

**CODE ENFORCEMENT BOARD**  
**CITY COMMISSION MEETING ROOM**  
**100 NORTH ANDREWS AVENUE**  
**JUNE 22, 2010**  
**9:00 A.M. – 1:33 P.M.**

<b><u>Board Members</u></b>	<b><u>Attendance</u></b>	<b>Cumulative attendance 2/2010 through 1/2011</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Sam Mitchell, Chair	P	5	0
Howard Nelson, Vice Chair	A	4	1
Howard Elfman	P	5	0
Genia Ellis	P	5	0
Joan Hinton	P	5	0
Jan Sheppard	P	5	0
Chad Thilborger	P	5	0
Paul Dooley [Alternate]	P	5	0
Frank Marino [Alternate]	P	4	1
Joshua Miron [Alternate]	P	3	0

**Staff Present**

Richard Giuffreda, Board Attorney  
 Brian McKelligett, Clerk /Code Enforcement Board Supervisor  
 Lindwell Bradley, Code Enforcement` Supervisor  
 Dee Paris, Administrative Aide  
 Erin Peck, Clerk III  
 Yvette Ketor, Secretary, Code Enforcement Board  
 Deb Maxey, Clerk III  
 George Oliva, Building Inspector  
 Burt Ford, Building Inspector  
 Gerry Smilen, Building Inspector  
 Skip Margerum, Code Enforcement Supervisor  
 Junia Jeantilus, Haitian Programs Coordinator [translator]  
 J. Opperlee, Recording Secretary

**Communication to the City Commission**

By unanimous consensus, the Board expressed a concern that the City was loaning money on non-compliant property, leaving the City in jeopardy of acquiring the property back and having to bring it into compliance. The Board felt there must be a stopgap measure to ensure that the City did not put itself at risk.

**Respondents and Witnesses**

CE09101786: Christine Marittille, realtor  
 CE05081482: Joseph Doviak, owner

CE09031097: Ralph Lionel Lynch, owner, Ryan Shipp, bank representative  
CE07101002: Rick Lentz, owner  
CE03011956: Sheryl Melson, owner  
CE05100987: Hagne Murray, owner  
CE08120473: John Baker, owner  
CE09072678: Sonia Souffrant, owner  
CE08071153: Theon Eames, owner  
CE05120725: Hilton Wiener, owner  
CE09011955: Andrew Roberts, ex-fiance of the owner  
CE09071067: Arthur Owen Sprague, owner's representative  
CE08080683: Tyler Tuchow, owner  
CE06031659: Thomas Patrick Lanigan, owner  
CE09030900: Annette Walters, owner  
CE07031751: Lawrence Barsky, bank attorney, David Wright, owner, realtor  
CE08121202: Thomas Handy, receiver  
CE09041840: Ryan Shipp, bank representative, Donald Stevens, owner  
CE09062264: Andrew Daire, attorney  
CE08021711: Solange Francois, owner  
CE08031925: Valarie Adebayo, owner's daughter  
CE08071578: Todd Volpe, owner  
CE08100204: Nino Barone, owner  
CE08121112: Stewart Donaldson, owner  
CE09111017: Etta Priester, owner  
CE09081198: Nesley Laird, owner  
CE10052116: Daniel Jay Meneses, owner  
CE01010525, CE09011013: Goran Dragoslavic, owner  
CE10031789: John James Smith, leasee, Corinne Keegan, employee  
CE08011531: Juan Jimenez, owner  
CE08061524: Sonya Etheridge, bank representative, Joseph Quaratella, owner Joseph leracitano, contractor  
CE09030410: Ronald Kaufman, attorney  
CE09050135: Ryan Shipp, bank representative, Jonathan Keith, owner  
CE08051216: Catherine Sonaglia, owner

Chair Mitchell called the meeting to order at 9:03 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: CE09030900**

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

This case was first heard on 9/22/09 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 6/23/10. Personal service was made to the owner on 6/7/10. Ms. Paris noted an item that was now complied.

Ms. Annette Walters, owner, explained she did not have the money to hire an engineer to pull the permit for the roof because she was not working right now. She anticipated starting work again on August 23 and requested additional time.

Mr. George Oliva, Building Inspector, confirmed that Ms. Walters had complied half of the violations. He favored a 98-day extension. He remarked that the roof work was completed, but needed a permit. The roof seemed to be in good condition.

**Motion** made by Ms. Sheppard, seconded by Mr. Thilborger, to grant a 98-day extension to 9/28/10, during which time no fines would accrue. In a voice vote, motion passed 7 – 0.

**Case: CE09062264**

3700 North Federal Highway  
3700 North Federal Associates Inc

This case was first heard on 4/27/10 to comply by 6/22/10. Violations were as noted in the agenda.

Mr. Andrew Daire, attorney, said the plans had been returned for electrical and HVAC contractors to sign off. He said the general contractor was supposed to accompany him today but had not shown up. His client thought they would need to hire a new contractor. Mr. Daire requested an extension.

Mr. Burt Ford, Building Inspector, stated the permit was ready to be issued when the subcontractors signed off. He did not object to a 63-day extension

**Motion** made by Ms. Ellis, seconded by Mr. Thilborger to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

**Case: CE08120473**

1029 West Broward Boulevard  
Jamie R Baker & John H Baker

This case was first heard on 5/25/10 to comply by 6/22/10. Violations were as noted in

the agenda. The property was not complied and the order had been recorded.

Mr. John Baker, owner, presented photos of the building that had been a Dairy Queen, and explained he had used the building for a warehouse, then it had been turned into a showroom. He subsequently purchased the adjacent corner property and the old Dairy Queen building had been condemned. Mr. Baker said he intended to build a new showroom on the corner property and wanted to demolish the old building. He pulled a permit to demolish the building and was working with the CRA on plans for the new showroom.

Mr. Baker stated after spending \$50,000 - \$70,000 for an architect to finish plans and take the project through the DRC process, the value of the property had dropped significantly and financing became unavailable. The project was now on hold for economic reasons and Mr. Baker had no short-term plans to start construction. Mr. Baker said they were parking two company trucks on the corner lot during the day and displayed one or two golf carts there. Chair Mitchell advised Mr. Baker to stop utilizing the lot for parking to comply or to get a permit to utilize the lot for parking. Mr. Baker had not known that this was an option.

