

CODE ENFORCEMENT BOARD
City Commission Meeting Room
100 North Andrews Avenue
MAY 27, 2003
10:00 A.M - 3:25 P.M.

CUMULATIVE ATTENDANCE
From January, 2003
Present Absent

BOARD MEMBERS PRESENT:

Pat Hale, Vice-Chairman	5	0
Larry Hayes	5	0
Sarah Horn	3	1
Gerald D. Jordan, Chairman	5	0
John Phillips	5	0
Bobby Young	3	2
Bruce Jolly, Attorney		

BOARD MEMBERS ABSENT

Rixon Rafter	3	2
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STAFF PRESENT

Susan Batchelder, Administrative Assistant II
Sylvia Dietrich, Service Clerk
Assistant City Attorney
Mohammed Malik, Building Inspector
Douglas Kurtock, Building Inspector
Wayne Strawn, Building Inspector
Dallas Schumacher, Fire Inspector
Lt. Steve Paine, Fire Inspector
Ivette Spence-Brown, Fire Inspector
Ken Reardon, Building Inspector
Frank Paglianite, Plumbing Inspector

Margaret A. D'Alessio, Recording Secretary

ALSO PRESENT

Heli Bonn Polk (CE02070641)
Lorraine Parrass (CE02121828)
Clarence Hart (CE02070345)
Sonya Wells (CE03021337)

ALSO PRESENT (CONT'D)

Deborah Toyne (CE02080131)
Rosby Glover (CE02010591)
David Williams (CE02091628)
Jeff Finley (CE02061196)
Paul McCraw (CE01041565)
Anthony Hatfield (CE02121818)
Richard Sepler (CE03032277)
Richard Hawkins (CE03032277)
Nicholas Vlassopoulos (CE03032277)
Allan Kozich (CE02071478)
Evan Anthony (CE 02010591)
Pamela Whitaker (CE02121979)
Renee Myllymaki (CE03031296)
John Better (ce03031296)
Robert Madge (CE03030541)
M. Sebastiani (CE02121262)
Carlos Vega (CE03021896)
Junior Matthie (CE02050152)
John Albee (CE02121979)
Andrew Fgaytan (CE03030383)
Christa Lakashus (CE03022206)
David Hochman (CE03030383)
Tim Akers (CE03030662)
Jorge Ramirez (CE03031167)
Lloyd Brown (CE02091758)
Edgard Fragelus (CE03032269)
Jean Fritz Stuictor (CE03031530)
Evens St. Victor (CE03031530)
Melvin Jones (CE02110396)
Ramon Valerio (CE02091437)
Robert Harstadt (CE03042058)
Davila Humberto (CE03031747)

At 10:19 a.m. Chairman Jordan called the meeting to order. Roll call was taken and a quorum was present. Chairman Jordan explained the procedures the Board typically followed and introduced its members.

NOTE: All individuals wishing to speak on any of the cases on today's agenda were sworn in.

Reference: CE03010289

Parkway Commerce Center Ltd
1919 NW 19 St.

FBC 104.1 - Work without permits. FBC
104.2.11 - Mechanical work without permits.
FBC 104.2.4 - Plumbing work without permits.
FBC 104.2.5 - Electrical work without permits.

Ms. Batchelder stated that Certified Mail had been sent to Adler PCC Inc., General Partners, signed for on May 16, 2003, signature illegible. Certified Mail also was sent to Parkway Commerce Center Ltd., signed for on May 16, 2003, signature illegible. Certified Mail was also sent to Joel Levy, Registered Agent, signed for on May 16, 2003, signature illegible.

Douglas Kurtock, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that a verbal agreement had been reached for the property owner to come into compliance within 60 days or a fine of \$75 per day, per violation would be imposed. He also requested that the Order be recorded.

Motion made by Pat Hale and seconded by Larry Hayes to grant 60 days for the property to come into compliance or a fine of \$75 per day, per violation would be imposed thereafter. It was further ordered that the Order be recorded. Board unanimously agreed.

Reference: CE02121979

Nancy Sherwood & Pamela Whitaker
617 SE 16 CT.

FBC 104.1 - Work without permits. FBC 3401.6
- Structure/fixtures in disrepair.

Ms. Batchelder stated that Certified Mail had been sent to Nancy Sherwood and Pamela Whitaker, signed for on May 5, 2003 by Nancy Sherwood.

Mohammed Malik, Building Inspector, testifying for Inspector Pignataro, stated the case number, address of the property and violations per the agenda. He further stated that a verbal agreement had been reached with the property owner for the property to come into compliance within 90 days or a fine of \$50 per day, per violation would be imposed thereafter.

Pamela Whitaker, owner, stated she was in agreement with what the Building Inspector had stated.

Motion made by Larry Hayes and seconded by Bob Young to grant 90 days for the property to come into compliance or a fine of \$50 per day, per violation would be imposed thereafter. Board unanimously agreed.

Reference: CE02091758

Elvira Brown
1306 NW 11 Ct.

FBC 104.1 - Work without permits. FBC
104.2.5 - Electrical work without permits.

Ms. Batchelder stated that Personal Service was made to Lloyd Brown by Inspector Stockinger on May 24, 2003.

Douglas Kurtock, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated a verbal agreement had been reached with the owner for 60 days to obtain a building permit that they had last October, but had not picked up. He reiterated it was basically a reinstatement of an original building permit. If the owner did not comply a fine of \$50 per day, per violation would be imposed.

Motion made by Pat Hale and seconded by Larry Hayes to grant 60 days for compliance or a fine of \$50 per day, per violation would be imposed. Board unanimously agreed.

Reference: CE03031296

LT by the Sea Ltd.
2900 NE 30 St.

Section 17-11(a) - Cooling tower recorded at
67 decibels which exceeds maximum levels of
60 decibels.

Ms. Batchelder stated that Certified Mail had been sent to NRAI Services, Registered Agent, signed for on May 5, 2003 by Ed Hant. Certified Mail also sent to LT by the Sea Ltd. and signed for on May 6, 2003 by T. Epperson.

