

CODE ENFORCEMENT BOARD
CITY COMMISSION MEETING ROOM
100 NORTH ANDREWS AVENUE
MARCH 24, 2009
9:00 A.M. – 4:24 P.M.

<u>Board Members</u>	<u>Attendance</u>	<u>2/2009 through 1/2010</u>	
		<u>Present</u>	<u>Absent</u>
Sam Mitchell, Chair	P	2	0
Genia Ellis, Vice Chair	P	2	0
Margaret Croxton	P	2	0
William Lamont	A	1	1
Ronald Perkins	A	1	1
Myrnabelle Roche	A	0	2
Jan Sheppard	P	2	0

Staff Present

Dee Paris, Administrative Aide
Ginger Wald, Assistant City Attorney
Bruce Jolly, Board Attorney
Brian McKelligett, Clerk /Special Magistrate Supervisor
Deb Maxey, Clerk III
Yvette Ketor, Secretary, Code Enforcement Board
Lin Bradley, Code Enforcement Supervisor
Burt Ford, Building Inspector
Wayne Strawn, Building Inspector
George Oliva, Building Inspector
Gerry Smilen, Building Inspector
Alex Hernandez, Chief Mechanical Inspector
Tammy Arana, Fire Inspector
J. Opperee, Recording Secretary

Communication to the Commission

Ms. Ellis explained that the City Commission had suggested that advisory boards include a section in their minutes they wanted brought to the City Commission's attention. Under this advice, Ms. Ellis stated the Board was short on members, and asked the Commission to make the appropriate appointments for members and alternates. She also asked that training be scheduled for all Board members once new members were appointed.

Also Present:

CE07100999; CE07080005; CE07100839; CE07111195: Gus Carbonell, architect
CE08091735: Daniel Massa, owner
CE06120242: Alexander Johnson, owner
CE08072465: Gillies Graham, owner; Jefferson Lewis, contractor

CE08071153: Theone Eames, owner
CE07031314: Robert Osoliniec, owner
CE06121030: Nicholas Tacquard, owner
CE06110317: Mark Saval, architect; Jose Florez, attorney
CE07070012: Jay Jacobson, friend
CE08032280: Amjad Hamad, owner
CE07071088: Jerome Petriska, owner
CE08031845: Michael Small, manager
CE07080497: Harold Osborne, owner
CE06091178: Victor Estrada, owner
CE07081051; CE08040242: Gerard Pierre-Louis, owner's agent
CE08041358: Mary Lee, owner
CE08050749: Roger Freeman, owner
CE07061931: Goran Dragoslavic, owner
CE07100363: Robert McAllister, owner
CE08070403: Chelsea Blaine Flowers, owner
CE08060529; CE08031777: Dennis Joel Jaffee, property manager
CE06030884: James Harmon, owner; Sylvia Harmon, daughter
CE08041238; CE08041269: Donald Karney, property manager
CE07030221: Antonio Duran, owner
CE07030273: Pablo Barreiro, owner's son
CE08042258: Michael Feria, owner; Legne Lima, property manager
CE07100943: Andres Cardona, owner
CE08020891L Howard Nelson, attorney
CE08081269: Roy Harper, owner's representative
CE08102477: Frederick Reimer, owner
CE08042223; CE08041710: Hadiga Haider, owner
CE08090940: Ricardo Casas Ayala, owner
CE08011721: Eduardo Marquez, owner
CE05111570: David Allan Mancini, contractor
CE07011394: Cheryl Kupkovich, owner
CE08031215; CE08031285; CE08031233; CE08031279: Bernard Gordon, manager
CE08040239: Jose Arevalo, owner
CE08031845: Harris Glaser, tenant
CE07040542: Bradley Young, manager
CE08071365: Twindy Wilcox, case manager; Francis Reynolds, owner; Hira Aragon, realtor
CE08060234: Jose Arrias, contractor
CE08090023: Bradley Scaccetti, owner
CE07100923: Carol Storms, owner's daughter
CE08070956: Christopher Blackman, owner
CE08070335: Yoan A Castro, owner; Nancy Anicia Licea, owner
CE06091017: Ronald Melendez, owner; George Shirejian, attorney

Chair Mitchell called the meeting to order at 9:14 a.m., introduced the Board and explained the procedures for the hearing.

Chair Mitchell apologized to the public for the meeting's late start.

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

Case: CE08031215

3333 Davie LLC

3333 Davie Boulevard

This case was first heard on 6/24/08 to comply by 8/26/08. Violations and extensions were as noted in the agenda. There was a stipulated agreement with the owner to comply. The property was not complied.

Mr. Bernard Gordon, property manager, said the project was not complete because Code Enforcement had "inundated" them with violations. Delays had occurred because additional work and additional finances were required. Mr. Gordon said the fire system should be complete on the 3333 and 3343 Davie Boulevard buildings within three to four days; wiring in the other addresses should be done in 30 to 40 days. Mr. Gordon confirmed there was a total of 120 units in four buildings.

Ms. Tammy Arana, Fire Inspector, said the work was 90% done. She reminded the Board that the owner had been made aware of the law change in 2006. She said the smoke detectors, which were complete, were the Fire Department's priority. Inspector Arana opposed any additional extension. Chair Mitchell pointed out three extensions had already been granted in this case. Mr. Gordon said the electrician needed 30 days to complete the work. Ms. Sheppard stated this was a life safety issue.

Motion made by Ms. Croxton to grant a 35-day extension to 4/28/09. Motion died for lack of a second.

Motion made by Ms. Croxton to grant a 63-day extension to 5/26/09. Motion died for lack of a second.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08031285

3333 Davie LLC

3343 Davie Boulevard

This case was first heard on 6/24/08 to comply by 8/26/08. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Bernard Gordon, property manager, said the situation at this property was the same as the previous property.

Ms. Tammy Arana, Fire Inspector, agreed the situation was the same, and said she opposed any additional extension.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

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

Case: CE08031233

3333 Davie LLC
3353 Davie Boulevard

This case was first heard on 6/24/08 to comply by 8/26/08. Violations and extensions were as noted in the agenda. The property was not complied.

Case: CE08031279

3333 Davie LLC
3363 Davie Boulevard

This case was first heard on 6/24/08 to comply by 8/26/08. Violations and extensions were as noted in the agenda. The property was not complied.

The Board agreed to hear the last two cases for this owner together.

Mr. Bernard Gordon, property manager, said the situation at this property was the same as the previous properties.

Ms. Tammy Arana, Fire Inspector, agreed the situation was the same, and said she opposed any additional extension.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to grant a 35-day extension to 4/28/09 for CE08031233 and CE08031279, during which time no fines would accrue. In a voice vote, Board approved unanimously.

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

Case: CE08042223

Suntrax Corp
C/O Hadiga Haider
1952 Northwest 9 Avenue

This case was first heard on 7/22/08 to comply by 9/23/08. Violations and extensions were as noted in the agenda. The property was not complied.

Ms. Hadiga Haider, owner, stated the permit applications had been submitted and should be issued very soon. She requested a 35-day extension.

Mr. George Oliva, Building Inspector, confirmed that the permit applications were submitted 3/12/09 and should be issued within three weeks.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08041710

Suntrax Corp
C/O Hadiga Haider
1954 Northwest 9 Avenue

This case was first heard on 7/22/08 to comply by 9/23/08. Violations and extensions were as noted in the agenda. The property was not complied.

Ms. Hadiga Haider, owner, reported the tenant had been evicted and the violations removed.

Mr. George Oliva, Building Inspector, confirmed that the tenant had removed the air conditioning, so the case was complied.

Case: CE08041358

Mary A Lee
413 Northwest 14 Terrace

This case was first heard on 9/23/08 to comply by 11/25/08. Violations and extensions were as noted in the agenda. The property was not complied.

Ms. Mary Lee, owner, explained Community Development had agreed to help her, but they were temporarily out of funds. She requested an extension.

Mr. George Oliva, Building Inspector, said he had spoken with Community Development regarding this case, and been informed the wait was three to six months. He recommended a 91-day extension.

Chair Mitchell reminded Ms. Lee she had signed a stipulated agreement. Ms. Lee said she had gone to Community Development after signing the stipulated agreement. They had informed her to wait until they phoned her for an interview. Ms. Ellis advised Ms. Lee to obtain paperwork from Community Development confirming she had spoken with them to request funding.

Inspector Oliva stated the work had been done properly and he did not believe there was a life safety issue.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 91-day extension to 6/23/09, during which time no fines would accrue. In a voice vote, Board approved 3-1 with Ms. Croxton voting no.

Case: CE08050749

Roger & Vienna Freeman
415 Northwest 7 Street

This case was first heard on 11/25/08 to comply by 3/24/09. Violations were as noted in the agenda. The property was not complied.

Mr. Roger Freeman, owner, said everything except two window permits and window A.C. permits was complied. He requested a 60-day extension.

Mr. Wayne Strawn, Building Inspector, confirmed only the window-related violations remained. He said he would not object to an extension.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 63-day extension to 5/26/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE07040542

Victoria's Corporate Plaza LLC
6245 Northwest 9 Avenue

This case was first heard on 5/22/07 to comply by 7/24/07. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Bradley Young, project manager, described work to be completed on the property and requested a 30-day extension.

Ms. Tammy Arana, Fire Inspector, said the fire alarm was completed and the new permit application had been submitted the previous day. Since this project had taken so long, Inspector Arana said she opposed any additional extensions.

Mr. Young said the owner still had plans to renovate the entire property, but this would wait until financial conditions improved.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE07061931

Goran G Dragoslavic
500 Southwest 18 Avenue

This case was first heard on 9/23/08 to comply by 1/27/09. Violations and extensions were as noted in the agenda. There was a stipulated agreement with the owner to comply. The property was not complied.

Mr. Goran Dragoslavic, owner, explained he was trying to have the dock permitted and this required an "urban stamp," which his contractor was investigating. He requested an additional 35 days. Mr. Dragoslavic explained to Chair Mitchell that after his last extension request, his contractor had submitted the plans to the County. He said his contractor's permit applications had been delayed due to a permit he had never closed. He stated all construction was completed on time; he only needed to get the permits. Mr. Dragoslavic described work done during the 120 days specified in the stipulated agreement.

Mr. Jorg Hruschka, Building Inspector, said the plans required minor revision and recommended a 35-day extension.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved 3-1 with Chair Mitchell voting no.

Case: CE08031845

First Industrial L P
4720 Northwest 15 Avenue # C
Tenant: Midnight Express

This case was first heard on 10/28/08 to comply by 11/25/08. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Harris Glaser, tenant, said plans for his new location would be submitted to the City of Hollywood the following day, and he anticipated an April 24 move. He requested an additional 35 days. Mr. Glaser said he had spoken with the neighborhood association regarding his plans.

Ms. Croxton was sorry Mr. Glaser was forced to take his business out of the City.

Mr. Alex Hernandez, Chief Mechanical Inspector, reminded the Board that his first inspection had been a year ago, and the tenant had informed him then that he intended to move rather than install air scrubbers.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved 3-1 with Chair Mitchell voting no.

Case: CE06121030

NBT Holdings Co
1460 Southwest 28 Street

This case was first heard on 6/26/07 to comply by 10/23/07. There was a stipulated agreement with the owner to comply. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of a \$37,850 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted [no date] and certified mail sent to the registered agent was accepted [no date].

Mr. Nicholas Tacquard, owner, said only the roof violation remained. He had not repaired this because he had been unable to afford it.

