

CODE ENFORCEMENT BOARD
CITY COMMISSION MEETING ROOM
100 NORTH ANDREWS AVENUE
JUNE 23, 2009
9:00 A.M. – 3:14 P.M.

<u>Board Members</u>	<u>Attendance</u>	2/2009 through 1/2010	
		<u>Present</u>	<u>Absent</u>
Sam Mitchell, Chair	P	5	0
Genia Ellis, Vice Chair	P	5	0
Margaret Croxton	P	4	1
Joan Hinton	P	1	0
William Lamont	A	1	4
Howard Nelson	P	2	0
Ronald Perkins	P	4	1
Jan Sheppard	P	5	0
Howard Elfman [Alternate]	A	1	1
Ronald Major [Alternate]	A	0	2

Staff Present

Dee Paris, Administrative Aide
Ginger Wald, Assistant City Attorney
Bruce Jolly, Board Attorney
Brian McKelligett, Clerk /Special Magistrate Supervisor
Deb Maxey, Clerk III
Yvette Ketor, Secretary, Code Enforcement Board
Lindwell Bradley, Code Enforcement Supervisor
Burt Ford, Building Inspector
George Oliva, Building Inspector
Gerry Smilen, Building Inspector
Wayne Strawn, Building Inspector
Mario Sotolongo, Code Enforcement Officer
J. Opperee, Recording Secretary

Communication to the City Commission

- The Board supported finding ways to expedite and streamline the permit process.
- The Board recommended that their communications to the City Commission be presented prior to the next City Commission meeting via a memo, instead of waiting for the Board to approve their minutes.

Respondents and Witnesses

CE07100999; CE07080005: CE07100839; CE07111195: Gustavo Carbonell, architect
CE08041358: Mary Lee, owner
CE08021711: Solange Francois, owner
CE08110911: Evangelos Anthony owner
CE08061254: Glenn Lastrella, contractor
CE08100511: Paul Warner, owner
CE08030416: Adi Cohen, owner
CE07110919: Simeon Jacobs, contractor
CE06110317: Jose Rafael Florez, attorney; Marc Steven Saval, architect
CE08061782: Bobby Ray Garris, general contractor
CE08021941: Robert Hickey, general contractor
CE07100923: Carol Storms, owner; Linda Chelvam, bank representative
CE08031427: Scott Simpkins, owner
CE07110571: Maryetta Prekup, owner; William Brown, property manager
CE08090956: Margaret Ilas, owner; David Mancini, contractor
CE07080497: Harold Osborne, owner
CE08100204: Nino Barone, owner
CE05111570: Michael Kasdaglis, owner; Anne Varhol Ginsburg, owner; David Mancini, contractor
CE07030178: Devandra Singh, owner; Arturo Bengochea, architect
CE08042216: Donald Mitchell, property manager
CE09040005; CE08110624: Christina Scortino, bank attorney
CE08051178: Fritz Saintus, owner
CE08072465: Gillis Graham, owner; Diana Centorino, attorney
CE05111040: Grace Testa, owner
CE07080152: Donovan Stanford, owner and tenant's representative
CE08060470: Benjamin Canales, owner
CE08082317: Sauer Vandenberg, owner; Danielle Graham, contractor
CE06040917: Rosemarie Morsello, owner
CE07100943: Andres Cardona, project manager
CE08030175: Richard Leonardi, owner; Jeffrey Beebe, owner
CE09010920: Melissa Mazzotta, owner
CE08010650: Darryl Allen, owner
CE08090023: Bradford Scaccetti, owner
CE08020559: Donald Frasca, contractor
CE08061454: Frank Caponi, owner
CE08050944: David Vandermost, general contractor
CE08020172: Daniel Stuart Stein, bank attorney
CE07071088: Jerome Petrisko, owner's representative
CE08031925: Valerie Edabayo, owner's representative

Chair Mitchell called the meeting to order at 9:01 a.m., introduced Board members and explained the procedures for the hearing.

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

Case: CE07080497

Harold J & Corinne Osborne
4825 Northeast 19 Avenue

This case was first heard on 1/27/09 to comply per stipulated agreement by 3/24/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of fines, which would begin to accrue on 6/24/09.

Mr. Harold Osborne, owner, stated he had picked up the paving permit and the electrician had indicated the previous day he intended to retrieve the drawings for corrections. Mr. Osborne requested an extension.

Mr. Burt Ford, Building Inspector, confirmed the electrician had picked up the drawings for corrections and Mr. Osborne had picked up the paving permit. He did not oppose granting an extension.

Motion made by Ms. Sheppard, seconded by Mr. Perkins, to grant a 35-day extension to 7/28/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08090956

Margaret A Ilas
3030 Southwest 7 Street

This case was first heard on 4/28/09 to comply per stipulated agreement by 6/23/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Ms. Margaret Ilas, owner, explained she had been trying to do the paperwork herself because she could not afford a contractor. She then found someone to do the paperwork for her, but this person was out of town. Chair Mitchell asked Ms. Ilas about the stipulated agreement she had signed, and she stated, "I signed what people asked me to because I have no idea what I'm doing." Her husband had done the work prior to his death and she had been unaware that permits were needed. Ms. Ilas had tried unsuccessfully to contact the original contractor. She had someone who would help her now, but was unsure if this person was licensed. Chair Mitchell was concerned about the lack of progress, and stated the Board must see some positive action by Ms. Ilas to resolve the violations.

Mr. George Oliva, Building Inspector, said he did not oppose a 63-day extension, and would try to help Ms. Ilas with her paperwork. He informed Mr. Nelson that Ms. Ilas needed new NOAs for the windows.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE07030178

Devendra Singh
501 Southwest 27 Avenue

This case was first heard on 6/26/07 to comply by 9/25/07. Violations and extensions were as noted in the agenda. The property was not complied fines had accrued to \$19,950.

Mr. Art Bengochea, architect, explained that they were going through the DRC process, which he anticipated would conclude shortly. He stated the building was safe, and they had an agreement with the Planning Department regarding the buffer yard. Mr. Bengochea explained that this was an old gas station that became a parking lot. The property was now vacant and awaiting redevelopment. He offered to show plans for a two-story office / retail building to the Board. Mr. Bengochea informed Ms. Sheppard that there were two apartment buildings next to the lot.

Mr. Wayne Strawn, Building Inspector, stated the building was no longer a nuisance since it was no longer used, and he did not oppose an extension. Inspector Strawn was unsure whether a concrete wall would be required.

Motion made by Ms. Ellis, seconded by Mr. Nelson, to grant a 154-day extension to 11/24/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE05111040

One Point One LLC
1300 Northwest 3 Avenue

This case was first heard on 4/22/08 to comply per stipulated agreement by 7/22/08. Violations and extensions were as noted in the agenda. The property was complied, and if the respondent would waive the right to notice of a Massey hearing, the Board could address the \$3,100 in fines.

Ms. Grace Testa, owner, waived the right to notice of a Massey hearing and requested abatement of the fines. Ms. Testa reminded the Board that she had purchased the property in 2005, after a search revealed no violations at the property. She described the particular difficulty she had experienced complying the fence installation to accommodate the A.C. slab, which necessitated several meetings with City staff.

Mr. Burt Ford, Building Inspector, confirmed the fence issue had taken time to resolve with staff, and said he did not oppose abatement.

