

CODE ENFORCEMENT BOARD
CITY COMMISSION MEETING ROOM
100 NORTH ANDREWS AVENUE
APRIL 27, 2010
9:00 A.M. – 1:40 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	P	3	0
Howard Nelson, Vice Chair	P	3	0
Howard Elfman	P	3	0
Genia Ellis	P	3	0
Joan Hinton	P	3	0
Jan Sheppard	P	3	0
Chad Thilborger	P	3	0
Paul Dooley [Alternate]	P	3	0
Frank Marino [Alternate]	P	2	1
Joshua Miron [Alternate]	P	1	0

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
Craig Stevens, Electrical Inspector
Junia Jeantilus, Haitian Community Programs Coordinator [Interpreter]
J. Oppерlee, Recording Secretary

Communication to the City Commission

By unanimous consensus, the Board wanted the Commission to know they appreciated the fact that all appointments had been made to the Board.

Respondents and Witnesses

CE06031659: Thomas Lanigan, owner
CE07060475: Jose Ares, contractor

CE02080991: Stephen Goldenberg, attorney; Alexander Dominato, owner's friend
CE08050335: Jeron Linder, owner
CE04082149: Gus Carbonell, architect, Janna Lhota, attorney, Richard Winkel, tenant
CE08061308: Antonio Dearmas, contractor, Sue Richards, bank representative
CE05120725: Hilton Wiener, owner
CE08121112: Stewart Donaldson, owner
CE08110858: Mike Soueid, mortgagor
CE08060101: Jose Cruz, owner, Alan Ali, air conditioning contractor
CE08071153: Theon Eames, owner
CE08101015: Mellyzye Haas, co-owner, James Hollingsworth, architect
CE05122419: Andree Beaulac, owner, Dagobert Schmalhaus, owner
CE08121202: Carlos Alcaraz, receiver for court, Thomas Handy, receiver for court
CE09021706: Nick Caporella, general contractor
CE05111570: Panagiotis Alexofoulos, general contractor, Anne Ginsburg, owner's attorney, David Mancini, contractor
CE09031097: Ralph Lynch, owner, Joanne Galipault, bank attorney
CE07101002: Rick Lentz, owner
CE09021699: Marcia Davis, contractor
CE08040779: Jake Watkins, owner
CE08061254: Glenn Lastella, general contractor
CE04090572: Paula Friona, owner's daughter
CE08040203: Rosana Theophin, owner
CE09050023: Jihad Doujeiji, owner
CE09110037: Michael Hurtak, architect
CE05081482: Joseph Doviak, owner
CE08021711: Solange Francois, owner
CE09121499: David Bakalar, attorney
CE10030899: Ben Shmul, president of company
CE05100987: Norman Campbell, friend of owner
CE10031191: Shawn Sturm, owner
CE06030093: Gladys Joseph, owner
CE08071578: Todd Volpe, owner
CE05012419: Johnnie Slaughter, owner
CE08042519: Sherine Maker, bank representative
CE08071938: William Lackey, owner
CE08110556: Orville Jarrett, owner's son
CE09062264: Andrew Daire, attorney, Sammie Ferguson, manager
CE08100726: Bradley Fitzgerald, owner
CE04091467: Jim Artigas, owner

Chair Mitchell called the meeting to order at 9:05 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: CE06031659

Thomas P Lanigan
1716 Southwest 10 Street

This case was first heard on 2/23/10 to comply by 4/27/10 and 6/22/10. Violations were as noted in the agenda. Ms. Paris noted violations that were currently complied. The property was not complied and the order had been recorded.

Mr. Thomas Lanigan, owner, reported most of the work was done and requested an additional 56 days to have the air conditioning electrical issues addressed. The contractor was trying to pull an after the fact permit, but this might not be possible because of the efficiency rating of the unit.

Mr. Lanigan explained to Mr. Nelson that he would remove the fence section immediately.

Mr. Gerry Smilen, Building Inspector, stated the owner was working toward compliance, and he did not object to the request for an extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE07060475

Bernardo Rodriguez &
Marena Moreira
1380 Southwest 34 Avenue

This case was first heard on 7/28/09 to comply by 9/22/09. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Jose Ares, contractor, reported the plans had been approved, but the after the fact fees had incorrectly been applied to the entire project, including new construction. He was trying to get these fees adjusted for the owners. Mr. Ares requested an extension.

Mr. Ares explained to Chair Mitchell that at the previous meeting, he had not been aware of the double fee problem that was causing further delay now. Mr. Ares requested an extension to May.

Mr. George Oliva, Building Inspector, advised Mr. Ares to meet with the plans examiner to sort out the fees.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 28-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 6 – 1 with Mr. Nelson opposed.

Case: CE02080991

Croissant Park Dry Storage
211 Southwest 15 Street

This case was first heard on 9/22/09 to comply by 11/24/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 4/28/10. Certified mail sent to the owner was accepted on 4/6/10.

Mr. Stephen Goldenberg, attorney, said they had made significant progress and had found an engineer to draw plans for the permit. He anticipated applying for the permit within days and requested a 30-day extension.

Mr. Gerry Smilen, Building Inspector, had spoken with the masonry contractor who was coordinating the work. Inspector Smilen did not object to an extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 28-day extension to 5/25/10, during which time no fines would accrue. In a roll call vote, motion **failed** 2 – 5 with Mr. Dooley, Ms. Ellis, Mr. Nelson, Mr. Thilborger and Chair Mitchell opposed.

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 4/28/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

Case: CE08050335

Jeron F Linder Jr
1061 Northwest 25 Avenue

This case was first heard on 2/24/09 to comply by 5/26/09. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Jeron Linder, owner, said he had been trying to sell the property but he was waiting to see if a loan would be approved. He would know within 10 days if the loan had been approved and he could address the violations. Mr. Linder requested a 28-day extension. He confirmed the property was boarded up.

