

CODE ENFORCEMENT BOARD  
City Commission Meeting Room  
100 North Andrews Avenue  
November 23, 2004  
10:00 A.M – 3:50 P.M.

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Attendance

Board Members Present:

Gerald D. Jordan, Chair	P
Pat Hale, Vice-Chair	P
Howard Elfman	A
Sarah Horn	P
Bruce Jolly, Attorney	P
John Phillips	P
Rixon Rafter	A
Myrnabelle Roche	P
Bobby Young	P

Staff Present

Assistant City Attorney  
Susan Batchelder, Community Inspections Supervisor  
Eve Bazer, Administrative Assistant II  
Jennifer Chenault, Secretary  
Fareeda Mohammed  
Ivette Spence-Brown, Fire Inspector  
Mohammed Malik, Building Inspector  
Robert Pignataro, Building Inspector  
Kenneth Reardon, Building Inspector  
Dallas Shumaker, Fire Inspector  
Wayne Strawn, Building Inspector  
Lisa Edmondson, Recording Secretary

Also Present:

Daniel Barton, CE04061918  
Mercedes Fernandez, CE04081496  
Nicola Bromley, CE04071512  
Barbara Sagan, CE04010746  
Joseph Serrota, CE01100650  
Phil Freiberg, CE01100650

Kathleen Petrow, CE04080461  
Scott Strawbridge, CE04100753  
Yehuda Perez, CE04011595  
Damon Van Tyle, CE04011595  
Dwayne Higginbotham, CE04070285  
Terry Paterson, CE03090391  
Michael Zuro, CE99031783  
Jeff Faulkinger, CE99031783  
Dick Coker, CE99081783, 99110812  
Ralph DiSalvo, CE03100034  
Michel Jeannot, CE01120943  
Peter Balzer, CE04010824  
Cornelius Hall, 9105799  
Lillian Fusco Fell, CE02060922  
Jack Pakar, CE03071744  
Louis Ricardo Roig, CE03041128  
Elvira Hentsler, CE04020694  
John Jay Biggie, CE04020694  
Phillip Bacigaluppi, CE03091165  
Michael Sanchez, CE04020694  
Dane Crichton, CE03090388  
Mike Reilly, CE04060425

Chairman Gerald Jordan called the meeting to order at approximately 10:05 a.m., and proceeded to introduce the Board and explain the procedure for today's meeting.

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

**Reference CE04061918**

Daniel Barton  
1125 Northeast 16<sup>th</sup> Street

Sec. 47-21.8: Missing ground cover;  
Sec. 104.1: Work without permits;  
Sec. 104.2.5: Electrical work without permits;  
Sec. 104.2.11: Mechanical work without permits

Ms. Bazer announced that certified mail had been accepted on October 21, 2004.

Mr. Mohammed Malik, Building Inspector, testified that he had a verbal agreement with the owner to comply within 180 days or a fine of \$50 per day, per violation.

Mr. Daniel Barton, respondent, stated that he agreed to the terms.

**Motion** made by Ms. Hale, seconded by Ms. Horn, to order compliance within 180 days or a fine of \$50 per day, per violation would be imposed. Board unanimously approved.

**Reference CE04081496**

Pedro Beltran Rojas, Inc.  
3547 Davie Boulevard

Sec. 104.2.4: Plumbing work without permits;  
Sec. 3401.6: Structure/fixtures in disrepair

Ms. Mohammed announced that personal service had been made by Inspector Margerum on November 14, 2004 and certified mail had been accepted on November 15, 2004. Mr. Kenneth Reardon, Building Inspector, testified that Section 3401.6 was complied but Section 104.2.4 was not. He had a verbal agreement with the owner to comply Section 104.2.4 within 60 days or a fine of \$100 per day.

Ms. Mercedes Fernandez, owner, stated that she had no problem complying by January 26, 2005.

**Motion** made by Ms. Hale, seconded by Mr. Young, to order compliance within 60 days or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

**Reference CE04071512**

Michelle Frails  
720 Southwest 16<sup>th</sup> Street

Sec. 104.1: Work without permits

Ms. Mohammed announced that personal service had been made by Inspector Malik on November 2, 2004.

Mr. Kenneth Reardon, Building Inspector, testified that he had a verbal agreement with the owner to comply within 60 days or a fine of \$50 per day.

Ms. Nicola Bromley, co-owner, stated that they would comply by January 25, 2005.