Motion made by Ms. Ellis, seconded by Mr. Nelson to abate the fines. In a voice vote, motion passed unanimously.

Case: CE08061454

Denise A Reinbott & Frank C Caponi
3141 Southwest 20 Street

This case was first heard on 4/28/09 to comply by 6/23/09. Violations were as noted in the agenda. The property was not complied, the order had been recorded and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Mr. Frank Caponi, owner, explained that a second City inspector had determined that a new kitchen had not been installed and the house had never increased in size, but the roof was still an issue. Mr. Caponi stated a roof permit had been pulled, but the re-roofing was later abandoned due to a hurricane. Chair Mitchell said the Board had already found the violations existed as cited, and wanted to know what Mr. Caponi would do to comply.

Mr. Caponi said the home had not changed since Riverland Village had been annexed, and he believed the City refused to look at the annexation agreement. He said he had hired an attorney to "get every single thing I want to say, and have this annexation agreement looked at..." He stated he could not communicate with the Building Department: "They're not listening...nobody wants to be wrong." Mr. Caponi felt this could only be resolved in court.

Mr. Caponi reminded the Board that at his first appearance before the Board in January, the City had agreed to send a different inspector to his property. Three inspectors had shown up and he stated they were "not nice people." Mr. Caponi announced he was preparing to spend \$4,500 to put a new roof on the house, which he would not be doing if he had re-roofed it just three years ago. He said the City inspectors had admitted after looking at the roof that they could not date the house's current roof installation. Mr. Caponi offered, "If Code Enforcement want to come by and walk through this stuff with me one line at a time, I'd be good with that."

Chair Mitchell said the Board would not ask the City to send another inspector. He asked Mr. Caponi again what his intentions were to correct the violations. Mr. Caponi said he would pull a permit for the doors and would soon put a new roof on the house, but, "On two or three of the matters, sir...you leave me no choice."

Mr. Caponi explained for Ms. Croxton that he had pulled a permit prior to the hurricane, but the roofing company had removed the roofing materials, which had been on top of the house but not applied. Chair Mitchell reminded the Board that the inspector had presented aerial photos from Google Earth that indicated the roof color had changed.

Mr. Caponi stated the comparison photos presented were taken from very different distances. Ms. Croxton believed the original contractor could testify whether the roof had been installed, but Mr. Jolly stated this was not the Board's responsibility.

Mr. Gerry Smilen, Building Inspector, stated, "All of this questioning...is really a moot point" because there had already been a finding of fact. He stated Mr. Caponi had left the April meeting prior to his case being heard, which was when these issues should have been addressed. Mr. Caponi stated he had been compelled to leave the April meeting, after having signed in, because he had a doctor's appointment.

Motion made by Mr. Nelson, seconded by Mr. Perkins, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 6/24/09 and would continue to accrue until the violations were corrected, and to record the order. In a voice vote, motion passed 6-1 with Ms. Croxton opposed.

Case: CE08042216

JPG Bell Property LLC
618 Northwest 6 Avenue

This case was first heard on 4/28/09 to comply by 6/23/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Donald Mitchell, property manager, explained the tenant had made the illegal improvements and moved out, and the owner was complying the violations. They were now experiencing delays getting the air conditioning permit because after the contractor had made the corrections requested by the City, the plans were returned again for additional corrections. Mr. Mitchell requested 63 more days.

Mr. George Oliva, Building Inspector, did not oppose an extension.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08021711

Solange Francois
431 Southwest 31 Avenue

This case was first heard on 8/26/08 to comply by 9/23/08. Violations and extensions were as noted in the agenda. The City was requesting that the compliance date indicated in the 2/24/09 order be extended to 6/23/09. The property was not complied.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to amend the 2/24/09 order to extend the compliance date to 6/23/09. In a voice vote, motion passed unanimously.

Ms. Solange Francois, owner, said the mortgage company would not release the check for the repairs.

Mr. Gerry Smilen, Building Inspector, explained that the property had gone into foreclosure, but Ms. Francois had gotten her mortgage back on track. Ms. Francois had been awarded the insurance money, but the mortgage company had held up the payment. She could not move forward until the check was provided. Mr. Jolly felt Ms. Francois should have an attorney [or someone who understands the process] help her to recover the insurance check if she found it impossible to do so on her own.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 91-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE05111570

Annieopa LLC
3051 Northeast 32 Avenue

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

Mr. Michael Kasdaglis, owner, said in 2005, the insurance company had advised them to make emergency hurricane repairs to the property immediately to make it safe, and an inspector had issued a stop work order, which they had obeyed. The insurance company had finally issued payment for the repairs in December 2008. Mr. Kasdaglis stated someone from the City had visited the property and indicated repairs that needed to be made. On his second visit, the inspector had brought an engineer with him, and indicated to Mr. Kasdaglis that if he hired that engineer, "my problems would go away." Mr. Kasdaglis had also been contacted by a roofer who told him the same thing. Mr. Kasdaglis had notified the City prosecutor of this, and he felt the inspector had retaliated by revisiting the property and issuing "a ton of violations."

Mr. Kasdaglis said the violations were not valid, but Chair Mitchell reminded him that the Board had already found in August 2008 that the violations did exist. Mr. Kasdaglis stated his architect determined only three violations existed and he had subsequently hired a contractor. Mr. Kasdaglis stated at the present time, he could not afford to have any more work done.

Mr. Kasdaglis said he must obtain some form of government approval for asbestos removal before pulling City permits.

Mr. David Mancini, contractor, explained that the permit expediter was submitting the plans to a State agency, and this was causing the delay. Mr. Kasdaglis stated two permits were needed; one for asbestos and one from the hotel industry.

Mr. Burt Ford, Building Inspector, said he had spoken to the architect, and he agreed the owner was seeking approval from the State. Inspector Ford did not oppose an extension. Mr. Nelson said an asbestos abatement from the State could take two to seven months.

Motion made by Ms. Croxton, seconded by Mr. Perkins, to grant a 91-day extension to 9/22/09, during which time no fines would accrue. In a roll call vote, motion passed 5 – 2 with Mr. Nelson and Ms. Sheppard opposed.

Case: CE08030175

Big O RV Resort Inc
1701 East Sunrise Boulevard

This case was first heard on 10/28/08 to comply per stipulated agreement by 1/27/09. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Jeffrey Beebe, owner, stated they had applied for the permit two-and-a-half months ago. Mr. Richard Leonardi, owner, said the contractor had quit the previous day because “the process had been so bad, he said this project is not worth it.” Mr. Leonardi requested 63 more days.

Mr. Burt Ford, Building Inspector, stated he did not oppose an extension.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to grant a 63-day extension to 8/5/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

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 fines had accrued to \$15,600.

Mr. Andres Cardona, project manager, stated he was still seeking the permit. He said he was arranging meetings for the following Monday to obtain the sign-offs that he needed. Mr. Cardona requested additional time. He explained he would demolish most of the illegal portion of the structure and convert the house back to a single-family.

Mr. Burt Ford, Building Inspector, informed the Board that the plans submitted were “very hard to read...there was a lot of mislabeling...” Since so little progress had been made in quite a long time, Inspector Ford recommended that no extension be granted.

Mr. Cardona stated the architect had suffered health issues, which had delayed the project.

Inspector Ford stated the property had first been cited in 2007 and a Building Inspector had first taken the case in January 2008. He said the spa and electric had been removed, but the other violations remained.

