

CODE ENFORCEMENT BOARD

City Commission Meeting Room

100 North Andrews Avenue

November 28, 2006

10:00 A.M. – 12:15 P.M.

<u>Board Members</u>	<u>Attendance</u>	1/2006 to 12/2006	
		<u>Present</u>	<u>Absent</u>
Howard Elfman (alternate)	A		
Pat Hale, Chair	P	10	1
Sarah Horn	P	9	2
Sam Mitchell	P	11	0
John Phillips	P	10	1
Rixon Rafter, Vice Chair	P	11	0
Myrnabelle Roche	P	9	2
Jan Sheppard (alternate)	A		
Doug White (alternate)	A		
Bobby Young	P	11	0
Bruce Jolly, Board Attorney	P		

Staff Present

Assistant City Attorney
Debra Maxey, Secretary, Code Enforcement Board
Farida Mohammed, Clerk, Code Enforcement Board
Mohammed Malik, Building Inspector
Kenneth Reardon, Building Inspector
Wayne Strawn, Building Inspector
Thomas Clements, Fire Inspector
Robert Kisarewich, Fire Inspector
Ivett Spence-Brown, Fire Inspector
Jamie Opperlee, Recording Secretary

Also Present:

CE06060802: William Saunders, owner
CE06050413: Jerome Teppes, attorney for the owner
CE04061917: Thomas Landmeier, owner; Petar Vuletic, contractor
CE04091130: Eric Carbonell, permit expediter; Jennifer Ames, manager
CE04051739; 04051740: Anthony Zannini, owner
CE02070641: Kenneth Reardon on owner's behalf
CE02091580: John Wilkes, owner's attorney; Jennifer Ames, manager
CE06040792: James Harrell, owner

CE03041279: Rudy Herman, purchaser
CE05110744: Carlton Dehart, contractor; Robert Keefe, owner
CE05100397: Luciano Diaz, manager
CE05010178: Alan Kozich, architectural engineer
CE06091348,: John Gomez, owner's representative
CE06081771: Edward Thornton, tenant; George Truitt, contractor
CE06081622: Robert Toplas, tenant

Chair Hale called the meeting to order at 10:05 a.m., introduced the Board and explained the procedures for the hearing.

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

Case: CE06081622

Request for Extension

Emil Sr. & Ellen Gasperoni
4800 Northwest 15th Avenue #B

Ms. Mohammed announced that this case was first heard 9/26/06 to comply by 11/28/06: 1 section at \$200 per day. The property was not complied.

Mr. Robert Toplas, the tenant, stated he thought all of the violations were complied when they had submitted the permit application. Inspector Spence-Brown had informed him this morning that they had applied for the wrong permit. Mr. Toplas requested additional time to research the issue and obtain the proper permit.

Ms. Ivett Spence-Brown, Fire Inspector, stated she had met with the owner of the business the previous week and told him what must be done to comply; he must obtain an after-the-fact permit for the interior work. She had also informed him that the drawings he had submitted were wrong, but the owner had not followed her instructions. Inspector Spence-Brown objected to any extension and requested that the fines continue.

Mr. Toplas told Ms. Roche that he did not know if the architect who drew the plans was provided the citation to know exactly what must be covered in the plans and permit. Inspector Spence-Brown said she had spoken with the architect and explained what must be done.

Motion made by Ms. Roche, seconded by Mr. Mitchell, to grant a 60-day extension to 1/23/07. Board unanimously approved.

Case: CE05110744

Robert R. & Mary A. Keefe
3201 Southwest 23rd Street

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

Mr. Mohammed Malik, Building Inspector, testified to the following violation:

- FBC 105.1: ALTERED THIS PROPERTY TO INCLUDE, BUT NOT LIMITED TO: INSTALLED A NEW ROOF ON THIS SINGLE FAMILY HOUSE WITHOUT A PERMIT.

Inspector Malik stated he had a verbal agreement with the owner to comply within 90 days or \$50 per day.

Mr. Carlton Dehart, general contractor, said he would pull the permit for the work already done within 90 days.

