

CODE ENFORCEMENT BOARD
City Commission Meeting Room
100 North Andrews Avenue
JUNE 24, 2003
10:00 A.M - 4:10 P.M.

CUMULATIVE ATTENDANCE
From January, 2002
Present Absent

BOARD MEMBERS PRESENT:

Pat Hale, Vice-Chairman	15	1
Larry Hayes	17	0
Sarah Horn	4	1
Gerald D. Jordan, Chairman	17	1
John Phillips	16	0
Rixon Rafter	11	4
Bobby Young	14	3
Bruce Jolly, Attorney		

BOARD MEMBERS ABSENT

None

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
Ken Reardon, Building Inspector
Robert Pignataro, Building Inspector

Margaret A. D'Alessio, Recording Secretary

ALSO PRESENT

John Hill (CE02010698)
Richard Hawkins (CE03032277)
Mariella Jovovich (CE99110073)
Norman Stewart (CE02100344)
David Rice (CE03032277)

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Fred Hughes (CE02110605)
P. Doug McCraw (CE00101168)
Richard Boemermann (CE03021409)
Vaslije Jovovich (CE99110073)
Sandra Lewis (CE01060446)
Rod Feiner (CE01201898)
Lillian Fell (CE02060922)
E. Thornton Jarrett (CE02091424)
Augustin Pujols (CE02091424)
Mark Budd (CE03030189)
Renato Pacini (CE03031941)
Dick Coker (CE03050746)
Terence Bailey (CE03060710)
Johnny D. Evans (CE99051743)
Mark Weinberg (CE03031355)
Francisco Montiel (CE03031355)
Laura Wetherington (CE03060354)
Martin Stelling (CE03060497)
John Reed (CE03060497)
Michael Shelly (CE03050746)
George Sahagian (CE02021280)
Diana Verdi (CE02080465)
Scott Distetano (CE03031941)
Alton Yaari (CE03060360)
Ninal Burrows (CE03031825)
Stephen Smith (CE02120718)
Victor Collica (CE98100824)
Rich Berrie (CE01110773)
Bob Madge (CE03030541)
Forrest Corneal, Jr. (CE98100824)

At 10:10 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: CE99051743

Johny Dean Evans
824 NW 16 Ave.

Old Business

Ms. Batchelder stated the date for compliance had originally been scheduled for September 26, 2000, and on the Board's Order of March 28, 2000 the date was extended until July 24, 2000. On the Board's Order of January 23, 2001, the date was extended to October 22, 2001. On the Board's Order of July 24, 2001, time was extended until February 20, 2002. On the Board's Order of October 23, 2001 the date was extended until April, 2002. On the Board's Order of February 26, 2002, the date was extended until June 22, 2002. On the Board's Order of April 23, 2002, the date was extended until September 21, 2002. On the Board's Order of July 23, 2002, the date was extended until November 23, 2002. On the Board's Order of September 24, 2002, the date was extended until January 5, 2003. On the Board's Order of November 26, 2002, the date was extended until March 29, 2003. On March 25, 2003, the date was extended until June 23, 2003. Fines total \$1,615. She announced that this was a request for an extension of time.

Johny Evans, owner, stated she was requesting an extension of time for 30-60 days and stated further she had not been able to obtain the money to pay the taxes, and therefore, could not go through the rehabilitation program the City offered. She stated she had been informed that they would not have funds until after the first of the year. She announced that she was presently selling the property, and requested the Board to abate the fines on her property.

Bob Young entered the meeting at approximately 10:15 a.m.

Ms. Evans also stated that the new owner was Home Ventures, and the closing was to be scheduled within the next 20 days.

Chairman Jordan reiterated that fines were not abated until the problems were corrected.

Robert Pignataro, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that the City did not have a problem to give the owner an extension of time, and he suggested 90 days be granted.

Motion made by Bob Young and seconded by Pat Hale to approve a 90-day extension of time and no abatement of fines. Board approved unanimously.

Reference: CE03031355

O.M & Blanca C. Guillen
6351 NE 20 Ter.

FBC 104.1 - Work without permits. FBC 1401.6
- Maintenance Issues

Ms. Batchelder stated that Certified Mail had been sent to O.M. & Blanca C. Guillen and signed for on June 12, 2003 by O. Guillen. She announced that personal service was made to Francisco Montiel by Inspector Nobles on June 15, 2003.

Mohammed Malik, 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 90 days or a fine of \$50 per day, per violation would be imposed thereafter.

Mark Weinberg, attorney, stated that they agreed to the terms of the verbal agreement.

Larry Hayes asked if any life safety issues were involved. Mr. Malik stated that he had not seen any from the outside of the building.

John Phillips entered the meeting at approximately 10:23 a.m.

Motion made by Rixon Rafter and seconded by Larry Hayes to find in favor of the City and order compliance in 90 days or a fine of \$50 per day, per violation be imposed thereafter, and that the Order be recorded. Board unanimously agreed.

Reference: CE03060354

Earl R. & Virginia L. Velger
121 Hendricks Isle

BCA FFPC F-20.3 - Fire lane not
provided for dockage. FBC 104.9.3.1 -
Expired permit.

Ms. Batchelder stated that Certified Mail had been sent to Earl & Virginia Velger and signed for on June 14, 2003 by Scott Hosnok.

Robert Kisarewich, Fire Inspector, stated the case number, address of the property and violations per the agenda. He proceeded to give the history of the violations on the property. They were only to have 3 vessels and not 4 at the site. Mr. Kisarewich stated he wanted the owners to be put on notice and wanted to give them 30 days to reduce the dockage back to 3 vessels. He further stated that he wanted to give the owner 30 days to come into compliance or a fine of \$250 per day would be imposed.

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Laura Wetherington, manager of the property, stated the owner was out-of-state and all mail went to Michigan. She stated further that she had not been aware of the notices, but did know that 2 permits had been pulled and knew there was a problem with the plumber in getting the work done. She stated that she had been under the impression that if they reduced the vessels to 3 that would solve the problem, and she had not been aware of the 4th pump that was to be removed in order to come into compliance.

Motion made by Rixon Rafter and seconded by Pat Hale to find in favor of the City snf order 30 days to come into compliance or a fine of \$250 per day would be imposed. Board unanimously agreed.

Reference: CE02021280

George Sahagian Tr
204 SW 21 Ter.

18-27(a) - Trash on property. 9-304 (b) - Maintenance of parking area. 9-305 (b) - Required ground cover. 9-306 - Peeling paint/stained surfaces. 9-307(a) - Broken windows. FBC 104.1 - Work without permits. FBC 104.9.3.1 - Expired permits. FBC 3401.6 - Structure/fixtures in disrepair.

Ms. Batchelder stated that Certified Mail had been sent to George Sahagian Trust and signed for on June 11, 2003 by George Sahagian.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that he had reached a verbal agreement with the owner to bring the property into compliance as follows:

Violations to be corrected within 30 days were as follows:

18-27(a), 9-305 (b), 9-306, 9-307(a), and FBC 104.9.3.1.

