

CODE ENFORCEMENT BOARD

City Commission Meeting Room

100 North Andrews Avenue

February 27, 2007

10:00 A.M. – 12:05 P.M.

| <u>Board Members</u>         | <u>Attendance</u> | <u>1/2007 to 12/2007</u> |               |
|------------------------------|-------------------|--------------------------|---------------|
|                              |                   | <u>Present</u>           | <u>Absent</u> |
| Howard Elfman                | P                 | 1                        | 0             |
| Pat Hale                     | P                 | 2                        | 0             |
| Sarah Horn                   | A                 | 1                        | 1             |
| Sam Mitchell                 | P                 | 2                        | 0             |
| John Phillips                | A                 | 1                        | 1             |
| Rixon Rafter, Chair          | P                 | 2                        | 0             |
| Myrnabelle Roche, Vice Chair | P                 | 2                        | 0             |
| Jan Sheppard                 | P                 | 1                        | 0             |

Staff Present

Assistant City Attorney  
John Giuffreda, Board Attorney  
Nadine Blue, Clerk, Code Enforcement Board  
Debra Maxey, Secretary, Code Enforcement Board  
Skip Margerum, Code Supervisor  
Mohammed Malik, Building Inspector  
Wayne Strawn, Building Inspector  
Kenneth Reardon, Building Inspector  
Jorg Hruschka, Building Inspector  
Robert Kisarewich, Fire Inspector  
Jorge Mederos, Fire Inspector  
Ivett Spence-Brown, Fire Inspector  
Jamie Opperee, Recording Secretary

Also Present:

CE06060802: William Saunders, owner  
CE05120450; CE04091130: Jennifer Ames, representative  
CE05090926: Reverend John White  
CE05090056: Paul O'Rork, director of engineering  
CE04081702: Harry Arthur, general contractor; Alex Charfen, owner  
CE05121386: Jean Luc Veraguas, owner  
CE06050522: Tim Muldoon, corporate officer; Kristopher Franklin, general contractor;  
Richard Muldoon, owner  
CE05091942: Esther Merino, owner; Kate Bonner, attorney  
CE06021206: Phillip Bagicalluppi, owner; George Costanza, general contractor  
CE06031768: Arleshia Stewart, owner  
CE02070641: James Barber, general contractor

CE06111044: Renata Flick, owner's representative, Denise Deutsch, manager  
CE06110967: Trevor Michelin, owner  
CE06070348: Paula Pompa, agent for owner

### **Board Elections**

Ms. Roche nominated Mr. Rafter as Chair, seconded by Mr. Elfman. Board approved unanimously.

Mr. Mitchell nominated Ms. Roche as Vice Chair, seconded by Ms. Sheppard. Board approved unanimously.

Chair Rafter called the meeting to order at 10:08 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: CE02070641**

#### Hearing to Impose Fine

Heli Bonn Polk  
1604 Southwest 5<sup>th</sup> Court

Ms. Blue announced that the case was first heard on 2/25/03 to comply by 5/26/03: 3 sections at \$50 per day, per violation. Extensions had been granted 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, from 1/24/06 to 7/25/06, from 8/22/06 to 11/28/06 and from 11/28/06-1/23/07. The property was complied, and the City was requesting no fines be imposed.

Mr. James Barber, general contractor, said they had torn out all of the work done by Sears and replaced it. He asked the Board to reduce or abate the fine.

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

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

#### **Case: CE04081702**

#### Request for Extension

Alex Charfen  
1135 Northeast 12<sup>th</sup> Avenue

Ms. Blue announced that this case was first heard on 5/24/05 with compliance ordered by 8/23/05: 4 sections at \$50 per day, per violation. Extensions had been granted from 9/27/05 to 1/24/06, from 1/25/06 to 2/28/06, from 2/28/06 to 4/25/06, from 4/25/06 to 10/24/06, from 10/24/06 to 1/23/07, and from 1/23/07-2/27/07. The property was not complied and the owner was requesting an extension.

Mr. Alex Charfen, owner, explained that they had submitted plans for the permit to remove the interior drywall only, per the architect's request. Additional plans would be required to rehabilitate the building.

Mr. Mohammed Malik, Building Inspector, confirmed Mr. Charfen had submitted plans and should have the permit soon. He had no objection to an extension, but wanted to ensure the owner stayed on top of the situation.

Mr. Charfen requested a 90-day extension, and agreed to return then with a progress report.

**Motion** made by Ms. Roche, seconded by Ms. Hale, to grant a 90-day extension to 5/22/07. Board unanimously approved.

**Case: CE06021206**

Request for Extension

Phillip Bagicalluppi  
1406 Northwest 13<sup>th</sup> Avenue

Ms. Blue announced that this case was originally heard on 9/26/06 with compliance ordered by 10/24/06: 4 sections at \$100 per day, per violation. The property was not complied and the owner was requesting an extension.

Mr. George Costanza, general contractor, explained that the fence permit had received sign-off. In July 2005, he had applied for a partial permit, but had been unable to find an architect to draw plans after the hurricanes. They had submitted the partial plans in July 2006, but the permit was not issued until January 2007. Mr. Costanza requested a 90-day extension to finalize the interior plans and obtain the permit to do the remainder of the work.