Mr. Wayne Strawn, Building Inspector, requested imposition of the fine because work had not proceeded in a timely manner. He noted that the first inspection had been in December 2006. He displayed photos of the roof decking taken November 10 and said the ordinance required buildings parts to be in reasonably good repair.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to find the property was not complied by the ordered date, and to impose the \$37,850 fine, which would continue to accrue until the property complied. In a voice vote, Board approved unanimously.

Case: CE05111570

Annieopa LLC
3051 Northeast 32 Avenue

This case was first heard on 8/26/08 to comply by 11/25/08. There was a stipulated agreement with the owner to comply. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. David Mancini, contractor, said they were submitting plans for demolition, which was being handled by an expeditor. He said the demolition would take approximately 90 days after the permit was pulled. Mr. Mancini confirmed they intended to demolish illegal additions to the property.

Mr. Burt Ford, Building Inspector, said the plans were in with EPD. He was unsure if the landscape violations were addressed in the plans and agreed to determine this.

Mr. Mancini believed the plans for demolition would be submitted to the City that day.

Motion made by Ms. Croxton to grant a 126-day extension to 7/28/09. Motion died for lack of a second.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 91-day extension to 6/23/09, during which time no fines would accrue. In a voice vote, Board approved 3-1 with Ms. Croxton voting no.

Case: CE07100943

Middle River Builders LLC

1451 Northeast 10 Avenue

This case was first heard on 9/23/08 to comply by 10/28/08. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Andres Cardona, owner, said the plans had been returned to the architect for comments. He believed he would have the permit within two weeks, and requested a 30-day extension.

Mr. Burt Ford, Building Inspector, agreed to a 30-day extension.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08041238

R Bryce Gray Jr Trust
R Bryce Gray Jr Trustee et al
1000 Northwest 51 Place

This case was first heard on 8/26/08 to comply by 11/25/08. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Donald Karney, the property manager, stated the tenant had made numerous alterations without approval from the owner or permits. The owner had filed to evict for non-payment of rent and now had a writ of possession that he could enforce at any time. The electrician the tenant had hired stated the work would be done in 30 days. Mr. Karney requested a 60 – 90 day extension.

Ms. Sheppard wondered how the tenant could pay an electrician if he could not pay the rent. Chair Mitchell suggested a 35-day extension for Mr. Karney to return for a progress report.

Mr. George Oliva, Building Inspector, said he opposed any extension because the case was ongoing for 10 years. This was an old case Inspector Oliva had opened under a new case number. Mr. Karney said he had managed the property for 60 days.

Mr. Lin Bradley, Code Enforcement Supervisor, said the City opposed the request for an extension.

Motion made by Ms. Sheppard, seconded by Ms. Croxton, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board **denied** 1 – 3 with Ms. Croxton voting yes.

Case: CE08041269

R Bryce Gray Jr Trust
R Bryce Gray Jr Trustee et al

1004 Northwest 51 Place

This case was first heard on 8/26/08 to comply by 11/25/08. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Karney confirmed the rear shed had been removed.

Mr. George Oliva, Building Inspector, said the permit for the fence had been denied so the fence was still in violation.

Chair Mitchell remarked that some of the items could be complied simply by removing them. Mr. Karney said they were working to get the property complied.

Motion made by Ms. Sheppard, seconded by Ms. Croxton, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board **denied** 1 – 3 with Ms. Croxton voting yes.

Case: CE07080497

Harold J & Corinne Osborne
4825 Northeast 19 Avenue

This case was first heard on 1/27/09 to comply by 3/24/09. Violations were as noted in the agenda. The property was not complied.

Mr. Harold Osborne, owner, said the electrician had agreed to apply for the permit but never had. He said he needed the generator because his wife was on life support. He requested time to find a new electrician. Mr. Osborne said he had tried repeatedly to contact the electrician, but he had never responded. He requested 60 days.

Mr. Jorg Hruschka, Building Inspector, said he would support a request by Mr. Osborne's for an owner/builder permit. He pointed out that this had been going on for 18 months and said he would support a 63-day extension now, but no additional time after that. Inspector Hruschka said the paved swale violation still existed. Chair Mitchell advised Mr. Osborne that the swale paving must be removed. Inspector Hruschka said the paving must be brought back to the originally permitted size. Mr. Osborne agreed to do this.

Ms. Ellis was concerned at the lack of progress and warned Mr. Osborne that there must be results.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to grant a 63-day extension to 5/26/09, during which time no fines would accrue. In a voice vote, Board **denied** 2 – 2 with Ms. Sheppard and Chair Mitchell voting no.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08102477

HSBC Mortgage Services Inc
Fidelity/Household/HSBC
1628 Northwest 7 Avenue

This case was first heard on 1/27/09 to comply by 2/24/09. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Frederick Reimer, owner, said he had recently purchased the property. He stated he had already done all work that could be accomplished without permits. He had hired an architect and a contractor, and believed plans would be submitted this week. He requested a 91-day extension.

Mr. Wayne Strawn, Building Inspector, said he supported the extension request.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 91-day extension to 6/23/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE07031314

Robert J Osoliniec
1429 North Andrews Avenue

This case was first heard on 6/24/08 to comply by 8/26/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$2,025 and the City was recommending abatement of the fines. Service was via posting on the property on 3/10/09 and at City Hall on 3/12/09.

Mr. Robert J Osoliniec, owner, requested abatement of the fine.

Mr. Wayne Strawn, Building Inspector, supported the request for abatement.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to abate the fines. In a voice vote, Board approved unanimously.

Case: CE08032280

A&M Investments Of America LLC
3212 West Broward Boulevard

This case was first heard on 4/22/08 to comply by 8/26/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$33,750, and the City was recommending abatement of the fines. Certified mail sent to the owner was accepted on 3/10/09 and certified mail sent to the registered agent was accepted on 1/10/09.

Mr. Amjad Hamad, owner, said there had been a mistake with the address on the plans and this had delayed compliance.

Mr. George Oliva, Building Inspector, confirmed the property was complied, and agreed the architect had put the incorrect address on the plans, and this had caused delays.

Motion made by Ms. Sheppard, seconded by Ms. Croxton, to abate the fines. In a voice vote, Board approved unanimously.

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

Case: CE07080005

Coloney Ventures-Apex Capital LLC
300 Southeast 22 Street

This case was first heard on 9/23/08 to comply by 10/28/08. Violations and extensions were as noted in the agenda. The property was not complied, fines had accrued to \$60,750, and the order had been recorded.

Case: CE07100839

Coloney Ventures-Apex Capital LLC
301 Southeast 23 Street

This case was first heard on 9/23/98 to comply by 10/28/08. Violations and extensions were as noted in the agenda. The property was not complied, fines had accrued to \$40,500 and the order had been recorded.

Case: CE07111195

Coloney Ventures-Apex Capital LLC
304 Southeast 22 Street

This case was first heard on 9/23/98 to comply by 10/28/08. Violations and extensions were as noted in the agenda. The property was not complied, fines had accrued to \$54,000 and the order had been recorded.

Mr. Gus Carbonell, architect, reported the property had changed hands. He said he had submitted the plans the previous week. Mr. Carbonell requested 91 days.

Mr. Burt Ford, Building Inspector, did not oppose the request for 91 days.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to grant a 91-day extension to 6/23/09, during which time no fines would accrue for cases CE07080005, CE07100839 and CE07111195. In a voice vote, Board approved unanimously.

Case: CE07100999

Jeffrey & Michele Hanft
201 Southeast 22 Street Apt. 1

This case was first heard on 9/23/08 to comply by 10/28/08. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Gus Carbonell, architect, reported this property was still owned by Coloney Ventures. He said the project had experienced delays and requested 60 days to have plans submitted to the Building Department. Mr. Carbonell said three of the four units were unoccupied and eviction proceedings had begun against the last tenant.

Mr. Burt Ford, Building Inspector, recommended a 91-days extension to coincide with the other properties Mr. Carbonell was working on.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 91-day extension to 6/23/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE07030221

Villas Santa Fe Corp
1111 Southwest 4 Street

This case was first heard on 10/23/07 to comply by 11/27/07. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$32,850 and the City was recommending abatement.

Mr. Antonio Duran, owner, waived the right to notice of a Massey hearing, and requested abatement of the fines.

Mr. Jorg Hruschka, Building Inspector, recommended abatement of the fines.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to abate the fines. In a voice vote, Board approved unanimously.

Case: CE07071088

Dana A Fahey
3500 Vista Park

This case was first heard on 1/27/09 to comply by 3/24/09. There was a stipulated agreement with the owner to comply. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Jerome Petriska, owner, said the plans had been submitted to the City and requested an additional 60 days.

Mr. Jorg Hruschka, Building Inspector, explained there had been lengthy legal actions among many parties to determine who was responsible to pay for changes to the property, which had delayed the issuance of a Certificate of Occupancy. He supported a 63-day extension.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 63-day extension to 5/26/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08091735

Massa Family Investment Co LLC
225 Southwest 21 Terrace

This case was first heard on 10/28/08 to comply by 1/27/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,500 and the City was recommending abatement of the fine. Certified mail sent to the owner was accepted on 3/10/09 and certified mail sent to the registered agent was accepted on 3/10/09.

Mr. Daniel Massa, owner, requested abatement of the fine.

Ms. Tammy Arana, Fire Inspector, recommended abatement.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to abate the fines. In a voice vote, Board approved unanimously.

Case: CE08011721

Centurion Park Holdings LLC
2300 Northwest 55 Court # 114

This case was first heard on 4/22/08 to comply by 7/22/08. Violations and extensions were as noted in the agenda. The property was not complied, fines had accrued to \$1,750 and the order had been recorded.

Mr. Eduardo Marquez, owner, said he had his architect draw separate plans for the demolition. He said the final plans would be presented today and requested additional time.

Ms. Tammy Arana, Fire Inspector, said the owner had been working to comply. She recommended a 35-day extension and hoped they would see some progress by then.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08071153

Theon Eames
1300 Northwest 2 Avenue

This case was first heard on 9/23/08 to comply by 11/25/08. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Theon Eames, owner, said he had obtained the engineering drawings and product approvals. He had also evicted the tenant but could not afford to do the work right now.

Mr. Wayne Strawn, Building Inspector, was encouraged the building was vacant, and said he would not oppose a short extension.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 63-day extension to 5/26/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

The Board took a brief recess.

Case: CE07100363

Robert N McAllister
541 East Dayton Circle

This case was first heard on 5/27/08 to comply by 7/22/08. Violations and extensions were as noted in the agenda. The property was not complied, and the order had been recorded.

Mr. Robert McAllister, owner, said he had put another property up for sale and intended to use the proceeds to make repairs at this property. He said he was still addressing the damaged window issue with the WaterWorks 2011 management. Mr. McAllister estimated it would cost \$40,000 to comply.

Mr. Burt Ford, Building Inspector, reminded the Board that he had opposed an extension at the last hearing. At that meeting, Mr. McAllister had promised that by this hearing, the window permit would be inspected, but this was not done and the permit had expired. Inspector Ford opposed any further extension today.

Ms. Ellis advised Mr. McAllister that the Board must see progress regarding the windows within 35 days. Mr. McAllister promised the windows would be finished in 35 days. Inspector Ford said the case could be complied with the issuance of a permit,

and he felt the money Mr. McAllister had spent elsewhere, such as clearing the land he owned, could have gone toward having the plans drawn.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved 3 – 1 with Ms. Croxton voting no.

Case: CE08090940

Ricardo F & Elba M Cases-Ayala
2251 Southwest 38 Avenue

This case was first heard on 2/24/09 to comply by 3/24/09. There was a stipulated agreement with the owner to comply. Violations were as noted in the agenda. The property was not complied.