Mr. George Oliva, Building Inspector, said the parking lot must be re-stripped, with a permit, in order to comply. He recommended a 63-day extension.

**Motion** made by Mr. Thilborger, seconded by Ms. Ellis to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

**Case: CE09072678**

1109 Northwest 19 Street  
Sonia Souffrant &  
Wilky Dorelien

This case was first heard on 2/23/10 to comply by 5/25/10. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Ms. Junia Jeantilus, Haitian Programs Coordinator, acted as translator for the owner.

Ms. Sonia Souffrant, owner, said she had started the work.

Mr. Gerry Smilen, Building Inspector, said two after-the-fact permits had been applied for: the security bars and the water heater, but nothing had transpired since March. Inspector Smilen had explained to the owners they must either get a permit to legalize the garage as a bedroom or they must return it to its original configuration. He said the drawings showed the garage as a proposed bedroom, but no plans had been submitted for a permit and he was unsure if it was possible because of the garage floor elevation. Inspector Smilen said the drawings had the seal of a registered engineer.

Ms. Souffrant stated she had picked up the forms from the City and she requested additional time. She asked for a month to complete the forms. Ms. Souffrant said her nephew was still living in the garage. She confirmed for Chair Mitchell that she would need to speak with Inspector Smilen.

Inspector Smilen did not believe this could be habitable space unless the floor was raised, and he doubted there was room to do this. He said he would support a 35-day extension for the owner to see if she could get a permit.

**Motion** made by Ms. Ellis, seconded by Ms. Hinton to grant a 35-day extension to 7/27/10, during which time no fines would accrue. In a voice vote, motion passed 6 – 1 with Ms. Sheppard opposed.

**Case: CE08021711**

431 Southwest 31 Avenue  
Solange Francois

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. Personal service was made to the owner on 6/2/10.

Ms. Junia Jeantilus, Haitian Programs Coordinator, acted as translator for the owner.

Ms. Solange Francois, owner, said she was still unemployed, so there was nothing she could do. She stated she had not worked since February 2010.

Mr. Gerry Smilen, Building Inspector, said nothing had changed at the property. When he visited the property with the translator, there were serious leaks in the roof and the plan had been to use some of the insurance money to repair the roof, but this had not happened.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to find the violations were not complied by the Order date, and to impose the \$92,000 fine, which would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 – 0.

**Case: CE07031751**

1910 Northeast 7 Place  
Robert L Rose Jr

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

Mr. David Wright, owner, realtor, said this property was on the market and requested time to get the property sold. He confirmed that the intent was to sell the property with the violations. He said it did not make sense to spend \$80,000 to fix the property to

resell it.

Mr. Lawrence Barsky, bank attorney, reported there was a foreclosure action on the property. He said the bank would like the opportunity to make the repairs but they did not currently have control of the property. Mr. Giuffreda confirmed that the current owner was responsible to comply the property.

Mr. Burt Ford, Building Inspector, stated he did not support any extensions.

**Motion** made by Chair Mitchell, seconded by Ms. Ellis to order the owner to come into compliance within 28 days. In a voice vote, motion **failed** 0 - 7.

**Case: CE05120725**

1430 Northwest 7 Street  
Greenwich Capital LLC

This case was first heard on 1/26/10 to comply by 2/23/10. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$13,100 fine. Certified mail sent to the owner was accepted on 6/5/10. Ms. Paris confirmed that the last violation that was now complied. She clarified that at the February meeting, no extension had been granted, so fines had begun to run. In March, April and May, the Board had granted extensions.

Mr. Hilton Wiener, owner, said the property was complied and the only remaining work was to install the shutters. He requested abatement of the fines.

Mr. George Oliva, Building Inspector, recommended abatement of the fines.

**Motion** made by Ms. Ellis, seconded by Ms. Sheppard, to abate the fines. In a voice vote, motion passed 6 - 1 with Chair Mitchell opposed.

**Case: CE05081482**

400 Southeast 31 Street  
Joseph Doviak

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

Mr. Joseph Doviak, owner, reported one issue was complied and he had applied for permits for the other violations. He requested an extension.

Mr. Gerry Smilen, Building Inspector, confirmed that the permits had been picked up for corrections. He supported a 63-day extension.

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion

passed 7 - 0.

**Case: CE08071153**

1300 Northwest 2 Avenue  
Theon Eames

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

Mr. Theon Eames, owner, said he had resubmitted corrections to the plans. He stated he needed to get his bonus check in order to pay for the AC mechanical work. Mr. Eames noted that the AC unit had been stolen, so he did not know what to do after he pulled the permit.

Mr. George Oliva, Building Inspector, recommended a 35-day extension for the permit application to go through. He confirmed the property was vacant and boarded.

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

**Case: CE08121202**

2721 East Oakland Park Boulevard  
2727 East Oakland Park Boulevard LLC

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 order had been recorded.

Mr. Thomas Handy, receiver, requested a 60-day extension. He reported that all electrical work was complete. The permit for mechanical violation had been returned for corrections and they had hired an engineer to work out those issues. Mr. Handy said an engineer had performed destructive testing and they were soliciting bids from contractors to re-do all of the stucco.

Mr. Burt Ford, Building Inspector, said he spoke often with Mr. Handy and recommended a 98-day extension.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton to grant a 98-day extension to 9/28/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

**Case: CE05100987**

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

This case was first heard on 4/27/10 to comply by 6/22/10. 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 6/23/10. Service was via posting on the property on 6/3/10 and at City Hall on 6/11/10.

Mr. Hagne Murray, owner, said he had been out of town caring for his ailing mother and someone else had been tending the property. This person had apparently replaced the window without a permit. Mr. Murray said the permit application had been submitted, and requested 30 days.

Mr. George Oliva, Building Inspector, confirmed that the permit applications had been submitted. He recommended a 35-day extension.

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

**Case: CE09031097**

425 Northeast 8 Street  
Ralph L Lynch

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 Lionel Lynch, owner, said the window contractor had installed the clips on 4/23/10 but he had been distracted by a family medical issue and had not inspected the clip installation. When he showed photos to the engineer, he confirmed that the clips had not been installed properly.