Mr. Gerry Smilen, Building Inspector, explained that the board-up certificate would expire in May and in order to renew it Mr. Linder must either show a sale or demolition of the property or plans to restore the property.

Motion made by Ms. Sheppard, seconded by Ms. Ellis to grant a 28-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 -0.

Case: CE04082149

Schaefer Industries Inc
3355 Southwest 13 Avenue

This case was first heard on 11/24/09 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Ms. Janna Lhota, attorney for the tenant, reminded the Board that this case related to modular units in an industrial space. After the last hearing, her client's contract to purchase new property in Pompano Beach had fallen through, but her client had entered into a new contract for another building in Boynton Beach. Unfortunately, there was a tenant in that property who had a lease through February, and the closing had been delayed. Ms. Lhota's client had closed on the Boynton Beach property on March 10. She requested additional time for her client to relocate the modular units to the new property.

Mr. Gus Carbonell, architect, reported most of the plans were complete. During the process, a new engineer had been brought in to oversee how the units would be moved, which had required redesigning some of the plans. Mr. Carbonell requested a 4-month extension.

Mr. Gerry Smilen, Building Inspector, had no objection to an extension, and recommended 119 days.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 154-day extension to 9/28/10, during which time no fines would accrue. In a voice vote, motion passed 7 -0.

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 and extensions were as noted in the agenda. Ms Paris noted violations that were currently complied. The property was not complied and the order had been recorded.

Mr. Antonio Dearmas, contractor, requested another 30 days, and explained that the windows had been custom made and had arrived on April 22.

Motion made by Mr. Nelson, seconded by Mr. Elfman to grant a 28-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE05111570

Annieopa LLC
3051 Northeast 32 Avenue

This case was first heard on 8/26/08 to comply by 11/25/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$47,600 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 4/7/10. Ms. Paris read an email from Michael Kasdaglis, the owner, in which he requested a postponement due to an emergency medical issue. Mr. Kasdaglis' letter also reported on work that had already been done, and explained that four different contractors had taken deposits and abandoned the job.

Mr. Burt Ford, Building Inspector, confirmed that the work cited by Mr. Kasdaglis had been done.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 28-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE04091467

A & W Electric Of Hollywood Inc
3100 Southeast 4 Avenue

This case was first heard on 2/23/10 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Jim Artigas, owner, reported plans had been resubmitted with corrections. He confirmed this was a re-striping project with one handicapped space.

Mr. Gerry Smilen, Building Inspector, confirmed the permit package was in the plans review process. He recommended a 56-day extension.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08040203

Rosana Theophin &
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 complied, fines had accrued to \$75,750 and the City was recommending no fine be imposed. Service was via posting on the property on 4/5/10 and at City Hall on 4/15/10.

Ms. Rosana Theophin, owner, requested the fine be waived.

Mr. Gerry Smilen, Building Inspector, recommended complete abatement, noting that Ms. Theophin had gone above and beyond to comply the property.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to impose no fine. 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 and extensions were as noted in the agenda. Ms. Paris noted violations that were currently complied. The property was not complied, the order had been recorded and fines had accrued to \$13,100.

Mr. Hilton Wiener, owner, stated the work had been done and one final inspection was scheduled for that day. Regarding the windows, Inspector Oliva had advised the architect to write a letter, and the architect was also preparing a sketch to accompany the letter.

Mr. George Oliva, Building Inspector, explained the shutter permit could not be issued until the window permit was issued, which required the letter from the architect. The plumbing permit application had been submitted on April 26. Inspector Oliva recommended a 28-day extension. Mr. Wiener confirmed the property was occupied.

Motion made by Mr. Nelson, seconded by Mr. Elfman to grant a 28-day extension to 5/25/10, during which time no fines would accrue. In a roll call vote, motion passed 4 – 3 with Ms. Ellis, Mr. Thilborger and Chair Mitchell opposed.

Case: CE09031097

Ralph L Lynch
425 Northeast 8 Street

This case was first heard on 7/28/09 to comply by 9/22/09. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Ralph Lynch, owner, said he had threatened the window contractor, who had made the repairs the previous Friday. Mr. Lynch intended to take photos of the window repairs to the engineer to prepare a certification letter. Mr. Lynch said the contractor had informed him the stucco work had been done, but it was not, and now the contractor had cancer and the company might close. Mr. Lynch requested 56 days.

Mr. Burt Ford, Building Inspector, said Mr. Lynch was making a good effort and he did not object to a 56-day extension.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

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 the City was requesting imposition of a \$92,000 fine, which would continue to accrue until the property complied. Service was via posting on the property on 4/5/10 and at City Hall on 4/15/10.

Ms. Solange Francois, owner, spoke through an interpreter, Junia Jeantilus, the City's Haitian Community Programs Coordinator. Ms. Francois explained she had recently lost her job and had no money to make repairs.

Mr. Gerry Smilen, Building Inspector, confirmed there had been no activity on the property. He remembered Ms. Francois indicating there would be insurance money to pay for the roof.

Chair Mitchell asked Ms. Francois what her intention was with the property. Ms. Francois stated she had not done the illegal work on the property and she had lost her job. Ms. Ellis asked about the insurance money. Ms. Francois stated the insurance had awarded her \$15,000; the adjuster had taken \$4,000 and the contractor had taken \$10,000. Inspector Smilen stated the permit had been issued for the repair on the garage.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a roll call vote, motion passed 5 – 2 with Mr. Elfman and Ms. Sheppard 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 and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 4/28/10. Service was via posting on the property on 4/8/10 and at City Hall on 4/15/10.

Mr. Thomas Handy, receiver for court, reported the electrical permit had been issued and the high voltage wiring had been repaired. The mechanical permit application had been rejected and it must be confirmed that the units met the Florida Energy Code and the 140 mph wind load. Mr. Handy explained that the City did not have original permit

plans on file, so they were unsure what work required an engineer's certification. Mr. Handy requested a 56-day extension.

