

**CODE ENFORCEMENT BOARD
CITY COMMISSION MEETING ROOM
100 NORTH ANDREWS AVENUE
July 28, 2009
9:00 A.M. – 4:03 P.M.**

<u>Board Members</u>	<u>Attendance</u>	2/2009 through 1/2010	
		<u>Present</u>	<u>Absent</u>
Sam Mitchell, Chair	P	6	0
Genia Ellis, Vice Chair	P	6	0
Margaret Croxton	P	5	1
Joan Hinton	P	2	0
Howard Nelson	P	3	0
Ronald Perkins	A	4	2
Jan Sheppard	P	6	0
Howard Elfman [Alternate]	A	1	2
Ronald Major [Alternate]	A	0	3
Chad Thilborger [Alternate]	P	1	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
 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
 Robert Kisarewich, Fire Inspector
 Tammy Arana, Fire Inspector
 J. Opperlee, Recording Secretary

Communication to the City Commission

None

Respondents and Witnesses

CE08011721 : Eduardo Marquez, owner
 CE07080497: Harold Osborne, owner
 CE08051038: Jesus Amparo Matavajoy, owner
 CE07031444: Michael Madfis, architect
 CE08121685: Leila Anderson, owner's representative; Arsenio Ravelo, contractor

CE08071153: Theon Eames, owner
CE06061258: William Huegele, owner
CE08070403: Chelsea Blaine-Flowers, owner
CE06110858: Jorge Medina, contractor
CE08061528: Christine Todd, owner; Arye Corbett, owner's attorney
CE07100943: Andres Cardona, project manager
CE07110290: Jennifer Manzo, owner's daughter; Ovidio Benitez, owner
CE08020181: Robert Caspanello, owner
CE09031279: Jaline Fenwick, bank representative
CE08041417: Anthony Moten, director
CE08040779: Jake Watkins, owner
CE08020172: Diana Matson, bank representative
CE06091017: Ronald Melendez, owner
CE08040805: Sonia Gumbs, owner
CE06030884: Sylvia Harmon, daughter of the owner; Willie Harmon, owner
CE06040743: Kasandra Landrian Ramos, owner
CE08042227: Cyril Myland, contractor
CE08050806: Christine Linden, owner
CE08040203: Rosana Theophin, owner
CE07021312: Leonvil Noel, owner
CE08061112: Janet Clarke, estate representative
CE09020692: Peter Kneski, owner's attorney
CE09020331: James Wright, owner
CE04090141: Arthur Diamond, owner's representative
CE08010621: Minnie Brown, owner
CE08090676: Rigoberto Roque, owner; Julian Roque, owner's son
CE09061774: Hector Vargas, developer
CE09031097: Ralph Lynch, owner; Brian Kowal, bank representative
CE08091278: Bryant Holland, owner's boyfriend
CE09020135: Denisse Santos, owner
CE09011033: John Francavilla, owner
CE09030940: John Holquin, owner's husband; Mirnesa Martin, owner
CE08051626: Dennis Weber, owner
CE07060475: Jose Ares, general contractor

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: CE08051038

Carlos Benitez
1507 Northeast 15 Avenue

This case was first heard on 5/26/09 to comply by 7/28/09. Service was via posting on the property on 7/16/09 and at City Hall on 7/16/09. Violations were as noted in the agenda. The property was not complied, and the order had been recorded. The City was requesting imposition of the fine that would begin to accrue on 7/29/09.

Mr. Mario Sotolongo, Code Enforcement Officer, stated he would translate for the owner.

Ms. Jesus Amparo Matavajoy, owner, requested an extension, and explained she had reached an agreement with the bank to avoid foreclosure.

Mr. George Oliva, Building Inspector, stated he had spoken with the bank's attorney, who informed him the bank had reached an agreement with the owners. He informed Mr. Nelson that nothing had been done to comply the Code Enforcement issues on the property since May. He stated there were no fire safety issues at the property. Inspector Oliva would meet with the owner to discuss what must be done to comply.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 119-day extension to 11/24/09, during which time no fines would accrue. In a voice vote, motion passed 7-0.

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 except for violation 25-13.

Mr. Harold Osborne, owner, stated he had tried to contact the electrician but he refused to respond, and he could not afford to hire a new electrician. Mr. Osborne could not disconnect the generator because his wife was on oxygen.

Mr. Burt Ford, Building Inspector, said he had spoken with the electrician, Dan Cogdill, whom Mr. Osborne had paid in full, and said he had almost needed to threaten him to get him to pick up the plans for corrections. He agreed to try to contact the electrician again, and Inspector Ford said he would not object to an extension.

Motion made by Ms. Ellis, seconded by Mr. Nelson, to grant a 28-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed 7-0.

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, the order had been recorded and the City was requesting imposition of a \$1,750 fine, which would continue to accrue until the property complied.

Mr. Eduardo Marquez, owner, said most of the work was complete; the remaining item was the custom stairs that he anticipated would be delivered within 10 days.

Ms. Tammy Arana, Fire Inspector, confirmed that the stairs were the only outstanding item. She stated the owner had needed to address zoning and legal issues, and she would not object to an extension because the owner had kept in communication with her.

Mr. Marquez requested 56 days.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 56-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE07031444

Bill Richardson Trust
2491 State Road 84

This case was first heard on 11/25/08 to comply by 1/27/09 and 2/24/09. Violations and extensions were as noted in the agenda. Except for violations FBC-P 303.2, NEC 225.19(D)(1), NFPA 101:39.2.4.1, NFPA 303:2.1, the property was not complied.

Mr. Michael Madfis, architect, stated plans that would address the remaining violations were 70% complete. He explained this was originally designed as an open-air system that was modified over time and replaced after the hurricane. He remarked that the biggest problem was insufficient over-current protection for some of the expansions, and this was being addressed now. Ms. Madfis reported the new trailer had been ordered and he anticipated the plans should be ready to submit for permit within the month.

Ms. Croxton was concerned about the fire safety issues. Mr. Madfis assured Ms. Croxton that the plans addressed the fire safety issues, and that there were fire systems on the property now. He admitted it would be one year before all of the issues were resolved. Mr. Madfis explained that Mr. Cable, the tenant, was responsible to address some items, such as the trailer.

Mr. Robert Kisarewich, Fire Inspector, confirmed that the business had purchased "first responder" fire protection equipment and the employees were trained in its use.

Mr. Wayne Strawn, Building Inspector, recommended a 30-day extension to keep on top of the case.

Inspector Kisarewich explained to the Board that water was available on the marina's side of State Road 84.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to grant a 28-day extension to 8/25/09, during which time no fines would accrue, and to order the respondent to reappear at that hearing. In a voice vote, motion passed 7- 0.

Case: CE08121685

Ortal Vaknin-Emerly
1122 Northwest 4 Avenue

This case was first heard on 5/26/09 to comply by 7/28/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Ms. Leila Anderson, owner's representative, reported the owner was still in Israel because she was ill, and the only remaining issue was the fence that needed to be moved.

Mr. Arsenio Ravelo, contractor, said the fence permit had failed because it encroached four inches, and he had worked with the Zoning Department to resolve this problem. He requested 30 days to complete the work and inspections.

Mr. Wayne Strawn, Building Inspector, said Mr. Ravelo had worked very hard to comply the property and he did not object to an extension. He added that the owner had inherited the problems from the previous owner.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to grant a 28-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed 7- 0.

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 and the City was requesting imposition of the fines that would begin to accrue on 7/29/09.

Mr. Theon Eames, owner, reported the plans had been submitted, and the contractor must pick them up for corrections.

Mr. Wayne Strawn, Building Inspector, said the design professional had left some of the violations off the plans. He did not object to an extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 56-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed 7- 0.

Case: CE06061258

William Todd Huegele
3166 Northwest 67 Court

This case was first heard on 6/24/08 to comply by 8/26/08. Violations and extensions were as noted in the agenda. Except for FBC 105.1 (2), the property was not complied.

Mr. William Huegele, owner, stated he had experienced problems determining exactly what was required to submit the permit application. He had spoken with several City employees and ultimately determined he could replace the shed roof. He was awaiting product approvals and believed he could submit the application the following day. Mr. Huegele felt he could have the permit pulled and the work done in approximately one week.

