

CODE ENFORCEMENT BOARD
 City Commission Meeting Room
 100 North Andrews Avenue
 June 26, 2007
 10:00 A.M. – 12:43 P.M.

<u>Board Members</u>	<u>Attendance</u>	1/31/2007 to 1/30/2008	
		<u>Present</u>	<u>Absent</u>
Rixon Rafter, Chair	A	4	1
Myrnabelle Roche, Vice Chair	P	4	1
Howard Elfman	P	5	0
Genia Ellis	P	4	0
John Greenfield	P	2	0
Sam Mitchell	P	4	1
John Phillips	P	4	1
Patricia Rathburn [alternate]	A	0	1
Jan Sheppard [alternate]	P	3	0
Doug White [alternate]	A	1	0

Staff Present

Assistant City Attorney
 John Giuffreda, Board Attorney
 Farida Mohammed, Clerk, Code Enforcement Board
 Debra Maxey, Secretary, Code Enforcement Board
 Mark Campbell, Clerk 3
 Lindwell Bradley, Code Supervisor
 Wayne Strawn, Building Inspector
 Jorg Hruschka, Building Inspector
 Mohammed Malik, Building Inspector
 Wifret Anderson, Fire Inspector
 Jorge Mederos, Fire Inspector
 Jamie Opperlee, Recording Secretary

Also Present:

CE07030178: Devendra Singh, owner
 CE07040523: Kelly Parrish, representative
 CE05061509: John Fuller, General Contractor
 CE06061317: Beverly Johnson, owner
 CE05121386: Jean Luc Veragus, owner
 CE05120448: Mark Lauro, owner
 CE05081210, CE05080073, CE05080021, CE05080022: Larry Shendell, attorney
 CE06041818: Nancy Cruz, owner
 CE05091942: Alberto Merino, owner; Kate Bonner, attorney
 CE06082131: Rayo Moreno, owner; Kevin Gallagher, owner
 CE06121484: Narinedat Roy, owner's brother
 CE06111011; CE06111008; CE06111013: Sam Butters, owner
 CE06061015: Tocarra Williams, owner

CE07030738: Christopher Cartwright, owner
CE06051992: Aleidy Ramirez, owner
CE06091348: John Pineres, representative
CE06110989: Robert Symington, owner
CE07030178: Adrian Ashton, tenant's attorney
CE07012044: Albert Manning, tenant
CE06050522: Kristopher Franklin, General Contractor, Richard Muldoon, owner
CE07020969: J.S. Benjamin, attorney for tenant

Ms. Roche 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: CE05091942

Hearing to Impose Fine

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. The property was complied and the City was requesting that no fine be imposed.

Kate Bonner, attorney for the owners, agreed on behalf of the owners.

Mr. Jorg Hruschka, Building Inspector, explained that during inspection, the inspector had discovered additional violations, and had started a new case against the property.

Motion made by Ms. Sheppard, seconded by Mr. Elfman, to impose no fine. Board unanimously approved.

Case: CE06121484

Request for Extension

Sierra Roy
1800 Northeast 20th Avenue

Ms. Mohammed announced that this case was originally heard on 2/27/07 with compliance ordered by 5/22/07: 2 sections at \$250 per day each. The property was not complied and the respondent was requesting an extension.

Mr. Narinedat Roy, owner's brother, explained that they had submitted plans for a permit, and requested 120 days to complete the work. He stated a jack was currently supporting the beam, so the property was safe.

Mr. Wayne Strawn, Building Inspector, agreed that FBC 1612.1.2 was complied because the jack post was in place. Mr. Osborne, a local architect, had drawn and submitted plans for a permit.

Motion made by Mr. Mitchell, seconded by Ms. Ellis, to grant a 120-day extension, to 10/23/07. Board unanimously approved.

Case: CE06091348

Hearing to Impose Fines

Donald Goldstein
3733 Southwest 12th Court

Ms. Mohammed announced that this case was originally heard on 10/24/06 with compliance ordered by 11/28/06: 3 sections at \$250 per day each. An extension had been granted from 11/28/06 to 2/27/07. The property was not complied and the respondent was requesting an extension.

Mr. John Pineres, representative of the owner, requested additional time to comply. He explained that they had been unable to gain access to part of the building, but had now submitted the paperwork for the permit.

Mr. Jorg Hruschka, Building Inspector, did not object to a 30-day extension.

[Mr. Phillips arrived at 10:13]

Motion made by Ms. Ellis, seconded by Mr. Elfman, to grant a 30-day extension to 7/24/07. Board unanimously approved.

Case: CE06111008

Hearing to Impose Fine

Sam & Nathan Butters
% N & S Butters
2003 Northwest 62nd Street # 105C

Ms. Mohammed announced that this case was originally heard on 1/23/07 with compliance ordered by 3/27/07: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of a \$4,500 fine and its continued accrual until the property was complied.

Mr. Sam Butters, owner, said he had experienced a delay with the permit application, but hoped it would be issued within the week. He requested 60 days to comply.