Mr. Ricardo Cases-Ayala, owner, requested a 63-day extension. He informed the Board he had already submitted plans.

Mr. George Oliva, Building Inspector, confirmed the plans had been submitted, and recommended 63 days.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 63-day extension to 5/26/09, during which time no fines would accrue. In a voice vote, Board unanimously.

Case: CE08070403

Chelsea Blaine-Flowers, 1/2 Interest
Herman Flowers
651 Southwest 26 Avenue

This case was first heard on 11/25/08 to comply by 2/24/09. Violations were as noted in the agenda. There was a stipulated agreement with the owner to comply. The property was not complied.

Ms. Chelsea Blaine-Flowers, owner, said she had pulled two of the permits and was responding to comments on two other applications. She requested an additional 63 days.

Mr. George Oliva, Building Inspector, confirmed that the owner needed up-to-date NOAs for the windows and shutters. He did not oppose a 63-day extension.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 63-day extension to 5/26/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE07030273

Las Olas North LLC

1180 Northeast 1 Street

This case was first heard on 5/27/08 to comply by 8/26/08. There was a stipulated agreement with the owner to comply. Violations and extensions were as noted in the agenda.

Mr. Pablo Barreiro, the owner's son, said they had hired an architect, who had drawn plans and they had hired a contractor. Mr. Barreiro said they did not have the money to complete the work now.

Mr. Jorg Hruschka, Building Inspector, explained that the corrective action related to submitting the paperwork. He had seen an almost complete set of plans a few months ago. He explained that the actual work had been done years ago, but the permits must be pulled and work inspected to ensure it had been done to code. Inspector Hruschka said he would support a 35-day extension, but no extensions after that.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08081269

Brad Hertz
1520 Southwest 27 Court

This case was first heard on 11/25/08 to comply by 3/24/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Roy Harper, representative of the owner, explained that the engineer had not completed the plans yet. He requested a 60-day extension. Mr. Harper said Mr. Hertz had trouble contacting his former contractors and intended to find new ones.

Mr. McKelligett informed the Board that the letter Mr. Harper presented had not been notarized, so he was testifying as a witness only.

Mr. Gerry Smilen, Building Inspector, said nothing had been done at the residence, but there was a new tenant in the illegal efficiency. He presented photos from his last visit to the property showing a new unpermitted water heater. He remarked that the water heater and overhang were hurricane hazards. Inspector Smilen remembered that Mr. Hertz had promised to remove the wood structure and the screen enclosure, but this had not been done. He had tried to contact Mr. Hertz, but received no response. He therefore did not support any extension.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board **denied** 0 - 4.

Case: CE07081051

Boaz Derisse
225 Southwest 12 Avenue

This case was first heard on 8/26/08 to comply by 10/28/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$4,050 and the City was recommending abatement.

Mr. Gerard Pierre-Louis, the owner's agent, waived the right to notice of a Massey hearing so the Board could address the fines. He requested abatement of the fines.

Mr. Burt Ford, Building Inspector, recommended abatement of the fine

Motion made by Ms. Ellis, seconded by Ms. Croxton, to abate the fines. In a voice vote, Board approved unanimously.

Case: CE08040242

Boaz Derisse
225 Southwest 12 Avenue

This case was first heard on 8/26/08 to comply by 10/28/08. Violations and extensions were as noted in the agenda. The property was not complied, fines had accrued to \$22,500 and the order had been recorded.

Mr. Gerard Pierre-Louis, the owner's agent, said the hard-wired smoke detectors were installed with a permit, and requested time to call for final inspection.

Ms. Tammy Arana, Fire Inspector, confirmed the permit was issued and awaiting final inspection. She recommended an extension.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08042258

Homecoming Financial LLC
1429 Southwest 9 Street # 10

This case was first heard on 9/23/08 to comply by 11/25/08. Violations were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of a \$29,500 fine, which would continue to accrue until the property complied. Service was via posting on the property on 3/10/09 and at City Hall on 3/12/09.

Mr. Michael Fera, owner, said he had purchased the unit October 15, 2008 and was unaware of the violations until the tenant had phoned him after the property was posted

two weeks ago. He had reached the contractor who installed the smoke detectors, who had pulled a permit. Mr. Feira anticipated inspection in less than one week.

Ms. Tammy Arana, Fire Inspector, said no one had ever alerted the City that the smoke detectors were installed. She agreed the permit had been pulled but never inspected. Inspector Arana recommended an extension for the work to be inspected.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to grant a 35-day extension to 4/28/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE06110317

Jamie L Smith
1636 Northwest 6 Avenue

This case was first heard on 2/26/08 to comply by 4/22/08. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Jose Florez, attorney, said when the owner purchased the property, he had hired an inspector who told him everything was up to code and permitted, but he had found this was not true. The last violation concerned a structure in the rear that was still being worked on. The plans for this had been submitted and returned for comments several times.

Mr. Mark Saval, architect, explained that since they had last appeared, the plans had been submitted and returned twice. He said Inspector Strawn had advised him to meet with someone at the Building Department because every time he submitted the plans, new comments were added. The Building Department had also lost the plans.

Mr. Wayne Strawn, Building Inspector, confirmed that the back room that had been used as a residence was no longer used. He said he did not object to the request for a 91-day extension.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to grant a 91-day extension to 6/23/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE06120242

Alexander P Johnson
420 Southeast 13 Street

This case was first heard on 1/22/08 to comply by 7/22/08. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Alexander Johnson, owner, said he had removed the unpermitted work. The architect was now amending the plans and promised to have them submitted within 30

days. Mr. Johnson hoped to have the work finished within 30 days and requested a 63-day extension.

Mr. Wayne Strawn, Building Inspector, said he had received a call confirming what Mr. Johnson had said. He did not object to the request for a 63-day extension.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to grant a 63-day extension to 5/26/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE07070012

W James Reimer
3020 North Atlantic Boulevard

This case was first heard on 6/24/08 to comply by 9/23/08. There was a stipulated agreement with the owner to comply. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Jay Jacobson, friend of the owner, said the permit applications had been submitted. Ms. Croxton wanted to know the name of the elevator company that had installed an elevator without a permit. Mr. Jacobson could not say, and requested 60 to 90 days.

Mr. Jorg Hruschka, Building Inspector, said the CBS wall must be filed under a separate permit application.

Chair Mitchell was upset that the owner had only recently submitted the permit application, but Mr. Jacobson stated the information had been in the City's hands but had been overlooked. Chair Mitchell thought the owner had waited until the last minute to act.

Inspector Hruschka said the owner had been very cooperative and the case had been delayed due to FEMA requirements. He agreed that the information regarding the wall had been submitted with the plans, but the City wanted a separate application.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 63-day extension to 5/26/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE08072465

Gillies & Hazel Graham
1201 Northwest 1 Avenue

This case was first heard on 9/23/08 to comply by 1/27/09. There was a stipulated agreement with the owner to comply. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Jeff Lewis, contractor, said in the past 28 days, they had plans drawn and submitted to the City. The City also wanted plumbing and electrical contractors and the owner would take care of that now. Mr. Lewis requested 90 days.

Mr. Lewis informed Chair Mitchell he had begun working on the project just before the previous meeting.

Mr. Gillies Graham, owner, explained he had been in an accident and admitted he had been confused about how to comply, so he had hired a contractor. Mr. Lewis reiterated that he could do the work in 90 days. Mr. Mitchell said when owners signed stipulated agreements, the Board expected there to be significant progress, not repeated requests for extensions.

Mr. Wayne Strawn, Building Inspector, felt Ms. Graham had not understood how difficult it could be to pull a permit. He said the job had become more involved with the discovery of an illegal bathroom. He said he would not oppose an extension today, but would oppose any more.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to grant a 91-day extension to 6/23/09, during which time no fines would accrue. In a voice vote, Board approved unanimously.

Case: CE07011394

Christopher S Kupkovich 1/2 Interest
Cheryl Kupkovich
3302 Southwest 14 Street

This case was first heard on 4/22/08 to comply by 7/22/08. Violations and extensions were as noted in the agenda. The property was not complied.

Ms. Cheryl Kupkovich, owner, said she had picked up the permits this morning.

Mr. Jorg Hruschka, Building Inspector, confirmed the property was complied.

Ms. Kupkovich waived the right to notice of a Massey hearing, so the Board could address the fines. Ms. Paris said fines had accrued to \$9,700 and the City was recommending abatement.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to abate the fines. In a voice vote, Board approved unanimously.

Case: CE08040239

Jose C & Aimee M Arevalo
3716 Southwest 13 Court

This case was first heard on 9/23/08 to comply by 10/28/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$22,500 and the City was recommending abatement of the fines. Service was via posting on the property on 3/10/09 and at City Hall on 3/12/09.

Mr. Jose Arevalo, owner, requested abatement of the fines.

Ms. Tammy Arana, Fire Inspector, confirmed the property was complied on 1/30/09, and recommended abatement.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to abate the fines. In a voice vote, Board approved unanimously.

Case: CE08031541

1115 Terrace Corp
1115 Southwest 15 Terrace

This was a request to vacate the order dated 8/26/08 because hardwired detectors were installed prior to the citation date.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to vacate the order of 8/26/08. In a voice vote, Board approved unanimously.

Case: CE08030486

Andrew Hnatyszak
3074 Northeast 33 Avenue

This case was first heard on 1/27/09 to comply by 2/24/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of a \$16,200 fine, which would continue to accrue until the property complied. Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Motion made by Ms. Sheppard, seconded by Ms. Croxton to find the property was not complied by the ordered date, and to impose the \$16,200 fine, which would continue to accrue until the property complied. In a voice vote, Board approved unanimously.

Case: CE05120979

John Dokimos &
Middle River Oasis LLC
524 Bayshore Drive

This case was first heard on 1/27/09 to comply by 2/24/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,800 fine, which would continue to accrue until the property complied. Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Motion made by Ms. Sheppard, seconded by Ms. Croxton to find the property was not complied by the ordered date, and to impose the \$10,800 fine, which would continue to accrue until the property complied. In a voice vote, Board approved unanimously.

Case: CE07040062

Martin A Schlueter Revocable Trust
Martin A Schlueter Trustee et al
737 Northeast 16 Avenue

This case was first heard on 11/25/08 to comply by 2/24/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of a \$1,350 fine, which would continue to accrue until the property complied. Service was via posting on the property on 3/12/09 and at City Hall on 3/12/09.

Motion made by Ms. Croxton, seconded by Ms. Ellis to find the property was not complied by the ordered date, and to impose the \$1,350 fine, which would continue to accrue until the property complied. In a voice vote, Board approved unanimously.

Case: CE08022004

Deborah P & Ronald A Fitzgerald
54 Isle of Venice Drive # 10

This case was first heard on 1/27/09 to comply by 2/24/09. Violations were as noted in the agenda. The property was complied and the City was requesting abatement of the \$525 fine.

Motion made by Ms. Sheppard, seconded by Ms. Croxton to abate the fines. In a voice vote, Board approved unanimously.

Case: CE06081807

The Isles At Coral Ridge
Condominium Association, Inc
1400 Northeast 56 Street

This case was first heard on 11/25/08 to comply by 2/24/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of a \$6,750 fine, which would continue to accrue until the property complied. Certified mail sent to DPST was accepted on 3/11/09 and certified

mail sent to the registered agent was accepted on 3/10/09. Service was via posting on the property on 3/12/09 and at City Hall on 3/12/09.