**Motion** made by Ms. Hale, seconded by Ms. Horn, to order compliance within 60 days or a fine of \$50 per day would be imposed. Board unanimously approved.

**Reference CE04010821**

Leyda Hernandez  
1523 Northwest 9<sup>th</sup> Avenue

Sec. 1005.5: Required emergency egress;  
Sec. 104.1: Work without permits

Ms. Mohammed announced that personal service was made by inspector Reardon on November 8, 2004 and certified mail was accepted on November 12, 2004.

Ms. Roche recused herself from this case.

Mr. Kenneth Reardon, Building Inspector, testified that Section 1005.5 was complied but Section 104.1 was not. He had a verbal agreement with the owner to comply with Section 104.1 within 6 months or a fine of \$1 per day.

**Motion** made by Ms. Hale, seconded by Ms. Horn, to order compliance with Section 104.1 within 6 months or a fine of \$1 per day would be imposed. Board unanimously approved.

**Reference CE04081827**

American Federated Title Corp. 1925 Northwest 9 <sup>th</sup> Avenue	Sec. 104.2.4: Plumbing work without permits; Sec. 104.1: Work without permits; Sec. 104.2.5: Electrical work without permits
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Ms. Mohammed announced that certified mail addressed to an officer of the company had been accepted twice (no date on card) and certified mail addressed to the company's attorney had been accepted on October 19, 2004.

Mr. Kenneth Reardon, Building Inspector, stated that the violations still existed as cited and he had a verbal agreement with the owner to comply the property within 90 days or a fine of \$100 per day, per violation.

**Motion** made by Ms. Hale, seconded by Ms. Horn, to order compliance within 90 days or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

**Reference CE04010746**

Colaiani Investments of Florida, Inc. 700 Southwest 21 <sup>st</sup> Terrace	Sec. 104.1: Work without permits; Sec. 104.2.5: Electrical work without permits
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Ms. Mohammed announced that certified mail addressed to the owner and registered agent had both been accepted on October 21, 2004.

Mr. Kenneth Reardon, Building Inspector, stated that the violations still existed as cited and he had a verbal agreement with the owner to comply the property within 90 days or a fine of \$150 per day, per violation.

Ms. Barbara Sagan, representative for the owner, stated that the owner agreed to comply within 90 days.

**Motion** made by Mr. Young, seconded by Ms. Roche, to order compliance within 90 days or a fine of \$150 per day, per violation would be imposed. Board unanimously approved.

**Reference CE01100650**

S & L Management Inc.	Massey Hearing
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6500 Northwest 9<sup>th</sup> Avenue

Continued from September 28, 2004

Ms. Mohammed announced that this case was originally heard on June 25, 2002 with compliance ordered by September 23, 2002; the property was now complied and fines had accrued in the amount of \$ 456,700.

Mr. Joseph Serrota, owner, stated that he had complied long ago. Mr. Phil Freiberg, contractor for the property, stated that his company had taken over in January 2004 to pick up where the first 2 contractors had left off. Mr. Freiberg stated that Mr. Serrota had engaged an architect prior to the compliance date. Mr. Serrota confirmed this with paperwork; the original permit was issued August 14, 2003. The first contractor had taken Mr. Serrota's money and not completed the work. Mr. Freiberg's company had completed the work in July 2004.

Mr. Robert Pignataro, Building Inspector, noted that only this contractor had gotten any work done and the property was finally completely complied the previous day. He felt that there was minimal cooperation from the owner through the history of the case. He had explained the same simple things that should be done to comply several times but the owner and tenant had both not responded. Inspector Pignataro confirmed that there was nothing in the permit history indicating that any tenant had applied for a permit for any work as Mr. Serrota had insisted.

Ms. Hale recommended reducing the fine to 25% of the original fine and recording it.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to reduce the fine to \$ 114,175 and record the order to impose the fine. Motion passed 5 – 1 with Mr. Phillips opposed.

### **Reference CE04080461**

Kathleen Petrow  
3161 Southwest 17<sup>th</sup> Street

Sec. 104.1: Work without permits

Ms. Mohammed announced that personal service had been made by Inspector Margerum on November 2, 2004.

Mr. Kenneth Reardon, Building Inspector, stated that the violation still existed as cited and he had a verbal agreement with the owner to comply the property within 90 days or a fine of \$25 per day.

Ms. Kathleen Petrow, owner, agreed to comply within 90 days.

