

CODE ENFORCEMENT BOARD
CITY COMMISSION MEETING ROOM
100 NORTH ANDREWS AVENUE
JULY 22, 2008
10:00 A.M. – 1:07 P.M.

<u>Board Members</u>	<u>Attendance</u>	<u>2/2008 through 1/2009</u>	
		<u>Present</u>	<u>Absent</u>
Myrnabelle Roche, Chair	P	5	1
Sam Mitchell, Vice Chair	P	6	0
Howard Elfman	P	6	0
Genia Ellis	P	6	0
John Greenfield	A	3	3
William Lamont	P	1	0
Jan Sheppard	P	5	1
Patricia Rathburn [alternate]	A	0	5
Charles Love [alternate]	A	0	2

Staff Present

Dee Paris, Administrative Aide
 Ginger Wald, Assistant City Attorney
 Bruce Jolly, Board Attorney
 Brian McKelligett, Clerk /Special Magistrate Supervisor
 Joan Edmonson, Secretary, Code Enforcement Board
 Skip Margerum, Code Enforcement Supervisor
 Jorg Hruschka, Building Inspector
 Burt Ford, Building Inspector
 Wayne Strawn, Building Inspector
 Gerry Smilen, Building Inspector
 Thomas Clements, Fire Inspector
 J. Opperlee, Recording Secretary

Also Present:

CE08031207: Mirna Godoy, owner
 CE08041342: Edwena Smith, owner
 CE06120242: Leo Salomon, architect; Alexander Johnson, owner
 CE06040061: Joel Lavender, owner
 CE08031786: Liza Nagle, owner
 CE07030177: Toby Smith, owner's representative
 CE05110537; David Wynter, owner
 CE08051987: Marsha Berry, attorney
 CE07050280: Abelardo Perez, owner
 CE07100487: Sumit Gaddh, owner; David Szczesny, tenant
 CE08042223; CE08041710: Hadiga Haider, owner
 CE08031214: Henry Mazal, building manager
 CE08010779: Abraham Levy, owner
 CE07082053: Joan Dragone, owner; Charles Dragone, owner

CE07071154: Daphne Williams, owner
CE07032161: Sidoles Vilsinnor, owner; Celanie Jgune, owner; Henri St. Jean,
interpreter
CE08040805: Sonia Cooper-Gumbs, owner
CE08030961: Melissa Mallo, manager
CE07101625: Jeffrey Cartwright, owner's representative
CE07101524: Edward Steinhardt, owner
CE05122032: William Hipps, owner

Chair Roche called the meeting to order at 10:07 a.m., introduced the Board and explained the procedures for the hearing.

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

Case: CE06120242

Alexander Johnson
420 Southeast 13 Street

Ms. Paris announced that this case was first heard on 1/22/08 to comply by 7/22/08. Ms. Paris recited violations, compliance dates and potential fines and stated fines would begin to accrue the following day.

Mr. Alexander Johnson, owner, stated he had spoken with the inspector and they agreed to a 6-month extension. He explained that the project was going through the DRC process.

Mr. Wayne Strawn, Building Inspector, stated he had discussed the project with the designer. He said the plans to convert the building were very involved and this was a lengthy process.

Motion made by Mr. Mitchell, seconded by Ms. Sheppard, to grant a 6-month extension to 1/27/09, during which time no fines would accrue. Board unanimously approved.

Case: CE07071154

Daphne Williams & Everton Simpson
3401 Jackson Blvd

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

Mr. Jorg Hruschka, Code Enforcement Officer, testified to the following violations:
FBC 1604.1

THE COLUMNS WERE NOT DESIGNED AND BUILT IN
ACCORDANCE WITH THE STRENGTH REQUIREMENTS FOR THE
LOADS IMPOSED.

FBC 105.1

- 1) A WALL OPENING WAS BLOCKED IN.
- 2) STRUCTURAL SUPPORT COLUMNS IN CARPORT/FRONT

PORCH AREA WERE REPLACED.

Inspector Hruschka explained that two columns had rotted and been replaced by 2 x 4s. The owner was still negotiating with the insurance company regarding the claim, but Inspector Hruschka was concerned what might happen to the 2 x 4s in the event of a hurricane.

Ms. Daphne Williams, owner, said the columns were damaged in the hurricane. She was in the process of dealing with her insurance company, but intended to have the work done.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to find in favor of the City and order compliance by 11/25/08, or a fine of \$25 per day, per violation. Motion passed 5 – 1 with Ms. Sheppard opposed.

Case: CE05122032

William & Judith Hipps
6731 Northwest 29 Avenue

Ms. Paris announced that certified mail sent to the owner was accepted on 7/10/08.

Ms. Paris testified to the following violations:

FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:

- 1) WOOD FENCE WAS INSTALLED WITH AN AFTER THE FACT PERMIT #00011744 ISSUED IN 3/13/2000 - BUT NEVER INSPECTED.
- 2) WINDOWS WERE REPLACED ON THE PROPERTY, NO RECORD OF PERMIT OR INSPECTIONS.
- 3) FRONT DOOR WAS REPLACED, NO PERMIT OR INSPECTION RECORD.