Frank Paglianite, Plumbing Inspector, stated the case number, address of the property and violations per the agenda. He further stated that the property manager made a verbal agreement to have a new unit installed, but permits were needed. He added that they were to come into compliance within 30 days or a fine of \$250 per day would be imposed. He reiterated that they needed to obtain the permit so the unit could be installed.

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Renee Myllymaki, property manager, stated that 30 days should be adequate for the work to be done if the City cooperated and issued the permit. Chairman Jordan stated that he preferred to give them 60 days.

John Better, Lead Service Systems, stated that the job was set up to be an exact replacement, but there were issues regarding code interpretations that were presently being worked on.

Motion made by Bob Young and seconded by Larry Hayes to grant 60 days for the property to come into compliance or a fine of \$250 per day be imposed thereafter. Board unanimously agreed.

Reference: CE03022206

Christa Lakaschus
1467 SW 18 Ave.

FBC 104.1 - Work without permits. Sec. 9-281(b) trash and/or inoperable vehicles on property.

Ms. Batchelder stated that Personal Service had been made to Christa Lakaschus by Inspector Donovan on May 3, 2003. She also stated that Certified Mail had been sent to Christa Lakaschus and signed by C. Lakaschus, but no date appeared on the green card which was received back in Community Inspections on May 5, 2003.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He stated that Sec. 9-281(b) had been complied with, and a verbal agreement had been reached with the property owner for 30 days to bring the property into compliance or a fine of \$50 per day would be imposed.

Christa Lakaschus, owner, stated that she was presently under a doctor's care due to an automobile accident and did not live at this address at the present time. Mr. Reardon stated that this case pertained to the new windows which were on the north side of the house.

Motion made by Pat Hale and seconded by Bob young to grant 60 days for the property to come into compliance, or a fine of \$50 per day would be imposed. Board agreed unanimously.

Reference: CE03021896

Gloria Vega
800 SW 22 Terrace

FBC 104.1 - Work without permits. Section 9-280(a) – Maintenance and location of shed. 9-280(b) Torn/missing screens. 9-305(b) – Landscape maintenance. FBC 1005.5 – Missing emergency release on security bars

Ms. Batchelder announced that Certified Mail had been sent to Gloria Vega, signature illegible and no date on the green card which was received back in Community Inspections on May 2, 2003.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He stated that he had reached a verbal agreement with the owner as follows: The violations of FBC 104.1 and FBC 1005.5 were to be complied within 180 days, and the remaining violations were to be in compliance within 30 days or a fine of \$25 per day, per violation would be imposed.

Carlos Vega, owner, stated that the violations were in existence when he purchased the property, but he would comply within the required times, and if there were any problems he would contact Mr. Reardon.

Motion made by Pat Hale and seconded by Larry Hayes to grant 180 days for the property to come into compliance with FBC 104.1 and FBC 1005.5 and 30 days regarding the remaining violations, or a fine of \$25 per day, per violation be imposed thereafter. Board unanimously agreed.

Reference: CE0030662

Blue Water Partners LLC & Green Akers, LLC
833 SW 30 St.

FBC 104.1 - Work without permits. Sec. 9-305(b) - Required ground cover. FBC 104.2.5 - Electrical work without permits. FBC 104.2.11 - Mechanical work without permits.

Ms. Batchelder announced that Certified Mail had been sent to Spiegel & Utrera PA, Registered Agent, Blue Water Partners, and signed for on May 5, 2003, signature illegible. She also stated that Certified Mail had been sent to Robert Akers, Registered Agent/Manager of Green Akers LLC, signed for on May 9, 2003 by Marilyn Akers.

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Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that a Verbal Agreement had been reached with Mr. Akers for the property to come into compliance within 60 days or a fine of \$100 per day, per violation would be imposed.

Tim Akers, Managing Member of Blue Water Partners, stated that he was in agreement with the inspector. He stated these violations were purely a lack of miscommunication and he would take care of the problems.

Motion made by Sarah Horn and seconded by Pat Hale that 60 days be granted to bring the property into compliance or a fine of \$50 per day, per violation would be imposed thereafter. Board unanimously agreed.

Reference: CE03031167

Jorge Ramirez
1717 SW 11 Ct.

ULDR 47-21.8 A - Landscape maintenance.
Sec. 9-280(h)(1) - Fence in disrepair.
FBC 104.1 - Work without permits.

Ms. Batchelder stated that Certified Mail had been sent to Jorge Ramirez signed for on May 16, 2003 by Jorge Ramirez.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He stated that FBC 104.1 was in compliance. He further stated that a Verbal Agreement had been reached with the owner to bring the remaining violations into compliance within 60 days or a fine of \$10 per day, per violation would be imposed.

Jorge Ramirez, owner, stated that he agreed with Mr. Reardon.

Motion made by Sarah Horn and seconded by Pat Hale to grant a 60 days for the property to come into compliance, or a fine of \$10 per day, per violation would be imposed. Board unanimously agreed.

Reference: CE03031747

Humberto Davila
1522 SW 30 St.

Sec. 9-280(b) - Flora overgrowth on property.
Sec. 9-304(b) - Maintenance of parking area.
Sec. 9-305(b) - Required ground cover.
Sec. 9-306 - Peeling paint/stained surfaces.

FBC 104.1 - Work without permits.

Ms. Batchelder stated that service was established with the owner's appearance at today's meeting.

John Phillips entered the meeting at approximately 10:50 a.m.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that a Verbal Agreement had been reached with the property owner to comply with Sec. 9-280(b) and FBC 104.1 within 90 days, and the remaining violations to be brought into compliance within 30 days or a fine of \$50 per day, per violation would be imposed.

Umberto Davila, owner, stated that this was a rental property comprised of two units, and that he was in agreement with Mr. Reardon.