Motion made by Ms. Sheppard, seconded by Ms. Croxton, to grant a 35-day extension to 7/28/09, during which time no fines would accrue. In a voice vote, motion failed 1 – 6 with only Ms. Croxton in favor.

Case: CE08051178

Fritz Saintus Jr
735 Northwest 17 Street

This case was first heard on 1/27/09 to comply by 4/28/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Mr. Fritz Saintus, owner, said it had been almost two months since he had applied for the permits, and his new plans had been misrouted by the City.

Mr. Wayne Strawn, Building Inspector, admitted Mr. Saintus' plans had been misrouted, but added that the architect had not submitted complete plans: details were missing and specific violations were not addressed. He recommended a 90 to 120-day extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 126-day extension to 10/27/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

[The Board took a five-minute recess]

Case: CE07071088

Dana A Fahey
3500 Vista Park

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

Mr. Jerome Petrisko, owner's representative, said the City signed off on the air conditioners in 2006, but the City had the wrong plans, showing the air conditioners in the rear. They must now set up new inspections for the landscaping and air conditioners. Mr. Petrisko requested an extension to get revised plans submitted to the City.

Mr. Gerry Smilen, Building Inspector, stated the location of the air conditioning units had caused a problem with final approval, but Mr. Petrisko was in the process of scheduling final inspection. Inspector Smilen did not oppose a 63-day extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08061782

Richard A & Sheila Banach
2151 Southwest 23 Terrace

This case was first heard on 1/27/09 to comply per stipulated agreement by 4/28/09. Violations were as noted in the agenda. The property was not complied.

Mr. Bobby Ray Garris, general contractor, said plans had been submitted approximately one month ago. He explained they had needed an architect, an engineer and a plumber to work on the plans.

Mr. George Oliva, Building Inspector, said he did not oppose an extension, and recommended 91 days, since plans needed to be approved.

Motion made by Ms. Croxton, seconded by Ms. Sheppard to grant a 91-day extension to 9/22/09, during which time no fines would accrue. In a roll call vote, motion passed 5 –2 with Mr. Nelson and Chair Mitchell opposed.

Case: CE08020559

Benny & Evanthia Alfonso
3100 Northeast 48 Street # 107

This case was first heard on 11/25/08 to comply per stipulated agreement by 1/27/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$10,800 fine, and the City was requesting abatement.

Mr. Donald Frasca, contractor, requested abatement of the fines.

Mr. Burt Ford, Building Inspector, did not object to abatement.

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

Case: CE07080152

John Field Jr, Patricia Coleman &
Clara E F Gettman
1355 West Sunrise Boulevard

This case was first heard on 4/28/09 to comply by 6/23/09. Violations were as noted in the agenda. The property was not complied.

Mr. Donovan Stanford, owner and tenant's representative, explained that the sign company had not pulled a permit for the building sign, and this was delaying compliance.

Mr. Wayne Strawn, Building Inspector, confirmed FBC 105.1 was complied. The permit inspection for the entire project had failed because the sign installed was larger than the sign specified in the plans. The permit had subsequently expired. Inspector Strawn did not oppose an extension to resolve this.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

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, stated she had consulted with Community Development once, and had another appointment to provide documentation on June 26. She requested an extension.

Chair Mitchell asked what Ms. Lee would do if she did not receive help from Community Development; Ms. Lee said she did not know where else she could apply for help, but she would investigate this. Ms. Croxton advised Ms. Lee to consult with her district commissioner. Ms. Ellis suggested Ms. Lee go to the City's Housing Department. Ms. Hinton recommended Ms. Lee go to Minority Builders. Chair Mitchell advised Ms. Lee to "tap the resources [of]... your local, County, State and Federal elected officials...and see what they can do to help out"

Mr. George Oliva, Building Inspector, did not oppose an extension, and recommended at least 154 days.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 154-day extension to 11/24/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08031925

Roberta Banks
1640 Northwest 25 Avenue

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, the order had been recorded and the City was requesting imposition of a \$3,400 fine, which would continue to accrue until the property complied.

Ms. Valerie Edabayo, owner's representative, stated the property was almost complied. There was still an issue with the electrical portion of the plans.

Mr. Burt Ford, Building Inspector, agreed compliance was very close and recommended a two-month extension.

Motion made by Ms. Ellis, seconded by Mr. Nelson, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed 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 the plans were complete. He said they had needed to evict the last tenant. The building was vacant and a contractor had been hired. Mr. Carbonell requested another 90 days. He remarked this was a very complex job requiring considerable demolition. Mr. Carbonell informed Mr. Nelson that the plans addressed all of the violations.

Mr. Burt Ford, Building Inspector, did not oppose an extension.

Motion made by Ms. Sheppard, seconded by Mr. Nelson, to grant a 91-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

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

Case: CE07080005

Coloney Ventures
Apex Capital LLC
300 Southeast 22 Street

Case: CE07100839

Coloney Ventures
Apex Capital LLC
301 Southeast 23 Street

Case: CE07111195

Coloney Ventures
Apex Capital LLC
304 Southeast 22 Street

These cases were first heard on 9/23/08 to comply by 10/28/08. Violations, extensions and fines were as noted in the agenda. The properties were complied and the City recommended abatement.

Mr. Gus Carbonell, architect, said the new owner had been very diligent about correcting the violations. Fines had accrued because the previous owner had missed a hearing to request an extension.

Mr. Burt Ford, Building Inspector, said the City did not want to penalize the new owner for violations caused by a previous owner.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to abate the fines for all three cases. In a voice vote, motion passed unanimously.

Case: CE08050944

Steven J & Patricia Ann T Miga
3209 Northeast 36 Street # 4B

This case was first heard on 2/24/09 to comply per stipulated agreement by 4/28/09. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. David Vandermost, general contractor, explained he had been unable to locate the proper NOAs for the windows and doors, and the manufacturer did not have approved engineering for them yet. They had subsequently decided to demolish, and he had applied for the permit the previous week.

Mr. Burt Ford, Building Inspector, did not oppose an extension.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 35-day extension to 7/28/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08110911

Evangelos Anthony
729 West Las Olas Boulevard

Motion to be made by Assistant City Attorney

This case was first heard on 4/28/09 to comply by 6/23/09. Violations were as noted in the agenda. The property was not complied.

Ms. Wald stated the City Attorney had filed a motion to dismiss and to amend the final order because the violations had been cited in a previous case that had been handled by the City Prosecutor's office in County court. The City Prosecutor's office had provided Ms. Wald with the case file, which revealed the case had been disposed in 2003. Ms. Wald asked the Board to amend the April order to withdraw the violations, with the exception of 9-280(b), for which Mr. Anthony would need an extension.

Motion made by Mr. Nelson, seconded by Mr. Perkins, to accept the City's motion to amend the Board's order dated 4/28/09 to dismiss all violations except 9-280(b). In a voice vote, motion passed unanimously.

Mr. Anthony requested 60 days to comply 9-280(b).

Mr. Gerry Smilen, Building Inspector, recommended a 91-day extension because this property was in the historical district.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 91-day extension to 9/22/09 for violation 9-280(b), during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE07100923

Carol & Norma M Storms
2817 North Atlantic Boulevard

This case was first heard on 3/24/09 to comply by 4/28/09. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Ms. Linda Chelvam, bank representative, stated the property was in foreclosure and the final judgment hearing was scheduled for August 4, at which time she believed the judge would give the bank a 60-day sale date. Ms. Chelvam requested a 120-day extension. Ms. Wald pointed out that the owner was present and should be heard from.