FBC 106.10.3.1

THERE IS AN EXPIRED FENCE "ATF" PERMIT, #00011744, WHICH WAS ISSUED ON 3/13/2000.

FBC 117.1.2

STRUCTURES COMMENCED WITHOUT A PERMIT OR THE PERMIT FOR WHICH HAS EXPIRED PRIOR TO COMPLETION AND NO CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED, SHALL BE PRESUMED AND DEEMED UNSAFE.

FBC 1612.1.2

ALL THE WINDOWS, AND DOOR INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS AND WILL NOT PASS IMPACT TESTS.

Withdrawn:

9-47.(a)(1)

Mr. George Oliva, Building Inspector, said the owner was requesting 6 months to finalize the fence permit. Inspector Oliva recommended ordering compliance within 6 months or a fine of \$50 per day, per violation.

Mr. William Hipps, owner, said he needed clarification regarding the fence, window and door repairs/replacement. Chair Roche explained that these repairs required inspection by the City to ensure they conformed with code.

Ms. Ellis felt 6 months was too long to allow; Mr. Hipps stated his travel schedule would not allow him time to comply. Mr. Mitchell suggested allowing 63 days for a progress report.

Motion made by Mr. Mitchell, seconded by Ms. Sheppard, to find in favor of the City and order compliance within 63 days or a fine of \$50 per day, per violation. Board unanimously approved.

Case: CE07032161

Sidoles Vilsinor
3540 Southwest 12 Place

Ms. Paris announced that this case was first heard on 6/24/08 to comply by 7/22/08. Ms. Paris recited violations, compliance dates and potential fines, and stated the fines would begin to accrue the following day.

Officer Henri St. Jean, Fort Lauderdale Police Department, acted as interpreter for the owner.

Through his interpreter, Mr. Sidoles Vilsinor, owner, disputed the photos indicating he had done work on the property. Chair Roche stated the City had already found the violation existed, and the Board would work with him toward compliance. She acknowledged that this owner had not made the alterations but was still responsible to correct them. Mr. Vilsinor confirmed he understood this.

Mr. Jorg Hruschka, Building Inspector, reported he had spoken with the owner and his wife after the last hearing, and he and Inspector Strawn had reinspect the property to confirm the violations existed as cited.

Mr. Vilsinor said he was applying for the window and door permit.

Inspector Hruschka was concerned about the structural integrity of the building; it was not constructed in compliance with codes. He noted that the construction was also located in the front setback.

Officer St. Jean explained to Mr. Vilsinor that he most likely would need to demolish a portion of the home. Mr. Vilsinor understood this, but asked to be allowed time to

address this. Chair Roche advised Mr. Vilsinor that he had two options: repair the violations or demolish them.

Officer St. Jean agreed to act as Mr. Vilsinor's interpreter in the future if need be.

Motion made by Mr. Mitchell, seconded by Ms. Ellis, to grant a 35-day extension to 8/26/08, during which time no fines would accrue, respondent to appear at that hearing for a progress report. Board unanimously approved.

Case: CE07030177

Tammi Molinet
915 Cordova Rd

Ms. Paris announced that this case was first heard on 6/27/07 to comply by 10/23/07. Ms. Paris recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was recommending no fine be imposed [reduced from \$2,800].

Mr. Toby Smith, owner's representative, reported the work had been done in December, 2007 and explained he had missed the March hearing. He requested no fine be imposed.

Mr. Wayne Strawn, Building Inspector, did not object to abatement of the fine.

Motion made by Mr. Mitchell, seconded by Ms. Ellis, to impose no fine. Board unanimously approved.

Case: CE07050280

Abelardo & Blanca Perez
1600 Northeast 62 Street

Ms. Paris announced that this case was first heard on 5/27/08 to comply by 7/22/08. Ms. Paris recited violations, compliance dates and potential fines, and noted the fines would begin to accrue the following day.

Mr. Abelardo Perez, owner, explained he had painted the house and removed the laundry room, and requested an additional 60 days to comply.

Mr. Jorg Hruschka, Building Inspector, said Mr. Perez had been working diligently to comply, and he did not object to an extension because all of the major issues had already been remedied.

Motion made by Mr. Mitchell, seconded by Ms. Sheppard, to grant a 63-day extension to 9/23/08, during which time no fines would accrue. Board unanimously approved.

Case: CE07100487

Goodwill Community Services LLC
1900 East Oakland Park Boulevard

Ms. Paris announced that this case was first heard on 2/26/08, was continued to 3/25/08 to comply by 5/27/08. Ms. Paris recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated fines would begin to accrue the following day.

Mr. Sumit Gaddh, owner, said when he applied for the three permits at the City, he had discovered there were eight additional items requiring a permit. He stated he now had all of the permits.

Dr. David Szczesny, tenant, stated his dental office had been destroyed by a car accident last fall. He said Mr. Gaddh had received the insurance check in November but repairs were still not complete. Chair Roche advised Dr. Szczesny to pursue this with Mr. Gaddh, since he was the landlord.

