

CODE ENFORCEMENT BOARD

City Commission Meeting Room

100 North Andrews Avenue

September 25, 2007

10:00 A.M. – 1:05 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	P	7	1
Myrnabelle Roche, Vice Chair	A	5	3
Howard Elfman	P	7	0
Genia Ellis	P	7	0
John Greenfield [left at 11:30]	P	5	0
Sam Mitchell	P	7	1
John Phillips [10:29]	P	7	1
Patricia Rathburn [alternate]	A	0	4
Jan Sheppard [alternate]	A	3	3
Doug White [alternate]	P	3	1

Staff Present

Assistant City Attorney

Bruce Jolly, Board Attorney

Farida Mohammed, Clerk, Code Enforcement Board

Debra Maxey, Clerk III

Mark Campbell, Secretary, Code Enforcement Board

John Gossman, Code Enforcement Supervisor

Brian McKelligett, Administrative Assistant II

Thomas Clements, Fire Inspector

Wayne Strawn, Building Inspector

Jorg Hruschka, Building Inspector

Mohammed Malik, Building Inspector

Jamie Opperlee, Recording Secretary

Ivett Spence-Brown, Fire Inspector

Also Present:

CE03120005; CE07071480: John Bria, owner

CE05120450: Cesar Rojas, owner

CE07030857: Tania Ouaknine, owner

CE06070690: Carlos Molina, owner's representative

CE05121386: Jean Luc Veraguas, owner

CE06050522: Richard Muldoon, owner

CE06041818: Nancy Cruz, owner, William Cruz, owner

CE05080204: Jeffrey Cartwright, owner's attorney

CE06030178: Gina Von Elbe, owner

CE06111667: Harry Winderman, attorney, Bennett Gamel, neighbor

CE04100313: James LaBussiere, apartment manager

CE07061043; CE07061040: Amjad Hammad, owner
CE06051992: Luis Ibanez, owner
CE06091348: John Pineros, owner's representative
CE07040546: 07040525: Mike Small, property manager
CE07040542: Bradley Young, project manager
CE05120448: Mike Lauro, owner; Douglas Bruza, general contractor
CE04060813: Constantin Foca, owner, Cesar Sorto, attorney
CE04100313: Abraham Narkes, owner

Chair Rafter called the meeting to order at 10:03 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.

Mr. Mitchell mentioned two cases the Board had heard in the past few months that he continued to think about. Both were properties against which the Board had imposed fines greater than \$500,000. Nils Olsen: Case CE04020709, and Cornelius Hall: Case 9105799. Mr. Mitchell noted that both of these homes were probably worth less than the fines they had imposed, which would create severe hardship for the owners, and the liens would prevent the owners from obtaining financing to repair them. He requested that these cases be reconsidered to allow the property owners another opportunity to request adjustment of the fines.

The Assistant City Attorney explained this could not be done because the statute and ordinance provided that once the lien was recorded, the only entity that could settle the lien for less than the face value was the City Commission.

The Assistant City Attorney explained to Mr. Mitchell that when the Board was requested to vacate an existing order, this was due to a defect the City discovered and was now correcting.

Mr. Mitchell asked about the process by which cases were presented to the City Commission for mitigation. The Assistant City Attorney stated the City Commission had delegated authority to the City Manager for his staff to meet with an owner once a property was in compliance and determine if there were mitigating circumstances warranting a recommendation to reduce the lien amount. The City Manager presented a list of settlement proposals to the City Commission; these were discussed, and the Commission made a decision.

Mr. Mitchell said he was very concerned that these property owners could not make repairs with these liens against the property. Mr. Jolly said the time to consider this was when the cases were presented to the Board. The Assistant City Attorney noted that once the Board had imposed the fines and staff recorded the lien, the Code Enforcement Board lost jurisdiction over the case.

Case: CE06041818

Hearing to impose fine

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, per violation. Time for compliance was extended from 6/26/07 to 8/28/07. The property was complied and the City was recommending no fine be imposed [reduced from \$1,050].