Mr. Costanza explained to Ms. Roche that there had been a Section 8 tenant in the home who was evicted but did not leave. Mr. Costanza informed Mr. Mitchell that the tenant had "gutted the house, they destroyed walls, pulled the electrical panel out of the wall, cut the plumbing, the place was full of water, the whole house was completely destroyed."

Mr. Robert Pignataro, Building Inspector, said the owner needed permits for all of the work.

Ms. Roche thought the cited violations were not related to the destruction caused by the tenant. Mr. Costanza explained that they had tried to perform some repair work in July 2005.

Mr. Phillip Bagicalluppi, owner, explained that during the time he was evicting the tenant, he had tried to perform some repairs, but the tenant damaged the home and any repairs he made. His attorney had then informed him to stop work until after the tenant was removed. After the hurricanes, because he had been unable to find an architect to

draw complete plans, he had obtained a partial permit to address some of the damage. Mr. Bagicalluppi confirmed that the tenant had pulled out electrical wiring.

Inspector Pignataro said a code officer had first cited the property in February 2006.

Ms. Sheppard asked who was responsible for the violations. Mr. Bagicalluppi stated that there was no new electrical work; all hanging wires and ductwork were all original structural components that were torn out by the tenant. He said he had not added the air conditioning unit. Mr. Bagicalluppi told Mr. Mitchell he purchased the property in 2004 and the house had been beautiful.

Ms. Roche asked what their plan of action was for the next 30 days. Mr. Costanza stated the engineer/architect should complete the plans for the entire house and submit them for permits.

**Motion** made by Ms. Roche, seconded by Ms. Hale, to grant a 30-day extension to 3/27/07, and for the owner to appear at that hearing for a progress report. Motion passed 5 – 1 with Mr. Mitchell opposed.

**Case: CE05121386**

Request for Extension

The 1200 Northwest 16 Court Land Trust  
Neu Ways Inc., Trustee  
1200 Northwest 16<sup>th</sup> Court

Ms. Blue announced that this case was first heard on 10/24/06 with compliance ordered by 2/27/07: 7 sections at \$25 per day, per violation. The property was not complied and the owner was requesting additional time to comply.

Mr. Jean Luc Veraguas, owner, said half the work was complete, and he had permits for the remainder. Mr. Veraguas thought the electrical upgrade should be complete next week, and he must complete the fence and sidewalk. He had spoken with Inspector Strawn, who had agreed to another 120 days.

Mr. Wayne Strawn, Building Inspector, said the owner had made a serious effort to comply, and he supported a 120-day extension. Inspector Strawn explained that the sidewalk that required repair was very long, and the owner must confer with the Engineering Department to determine if he could repair it himself, or if he must hire a contractor. Inspector Strawn noted that this was a very expensive endeavor as well.

**Motion** made by Mr. Mitchell, seconded by Ms. Hale, to grant a 120-day extension to 6/26/07. Board unanimously approved.

**Case: CE05090056**

Request for Extension

Felcor/CSS Holding LP  
% Felcor Lodging Trust Inc.  
1100 Southeast 17<sup>th</sup> Street

Ms. Blue announced that this case was first heard on 2/28/06 with compliance ordered by 5/23/06: 1 section at \$250 per day. An extension had been granted from 7/25/06 to 1/23/07. The property was complied as of 2/27/07.

Mr. Paul O'Rork, director of engineering, said the property was now complied, and requested abatement of the fine.

Mr. Jorge Mederos, Fire Inspector, confirmed that the property was now complied, and stated he did not object to abatement of the fine.

**Motion** made by Mr. Mitchell, seconded by Mr. Elfman, to abate the fine. Board unanimously approved.

**Case: CE05090926**

Request for Extension

Mount Hermon African Methodist  
Episcopal Church Inc.  
711 Northwest 4<sup>th</sup> Street

Ms. Blue announced that this case was first heard 1/24/06 to comply by 7/25/06; an extension had been granted from 8/22/06 to 2/27/07. The property was not complied and the pastor was requesting an extension.

Reverend John White, pastor of the church, explained that they had new plans for the building and were seeking financing. They planned to demolish the existing building instead of spending the money to get the existing building in compliance. Reverend White said they had submitted a permit application for the work and hired a contractor. He requested a 6-month extension.

Mr. Mitchell asked Reverend White what progress had been made since he last appeared before the Board. Reverend White said drawings had been created for the new construction, and these were now going through the permit process.

Mr. Jorge Mederos, Fire Inspector, said he did not object to a 6-month extension. He explained that the church was not using the space as an assembly area and there was no extreme risk to life safety.

**Motion** made by Mr. Mitchell, seconded by Ms. Sheppard, to grant a 6-month extension to 8/28/07. Board unanimously approved.

**Case: CE05120450**

Request for Extension

D & D Resources LLC  
400 Northeast 13<sup>th</sup> Street

Ms. Blue announced that this case was originally heard on 10/24/06 with compliance ordered by 2/27/07: 3 sections at \$50 per day, per violation. The property was not complied and the owner was requesting an extension.

Ms. Jennifer Ames, representative of the owner, requested a 30-day extension to resubmit the permit application for the sign work, and to determine if containers were permitted on the site. She confirmed that the air conditioning permit was issued and only two issues remained on the property.