Mr. Jorg Hruschka, Building Inspector, explained that the permits had been issued approximately 10 days ago and an interior wall had been erected to separate Dr. Szczesny's dental office from the construction.

Mr. Gaddh said Dr. Szczesny had called the police when he tried to work on the property and the Police Department had threatened to arrest him if work was done on the property. Chair Roche advised Mr. Gaddh to evict Dr. Szczesny if he was such a problem tenant.

Chair Roche and Mr. Mitchell asked Mr. Gaddh how long he would need to comply the remaining violation. Mr. Gaddh stated he needed a minimum of 60 days to obtain bids for the work.

Inspector Hruschka felt 30 to 60 days would be a reasonable amount of time to allow Mr. Gaddh to obtain bids.

Motion made by Mr. Mitchell, seconded by Ms. Ellis, to grant a 35-day extension to 8/26/08, during which time no fines would accrue. Motion passed 1 – 5 with Mr. Lamont opposed.

Case: CE05110537

Sarah Wynter ½ Interest
David Wynter
1039 Northwest 12 Street

Ms. Paris announced that this case was first heard on 11/27/07 to comply by 2/26/08. Ms. Paris recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard and

stated the City was requesting imposition of a \$9,850 fine, which would continue to accrue until the property complied.

Mr. David Wynter, owner, requested an additional 30 days to complete the work.

Mr. Wayne Strawn, Building Inspector, reminded the Board that at the previous hearing, they had discussed removing the shed, because it could not be permitted, but upon his reinspection the previous day the shed remained. He felt this showed a lack of effort on behalf of the owner to comply.

Inspector Strawn explained to Chair Roche that the plans were still in review, and the rate of their progress would determine how quickly the owner could comply.

Mr. Wynter said his engineer had drawn up plans for the shed and these had been submitted to the City for approval as well; this was why he had not removed the shed. Mr. Lamont wondered how the engineer could certify the shed if it was not up to code.

Motion made by Mr. Mitchell, seconded by Mr. Elfman, to grant a 35-day extension to 8/26/08, during which time no fines would accrue. Board unanimously approved.

Case: CE07101625

Elizabeth Perez
4021 Bayview Drive

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

Mr. Jorg Hruschka, Building Inspector, testified to the following violations:

18-1

THE WATER IN THE DECORATIVE POND IS STAGNANT, A BREEDING GROUND FOR MOSQUITOES AND POSES A PUBLIC HEALTH HAZARD.

FBC 105.1

- 1) THE KITCHEN AND BATHROOMS WERE GUTTED.
- 2) AN EXTERIOR PATIO DOOR WAS INSTALLED.
- 3) A PORCH AND TRELIS WAS INSTALLED IN THE SOUTH SIDE SET BACK.
- 4) A DECORATIVE POND WAS INSTALLED ON THE SOUTH SIDE.

FBC 105.2.4

THE PLUMBING SYSTEM HAS BEEN ALTERED AND IS NOT OPERATIONAL.

FBC 105.2.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED IN KITCHEN AND BATHS.

FBC 1604.1

THE PATIO/TRELIS STRUCTURE WAS NOT BUILT ACCORDING TO THE STRENGTH REQUIREMENTS FOR THE

LOADS IMPOSED.

Inspector Hruschka presented photos of the property into evidence, and noted that no work had been done in the past 6 to 8 months, and he had heard nothing from the owner or the contractor, Jeff Cartwright, in the past 4 to 5 months.

Mr. Jeff Cartwright, contractor, explained that Ms. Perez no longer lived in Florida and the property was in foreclosure. He stated there was a short sale scheduled within the next 30 to 60 days, and reported that the realtors and attorney knew the property was in distress and were working with the buyer to make sure the violations would be corrected.

Mr. Cartwright informed the Board that the plans for the property were complete and ready to be turned in. He said the property was being maintained, and he would tend to the pool or drain it.

Ms. Paris reminded the Board that Mr. Cartwright did not have power of attorney, so he was appearing as a witness only.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to find in favor of the City and order compliance within 98 days or a fine of \$50 per day, per violation and to record the order. In a roll call vote, the vote was as follows: Mr. Elfman – no; Ms. Ellis – yes; Mr. Lamont – yes; Mr. Mitchell – no; Ms. Sheppard – yes; Chair Roche – no. Motion passed 3 – 3.

Case: CE08010779

Abraham Levy
2609 Northeast 26 Street

Ms. Paris announced that this case was first heard on 4/22/08 to comply by 7/22/08. Ms. Paris recited violations, compliance dates and potential fines, and stated fines would begin to accrue the following day.

Mr. Abraham Levy, owner, said he had purchased the property last October unaware of the violations and had since lost his job. He was now in default of the mortgage and was working with his mortgage company. Mr. Levy reported he had worked on the landscape lighting and contacted an engineering company. Mr. Levy stated he had a temporary renter in the property now, but they were only paying the equivalent of half the mortgage payment.