Mr. Butters informed the Board that there was a discrepancy between the address cited and the address with the permit application.

Mr. Jorge Mederos, Fire Inspector, agreed there was a discrepancy, but said based on the folio records, this permit application was not for this case property. Mr. Butters said his application was for suite #105. Ms. Roche noted that they could continue if the typographical error was on the agenda, but they could not continue if the error was on the Notice of Violation. Mr. Giuffreda noted discrepancies between the permit applications and the agenda.

Mr. Butters requested a 60-day extension to resolve the permit issues with the architect.

Inspector Mederos had no objection to an extension.

Motion made by Mr. Phillips, seconded by Mr. Elfman, to grant a 60-day extension to 8/28/07. Motion passed 6 – 1 with Mr. Mitchell opposed.

Case: CE06111011
Sam & Nathan Butters
% N & S Butters
2001 Northwest 62 Street # 103

Hearing to Impose Fine

Ms. Mohammed announced that this case was complied on 1/22/07 and there were no fines to impose.

Case: CE06111013
Sam & Nathan Butters
% N & S Butters
2005 Northwest 62 Street # 207

Hearing to Impose Fine

Ms. Mohammed announced that this case was originally heard on 1/23/07 with compliance ordered by 3/27/07: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of a \$4,500 fine and its continued accrual until the property was complied.

Mr. Sam Butters, owner, explained that for this case, the tenant had two spaces, 205 and 207. He informed the Board that he had the permit, and hoped to have final inspection today.

Inspector Mederos recommended a 60-day extension.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to grant a 60-day extension to 8/28/07. Motion passed 6 – 1 with Mr. Mitchell opposed.

Mr. Butter waived any problem that might arise from the address conflict for Case CE06111008.

Case: CE05061509
Kilnock Inc.
837 North Fort Lauderdale Beach Boulevard

Request for Extension

Ms. Mohammed announced that this case was first heard 7/26/05 to comply by 8/23/05: 12 sections at \$100 per day, per violation. The property was not complied and the respondent was requesting additional time to comply.

Mr. John Fuller, representative of the general contractor, requested an additional 60 days to comply. He said all issues were taken care of but the dumpster drain.

Mr. Jorg Hruschka, Building Inspector, stated the City supported the extension request.

Motion made by Mr. Phillips, seconded by Mr. Elfman, to grant a 60-day extension to 8/28/07. Board unanimously approved.

The following four cases for the same owner were heard together:

Case: CE05081210

Asoka Condo Association Inc.
1330 Holly Heights Drive

Case: CE05080073

Asoka Condo Association Inc.
1336 Holly Heights Drive

Case: CE05080021

Asoka Condo Association Inc.
1342 Holly Heights Drive

Case: CE05080022

Asoka Condo Association Inc.
1348 Holly Heights Drive

Ms. Mohammed stated that these cases were first heard on 9/27/05 to comply by 10/25/05: 7 sections at \$250 per day, per violation. Past Code Enforcement actions were stated on the agenda. The property was not complied and the respondent was present to request additional time for all four properties to comply.

Mr. Larry Shendell, the owner's attorney, reminded the Board that the last issue was replacement of some pavers with sod. He reported that the pavers had been removed but they must still lay the sod. Some permits also required final inspection.

Mr. Mitchell asked if Mr. Shendell could specify which cited violations were still open.

Mr. Jorg Hruschka, Building Inspector, reported that most items were complied. Aside from the sod issue, one of the fencing permits required revision. He stated he supported the request for an extension.

Motion made by Ms. Sheppard, seconded by Mr. Greenfield, to grant a 30-day extension to 7/24/07 for all four properties. Board unanimously approved.

Case: CE05121386

Request for Extension

The 1200 Northwest 16 Court Land Trust
Neu Ways Inc., Trustee
1200 Northwest 16th Court

Ms. Mohammed announced that this case was first heard on 10/24/06 with compliance ordered by 2/27/07, 7 sections at \$250 per day per violation; extension had been

granted from 2/27/07 to 6/26/07. The property was not complied and the owner was requesting an extension.

Mr. Jean Luc Veragus, owner, said only the sidewalk and water heater issues remained. The water heater should be resolved this week, but Mr. Veragus was still in the process of finding a contractor for the sidewalk. He requested an additional 4 months.

Mr. Wayne Strawn, Building Inspector, reported that all fencing, electrical and mechanical issues were resolved. He explained that there was a large area of sidewalk needing replacement, and he did not object to a 90-day extension.

Motion made by Mr. Mitchell, seconded by Mr. Phillips, to grant a 90-day extension, to 9/25/07. Board unanimously approved.

Case: CE07030178

Devendra Singh
501 Southwest 27th Avenue

Ms. Mohammed announced that certified mail sent to the owner was accepted on 6/8/07.