Mr. Mohammed Malik, Building Inspector, agreed to a 30-day extension, but said the owner must have a concrete plan within 30 days regarding the containers.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to grant a 30-day extension to 3/27/07. Board unanimously approved.

**Case: CE04091130**

Hearing to Impose Fine

Dom & John Development LLC  
1344 Northeast 4<sup>th</sup> Avenue

Ms. Blue 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, from 9/26/06 to 11/28/06, from 11/28/06 to 1/23/07 and from 1/23/07 to 2/27/07. The property was complied and the City was requesting a fine be imposed.

Ms. Jennifer Ames, representative of the owner, requested abatement of the fine.

Mr. Mohammed Malik, Building Inspector, recommended a fine of \$250 be imposed and explained that the building had been demolished, complying the violations.

Ms. Ames explained to Mr. Mitchell that the building's former tenant had installed the signs. Mr. Mitchell said Ms. Ames' management company should have checked for permits when the tenant installed the signs. Inspector Malik explained that the owner had originally hired the architect to redesign the parking lot, and after he had submitted plans to the City, the owner had decided to demolish the property instead.

**Motion** made by Mr. Mitchell, seconded by Ms. Roche, to reduce the fine to \$13,860: 33% of the total fine. Board unanimously approved.

Ms. Ames stated the owner was redeveloping the property and would be paying impact fees; she felt the fine would hinder that process.

**Case: CE06110967**

Request for Extension

Trevor Michelin  
3913 Davie Boulevard

Ms. Blue announced that this case was originally heard on 1/23/07 with compliance ordered by 2/27/07: 1 section at \$100 per day. The property was not complied and the owner was requesting an extension.

Mr. Trevor Michelin, owner, said he had applied for the permit, and requested a 3-month extension.

Mr. Jorge Mederos, Fire Inspector, stated he had spoken with Inspector Clements, who recommended a 60-day extension.

Mr. Mitchell asked Mr. Michelin about the business he operated and Mr. Michelin explained that this was a hair salon that was in operation for approximately one year. Mr. Michelin confirmed for Ms. Roche and Mr. Mitchell that the plans had been submitted for a permit and were now in plan review.

**Motion** made by Ms. Hale, seconded by Mr. Elfman, to grant a 60-day extension to 4/24/07. Board approved unanimously.

**Case: CE06060802**

Hearing to Impose Fines

Saunders Brothers Inc.  
215 Southwest 7<sup>th</sup> 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. Extensions had been granted from 10/24/06 to 11/28/06 and from 11/28/06 to 2/27/07. The property was not complied and the City was requesting imposition of a \$2,700 fine and its continued accrual until the property was complied.

The Assistant City Attorney indicated that the owner had signed in earlier, but was no longer present.

The Board heard other cases, anticipating that the owner would return.

The Board returned to the case later in the hearing, but the owner had not returned.

Mr. Wayne Strawn, Building Inspector, said he had spoken to the owner the previous week, and Mr. Saunders had informed him that the property was in foreclosure and he had a buyer. He had advised Mr. Saunders to bring the buyer to the hearing. Inspector Strawn recommended imposition of the fine.

**Motion** made by Mr. Mitchell, seconded by Mr. Elfman, to find their order had not been complied by the specified time, and to impose the \$2,700 fine and its continued accrual and to record the order. Motion passed 5 – 1 with Ms. Roche opposed.

**Case: CE06111044**

Sable Resorts Inc.  
3016 Bayshore Drive

Ms. Blue announced that certified mail sent to the owner was accepted on 2/14/07; certified mail sent to the registered agent was accepted on 2/8/07 and certified mail sent to the tenant was accepted on 2/9/07.

Mr. Robert Kisarewich, Fire Inspector, testified to the following violations:

- FBC 105.1: EXIT SIGNS AND EMERGENCY LIGHTS HAVE BEEN INSTALLED TO DIRECT OCCUPANTS TO ROOM 208 AS THE PATH OF EGRESS, WITHOUT FIRST OBTAINING A PERMIT.
- NFPA 101 29-2.4.1 : TWO EXITS, ACCESSIBLE TO EVERY UNIT IS REQUIRED FROM THE SECOND FLOOR.

Inspector Kisarewich informed the Board that the property was originally cited on 1/29/03 for the second violation, but the owner had been granted several extensions by the inspector, and the fire marshal.

Ms. Renata Flick, representative of the owner, explained that they had applied for the sign permits, and had hired a contractor for the exit. She requested an extension to complete the work.

Chair Rafter questioned why the problem had persisted since 2003. Ms. Flick explained that the property had been under different management then, and they had tried alternate means to handle the issue.

Inspector Kisarewich confirmed that the permit application was submitted for the emergency light and the exit signs only. He confirmed with Ms. Flick that they did not have a signed contract with the contractor yet.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to order compliance within 30 days, by 3/27/07 or a fine of \$250 per day, per violation, and to record the order. Board approved unanimously.

Ms. Hale advised Ms. Flick to attend the March hearing with proof of their progress.