Mr. Jorg Hruschka, Building Inspector, did not object to a 60-day extension. He explained that a roofing permit had been applied for a few years ago for a 4,000 square foot roof when the house was only 1,900 square feet. The final inspection for the roof revealed an addition built underneath it.

Motion made by Mr. Mitchell, seconded by Mr. Elfman, to grant a 63-day extension to 9/23/08, during which time no fines would accrue, and to record the order. Board unanimously approved.

Case: CE08031786

David Nagle & Liza Nagle-Palmer, et al
831 Northwest 1 Street

Ms. Paris announced that certified mail sent to the owner was accepted on 7/8/08.

Mr. George Oliva, Building Inspector, testified to the following violations:
FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:

- 1) OFFICE BUILT WITH ELECTRICAL OUTLETS, CEILING LAMPS, AND CENTRAL A/C.
- 2) ENTRANCE DOOR TO BUILDING FROM MAIN STREET WAS REPLACED.

FBC 105.2.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) CENTRAL A/C WAS INSTALLED.
- 2) BATHROOM VENTILATION DISCHARGING INTO RETURN OF THE A/C AND NOT TO THE OUTSIDE AMBIENT AIR.

FBC 105.2.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) BATHROOM FIXTURES WERE REPLACED WITHOUT PROPER INSPECTIONS.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) ELECTRIC CIRCUITS FOR THE CENTRAL A/C, OFFICE LAMPS, AND WALL OUTLETS.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC 1612.1.2

THE ENTRANCE DOOR INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS.

Inspector Oliva recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Ms. Liza Nagle, owner, stated the air conditioner was installed by a tenant and predated her ownership of the property. The tenant had drawings done and was submitting these for a permit.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to find in favor of the City and order compliance within 63 days or a fine of \$50 per day, per violation. Board unanimously approved.

Case: CE08030961

3815 Southwest 16 Street I LLC
3815 Southwest 16 Street

Ms. Paris announced that this case was first heard on 4/22/08 to comply by 6/24/08. Ms. Paris recited violations, compliance dates and potential fines, and stated the property was currently complied.

Ms. Melissa Mallo, manager, explained she had appeared at a hearing to request an extension, but the case was not on the agenda.

Mr. Thomas Clements, Fire Inspector, said he had monitored this case closely, and the owner had worked diligently to comply. He stated he would not object to abatement of the fine.

Motion made by Mr. Mitchell, seconded by Ms. Ellis, to impose no fine. Board unanimously approved.

Case: CE08040805

Norrell Gumbs
3811 Southwest 11 Street

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

Mr. Gerry Smilen, Building Inspector, testified to the following violations:
FBC 105.1

A MASONRY WALL HAS BEEN CONSTRUCTED ON THE SIDE
PROPERTY LINE OF THE SINGLE FAMILY RESIDENCE
WITHOUT A PERMIT.

FBC 105.2.1

A MASONRY WALL HAS BEEN ERECTED WITHOUT A PERMIT.

FBC 109.6

THE MASONRY WALL HAS BEEN CONSTRUCTED ON A
CONCRETE FOOTER WITHOUT OBTAINING THE REQUIRED
APPROVALS.

Inspector Smilen recommended ordering compliance within 63 days or a fine of \$25 per day, per violations.

Ms. Sonia Cooper-Gumbs, owner, said her husband was out of the country seeking work, and requested 90 days to have an engineer draw the plans.

Motion made by Mr. Mitchell, seconded by Ms. Sheppard, to find in favor of the City and order compliance within 63 days or a fine of \$25 per day, per violation. Board unanimously approved.

Case: CE07082053

Charles & Joan Dragone
3100 Southwest 20 Court

Ms. Paris announced that certified mail sent to the owner was accepted on 7/10/08.

Mr. George Oliva, Building Inspector, testified to the following violation:
FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING
MANNER WITHOUT OBTAINING THE REQUIRED PERMITS OR
INSPECTIONS:

1) A WOOD FENCE WAS INSTALLED WITH DOUBLE GATE.

Inspector Oliva recommended ordering compliance within 35 days or a fine of \$50 per day.

Mr. Charles Dragone, owner, explained that he had replaced the fence after Hurricane Wilma and built it to County code. He explained that he was told he would need a designer for the gates and a qualifier to get permits, and found that this would cost him more than the fence repair had cost. Mr. Dragone said he had removed the double gate.

Inspector Oliva informed the Board that the City would approve Mr. Dragone for an owner/builder after the fact permit but he will have to pay double the fee. Inspector Strawn explained that the Building Official had been approving owner/builder after the fact permits if the City believed the owner had done the work himself, and the Building Official now allowed building inspectors to sanction this.

Motion made by Mr. Ellis, seconded by Ms. Sheppard, to find in favor of the City and order compliance within 35 days or a fine of \$50 per day. Board unanimously approved.

Case: CE07101524

6400 Associates LLC
6414 Northwest 5 Way

Ms. Paris announced that this case was first heard on 11/27/07 to comply by 1/22/08. Ms. Paris recited violations, compliance dates and potential fines, and listed extensions to the compliance deadline that had been granted since the case was first heard.