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

- 24-28(a) : THERE IS NO DUMPSTER ON SITE.
- 47-20.14.A. : THE SITE DOES NOT HAVE THE REQUIRED MINIMUM LIGHTING FIXTURES.
- 47-21.9 G.1. : THE REQUIRED RETROACTIVE VEHICLE USE AREA LANDSCAPING IS NOT IN PLACE.
- 47-24.1 B. : THE USE OF THE SITE WAS ALTERED WITHOUT FIRST OBTAINING A DEVELOPMENT PERMIT FROM THE CITY. THE LAST PERMITTED USE OF THE LOCATION WAS A RETAIL TIRE STORE. THE CHANGE OF USE TO THE PRESENT USE WILL REQUIRE DRC REVIEW.
- 47-25.3 A.d.i. THE REQUIRED BUFFER YARD IS NOT IN PLACE.
- 47-25.3 A.d.iv. : THERE IS NO REQUIRED BUFFER WALL WHERE PROPERTY IS ABUTTING RESIDENTIAL PROPERTY.
- 9-304(b) : THE PARKING LOT IS IN POOR CONDITION. THE SURFACE HAS NOT BEEN MAINTAINED AND STRIPED. BUMPER STOPS ARE MISSING.
- FBC 105.1 : THE CHAIN LINK FENCE WAS REPAIRED WITH 4X4 POSTS.
- FBC 105.2.5 : EXTERIOR LIGHTING WAS ADDED WITHOUT OBTAINING A PERMIT.
- FBC 11-4.6.1 : THERE IS NO PROVISION FOR ADA COMPLIANT PARKING.
- FBC 11-4.6.4 : THERE IS NO PROVISION FOR ADA COMPLIANT PARKING WITH REQUIRED SIGNAGE.
- FBC 11-4.7 : THERE IS NO ADA COMPLIANT ACCESS RAMP TO THE BUILDING.

Inspector Strawn said he had spoken with the owner, who had verbally agreed to comply within 30 days, but Inspector Strawn noted that because the owner might need

to evict the tenant, he would need more than 30 days. Inspector Strawn said the auto sales had ceased at the property, but the property would not comply until all remaining cars were removed from the property. He recommended at least 60 days to comply, or \$25 per day, per violation.

Mr. Devendra Singh, owner, reported he had begun eviction proceedings.

Mr. Adrian Ashton, attorney for the tenant, Lellinger Inc., explained that in 2006, they were issued an occupational license for an auto sales business, with the City's approval. He requested 90 days for his client to sell off the inventory. Ms. Roche said most of these issues would be dealt with in circuit court during the eviction proceedings.

Mr. Phillips asked if Mr. Ashton would stipulate on behalf of the tenant that he would vacate the property within 90 days, regardless of any County court eviction matter. Mr. Ashton could not speak for his client in that regard.

Mr. Mitchell asked if Mr. Ashton had paperwork pursuant to the City's authorization to open the auto sales yard on the property. Mr. Ashton said his client had obtained a printout.

Mr. Ashton informed Mr. Elfman that his client was not addressing the individual violations since he had been prevented from conducting his business on the property. Mr. Phillips clarified that the code violations did not prevent Mr. Ashton's client from selling off his inventory.

Mr. Wayne Strawn, Building Inspector, reported that the property was zoned B-2, in which a used car lot was allowed, provided it met all requirements. Since the property was previously used as a gas station and for tire sales, this constituted a change of use and triggered these violations. The violations were for specific requirements of a used car lot that the property currently lacked.

Inspector Strawn said the occupational license should never have been issued. He explained that a City occupational license had never been regulatory; it was simply a tax. In fact, the word license was no longer used and it was referred to as an "occupational tax."

Mr. Lindwell Bradley, Code Supervisor, explained that on January 1, 2007, the occupational license was name-changed to a "business tax receipt".

Ms. Roche said the tenant probably had the ability to request the change in use and comply the violations. Mr. Ashton said if the required changes to the lot were made, the loss of sales space would be too great for his client, so he would probably sell his inventory and vacate.

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

Case: CE05120448

Request for Extension

Progresso Holding Group, LLC
1224 Northeast 7th Avenue

Ms. Mohammed announced that this case was first heard 10/24/06 to comply by 1/23/07: 2 sections at \$50 per day per violation; extension had been granted from 3/27/07 to 6/26/07. The property was not complied and the respondent was requesting an extension.

Mr. Mark Lauro, owner, said his attorney would meet with the insurance company within a week to reach a mediated settlement. He was unsure how much additional time it would take. Mr. Lauro informed Ms. Sheppard that a new roof had not been installed as stated on the violation; repairs had been made to the hurricane-damaged roof. Mr. Jorg Hruschka, Building Inspector, confirmed that the roof was temporarily repaired, not replaced.

Mr. Lauro explained to Mr. Mitchell that this was commercial property. He rented space to his own auction company, and had needed to rent additional space because items could become damaged if stored in this space.

Ms. Roche asked for clarification regarding the citation for replacing, rather than repairing the roof. Inspector Hruschka explained that FBC 105.1 required a permit for any repair costing more than \$1,500, which this repair had.