**Motion** made by Ms. Hale, seconded by Ms. Horn, to order compliance within 90 days or a fine of \$25 per day would be imposed. Board unanimously approved.

**Reference CE04100753**

Michael Cagle & Carlos Santiago  
2200 South Ocean Lane, #1203

Sec. 104.9.3.1: Expired permits;  
Sec. 104.2.4: Plumbing work without permits;  
Sec. 104.2.5: Electrical work without permits

Ms. Mohammed announced that certified mail had been accepted on October 19, 2004.

Mr. Robert Pignataro, Building Inspector, testified that the violations still existed as cited. He had received an email from the owner requesting an extension until December 2004. inspector Pignataro recommended compliance within 90 days or a fine of \$ 50 per day, per violation, and that the order be recorded.

Mr. Scott Strawbridge, contractor, stated that an unlicensed contractor, supported by a licensed contractor, had done the work. The owner had proceeded properly, but had been defrauded by these two contractors. He did not feel it would take very long to renew the permits with a change of contractor. Once the permits were obtained, Mr. Strawbridge could begin to inspect the work.

**Motion** made by Mr. Phillips, seconded by Ms. Hale, to order compliance within 60 days or a fine of \$50 per day, per violation would be imposed and the order recorded. Motion passed 4 – 2 with Ms. Roche and Chair Jordan opposed.

**Reference CE04101430**

City of Ft. Lauderdale  
2800 Northwest 62<sup>nd</sup> Street  
Tenant: Performance Trading Inc.

Sec. 104.1: Work without permits;  
Sec. 104.2.4: Plumbing work without permits;  
Sec. 104.2.11: Mechanical work without permits;  
Sec. 403.3: Mechanical ventilation required;  
Sec. 704.3.1: Required firewall;  
Sec. 11-4.6.1: Required handicapped parking;  
Sec. 11-4.6.4: Required handicapped signage;  
Sec. 11-4.8: No Accessible ramp to building;  
Sec. 1503.4.4: Downspouts not per code;  
Sec. 47-19.9 A.2: Outside displays;  
Sec. 47-19.9 A.2.b: Work being done outside

Ms. Mohammed announced that certified mail addressed to the registered agent had been accepted (no date on card) and certified mail addressed to the tenant had been accepted on November 3, 2004.

Mr. Robert Pignataro, Building Inspector, testified that this case was started in 2003 and the violations had continued to the present. The building, located on the airport property, and had been illegally subdivided. Mr. Pignataro had posted a Stop Work Order on May 17, 2004 but work had continued; he noted that the property's history demonstrated the

lessee's disdain for the City's codes. He explained that he had met on two occasions with airport representatives and the tenant to try to rectify the problems.

He had last met with airport personnel and the newest tenant, Patrick Sullivan, on June 21, 2004 and explained every violation and what must be done to comply. Mr. Sullivan had agreed at this meeting to remove the vinyl tent and get plans submitted to the City within 30 days of that meeting but had not. Because of the property's history, Inspector Pignataro requested 90 days to comply or the maximum fine of \$250 per day, per violation. He also requested that the order be recorded.

Mr. Jolly explained that this hearing and any order issued was against the tenant, Performance Trading Inc., not the City. Ms. Hale asked inspector Pignataro what their "court of last resort" was, after the Stop Work Order. Inspector Pignataro stated that the Code Team would visit the property. Inspector Pignataro presented photographs of the property to the Board.

Mr. Patrick Sullivan confirmed that the lessee was still Performance Marine Trading. Mr. Sullivan stated that he had purchased the property in January and inherited many of the problems. He did have a permit for the garage door work Inspector Pignataro had stopped the previous day; he also had a permit for the electrical work. He had hired an architect to submit plans to the City after the June meeting and as far as he knew, the architect had done so. The vinyl tent had been removed as well.

Mr. Sullivan stated that Inspector Pignataro had stated at the Airport meeting that he was told to overlook the office remodeling when Wayne Huizenga owned the property and the office remodeling had taken place. Mr. Sullivan stated that he had only become aware of this hearing yesterday and many statements Inspector Pignataro made were not true. Chair Jordan felt that Mr. Sullivan should appear again with his architect and contractor.

**Motion** made by Ms. Hale, seconded by Mr. Young, to order compliance within 60 days or a fine of \$250 per day, per violation would be imposed and the order would be recorded. Board unanimously approved.