Mr. Edward Steinhardt, owner, requested 63 days to complete the work. He explained that the general contractor had already picked up the permit.

Mr. Thomas Clements Fire Inspector, had no objection to the request.

Motion made by Mr. Mitchell, seconded by Ms. Ellis to grant a 63-day extension to 9/23/08, during which time no fines would accrue. Board unanimously approved.

Case: CE08031214

Mandalay Complex
2119 Davie Blvd

Ms. Paris announced that this case was first heard on 5/27/08 to comply by 7/22/08. Ms. Paris recited violations, compliance dates and potential fines

Mr. Henry Mazal, building manager, requested an extension for the contractor to install signage and to have the final inspection.

Mr. Thomas Clements Fire Inspector, stated the owner had done very well complying all of his properties, and he did not object to an extension.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 35-day extension to 8/26/08, during which time no fines would accrue. Board unanimously approved.

Case: CE08031207

CALI Group LLC
220 Southwest 38 Avenue

Ms. Paris announced that this case was first heard on 5/27/08 to comply by 7/22/08. Ms. Paris recited violations, compliance dates and potential fines, and stated fines would begin to accrue the following day.

Ms. Mirna Godoy, owner, said she had obtained an estimate for the alarm system but she could not afford to have the work done. She requested an additional 6 months.

Mr. Thomas Clements Fire Inspector, said the owner was trying to comply, but he could not support a 6-month extension. He recommended the owner return to the Board after 63 days for a progress report.

Motion made by Ms. Sheppard, seconded by Mr. Elfman, to grant a 63-day extension to 9/23/08, during which time no fines would accrue. Motion passed 5 – 1 with Mr. Mitchell opposed.

Case: CE08041710

Suntrax Corp
C/O Hadiga Haider
1954 Northwest 9 Avenue

Ms. Paris announced that certified mail sent to the owner was accepted on 7/10/08 and certified mail sent to the registered agent was accepted on 7/10/08.

Mr. George Oliva, Building Inspector, testified to the following violations:
FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS OR INSPECTIONS:

- 1) THERE ARE TWO CENTRAL A/C WITH DUCT WORK IN EACH STORE #1952 AND #1954 THAT WERE INSTALLED.

FBC 105.2.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) TWO CENTRAL A/C WERE INSTALLED WITH ELECTRIC HEATER AND DUCT WORK.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) ELECTRICAL LOAD DEMAND WAS INCREASED BY ADDING TWO CENTRAL A/C WITH HEATERS THAT HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED LOADING THROUGH THE PERMITTING PROCESS.

Inspector Oliva recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Ms. Hadiga Haider, owner, said she had just learned of the violations. She explained she assumed the permits had been pulled 15 years ago when the air conditioners were installed. Ms. Haider said her husband had purchased the property in 1982.

Motion made by Mr. Elfman, seconded by Mr. Mitchell, to find in favor of the City and order compliance within 63 days or a fine of \$50 per day, per violation. Board unanimously approved.

Case: CE08042223

Suntrax Corp
C/O Hadiga Haider
1952 Northwest 9 Avenue

Ms. Paris announced that certified mail sent to the owner was accepted on 7/10/08 and certified mail sent to the registered agent was accepted on 7/10/08.

Mr. George Oliva, Building Inspector, testified to the following violations:
FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS OR INSPECTIONS:

- 1) A CENTRAL A/C UNIT WITH ELECTRIC HEATER AND DUCT WORK WAS INSTALLED.

FBC 105.2.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) A CENTRAL A/C WITH HEATER AND DUCT WORK WAS INSTALLED.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) ELECTRICAL LOAD DEMAND WAS INCREASED BY ADDING A CENTRAL A/C WITH HEATER THAT HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED LOADING THROUGH THE PERMITTING PROCESS.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS THROUGH THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Ms. Hadiga Haider, owner, explained this was the same property as the previous case.

Motion made by Mr. Elfman, seconded by Mr. Mitchell, to find in favor of the City and order compliance within 63 days or a fine of \$50 per day, per violation. Board unanimously approved.

Case: CE08041342

Edwena Smith
401 Northwest 14 Terrace

Ms. Paris announced that certified mail sent to the owner was accepted [no date].

Mr. George Oliva, Building Inspector, testified to the following violations:

FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS OR INSPECTIONS:

- 1) A STORAGE SHED WAS PLACED IN THE PROPERTY.
- 2) AN ALUMINUM CARPORT ROOF WAS INSTALLED.

- 3) A CHAIN LINK FENCE WAS INSTALLED WITH AN APPLIED PERMIT.
- 4) THERE IS A WOOD FENCE INSTALLED.

FBC 105.2.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) TWO CENTRAL A/C PACKAGE UNITS, WITH DUCT WORK WERE INSTALLED.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) ELECTRICAL LOAD DEMAND WAS INCREASED BY ADDING TWO CENTRAL A/C UNITS, OUTSIDE SECURITY LIGHTS, AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED LOADING THROUGH THE PERMITTING PROCESS.