Ms. Nancy Cruz, owner, explained how she had unsuccessfully tried to get an architect to create plans, and had consulted with Mr. Morris regarding the best course of action. They had determined the shed and air conditioner must be removed, which she had hired a contractor to do.

Mr. Mohammed Malik, Building Inspector, confirmed the property was complied because the shed and air conditioner had been removed and there was a permit issued for the fence.

Motion made by Mr. Mitchell, seconded by Mr. Greenfield, to impose no fine. 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 section at \$50 per day. Time for compliance was extended from 6/26/07 to 8/28/07. The property was not complied, and the respondent was requesting additional time.

Mr. Luis Ramirez, owner, said he had passed paver inspection, and he was working with the architect regarding plans for the gates. Mr. Ramirez said he would get the fence permit this week, but needed additional time to be able to afford the windows.

Mr. Jorg Hruschka, building Inspector, stated he had no objection to a 90-day extension. He wanted to allow Mr. Ramirez the time for the windows.

Motion made by Mr. White, seconded by Ms. Ellis, to grant a 120-day extension to 1/22/08. Board unanimously approved.

[Mr. Phillips arrived at 10:29]

Case: CE07030857

Request for extension

Michel & Tania Ouaknine Inc.
519 Northwest 23rd Avenue

Ms. Mohammed announced that this case was first heard 6/26/07 to comply by 9/25/07: 13 sections at \$50 per day, per violation. The property was not complied, and the respondent was requesting additional time.

Ms. Tania Ouaknine, owner, remarked on how difficult it had been to find a contractor. She said she had already replaced the smoke detectors and repaired the electrical work, and was in the process of installing windows. She requested at least a 3-month extension.

Ms. Ouaknine said one of the eight units was occupied. The other units were periodically occupied.

Mr. Wayne Strawn, Building Inspector, said the serious electrical issues had been addressed, and there was an active permit for the windows. Inspector Strawn said it would not be a large issue for an electrical contractor to legitimize any of the work done without permits. He said he opposed a long extension because of lack of progress. He said there were no immediate life safety issues, and did not object to a 60-day extension.

Motion made by Ms. Ellis, seconded by Mr. Phillips, to grant a 60-day extension. In a roll call vote, with Mr. Elfman, Mr. Mitchell and Mr. White opposed, Board approved 4 - 3.

Case: CE07071480

John & Georgiann Bria
219 Southwest 21st Terrace

Ms. Mohammed announced that certified mail sent to the owner was accepted on 8/23/07.

Mr. Thomas Clements, Fire Inspector, testified to the following violation:
NFPA 33 15.5

THERE IS NO AUTOMATIC FIRE PROTECTION FOR THE
POWDER COATING BOOTHS.

Inspector Clements said plans had been submitted, but had not passed the review process yet. He recommended ordering compliance within 60 days or a fine of \$150 per day.

Mr. John Bria, owner, said Inspector Clements was referring to a fire suppression system on the powder booth, which had been installed, but he was awaiting inspection.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to find in favor of the City and order compliance within 60 days or a fine of \$150 per day. Board unanimously approved.

Case: CE03120005

Request for extension

John & Georgiann Bria
219 Southwest 21st Terrace

Ms. Mohammed announced that this case was first heard on 3/23/04 with compliance ordered by 7/21/04: 2 sections at \$100 per day, per violation. The extensions were noted on the agenda. The property was not complied and the owner was requesting additional time.

Mr. Jorg Hruschka, Building Inspector, stated he believed Mr. Bria's assertion that he had a permit, and had no objection to a 60-day extension.

Mr. Phillips thought that since the citation was issued for completing work without a permit, once the permit was issued the property was complied. Mr. Jolly recommended a 60-day extension so the inspector could confirm the permit.

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

Case: CE06111667

Request for Extension

Phillip Brown
2886 Northeast 26th Place

Ms. Mohammed announced that this case was first heard 2/27/07 to comply by 5/22/07: 9 sections at \$25 per day, per violation. Time for compliance was extended from 5/22/07 to 9/25/07. The property was not complied and the owner was requesting additional time to comply.