Violations to be corrected within 90 days were as follows:

9-304 (b), FBC 104.1.

Mr. Reardon stated that FBC 3401.6 was in compliance. He further stated that if the violations were not corrected within the specified time limits, then a fine of \$100 per day, per violation would be imposed.

Motion made by John Phillips and seconded by Larry Hayes to find in favor of the City and order compliance in the time periods specified or a fine of \$100 per day, per violation would be imposed thereafter. Board unanimously agreed.

Reference: CE03030189

Marilyn Smith
2869 SW 13 Ct.

FBC 104.1 - Work without permits.

Ms. Batchelder stated that Certified Mail had been sent to Marilyn Smith and signed for on June 12, 1003, signature illegible. Also, personal service had been made to Robert McClean by Inspector Todd Nobles on June 15, 2003.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He stated that the wood structure on the east side of the house had been removed and was no longer in violation. He stated he had reached a verbal agreement with the architect, Mr. Budd, to comply within 60 days or a fine of \$50 per day would be imposed. He stated the plans had already been submitted and they were now waiting on zoning approval.

Motion made by John Phillips and seconded by Pat Hale to find in favor of the City and order compliance in 60 days or a fine of \$50 per day would be imposed. Board agreed unanimously.

Reference: CE03031941

Dadan Packaging Inc.
980 NW 10 Avenue

FBC 11-4.6.4 - Required handicapped signage. 15-28
- Required occupational license. FBC 104.1 -
Work without permits. FBC 104.2.4 - Plumbing
work without permits. FBC 104.2.5 - Electrical
work without permits. 47-20.20 H. - Parking
area in disrepair. FBC 11-4.6.1 - Required
handicapped parking.

Ms. Batchelder announced that Certified Mail had been sent to Dadan Packaging c/o Ron Pacini and signed for on June 12, 2003 by Sonja Pacini.

Mohammed Malik, 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 that the property would come into compliance within 180 days or a fine of \$50 per day, per violation, would be imposed.

Motion made by Rixon Riafter and seconded by John Phillips to find in favor of the City and order compliance in 180 days or a fine of \$50 per day, per violation, would be imposed. Board unanimously agreed.

Reference: CE03050746

Lakeview Plaza Inc
5913 NW 31 Ave.

NFPA 101 39.2.4.2 –Required 2nd floor egress.
NFPA 101 39.3.1.1 - Unenclosed, unprotected
vertical opening.

Ms. Batchelder announced that Certified Mail had been sent to Richard Coker, Esq., Registered Agent, and signed for on June 12, 2003 by Carla Baker. Also, Certified Mail ha been sent to Jorge Perez, Sr., Officer, signed for on June 12, 2003, signature illegible. She further advised that this was a request for a continuance.

Ms. Batchelder advised that Ivett Spence-Brown was the Inspector, and Lt. Patrick Gillis would present the case.

Dick Coker, attorney, stated that he was representing the landlord and stated this involved the use of a second floor mezzanine by a tenant, High Power Inc., who was present today. He stated it was his understanding that the only remaining issue was a second means of egress that had to be provided. He advised that the tenant had agreed to remove everyone from the second floor and dry wall the opening while going through the permitting process in order to get the second means of egress. He further stated they were asking for a 30-day continuance so the tenant could come into compliance and no action would be taken against the landlord.

Lt. Patrick Gills, Fire Inspector, stated the case number, address of the property and violations per the agenda. He further stated that this case had been ongoing since January 8, 2001. He stated he wanted to hear this case and the tenant was at fault and not the landlord. He advised this was a life safety violation since there was no proper exit from the 2nd floor. He suggested they be given 2-3 weeks or whatever time necessary so they could wall the area off, and then give them a notice that they were no longer in violation. He felt this matter had gone on too long to continue it.

Mr. Coker reiterated that the landlord should not be penalized and he only became involved in June. Lt. Gillis remarked they had corrected everything but one violation which was the most serious. He explained there would be no penalty against the landlord if they erect the wall, and the matter would be in compliance.

Motion made by John Phillips and seconded by Pat Hale that the continuance be granted.

Roll call showed: YEAS: John Phillips. NAYS: Bob Young, Larry Hayes, Rixon Rafter, Sarah Horn, Pat Hale, and Gerald Jordan. Motioned failed 1-6

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Chairman Jordan announced that this matter would be heard today.

Lt. Patrick Gillis, Fire Inspector, stated that the violation had originally been written on January 8, 2001 due to there being no proper exit from the second floor, and one was needed in order for the property to be in compliance. He advised that the other violations had been taken care of.

Mr. Coker stated it was his understanding that a violation only existed with respect to the second exit if the mezzanine was occupied and used. Lt. Gillis proceeded to read the Code as follows:

“Not less than 2 separate exists shall meet the following criteria. They shall be provided from every story, they shall be accessible from every part of every story and mezzanine.”

Lt. Gillis remarked that nothing was stated in relation to the area being occupied or not.

Mr. Coker stated the notice of this meeting was the first correspondence the landlord had seen regarding the property. He explained the inspector had spoken with the tenant and not the landlord. Mr. Rixon asked if there was some sort of wording in the lease requiring the tenant to notify the landlord. Mr. Coker stated the wording in the lease was that the tenant had to fully comply with all the codes and ordinances of the City, which was the tenant's responsibility.

Motion made by Sarah Horn and seconded by Bob Young to find in favor of the City and order compliance in 30 days or a fine of \$150 per day be imposed.

Lt. Gillis added that an exception to the wording in the Code would be if the second floor was open for 50% of the area and remarked the area in question was completely enclosed.

Board unanimously approved the motion.

Reference: CE03060710

Jack R. Rust, TR
1115 NE 9 Ave.

NFPA 101 39.2.4.1 - Required 2nd floor ingress/egress. NFPA 101 42.2.9 - Lack of emergency lights. NFPA 101 42.2.10 - Required exit signs. FBC 104.1- Work without permits.

Ms. Batchelder stated that Certified Mail had been sent to Jack Rust TR. and signed for on June 11, 2003 by S. Feola.

Jeff Lucas, Fire Inspector, stated the case number, address of the property and violations per the agenda. He stated that he had done his first inspection on February 26th, and a second one on May 13, 2003 with a follow-up inspection on June 10, 2003. He stated that he had been to the site yesterday, and had been told they were applying for the permit on Friday and the second floor would be disabled.

Terry Bailey, tenant, stated that they were going to remove the staircase, and were in the process of obtaining permits.

Jeff Lucas stated there were no life safety issues involved, and the City had no problem with giving 6 months for the property to come into compliance.

Motion made by Bob Young and seconded by Larry Hayes to find in favor of the City and order compliance in 6 months or a fine of \$50 per day, per violation would be imposed. Board unanimously agreed.

