

CODE ENFORCEMENT BOARD
City Commission Meeting Room
100 North Andrews Avenue
January 24, 2006
10:00 A.M – 3:15P.M.

From January 2006

<u>Board Members</u>	<u>Attendance</u>	<u>P</u>	<u>A</u>
Howard Elfman (alternate)	A	0	0
Pat Hale, Chair	P	1	0
Sarah Horn	P	1	0
Sam Mitchell	P	1	0
John Phillips	P	1	0
Rixon Rafter, Vice Chair	P	1	0
Myrnabelle Roche	A	0	1
Jan Sheppard (alternate)	A	0	0
Doug White (alternate)	P	1	0
Bobby Young	P	1	0
Bruce Jolly, Board Attorney	P		

Staff Present

Assistant City Attorney
Eve Bazer, Administrative Assistant II
Lynda Crase, Secretary, Code Enforcement Board
Farida Mohammed, Clerk, Code Enforcement Board
Diana Cahill, Service Clerk
Cate McCaffrey, Manager, Community Inspections
Valerie Bohlander, Director, Building Services
Maurice Murray, Community Inspections Supervisor
Ivette Spence-Brown, Fire Inspector
Thomas Clements, Fire Inspector
Robert Kisarewich, Fire Inspector
Mohammed Malik, Building Inspector
Bob Pignataro, Building Inspector
Ken Reardon, Building Inspector
Dallas Shumaker, Fire Inspector
Wayne Strawn, Building Inspector
Lisa Edmondson, Recording Secretary

Also Present:

CE05030791: John Kuehne, Mark Marcelino, owners
CE05090938: Gloria Royster, owner's mother
CE05081901: Cosimo Colaianni, owner

*CE05010593: Gino Galli, owner
CE05100097: Tony Bernard, owner; John Keating, property manager
CE05092124, CE05100391, CE05100474, CE05000483, CE05100484: Lawrence Wolk, owner's attorney; John Keating, property manager
CE05092037: Betsy Benson, owner's attorney; John Keating, property manager
CE05100479: Ray Schindler, owner's attorney; John Keating, property manager
CE05100374: Sandra Sullivan, owner; John Keating, property manager
CE05100380: Kevin Irish, Michael McClure; John Keating, property manager
CE05100382: Kevin Irish, Michael McClure; John Keating, property manager
CE05092015, CE05092046, CE0509205, CE05092093, CE05100037, CE05100097, CE05092144, CE05100033, CE05100048, CE05100074, CE05100446, CE05100394, CE05100462, CE05100465, CE05100467, CE05100471: John Keating, property manager
CE05092098: Volkmar Neeb, owner
CE05092100: Charles Burchett, owner
CE05092117: Kevin Irish, owner
CE05100540: Ray Schindler, association president
CE05100531: Ray Schindler, owner
CE05100535: Kirk Stroebel, owner
CE05080021, CE04111818: Larry Shendell, owner's attorney
CE05080204: Lawrence Wolk, owner's attorney; Jeffrey Cartwright, owner's brother
CE04051739, CE04051740: Christopher Zannini, owner; Richard Pizella, contractor
CE05080022: Larry Shendell, owner's attorney, Betsy Benson, attorney
CE05021843: Lawrence Wolk, owner's attorney; Betsy Benson, attorney; Jeffrey Cartwright, owner's brother
CE05081210, CE05080073: Larry Shendell, owner's attorney
CE05090926: John White, minister
CE05021570: Lonnie Lyndie, pastor
*CE04061744: John Grzeszczak, owner's representative
CE04120445: Philip Kurland, owner
*CE03091916: Hope Calhoun, owner's attorney
CE04120753: Rich Williams, owner, Linda Williams, owner
*9306099: Albert Moustakis, owner's son; Pat Paduano, contractor
CE05090104: Robert Zucker, owner
*CE04121389: Marjorie Moran, secretary treasurer; Randolph Camni, co-op president; Edward Darragh, attorney
*CE02070641: Heli Bonn Polk, owner
CE05030750: Janice Leon, owner
CE05040718: Thomas Wimer, owner
*CE04020473: Robert Flowers, owner
CE*CE05011420: Douglas Hlad, owner
CE05090691: Henry Mazal, owner
*CE04071925: Edward Klem, owner
*CE04032185: Kenneth Trent, owner's attorney
CECE05080787, CE05010178: Allan Kozich, engineer
CE05090715: Mary Grace, owner
*CE04101430: Patrick Sullivan, owner
*CE02091580: John Wilkes, attorney
*CE05021420, Peter Calvo, owner

*Massey Hearing

Chair Hale called the meeting to order at 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 CE02091580

Hammocks at Edgewood Development Status Report at Board's Request
2807 Southwest 15th Avenue

Ms. Mohammed announced that this case was originally heard on May 25, 2004 with compliance ordered by September 25, 2004 and May 24, 2005. Extensions had been granted from October 26, 2004 to May 25, 2005; from May 24, 2005 to June 28, 2005, and from June 28, 2005 to September 27, 2005. At the September 27, 2005 meeting, the Board had ordered a status report from the owner at this hearing. The property was not complied and fines had accrued in the amount of \$15,000.

Mr. John Wilkes, the owner's attorney, stated he had met with staff extensively and come to an agreement to send notices to vacate all premises by February 28, 2006. The project was currently in site plan review with the City and should be completed by March. Mr. Wilkes requested an extension to February 28, whereupon he would return to inform the Board of the project's progress. He informed the Board that 35 trailers and 30 recreational vehicles were occupied.

Mr. Wayne Strawn, Building Inspector, said he had met with Mr. Wilkes, the registered agent, the electrical inspector and Ms. Bohlander and had received a firm commitment that all their concerns would be addressed.

Motion made by Mr. Rafter, seconded by Mr. Mitchell, to grant a 30-day extension to February 28, 2006 for another status report. Motion passed with Mr. Mitchell opposed.