Motion made by Mr. Rafter, seconded by Ms. Roche, to order compliance within 90 days, by 2/27/07 or \$50 per day. Board approved unanimously.

Case: CE05010178

Request for Extension

M & H Automotive Inc.
3560 West Broward Boulevard

Ms. Mohammed announced that this case was first heard 2/22/05 to comply by 6/28/05: 3 sections at \$100 per day, per violation. Extensions had been granted from 6/28/05 to 9/27/05, from 9/27/05 to 1/24/06, from 1/24/06 to 5/23/06 and from 5/23/06 to 11/28/06.

Mr. Thomas Clements, Fire Inspector, stated he had spoken with the Fire Marshall, who recommended another 6-month extension.

Mr. Alan Kozich, architectural engineer, explained that the building had been severely damaged in Hurricane Wilma. He informed the Board that they had already repaired the roof and were now repairing the glass enclosure. Mr. Kozich stated that the owner had already spent approximately \$100,000 to make repairs and would spend another \$200,000 to complete them.

Motion made by Mr. Mitchell, seconded by Ms. Roche, to grant a 6-month extension to 5/22/07. Board unanimously approved.

Case: CE04061917

Request for Extension

Thomas A. Landmeier
1128 Northeast 16th Street

Ms. Mohammed announced that this case was first heard 10/26/04 to comply by 4/24/05: 4 sections at \$50 per day, per violation. Extensions had been granted from 5/24/05 to 8/23/05, from 2/28/06 to 5/23/06, from 7/25/06 to 9/26/06 and from 9/26/06 to 11/28/06.

Mr. Thomas Landmeier, owner, requested that his case be deferred to later in the hearing as he was waiting for his contractor to arrive.

Upon returning to the case, Mr. Petar Vuletic, contractor, explained that additional revisions had been required to the plans; they had been resubmitted on November 6 and were awaiting structural inspection. Mr. Volteach said he had called the City to check on the plans' progress and been told that they were "still sitting in the permit box."

Inspector Malik said he did not object to an extension, but wanted to keep close track of the case because it had been out of compliance for so long. Mr. Vuletic explained that they had passed plumbing, electrical and landscape inspections, installed the hurricane shutters and the new driveway and had only to complete the windows, the air conditioning units and the kitchen cabinets.

Motion made by Mr. Mitchell, seconded by Mr. Phillips, to grant a 60-day extension to 1/23/07. Board unanimously approved.

Case: CE06060802

Request for Extension

Saunders Brothers Inc.
215 Southwest 7th Avenue

Ms. Mohammed announced that this case was first heard 8/22/06 to comply by 9/26/06: 2 sections at \$50 per day, per violation. An extension had been granted from 10/24/06 to 11/28/06.

Mr. William Saunders, owner, said he had signed a contract to sell all of his saleable property in February to finance the house's relocation. He explained that no one wanted to be responsible to pull the permit to move the house. Modern Movers, the contractor he had hired to move the house, had moved equipment onto the site and put the house up off of its foundation, but would now not return his phone calls.

Mr. Wayne Strawn, Building Inspector, stated that nothing had changed at the property; some concrete piers had been removed, so the house could not be put back on the ground as they had discussed at the previous meeting as a possible solution.

Mr. Saunders informed the Board that this was an historic house, built in 1926. The Assistant City Attorney stated that the best intentions of the owners of the house and property had apparently fallen apart, but reminded the Board that the house was unsafe. Chair Hale advised Mr. Saunders to contact the Historical Society for advice.

Mr. Saunders informed Mr. Rafter that Modern Movers could not pull a permit because they did not have a license; they were subcontractors.

Mr. Phillips arrived at 10:30.

Mr. Saunders informed Mr. Young that he had spoken with three or four contractors, but when they visited the site and saw Modern Movers' equipment, they refused. Ms. Roche advised Mr. Saunders to contact an attorney for assistance in terminating the contract with Modern Movers and replace them with another contractor. Chair Hale suggested giving Mr. Saunders until 2/27/07 to return to the Board with a signed contract.