FBC 106.10.3.1

THERE IS AN EXPIRED CHAIN LINK FENCE PERMIT #970040197, WHICH FAILED INSPECTION.

FBC 117.1.2

STRUCTURES COMMENCED WITHOUT A PERMIT OR THE PERMIT FOR WHICH HAS EXPIRED PRIOR TO COMPLETION AND NO CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED, SHALL BE PRESUMED AND DEEMED UNSAFE.

Inspector Oliva recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Ms. Edwena Smith, owner, said she had been working with Inspector Oliva to comply the property. She informed the Board that she had hired a general contractor, who was present, and explained the contractor could estimate a completion date once a survey was performed.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to find in favor of the City and order compliance within 63 days or a fine of \$50 per day, per violation. Board unanimously approved.

Case: CE08051987

Benoit & Bernadett John
1445 Northwest 7 Terrace

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

Mr. Gerry Smilen, Building Inspector, testified to the following violations:
47-34.1

THE DENSITY LIMITATIONS HAVE BEEN EXCEEDED. FIVE LIVING UNITS ARE PRESENT ON THE PROPERTY. THE MAXIMUM DENSITY ACCORDING TO THE RM-15 ZONING DISTRICT IS THREE.

FBC 105.1

BOTH BUILDINGS ON THE PROPERTY HAVE BEEN ALTERED WITHOUT PERMITS. THE ALTERATIONS INCLUDE:

- 1) THE MAIN HOUSE HAS BEEN CHANGED FROM A SINGLE FAMILY DWELLING TO TWO LIVING UNITS.
- 2) THE GUEST HOUSE AT THE REAR OF THE PROPERTY HAS BEEN CONVERTED TO THREE UNITS.
- 3) KITCHENS AND BATHROOMS HAVE BEEN INSTALLED TO FACILITATE THE ADDED UNITS.
- 4) A STORAGE ADDITION HAS BEEN ADDED TO THE REAR OF THE GUEST HOUSE.

FBC 105.2.1

THE BUILDINGS HAVE BEEN ALTERED WITHOUT OBTAINING THE REQUIRED PERMITS IN THE FOLLOWING MANNER:

- 1) KITCHENS AND BATHROOMS HAVE BEEN ADDED.
- 2) A STORAGE ROOM HAS BEEN ADDED.

FBC 105.2.11

WINDOW AND WALL A/C UNITS HAVE BEEN INSTALLED WITHOUT A PERMIT.

FBC 105.2.15

NEW WINDOWS AND DOORS HAVE BEEN INSTALLED WITHOUT A PERMIT.

FBC 105.2.4

SANITARY PLUMBING AND WATER SUPPLIES ALONG WITH FIXTURES AND A HOT WATER HEATER HAVE BEEN INSTALLED FOR THE ADDED KITCHENS AND BATHROOMS WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC 105.2.5

PREMISE WIRING HAS BEEN INSTALLED FOR THE ADDED BATHROOMS AND KITCHENS ALONG WITH WIRING FOR EXTERIOR LIGHTING.

FBC 109.6

THE FOLLOWING WORK HAS BEEN COVERED AND COMPLETED WITHOUT THE REQUIRED INSPECTIONS:

PLUMBING WASTE AND WATER SUPPLY LINES

- 1) ELECTRICAL PREMISE WIRING.
- 2) A/C UNITS.
- 3) ADDED STORAGE ROOM.

SEE CITED WORK IN FBC 105.1

FBC 110.1.1

THE OCCUPANCY ON THE MAIN SINGLE FAMILY DWELLING AND REAR GUEST HOUSE HAVE BEEN CHANGED WITHOUT THE CORRECT CERTIFICATES OF OCCUPANCY.

FBC 111.5

THE SANITARY WASTE LINES FOR THE ADDED KITCHENS AND BATHROOMS HAVE BEEN TAPPED INTO THE MAIN SEWER LINE WITHOUT A PERMIT.

FBC 1626.1

THE NEW WINDOWS AND DOORS ARE INSTALLED WITHOUT MEETING THE IMPACT TEST CRITERIA.

Inspector Smilen presented photos of the property and the case file and recommended ordering compliance within 63 days or a fine of \$75 per day, per violation.

Ms. Marsha Berry, attorney, explained that the owners had purchased the property with the storage unit. The owners had hired a contractor who claimed to be licensed, but he was not. Ms. Berry explained that Ms. John had lost her job and Mr. John was working two jobs and they were in the process of modifying their mortgage because the property was being foreclosed upon.

Ms. Berry said only the main home was occupied, by the owners. She said this was a two-family house. The contractor had done work on both buildings.

Inspector Smilen stated the rear building had three units and a Florida room in the main house was set up to be rented separately. He had concerns regarding life safety issues because of the illegal work and the "For Rent" signs at the property.

Ms. Berry said she did not believe the rear building was now three units. She thought the owners had only added to this building. The owners also informed her they had done nothing structural to the main house. They also stated there were no renters on the property right now.