Mr. Burt Ford, Building Inspector, said this issue was not causing a violation right now, but must be taken care of and pass inspection or a new violation could be cited in the future for expired permit. At this time, the stucco permit must be renewed. Inspector Ford said he would not oppose an extension. Mr. Lynch said the owner of the stucco company was terminally ill and he must find a general contractor to do the job. He requested 60 days.

Mr. Ryan Shipp, bank representative, reported the property was in foreclosure.

Inspector Ford did not object to the request for a 63-day extension.

**Motion** made by Mr. Thilborger, seconded by Ms. Hinton to grant a 63-day extension to



8/24/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

**Case: CE09101786**

155 Isle of Venice # 303  
National City Mortgage Co  
C/O National City Mortgage Co

This case was first heard on 5/25/10 to comply by 6/22/10. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Ms. Christine Marittille, realtor, stated she was managing this foreclosure property. She had received one bid and was waiting for another. She requested time to receive the bid, get approval from the bank and have the work done.

Mr. Burt Ford, Building Inspector, said he had met with one of the contractors and compliance would require completing work and renewing permits. He recommended a 63-day extension.

**Motion** made by Ms. Sheppard, seconded by Mr. Thilborger to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion passed 7 - 0.

**Case: CE09041840**

3006 Southwest 15 Avenue  
David Eiler & Donald Stevens

This case was first heard on 5/25/10 to comply by 6/22/10. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Donald Stevens, owner, said he had selected a contractor, who planned to submit permit applications in approximately 10 days.

Mr. Ryan Shipp, bank representative, stated the bank was represented to protect its interests.

Mr. Gerry Smilen, Building Inspector, reported nothing had happened at the property. He said the fence must either be permitted or removed. If the owner provided proof a contractor had been hired, Inspector Smilen would support a 35-day extension. Mr. Stevens said he had hired the contractor the previous week but did not have the contract with him. Mr. Stevens said he intended to keep the property.

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard to grant a 35-day extension to 7/27/10, during which time no fines would accrue. In a roll call vote, motion **failed** 3 – 4 with Mr. Dooley, Mr. Elfman, Ms. Hinton and Chair Mitchell opposed.

**Case: CE06031659**

1716 Southwest 10 Street  
Thomas P Lanigan

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

Mr. Thomas Patrick Lanigan, owner, stated he had hired contractors and had permit applications pending for the two outstanding violations. He presented copies of the documents and requested 63 days.

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

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion passed 6 – 1 with Ms. Sheppard opposed.

**Case: CE08080683**

1538 Northeast 3 Avenue  
Tyler Tuchow

This case was first heard on 10/27/09 to comply by 1/26/10. 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 6/23/10. Certified mail sent to the owner was accepted on 6/10/10.

Mr. Tyler Tuchow, owner, reported he had submitted the permit applications the previous week, and requested a 98-day extension. He stated he had cleaned the property and it was being painted that week. Mr. Tuchow reminded the Board that he was under Chapter 11 bankruptcy.

Mr. Burt Ford, Building Inspector, confirmed the electrical and plumbing permits had failed, and there were other issues that must be addressed. He listed the remaining violations that remained open, and said he would not oppose a 98-day extension.

**Motion** made by Ms. Sheppard, seconded by Mr. Elfman, to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a roll call vote, motion passed 4 – 3 with Mr. Dooley, Ms. Ellis and Mr. Thilborger opposed.

**Case: CE08100204**

5890 Northeast 21 Drive  
Nino Barone

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 fines had accrued to \$2,700.

Mr. Nino Barone, owner, said he had been unaware he needed to call for a final structural inspection. He agreed to call in for this.

Mr. Burt Ford, Building Inspector, confirmed that Mr. Barone needed a building final inspection. He recommended a 35-day extension.

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

**Case: CE09011955**

1440 Southwest 30 Street  
Syndle Kirkland

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 a \$2,160 fine, which would continue to accrue until the property complied. Service was via posting on the property on 6/3/10 and at City Hall on 6/11/10.

Mr. Andrew Roberts, ex-fiancé of the owner, said plans and the survey had been submitted and returned for changes and the architect had made the changes. Mr. Roberts needed to resubmit the plans, which he said he could do this week. He requested 63 days.

Mr. Gerry Smilen, Building Inspector, remarked that the plans had been out for a while, and he supported a 63-day extension.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion passed 7 – 0.

**Case: CE07101002**

500 Southwest 11 Street  
Rick Lentz

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 order had been recorded. Personal service was made to the owner on 6/3/10.

Mr. Rick Lentz, owner, said he had submitted the permit application the previous day. He described problems he had experienced with contractors.

Mr. Thilborger left the dais at 10:25

Mr. Gerry Smilen, Building Inspector, confirmed that the paperwork for renewal of the mechanical permit had been submitted the previous day.

**Motion** made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 35-day extension to 7/27/10, during which time no fines would accrue. In a voice vote, with Mr. Thilborger absent from the dais, motion passed 6 – 0.

Mr. Thilborger returned to the dais at 10:27

The Board took a brief break

**Case: CE03011956**

812 Northwest 15 Terrace  
Keith A Martin

Service was via posting on the property on 6/3/10 and at City Hall on 6/11/10.

This was a request to Vacate the Claim of Lien dated 8/26/03.

**Motion** made by Chair Mitchell, seconded by Mr. Elfman, to vacate the Claim of Lien dated 8/26/03. In a voice vote, with Ms. Sheppard absent from the dais, motion passed 6 – 0.

Ms. Paris explained that Case CE03011956 had been opened to address the violations listed in the agenda. On 3/30/05, Inspector Wayne Strawn had opened Case CE05032016 to address the issues in this case, plus a Special Magistrate Case CE03020924. On 3/16/06, Inspector Strawn had closed Case CE05032016 and opened Case CE06030776 to update the violation numbers to be current with the Florida Building Code. On 6/24/08, the 2006 case had gone to the Code Board in compliance and the Board had abated any fines. Ms. Paris explained that this was a duplicate case; all of the violations had been complied in a later case, for which the Code Board had abated the fines. The City was requesting that the \$275,700 in fines be abated.

**Motion** made by Ms. Ellis, seconded by Mr. Thilborger, to abate the fine. In a voice vote, with Ms. Sheppard absent from the dais, motion passed 6 – 0.