**Case: CE06031768**

Arleshia Joy Stewart  
1600 Davie Boulevard

Ms. Blue announced that certified mail sent to the owner and tenant were accepted on 12/20/06 and the inspector had a stipulated agreement with the owner to comply.

Mr. Robert Pignataro, Building Inspector, testified to the following violation:

- FBC 105.2.11 : ALTERED THIS PROPERTY TO INCLUDE, BUT NOT LIMITED TO: INSTALLED A NEW AIR CONDITIONING UNIT WITHOUT A PERMIT.

Inspector Pignataro said he had a stipulated agreement with the owner to comply the property within 30 days or \$50 per day.

Inspector Pignataro explained that permits had been pulled in 2000 but the work had failed a review in 2002 and the permit had therefore become null and void. This was a new air conditioning system.

**Motion** made by Ms. Hale, seconded by Mr. Mitchell, to accept the stipulated agreement and order compliance within 30 days, by 3/27/07 or \$50 per day. Board unanimously approved.

**Case: CE05091942**

Hearing to Impose Fines

Alberto C. & Esther Merino  
1355 Southwest 26th Avenue

Ms. Mohammed announced that this case was first heard on 3/28/06 with compliance ordered by 6/27/06: 1 section at \$50 per day. An extension had been granted from 9/26/06 to 11/28/06, and the case had been continued from 7/25/06 to 8/22/06, from 8/22/06 to 9/26/06, and from 1/23/07 to 2/27/07. The property was complied and the owner's attorney was requesting that no fine be imposed.

Ms. Kate Bonner, the owner's attorney, requested abatement of the fine. She explained that the contractor had never pulled a permit. During inspections for the roof repair, structural problems were discovered that had delayed and added to the work.

Mr. Ken Reardon, Building Inspector, testified that the property was complied, but he did not support a reduction of fines because they had not passed final inspection yet. He recommended an extension or imposition of the fines, and the owner could discuss fine reductions with City staff.

Mr. Mitchell asked about the contractor, and Ms. Bonner explained that the contractor had begun work without a permit but had later pulled one. Mr. Mitchell asked if they had notified the Department of Regulations about the contractor and Ms. Bonner confirmed that they had not. Mr. Mitchell advised the owner to notify the Department of Regulations and to include this in her report to the Board in 60 days.

Ms. Bonner explained that both she and Ms. Merino would be out of state in 30 days and requested a 60-day extension.

**Motion** made by Ms. Sheppard, seconded by Ms. Hale, to grant a 60-day extension to 4/24/07. Board unanimously approved.

**Case: CE06070348**

Hearing to Impose Fine

Countrywide Home Loans Inc. &  
Goldman Sachs Mortgage Co.  
2418 Andros Lane

Ms. Blue announced that this case was first heard on 10/24/06 with compliance ordered by 1/24/07: 4 sections at \$100 per day, per violation. The property was not complied

and the City was requesting imposition of the \$13,600 fine and its continued accrual until the property was complied.

Ms. Paula Pompa, agent, explained that notice was not made to the proper address for Countrywide Home Loans. She had noticed the posting on the property, and Countrywide had made all repairs but the carport roof within 30 days of her informing them of the violations. She requested a 60-day extension to complete the work.

Mr. Wayne Strawn, Building Inspector, confirmed that only one of the original four violations remained, and recommended a 90-day extension.

Ms. Sheppard asked what would happen if the property was sold. Ms. Roche asked that the original order be recorded.

**Motion** made by Ms. Hale, seconded by Mr. Mitchell, to grant a 90-day extension to 5/22/07, and to record the original order. Board unanimously approved.

**Case: CE06050522**

Hearing to Impose fine

D & J Investments LLC  
1300 Northwest 65<sup>th</sup> Place

Ms. Blue announced that this case was first heard 7/25/06 to comply by 1/23/07: 5 sections at \$200 per day, per violation. The property was not complied and the City was requesting imposition of the \$34,000 fine and its continued accrual until the property was complied.

Mr. Richard Muldoon, owner, explained that he had originally planned major renovations, but had decided to put in the additional exit stairs instead of renovating the entire property. Mr. Muldoon said when the property was annexed into Fort Lauderdale, he had been told that everything was up to code. He requested 90 days to complete the work.

Ms. Ivett Spence-Brown, Fire Inspector, explained that the second floor did not have a legal exit and the window pane glass is not fire-rated. She recommended continuing the fines, since the violations had started in 2004 and the architect had not yet created plans.

Mr. Muldoon explained that his original builder had died. He informed the Board that this was an office with a small warehouse for a steel fabrication company.

Mr. Mitchell asked if it was difficult to exit, and Mr. Muldoon stated it was not; the stairs were located adjacent to the front door. Inspector Spence-Brown stated the second floor emptied to the first floor, so if there was a first-floor fire, the second floor egress via that staircase would be cut off. The other egress was from the second floor to the warehouse, which was not allowed.

Mr. Mitchell stated the owner had no plans as yet, but the owner insisted he did. Inspector Spence-Brown reiterated her recommendation that the fine be imposed because the owner had time to comply, but had not. No plans had been submitted for the work as yet.