Mr. Burt Ford, Building Inspector, confirmed that the electrical permit had been issued and this was the most dangerous part of the project. He recommended a 56-day extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08101015

Washington Mutual Bank
1522 Davie Boulevard

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 order had been recorded.

Mr. James Hollingsworth, architect, explained his client had purchased the property with the violations. He reported the roof had been installed, rough framing and electrical were complete and they were working on mechanical. Mr. Hollingsworth said his client had returned to Brazil 6 weeks ago and been denied return to the U.S. Mr. Hollingsworth said his client intended to return and complete the work, and requested a 2-month extension. He confirmed the property was boarded up and secure. Mr. Hollingsworth stated the permit would expire at the end of May, and if his client could not return, he would make sure at least one inspection occurred before then so the permits would not expire.

Mr. Gerry Smilen, Building Inspector, stated 18-27(a) was complied and that this was an active construction site. He supported a 91-day extension.

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

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 City was requesting imposition of a \$21,700 fine, which would continue to accrue until the property complied. Service was via posting on the property on 4/7/10 and at City Hall on 4/15/10.

Mr. Jake Watkins, owner, explained he could not afford to pay his architect to make the changes to the plans. He requested a 30-day extension to have a survey done and

another extension for 4 to 5 months to start the work. Mr. Watkins said there was no illegal unit.

Mr. George Oliva, Building Inspector, noted violations that were currently complied. He said Mr. Watkins had removed the enclosed porch violation. He recommended a 91-day extension.

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

Case: CE09021699

Eugena Telcy
680 Southwest 29 Terrace

This case was first heard on 3/23/10 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Ms. Marcia Davis, contractor, reported she had been working with the owner to get shutters on the windows. The owner had not had enough money to continue with the work and the permit had lapsed so Ms. Davis had boarded the windows. She had lost touch with the owner and later been informed that the owner had suffered a stroke and lost family members in Haiti. Ms. Davis requested additional time for the owner to get money from her son to pay for the repairs.

Mr. George Oliva, Building Inspector, recommended a 91-day extension.

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

Mr. Dooley left the meeting at 10:07 and Mr. Miron replaced him on the dais.

Case: CE08121112

Stewart Donaldson
410 Southwest 7 Street

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 a \$1,550 fine, which would continue to accrue until the property complied. Service was via posting on the property on 4/5/10 and at City Hall on 4/15/10.

Mr. Stewart Donaldson, owner, said the contractor had prepared the engineer's report, which stated the roof did not meet requirements. He stated he did not have the \$3,000 needed to re-roof the building; he intended to ask the original roofer to re-do the roof and file a complaint against him. Mr. Donaldson could not be definite about when the roof would be repaired.

Mr. Gerry Smilen, Building Inspector, remarked that Mr. Donaldson was in a difficult position because of the roofer who had done the illegal work. If Mr. Donaldson intended to hire a new roofer, Inspector Smilen would support a 56-day extension. Mr. Donaldson requested a 56-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE07101002

Rick Lentz
500 Southwest 11 Street

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 the City was requesting imposition of the fine, which would begin to accrue on 4/28/10. Service was via posting on the property on 4/5/10 and at City Hall on 4/15/10.

Mr. Rick Lentz, owner, explained he was having problems hiring a contractor. He had hired Metro Air Conditioning, who informed him that plans would be submitted for the permit on April 26

Mr. Gerry Smilen, Building Inspector, said he had spoken with the contractor and recommended he speak to Mr. Hernandez, the City's Chief Mechanical Inspector. Inspector Smilen stated had not seen an application for a mechanical permit.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08100726

Bradford W Fitzgerald &
Roslyn J Fitzgerald
4404 Northeast 23 Avenue

This case was first heard on 3/23/10 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to on 4/28/10. Certified mail sent to the owner was accepted on 4/12/10.

Mr. Bradley Fitzgerald, owner, said Inspector Ford had agreed to meet with him the following Thursday at the property. Mr. Fitzgerald explained that neither the windows nor garage door were new; he had purchased the house with them installed. Mr. Fitzgerald had a permit set of blueprints dated 4/16/08 that he had not submitted for permits yet. He stated they had demolished the interior of the house, and the blueprints included renovations for the entire interior. Mr. Fitzgerald added that the windows and doors would be replaced as part of the renovation.

Mr. Fitzgerald reported he had not received notice of hearings until this one, so he had not attended the 3/23/10 hearing. Ms. Paris explained that previous notices had been sent to this address, which was listed with the Property Appraiser's Office. The address at the Property Appraiser's Office had recently been changed to Mr. Fitzgerald's home address and he therefore had received notice of this hearing.

Chair Mitchell reminded Mr. Fitzgerald that he was responsible to repair the violations even if he had not caused the violation.

Mr. Burt Ford, Building Inspector, agreed to meet with Mr. Fitzgerald, and advised him to apply for a demolition permit for the interior work. He believed the demolition, plus a window or door permit could comply the case. Mr. Fitzgerald could apply for the remodeling permits in the future. Inspector Ford recommended a 56-day extension.

Motion made by Ms. Ellis, seconded by Ms. Sheppard to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 6 - 1 with Mr. Nelson opposed.

Case: CE09021706

John E Eckard
2780 Southwest 3 Court

This case was first heard on 9/22/09 to comply by 10/27/09. Violations and extensions were as noted in the agenda. Ms. Paris noted violations that were currently complied. The property was not complied, the order had been recorded and fines had accrued to \$183,750.

Mr. Nick Caporella, general contractor, reported he had pulled the fence and air conditioning permits, the work had been done and he was awaiting inspections. He requested a 28-day extension.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 28-day extension to 5/25/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE05012419

Tammie D Habersham &
Johnnie Slaughter,
2461 Northwest 16 Court

This case was first heard on 11/24/09 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 4/28/10. Service was via posting on the property on 4/7/10 and at City Hall on 4/15/10.

