

CODE ENFORCEMENT BOARD
CITY COMMISSION MEETING ROOM
100 NORTH ANDREWS AVENUE
MARCH 23, 2010
9:00 A.M. – 1:26 P.M.

<u>Board Members</u>	<u>Attendance</u>	Cumulative attendance 2/2010 through 1/2011	
		<u>Present</u>	<u>Absent</u>
Sam Mitchell, Chair [until 11:45]	P	2	0
Howard Nelson, Vice Chair	P	2	0
Howard Elfman	P	2	0
Genia Ellis	P	2	0
Joan Hinton	P	2	0
Jan Sheppard	P	2	0
Chad Thilborger	P	2	0
Paul Dooley [Alternate]	P	2	0
Frank Marino [Alternate]	A	1	1

Staff Present

Bruce Jolly, Board Attorney
 Brian McKelligett, Clerk /Code Enforcement Board Supervisor
 Lindwell Bradley, Code Enforcement` Supervisor
 Ginger Wald, Assistant City Attorney
 Dee Paris, Administrative Aide
 Deb Maxey, Clerk III
 Lori Grossfeld, Clerk III
 Yvette Ketor, Secretary, Code Enforcement Board
 George Oliva, Building Inspector
 Burt Ford, Building Inspector
 Gerry Smilen, Building Inspector
 Robert Kisarewich, Fire Inspector
 Craig Stevens, Electrical Inspector
 Pierre Lemieux, Parks & Recreation Department
 J. Opperlee, Recording Secretary

Communication to the City Commission

None.

Respondents and Witnesses

CE09120477: Connie Hersch, employee of the owner
 CE07071088; CE08021545: Jerome Petrisko, husband of owner
 CE08100511: Paul Warner, owner

CE08100204: Nino Barone, owner
CE09080140: Jon Russell, bank representative
CE09020950; CE08060101; CE06020654: Jose Hernandez, representative
CE09091113: Jean Morency, representative
CE09061774: Hector Guillermo, owner's agent; Gus Carbonell, architect
CE08021711: Solange Francois, owner
CE05120725: Hilton Weiner, owner; David Baumwald, contractor
CE09071067: Ben Abernathy, contractor; Arthur Sprague, neighbor
CE09030900: Annette Walters, owner
CE08061308: George Flynn, contractor; Sue Richards, owner's agent
CE09060371: Rendel Diaz, owner's representative
CE08101135: Anthony Provenzale, owner
CE08102222: Sandra Stevens, owner
CE09021706: Nick Caporella, contractor
CE05111570: Anne Ginsburg, owner; Michael Kasdaglis, owner
CE07040137: Cleris Nascimbeni, owner's mother
CE09090282: Gail Sparks, bank representative; Brian Burns, owner
CE09062588: Donat Grant, owner's son
CE09011955: Andrew Roberts, owner's representative
CE08052040: Gail Sparks, bank representative
CE09081461: Tyler Tuchow, owner; James Adams, general contractor
CE08100515: Abe Borujerdi, owner
CE08121202: Carlos Alcaraz, court appointed receiver
CE04061463: Raj Motwani, manager; Gopal Motwani, part owner
CE09040018: Noel Van Den Houten, bank attorney; Eve Kearse, owner
CE07031444: Richard Maynard, contractor; George Moxon, attorney

Chair Mitchell called the meeting to order at 9:02 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: 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 property was not complied and fines had accrued to \$75,000.

Ms. Solange Francois, owner, spoke through an interpreter, Pierre Lemieux. Ms. Francois stated she had lost her job and could not afford to make repairs now. She requested an extension.

Mr. Gerry Smilen, Building Inspector, said the garage was still enclosed; it must be restored to a carport or permitted as a garage. He had met with the owner and translator and explained what must be done to comply. Inspector Smilen noted that he had noticed when he visited the house that the roof was leaking. Ms. Francois had informed him that she would repair the roof with insurance money first and then work on the violations. Inspector Smilen said Ms. Francois had already received insurance money. He had met with her at the beginning of February.

Motion made by Mr. Nelson to grant a 35-day extension. Motion died for lack of a second.

Motion made by Mr. Nelson to grant a 63-day extension. Motion died for lack of a second.

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. The property was not complied and fines would begin to accrue on 3/24/10.

Mr. Richard Maynard, contractor, said he had met with City officials the previous day and been informed they would not be granted additional extensions. He informed the Board they were moving forward. He had spoken with the owner's stepdaughter, who informed him the owner's health was improving.

Mr. Maynard had preliminary plans for the safety violations; the EPA had signed off on the plans and he would submit them to the City. He stated the owner had been comatose for a time but now wanted to address the violations at the property. Mr. Maynard said the tenant had "never been directly involved in it other than worried about losing employment for all of his workers."

Mr. Lindwell Bradley, Code Enforcement Supervisor, said Cable Marine, the tenant, had requested a meeting the previous day with Fire, Building, Air Conditioning and Electrical representatives as well as the owner's attorney and general contractor.

Mr. Nelson asked if there was a health, safety and welfare threat based on the fire code violations on the property. Mr. Robert Kisarewich, Fire Inspector, said the tenant had his own fire protection systems on the property but this was "absolutely not" up to current code and standards. Inspector Kisarewich said they were still at the same point

they were a year ago; plans had still not been submitted for review. He therefore opposed any additional extensions.

Mr. Maynard said the architect would be involved regarding additional items at the property.

Mr. Craig Stevens, Electrical Inspector, stated a few minor violations had been fixed but the plan had still not been submitted to the City. He agreed there was a health safety and welfare danger based on the violations.