Motion made by Pat Hale and seconded by Sarah Horn to grant 90 days for Sec. 9-280(b) and FBC 104.1 to come into compliance, and 30 days for the remaining violations to be brought into compliance, or a fine of \$50 per day, per violation would be imposed. Board unanimously agreed.

Reference: CE02050152

Janet Lee Hylton & J. Lee Matthie
2791 SW 4 Ct.

FBC 104.1 - Work without permits. FBC
104.2.11 - Mechanical work without permits.
FBC 104.2.4 - Plumbing work without permits.
FBC 104.2.5 - Electrical work without permits.
FBC 104.9.3.1 - Expired permits

Ms. Batchelder announced that Certified Mail had been sent to J. Mattie and Janet Hylton and signed for on May 1, 2003 by Doris Mattie.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that FBC 104.2.11 violation was being withdrawn by staff, and that a Verbal Agreement had been reached with the owner for the remaining violations for the property to come into compliance within 120 days or a fine of \$50 per day, per violation would be imposed.

Motion made by Pat Hale and seconded by John Phillips to grant 120 days for the property to come into compliance or a fine of \$50 per day, per violation would be imposed. Board unanimously agreed.

Reference: CE02110396

Melvin B. & Murlean Jones
440 SW 30 Terrace.

FBC 104.1 - Work without permits.

Ms. Batchelder stated that Certified Mail had been sent to Melvin & Murlean Jones and signed for on May 16, 2003 by Ruth Holm.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that a Verbal Agreement had been reached with the owner for the property to come into compliance within 90 days or a fine of \$10 per day would be imposed.

Melvin Jones, owner, stated he had hired an engineer and would submit drawings.

Motion made by John Phillips and seconded by Sarah Horn to grant 90 days for the property to come into compliance or a fine of \$10 per day would be imposed thereafter. Board unanimously agreed.

Reference: CE03030220

Robert M. Harstad & Phillip R. Semenick
1708 SW 20 St.

FBC 104.1 – Work without permits.
ULDR 47- Improper fence placement

Ms. Batchelder announced that service was established by personal appearance at today's meeting by the owner.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that a Verbal Agreement had been reached with the property owner for the property to come into compliance within 30 days or a fine of \$50 per day would be imposed.

Motion made by Pat Hale and seconded by John Phillips to grant 30 days for the property to come into compliance or a fine of \$50 per day would be imposed thereafter. Board unanimously agreed.

Reference: CE03042058

Robert M. Harstad & Phillip R. Semenick
1702 SW 20 St.

FBC 104.1 - Work without permits.

ULDR 47-19.5.D.4 - Improper fence placement.

Ms. Batchelder stated that service was established by the owner appearing at today's hearing.

Kenneth Reardon, Building Inspector, stated the address, case number and violations listed on the agenda. He stated further that a verbal agreement had been reached with the owner for the property to come into compliance within 30 days or a fine of \$50 per day, per violation would be imposed.

Motion made by John Phillips and seconded by Sarah Horn to grant 30 days for the property to come into compliance or a fine of \$50 per day would be imposed. Board unanimously agreed.

Reference: CE03032269

Edgard & Fider Fragelus
1315 W. Sunrise Blvd.

FBC 104.1 - Work without permits.
FBC 104.2.5 - Electrical work without permits.

Ms. Batchelder stated that personal service was made to the owner by Inspector Stockinger on May 24, 2003.

Douglas Kurtock, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that this was a business address and a verbal agreement had been reached with the owner for the property to come into compliance within 30 days or a fine of \$100 per day, per violation be imposed. He added that both permits were walk-thrus.

Motion made by John Phillips and seconded by Sarah Horn to grant a 30 days for the property to come into compliance or a fine of \$100 per day, per violation be imposed thereafter. Board unanimously agreed.

Reference: CE02101262

Ital Group Inc.
5152 N. Federal Hwy.

FBC 11-4.6.1 - Required handicapped parking.
FBC 11-4.6.4 - Required handicapped signage.

Ms. Batchelder stated that Certified Mail had been sent to Andrew Gerrits, Registered Agent, and signed for on May 13, 2003, signature illegible.

Mohammed Malik, Building Inspector, stated the case number, address of the property

and the violations as listed on the agenda. He stated that a Verbal Agreement had been reached with the owner for the property to come into compliance within 90 days or a fine of \$50 per day, per violation would be imposed.

Max Sebastiani, owner, stated that he was in agreement.

Motion made by Larry Hayes and seconded by John Phillips to grant 90 days for the property to come into compliance or a fine of \$50 per day, per violation would be imposed. Board unanimously agreed.

Reference: CE03030383

David Hochman
1610 NE 7 Street

FBC 104.2.4 - Plumbing work without permits.

Ms. Batchelder stated that Certified Mail had been sent to David Hochman and signed for on May 16, 2003 by David Hochman.

Mohammed Malik, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that he had only viewed the property from the outside, but he had not yet been inside the structure.

Dave Hochman, owner, stated the complainant had done this in a vindictive way because that person was to tile his bathroom, but had been fired. Mr. Malik explained there was a clause in the Code which required approval by the Building Official. Mr. Phillips asked if the inspector could testify since he had not been inside the structure to see the actual work.

Bruce Jolly, attorney, stated that this Board made their decisions based on evidence presented.

Mr. Hochman stated he had a complaint filed against the person who was to tile the bathroom. He added that the individual was operating under a false contractor's license

Bob Young stated this case only involved the plumbing work and a permit had to be obtained.

Motion made by John Phillips and seconded by Bob Young to grant 90 days for the property to come into compliance or a fine of \$50 per day would be imposed. Board unanimously approved.

Reference: CE02071478

RE Acquisitions Inc.
1719 S. Andrews Ave.

FBC 104.1 - Work without permits. FBC
104.2.4 - Plumbing work without permits. FBC
104.2.5 - Electrical work without permits.