Ms. Sheppard returned to the dais at 10:37

**Case: CE08031925**

1640 Northwest 25 Avenue  
Roberta Banks

This case was first heard on 10/28/08 to comply by 11/25/08. Violations and extensions were as noted in the agenda. The property was complied and the order had been recorded. The respondent had waived her right to notification of a hearing to impose

fines.

Ms. Valarie Adebayo, the owner's daughter, waived her right to notification of a hearing to impose fines.

Mr. Burt Ford, Building Inspector, stated the property was complied, and requested \$260 for administrative costs.

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

**Case: CE08121112**

410 Southwest 7 Street  
Stewart Donaldson

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 \$1,575 fine, which would continue to accrue until the property complied. Service was via posting on the property on 6/8/10 and at City Hall on 6/11/10.

[The owner had stepped out so the Board heard another case.]

Upon returning to the case, Mr. Stewart Donaldson, owner, said he had received the engineering report that indicated the roofing work was not done to code. Mr. Donaldson had contacted the roofing company and furnished them with a copy of the engineer's report. He had asked the contractor to contact Inspector Smilen, pull a permit and replace the roof. The contractor had indicated on the phone that he would do this, but had never acted. Mr. Donaldson had filed a complaint with the State. Mr. Donaldson requested 30 – 45 days.

Mr. Gerry Smilen, Building Inspector, said the City's main concern was for Mr. Donaldson to get a permit and have the work completed. He suggested Mr. Donaldson find a new roofer and apply for a permit.

**Motion** made by Ms. Ellis, seconded by Ms. Sheppard, to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a roll call vote, motion passed 4 – 3 with Mr. Dooley, Mr. Elfman and Ms. Hinton opposed.

**Case: CE08071578**

1731 Northeast 3 Ave  
Todd D Volpe

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

Mr. Todd Volpe, owner, requested additional time. He said he had contacted the contractor and needed to resubmit permits. Mr. Volpe said there had been no conversion from a duplex to a triplex. He stated there was a separate door to the bedroom in the 1-bedroom/one-bath and this was confused with a separate efficiency. Chair Mitchell said the Board had already found that the conversion violation existed as cited and Mr. Volpe must address this with the inspector. Mr. Volpe said he had been unable to reach the contractor. He had received new drawings from the architect but needed the contractor to resubmit the new drawings.

Mr. Volpe informed Ms. Ellis that he lived in one of the units. Ms. Ellis advised Mr. Volpe to consult with Inspector Ford regarding how to proceed.

Mr. Volpe asked if complaints were submitted anonymously. Ms. Ellis said this did not concern the Board. Mr. Volpe said photos had been taken from his property, and the inspector had not had his permission to enter the property.

Mr. Burt Ford, Building Inspector, said at the last hearing, he had asked Mr. Volpe to call him to arrange a meeting, but Mr. Volpe had never called him. Inspector Ford reported the plans for the rear decks had failed in July 2009 and nothing had been done since then. Inspector Ford said he would only support a 35-day extension to see if any progress was made. He stated he was still willing to meet with the owner.

Chair Mitchell explained to Mr. Volpe that the Board was an independent group of people who were charged with determining whether or not the violations for which properties had been cited existed. Chair Mitchell urged Mr. Volpe to work with Inspector Ford to correct the violations. Mr. Volpe agreed to contact Inspector Ford.

**Motion** made by Chair Mitchell, seconded by Ms. Hinton, to grant a 63-day extension to 8/24/10, during which time no fines would accrue. In a voice vote, motion **failed** 2 – 5 with Mr. Dooley, Mr. Elfman, Ms. Ellis, Mr. Thilborger, and Ms. Sheppard opposed.

**Case: CE07030519**  
2406 Flamingo Ln  
Gloria M Gaviria &  
Oscar M Santos

This case was first heard on 7/22/08 to comply by 8/26/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$132,600 fine, which would continue to accrue until the property complied. Service was via posting on the property on 6/7/10 and at City Hall on 6/11/10.

**Motion** made by Ms. Ellis, seconded by Ms. Hinton, to find the violations were not complied by the Order date, and to impose the \$132,600 fine, which would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 – 0.

**Case: CE07060475**

1380 Southwest 34 Avenue  
Bernardo Rodriguez &  
Marena Moreira

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 City was requesting imposition of a \$18,900 fine, which would continue to accrue until the property complied. Personal service was made to the owner on 6/7/10.

**Motion** made by Ms. Sheppard, seconded by Ms. Ellis, to find the violations were not complied by the Order date, and to impose the \$18,900 fine, which would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 – 0.

**Case: CE09031524**

1009 Northwest 5 Street  
Stephen Sparks

This case was first heard on 3/23/10 to comply by 5/25/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,400 fine, which would continue to accrue until the property complied. Service was via posting on the property on 6/8/10 and at City Hall on 6/11/10.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to find the violations were not complied by the Order date, and to impose the \$5,400 fine, which would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 – 0.

**Case: CE10020005**

1432 Southwest 30 Street  
Deutsche Bank Natl Tr Co Trstee  
C/O HomEq Servicing

This case was first heard on 4/27/10 to comply by 6/22/10. 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 6/23/10. Service was via posting on the property on 6/8/10 and at City Hall on 6/11/10.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 6/23/10 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7 – 0.

**Case: CE08020083**

1750 Northeast 52 Street  
Christine Miller

This case was first heard on 5/25/10 to comply by 6/22/10. 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 6/23/10. Service was via posting on the property on 6/7/10 and at City Hall on 6/11/10.

**Motion** made by Ms. Sheppard, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 6/23/10 and would continue to accrue until the violations were corrected. In a roll call vote, motion passed 4 – 3 with Mr. Dooley, Ms. Ellis and Mr. Thilborger opposed.

The Board took lunch break from 11:08 to 11:33.

**Case: CE09050135**

2901 Northeast 33 Avenue # 2C  
Jonathan Keith

Service was via posting on the property on 6/1/10 and at City Hall on 6/11/10.

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. KITCHEN HAS BEEN REMODELED.
2. BATHROOMS HAVE BEEN REMODELED.

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 BATHROOM REMODELING.
2. A WATER HEATER HAS BEEN INSTALLED IN A BEDROOM CLOSET.

