

**CODE ENFORCEMENT BOARD**  
**CITY COMMISSION MEETING ROOM**  
**100 NORTH ANDREWS AVENUE**  
**FEBRUARY 22, 2011**  
**9:00 A.M. – 12:38 P.M.**

| <b><u>Board Members</u></b> | <b><u>Attendance</u></b> | <b>Cumulative attendance<br/>2/2011 through 1/2012</b> |                      |
|-----------------------------|--------------------------|--|----------------------|
|                             |                          | <b><u>Present</u></b>                                  | <b><u>Absent</u></b> |
| Jan Sheppard, Chair         | P                        | 1  | 0                    |
| Howard Nelson, Vice Chair   | P                        | 1  | 0                    |
| Howard Elfman               | P                        | 1  | 0                    |
| Genia Ellis                 | A                        | 0  | 1                    |
| Joan Hinton                 | P                        | 1  | 0                    |
| Sam Mitchell                | P                        | 1  | 0                    |
| Chad Thilborger             | P                        | 1  | 0                    |
| Paul Dooley [Alternate]     | P                        | 1  | 0                    |
| Joshua Miron [Alternate]    | P                        | 1  | 0                    |

**Staff Present**

Bruce Jolly, Board Attorney  
Ginger Wald, Assistant City Attorney  
Brian McKelligett, Clerk /Code Enforcement Board Supervisor  
Dee Paris, Administrative Aide  
Yvette Ketor, Secretary, Code Enforcement Board  
Deb Maxey, Clerk III  
George Oliva, Building Inspector  
Burt Ford, Building Inspector  
Gerry Smilen, Building Inspector  
Lori Grossfeld, Clerk III  
Junia Robinson, Haitian Programs Coordinator [interpreter]  
J. Opperee, Recording Secretary

**Communication to the City Commission**

None

**Respondents and Witnesses**

CE10061265; CE10081762: Danielle Levin, bank representative  
CE08021545: Jerome Petrisko, owner  
CE09072678: Karen Black-Barron, bank attorney  
CE07110906: Johnnie McCullough, owner; Odessa Graham, owner  
CE09011970: Joey Partin, owner  
CE06032073: John Allen, owner

CE08101015: Mellyzye Haas, co-owner  
CE08121189: Elmer Generotti, attorney; Joyce Phillips, Board President; Taisto Pesola, tenant; Anne Rosse; Linda Waldbaker, unit owner; Robert Kolaja, unit owner; Benjamin Ian, unit owner  
CE09040018: Eve Kearse, owner  
CE10030032: Robert Symington, owner  
CE10052119; CE10052116; 10052117: Daniel Meneses, President of association  
CE09021699: Marcia Davis, contractor  
CE08050335: Jeffrey Waters, owner  
CE09072678: Sonia Souffrant, owner; Wilky Dorelien, owner  
CE08061524: Joseph Quaratella, owner; Joseph Ieracitano, contractor  
CE10100039: Robert Belson, owner  
CE10082026: Aron Echols, owner  
CE10090682: Teresa Lilly, property manager  
CE09020070: Anthony Conetta, complainant; Gary Sieger, complainant; Stephanie Toothaker, owner's attorney; Allan Gutierrez, managing member; Robert Keesler, general manager  
CE10031742: Ramon Rodriguez, owner's representative  
CE10060295: Michael Devlin, owner

Chair Sheppard called the meeting to order at 9:03 a.m., introduced Board members and explained the procedures for the hearing.

Mr. Miron took Ms. Ellis' place on the dais in her absence.

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

**Case: CE08121189**

Motion for re-hearing

1525 Southeast 15 Street # 5  
SOUTH EAST ISLANDER APARTMENTS INC  
TENANT: TAISTO A PESOLA

Mr. Elmer Generotti, attorney on behalf of South East Islander Apartments Inc, requested the Board allow him to return at a future time to make a presentation regarding the facts and circumstances concerning the Order the Board had rendered on 1/25/11. Mr. Generotti believed the Board had not been provided sufficient information when it made its original decision because the members of the co-op association had been unaware that the action was being taken against them. In researching the complaint, Mr. Generotti had determined the City had been "proceeding against Mr. Pesola for various and sundry obligations and things that he had not done..."