Ms. Carol Storms, owner, reported the plans were complete as of the previous Friday and they needed a survey in order to submit the plans for permit. Ms. Storms said a loan modification was in process and the house was not in foreclosure.

Mr. Burt Ford, Building Inspector, stated he had met with Ms. Storms and her architect the previous Friday, and confirmed that all violations were now addressed in the plans.

The Board asked Ms. Storms how long an extension she needed; she requested a 91-day extension.

Motion made by Ms. Croxton to grant a 91-day extension. Motion died for lack of a second.

Inspector Ford recommended a minimum of 63 days to get through the permitting process.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a roll call vote, motion passed 4 – 3 with Ms. Croxton, Ms. Hinton and Chair Mitchell opposed.

Case: CE08100204

Nino & Sean Paul Barone
5890 Northeast 21 Drive

This case was first heard on 3/24/09 to comply per stipulated agreement by 6/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Mr. Nino Barone, owner, explained he had paid a contractor from Bella Development to provide plans and pull the permit, but had so far received nothing. He had tried to pull the permit himself, but was denied because he did not have a homestead exemption on the house. Mr. Barone had hired a new contractor and an architect to draw the plans the previous day. He requested 60 days.

Mr. Barone informed Mr. Nelson that he had moved the shed out of the setback.

Mr. Burt Ford, Building Inspector, stated the first permit application had failed because this was a non-homesteaded property; the plumbing and electrical sub permits were also missing. Provided this was moving forward, Inspector Ford did not object to an extension.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a roll call vote, motion passed unanimously.

Case: CE08090023

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

This case was first heard on 3/24/09 to comply by 5/26/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Mr. Bradford Scaccetti, owner, explained the permit application had been returned for two or three items, and requested a 35-day extension.

Mr. Burt Ford, Building Inspector, stated he would not oppose “one last extension only.”

Motion made by Mr. Nelson, seconded by Ms. Croxton, to grant a 35-day extension to 7/28/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE07110571

2909 Vistamar LLC
2909 Vistamar Street

This case was first heard on 4/22/08 to comply per stipulated agreement by 8/26/08. Violations and extensions were as noted in the agenda. The property was not complied.

Ms. Maryetta Prekup, owner, reported everything was permitted, and only the air conditioner installations remained to be finalized. She estimated there were 10 units left to be inspected.

Mr. Gerry Smilen, Building Inspector, said the owner had worked diligently to comply. He recommended a 63 to 91-day extension.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to grant a 91-day extension to 9/22/09, during which time no fines would accrue. In a roll call vote, motion passed 5 – 2 with Ms. Ellis and Chair Mitchell opposed.

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 fines had accrued to \$8,450.

Mr. Jose Florez, attorney, explained the current owner had purchased the house unaware of the illegal work. Plans had been submitted, returned for changes and returned to the City. Mr. Florez said the owner had filed a complaint against the previous owner. He requested a 63-day extension.

Mr. Marc Steven Saval, architect, stated the plans had been returned three or four times because the City wanted engineering calculations for an eight-by-ten-foot room. Mr. Saval stated this was “ridiculous” and he was tired of fighting with the Building Department about it. He remarked that each time he submitted the plans, more comments were added by the City.

The Board discussed how a homebuyer could purchase a property unaware of work done by a previous owner, and Chair Mitchell noted it was important for prospective buyers to have the house inspected and, if possible, have the City Building Department inspect the property.

Mr. Wayne Strawn, Building Inspector, reported the air conditioner, window and shutter permits had been issued. The owner would need plumbing and electrical permits to abandon the plumbing and electric in the small building. He recommended a 63-day extension.

Motion made by Ms. Sheppard, seconded by Mr. Nelson, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08031427

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

This case was first heard on 3/24/09 to comply per stipulated agreement by 6/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine that would begin to accrue on 6/24/09.

Mr. Scott Simpkins, owner, stated the tenant had refused to allow the contractor to do the work, so he had evicted the tenant. He had regained control of the property on June 15 and now intended to submit all of the applications.

Mr. Burt Ford, Building Inspector, did not oppose an extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE07110919

KK Partners LLC
1492 Holly Heights Drive

This case was first heard on 1/27/09 to comply per stipulated agreement by 4/29/09. Violations were as noted in the agenda. The property was not complied, the order had been recorded and the City was requesting imposition of a \$1,375 fine, which would continue to accrue until the property complied.

Mr. Simeon Jacobs, contractor, stated only minor issues remained. He had the plans and stated he would submit the permit applications. Mr. Jacobs requested 91 days.

Mr. Burt Ford, Building Inspector, opposed any extension because the case had begun in 2007. Inspector Ford referred to his log, and indicated there was active participation from the owner and possibly Mr. Jacobs as far back as 3/21/08. Mr. Jacobs stated he had been hired for this project just a couple of weeks ago. He had spoken to the former inspector because of the work he had done at the Holly Heights properties.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to find the violations were not complied by the Order date, and to impose the \$1,375 fine, which would continue to accrue until the violations were corrected, and to record the order. In a voice vote, motion passed unanimously.

Case: CE08072465

Gillies & Hazel Graham
1201 Northwest 1 Avenue

This case was first heard on 9/23/08 to comply per stipulated agreement by 1/27/09. Violations and extensions were as noted in the agenda. The property was not complied, the order had been recorded, and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Ms. Diane Centorino, attorney, reminded the Board that Mr. Graham had hired a contractor, Construction Design and Management Inc., whose representative, Jefferson Lewis, had appeared at a previous hearing on this case and assured the Board and Mr. Graham that work was progressing. Work had not progressed, but Mr. Graham had paid the contractor a \$3,700 deposit. Ms. Centorino presented copies of the cancelled checks, and informed the Board that she would sue the company to recover Mr. Graham's money.

Mr. Wayne Strawn, Building Inspector, stated the Building Inspector had caught someone [not Mr. Graham] installing the new windows. He informed Mr. Nelson that some of the violations must pass field inspection to be complied. He did not object to a 91-day extension.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 91-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08010650

Darryl F Allen
2236 Northwest 20 Street

This case was first heard on 2/24/09 to comply by 4/28/09. Violations and extensions were as noted in the agenda. The property was not complied and the respondent had been ordered to appear at this hearing.

Mr. Darryl Allen, owner, informed the Board that he had the permits and the windows had been delivered. Unfortunately, someone had dumped roofing material on the lot that he now must remove. Mr. Allen anticipated he would begin the window and door project the next week, and would be finished in approximately three months.

Mr. Wayne Strawn, Building Inspector, reported all FBC Chapter 1 violations were complied. However, the Chapter 16 violations would not be complied until the doors

and windows were signed off to ensure proper installation. He did not object to a 91-day extension.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 91-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08030416

Adi Cohen
1405 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 not complied, the order had been recorded, and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Mr. Adi Cohen, owner, stated he had submitted the permit applications that day. Once the permits were issued, he needed time to complete the work, and he requested 91 days. Mr. Cohen explained to Mr. Nelson that his architect had been very busy and Mr. Cohen had experienced financial issues; the house was falling into foreclosure. He stated many violations were already complied.