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 BATHROOM REMODELING.
2. WIRES AND AN EXTENSION CORD ARE RUNNING THROUGH THE WALLS TO POWER EQUIPMENT.
3. NEW LIGHT FIXTURES HAVE BEEN INSTALLED.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.



Inspector Ford submitted photos of the property into evidence and recommended ordering compliance within 63 days or a fine of \$20 per day, per violation.

Mr. Jonathan Keith, owner, said he was struggling financially. He said the work had been done prior to his ownership of the property. Mr. Keith acknowledged that work was not progressing as quickly as Inspector Ford would like, but he needed additional time. He requested a minimum of 120 days.

Chair Mitchell was very concerned about life safety issues such as the light fixture hanging in the shower and the scorched electrical outlet. Mr. Keith said he could take care of the shower light and the electrical cord that had caused the problem had already been removed from the scorched outlet. Mr. Keith said the only work he had done at the property was to install marble flooring.

**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 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: CE08011531**

1564 Southwest 28 Avenue  
Juan & Suzanne Jimenez

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 SINGLE FAMILY DWELLING WAS ALTERED IN THE FOLLOWING MANNER WITHOUT PERMITS:

1. A WHOLE ROOF STRUCTURE HAS BEEN ERECTED ON TOP OF THE EXISTING BUILDING.
2. NEW WINDOWS AND DOORS HAVE BEEN INSTALLED.
3. THE FRONT PORCH IS BEING ENCLOSED.
4. A SHED HAS BEEN INSTALLED ON THE PROPERTY.

FBC(2007) 105.4.11

A NEW A/C CONDENSING UNIT HAS BEEN INSTALLED WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC(2007) 105.4.5

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

1. PREMISE WIRING HAS BEEN INSTALLED.
2. EXTERIOR FIXTURES HAVE BEEN ADDED.
3. ELECTRICAL CONNECTIONS FOR THE NEW CONDENSING UNIT.

FBC(2007) 1612.1.2

THE ROOF STRUCTURE AND ADDED WALLS HAVE NOT BEEN

PROVEN TO SUFFICIENTLY WITHSTAND ESTIMATED OR  
ACTUAL IMPOSED DEAD, LIVE, WIND OR ANY OTHER LOADS  
THROUGH THE PERMIT AND INSPECTION PROCESS.

Inspector Smilen stated the case was originally opened on 1/28/08 by an inspector who witnessed work being done without permits and issued a stop work order. Inspector Smilen said no progress had been made since the stop work order had been issued. Plans and applications had been submitted on 12/20/08 and a permit issued on 7/10/09. The permit had expired and was renewed on 1/6/10. The house remained open and incomplete while occupied. Inspector Smilen said the permit would expire again in July 2010. He submitted photos of the property into evidence, and recommended ordering compliance within 90 days or a fine of \$15 per day, per violation.

Mr. Juan Jimenez, owner, said the reason he had not completed work was that he had run out of money. He requested additional time. Mr. Jimenez said the roof had straps. He estimated he would be financially prepared to continue work in the next three weeks.

Inspector Smilen said the work must be completed and inspected. Mr. Jimenez could do the work himself.

**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 35 days, by 7/27/10 or a fine of \$20 per day, per violation, would begin to accrue, and to record the order. Motion died for lack of a second.

**Motion** made by Mt. Thilborger, 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 8/24/10 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: CE09030410**

2504 Northwest 21 Street  
HSBC Bank USA N A Trustee  
Litton Loan Services

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

1. ILLEGAL ENCLOSURE OF TWO OPEN PORCHES FOR UNITS  
A & B.
2. TWO CENTRAL A/C'S WERE INSTALLED.
3. WINDOWS AND ENTRANCE DOORS WERE 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. TWO CENTRAL A/C'S WERE INSTALLED WITH DUCT WORK AND ELECTRICAL HEATERS.

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 AND THE WATER HEATERS 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 TWO CENTRAL A/C'S WITH THE ELECTRIC HEATERS AND ADDITIONAL LIGHTS AND WALL OUTLETS IN THE ENCLOSED PORCH THAT HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING THROUGH THE PERMITTING PROCESS.

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 STRUCTURE FOR THE PORCH CONVERSIONS 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 THEY MUST BE REMOVED.

FBC(2007) 1612.1.2

ALL THE WINDOW 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 DOORS 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 bank attorney, and they agreed that the enclosure would be removed. Inspector Oliva recommended ordering compliance within 98 days or a fine of \$50 per day, per violation and to record

the order.

Mr. Ronald Kaufman, attorney, said the property was still occupied, so the bank could not currently access the property to do the work. The next step was to have the Sheriff issue writs of possession, which could take a couple of months. Mr. Kaufman informed Mr. Elfman that he was not aware of a lease in effect.

**Motion** made by Mr. Elfman, 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 98 days, by 9/28/10 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.

**Case: CE09111017**

340 Southwest 29 Terrace  
Etta M Priester & Jeff Mack

Personal service was made to the owner on 5/26/10.

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 ROOF WAS REDONE WITH AN EXPIRED PERMIT.

**COMPLIED 3/22/10.**

2. THE FRONT WINDOWS WERE REPLACED, AND THE OPENING WAS REDUCED WITH WOOD AND STUCCO.

FBC(2007) 109.10

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

FBC(2007) 1612.1.2

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

FBC(2007) 1626.1

THE NEW WINDOWS 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 stated the roof permit had been reissued, so the roof was in compliance. The only thing missing was the two windows and the closure of the window opening. Inspector Oliva recommended ordering compliance within 98 days or a fine of \$10 per day, per violation.

Ms. Etta Priester, owner, requested 98 days to get the windows done and comply. Inspector Oliva had spoken with Ms. Priester's son and agreed to work with him regarding the window permits.

**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 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 6 – 1 with Ms. Ellis opposed.

**Case: CE10031789**

1515 Southwest 20 Street  
Russell E Fraser, Jr &  
Julia F Fraser, & Mary-M Kral

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

Mr. Gerry Smilen, Building Inspector, testified to the following violation:  
FBC(2007) 105.4.1

THE PROPERTY HAS BEEN ALTERED WITH THE  
CONSTRUCTION OF DOCKS COMPLETED WITHOUT PERMITS.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. Inspector Smilen said the case was originally opened in May 2004 for work without permits. The case was transferred to Inspector Smilen in December 2009 and he had corresponded with Construction Manager Bill Lutzko regarding what must be done. The case had been reopened on March 16, 2010 due to building code updates. Inspector Smilen recommended ordering compliance within 98 days or a fine of \$25 per day. He explained that he was recommending 98 days because when dealing with docks, approvals were required from multiple agencies.