Mr. Johnnie Slaughter, owner, reported he had been in two major accidents and was returning to work the following week. He requested a 91- day extension.

Mr. George Oliva, Building Inspector, explained Mr. Slaughter needed to renew the kitchen and bath remodeling permit and apply for the window and door replacement. He felt 91 days would be sufficient time.

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

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. Ms. Paris noted violations that were currently complied. The property was not complied and the City was requesting imposition of an \$8,500 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 4/13/10.

Mr. Alan Ali, air conditioning contractor, said he had submitted the permit application and spoken with Inspector Hernandez. Mr. Ali stated he had not done the work and he would need to move the air conditioner away from the house. He requested a 91-day extension for the owner to pay the permit fees.

Mr. Jose Cruz, owner, requested a 91-day extension and said he was experiencing financial problems.

Mr. George Oliva, Building Inspector, said only the water heater violation was open. He had offered to help Mr. Cruz pull an owner/builder permit for the water heater. Inspector Oliva recommended a 119-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 119-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08121039

Dagobert Schmalhaus &
Andree Beaulac
2488 Southwest 6 Court

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 the City was requesting imposition of the fine, which would begin to accrue on 4/28/10. Service was via posting on the property on 4/7/10 and at City Hall on 4/15/10.

Mr. Dagobert Schmalhaus, owner, reported he now had engineering drawings to submit for the permit. He said he had been researching the property, which had been taken into the City from the County. He requested a 91-day extension.

Mr. George Oliva, Building Inspector, showed a copy of Mr. Schmalhaus' drawings to the Board, and stated only the carport enclosure violation remained. He recommended a 91-day extension.

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

Case: CE08110858

US Pavers & Suppliers Inc
1000 Northwest 52 Street

This case was first heard on 2/23/10 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Mike Soueid, mortgagor, reported he had cleaned the property and removed the barbed wire. Once the foreclosure was settled, he wanted to put a 4,000 square foot building on the property and in the meantime he would like to maintain the fence to keep trash off the property.

Mr. Nelson stated any action the Board took would not matter very much because the property was in foreclosure.

Mr. Burt Ford, Building Inspector, said the City could not permit the illegal fence to remain for any reason. He had informed Mr. Soueid that if he removed the pavers and the fence the property would be complied. Inspector Ford explained that any business with outside storage required a buffer wall.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to grant a 91-day extension to 7/27/10, 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 fine, which would begin to accrue on 4/28/10. Service was via posting on the property on 4/7/10 and at City Hall on 4/15/10.

Mr. Theon Eames, owner, explained he was waiting for a bonus check he needed to pay the engineer and contractor. He had also found someone interested in purchasing the house.

Mr. George Oliva, Building Inspector, said there had been no compliance and he would leave it up to the Board whether to grant an extension.

Mr. Eames explained to Mr. Elfman that the person interested in buying the house was aware of the issues.

Inspector Oliva informed Mr. Miron that there were no safety issues at the property. He said some permits had expired and some had never been issued. Mr. Eames acknowledged he would have trouble affording the outside component of the air conditioner.

Motion made by Mr. Miron, seconded by Mr. Nelson to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE08061254

Sherri Friend
1112 Southwest 20 Street

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

Mr. Gerry Smilen, Building Inspector, reported the contractor had been present earlier and Inspector Smilen had agreed to recommend a 119-day extension.

Motion made by Mr. Nelson, seconded by Mr. Miron to grant a 119-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE09090282

Willie E Freeman
505 Northwest 18 Avenue

This case was first heard on 3/23/10 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the order had been recorded. Ms. Paris read a letter from the owner indicating he was still looking for a contractor, and that he also needed time to raise the funds for the work.

Mr. Gerry Smilen, Building Inspector, reported the owner lived in Pt St. Lucie and he was seeking a contractor.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 56-day extension to 6/22/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

Case: CE09070133

Diane Alexander
2313 Northwest 14 Court

This case was first heard on 2/23/10 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 4/28/10. Service was via posting on the property on 4/7/10 and at City Hall on 4/15/10.

Mr. George Oliva, Building Inspector, said he had been trying to work with the owner but she had never returned his calls, so he recommended fines be imposed.

Motion made by Mr. Nelson, seconded by Mr. Miron to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 4/28/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

Case: CE10030303

John A Brown
74 Fiesta Way

This case was first heard on 3/23/10 to comply by 4/27/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin to accrue on 4/28/10. Service was via posting on the property on 4/5/10 and at City Hall on 4/15/10.

Motion made by Mr. Nelson, 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 4/28/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 - 0.

The Board took lunch from 11:00 – 11:30

Case: CE05100987

Hagne G Murray &
Cirl Barker-Murray
1029 Northwest 4 Avenue

Service was via posting on the property on 4/7/10 and at City Hall on 4/15/10. Ms. Paris reported a respondent [not the owner] was present but did not have a notarized letter authorizing him to represent the owner.

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. ALL THE WINDOWS WERE REPLACED.

FBC(2007) 1612.1.2

ALL THE WINDOW 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 56 days or a fine of \$25 per day, per violation and to record the order.

Mr. Norman Campbell, friend of owner, said the owner had been unaware of the violations. Mr. Campbell had hired a contractor, and requested an extension for the contractor to do the work. Mr. Jolly confirmed that Mr. Campbell could not officially speak for the owner.

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 6/22/10 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: CE06030093

Gladys Joseph
1625 Northwest 11 Avenue

Service was via posting on the property on 4/14/10 and at City Hall on 4/15/10.

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

FBC 105.1

THE RESIDENTIAL BUILDING HAS BEEN ALTERED WITHOUT OBTAINING THE REQUIRED PERMITS. THE IMPROVEMENTS AND ALTERATIONS TO THE BUILDING AND PROPERTY WITHOUT PERMITS ARE AS FOLLOWS:

1. WINDOWS HAVE BEEN REPLACED AND GLASS BLOCKS WERE PLACED IN SOME OPENINGS.
2. THE RESIDENCE HAS BEEN RE-STUCCOED.
3. A LARGE SHED HAS BEEN CONSTRUCTED IN THE REAR YARD.
4. THE EAST WALL OF THE FLORIDA ROOM HAS BEEN REMODELED.