Mr. George Oliva, Building Inspector, said there were still 60 violations at the property and he opposed an extension.

Mr. George Moxon, attorney for the owner, said they had been addressing the situation. He stated the owner had been in and out of the hospital. Mr. Moxon said they had cleared the County and Mr. Maynard would submit plans immediately for permits. He said they hoped to have work substantially completed by July or August.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, with Ms. Sheppard opposed, motion passed 6 - 1.

Case: CE08061308

Federal Home Loan Mortgage Corp
C/O Florida Default Law Group
1800 Northeast 20 Street

This case was first heard on 11/24/09 to comply by 3/23/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10. Certified mail sent to the owner was accepted on 3/12/10.

Mr. George Flynn, contractor, said they were changing out the windows. The permit application had been submitted and the windows were being manufactured. He requested an extension.

Mr. Burt Ford, Building Inspector, confirmed the permit application had been submitted. He stated this was a fairly simple window and door permit that had taken some time, and the City did not support another extension. He confirmed that some final inspections were required to comply.

Motion made by Mr. Nelson, seconded by Ms. Hinton to grant a 35-day extension to 4/27/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE09061774

2G Investments LLC
408 Southwest 9 Street

This case was first heard on 7/28/09 to comply by 8/25/09. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10.

Mr. Gus Carbonell, architect, stated plans had been submitted to the County and been delayed. The plans had also been re-submitted to the City after the comments were addressed, and Mr. Carbonell requested a 63-day extension.

Mr. Carbonell informed Mr. Nelson that the building was secure from hurricane damage. The plans submitted were to construct a smaller building.

Mr. Gerry Smilen, Building Inspector, supported the request for a 63-day extension.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE09030900

Glenn R La Favor, 1/3 Interest
A La Favor, & S La Favor
1770 Northwest 26 Terrace

This case was first heard on 9/22/09 to comply by 3/23/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10. Service was via posting on the property on 3/8/10 and at City Hall on 3/11/10. Ms. Paris noted violations that were now complied.

Ms. Annette Walters, owner, said she needed additional time to repair the roof.

Mr. George Oliva, Building Inspector, said the owner had renewed the expired permit. The roof work done without a permit was the only outstanding item, and Inspector Oliva recommended a 91-day extension.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 91-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE05120725

Greenwich Capital LLC
1430 Northwest 7 Street

This case was first heard on 1/26/10 to comply by 2/23/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$13,100 fine, which would continue to accrue until the property complied. Service was via posting on the property on 3/10/10 and at City Hall on 3/11/10. Ms. Paris noted violations that were now complied.

Mr. David Baumwald, contractor, said they were in the process of pulling the windows and shutters permit. Once the permit was issued, they could have the architect certify that the work was done properly. Mr. Baumwald remarked that the tenant was very difficult to work with.

Mr. George Oliva, Building Inspector, confirmed that the shutter permit application had been submitted on 3/17/10; the electrical permit had been issued on 3/19/10. He said they were missing the plumbing for the upgrade of the kitchen and bath, which must be included on a master permit to show the kitchen and bath remodeling. The contractor intended to have an engineer certify the windows for the permit. Inspector Oliva supported the request for a 35-day extension.

Motion made by Mr. Nelson, seconded by Mr. Elfman to grant a 35-day extension to 4/27/10, during which time no fines would accrue. In a roll call vote, motion passed 4 – 3 with Mr. Nelson, Mr. Thilborger and Chair Mitchell opposed.

Case: CE09120477

Goran Dragoslavic
1032 Northwest 1 Avenue

Certified mail sent to the owner was accepted on 3/8/10.

Ms. Paris explained that a representative of the owner was present, but she did not have a notarized letter. She was an assistant to the owner.

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

FBC(2007) 105.1

1. THE BUILDING HAS BEEN REPAIRED/IMPROVED WITHOUT OBTAINING THE REQUIRED BUILDING PERMIT.
2. THE KITCHENS OF ALL THREE APARTMENTS WERE REMODELED WITH NEW CABINETS, COUNTERS AND SINKS.

FBC(2007) 105.4.11

A NEW AIR CONDITIONING CONDENSOR HAS BEEN INSTALLED IN THE APARTMENT. A PERMIT WAS NOT ISSUED FOR THE WORK THAT WAS DONE.

FBC(2007) 105.4.4

NEW KITCHEN SINKS HAVE BEEN INSTALLED IN THE PROCESS OF REMODELING THE KITCHENS OF THE THREE UNIT APARTMENT BUILDING. WATER HEATERS WERE REPLACED AND THE REQUIRED PLUMBING PERMIT WAS NOT ISSUED.

FBC(2007) 105.4.5

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 A CENTRAL A/C WITH ELECTRICAL HEATERS AND ADDITIONAL LIGHTS AND WALL OUTLETS THAT HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING THROUGH THE PERMITTING PROCESS.

Ms. Connie Hersch, employee of the owner, said the owner had authorized her to attend the hearing and was unaware she needed a power of attorney to speak on his behalf. Ms. Wald said Ms. Hersch could speak as a citizen.

Mr. Nelson requested proof of service and Ms. Paris displayed a copy of the registered mail receipt and the property posting.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He presented a statement from former Building Inspector Wayne Strawn regarding the kitchen remodeling dated 3/10/09 stating he could see new cabinets through the apartment window and the condenser unit had been replaced. Inspector Oliva presented a permit history showing permits had expired or been voided. He stated the case had been open since 2005, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation, and to record the order.