Inspector Smilen referred to plans showing the original two buildings, and photos depicting the additions. He added that there were only two electric meters feeding everything.

Motion made by Ms. Sheppard, seconded by Mr. Elfman, to find in favor of the City and order compliance within 63 days or a fine of \$75 per day, per violation and to record the order. Board unanimously approved.

Case: CE06040061

Joel & Ileana Lavender
743 Northeast 17 Court

Ms. Paris announced that certified mail sent to the owner was accepted on 6/9/08 and service was via the appearance of the owner at this hearing.

Ms. Paris explained that the Board had not approved the stipulated agreement with the new owners, the Lavenders, in April, and in May, the Board had granted an extension to

today's date for a progress report. There had never been a finding of fact and Ms. Paris asked the Board to approve the stipulated agreement.

Mr. George Oliva, Building Inspector, testified to the following violations:
FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:

- 1) NEW WINDOWS WERE INSTALLED.
- 2) NEW DOORS WERE ADDED.
- 3) ADDITIONS TO ORIGINAL HOUSE WERE DONE WITH APPLIED/EXPIRED PERMITS.
- 4) THE BACK TERRACE/PORCH IS DONE WITHOUT APPROVED PLANS.
- 5) BRICK PAVER WORK WAS DONE IN FRONT OF THE HOUSE.
- 6) THE BATHROOMS AND THE KITCHEN HAVE BEEN REMODELED.
- 7) INTERIOR WALLS ARE BEEN ALTERED OR REMODELED. WORK IS BEEN DONE THROUGHOUT THE PROPERTY.

FBC 105.2.11

THE MECHANICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) A CENTRAL A/C UNIT, AND DUCT WORK WAS INSTALLED WITH AN APPLIED PERMIT ONLY.
- 2) VENTILATION FOR BATHROOMS, DRYER, AND KITCHEN HOOD.

FBC 105.2.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) BATHROOMS SINKS, TOILETS, TUBS/SHOWERS, AND PLUMBING FIXTURES ARE BEEN REPLACED.
- 2) KITCHEN SINK AND PLUMBING FIXTURES ARE BEEN REPLACED, ICE MAKER WATER LINE HAS BEEN INSTALLED.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

- 1) GENERAL PREMISES WIRING AND CIRCUITS LOAD HAVE BEEN ALTERED WITH AN APPLIED PERMIT ONLY.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC 117.1.2

STRUCTURES COMMENCED WITHOUT A PERMIT OR THE PERMIT FOR WHICH HAS EXPIRED PRIOR TO COMPLETION AND NO CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED, SHALL BE PRESUMED AND DEEMED UNSAFE.

FBC 1604.1

THE ROOF OVER THE TERRACE HAS NOT BEEN CONSTRUCTED IN ACCORDANCE WITH STRENGTH REQUIREMENTS FOR THE LOADS IMPOSED.

FBC 1612.1.2

ALL THE WINDOW AND DOOR INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS. THE STRUCTURE FOR THE TERRACE ROOF DOES NOT MEET THE STANDARD FOR GRAVITY LOADING.

Inspector Oliva recommended ordering compliance within 180 days or a fine of \$100 per day, per violation.

Mr. Joel Lavender, owner, informed the Board he had contacted the original architect, and contracted him to revise the old plans and submit them as revisions to the existing permit.

Ms. Paris stated the original stipulated agreement, signed in April, called for compliance within 180 days, by October 28, 2008. Mr. Lavender requested a compliance deadline 6 months from the present date and Inspector Oliva did not object to this. Mr. Lavender said his architect had informed him the plans would be completed in two to three weeks.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to find in favor of the City and order compliance within 189 days or a fine of \$100 per day, per violation. Motion passed 5 – 1 with Mr. Mitchell opposed

[The Board took a break from 12:30 – 12:50]

Case: CE07030519

Gloria Gaviria & Oscar Santos
2406 Flamingo Lane

Ms. Paris announced that certified mail sent to the owner was accepted on 7/10/08.

Ms. Paris testified to the following violations:

FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS OR INSPECTIONS:

- 1) THE KITCHEN AREA WAS REMODELED, NEW CABINETS WERE INSTALLED WITH A COUNTER TOP AND NEW APPLIANCES.

FBC 105.2.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:
1) PLUMBING FIXTURES WERE REPLACED IN THE KITCHEN AREA.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:
1) ELECTRICAL LOAD DEMAND WAS INCREASED BY ADDING ADDITIONAL KITCHEN LIGHTS, WALL OUTLETS AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED LOADING THROUGH THE PERMITTING PROCESS.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS THROUGH THE PERMITTING AND INSPECTION PROCESS.

Mr. George Oliva, Building Inspector, recommended ordering compliance within 35 days or a fine of \$50 per day, per violation.

Motion made by Mr. Elfman, seconded by Mr. Mitchell, to find in favor of the City and order compliance within 35 days or a fine of \$50 per day, per violation. Board unanimously approved.