Reference: CE03060360

Miniaci Enterprises
211 S. Ft. Laud. Beach Blvd.

FBC 104.1 - Work without permits.

Ms. Batchelder stated that Certified Mail was sent to Miniaci Enterprises signed for on June 11, 2003 by Lori L. Gerpi. She also stated that Certified Mail had been sent to Rose Miniaci signed for by Joseph Giovanangelo with no date on the green card that was received back in Community Inspections on June 16, 2003.

Robert Kisarewich, Fire Inspector, stated the case number, address of the property and violations per the agenda. He further stated that this office was cited one year ago for being a non-permitted structure. He stated that he had met with the new owners of the property and they reviewed what had to be done in order for them to obtain their CO. He stated the office had been demolished and was now vacant space, thereby eliminating the previous violations. He stated they were in the process of submitting plans to the City. The City was recommending 90 days for the property to come into compliance or a fine of \$250 per day be imposed.

A. J. Yaari, tenant, stated that they had taken over the property about 1½ years ago and made many improvements, along with tearing out the office.

Motion made by Rixon Rafter and seconded by Larry Hayes to find in favor of the City and order compliance in 90 days or a fine of \$250 per day be imposed. Board unanimously agreed.

Reference: CE03060497

Gator East Wind Partners LLLP
2933 Poinsettia St.

FBC 104.1 - Work without permits. NFPA 1031.2.9 – Required 2nd & 3rd floor egress emergency lights. NFPA 101 31.3.4.1 – Required fire alarm system.
NFPA 101 7.2.1. 7.2.1.8.1 – Required maintenace of stairwell self-closers.
NFPA 82 3-2.2.9 – Required self-closing device on trash chute. FPA 82 3-2.4.1 - Chute loading doors lack self-closing positive latch.

Ms. Batchelder announced that Certified Mail had been sent to Gator East Wind Partners signed for on June 12, 2003 by M. Miller. Certified Mail sent to James Goldsmith, Registered Agent, signed for on June 12, 2003 by M. Miller. Also Certified Mail sent to Gator East Wind Investors, Inc., General Partner, and signed for on June 12, 2003 by M. Miller.

Robert Kisarewich, Fire Inspector, stated the case number, address of the property and violations per the agenda. He further stated that a previous case regarding the 4th floor enclosure of this building had come before this Board. He believed they were given 180 days to come into compliance. He further stated he was also asking for 180 days for the fire alarm system to be installed.

Inspector Kisarewich stated the violations were to be complied with as follows:

Violations to be corrected within 90 days were as follows:
NFPA 101 31.2.9; NFPA 101 7.2.1.8.1; NFPA 82 3-2.2.9; and NFPA 82 3-2.4.1.

Violation to be corrected within 180 days were as follows:
NFPA 101 31.3.4.1.

Ms. Batchelder stated that Mr. Pignataro's Case No. CE02101544 was heard and the compliance date for Florida Building Code Section 104.1 was August 25th. The way in which the violation had been written, it did encompass what Mr. Kisarewich had written.

Therefore, they were going to withdraw 104.1 from Mr. Kisarewich's Notice of Violation.

John Reed, Manager of the property, stated he was aware of the dates involving the FBC 104.1 violation and were working on the matter.

Martin Stelling, General Contractor, stated that they were in agreement with the time frame involving the violations.

Motion made by Rixon Rafter and seconded by Pat Hale to find in favor of the City and order compliance based on the time frames previously listed or a fine of \$100 per day, per violation would be imposed. Board unanimously agreed.

Reference: CE02091424

Edmond Thornton Jarrett
729 N. Victoria Park Rd.

FBC 104.1 - Work without permits. FBC
3401.6 - Structure/fixtures in disrepair.
Sec. 24-11(a) - Construction debris in
yard without container. Sec. 24-11(d)
Required removal of construction debris.
ULDR 47-21.8.A - Landscape
maintenance. Sec. 9-306 - Peeling
paint/stained surfaces.

Ms. Batchelder stated that Certified Mail had been sent to Edmond Jarrett signed for on June 13, 2003 by E.T. Jarrett.

Ms. Batchelder announced that this case had an amended Order issued.

Mohammed Malik, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that there had been an amendment to the Notice of Violation that added a section FBC 104.9.3.1, citing a violation for expired permits.

Chairman Jordan asked if this section could be added to the list of violations before the Board at this time. Mr. Jolly asked if a notice had been served on the owners. Mr. Malik confirmed. Mr. Jolly stated that the Board could proceed forward.

Mr. Malik further stated that Permit No. 97072017 had expired. He further stated that in regard to FBC 104.1, the first item concerning the new roof was in compliance, but item nos. 2-5 were not in compliance. In regard to FBC 3401.6 none of the violations were in compliance as of this time. He further announced that Secs. 24-11(a) and 24-11(d) were in compliance.

Thornton Jarrett, owner, stated that he had purchased the subject property about 4-5 years ago and had an architect draw up plans to cover the doors, windows and stucco work. A final inspection was not called for and he also had applied for historic preservation designation. He requested that they be given 6 months to complete all the work.

Mr. Malik proceeded to show photographs of the subject site.

Motion made by Bob Young and seconded by John Phillips to find in favor of the City and order compliance in 10 months or a fine of \$50 per day, per violation would be imposed. It was suggested that the construction debris not be visible from the street and the landscaping be maintained.

Mr. Phillips stated he did not feel this Board should be micro-managing a construction site.

Mr. Jarrett remarked that he had renewed his demolition permit, and to the best of his knowledge no neighbors had made any complaints and the person complaining did not live in the surrounding area.

Board unanimously agreed on the motion.

Reference: CE03031825

Thomas Nelson
2215 NW 8 St.

FBC 104.1 - Work without permits.

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

Douglas Kurtock, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that this was a single-family home and a verbal agreement had been reached with the owner for the property to comply within 60 days or a fine of \$10 per day would be imposed.

Nina Burrows, representing owner, stated that they had tenants at the property and the area was not good, but repairs had been made.

Mr. Hayes asked if this individual could legally represent the property owner.

Mr. Jolly stated that Ms. Burrows could probably represent the owner, but he was not comfortable with the situation. He reminded the Board they were to base their decision on the evidence presented to them and not on what this representative may state.

Mr. Phillips suggested that a form of criteria be established as to who could legally appear before this Board regarding cases.

Mr. Hayes stated that at a later date if this was to be recorded and this individual was speaking for a property owner, problems could arise. Mr. Jolly reiterated the Board's decision today should be based entirely on what was presented by the Building Inspector. He further stated this case could be treated as if the owner did not appear.

Mr. Kurtz further stated that this was an after-the-fact permit for 5 replacement windows.

Motion made by Rixon Rafter and seconded by Pat Hale to find in favor of the City and order compliance in 60 days or a fine of \$10 per day would be imposed thereafter, and the Order to be recorded. Board unanimously agreed.