Ms. Hersch said Mr. Dragoslavic had purchased the property in November 2009 unaware of the outstanding permits. They had applied for an electrical permit and Inspector Oliva had advised her to apply for a plumbing permit and another electrical permit for the air conditioning. She requested an extension to pull the permits, and said she would apply for them immediately. Mr. Nelson advised her these were subcontractor permits, so she might need a subcontractor to apply.

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 63 days, by 5/25/10 or a fine of \$10 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE08101135

Anthony Provenzale & Dominic Provenzale
1826 Southwest 29 Street

This case was first heard on 10/27/09 to comply by 11/24/09. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10.

Mr. Anthony Provenzale, owner, said he had submitted plans to the City and there had been a delay. He requested additional time to comply.

Mr. Gerry Smilen, Building Inspector, confirmed that the permit issuance would comply with the violations. He stated the after-the-fact roofing permit had been held up.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

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 City was requesting imposition of a \$9,300 fine, which would continue to accrue until the property complied. Service was via posting on the property on 3/8/10 and at City Hall on 3/11/10.

Mr. Jerome Petrisko, husband of the owner, apologized for not attending the February meeting, stating he had experienced a medical emergency. He explained that they had applied for an owner/builder permit and were in the process of completing the last three phases of work. The air conditioners had been moved. Mr. Petrisko said they had learned that FEMA now required flood vents in the garage doors, which would take additional time. Landscaping was being installed in the swale as they spoke.

Mr. Gerry Smilen, Building Inspector, confirmed that progress was being made. He said Mr. Petrisko was working on the swale for the perimeter of the property now.

Motion made by Mr. Nelson, seconded by Ms. Hinton to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08021545

Sunrise Intracoastal Dental Center
900 Northeast 26 Avenue

This case was first heard on 11/24/09 to comply by 2/23/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,780 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 3/9/10.

Mr. Jerome Petrisko, owner, reminded the Board that there had been a fire five years ago and they had settled with the insurance company in May 2009. They had obtained additional financing to have the work done, and he believed the permit process was ongoing. He requested a 90-day extension.

Mr. Burt Ford, Building Inspector, was concerned because he had been told in November that the financing was secured and permit applications would be submitted. He supported a 63-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE04061463

Raj Hotels LLC
3081 Harbor Drive

This case was first heard on 1/26/10 to comply by 3/23/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10.

Mr. Raj Motwani, manager, reported they had applied for the permits but had been rejected. He must meet with City staff regarding this issue. He explained to Mr. Nelson that the road had been widened and the plans the City had were inaccurate. Mr. Motwani said he had submitted plans approximately five days after the January hearing.

Mr. Motwani informed Mr. Nelson that there was a handicapped parking space and sign on the property.

Mr. Gerry Smilen, Building Inspector, stated the permit application had been submitted on January 19. He acknowledged that there had been changes on the site regarding the roadway and right-of-way. The City was questioning the depth of the parking spaces. He had recommended the owner meet with the plans examiners, and he would attend as well. Inspector Smilen reported the plans had been rejected on 1/22, 1/29 and 2/1.

Chair Mitchell asked if the alterations to the roadway had reduced the space needed for parking on the site. Inspector Smilen said the problem was probably the definition of "where the roadway is." Something must be worked out because the hotel required a certain number of parking spaces. He recommended a 63-day extension.

Motion made by Mr. Nelson, seconded by Ms. Hinton to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a roll call vote, motion passed 5 – 2 with Ms. Ellis and Chair Mitchell opposed.

Case: CE08121202

2727 East Oakland Park Boulevard LLC
2721 East Oakland Park Boulevard

This case was first heard on 2/23/10 to comply by 3/23/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10. Service was via posting on the property on 3/10/10 and at City Hall on 3/11/10.

Mr. Carlos Alcaraz, court appointed receiver, said the court order did not allow him to act on behalf of the owner or the bank. He said they could petition the judge to allow him to sign the permit application on behalf of the owner. Mr. Jolly felt this would be

allowed. Mr. Alcaraz requested an extension to make this request of the judge and pull the permits.

Mr. Nelson said the Board was concerned about the electrical cabling standing in puddles of water on the roof. Mr. Jolly believed pulling the permits was a step that could be taken to preserve the asset, which was Mr. Alcaraz' charge. Mr. Alcaraz did not feel the City would allow him to pull a permit based on that.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 35-day extension to 4/27/10, during which time no fines would accrue. In a voice vote, motion passed 6 – 1 with Mr. Thilborger opposed.

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 and fines had accrued to \$18,900.

Mr. Paul Warner, owner, said his architect was working with the City regarding the plans. He said they were awaiting final approval from the City.

Mr. George Oliva, Building Inspector, confirmed the plans had been resubmitted on 3/18/10. He recommended a 63-day extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08100515

Zahra Bahrami
2197 North Ocean Boulevard

This case was first heard on 11/24/09 to comply by 1/26/10. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10.

Mr. Abe Borujerdi, owner, said he needed to pull permits for the wall air conditioning; all other items were complied.

Mr. Burt Ford, Building Inspector, confirmed most violations were complied. He recommended a 63-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08100204

Nino Barone
5890 Northeast 21 Drive

This case was first heard on 3/24/09 to comply per stipulated agreement by 6/23/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,600 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted [no date]. Ms. Paris noted violations that were now complied.

Mr. Nino Barone, owner, said he had pulled the permit and now needed inspections. He requested 30 days.

Mr. Burt Ford, Building Inspector, agreed that inspections were needed to comply and recommended longer than 35 days.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE09021706

John E Eckard
2780 Southwest 3 Court

This was a request for an amended motion for rehearing and a motion to vacate.

This case was first heard on 9/22/09 to comply by 10/27/09. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$182,500. Certified mail sent to the owner was accepted on 3/9/10.

