

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

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Meeting Date: June 2, 2020

Department: Planning, Zoning & Building Department

Submitted By: Building Division

Advisory Board Name: Construction Board of Adjustments and Appeals

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Appointment of one member to the Construction Board of Adjustments and Appeals (CBAA).

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Jessica Dornblaser	4	Architect	06/02/2020 -06/01/2023	American Institute of Architects (AIA) Palm Beach Chapter

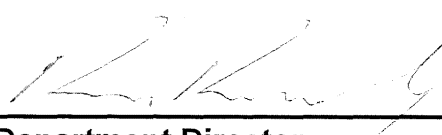
Summary: Jessica Dornblaser has been nominated by the American Institute of Architects (AIA) Palm Beach Chapter to serve a three-year term as the architect on the Board. The term of office for Board members is three years, with a limit of three consecutive three-year terms. The Board has 11 seats with 9 currently filled and a diversity count of Caucasian: 8 (90%) and Hispanic: 1 (10%). The gender ratio (female: male) is 2:7. The nominee is a Caucasian female. Staff will continue to address the need to increase diversity on our boards. Countywide (CK)

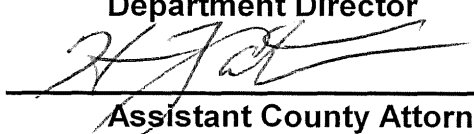
Background and Justification: Palm Beach County Ordinance 89-31, as amended in 2002, established the Construction Board of Adjustment and Appeals. Per Palm Beach County Ordinance 2017-044, Palm Beach County Amendments to the Florida Building Code, 6th Edition (2017), the Board is comprised of nine regular members: one architect; one engineer; two Division 1 contractors (general, building, or residential contractors); one electrical contractor; one HVAC contractor; one plumbing contractor; a member at large from the public; and any other contractor licensed category. In addition to these members, there should be two alternate members: one member with the qualifications referenced above; and one member at large from the public. As defined in Section 113.5 of the Palm Beach County Amendments to the Florida Building Code, the Board shall have the power to hear appeals of decisions and interpretations of the Building Official, and consider variances of the technical codes.

Attachments:

1. Board/Committees Applications for Jessica Dornblaser
2. Resume/Bio for Jessica Dornblaser
3. Nomination Correspondence from AIA Palm Beach
4. CBAA Attendance Log 2018, 2019, and 2020
5. Section 113 of the Palm Beach County Amendments to the Florida Building Code, 6th Edition (2017)

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Recommended By:  5/11/2020
Department Director Date

Legal Sufficiency:  5/12/20
Assistant County Attorney Date

II. REVIEW COMMENTS

A. Other Department Review:

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

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION

The information provided on this form will be used in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.

Section I (Department): Planning, Zoning & Building (Building Division)

Board Name: Construction Board of Adjustment and Appeals Advisory ☐ Not Advisory ☒

☐ At Large Appointment or ☐ District Appointment /District #: _____

Term of Appointment: 3 Years. From: _____ To: _____

Seat Requirement: _____ Architect Seat #: 4

☒*Reappointment or ☐ New Appointment

or ☐ to complete the term of _____ Due to: ☐ resignation ☐ other

Completion of term to expire on: _____

*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: _____

Section II (Applicant): (Please Print)
APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name:	Dornblaser	Jessica	Fern
	Last	First	Middle
Occupation/Affiliation:	Architect		
	Owner <input checked="" type="checkbox"/>	Employee <input type="checkbox"/>	Officer <input type="checkbox"/>
Business Name:	The Everglades Architecture Group		
Business Address:	719 N Dixie Highway		
City & State	West Palm Beach	Zip Code:	33401
Residence Address:	136 Mohigan Circle		
City & State	Boca Raton, Florida	Zip	33487
Home Phone:	(N/A)	Business Phone:	(561) 912-0400 Ext.
Cell Phone:	(561) 302-2983	Fax:	()
Email Address:	Jessica@cagfl.com		

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: ☐ Male ☒ Female

☐ Native-American ☐ Hispanic-American ☐ Asian-American ☐ African-American ☒ Caucasian

Section II Continued:

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

Contract/Transaction No.	Department/Division	Description of Services	Term
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100

N/A			
N/A			

(Attach Additional Sheet(s), if necessary)
OR

NONE ☒ NOT APPLICABLE/ (Governmental Entity) ☐

ETHICS TRAINING: All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment. **Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>.** Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

X By watching the training program on the Web, DVD or VHS May 2, 2019
By attending a live presentation given on _____, 20____

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature: [Signature] Printed Name: Jessica F. Dornblaser Date: 4/13/20

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 355-1915.