Chair Mitchell was concerned at how long the process was taking. Mr. Huegele expressed frustration that he had received different instructions from different City employees.

Mr. Gerry Smilen, Building Inspector, stated the plans had been picked up for corrections on July 15. He felt this was a product issue, not a plans issue. Inspector Smilen believed Mr. Huegele now understood what was needed for the permit and did not oppose an extension.

Motion made by Ms. Croxton, seconded by Mr. Nelson, to grant a 56-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed 6 – 1 with Chair Mitchell opposed.

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 per stipulated agreement by 2/24/09. Violations and extensions were as noted in the agenda. The property was complied fines had accrued to \$1,350.

The respondent waived the right to notice of a Massey hearing so the Board could address the fines.

Ms. Chelsea Blaine-Flowers, owner, said the property was finally complied.

Mr. George Oliva, Building Inspector, recommended abatement.

Motion made by Ms. Sheppard, seconded by Ms. Ellis, to abate the fine. In a voice vote, motion passed 7 - 0.

Case: CE06110858

Hezreco LLC
1640 Northwest 12 Court

This case was first heard on 1/22/08 to comply per stipulated agreement by 5/27/08. Violations and extensions were as noted in the agenda. FBC 109.6 and FBC 1626.1 were not complied and the order had been recorded. Fines had accrued to \$10,675

Mr. Jorge Medina, contractor, said there had been a delay due to a failed structural inspection. The drawings were being altered, and the inspector had requested a re-evaluation of the flooring. The engineer was on vacation until July 30, and they needed a letter from him as well. Mr. Medina stated the property was occupied.

Mr. Wayne Strawn, Building Inspector, explained that he had cited the property under FBC Chapter 16 to ensure that the work was completed and passed inspection, not just that a permit was issued. He did not oppose an extension.

Mr. Nelson was concerned that this structure was occupied during hurricane season in this condition.

Mr. Medina said the biggest problem was the plan change, which he was trying to rush with the architect.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 28-day extension to 8/25/09, during which time no fines would accrue, and to order the respondent to reappear at that hearing. In a voice vote, motion passed 6 – 1 with Ms. Croxton opposed.

Case: CE08061528

Todd Erwin, ½ Interest
Christine B Erwin
2010 Southwest 23 Terrace

This case was first heard on 6/23/09 to comply by 7/28/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of the fine that would begin to accrue on 7/29/09.

Mr. Arye Corbett, the owner's attorney, requested a 91-day extension. He explained that the family had first dealt with hurricane damage to the roof, then an unscrupulous contractor, followed by keeping the house from foreclosure. Mr. Corbett said City staff

did not object to a 91-day extension. He reminded Chair Mitchell that the owners had sent a letter regarding the case the previous month.

Mr. Nelson asked what actions the owners had taken since June to comply. Mr. Corbett stated the air conditioner permit application had been submitted. They intended to apply for the permits themselves, and needed an engineer to certify work near the pool.

Mr. George Oliva, Building Inspector, said the owner intended to renew the expired permit, and he would go through the violations with the owner to discuss what must be done to comply. He recommended a 91-day extension.

Chair Mitchell wanted to revisit the case in 28 days to make sure the owners hired the engineer.

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

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 56-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed 7–0.

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. Four of the original twelve violations were not complied and the City was requesting imposition of a \$35,200 fine, which would continue to accrue until the property complied. Ms. Paris noted that the Board had refused the request for an extension at their previous meeting.

Mr. Andres Cardona, project manager, stated the permit had been issued and demolition had begun. He requested an additional 30 days to comply. Mr. Cardona stated the structure would convert back to a single-family.

Mr. Burt Ford, Building Inspector, agreed there were only four items remaining.

Mr. Cardona informed Mr. Nelson that the property had been occupied by someone looking after it, not a paying tenant, and this person had left the property.

Inspector Ford recommended a 91-day extension.

Motion made by Ms. Sheppard, seconded by Mr. Nelson, to grant a 56-day extension to 9/22/09, during which time no fines would accrue. In a roll call vote, motion passed 5 – 2 with Ms. Croxton and Mr. Nelson opposed.

Case: CE07110290

Ovidio Canales
821 Southwest 26 Street

This case was first heard on 2/24/09 to comply by 3/24/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$17,800 and the City was requesting imposition of \$520 for administrative costs.

Ms. Jennifer Menzo, daughter of the owner, confirmed that the property was complied.

Mr. George Oliva, Building Inspector, recommended imposing administrative costs only.

Ms. Paris explained the owners had missed three hearings, so significant fines had accrued. The property had been in foreclosure.

Ms. Menzo said the bank was still working on their loan modification packet. She assured Chair Mitchell that she was making a sincere effort to get the house out of foreclosure.

Ms. Menzo explained that her father was a pastor who had helped a parishioner purchase the house by putting it in his name. The person had not only stopped paying the mortgage, he had put the deed in his name and tried to sell the house. It was that person who had installed the air conditioning unit without permits.

Ms. Nelson wanted to continue the hearing to determine whether the bank would foreclose on the property before deciding to reduce the fines.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to continue the case for 119 days and to order the respondent to reappear at that hearing. In a voice vote, motion passed 7 - 0.

Case: CE08020181

Robert T Caspanello
3644 Southwest 22 Street

This case was first heard on 5/26/09 to comply by 7/28/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Robert Caspanello, owner, said he had been trying to keep the wall, but had now filed the application to demolish it.

Mr. George Oliva, Building Inspector, confirmed the permit application had been submitted. He recommended 28 days to comply.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 28-day extension to 8/25/09, during which time no fines would accrue. In a voice vote, motion passed 7- 0.

Case: CE09031279

G 4 A Holdings Corp
721 Southwest 8 Terrace

This case was first heard on 6/23/09 to comply by 7/28/09. Violations were as noted in the agenda. FBC(2007) 105.10.3.5 was not complied and the order had been recorded. Ms. Paris noted that the property was in foreclosure and a bank representative was present. A final judgment hearing should be held in August.

Ms. Jaline Fenwick, bank representative, stated the motion for summary judgment was scheduled to be heard on August 18. Once the motion was granted, the bank would own the property and they would work to comply it. Ms. Fenwick requested 119-day extension.

Mr. Gerry Smilen, Building Inspector, reported the property was boarded and secure, but he was concerned about when the project would be completed.

Ms. Wald informed the Board that in foreclosure cases, staff sent courtesy notices to the banks, and Mr. McKelligett also notified property preservation contractors. This contractor had boarded this property.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 91-day extension to 10/27/09, during which time no fines would accrue. In a roll call vote, motion passed 4 – 3 with Ms. Croxton, Mr. Nelson, and Mr. Thilborger opposed.

Chair Mitchell remarked on the trash on this property, and requested that Ms. Fenwick ask the contractor to clean the properties as well as mow them.

Case: CE08041417

Housing Authority of the
City of Fort Lauderdale
1625 Northwest 14 Street

This case was first heard on 6/24/08 to comply per stipulated agreement by 10/28/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$45,000 and the City was requesting imposition of \$645 for administrative costs.

Mr. Anthony Moten, director, explained they had been forced to redesign the project.

Mr. George Oliva, Building Inspector, confirmed that the permit had been issued, but it would be revised. He recommended \$645 be imposed for administrative costs.

[The Board heard the next case while Mr. Moten and City staff conferred]

Upon returning to the case, Mr. Moten agreed to pay the administrative fee.

Ms. Wald clarified that the Housing Authority was not affiliated with the City; it was an independent agency.

Inspector Oliva stated these were rented residential structures.

Motion made by Ms. Croxton, seconded by Ms. Sheppard, to impose a fine of \$645 for administrative costs. In a roll call vote, motion **failed** 4 – 3 with Ms. Ellis, Mr. Nelson, Mr. Thilborger and Chair Mitchell opposed.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to impose a fine of \$5,000. In a roll call vote, motion passed 5 - 2 with Ms. Croxton and Ms. Hinton opposed.

Case: CE08040779

Jake Watkins Jr
1028 Northwest 7 Terrace

This case was first heard on 6/24/08 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. The City was requesting imposition of a \$21,700 fine, which would continue to accrue until the property complied.

Mr. Jake Watkins, owner, said he had needed to use the money he intended for his architect to repair his truck after an accident the previous month. He anticipated he would be able to pay his architect as of August 15 and requested an extension.