Mr. Gerry Smilen, Building Inspector, confirmed Mr. Cohen had removed the shed and a lot of debris; he had also performed demolition of the unpermitted work. He explained Mr. Cohen's plans had been rejected many times and he had resubmitted them that morning. Inspector Smilen was unsure whether Mr. Cohen would be able to pull the permit, pay for it and perform the work.

Mr. Nelson was concerned about the continued extensions on an investment property that he felt was not getting closer to permitting. Ms. Paris confirmed a lis pendens had been recorded on the property on May 1.

Motion made by Ms. Croxton, to grant a 63-day extension to 8/25/09. Motion died for lack of a second.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to grant a 35-day extension to 7/28/09, during which time no fines would accrue. In a roll call vote, motion failed 3 – 4 with Mr. Nelson, Mr. Perkins, Ms. Sheppard and Chair Mitchell opposed

Motion made by Mr. Perkins, seconded by Ms. Sheppard, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 6/24/09 and would continue to accrue until the violations were corrected and to record the order. In a roll call vote, motion passed 6 – 1 with Ms. Croxton opposed.

Case: CE08021941

Sterling Properties LLC
2441 Southwest 15 Street

This case was first heard on 2/24/09 to comply by 4/28/09. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. George Oliva, Building Inspector, informed the Board that the permits had been approved, and the contractor just needed to pay for them. He recommended a 35-day extension.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to grant a 35-day extension to 7/28/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE08061254

Sherri Friend
1112 Southwest 20 Street

This case was first heard on 10/28/08 to comply by 1/27/09. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Glenn Lastrella, contractor, said there was one issue of which he had become aware the previous day that he would meet with the chief plans examiner to try to resolve. He was unsure if this would require them to apply for a variance or to "completely change the plans." The issue concerned the enclosed carport.

Mr. Gerry Smilen, Building Inspector, said none of the other violations had been resolved, but the problem Mr. Lastrella mentioned related to FBC 105.2.1 and a floodplain elevation issue. Mr. Lastrella stated the plans examiner had been adamant that the addition's elevation must be 7 feet, even though the existing house's elevation was 6.07 feet. He informed Mr. Nelson that the work for which the owner had been cited was done two years ago, after annexation.

Motion made by Ms. Ellis, seconded by Mr. Nelson, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Ms. Paris requested that the Board extend the compliance date on the 4/28/09 order to 6/23/09.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to amend the 4/28/09 order to extend the compliance date to 6/23/09. In a voice vote, motion passed unanimously.

Case: CE08100511

Paul Warner
1211 Northwest 12 Street

This case was first heard on 1/27/09 to comply by 4/28/09. Violations and extensions were as noted in the agenda. The property was not complied, the order had been recorded, and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Mr. Paul Warner, owner, said there was one plan for the porch enclosure that was still needed. Mr. Walker requested at least 63 days.

Mr. Wayne Strawn, Building Inspector, stated he had met with the contractor and discovered there were deficiencies in the plans. He noted that some of the work must be inspected in order to comply, so a 91-day extension would be warranted.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to grant a 91-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

[The Board took a break from 12:30 to 12:41]

Case: CE08102477

HSBC Mortgage Services Inc
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.

Ms. Paris read a letter from the new owner requesting an extension. In it, the owner described the work already completed, and requested an additional 63 days.

Mr. Wayne Strawn, Building Inspector, confirmed the owner was working to comply. He did not oppose a 63-day extension.

Motion made by Ms. Ellis, seconded by Mr. Nelson, to grant a 63-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed unanimously.

Case: CE07090342

Deutsche Bank National Trust Co Trustee
C/O Citi Residential Lending Inc
5231 Northeast 15 Avenue

This case was first heard on 5/26/09 to comply by 6/23/09. Violations were as noted in the agenda. The property was not complied, the order had been recorded and the City was requesting imposition of fines, which would begin to accrue on 6/24/09.

Ms. Paris described attempts made to notify the owner of the violations.

Motion made by Ms. Ellis, seconded by Ms. Sheppard, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 6/24/09 and would continue to accrue until the violations were corrected and to record the order. In a voice vote, motion passed unanimously.

Case: CE08081625

Ethel Palumbo,
Ethel G Palumbo Revocable Living Trust
3333 Northeast 36 Street # 9

This case was first heard on 4/28/09 to comply per stipulated agreement by 6/23/09. Violations were as noted in the agenda. The property was not complied, the order had been recorded and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Ms. Paris described attempts made to notify the owner of the violations.

Mr. Lindwell Bradley, Code Enforcement Supervisor, informed the Board that Inspector Ford had met with Mr. Palumbo the previous day to go over the violations and help him with some of the paperwork. Supervisor Bradley said it had been explained to Mr. Palumbo that he must hire a contractor to do the work. Mr. Palumbo had left the application on the table and Supervisor Bradley intended to hold it in his office until Mr. Palumbo hired a contractor.

Motion made by Mr. Perkins, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 6/24/09 and would continue to accrue until the violations were corrected. In a voice vote, motion passed unanimously.

Case: CE07101897

Betty Silva
3710 Southwest 18 Street

This case was first heard on 7/22/08 to comply per stipulated agreement by 10/28/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Ms. Paris described attempts made to notify the owner of the violations.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 6/24/09 and would continue to accrue until the violations were corrected and to record the order. In a voice vote, motion passed unanimously.

Case: CE08051666

Steven J Pike
3437 Riverland Road

This case was first heard on 4/28/09 to comply by 6/23/09. Violations were as noted in the agenda. The property was not complied, the order had been recorded and the City was requesting imposition of the fine, which would begin to accrue on 6/24/09.

Ms. Paris described attempts made to notify the owner of the violations.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 6/24/09 and would continue to accrue until the violations were corrected, and to record the order. In a voice vote, motion passed unanimously.

[The Board took a break from 12:54 to 1:00]

Case: CE08082317

Sauer Vandenberg
1384 Southwest 22 Avenue

Certified mail sent to the owner was accepted on 5/20/09.

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. THERE IS A REAR ADDITION THAT WAS BUILT WITH AN APPLIED PERMIT ONLY.
2. THERE IS A CONCRETE DRIVEWAY AND A SLAB THAT WAS DONE WITH AN APPLIED PERMIT ONLY.
3. THERE IS A ROLL-OUT GATE DOOR OVER 12' LONG THAT WAS INSTALLED TO A CBS FENCE.
4. THERE ARE DOUBLE-DOOR GLASS AND WINDOWS THAT WERE INSTALLED IN THE ILLEGAL ADDITION.
5. THERE IS A STORAGE SHED AND A METAL CONTAINER OVER 32' LONG. BOTH WERE SET IN BACK OF THE PROPERTY.
6. SHINGLED ROOF WAS DONE WITH AN APPLIED PERMIT FROM 1999.

FBC 105.2.11

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

1. THERE IS A PACKAGE CENTRAL A/C INSTALLED ON THE ROOF WITH DUCT WORK AND ELECTRIC HEAT THAT SUPPLY THE PROPERTY.

FBC 106.10.3.1

THERE ARE FIVE (5) EXPIRED PERMITS, AS FOLLOWS:

1. P#05032824 FOR DUCT WORK TO ADDITION.
2. P#05032823 FOR ELECTRIC TO ADDITION.
3. P#05032822 FOR DEN ENCLOSURE.
4. P#04121967 FOR CONCRETE DRIVEWAY AND SLAB.
5. P#99061386 FOR RE-ROOF SHINGLES.