Ms. Paris said they would hear the amended motion for a re-hearing and the motion to vacate first.

Ms. Wald said on 2/15/10 Mr. Eckard had sent an amended motion for re-hearing and a motion to vacate the Final Order dated 9/22/09.

Mr. Nick Caporella, contractor, said he was unaware of that motion.

Ms. Wald requested a determination from the Board regarding the motion.

Chair Mitchell left the dais at 10:25.

Ms. Paris displayed the signed certified mail receipt and the property posting regarding the hearing. Mr. Jolly noted that since Mr. Eckard had filed the motion and not appeared for the hearing, Mr. Jolly concluded his motion had been abandoned. He informed the Board that this matter had been rejected by the Circuit Court.

Chair Mitchell returned to the dais at 10:27.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant the request for a motion for rehearing and to vacate the Final Order dated 9/22/09.

Mr. Nelson said he had read the pleading and it was almost identical to the matter adjudicated in the 17th Judicial Court decision. He recommended the motion be denied.

Ms. Wald confirmed that Judge Eade had upheld the decision of the Board regarding Mr. Eckard's appeal. She explained that Mr. Eckard had argued a violation of the City's Chapter 11, which actually pertained to Citation cases, not to Code Enforcement Board cases.

In a roll call vote, motion **failed** 0 - 7.

Mr. Caporella said he had been retained by the owner to address the code issues and he had already applied for the permits. He said he would be present for the inspections and would perform any additional work.

Mr. George Oliva, Building Inspector, stated permit applications had been submitted on 3/22/10. He recommended a 35-day extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 35-day extension to 4/27/10, during which time no fines would accrue. In a roll call vote, motion passed 6 – 1 with Ms. Sheppard opposed.

The Board took a 10-minute break

Case: CE09080140

MTG Finance LLC
1624 Southwest 28 Way

This case was first heard on 1/26/10 to comply by 3/23/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10. Certified mail sent to the owner was accepted on 3/12/10.

Mr. Jon Russell, bank representative, said he had met with Code Enforcement Officer Andre Cross at the property and determined that some of the violations did not exist. Chair Mitchell said the Board had already found that the violations did exist.

Mr. Russell had requested authorization from the bank to correct the violations. He explained the tenant had refused access to the property for some time.

Mr. George Oliva, Building Inspector, said he had not spoken with Mr. Russell, but he had posted the property three times. He did not know Mr. Russell had spoken with Officer Cross. Inspector Oliva recommended imposition of the fines.

Motion made by Mr. Nelson, seconded by Mr. Elfman to grant a 35-day extension to 4/27/10, during which time no fines would accrue. In a roll call vote, motion passed 4 – 3 with Ms. Sheppard, Mr. Thilborger and Chair Mitchell opposed.

Case: CE08060101

Jose Cruz, 1/2 Interest
Maria Cruz
1210 Northwest 1 Avenue

This case was first heard on 11/25/08 to comply by 2/24/09. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10. Ms. Paris noted violations that were now complied.

Mr. Jose Hernandez, owner's representative, explained that he had formerly represented the owner before the Board, but he was withdrawing his representation. He had spoken with the owner and insisted he must appear today, but he had not.

Ms. Paris confirmed that notice had been sent to the owner.

Motion made by Mr. Nelson to grant a 35-day extension. Motion died for lack of a second.

Case: CE09020950

Ominigie Paul
210 Southwest 29 Avenue

This case was first heard on 10/27/09 to comply by 2/23/10. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10.

Mr. Jose Hernandez, owner's representative, reported he had applied for window and shutter permits. He said the application had been rejected because the Building Official had required a letter from the owner stating who had done the work. Mr. Hernandez had never heard of such a request, and stated he needed time to resolve this issue with the Building Department.

Mr. George Oliva, Building Inspector, said the request regarding who had done the work was a new requirement he had seen lately from the Building Official, Chris Augustin. Ms. Wald was unaware of this request or why it was being made in this case, but agreed to find out.

Inspector Ford stated this was a new requirement; if an owner did not know who had done the work, he could simply say so.

Mr. Hernandez felt he could comply within 35 days if the City allowed him to continue with the permitting process. Inspector Oliva advised Mr. Hernandez to meet with Mr. Augustin, and recommended a 63-day extension.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE06020654

Gironie Saint Louis &
Edit Mortimer
2828 Southwest 2 Court

Certified mail sent to the owner was accepted on 3/10/10.

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

FBC(2007) 105.1

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

1. THE CARPORT HAS BEEN ENCLOSED INTO A LIVING SPACE AND THE STRUCTURAL DAMAGE WAS REPAIRED.
2. WINDOWS AND THE ENTRANCE DOOR WERE REPLACED.

FBC(2007) 105.4.5

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 ENCLOSED CARPORT THAT HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING THROUGH THE PERMITTING PROCESS.

FBC(2007) 1604.1

THE STRUCTURE FOR THE CARPORT CONVERSION DOES NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS. ALL THE STRUCTURES THAT WERE DONE ILLEGALLY ARE UNSAFE AND MUST BE REMOVED.

Inspector Oliva explained that a wall in the carport had been damaged and the owner had applied for a permit but it had never been issued. The owner had repaired the wall and enclosed the carport to create living quarters with a bath. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation, and to record the order.

Mr. Jose Hernandez, owner's representative, confirmed that this was a single-family dwelling. He reported there was an engineer working on the plans already. He stated the carport had been enclosed and the owner used it for storage. He had not seen a bathroom in the carport and he saw nothing to indicate the carport was used for living space.