FBC 1604.1

THE STRUCTURE FOR THE STORAGE SHED AND THE GLASS

BLOCKS IN 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. ALL THE STRUCTURES THAT WERE DONE ILLEGALLY ARE UNSAFE AND MUST BE REMOVED.

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, DOOR, AND GLASS BLOCKS NEED TO BE IMPACT RESISTANT OR BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

Inspector Oliva submitted photos of the property taken in 2007 and the Notice of Violation detailing the violations and corrective action into evidence. He explained that a permit application had been submitted for the windows, stucco and some of the storm panels; one had been issued but had expired. Inspector Oliva recommended ordering compliance within 91 days or a fine of \$10 per day, per violation and to record the order.

Ms. Gladys Joseph, owner, said there was confusion regarding which windows were in violation. She explained she had purchased windows after hurricane Wilma but had been unable to install them because of problems she was experiencing at the Building Department. She stated the City had informed her that there was no permit for her den and it must be removed, but someone she hired had found a receipt from 1957 for the den. Ms. Joseph said a grant from the City had expired because she had been unable to get the permit. She had met with City staff several times, and every time she met with them, she had been presented with another problem. Ms. Joseph had paid for two sets of plans, and she said she could not afford this.

Ms. Joseph stated the glass block windows of which Inspector Oliva had shown photos had been removed and this was the paperwork on which she had been working with the City for three years. Inspector Oliva said he had been unable to confirm the glass blocks because hurricane panels covered those windows. Mr. Nelson suggested the City pull this case from the agenda to determine what had been done.

Inspector Oliva confirmed that the permit application for the windows was open but not issued.

Mr. Lindwell Bradley, Code Enforcement Supervisor, requested that the Board consider the items to which Inspector Oliva could testify. He said Ms. Joseph could meet with the plans reviewer to determine what else she needed for a permit.

Motion made by Mr. Nelson, seconded by Ms. Sheppard to find for the City that violations FBC 105.1 items 2 and 3, FBC 1604.1 existed as alleged and to order the property owner to come into compliance within 91 days, by 7/27/10 or a fine of \$5 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE08071938

William Lackey III &

Kevin Brandel

2617 Northeast 22 Street

Service was via posting on the property on 4/8/10 and at City Hall on 4/15/10.

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. REMODELED KITCHEN AND BATHROOMS.
2. STUCCOED EXTERIOR.

FBC(2007) 105.4.11

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

1. A NEW A/C SYSTEM HAS BEEN INSTALLED.

FBC(2007) 105.4.4

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

1. PIPING AND FIXTURES HAVE BEEN REPLACED DURING THE KITCHEN AND BATH REMODELING.
2. A WATER HEATER HAS BEEN INSTALLED.

FBC(2007) 105.4.5

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

1. CIRCUITS HAVE BEEN ALTERED/ADDED DURING THE KITCHEN AND BATH REMODELING.
2. CIRCUITS HAVE BEEN ALTERED/ADDED FOR THE A/C SYSTEM INSTALLATION.

WITHDRAWN

FBC(2007) 105.4.5 ITEM 3

Inspector Ford submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He reported he had spoken with the owner and applications had been submitted for all of the violations. Inspector Ford

recommended ordering compliance within 56 days or a fine of \$15 per day, per violation.

Mr. William Lackey, owner, confirmed all permit applications had been submitted.

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 6/22/10 or a fine of \$15 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE09110037

Precision Investments Inc
421 Southwest 22 Avenue

Certified mail sent to the owner was accepted on 4/2/10.

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. THE WINDOWS AND DOORS WERE REPLACED WITH AN
EXPIRED PERMIT.
2. THERE IS AN ILLEGAL ADDITION ON THE REAR OF THE
PROPERTY.

FBC(2007) 105.10.3.1

THERE IS A BUILDING PERMIT WHICH FAILED INSPECTION
AND/OR WAS LEFT TO EXPIRED:

1. P#06030296 - TO REPLACE 12 WINDOWS AND 2 DOORS.

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 submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He had spoken with the new owner, who already had plans to submit for the addition and the windows. Inspector Oliva recommended ordering compliance within 91 days or a fine of \$10 per day, per violation and to record the order.

Mr. Michael Hurtak, architect, confirmed he had been hired to prepare plans to comply the property. He requested a 91-day extension.

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 7/27/10 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: CE10030899

Insite Sunrise Beach LLC
917 Sunrise Lane

Certified mail sent to the owner was accepted on 4/5/10.

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

THE TWO FLOOR CONCRETE PARKING STRUCTURE IS IN
DISREPAIR AND STRUCTURALLY COMPROMISED. SPALLING
CONCRETE IS FALLING FROM THE STRUCTURAL BEAMS
EXPOSING STRUCTURALLY COMPROMISED REBAR.

FBC(2007) 1612.1.2

THE CONCRETE PARKING FACILITY HAS BEEN COMPROMISED
BY DETERIORATION OF THE CONCRETE BEAMS AND COLUMNS
AND HAS NOT BEEN PROVEN TO WITHSTAND ESTIMATED OR
ACTUAL IMPOSED DEAD, LIVE, WIND, OR ANY OTHER
LOADS REQUIRED FOR A HIGH VELOCITY HURRICANE ZONE.

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 91 days or a fine of \$20 per day, per violation. Inspector Smilen said the permit had been pulled and the restoration project was underway. He confirmed that the hotel property was being renovated and was closed.

Mr. Ben Shmul, president of the company, said he was working diligently to comply. He felt 91 days was sufficient time.