The Assistant City Attorney reminded the Board that they had found a violation of FBC 105.1 in October, 2006.

Mr. Mitchell was concerned about continuing the case indefinitely while waiting for an insurance settlement. He felt the property was currently generating enough income to pay for the roof repair and costs could be recovered from the insurance company. Mr. Mitchell said in October, Mr. Lauro had promised the roof would be repaired. Mr. Mitchell wanted a 30-day extension for Mr. Lauro to provide an update.

Motion made by Mr. Elfman, seconded by Ms. Sheppard, to grant a 90-day extension, to 9/25/07. Motion passed 4 – 3 with Ms. Ellis, Mr. Mitchell, and Ms. Roche opposed.

Case: CE07040523

Request for Extension

J. Perry & Joyce Knight
% Kelly Parrish, Property Manager
776 Northwest 57th Court

Ms. Mohammed announced that this case was first heard on 5/22/07 with compliance ordered by 6/26/07: 1 section at \$250 per day. The property was not complied and the respondent was requesting an extension.

Ms. Kelly Parrish, property manager, requested 90 days, explaining that the tenant had hired an architect to draw plans for work inside the building. Ms. Parrish explained to Mr. Mitchell that the space had been used for storage spaces for several years.

Mr. Jorge Mederos, Fire Inspector, reported that no plans had been submitted as yet. Since the mezzanine had been built without a permit, he could not testify whether it was a safety hazard. He did not object to the extension request. Inspector Mederos informed the Board that the property was first notified of the violations on 11/21/05. Ms. Roche said, "So, it has taken two years for the property owner to go ahead and hire an engineer to finally do this under the threat of getting liens against the property."

Ms. Parrish said she had not attended the May hearing, but had sent a fax to Inspector Spence-Brown requesting 90 days.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to grant a 60-day extension to 8/28/07. Board unanimously approved.

Case: CE06041818

Request for Extension

Nancy Mohr Cruz, 1/2 interest
William Cruz
1332 North Andrews Avenue

Ms. Mohammed announced that this case was first heard 2/27/07 to comply by 6/26/07: 3 sections at \$50 per day each. The property was not complied, and the respondent was requesting an extension of time.

Ms. Nancy Cruz, owner, said the after-the-fact permit for the fence had been issued. The outstanding violation was for the shed they had rebuilt without a permit after their old shed was torn down by Hurricane Wilma. Ms. Cruz was having difficulty finding an architect to draw plans for the shed to submit for a permit.

Mr. Mohammed Malik, Building Inspector, suspected a variance would be needed for the structure. He explained that this was a concrete-walled structure with a roof, situated within the setback, so it could never be permitted without a variance. Mr. Phillips doubted a variance would be granted for a self-created hardship.

Mr. Phillips was concerned about the safety of neighboring properties, but Ms. Cruz stated her husband had "overbuilt" the shed and used hurricane straps for the roof. Inspector Malik confirmed that demolition was an option for compliance. A permit was not needed to demolish an illegal structure, but would be needed to remove the electric.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to grant a 60-day extension, to 8/28/07. Board unanimously approved.

Case: CE06110989
CABO 6795 LLC
6795 Northwest 17th Avenue

Hearing to Impose Fine

Ms. Mohammed announced that this case was originally heard on 1/23/07 with compliance ordered by 3/27/07: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of a \$4,500 fine and its continued accrual until the property was complied.

Mr. Robert Symington, owner, said he was awaiting the final fire inspection.

Mr. Jorge Mederos, Fire Inspector, said Inspector Spence-Brown had left him a note to continue the fines on this case. Mr. Symington said the spray booth did have an annual inspection tag, but Inspector Mederos explained that inspection tags were provided even if the system failed fire inspection.

Inspector Mederos explained that a state-licensed contractor must inspect the booth, then the booth must pass fire final inspection in order to comply. Ms. Roche pointed out that the citation only mentioned the lack of an annual service tag; it did not specify a need for a permit or inspection.

Mr. Phillips suggested they grant a 30-day extension to prevent fines accruing until their next hearing when Inspector Spence-Brown could address the Board. Mr. Symington said he would be out of state next month and requested an extension to August.

Motion made by Mr. Phillips, seconded by Ms. Ellis, to grant a 60-day extension to 8/28/07. Board unanimously approved.

Case: CE06061015
Toccaro Williams
2051 Northwest 28th Avenue

Hearing to Impose Fine

Ms. Mohammed announced that this case was first heard 2/27/07 to comply by 4/24/07: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of a \$3,100 fine and its continued accrual until the property was complied.

Ms. Toccaro Williams, owner, requested a 60-day extension. She explained that she had already hired a roofer who was hiring a contractor.

Mr. Wayne Strawn, Building Inspector, explained that Ms. Williams' contractor had been planning to do some work for which he was not licensed, but was now finding the proper contractors.

Motion made by Ms. Sheppard, seconded by Mr. Elfman, to grant a 60-day extension to 8/28/07. Board unanimously approved.