Case: CE07101897

Stipulated agreement

Betty Silva
3710 Southwest 18 Street

Violations:

FBC 105.1

- 1) A SHED WAS CONSTRUCTED IN THE SIDE SET BACK.
- 2) A PATIO/CONCRETE DRIVE WAS INSTALLED ON SOUTH EAST SIDE.
- 3) A CIRCULAR DRIVE WAS REMOVED/DEMOLISHED.
- 4) FRONT DOOR WAS REPLACED.

Complied:

FBC 105.2.5

Ms. Paris announced that the City had a stipulated agreement with the owner to comply FBC 105.1 within 98 days, by 10/28/08, or a fine of \$50 per day.

Mr. Jorg Hruschka, Building Inspector, informed the Board that the shed had been removed and there were no life safety issues on the property.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to find in favor of the City and order compliance with FBC 105.1 within 98 days or a fine of \$50 per day. Board unanimously approved.

Case: CE08031432

Stipulated agreement

Madelyn Snow Revocable Trust
1012 West Las Olas Boulevard

Violation;

NFPA 101 31.3.4.5.1

HARDWIRE SMOKE DETECTORS NOT INSTALLED.

Ms. Paris announced that the City had a stipulated agreement with the owner to comply within 63 days or a fine of \$250 per day.

Motion made by Mr. Mitchell, seconded by Mr. Elfman, to find in favor of the City, approve the stipulated agreement and order compliance within 63 days or a fine of \$250 per day. Board unanimously approved.

Case: CE08031465

Princilia Ulysee, 1/2 Interest
Lonel Fortune
2668 Southwest 7 Street

Ms. Paris announced that certified mail sent to the owner was accepted on 6/8/08.

Violation:

NFPA 101 31.3.4.5.1

HARDWIRE SMOKE DETECTORS NOT INSTALLED.

Mr. Thomas Clements, Fire Inspector, testified that the owner had installed the smoke detectors by affixing them to the walls, but had not hooked them up to electricity. He requested a Finding of Fact and recommended ordering compliance within 63 days or a fine of \$250 per day.

Motion made by Ms. Ellis, seconded by Mr. Mitchell, to find in favor of the City and order compliance within 35 days or a fine of \$250 per day, and to record the order. Board unanimously approved.

Case: CE08031482

Stipulated agreement

Dielsi Properties LLC
105 Southeast 26 Street

Violations:

NFPA 101 31.3.4.5.1

HARDWIRE SMOKE DETECTORS NOT INSTALLED.

Ms. Paris announced that the City had a stipulated agreement with the owner to comply within 63 days or a fine of \$250 per day.

Motion made by Mr. Elfman, seconded by Ms. Ellis, to find in favor of the City, approve the stipulated agreement and order compliance within 63 days or a fine of \$250 per day. Board unanimously approved.

Case: CE08031483

Stipulated agreement

Dielsi Properties LLC
101 Southeast 26 Street

Violation:

NFPA 101 31.3.4.5.1

HARDWIRE SMOKE DETECTORS NOT INSTALLED.

Ms. Paris announced that the City had a stipulated agreement with the owner to comply within 63 days or a fine of \$250 per day.

Motion made by Ms. Ellis, seconded by Mr. Elfman, to find in favor of the City, approve the stipulated agreement and order compliance within 63 days or a fine of \$250 per day. Board unanimously approved.

Case: CE08031488

Mislere Ministre
330 Southwest 20 Avenue

Ms. Paris announced that certified mail sent to the owner was accepted [no date].

Violation:

NFPA 101 31.3.4.5.1

HARDWIRE SMOKE DETECTORS NOT INSTALLED.

Mr. Thomas Clements, Fire Inspector, testified that the owner had pulled the permit, but not yet passed inspections. He recommended ordering compliance within 35 days or a fine of \$250 per day, and to record the order.

Motion made by Mr. Mitchell, seconded by Mr. Elfman, to find in favor of the City and order compliance within 35 days or a fine of \$250 per day, and to record the order. Board unanimously approved.

Approval of Meeting Minutes

Motion made by Ms. Ellis, seconded by Mr. Elfman, to approve the minutes of the Board's June 2008 meeting. In a voice vote, motion passed unanimously.

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Cases Complied

Ms. Paris 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:

CE07022242	CE08021988	CE08031433	CE08031444
CE08031447	CE08031463	CE08031477	CE08031478
CE08031479	CE08031489	CE08031490	CE08031493
CE08031507	CE08031529		

Cases Without Service

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

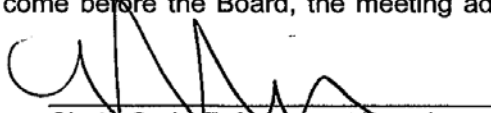
CE05071272	CE07031906	CE07081051	CE07121136
CE08031367	CE08031379	CE08031487	CE08031499
CE08031509	CE08031510	CE08031516	CE08031526
CE08031527	CE08040002		

Cases Withdrawn

Ms. Paris 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:


CE08031491	CE03060710	CE07061327	CE08032280
CE07081769			

There being no further business to come before the Board, the meeting adjourned at 1:07 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.

Minutes prepared by: J. Opperlee, ProtoType Inc.