Motion made by Mr. Rafter, seconded by Mr. Young, to grant a 90-day extension to 2/27/07. Motion passed 6 – 1 with Mr. Mitchell opposed.

Case: CE06050413

Massey Hearing

Phillip & Joyce Schuman
443 Hendricks Isle

Ms. Mohammed announced that this case was first heard on 6/27/06 to comply by 9/26/06: 1 section at \$100 per day. The property was not in compliance and the City was requesting imposition of \$6,200 in fines and their continued accrual until the property was complied.

Mr. Robert Kisarewich, Fire Inspector, said the address was also known as 445 Hendricks Isle. He explained that the railings had been installed prior to the compliance date, but without a permit. He had spoken with the contractor, and thought perhaps the permit was pulled under another address, but he had been unable to find one. The contractor had informed him that the plans had been submitted to Plans Review and returned, but Inspector Kisarewich could not locate them either. Inspector Kisarewich had determined that the contractor no longer worked for the company and their clerical staff was researching this. Inspector Kisarewich said he did not object to an extension, but noted that he could not be sure the property was safe, since inspections had not been performed.

Mr. Jerome Teppes, the owner's attorney, said the owner had pushed the contractor to complete the work by the deadline, but he feared the contractor had not pulled a permit. Mr. Teppes requested an extension and agreed to make a determination about the permit. He produced a document from the contractor that did not specifically state that the contractor was responsible for the permit.

Motion made by Mr. Phillips, seconded by Ms. Horn, to grant a 4-month extension to March 27, 2007. Motion failed 3 – 4 with Mr. Rafter, Ms. Roche, Mr. Young and Chair Hale opposed.

Motion made by Mr. Mitchell, seconded by Ms. Roche, to grant a 60-day extension to 1/23/07. Motion passed 6 – 1 with Mr. Phillips opposed.

Case: CE02091580

Hammocks at Edgewood Developers, Inc.
2807 Southwest 15th Avenue

Request for Abatement

Ms. Mohammed announced that this case was originally heard on 5/25/04 with compliance ordered by 9/25/04 and 5/24/05. On 10/26/04 the date was extended to 5/25/05; on 5/24/05 the date was extended to 6/28/05; on 6/28/05 the date was extended to 1/26/06; on 1/24/06 the date was extended to 2/28/06; on 2/28/06 the date was extended to 3/28/06; on 3/28/06 the date was extended to 4/25/06; on 4/25/06 the date was extended to 6/27/06; on 6/27/06 the date was extended to 9/26/06; on 9/26/06 the date was extended to 10/24/06. The property was complied and the City was requesting imposition of \$15,000 in fines.

Mr. John Wilkes, the owner's attorney, said the fines dated from 2004. He said he objected to the City's request for fines on procedural and substantive grounds. Mr. Wilkes stated that the 2004 order accepted the terms of the May 2004 settlement agreement and that it stipulated a November 2004 deadline for compliance on the items for which the City was now seeking fines [September and October 2004]. Mr. Wilkes said he had unsuccessfully requested in August 2004 to be put on the September agenda; if the case had been heard, he would have requested an extension and Mr. Wilkes thought this would have been granted.

Regarding his procedural objection, Mr. Wilkes said he had sent three letters to the City requesting a bill of particulars but had never received any reply. Mr. Jolly explained that a bill of particulars was usually seen in criminal court, and in his opinion, this did not present a procedural issue in this instance. Mr. Wilkes tried to present the Board with copies of these letters and the Assistant City Attorney objected, stating that they were irrelevant.

Mr. Wilkes continued that the order in effect from September to October 2004 was the May 25, 2004 order indicating a November 20, 2004 deadline for compliance, so therefore, no fines could be imposed during that time. In May 2005, the City Attorney requested that the Board amend that order to reflect a retroactive compliance date of September 25, 2004; Mr. Wilkes said he had objected to this at the time, unless it was specified that this would not result in penalties for that time frame. The Board had refused to address the issue at that time. Mr. Wilkes cited Supreme Court and Attorney General opinions stating that any corrections to an order must be made during the time to appeal, and both City and State code specified a 30-day appeal deadline.