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 within 63 days, by 5/25/10 or a fine of \$25 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE09062588

Derwent O Grant
911 Arizona Avenue

This case was first heard on 1/26/10 to comply by 3/23/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10. Certified mail sent to the owner was accepted on 3/12/10.

Mr. Donat Grant, owner, said he had been out of the country when notice had been sent regarding the violations. He requested 63 days to correct the violations.

Mr. George Oliva, Building Inspector, said no permit application had been submitted. He said he would support an extension.

Motion made by Mr. Nelson, seconded by Ms. Hinton to grant a 35-day extension to 4/27/10, during which time no fines would accrue. In a roll call vote, motion **failed** 2 – 5 with Ms. Ellis, Mr. Elfman, Mr. Nelson, Ms. Sheppard and Mr. Thilborger opposed.

Motion made by Ms. Ellis, seconded by Mr. Nelson to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a roll call vote, motion **failed** 1 - 6 with only Ms. Ellis voting in favor.

Motion made by Mr. Nelson, seconded by Mr. Elfman to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 3/24/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 5 – 2 with Ms. Ellis and Ms. Hinton opposed.

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 and fines had accrued to \$23,800.

Mr. Michael Kasdaglis, owner, stated it had taken the architect one year and \$16,000 to produce plans. He had shown the plans to the City and been advised to go the EPA for approval. They had received approval for demolition.

Mr. Kasdaglis said most of the violations existed prior to their buying the building in 2005. They had received plans from the architect for the walk-in cooler in February. Mr. Kasdaglis said he had hired a contractor to address the walk-in cooler but he had not yet applied for the permit. He said they had demolition permits and had begun demolition. Mr. Kasdaglis mentioned other items that had been addressed, and stated he needed additional guidance regarding what should be done.

Chair Mitchell reminded Mr. Kasdaglis that his partner had signed a stipulated agreement in August 2008 agreeing to comply.

Mr. Burt Ford, Building Inspector, said he had met with the owner and his contractor on two occasions to discuss what must be done. Two weeks ago they had gone over a full set of plans that had not been submitted yet. Inspector Ford said permits had been issued for the electrical part of the demolition and the plumbing, and the owner had applied for a permit for a fence wall and a canopy and poles in the rear of the property.

Mr. Kasdaglis explained that they had hired an expediting company to submit the plans for permit and he was unaware the plans had never been submitted as a whole.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 35-day extension to 4/27/10, during which time no fines would accrue. In a roll call vote, motion failed 0 - 7.

Case: CE08052040

Juan D Valdevenitez
1809 Northwest 25 Terrace

This case was first heard on 2/23/10 to comply by 3/23/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10. Certified mail sent to the owner was accepted on 3/9/10.

Ms. Gail Sparks, bank representative, reported the property was in foreclosure. She said the bank's motion for summary judgment in the foreclosure was scheduled for March 31.

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 3/24/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

Case: CE09011955

Syndle Kirkland
1440 Southwest 30 Street

This case was first heard on 2/23/10 to comply by 3/23/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10.

Mr. Andrew Roberts, owner's representative, said the owner had signed a quitclaim deed over to him after she vacated the property. He said he had picked up the plans for corrections and the architect was working on them. Mr. Robert requested a 63-day extension.

Mr. Gerry Smilen, Building Inspector, did not object to the request for a 63-day extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Mr. Mitchell left the hearing at 11:45 and Mr. Nelson was Acting Chair for the remainder of the hearing. Mr. Dooley joined the Board for the remainder of the meeting.

The Board took lunch from 11:45 to 12:05.

Case: CE09090282

Willie E Freeman
505 Northwest 18 Avenue

Service was via posting on the property on 3/5/10 and at City Hall on 3/11/10. Ms. Paris read a letter from the owner requesting an extension.

[Someone had signed in to speak but was not present when Ms. Paris called the case so the Board heard other cases and returned to this case later in the meeting]

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

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED BY
INSTALLING A NEW FRONT DOOR WITHOUT A PERMIT.

Inspector Smilen had spoken with the owner in January, who promised to apply for the door permit, but he never had. Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

Ms. Gail Sparks, representative of LaSalle bank, stated the parties were trying to work something out; there was no final foreclosure hearing set.

Motion made by Mr. Thilborger, 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 35 days, by 4/27/10 or a fine of \$10 per day would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE09060371

Robert Bernstein
C/O Saavedra Pelosi Goodwin & Heman
1800 Southwest 10 Court

Certified mail sent to the owner was accepted on 3/16/10.

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

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

1. A NEW KITCHEN HAS BEEN INSTALLED.
2. THE REAR PATIO HAS BEEN STRUCTURALLY RENOVATED.
3. BATHROOMS HAVE BEEN REMODELED.
4. DRYWALL AND FRAMING HAVE BEEN REPLACED.
5. THE GARAGE HAS BEEN ENCLOSED.

FBC(2007) 105.4.4

THE FOLLOWING PLUMBING WORK HAS BEEN DONE WITHOUT OBTAINING THE REQUIRED PERMITS:

1. NEW WASTE LINES FOR THE KITCHEN REMODELING.
2. NEW WATER SUPPLY LINES FOR THE KITCHEN REMODELING.
3. A NEW KITCHEN SINK WAS INSTALLED.
4. NEW BATHROOM FIXTURES WERE INSTALLED.
5. NEW WASTE LINES WERE INSTALLED FOR THE BATHROOM REMODELING.
6. NEW WATER SUPPLY LINES WERE INSTALLED FOR THE BATHROOM REMODELING.

FBC(2007) 105.4.5

ALTERATIONS TO THE PREMISE WIRING AND ELECTRICAL PANEL HAVE BEEN DONE WITHOUT OBTAINING THE REQUIRED PERMITS.