**Reference CE04011595**

Renee Friedman  
924 Northeast 17<sup>th</sup> Terrace

Sec. 104.1: Work without permits;  
Sec. 104.2.11: Mechanical work without permits;  
Sec. 104.2.5: Electrical work without permits

Ms. Mohammed announced that service was via posting at the property.

Mr. Robert Pignataro, Building Inspector, explained that Inspector Thime had tried to get service to the owner but had been unsuccessful. Inspector Pignataro had then posted the property for service. Someone had subsequently come forward claiming to be the new

owner. Inspector Pignataro recommended 60 days to comply or a fine of \$100 per day, per violation.

Mr. Yehuda Perez, property manager and partner of the LLC that purchased the property on October 7, 2004, stated that he had been unaware he should bring any paperwork other than the closing statement of the property. He had become aware of the violations when one of the tenants had given him a copy of the Notice of Violation.

Mr. Damon Van Tyle, realtor, stated that these violation went back to the owner before Ms. Friedman and asked if the case could therefore be dismissed. The Board informed him that it could not. Mr. Van Tyle stated that a contractor had been hired to apply for permits and complete repairs.

**Motion** made by Ms. Hale, seconded by Ms. Horn, to order compliance within 60 days or a fine of \$100 per day, per violation would be imposed and the order would be recorded. Board approved unanimously.

**Reference CE04021123**

Federico, Elizabeth & Jennifer Aguinaga  
713 Southwest 22<sup>nd</sup> Avenue                      Sec. 104.9.3.1: Expired permits

Ms. Mohammed announced that personal service had been made by Inspector Malik on November 7, 2004.

Mr. Kenneth Reardon, Building Inspector, stated that the violation still existed as cited and recommended 60 days to comply or a fine of \$50 per day.

**Motion** made by Ms. Horn, seconded by Ms. Hale, to order compliance within 60 days or a fine of \$50 per day would be imposed and the order would be recorded. Board unanimously approved.

**Reference CE04051213**

David Klein    Sec. 104.2.11: Mechanical work without permits  
2061 Southwest 37<sup>th</sup> Terrace

Ms. Mohammed announced that personal service had been made by inspector Margerum on October 23, 2004 and certified mail had been accepted (no date on card).

Mr. Kenneth Reardon, Building Inspector, testified that the violation still existed as cited and recommended 60 days to comply or a fine of \$50 per day.

**Motion** made by Ms. Horn, seconded by Mr. Phillips, to order compliance within 60 days or a fine of \$50 per day would be imposed. Board unanimously approved.



**Reference CE04101322**

EGT Realty Inc.  
1034 Northwest 3<sup>rd</sup> Avenue

Sec. 1 1-4.5: Storage in meter room;  
Sec. 10 3-1.2.2: Missing fire extinguisher;  
Sec. 10 1-6.6: No extinguisher signs;  
Sec. 101 8.4.1.1(a): Meter room walls do not  
provide separation

Ms. Mohammed announced that certified mail addressed to the registered agent / president of the company had been accepted (no date on card).

Mr. Dallas Shumaker, Fire Inspector, testified that the violations still existed as cited and recommended 60 days to comply or a fine of \$150 per say, per violation.

**Motion** made by Ms. Hale, seconded by Mr. Young, to order compliance within 60 days or a fine of \$150 per day, per violation and the order would be recorded. Board unanimously approved.

The board broke for lunch at 11:50 A.M. and reconvened at 1:00 P.M.

**Reference CE02060922**

James R. & Lillian Fell  
632 Southwest 4<sup>th</sup> Avenue

Massey Hearing

Ms. Mohammed announced that this case was originally heard on January 28, 2003 with compliance ordered by May 28, 2003; on June 24, 2003, the date was extended to September 22, 2003; on October 28, 2003, the date was extended to January 26, 2004; on January 27, 2004, the date was extended to May 26, 2004; on May 25, 2004, the date was extended to November 23, 2004. The property was not yet complied and fines had accrued in the amount of \$ 6,240.

Ms. Lillian Fell, owner, stated that she was "inches away from being in compliance" and requested an additional 90 days.

Mr. Kenneth Reardon, Building Inspector stated that the drawings were with the Engineering Department and the permits should be issued soon; he had no objection to allowing an additional 90 days.