Chair Mitchell noted there were no life safety issues at the property and Mr. Watkins was having financial difficulties.

Mr. George Oliva, Building Inspector, recommended an extension.

Motion made by Ms. Croxton, seconded by Ms. Hinton, to grant a 91-day extension to 10/27/09, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE08020172

HSBC Bank USA Trustee
3221 Southwest 20 Court

This case was first heard on 6/23/09 to comply by 7/28/09. Violations were as noted in the agenda. The property was not complied, and the order had been recorded. The City was requesting imposition of fines that would begin to accrue on 7/29/09.

Ms. Diana Matson, bank representative, explained that the loan servicer had spoken with the inspector regarding the repairs and obtained an engineer's report. They had also hired a contractor to begin making repairs. Ms. Matson confirmed that the bank now owned the property. She did not believe plans were ready to submit for a permit

yet. Mr. McKelligett reported the sale back to the bank had taken place on May 30, 2009.

Mr. George Oliva, Building Inspector, stated he had met with the engineer to discuss the issues, and the engineer indicated he would present a proposal to the bank. Inspector Oliva recommended imposition of the fines.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 56-day extension to 9/22/09, during which time no fines would accrue. In a roll call vote, motion passed 5 – 2 with Ms. Croxton and Mr. Nelson opposed.

Case: CE06091017

Ronald D Melendez
1437 Northwest 1 Avenue

This case was first heard on 2/24/09 to comply by 6/23/09. Violations were as noted in the agenda. The property was not complied. The City was requesting the compliance date on the order dated 2/24/09 be amended to 7/28/09.

Motion made by Ms. Ellis, seconded by Ms. Croxton, to amend the order dated 2/24/09 to extend the compliance date to 7/28/09. In a voice vote, motion passed 7 – 0.

Mr. Ronald Melendez, owner, said the violations had all occurred prior to his ownership of the property. He said he had been trying to save the home from foreclosure, but was failing, and had vacated the property and turned off the electric and water service. Mr. Melendez said he would not work to comply the violations if he could not save the property.

Mr. Wayne Strawn, Building Inspector, recommended no further extensions.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 28-day extension to 8/25/09, during which time no fines would accrue. In a roll call vote, motion **failed** 0-7.

Case: CE06030884

James & Sylvia Harmon
817 Northwest 15 Terrace

This case was first heard on 3/24/09 to comply by 7/28/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

[The respondent had left the room, so the Board heard another case.]

Upon returning to the case, Ms. Sylvia Harmon, daughter of the owner, explained they were working to comply, and had been delayed by the roofer. They had hired a new

roofer, who had submitted the permit application the previous day. They had also paid the shutter contractor.

Mr. Wayne Strawn, Building Inspector, confirmed that a permit application had been returned for corrections to the contractor, who was moving slowly. He did not object to an extension.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to grant a 91-day extension to 10/27/09, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE08040805

Norrell Gumbs
3811 Southwest 11 Street

This case was first heard on 7/22/08 to comply by 9/23/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$23,025 fine, which would continue to accrue until the property complied. Ms. Paris explained that the property foreclosure action had been dismissed, so the case had been brought back before the Board.

Ms. Sonia Gumbs, owner, said they were still experiencing financial difficulties. She intended to contact the original architect to make the drawings and requested an extension. Ms. Ellis asked if she had considered removing the wall, which would comply the violation. Ms. Gumbs said if she could not get in touch with the architect within 60 days or so, she would remove the wall.

Mr. Gerry Smilen, Building Inspector, explained that they did not know how the wall was constructed, and whether it was safe.

Chair Mitchell advised Ms. Gumbs to remove the wall, and recommended she consult with Inspector Smilen.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to grant a 56-day extension to 9/22/09, during which time no fines would accrue. In a voice vote, motion passed 6 – 1 with Ms. Sheppard opposed.

[The Board took a ten-minute break]

Case: CE06040743

Jose Julio Ramos &
Kasandra Landrian
2310 Northwest 11 Street

This case was first heard on 4/28/09 to comply by 7/28/09. Violations were as noted in the agenda. The property was not complied and the order had been recorded. The City was requesting imposition of the fine that would begin to accrue on 7/29/09.

Ms. Kasandra Landrian Ramos, owner, reported they had applied for four permits on 7/27 and had hired a permit expediter.

Mr. Wayne Strawn, Building Inspector, recommended a 28-day extension.

Motion made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 28-day extension to 8/25/09, during which time no fines would accrue. . In a voice vote, motion passed 7 - 0.

Case: CE08042227

Christopher Contreras
1400 Northwest 6 Avenue

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 City was requesting imposition of the fine that would begin to accrue on 7/29/09.

Mr. Cyril Myland, contractor, said he had applied for the permit one month ago, and he believed it would be issued in very soon. They had also needed to have drawings made and have a survey done.

Mr. George Oliva, Building Inspector, said only the fence permit application had been submitted on July 15. The three air conditioning units remained without permit.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find that the violations were not complied by the Order date, and to impose the fines that would begin on 7/29/09 and would continue to accrue until the property complied. In a voice vote, motion passed 7 - 0.

Case: CE08050806

Christine Linden
1760 Southwest Fairfax Drive

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 complied, fines had accrued to \$6,750, and the City was recommending imposition of \$424 for administrative costs.

Ms. Christine Linden, owner, requested that the fines be abated.

Mr. George Oliva, Building Inspector, recommended imposing \$424 for administrative costs.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to impose \$424 for administrative costs. In a voice vote, motion passed 6 – 1 with Ms. Ellis opposed.

Case: CE08040203

Rosana & Rooveline Theophin
208 Northwest 16 Street

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 fines had accrued to \$75,750.

Ms. Rosana Theophin, owner, said she had been working to comply the property and requested a 91-day extension. She stated she was having difficulty reaching the plumber. She remarked that the rusting overhang was "not that bad." Ms. Theophin said she had been unaware of the violations because her husband had been taking care of them, but she became aware of them after her husband passed away.

Mr. Gerry Smilen, Building Inspector, reported the owner had pulled all of the permits, but she still must have the construction done. He stated everything was progressing toward compliance. He recommended 119 days.

Motion made by Ms. Croxton to grant a 119-day extension. Motion died for lack of a second.

Motion made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 56-day extension to 9/22/09, during which time no fines would accrue. . In a voice vote, motion passed 6 – 1 with Ms. Croxton opposed.

Case: CE07021312

Conceptia Silien, 1/2 Interest
Leon Vel Noel
1320 Northwest 7 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. Except for FBC 105.1, FBC 105.2.5, FBC 105.2.11, and FBC 109.6, the property was not complied.

Mr. Leonvil Noel, owner, explained that the door should be delivered in 15 days.

Mr. Wayne Strawn, Building Inspector, thought the contractor might want to wait until after the building was stocked with drywall before installing the doors. He noted that since the stucco had not been applied, the door openings could be boarded in the event of a hurricane. Inspector Strawn did not object to an extension.

Motion made by Ms. Croxton, seconded by Mr. Nelson, to grant a 91-day extension to 10/27/09, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE08061112

Alberta Williams Estate
1207 Northwest 11 Place

This case was first heard on 11/25/08 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. The City was requesting imposition of a \$5,175 fine, which would continue to accrue until the property complied.

Ms. Janet Clarke, estate representative, said she had hired her cousin to make the repairs, but he had not, and now she could not locate him. Ms. Clarke believed the windows had been installed in 1986, the doors approximately 8 years ago and the roof many years ago. She stated she had been unable to afford to pay for the permits because she had been out of work for a month.

Chair Mitchell was concerned about how long this case had been open.

Ms. Clarke said the house now belonged to her and her siblings, none of whom was helping her with the property. She was currently occupying the house.

Mr. Wayne Strawn, Building Inspector, reported the plans had failed review in June. He opposed any further extension.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and to impose a fine of \$5,175, which would continue to accrue until the property complied and to record the order. In a voice vote, motion passed 7 – 0.

Case: CE09020692

Renade Grant
3680 Southwest 16 Court

Certified mail sent to the owner was not returned. Service was via posting on the property on 7/10/09 and at City Hall on 7/16/09.