Mr. Harry Winderman, attorney, explained that his client's father had died recently, and the estate was complicated. He said Mr. Brown had met with the Building Inspector. Mr. Winderman explained that once the estate was settled his client could afford the repairs.

Mr. Wayne Strawn, Building Inspector, said he opposed an extension because no progress had been made so far. He stated there were 15 unresolved permits, dating from 1998. These had been renewed once, which was all that was allowed. New plans must now be submitted for new permits.

Mr. Winderman confirmed that the property was for sale, but acknowledged that his client must make the repairs prior to selling it.

Mr. Bennett Gamel, neighbor, said he had met the owner when he purchased the property immediately to the west approximately a year ago. Mr. Brown had explained there was a lawsuit with the home's developer that was taking time to resolve. Mr. Gamel said he never complained about the condition of Mr. Brown's property, but Mr. Brown had called Code Enforcement and the Police several times regarding Mr. Gamel's construction on his property. He asked the Board not to allow any more extensions, because "something needs to get moving."

Mr. Winderman said Mr. Gamel "obviously is very disgruntled" because he and his client had met with Building and Zoning regarding Mr. Gamel's property violations. Mr. Winderman reiterated that the problem here was money and imposing fines would not move the situation along any quicker. He assured the Board that as soon as the funds from the estate were available the property would be repaired.

Motion made by Mr. White, seconded by Mr. Mitchell, to grant a 30-day extension. In a roll call vote, Board unanimously **denied** 0 - 7.

Case: CE05120450

Request for Extension

D & D Resources LLC
400 Northeast 13th Street
Tenant: Valvoline Express

Ms. Mohammed 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. Extensions were listed on the agenda. The property was not complied and the respondent was requesting additional time.

Mr. Cesar Rojas, tenant, reported there had been significant progress in the last 30 days. He had submitted an application for the painting permit on September 21 and he believed he would have the permit within a week. Once he had the permit he could call for immediate inspection.

Mr. Rojas said he had spoken with Inspector Malik, and they had agreed to allow him another 60 days.

Mr. Mohammed Malik, Building Inspector, confirmed Mr. Rojas had submitted the application, and he had no objection to the extension.

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

Case: CE04100313

Request for extension

Abraham & Ruth Narkes
3090 West Broward Boulevard # B

Ms. Mohammed announced that this case was originally heard on 10/26/04 with compliance ordered by 1/25/05: 1 section at \$50 per day. An extension had been

granted from 8/28/07 to 9/25/07. The property was not complied and the owner was requesting additional time.

Mr. Abraham Narkes, owner, explained that a tenant had installed a loft shelf for storage. Mr. Narkes said a permit had been issued but never finalized. He explained that the tenant had already removed all items from the shelf in the event the permit application was denied. Mr. Narkes described this as a 4-foot by 14-foot shelf with a staircase leading up to it.

Mr. Narkes said the tenant had received notice of the hearings, but had never made him aware of this and had never attended the hearings himself. This was how fines had begun to accrue without Mr. Narkes's knowledge.

Mr. Narkes said they had applied for another permit on 9/21/07 for the shelf, using the same plans that had been rejected earlier. He explained they had been rejected because electric and smoke detectors must be installed and this had now been done.

Mr. Mitchell recommended that the shelf be removed until the permit could be obtained.

Mr. Thomas Clements, Fire Inspector, confirmed that NFPA 101 7.9.2.1 was complied. He explained that the plans had passed fire review for the original permit; the electrical work had included the smoke detectors and this was another issue. Inspector Clements said he did not know why the smoke detector had been included because it was not required in a warehouse structure.

Inspector Clements said the records showed that the permit for the mezzanine was voided. He said because the structure had a handrail and stairs, it was not a shelf, but a mezzanine or loft. It was designed to facilitate work on transmissions. He confirmed that if the mezzanine were removed, there would be no violation.