Mr. Jorg Hruschka, Building Inspector, explained that a developer had purchased an apartment complex and converted it to condos. He said the developer had been very slow but was trying to comply. He had submitted substandard plans.

Motion made by Ms. Sheppard, seconded by Ms. Ellis to find the property was not complied by the ordered date, and to impose the \$6,750 fine, which would continue to accrue until the property complied. In a voice vote, Board approved unanimously.

Case: CE06110191

Deysi Arevalo & Freddy Enriquez
3680 Southwest 12 Place

This case was first heard on 1/27/09 to comply by 2/24/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of a \$12,150 fine, which would continue to accrue until the property complied. Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Motion made by Ms. Sheppard, seconded by Ms. Ellis to find the property was not complied by the ordered date, and to impose the \$12,150 fine, which would continue to accrue until the property complied. In a voice vote, Board approved unanimously.

Case: CE08061875

James E & Josie P Smith
450 West Evanston Circle

This case was first heard on 11/25/08 to comply by 2/24/09. Violations were as noted in the agenda. The property was complied and the order had been recorded. Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09. The City was recommending abatement of the \$650 fine.

Motion made by Ms. Croxton, seconded by Ms. Ellis to abate the fine. In a voice vote, Board approved unanimously.

Case: CE08100816

Federal National Mortgage Association
2641 Northwest 20 Street

This case was first heard on 1/27/09 to comply by 2/24/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of a \$5,850 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 3/11/09. Service was also via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Motion made by Ms. Sheppard, seconded by Ms. Ellis to find the property was not complied by the ordered date, and to impose the \$5,850 fine, which would continue to accrue until the property complied. In a voice vote, Board approved unanimously.

Approval of Meeting Minutes

Motion made by Ms. Ellis, seconded by Ms. Croxton, to approve the minutes of the Board's February 2009 meeting. In a voice vote, motion passed unanimously.

The Board took a lunch break from 12:35 – 1:00

Case: CE08031777

Carter Property Enterprises Inc
C/O Sugar Jaffe
801 Northwest 57 Street

Certified mail sent to the owner was accepted on 3/7/09.

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. A LOFT WAS BUILT INSIDE THE WAREHOUSE.
2. CENTRAL A/C WAS INSTALLED FOR THE OFFICES.
3. (COMPLIED)

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 DUCT WORK, AND ELECTRIC
HEATER 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 WORK FOR THE OUTLETS AND CEILING
LAMPS INSIDE THE OFFICE SPACE.
2. ELECTRICAL WORK FOR LAMPS AND OUTLETS UNDER THE
LOFT INSIDE THE WAREHOUSE.
3. 220 VOLT ELECTRICAL SUPPLY FOR THE A/C UNIT.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING
THE REQUIRED APPROVALS.

FBC 1604.1

THE STRUCTURE FOR THE LOFT DOES NOT MEET THE

STANDARD FOR GRAVITY LOADING.

Complied:

FBC 105.2.4

FBC 106.10.3.1

Inspector Oliva said the new tenant had been using the loft for storage, which was illegal. That morning, the tenant had sealed the loft and complied that violation. Regarding the second violation, they had resubmitted the permit application for the air conditioning. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation.

Mr. Dennis Joel Jaffee, property manager, said the tenant had suffered financial setbacks, but felt they would complete work on the property soon.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$50 per day, per violation. In a voice vote, Board approved unanimously.

Case: CE06091178

Victor M Estrada

211 Southeast 16 Avenue #2

Service was via posting on the property on 3/2/09 and at City Hall on 3/12/09.

Mr. Burt Ford, Building Inspector, testified to the following violation:

9-280(b)

THE WOOD STAIRS THAT LEAD TO THE SECOND FLOOR HAVE LARGE CRACKS AND ARE CURRENTLY BEING SUPPORTED BY A PIECE OF WOOD UNDER ONE OF THE STRINGERS. SOME OF THE WINDOWS HAVE BEEN SCREWED SHUT.

FBC 105.1

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

1. CONVERTED THE SECOND FLOOR APARTMENT INTO TWO APARTMENTS.
2. FRAMED INTERIOR WALLS AND DOORWAYS TO SEPARATE ONE OF THE BEDROOMS ON THE SECOND FLOOR INTO AN EFFICIENCY, APARTMENT 2B.
3. INSTALLED NEW DOORS.
4. INSTALLED NEW WINDOWS.
5. BUILT A SHED TO HOUSE A LAUNDRY.
6. INSTALLED A BATH VANITY OUTSIDE OF THE BATHROOM IN APARTMENT 2B, THE EFFICIENCY.

FBC 105.2.11

THE MECHANICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER:

1. WINDOW A/C UNITS HAVE BEEN INSTALLED.

FBC 105.2.4

THE PLUMBING SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER:

1. PIPING AND FIXTURES HAVE BEEN INSTALLED IN THE BATH VANITY THAT WAS INSTALLED OUTSIDE THE APARTMENT 2B BATHROOM.
2. PIPING AND FIXTURES HAVE BEEN INSTALLED IN THE ILLEGAL KITCHEN IN APARTMENT 2B.
3. PIPING AND FIXTURES HAVE BEEN INSTALLED IN THE SHED LAUNDRY ATTACHED TO THE BACK OF THE BUILDING.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER:

1. CIRCUITS HAVE BEEN INSTALLED IN THE ILLEGAL KITCHEN IN APARTMENT 2B.
2. CIRCUITS HAVE BEEN UPDATED IN THE BATHROOMS AND KITCHENS.
3. CIRCUITS HAVE BEEN INSTALLED IN THE SHED LAUNDRY ATTACHED TO THE BACK OF THE BUILDING.
4. EXTERIOR PIPING AND OUTLETS HAVE BEEN INSTALLED AROUND THE BUILDING.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC 110.1.1

THE USE AND THE OCCUPANCY OF THE BUILDING HAVE CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION WITHOUT OBTAINING THE REQUIRED CERTIFICATE OF OCCUPANCY.

FBC 1612.1.2

THE WINDOW AIR CONDITIONING UNIT, NEW WINDOWS, AND NEW DOORS HAVE NOT BEEN PROVEN TO SUFFICIENTLY WITHSTAND ESTIMATED OR ACTUAL IMPOSED DEAD, LIVE, WIND, OR ANY OTHER LOADS, THROUGH THE PERMIT AND INSPECTION PROCESS.

FBC 1626.1

THE NEW WINDOWS AND NEW DOORS WITH GLASS NEED TO BE IMPACT RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

FBC 708.3

**FIRE SEPARATIONS BETWEEN RESIDENTIAL UNITS HAVE
NOT BEEN VERIFIED THROUGH THE PERMIT AND
INSPECTION PROCESS.**

Inspector Ford said he had contacted the owner and inspected the illegal third apartment in the duplex. He said the owner had installed a makeshift kitchen in the apartment. Inspector Ford submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$100 per day, per violation.

Mr. Victor Estrada, owner, said he had purchased the property like this 24 years ago. He confirmed he had met with Inspector Ford in September. Inspector Ford said the phone number he had for the owner was out of service shortly after they met. Ms. Paris and Inspector Ford described efforts made to notify the owner of the violations.

Mr. Estrada believed the property was grand fathered in because it was in that condition when he purchased it. Chair Mitchell explained that Mr. Estrada had purchased the property with violations, and he was now responsible to comply the property. Ms. Croxton reiterated that Mr. Estrada was responsible to comply the property and advised him he would need to hire a contractor, and suggested he speak with his inspector.

Motion made by Ms. Croxton to find in favor of the City and order compliance within 63 days, by 5/26/09, or a fine of \$100 per day, per violation. Motion died for lack of a second.

Motion made by Ms. Sheppard, seconded by Ms. Croxton, to find in favor of the City and order compliance within 63 days, by 5/26/09, or a fine of \$50 per day, per violation. In a voice vote, Board approved unanimously.

Case: CE06030884

James & Sylvia Harmon
817 Northwest 15 Terrace

Certified mail sent to the owner was accepted on 3/7/09.

Mr. Wayne Strawn, Building Inspector, testified to the following violations:
FBC 105.1

THE BUILDING HAS BEEN REPAIRED, ALTERED AND
IMPROVEMENTS ATTEMPTED WITHOUT OBTAINING THE
REQUIRED PERMITS. THE ALTERATIONS INCLUDE THE
FOLLOWING:

1. RE-ROOF OF THE BUILDING.
2. REMOVAL AND REPLACEMENT OF WINDOWS AND DOORS.
3. INSTALLATION OF AIR CONDITIONING UNITS.
4. REPLACEMENT OF THE SUPPORT SYSTEM FOR THE ROOF

- PROJECTION ON THE FRONT OF THE BUILDING.
- 5. ALTERATION OF THE ROOF STRUCTURE OF THE SHED IN THE REAR YARD.
- 6. INSTALLATION OF A SHUTTER SYSTEM.
- 7. INSTALLATION OF CHAIN LINK FENCING.

FBC 105.2.4

THE PLUMBING SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING THE REQUIRED PERMIT. THE ALTERATIONS INCLUDE THE INSTALLATION OF PVC VENT PIPING AND SUPPLY PIPING.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMIT.

- 1. THE INSTALLATION/EXPANSION OF CIRCUITRY TO POWER A LIGHT ATTACHED TO THE REAR SHED.
- 2. REMOVAL AND REPLACEMENT OF THE SERVICE EQUIPMENT.

FBC 109.6

THE REQUIRED INSPECTIONS FOR THE UNPERMITTED WORK CITED IN THIS DOCUMENT HAVE BEEN MISSED. THE METHODS AND MATERIALS UTILIZED ARE NOW CONCEALED.

FBC 1612.1.2

THE REQUIRED RESISTANCE TO WIND AND GRAVITY LOADING AS SPECIFIED BY THE FLORIDA BUILDING CODE IN A HIGH VELOCITY WIND ZONE HAS NOT BEEN DEMONSTRATED FOR THE FOLLOWING BUILDING ALTERATIONS:

- 1. THE REMOVAL AND REPLACEMENT OF THE WINDOWS AND DOORS.
- 2. THE REPLACEMENT OF THE FRONT ROOF PROJECTION SUPPORT SYSTEM.
- 3. THE REBUILD OF THE SHED ROOF.

THE PRODUCTS AND MATERIALS USED AS WELL AS THE ATTACHMENT METHODS HAVE NOT BEEN APPROVED AND INSPECTED TO ASSURE COMPLIANCE.

FBC 1626.1

THE WINDOWS AND DOORS INSTALLED HAVE NOT DEMONSTRATED THE RESISTANCE TO THE IMPACT OF WINDBORNE DEBRIS REQUIRED BY THE FLORIDA BUILDING CODE IN A HIGH VELOCITY HURRICANE ZONE. THE REQUIRED RESISTANCE IS USUALLY ASSURED THROUGH THE PERMITTING PROCESS BY THE APPROVAL OF THE MATERIALS/PRODUCTS AND ATTACHMENT SYSTEM UTILIZED.

Inspector Strawn remarked that the shed had been removed, so all violations pertaining to the shed were complied. He submitted photos of the property and the Notice of

Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 63 or 91 days or a fine of \$25 per day, per violation.

Ms. Sylvia Harmon, the owner's daughter, presented a copy of the contractor's agreement, and stated the names of some subcontractors the contractor intended to hire.

Mr. James Harmon, owner, said these were hurricane-related problems, and he had tried to pull permits. Mr. Harmon was very upset that he had never received notice of the violations at the property. As soon as the property was posted, he stated he had contacted the builder. Mr. Harmon thought it was the roofer's responsibility to pull the permit for the roof.