Inspector Smilen said he had spoken with the owner on 11/19/09 but a meeting with the property manager had never happened as promised. He had spoken with the general contractor in December, who was meeting with the owner the following week regarding pricing for the job. As of the current time, Inspector Smilen said no plans had been submitted. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation.

Mr. Rendel Diaz, owner's representative, reported the owner was ill. He stated he was not the contractor, he worked for the property manager. Mr. Diaz said the owner had been traveling for cancer treatment. The plans were complete and would be submitted through the general contractor for permits.

Motion made by Ms. Sheppard, 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 63 days, by 5/25/10 or a fine of \$10 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE09091113

Michel Senexan
360 Southwest 30 Terrace

Service was via posting on the property on 3/8/10 and at City Hall on 3/11/10.

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

FBC(2007) 105.1

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

1. THE WINDOWS WERE REPLACED ON THE PROPERTY.
2. THE KITCHEN AND BATHROOMS WERE REMODELED.

FBC(2007) 105.4.4

THE PLUMBING SYSTEM HAS BEEN ALTERED BY ADDING AN ILLEGAL BATHROOM WITH ALL NEW PLUMBING FIXTURES. THE KITCHEN FIXTURES WERE ALSO REPLACED.

FBC(2007) 105.4.5

1. THE ELECTRICAL SYSTEM HAS BEEN ALTERED BY ADDING NEW CIRCUITS IN THE KITCHEN AND IN THE ILLEGAL BATHROOM.
2. THE ELECTRICAL SURGES CAUSED DAMAGE TO APPLIANCES. TENANT CALLED FPL TO CHECK PROBLEM AND WAS INFORMED BY FPL THAT THE ELECTRICAL WORK WAS IMPROPERLY REPAIRED. PER TENANT THE ELECTRICAL WORK IS CURRENTLY BEING COMPLETED BY AN UNLICENSED CONTRACTOR WITHOUT PERMITS.

FBC(2007) 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(2007) 1626.1

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

HURRICANE PROTECTION SYSTEM.

Inspector Oliva explained that the electrical work was done illegally by a licensed contractor. He had upgraded the service and FPL called the Building Department to complain that the electrical system was a fire hazard. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation and to record the order. Inspector Oliva said this owner had purchased the property in September 2009 from the bank.

Mr. Jean Morency, representative, said they had purchased the house in December unaware of the violations and the house was now rented. He requested an extension to hire a contractor.

Motion made by Mr. Elfman, 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 63 days, by 5/25/10 or a fine of \$10 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE09081461

Tyler Tuchow
2009 Northwest 21 Avenue

Service was via posting on the property on 3/8/10 and at City Hall on 3/11/10.

Mr. George Oliva, Building Inspector, testified to the following violations
9-313(a)

HOUSE NUMBERS ARE NOT VISIBLE.

FBC(2007) 105.1

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

1. WINDOWS AND DOORS WERE REPLACED. THE OPENING FOR THE WINDOWS WERE REDESIGNED TO FIX THE NEW WINDOWS WITH 2X4, PLYWOOD AND STUCCO.
2. THE KITCHEN AND BATHROOMS WERE REMODELED; NEW CABINETS WITH NEW FIXTURES WERE REPLACED.

FBC(2007) 105.4.4

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

1. PLUMBING FIXTURES WERE REPLACED IN THE KITCHEN AND BATHROOMS. NEW PVC VENT PIPES WERE INSTALLED ON THE OUTSIDE WALL.

FBC(2007) 105.4.5

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 KITCHEN AREA THAT HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING THROUGH THE PERMITTING PROCESS.

FBC(2007) 1604.1

THE NEW STRUCTURES FOR THE WINDOW OPENINGS DO NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS.

FBC(2007) 1612.1.2

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

FBC(2007) 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, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation and to record the order.

Mr. Tyler Tuchow, owner, said there had been a bad tenant in the property who was now gone. He stated he had a contractor to help get the property into compliance.

Motion made by Ms. Ellis, 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 within 63 days, by 5/25/10 or a fine of \$10 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE09040018

Eve Kearse

3220 Northwest 63 Street

Service was via posting on the property on 3/4/10 and at City Hall on 3/11/10.

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 NEW FRONT DOOR WAS INSTALLED.
2. NEW WINDOWS WERE INSTALLED.
3. THE PORCH WAS ENCLOSED.

4. NEW GARAGE DOOR WAS INSTALLED.
5. KITCHEN AND BATHROOM WERE REMODELED, INCLUDING WHIRLPOOL.
6. A DRIVEWAY WAS INSTALLED. THE DRIVEWAY WAS PERMITTED, BUT PERMIT 03030791 DID NOT PASS FINAL INSPECTIONS.
7. THE GARAGE WAS PARTIALLY CONVERTED INTO A BEDROOM.

FBC(2007) 105.10.3.1
PERMIT 03030791 DID NOT PASS FINAL INSPECTIONS AND IS NULL AND VOID.

FBC(2007) 105.4.4
THE PLUMBING SYSTEM HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMIT:

1. THE KITCHEN AND BATH FIXTURES WERE REPLACED.

FBC(2007) 105.4.5
THE ELECTRICAL SYSTEM HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:

1. GENERAL PREMISE WIRING.
2. CIRCUITS TO POWER WHIRLPOOL AND GARAGE CONVERSION.

FBC(2007) 109.10
WORK WAS COVERED UP WITHOUT OBTAINING THE REQUIRED APPROVALS THROUGH THE PERMITTING PROCESS.