Reference CE05030750

Keys Residential Properties
1624 Northwest 9th Avenue

Request for Abatement

Ms. Mohammed announced that this case was originally heard on April 26, 2005 with compliance ordered by July 26, 2005; on July 26, 2005 the date was extended to October 25, 2005. The property was complied on December 7, 2005 and fines had accrued in the amount of \$9,000.

Ms. Janice Leon, owner, said their plans had been rejected several times by the City and this had delayed their project.

Mr. Bob Pignataro, Building Inspector, informed the Board that the permits were obtained and work had begun; therefore the property was complied.

Motion made by Mr. Mitchell, seconded by Ms. Horn, to abate the fine. Motion passed 5 – 2 with Mr. Mitchell and Mr. White opposed.

Reference CE05080787

Jungle Queen Inc.
2470 Southwest 21st Street

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by November 22, 2005. The property was not in compliance and fines had accrued to \$88,200.

Mr. Alan Kozich, engineer, said they had obtained several electrical permits and were awaiting the permit for the walkway. He requested another 90 days.

Mr. Robert Kisarewich, Fire Inspector, said he was not opposed to a 60-day extension. Mr. Wayne Strawn, Building Inspector, agreed to the 60-day extension.

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

Reference CE05090104

Robert Zucker Trust
1305 Northwest 65th Place

Sec. 1 1.7.6: Improperly maintained breaker box, exposed wiring, uncovered supporting members;
Sec. 1 4.4.3.1.2: Slide Bolts on Exit door;
Sec. 1 14.5.1.5: Stuck exit doors

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 12, 2006. She noted there was a stipulated agreement between the owner and the City.

Mr. Robert Zucker, owner, informed the Board that the tenant was responsible but had not performed maintenance. The tenant had since been evicted and Mr. Zucker was making repairs himself.

Ms. Ivette Spence-Brown, Fire Inspector, said the violations existed as cited and confirmed that she had an agreement with the owner to comply within 30 days or a fine of \$100 per day, per violation.

Motion made by Mr. Phillips, seconded by Mr. Rafter, to order compliance within 30 days, by February 28, 2006 or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

Reference CE02070641

William & Heli Bonn Polk
1604 Southwest 5th Court

Request for Extension

Ms. Mohammed announced that this case was originally heard on February 25, 2003, with compliance ordered by May 26, 2003. On May 27, 2003, the date was extended to November 27, 2003; on January 27, 2004, the date was extended to July 27, 2004; on February 22, 2005 the date was extended to May 24, 2005; on May 24, 2005 the date was extended to November 22, 2005. The property was not yet complied and fines had accrued in the amount of \$49,650.

Ms. Heli Bonn Polk, owner, said her contractor had not completed repairs. The house had sustained severe damage through two hurricanes this year. At the same time, her job as a tour guide had slowed due to the hurricanes. She requested an additional 6 months to complete repairs.

Mr. Ken Reardon, Building Inspector, confirmed that work was constantly progressing, albeit slowly. He said he did not oppose the 6-month extension.

Motion made by Mr. Phillips, seconded by Mr. Rafter, to grant a 180-day extension to July 25, 2006, and to abate fines that had accrued between November 22, 2005 and January 24, 2006. Board unanimously approved.

The Board discussed the possibility of abating all fines that had accrued between November 22, 2005 and January 24, 2006 since hearings had been cancelled due to Hurricane Wilma. The Board Attorney, Mr. Jolly advised against this. The Assistant City Attorney said there were hundreds of open cases that included those fines that were not before them today.

Reference CE05011420

Douglas Hlad & Deborah Johnson Request for Abatement
2125 Northeast 33rd Avenue

Ms. Mohammed announced that this case was first heard on March 22, 2005 with compliance ordered by May 24, 2005. The property was complied on September 13, 2005 and fines had accrued to \$5,550.

Mr. Douglas Hlad, owner, stated it had taken him some time to find a contractor. At some point in the process, the permit could not be found. He requested abatement of the fine.

Mr. Mohammed Malik, Building Inspector, confirmed that the contractor had at first not applied for the permit. He had no objection to abatement of the fine.

Motion made by Mr. Phillips, seconded by Ms. Horn, to abate the fine. Motion passed 5 – 2 with Mr. Mitchell and Mr. White opposed.

Reference CE04121389

Colony Terrace Apartments Co-op Request for Extension
1920 Northeast 51st Court

Ms. Mohammed announced that this case was first heard on March 22, 2005 with compliance ordered by September 27, 2005. The property was not complied and fines had accrued to \$5,900.

Mr. Edward Darragh, Colony Terrace attorney, said the owner had engaged a contractor in March of last year, but the contractor had not pulled a permit until May. Around September 2005, the contractor sent a letter notifying Colony that work had been done, demanding payment. The work was never completed and inspected and they filed a complaint with the DPR. The contractor had inspected the site and acknowledged that the subcontractor had not completed the work and agreed to start work January 21, 2006. Mr. Darragh requested abatement of the fine and a 90-day extension.

Mr. Mohammed Malik, Building Inspector, confirmed that the owners contacted him before filing the complaint against the contractor. He noted that the contractor had obtained a permit but never completed the work. He had no objection to a 90-day extension.

Mr. Phillips declared he had a conflict and recused himself from the vote.

Motion made by Mr. Rafter, seconded by Ms. Horn, to grant a 90-day extension to April 25, 2006. Motion passed 5 – 1 with Mr. White opposed.

Reference CE05010178

M & H Automotive Inc.
3560 West Broward Boulevard

Request for Extension

Ms. Mohammed announced that this case was first heard on February 22, 2005, with compliance ordered by June 28, 2005; on June 28, 2005 the date was extended to September 27, 2005; on September 27, 2005 the date was extended to January 25, 2006. The case was not complied and no fines had accrued to date.

Mr. Allan Kozich, engineer, stated that his client suffered extreme damage during the hurricanes. He requested a 120-day extension.

Mr. Thomas Clements, Fire Inspector, stated he had no objection to a 120-day extension.

Motion made by Mr. Rafter, seconded by Mr. Phillips, to grant a 120-day extension to May 23, 2006. Board unanimously approved.