Return this FORM to:
Jacquelyn Anderson, Palm Beach County PZ&B, Building Division
2300 North Jog Road, West Palm Beach, Florida 33411

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: _____ Date: _____

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public. Revised 02/01/2016

Jessica Dornblaser, AIA NCARB
 719 North Dixie Highway
 West Palm Beach, FL. 33401
 Jessica@eagfl.com

Education

Florida Atlantic University
 School of Architecture
 Fort, Lauderdale, FL 2010-2014
 5 Year professional degree
 obtained

Liberty University
 Lynchburg, VA. 2001-2003

State of Florida Architect
 AR 97928

Work Experience

Principal,

The Everglades Architecture Group
 West Palm Beach, FL 5/2013-Present
 Business development, contract
 negotiation, budgeting, human
 resources, architectural design,
 Project management, billing,
 collections, and Project
 Administration

Project Manager,

One Pulse Design Studio
 Miami, FL 1/2009-5/2012
 Business development, contract
 negotiation, architectural design,
 Project management, billing,
 collections, and Project
 Administration

Project Manager,

Slattery and Associates
 Boca Raton, FL. 5/2006-12/2008
 Small projects architectural design
 from sketch to cad, Project
 management of both small and
 large projects, and Project
 Administration

Project Manager,

Garcia, Brenner and Stromberg
 Boca Raton, FL 03/2005-02/2006
 High-end custom residential and
 townhomes, managing consultants,
 client management.

Project Captain,

Marc Wiener, AIA
 Boca Raton, FL 05/2002-03/2005
 Coordination of trades, shop
 drawing review, coordination of
 multiple large scale commercial and
 mixed use projects.

Skills

Proficient with MAC and PC
 operating systems. Program
 experience includes Autocad
 Architecture, Revit, Archicad,
 PowerCADD, Sketchup, ecotect,
 Vasari, and Photoshop

Awards

The Fort Lauderdale Chapter of the
 AIA 2012 Design Award for the "Fort
 Lauderdale Aquatic Center"
 FAU 2017 Young Outstanding Owl
 Award

Boards

AIA Palm Beach Treasurer-Past
 Palm Beach Foundation on
 Architecture- Treasure- Past
 City of Boca Raton Community
 Appearance Board Vice Chair
 Construction Board of Adjustments
 and Appeals



AIA
Palm Beach

April 13, 2020

Jacqueline Anderson
Palm Beach County
2300 North Jog Road
West Palm Beach, FL 33411

Dear Ms. Anderson,

Please accept this letter as a nomination of Jessica Dornblaser, AIA as the architect in seat 4 on the Construction Board of Adjustments and Appeals of Palm Beach County. We are proud of the work Jessica has done completing the term of Marc Wiener. We look forward to her continued work.

The American Institute of Architects

AIA Palm Beach
3300 S. Dixie Hwy Ste. 1-266
West Palm Beach, FL 33405

T (561) 832-8223
F (850) 224-8048

www.aiapalmbeach.org

Thank you,



Becky Magdaleño, CAE
Executive Director

CBAA MEETING ATTENDANCE
2018

Seat	Member	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18
1	Rasper, Bart	P	P	P	P	P	P	C	P	P	P	P	C
2	Grey, Milton	A	A	A									
3	Sullivan, Gary	P	A	A	A								
4	Weiner, Marc	P	A	P	P	P	A	C	A	P	A	A	C
5	Dixon, Ron	P	P	P	P	P	P	C	P	P	A	P	C
6	Markel, Steven	P	P	P	P	P	P	C	P	P	P	P	C
7	Oyola, Manuel	P	P	A	P	P	P	C	P	A	P	P	C
8	Kirby, Rex	A	P	P	P	A	P	C	A	A	P	P	C
9	Walden, Margie	P	P	P	P	A	P	C	P	P	P	P	C
10	VACANT												
11	McIntosh, Justin	P	A	P	A	P	P	C	P	A	P	P	C

P = Member in attendance
A = Member absent
C = Scheduled meeting cancelled



*Change in member status (i.e. appointment, resignation, removal or seat change)

 Vacant
 No Meeting

CBAA MEETING ATTENDANCE
2019

Seat	Member	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
1	Rasper, Bart	P	A			P			P	P	C	P	C
2	VACANT												
3	Kutscher, Fred K.	A	P	P	P	A			P	A	C	A	C
4	Dornblaser, Jessica								P	P	C	A	C
5	Dixon, Ron	P	P	P	P	A			P	P	C	P	C
6	Markel, Steven	A	P	P	A	P			P	P	C	P	C
7	Oyola, Manuel	A	A	P	P	P			P	P	C	P	C
8	Kirby, Rex	P	A			A			P	P	C	P	C
9	Walden, Margie	P	P	P	P	P			A	P	C	A	C
10	VACANT												
11	McIntosh, Justin	P	P	P	P	P			P	P	C	A	C



P = Member in attendance
A = Member absent
C = Scheduled meeting cancelled

*Change in member status (i.e. appointment, resignation, removal or seat change)
 Vacant
 No Meeting