Case: CE06082131

Kevin R. Gallagher & Rayo Moreno
1736 Southwest 30th Place

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

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

- 105.1 : THE BUILDING HAS BEEN RE-ROOFED WITHOUT OBTAINING A PERMIT.

Inspector Strawn said he had spoken to the owner, who acknowledged the roofing work had been done without a permit, and who had requested 60 days, or \$25 per day. Ms. Rayo Moreno, owner, said they had repaired, not replaced, the roof without a permit.

Motion made by Mr. Greenfield, seconded by Mr. Mitchell, to order compliance within 60 days or \$25 per day. Board unanimously approved.

Case: CE06051992

Request for Extension

Luis & Aleidy Ramirez
3341 Southwest 20th Street

Ms. Mohammed announced that this case was first heard 3/27/07 to comply by 5/22/07: 1 sections at \$50 per day. The property was not complied, and the respondent was requesting an extension of time.

Ms. Aleidy Ramirez, owner, stated they had applied for the after-the-fact permit for the pavers, fence and windows. The permits had been issued, and she requested another 60 days.

Mr. Jorg Hruschka, Building Inspector, stated he had no objection to an extension.

Ms. Ramirez explained she needed additional time because she predicted the fence would fail inspection and would need repair.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to grant a 60-day extension to 8/28/07. Board unanimously approved.

Case: CE07030738

Request for Extension

Christopher Cartwright
2609 Northeast 26th Street

Ms. Mohammed announced that this case was first heard 4/24/07 to comply by 6/26/07: 1 section at \$50 per day. The property was not complied, and the respondent was requesting additional time to comply.

Mr. Christopher Cartwright, owner, explained that he had obtained all of the permits, and that the roof and electrical work was complete and had passed inspection. The windows required one more inspection. He requested 30 days.

Mr. Jorg Hruschka, Building Inspector, reported that the shutters had failed for a minor issue, and he did not object to an extension.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to grant a 30-day extension to 7/24/07. Board unanimously approved.

Case: CE06061317 Request for Extension
Beverly A. Johnson
880 Southeast 12th Street

Ms. Mohammed announced that this case was first heard 4/24/07 to comply by 6/26/07: 1 section at \$100 per day. The property was not complied, and the owner was requesting additional time to comply.

Ms. Beverly Johnson, owner, said she had contacted All Year Heating and Cooling, who had installed the A/C units, and they informed her that they had pulled permits. Inspector Hruschka had informed her this was not true; no permits had been pulled for the A/C units.

Ms. Johnson reported that the Sheriff's office had finally removed the squatters the prior week. She said she would request All Year Heating and Cooling get the permit now to comply the property.

Mr. Jorg Hruschka, Building Inspector, said he had no objection to an extension.

Motion made by Mr. Phillips, seconded by Mr. Elfman, to grant a 30-day extension to 7/24/07. Board unanimously approved.

Case: CE06050522 Request for Extension
D & J Investments LLC
1300 Northwest 65th Place

Ms. Mohammed announced that this case was first heard 7/25/06 to comply by 1/23/07: 5 sections at \$200 per day per violation; extensions had been granted from 2/27/07 to 3/27/07 and from 4/24/07 to 5/22/07 and from 5/22/07-6/26/07. The property was not complied, and the owner was requesting additional time to comply.

Mr. Richard Muldoon, owner, introduced his contractor.

Mr. Kristopher Franklin, contractor, explained that the permit application had received final sign-off and he anticipated it would be issued very soon. Mr. Franklin stated he had hired the architect for the drawings and the City had subsequently wanted an additional building entrance/exit, so the architect had created a new set of drawings.

Mr. Jorge Mederos, Fire Inspector, stated Inspector Spence-Brown had visited on 6/25/07 and three of the original four violations still existed. Inspector Mederos said the property was originally cited on 12/3/04 and Inspector Spence-Brown recommended no extension be granted.

Mr. Muldoon stated he had been working on problems at the property since 2004, and said he had contacted Inspector Spence-Brown's supervisor regarding the violations. Mr. Phillips reminded Mr. Muldoon that there was already the potential for significant fines at the property, and cautioned him to submit any paperwork to the Board for examination prior to the hearing when the Board considers the imposition of fines.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to grant a 30-day extension to 7/24/07. Board unanimously approved.

Case: CE07012044 Request for Extension
Stanley Baumwald Trust
841 Northwest 57th Place

Ms. Mohammed announced that this case was first heard 3/27/07 to comply by 6/26/07: 1 section at \$100 per day. The property was not complied, and the owner was requesting additional time to comply.

[Mr. Mitchell left the hearing at noon]

Mr. Albert Manning, tenant, reported that the permit had been issued and requested 120 more days to complete the work.

Mr. Jorge Mederos, Fire Inspector, said he was not aware the permit had been issued. He informed the Board that the issuance of the permit would comply the property.

Motion made by Mr. Elfman, seconded by Ms. Ellis, to grant a 30-day extension to 7/24/07. Board unanimously approved.