Reference CE05081901

Colaiani Investments
700 Southwest 21st Terrace

Sec. 101 40.2.6: Distant exit;
Sec. 1 4.4.3.1.1: Obstructed exit;
Sec. 101 7.10.1.1: No self-illuminated exit signs;
Sec. 1 14.13.1.1: Insufficient emergency lighting;
Sec. 1 11.1.2: Exposed wiring in electrical panel;
Sec. 55 7.1.3.4: Non-secured high-pressure cylinders

Ms. Mohammed announced that certified mail addressed to the owner and registered agent had both been accepted on January 12, 2006.

Mr. Thomas Clements, Fire Inspector, testified that he had a signed stipulated agreement to comply the remaining 2 violations: Sections 101 7.10.1.1 and 1 14.13.1.1, within 60 days or a fine of \$100 per day, per violation.

Motion made by Mr. Phillips, seconded by Mr. White, to order compliance within 60 days, by March 28, 2006, or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

Reference CE05090691

Laurence Diskin Trust
2145 Davie Boulevard #106

Sec. 1 1.12.1: Interior demolition without permit

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 11, 2006.

Mr. Thomas Clements, Fire Inspector, stated the permit had been pulled but the work had yet to be done. He had a stipulated agreement with the owner to comply within 60 days or a fine of \$100 per day.

Motion made by Mr. Phillips, seconded by Mr. White, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day would be imposed. Board unanimously approved.

Reference CE05090715

Sunlight Investments, Inc.
2615 Davie Boulevard

Sec. 104.1.1: Interior work without permits;
Sec. 55 7.1.3.4: Non-secured high-pressure
cylinders; Sec. 10 6.3.1: Fire extinguisher
maintenance

Ms. Mohammed announced that certified mail addressed to the owner and registered agent were both accepted on January 11, 2006.

Mr. Thomas Clements, Fire Inspector, testified he had a stipulated agreement with the owner to comply within 60 days or a fine of \$100 per day, per violation.

Motion made by Mr. Phillips, seconded by Ms. Horn, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

Reference CE04020473

Robert & Elizabeth Flowers
2021 Southwest 38th Avenue

Request for Extension

Ms. Mohammed announced that this case was originally heard on August 24, 2004 with compliance ordered by February 28, 2005; on March 22, 2005 the date was extended to June 28, 2005; on June 28, 2005 the date was extended to September 27, 2005; on September 27, 2005 the date was extended to November 22, 2005. The property was not complied and fines had accrued in the amount of \$4,150.

Mr. Ken Reardon, Building Inspector, informed the Board that the owner had an approved set of plans but because of hurricane had damaged, the owner wanted to perform additional repairs. Inspector Reardon requested a 180-day extension for the new repairs to be incorporated into the existing plans.

Mr. Robert flowers, owner, requested 180 days additional time.

Motion made by Mr. Rafter, seconded by Mr. Young, to grant a 180-day extension to July 25, 2006. Motion passed 6 – 1 with Mr. Mitchell opposed.

Reference CE04101430

Performance Trading Inc.
2800 Northwest 62nd Street

Request for Extension

Ms. Mohammed announced that this case was originally heard on November 23, 2004 with compliance ordered by January 25, 2005; on January 25, 2005, the date was extended to February 22, 2005; on February 22, 2005, the date was extended to June 28, 2005; on July 26, 2005 the date was extended to September 27, 2005; on September 27, 2005 the date was extended to October 25, 2005. The property was not complied and fines had accrued in the amount of \$351,000.

Mr. Patrick Sullivan, owner, stated the work was not complete; his contractor had been repairing hurricane damage to his own home and the building had sustained additional hurricane damage itself. Mr. Sullivan's contractor had assured him that the parking lot would be completed by the end of February and the remainder completed by the end of March. He confirmed that all permits had been issued.

Mr. Bob Pignataro, Building Inspector, stated the owner did not have all needed permits; several had failed plan review in April 2005. Other permits had expired because final inspections were not done on time. Inspector Pignataro presented photos of the property and remarked that "there's more going on there than meets the eye," referring to several dumpsters and storage containers located on the property.

Mr. Sullivan stated that several of the expired permits belonged to the former owner. Inspector Pignataro confirmed that the 2004 permits were dated May and June, so they were Mr. Sullivan's. He pointed out that Mr. Sullivan did not have the main permit for the build-out of the interior and had never submitted an application for that. Mr. Sullivan said he was "a little unclear" on the permit issue. He said he and his architect had thought that when they submitted drawings of work completed prior to his ownership of the property, that would suffice. Chair Hale made sure Mr. Sullivan understood that permits were required for all work. Mr. Sullivan said this was not made clear at the previous hearings. He requested 30 days to meet with Inspector Pignataro and clarify the requirements.

Mr. Young stated it appeared that the owner refused to go through the process and that this case was “going on and on and on and on.” He asked Inspector Pignataro what items had been complied since the case began. Inspector Pignataro said the handicap ramp permit was issued on October 6, 2005, but there had been no final inspection and the permit had expired. He said the after-the-fact permit process, including the requirement for 2 sets of plans, had been explained to Mr. Sullivan several times. He noted a constant pattern indicating that a general contractor was needed on this job instead of Mr. Sullivan.

Motion made by Mr. Mitchell, seconded by Mr. Rafter, to grant a 90-day extension to April 25, 2006. Motion passed 5 – 2 with Mr. White and Chair Hale opposed.

Reference CE04120455

Philip Kurland
1238 Northeast 7th Avenue

Request for Extension

Ms. Mohammed announced that this case was originally heard on April 26, 2005 with compliance ordered by October 25, 2005. The property was not complied and fines had accrued in the amount of \$18,000.

Mr. Philip Kurland, owner, explained that he had met with Inspector Malik and City staff and clarified work needing to be done. He hoped the architect could complete the plans and have them approved within 6 months. He also asked that the accrued fines be abated.

Mr. Mohammed Malik, Building Inspector, said Mr. Kurland was trying to get the work done and had kept him up to date on his progress. He had no objection to a 180-day extension.

Motion made by Mr. Phillips, seconded by Mr. White, to grant a 6-month extension to July 25, 2006 and to abate the fines that had accrued from October 25, 2006 through January 24, 2006. Motion approved unanimously.