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 ADDITION 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 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.

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 \$150 per day, per violation.

Inspector Oliva noted that two violations under a FBC 106.10.3.1 were complied: the open permit for the slab and the open permit for the roof.

Mr. Sauer Vandenberg, owner, said he had just hired a new contractor. He explained he had begun the project in 2005, his first engineer had passed away and he could not submit that paperwork to the City. Mr. Vandenberg informed Mr. Nelson that he had added windows and doors to the rear addition; he had not built it. He admitted he had done the work without a permit. Inspector Oliva stated Mr. Vandenberg had pulled the permit in 2005 for the den enclosure but it had expired. Inspector Oliva stated Mr. Vandenberg's first contractor had given him "the run-around."

Mr. Vandenberg agreed the violations existed.

Inspector Oliva confirmed that since the work was done in 2005, it must reflect the Florida Building Code from 2004, not 2007, so Mr. Vandenberg's drawings should still be acceptable. Inspector Oliva had met with Mr. Vandenberg and he was working on getting the permits reopened. He informed the Board that Mr. Vandenberg owned five houses, four of which were already complied.

Supervisor Bradley confirmed for Mr. Nelson that it would be up to the Building Official to decide whether the expired permit could be re-issued. Inspector Oliva believed Mr. Vandenberg would need to hire an engineer to certify the work done was up to Florida Building Code standards.

Inspector Oliva suggested a fine of \$100 per day instead of \$150.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 91 days, by 9/22/09 or a fine of \$100 per day, per violation would be imposed.

Mr. Nelson suggested a friendly amendment to the motion to reduce the fine amount to \$50 per day, per violation. Ms. Croxton amended her motion to a fine of \$25 per day, per violation. Ms. Sheppard agreed to second the amended motion.

In a voice vote, motion passed unanimously.

Case: CE08060470

Benjamin Canales &
Ledy M Rodriguez
1357 Southwest 22 Avenue

Certified mail sent to the owner was accepted on 5/20/09.

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 WERE REPLACED WITHOUT OBTAINING A
PROPER BUILDING PERMIT.
2. COMPLIED.
3. COMPLIED.

FBC 109.6

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

FBC 1604.1

COMPLIED

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 WITH GLASS NEED TO BE IMPACT
RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE
PROTECTION SYSTEM.

Mr. Mario Sotolongo, Code Enforcement Officer, translated for the owner.

Inspector Oliva stated the owner had applied for the window permit on June 6, but the permit was declined for additional information.

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. Benjamin Canales, owner, presented a copy of the permit application. Mr. Canales had found out the previous day that the plans had been rejected with comments. Mr. Canales requested a 63-day extension. He stated he knew how to address the comments on the plans.

Motion made by Ms. Ellis, seconded by Mr. Perkins, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 63 days, by 8/25/09 or a fine of \$25 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed unanimously.

Case: CE08110624

Jessica Heimbaugh
950 Southwest 39 Avenue

Service was via posting on the property on 6/2/09 and at City Hall on 6/11/09.

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 PROPERTY WAS RE-ROOFED WITH BARREL TILES.
2. THE WINDOWS AND EXTERIOR DOORS WERE REPLACED,
AND THE GARAGE DOOR HAS BEEN REPLACED.
3. STUCCO WORK HAS BEEN DONE AND SOME REMODELING WORK.

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 NEW ROOF 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 WINDOWS, SHUTTERS, 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.

Ms. Paris informed the Board that the property was in foreclosure and a bank representative was present but the owner was not. A sale scheduled under a final judgment on 6/16/09 had been cancelled.

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, and to record the order.

Inspector Oliva said the owner had informed him that the roof had been damaged in the hurricane. The roofing company had never applied for a permit, and had used barrel tile instead of shingles. The windows and stucco work had also been done without a permit. The owner's husband had been overseeing all of the work and they were now divorced.

Ms. Christina Scortino, bank attorney, stated the bank was foreclosing on the property. They had filed a motion to reschedule, which she anticipated would occur the first week in September.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 35 days, by 7/28/09 or a fine of \$200 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed 6 – 1 with Mr. Perkins opposed.

Case: CE09040005

Ghyslaine Paul
711 Northeast 14 Street

Service was via posting on the property on 6/3/09 and at City Hall on 6/11/09.

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

FBC(2007) 105.1

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

1. WINDOWS AND DOORS WERE REPLACED (DOOR PERMIT 05022701 WAS NOT FINALED).
2. WALL AIR CONDITIONING UNITS WERE INSTALLED.

FBC(2007) 105.10.3.1

PERMIT 05022701 FOR DOOR REPLACEMENT DID NOT PASS
FINAL INSPECTIONS.

Ms. Paris informed the Board there was a final judgment sale scheduled for 8/27/09. A bank representative was present but the owner was not.

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 \$50 per day, per violation.

Ms. Christina Scortino, bank attorney, stated the bank had a foreclosure action against the property, with a final judgment date of 8/27/09. She requested an extension.

Inspector Ford believed the bank would acquire half the duplex. Ms. Scortino was unsure whether the bank would be taking one or both duplex units.

Motion made by Ms. Sheppard, seconded by Mr. Perkins, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 35 days, by 7/28/09 or a fine of \$50 per day, per violation would be imposed, and to record the order. In a roll call vote, motion passed 5 – 2 with Ms. Croxton and Ms. Ellis opposed.

Case: CE08020172

HSBC Bank USA Trustee
3221 Southwest 20 Court

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

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

FBC 105.1

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

1. THE KITCHEN AND BATHS WERE REMODELED AFTER A FIRE.
2. WINDOWS AND THE FRONT DOOR WERE REPLACED AFTER

THE FIRE.

3. FIRE DAMAGED STRUCTURAL COMPONENTS ON THE ROOF TRUSS (DUE TO A FIRE ON SEPT 15, 2004) WERE REPAIRED, AND INTERIOR PARTITIONS.

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. THE GENERAL ELECTRICAL SYSTEM HAS BEEN ALTERED. CIRCUITS WERE REPAIRED OR REPLACED AFTER THE FIRE.

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 ROOF TRUSS AND SUPPORTING WALLS DOES NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS AFTER THE FIRE.

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 and to record the order. Inspector Oliva stated after his site inspection on May 29, 2009, he had requested an emergency hearing today. The property had been damaged by fire in September 2004 and the property was subsequently repaired without permits. Within 35 days, Inspector Oliva wanted the owner to hire an engineer to ensure the property was safe to sell. Inspector Oliva stated the property was now vacant. He said the case was begun because someone interested in purchasing the property had phoned the City. Mr. McKelligett informed the Board that the bank had taken possession of the property on May 30, 2007.

Mr. Daniel Stuart Stein, bank attorney, stated the work had been done prior to the bank's taking possession of the property. Mr. Stein said his client had informed him they were unaware of these issues and had received no notice. He agreed the issues must be addressed before the property was sold and requested an extension.

Chair Mitchell was incredulous that the bank had possession of the property for two years but had made no repairs because in the photos, the property appeared in excellent condition. Mr. Stein reiterated that the bank had informed him the repairs were made before they took possession.