**Motion** made by Ms. Hale, seconded by Ms. Horn, to continue the case for 90 days. Board unanimously approved.

**Reference CE03071744**

CAL Associates

Massey Hearing

2920 Southwest 4<sup>th</sup> Avenue  
Tenant: PLM Trailer Leasing

Ms. Mohammed announced that this case was originally heard on February 24, 2004 with compliance ordered by May 24, 2004; on May 25, 2004, the date was extended to July 25, 2004. The property was now complied and fines had accrued in the amount of \$ 3,300.

Mr. Jack Pakar, attorney for the owner, stated that 3 of the violations concerned the handicapped parking spaces and these were complied almost immediately. The last violation concerned the lack of an occupational license. The tenant had been told that the occupational license could not be issued until the other violations were complied but the tenant had submitted the application and the fee. There had been confusion regarding the license fee versus the fee for the inspector to clarify the compliance requirements; this is what resulted in the delay in obtaining the license. Since the handicapped violations had been complied in a timely manner, Mr. Pakar requested that the fine be abated.

Mr. Mohammed Malik, Building Inspector, testified that what Mr. Pakar had said was true; the tenant had thought that the inspector fee was the license fee.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to abate the fine. Board unanimously approved.

**Reference CE03041128**

Isaac Fryd Trust  
4950 West Prospect Road  
Tenant: USA Signs

Massey Hearing / Request for Extension

Ms. Mohammed announced that this case was originally heard on July 22, 2003 with compliance ordered by October 20, 2003; on October 28, 2003, the date was extended to November 28, 2003; on November 28, 2003, the date was extended to January 25, 2004; on January 27, 2004, the date was extended to February 27, 2004 and on February 24, 2004, the date was extended to May 25, 2004; on July 27, 2004, the date was extended to August 27, 2004; on August 24, 2004, the date was extended to November 22, 2004. None of the 10 original violations was complied and fines had accrued in the amount of \$36,000.

Mr. Louis Roy, tenant, stated that almost all of the violations were complied. He requested an additional 60 days to complete compliance. He pointed out that at one of his appearances before the Code Enforcement Board, he had not been granted an extension: that was when the fine had accrued.

Mr. Wayne Strawn, Building Inspector, stated that he had no objection to allowing an additional 60 days.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to grant a 60-day extension. Board unanimously approved.

**Reference CE03090388**

Twenty-Three Inc.  
1509 Northeast 4<sup>th</sup> Avenue

Massey Hearing

Ms. Mohammed announced that this case was originally heard on June 22, 2004 with compliance ordered by September 20, 2004; on October 26, 2004, the date was extended to November 23, 2004. The property was not yet complied and fines had accrued in the amount of \$ 3,150.

Mr. Dane Crichton, president of Twenty-Three Inc., explained that the architect was reworking the plans at the request of the City and would probably resubmit them on Friday. He requested an additional 60 days to comply.

Mr. Mohammed Malik, Building Inspector, stated that he had no objection to allowing an additional 60 days to comply.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to grant a 60-day extension. Board unanimously approved.

**Reference CE04060425**

Southland Corp.  
460 West Broward Boulevard

Massey Hearing

Ms. Mohammed announced that this case was originally heard on August 24, 2004 with compliance ordered by October 23, 2004. The property was not complied and fines had accrued in the amount of \$ 6,000.

Mr. Mike Reilly, representative for the 7-11 Company, stated that a contractor had begun work before a permit was obtained without Mr. Reilly's knowledge. The permit had finally been obtained within the past week but Mr. Reilly would not be able to get delivery of the new doors until January. He asked for 90 days to complete compliance.

Mr. Kenneth Reardon, Building Inspector, testified that the permit had not actually been issued yet. He stated that a representative of 7-11 had been present at the June hearing, was aware of the requirements to comply, and had proceeded to begin work without the permit. Inspector Reardon requested that the fine be imposed.

**Motion** made by Ms. Hale, seconded by Ms Roche, to grant a 60-day extension. Board unanimously approved.

**Reference CE04070285**

Dwain Higginbotham  
1490 West Broward Boulevard

Massey Hearing

Ms. Mohammed announced that this case was originally heard on July 27, 2004 with compliance ordered by October 25, 2004. The property was still not complied and fines had accrued in the amount of \$ 4,200.

Ms. Kathleen Higginbotham, daughter of the owner, explained that her father was elderly so she had found a contractor to work on the property. The contractor had gone on an extended vacation soon after she had hired him and now she was trying to find a new contractor. She had spoken with Inspector Strawn, who agreed to allow additional time for compliance.