Inspector Strawn described efforts made to contact the owner.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to find in favor of the City and order compliance within 126 days, by 7/28/09, or a fine of \$25 per day, per violation, and to record the order. In a voice vote, Board approved unanimously.

Case: CE08071365.
American One Rentals Inc
2201 North Ocean Boulevard

Service was via posting on the property on 3/2/09 and at City Hall on 3/12/09.

Mr. Burt Ford, 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 HAVE BEEN INSTALLED.

FBC 105.2.11

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

1. A WINDOW A/C HAS BEEN INSTALLED.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING
THE REQUIRED APPROVALS.

FBC 1604.1

THE WINDOWS HAVE NOT BEEN DEMONSTRATED TO BE ABLE
TO WITHSTAND WIND LOAD REQUIREMENTS THROUGH THE
PERMIT AND INSPECTION PROCESS.

FBC 1612.1.2

THE WINDOW AIR CONDITIONING UNITS HAVE NOT BEEN
INSTALLED TO SUFFICIENTLY WITHSTAND ESTIMATED OR

ACTUAL IMPOSED DEAD, LIVE, WIND, OR ANY OTHER
LOADS.

FBC 1626.1

THE NEW WINDOWS NEED TO BE IMPACT RESISTANT OR BE
PROTECTED BY AN APPROVED HURRICANE PROTECTION
SYSTEM.

Inspector Ford said he had originally spoken with someone who claimed to be the owner, but turned out to be the lessee. He had promised he would apply for the permits, but never had. The real owner was present. Inspector Ford said a permit application had been submitted, but he was unsure who had submitted it. He presented photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$25 per day, per violation.

Ms. Twondy Wilcox, Ms. Reynolds' case manager, said she was trying to help the owner resolve some issues. She said she had gone to the property several months ago to discuss the violations with the lessee, and he had been abusive and removed them from the property. Ms. Wilcox had responded by reporting the lessee to Immigration and Customs Enforcement because the lessee was in the country illegally. Ms. Wilcox said the lessee had stopped making lease payments in December and had taken over the property. She stated Ms. Reynolds was also in the midst of a "very nasty divorce."

Frances Reynolds, owner, said she wanted to sell the property to get rid of the problems. She said the lessee had a dog to protect the property, and a security guard, and had frightened her. Ms. Reynolds said she owned three properties but none of the tenants paid her any rent and they had threatened her. She had received the properties as part of her divorce settlement and she had no experience with property management. Ms. Reynolds said she had no knowledge of the violations. Inspector Ford stated he felt the permit would be issued within 30 days and he could close the case.

Mr. Jairo Aragon, Ms. Reynolds' realtor, said he was trying to sell the properties for her, and he would help her get the permits.

Ms. Reynolds said an architect had gotten her to sign a sales contract and informed her she should deed the property over to him. Chair Mitchell advised Ms. Reynolds to hire an attorney and to sign no contracts without his or her approval.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$25 per day, per violation. In a voice vote, Board approved unanimously.

Case: CE08060234

Rosa M Molina
3524 Southwest 14 Street

Certified mail sent to the owner was accepted on 3/12/09.

Mr. George Oliva, Building Inspector, testified to the following violations:
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. THERE IS A CENTRAL A/C WITH DUCT WORK 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 HEATERS, AND HAS NOT BEEN
DEMONSTRATED TO WITHSTAND THE REQUIRED LOADING
THROUGH THE PERMITTING PROCESS.
2. THERE IS A POWER UPGRADE WITH AN EXPIRED
PERMIT.

FBC 109.6

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

Complied:

FBC 105.1

FBC 1612.1.2

FBC 1626.1

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Mr. Jose Arrias, contractor, requested a bit more than 63 days. He said the permit application had been submitted. Inspector Oliva said the drawings submitted must be replaced with new ones, and an electrical contractor must submit the permit for the air conditioner and redo the entire job. Inspector Oliva felt 63 days would be long enough.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to find in favor of the City and order compliance within 63 days, by 5/26/09, or a fine of \$50 per day, per violation. In a voice vote, Board approved unanimously.

Case: CE08090023

Andrea Mignoni & Bradford N Scaccetti
2715 North Ocean Boulevard # 9D

Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Mr. Burt Ford, 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. REMODELED THE KITCHEN AND BATHROOMS.
2. FRAMED CEILING IN THE BATHROOM REMODEL.
3. INSTALLED A NEW EXTERIOR DOOR IN THE KITCHEN.

FBC 105.2.4

THE PLUMBING SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER:

1. INSTALLED PIPING AND FIXTURES DURING THE KITCHEN AND BATHROOM REMODELS.
2. INSTALLED PIPING AND FIXTURES FOR THE CLOTHES WASHER INSTALLED IN A CLOSET.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER:

1. ADDED/ALTERED CIRCUITS FOR THE OVENS, RANGE, MICROWAVE, OUTLETS, AND SWITCHES DURING THE KITCHEN REMODEL.
2. ADDED/ALTERED CIRCUITS DURING THE BATHROOM REMODELS.
3. ADD CIRCUITS FOR THE WASHER AND DRYER INSTALLED IN A CLOSET.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC 1612.1.2

THE NEW EXTERIOR DOOR IN THE KITCHEN HAS NOT BEEN PROVEN TO SUFFICIENTLY WITHSTAND ESTIMATED OR ACTUAL IMPOSED DEAD, LIVE, WIND, OR ANY OTHER LOADS THROUGH THE PERMIT AND INSPECTION PROCESS.

FBC 1626.1

THE NEW EXTERIOR DOOR WITH GLASS NEEDS TO BE IMPACT RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

Inspector Ford said he had advised the owner that he could add the replacement exterior door to a permit the association already had pending for two other exterior doors. Inspector Ford said a permit had failed review and remained with the City for almost a month awaiting corrections. He submitted photos of the property and the

Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation.

Mr. Bradley Scaccetti, owner, explained that the association was responsible for the outside door. He asked that the association be cited for that violation. Mr. Jolly stated that in the short term, Mr. Scaccetti was responsible to resolve the issues, since he was the unit owner. Ms. Croxton confirmed that that condominium associations were responsible for exterior doors. Inspector Ford said he would withdraw the exterior door violations: FBC 105.1.3, FBC 1612.1.2 and FBC 1626.1 and cite the association.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to find in favor of the City and order compliance with FBC 105.1.1 and 2, FBC 105.2.4, FBC 105.2.5, FBC 109.6, within 63 days, by 5/26/09, or a fine of \$50 per day, per violation. In a voice vote, Board approved unanimously.

Case: CE07100923

Carol & Norma M Storms
2817 North Atlantic Boulevard

Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Mr. Burt Ford, Building Inspector, testified to the following violations:
9-280(g)

THERE ARE EXPOSED CIRCUITS IN THE BREAKER BOX IN
THE AIR HANDLER ROOM LOCATED ON THE FIRST FLOOR,
NORTHWEST CORNER OF THE MAIN HOUSE.

9-47.(a)(1)

PERMIT FEES FOR AFTER THE FACT PERMITS SHALL BE
FOUR (4) TIMES THE REGULAR AMOUNT.

FBC 105.1

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

1. NEW WINDOWS HAVE BEEN REPLACED THROUGHOUT THE
MAIN BUILDING AND THE BATH HOUSE.
2. NEW DOORS HAVE BEEN INSTALLED THROUGHOUT THE
MAIN BUILDING AND THE BATH HOUSE.
3. THE KITCHEN IN THE MAIN HOUSE HAS BEEN
REMODELED.
4. THE BATHROOMS IN THE MAIN HOUSE HAVE BEEN
REMODELED.
5. A KITCHEN HAS BEEN INSTALLED IN THE BATH
HOUSE.
6. THE BATHROOM IN THE BATH HOUSE HAS BEEN
REMODELED.
7. NEW PAVERS HAVE BEEN INSTALLED IN THE DRIVEWAY

AND PATHWAYS.

8. NEW PAVERS HAVE BEEN INSTALLED ON THE POOL DECK WHICH HAS COVERED POOL PIPING WORK.
9. A PVC FENCE AND GATE HAVE BEEN INSTALLED.
10. POOL REPAIRS WERE IN PROGRESS AT THE TIME OF THE FIRST AND SECOND INSPECTION, THE POOL DECK HAD BEEN CHIPPED OUT IN PLACES, AND HAS SINCE BEEN COMPLETED.
11. NEW RAILINGS HAVE BEEN INSTALLED.
12. STUCCO WORK HAS BEEN COMPLETED ON BOTH BUILDINGS.

FBC 105.2.11

THE MECHANICAL SYSTEM OF THE BUILDING(S) HAVE BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. WINDOW AND WALL AIR CONDITIONING UNITS HAVE BEEN INSTALLED.
2. THE CENTRAL AIR CONDITIONING UNITS HAVE BEEN INSTALLED/REPLACED.
3. AN AIR HANDLER HAS BEEN INSTALLED IN THE FIRST FLOOR UTILITY ROOM AT THE NORTHWEST CORNER OF THE MAIN HOUSE.

FBC 105.2.4

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

1. PLUMBING FIXTURES AND APPLIANCES HAVE BEEN REPLACED IN THE KITCHEN THAT WAS REMODELED IN THE MAIN HOUSE.
2. PLUMBING FIXTURES HAVE BEEN REPLACED IN THE BATHROOM(S) THAT WERE REMODELED IN THE MAIN HOUSE.
3. PLUMBING FIXTURES WERE ADDED TO THE ILLEGAL KITCHEN THAT WAS INSTALLED IN THE BATH HOUSE.
4. PLUMBING FIXTURES WERE REPLACED IN THE BATHROOM IN THE BATH HOUSE.
5. A NEW SINK WAS INSTALLED IN THE FIRST FLOOR UTILITY ROOM.
6. A NEW PEDESTAL SINK WAS INSTALLED IN THE AIR HANDLER ROOM ON THE NORTHEAST CORNER OF THE BUILDING.
7. NEW POOL PIPING HAS BEEN INSTALLED.
8. A NEW SPRINKLER SYSTEM HAS BEEN INSTALLED.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE BUILDING(S) HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE

FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. ELECTRICAL CIRCUITS HAVE BEEN ADDED/ALTERED WHEN THE KITCHEN IN THE MAIN HOUSE WAS REMODELED.
2. ELECTRICAL CIRCUITS HAVE BEEN ADDED/ALTERED WHEN THE BATHROOM(S) IN THE MAIN HOUSE WERE REMODELED.
3. ELECTRICAL CIRCUITS HAVE BEEN ADDED/ALTERED WHEN THE ILLEGAL KITCHEN WAS INSTALLED IN THE BATH HOUSE.
4. ELECTRICAL CIRCUITS HAVE BEEN ADDED/ALTERED WHEN THE BATHROOM IN THE BATH HOUSE WAS REMODELED.
5. ELECTRICAL CIRCUITS USED TO POWER THE NEW LANDSCAPE LIGHTING HAVE BEEN ADDED/ALTERED.
6. ELECTRICAL CIRCUITS USED TO POWER AIR CONDITIONING EQUIPMENT HAVE BEEN ADDED/ALTERED.
7. ELECTRICAL CIRCUITS USED TO POWER NEW POOL EQUIPMENT HAS BEEN ADDED/ALTERED.
8. ELECTRICAL CIRCUITS USED TO POWER THE SPRINKLER SYSTEM HAS BEEN ADDED/ALTERED.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC 110.1.1

THE USE AND THE OCCUPANCY OF THE BATH-HOUSE HAS CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION WITHOUT OBTAINING THE REQUIRED CERTIFICATE OF OCCUPANCY WHEN THE KITCHEN WAS ADDED.