Reference CE03091916

Navarro Enterprises Ltd.
1337 Southwest 21st Terrace

Request for Extension

Ms. Mohammed announced that this case was originally heard on October 28, 2003 with compliance ordered by April 28, 2004; on April 27, 2004 the date was extended to October 24, 2004; on October 26, 2004 the date was extended to April 26, 2005; on April 26, 2005 the date was extended to May 24, 2005; on May 24, 2005 the date was extended to November 22, 2005. The property was not complied and fines had accrued in the amount of \$ 6,300.

Ms. Hope Calhoun, attorney for the owner, explained that they were awaiting site plan approval. They had been through DRC twice and now had to apply for three variances. She requested an additional 6 months to complete the processes and abatement of the fines that had accrued since November 22, 2005.

Mr. Thomas Clements, Fire Inspector, stated he had no objection to the extension.

Motion made by Mr. Rafter, seconded by Mr. Young, to grant a 6-month extension to July 15, 2006 and to abate the fine that had accrued since November 22, 2005. Board unanimously approved.

Reference CE05010593

Dawn McMullen & Gino Galli
607 Southwest 20th Avenue

Request for Abatement

Ms. Mohammed announced that this case was first heard on June 28, 2005, with compliance ordered by August 23, 2005; on September 27, 2005 the date was extended to October 26, 2005. The property was complied and fines had accrued to \$1,700.

Mr. Gino Galli, owner, explained that the fence had been removed by the hurricane, so he needed to use the permit to now rebuild the fence.

Mr. Ken Reardon, Building Inspector, said he had no objection to abatement.

Motion made by Mr. Rafter, seconded by Mr. Young, to abate the fine. Motion passed 6 – 1 with Mr. Mitchell opposed.

Reference 9306099

Albert & Anna Moustakis
1010 Southwest 2nd Court

Massey Hearing

Ms. Mohammed announced that this case was first heard on July 27, 1993, with compliance ordered by October 25, 1993. On February 22, 1994 the date was extended to April 8, 1994; on January 25, 2005 the date was extended to May 24, 2005; on June 28, 2005 the date was extended to August 23, 2005. The property was not complied and fines had accrued to \$637,800.

Mr. Albert Moustakis, the owner's son, explained that a permit was issued in November and he had then hired a contractor. Extensive damage had occurred after the hurricane and the contractor now believed that the property was no longer repairable.

Mr. Pat Paduano, contractor, said the house was termite-riddled, moldy and the roof was ruined and therefore the property should be demolished. Mr. Moustakis stated that this property was within the Historic Preservation District and he must apply to the Historic Preservation Board to demolish the property. Mr. Moustakis referred to Section 162-08.2.a and quoted, "...if a Code Enforcement Board finds the violation to be irreparable or irreversible in nature..." and asked the Board to agree that the building should be demolished.

The Assistant City Attorney said the proper Section was 162-09.2.a, which actually related to the fine, not to permission to demolish the property. She reminded the Board that this hearing was to request imposition of the existing fines and noted that the deteriorated condition of the property was the responsibility of the owner. The Assistant City Attorney

said Section 162 indicated that if the Board did find the property irreparable, the maximum fine was \$5,000 per violation.

Mr. Wayne Strawn, Building Inspector, described the history of the property and noted that it would be expensive to rebuild the house to the new plans, which included structural alterations. Inspector Strawn explained that he had not brought the property to the Unsafe Structures Board, even though the Section regarding work without permits was sufficient to warrant that, because the historic Preservation Board had a history of never approving applications for demolition. They therefore did not waste staff time trying to demolish structures in the historic district.

Mr. Phillips felt they should deal with statutes in effect in 1993, as the discussed portions of Section 162 were added in 2004. He thought it a “very clever legal argument to say that... it’s irreparable” and he felt the Board was not capable of making that determination.

The Assistant City Attorney asked the Board to impose the fine. Mr. Strawn confirmed that the compliance was “technically achieved” on November 2, 2005 and the correct fine should be \$625,000. Mr. Moustakis noted that due process was an issue in this case; his mother had never been properly served. Mr. Jolly felt they were past that and the issue must have been resolved in the past. Mr. Moustakis said the Board had required that permits be obtained instead of pursuing the issue of due process.

The Assistant City Attorney confirmed that personal service was made to Ms. Moustakis by Inspector Strawn in 1993. Mr. Phillips wanted Inspector Strawn to testify that he did serve Ms. Moustakis in 1993 but the rest of the Board denied his request.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to impose a fine of \$625,000. Motion passed 5 – 2 with Mr. Phillips and Ms. Horn opposed.

Reference CE04071925

Geraldine Sullivan and
Edward & Anne Klem
2491 Northwest 16th Court

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was originally heard on October 26, 2004 with compliance ordered by January 25, 2005. On February 2, 2005, the date had been extended to April 26, 2005; on July 26, 2005 the date was extended to November 27, 2005. The property was complied and fines had accrued in the amount of \$17,250.

Mr. Wayne Strawn, Building Inspector, confirmed that the property was complied earlier than the fine indicated.

Motion made by Mr. Rafter, seconded by Mr. Young, to abate the fine. Board unanimously approved.

Reference CE05021420

Peter Calvo

Request for Abatement

6801 Northwest 28th Avenue

Ms. Mohammed announced that this case was first heard on May 24, 2005 with compliance ordered by July 26, 2005. The property was complied on August 16, 2005 and fines had accrued to \$2,150.

Mr. Peter Calvo, owner, requested abatement of the fines.

Mr. Wayne Strawn, Building Inspector, stated he had no objection to abatement of the fine.

Motion made by Mr. Rafter, seconded by Mr. Phillips, to abate the fine. Board approved unanimously.

Reference CE05040718

Thomas & Amy Wimer
1724 Southwest 12th Court

Sec. 104.1: Work without permits;
Sec. 47-34.1 A.1: Permitted uses

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 12, 2006.