FBC(2007) 1604.1
THE DESIGN AND CONSTRUCTION OF THE PORCH CONVERSION DOES NOT MEET THE STRENGTH REQUIREMENTS FOR THE LOADS IMPOSED.

Inspector Ford stated the work had been done by a previous owner. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. Inspector Ford said he had posted many notices and had finally spoken with the owner, who said she believed the notices had been a mistake. Inspector Ford recommended allowing as much time as needed to come into compliance or a fine of \$10 per day, per violation.

Ms. Eve Kearse, owner, said she had been unaware of the problems when she purchased the property. She said she was in the process of saving the home from foreclosure. Ms. Kearse stated she had spoken to the person who sold her the house and "they said they were going to talk with me, we're going to find out what, but they never said anything to me about it and it just like was left in my lap and I didn't know what to do." Mr. Nelson advised Ms. Kearse to contact her attorney and inform him/her who had sold her the house. He recommended she work with Inspector Ford, and noted that very little of the work would require a contractor.

Ms. Noel Van Den Houten, bank attorney, reported the property was in foreclosure. She said the bank would like to see if there was no loss mitigation or loan modification and they wanted the property brought up to code. Otherwise, the bank would go to summary judgment and sale of the property.

Motion made by Ms. Ellis, 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 within 154 days, by 8/24/10 or a fine of \$10 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE08102222

Frederick O & Sandra L Stevens
2724 Northeast 30 Street

Certified mail sent to the owner was accepted on 2/24/10.

Mr. Burt Ford, Building Inspector, testified to the following violations
47-19.2P.

A TIKI/CHICKEE HUT HAS BEEN BUILT WITHOUT A PERMIT
AND MAY BE IN THE SETBACK.

FBC 105.1

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

1. A TIKI/CHICKEE HUT HAS BEEN BUILT.

Inspector Ford said the owner had hired a contractor to comply the violations. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 35 days or a fine of \$10 per day, per violation.

Ms. Sandra Stevens, owner, requested time to rectify the violations.

Motion made by Ms. Ellis, 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 within 63 days, by 5/25/10 or a fine of \$10 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE09071067

Kelamity Inc
1505 Southwest 5 Place

Service was via posting on the property on 3/5/10 and at City Hall on 3/11/10.

Mr. Gerry Smilen, Building Inspector, testified to the following violation:
FBC(2007) 105.4.18

A WOODEN FENCE AND DOUBLE METAL GATE EXCEEDING

EIGHT FEET IN WIDTH HAVE BEEN INSTALLED ON THE PERIMETER OF A VACANT LOT WITHOUT A PERMIT.

Inspector Smilen said this case was begun as the result of a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

Mr. Arthur Sprague, neighbor, said the fence was supposed to be temporary. He described problems the neighborhood had keeping people from fishing off the property, which presented a drowning hazard. Mr. Sprague wanted the fence left up until the new house was constructed for safety reasons. He said the owner intended to seek a permit to resolve the situation. Mr. Sprague anticipated they would be required to remove the fence when the new sewer lines were hooked up, which he believed would happen soon.

Mr. Ben Abernathy, contractor, said he was in the process of pulling a permit for a wood fence. He stated he would submit the application at the beginning of the following week. Inspector Smilen said the gate issue must be addressed as well.

Motion made by Mr. Elfman, 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 6/22/10 or a fine of \$10 per day would begin to accrue, and to record the order. In a voice vote, motion passed 6 – 1 with Mr. Nelson opposed.

Case: CE09021699

Eugena Telcy
680 Southwest 29 Terrace

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

1. WINDOWS WERE REPLACED.
2. STAMP CONCRETE DRIVEWAY WAS DONE.

FBC 109.6

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

FBC 1612.1.2

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

Inspector Oliva said the owner had hired a contractor who had pulled the permits. The owner had not paid the contractor, so he had cancelled the permits. Another contractor had applied for a permit for the door, but not the driveway, windows or stucco work. The owner had phoned Inspector Oliva that morning to tell him she was too ill to attend the hearing. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation and to record the order.

Motion made by Ms. Sheppard, 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 35 days, by 4/27/10 or a fine of \$10 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 6 – 1 with Mr. Nelson opposed.

Case: CE09031524

Stephen Sparks
1009 Northwest 5 Street

Service was via posting on the property on 3/8/10 and at City Hall on 3/11/10.

Mr. George Oliva, Building Inspector, testified to the following violations
FBC(2007) 105.1

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

1. FIRE RECOVERY WORK HAS BEEN DONE WITHOUT PERMITS. STOP WORK ORDER WAS ISSUED.
2. KITCHEN AND BATHROOM AREAS ARE BEING REPAIRED.
3. DAMAGED DRYWALL WAS REPLACED IN THE CEILING AND WALLS.
4. ALL THE WINDOWS ARE BEING REPLACED.

FBC(2007) 105.4.11

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 AND DUCT WORK. BATHROOM VENTILATIONS WERE DAMAGED BY FIRE.

FBC(2007) 105.4.4

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

1. THE KITCHEN AND BATHROOM FIXTURES ARE BEING REPLACED.

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM OF THE FACILITY HAS BEEN CHANGED WITHOUT OBTAINING A PERMIT IN THE

FOLLOWING MANNER, INCLUDING BUT NOT LIMITED TO:

1. ELECTRICAL CIRCUITS ARE BEING REPLACED OR REPAIRED AFTER A FIRE DESTROYED THE INTERIOR OF THE PROPERTY.

FBC(2007) 109.10

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

FBC(2007) 1604.1

THE STRUCTURES THAT WERE REPAIRED FOR THE ROOF TRUSS AFTER THE FIRE DOES NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS. ALL THE STRUCTURES THAT WERE DONE ILLEGALLY ARE UNSAFE AND MUST BE REMOVED.