Mr. Young stated that he felt the Board needed to have a written affidavit from the owner stating that this individual was allowed to represent him regarding this case.

Reference: CE02080465

Ms. Batchelder stated there was a respondent present in regard to a case which had been listed for lien, and that Case was CE02080465. She stated the case was originally heard on January 28, 2003 with compliance ordered by May 28, 2003. She further stated that on June 9, 2003, Inspector Reardon signed an Affidavit of Non-Compliance. She stated the Board was only to discuss whether the property was in compliance or not.

Kenneth Reardon, Building Inspector, stated the case number, address of the property. He further stated the property was not in compliance as of the date of the Order, nor in compliance as of today's date.

Diana Verdi, owner, stated that she had hired Steve Fedora and with the help of Detective Keith Kotrady, she was attempting to move forward towards compliance. At this time, she announced she was in plan review and had hired various contractors to do the work. Since Mr. Fedora would not respond to her but had taken her money, she was working with Detective Kotrady.

Detective Kotrady stated that he had met Ms. Verdi about 2 months ago and had spoken with Mr. Fedora and things began moving in the right direction for Ms. Verdi, but that did not last long. He reiterated that Ms. Verdi was attempting to do the right thing and had made efforts to proceed forward.

Chairman Jordan remarked that he felt it was wrong that the City was not able to "police" their own contractors, and because of that individuals had liens placed on their properties.

Mr. Young suggested that a complaint be filed against such contractors with the Central Examiner License Board of Broward County at 955 S. Federal Highway. Mr. Phillips stated that complaints could also be filed with the Department of Business Professional Regulations. He reiterated that there were options available for individuals to receive assistance in such matters. He stated that ignorance of the law was no excuse in this case.

Mr. Young reiterated that owners should do whatever necessary to keep themselves from being penalized.

Mr. Reardon reiterated that as of today's date the property was not in compliance.

Motion made by Rixon Rafter and seconded by Bob Young that Case CE02080465 be approved for a lien to be placed against the subject property. Board approved unanimously.

Motion made by John Phillips and seconded by Pat Hale to approve the 11 properties listed for claim of liens. Board approved unanimously.

BREAK WAS TAKEN AT 12:00 P.M.

BOARD RECONVENED AT 1:03 P.M.

All individuals wishing to speak on the cases to be heard were sworn in.

Reference: CE98100824

Lauderdale Wholesale Inc.
1147 NE 04 Ave.

Old Business

Ms. Batchelder stated that the dates and compliance dates for this case were as follows:

<u>Hearing Date</u>	<u>Compliance Date</u>
Originally heard on June 22, 1999	August 21, 1999
August 24, 1999	December 22, 1999
January 25, 2000	July 24, 2000
September 26, 2000	March 27, 2001
August 27, 2002	November 25, 2002
November 26, 2002	March 26, 2003
March 25, 2003	May 24, 2003

Ms. Batchelder announced there was an error on the agenda showing all violations in compliance, and stated that the Inspector would clarify the matter. She stated that Section 47-25.3.C.4.d was not in compliance.

Victor Collica, owner, stated that the property was presently under contract for sale. He stated that Bruce Corneal was purchasing the property and a closing was set for July 15, 2003.

Mohammed Malik, Building Inspector, stated the address, case number and violations listed on the agenda. He stated a final inspection was still needed for the wall and had informed them they needed to contact zoning.

Mr. Collica stated that he had complied with most of the violations, but the architectural drawings that he had submitted were for a different use for the property. He explained that new architectural drawings were needed for the fence since there was going to be a different use for the property.

Bruce Corneal, new owner, stated that they intended to open an imported home and garden furnishings and garden center at the subject property. The name of the owners was River of Grass and he explained they were going to make further improvements to the subject property, and were in the process of having architectural plans drawn for a gothic picket fence and hoped to have the work completed within 90 days.

Sarah Horn asked if the problem was against the owner or the property. Mr. Jolly explained that it always runs against the property.

Mr. Malik reiterated that the new owners would have to go through zoning due to the property having a change of use.

Ms. Batchelder announced that fines on this property totaled \$11,000 and could be negotiated once the property was in compliance.

Motion made by Rixon Rafter and seconded by Larry Hayes to grant a 4-month extension of time for the property to come into compliance. Board unanimously agreed.

Reference: CE03030541

Frank and Victoria D'Annunzio
5300 NW 12 Avenue, #7

Old Business

Ms. Batchelder stated that this case had originally been heard on March 25, 2003 and the date for compliance was set for April 24, 2003. On May 27, 2003 the date was extended until June 26, 2003. Current fines were \$16,000.

Robert Madge, Fire Safety Consultant, stated that he was requesting that the fines on this property be abated. He further stated that this was the first time he had worked with the City of Fort Lauderdale and it had been a good experience, and everyone had been very cooperative.

Lt. Patrick Gillis, Fire Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that all inspections had been done and Inspector Spence Brown felt it had taken the owner too long to correct the work, and therefore, did not want the entire fine abated. He stated he realized they had gone to considerable expense in order to get the work completed and wanted to leave the matter of fines up to the Board.

Ms. Batchelder reminded the Board when they had initially heard this case, they had only given them 30 days to come into compliance, and Inspector Brown who had been working on the case for about 4 years felt a considerable amount of time had been given to them to correct the violations.

Mr. Madge stated that this property had been located in unincorporated Broward County, and the condition that had existed had been there for about 18 years. Either they had no inspections during that period of time or did not have proper ones, and when they became incorporated into Fort Lauderdale a proper inspection had been done, and the property had been cited.

Motion made by Rixon Rafter and seconded by Sarah Horn to reduce the fines to \$4,000. Board unanimously agreed.

Reference: CE03032277

Sunset Colony Annex Inc.
24600 SW 2 Ct.

Old Business

Ms. Batchelder stated that this case had originally been heard on April 22, 2003 with compliance ordered by May 22, 2003. On May 27, 2003, the date for compliance was extended until June 26, 2003. Fines accrued to a total \$1,200. An extension was granted with a stipulation that they provide the Code Enforcement Board and the City with a time frame regarding completion of work.

David Rice, electrical consultant, stated that they were requesting 60 days to complete the project. He stated that he had spoken with FPL in regard to work they needed to perform at the site, and was informed they would be at the site tomorrow or the next couple of days. He stated that the owner, Mr. Sepler, was out-of-town and unable to attend today's meeting. He further stated the Board had requested a definite time schedule regarding the completion of work.

Ms. Batchelder clarified that an extension had been granted until the 26th of June for them to come into compliance, and the extension had been based on the stipulation that when they returned if they were going to request additional time, they would provide the Board with a report.

Chairman Jordan stated he was under the impression the timetable would be in the form of a written official document. Mr. Rice replied that he did not have such a document for the Board.

Richard Hawkins, electrical contractor, stated that there were problems with the 1200 block due to problem wiring of FPL equipment involving conduit coming down the pole.