While this was occurring, the notifications had been sent solely to Mr. Pesola, but on 1/25/11, the Code Enforcement Board had taken action against the South East Islander co-op board. Mr. Generotti felt this presented a question regarding due process and "the right to present operative testimony..."

Mr. Generotti explained there had been changes to Florida Law regarding co-ops, using the word "owner" instead of "tenant." There were also covenants running with the co-op documents that made the "owner" responsible for anything that occurred within his/her unit.

**Motion** made by Mr. Nelson, seconded by Ms Hinton, to grant the motion for re-hearing.

Mr. Miron asked who had been noticed regarding the violations. Ms. Wald stated the Notice of Violation and Notice of Hearing naming South East Islander Apartments Inc had been mailed to parties listed in the Division of Corporations. She clarified that the original violations from staff had Mr. Pesola's name on them, but when the case brought formally to the Code Enforcement Board, it was brought against South East Islander Apartments Inc.

In a voice vote, motion **passed** 7-0.

Ms. Wald suggested the Board vacate its previous Order.

**Motion** made by Mr. Nelson, seconded by Mr. Mitchell, to vacate the Board's Order dated January 25, 2011. In a voice vote, motion passed 7-0.

**Case: CE09040018**

3220 Northwest 63 Street  
KEARSE, EVE

This case was first heard on 3/23/10 to comply by 8/24/10. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Ms. Eve Kearse, owner, requested an extension. She explained her financial situation had not changed; she had a job as a crossing guard that paid \$102 per week. Ms. Kearse said she intended to deal with the driveway violation soon.

Mr. Mitchell asked if Ms. Kearse had converted the living space back to a garage, and Ms. Kearse stated she had not. She said she had not made the alterations cited in the violations. Mr. Nelson noted the Board had heard the case almost one year ago and converting the living space back to a garage should be easy to comply. Ms. Kearse promised that at her next appearance, the Board would see some violations being taken care of.

Burt Ford, Building Inspector, explained that the garage door was still intact, but drywall had been installed behind it. He noted several attempts he had made to contact Ms. Kearse regarding the violations before bringing the case to the Board. Inspector Ford thought it would take more than 28 days to comply the garage violation; he said there might be electrical and plumbing in the garage that required demo permits.

**Motion** made by Mr. Nelson, seconded by Mr. Miron to grant a 28-day extension to 3/22/11, during which time no fines would accrue. In a roll call vote, motion **failed** 3 – 4 with Ms. Hinton, Mr. Mitchell, Mr. Nelson and Mr. Thilborger opposed.

**Motion** made by Mr. Mitchell, seconded by Ms. Hinton to grant a 63-day extension to 4/26/11, during which time no fines would accrue. In a roll call vote, motion passed 4 – 3 with Mr. Elfman, Mr. Nelson and Mr. Thilborger opposed.

**Case: CE10061265**

536 W Melrose Cir  
FEDERAL NATIONAL MORTGAGE ASSN  
C/O MARSHALL C WATSON PA

This case was first heard on 9/28/10 to comply by 1/25/11. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Nelson declared he had a conflict regarding this case and recused himself.

Ms. Danielle Levin, bank representative, said the bank had received title to the property and she was unsure what her client had done, but they intended to apply for permits. Ms. Levin requested an extension.

Burt Ford, Building Inspector, said the bank had taken possession of the property in May 2010 and nothing had been done. He did not recommend an extension.

Mr. Mitchell said the Board had been informed at the last meeting that it was the bank's responsibility to comply the violations and asked Ms. Levin again what had been done. Ms. Levin reiterated that she did not know what steps her client had taken.

**Motion** made by Mr. Miron to grant a 28-day extension. Motion died for lack of a second.

**Case: CE10081762**

2000 Northwest 13 Avenue  
BAC HOME LOANS SERVICING LP  
C/O MARSHALL C WATSON PA

This case was first heard on 1/25/11 to comply by 2/22/11. Violations were as noted in the agenda. The property was not complied and the order had been recorded.

George Oliva, Building Inspector, said there was no compliance and he was concerned about the electrical service upgrade for which the permit had expired. He was concerned because there was a tenant on the property and he feared a fire could occur. He suggested bringing the case back as a Massey hearing in 28 days.

Ms. Danielle Levin, bank representative, stated the lender was Bank of America. Mr. Nelson asked if Ms. Levin's client had taken any action toward compliance and she said she was unaware of any action, and had also been unaware there was a tenant. Ms. Levin said they understood the gravity of the situation.