Mr. Ken Reardon, Building Inspector, confirmed that the violations existed as cited. He recommended ordering compliance within 60 days or a fine of \$25 per day, per violation.

Mr. Thomas Wimer, the owner, agreed to comply by the ordered date.

Motion made by Mr. White, seconded by Mr. Rafter, to order compliance within 60 days, by March 28, 2006 or a fine of \$25 per day, per violation would be imposed. Board unanimously approved.

Reference CE05090926

Mt. Hermon African Methodist Church Sec. 1 1.7.5.1: Change of use
711 Northwest 4th Street

Ms. Mohammed announced that personal service was made to the church secretary on January 23, 2006.

Mr. Dallas Shumaker, Fire Inspector, stated the violations existed as cited. He recommended "at worst case" that they vacate the property or a fine of \$100 per day.

Mr. John White, Minister, stated that pastors had lived in the building until 9 years ago, at which time the building was used as an office. He requested time to demolish the building to make way for a new building. They had construction drawings 99% completed and had already been through the CRA process.

Motion made by Mr. Young, seconded by Mr. Phillips, to order compliance within 6 months, by July 25, 2006 or a fine of \$0 per day. Board unanimously approved.

Reference CE04032185

Ward Harris Properties Inc.
2901 East Las Olas Boulevard

Massey Hearing

Ms. Mohammed announced that this case was originally heard on January 25, 2005 with compliance ordered by April 25, 2005; on May 24, 2005 the date was extended to July 26, 2005; on July 26, 2005 the date was extended to September 27, 2005. The property was not complied and fines had accrued in the amount of \$87,600.

Mr. Kenneth Trent, the owner's attorney, stated that since the hurricane, his client had experienced great difficulty finding contractors to do work on the property. Mr. Pignataro had informed him that some of the permits had expired and he requested that they be reinstated. Mr. Trent noted that he had been on the agenda for the October meeting.

Mr. Bob Pignataro, Building Inspector, explained that the owner had obtained a permit but had not done the work. There were several other violations that were not complied yet as well.

Motion made by Mr. Phillips, seconded by Mr. Young, to grant a 90-day extension to April 25, 2006 and to abate the fines that had accrued from September 27 to the present. Motion passed 4 – 3 with Ms. Horn, Mr. Mitchell and Chair Hale opposed.

Reference CE05030791

Marc Marcelino & John Kuehne
323 Northeast 7th Avenue

Massey Hearing/Request for Extension

Ms. Mohammed announced that this case was first heard on May 24, 2005 with compliance ordered by November 22, 2005. The property was not complied and fines had accrued in the amount of \$6,200.

Mr. John Kuehne, owner, requested abatement of the fines because they were scheduled to appear at the October hearing that was cancelled due to the hurricane. Mr. Kuehne noted that the problem was that the property was cited as a single-family dwelling, which it never was; it was originally a 3-unit dwelling. A garage had been converted in the 40's for a fourth unit. They had agreed to vacate that unit to comply the property, but did not want to be forced to convert the room back to a garage. Mr. Kuehne drew the Board's attention to the package provided to them and noted that they had worked very hard to clean up the property in term of the physical and criminal issues.

In 1998, the property was cited for repaving and it was repaved in March 1998. This is when the confusion regarding the occupancy began. The property was now back on the market as a development property.

Mr. Bob Pignataro, Building Inspector, testified that the property was still not complied. He noted that the citation was for conversion to multi units; that did not mean it began as a single-family dwelling. Mr. Kuehne informed the Board that there had been problems with

the property's address over the years as well. Presently, the property was addressed 323; old addresses included 319, 321 and 323.

The Assistant City Attorney said they had already established that there was an illegal conversion. The City was now asking the Board to impose the fine.

Motion made by Mr. Young, seconded by Mr. White, to impose the fine. Motion failed 3 – 4 with Ms. Horn, Mr. Phillips, Mr. Rafter and Chair Hale opposed.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to grant a 60-day extension to March 28, 2006. Motion passed 5 - 2 with Mr. White and Mr. Young opposed.

Reference CE04120753

Linda & Rick Williams
1450 Southwest 21st Terrace

Request for Extension

Ms. Mohammed announced that this case was first heard on May 24, 2005 with compliance ordered by November 22, 2005. The property was not complied and fines had accrued in the amount of \$6,200.

Mr. Rick Williams, owner, explained that the shed was torn down and he had purchased the hurricane shutters. He had the permit application and now knew that he must hire a contractor. Inspector Reardon had told him that if the fence were entirely torn down, it would be complied. Mr. Williams requested a six-month extension and abatement of the fines that accrued from November 22, 2005 to the present.

Mr. Kenneth Reardon, Building Inspector, stated he had no objection to abatement of the fine or the extension.

Motion made by Mr. Young, seconded by Mr. White, to grant a 6-month extension to July 25, 2006 and to abate any fines accrued between November 22, 2005 and the present. Board unanimously approved.

Reference CE05090938

Chadman Turner
623 Northwest 15th Way

Sec. 104.1: Work without
permits

Ms. Mohammed announced that personal service was made to the owner by Inspector Shumaker on January 23, 2006.

Mr. Dallas Shumaker, Fire Inspector. Stated the violations existed as cited. He recommended ordering compliance within 30 days or a fine of \$150 per day.

Ms. Gloria Royster, the owner's mother, said she had the drawings but needed to apply for a permit. Ms. Royster asked the Board for 60 days.

Motion made by Mr. White, seconded by Ms. Horn, to order compliance within 30 days, by February 28, 2006 or a fine of \$150 per day. Board unanimously approved.

The following 4 cases were heard together and Mr. Phillips recused himself due to a conflict:

Reference CE05092098

Volkmar Neeb & Herbert Hohman
758 Northeast 13th Court #1

Sec. 104.1: Work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 47-21.9.A.1: Required landscaping;
Sec: 704.3: Required firewall;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 5, 2006.

Mr. Bob Pignataro, Building Inspector, stated the violations existed as cited and recommended ordering compliance within 60 days or a fine of \$100 per day. He also asked the Board to record the order. Inspector Pignataro said that additional alterations had been done after the permitted work was completed and inspected.