Mr. Kristopher Franklin, general contractor, said four of the issues were resolved and he had hired an architect for the exit and the windows. He stated he had been hired one month ago, and the architect had been hired approximately two weeks ago. Mr. Franklin promised Ms. Roche that in 30 days, they would have plans submitted to the City.

**Motion** made by Ms. Roche, seconded by Mr. Mitchell, to grant a 30-day extension to 3/27/07. Board unanimously approved.

**Case: CE06080836**

John Dokimos  
1121 Northeast 2<sup>nd</sup> Avenue

Ms. Blue announced that service was via posting at the property on 2/6/07 and at City Hall on 2/13/07.

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

- 47-34.1.A.3. : THE OPERATION OF FOUR RENTAL/LIVING UNITS EXCEEDS THE DENSITY LIMITS FOR AN RD-15 ZONING DISTRICT.
- FBC 105.1 : THE FOLLOWING ALTERATIONS, CONVERSIONS, AND ADDITIONS HAVE BEEN DONE WITHOUT OBTAINING THE REQUIRED PERMITS:
  1. THE FLORIDA ROOM ON THE MAIN HOUSE HAS BEEN ENCLOSED.
  2. THE CARPORT OF THE REAR BUILDING (GUEST HOUSE) HAS BEEN ENCLOSED AND CONVERTED INTO AN APARTMENT.
  3. A ROOF STRUCTURE HAS BEEN CONSTRUCTED ON THE NORTH EXPOSURE OF THE MAIN HOUSE.
  4. A SMALL ADDITION HAS BEEN BUILT ON THE SOUTH SIDE OF THE WEST PROJECTION OF THE MAIN HOUSE.
  5. CONVERSION OF THE MAIN HOUSE TO A DUPLEX.
  6. CONCRETE DRIVEWAY INSTALLED.
  7. WOODEN FENCING INSTALLED.
  8. AN ENCLOSURE CONSTRUCTED TO HOUSE A WATER HEATER CONNECTED TO THE WEST EXPOSURE OF THE ORIGINAL DWELLING.
- FBC 105.2.11 : AIR CONDITIONING UNITS HAVE BEEN INSTALLED WITHOUT OBTAINING THE REQUIRED PERMITS.
- FBC 105.2.4 : PLUMBING ALTERATIONS, REPAIRS AND ADDITIONS HAVE BEEN DONE WITHOUT OBTAINING PERMITS. THE WORK INCLUDES, BUT MAY NOT BE LIMITED TO, PVC PIPING ON THE WEST WALL OF THE ORIGINAL HOUSE, THE INSTALLATION OF A WATER HEATER OUTSIDE THE FOOTPRINT OF THE HOUSE ON THE WEST EXPOSURE AND PLUMBING ALTERATIONS

ASSOCIATED WITH THE CONVERSION OF THE CARPORT INTO AN APARTMENT.

- FBC 105.2.5 : THE ELECTRICAL SYSTEMS OF THE BUILDINGS ON THE PROPERTY HAVE BEEN ALTERED BY THE ADDITION OF CIRCUITS TO POWER A JACUZZI, EXTERIOR LIGHTING AND THE CARPORT CONVERTED INTO AN APARTMENT.
- FBC 110.1.1: THE MAIN HOUSE AND THE GUEST HOUSE WITH THE CONNECTED CARPORT HAVE BOTH BEEN CONVERTED AND OCCUPIED CONTRARY TO THE APPROVED USE AND CERTIFICATE OF OCCUPANCY. THE MAIN HOUSE IS A SINGLE FAMILY DWELLING AND IS BEING USED AS A DUPLEX AND THE CARPORT ATTACHED TO THE REAR GUEST HOUSE ON THE NORTH HAS BEEN ENCLOSED AND UTILIZED AS AN APARTMENT.

Inspector Strawn presented photos of the property, stated the violations existed as cited, and recommended ordering compliance within 30 days or \$150 per day, per violation. Inspector Strawn said he had called the realtor who had a sign on the property advertising the property and the realtor informed him that the owner had filed for bankruptcy.

**Motion** made by Ms. Roche, seconded by Ms. Hale, to order compliance within 30 days, by 3/27/07 or a fine of \$150 per day, per violation, and to record the order. Board unanimously approved.

**Case: CE06121484**

Sierra Roy  
1800 Northeast 20<sup>th</sup> Avenue

Ms. Blue announced that the inspector had a stipulated agreement with the owner to comply.

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

- FBC 1612.1.2 : THE REMOVAL OF THE SUPPORT SYSTEM OF THE CARPORT ROOF HAS TRANSFERRED THE CARPORT ROOF LOAD ONTO THE CANTILEVERED ROOF EXTENSION OF THE MAIN HOUSE. THE MAIN HOUSE ROOF IS OVERSTRESSED AND A PERCEPTIBLE SAG IS IN EVIDENCE.
- FBC 105.1 : THE COLUMNS THAT SUPPORTED THE CARPORT ROOF HAVE BEEN REMOVED TO PROVIDE A GREATER PARKING AREA. A PERMIT WAS NOT ISSUED FOR THIS BUILDING ALTERATION. A PERMIT WOULD NOT HAVE BEEN ISSUED WITHOUT A REPLACEMENT PLAN.

Inspector Strawn said he had a stipulated agreement with the owner to comply within 90 days, by 5/22/07, or \$250 per day, per violation.