There was confusion regarding what had transpired with the original electrical permit, and Mr. Phillips suggested staff check on this and they would recall the case later on.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to return to the case later on in the hearing. Board unanimously approved

Upon returning to the case, Inspector Clements reported that the application for permit number 04041606 was submitted on 4/20/04, was returned to the plans room with notes, and was voided on 10/31/05 because the plans had never been returned to the Building Department. This was a permit for a loft. Application for permit number 07091354 for the construction of an interior storage lofts was submitted on 9/21/07, but had not been printed yet. Mr. Clemens read a definition of the word loft, indicating it referred to an upper story or attic which did not constitute an entire floor and typically left one or more sides open, used either for storage or some other specific purpose. He believed this structure clearly satisfied the definition of a loft.

Inspector Clements reported the permit for the smoke detectors had been issued and the number of the building permit was indicated in the notes, but the smoke detector permit was not tied to it as a main permit. Inspector Clements recommended a 60-day extension for Mr. Narkes to determine what he would do: get a permit or tear the structure down.

Mr. Narkes said in 2004 he had lost a 16-year-old son in an auto accident and he was incapacitated for two years and managers had taken care of his affairs. Mr. Narkes said the tenant had attempted to do the right thing by applying for the permits.

Motion made by Mr. White, seconded by Mr. Mitchell, to grant a 60-day extension. 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 \$25 per day, per violation. Extensions had been granted from 2/27/07 to 6/26/07, from 6/26/07 to 9/25/07. The property was not complied and the owner was requesting additional time.

Mr. Jean Luc Veraguas, owner, requested a 60-day extension. He explained he had the last permit, and he should complete the work within 60 days.

Mr. Wayne Strawn, Building Inspector, confirmed that only the sidewalk repair remained and said he did not object to a 60-day extension.

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

Case: CE06030178

Request for extension

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

Ms. Mohammed announced that this case was originally heard on 11/28/06 with compliance ordered by 1/23/07: 1 section at \$50 per day. An extension had been granted from 8/28/07 to 9/25/07. The property was not complied and the respondent was requesting additional time.

Ms. Gina Von Elbe, owner, said she had a contract for the fence and the contractor had applied for the permit on September 12. She requested a 30-day extension.

Mr. Mohammed Malik, Building Inspector, said he had intended to request imposition of fines but the permit application was now pending.

Mr. White wondered why it had taken almost a year to apply for the after-the-fact permit. Ms. Von Elbe said her husband had moved to New York, and she was in Montana with an ailing mother. Someone was checking on the house here, but had not forwarded notices regarding the violations.

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

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

Case: CE05080204

Request for Extension

Viren Amin
1341 Holly Heights Drive

Ms. Mohammed announced that this case was first heard 9/27/05 to comply by 10/25/05: 8 sections at \$250 per day, per violation. Extensions were noted on the agenda. The property was not complied, and the owner was requesting additional time.

Case: CE05021843

Request for Extension

Viren Amin
1351 Holly Heights Drive

Ms. Mohammed announced that this case was first heard 9/27/05 to comply by 10/25/05: 10 sections at \$250 per day, per violation. Extensions were noted on the agenda. The property was not complied, and the owner was requesting additional time.

Mr. Jeffrey Cartwright, the owner's representative, requested a 60-day extension to complete the work.

Mr. Jorg Hruschka, Building Inspector, had no objection to a 60-day extension for both cases.

Motion made by Mr. Phillips, seconded by Mr. White, to grant a 60-day extension for both cases. 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 section at \$50 per day. Extensions had been granted from 3/27/07 to 6/26/07 and from 6/26/07 until 9/25/07. The property was not complied and the respondent was requesting additional time.

Mr. Mark Lauro, owner, said he had hired a contractor, and applied for the after-the-fact permit. The contractor was working with the insurance company to get a new roof on the building.

Mr. Jorg Hruschka, Building Inspector, said he had spoken to Mr. Lauro and things were moving ahead, but he was concerned because it was still hurricane season. Inspector Hruschka said there were things that could be done in the meantime to secure the temporary roof repair.