Inspector Oliva informed the Board that Inspector Hruschka had issued an inspection report on 2/4/08. Mr. McKelligett said a copy of the inspection report would have been

mailed to the owner of record, and at that time, the bank was the owner. Mr. Stein said this could not be assumed, since property records were often not updated promptly. Mr. Stein informed Mr. Nelson that the bank was maintaining the property.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 35 days, by 7/28/09 or a fine of \$200 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed unanimously.

Case: CE06040917

Josephine Land Trust
Rosemarie Morsello, Trustee
1411 Bayview Drive

Certified mail sent to the owner was accepted on 5/22/09.

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, INCLUDING BUT NOT LIMITED TO:

1. NEW EXTERIOR DOORS AND WINDOWS WERE INSTALLED/REPLACED.
2. THE BATHROOMS AND KITCHEN WERE REMODELED.
3. STRUCTURAL REPAIRS TO ROOF SECTION AND INTERIORS OF UNITS 1, 2 AND 3 WERE DONE DUE TO FIRE DAMAGE IN 2006.
4. THE ROOF WAS REPLACED.
5. A TRELLIS ENTRANCE AREA WAS CONSTRUCTED.

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. WALL A/C'S HAVE BEEN INSTALLED/REPLACED.

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. KITCHEN AND BATH FIXTURES WERE REPLACED.
2. A SPA/HOT TUB WAS INSTALLED IN THE REAR YARD.

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. THE PREMISE WIRING HAS BEEN REDONE.

2. EXTERIOR SITE LIGHTS WERE RELOCATED/ADDED AND IMPROPERLY INSTALLED.

3. CIRCUITS WERE ADDED FOR SPA/HOT TUB.

FBC 109.6

WORK HAS BEEN COVERED WITHOUT FIRST OBTAINING APPROVAL THROUGH THE INSPECTION PROCESS.

FBC 1604.1

THE REPAIRS TO FIRE DAMAGED SECTIONS HAVE NOT BEEN DONE ACCORDING TO THE STRENGTH REQUIREMENTS FOR THE LOADS IMPOSED.

Inspector Ford stated when he had taken over the case, he noted that a permit application had been submitted on 12/23/08 to cover the violations, but had failed review. The plans had been picked up in January but were never resubmitted. Inspector Ford had posted the property on 5/27/09 and the plans were re-submitted shortly thereafter.

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 63 days or a fine of \$25 per day, per violation.

Ms. Rosemarie Morsello, owner, agreed the violations existed. She explained that the plans were complete and the permit applications were in. She was waiting for the City plumbing inspector to sign off on a sub permit and for the contractor to update his liability insurance. Inspector Ford believed the permit would be issued within 63 days.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 63 days, by 8/25/09 or a fine of \$25 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed unanimously.

Case: CE09010920

Fort Lauderdale Learning Center LLC
1904 Southwest 4 Avenue

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

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

FBC 105.2.4

PLUMBING WORK WITHOUT PERMITS WAS PERFORMED IN THE FOLLOWING MANNER:

1. PLUMBING FOR THE ADDED KITCHEN.

2. BATHROOM REMODELING.

FBC 105.2.5

ELECTRICAL WORK WAS DONE WITHOUT PERMITS IN THE

FOLLOWING MANNER:

1. WIRING FOR THE ADDED KITCHEN.
2. WIRING FOR THE BATHROOM REMODELING.

FBC 105.1

THE SCHOOL BUILDING HAS BEEN ALTERED AND MODIFIED
IN THE FOLLOWING MANNER WITHOUT PERMITS:

1. A NEW KITCHEN HAS BEEN ADDED.
2. DRYWALL AND PARTITIONS HAVE BEEN ADDED.
3. BATHROOMS HAVE BEEN REMODELED.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He explained the school had a lot of work that was done without permits. Presently, the electrical, mechanical and plumbing applications had not been assigned to contractors, and a permit could not be issued until this was accomplished. Inspector Smilen requested a finding of fact and recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

Ms. Melissa Mazzotta, owner, explained that she had purchased the property 11 months ago with a license for a childcare facility. She stated she wanted to fix the violations and replace the windows and air conditioners. Ms. Mazzotta described work she had done on the interior, including shoring up a wall, replacing kitchen cabinets and retiling the bathroom. She stated she had not altered plumbing in the building, and someone at the City had informed her that she did not need a permit to re-tile. Ms. Mazzotta said a problem had arisen connecting with the City sewer because the school property was on three folio numbers.

Ms. Mazzotta informed Chair Mitchell she had already paid her architect \$5,000 for the plans. Chair Mitchell advised her to work with her inspector toward compliance.

Ms. Mazzotta presented a copy of her Master Plan that was in the City for review.

Inspector Smilen stated the violations would be complied once a permit was issued. He confirmed for Mr. Nelson that the permit application had not been approved yet; once it was approved, Ms. Mazzotta or her contractor could designate subcontractors.

Mr. Nelson was troubled that students were present at the property. Inspector Smilen said the school had the proper licenses and inspections, so he did not feel the students' presence was an issue.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 63 days, by 8/25/09 or a fine of \$25 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed unanimously.

Case: CE09010708

Jerry P Shaw
1413 Northeast 14 Place

Service was via posting on the property on 6/1/09 and at City Hall on 6/11/09.

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

FBC(2007) 105.1

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

1. A KITCHEN HAS BEEN INSTALLED IN ONE OF THE
BEDROOMS.

FBC(2007) 105.4.4

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

1. PIPING AND FIXTURES HAVE BEEN ADDED DURING THE
INSTALLATION OF THE KITCHEN IN ONE OF THE
BEDROOMS.

FBC(2007) 105.4.5

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

1. CIRCUITS HAVE BEEN ALTERED/ADDED DURING THE
KITCHEN INSTALLATION.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING
THE REQUIRED APPROVALS.

Inspector Ford informed the Board that there had been several other violations that were now complied. The owner lived in Illinois, Inspector Ford had spoken with him that morning and the owner had indicated he could comply within 63 days. 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 63 days or a fine of \$50 per day, per violation.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 35 days, by 7/28/09 or a fine of \$50 per day, per violation would be imposed, and to record the order. In a roll call vote, motion passed 6 - 1 with Ms. Croxton opposed.

Case: CE08061528

Todd & Christine B Erwin
2010 Southwest 23 Terrace

Certified mail sent to the owner was accepted on 5/20/09.

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 PROPERTY ROOF WAS REDONE.
2. A WOOD DOCK WAS BUILT ON THE REAR OF THE PROPERTY NEXT TO THE WATERWAY.
3. COMPLIED
4. A POOL WAS BUILT IN 2004 WITH ALL THE EXPIRED PERMITS.
5. A LARGE SHED WAS PLACED BY THE SOUTHWEST CORNER SETBACK OF THE PROPERTY.
6. PAVERS WERE PLACED IN THE DRIVEWAY AND WALKWAY TO THE REAR, AND POOL AREA WITH AN EXPIRED PERMIT.

FBC 105.2.11

COMPLIED BY OBTAINING A PERMIT

FBC 105.2.5

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

1. ELECTRIC SUPPLY TO POOL PUMP AND LIGHT.
2. ELECTRIC SUPPLY TO THE DOCK.

FBC 106.10.3.1

THERE ARE FOUR EXPIRED BUILDING PERMITS WHICH FAILED INSPECTION IN THE SUMMER 2004 FOR THE POOL INSTALLATION, AND PAVERS THAT WERE PLACED ON THE PROPERTY.