Case: CE07020969
Di-Mi Investments Corp.
1135 South Federal Highway

Ms. Mohammed announced that certified mail sent to the owner and registered agent were accepted on 6/2/07.

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

- FBC 105.1 : THE TENANT SPACE WAS ALTERED AND A DIVIDING WALL SEPARATING THE ADULT AREA FROM THE RETAIL SECTION WAS CONSTRUCTED WITHOUT OBTAINING A PERMIT.
- FBC 105.2.5 : THE ELECTRICAL SYSTEM WAS ALTERED WITHOUT OBTAINING PERMITS INCLUDING BUT NOT LIMITED TO:

- 1) BREAKERS WERE REMOVED OR RELOCATED.
 - 2) EQUIPMENT WAS ADDED INCREASING THE PANEL LOAD.
- NEC 220.10 : EQUIPMENT WAS ADDED WITHOUT PROVIDING THE REQUIRED LOAD CALCULATIONS THROUGH THE PERMITTING PROCESS TO ENSURE THAT WIRING IS ADEQUATE TO HANDLE ADDITIONAL EQUIPMENT LOADS.
 - NEC 400.8 (1) : EXTENSION CORDS HAVE BEEN USED AS A SUBSTITUTE FOR THE FIXED WIRING FOR COOLERS AND OTHER RESTAURANT EQUIPMENT.

Withdrawn:

- 47-19.4 D.7. : THE EXISTING BULK CONTAINER ENCLOSURE DOES NOT COMPLY WITH REQUIREMENTS FOR A FOOD HANDLING OPERATION. THERE IS NO RAISED CONCRETE SLAB WITH A DRAIN AND CLEANING WATER FACILITY.
- NEC 110.12 (a) : BREAKER PANELS HAVE MULTIPLE BREAKER COVERS MISSING.

Inspector Strawn informed the Board that the owner had signed a stipulated agreement to comply within 60 days or \$50 per day, per violation.

Mr. J. S. Benjamin, attorney for the tenant, said the landlord, on behalf of the tenant, had entered into the agreement. He said the contractor had already done all of the electrical work, and the only remaining item was a wall that required a permit. Inspector Strawn confirmed that the dumpster violation had been withdrawn, and the stipulated agreement only concerned FBC 105.1, FBC 105.2.5, NEC 220.10 and NEC 400.8 (1). Inspector Strawn said he had heard from the architect who was drawing the plans for the dividing wall. He noted that electrical permits still must be pulled to install new receptacles to replace the extension cords.

Motion made by Mr. Phillips, seconded by Ms. Ellis, to find in favor of the City, approve the stipulated agreement, and order compliance within 60 days or a fine of \$50 per day, per violation. Board unanimously approved.

[The Board recessed for lunch from 12:08 to 12:22]

Case: CE06121030

NBT Holdings Co.
1460 Southwest 28th Street

Ms. Mohammed announced that certified mail sent to the owner and an officer of the company were accepted [no date] and the inspector had a stipulated agreement with the owner to comply.

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

- 9-280(b) :
 - 1) EXTERIOR DOOR IS NOT MAINTAINED AND NOT WATERTIGHT.
 - 2) THE FRONT SCREEN DOOR IS IN DISREPAIR.

- 3) THE CARPORT ROOF IS NOT MAINTAINED. THE RAFTERS AND DECKING ARE TERMITE AND WOOD ROT DAMAGED.
- FBC 105.1 : THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING THE REQUIRED PERMITS. THE WORK INCLUDES, BUT MAY NOT BE LIMITED TO:
 - 1) WINDOWS REPLACED ON THE EAST SIDE.
 - 2) A SHELTER HOUSING THE WATER HEATER HAS BEEN ATTACHED TO THE WEST EXPOSURE OF THE BUILDING.
 - 3) AN ALUMINUM SCREEN ENCLOSURE HAS BEEN INSTALLED IN THE OPENINGS OF THE FRONT PORCH AREA.
 - 4) ENTRY DOOR AT WEST SIDE WAS REPLACED.
 - 5) NEW KITCHEN CABINETS AND COUNTER INSTALLED.
 - FBC 105.2.11 : A CENTRAL AIR CONDITIONING SYSTEM HAS BEEN INSTALLED WITHOUT OBTAINING THE REQUIRED PERMIT.
 - FBC 105.2.4 : THE PLUMBING SYSTEMS WERE ALTERED WITHOUT OBTAINING THE REQUIRED PERMITS, INCLUDING BUT NOT LIMITED TO:
 - 1) CLEAN OUT COVERS FOR SEWER LINES ARE MISSING.
 - 2) A GAS FIRED HOT WATER HEATER HAS BEEN INSTALLED OUTSIDE OF THE BUILDING AND A NEW KITCHEN SINK INSTALLED.
 - FBC 105.2.5 : THE ELECTRICAL SYSTEMS WERE ALTERED WITHOUT OBTAINING THE REQUIRED PERMITS, INCLUDING BUT NOT LIMITED TO: GENERAL PREMISE WIRING, INCLUDING BUT NOT LIMITED TO THE CARPORT LIGHTING.