Mr. Douglas Bruza, contractor, said Mr. Lauro had been working with his company for two months. He said he was working with the insurance company to get the funds to replace the roof. He stated they would apply for the permit for the roof replacement within the week. Mr. Lauro said approval of the insurance payment was going through the channels right now.

Motion made by Mr. Mitchell, seconded by Ms. Ellis, to grant a 60-day extension. Board unanimously approved.

Case: CE04060813

Constantin Foca
3040 Northeast 40th Court

Hearing to impose fine

Ms. Mohammed announced that this case was originally heard on 10/26/04 with compliance ordered by 4/24/05: 4 sections at \$50 per day each. An extension had been granted from 7/24/07 to 8/28/07. The property was complied and the City was requesting imposition of a \$4,000 fine [reduced from \$152,450].

Mr. Cesar Sorto, attorney, said there had been delays with the architect and the engineer, and a contractor had left the job for Mr. Foca to complete.

Mr. Constantin Foca, owner, said he appreciated the fine reduction. He said he had bought the house sight unseen on the advice of a friend who told him it was in good condition. He had determined the house was in horrible condition and he had begun remodeling without a permit. Mr. Foca said he had gone through three engineers and had one contractor walk off the job.

Mr. Jorg Hruschka, Building Inspector, said he had spoken with Mr. Foca and his Inspector, who had been very responsive. Inspector Hruschka said he did not wish to eliminate the fines entirely because of the expenses incurred by the City for visits made by inspectors.

Mr. Phillips said he did not believe they could impose fines based on the City's expenses. Mr. Jolly said the Board could impose whatever fine they believed appropriate, and they could consider costs in their deliberations.

Motion made by Mr. Phillips, seconded by Mr. Greenfield, to impose no fine. Motion failed 2 – 5 with Mr. Elfman, Ms. Ellis, Mr. Mitchell, Mr. White and Chair Rafter opposed.

Motion made by Mr. White, seconded by Mr. Elfman, to find the property was not complied by the ordered date and to impose a \$4,000 fine. Motion passed 4 – 3 with Ms. Ellis, Mr. Greenfield and Mr. Phillips opposed.

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

Case: CE07040546

Request for Extension

First Industrial LP
4710 Northwest 15th Avenue # C

Ms. Mohammed announced that this case was first heard on 5/22/07 to comply by 9/25/07: 1 section at \$50 per day. The property was not complied and the owner was requesting additional time.

Mr. Michael Small, property manager, explained they had an approved permit, but then the tenant had declared bankruptcy and confirmed he was vacating. Once the tenant had vacated, Mr. small said they now planned to demolish the building. He said the tenant had not provided a date by which they would vacate the property.

Ms. Ivett Spence-Brown, Fire Inspector, opposed any extension. She said the structure inside the building must be removed. She explained the fire plans examiner would not permit it because offices were not permitted inside a warehouse. She noted there was also a life safety issue.

Mr. Phillips stated the owner could take no action against the tenant during bankruptcy proceedings, so the owner could do nothing now. Mr. White asked if the owner could enter the building and remove the illegal construction while the tenant still occupied the building. The Assistant City Attorney was not sure, and said the Board should not consider this. Mr. Phillips said the Board could not operate in a vacuum; because the tenant was in bankruptcy, the owner's hands were tied.

Motion made by Mr. White to find the violations were not complied by the ordered date and to impose a fine of \$50 per day for each day the property was out of compliance and continue the fine accrual until the property is complied. Mr. White withdrew this motion.

Motion made by Mr. White, seconded by Mr. Phillips, to grant a 60-day extension. Motion passed 6 – 1 with Mr. White opposed.

[Mr. Greenfield left the hearing at 11:30]

Case: CE07040525

Request for extension

First Industrial LP
4750 Northwest 15th Avenue

Ms. Mohammed announced that this case was first heard on 5/22/07 to comply by 9/25/07: 1 section at \$50 per day. The property was not complied and the owner was requesting additional time.

Mr. Michael Small, owner, requested a 60-day extension.

Ms. Ivett Spence-Brown, Fire Inspector, said the office permit would be denied in this building as well because this was airport property, and it was not permitted. She stated structural, fire, and zoning had all denied the application, and this was a life safety issue.