Mr. Wayne Strawn, Building Inspector, testified that this was an auto shop that required a permit for a new floor lift. He noted that there were many things that must be checked before the permit could be issued and the property complied and he did not oppose allowing an additional 90 days to comply.

**Motion** made by Ms. Hale, seconded by Ms Roche, to grant a 90-day extension. Board unanimously approved.

**Reference CE03090391**

Bernadine High  
2617 Northeast 13<sup>th</sup> Court

Massey Hearing

Ms. Mohammed announced that this case was originally heard on June 22, 2004 with compliance ordered by October 20, 2004. The property was not yet complied and fines had accrued in the amount of \$ 11,550.

Mr. Terry Paterson, Project Manager, stated that the Highs had hired an architect and contractor 6 months ago and the plans were now being reviewed for the second time. The Highs no longer wanted the original contractor to do the work and Mr. Paterson was now in the process of hiring a new contractor.

Mr. Mohammed Malik, Building Inspector, testified that he did not know Mr. Paterson; Mr. High had told him that a contractor would represent him at the hearing. He was willing to allow some additional time for compliance. Chair Jordan recommended that Mr. Paterson return in January with the contractor. The assistant City Attorney agreed to withdraw the request to impose the fine and treat this as an extension of time.

**Motion** made by Ms. Hale, seconded by Ms. Horn, to grant a 60-day extension. Board unanimously approved.

**Reference CE03100034**

RJD Investments, Inc.  
105 North Federal Highway

Massey Hearing

Ms. Mohammed announced that this case was originally heard on March 23, 2004 with compliance ordered by June 21, 2004. The property was now complied and fines had accrued in the amount of \$ 4,500.

Mr. Ralph DiSalvo, representative of the company, requested abatement of the fine. He was still dealing with contamination issues at the property and would not be able to clear the title until the insurance company took responsibility for the claim. He hoped to tear the building down within the next few months.

Mr. Robert Pignataro, Building Inspector, testified that the City was not opposed to abatement of the fine.

**Motion** made by Mr. Phillips, seconded by Ms. Horn, to abate the fines. Board unanimously approved.

**Reference CE99031783**

Michael Zuro  
515 Seabreeze Boulevard

Massey Hearing

Ms. Mohammed announced that this case was originally heard on May 25, 1999 with compliance ordered for August 23, 1999; the case was re-heard on February 27, 2001 and the compliance date extended to June 27, 2001; on June 27, 2001, the date was extended to September 26, 2001; on September 26, 2001, the date was extended to November 28, 2001. The property was complied and fines had accrued in the amount of \$ 79,600.

Mr. Dick Coker, attorney for the owner, explained that the violation concerned an awning installed over the restaurant without a permit. There had been a gap of over one year when extensions had not been granted and that was when the fines had accrued. Mr. Faulkinger had become involved and on February 27, 2001 an extension had been granted to September 2001 and then to November 2001. Mr. Faulkinger had finally determined that the City would never issue the permits and the awning was removed. At the previous hearing, the Board stated they wanted to hear Mr. Faulkinger's explanation for the lengthy gap during which the fines had accumulated.

Mr. Jeff Faulkinger explained that he had been hired by Mr. Zuro's former attorney to try to expedite the permit process. He had not been aware that a fine was running when he became involved. He confirmed that fines had run from January 25, 2000 to February 27, 2001. Mr. Coker pointed out that the awning could be taken down in half an hour and would have been removed immediately if they were aware fines were running.

Mr. Robert Pignataro, Building Inspector, pointed out that someone had been notified that a fine would start; it was not the City's obligation to remind them when fines began. The Assistant City Attorney confirmed the dates and extensions.

**Motion** made by Ms. Hale, seconded by Mr. Phillips, to reduce the fine to \$ 5,000 to cover administrative expenses. Board unanimously approved.

**Reference CE99110812**

Kevin Smith  
1222 Northwest 7<sup>th</sup> Avenue

Massey Hearing / Continued from 10/26/04

Ms. Mohammed announced that this case was originally heard on January 25, 2000 with compliance ordered by May 24, 2000. The property was now complied and fines had accrued in the amount of \$ 45,325.

Mr. Dick Coker, attorney for the owner, stated that another attorney at his office was representing Mr. Smith but he had been unable to attend this hearing or to reschedule. He requested a 60-day extension until the attorney could be present.