**Motion** made by Mr. Nelson to grant a 154-day extension. Motion died for lack of a second.

**Motion** made by Mr. Mitchell, seconded by Mr. Elfman to grant a 28-day extension to 3/22/11, during which time no fines would accrue. In a voice vote, motion **failed** 2 – 5 with Mr. Mitchell, Mr. Nelson, Mr. Thilborger, Mr. Miron and Chair Sheppard opposed.

**Case: CE08021545**

900 Northeast 26 Avenue  
SUNRISE INTRACOASTAL DENTAL CTR

This case was first heard on 11/24/09 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 a \$1,960 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 2/8/11.

Mr. Jerome Petrisko, owner, said his contractor was applying for the permits "as we speak" and the work would take approximately 10-14 days. Mr. Petrisko had brought documentation showing the financing was "in the bank" as of January 28. He explained that obtaining funding had been difficult because of his losses after the fire. Mr. Petrisko requested an extension.

Burt Ford, Building Inspector, said he had anticipated after the last hearing that the applications would be submitted by now. He opposed an extension.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to grant a 28-day extension to

3/22/11, during which time no fines would accrue. In a roll call vote, motion passed 5 – 2 with Mr. Mitchell and Mr. Nelson opposed.

**Case: CE08050335**

1061 Northwest 25 Avenue  
LINDER, JERON F JR

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. Ms. Paris noted that as of 7/9/10 the new owner was 1061 Northwest 25 Avenue Trust, Catalina Management LLC Trustee.

Mr. Jeffrey Waters, owner, stated he had submitted the plans and they had been approved on 2/16. He requested an extension.

Gerry Smilen, Building Inspector, confirmed that the corrected plans had been submitted on 2/16/11. He supported a 63-day extension.

**Motion** made by Mr. Mitchell, seconded by Mr. Miron to grant a 63-day extension to 4/26/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE09072678**

1109 Northwest 19 Street  
SOUFFRANT, SONIA H/E  
DORELIEN, WILKY

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, fines had accrued to \$540 and the order had been recorded.

Ms. Junia Robinson, Haitian Programs Coordinator, acted as interpreter for the owner, Mr. Wilky Dorelien. Mr. Dorelien said he had hired an architect who informed him everything was okay and he had submitted a plan to the City. Mr. Dorelien said he had found out that the problem still existed and when he spoke with the architect earlier he informed him he would submit the corrected plans today. Mr. Dorelien said the architect had all of the documents and “every day, he tells me something different.” Mr. Dorelien could not recall the last name of his architect.

Gerry Smilen, Building Inspector, said this had been dragging on for a long time. He said the plans had been taken out for corrections by Michael Phillpot on January 14. Inspector Smilen supported a 63-day extension.

Ms. Karen Black-Barron, bank attorney, said the property was in foreclosure and asked the Board to grant the extension.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 63-day extension to 4/26/11, during which time no fines would accrue. In a roll call vote, motion **failed** 3 – 4 with Mr. Elfman, Ms. Hinton, Mr. Mitchell and Chair Sheppard opposed.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 3/22/11, during which time no fines would accrue. In a roll call vote, motion **passed** 3 – 4 with Mr. Elfman, Mr. Mitchell and Chair Sheppard opposed.

**Case: CE08101015**

1522 Davie Blvd  
WASHINGTON MUTUAL BANK

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. Ms. Paris noted that since 9/25/09 the owner was TLC Experts Inc.

Ms. Mellyzye Haas, co-owner, explained her sister, who ran their business, had gone back to Brazil and been unable to return. She stated they had decided to sell the property and were maintaining it.

Gerry Smilen, Building Inspector, confirmed what Ms. Haas stated about her sister and about maintaining the property. He said he supported an extension to get someone to buy the property, take over the permits and complete the project.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 126-day extension to 6/28/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The following three cases at the same address were heard together:

**Case: CE10052116**

600 Northeast 7 Avenue # 5  
MENESES, DANIEL J

This case was first heard on 6/22/10 to comply by 8/24/10. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Daniel Meneses, President of Hibiscus House Association, said the work was complete and Inspector Smilen needed to re-inspect.

Gerry Smilen, Building Inspector, reported he had met with Mr. Meneses at the building and the unit that had been converted into a two-bedroom had been converted back. Mr.