Mr. Small said he had met with Terry Burgess on July 30, who advised him to refile the plans, which he had done. They had been denied for zoning, and Mr. Small had another meeting scheduled with Mr. Burgess for October 15. He confirmed this was for different tenant from the previous case.

Mr. White was concerned about the fire safety risk.

Motion made by Mr. Mitchell, seconded by Ms. Ellis, grant a 30-day extension. Motion failed 2 – 4 with Mr. Elfman, Mr. Mitchell Mr. White and Chair Rafter opposed.

Mr. Phillips believed that zoning was the holdup in this case, and wanted to wait for Mr. Small to meet with Terry Burgess on October 15. Mr. McKelligett said it was possible that the permits would be approved, but then they would not be licensed to operate this business at this location, so the Board should not consider this.

Motion made by Mr. Phillips, seconded by Ms. Ellis, to grant a 60-day extension. Motion passed 5 – 1 with Mr. White opposed.

Case: CE07040542

Request for extension

Victoria's Corporate Plaza LLC
6245 Northwest 9th Avenue

Ms. Mohammed announced that this case was originally heard on 5/22/07 with compliance ordered by 7/24/07: 2 sections at \$100 per day, per violation. An extension had been granted from 8/28/07 to 9/25/07. The property was not complied and the respondent was requesting additional time.

Mr. Brad Young, project manager, reported the flow test had been conducted, and the results sent to his engineer. The engineer had been sent him revised drawings, which he would drop off today. He hoped to have the permit within the next 30 days and said he would return in 30 days.

Ms. Ivett Spence-Brown, Fire Inspector, stated this was a life safety issue, but it was up to the Board to decide.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to grant a 30-day extension. Motion passed unanimously [5 – 0] with Mr. White absent from the dais.

Case: CE06091348

Request for Extension

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. The actions of the Code Enforcement Board were noted on the agenda. The property was not complied and the respondent was requesting additional time.

Mr. John Gomez, representative of the owner, said they had tried to resolve the situation. He said they had the permit for the windows and the shutters and had applied for the AC permit. Mr. Gomez said they needed sealed plans from the architect for the inspection, but the architect was in Miami. Mr. Gomez said they had already signed a contract with the contractor, and provided all other information for the permit. He requested a 60-day extension.

Mr. Jorg Hruschka, Building Inspector, said he supported the request for an extension.

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

Case: CE06070690

Request for extension

Villas Florence Inc
1114-1116 Southwest 4th Street

Ms. Mohammed announced that this case was first heard 5/22/07 to comply by 9/25/07: 8 sections at \$50 per day, per violation. The property was not complied and the owner was requesting additional time.

Mr. Carlos Molina, the owner's representative, said they had submitted applications for eight permits. Mr. Molina said he had appeared before the Historic Preservation Board on September 13 and obtained a certificate of appropriateness for the work. He said the contractor had requested 90 days after the permits were issued to complete the work.

Mr. Wayne Strawn, Building Inspector, said he had seen the applications, and did not oppose the request for an extension.

Motion made by Mr. Phillips, seconded by Mr. White, to grant a 120-day extension. Board unanimously approved.

Case: CE07061043

Request for extension

A&M Investments of America LLC
3220 West Broward Boulevard

Ms. Mohammed announced that this case was first heard 8/28/07 to comply by 9/25/07 and 10/23/07: 5 sections at \$50 per day, per violation and 1 section at \$100 per day. The property was not complied and the owner was requesting additional time.

Mr. Amjad Hammad, owner, reported everything was complied except for the permit. He had submitted the plans, which were returned for changes and he had resubmitted them.

Mr. Thomas Clements, Fire Inspector, confirmed that everything except the permit, NFPA 1 1.12.1, was complied. He did not object to a 60-day extension.

Ms. Mohammed noted that NFPA 1 1.12.1 would not accrue fines until 10/23/07, so the Board should grant an extension dating from 10/23/07.