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

FBC 105.2.11

EQUIPMENT FOR A GOODMAN A/C SYSTEM HAS BEEN
INSTALLED WITHOUT A PERMIT.

FBC 105.2.19

A SCREEN ENCLOSURE HAS BEEN ERECTED ON A SIMPLE
SLAB IN THE BACKYARD OF THE PROPERTY WITHOUT A
PERMIT.

FBC 105.2.5

ELECTRICAL CIRCUIT EXPANSION FOR NEW A/C EQUIPMENT
HAS BEEN COMPLETED WITHOUT A PERMIT.

9-280(b)

THE CARPORT HAS BEEN SUBSTANTIALLY DAMAGED STRUCTURALLY BY ALTERATIONS FROM ITS ORIGINAL APPROVED DESIGN. THE FOLLOWING STRUCTURAL MEMBERS HAVE BEEN ALTERED COMPROMISING THE STRUCTURAL INTEGRITY OF THE CARPORT:

1. STRUCTURAL SUPPORT COLUMNS HAVE BEEN REMOVED.
2. ROOF FRAMING HAS BEEN SCABBED WITH PLYWOOD INADEQUATELY AND IS LOOSENING AND DETERIORATING.

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 56 days or a fine of \$75 per day, per violation.

Mr. Peter Kneski, the owner's attorney, explained that the house had been built in 1959 and Mr. Grant had purchased it in 2007. He explained that the original citations against his client referring to the fence and siding had been complied.

Mr. Kneski stated the carport had been altered after a hurricane in 1979. The prior owner had been issued a citation for alteration of the carport in 1980, and had sent a letter inquiring what must be done to comply. Mr. Kneski produced a copy of the permit that had been issued for the carport roof on 11/21/80. He also produced a copy of the inspector's report for this permit. He admitted no boxes indicating the status of the work were checked, but the inspector had written, "Carport roof and slab complete; no previous inspections called for." It was signed by the inspector. Mr. Kneski also had a copy of a Code Enforcement detail for a previous case regarding a wood fence that included the inspection history. This contained a note from 1/15/09 indicating, "The carport was built under the South Florida Building Code Permit 08-81-98 and it passed final inspection."

Chair Mitchell said these documents should be presented to the City prior to the Hearing so they could be distributed to the Board. Mr. Jolly agreed this would be more efficient, but said it was not required.

Inspector Smilen said he had seen these documents, but noted that as far as the City was concerned, the permit was never signed off, so it was void and the work had been done without permit.

Ms. Wald felt the Building Department should determine whether the permit was closed, and withdrew 9-280(B) from the case. The Board could proceed with the other three violations.

Mr. Kneski stated there was a permit pulled for electrical and air conditioning for the enclosure by a prior owner in 1977. The Building Department had inspected and

approved this permit. Mr. Kneski believed that FBC 105.2.5 specified that a permit was not needed, provided the location, size, or capacity of the compressor, coil or duct was not altered. Mr. Kneski stated the unit itself was changed.

Mr. Kneski agreed there had been no permit pulled for the screen enclosure.

[Mr. Nelson left the meeting at 12:17]

Inspector Smilen said it was obvious that the screen enclosure had been built without a permit. The condensing unit replacement also required a permit, even if it was the same size as the previous one. He added that the current property owner was responsible to comply the violations, even if they had been caused by a previous owner.

Motion made by Ms. Croxton, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance with FBC 105.2.11, FBC 105.2.19 and FBC 105.2.5 within 56 days, by 9/22/09 or a fine of \$75 per day, per violation would be imposed, and to record the order. In a voice vote, motion passed 6 – 0.

Case: CE09020331

James R Wright
361 Delaware Avenue

Certified mail sent to the owner was accepted on 7/20/09. Service was also via posting on the property on 7/10/09 and at City Hall on 7/16/09.

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 THE FRONT DOOR HAVE BEEN REPLACED. HURRICANE SHUTTERS WERE INSTALLED IN SOME OF THE OPENINGS.
6. NEW CENTRAL A/C WAS INSTALLED WITH DUCT WORK AND AN ELECTRICAL HEATER.
7. INTERIOR REMODELING WORK IN KITCHEN AND BATHROOM AREA.

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. CENTRAL A/C WAS INSTALLED WITH DUCT WORK AND AN ELECTRICAL HEATER.

FBC 105.2.4

THE PLUMBING SYSTEM OF THE FACILITY HAS BEEN

CHANGED WITHOUT OBTAINING A PERMIT IN THE FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:
1. KITCHEN AND BATHROOM FIXTURES HAVE BEEN REPLACED.

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. ELECTRICAL LOAD DEMAND WAS INCREASED BY REPLACING OR ADDING ADDITIONAL LIGHTS AND WALL OUTLETS THAT HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING THROUGH THE PERMITTING PROCESS.
2. POWER SUPPLIED TO THE A/C WITH A ELECTRIC HEATER.

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 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 105.1: 2, 3, 4 and 5
FBC 1604.1

Inspector Oliva stated the owner had removed the carport roof and the fence. 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 91 days or a fine of \$50 per day, per violation and recording the order.

Mr. James Wright, owner, said he had submitted plans for the screen enclosure, but the permit had expired. His house had been burglarized, and this was why he wanted to continue with the enclosure and the fence. Mr. Wright needed to have the architect re-work the plans, and requested 91 days.

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

within 91 days, by 10/27/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 6 – 0.

[The Board took a break from 12:33 to 12:52]

Case: CE04090141

Constantine Patsimas
1434 Northwest 9 Street

Certified mail sent to the owner was accepted on 6/22/09.

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

9-280(b)

THE BUILDING IS NOT BEING MAINTAINED IN REASONABLY GOOD REPAIR. FASCIA AND SOFFIT ARE LOOSE AND THE FRONT DOOR DOES NOT FIT PROPERLY.

9-280(g)

ELECTRICAL CONDUIT IS LOOSE AND BROKEN. THIS CONDITION IS FOUND MOST NOTABLE WHERE THE A/C COMPRESSOR AND SPRINKLER SYSTEM ARE CONNECTED TO THE SYSTEM.

9-280(h)(1)

CHAIN LINK FENCING IS IN DISREPAIR.

FBC(2007) 105.1

THE TWO RESIDENTIAL STRUCTURES HAVE BEEN ALTERED WITHOUT OBTAINING THE REQUIRED PERMIT OR THE PERMITS WERE ISSUED AND ALLOWED TO EXPIRE WITHOUT PASSING THE REQUIRED FIELD INSPECTIONS. THE WORK NOW EXISTS AS NON-PERMITTED WORK.

1. SECURITY BAR INSTALLATION PERMITS 97092340 AND 97092341 HAVE EXPIRED WITHOUT PASSING FIELD INSPECTIONS.
2. RE-ROOF PERMIT 96080012 HAS EXPIRED WITHOUT PASSING FIELD INSPECTION.
3. A NEW DOOR AND JAMB HAVE BEEN INSTALLED ON THE WEST SIDE OF THE EAST BUILDING.
4. CHAIN LINK FENCING HAS BEEN INSTALLED ABUTTING THE STREET AND THE AVENUE.
5. PAYPHONE INSTALLATION ON SOUTHEAST CORNER OF THE PROPERTY.

FBC(2007) 105.10.3.1

THE FOLLOWING PERMITS HAVE EXPIRED WITHOUT PASSING FIELD INSPECTION. THEY HAVE BECOME NULL AND VOID.

1. SECURITY BAR INSTALLATION PERMIT #97092340 FOR 1434 NW 9 STREET.
2. SECURITY BAR INSTALLATION PERMIT #97092341 FOR

1436 NW 9 STREET.

3. RE-ROOF PERMIT #96080012.

FBC(2007) 105.4.4

THE PLUMBING SYSTEM OF THE WEST BUILDING (1436) HAS BEEN ALTERED, EXPANDED OR REPAIRED WITHOUT OBTAINING THE REQUIRED PLUMBING PERMIT. THE WORK INCLUDES THE INSTALLATION OF SUPPLY AND WASTE PIPING ALONG WITH THE FIXTURES THEY SERVE. THIS PIPING IS NOTED ON THE SOUTH WALL OF THE BUILDING.

