

*BUILDING BOARD OF ADJUSTMENT AND APPEALS

<u>MEMBER</u>	<u>PHONE</u>	<u>TERM OF OFFICE</u>
<u>ARCHITECT SEAT</u>		
Len Fallen, Chairman 1701 Bryan Street Melbourne, FL 32901	984-0919(h)	July 28, 2008 - July 27, 2012 4-year term
<u>ENGINEER SEAT</u>		
Clayton A. Bennett 2739 Majestic Avenue Melbourne, FL 32934	253-4519(h) 622-4462(b)	July 28, 2009 - July 27, 2013 4-year term
<u>BUILDING CONTRACTOR SEAT</u>		
David Wickham 1770 Highland Avenue Melbourne, FL 32935	254-0355(h) 254-5180(b)	July 28, 2008 - July 27, 2012 4-year term
<u>MEMBER AT LARGE (BUILDING INDUSTRY)</u>		
Cris Patterson 1600 Avocado Avenue Melbourne, FL 32935	259-4434(h)	July 28, 2009 - July 27, 2013 4-year term
<u>MEMBER AT LARGE (PUBLIC)</u>		
Richard Ott, Vice-Chairman 1601 S. Pine Street Melbourne, FL 32901	723-0625(h)	July 28, 2009 - July 27, 2013 4-year term
<u>ALTERNATE MEMBERS (2)</u>		
Thomas Bergin, Sr. 2636 Locksley Road Melbourne, FL 32935	604-0090(h)	December 14, 2011 - December 13, 2013 2-year term
Vacant		
<u>CODE COMPLIANCE DIRECTOR</u>		
Al Beyer	608-7915 E-mail: abeyer@melbourneflorida.org	
<u>RECORDING SECRETARY</u>		
Mandy White	608-7924	

*NOTE: All members must complete an annual Financial Disclosure Form.

BUILDING BOARD OF ADJUSTMENT AND APPEALS

5 regular members, 4-year terms
2 alternate members, 2-year terms

Reference Florida Building Code (Sec. 105) and the City Code (Appendix D, Article VIII, Sec. 13.143); Resolution No. 87; Ordinance No. 79-77; Resolution No. 580; Ordinance No. 88-07; and Ordinance No. 2001-10.

Reference City Code, Sections 2-75 through 2-77, for provisions that generally apply to all boards. Special requirements relating to this board, not included in Sections 2-75 through 2-77, are noted below.

The board hears appeals of decisions and interpretations of the Building Official and considers variances of the technical codes. The board shall meet within 30 calendar days after a notice of appeal has been received.

The board shall, whenever possible, be composed of one architect, one engineer, one member at large from the building industry, one building contractor and one member at large from the public. To the greatest extent possible, the board membership shall include individuals who have expertise in fire safety standards.

A simple majority of the board shall constitute a quorum. In varying any provision of the Florida Building Code, the affirmative vote 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 the regular members are unable to attend a meeting, the alternate members, if appointed, shall vote.

The Building Official 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.

Any person aggrieved by a decision made by this board has recourse through the courts as provided by the Florida State Statutes.

Appendix D, Article II, City Code, sets forth the procedures for quasi-judicial hearings, ex-parte communications and site visits. The following applies to the members of this board:

- Members may not engage in ex-parte communications with the public or discuss or receive opinions from an expert witness or consultant, other than at a formally noticed hearing.
- In the event a board member does so, the member is required to disclose the ex parte communication or opinion received from the expert witness or consultant during the open public meeting.
- Members may discuss matters with City staff provided that disclosure is made. The member must identify the staff member, state the substance of the ex parte communication, and state the matters discussed, which the board member considers material to the board member's decision.
- Members may conduct site visits provided that disclosure is made. Disclosure shall include any information obtained by virtue of the site visit considered by the member to be material to the member's decision.

The board meets upon request in the Council Chamber.