Ms. Batchelder stated that Certified Mail had been sent to George Scholl, Director, signature illegible and no date was on the green card which was received back in Community Inspections on May 9, 2003. She also stated that Certified Mail had been sent to Bart Houston, Registered Agent, and signed for on May 9, 2003, signature illegible. Certified Mail had also been sent to RE Acquisitions Inc. signed for by Janet Hokin, no date on the green card which was received back in Community Inspections on May 9, 2003.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He asked that the owner be given 120 days to bring the property into compliance or a fine of 4100 per day, per violation be imposed.

Alan Kozak, engineer, stated there was termite damage to the building, and they were requesting 180 days to bring the property into compliance. Mr. Kozak remarked that it was his understanding that there had been a problem regarding notification to the property owner.

Mr. Reardon remarked that the property was first cited July 31, 2002 with a courtesy notice. He further stated the legal documents were sent out in May.

Bob Young suggested that 180 days be given to the owner to bring the property into compliance. Mr. Reardon reiterated that he preferred 120 days, but did not have a problem if the Board wanted to grant 180 days.

Motion made by Larry Hayes and seconded by Pat Hale to grant 180 days for the property to come into compliance or a fine of \$100 per day, per violation be imposed. Board unanimously agreed.

Reference: CE03031530

Jean St. Victor & Clarelle St. Victor
1005 SW 15 Ter.

FBC 104.1 - Work without permits.
Sec. 9-306 - Peeling paint/stained surfaces.

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Ms. Batchelder announced that Personal Service was made to Jean F. St. Victor by Inspector Donovan on May 3, 2002. Also, Certified Mail was sent to Jean F. & Clarelle St. Victor, and signed for on May 5, 2003 by Jean F. St. Victor.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated they were requesting that 90 days be given to the owner to bring the property into compliance or a fine of \$50 per day, per violation be imposed. He proceeded to show photographs of the site.

Jean St. Victor, owner, stated he was requesting 6 months to get all the work on the property completed.

Mr. Reardon remarked that the owner's finances were restricted. Bob Young stated that the City had a program where one could obtain free paint. Chairman Jordan suggested that Mr. St. Victor receive some help from the City regarding the process.

Motion made by Bob Young and seconded by Pat Hale to grant 90 days for the painting to be done, and 120 days for the windows to be corrected so they come into compliance or a fine of \$50 per day, per violation be imposed. Board unanimously agreed.

Ms. Batchelder stated a letter had been sent to various individuals advising them that their property was not in compliance with the Code, and that the City was seeking to place a lien on their property, and some of those individuals were present at today's meeting. This item was not on the agenda, and were listed on "properties for lien."

Reference: CE02091437

Ms. Batchelder stated this case had been before this Board on January 28, 2003 and compliance ordered by April 28, 2003. She added that as of May 6, 2003 the property was not in compliance and an affidavit had been signed by the Building Inspector, Kenneth Reardon, stating the property was not in compliance with FBC 104.1.

Bruce Jolly stated that in February, 2003, the Second District Court of Appeals issued an opinion suggesting that Code Boards before proposing a lien must make a factual determination of non-compliance of a prior Order, and a hearing process by which that determination was to be made would occur and the owner would be given a notice to contest the determination. Historically, this Board had been presented properties not in compliance and notice of that proceeding was not provided. He further stated the Clerk's office was now providing such notice and a respondent was present.

Mr. Jolly reiterated that the only matter before the Board today was for them to decide if the property was in compliance or not as stated on the submitted affidavit, and then decide if the lien should be imposed.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that the property was not in compliance as ordered by the Board.

Ms. Batchelder clarified these cases were in conjunction with the time when the Board would sign the claim of liens, only now notice was sent to the property owners and they had a right to come and present new evidence to the Board.

Ramon Valerio, owner of 3548 SW 14th Street, stated that he had hired someone to do the work, but the work had not been done.

Mr. Reardon stated that the case first began in September, 2002 and came before this Board in January, 2003, and the owner had until April 29, 2003 to come into compliance.

Mr. Jolly reminded the Board that what was before them was whether the property was in compliance or not, and the other issues were not before this particular Board.

Motion made by Bob Young and seconded by John Phillips to approve submission of the claim of lien for filing. Board unanimously agreed.

Discussion ensued among the Board as to whether enough material was being distributed to the public regarding code violations and compliance.

Reference: CE03030540

Jean B. Beauplan
3831 SW 12 Pl.

NFPA 10 4-4.1 - Fire extinguisher maintenance
NFPA 10 1-6.7 - Fire extinguisher not mounted
securely. NFPA 1 1-4.5 - Electrical hazard in
meter room.

Ms. Batchelder stated that Certified Mail had been sent to Jean Beauplan, signature illegible and no date was received on the green card which was received back in Community Inspections on May 9, 2003.

Thomas Clements, Fire Inspector, stated the case number, address of the property and the violations as listed on the agenda. He asked that 7 days be given to bring the violations into compliance or a fine of \$100 per day, per violation be imposed thereafter.

Motion made by Sarah Horn and seconded by Larry Hayes to grant 7 days for the property to come into compliance or a fine of \$100 per day, per violation be imposed. Board unanimously agreed.

Reference: CE02050709

Ronrick & Susan Kern
1233 NE 12 Ave.

FBC 104.2.11 - Mechanical work without permits.

Ms. Batchelder stated that Certified Mail had been sent to Ronrick and Susan Kern, and signed for on May 7, 2003 by Susan Kern. She also stated there was a signed Stipulated Agreement calling for compliance by September 25, 2003 or a fine of \$50 per day be imposed.

Motion made by Bob Young and seconded by Larry Hayes to order the property into compliance by September 25, 2003 or a fine of \$50 per day be imposed. Board unanimously agreed.

Reference: CE03030532

Parkway Commerce Center Ltd.
1919 NW 19 St., #104

FBC 104.1.1 - Work without permits. NFPA 1 1-10.1 - Exit lights and emergency lights not maintained throughout. NFPA 1 7-6.1.1- No portable fire extinguishers. NFPA 13 3-2.6.3 - painted fire sprinkler heads. NFPA 13 5-1.1 – Missing fire sprinkler heads. NFPA 101 4.5.3.2 – Warehouse egress blocked by storage.