Complied:

- 9-281(b) : TRASH, AND DEBRIS OF VARIOUS DESCRIPTIONS INCLUDING, BUT NOT LIMITED TO, A SHOPPING CART AND A BICYCLE HAVE BEEN DEPOSITED IN THE SIDE AND REAR YARD.

Inspector Strawn explained that the owner had informed him that he wanted to replace the water heating system, which would go out to bid, and Inspector Strawn had recommended 122 days to comply. Inspector Strawn said 9-281(b) was now complied, and he had a stipulated agreement with the owner to comply the remaining violations within 122 days or \$50 per day, per violation.

Motion made by Ms. Ellis, seconded by Mr. Phillips, to find in favor of the City, approve the stipulated agreement, and order compliance within 122 days, to 10/23/07, or \$50 per day, per violation. Board unanimously approved.

Case: CE07030177

Tammi Molinet
915 Cordova Road

Ms. Mohammed announced that certified mail sent to the owner was accepted on 6/4/07 and the inspector had a stipulated agreement with the owner to comply.

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

- FBC 105.1 : A REPLACEMENT DOCK WAS BUILT WITH NEW PILES AND ADDITIONAL DOLPHIN PILES WERE INSTALLED WITHOUT OBTAINING THE NECESSARY APPROVALS AND BUILDING PERMITS.
- 8-144. : THE DOCK WAS REPLACED AND PILINGS WERE ADDED WITHOUT OBTAINING PERMISSION FROM THE COMMISSION OR THE REQUIRED BUILDING PERMITS FROM THE CITY.

Inspector Strawn said he had met with the owner, who had signed a stipulated agreement to comply within 120 days, by 10/23/07, or \$50 per day, per violation.

Motion made by Mr. Phillips, seconded by Ms. Ellis, to find in favor of the City, approve the stipulated agreement, and order compliance within 120 days, by 10/23/07, or \$50 per day, per violation. Board unanimously approved.

Case: CE07030857

Michel & Tania Ouaknine Inc.
519 Northwest 23rd Avenue

Ms. Mohammed announced that certified mail sent to the owner and a director were accepted on 6/5/07 and the inspector had a stipulated agreement with the owner to comply.

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

- 47-20.20.H. : THE PARKING LOT STRIPING HAS FADED TO A LARGE EXTENT.
- 9-278(e) : THE VENTILATION OF EACH MOTEL ROOM HAS BEEN COMPROMISED BY THE REMOVAL AND REPLACEMENT OF THE ORIGINAL WINDOWS. THE REPLACEMENTS ARE FIXED PANES THAT DO NOT OPEN.
- 9-279(g) : WATER HEATER NOT MAINTAINED SAFE AS REQUIRED. THE INSTALLATION WAS NOT INSPECTED AND APPROVED.
- 9-280(b) :
 - 1) WINDOWS ARE INOPERABLE OR MISSING GLASS.
 - 2) BATHROOM WALLS HAVE HOLES AND MISSING PLASTER.
 - 3) SOFFIT IN DISREPAIR.
 - 4) STEEL SUPPORT POST FOR FRONT ROOF PROJECTION IS RUSTED OFF AT THE BASE.
- 9-280(c) : THE FRONT PORCH ROOF PROJECTION IS NOT SUPPORTED PROPERLY. THE STEEL COLUMN IS RUSTED OFF.
- 9-280(g) : THE ELECTRICAL SYSTEM IS NOT BEING MAINTAINED SAFE.
- FBC 105.1 : THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:
 - 1) WINDOWS AND DOORS HAVE BEEN REPLACED THROUGHOUT BUILDING.
 - 2) KITCHEN CABINETS AND COUNTERS INSTALLED.
 - 3) A WOODEN POST (4 X 4) HAS BEEN INSTALLED TO SUPPORT THE PORCH ROOF PROJECTION IN FRONT. THIS

IS A STRUCTURAL REPAIR ATTEMPT. THE ORIGINAL STEEL COLUMN HAS RUSTED OFF AT THE BASE.