Ms. Corinne Keegan, employee, said the business owner was in the hospital and the general manager was in Canada and she was requesting additional time. Ms. Keegan said they had begun to do the work last year, but had needed to hook up to the City's sewer system, which had cost approximately \$50,000. She requested at least 90 days because of all of the agencies that were involved.

**Motion** made by Mr. Thilborger, seconded by Ms. Sheppard to find for the City that the violation existed as alleged and to order the property owner to come into compliance within 98 days, by 9/28/10 or a fine of \$25 per day would begin to accrue, and to record the order. In a voice vote, motion passed 6 – 1 with Ms. Ellis opposed.

**Case: CE09081198**

505 Southeast 20 Street  
Nesley Laird

Personal service was made to the owner on 6/3/10.

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

FBC(2007) 105.1

THE TWO STORY DUPLEX HAS BEEN ALTERED TO ADD AN ADDITIONAL EFFICIENCY APARTMENT WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC(2007) 105.4.4

THE PLUMBING SYSTEM HAS BEEN ALTERED BY ADDING A KITCHENETTE AND VARIOUS PIPING WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED WITHOUT A PERMIT BY ADDING THE EFFICIENCY APARTMENT.

FBC(2007) 110.1.1

THE USE AND OCCUPANCY OF THE TWO STORY DUPLEX BUILDING HAS CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION WITHOUT OBTAINING THE REQUIRED CERTIFICATE OF OCCUPANCY.

FBC(2007) 708.1 1.

THE FIRE SEPARATION BETWEEN THE EFFICIENCY UNIT AND THE OTHER TWO RESIDENTIAL UNITS HAS NOT BEEN VERIFIED THROUGH THE PERMIT AND INSPECTION PROCESS.

Inspector Smilen said this case had been opened as the result of a complaint. He stated plans had been picked up for corrections on May 7, 2010 and never returned. 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 \$20 per day, per violation.

Mr. Nesley Laird, owner, said the plans had been submitted and returned three times. He requested 90 days. Mr. Laird confirmed that someone was living in the efficiency unit. He informed Chair Mitchell that he had not converted the efficiency but he had updated it.

**Motion** made by Mr. Thilborger, 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 63 days, by 8/24/10 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.

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

**Case: CE10052116**

600 Northeast 7 Avenue # 5  
Daniel J Meneses

Certified mail sent to the owner was accepted on 6/5/10.

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

FBC(2007) 105.4.1

THE FIFTEEN UNIT CONDOMINIUM BUILDING HAS BEEN ALTERED WITH THE CONVERSION OF A DESIGNATED OFFICE TO EFFICIENCY UNITS WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC(2007) 105.4.4

PLUMBING FOR A KITCHENETTE HAS BEEN INSTALLED IN AN EFFICIENCY UNIT WITHOUT A PERMIT.

FBC(2007) 110.1.1

THE OCCUPANCY USE FOR THE CONDOMINIUM BUILDING WAS APPROVED FOR FIFTEEN UNITS. THE OCCUPANCY HAS CHANGED TO EXCEED THE APPROVED NUMBER OF UNITS BY CONVERTING THE DESIGNATED OFFICE INTO HABITABLE SPACE.

Inspector Smilen stated this case had been opened as the result of a complaint. He had verified that the illegal unit had been vacated. Inspector Smilen submitted photos of the property into evidence, and showed a layout of the property and indicated the illegal unit. He recommended ordering compliance within 63 days or a fine of \$20 per day, per violation.

Mr. Daniel Jay Meneses, owner, said the changes were made before he purchased his unit and became condo president. As soon as he was aware of the violation, he had made arrangements to have the premises vacated and contacted a contractor. Mr. Meneses said there were discrepancies regarding the plans and how many units there were. He informed the Board that one-third of the units were in foreclosure so the association was seriously strapped for cash. Mr. Meneses stated the door with number 16 on it was actually the back entrance to unit 1. Number 17 was the efficiency, and he had understood when he became president that it was the property of the association that they could rent out. Mr. Meneses said he would be willing to allow Inspector Smilen to inspect 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 35 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 roll call vote, motion **failed** 3 – 4 with Mr. Dooley, Mr. Elfman, Ms. Hinton and Chair Mitchell opposed.

**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 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: CE10052119**

600 Northeast 7 Avenue # 2  
Amy L Schaak

Service was via posting on the property on 6/3/10 and at City Hall on 6/11/10.

Mr. Gerry Smilen, Building Inspector, testified to the following violations:  
FBC(2007) 105.4.1

THE FIFTEEN UNIT CONDOMINIUM BUILDING HAS BEEN ALTERED WITH THE CONVERSION OF A DESIGNATED OFFICE TO EFFICIENCY UNITS WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC(2007) 105.4.4

PLUMBING FOR A KITCHENETTE HAS BEEN INSTALLED IN AN EFFICIENCY UNIT WITHOUT A PERMIT.

FBC(2007) 110.1.1

THE OCCUPANCY USE FOR THE CONDOMINIUM BUILDING WAS APPROVED FOR FIFTEEN UNITS. THE OCCUPANCY HAS CHANGED TO EXCEED THE APPROVED NUMBER OF UNITS BY CONVERTING THE DESIGNATED OFFICE INTO HABITABLE SPACE.

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, per violation.

**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 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: CE10052117**

600 Northeast 7 Avenue # 7  
Eva Maria Karlsson

Personal service was made to the owner on 6/2/10.

Mr. Gerry Smilen, Building Inspector, testified to the following violations:  
FBC(2007) 105.4.1

THE FIFTEEN UNIT CONDOMINIUM BUILDING HAS BEEN ALTERED WITH THE CONVERSION OF A DESIGNATED OFFICE



TO EFFICIENCY UNITS WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC(2007) 105.4.4

PLUMBING FOR A KITCHENETTE HAS BEEN INSTALLED IN AN EFFICIENCY UNIT WITHOUT A PERMIT.