CBAA MEETING ATTENDANCE
2020

Seat	Member	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20
1	Rasper, Bart	C	P	P									
2	VACANT												
3	Kutscher, Fred K.	C	A	A									
4	Dornblaser, Jessica	C	P	A									
5	Dixon, Ron	C	P	A									
6	Markel, Steven	C	P	P									
7	Oyola, Manuel	C	P	P									
8	Kirby, Rex	C	P	A									
9	Walden, Margie	C	P	P									
10	VACANT												
11	McIntosh, Justin	C	P	P									

P = Member in attendance
A = Member absent
C = Scheduled meeting cancelled

*Change in member status (i.e. appointment, resignation, removal or seat change)
 Vacant
 No Meeting

111.7 Digital Submittal Requirements for New Construction.

111.7.1 Building Footprints. The building official is authorized to require the submittal of digital shape (CAD) files, in a specific format, depicting a geo-referenced footprint with elevation for all new structures as a condition of the issuance of a Certificate of Occupancy.

111.7.2 Subdivision Topography. The building official is authorized to require the submittal of electronic topographical data and re-delineated 100-year floodplain boundaries for all new subdivisions or lots of record for the purposes of updating and maintaining the community's flood maps.

SECTION 112 SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official and a Certificate of Occupancy or Certificate of Completion is issued. The servicing utility company shall not connect the power supply until notified by the building official.

112.2 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power for the purpose of testing building service systems or for use under a temporary or partial Certificate of Occupancy.

112.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 of this code in case of emergency where necessary to eliminate an immediate hazard to life or property, unsafe condition, or when such utility connection has been made without the approval required by Section 112.1 or 112.2 of this code. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113 CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, or to consider variances of this code, there shall be a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

113.4 Membership and Terms.

113.4.1 Membership. The Construction Board of Adjustment and Appeals shall consist of nine regular members plus two alternate members. Regular board members shall be composed of individuals with knowledge and experience in the technical codes to include, to the greatest extent possible, an architect, engineer, two Division I contractors (GC, BC, or RC), electrical contractor, HVAC contractor, plumbing contractor, a member at large from the public, 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 or she has a personal or financial interest.

113.4.2 Terms. The terms of office of the regular board members shall be for three (3) years and staggered so no more than one-third of the board is appointed or replaced in any 12-month period. The two alternates shall serve three-year terms. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. No board member shall be appointed or re-appointed to this board for more than three (3) consecutive, three (3) year terms.

113.4.3 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 shall vote.

113.4.4 Secretary of board. The building official or his/her authorized representative shall act as secretary of the board and shall make a 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.

113.4.5 Removal from office. Members shall be automatically removed for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or a failure to attend more than one-half of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting. Members removed pursuant to this provision shall not continue to serve on the board and such removal shall create a vacancy.

113.5 Powers. The Construction Board of Adjustments and Appeals shall have the power, as further defined in 113.6 of this code, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes.

113.6 Appeals.

113.6.1 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 Construction 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.

113.6.2 Variances. The Construction 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.

113.6.2.1 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.

113.6.3 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.

113.6.4 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.

113.7 Procedures of the board.

113.7.1 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 the second Thursday of each month, as needed, or at the call of the chairperson, subsequent to a request to call a meeting by the secretary. The board shall meet at the second regular meeting if a notice of appeal has been received fewer than 15 days before a regular meeting.

113.7.1.1 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 from the appellant to be provided by an architect or engineer registered in the State of Florida, in which case, said evidence shall be signed, sealed, and dated.

113.7.1.2 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 appellant 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 appellant, or any other witness.

113.7.2 Decisions. The Construction 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 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.

113.8 Local Construction Regulation Board. The local government may also utilize this Board to convene as the Local Construction Regulation Board (LCRB), as provided in Florida Statute 489.113. The LCRB may deny, suspend, revoke or limit the authority of a certified contractor to obtain a building permit or permit with specific conditions, if the LCRB has found such contractor, through a public hearing, to be guilty of fraud or a willful building code violation within the county or municipality that the LCRB represents. The LCRB may also, deny, suspend, revoke or limit the authority of a certified contractor to obtain a building permit or permit with specific conditions, if it has proof through the public hearing process, that a contractor has been found guilty in another county or municipality within the past 12 months, of fraud or a willful building code violation and after providing notice of an opportunity to be heard to the contractor, finds that such fraud or violation would have been fraud or a violation if committed in the county or municipality that the LCRB represents. Notification of and information concerning such permit denial shall be submitted to the division within 15 days after the LCRB decides to deny the permit.

SECTION 114 VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure, system, site, or equipment regulated by this code, or any other laws, ordinances, rules, or regulations; or cause same to be done, in conflict with or in violation of any of the provisions of this code. Such violation shall be a misdemeanor. Each day or portion thereof shall be considered a separate offense.

114.2 Notice of violation. The building official is authorized to serve a notice of violation or stop work order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. (See also Section 115 of this code.)

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.3.1 Nothing in this section shall prevent the County from imposing fines, liens, or seek injunctive relief, or exercising other enforcement powers as permitted by law.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.