Mr. Robert Pignataro, Building Inspector, stated he had no objection to a 60-day extension.

**Motion** made by Ms. Hale, seconded by Mr. Phillips, to grant a 60-day extension. Board unanimously approved.

**Reference CE01120943**

Michel & Yolaine Jeannot  
1553 West Sunrise Boulevard

Massey Hearing / Continued from 9/28/04

Ms. Mohammed announced that this case was originally heard on January 22, 2002 with compliance ordered by February 22, 2002; on March 26, 2002, the date was extended to April 26, 2002. Only 1 of the 7 original violations was complied and fines had accrued in the amount of \$ 150,725.

Mr. Michel Jeannot, owner, stated that he had hired an architect and engineer to work on the property. Mr. Jeannot had then been hospitalized and both the architect and engineer had disappeared. He had hired a new general manager and architect.

Mr. Marcello Pincot, architect, confirmed that he had been hired by Mr. Jeannot to work on the property. Due to site restrictions, they had to apply for a parking order reduction; this had been done this morning. They would then need to go through the DRC to have the site plan reviewed and then go before the Planning and Zoning Board. They were scheduled to go before the DRC on January 11, 2005.

Mr. Robert Pignataro, Building Inspector, testified that the property was not complied and the fine should be imposed. He had visited the property the previous day and taken photographs. The property was in the same condition as when it was cited in 2001.

**Motion** made by Ms. Hale, seconded by Mr. Phillips, to grant a 60-day extension. Board unanimously approved.

**Reference CE04020694**

Executive Plaza Properties  
5347 Northwest 35<sup>th</sup> Avenue

Massey Hearing

Ms. Mohammed announced that this case was originally heard on March 23, 2004 with compliance ordered by June 21, 2004; on July 27, 2004, the date was extended to September 26, 2004. The property was not complied and fines had accrued in the amount of \$18,600.

Mr. Michael Sanchez, architect for the property, stated that the permit had been issued on November 10, 2004 and the work had been completed. Mr. John Jay Biggie, owner, noted that the process had taken so long because the permits had been issued to a previous owner. Mr. Sanchez had eventually been able to find proof that most of the work had been permitted. Since the permits had all been obtained and the work done, they only needed final inspections and the property would be complied.

Ms. Ivette Spence-Brown, Fire Inspector, stated that there were two addresses involved with different compliance issues. She needed to reinspect to be sure that the proper permits were issued and work done at the appropriate locations.

Ms. Evita Hentsler, property manager, stated that they had picked up the permit on November 18. Ms. Mohammed confirmed that the order called for plans to be submitted and an after-the-fact permit obtained for compliance. Chair Jordan confirmed that since they had obtained the permit, the property was therefore in compliance. The Board confirmed extension and compliance dates and fine periods with Inspector Brown and Ms. Mohammed.

**Motion** made by Mr. Phillips, seconded by Ms. Roche, to reduce the fine to \$ 1,860. Board unanimously approved.

**Reference CE04010824**

Peter Balzer  
2214 Southwest 4<sup>th</sup> Avenue

Massey Hearing

Ms. Mohammed announced that this case was originally heard on June 22, 2004 with compliance ordered by October 20, 2004. The property was still not complied and fines had accrued in the amount of \$ 10,000.

Mr. Peter Balzer, owner, stated that in July he had hired a contractor, an electrician and a plumber to obtain permits and do the work, but had discovered that the architect had made a mistake regarding the zoning and parking requirements that required changes to the site plan.

Mr. Kenneth Reardon, Building Inspector, testified that the property was not complied in the ordered time and requested that the fine be imposed. Mr. Phillips suggested they allow additional time for Mr. Balzer to comply.

**Motion** made by Mr. Phillips, seconded by Ms. Hale, to grant a 90-day extension. Board unanimously approved.

**Reference 9105799**

Cornelius Hall  
1705 Northwest 15<sup>th</sup> Avenue

Massey Hearing

Ms. Mohammed announced that this case was originally heard on June 25, 1991, with compliance ordered by August 26, 1991; on August 24, 2004, the date was extended to October 26, 2004. The property was not yet complied and fines had accrued in the amount of \$ 716,250.

Mr. Cornelius Hall, owner, stated that he had hired an architect who promised the plans would be completed next week. The plans had been held up because the architect informed Mr. Hall he needed a site plan. Once he obtained the permit, Mr. Hall could repair the roof and the property would be complied.