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM OF THE BUILDINGS ON THE PROPERTY HAS BEEN REMODELED, EXPANDED, AND REPAIRED WITHOUT OBTAINING THE REQUIRED PERMITS. THE WORK INCLUDES THE FOLLOWING:

1. CIRCUIT TO PROVIDE POWER TO THE AIR CONDITIONING SYSTEM OF 1434.
2. CIRCUIT TO POWER SPRINKLER SYSTEM.
3. CIRCUITS ROUTED TO THE OUTSIDE OF THE EXTERIOR WALLS TO EXPAND OR REPLACE ORIGINAL CIRCUITRY.
4. CIRCUIT TO POWER EXTERIOR LIGHT.

FBC(2007) 105.4.11

A CENTRAL AIR CONDITIONING SYSTEM HAS BEEN INSTALLED FOR THE EAST BUILDING (1434) WITHOUT OBTAINING THE REQUIRED PERMIT.

Complied:

FBC(2007) 1026.1

Inspector Strawn 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 \$25 per day, per violation.

Mr. Arthur Diamond, the owner's representative, explained that the roof and air conditioning units had been replaced by contractors, and he did not know why neither had pulled a permit. He promised to take care of these issues. Chair Mitchell advised Mr. Diamond to consult with Inspector Strawn regarding how to comply.

Motion made by Ms. Croxton, seconded by Ms. Ellis to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 10/27/09 or a fine of \$25 per day, per violation would be imposed and to record the order. In a voice vote motion passed 6 – 0.

[Mr. Nelson returned to the meeting at 1:00]

Case: CE08010621

Minnie Brown
1023 Northwest 7 Terrace

Certified mail sent to the owner was not returned. Service was via posting on the property on 6/29/09 and at City Hall on 7/16/09.

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

FBC 105.1

THE FOLLOWING IMPROVEMENTS AND ALTERATIONS HAVE BEEN DONE WITHOUT OBTAINING THE REQUIRED PERMITS:

1. THE RESIDENCE ON THE PROPERTY HAS BEEN ALTERED/IMPROVED BY THE REMOVAL AND REPLACEMENT OF THE WINDOWS.
2. A METAL SHED HAS BEEN CONSTRUCTED IN THE REAR YARD.
3. A ROOF STRUCTURE AND DOG PENS HAVE BEEN CONSTRUCTED IN THE REAR YARD.

FBC 1612.1.2

THE ACCESSORY STRUCTURES IN THE REAR YARD AND THE WINDOWS THAT HAVE BEEN INSTALLED HAVE NOT DEMONSTRATED THE STRENGTH REQUIRED BY THE FLORIDA BUILDING CODE TO COMPLY WITH THE MINIMUM WIND LOADING IN A HIGH VELOCITY HURRICANE ZONE. THE STRENGTH REQUIREMENT IS ASSURED ONLY IF THE INSTALLATIONS WERE INSTALLED THROUGH THE PERMITTING PROCESS.

FBC 1626.1

THE WINDOWS INSTALLED HAVE NOT DEMONSTRATED COMPLIANCE WITH THE MINIMUM RESISTANCE TO THE IMPACT OF WINDBORNE DEBRIS AS REQUIRED BY THE FLORIDA BUILDING CODE IN A HIGH VELOCITY HURRICANE ZONE.

Inspector Strawn 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 56 days or a fine of \$25 per day, per violation.

Ms. Minnie Brown, owner, stated she intended to comply. She believed she could comply within 56 days. Chair Mitchell asked if Ms. Brown intended to remove the shed and dog pens to comply. Ms. Brown said she would try to obtain a permit for the dog cages; she agreed she might need to tear the shed down.

Ms. Hinton asked the purpose of the dog pens. Ms. Brown explained the dogs lived in the pens. She was unaware the pens themselves were not permitted.

Chair Mitchell advised Ms. Brown to consult with Inspector Strawn regarding her case while the Board heard other cases.

Upon returning to the case, Inspector Strawn explained that the shed had been constructed on a wooden platform and must be removed unless it was reinstalled on a slab. The dog pens had been purchased, but their roof structures had been added later without a permit. Inspector Strawn had offered to meet with the owner's son to discuss what could be done with the dog pens. He recommended ordering compliance within 91 days, since the owner was not familiar with the permit process and must hire a contractor.

Motion made by Mr. Nelson, seconded by Ms. Ellis to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 10/27/09 or a fine of \$25 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE08090676

Rigoberto & Miriam E Roque
1341 Southwest 24 Avenue

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

Mr. George Oliva, Building Inspector, testified to the following violations:
FBC 1612.1.2

ALL THE WINDOW, SHUTTER, 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.

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. A DOUBLE
GLASS FRENCH DOOR WAS INSTALLED ON THE SOUTH
SIDE OF THE PROPERTY.

FBC 109.6

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

Inspector Oliva stated the owner had applied for window and shutter permits on 6/12/09 which had failed review on 6/27/09. 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 28 days or a fine of \$50 per day, per violation.

Inspector Oliva explained to Ms. Ellis that there was a problem with the NOAs for the shutters and the windows.

Mr. Julian Roque, the owner's son, stated the windows had been installed almost 20 years ago, and they had believed that replacements did not require permits. He said they were unable to locate NOAs for the windows. Mr. Roque informed Chair Mitchell that the windows had been installed shortly after Hurricane Andrew. Chair Mitchell remarked that the windows probably did not meet current codes.

Inspector Oliva stated the owner needed a certified letter from an engineer declaring that the windows were up to code at the time they were installed. This would replace the NOA.

Inspector Oliva drew the Board's attention to the new French doors on the side of the house about which a neighbor had complained. He believed these could also be certified by an engineer. Inspector Oliva now recommended ordering compliance within 56 days.

Motion made by Mr. Nelson, seconded by Ms. Hinton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 9/22/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE09061774

2G Investments LLC
408 Southwest 9 Street

Certified mail sent to the owner was not returned. Service was via posting on the property on 6/29/09 and at City Hall on 7/16/09.

Mr. Gerry Smilen, Building Inspector, testified to the following violations:
FBC(2007) 105.1

THE INCOMPLETE THREE STORY DUPLEX HAS PERMITS THAT
HAVE BECOME NULL AND VOID. THEREFORE ALL WORK
PERFORMED ON THIS PROPERTY IS WORK WITHOUT
PERMITS.

FBC(2007) 105.10.3.5

THE FOLLOWING PERMITS HAVE EXPIRED:

1. 06060879 PLUMBING.
2. 06032810 ELECTRICAL.
3. 05082121 BUILDING.

Withdrawn:

FBC(2007) 3306.4

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 119 days or a fine of \$50 per day, per violation.

Inspector Smilen explained that permits expired 90 days after the last inspection.

Mr. Hector Vargas, developer, presented a photo of a completed project they had built but had been unable to sell in order to fund completion of this building. They had therefore stopped work on this building and fenced the property. He said they intended to finish the building, but needed a new investor to fund the remaining construction. Mr. Vargas requested a year to find a new investor.

Mr. Vargas informed Mr. Nelson that 2G Investments had purchased the property for redevelopment in 2005 and had ceased construction in 2006.

Mr. Vargas stated the fence surrounding the property was sufficient to secure a construction site. He added that the bottom floor was boarded as well.

Motion made by Mr. Nelson, seconded by Ms. Hinton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 8/25/09 or a fine of \$150 per day, per violation would be imposed and to record the order. In a roll call vote motion passed 4 – 3 with Ms. Croxton, Ms. Ellis and Ms. Sheppard opposed.

Case: CE09031097

Ralph L Lynch
425 Northeast 8 Street

Certified mail sent to the owner was returned unclaimed. Service was via posting on the property on 6/18/09 and at City Hall on 7/16/09.

Mr. Burt Ford, Building Inspector, testified to the following violations:
9-308(a)

THE ROOF IS IN DISREPAIR. THERE IS A TARP OVER
APARTMENT 425.

FBC(2007) 105.10.3.1

THE FOLLOWING PERMITS HAVE EXPIRED:

1. WINDOW PERMIT 98050300 ISSUED 5/5/1998 HAS EXPIRED.
2. STUCCO PERMIT 98091776 ISSUED 9/30/1998 HAS EXPIRED.
3. PAVING PERMIT 98120728 ISSUED 2/18/1999 HAS EXPIRED.