FBC 1604.1

THE NEW WINDOWS, NEW DOORS, AND NEW FENCE HAVE NOT BEEN DEMONSTRATED TO BE ABLE TO WITHSTAND WIND LOAD REQUIREMENTS THROUGH THE PERMIT AND INSPECTION PROCESS.

FBC 1626.1

THE NEW WINDOWS AND NEW DOORS WITH GLASS NEED TO BE IMPACT RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

FBC-M 918.6.5

THERE IS AN AIR HANDLER LOCATED IN THE BATHROOM AT THE NORTHWEST, 1ST FLOOR CORNER OF THE BUILDING.

Inspector Ford said a stop work order had been issued, but the pool had been completed after the stop work order was posted. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence.

Ms. Carol Storms, the owner's daughter, said her mother had advised her to sell the property to someone willing to inherit the violations. Ms. Croxton remarked on the magnitude of the violations, and the fact that Ms. Storms' mother should have known that the work she was having done was illegal.

Ms. Storms said a friend of her mother had been overseeing the work on the property. Inspector Ford stated plans drawn up by the architect were worthless because they were so inaccurate. He pointed out that the work had been done, but permits must be pulled for all of the work. The plans were submitted last March, failed in April and were not picked up until July. Since then, there had been no activity. Ms. Storms said the plans she had picked up from the architect in November were not acceptable either. Ms. Ellis advised Ms. Storms to find a new architect. Chair Mitchell agreed that the original architect was incompetent and Ms. Storms must find a new one.

Motion made by Ms. Ellis seconded by Ms. Sheppard, to find in favor of the City and order compliance within 63 days, by 5/26/09, or a fine of \$50 per day, per violation, to record the order, and to order the respondent to reappear at the 5/26/09 hearing. In a voice vote, Board **denied** 1 – 3 with Ms. Ellis voting yes.

Motion made by Ms. Croxton seconded by Ms. Sheppard, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$50 per day, per violation, to record the order, and to order the respondent to reappear at the 4/28/09 hearing. In a voice vote, Board approved 3 – 1 with Ms. Ellis voting no.

Case: CE08070956

Carolyn Kendrick 1/2 Interest each
Christopher Blackman
2629 Southwest 8 Street

Certified mail sent to the owner was accepted on 3/11/09.

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. WINDOWS ARE BEING CHANGED AND FRONT DOOR WAS REPLACED.
2. THERE ARE TWO OLD OPEN BUILDING PERMITS FOR CONCRETE SLABS.

FBC 106.10.3.1

THERE ARE TWO EXPIRED BUILDING PERMITS, #06020444
10/27/06 - SLAB FOR DEN WHICH FAILED INSPECTION
ON 12/28/06 AND #96070143 7/3/96 - DRIVEWAY WHICH
FAILED INSPECTION ON 7/3/96.

FBC 109.6

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

FBC 1604.1

THE STRUCTURE FOR THE DEN DOES NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS.

FBC 1612.1.2

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

FBC 1626.1

THE NEW WINDOWS AND DOOR WITH GLASS NEED TO BE IMPACT RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

Inspector Oliva explained that the permit applications had been submitted and the slab permit had been issued already. The owner needed to resubmit the NOA for the permits. Inspector Oliva recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Mr. Christopher Blackman, owner, confirmed he had a complete package with him, including the new NOA.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to find in favor of the City and order compliance within 63 days, by 5/26/09, or a fine of \$25 per day, per violation. In a voice vote, Board approved unanimously.

Case: CE08070335

Yoan A Castro & Nancy Anicia Licea
2450 Southwest 7 Street

Service was via posting on the property on 3/10/09.

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 SINGLE FAMILY HOUSE WAS SUBDIVIDED INTO FOUR RENTAL APARTMENTS.
2. THREE KITCHENS AND TWO BATHROOMS WERE BUILT ON THE PROPERTY AND THE EXISTING ONES WERE REMODELED.
3. OUTSIDE DOORS WERE INSTALLED ONE THE EAST SIDE,

ONE ON THE SOUTH SIDE.

4. TWO SHEDS WERE BUILT IN THE BACK OF THE PROPERTY.
5. A OVERHANG ROOF WAS BUILT ON THE BACK OUT OF 2X4 AND PLYWOOD.

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 ELECTRIC HEATERS AND DUCT WORK WAS INSTALLED.
2. VENTILATION FOR THE EXTRAS KITCHENS AND BATHROOMS.

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. THE EXTRAS KITCHENS AND BATHROOMS THAT WERE BUILT.

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 THE ADDITIONAL KITCHENS, BATHROOMS, LIGHTS, WALL OUTLETS.
2. THE ELECTRIC HEATER AND CENTRAL A/C 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.

FBC 117.1.1

THE BUILDING HAS BEEN SUBSTANTIALLY DAMAGED DUE TO FIRE. THE ROOF AND TRUSS SYSTEM HAS BEEN DAMAGED BY FIRE AND IS OPEN AND EXPOSED TO THE ELEMENTS.

FBC 117.2.1.1.1

THE BUILDING IS VACANT, UNGUARDED AND OPEN.

FBC 117.2.1.2.2

THE ROOF AND TRUSSES HAS BEEN DAMAGED BY FIRE.

FBC 117.2.1.2.5

THE ELECTRICAL PREMISE WIRING HAS BEEN DAMAGED BY FIRE AND REMAINS A HAZARDOUS CONDITION WHEN REENERGIZED.

Inspector Oliva explained that the house had been divided into three apartments. The extra load on the air conditioning system and the three kitchens had caused a fire in the house. The insurance company had refused to pay the owner's fire claim because of the violations and the owner had retained an attorney to deal with the insurance company. Inspector Oliva said no one was currently living at the property and he believed it could be fixed. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Mr. Ronald Melendez interpreted for the owners.

Ms. Croxton remarked that the property presented a danger to the neighborhood.

Ms. Nancy Anicia Licea, owner, said she intended to pursue the insurance company for a settlement. Ms. Ellis asked about a "plan B" if the insurance company refused to pay her. Ms. Licea said she did not know what she would do if the insurance company did not pay her.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to find in favor of the City and order compliance within 63 days, by 5/26/09, or a fine of \$50 per day, per violation, and to record the order. In a voice vote, Board approved unanimously.

Ms. Ellis advised the owner to go to Community Development for help.

Case: CE06091017

Ronald D Melendez
1437 Northwest 1 Avenue

This case was continued from 2/24/09 and the owner ordered to reappear.

Mr. Wayne Strawn, Building Inspector, testified to the following violations:
FBC 105.1

- THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING THE REQUIRED PERMITS. THE ALTERATIONS INCLUDE THE FOLLOWING:
1. INSTALLATION OF A NEW KITCHEN.
 2. INSTALLATION OF WOODEN FENCING.
 3. INSTALLATION OF NEW DOORS AND REVISION OF THE FLOOR PLAN.
 4. PARTIAL ENCLOSURE OF THE PORCH AT THE REAR OF THE BUILDING.
 5. REMOVAL OF THE FIBERGLASS ROOF SYSTEM OF THE REAR PORCH AND REPLACEMENT WITH A CONVENTIONAL DECK AND ROOF SYSTEM.
 6. STRUCTURAL ALTERATION/ENHANCEMENT OF THE ROOF

FRAMING OF THE PORCH ROOF IN ORDER TO SUPPORT THE INCREASED GRAVITY LOADS OF A CONVENTIONAL ROOF SYSTEM.

FBC 105.2.11

A CENTRAL AIR CONDITIONING SYSTEM HAS BEEN INSTALLED WITHOUT OBTAINING A PERMIT AS REQUIRED.

FBC 105.2.4

PLUMBING WORK HAS BEEN DONE CONNECTED TO THE KITCHEN REMODEL WHICH INCLUDES THE REPLACEMENT OF CABINETS AND COUNTERS. A PERMIT WAS NOT ISSUED FOR THE PLUMBING IMPROVEMENTS.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING THE REQUIRED ELECTRICAL PERMITS. THE ALTERATIONS INCLUDE AN EXPANSION OF THE CIRCUITRY TO POWER A CENTRAL AIR CONDITIONING SYSTEM, EXTERIOR LIGHTING AND ELECTRICAL MODIFICATIONS ASSOCIATED WITH THE KITCHEN REMODEL.

FBC 1612.1.2

THE INSTALLATION OF DOORS AND THE STRUCTURAL ALTERATIONS OF THE PORCH ROOF SYSTEM HAVE NOT DEMONSTRATED THE REQUIRED RESISTANCE TO WIND LOADING AS SPECIFIED IN THE FLORIDA BUILDING CODE FOR A HIGH VELOCITY HURRICANE ZONE. THE STRENGTH REQUIREMENT ISSUE WAS NOT ADDRESSED BECAUSE A PERMIT WAS NOT ISSUED FOR THE WORK. THE FLORIDA BUILDING CODE "PRESUMES AND DEEMS" ALTERATIONS WITHOUT PERMITS TO BE UNSAFE. (SEE FBC 117.1.2)

Inspector Strawn submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence and requested a finding of fact. Inspector Strawn said he had located a permit for the addition in the rear section dated 1954 with a different type of roof. He believed the new roof had been installed sometime in the 1960s.

Inspector Strawn said there was a permit for windows and doors, so the portion of FBC 105.1.3 relating to the new doors was complied.

Mr. George Shirejian, attorney, said Mr. Melendez had bought the property in 2006 and was aware of only the kitchen violation. There was an escrow agreement in the sales contract to cover this issue only. The escrow company had given the money back to the seller, but had done nothing about the kitchen and they were trying to get the money back. Mr. Shirejian requested six months to comply and agreed to return in 3 months for a progress report.

Mr. Ronald Melendez, owner, confirmed that the escrow company had incorrectly released the funds when the work was never done. Mr. Melendez said he had tried to straighten this out with the title company. Mr. Shirejian said they had hoped to get the money back from the title company before proceeding. Chair Mitchell said the Board did not give consideration of litigation between the owner and the title company; their concern was to see the violations complied. Chair Mitchell asked how long Mr. Melendez needed to hire an architect to draw plans and start correcting the violations. Mr. Melendez said he was waiting to get the money from the title company because he could not afford to hire an architect.

Ms. Ellis remarked that the roof had existed in this state since the sixties and withstood hurricanes. Inspector Strawn agreed that the roof had stayed in place since the 60s, but pointed out there was no proof the roof was up to code.

Mr. Shirejian asked the Board to indicate in their finding of fact that the door violation no longer existed. Inspector Strawn agreed to indicate this in the final order relating to portions of the FBC 105.1.3 and FBC 1612.1.2 violations.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to find in favor of the City and order compliance within 91 days, by 6/23/09, or a fine of \$25 per day, per violation, and ordered the respondent to reappear at that hearing. In a voice vote, Board approved unanimously.

The Board took a five-minute break.

Case: CE08070934

Roxana S Gonzales
1408 Northwest 9 Avenue

Service was via posting on the property on 3/10/09 and posting at City Hall 3/12/09.