Mr. Volkmar Neeb, unit owner, stated he had purchased the unit when all the work was finished and felt it was very unfair that they intended to fine him for the mistakes of the developer.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092100

Charles Burchette
758 Northeast 13th Court #2

Sec. 104.1: Work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 47-21.9.A.1: Required landscaping;
Sec: 704.3: Required firewall;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 17, 2006.

Mr. Charles Burchette, owner, stated he had paid special attention to the permit issue when he purchased the property. He read a prepared statement admitting that he was responsible and had made it a point to have clear title to the proper during closing. Mr. Burchette then addressed the other violations, claiming that each was complied and inspected. He asked the Board to dismiss the violations.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092117

Kevin Irish
758 Northeast 13th Court #5

Sec. 104.1: Work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 47-21.9.A.1: Required landscaping;
Sec: 704.3: Required firewall;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 17, 2006.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092120

Kimberly Cantor
758 Northeast 13th Court #7

Sec. 104.1: Work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 47-21.9.A.1: Required landscaping;
Sec: 704.3: Required firewall;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 5, 2006.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

The following 5 cases were heard together:

Reference CE05100526

Infinity Enterprises LLC
768 Northeast 13th Court #3

Sec. 104.1: Work without permits;
Sec: 704.3: Required firewall;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 47-21.9.A.1: Required landscaping;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 9, 2006.

Mr. Bob Pignataro, Building Inspector, stated the violations existed as cited and recommended ordering compliance within 60 days or a fine of \$100 per day, per violation. He also asked the Board to record the order.

Mr. Larry Shendell, attorney for the developer, stated that the developer, Gene Kronick, was taking full responsibility for obtaining the permits and complying the properties. He agreed on behalf of his client to comply the property within 60 days.

Ray Schindler, association president, clarified that the fine applied to each unit and each violation. Mr. Schindler stated that they had checked the permits and obtained a Certificate of Occupancy. He wondered how the City could allow this to continue and to allow people to live in the units for over a year.

Motion made by Mr. Mitchell, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Board unanimously approved.

Reference CE05100528

Jeffrey Longwell
768 Northeast 13th Court #4

Sec. 104.1: Work without permits;
Sec: 704.3: Required firewall;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows; Sec. 47-21.9.A.1: Required landscaping;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 17, 2006.

Motion made by Mr. Mitchell, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Board unanimously approved.

Reference CE05100531

Ray Schindler & William Lackey
768 Northeast 13th Court #5

Sec. 104.1: Work without permits;
Sec: 704.3: Required firewall;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows; Sec. 47-21.9.A.1: Required landscaping;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 6, 2006.

Motion made by Mr. Mitchell, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Board unanimously approved.

Reference CE05100535

Kirk Stroebel
768 Northeast 13th Court #6

Sec. 104.1: Work without permits;
Sec: 704.3: Required firewall;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 47-21.9.A.1: Required landscaping;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 9, 2006.

Motion made by Mr. Mitchell, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Board unanimously approved.

Reference CE05100540

Asoka Bali East Condo Association
768 Northeast 13th Court

Sec. 104.1: Work without permits;
Sec: 704.3: Required firewall;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 47-21.9.A.1: Required landscaping;
Sec. 47-20.13 E: Improperly constructed parking area

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 9, 2006.

Motion made by Mr. Mitchell, seconded by Mr. Young, to order compliance within 60 days, by March 28, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Board unanimously approved.

The following 6 cases were heard together and Mr. Phillips recused himself due to a conflict:

Reference CE05092124

Villa Sun Ray Condo Association
720 Northeast 13th Court

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;

Sec. 2121.2.2.2: Improper installation of windows; Sec. 104.1: Work without permits; Sec. 104.2.5: Electrical work without permits; Sec. 47-20.13 E: Improperly constructed parking area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the company officer had been accepted on January 9, 2006.

Mr. Bob Pignataro, Building Inspector, stated the violations existed as cited. Inspector Pignataro had met with the contractor, who had plans pending in plan review right now. He recommended ordering compliance within 90 days or a fine of \$100 per day, per violation, and to record the order.

Mr. Lawrence Wolk, developer James Tracy's attorney, stated they had begun work as soon as they were aware of problems. They were hoping to obtain a master permit this week. Subcontractors had all submitted their applications and requested permits for all of the open items. Mr. Wolk requested 90 days to comply the property. Mr. Wolk confirmed that Mr. Tracy was responsible for complying the property. Mr. Wolk stated that he was also representing the property owners of this building that were not represented by another attorney.

Motion made by Mr. Rafter, seconded by Mr. White, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092015

Michael Bland
720 Northeast 13th Court #1

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area; Sec. 47-21.9.A.1: Required landscaping

Motion made by Mr. Rafter, seconded by Mr. White, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092038

Pablo Martin
720 Northeast 13th Court #2

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;

Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 4, 2006.

Ms. Betsy Benson, the owner's attorney, asked Mr. Wolk if Mr. Tracy and Sun Ray Investments were undertaking the repairs because they understood that these violations occurred prior to the transfer of title to her client. Mr. Wolk stated that Mr. Tracy had also agreed to be responsible for any fines.

Motion made by Mr. Rafter, seconded by Mr. White, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092046

Jamie Schetter
720 Northeast 13th Court #3

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Motion made by Mr. Rafter, seconded by Mr. White, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092051

Erik Von Karaschand
720 Northeast 13th Court #4

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;

Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking
area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on December 31, 2005.

Motion made by Mr. Rafter, seconded by Mr. White, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092093

Marc Kantor
720 Northeast 13th Court #5

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of
windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking
area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on December 31, 2005.

Motion made by Mr. Rafter, seconded by Mr. White, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

The following 9 cases were heard together with Mr. Phillips recusing himself due to a conflict:

Reference CE05100037

Villa Sun Ray Condo Association
728 Northeast 13th Court

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of
windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking
area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the company officer had been accepted on January 9, 2006.

Mr. Bob Pignataro, Building Inspector, stated the violations existed as cited. This address was in the same situation as the previous address; plans were pending in plan review right now. He recommended ordering compliance within 90 days or a fine of \$100 per day, per violation, and to record the order.