FBC(2007) 110.1.1

THE OCCUPANCY USE FOR THE CONDOMINIUM BUILDING WAS APPROVED FOR FIFTEEN UNITS. THE OCCUPANCY HAS CHANGED TO EXCEED THE APPROVED NUMBER OF UNITS BY CONVERTING THE DESIGNATED OFFICE INTO HABITABLE SPACE.

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, per violation.

**Motion** made by Mr. Thilborger, 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 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: CE08061524**

1650 Northeast 60 Street  
Joseph F Quaratella

Personal service was made to the owner on 6/7/10.

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 STRUCTURE HAS BEEN BUILT IN THE BACK OF THE PROPERTY WITH A PITCHED SHINGLE ROOF.
2. WINDOWS HAVE BEEN INSTALLED ON THE STRUCTURE.
3. ACCORDIAN SHUTTERS HAVE BEEN INSTALLED ON THE STRUCTURE.
4. KITCHEN CABINETS AND AN EAT-IN BAR HAVE BEEN INSTALLED IN THE STRUCTURE.
5. THE EXISTING FENCE HAS HAD AN EXTENSION ATTACHED TO THE TOP THAT INCREASES THE TOTAL HEIGHT ABOVE THE SIX FOOT SIX INCH LIMIT.

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 INSTALLED IN THE

- KITCHEN IN THE BACKYARD STRUCTURE.  
2. KITCHEN APPLIANCES HAVE 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, PIPING, OUTLETS, FIXTURES, ETC. HAVE BEEN INSTALLED IN THE BACKYARD STRUCTURE.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC(2007) 1612.1.2

THE STRUCTURE IN THE BACKYARD HAS NOT BEEN PROVEN TO SUFFICIENTLY WITHSTAND ESTIMATED OR ACTUAL IMPOSED DEAD, LIVE, WIND, OR ANY OTHER LOADS 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, and recommended ordering compliance within 98 days or a fine of \$5 per day, per violation.

Mr. Joseph Ieracitano, contractor, requested the opportunity to go before the Board of Adjustment to find out how much of the building must be removed. He requested 98 days. Mr. Ieracitano said they had picked up plans from the architect that morning and were about to apply to the Board of Adjustment.

Mr. Joseph Quaratella, owner, said they had decided to request a variance when they realized the building was encroaching in the setback. He had compiled all of the documents for the Board of Adjustment.

**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 98 days, by 9/28/10 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.

Ms. Paris informed the Board that the bank attorney for the previous case was present and had missed the opportunity to speak.

**Motion** made by Ms. Ellis, seconded by Ms. Sheppard, to reconsider the Board's action on the previous case. In a voice vote, motion passed 7 – 0.

Ms. Sonya Etheridge, bank representative, said she did not object, she wanted the Board to know that the property was in foreclosure and bank had an interest in the property.

**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 98 days, by 9/28/10 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.

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

**Case: CE09011013**

1544 Northeast 3 Avenue  
Goran Dragoslavic

Personal service was made to the owner on 5/19/10.

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 GARAGE IS BEING CONVERTED INTO LIVING SPACE.
2. A COMPLETE INTERIOR REMODELING JOB HAS BEGUN.
3. INTERIOR WALLS ARE BEING REFRAMED, REMOVED, OR ADDED.
4. THE KITCHEN IS BEING REMODELED.
5. ALL BATHROOMS ARE BEING REMODELED.
6. DRYWALL HAS BEEN REMOVED AND WILL HAVE TO BE REINSTALLED.
7. NEW WINDOWS AND DOORS ARE BEING INSTALLED.
8. WINDOW OPENINGS HAVE BEEN FRAMED IN.

FBC(2007) 105.4.11

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

1. A/C SYSTEM HAS BEEN INSTALLED IN THE GARAGE CONVERSION.
2. WINDOW A/C UNITS HAVE 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 ARE BEING INSTALLED DURING THE KITCHEN REMODELING.
2. PIPING AND FIXTURES ARE BEING INSTALLED DURING THE BATHROOM REMODELING.
3. PIPING AND FIXTURES HAVE BEEN INSTALLED IN THE GARAGE CONVERSION.
4. 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 ARE BEING ALTERED/ADDED DURING THE KITCHEN REMODELING.
2. CIRCUITS ARE BEING ALTERED/ADDED DURING THE BATHROOM REMODELING.
3. NEW FIXTURES, SWITCHES, WIRE, AND OUTLETS ARE BEING INSTALLED IN THE GARAGE CONVERSION AND THROUGHOUT THE BUILDING.

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 stated a previous owner had done the work and he had agreed to allow the current owner to pull a demolition permit for the demolition work that had already been done. The owner could apply for the building permits when he planned on doing the work. Inspector Ford recommended ordering compliance within 63 days or a fine of \$20 per day, per violation. Inspector Ford said the exterior of the property was clean and secure.

Mr. Goran Dragoslavic, owner, said he had purchased the property in this condition and he was willing to pull the permit for the demolition that had already been done. When he decided to do the work, he would hire an architect and go through the permitting process. Mr. Dragoslavic stated he was maintaining the lawn and the trash.

Inspector Ford said one of the windows had been replaced. He did not believe this would be a problem, and Mr. Dragoslavic noted that the window was not visible. Chair Mitchell said he was concerned that the window would blow out in a hurricane. Inspector Ford said a window and door application was very easy to acquire, and offered to meet with Mr. Dragoslavic to go over what was needed.

Mr. Dragoslavic informed Chair Mitchell that he anticipated working on the house in approximately 6 months. Mr. Dragoslavic said the house looked very presentable on the outside.

**Motion** made by Mr. Elfman, 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 63 days, by 8/24/10 or a fine of \$50 per day, per violation, would begin to accrue, and to record the order. In a roll call vote, motion passed 5 – 2 with Mr. Dooley and Ms. Sheppard opposed.

**Case: CE01010525**

1315 Northwest 7 Street  
1311 Northwest 7 Street LLC

Personal service was made to the owner on 5/26/10.

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. 42 WINDOWS AND 15 EXTERIOR DOORS WERE REPLACED IN 2001.
2. WATER HEATERS AND PLUMBING FIXTURES IN ALL THE APARTMENTS.
3. CABINETS WERE REPLACED IN ALL THE APARTMENTS.