- 4) NEW VANITIES INSTALLED IN EVERY ROOM.
 - 5) RAFTER REPLACEMENT IN THE LAUNDRY ROOM.
 - 6) AWNINGS INSTALLED OVER ALL WINDOWS.
- FBC 105.2.11 : AIR CONDITIONING UNITS HAVE BEEN REPLACED IN ALL THE ROOMS WITHOUT OBTAINING THE REQUIRED PERMITS.
 - FBC 105.2.4 : THE PLUMBING SYSTEM HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:
 - 1) ALL LAVATORIES IN THE RENTAL ROOMS HAVE BEEN REPLACED.
 - 2) LARGE ELECTRIC WATER HEATER WAS INSTALLED IN LAUNDRY ROOM.
 - 3) KITCHEN SINK INSTALLED IN THE FRONT APARTMENT.
 - 4) BATHROOM FIXTURES CHANGED OUT.
 - 5) SOLAR WATER HEATING SYSTEM INSTALLED WITH PANELS ON ROOF.
 - 6) SOIL PIPE REPAIR/REPLACEMENT ON THE SOUTH EXPOSURE OF THE BUILDING.
 - FBC 105.2.5 : THE ELECTRICAL SYSTEM HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:
 - 1) NEW CIRCUITS FOR MOTEL ROOM LIGHTING (WIREMOLD APPLICATION) INCLUDING NEW SWITCHES AND FIXTURES.
 - 2) NEW CIRCUITS AND RECEPTACLES IN FRONT ROOM (M.C.CABLE INSTALLATION).
 - 3) NEW CIRCUIT FOR LARGE ELECTRIC WATER HEATER INSTALLED IN LAUNDRY ROOM.
 - 4) NEW CIRCUITS FOR A CAMERA SYSTEM INSTALLED THROUGHOUT THE BUILDING (LOW VOLTAGE SYSTEM).
 - FBC-M 402.3.1 : THE MEN'S ROOM DOES NOT HAVE MECHANICAL VENTILATION AND THE WINDOW DOES NOT OPEN.
 - NEC 90.1 (A) : FEEDER CONDUIT AND WIRING TO LAUNDRY IS SEVERELY DETERIORATED.
 - NEC 90.1 (B) : WIRING AND CONDUIT FOUND BROKEN, HANGING AND NOT SECURED PROPERLY.

Inspector Strawn reported he had met with the property owner, who had signed a stipulated agreement to comply all violations within 90 days, by 9/25/07 or \$50 per day, per violation.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to find in favor of the City, approve the stipulated agreement, and order compliance within 90 days or \$50 per day, per violation. Board unanimously approved.

Case: CE07021449

Request for Extension

William & Mary Buck
4836 Northeast 23rd Avenue # 25

Ms. Mohammed announced that this case was first heard 4/24/07 to comply by 5/22/07: 1 section at \$50 per day. The property was not complied, and the owner was requesting additional time to comply.

Mr. Jorg Hruschka, Building Inspector, reported he had spoken to owner and agreed to request a 30-day extension on his behalf. He stated all permit applications had been submitted, and he hoped the issues would be resolved in the next 30 days.

Motion made by Mr. Phillips, seconded by Mr. Elfman, to grant a 30-day extension to 7/24/07. Board unanimously approved.

Case: CE06010060

Hearing to Impose Fine

John & Valeria Natali Smigiel
1616 Southwest 18th Avenue

Ms. Mohammed announced that this case was first heard 10/24/06 to comply by 1/23/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$15,300 fine and its continued accrual until the property was complied. Ms. Mohammed informed the board that the owner had been notified of this hearing via posting at the property.

Mr. Jorg Hruschka, Building Inspector, reported he had performed a site inspection and permit review, and there was no application on file, or evidence of compliance. He recommended imposition of the fines.

Motion made by Mr. Phillips, seconded by Ms. Ellis, to find the Board's order was not complied with by the ordered date, and to impose the \$15,300 fine and continue its accrual until the property was complied. Board unanimously approved.

Case: CE06040792

Hearing to Impose Fine

James & Karel Harrell
3117 Southwest 16th Street

Ms. Mohammed announced that this case was first heard 11/28/06 to comply by 2/27/07: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of a \$5,900 fine and its continued accrual until the property was complied.

Mr. Jorg Hruschka, Building Inspector, reported he had hand delivered the posting notice for this hearing on 6/4/07, and he had seen no evidence of compliance at the property.

Motion made by Mr. Phillips, seconded by Ms. Ellis, to find the Board's order was not complied with by the ordered date, and to impose the \$5,900 fine and continue its accrual until the property was complied. Board unanimously approved.

Case: CE06070348

Hearing to Impose Fine

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

Ms. Mohammed announced that this case was first heard 10/24/06 to comply by 1/24/07: 4 section at \$100 per day each. The property was complied and the City was requesting imposition of a \$15,700 fine.

Ms. Mohammed confirmed that the owner and registered agent were both notified of today's hearing.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to find the Board's order was not complied with by the ordered date, and to impose the \$15,700 fine. Board unanimously approved.

Case: CE06061888

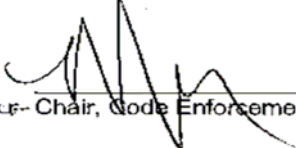
St. James Lodge #83 Inc.
670 Northwest 22nd Road

Ms. Mohammed announced that this case would be rescheduled due to lack of service.

Approval of Meeting Minutes

Motion made by Ms. Ellis, seconded by Mr. Phillips, to approve the minutes of the Board's May 2007 meeting. Board unanimously approved.

There being no further business to come before the Board, the meeting adjourned at 12:43 P.M.


Vice-Chair, Code Enforcement Board

ATTEST:


CLERK, CODE ENFORCEMENT BOARD

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