Chairman Jordan stated that this problem had gone on for 3-4 years and the owner had been aware of the time to have the work completed, and he believed this was just a "stall tactic."

Wayne Strawn, Building Inspector, stated that most of today's discussion centered around FBC 3401.6, and the other issues all dealt with the master plan, except for the landscaping. He explained that this would change the entire distribution system for the park, and the City had been requesting a schedule showing when the work would be completed, but that had not been forthcoming. He stated it was up to the Board as to how they might want to handle this matter.

Chairman Jordan quoted from the Board's last minutes regarding this case.

Motion made by Larry Hayes and seconded by John Phillips to grant a 30-day extension for the property to come into compliance. **Roll call showed:** YEAS: John Phillips and Sarah Horn. NAYS: Bob Young, Larry Hayes, Rixon Rafter, Pat Hale, and Gerald Jordan. Motion failed 2-5.

Reference: CE00101168

Flagler 400 LLC
125 NW 4 St.

Old Business

Ms. Batchelder stated that this case had originally been heard on October 23, 2001 with compliance ordered by January 21, 2002. On March 26, 2002, the date for compliance was extended until September 26, 2002, and on February 25, 2003 the date was again extended to May 26, 2003. She further announced that the property had come into compliance on May 28, 2003. Fines totaled \$82,850. She stated that the City recommended a settlement of \$26,800.

Doug McCraw, previous owner and now representative of the new owner, stated that he was developing an area known as F.A.T. Village. He explained that until they knew who the new tenants for the property were and what their requirements would be, it was hard to do renovations. He explained that temporarily they had leased the building to Paramount to store their props, and during that time the violations had been cited.

Chairman Jordan asked how the fines got to be so high. Mr. McCraw explained that the process of redevelopment was a challenge and it was hard to find the right type of tenants. He felt there should be no fines on this property, and due to tax increases on other properties, he asked for the Board's consideration regarding the existing fines. He added that they owned other properties and were attempting to develop the area. He felt there was a lot of misinformation that had transpired between the owner and the City.

Ms. Batchelder explained that the fines began on January 22, 2002 and had stopped and started at various times.

Robert Pignataro, Building Inspector, stated that the City was requesting the fines be reduced to \$20,800. He reiterated that the original violation had been written on October 30, 2000, and that two tenants had been moved into the property with the life safety violations. He remarked that sufficient time had been given to the individuals to comply before the matter was even presented to the Code Board.

Motion made by John Phillips and seconded by Bob Young to reduce the fines on the subject property to \$10,000. Board unanimously approved.

Reference: CE01110773

Sultan Family Ltd Prtnr
2216 S. Federal Hwy

Old Business

Ms. Batchelder stated that this case had originally been heard on February 26, 2002 with compliance ordered by May 27, 2002. On July 23, 2002, the date for compliance was extended until September 21, 2002, and on October 22, 2002, the date was extended to April 22, 2003. Current fines total \$11,100.

Rich Berrie, architect, stated that previously drawings had been submitted in order to obtain a permit, but zoning would not sign off due to change of use. Revised site plans had been submitted but problems arose in connection with the change of use. He stated they had been working with the City Attorney's Office and zoning, and were now going to go before the Board of Adjustment to seek a variance. He stated they had 22 parking spaces and needed 32 spaces. He further stated they were claiming there would be a less intense use and no change of use at the property. He added that they were requesting a 6-month extension of time. He advised that one-half of the building was presently vacant, and remarked that they had no control over the bureaucratic process. He further stated they were attempting to get the original use back to the building,; that was retail.

Motion made by Pat Hale and seconded by Bob Young to grant a 6-month extension of time for the property to come into compliance. Board unanimously agreed.

Reference: CE02010698

Sixth Street Corp.
1448 NW 6 St.

Old Business

Ms. Batchelder announced that this was a request for an abatement of fines. She further stated that this case had originally been heard on August 27, 2002 with compliance ordered by October 26, 2002. The property came into compliance on November 20, 2002. Fines total \$5,250. The City recommends no settlement. Dr. John H. Hill, owner, stated that this was a family-owned corporation since 1935. He further stated they were trying to improve the quality of business on the corridor and was the Vice-President of the MBA.

Robert Pignataro, Building Inspector, stated that a tenant had done work without permits, but now the property was in compliance.

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Ms. Batchelder explained that the owners had been given 60 days to come into compliance and the work took 90 days to be completed. She reminded the Board that the owners had time to bring the property into compliance before the case was brought before this Board. She reiterated that the City felt it was up to the Board regarding the fines.

Motion made by Bob Young and seconded by Rixon Rafter to reduce the fine to \$1,000. Board unanimously agreed.

Reference: CE02101898

James T. & Roxanne N. Carson
5 Pelican Dr.

Old Business

Ms. Batchelder stated this case had originally been heard on February 25, 2003 with compliance ordered by May 26, 2003. Fines total \$1,400 and this was a request for an extension of time.

Rod Finer, attorney, stated that this matter was in connection with an expired pool permit and a wall and landscaping around the pool located on the Intracoastal. He explained the permit could not be filed due to the wall and landscaping issues. He explained further they had been retained in the middle of May, and they had applied to the Board of Adjustment for a variance and a hearing was to be heard in August. He stated they were requesting an extension of time until September. He added that they were also requesting an abatement of fines.

Robert Pignataro, Building Inspector, stated the City was not opposed to an extension of time, but asked that the fines not to be abated until the work was completed.

John Phillips stated that he had a conflict of interest regarding this matter and could not vote.

Motion made by Rixon Rafter and seconded by Sarah Horn to approve a 120-day extension of time for the property to come into compliance. Board unanimously agreed, with Mr. Phillips abstaining.

Reference: CE03021409

Richard J. Boemermann
1045 NE 18 Ave.

Old Business

Ms. Batchelder stated that this case had originally been heard on March 28, 2003 with compliance ordered by June 23, 2003. No fines at this time. She stated this was a request for an extension of time.

Richard Boemermann, owner, stated that the property was in compliance except for the sealing of the parking lot and the landscaping. He explained that he was in the process of meeting with developers regarding the property. He stated that the property was on the lake and he felt environment issues could be involved regarding the sealing of the lot as instructed previously. He proceeded to show photographs of the site in question.

Robert Pignataro, Building Inspector, stated the City was not opposed to an extension of time.

Motion made by Sarah Horn and seconded by Rixon Rafter to grant a 180-day extension of time for the property to come into compliance. Board unanimously agreed.

Reference: CE01060446

Robert Williamson
1706 S. Federal Hwy.

Old Business

Ms. Batchelder announced that this property was originally heard on February 26, 2002 and compliance ordered by June 26, 2002. On June 25, 2002, the date for compliance was extended to September 24, 2002. On October 22, 2002, the date for compliance was once again extended to January 20, 2003. On January 28, 2003, the date for compliance was extended to February 27, 2003. The property came into compliance on April 22, 2003. Fines total \$2,175. The City recommends no settlement.