Motion made by Mr. White, seconded by Mr. Elfman, to grant a 90-day extension for Section NFPA 1 1.12.1 from 10/23/07 to 1/20/08. Board unanimously approved.

Case: CE07061040

Request for extension

A & M Investments Of America LLC
3224 West Broward Boulevard

Ms. Mohammed announced that this case was first heard 7/24/07 to comply by 9/25/07: 3 sections at \$50 per day, per violation. The property was not complied and the owner was requesting additional time.

Mr. Amjad Hammad, owner, reported that this was the same as the previous case: everything was complied except for the permit. Corrections to the application had been resubmitted. He requested a 60-day extension.

Mr. Thomas Clements, Fire Inspector, recommended setting the extension date the same as the previous case.

Motion made by Ms. Ellis, seconded by Mr. White, to grant a 120-day extension to 1/20/08. 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 were listed on the agenda. The property was not complied, and the owner was requesting additional time.

Mr. Richard Muldoon, owner, presented photos to the Board, and said the contractor had promised to be finished within two weeks. He noted that the steel was installed for the framing and the steel stairs were complete and ready to be installed.

Ms. Ivett Spence-Brown, Fire Inspector, did not object to a 30-day extension.

Motion made by Mr. White, seconded by Mr. Phillips, to grant a 30-day extension. Board unanimously approved.

[The Board took a break from 12:30 to 12:45]

Case: CE07071620

Stipulated Agreement

D R K of Broward County Inc.
21 Kentucky Avenue

Violations:

NFPA 101 31.3.4.1.1

FIRE ALARM SYSTEM NOT PRESENT.

Complied:

NFPA 101 31.3.4.5.1

HARDWIRE SMOKE DETECTORS NEED TO BE INSTALLED
IN EACH APARTMENT.

Ms. Mohammed announced that the inspector had a stipulated agreement with the owner to comply NFPA 101 31.3.4.1.1 within 60 days or a fine of \$250 per day; NFPA 101 31.3.4.5.1 was complied. Certified mail sent to the owner and the registered agent had been accepted [no date].

Mr. Thomas Clements, Fire Inspector, confirmed he had an agreement with the owner regarding NFPA 101 31.3.4.1.1 to comply within 60 days or a fine of \$250 per day.

Motion made by Mr. Phillips, seconded by Ms. Ellis, to find in favor of the City, approve the stipulated agreement and order compliance with NFPA 101 31.3.4.1.1 within 60 days or a fine of \$250 per day. Board unanimously approved.

Case: CE07082001

Stipulated agreement

Westwood Apartments LLC
445 Southwest 27th Avenue

Ms. Mohammed announced the certified mail sent to the owner was accepted on 9/11/07 and certified mail sent to the registered agent was accepted [no date].

Mr. Thomas Clements, Fire Inspector, testified to the following violations:

NFPA 101 31.3.4.1.1

A FIRE ALARM IS NOT PROVIDED.

NFPA 101 31.3.4.5.1

A HARDWIRED SMOKE DETECTOR HAS TO BE OUTSIDE EVERY

SLEEPING UNIT.

Inspector Clements stated he had a stipulated agreement with the manager, who informed him she was the registered agent, to comply within 60 days or a fine of \$250 per day, per violation. He stated these were life safety issues. The manager had informed him that she already had a contract and the units should be installed within four to six weeks.

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 \$250 per day, per violation. Board unanimously approved.

Case: CE06111420

Antoinette Rowe
320 Southwest 31st Avenue

Ms. Mohammed announced that service was via posting on the property on 9/13/07 and at City Hall on 9/14/07.

Mr. Wayne Strawn, Building Inspector, testified to the following violations:
FBC 105.2.4

THE PLUMBING SYSTEM HAS BEEN ALTERED BY THE
INSTALLATION OF PIPING TO DISPOSE OF THE
GREY-WATER GENERATED BY THE LAUNDRY FACILITY.

FBC 105.1

THE FIRE DAMAGED CARPORT HAS BEEN DEMOLISHED
WITHOUT OBTAINING A PERMIT. THE FIRE DAMAGE
TO THE UTILITY ROOM AND CONNECTING ROOF HAVE
BEEN REPAIRED WITHOUT OBTAINING A PERMIT.