Ms. Batchelder announced that Certified Mail had been send to Adler PCC Inc., General Partner, and signed for on May 1, 2003 by Deanna Ware. Also Certified Mail sent to Joel Levy, Registered Agent, and signed for on May 1, 2003 by Deanna Ware. She also stated that Certified Mail had been sent to Parkway Commerce Center Inc. signed for on May 1, 2003 by Deanna Ware.

Lt. Steve Paine, Fire Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that a verbal agreement had been reached with the owner. He announced that the following items had been brought into compliance as follows: NFPA 1 1-10.1, NFPA 101 4.5.3.2 and NFPA 1 7-6.1.1. He further stated that only 3 violations were not in compliance with and announced that he

had done an annual inspection 4 months ago. He proceeded to show photographs of the site. He stated they were requesting 90 days for the property to come into compliance or a fine of \$250 per day, per violation be imposed.

Motion made by Larry Hayes and seconded by Bob Young to grant 90 days for the property to come into compliance or a fine of \$250 per day, per violation be imposed. Board agreed unanimously.

Reference: CE03030533

Parkway Commerce Center Ltd
1919 NW 19 St. #1A

FBC 104.1.1 - Work without permits. NFPA 1
1-4.5 – Missing electrical outlet covers. NFPA
10 4-4.1 - Fire extinguishers not maintained.
NFPA 13 5-1.1 – Missing sprinkler heads.
NFPA 1 1-10.1 - Emergency and exit lights not
maintained in working order. Fire rated
occupant wall not maintained in safe condition.

Ms. Batchelder stated that Certified Mail had been send to Adler PCC, Inc., General Partner, and signed for on May 1, 2003 by Deanna Ware. Certified Mail send to Joel Levy, Registered Agent, and signed for on May 1, 2003 by Deanna Ware. She also stated that Certified Mail had been sent to Parkway Commerce Center, Inc. and signed for on May 1, 2003 by Deanna Ware.

Steve Paine, Fire Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that this was in the same complex with the same owner as the previous case. He explained that they had converted a warehouse to a 2-story office building. He proceeded to show photographs of the site. He explained further that violations NFPA 1 1-4.5, NFPA 10 4-4.1 were in compliance. The emergency lights and exit lights which were now in working order, which partially complied NFPA 1 1-10.1. He stated they were requesting 90 days for the property to come into compliance or a fine of \$250 per day, per violation be imposed.

Motion made by Larry Hayes and seconded by Bob Young to grant 90 days for the property to come into compliance or a fine of \$250 per day, per violation be imposed. Board unanimously agreed.

Reference: CE03050180

Robert J. Israels TR & Roger Israels Rev Tr Et Al
1071 NW 53 St. FBC 104.1 - Work without permits.

Ms. Batchelder announced that Certified Mail was sent to Robert and Roger Israels and signed by (Illegible) Israels, no date on the green card, and received back in Community Inspections on May 9, 2003.

Ivett Spence-Brown, Fire Inspector, stated the case number, address of the property and the violations as listed on the agenda. She stated that the original violation was January 8, 2002 with the first re-inspection on April 11, 2002. She stated they were requesting 30 days for the property to come into compliance or a fine of \$200 per day be imposed.

Motion made by Larry Hayes and seconded by Bob Young to grant 30 days for the property to come into compliance or a fine of \$200 per day be imposed. Board unanimously agreed.

Reference: CE03011548

World Jet Inc. FBC 104.1 - Work without permits. FBC 3401.6
3000 NW 59 St. - Structure/fixtures in disrepair. NEC
110.26(a)(1) - Obstruction of breaker panel.

Ms. Batchelder stated that Certified Mail had been sent to R. D. Whittington, Registered Agent, World Jet Inc. and Don Whittington and signed on May 13, 2003 by Donna (?) - signature illegible. Certified Mail was also sent to Elizabeth Kyriakopoulos, Registered Agent for Logos Aviation and signed for on May 13, 2003 by E. Lamdra. She further stated that Robert Pignataro was the Inspector, but the case would be presented by Kenneth Reardon.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that they were asking for 90 days for compliance or a fine of \$200 per day, per violation be imposed.

Motion made by Bob Young and seconded by Larry Hayes to grant 90 days for the property to come into compliance or a fine of \$200 per day, per violation be imposed. Board unanimously agreed.

Reference: CE03022321

Glenn R. Caddy
1501 SE 9 St.

FBC 104.1 - Work without permits.
Sec. 9-313(b) Missing house numbers.
FBC 104.2.4 - Plumbing work with expired permits.

Ms. Batchelder stated that Certified Mail had been sent to Glenn Caddy and signed for on May 1, 2003 by Kim Longo. She stated that the Inspector was Robert Pignataro, but Kenneth Reardon would present the case.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that everything, but FBC 104.1, Item # 3, was in compliance. He was asking for 30 days for the permit to be issued or a fine of \$50 per day be imposed.

Motion made by John Phillips and seconded by Pat Hale to find in favor of the City and grant 30 days for the issuance of a permit or a fine of \$50 per day be imposed. Board unanimously agreed.

Reference: CE03011545

Ranjika Nanayakkara Plantation Inc.
2209 NE 54 St.

FBC 11-4.1.2(b)(a) - No handicap parking.
FBC 104.9.3.1 - Expired permits.
FBC 11-4.6.4 - No handicap signage.

Ms. Batchelder stated that Certified Mail had been sent to Ranjika Nanayakkara, Registered Agent, and signed for on May 1, 2003, signature illegible. Certified Mail was also sent to Ranjika Nanayakkara Plantation, Inc. and signed for on May 1, 2003, signature illegible.

Mohammed Malik, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that FBC 104.9.3.1 was in compliance, and was requesting 60 days for the property to come into compliance or a fine of \$50 per day, per violation be imposed. He further stated that this was a commercial building.