Sandra Lewis, Manager of Miami Sub, stated that this matter had dragged on for so long due to the fact they had been waiting for the new sign code so they would not have the expense of changing their signs. She stated that she was requesting an abatement of fines.

Robert Pignataro, Building Inspector, stated that the property was in compliance.

Motion made by Sarah Horn and seconded by Bob Young to abate the fines in this matter. **Roll call showed:** YEAS: John Phillips. NAYS: Bob Young, Larry Hayes, Rixon Rafter, Sarah Horn, Pat Hale, Gerald Jordan. Motion failed 1-7.

Reference: CE99110073

Jovovich Rental Property
901 NE 3 St.

Old Business

Ms. Batchelder stated that this case had originally been heard on February 27, 2001 and compliance ordered by May 22, 2001. The property came into compliance on May 28, 2003. Fines total \$36,750. She advised that this was a request for an abatement of fines.

Vaslije Jovovich, owner, stated that she had hired a plumber and informed her that the two houses in front of the building were illegal and they had to be capped which was done. Piping was changed on the other house and she was told since the cost was less than \$300 a permit was not needed for the work. She was then informed by Mr. Malik that since there had been a Court Order she had to obtain a permit whether one was needed or not. She advised that since they were selling the building, they had been informed of the fines on the property.

Mohammed Malik, Building Inspector, stated he was not the original inspector. He explained that the Order advised them to obtain a permit or to remove the work. He further stated that this case had come before this Board in 2000. Chairman Jordan stated that the matter before the Board had involved a fence. Mr. Malik stated that it appeared there had been some miscommunication between the owner and the City. He stated that the City had no problem with a reduction in the fine.

Motion made by Rixon Rafter and seconded by Larry Hayes to abate the fines entirely. Board unanimously agreed.

Reference: CE02120718

Steven M. Smith
3232 SW 2 Ave. #103

Old Business

Ms. Batchelder announced that this case had originally been heard on March 25, 2003 with compliance ordered by April 24, 2003. The property came into compliance on May 12, 2003. Fines total \$6,800. The City did not recommend a settlement.

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Steven Smith, owner, stated that there had been an existing violation on the building when he had purchased it, and he had not been aware of it. He further stated that he had tenants in the building until October, 2002, and when the new tenants applied for an Occupational License, they had been informed that the loft from the previous tenants was illegal.

Kenneth Reardon, Building Inspector, stated that the problem had been created by the tenant, and when ordered the owner had demolished the loft but the air conditioner had been left since the tenant wanted to retain it. Time ran out and the fine ran. Finally, the air conditioner had been removed. He stated he had met with John Simmons, Assistant Director of Community Inspections, and they had reviewed the matter. Mr. Simmons suggested that the fine be reduced to 20% of the value which came to \$1,360.

Mr. Smith requested that the fines be reduced further.

Motion made by Bob Young and seconded by Rixon Rafter to reduce the fine to \$700. Board agreed unanimously.

Reference: CE02100344

Norman Stewart
1430 SW 34 Terr

Old Business

Ms. Batchelder stated that this case had originally been heard on March 24, 2003 with compliance ordered by June 23, 2003. One issue had been complied with in April, 2003. Fines total \$2,000. This was a request for an extension of time.

Norman Stewart, owner, stated that he had applied for a permit in October 2002, but did not receive them until March, 2003. He further stated that he had been asked to board-up the property, which he did, but the issue today dealt with the debris around the house. He advised that he had not received the notice due to there not being a mailbox at the house since he was not living there. He stated he had contacted Mr. Reardon and had removed the debris in 7-10 days.

Pat Hale advised Mr. Stewart that the issue today involved requesting additional time in order to have the work completed so the property could be in compliance.

Kenneth Reardon, Building Inspector, stated that he believed everything was in compliance except for the violation of FBC 104.1 involving the re-roofing of the building. He advised that Mr. Stewart was also going to request an abatement of fines on Section 9-281(b) due to the fine running for 20 days at \$100 per day. Mr. Reardon stated that the permit for the roof should be a walk-thru and believed that 30 days would be

sufficient time for that matter. He further advised that these were after-the-fact permits. Mr. Reardon further advised that once the permits were issued certain matters had to be certified by engineers.

Motion made by Pat Hale and seconded by Sarah Horn to grant a 30-day extension of time for the property to come into compliance. Board unanimously agreed.

Reference: CE02110605

Fred G. Hugues
812 SW 11 Ave.

Old Business

Ms. Batchelder announced that this case had originally been heard on January 28, 2003 with compliance ordered by May 27, 2003. Fines total \$4,060. This was a request for an extension of time.

Fred Hugues, owner, stated that he had purchased the house in February, 2002 with the existing violations. He further stated that there had been a lien on the property from the previous owner, but it had been released. He advised that some of the work had been done, including an electrical upgrade.

An unidentified member of the Board of Directors of the Tarpon River Civic Association stated that by this owner buying this property, it had saved the City a great deal of money. She stated that the previous owners were "bad news," and this new owner was appreciated by the neighborhood.

Motion made by Pat Hale and seconded by Sarah Horn to grant a 90-day extension of time for the property to come into compliance. Board unanimously agreed.

Reference: CE02060922

James R. & Lillian C. Fell
632 SW 4 Ave.

Old Business

Ms. Batchelder stated that this case was originally heard on January 28, 2003 with compliance ordered by May 28, 2003. Fines total \$6,240.

Lillian Fell, owner, stated that she had not been aware of the fines, but due to some personal problems had not been able to bring the property into compliance. She was, therefore, requesting an extension of time.

Kenneth Reardon, Building Inspector, stated that zoning was requiring a current survey of the site. Ms. Fell stated she could not afford a survey and asked if that requirement could be waived. Mr. Reardon stated that possibly the Board would grant an extension of time thereby giving her the opportunity to work out her problems.

Motion made by John Phillips and seconded by Larry Hayes to grant a 90-day extension of time for the property to come into compliance. Board unanimously agreed.

Mr. Jolly stated that a previous matter had to be discussed which dealt with a resolution that was passed by this Board when Alan Vordermeier had been Chairman. The matter was presented to the Board last month as to whether that resolution should be rescinded and in the intervening months whether all the serials which had been generated or duplicated should have been forwarded to the Board. He stated the matter before the Board was whether anyone wished to make or entertain a motion to rescind such resolution.

Motion made by John Phillips and seconded by Rixon Rafter to rescind the resolution.

Mr. Phillips explained that there was a Supreme Court Case which said it was a rule of legislative direction as to how a thing shall be done and it is in effect a prohibition against it being done in any other way.