FBC 1612.1.2

THE FIRE DAMAGED RAFTERS THAT HAVE BEEN UTILIZED
IN THE REPAIR ATTEMPT WILL NOT MEET THE DESIGN
STRENGTH REQUIREMENTS TO WITHSTAND ALL LOADS
IMPOSED WITH SAFETY.

Inspector Strawn presented photos of the property and of work completed and a copy of the notice of violation, dated 11/27/06, into evidence and explained this had been an illegally enclosed carport that was damaged in a fire. Inspector Strawn said the fire damage had been covered up without permits or inspection and there was PVC piping for graywater disposal at the rear of the laundry room.

Inspector Strawn said the property looked good and had permits for window replacements, but needed an engineer's report and proper rafter repair. He recommended ordering compliance 60 days or a fine of \$50 per day, per violation.

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

Case: CE07040131

Homer & Tracy Lavon Sapp
405 Northwest 19th Avenue

Ms. Mohammed announced that service was via posting on the property on 9/13/07 and at City Hall on 9/14/07.

Mr. Wayne Strawn, Building Instructor, testified to the following violation:
25-13

THE SWALE HAS BEEN PAVED CREATING A PARKING STRIP
ADJACENT TO THE STREET WITHOUT OBTAINING PERMISSION
FROM THE OFFICE OF THE CITY ENGINEER.

Inspector Strawn presented the inspection report dated 12/26/06 and photos of the property into evidence and informed the Board that a stop work order dated 2/11/05 on the property had been ignored. He explained that he had discovered a porch and carport on the property had been enclosed years ago as well as the work done after the stop work order was issued.

Inspector Strawn described the work done and said he had met with the owner on 12/20/06 and provided him with the inspection report. He noted that the original owner had died in an accident, and the current owners, his heirs, did not seem interested in making the repairs. Inspector Strawn recommended ordering compliance within 60 days or a fine of \$50 per day, per violation. Mr. Mitchell recommended 30 days, as a stop work order had been ignored.

Motion made by Mr. Mitchell, seconded by Mr. White, to find in favor of the City and order compliance within 30 days or a fine of \$50 per day, per violation and to record the order. Board unanimously approved.

Case: CE03110738

AG Palm Crossing 19 LLC
3330 Northwest 53 Street # 301

Request to Vacate order of 6/22/04 and
dismiss

Ms. Mohammed announced the City was requesting vacation of the order dated 6/22/04 and dismissal of the case.

Motion made by Mr. Phillips, seconded by Ms. Ellis, to vacate the order dated 6/22/04 and dismiss the case. Board unanimously approved.

Case: CE04010823
Frank Murphy Halley
1120 Southwest 29th Street

Request to Vacate orders of 7/24/04 and
10/29/04 and dismiss

Ms. Mohammed announced the City was requesting vacation of the orders dated 7/24/04 and 10/29/04 and dismissal of the case.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to vacate the orders dated 7/24/04 and 10/29/04 and dismiss the case. Board unanimously approved.

Approval of meeting minutes

Motion made by Ms. Ellis, seconded by Mr. Phillips, to approve the minutes of the Board's August 28, 2007 meeting. Board unanimously approved.

Cases Complied

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

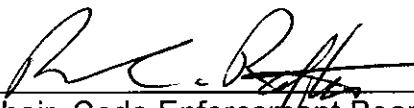
CE07071485 CE07071482

Cases Withdrawn

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

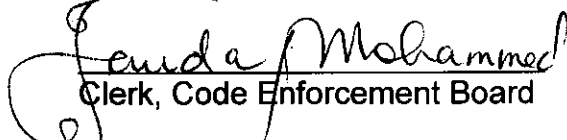
CE06050413 CE06110989

There being no further business to come before the Board, the meeting adjourned at 1:05 P.M.



Chair, Code Enforcement Board

ATTEST:


Clerk, Code Enforcement Board

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