Mr. John Keating, property manager, wondered if they could lump all of the units together for the fines. Chair Hale informed him that they could not.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100033

John Weiss & Mark Lobar
728 Northeast 13th Court #7

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted [no date on card].

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05092144

Bruce Darcy
728 Northeast 13th Court #6

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Betsy Benson stated she had appeared on behalf of the owner and was prepared to proceed.

Ms. Benson asked Mr. Wolk if Mr. Tracy and Sun Ray Investments were undertaking the repairs because they understood that these violations occurred prior to the transfer of title to her client. Mr. Wolk stated that Mr. Tracy had also agreed to be responsible for any fines.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100048

Frank Rubino
728 Northeast 13th Court #8

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on December 30, 2005.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100074

Kenneth Goodwin & Jesus Magarinos
728 Northeast 13th Court #9

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 7, 2006.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100097

Tony Bernard
728 Northeast 13th Court #10

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on December 31, 2005.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100374

Sandra Sullivan
728 Northeast 13th Court #11

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 3, 2006.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100380

Kevin Irish & Michael McClure
728 Northeast 13th Court #12

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that service was via the appearance of the owners at this hearing.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100382

Kevin Irish
728 Northeast 13th Court #13

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that service was via the appearance of the owner at this hearing.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Board unanimously approved.

Reference CE05100391

Carlos Bastidas
728 Northeast 13th Court #14

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;

Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of
windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking
area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 4, 2006.

Ms. Betsy Benson, attorney for the owner, asked Mr. Wolk if Mr. Tracy and Sun Ray Investments were undertaking the repairs because they understood that these violations occurred prior to the transfer of title to her client. Mr. Wolk stated that Mr. Tracy had also agreed to be responsible for any fines.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Board unanimously approved.

The following 10 cases were heard together, with Mr. Phillips recusing himself due to a conflict:

Reference CE05100446

Villa Sun Ray Condo Association
736 Northeast 13th Court

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of
windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking
area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the company officer had been accepted on January 9, 2006.

Mr. Bob Pignataro, Building Inspector, stated that the violations existed as cited and plans were pending in plan review right now. He recommended ordering compliance within 90 days or a fine of \$100 per day, per violation, and to record the order.

Mr. Larry Wolk, attorney for the developer, also went on record as representing the property owners and confirmed the 90-day deadline and agreed that as in the previous cases, the developer would be responsible for repairs and fines.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100394

Sidney Jamila
736 Northeast 13th Court #15

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on December 31, 2005.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100462

Mark Kantor
736 Northeast 13th Court #16

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on December 31, 2005.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100465

Miguel Mato-Camacho
736 Northeast 13th Court #17

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;

Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of
windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking
area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 10, 2006.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100467

Michael Robinson
736 Northeast 13th Court #18

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of
windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking
area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 3, 2006.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100471

Charley's Columbian LLC
736 Northeast 13th Court #19

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of
windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking
area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 11, 2006 and certified mail addressed to the registered agent was accepted on January 3, 2006.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100474

Miguel Schiaffino & Ana Aubry
736 Northeast 13th Court #20

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100479

Ray Schindler & William Lackey
736 Northeast 13th Court #21

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows;
Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area;
Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on December 31, 2005.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100483

Ronald Walker
736 Northeast 13th Court #22

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area; Sec. 47-21.9.A.1: Required landscaping

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

Reference CE05100484

Sidney Jamila
736 Northeast 13th Court #23

Sec. 104.2.11: Mechanical work without permits;
Sec. 104.9.3.1: Expired permits;
Sec: 704.3: Required firewall;
Sec. 104.2.4: Plumbing work without permits;
Sec. 105.4: Structural work without permits;
Sec. 2121.2.2.2: Improper installation of windows; Sec. 104.1: Work without permits;
Sec. 104.2.5: Electrical work without permits;
Sec. 47-20.13 E: Improperly constructed parking area; Sec. 47-21.9.A.1: Required landscaping

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 5, 2006.

Motion made by Mr. Rafter, seconded by Mr. Young, to order compliance within 90 days, by April 25, 2006 or a fine of \$100 per day, per violation would be imposed, and to record the order. Motion passed 6-0.

The following 2 cases were heard together with Mr. Phillips recusing himself due to a conflict:

Reference CE05080204

Christopher Cartwright
1341 Holly Heights Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$180,000.

Mr. Lawrence Wolk, the developer's attorney, reminded the Board that in September, he agreed to provide as-built plans to the City. Those plans had been submitted and the developer had met with Inspector Pignataro.

Ms. Betsy Benson, note holder Scott Alsley's attorney, stated that one requirement of the note was that the property be in compliance. She wanted her client kept apprised of the progress of the case.

Mr. Bob Pignataro, Building Inspector, explained that he had met with the owner's brother last month. Inspector Pignataro stated the owner's brother was much more knowledgeable about construction and had already submitted plans to the Building Department. Inspector Pignataro recommended a 90-day extension to April 25, 2006. Inspector Pignataro and Ms. Mohammed confirmed that fines on this property had resulted from the missed hearings after Hurricane Wilma.

Motion made by Mr. Rafter, seconded by Mr. Young to grant a 90-day extension to April 25, 2006, to record the order, and to abate the fines that had accrued from October 25 to the present. Motion passed 6-0.

Reference CE05021843

Christopher Cartwright
1351 Holly Heights Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$225,000.

Motion made by Mr. Rafter, seconded by Mr. Young to grant a 90-day extension to April 25, 2006, to record the order, and to abate the fines that had accrued from October 25 to the present. Motion passed 6-0.

The following 5 cases were heard together with Mr. Phillips recusing himself due to a conflict:

Reference CE05081210

Asoka Condo Association Inc.
1330 Holly Heights Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$157,500.

Mr. Larry Shendell, the owner's attorney, requested a 90-day extension and abatement of the fines accrued since October 25, 2005.

Motion made by Mr. Rafter, seconded by Mr. Young, to grant a 90-day extension to April 25, 2006, to abate the fines that had accrued, and to record the order. Motion passed 6-0.