Meneses had only needed to remove a blocked doorway, which Mr. Meneses stated was done.

**Motion** made by Mr. Mitchell, seconded by Ms. Hinton, to grant a 28-day extension during which time no fines would accrue.

Mr. Nelson wanted to vote on all three cases at once and the Board agreed. Mr. Jolly said no motion was needed.

In a voice vote, motion passed 7-0.

**Case: CE10052117**

600 Northeast 7 Avenue # 7  
KARLSSON, EVA MARIA

This case was first heard on 6/22/10 to comply by 8/24/10. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

28-day extension granted, during which time no fines would accrue.

**Case: CE10052119**

600 Northeast 7 Avenue # 2  
SCHAAK, AMY L

This case was first heard on 6/22/10 to comply by 8/24/10. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

28-day extension granted, during which time no fines would accrue.

**Case: CE06032073**

1518 Northeast 17 Terrace  
ALLEN, JOHN S

This case was first heard on 11/23/10 to comply by 1/25/11. Violations were as noted in the agenda. The property was complied and fines had accrued to \$200.

Mr. John Allen, owner, requested no fine be imposed. He said he had tried to get on the December agenda but had been unsuccessful.

**Motion** made by Mr. Nelson, seconded by Mr. Miron, to impose no fine. In a voice vote, motion passed 7-0.



**Case: CE09011970**

1133 Southwest 5 Place  
ACREE, BARBARA

This case was first heard on 1/26/10 to comply by 5/25/10. 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 2/23/11 and would continue to accrue until the property complied. Service was via posting on the property on 2/3/11 and at City Hall on 2/10/11. Ms. Paris noted that since 4/20/10 the new owners were Cameron Cook and Joey Partin.

Mr. Joey Partin, owner, said he had needed to hire a second architect. He stated he had submitted the revised plans the previous week and needed to supply some product approvals as well. Mr. Partin requested an extension.

Gerry Smilen, Building Inspector, confirmed that on 2/18 the corrected plans had been resubmitted. He recommended an extension.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 4/26/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE08061524**

1650 Northeast 60 Street  
QUARATELLA, JOSEPH F

This case was first heard on 6/22/10 to comply by 9/28/10. Violations and extensions were as noted in the agenda. The property was not complied and the order had been recorded.

Mr. Joseph Ieracitano, contractor, stated they were applying to the Board of Adjustment for a variance in April. He requested a 60-day extension.

Mr. Joseph Quaratella, owner, said they were requesting a variance regarding the rear setback.

Burt Ford, Building Inspector, said aside from the setback violation, the gazebo had been constructed without permits. The owner had indicated that some of the electrical work and plumbing had been removed, which also required permits. Inspector Ford stated permits would need to be pulled and the electrical removal would need to be inspected. He recommended a 63-day extension to see the outcome of the Board of Adjustment request.

Mr. Quaratella said he wanted to keep the building, but he would need to "do...what they tell me to do" if his request for a variance failed. In response to Mr. Mitchell's

question, Mr. Quaratella stated he had his plumbing and electrical contractors signed on to perform the illegal plumbing and electrical demolition work.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 4/26/11, during which time no fines would accrue. In a voice vote, motion passed 6 – 1 with Mr. Mitchell opposed.

**Case: CE07110906**

1132 Northwest 5 Court  
MCCULLOUGH, JOHNNY  
HALL, ODESSA

This case was first heard on 11/24/09 to comply by 5/25/10. 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 2/23/11 and would continue to accrue until the property complied. Service was via posting on the property on 2/4/11 and at City Hall on 2/10/11.

George Oliva, Building Inspector, reported the AC permit application had not been submitted yet.

Mr. Johnny McCullough, owner, said his permit had expired. He said he intended to renew the permit and have the work done. Mr. McCullough requested an extension.

Inspector Oliva recommended a 63-day extension.

**Motion** made by Mr. Mitchell, seconded by Mr. Thilborger to grant a 63-day extension to 4/26/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE09021699**

680 Southwest 29 Terrace  
TELCY, EUGENA

This case was first heard on 3/23/10 to comply by 4/27/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,020 fine, which would continue to accrue until the property complied. Personal service was made to the owner on 2/4/11.

Ms. Marcia Davis, contractor, stated the permits had expired. She explained the homeowner had suffered a stroke and was on a fixed income. The owner's son was trying to help.