Mr. Phillips proceeded to read the resolution. He stated further the resolution was to suggest to the City Commission that they be an advisory of code liens once the orders had been recorded. He stated that once these were recorded, the Florida Statutes stated that a Code Board can reduce a fine, but the lien then runs in favor of the governing body which is the City Commission. Mr. Phillips reiterated that this resolution was for the Board to ask the City Commission for permission to let other people come back to this Board for an advisory opinion, and then go back again to the City Commission. He stated they would not be reducing the fine. He stated he voted against this resolution and did not feel they would be accomplishing very much, and did not know what the purpose of it was supposed to be. Mr. Phillips further stated that when reviewing all the material, he noticed many memorandums from Mr. Vordermeier which he had not been aware of. Mr. Rafter agreed.

Chairman Jordan stated that the reason they began doing this was because the fines were getting pretty excessive on the homeowners, and they felt the Board should have more input since it had started the process. He further stated that he agreed about the time constraint, but he did not agree with the Attorney General.

Mr. Phillips remarked that the Attorney General had written a 5-page opinion with statutory citations, and he quoted from that opinion.

Ms. Hale asked if anyone had spoken with the City Commission in regard to their opinion on this matter.

Mr. Jolly stated that this was a "hot issue" last summer and he had met with Harry Stewart who had stated that the City would never grant the Board carte blanche authority. If they really wanted input, do it by way of a resolution for consideration. Mr. Jolly stated that he was under the impression that the City Commission did not want this because if they did, the matter would have been raised a long time ago. He stated that he agreed with the Attorney General, but it was up to this Board.

Board approved unanimously the motion to rescind the resolution.

Mr. Jolly remarked that the resolution had been adopted on November 26, 2002. He further stated that he felt this hearing today was being operated under some serious time constraints due to budgetary problems.

Reference: CE03051137

Magna Casa Dev II LLC
501 N. Birch Rd.

FBC 104.1 - Work without permits.
NFPA 1-4.5 - Storage in electric meter room.

Ms. Batchelder stated that Certified Mail had been sent to Magna Casa Dev II LLC and signed for on June 11, 2003 by Kim Bryant. Certified Mail was also sent to John Mancini, Registered Agent, and signed for on June 11, 2003 by Kim Bryant.

Robert Kisarewich, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that NFPA 1 1-4.5 was in compliance. He stated they were recommending 60 days for the property to come into compliance or a fine of \$50 per day would be imposed.

Motion made by Sarah Horn and seconded by Rixon Rafter to find in favor of the City and order compliance in 60 days or a fine of \$50 per day would be imposed. Board unanimously agreed.

Reference: CE03051138

Magna Casa Dev II LLC
519 N. Birch Rd.

NFPA 1 3-7.1 – Required Building address visibility. NFPA 1 4-7.2 – Inoperable emergency lights. NFPA 1 4-8.5.2 – Inoperable exit signs.

Ms. Batchelder stated that Certified Mail had been sent to Magna Casa Dev II LLC signed for on June 11, 2003 by Kim Bryant. Certified Mail was also sent to John Mancini, Registered Agent, and signed for on June 11, 2003 by Kim Bryant.

Robert Kisarewich, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that NFPA 1 3-7.1 was in compliance. He stated they were suggesting 60 days for the property to come into compliance or a fine of \$50 per day, per violation be imposed.

Motion made by Sarah Horn and seconded by Larry Hayes to find in favor of the City and order compliance in 60 days or a fine of \$50 per day, per violation be imposed. Board unanimously agreed.

Reference: CE02102367

Dov Victor Israel
4210 NE 29 Ave.

Sec. 9-313 - Required display of address. FBC
104.1 - Work without permits.

Ms. Batchelder announced that Certified Mail had been sent to Dov Victor Israel signed for on June 11, 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 Sec. 9-313 was in compliance. He further stated that he was recommending 60 days for the property to come into compliance or a fee of \$50 per day be imposed.

Motion made by Pat Hale and seconded by John Phillips to find in favor of the City and order compliance in 60 days or a fine of \$50 per day be imposed. Board unanimously agreed.

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Reference: CE02121287

Financial Finance Ltd.
125 E. Sunrise Blvd.

FBC 3108.1.3.1 - Installed sign without permit.

Ms. Batchelder stated that Certified Mail had been sent to Financial Finance signed for on June 13, 2003 by L. Greenwood. Certified Mail was also sent to RW Leasing & Finance, General Partner, and signed for on June 13, 2003 by L. Greenwood. She also stated that was a stipulated agreement for the property to come into compliance within 30 days or a fine of \$50 per day be imposed.

Motion made by Pat Hale and seconded by Larry Hayes to accept the stipulated agreement. Board unanimously agreed.

Reference: CE02051589

Willie Gene Taylor
407 SW 22 Ave.

FBC 104.9.3.1. - Expired permits.

Ms. Batchelder stated that Personal Service had been made to Ethel Daise by Inspector Malik on June 21, 2003. She stated that Ms. Daise was a resident at the subject address.

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 requesting 30 days for compliance or a fine of \$50 per day be imposed.

Motion made by Sarah Horn and seconded by John Phillips to find in favor of the City and order compliance in 30 days or a fine of \$50 per day be imposed. Board unanimously agreed.

Reference: CE03011008

Joseph L. & Linda Scully
3101 SW 13 St.

Sec. 9-279(f) - Washer waste line drains to yard. Sec. 9-280(b) - Flora overgrowth on property. Sec. 9-280(g) - Carport light fixture in disrepair. Sec. 9-281(b) - Trash and/or inoperable vehicles on property. Sec. 9-305(b) - Required ground cover. Sec. 9-306 - Peeling paint/stained surfaces. FBC 104.1 - Work without permits.

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Ms. Batchelder stated that Certified Mail had been sent to Joseph & Linda Scully and signed for on June 12, 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 requesting 30 days for compliance or a fine of \$250 per day, per violation be imposed.

Motion made by Larry Hayes and seconded by Pat Hale to find in favor of the City and order compliance in 30 days or fine of \$250 per day, per violation be imposed. Board unanimously agreed.

Reference: CE03011855

William A. Dakak
3029 Center Ave.

FBC 104.2.4 - Plumbing work without permits. Sec. 9-279(f) - Washer waste line discharging into ground.
Sec. 9-313(a) - Required display of address.

Ms. Batchelder announced that Certified Mail had been sent to William Dakak signed for by Bill Dakak - no date on green card which was received back in Community Inspections on June 17, 2003. She further advised that there was a stipulated agreement calling for 60 days for compliance for FBC 104.2.4 or a fine of \$25 per day; 30 days for compliance for Sec. 9-279(f) and Sec. 9-313(a) or a fine of \$25 per day, per violation, be imposed.

Motion made Pat Hale and seconded by Sarah Horn to approve the terms of the stipulated agreement. Board unanimously approved.

Reference: CE03040189

Joann Watson & Joe Swan
713 SW 22 Ave.

FBC 104.1 - Work without permits.