**Motion** made by Ms. Roche, seconded by Mr. Mitchell, to accept the stipulated agreement and order compliance within 90 days, by 5/22/07 or \$250 per day, per violation. Board unanimously approved.

**Case: CE06061015**

Toccara Williams  
2051 Northwest 28<sup>th</sup> Avenue

Ms. Blue announced that certified mail sent 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 CARPORT ROOF HAS BEEN RE-BUILT. NEW RAFTERS AND DECKING HAVE BEEN INSTALLED.

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

**Motion** made by Ms. Roche, seconded by Ms. Hale, to order compliance within 60 days, by 4/24/07 or \$50 per day. Board unanimously approved

**Case: CE07010240**

Leola Hankerson & Lannie Rawls  
2800 Northwest 24<sup>th</sup> Street

Ms. Blue announced that certified mail sent to the owner was accepted on 2/2/07.

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

- FBC 1612.1.2 : THE ALTERATIONS OF THE COLUMNS SUPPORTING THE FRONT PORCH ROOF HAVE BEEN DONE CONTRARY TO GOOD ENGINEERING PRACTICE. THE BASES OF THE DECORATIVE COLUMNS HAVE BEEN RELOCATED WHICH OFFSETS THE COLUMNS APPROXIMATELY 30 DEGREES OUT OF PLUMB. THE PRESENT DESIGN IS INADEQUATE TO SUPPORT ALL LOADING AS REQUIRED. IN ADDITION THE BASES OF THE COLUMNS ARE SEVERELY RUSTED.
- 9-280(b) : THE STEEL DECORATIVE COLUMNS SUPPORTING THE FRONT PORCH ROOF ARE SEVERELY RUSTED AT THE BASES. THE STRUCTURAL INTEGRITY IS COMPROMISED.
- FBC 105.1 : THE COLUMNS SUPPORTING THE FRONT PORCH ROOF STRUCTURE HAVE BEEN ALTERED WITHOUT OBTAINING A PERMIT.

Inspector Strawn stated he had a stipulated agreement with the owner to comply within 90 days, by 5/22/07, or \$20 per day, per violation.

**Motion** made by Ms. Hale, seconded by Mr. Mitchell, to accept the stipulated agreement and order compliance within 90 days, by 5/22/07 or \$20 per day, per violation. Board unanimously approved.

**Case: CE06111667**

Phillip Brown  
2886 Northeast 26<sup>th</sup> Place

Ms. Blue announced that certified mail sent to the owner was accepted on 12/29/06.

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

- 25-7 : CURBS HAVE BEEN CONSTRUCTED IN THE PUBLIC RIGHT OF WAY, WHICH OBSTRUCT THE RIGHT OF WAY.
- 47-34.1.A.1. : CONSTRUCTION MATERIAL IS BEING STORED ON THE PROPERTY OF THIS RESIDENTIAL DISTRICT CONTRARY TO THE PROHIBITION OF THE U.L.D.R.
- FBC 105.1 : THE WORK DONE UNDER THE AUSPICES OF THE FOLLOWING PERMIT NUMBERS NOW EXISTS AS WORK DONE WITHOUT PERMITS: 00052104, 01040029, 00100810, 00060227, 99041126, 99031980, 98120247, 98082025
- FBC 105.2.11 : MECHANICAL PERMIT # 99050336 ISSUED FOR A POOL HEATER HAS EXPIRED WITHOUT PASSING ALL REQUIRED FIELD INSPECTIONS. THE WORK DONE UNDER THE AUSPICES OF THIS PERMIT NOW EXISTS AS WORK WITHOUT A PERMIT.
- FBC 105.2.4 : THE FOLLOWING PLUMBING PERMIT NUMBERS HAVE EXPIRED WITHOUT PASSING ALL FIELD INSPECTIONS: 98090511, 98091148, 99041129, 99050336, 99091052, 01071692.
- FBC 105.2.5 : THE FOLLOWING ELECTRICAL PERMIT NUMBERS HAVE EXPIRED AND BECOME NULL AND VOID WITHOUT PASSING ALL REQUIRED FIELD INSPECTIONS: 99050344, 98100069,
- FBC 106.10.3.1 : THE FOLLOWING PERMITS HAVE EXPIRED AND BECOME NULL AND VOID. THESE PERMITS HAVE NOT PASSED ALL THE REQUIRED FIELD INSPECTIONS.
  1. GAS LINE #01071692
  2. CONCRETE CURB #00052104
  3. PAVERS ON DRIVEWAY #01040029
  4. DECORATIVE FIREPLACE #00100810
  5. TRUSS REPAIR #00060227
  6. PLUMBING FOR REMODEL #99091052
  7. ELECTRIC FOR POOL #99050344
  8. POOL HEATER #99050336
  9. PLUMBING FOR SWIMMING POOL #99041129
  10. SWIMMING POOL #99041126
  11. RETAINING WALL #99031980
  12. SECOND STORY ADDITION #98120247
  13. ELECTRIC FOR GATES #98100069
  14. WATER SOFTENER #98091148
  15. IRRIGATION SYSTEM #98090511
  16. ENTRY COLUMNS #98082025