The Assistant City Attorney agreed that there was a 30-day appeal window, but stated there was an exception for "mistake, or fraud, or new evidence." In this case, the supplemental order in 2005 corrected a scrivener's error in the original 2004 order and had a 30-day appeal window, of which Mr. Wilkes had not taken advantage. The Assistant City Attorney read from the supplemental order, which explained that the Board had ordered a compliance date of September 25, 2004, but the printed order listed a compliance date of November 20, 2004 due to

a scrivener's error. On May 25, 2005, the Code Enforcement Board amended the previous order to correctly state the correct compliance date: September 25, 2004.

The Assistant City Attorney read from the May 2004 Code Enforcement Board minutes, stating that the motion to order compliance specified a 4-month deadline for all electrical violations, and a 1-year deadline for all fire violations. The Assistant City Attorney then read from the May 2005 Code Enforcement Board minutes, where the Assistant City Attorney asked the Board to amend the May 2004 order to reflect the correct date. Mr. Jolly said he did not think it was inappropriate to have modified the original order.

Ms. Roche thought there was a problem because Mr. Wilkes had been unable to request an extension at the proper time. If he had known the correct compliance deadline, he could have requested an extension and probably would have received it. The Assistant City Attorney pointed out that the correct compliance date was not just listed on the order; it was contained in the stipulated agreement with the prior owner. Mr. Jolly noted that Ms. Roche's point could be used by the Board as a reason to reduce the fine, even while the Assistant City Attorney's argument was correct.

Mr. Wayne Strawn, Building Inspector, distributed copies of the original stipulated agreement with the prior owner. Inspector Strawn stated that the condition of the electrical was "terrible, deplorable," and said he would have opposed an extension because not enough had been done to mitigate the situation. Mr. Wilkes objected to Inspector Strawn's submission of photos of the electric meter banks after Hurricane Wilma.

Inspector Strawn pointed out that as part of the stipulated agreement, once the units were vacated, they could not be re-inhabited. Inspector Strawn said his attitude had changed when he discovered that a trailer located at 1531 Southwest 29th Street was re-occupied twice. He felt the park owner had done this in order to "squeeze more income out of substandard trailers which were in violation of the code." Inspector Strawn asked the Board to impose the fine. Chair Hale asked if any other trailers had been re-occupied. Inspector Strawn informed her that RVs had been moved in to occupy rental space after trailers were removed and plumbing and electrical systems were rigged to accommodate the RVs. Mr. Wilkes objected to the information presented by Inspector Strawn, stating it was "irrelevant" and "hearsay."

Mr. Phillips said that if Mr. Wilkes had requested an extension that August, the Board probably would have granted it; he felt it was wrong to amend an order a year after it was entered. Mr. Rafter stated that the old owner and the City had an agreement, and the new owner had not honored it.

Motion made by Mr. Rafter, seconded by Mr. Young, to impose the \$15,000 fine. Motion failed 3 – 4 with Ms. Horn, Mr. Phillips, Ms. Roche and Chair Hale opposed.

Motion made by Mr. Phillips, seconded by Ms. Horn, to reduce the fine to \$3,500. Motion passed 5 – 2 with Mr. Mitchell and Mr. Young opposed.

Case: CE04051739

Request for Extension

Zannini Enterprises Inc.
1424 Holly Heights Drive

Ms. Mohammed announced that this case was first heard on 9/27/05 with compliance ordered by 10/25/05: 9 sections at \$250 per day, per violation. The date was extended from 10/25/05 to 1/24/06 due to Hurricane Wilma; from 1/24/06 to 2/28/06; from 2/28/06 to 5/23/06; from 5/23/06 to 8/22/06 and from 8/22/06 to 11/28/06.

Mr. Anthony Zannini, owner, informed the Board that the plan revisions were made and ready for submission to the City and requested additional time to comply. Mr. Mohammed Malik, Building Inspector, said he had no objection to an extension.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to grant a 60-day extension to 1/23/07. Board approved unanimously.