4. ATF WOOD FENCE PERMIT WAS APPLIED FOR ON 10/25/2000 BUT HAS SINCE BEEN VOIDED. THE WOOD FENCE REMAINS.

Ms. Paris noted that the tarp on apartment 425 had been removed.

Inspector Ford stated this case replaced a 2000 case. 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 56 days or a fine of \$25 per day, per violation.

Mr. Ralph Lynch, owner, said he had paid several licensed contractors to do the work, and they were supposed to pull the permits. He intended to track the contractors down and get them to resolve these issues.

Chair Mitchell was concerned about how long the case had gone on without Mr. Lynch doing any work to comply.

Inspector Ford noted that expired permits would be reinstated under the code that applied at the time. Mr. Lynch needed to find a new contractor to call for final inspections. Only the fence needed a new permit.

Mr. Lynch informed Chair Mitchell that the property was in foreclosure.

Mr. Brian Kowal, bank representative, stated Mr. Lynch still had title to the property. He said a hearing date for summary judgment would be set in the next few weeks.

Motion made by Mr. Nelson, seconded by Ms. Hinton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 9/22/09 or a fine of \$150 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

[Mr. Jolly left the meeting at 2:56]

Case: CE08091278

Shenika K Smith
515 Northwest 15 Way

Certified mail sent to the owner was not returned. Service was via posting on the property on 6/24/09 and at City Hall on 7/16/09. Ms. Paris noted that Bryant Holland, the owner's boyfriend, did not have power of attorney, but the Board could hear his testimony as a witness.

Mr. Bryant Holland, the owner's boyfriend, explained that the owner was at work and knew he was here to represent her.

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

FBC 105.1

A WOOD FRAME ADDITION HAS BEEN ADDED ON TO THE REAR OF THE SINGLE FAMILY DWELLING WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC 105.2.15

NEW WINDOWS AND DOORS HAVE BEEN INSTALLED WITHOUT A PERMIT.

FBC 105.2.5

PREMISE WIRING AND CIRCUIT WIRING WERE INSTALLED IN THE ADDITION WITHOUT A PERMIT.

FBC 109.6

THE REAR ADDITION HAS BEEN COMPLETED WITHOUT THE REQUIRED INSPECTION APPROVALS.

FBC 1604.1

THE FOUNDATION AND WALLS OF THE ADDITION ARE NOT DESIGNED AND CONSTRUCTED TO THE STRENGTH, LOAD AND RESISTANCE STANDARDS OF THE FLORIDA BUILDING CODE.

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 56 days or a fine of \$50 per day, per violation.

Mr. Nelson was concerned there were children about the house with un-inspected wiring. Mr. Holland said the wiring had not been installed.

Inspector Smilen could not say exactly how the addition was [or was not] anchored, or whether it was wired because the yard was fenced in. When he had spoken with Ms. Smith, she informed him she had hired an architect, who told him the addition could be complied by tearing it down and rebuilding it on a foundation.

Motion made by Mr. Nelson, seconded by Ms. Croxton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 9/22/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 6 – 1 with Ms. Sheppard opposed.

Case: CE09020135

Osmin & Denisse Santos
2720 Southwest 8 Street

Certified mail sent to the owner was returned unclaimed. Service was via posting on the property on 6/24/09 and at City Hall on 7/16/09.

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 FACING THE ROAD.
- 2.COMPLIED.

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 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 said the owner had applied for a permit and the application had been returned for 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 56 days or a fine of \$50 per day, per violation.

Ms. Denisse Santos, owner, said they were in the process of pulling the permit. She explained the plans needed to be signed by an architect and she had paid the architect to do this.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 9/22/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE09011033

John Francavilla
1001 Southwest 4 Street

Certified mail sent to the owner was not returned. Service was via posting on the property on 7/6/09 and at City Hall on 7/16/09.

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

FBC(2007) 105.10.3.1

THE PERMITS ON THE BUILDINGS THAT WERE TRANSPORTED TO THE PROPERTY HAVE EXPIRED.

FBC(2007) 105.4.1

THE WOOD FRAME SINGLE FAMILY HOMES HAVE BEEN SIGNIFICANTLY ALTERED WITH ATTEMPTS AT REPAIR AND RELOCATION.

FBC(2007) 105.4.2

THE BUILDINGS HAVE BEEN RELOCATED WITH AN EXPIRED PERMIT.

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEMS OF THE BUILDINGS HAVE BEEN DISCONNECTED AND ALTERED WITHOUT A VALID 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 91 days or a fine of \$100 per day, per violation.

Inspector Smilen informed Ms. Ellis that these were designated historic homes. The owner had received a Certificate of Appropriateness from the Historic Preservation Board [HPB] for the project, but it had never been completed.

Mr. John Francavilla, owner, said the property had been cleaned up since the aerial photos were taken. Mr. Francavilla said he had an engineer declare the house 97% in disrepair, but the HPB had insisted he restore it.

Mr. Francavilla stated he had spent \$150,000 moving one house, but the engineer would not sign off on moving the second house because he feared the house might fall down if moved. Mr. Francavilla had received permission from the HPB to investigate another method to move the house.

Mr. Francavilla said he had gone to the City regarding one of the permits the previous day and discovered the City could not locate the plans. He now had to have an architect redraw the house. Mr. Francavilla requested 90 days to have the plans redrawn and submitted to the City.

Mr. Francavilla said after the permit was issued, he must go before the HPB regarding rewiring the house. He anticipated this would take another 90 to 120 days.

Inspector Smilen agreed to try to help the Building Department locate the missing plans. Inspector Strawn explained that plans were only microfilmed when the job was complete. Until that stage, the plans could be discarded by the City.

Inspector Smilen read the expired permit numbers into the record: 07090507; 07090502; 07042021; 07040501.

Motion made by Mr. Nelson, seconded by Ms. Ellis to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91

days, by 10/27/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE09030940

Mirnesa Martin
1412 Northwest 19 Avenue

Certified mail sent to the owner was not returned. Service was via posting on the property on 6/30/09 and at City Hall on 7/16/09.

Mr. Wayne Strawn, Building Inspector, testified to the following violations:
FBC(2007) 105.1

A SHED HAS BEEN INSTALLED AND THE BUILDING HAS
BEEN RE-ROOFED WITHOUT OBTAINING THE REQUIRED
PERMITS.

Complied:
FBC(2007) 105.4.4
9-279(e)

[Ms. Croxton left the dais at 2:37]

Inspector Strawn 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 with FBC(2007) 105.1 within 56 days or a fine of \$25 per day.

[Ms. Croxton returned to the dais at 2:40]

Mr. John Holquin, the owner's husband, stated they had purchased the property in June 2008, but there was no record that the roof had been replaced. He asked the Board to "let the original permit stand unless they can prove that this is a new roof."

Inspector Strawn said he believed the roof had been replaced because an asphalt shingle roof could not last 50 years. He added that the roof was a color not available in asphalt shingles 50 years ago. Mr. Holquin stated the roof could have been painted.

Inspector Ford had located aerial photographs of the property from 2006 and 2007 and Inspector Strawn pointed out that the roof color had changed from photo to photo. He believed the building had been re-roofed, not painted, in that time period.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance with FBC(2007) 105.1 within 56 days, by 9/22/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE08051626

Dennis E Weber
1221 Southwest 6 Street

Certified mail sent to the owner was accepted on 7/2/09.

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

FBC 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:

3. 4 X 4 POSTS HAVE BEEN INSTALLED ON THE FRONT PORCH BEAM.

Complied:

Withdrawn:

FBC 105.1(1)

Complied:

FBC 105.1(2)

FBC 105.2.11

FBC 105.2.5

FBC 110.1.1

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 with FBC 105.1 1(3) within 56 days or a fine of \$50 per day.

Mr. Dennis Weber, owner, asked if he could pull the permit for the posts himself. Mr. Nelson advised him that he would probably need an engineer to perform a structural analysis to apply for the permit.

Inspector Smilen said Mr. Weber could not apply for the permit as an owner/builder because this was a rental property.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to find for the City that the violations existed as alleged and to order the property owner to come into compliance with FBC 105.1.1 within 56 days, by 9/22/09 or a fine of \$25 per day would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE07060475

Bernardo Rodriguez &
Marena Moreira
1380 Southwest 34 Avenue

Certified mail sent to the owner was accepted on 6/20/09.