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 WOOD DOCK, SHED AND POOL DOES NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS.

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 and to record the order.

Ms. Paris read a letter from the owners explaining that the roof had been damaged in Hurricane Wilma and they had been forced to repair it before Citizens Insurance settled their case. They were currently involved in a lawsuit against Citizens. The pool company had informed the owners that work was done with permits, and when they appealed to the City for help regarding this, they were advised to hire an attorney, which they did. The owners promised to remove the shed that had been installed without a permit. They requested additional time to comply because they were experiencing financial problems and they had recently brought the home out of foreclosure.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 35 days, by 7/28/09 or a fine of \$50 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed 5 – 2 with Ms. Croxton and Mr. Perkins opposed

Case: CE08072031

Ronald Elor &
Marie Christophe Estate
1041 Indiana Avenue

Certified mail sent to the owner was accepted on 5/20/09.

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. A PVC FENCE WAS INSTALLED ON THE EAST - NORTH EAST OF THE PROPERTY.
2. TWO SHEDS WERE INSTALLED ON THE BACK OF THE PROPERTY FACING WEST.
3. SOME OF THE WINDOWS WERE REPLACED AND THE FRONT DOOR.

FBC 109.6

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

FBC 117.1.2

THE STRUCTURES FOR THE SCREEN PORCH, SHALL BE PRESUMED AND DEEMED UNSAFE DUE TO THAT ONE OF THE SUPPORTING COLUMNS WAS REMOVED AND IS OPEN TO UPLIFT WINDS.

FBC 1604.1

THE STRUCTURE FOR THE WOOD SHED 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 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.

Ms. Paris announced a final judgment sale was scheduled for 7/21/09.

Inspector Oliva said the case originated because of a complaint by a neighbor to the Police Department regarding animals being killed in religious rituals in the shed at the rear of the property. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 35 days, by 7/28/09 or a fine of \$50 per day, per violation would be imposed, and to record the order.

Ms. Ellis requested the motion be amended to a fine of \$100 per day, per violation, which Mr. Nelson and Ms. Croxton accepted.

In a voice vote, motion passed unanimously.

Case: CE08022006

John Humphrey & Natalie K Atkinson
54 Isle of Venice Drive # 11

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

Mr. Gerry Smilen, Building Inspector, testified to the following violation:
FBC 105.2.11

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

Inspector Smilen 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 \$25 per day, per violation.

Ms. Paris read a letter from the owner indicating he was hiring a contractor to apply for an after-the-fact permit.

Motion made by Ms. Croxton, seconded by Mr. Perkins, to find for the City that the violations exist as alleged and to order the property owner to come into compliance

within 63 days, by 8/25/09 or a fine of \$25 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed unanimously.

Case: CE09031279

G 4 A Holdings Corp
721 Southwest 8 Terrace

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

Ms. Paris announced a lis pendens was filed against the property on 12/5/08.

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

FBC(2007) 105.10.3.5

THE TWO STORY DUPLEX REMAINS INCOMPLETE WITH THE
FOLLOWING PERMITS THAT HAVE EXPIRED:

1. 07052447
2. 07052514
3. 07052515
4. 07052517
5. 07052518.

FBC(2007) 3306.4

THE PROPERTY IS NOT SUFFICIENTLY PROTECTED FROM
PEDESTRIAN TRAFFIC AND POSES A LIFE SAFETY ISSUE.

Inspector Smilen 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 91 days or a fine of \$75 per day, per violation.

Inspector Smilen explained the property still had value and would benefit the community if instead of tearing it down, someone could be found who was able to finish the project.

Mr. Lindwell Bradley, Code Enforcement Supervisor, explained staff was addressing which properties should be heard by the Unsafe Structures Board and which should go before the Code Enforcement Board. This particular property would also be presented to the Special Magistrate and would be boarded up. He agreed with Inspector Smilen that they hoped the property could be sold and rebuilt instead of being demolished.

Motion made by Ms. Ellis, seconded by Mr. Perkins, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 35 days, by 7/28/09 or a fine of \$100 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed unanimously.

Case: CE09060122

Blair International Inc
1525 Southwest 23 Street

Service was via posting on the property on 6/3/09 and at City Hall on 6/11/09.

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

FBC(2007) 105.1

THE PERMITS FOR THE INCOMPLETE DUPLEX HAVE EXPIRED
THEREFORE ALL WORK THAT HAS COMMENCED HAS BECOME
WORK WITHOUT PERMITS.

FBC(2007) 105.10.3.5

THE FOLLOWING PERMITS HAVE EXPIRED AND ARE NOW
NULL AND VOID:

1. 07050751 ELECTRICAL
2. 07041803 PLUMBING
3. 07031972 MECHANICAL
4. 05121876 BUILDING

FBC(2007) 3306.4

THE INCOMPLETE BUILDING IS NOT PROTECTED FROM
PEDESTRIAN TRAFFIC.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence.

Chair Mitchell believed there should be a bond on the project, and suggested the City contact the financial institution and pursue the bonding company to clean up and secure the property. Mr. McKelligett explained Blair International had taken over 44 Glenn Wright properties and most were now in foreclosure. Considering the condition of this property, Mr. McKelligett felt it would be a good candidate for the Unsafe Structures Board.

Mr. Lindwell Bradley, Code Enforcement Supervisor, explained they had considered sending this property to the Unsafe Structures Board but the City was short of funds, and it would be very expensive to demolish this project. They had therefore decided to leave it standing and have it heard by the Code Enforcement Board.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to find for the City that the violations exist as alleged and to order the property owner to come into compliance within 35 days, by 7/28/09 or a fine of \$100 per day, per violation would be imposed, and to record the order.

Chair Mitchell suggested a friendly amendment to the motion to increase the fine amount to \$500 per day, per violation. Mr. Nelson and Ms. Croxton agreed to amend the motion.

In a voice vote, motion passed unanimously.

Approval of Meeting Minutes

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

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

For the Good of the City

Board Workshop

Mr. McKelligett said the City was ready to schedule the workshop; they needed Board members to agree on a date. Chair Mitchell informed Ms. Croxton that this workshop was mandatory. Chair Mitchell stated he and Mr. McKelligett would narrow it down to two dates and the Board members could choose one of them.

Mr. Nelson wanted the Board to discuss policy regarding fine abatement. Mr. McKelligett explained that in Special Magistrate, staff calculated an appropriate administrative fee.

Board Comments

Chair Mitchell suggested that the City Commission meet with all Board chairs once per month.

Ms. Ellis said the City Commission had indicated that if a Board had an issue, a designee could request to be put on the Commission's afternoon agenda.

Mr. Perkins reminded Board members that the Sunshine Law specified that any notes members took about or during a meeting must be retained for two years. Ms. Paris said staff could accept Board members' notes for archiving.

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:

CE08071054 CE07101321 CE07022035 CE09021841
CE07070324

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:

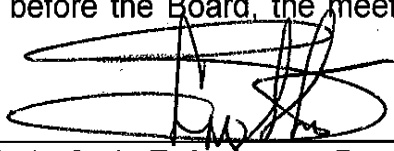
CE06091017

CE08061112

CE08091566

CE09020692

There being no further business to come before the Board, the meeting adjourned at
3:14 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. Opperee, ProtoType Inc.