Case: CE04051740

Request for Extension

Zannini Enterprises Inc.
1430 Holly Heights Drive

Ms. Mohammed announced that this case was first heard on 9/27/05 with compliance ordered by 10/25/05: 7 sections at \$250 per day, per violation. Extensions had been granted from 10/25/05 to 1/24/06 due to Hurricane Wilma; from 1/24/06 to 2/28/06; from 2/28/06 to 5/23/06; from 5/23/06 to 8/22/06 and from 8/22/06 to 11/28/06.

Motion made by Mr. Rafter, seconded by Mr. Phillips, to grant a 60-day extension to 1/23/07. Board approved unanimously.

Case: CE04091130

Request for Extension

Dom & John Development LLC
1344 Northeast 4th Avenue

Ms. Mohammed announced that this case was first heard 1/25/05 to comply by 7/24/05: 3 sections at \$50 per day, per violation. Extensions had been granted from 3/28/06 to 5/23/06, from 5/23/06 to 8/22/06 and from 9/26/06 to 11/28/06.

Mr. Eric Carbonell, permit expediter, stated that the demolition permit application was submitted two weeks ago. He informed the Board that everything had passed except the

landscape and sewer cap inspections. He requested a 60-day extension to demolish the building.

Mr. Mohammed Malik, Building Inspector, stated he had no objection to an extension.

Motion made by Mr. Rafter, seconded by Mr. Phillips, to grant a 60-day extension to 1/23/07. Board unanimously approved.

Case: CE05100397

Request for Extension

Davie Boulevard Gas LLC
3350 Davie Boulevard

Ms. Mohammed announced that this case was first heard on 3/28/06 with compliance ordered by 6/27/06: 5 sections at \$250 per day, per violation. An extension had been granted from 6/27/06 to 12/26/06.

Mr. Luciano Diaz, manager, requested another 60 days to comply. He explained that the site was still under major construction and he wanted to wait until that was complete to address some of the violations.

Mr. Ken Reardon, Building Inspector, informed the Board that the illegal storage shed with the air conditioning and electricity was still intact. He reminded the Board that the illegal shed was also located in the setback and there was never a permit pulled to construct it. He noted that it had already been 9 months and the shed must be torn down immediately. Inspector Reardon opposed any extension of time. Mr. Diaz agreed to remove the shed within 30 days.

Motion made by Mr. Rafter and seconded by Ms. Roche to grant a 30-day extension from 12/26/06 to 1/23/07. Motion failed 2 – 5 with Ms. Horn, Mr. Mitchell, Mr. Phillips, Mr. Rafter and Chair Hale opposed.

Case: CE06091348

Request for Extension

Donald Goldstein
3733 Southwest 12th Court

Ms. Mohammed announced that this case was first heard 10/24/06 to comply by 11/28/06: 3 sections at \$250 per violation, per day.

Mr. John Gomez, the owner's representative, requested an extension to obtain the after-the-fact permit. He explained that revisions to the plans had been requested and these had recently been resubmitted.

Mr. Mohammed Malik, Building Inspector, confirmed that revisions had been requested and said he had no objection to an extension.

Motion made by Mr. Phillips and seconded by Mr. Rafter to grant a 90-day extension to 2/27/07. Board unanimously approved.

Case: CE06040792

James & Karel Harrell
3117 Southwest 16th Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/24/06.

Mr. Mohammed Malik, Building Inspector, testified to the following violation:

- FBC 105.1: ALTERED THIS PROPERTY TO INCLUDE, BUT NOT LIMITED TO: REPLACED ROOF AND REPLACED THE FRONT DOOR ON THIS SINGLE FAMILY HOUSE WITHOUT A PERMIT.

Mr. James Harrell, owner, explained that he had hired a roofing company, who informed him they were pulling the permits. Three months ago, he stopped hearing from the roofer and had discovered that a former employee of the legitimate company had stolen company invoices and done work on his own, without permits. The company name was Always Professional Inc. Chair Hale advised Mr. Harrell to speak with Detective Abrams.