Reference CE05080073

Asoka Condo Association Inc.
1336 Holly Heights Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$157,500.

Motion made by Mr. Rafter, seconded by Mr. Young, to grant a 90-day extension to April 25, 2006, to abate the fines that had accrued, and to record the order. Motion passed 6-0.

Reference CE05080021

Asoka Condo Association
1342 Holly Heights Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$157,500.

Motion made by Mr. Rafter, seconded by Mr. Young, to grant a 90-day extension to April 25, 2006, to abate the fines that had accrued, and to record the order. Motion passed 6-0.

Reference CE05080022

Asoka Condo Association
1348 Holly Heights Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$157,500.

Motion made by Mr. Rafter, seconded by Mr. Young, to grant a 90-day extension to April 25, 2006, to abate the fines that had accrued, and to record the order. Motion passed 6-0.

Reference CE04111818

1470 Dixie LLC
1470 North Dixie Highway

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$157,500.

Motion made by Mr. Rafter, seconded by Mr. Young, to grant a 90-day extension to April 25, 2006, to abate the fines that had accrued, and to record the order. Motion passed 6-0.

The next two cases were heard together:

Reference CE04051739

Zannini Enterprises Inc.
1424 Holly Heights Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$202,500.

Mr. Chris Zannini, owner, explained that the original contractor had never pulled a master permit, so they had found a new contractor, an architect and an attorney. They now had all of the plans and had submitted them. Mr. Richard Pizella, contractor, explained that he had met with Inspector Pignataro yesterday and tried to submit the plans and permits, but Inspector Pignataro had thought that they were associated with the Cartwrights, which they were not. Inspector Pignataro had not allowed Mr. Pizella to submit his plans and permits.

Mr. Bob Pignataro, Building Inspector, stated Mr. Pizella had not brought all of the required applications so he had sent him to get them. Mr. Pizella requested a 90-day extension and abatement of the existing fines.

Motion made by Mr. Mitchell, seconded by Mr. White, to grant a 30-day extension to February 28, 2006, to abate the fines that had accrued and to record the order. Board unanimously approved.

Reference CE04051740

Zannini Enterprises Inc.
1430 Holly Heights Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on September 27, 2005 with compliance ordered by October 25, 2005. The case was not complied and fines had accrued in the amount of \$157,500.

Motion made by Mr. Mitchell, seconded by Mr. White, to grant a 30-day extension to February 28, 2006, to abate the fines that had accrued and to record the order. Board unanimously approved.

Reference CE05031570

Emmanuel Church of God in Christ
715 Northwest 14th Way

Sec. 101 13.3.1: Hole in roof

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 13, 2006.

Mr. Dallas Shumaker, Fire Inspector, stated the violations existed as cited. He had a verbal agreement with the pastor to comply within 60 days or a fine of \$150 per day.

Motion made by Mr. Rafter, seconded by Ms. Horn, to order compliance within 60 days, by March 28, 2006 or a fine of \$150 per day would be imposed. Board unanimously approved.

Reference CE05090465

Claridge Homes Downtown LLC
33 Northeast 2nd Street

Sec. 101 7.9.2.2: Non-working Emergency light;
Sec. 101 7.10.5.1: Non-working exit signs

Ms. Mohammed announced that certified mail addressed to the company manager had been accepted on January 11, 2006, and certified mail addressed to the owner had been accepted on January 14, 2006.

Mr. Dallas Shumaker, Fire Inspector, stated that the violations existed as cited. He recommended ordering compliance within 30 days or a fine of \$150 per day, per violation.

Motion made by Mr. Rafter, seconded by Ms. Horn, to order compliance within 30 days, by February 28, 2006 or a fine of \$150 per day, per violation would be imposed. Board unanimously approved.

Reference CE05090471

Jerome Wilson
633 Northwest 11th Avenue

Sec. 1 10.13.1.1: Missing unit numbers;
Sec. 1 13.6.6.1.1: Missing extinguisher;
Sec. 1 1.7.6: Storage in meter room;
Sec. 1 10.4.1: Smoke detector service

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on January 11, 2006.

Mr. Dallas Shumaker, Fire Inspector, stated the violations existed as cited and recommended ordering compliance within 30 days or a fine of \$150 per day, per violation.

Motion made by Mr. White, seconded by Mr. Rafter, to order compliance within 30 days, by February 28, 2006 or a fine of \$150 per day, per violation would be imposed. Board unanimously approved.

Reference CE05090142

ISCO Properties LLC
1291 Northwest 65th Place #A

Sec. 1 13.6.6.1.1: Missing extinguisher;
Sec. 1 4.4.3.1.2: Slide bolts on Exit doors;
Sec. 104.1: Work without permits;
Sec. 101 7.10.1.2: Insufficient illuminated exit signs;
Sec. 101 7.2.1.5.1: Keyed lock on exit door

Ms. Mohammed announced that service was via the appearance earlier of the owner's attorney.

Ms. Ivette Spence-Brown, Fire Inspector, said she had a verbal agreement with the owner's attorney to comply within 30 days or a fine of \$100 per day, per violation.

Motion made by Mr. Rafter, seconded by Mr. Mitchell, to order compliance within 30 days, by February 28, 2006, or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

Approval of Meeting Minutes

Motion made by Mr. Rafter, seconded by Mr. Young, to approve the minutes of the September 27, 2005 meeting. Mr. White abstained with remaining members of the Board approving the minutes.

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:

CE05031142 CE05031219

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:

CE05060221 CE05080409 CE05070568 CE05081900
CE05092106 CE05092112 CE05092118 CE05100518
CE05100521

Cases Withdrawn

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

CE05090060

Cases Rescheduled

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

CE05090031 CE05090049 CE05090054 CE05090055
CE05090056 CE05090058 CE05090061 CE05090062

CE05090105

CE05030768

9208029

CE04061744

There being no further business to come before the Board, the meeting adjourned at 3:15 P.M.

Chair, Code Enforcement Board

ATTEST:

Clerk, Code Enforcement Board

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