Mr. Wayne Strawn, Building Inspector, testified that he had complied all but one violation years ago. Since then, new violations had occurred regarding commercial storage on residential property, but these were under other cases. Mr. Phillips suggested a 90-day extension.

**Motion** made by Mr. Phillips, seconded by Ms. Hale, to grant a 90-day extension. Board unanimously approved.

**Reference CE03091165**

Phillip Bacigaluppi  
1345 Northwest 7<sup>th</sup> Terrace

Massey Hearing



Ms. Mohammed announced that this case was originally heard on February 24, 2004 with compliance ordered by April 24, 2004; the case was reheard on April 27, 2004 and an extension granted to October 24, 2004. The property was still not complied and fines had accrued in the amount of \$ 6,400.

Mr. Phillip Bacigaluppi, owner, stated that the violations concerned a carport built without a permit in 1980. He had had many conversations and meetings regarding this, trying to find a way to get an after-the-fact permit issued so the carport could be complied. He had finally given up and torn the carport down. Mr. Bacigaluppi explained that because of the liens, had experienced problems trying to sell this property and trying to obtain loans to do the work at this property to comply it.

Mr. Wayne Strawn, Building Inspector, testified that the permits should be issued in a few days. The original permit was to enclose a carport and the owner had created an apartment instead. He had advised Mr. Bacigaluppi to tear the carport down to comply and most of the demolition had been completed.

**Motion** made by Mr. Phillips, seconded by Ms. Roche, to grant a 60-day extension. Board unanimously approved.

### **Cases with Fines Imposed**

Ms. Mohammed asked the Board to impose the fines on the following cases for which there were no respondents:

**Motion** made by Ms. Hale, seconded by Ms. Roche, to impose the fines on the following cases:

#### **CE98010167**

808 Northeast 14<sup>th</sup> Avenue  
Fine - \$ 139,850  
Not Complied

#### **9315471**

1102 Southwest 6<sup>th</sup> Street  
Fine - \$ 208,050  
Not Complied

#### **CE01060665**

1602 Northwest 6<sup>th</sup> Street  
Fine - \$ 180,950  
Not Complied

#### **CE01060666**

1600 Northwest 6<sup>th</sup> Street

Fine - \$ 206,000  
Not complied

**CE99050394**

501 Northwest 6<sup>th</sup> Street  
Fine - \$ 370,300  
Complied

**CE96060761**

505 Hendricks Isle  
Fine - \$ 75,150  
Complied

**CE97070883**

505 Hendricks Isle  
Fine - \$ 15,825  
Complied

**CE98082193**

820 West Las Olas Boulevard  
Fine - \$ 471  
Complied

**CE98060857**

820 West Las Olas Boulevard  
Fine - \$ 76,800  
Complied

**CE97100365**

844 Northwest 3<sup>rd</sup> Avenue  
Fine - \$ 4,610  
Complied

**9513920**

940 Northwest 56<sup>th</sup> Street  
Fine - \$ 3,700  
Complied

**CE02081212**

1416 Northwest 11<sup>th</sup> Street  
Fine - \$ 2,800  
Not Complied

**CE04031382**

1711 Northwest 8<sup>th</sup> Place

Fine - \$ 825  
Not Complied

**9004263**

2345 Northwest 14<sup>th</sup> Street  
Fine - \$ 587,175  
Not Complied

**CE99100180**

4501 North Federal Highway  
Fine - \$ 3,800  
Complied

**CE04052025**

4700 West Prospect Road  
Fine - \$ 10,000  
Not Complied

**CE96080422**

Hollingsworth Solderless  
700 Northwest 57<sup>th</sup> Place

Ms. Mohammed stated that the City was requesting that the order be vacated.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to vacate the order due to incorrect folio. Board unanimously approved.

**Cases Complied**

Ms. Mohammed announced that the below listed cases were in compliance. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE04100317                      CE04101288                      CE04101327                      CE04101369

**Cases Pending Service**

Ms. Mohammed announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE04110500                      CE04052231                      CE03101523                      CE04081702  
CE04030589                      CE04050038

**Cases Withdrawn**

Ms. Mohammed announced that the below listed cases had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE99090188                      CE02040815

There being no further business to come before the Board, the meeting adjourned at 3:50 P.M.

\_\_\_\_\_  
Chairman, Code Enforcement Board

ATTEST:

\_\_\_\_\_  
Lisa Edmondson,  
Recording Secretary

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