Motion made by Larry Hayes and seconded by John Phillips to grant 60 days for the property to come into compliance or a fine of \$50 per day, per violation be imposed. Board unanimously agreed.

Reference: CE03020405

Regency Towers Condo Assn. Inc. FBC 104.1 - Work without permits.
3750 Galt Ocean Dr.

Ms. Batchelder stated that personal service was made to David Leitman, President and Registered Agent, by Inspector Pignataro on May 18, 2003. Certified Mail was sent to Regency Towers and signed for on May 14, 2003 by J. Diamond. Ms. Batchelder also

stated that Certified Mail was also sent to John DeLuccia, Vice-President, and signed for on May 14, 2003 by J. Diamond. Certified Mail was also sent to Joe Soviero, Director, and signed for on May 14, 2003 by J. Diamond.

John Phillips announced that he had a conflict of interest in regard to this item and would refrain from participating in the discussion and voting on this item.

Mohammed Malik, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that they were requesting 60 days for the property to come into compliance or a fine of \$50 per day, per violation be imposed.

Motion made by Pat Hale and seconded by Sarah Horn to grant 60 days for compliance or a fine of \$50 per day, per violation be imposed. Board unanimously agreed. (Bob Young was absent during this vote.)

Reference: CE02120610

Terry Naujoks FBC 104.1 - Work without permits.
1021 NW 1 Ave.

Ms. Batchelder stated that Certified Mail had been sent to Terry Naujoks and signed for on May 17, 2003 by Terry Naujoks.

Douglas Kurtcock, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that they were requesting 30 days for compliance or a fine of \$50 per day, per violation be imposed.

Motion made by Larry Hayes and seconded by Pat Hale to grant 30 days for compliance or a fine of \$50 per day, per violation be imposed. Board unanimously agreed.

Reference: CE03011956

Keith Martin
812 NW 15 Ter.

FBC 104.1 - Work without permits.
FBC 3401.6 - Structure/fixtures in disrepair.

Ms. Batchelder stated that Certified Mail had been sent to Keith Martin and signed for on May 10, 2003 by Keith Martin.

Douglas Kurtock, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that they were requesting 30 days for compliance or a fine of \$50 per day, per violation be imposed.

Larry Hayes asked if there were life safety issues involved. Mr. Kurtock replied there were none and that this was strictly a single-family residence which involved code compliance issues pertaining to windows and doors without permits, along with some maintenance issues.

Motion made by Larry Hayes and seconded by Bob Young to grant 30 days for compliance or a fine of \$50 per day, per violation be imposed. Board unanimously agreed.

Reference: CE03021089

Carolyn Davies, Maurice Brown &
James Brown
2311 NW 9 PL

FBC 104.1 - Work without permits.FBC 104.2.4
FBC 104.2.4 - Plumbing work without permits. -
FBC 104.2.5 - Electrical work without permits.

Ms. Batchelder announced that Certified Mail had been sent to Carolyn Davies, et al and signed for on May 20, 2003 by Carolyn Davies. She also stated that the City was requesting that this matter be continued until the June meeting.

Motion made Bob Young and seconded by Larry Hayes to continue this matter until the June meeting. Board unanimously approved.

Reference: CE03021339

Luckner Virgile
1006 NW 6 Ave.

FBC 104.1 - Work without permits. FBC 3401.6
FBC 3401.6 - Structure/fixtures in disrepair.
FBC 104.2.4 - Plumbing work without permits.
FBC 104.2.5 - Electrical work without permits.
FBC 104.2.11 - Mechanical work without
permits.

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Ms. Batchelder announced that Certified Mail had been sent to Luckner Virgile. Signature was illegible and there was no date on the green card that was received back in Community Inspections on May 8, 2003.

Douglas Kurtcock, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that this was a single-story commercial building located behind a restaurant. He stated further that the restaurant was under complete renovation without permits. He advised there were some life safety issues involved such as the plate glass window installed in the front of the property with a deteriorating, termite-infested frame. He announced that the property owner had hired a contractor to submit plans which had been done. He stated they were requesting 30 days for compliance or a fine of \$50 per day, per violation would be imposed. He also asked that the Order be recorded.

Motion made by Larry Hayes and seconded by Bob Young to grant 30 days for compliance or a fine of \$50 per day, per violation be imposed, and that the Order be recorded. Board unanimously approved.

Reference: CE03031089

Merinos & Louis Jean-Baptiste
1209 NW 9 Ave.

FBC 104.1 - Work without permits.

Ms. Batchelder announced that Certified Mail had been sent to Merinos and Louise Jean-Baptiste and signed for on May 3, 2003 by Merinos Jean-Baptiste.

Douglas Kurtcock, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that this was a single-family dwelling and they were requesting 30 days for compliance or a fine of \$25 per day, per violation would be imposed.

Motion made by Bob Young and seconded by Larry Hayes to grant 30 days for compliance or a fine of \$25 per day, per violation be imposed. Board unanimously approved.

Reference: CE03030979

Prevoit Numa
621 SW 15 Ave.

FBC 104.1 - Work without permits.
Sec. 9-306 - Peeling paint/stained surfaces

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Ms. Batchelder stated that Certified Mail had been sent to Prevoit Numa signed for on May 6, 2003, signature illegible.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that they were asking for 90 days for compliance or a fine of \$100 per day, per violation be imposed.

Motion made by Larry Hayes and seconded by Bob Young to grant 90 days for compliance or a fine of \$100 per day, per violation be imposed. Board unanimously approved.

Pat Hale asked if someone had gone through the neighborhood recording the violations. Mr. Reardon confirmed and stated that Ginee Hancock had come up with a list of about 100 properties that did not meet her satisfaction. He replied some complaints were legitimate, but some were not. Sarah Horn stated that the individual who made the complaints intended to purchase some of the properties.

Reference: CE03031980

Orlando & Alexis Alonso
1041 SW 32 Ct.

FBC 104.1 - Work without permits.