Mr. Wayne Strawn, Building Inspector, testified to the following violations:
FBC 105.1

THE BUILDING HAS BEEN ALTERED, IMPROVED AND
REPAIRED IN THE FOLLOWING MANNER WITHOUT OBTAINING
THE REQUIRED PERMITS:

1. THE RAFTERS IN THE CARPORT AREA HAVE BEEN
SPliced OR DOUBLED TO EFFECT A STRUCTURAL REPAIR.
2. THE FLOOR PLAN HAS BEEN ALTERED BY THE REMOVAL
OF WALLS.
3. THE KITCHEN HAS BEEN REMODELED.
4. THE JALOUSIE WINDOWS HAVE BEEN REMOVED AND
REPLACED.
5. A ROOF DECK HAS BEEN INSTALLED OVER THE PLANTER
IN THE CARPORT AREA. THE ORIGINAL OPENING WAS
DESIGNED TO WORK IN CONJUNCTION WITH THE PLANTER.

9-280(b)

THE BUILDING HAS BEEN ALLOWED TO DETERIORATE DUE TO LACK OF MAINTENANCE. THE ROOF HAS BEEN LEAKING AND THE ROOF DECK MATERIAL IS ROTTEN IN MANY PLACES. THE CEILING HAS FALLEN IN SOME AREAS. RAFTERS IN THE CARPORT ARE ROTTEN OR REPAIRED IMPROPERLY.

FBC 105.2.4

A WATER HEATER AND A KITCHEN SINK HAVE BEEN INSTALLED WITHOUT OBTAINING THE REQUIRED PLUMBING PERMITS. THE WATER HEATER IS OUTSIDE THE BUILDING ON THE EAST EXPOSURE AND THE KITCHEN SINK WAS PART OF THE KITCHEN REMODEL.

FBC 105.2.5

ELECTRICAL ALTERATIONS IN THE FORM OF CIRCUIT EXTENSIONS, RELOCATIONS (REFRIGERATOR OUTLET FOR KITCHEN REMODEL) AND REPAIRS HAVE BEEN DONE WITHOUT OBTAINING THE REQUIRED PERMIT.

FBC 105.2.11

THE COMPRESSOR FOR THE AIR CONDITIONING SYSTEM HAS BEEN REPLACED WITHOUT OBTAINING A PERMIT.

Inspector Strawn said the owner was losing the home to foreclosure and vagrants had sometimes occupied the property. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Ms. Ellis suggested boarding the property.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to find in favor of the City and order compliance within 63 days, by 5/26/09, or a fine of \$50 per day, per violation and to record the order. In a voice vote, Board approved unanimously.

Case: CE09011440

Citigroup Global Markets
Americas Servicing
1527 Northwest 11 Street

Certified mail sent to the owner was accepted [no date].

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

FBC 106.10.3.1

PERMITS HAVE EXPIRED WITHOUT PASSING ALL REQUIRED FIELD INSPECTIONS. THE PERMITS HAVE BECOME NULL AND VOID AND ANY ALTERATIONS, REPAIRS AND

IMPROVEMENTS DONE UNDER THE AUSPICES OF THESE PERMITS IS NOW NON-PERMITTED WORK. THE FOLLOWING IS A LIST OF THESE PERMITS:

1. PERMIT # 05081895 FOR REPAIR OF CEILING JOISTS OF THE CARPORT ROOF. THIS PERMIT TITLE IS INACCURATE. THE REPAIRS ARE TO THE RAFTERS. THE SCOPE OF THE WORK ACCORDING TO THE PLANS INCLUDE A KITCHEN REMODEL AND NEW WINDOWS AND DOORS.
2. PERMIT # 05072397 FOR BRICK PAVER DRIVE TO PROPERTY LINE.
3. MECHANICAL PERMIT # 05082686 FOR INSTALLING NEW 3 TON A/C.

FBC 1612.1.2

THE ALTERATIONS OF THE ROOF SUPPORT SYSTEM DO NOT MEET THE STRENGTH REQUIREMENTS OF THE FLORIDA BUILDING CODE FOR THE HIGH VELOCITY HURRICANE ZONE. THE WINDOWS INSTALLED HAVE ALSO NOT DEMONSTRATED COMPLIANCE WITH THE WIND LOADING REQUIREMENTS THROUGH THE PERMITTING PROCESS.

FBC 105.2.11

THE AIR CONDITIONING SYSTEM OF THE BUILDING EXISTS AS A NON-PERMITTED INSTALLATION. THE PERMIT THAT WAS ISSUED FOR THE INSTALLATION HAS BECOME NULL AND VOID WITHOUT PASSING ALL REQUIRED FIELD INSPECTIONS.

FBC 105.1

THE BUILDING HAS BEEN ALTERED, REPAIRED AND IMPROVED WITHOUT OBTAINING THE REQUIRED PERMITS. IN SOME CASES PERMITS WERE OBTAINED BUT ALLOWED TO EXPIRE WITHOUT THE WORK BEING APPROVED BY FIELD INSPECTION. THOSE PERMITS ARE NULL AND VOID AND THE IMPROVEMENTS NOW EXIST AS NON-PERMITTED WORK. THE FOLLOWING IS A LIST OF THESE ALTERATIONS, REPAIRS AND IMPROVEMENTS.

1. THE STRUCTURAL RE-BUILD AND DECK REPLACEMENT OF THE CARPORT ROOF.
2. THE INSTALLATION OF WINDOWS AND DOORS.
3. THE INSTALLATION OF A PAVER DRIVEWAY.
4. THE RE-ROOF OF THE BUILDING AND CARPORT.
5. THE KITCHEN REMODEL.

Inspector Strawn said the owner had applied for permits, but allowed them to expire and never fixed the violations. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation. Inspector Strawn confirmed that the owner was a bank.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$100 per day, per violation, and to record the order. In a voice vote, Board approved unanimously.

Case: CE08011105

Jeffrey M Fenster
3022 Northeast 26 Street

Certified mail sent to the owner was accepted on 1/7/09.

Violations:

FBC 105.1

- THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:
1. THE GARAGES ON BOTH VILLAS HAVE BEEN CONVERTED INTO LIVING SPACE.
 2. INTERIOR WALLS HAVE BEEN ALTERED DURING THE GARAGE CONVERSIONS.
 3. A PVC FENCE HAS BEEN INSTALLED.
 4. EXTERIOR DOORS HAVE BEEN INSTALLED.

FBC 105.2.11

- THE MECHANICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:
1. A NEW A/C CONDENSER UNIT HAS BEEN INSTALLED.

FBC 105.2.5

- THE ELECTRICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:
1. CIRCUITS WERE ADDED DURING THE CONVERSION OF THE GARAGES.
 2. CIRCUITS WERE ALTERED/ADDED TO POWER THE NEW A/C UNIT.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC 1604.1

THE NEW DOORS HAVE NOT BEEN DEMONSTRATED TO BE ABLE TO WITHSTAND WIND LOAD REQUIREMENTS THROUGH THE PERMIT AND INSPECTION PROCESS.

The City had a stipulated agreement with the owner to comply within 63 days or a fine of \$50 per day, per violation.

Chair Mitchell was concerned that no work would be done in 63 days. Inspector Ford explained that permit applications had been submitted and he believed they would be issued within 30 days.

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

Case: CE09020428

Federal National Mortgage Association
1301 Northeast 17 Avenue

Certified mail sent to the owner was accepted [no date].

Mr. Burt Ford, Building Inspector, testified to the following violations:

47-34.1.A.1.

THE FREE-STANDING BEDROOM HAS BEEN CONVERTED INTO AN APARTMENT WHICH IS PROHIBITED IN A RC-15 ZONING DISTRICT ACCORDING TO THE TABLE OF DIMENSIONAL REQUIREMENTS FOR THE RC-15 ZONING DISTRICT FOUND AT 47-5.33.

FBC 105.1

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

1. AN ADDITION HAS BEEN BUILT ON THE EAST SIDE.
2. WINDOWS HAVE BEEN INSTALLED.
3. DOORS HAVE BEEN INSTALLED.
4. KITCHEN AND BATHROOMS HAVE BEEN REMODELED.
5. THE EXTERIOR WALLS HAVE AREAS THAT HAVE HAD ELEMENTS REMOVED AND THE WALL HAS BEEN FRAMED/BLOCKED IN.
6. GLASS BLOCK WINDOW HAS BEEN INSTALLED.
7. CONCRETE PADS HAVE BEEN BUILT FOR THE A/C SYSTEM.
8. A KITCHEN HAS BEEN INSTALLED IN THE BEDROOM BUILDING ON THE WEST SIDE OF THE PROPERTY.

FBC 105.2.11

THE MECHANICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER:

1. INSTALLED A/C SYSTEM.
2. WALL A/C UNITS HAVE BEEN INSTALLED.

FBC 105.2.4

THE PLUMBING SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER:

1. PIPING AND FIXTURES HAVE BEEN ALTERED/ADDED AS

- A RESULT OF THE KITCHEN AND BATH REMODELS.
2. THERE IS EXTERIOR PIPING RUNNING INTO THE BUILDING ON THE WEST SIDE OF THE BUILDING.
 3. PIPING AND FIXTURES HAVE BEEN INSTALLED IN THE ILLEGAL KITCHEN IN THE BEDROOM BUILDING ON THE WEST SIDE OF THE PROPERTY.

FBC 105.2.5

THE ELECTRICAL SYSTEM OF THE BUILDING HAS BEEN ALTERED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER:

1. CIRCUITS HAVE BEEN ADDED/ALTERED DURING THE KITCHEN AND BATH REMODELS.
2. CIRCUITS HAVE BEEN ADDED TO POWER THE TWO A/C SYSTEMS.
3. CIRCUITS HAVE BEEN ADDED FOR THE ILLEGAL KITCHEN IN THE BEDROOM BUILDING ON THE WEST SIDE OF THE PROPERTY.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC 1612.1.2

THE WALL AIR CONDITIONING UNITS, WINDOWS, AND DOORS HAVE NOT BEEN PROVEN TO SUFFICIENTLY WITHSTAND ESTIMATED OR ACTUAL IMPOSED DEAD, LIVE, WIND, OR ANY OTHER LOADS THROUGH THE PERMIT AND INSPECTION PROCESS.

FBC 1626.1

THE NEW WINDOWS AND NEW DOORS WITH GLASS NEED TO BE IMPACT RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

Mr. McKelligett informed the Board that this was a foreclosure and Fannie Mae had taken possession of the property in January 2007.

Inspector Ford said there was a 2004 case related to this property on which fines were running. No fines had been imposed, and this new case had been opened. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$100 per day, per violation, and recording the order.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$250 per day, per violation, and to record the order. In a voice vote, Board approved unanimously.

Case: CE08071054

Claudius & Mariella Ulteus
1132 Northeast 5 Avenue

Violations:

FBC 105.1

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

1. DOORS WERE REPLACED.
2. A FENCE WAS INSTALLED.
3. INTERIOR ALTERATIONS WERE DONE TO SEPARATE. -
COMPLIED 12/3/08.

Complied:

FBC 105.2.11

FBC 110.1.1

FBC 708.3

The City had a stipulated agreement with the owner to comply FBC 105.1 within 91 days or a fine of \$25 per day.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to approve the stipulated agreement, find in favor of the City and order compliance with FBC 105.1 within 91 days, by 6/23/09, or a fine of \$25 per day and to record the order. In a voice vote, Board approved unanimously.

Case: CE08051014

Mandalay View Corporation
C/O Lori E Halpern
1353 Bayview Drive

Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Violations:

FBC 105.2.11

THE MECHANICAL SYSTEM HAS BEEN ALTERED IN THE
FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED
PERMITS, INCLUDING BUT NOT LIMITED TO:

1. WALL A/C UNITS WERE REMOVED AND REPLACED.

FBC 105.2.4

THE PLUMBING SYSTEM HAS BEEN ALTERED IN THE
FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED
PERMITS, INCLUDING BUT NOT LIMITED TO:

1. A WATER HEATER WAS EXCHANGED.

The City had a stipulated agreement with the owner to comply within 91 days or a fine of \$25 per day, per violation.