Motion made by Mr. Miron, 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 7/27/10 or a fine of \$20 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE10031191

Shawn A Sturm
1621 Southwest 5 Street

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

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

FBC(2007) 105.4.1

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

1. A CARPORT HAS BEEN ENCLOSED.
2. A PAVER DRIVEWAY HAS BEEN INSTALLED.
3. TWO PAVER WALKWAYS HAVE BEEN INSTALLED.

FBC(2007) 109.10

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

1. NEW WINDOWS HAVE BEEN INSTALLED.
2. A NEW SPA HAS BEEN INSTALLED WITH A RAISED WALL.
3. A PAVER DECK HAS BEEN INSTALLED.
4. A PAVER PATIO HAS BEEN INSTALLED.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He stated he had spoken with the owner on three occasions and the owner was working on pulling and renewing permits. Inspector Smilen recommended ordering compliance within 56 days or a fine of \$10 per day, per violation.

Mr. Shawn Sturm, owner, explained the reason why the permits had not been pulled was that he had financial issues. He had also been taken advantage of by contractors. Mr. Sturm reported he had ordered the railing for the backyard and had the engineering documents, he had a contractor working on the driveway work, the windows were scheduled for inspection and the permit application was in for hurricane shutters. Regarding the carport, Mr. Sturm said he needed to hire an engineer for the drawings. He explained he was starting a new job that involved traveling, and requested a 90-days extension.

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 91 days, by 7/27/10 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: CE08071578

Todd D Volpe
1731 Northeast 3 Avenue

Service was via posting on the property on 4/8/10 and at City Hall on 4/15/10.

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

FBC 708.3

THE FIRE SEPARATION HAS NOT BEEN MAINTAINED

BETWEEN APARTMENT B AND THE EFFICIENCY.

FBC(2007) 105.1

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

1. THE FRONT BEDROOM IN APARTMENT B HAS BEEN CONVERTED INTO AN EFFICIENCY.
2. TWO DECKS WERE REPLACED IN THE REAR YARD.

FBC(2007) 105.4.5

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

1. CIRCUITS HAVE BEEN ADDED/ALTERED AND THE ELECTRICAL LOADS IMPOSED EXCEED THE ORIGINAL DESIGN CALCULATIONS IN THE EFFICIENCY.

FBC(2007) 110.1.1

THE USE OF THE PROPERTY HAS BEEN CHANGED FROM A DUPLEX TO A TRIPLEX WITHOUT OBTAINING A CERTIFICATE OF OCCUPANCY THROUGH THE PERMITTING AND INSPECTION PROCESS.

FBC(2007) 1604.1

THE DECK STRUCTURES HAVE NOT DEMONSTRATED TO BE ABLE TO COMPLY WITH THE STRENGTH REQUIREMENTS FOR THE LOADS IMPOSED THROUGH THE PERMIT AND INSPECTION PROCESS.

Inspector Ford submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He explained that after the fact permit applications had been submitted for the decks but had failed review in July 2009 and were never picked up for corrections. He showed photos of a mailbox with four compartments and stated this proved the structure was more than a duplex. Inspector Ford recommended ordering compliance within 56 days or a fine of \$20 per day, per violation.

Mr. Todd Volpe, owner, explained that a tenant of his had rebuilt the two decks. He had found permits for one of the original decks on file with the City, and also found permits from other addresses in his folder. He therefore assumed that the permit for his second deck could be misplaced. After receiving the notices, Mr. Volpe had hired a general contractor and an engineer. He explained that he had purchased the 4-compartment mailbox because it was the same price as a 3-compartment box. He had intended to keep a mailing address for himself at the address while renting both units. Inspector Ford said he could verify with an inspection how many units were in the building.

Motion made by Mr. Nelson, seconded by Mr. Miron 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 6/22/10 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: CE09062264

3700 North Federal Associates Inc

3700 North Federal Highway

Certified mail sent to the owner was accepted on 4/7/10.

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 LARGE ROOM ON THE SECOND FLOOR IS BEING REMODELED.
2. DRYWALL HAS BEEN REMOVED AND WILL NEED TO BE REPLACED.
3. THE CEILING SYSTEM HAS BEEN REMOVED.
4. INTERIOR WALLS HAVE BEEN REMOVED.

FBC(2007) 105.4.11

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

1. DUCTS AND DIFFUSERS HAVE BEEN REMOVED AND WILL NEED TO BE REINSTALLED.

FBC(2007) 105.4.5

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

1. CIRCUITS, FIXTURES AND PIPING ARE ALL BEING ALTERED/ADDED DURING THE INTERIOR REMODELING.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

Inspector Ford submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He reported the permit applications had been submitted on April 15 and needed to be picked up for corrections. Inspector Ford recommended ordering compliance within 56 days or a fine of \$25 per day, per violation.

Mr. Andrew Daire, attorney, explained this was the second floor of the Carl's Furniture Federal Highway showroom. He confirmed permit applications had been submitted. Mr. Daire stated Carl's had a partnership with a kitchen vendor, who was remodeling the area to accommodate their displays. He requested a 91-day extension. Mr. Daire was unsure if the kitchen vendor had hired an architect. He said the vendor was now working on an asbestos survey, and this must be completed before any other permits were issued.

Motion made by Mr. Miron, seconded by Mr. Nelson 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 6/22/10 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: CE05081482

Joseph Doviak
400 Southeast 31 Street

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

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

THE FOLLOWING WORK WAS PERFORMED WITHOUT OBTAINING
THE REQUIRED PERMITS:

1. FRENCH DOORS WERE INSTALLED ON THE BALCONY.
2. A FENCE WAS INSTALLED ON THE NORTH AND SOUTH SIDES.
3. A GLAZED EXTERIOR DOOR WAS INSTALLED.

FBC(2007) 105.4.11

THE MECHANICAL PERMIT FOR THE A/C EQUIPMENT HAS
EXPIRED.