Motion made by Mr. Rafter, seconded by Mr. Phillips, to order compliance within 90 days, by 2/27/07 or \$50 per day. Board unanimously approved.

Case: CE03041279

Request for Extension

Elinor W. Smith
3133 Southwest 16th Street

Ms. Mohammed announced that this case was first heard 7/22/03 to comply by 9/20/03 and 1/22/04: 6 sections at \$10 per day, per violation. The property was not in compliance. An extension had been granted from 8/22/06 to 11/28/06. Ms. Mohammed stated that the realtor and prospective buyer were present; their representation of the property had been approved by the City Attorney.

Mr. Rudy Herman, the property purchaser, informed that Board that the sales contract stipulated that there were violations at the property; the sale was scheduled for January 3, 2007. He stated that two of Mrs. Smith's sons lived on the property and the family could not afford to make the repairs. Mr. Herman asked the Board to be lenient regarding any fines, as this was Ms. Smith's retirement money.

Mr. Ken Reardon, Building Inspector, recommended an extension to the end of January to make sure the sale went through.

Motion made by Mr. Mitchell, seconded by Mr. Rafter, to grant a 60-day extension to 1/23/07. Board approved unanimously.

Case: CE06081771

Request for Extension

Emil Sr. & Ellen Gasperoni
4710 Northwest 15th Avenue #C

Ms. Mohammed announced that this case was first heard 9/26/06 to comply by 11/28/06: 1 section at \$200 per day.

Ed Thornton, representative of the owner, requested an additional 90 days to obtain the after-the-fact permit for which he had already submitted the plans; he noted that only one of the original four violations still existed.

Ms. Ivett Spence-Brown, Fire Inspector, said she had no objection to another 90 days.

Motion made by Mr. Phillips, seconded by Mr. Rafter, to grant a 90-day extension to 2/27/07. Board approved unanimously.

Case: CE02070641

Request for Extension

Heli Bonn Polk
1604 Southwest 5th Court

Ms. Mohammed announced that this case was originally heard on 2/25/03, with compliance ordered by 5/26/03: 3 sections at \$50 per day, per violation. The date had been extended from 5/27/03 to 11/27/03; from 1/27/04 to 7/27/04; from 2/22/05 to 5/24/05; from 5/24/05 to 11/22/05; from 11/23/05 to 1/24/06 due to Hurricane Wilma; from 1/24/06 to 7/25/06 and from 8/22/06 to 11/28/06. Ms. Mohammed informed the Board that the owner had spoken with Inspector Reardon regarding an extension.

Mr. Ken Reardon, Building Inspector, informed the Board that he had spoken with the owner this morning. She informed him that she was ill and he had agreed to request the 60-day extension on her behalf.

Motion made by Mr. Phillips, seconded by Mr. Rafter, to grant a 60-day extension to 1/23/07. Board approved unanimously.

Case: CE06061015

Susan Cooper
2051 Northwest 28th Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted [no date].

Mr. Wayne Strawn, Building Inspector, testified to the following violation:

- FBC 105.1: THE FOLLOWING WORK HAS BEEN DONE WITHOUT OBTAINING THE REQUIRED PERMITS: 1. ALL THE WINDOWS AND DOORS HAVE BEEN CHANGED OUT. 2. THE BUILDING IS IN THE PROCESS OF BEING RE-ROOFED. 3. THE CARPORT ROOF HAS BEEN RE-BUILT. NEW RAFTERS AND DECKING HAVE BEEN INSTALLED.

Inspector Strawn stated that the violations still existed, presented photos of the property and recommended ordering compliance within 60 days or \$50 per day.

Motion made by Mr. Rafter, seconded by Mr. Phillips, to order compliance within 60 days, by 1/23/07 or \$50 per day. Board unanimously approved.

Case: CE06041704

Jacqueline Virgilio, ½ Interest, &
Jacqueline M. Carpio
1455 Southwest 18th Terrace

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/24/06.