- FBC 110.1.1 : THE REQUIRED CERTIFICATE OF OCCUPANCY IS NOT VALID FOR THE SECOND STORY ADDITION OF BEDROOMS. THE BEDROOMS ARE BEING OCCUPIED WITHOUT THE REQUIRED CERTIFICATE OF OCCUPANCY.
- FBC 110.1.3.1 : THE TEMPORARY CERTIFICATE OF OCCUPANCY ISSUED ON MAY 30,2001 FOR THE UPSTAIRS BEDROOMS HAS EXPIRED. THE UPSTAIRS BEDROOMS ARE BEING OCCUPIED WITHOUT A CERTIFICATE OF OCCUPANCY.
- FBC R312.1 : THE AREA OF THE BUILDING IDENTIFIED ON THE PLANS AS A SCREENED IN PORCH ON THE SECOND FLOOR DOES NOT HAVE THE REQUIRED SAFEGUARDS TO PREVENT AN ACCIDENTAL FALL FROM THE SECOND STORY.

Inspector Strawn explained that the owner's representative had not provided the power of attorney for the file prior to the hearing, so the stipulated agreement Inspector Strawn had prepared could not be presented to the Board.

Inspector Strawn explained that the section 110.1.1 should be corrected to read: "The required certificate of occupancy is not valid for the second story addition." [removing the reference to the bedrooms]. Also, the permit number referred to in section 106.10.3.1, item 3 should be 01070547.

Inspector Strawn explained that a permit had been issued for the curbing in the right of way, but it had expired. Inspector Strawn had conferred with the Engineering Department and been told the permit would not be renewed with the curbing. The owner's representative, Mr. Miles, had stated he would work with the Engineering Department.

Inspector Strawn recommended ordering compliance within 90 days or a \$25 per day, per violation. He noted that 47-34.1.A.1. was complied because the property was still classified as a construction site.

**Motion** made by Ms. Roche, seconded by Mr. Mitchell, to order compliance within 90 days, by 5/22/07 or \$25 per day, per violation. Board unanimously approved.

**Case: CE06061376**

Richard Jernigan  
648 Northeast 18<sup>th</sup> Avenue

Ms. Blue announced that certified mail sent to the owner was accepted on 2/15/07.

Mr. Robert Pignataro, Building Inspector, testified to the following violation:

- FBC 105.1: ALTERED THIS PROPERTY TO INCLUDE, BUT NOT LIMITED TO: INSTALLED A WOOD FENCE WITHOUT A PERMIT.

Inspector Pignataro explained that the permit had been issued on 2/23/07, but final inspection was required to comply. He recommended ordering compliance within 30 days or \$50 per day.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to order compliance within 30 days, by 3/27/07 or \$50 per day. Board approved unanimously.

**Case: CE06041818**

Nancy Mohr Cruz & William Cruz  
1332 North Andrews Avenue

Ms. Blue announced that service was via posting at the property on 2/7/07 and at City Hall on 2/12/07 and the inspector had a stipulated agreement with the owner.

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

- FBC 105.1: THERE HAVE BEEN PHYSICAL ALTERATIONS AND IMPROVEMENTS TO THE BUILDING WITHOUT FIRST OBTAINING THE REQUIRED BUILDING PERMIT. SUCH ITEMS INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:
  - 1 INSTALLED NEW FENCE.
  2. INSTALLED NEW ACCESSORY STRUCTURE (NEW BLOCK WALLS, WINDOWS, ROOFS, ETC.) IN THE BACK YARD.
- FBC 105.2.1: INSTALLED NEW WOOD FENCE WITHOUT PERMITS.
- FBC 105.2.11: THERE HAVE BEEN PHYSICAL ALTERATIONS AND IMPROVEMENTS TO THE BUILDING WITHOUT FIRST OBTAINING THE REQUIRED MECHANICAL PERMIT. SUCH ITEMS INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:
  1. INSTALLED NEW WINDOW AIR CONDITIONING UNIT

Inspector Malik informed the Board he had a verbal agreement with the owner to comply within 120 days or \$50 per day, per violation.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to accept the stipulated agreement and order compliance within 120 days, by 6/26/07 or \$50 per day, per violation. Board unanimously approved.

**Case: CE05090054**

Art Institute Investment LLC  
1799 Southeast 17<sup>th</sup> Street

Ms. Blue announced that certified mail sent to the owner and registered agent were accepted on 2/14/07.

Mr. Jorge Mederos, Fire Inspector, testified to the following violation:

- F-21.1.3 SMOKE CONTROL SYSTEM IS DUE FOR ANNUAL TEST AND BALANCE REPORT.

Inspector Mederos informed the Board that Lieutenant Gillis had spoken with the Art Institute, and noted that there was some miscommunication and the Institute representative had not attended the hearing today. He recommended ordering compliance within 30 days or a fine of \$250 per day. Inspector Mederos said the smoke control system was scheduled for completion the following day.

Mr. Giuffreda asked about the miscommunication. Inspector Mederos said he had an e-mail from the Institute stating the smoke control system was scheduled for completion the next day.

**Motion** made by Mr. Mitchell, seconded by Ms. Roche, to order compliance within 30 days, by 3/27/07 or a fine of \$250 per day. Board unanimously approved.