FBC(2007) 105.10.3.1

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

1. P#03120159 EXPIRED FOR PAVING.
2. P#03120154 EXPIRED FOR ELECTRIC FOR WALLS A/C.
3. P#03120145 EXPIRED FOR WALL UNITS.
4. P#01110418 EXPIRED FOR ELECTRICAL RENOVATIONS FOR THE APARTMENT COMPLEX.
5. P#01110414 EXPIRED FOR PLUMBING FIXTURES FOR THE COMPLEX.
6. P#01050789 EXPIRED FOR PERMITS FOR 42 WINDOWS AND 15 DOORS.

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 RENOVATIONS AND NEW FIXTURES FOR ALL THE APARTMENTS IN THE COMPLEX.

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. THE ELECTRICAL RUN FOR SEVEN WALL UNITS, AND THE ELECTRICAL RENOVATION FOR THE APARTMENT COMPLEX.

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. He stated the previous owner had done the work and been cited for the work. Inspector Oliva said the permits had been pulled between 2001 and 2003 but had expired. He explained the owner needed to renew the

permits and the City needed to inspect the property; if the work had not been done, the City would void the permit. He recommended ordering compliance within 98 days or a fine of \$50 per day, per violation and to record the order.

Mr. Goran Dragoslavic, owner, confirmed that he had not done the work at the property. He said he had pulled the permit for smoke detectors for both buildings and this should be completed in a couple of weeks.

Inspector Oliva said Mr. Dragoslavic had been working with him regarding all of his properties and he was pleased with how he was handling the situation.

**Motion** made by Ms. Sheppard, seconded by Mr. Dooley to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 98 days, by 9/28/10 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** 3 – 4 with Ms. Ellis, Ms. Hinton, Mr. Thilborger and Chair Mitchell opposed.

**Motion** made by Mr. Thilborger, 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 63 days, by 8/24/10 or a fine of \$50 per day, per violation, would begin to accrue, and to record the order. In a roll call vote, motion passed 5 – 2 with Mr. Dooley and Ms. Sheppard opposed.

**Case: CE06061099**

3321 Northwest 67 Street  
Thomas Scott & Patricia A Quina

Personal service was made to the owner on 6/3/10.

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

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

1. THERE IS A SHED THAT WAS INSTALLED IN THE REAR OF THE PROPERTY.
2. SOME OF THE WINDOWS WERE REPLACED WITH AN EXPIRED PERMIT.

FBC 106.10.3.1

THERE IS A BUILDING PERMIT P#06083252 FOR WINDOWS ISSUED NOVEMBER 8, 2006 AND FAILED FINAL INSPECTION DECEMBER 20, 2006. IT WAS LEFT TO EXPIRED.

FBC 1612.1.2

ALL THE WINDOW INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND

LOADING THROUGH THE PERMITTING PROCESS.

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

**Motion** made by Ms. 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 35 days, by 7/27/10 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.

**Case: CE09051930**

3513 Southwest 12 Court  
FI Attainable Home Co LLC

Certified mail sent to the owner was accepted on 6/4/10.

Mr. George Oliva, Building Inspector, testified to the following violations:  
FBC 1604.1

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

FBC 1612.1.2

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

FBC 1626.1

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

FBC(2007) 105.1

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

1. A SHED HAS BEEN BUILT ON THE REAR OF THE PROPERTY.
2. STUCCO WORK WAS DONE ON THE OUTSIDE OF THE PROPERTY.
3. RE-ROOF WITH SHINGLES WAS DONE.
4. STORM SHUTTERS WERE INSTALLED ON THE PREMISES.

FBC(2007) 105.10.3.1

THERE IS AN EXPIRED BUILDING PERMIT, WHICH FAILED INSPECTION AND/OR WAS LEFT TO EXPIRE:

1. P#06011690 FOR SHUTTERS, NO INSPECTIONS.

2. P#06011691 FOR STUCCO WORK FAILED INSPECTION  
2/14/06.
3. P#03041613 REROOF WITH SHINGLES APPROVED  
EXPIRED 4/18/03.

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, a copy of the permit history and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation and to record the order.

**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 7/27/10 or a fine of \$75 per day, per violation, would begin to accrue, and to record the order. In a voice vote, motion **failed** 1 – 6 with only Ms. Sheppard voting yes

Mr. Elfman informed the Board that the property was sold in foreclosure and the new owner had taken over in March. The lender was the City of Fort Lauderdale as part of the grant program.

**Motion** made by Mr. Dooley, seconded by Ms. 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 8/24/10 or a fine of \$20 per day, per violation, would begin to accrue, and to record the order. In a roll call vote, motion passed 4 – 3 with Ms. Ellis, Ms. Hinton and Mr. Thilborger opposed.

#### **Approval of Meeting Minutes**

[This item was heard out of order]

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

#### **Communication to the City Commission**

The Board was concerned about the case they had heard in which the City of Fort Lauderdale was the lender, through its loan program. Ms. Ellis said the City should be encouraged to bring their non-compliant properties into compliance. Mr. McKelligett pointed out that as a lender, the City had the same obligations as any other lender. As long as the property was occupied, the property was the responsibility of the owner. Ms. Ellis said the City should perform due diligence to determine if there were code liens on a property before loaning money on it.



By unanimous consensus, the Board expressed a concern that the City was loaning money on non-compliant property, leaving the City in jeopardy of acquiring the property back and having to bring it into compliance. The Board felt there must be a stopgap measure to ensure that the City did not put itself at risk.

**For the Good of the City**

[This item was heard out of order]

Ms. Paris announced that Code Supervisor Bradley was retiring.

Ms. Paris read communication from the City Clerk regarding the proper procedure for a Communication to the City Commission.

**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:

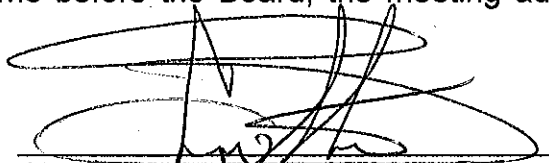
CE07070192                      CE09071067                      CE04050001

**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:

CE09060371                      CE09090282                      CE09121499                      CE08071938  
CE08100726                      CE04090572                      CE09091113                      CE08051216

There being no further business to come before the Board, the meeting adjourned at **1:33 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.