Mr. Wayne Strawn, Building Inspector, testified to the following violations:

- FBC 105.1: PERMIT #95120375 FOR AN ADDITION TO THE BUILDING HAS EXPIRED WITHOUT COMPLETION AND APPROVAL OF ALL WORK DONE. THE PERMIT IS THEREFORE NULL AND VOID. ALL WORK DONE UNDER THE AUSPICES OF PERMIT NUMBER 95120375 NOW EXISTS AS WORK DONE WITHOUT A VALID PERMIT.
- FBC 105.2.11: PERMIT # 96110685 FOR THE A.C. SYSTEM ASSOCIATED WITH THE MASTER ADDITION PERMIT HAS EXPIRED WITHOUT PASSING FIELD INSPECTION. THE PERMIT HAS BECOME NULL AND VOID AND ALL WORK DONE UNDER THE AUSPICES OF THE PERMIT NOW EXISTS AS WORK WITHOUT A VALID PERMIT.
- FBC 105.2.4: PLUMBING PERMIT NUMBERS 97051946 AND 97040114 HAVE EXPIRED WITHOUT THE WORK BEING APPROVED. THE PERMIT HAS BECOME NULL AND VOID AND ALL WORK DONE UNDER THE AUSPICES OF THESE PERMITS NOW EXISTS AS WORK WITHOUT A VALID PERMIT.
- FBC 105.2.5: ELECTRICAL PERMIT # 97051945 HAS EXPIRED WITHOUT PASSING ALL REQUIRED FIELD INSPECTIONS. THE PERMIT HAS BECOME NULL AND VOID AND WORK DONE UNDER THE AUSPICES OF THE PERMIT NOW EXISTS AS WORK WITHOUT A VALID PERMIT.
- FBC 106.10.3.1: THE FOLLOWING PERMITS HAVE EXPIRED AND BECOME NULL AND VOID. PERMITS 95120375, 97051945, 97051946, 96110685. THE WORK HAS NOT PASSED ALL REQUIRED FIELD INSPECTION.

- FBC 106.10.3.5: THE PERMIT FOR AN ADDITION TO THE BUILDING #95120375 HAS NOT BEEN RENEWED WITHIN 180 DAYS AFTER THE EXPIRATION OF THIS PERMIT. THE WORK DONE UNDER THE AUSPICES OF THIS PERMIT HAS NOT BEEN REMOVED NOR HAS A NEW PERMIT WITH REVISED PLANS TO COMPLY WITH TODAY'S CODE BEEN ISSUED.
- FBC R312.1: THE REQUIRED SAFEGUARDS OR RAILINGS HAVE NOT BEEN INSTALLED ON THE BALCONY.

Inspector Strawn reported that he had met with Mark Bud, the architect, and all permits had been renewed as of this morning, but the railing issue remained. He felt the owner might need 90 days to install the railing.

Motion made by Mr. Rafter, seconded by Mr. Phillips, to order compliance within 90 days, by 2/27/07, or \$25 per day, per violation. Board unanimously approved.

Case: CE06030178

Gina Von Elbe & Edgar Raphael Marquez
1801 Northeast 20th Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 11/16/06.

Mr. Mohammed Malik, Building Inspector, testified to the following violation:

- FBC 105.1: THERE HAVE BEEN PHYSICAL ALTERATIONS MADE WITHOUT OBTAINING THE REQUIRED BUILDING PERMIT. SUCH ITEMS INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:
 1. INSTALLED NEW FENCE

Inspector Malik recommended ordering compliance within 60 days or \$50 per day.

Motion made by Mr. Phillips, seconded by Mr. Rafter, to order compliance within 60 days or \$50 per day. Board approved unanimously.

Approval of Meeting Minutes

Motion made by Mr. Phillips, seconded by Mr. Rafter, to approve the minutes of the Board's October 24, 2006 meeting. Board unanimously approved.

Cases Complied

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

CE06081175

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:

CE05121203

CE06040492

CE06050647

There being no further business to come before the Board, the meeting adjourned at 12:15 P.M.



CHAIRPERSON, CODE ENFORCEMENT BOARD

ATTEST:



CLERK, CODE ENFORCEMENT BOARD

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