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 ARE TWO ROOM ADDITIONS THAT WERE DONE ILLEGALLY, ONE BETWEEN 2005 AND 2007 AND THE OTHER BETWEEN 2007 AND 2009.
3. THE FRONT PORCH AND CARPORT JOIST WERE REPLACED AND COVERED WITH DRYWALL WORK WAS BETWEEN 2007 AND 2009.
4. WINDOWS AND DOORS WERE INSTALLED ON THE ADDITIONS.

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 CENTRAL A/C WITH DUCT WORK AND ELECTRIC HEATER.
2. KITCHEN AND BATHROOM(S) VENTILATIONS.

FBC 105.2.4

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

1. KITCHEN AND BATHROOM(S) FIXTURES WERE REPLACED, AND PLUMBING LINES WERE ADDED TO THE ADDITIONS.

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. ELECTRICAL LOAD DEMAND WAS INCREASED BY ADDING ADDITIONAL LIGHTS AND WALL OUTLETS IN THE ADDITIONS THAT HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING THROUGH THE PERMITTING PROCESS.
2. ELECTRICAL SUPPLY TO THE A/C WITH ELECTRIC HEATER.

FBC 109.6

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

FBC 1604.1

THE STRUCTURES FOR THE TWO ADDITIONS, FRONT PORCH AND CARPORT, DO NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAVE 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

Complied:

25-13

FBC 105.1

2. THERE IS A CIRCULAR DRIVEWAY THAT WAS BUILT BETWEEN 2005 AND 2007.

Inspector Oliva said his main concern was the electrical load on the power supply. 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 56 days or a fine of \$100 per day, per violation, and recording the order.

Mr. Jose Ares, general contractor, reported an engineer was drawing plans for the addition. They intended to pull all needed permits, and believed some work would be required as well. He did not believe 56 days would be enough time.

Mr. Nelson asked if Mr. Ares had determined the additional was compliant with setbacks and lot coverage. Mr. Area said this would be determined by Zoning when the plans were submitted.

Inspector Oliva recommended ordering compliance in 56 days to encourage the owner to act sooner.

Mr. Ares presented a copy of the contract with the engineering firm. He said he had also ordered a new survey. He expected to submit plans in the next three to four weeks.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 9/22/09 or a fine of \$100 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Board Workshop Date

The Board discussed possible dates for their workshop and agreed on August 21 at 9:00 a.m.

Case: CE09031391

Shanel Bhagwandin
1145 Northwest 6 Avenue

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

Mr. Wayne Strawn, Building Inspector, testified to the following violations:
FBC(2007) 105.1

THE BUILDING AND PROPERTY HAVE BEEN ALTERED AND CONSTRUCTION WORK COMPLETED WITHOUT OBTAINING THE REQUIRED BUILDING PERMITS. THE WORK INCLUDES THE FOLLOWING:

1. CONSTRUCTION OF A WOOD FENCE.
2. ALTERATION OF THE FRONT PORCH BY THE REMOVAL OF THE JALOUSIE WINDOWS AND THE EXTENSION OF THE WALLS TO ENCLOSE AND INSTALL SINGLE HUNG WINDOWS AND THE INSTALLATION OF A NEW DOOR.
3. THE REPLACEMENT OF WINDOWS DONE UNDER THE AUSPICES OF PERMIT # 05033272 NOW EXIST AS NON-PERMITTED WORK. THE PERMIT HAS EXPIRED WITHOUT PASSING THE REQUIRED FIELD INSPECTIONS.
4. THE KITCHEN REMODEL DONE UNDER THE AUSPICES OF PERMIT # 96040308 NOW EXISTS AS WORK WITHOUT A PERMIT. THE PERMIT HAS EXPIRED WITHOUT PASSING THE REQUIRED FIELD INSPECTIONS.
5. AN AIR CONDITIONING UNIT HAS BEEN INSTALLED THROUGH THE NORTH WALL OF THE BUILDING.

FBC(2007) 105.4.4

BATHROOM AND KITCHEN PLUMBING FIXTURES HAVE BEEN CHANGED OUT WITHOUT OBTAINING THE REQUIRED PLUMBING PERMIT.

FBC(2007) 1612.1.2

THE WINDOWS INSTALLED HAVE NOT DEMONSTRATED THE RESISTANCE TO WIND LOADING THAT IS REQUIRED IN A HIGH VELOCITY WIND ZONE THROUGH THE COMPLETION OF THE PERMITTING PROCESS.

FBC(2007) 1626.1

THE WINDOWS INSTALLED HAVE NOT DEMONSTRATED THE REQUIRED RESISTANCE TO THE IMPACT OF WINDBORNE DEBRIS IN A HIGH VELOCITY WIND ZONE THROUGH THE COMPLETION OF THE PERMITTING PROCESS. A SHUTTER SYSTEM HAS NOT BEEN INSTALLED.

Inspector Strawn 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 28 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 existed as alleged and to order the property owner to come into compliance within 28 days, by 8/25/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE08051943

Robert T Adams, 1/2 interest &
Rostell Justice
2336 Northwest 14 Court

Service was via posting on the property on 6/19/09 and at City Hall on 7/16/09.

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

THE FOLLOWING ALTERATIONS, IMPROVEMENTS AND CONSTRUCTION WORK WERE PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS OR AFTER OBTAINING A PERMIT THE WORK DID NOT PASS FIELD INSPECTION, THE PERMIT EXPIRED AND THE WORK NOW EXISTS AS NON-PERMITTED:

1. A LARGE STORAGE BUILDING CONSTRUCTED IN THE REAR YARD NEVER PASSED FIELD INSPECTION AFTER OBTAINING AN ATF PERMIT.
2. THE RE-ROOF OF THE RESIDENTIAL BUILDING.
3. THE REMOVAL OF THE ORIGINAL DOORS AND WINDOWS IN THE DWELLING AND THE INSTALLATION OF REPLACEMENTS.
4. THE INSTALLATION OF AIR CONDITIONING UNITS THROUGH THE CBS WALLS.
5. THE INSTALLATION OF FENCING, BOTH CHAIN LINK AND WOODEN.

FBC 106.10.3.1

THE FOLLOWING PERMITS HAVE EXPIRED AND BECOME NULL AND VOID. THE WORK DONE UNDER THE AUSPICES OF THESE PERMITS WAS NEVER APPROVED BY FIELD INSPECTION.

1. BUILDING PERMIT # 91009306 FOR A TOOL SHED.
2. ELECTRICAL PERMIT # 91009570 TO WIRE LIGHTS IN TOOL SHED.

FBC(2007) 105.4.4

PLUMBING FACILITIES AND THE PIPING THEREFORE HAVE BEEN INSTALLED IN THE STORAGE BUILDING (TOOL SHED) WITHOUT OBTAINING THE REQUIRED PLUMBING PERMIT.

FBC(2007) 105.4.5

ELECTRICAL ALTERATIONS AND IMPROVEMENTS HAVE BEEN DONE WITHOUT OBTAINING THE REQUIRED PERMITS OR WHERE A PERMIT HAS BEEN ISSUED IT HAS BEEN ALLOWED TO EXPIRE WITHOUT THE WORK BEING APPROVED. THE WORK INCLUDES THE FOLLOWING:

1. THE WIRING OF LIGHTS IN THE TOOL SHED (EXPIRED PERMIT).
2. THE ADDITION OF ADDED CIRCUITS IN THE TOOL SHED.
3. THE REPLACEMENT OF THE SERVICE EQUIPMENT ON THE REAR WALL OF THE MAIN HOUSE.
4. THE ADDITION OF CIRCUITS AND CONDUIT ON THE REAR WALL OF THE MAIN HOUSE.

NEC 230-24(a)

THE OVERHEAD SERVICE CONDUCTORS SERVING THE MAIN HOUSE DROOP OVER THE STORAGE BUILDING CONSTRUCTED IN THE REAR YARD. THE REQUIRED CLEARANCE IS NOT PROVIDED.

Inspector Strawn 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 28 days or a fine of \$50 per day, per violation.

Inspector Strawn informed Chair Mitchell that this was not an immediate fire hazard.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 8/25/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE08102173

Yimer Carrasco
1350 Southwest 24 Avenue

Certified mail sent to the owner was accepted on 6/22/09.