Ms. Batchelder stated that Personal Service had been made to Alexis Alonso by Inspector Reardon on May 23, 2003.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that they were requested 30 days for compliance or a fine of \$25 per day be imposed.

Motion made by Bob Young and seconded by Larry Hayes to grant 30 days for compliance or a fine of \$25 per day be imposed. Board unanimously approved.

Motion made by Bob Young and seconded by Larry Hayes for the Board to recess until 1:00 p.m. Board unanimously approved.

Board recessed at 12:20 p.m.

Board reconvened at 1:10 p.m.

Individuals wishing to speak on the scheduled cases were sworn in.

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Reference: CE02070345

John C. Hart
626 NE 2 Ave.

Old Business

Ms. Batchelder announced this case was heard on August 27, 2002 with compliance ordered by February 25, 2003. The property came into compliance as of March, 2003, and the fines totaled \$1,975.

Wayne Strawn, Building Inspector, stated that the City had no objection to the abatement of fines.

John Hart, owner, stated he was requesting an abatement of fines.

Mr. Strawn remarked that the owner had inherited the problems from the previous owner of the property.

Motion made by John Phillips and seconded by Larry Hayes to abate the fines per staff's recommendation. Board unanimously approved.

Reference: CE03032277

Sunset Colony Annex Inc.
2600 SW 2 Ct.

Old Business

Ms. Batchelder announced this case was heard on April 22, 2003 with compliance ordered by May 22, 2003. Fines had accrued to \$1,200.

Wayne Strawn, Building Inspector, stated that Richard Sepler had applied for the permits and was seeking approval to redo the electrical work and wanted to move forward to the 1200 block of the park.

Information was submitted to the Board by the engineer and Mr. Phillips remarked that material should be given to the Board prior to the meeting so as to give them all time to review it.

It was stated that the park would probably not be there for very long since there was a lot of pressure to close it down. Pictures were shown of the site. A request was being made for an extension of time since 35 applications had to be submitted to the City. Of those 35 applications, 31 of those homes were occupied. The work would have to be prioritized.

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Chairman Jordan asked if any life safety issues were involved. Richard Hawkins, owner Kenwood Electric, stated that those issues would be taken care of first. He stated that 60-90 days were needed.

Craig Stevens stated that the City did not want a piece meal job as had been done in the past. He stated they wanted to see plans for the "big picture."

Mr. Strawn advised that the City was not taking the same position as before regarding the zoning, and would allow two separate parks. He further stated he had no objection to an extension of time since effort was being shown regarding the work. He stated that John Smith was concerned if the permits were issued would the work be completed. The Board stated they wanted a time certain as to when the work would be completed.

Mr. Sepler requested they be given 60 days. Chairman Jordan advised that the Board wanted a report on the status of the work in 30 days.

Motion made by Bob Young and seconded by Larry Hayes to grant an extension of the compliance date to the next meeting with the stipulation that a report be given to this Board at that time with a time frame regarding the completion of the work. Board unanimously approved.

Reference: CE02091628

Airmark Engines Inc.
6001 NW 29 Ave.

Old Business

Ms. Batchelder announced this case was heard on October 22, 2002 with compliance ordered by April 22, 2003. Fines had accrued to \$1700.

David Williams, General Manager, asked for an extension of time due to the fact that other issues had surfaced causing additional violations on the property. He stated that plans had been submitted to Chief Kastner and then resubmitted again on March 19, 2003 regarding the fire wall. He stated the plans had been approved by the Fire Department on March 26, 2003. He advised that the building was going to be divided and no sprinkler system would then be required. Drawings for that work were submitted on April 16, 2003. He further stated that the fines were caused by them not being aware of the procedure. Mr. Williams asked for 4 months to have the work completed.

Ivett Spence-Brown, Fire Inspector, stated that 4 months was sufficient time for the work to be done.

Motion made by Bob Young and seconded by Larry Hayes to extend the compliance date by 90 days. Board unanimously approved.

Reference: CE02121828

Personal Jet Center Inc.
5401 E. Perimeter Rd.

Old Business

Ms. Batchelder stated this case had been heard on January 28, 2003 with compliance ordered by March 29, 2003. Fines totaled \$11,600.

Tony Hatfield, Ground Service Manager for Personal Jet, stated they had spent \$18,000 on renovations at the site so the property could be in compliance. He stated they were asking for an extension of time for 60 days, along with an abatement of fines.

Chairman Jordan reiterated that fines could not be abated until the work was completed.

Ivett Spence-Brown, Fire Inspector, stated that it was their choice to separate the building causing the additional requirements. She advised that an engineer was needed to make sure the 1st and 2nd floors were in compliance.

Motion made by Bob Young and seconded by Sarah Horn to grant a 60-day extension of time. Board unanimously agreed.

Reference: CE03030541

Frank & Victoria D'Annunzio
5300 NW 12 Ave., #7

Old Business

Ms. Batchelder stated that this case had originally been heard on March 25, 2003 with compliance ordered by April 24, 2003. Fines totaled \$16,000.

A request was made for a 30-day extension of time and abatement of fines.

Ivett Spence-Brown stated the City had no problem with the extension of time.

Motion made by Sarah Horn and seconded by Pat Hale to grant a 30-day extension of time. Board unanimously agreed.

Reference: CE01041565

Flagler Pop II LLC
117 NW 3 Ave.

Old Business

Ms. Batchelder announced that this case had originally been heard on July 24, 2001 with compliance ordered by November 28, 2001. Time was extended on January 22, 2002 with compliance ordered by July, 23, 2002. Another extension was granted on July 23, 2003 with compliance ordered by October 21, 2002. A time extension was granted on October 22, 2002 for compliance ordered by April 23, 2003. Fines total \$6,675.

Doug McCraw stated the drawings were being worked on for the permit and progress was being made. He requested a 6-month extension of time.

Mohammed Malik, Building Inspector, stated that he had no objection to a time extension.

Motion made by Sarah Horn and seconded by Pat Hale to grant a 180-day extension of time for the work to come into compliance. Board unanimously approved.

