law or in equity.

**SECTION 117  
RESERVED**

**SECTION 118  
SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

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