FBC(2007) 105.4.5

THE PERMIT FOR THE ELECTRICAL CONNECTION FOR THE
A/C EQUIPMENT HAS EXPIRED.

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 56 days or a fine of \$15 per day, per violation.

Mr. Joseph Doviak, owner, reported he had applied for the mechanical permit the previous day and the inspection was scheduled for the following day. He intended to meet with the general contractor that afternoon, and he would submit the application for the doors and fence.

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 56 days, by 6/22/10 or a fine of \$15 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE08110556

Rose Jarrett
Rose Jarrett Revocable Living Trust
2716 Middle River Drive

Certified mail sent to the owner was accepted on 4/1/10.

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

FBC(2007) 105.4.11

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

1. WALL A/C UNITS HAVE BEEN INSTALLED.
2. AN A/C CONDENSOR UNIT HAS BEEN REPLACED.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

Complied:

FBC(2007) 105.1

FBC(2007) 1612.1.2

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 91 days or a fine of \$10 per day, per violation.

Mr. Orville Jarrett, the owner's son, said the shed had been removed. He had permits for the other work but he needed to get shutters. Mr. Jarrett said the City wanted information on the old air conditioner that had been removed in 1993, but he did not have it.

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 91 days, by 7/27/10 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: CE09050023

Audy Unison LLC
300 Sunset Drive

Service was via posting on the property on 4/6/10 and at City Hall on 4/15/10.

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

FBC(2007) 105.4.10

VARIOUS SECTIONS OF THE TILE ROOF ON THE MULTIFAMILY APARTMENT BUILDING HAVE BEEN REPLACED OR ARE IN THE PROCESS OF BEING REPLACED WITHOUT OBTAINING THE REQUIRED PERMITS.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He explained the owner had applied for a permit and his contractor would replace the entire roof. Inspector Smilen recommended ordering compliance within 56 days or a fine of \$25 per day.

Mr. Jihad Doujeiji, owner, stated the permit would be ready this week and the work would commence immediately.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to find for the City that the violation existed as alleged and to order the property owner to come into compliance within 28 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 6 – 1 with Chair Mitchell opposed.

Case: CE09121499

HSBC Bank USA

C/O Shapiro & Fishman LLP

711 Northeast 14 Street

Certified mail sent to the owner was accepted on 4/8/10.

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

FBC(2007) 105.10.3.1

PERMIT 05022701 FOR DOOR REPLACEMENT DID NOT PASS FINAL INSPECTIONS.

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 ADDED/ALTERED TO POWER THE WALL A/C UNITS.

Mr. Elfman stated the property was under contract and he anticipated the sale would close on May 7.

Inspector Ford submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. Inspector Ford recommended ordering compliance within 56 days or a fine of \$20 per day, per violation, and to record the order.

Mr. David Bakalar, attorney, was unaware of any pending sale of the property. He said the bank had already received a couple of bids for the work that needed to be done and requested 91 days.

Motion made by Mr. Miron, seconded by Mr. Nelson 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 7/27/10 or a fine of \$20 per day, per violation would begin to accrue, and to record the order. In a roll call vote, motion **failed** 1 – 6 with only Mr. Miron voting yes.

Motion made by Mr. Nelson, 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 56 days, by 6/22/10 or a fine of \$20 per day, per violation would begin to accrue, and to record the order. In a roll call vote, motion **failed** 2 - 5 with Ms. Ellis, Ms. Sheppard, Mr. Thilborger, Mr. Miron and Chair Mitchell opposed.

Motion made 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 5/25/10 or a fine of \$25 per day, per violation would begin to accrue, and to record the order. Motion died for lack of a second.

Motion made by Ms. Ellis, seconded by Mr. Nelson 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 6/22/10 or a fine of \$30 per day, per violation would begin to accrue, and to record the order. In a roll call vote, motion **failed** 3 - 4 with Ms. Sheppard, Mr. Thilborger, Mr. Miron and Chair Mitchell opposed.

Motion made by Mr. Miron, seconded by Mr. Nelson 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 7/27/10 or a fine of \$35 per day, per violation would begin to accrue, and to record the order. In a roll call vote, motion **failed**.

Ms. Paris explained that after the order was entered, the case would stay under that owner's name until the case was resolved. If a lien were placed on the property, it would be in the name of the owner listed on the final order and would remain on the property and on the bank. Mr. Nelson said this was not an issue of how fast the violations would be fixed; it was a matter of how fast the order was recorded.

Motion made by Mr. Nelson, seconded by Mr. Miron 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 6/22/10 or a fine of \$35 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Case: CE04090572

201 Northwest 20 Avenue

Friona Family Real Estate Holdings LLC

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

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

FBC(2007) 105.1

THE BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS. THE ALTERATIONS INCLUDE THE FOLLOWING:

1. THE INSTALLATION OF TWO WINDOWS ON THE NORTH EXPOSURE OF THE MAIN BUILDING.
2. THE INSTALLATION OF SECURITY BARS ON THE WINDOWS OF THE BUILDING.
3. THE ERECTION/CONSTRUCTION OF AN ACCESSORY STRUCTURE ON THE SOUTH EDGE OF THE PROPERTY.
4. THE OFFICE WAS REMODELED WITH VOIDED MASTER PERMITS.

FBC(2007) 105.10.3.1

THERE ARE BUILDING PERMITS WHICH FAILED INSPECTION AND/OR WERE LEFT TO EXPIRE:

1. P#05012436 MASTER FOR OFFICE REMODEL - VOID.
2. P#05062929 MECHANICAL FOR A/C IN THE OFFICE - EXPIRED.
3. P#05062930 PLUMBING FOR REMODEL WORK - VOID.

FBC(2007) 105.4.11

A NEW CENTRAL A/C HAS BEEN INSTALLED ON THE SOUTH EXPOSURE OF THE BUILDING WITH AN EXPIRED PERMIT.