Reference: CE02061196

Robert Joseph Griffith Family Trust
Jeffrey Scott Finley
1100 NE 18 Ave.

Old Business

Ms. Batchelder stated they were requesting an abatement of fines which totaled \$9,450. She further stated that this case had originally been heard on October 22, 2002 with compliance ordered by January 20, 2003.

Jeff Finley, sole owner of the property, stated that he had purchased the property and knew there were problems with permits being pulled. He advised that plans had been approved and the work was beginning in connection with exterior electrical upgrades.

Chairman Jordan reiterated that normally the work had to be completed in order for the fines to be abated. Mr. Finley emphasized they were seeking full abatement of the fines.

Mohammed Malik, Building Inspector, stated the matter was up to the Board.

Mr. Phillips asked if monies had been held back for repairs. Mr. Finley replied no funds had been held in escrow for repairs.

Motion made by John Phillips and seconded by Larry Hayes to abate all fines. Board unanimously approved.

Reference: CE02080131

Esposito Enterprises Inc.
3145 NE 9 St.

Old Business

Ms. Batchelder stated that this case had originally been heard on October 22, 2002 with compliance ordered by January 20, 2003. On January 28, 2003 the date for compliance was extended until April 28, 2003. Fines total \$1,050 and settlement was being recommended at \$275.

Deborah Toye, attorney for the owner, stated they were requesting an abatement of all fines since they were due to scheduling problems.

Mohammed Malik, Building Inspector, stated the owner was working on the problems and cooperating.

Motion made by John Phillips and seconded by Larry Hayes to abate all fines. Board unanimously approved.

Reference: CE03021337

Sonya Hankerson & David McDonnell
1126 NW 18 Ave.

Old Business

Ms. Batchelder stated this matter had originally been heard on April 22, 2003, and there were no fines as of this date.

Sonya Wells, owner, stated she was requesting a 6-month extension of time.

Douglas Kurtcock, Building Inspector, stated that he had no problem with an extension of time.

Motion made by Bob Young and seconded by John Phillips to grant an 180 day extension of time and that the rebar be removed within 30 days. Board unanimously approved.

Reference: CE02070641

William Polk & Heli Bonn
1604 SW 5 Ct.

Old Business

Ms. Batchelder stated that this was a request for an extension of time. The case was heard on February 25, 2003 with compliance ordered by May 26, 2003. No fines had accrued as of today.

Heli Bonn, owner, stated she had applied for refinancing and had hired a contractor, and was requesting a 6-month extension of time.

Motion made by Sarah Horn and seconded by Pat Hale to grant a 180-day extension of time. Board unanimously approved.

Reference: CE02010591

Evan Anthony
1214 NE 4th

Ms. Batchelder stated that an extension was granted on May 23, 2002 and on May 12, 2002 Inspector Schumacher signed an Affidavit of No Compliance regarding this property. The City was notifying for claim of lien.

Inspector Schumacher stated that options had been given to vacate the second floor and the not-for-profit office was to move to the ground level.

Mr. Jolly reminded the Board that the only issue before them today was whether the property was in compliance or not.

Mr. Phillips asked if there were fines on the property. Ms. Batchelder stated she did not know since this matter was not on the agenda. Mr. Phillips remarked that they should treat everyone the same.

Chairman Jordan remarked that information was to be supplied by Lori Milano regarding these issues at today's meeting to assist the Board in clarifying these problems.

Lori Milano, Director Community Inspections, remarked that the process was the same and was not being changed, but the packaging was different. She explained they were working with the City Attorney's office regarding these issues based on the recent Court ruling which stated that additional notice must be provided to the property owner warning of a lien which could be imposed on their property.

Motion made by John Phillips and seconded by Pat Hale to authorize claim of lien in this matter, along with the other 18 cases listed. Board unanimously approved.

Cases Complied

Ms. Batchelder stated that the following cases were in compliance:

CE02071383
CE02111387
CE02110395
CE03031576
CE03040358

Cases Pending Service

Ms. Batchelder stated that the following cases had been withdrawn pending service to the respondents:

CE02101072
CE02072217
CE02111210
CE03011008
CE03031694
CE03040437
CE03050751

Old Business Cases with No Respondents

Ms. Batchelder stated that the following Old Business cases appeared on the agenda, but no respondent had appeared to present his case:

CE98100824
CE02021820
CE02040327
CE03030534

Lori Milano, Director Community Inspections, stated that she wanted to explain to the Board in more detail the new procedure regarding Notice of Impending Lien. She stated that this was just an extra step in the procedure. She stated that on May 15, 2003, a memorandum had been written to the Board regarding the lien process, along with providing some background information.

Ms. Milano further explained that at the direction of the previous Chairman, Alan Vordermeier, along with the City Attorney's Office, a resolution was drafted recommending that this Board participate in the lien settlement process. She further stated that according to Chapter 162, when a property was liened it did not come back before this Board and the Board had no further jurisdiction. The City Commission considered these cases after staff had negotiated a settlement. She remarked that recently the Commission had heard 22 cases at one meeting and the property owners had the opportunity to speak regarding their property. Ms. Milano reiterated that staff's concern was if this Board began participating more actively in this procedure, the volume could be enormous and possibly even require an extra meeting to meet the demand.

Mr. Phillips remarked that he did not think the Commission really wanted to be involved in these matters.

Ms. Milano stated that since this Board had new members and a new Chairman, she wanted input as to what their feelings were regarding this matter.

Mr. Phillips suggested that the Board take until next month's meeting to discuss this issue and staff give an update on the status of the resolution being drafted.

Motion made by John Phillips and seconded by Larry Hayes to adjourn the meeting. Board unanimously agreed.

There being no further business before the Board, the meeting was adjourned at approximately 3:25 p.m.

Chairman, Code Enforcement Board

ATTEST:

Margaret A. D'Alessio,
Recording Secretary

NOTE: The agenda associated with this meeting is incorporated into this record by reference.