**Case: CE05090055**

Spectrum Park I Joint Venture  
% Alan Levy  
4901 Northwest 17<sup>th</sup> Way

Ms. Blue announced that certified mail addressed to the owner was accepted on 2/14/07.

Mr. Jorge Mederos, Fire Inspector, testified to the following violation:

- F-21.1.3 : SMOKE CONTROL SYSTEM IS DUE FOR ANNUAL TEST AND BALANCE REPORT.

Inspector Mederos informed the Board the owner had two years' worth of extensions from the inspector and the fire marshall. He recommended ordering compliance within zero days or a fine of \$250 per day.

Ms. Roche noted that it took 30 days to issue an order.

**Motion** made by Ms. Roche, seconded by Ms. Hale, to order compliance within 30 days, by 3/27/07 or a fine of \$250 per day. Board unanimously approved.

**Case: CE96080185**

Murales & Anarose Murat  
1336 Northeast 1<sup>st</sup> Avenue

Request to vacate orders of 7/24/01, 9/25/01  
and 7/27/04 due to improper service/  
change of ownership

Ms. Blue announced this was a request to vacate orders dated 7/24/01, 9/25/01 and 7/27/04 due to improper service and change of ownership.

**Motion** made by Ms. Roche, seconded by Ms. Hale, to vacate orders dated 7/24/01, 9/25/01 and 7/27/04. Board unanimously approved.

**Case: CE97101491**

Murales & Anarose Murat  
1336 Northeast 1<sup>st</sup> Avenue

Request to vacate orders of 3/24/98, 2/23/99  
and 7/27/04 due to improper service/  
change of ownership

Ms. Blue announced this was a request to vacate orders dated 3/24/98, 2/23/99 and 7/27/04 due to improper service and change of ownership.

**Motion** made by Ms. Roche, seconded by Ms. Hale, to vacate orders dated 3/24/98, 2/23/99 and 7/27/04. Board unanimously approved.

**Case: CE05090938**

Chadman Turner  
623 Northwest 15<sup>th</sup> Way

Request for Continuance

Ms. Blue announced that this case was first heard on 1/24/06 to comply by 2/28/06: 1 section at \$150 per day. Extensions had been granted from 2/28/06 to 5/23/06, from 6/27/06 to 9/26/06, from 10/24/06 to 1/23/07, and from 1/23/07 to 2/27/07.

Mr. Jorge Mederos, Fire Inspector, requested a continuance.

**Motion** made by Mr. Mitchell, seconded by Ms. Hale, to grant a 30-day continuance to 3/27/07. Board unanimously approved

**Case: CE06050518**

Firth Properties Ltd.  
861 Northeast 62<sup>nd</sup> Street  
Tenant: Jester's

Request to Vacate Orders Dated 7/25/06  
and 10/24/06

Ms. Blue announced the City was requesting vacation of the orders dated 7/25/06 and 10/24/06.

Ms. Roche asked why the City was requesting the vacation.

Ms. Ivett Spence-Brown, Fire Inspector, explained that Ms. Eve Bazer asked that the fines be withdrawn because the owner was informed by the structural inspector that he had not needed a permit to complete the work.

Ms. Roche wanted someone to appear to explain why the order should be vacated.

**Motion** made by Ms. Roche, seconded by Ms. Hale, to vacate the orders dated 7/25/06 and 10/24/06. Motion failed 2 – 4 with Mr. Mitchell, Ms. Roche, Ms. Sheppard and Ms. Hale opposed.

**Case: CE04122271**

Hearing to Impose Fine

Surama & Elvyn Rodriguez  
& Virginia Bostic  
428 Southwest 24 Avenue

Ms. Blue announced that this case was first heard on 7/26/05 with compliance ordered by 10/25/05: 2 sections at \$25 per day, per violation. Extensions had been granted from 2/28/06 to 5/23/06, from 7/25/06 to 8/22/06, and from 9/26/06 to 11/28/06. The property was complied and the City was requesting imposition of the \$12,750 fine.

Mr. Robert Pignataro, Building Inspector, recommended imposition of the fine.

**Motion** made by Ms. Hale, seconded by Ms. Roche, to find the property was not complied by the ordered date and to impose the \$12,750 fine. Board unanimously approved.

**Cases Complied**

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

CE06051044

CE06111146

**Cases Pending Service**

Ms. Blue 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:

CE06051992

CE06061317

CE06050499

**Cases Rescheduled**

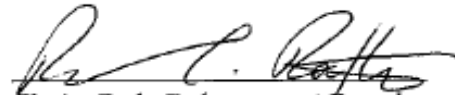
Ms. Blue announced that the below listed case had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06060130


**Approval of Meeting Minutes**

Mr. Mitchell wanted it noted on the January 23, 2007 minutes that he assumed control of the meeting when Chair Hale recused herself and Vice Chair Rafter left due to illness. These minutes will be updated and presented to the March 27, 2007 Code Enforcement Board Meeting for approval.

There being no further business to come before the Board, the meeting adjourned at 12:05 P.M.

  
Chair, Code Enforcement Board

ATTEST:

ATTEST:  
  
Clerk, Code Enforcement Board

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