Ms. Batchelder announced that Certified Mail had been sent to Joann Watson & Joe Mary Swan and signed for by Joann Watson, no date on green card and received back in Community Inspections on June 16, 2003. Personal Service was also made to Joann Watson by Inspector Todd Nobles on June 14, 2003.

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 120 days for compliance or a fine of \$50 per day be imposed.

Motion made by Sarah Horn and seconded by Larry Hayes to find in favor of the City and order compliance in 120 days or a fine of \$50 per day be imposed. Board unanimously approved.

Reference: CE003050751

Manufacturers & Traders Trust Co.
3715 SW 14 St.

Sec. 9-281(b) - Trash and/or inoperable vehicles on property. Sec. 9-329(d) – Expired Board-up certificate. FBC 104.1 - Work without permits. FBC 104.2.4 - Plumbing work without permits.

Ms. Batchelder announced that Certified Mail had been sent to Manufacturers & Traders Trust Co. and signed for on June 13, 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 requesting 30 days for compliance or a fine of \$250 per day, per violation be imposed.

Motion made by Sarah Horn and seconded by Larry Hayes to find in favor of the City and order compliance in 30 days or a fine of \$250 per day, per violation be imposed. Board unanimously approved.

Reference: CE03021142

Laura Sanders
1409 NW 12 St.

FBC 104.1 - Work without permits.

Ms. Batchelder stated that Certified Mail had been sent to Laura Sanders, and signed for on June 19, 2003 by Laura Sanders.

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 asking for 30 days for compliance or a fine of \$10 per day, per violation be imposed.

Motion made by Sarah Horn and seconded by John Phillips to find in favor of the City and order compliance in 30 days or a fine of \$10 per day be imposed. Board unanimously approved.

Reference: CE03030326

Edmund Waterman
719 NE 5 Ter.

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

Ms. Batchelder stated that Certified Mail had been send to Edmund Waterman and signed for on June 11, 2003 by Marc - last name illegible.

Douglas Kurtock, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that FBC 104.2.5 was in compliance. He further stated they were requesting 60 days for compliance or a fine of \$25 per day, per violation be imposed.

Motion made by Pat Hale and seconded by John Phillips to find in favor of the City and order compliance in 60 days or a fine of \$25 per day, per violation be imposed. Board unanimously approved.

Reference: CE03040437

Arion Kennedy
619 NW 12 Ave.

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

Ms. Batchelder announced that Certified Mail had been sent to Arion Kennedy and signed for on June 12, 2003, signature illegible.

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 60 days for compliance or a fine of \$25 per day, per violation be imposed. He stated they also were requesting that the Order be recorded.

Motion made by Sarah Horn and seconded by Larry Hayes to find in favor of the City and order compliance in 60 days or a fine of \$25 per day, per violation be imposed. It was further ordered that the Order be recorded. Board unanimously approved.

Reference: CE03031694

Vanessa J. Wright
405 NW 18 Ave.

FBC 104.1 - Work without permits. FBC 106.1 - Required certificate of occupancy. Sec. 9-281(b) - Trash and/or inoperable vehicles on property. FBC 104.2.4 - Plumbing work without permits. FBC 104.2.5 - Electrical work without permits. FBC 104.2.11 - Mechanical work without permits.

Ms. Batchelder stated that Personal Service had been made on the owner by Inspector Margerum on June 22, 2003.

Douglas Kurtcock, Building Inspector, stated the case number, address of the property and the violations as listed on the agenda. He stated that all items were in compliance, except for FBC 104.2.11. He stated they were requesting 30 days for compliance or a fine of \$10 per day be imposed.

Motion made by Pat Hale and seconded by John Phillips to find in favor of the City and order compliance in 30 days or a fine of \$10 per day be imposed. Board unanimously approved.

Reference: CE03040474

Joyce Pittman ½ interest and
Stephen Rhett ½ interest

FBC 104.1 - Work without permits. FBC 104.2.5 - Electrical work without permits. FBC 111.2.1.2.5 – Unsafe installed and altered electrical work.

Ms. Batchelder announced that Certified Mail had been sent to Joyce Pittman and Stephen Rhett and signed for on June 13, 2003, signature illegible.

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, and also that the Order be recorded.

Motion made by John Phillips and seconded by Larry Hayes to find in favor of the City and order compliance in 30 days or a fine of \$50 per day, per violation be imposed. It was further ordered that the order be recorded. Board unanimously approved.

Reference: CE03040796

Raphael Castaneda
401 NW 13 St.

FBC 104.1 - Work without permits.

Ms. Batchelder stated that Certified Mail had been sent to Raphael Castaneda and signed for on June 12, 2003 by Raphael Castaneda.

Douglas Kurtok, 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 \$25 per day be imposed.

Motion made by John Phillips and seconded by Larry Hayes to find in favor of the City and order compliance in 30 days or a fine of \$25 per day be imposed. Board unanimously agreed.

Reference: CE03041150

Bobbie Gail Le Tift
Johnnie Wright, Jr.
900 NW 5 Ct.

FBC 3401.6 - Structure/fixtures in disrepair.
FBC 104.2.11 - Mechanical work without permits. FBC 1016.3.1 - Emergency exit signs required.

Ms. Batchelder stated that Certified Mail had been sent to Bobbie Tift and Johnnie Wright and signed for on June 12, 2003 by J. Wright. Personal Service was also made to Johnnie Wright by Sue Batchelder.

Douglas Kurtok, 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 Sarah Horn and seconded by Rixon Rafter to find in favor of the City and order compliance in 30 days or a fine of \$50 per day, per violation be imposed. Board unanimously agreed.

Cases Pending Service

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

CE02072217	CE03031127
CE02111210	CE03040968
CE03020870	CE03051136

Cases Complied

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

CE03020189	CE03050743	CE03051135
CE03031063	CE03050744	CE03051139
CE03040808	CE03050745	CE03060730
CE03042097		

Cases with No Respondents

Ms. Batchelder stated that the following Old Business case had no respondent:

CE02091696

Cases To Be Rescheduled

Ms. Batchelder stated that the following case was to be rescheduled:

CE01100240

APPROVAL OF MINUTES - APRIL 22, 2003 AND MAY 27, 2003

Motion made by Pat Hale and seconded by Rixon Rafter that the minutes of the April 22, 2003 and May 27, 2003 meetings be approved.

Ms. Batchelder advised that there was a correction to be made to the April 22, 2003 meeting minutes that the cumulative attendance had to be changed to January, 2003.

Ms. Batchelder reminded the Board that the City Commission did not meet in August and normally this Board did not meet in August also, but that did not mean that they could not meet, and it would be the Board's decision.

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Motion made by Sarah Horn and seconded by Pat Hale for the Code Enforcement Board to meet during the month of August. Board unanimously agreed, except for John Phillips who opposed meeting in August.

Motion made by Rixon Rafter and seconded by Sarah Horn to adjourn the meeting. Board unanimously agreed.

There being no further business before the Board, the meeting was adjourned at approximately 4:15 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.