Inspector Hruschka said some of the violations had been complied, but the owner was slow to comply the remaining violations.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to approve the stipulated agreement, find in favor of the City and order compliance within 91 days, by 6.23/09, or a fine of \$25 per day, per violation, and to record the order. In a voice vote, Board **denied** 2 - 2 with Ms. Sheppard and Ms. Croxton voting yes.

Case: CE08031427

Heather Holtz & Scott M Simpkins
2900 Northeast 30 Street # M-4

Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Violations:

FBC 105.1

INTERIOR ALTERATIONS WERE DONE WITHOUT FIRST
OBTAINING A PERMIT, INCLUDING BUT NOT LIMITED TO
KITCHEN AND BATH REMODELING.

FBC 105.2.4

KITCHEN AND BATH FIXTURES WERE REMOVED AND
REPLACED WITHOUT A PERMIT.

The City had a stipulated agreement with the owner to comply within 91 days or a fine of \$25 per day, per violation.

Motion made by Ms. Sheppard, seconded by Ms. Croxton, to approve the stipulated agreement, find in favor of the City and order compliance within 91 days, by 6/23/09, or a fine of \$25 per day, per violation.

Inspector Hruschka explained that he typically accepted a stipulated agreement when he believed this would be effective in obtaining compliance, and when he had spoken with the general contractor. He felt this would help to reduce the Board's burden.

Ms. Croxton felt that if the inspectors had spoken with the respondent and obtained a stipulated agreement admitting the violation(s) she wanted to accept the inspectors' recommendations to save time. Chair Mitchell remarked on the number of cases that came back to the Board after they approved a stipulated agreement. Mr. McKelligett recommended that for stipulated agreements, the inspector could inform the Board of the work he or she had done with the respondent to result in the agreement. Ms. Ellis stated that often, the Board rejected stipulated agreements because they felt the potential fine amounts were too low. Mr. McKelligett advised the inspectors to revisit the fine amounts they were recommending.

In a voice vote, Board **denied** 2 – 2 with Ms. Sheppard and Ms. Croxton voting yes.

Ms. Paris asked the Board to reconsider Case CE08051014 for the inspector to provide additional testimony. Ms. Ellis said she had voted on the prevailing side, and she refused to reconsider it

Case: CE07101321

Michael A Crocco Jr
2129 Northeast 62 Street

Service was via posting on the property on 3/9/09 and at City Hall on 3/12/09.

Mr. Jorg Hruschka, Building Inspector, testified to the following violations:
FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING
MANNER WITHOUT OBTAINING THE REQUIRED PERMITS,
INCLUDING BUT NOT LIMITED TO:

1. CEILINGS WERE REPLACED.
2. BATHROOM FIXTURES/VANITIES WERE REPLACED.
3. THE KITCHEN WAS REMODELED.
4. HI-HATS WERE INSTALLED.

FBC 105.2.4

THE PLUMBING SYSTEM HAS BEEN ALTERED IN THE
FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED
PERMITS, INCLUDING BUT NOT LIMITED TO:

1. KITCHEN AND BATH FIXTURES WERE REPLACED.

FBC 105.2.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED IN THE
FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED
PERMITS, INCLUDING BUT NOT LIMITED TO:

1. ELECTRICAL POWER AND LIGHTING CIRCUITS WERE
ALTERED/INSTALLED.

FBC 109.6

WORK WAS COVERED UP WITHOUT FIRST OBTAINING
APPROVALS THROUGH THE PERMITTING AND INSPECTION
PROCESS.

Inspector Hruschka submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended approving the stipulated agreement and ordering compliance within 91 days or a fine of \$25 per day, per violation. Inspector Hruschka said the owner had applied for permits and he had obtained the agreement to provide a timeframe to comply.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to approve the stipulated agreement, find in favor of the City and order compliance within 91 days, by 6/23/09, or a fine of \$25 per day, per violation. In a voice vote, Board **denied** 2 – 2 with Chair Mitchell and Ms. Ellis voting no.

Case: CE08091700

Lancaste Investments LLC Trustee
3733 Land Trust
3733 Southwest 12 Court

Service was via posting on the property on 3/10/09 and at City Hall on 3/12/09.

Mr. Jorg Hruschka, Building Inspector, testified to the following violations:
FBC 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING
MANNER WITHOUT OBTAINING THE REQUIRED PERMITS,
INCLUDING BUT NOT LIMITED TO:

1. WINDOWS WERE INSTALLED.
2. STRUCTURAL ROOF REPAIRS WERE DONE.
3. A CENTRAL A/C WAS INSTALLED.
4. AN EXTERIOR WOOD FRAME WALL WAS REBUILT.

FBC 105.2.11

A CENTRAL A/C WAS REPLACED/INSTALLED WITHOUT A
PERMIT.

FBC 105.2.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED IN THE
FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED
PERMITS, INCLUDING BUT NOT LIMITED TO:
INTERIOR ALTERATIONS TO ELECTRICAL SYSTEM WERE
DONE.

Inspector Hruschka said this was a follow-up to a 2005 case against the prior owner. He noted that the property was in foreclosure. Inspector Hruschka submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$200 per day, per violation, and recording the order.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$200 per day, per violation and to record the order. In a voice vote, Board approved unanimously.

Case: CE08100204

Nino Barone
5890 Northeast 21 Drive

Certified mail sent to the owner was accepted [no date].

Violations:

FBC 105.1

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

INCLUDING BUT NOT LIMITED TO:

1. THE KITCHEN WAS REMODELED.
2. THE BATHS WERE REMODELED.
3. THE KITCHEN AREA WAS OPENED TO LIVING AREA.
4. A WET BAR WAS INSTALLED.
5. A SHED WAS INSTALLED IN THE SIDE SETBACK.

FBC 105.2.4

THE PLUMBING SYSTEM HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS, INCLUDING BUT NOT LIMITED TO:

1. KITCHEN AND BATH FIXTURES WERE REPLACED.
2. PLUMBING FOR A WET BAR WAS INSTALLED.

FBC 105.2.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS, INCLUDING BUT NOT LIMITED TO:

1. KITCHEN AND BATH CIRCUITS WERE ALTERED AND ADDITIONAL CIRCUITS WERE INSTALLED IN KITCHEN AREA.
2. A LARGE NUMBER OF HI-HAT FIXTURES WERE INSTALLED IN THE LIVING/DINING AREA.
3. NEW CIRCUITS WERE INSTALLED FOR A WET BAR.

FBC 109.6

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

The City had a stipulated agreement with the owner to comply within 91 days or a fine of \$25 per day, per violation.

Inspector Hruschka said he had spoken with the general contractor, and the owner admitted to the violations. He recommended approving the stipulated agreement and ordering compliance within 91 days or a fine of \$25 per day, per violation.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to approve the stipulated agreement, find in favor of the City and order compliance within 91 days, by 6/23/09, or a fine of \$25 per day, per violation. In a voice vote, Board approved unanimously.

Case: CE07021069

Marie Francois
1832 Southwest 37 Avenue

Certified mail sent to the owner was accepted on 3/7/09.

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

FBC 105.1

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

1. THE WINDOWS WERE REPLACED ON THE PROPERTY.

FBC 109.6

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

FBC 1612.1.2

ALL THE WINDOW INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS.

FBC 1626.1

THE NEW WINDOWS AND DOOR WITH GLASS NEED TO BE IMPACT RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

Ms. Paris informed the Board that the property was in foreclosure and a sale was scheduled for 4/16/09.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation, and to record the order.

Motion made by Ms. Sheppard, seconded by Ms. Croxton, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$50 per day, per violation and to record the order. In a voice vote, Board approved unanimously.

Case: CE08051667

Myrtle Gunter
601 West Melrose Circle

Service was via posting on the property on 3/10/09.

Violations:

FBC 105.1

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

1. WINDOWS ARE BEEN REPLACED AND STUCCO WORK HAS BEEN DONE.
2. RE-ROOF WAS DONE.
3. A CENTRAL A/C WAS INSTALLED WITH DUCTS.

FBC 109.6

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

FBC 1612.1.2

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

FBC 1626.1

THE NEW WINDOWS AND DOOR WITH GLASS NEED TO BE IMPACT RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

Complied:

FBC 105.2.11

FBC 105.2.5

The City had a stipulated agreement with the owner to comply FBC 105.1, FBC 109.6, FBC 1612.1.2 and FBC 1626.1 within 63 days or a fine of \$50 per day, per violation.

Inspector Oliva said the owner had provided his permit application and paperwork. He needed to obtain a new NOA to submit the application.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to approve the stipulated agreement, find in favor of the City and order compliance with FBC 105.1, FBC 109.6, FBC 1612.1.2 and FBC 1626.1 within 63 days, by 5/26/09, or a fine of \$50 per day, per violation. In a voice vote, Board approved unanimously.

Case: CE08070611

Manuel & Selva Rodriguez
2591 Southwest 9 Street

Service was via posting on the property on 3/10/09 and at City Hall on 3/12/09.

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

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

1. CARPORT HAS BEEN ENCLOSED INTO A GARAGE. A DOOR, A GARAGE DOOR, AND A WINDOW HAVE BEEN INSTALLED.

FBC 109.6

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

FBC 1604.1

THE STRUCTURE FOR THE CARPORT CONVERSION DOES NOT

MEET THE STANDARD FOR GRAVITY LOADING AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS.

Ms. Paris informed the Board that the property had been in foreclosure but the lis pendens was cancelled on 3/4/09.

Inspector Oliva said the owner had not responded to his attempts to contact him. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days, or a fine of \$ 50 per day, per violation, and recording the order.

Motion made by Ms. Sheppard seconded by Ms. Ellis, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$50 per day, per violation, and to record the order. In a voice vote, Board **denied** 2 – 2 with Ms. Ellis and Ms. Croxton voting no.

Motion made by Ms. Ellis seconded by Ms. Croxton, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$100 per day, per violation, and to record the order. In a voice vote, Board approved unanimously

Case: CE08070970

Susanne A Groff
3520 Southwest 23 Street

Service was via posting on the property on 3/10/09 and at City Hall on 3/12/09.

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

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

1. WINDOWS AND FRONT DOOR WERE REPLACED.
2. HURRICANE SHUTTERS WERE INSTALLED ON THE PROPERTY.

FBC 109.6

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

FBC 1612.1.2

ALL THE WINDOWS, SHUTTERS, AND DOORS INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS.

Inspector Oliva said the owner had never responded to his attempts to contact him. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation and recording the order.

Motion made by Ms. Croxton, seconded by Ms. Ellis, to find in favor of the City and order compliance within 35 days, by 4/28/09, or a fine of \$100 per day, per violation and to record the order. In a voice vote, Board approved unanimously.

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:

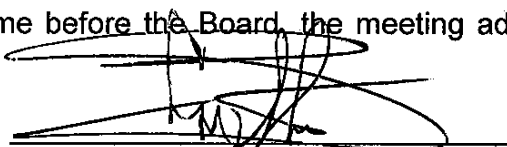
CE06030822	CE07051291	CE08061870	CE08091743
CE08062277	CE08030616	CE08090662	CE08072567

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:

CE08042601	CE06041436	CE08031925	CE08060529
CE08030416	CE08031527	CE08091740	CE08020178
CE08020891	CE08081656		

There being no further business to come before the Board, the meeting adjourned at **4:24 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.