FBC(2007) 1612.1.2

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

FBC(2007) 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 stated the case was opened with a stop work order in March 2009. The contractor had applied for the permits on March 18, 2010, but the City also wanted an engineer to state the condition of the roof trusses. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

Motion made by Ms. Sheppard, seconded by Mr. Elfman to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 5/25/10 or a fine of \$25 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE08100726

Bradford W & Roslyn J Fitzgerald
4404 Northeast 23 Avenue

Service was via posting on the property on 3/4/10 and at City Hall on 3/11/10.

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. INTERIOR REMODELING IS BEING DONE.
2. INTERIOR FRAMING AND DRYWALL HAVE BEEN REMOVED.
3. NEW GARAGE DOORS HAVE BEEN INSTALLED.
4. NEW EXTERIOR DOORS HAVE BEEN INSTALLED.
5. NEW WINDOWS HAVE BEEN INSTALLED.

FBC(2007) 105.4.11

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

1. MECHANICAL WORK IS BEING DONE.

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 ARE BEING REPLACED DURING THE KITCHEN AND BATHROOM REMODELING.

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 DURING THE INTERIOR REMODELING.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC(2007) 1612.1.2

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

FBC(2007) 1626.1

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

Inspector Ford submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 35 days or a fine of \$10 per day, per violation.

Motion made by Mr. Elfman, 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 35 days, by 4/27/10 or a fine of \$10 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE10030303

John A Brown
74 Fiesta Way

Service was via posting on the property on 3/5/10 and at City Hall on 3/11/10.

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

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

1. A PAVER DRIVEWAY HAS BEEN INSTALLED.
2. A WHITE PVC FENCE HAS BEEN INSTALLED.

Inspector Smilen had spoken to the owner in August 2009, when the claimed he would be submitting an application for a permit for an addition that would also address the violations, but nothing had even been submitted. Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

Motion made by Mr. Elfman, 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 within 35 days, by 4/27/10 or a fine of \$10 per day would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE09010920

Fort Lauderdale Learning
Center LLC
1904 Southwest 4 Avenue

This case was first heard on 6/23/09 to comply by 9/22/09. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10.

Ms. Paris read a letter for the owner requesting the hearing be rescheduled because she must be present at the property for inspections.

Mr. Gerry Smilen, Building Inspector, reported the plans had been picked up for corrections on 3/17. He recommended an extension.

Motion made by Ms. Ellis, seconded by Ms. Sheppard to grant a 63-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08070983

Kevin Brunette Jr
2481 Southwest 15 Court

This case was first heard on 9/22/09 to comply by 1/26/10. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 3/24/10.

Ms. Paris read a letter from the owner requesting an extension because he had a work conflict. The owner believed he would have a permit within two to three weeks.

Mr. George Oliva, Building Inspector, reported the master permit had been returned for corrections on January 8, 2010; the Engineering Department had requested a new survey. Inspector Oliva recommended a 91-day extension.

Motion made by Ms. Ellis, seconded by Mr. Dooley to grant a 91-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE09071690

Denise Barnard
1130 Southwest 29 Street

This case was first heard on 2/23/10 to comply by 3/23/10. Violations 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 3/24/10. Service was via posting on the property on 3/8/10 and at City Hall on 3/11/10.

Motion made by Ms. Ellis, seconded by Mr. Elfman to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 3/24/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

Case: CE08061884

Federal National Mortgage Association
2456 Middle River Drive

This case was first heard on 2/23/10 to comply by 3/23/10. Violations 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 3/24/10. Service was via posting on the property on 3/10/10 and at City Hall on 3/11/10.

Motion made by Mr. Thilborger, 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 3/24/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

Case: CE08100091

Jonathan Olsen &
Sean Frampton
414 Southeast 12 Court

This case was first heard on 8/25/09 to comply by 10/27/09. 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 3/24/10. Certified mail sent to the owner was accepted on 3/9/10.

Motion made by Ms. Sheppard, seconded by Mr. Thilborger to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 3/24/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

Case: CE08041358

Mary A Lee
413 Northwest 14 Terrace

This case was first heard on 9/23/08 to comply per stipulated agreement 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 3/24/10. Certified mail sent to the owner was accepted on 3/9/10.

Ms. Paris read a letter from the owner requesting an extension to June 30, 2010 because she was still recovering from pneumonia.

Motion made by Ms. Ellis, seconded by Mr. Elfman to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 3/24/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

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 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 3/24/10. Certified mail sent to the owner was accepted on 3/9/10.

Mr. Paris stated the owner had left a message on Inspector Oliva's phone stating he was too ill to attend the hearing.

Motion made by Mr. Thilborger, 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 3/24/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

Approval of Meeting Minutes

[This item was heard out of order]

Motion made by Ms. Ellis, seconded by Mr. Elfman, to approve the minutes of the Board's February 2010 meeting. In a voice vote motion passed 7 - 0.

Communication to the City Commission

None.

For the Good of the City

None.

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:

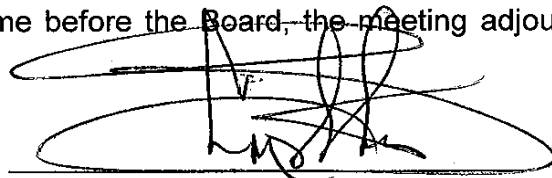
CE04082074 CE07030137

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:

CE09040239

There being no further business to come before the Board, the meeting adjourned at 1:26 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.