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 THAT HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING THROUGH THE PERMITTING PROCESS.
2. THE ELECTRICAL SYSTEM HAS BEEN ALTERED. CONDUIT HAS BEEN ATTACHED TO THE BUILDING ON THE EAST EXPOSURE.

FBC(2007) 109.10

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

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

Ms. Paula Friona, the owner's daughter, explained that the property was owned by Friona Family Real Estate Holdings; Charlie Frimeyer Paving Inc. was a tenant that was also owned by the Friona family.

Mr. Nelson recused himself for this case.
Mr. Marino joined the Board on the dais.
Mr. Thilborger left the meeting at 1:20

Inspector Oliva recommended ordering compliance within 91 days or a fine of \$25 per day, per violation, and to record the order.

Ms. Friona said she had tried unsuccessfully to reach Inspector Oliva for days. Ms. Friona stated the bars had been on the windows for 20 years. She had contacted the air conditioning company, who agreed to renew the permit and call for the final inspection. She was still tracking down the plumbing contractor. Ms. Friona stated they would remove the storage shed. She reported the interior work had been limited to painting that had cost less than \$500, and she had been told that minor repairs did not require a permit. Ms. Friona felt she needed 56 days.

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 56 days, by 6/22/10 or a fine of \$20 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 6 - 0.

Mr. Nelson returned to the dais.

Case: CE10020005

Deutsche Bank National Trust Co Trustee
C/O HomeQ Servicing
1432 Southwest 30 Street

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

Mr. Gerry Smilen, 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 ENTRY DOOR HAS BEEN INSTALLED.
2. NEW WINDOWS HAVE BEEN INSTALLED.
3. STUCCO WORK HAS BEEN DONE ON THE BUILDING.

FBC(2007) 1604.1

THE NEW WINDOWS AND FRONT DOOR HAVE NOT BEEN
PROVEN TO WITHSTAND ALL LOADS REQUIRED IN A HIGH
VELOCITY HURRICANE ZONE AND IN ACCORDANCE WITH THE
FLORIDA BUILDING CODE.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He reported the window plans had been out for corrections since January 2009. Inspector Smilen recommended ordering compliance within 56 days or a fine of \$10 per day, per violation.

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 56 days, by 6/22/10 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: CE09061057

Algetha Young
430 Southwest 22 Avenue

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

Mr. George Oliva, Building Inspector, testified to the following violation:
FBC(2007) 115.1.1

THE STRUCTURE FOR THE FRONT PORCH DOES NOT MEET THE STANDARD FOR GRAVITY LOADING DUE TO THE DAMAGE SUFFERED BY THE CAR ACCIDENT AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING BECAUSE A SUPPORTING COLUMN IS MISSING AND THE TIE BEAM IS CRACKING IN DIFFERENT PLACES. EMERGENCY REPAIR WAS DONE BUT NOT THROUGH THE PERMITTING PROCESS; ALL THE STRUCTURES THAT WERE DAMAGED AND THE REPAIR THAT WAS DONE ILLEGALLY ARE UNSAFE AND THEY MUST BE REMOVED.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He said he had spoken with the owner on the telephone and expressed concern because hurricane season was approaching. Since the damage had been caused by a car accident, he assumed there would be insurance money to pay for repairs. He had informed the owner she could remove the front porch to comply. Inspector Oliva recommended ordering compliance within 28 days or a fine of \$10 per day, per violation and to record the order. He noted there was a lis pendens on the house.

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 28 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 6 – 1 with Ms. Sheppard opposed.

Later in the meeting, Chair Mitchell requested reconsideration of this case.

Motion made by Chair Mitchell, seconded by Mr. Nelson, to reconsider the Board's decision. In a voice vote, motion passed 7 - 0.

Motion made 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 5/25/10 or a

fine of \$50 per day, per violation would begin to accrue, and to record the order. Motion died for lack of a second.

Motion made by Ms. Sheppard, seconded by Mr. Nelson 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 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: CE07100352

BAC Home Loans Servicing LP
C/O Butler & Hosch PA
2401 Northeast 27 Avenue

Certified mail sent to the owner was accepted on 4/8/10.

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. THE SECOND FLOOR REMODELING DOES NOT HAVE A PERMIT.

FBC(2007) 105.4.11

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

1. REMODELING HOME WITHOUT PERMITS WHICH HAVE EXPIRED.

FBC(2007) 105.4.4

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

1. REMODELING HOME WITHOUT PERMITS WHICH HAVE EXPIRED.

FBC(2007) 105.4.5

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

1. REMODELING HOME WITHOUT PERMITS WHICH HAVE EXPIRED.

Inspector Ford submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He reported the property had been abandoned and the bank now had parts of the permits in. Inspector Ford recommended ordering compliance within 28 days or a fine of \$30 per day, per violation.

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 28 days, by 5/25/10 or a fine of \$50 per day, per violation would begin to accrue, and to record the order. In a voice vote, motion passed 7 - 0.

Approval of Meeting Minutes

[This item was heard out of order]

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

Communication to the City Commission

The Board wanted the Commission to know they appreciated the fact that all appointments had been made to the Board.

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:

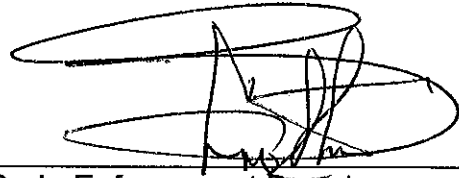
CE09010946 CE09020159 CE06050161 CE08042519
CE04081060

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:

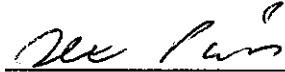
CE08031925 CE09080140 CE09020380 CE09051930

There being no further business to come before the Board, the meeting adjourned at
1:40 P.M.



Chair, Code Enforcement Board

ATTEST:



Clerk, Code Enforcement Board

NOTE: The agenda associated with this meeting is incorporated into this record by reference.

Minutes prepared by: J. Oppertlee, ProtoType Inc.