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 LARGE OVERHANG WAS BUILT ON THE REAR OF THE PROPERTY AND IS IN AN UNSAFE CONDITION. IT WILL UPLIFT IN HIGH WINDS.

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 OVERHANG ROOF 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 said he had left many messages for the owner, but she had never returned his call. 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 28 days or a fine of \$50 per day, per violation, and recording the order.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 8/25/09 or a fine of \$100 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE09040090

Sidberry #720 Res Land Trust
Cezar Mancao, Trustee
720 Southwest 19 Street

Certified mail sent to the owner was accepted on 6/24/09.

Mr. Gerry Smilen, Building Inspector, testified to the following violations:
9-280(b)

THE ENVELOPE OF THE BUILDING HAS SUCCUMBED TO DETERIORATION FROM EXPOSURE TO THE ELEMENTS AND FROM LACK OF MAINTENANCE.

FBC(2007) 105.4.1

THE FOLLOWING WORK HAS BEEN COMPLETED WITHOUT OBTAINING THE REQUIRED PERMITS:

1. A SHED HAS BEEN INSTALLED IN THE REAR OF THE PROPERTY.
2. NEW EXTERIOR DOORS HAVE BEEN INSTALLED.
3. THE CARPORT HAS BEEN ENCLOSED.

FBC(2007) 105.4.11

WALL A/C UNITS HAVE BEEN INSTALLED IN THE BUILDING WITHOUT A PERMIT.

FBC(2007) 105.4.15

NEW WINDOWS HAVE BEEN INSTALLED IN THE BUILDING.

FBC(2007) 105.4.4

A SPRINKLER SYSTEM AND WATER HOOK UPS FOR AN RV

HAVE BEEN INSTALLED WITHOUT A PERMIT.
FBC(2007) 105.4.5
THE FOLLOWING ELECTRICAL WORK HAS BEEN COMPLETED
WITHOUT A PERMIT:
1. SECURITY LIGHTING.
2. EXTERIOR WIRING WITH OUTLETS.
3. ELECTRICAL SERVICE TO THE SHED.
4. OUTLETS FOR RV HOOK UPS.
5. OUTLETS FOR A/C UNITS.

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 \$50 per day, per violation. Inspector Smilen felt 91 days would allow the owner sufficient time to find an architect and an engineer.

Motion made by Ms. Croxton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days or a fine of \$100 per day, per violation would be imposed and to record the order. Motion died for lack of a second.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 9/22/09 or a fine of \$50 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE09050449

Richard Andress
Peter Young
3220 Bayview Drive # 101

Certified mail sent to the owner was accepted on 7/6/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:

MO 13-64

KNOX Box is not provided with at least one (1) set
of firefighter service keys for the elevator(s).

NFPA 1:4.4.5

There is an unprotected vertical opening.

Complied:

NFPA 101:7.9.2.1

NFPA 1:13.3.1.1 (service)

NFPA 1:13.3.3.7.2

Inspector Arana said she had asked the owner to provide proof that this was a permitted, UL-listed door, but she did not believe this would bear out. She also needed a set of keys for the elevator KNOX box.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 8/25/09 or a fine of \$500 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE09050456

Donald Gross
3220 Bayview Drive # 103

Certified mail sent to the owner was returned unclaimed. Service was via posting on the property on 7/15/09 and at City Hall on 7/16/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:
NFPA 1:4.4.5

There is an unprotected vertical opening.

MO 13-64

KNOX Box is not provided with at least one (1) set of firefighter service keys for the elevator(s)

Complied:

NFPA 1:13.3.3.7.2

NFPA 101:7.9.2.1

NFPA 1:13.3.1.1 (service)

Inspector Arana explained there was one KNOX box for each building.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 8/25/09 or a fine of \$500 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE09050460

Juan G Calderon
3220 Bayview Drive # 104

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

Ms. Tammy Arana, Fire Inspector, testified to the following violations:
NFPA 1:4.4.5

There is an unprotected vertical opening.

MO 13-64

KNOX Box is not provided with at least one (1) set of firefighter service keys for the elevator(s).

Complied
NFPA 1:13.3.3.7.2
NFPA 101:7.9.2.1
NFPA 1:13.3.1.1 (service)

Motion made by Mr. Nelson, seconded by Ms. Croxton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 8/25/09 or a fine of \$500 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: CE09050462

Andrea Esno
3220 Bayview Drive # 111

Certified mail sent to the owner was not returned. Service was via posting on the property on 7/15/09 and at City Hall on 7/16/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:
NFPA 1:4.4.5

There is an unprotected vertical opening.

MO 13-64

KNOX Box is not provided with at least one (1) set
of firefighter service keys for the elevator(s)

Complied:
NFPA 1:13.3.3.7.2
NFPA 101:7.9.2.1
NFPA 1:13.3.1.1 (service)

Motion made by Mr. Nelson, seconded by Ms. Sheppard to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 8/25/09 or a fine of \$500 per day, per violation would be imposed and to record the order. In a voice vote motion passed 7 – 0.

Case: 9004263

Charles W Walker,
Charles Wygant/Retired #513
2345 Northwest 14 Street

This was a Request to amend the 2/26/08 order to vacate to reflect the correct date of the final order from 6/21/91 to 6/13/91.

Motion made by Mr. Nelson, seconded by Ms. Hinton to amend the Order to Vacate dated 2/26/08 to reflect the correct final order date of 6/13/91. In a voice vote motion passed 7 – 0.

Case: CE07030178

Devendra Singh
501 Southwest 27 Avenue

This was a request to vacate the order imposing a fine dated 6/24/08. Ms. Paris explained the wrong name had been listed on the order imposing the fine.

Motion made by Mr. Nelson, seconded by Ms. Hinton to vacate the order imposing a fine dated 6/24/08. In a voice vote motion passed 7 – 0.

Case: CE06040358

Stephens Consulting & Investments LLC
711 Carolina Avenue

This case was first heard on 4/28/09 to comply per stipulated agreement by 7/28/09. Violations and extensions were as noted in the agenda. The property was not complied, and the City was requesting imposition of the fine that would begin on 7/29/09.

Motion made by Mr. Nelson, seconded by Ms. Ellis to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 7/29/09 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

Case: CE09060122

Blair International Inc
1525 Southwest 23 Street

This case was first heard on 6/23/09 to comply by 7/28/09. 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 7/29/09.

Motion made by Mr. Nelson, seconded by Ms. Ellis to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 7/29/09 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

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.

Mr. Lindwell Bradley, Code Enforcement Supervisor, said he and Ms. Wald had received phone calls from the owner informing them that he had met with the DRC.

Supervisor Bradley requested the case be granted an extension to the Board's August meeting.

Ms. Ellis remembered that the work had been done without permits. She stated, "Going through the DRC process is, once again, a request for forgiving; I'm not so inclined."

Supervisor Bradley explained the owner had requested the extension because the DRC hearing was on the same day as the CEB hearing. He had discussed this with Ms. Wald and with Mike Maloney, the Code Supervisor, and they saw no problem with this request. Ms. Paris said the owner was told he did not need to appear at this hearing because the City would be requesting the extension. Mr. Nelson said, "That's great if we were talking to a civilian, but we're talking to a lawyer who knows he needs to show up at hearings whether the other side is agreeing to it or not."

Motion made by Mr. Nelson, seconded by Ms. Croxton, to continue the case for 28 days. In a roll call vote, motion passed 4 – 3 with Ms. Ellis, Ms. Hinton and Mr. Thilborger opposed.

Approval of Meeting Minutes

Motion made by Ms. Ellis, seconded by Ms. Croxton, to approve the minutes of the Board's June 2009 meeting. In a voice vote, motion passed 7 - 0.

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:

CE08032046 CE08090023 CE07081320

Cases Withdrawn

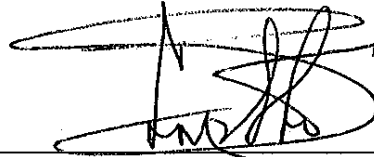
Ms. Paris announced that the below listed cases had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE08100277 CE09050452 CE09010708

There being no further business to come before the Board, the meeting adjourned at **4:03 P.M.**

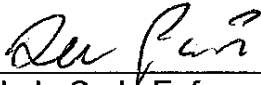
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Chair, Code Enforcement Board

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.