George Oliva, Building Inspector, agreed the owner was in a bad financial situation. He confirmed there were no electrical or hurricane issues and recommended a 63-day extension.

**Motion** made by Mr. Mitchell, seconded by Ms. Hinton to grant a 63-day extension to 4/26/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The Board took a brief break.

**Case: CE10100039**

1717 Southwest 11 Court  
BELSON, ROBERT

Certified mail sent to the owner was accepted on 2/7/11.

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 INTERIOR OF THE PROPERTY HAS BEEN DEMOLISHED. MOST OF THE DRYWALL HAS BEEN REMOVED FROM THE WALLS AND CEILINGS.
2. PLUMBING AND ELECTRICAL FIXTURES WERE DISCONNECTED.
3. THE CABINETS WERE REMOVED IN THE KITCHEN AREA.

FBC(2007) 105.4.4

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

1. THE PLUMBING FIXTURES HAVE BEEN REPLACED IN THE KITCHEN AND BATHROOM.

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.

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, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation and to record the order. He reported interior work had ceased when the stop work order was issued in October.

Mr. Robert Belson, owner, said he had purchased the property as a foreclosure this past January. He said the City sewer service was not connected yet and therefore the City had been unable to issue any plumbing permits. He explained the interior had been destroyed when he purchased the property and he had only cleaned out the interior and removed the ceiling drywall. Mr. Belson said he would apply for the after-the-fact demolition permit.

**Motion** made by Mr. Nelson, seconded by Ms. Hinton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 4/26/11 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.

At 10:28, Mr. Miron left the meeting and Mr. Dooley took his place on the dais.

**Case: CE10031005**

1033 North Andrews Avenue  
SBC 2010-1 LLC

This was a request to vacate the Final Order dated 1/25/11.

**Motion** made by Mr. Mitchell, seconded by Mr. Nelson, to vacate the Final Order dated 1/25/11. In a voice vote, motion passed 7-0.

**Case: CE09010081**

901 West Las Olas Boulevard  
BRAIT, KAREN L

This case was first heard on 10/26/10 to comply by 11/23/10. 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 2/23/11 and would continue to accrue until the property complied. Service was via posting on the property on 2/3/11 and at City Hall on 2/10/11.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger, to find the violations were not complied by the Order date, and to impose the fine, which would begin to accrue on 2/23/11 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 6 – 1 with Mr. Mitchell opposed.

**Case: CE10062102**

1745 West Las Olas Boulevard  
DER OVANESIAN, MARY  
MARY DER OVANESIAN REV LIV TR

This case was first heard on 1/25/11 to comply by 2/22/11. 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 2/23/11 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 2/8/11.

**Motion** made by Mr. Mitchell, seconded by Ms. Hinton to grant a 28-day extension to 3/22/11, during which time no fines would accrue. In a roll call vote, motion **failed** 2 – 5 with Mr. Elfman, Mr. Nelson, Mr. Thilborger, Mr. Dooley and Chair Sheppard opposed.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger, to find the violations were not complied by the Order date, and to impose the fine, which would begin to accrue on 2/23/11 and would continue to accrue until the violations were corrected. In a roll call vote, motion **passed** 5 – 2 with Ms. Hinton and Mr. Mitchell opposed.

**Case: CE05110901**

1629 Northeast 12 Street  
MCDERMOTT DEVELOPMENT LLC

This case was first heard on 10/26/10 to comply by 1/25/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$810 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 2/5/11.

Burt Ford, Building Inspector, reported he had spoken with the owner, who asked him to request a 28-day extension for him. The owner stated he had taken a new job and would be out of town for a few weeks. Inspector Ford had advised him to send an email to Ms. Paris or Inspector Ford, but the owner had not done so.

**Motion** made by Mr. Mitchell, seconded by Mr. Nelson to grant a 28-day extension to 3/22/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The Board took a break from 10:38 – 11:05.

**Case: CE09020070**

2000 North Ocean Boulevard # Hotel  
URBANA PELICAN GRAND I LLC

Certified mail sent to the owner was accepted on 2/9/11.

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 TENT ON THE BEACH SIDE OF THE PROPERTY AT THE  
SOUTH END HAS BEEN INSTALLED WITHOUT A PERMIT.

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 INSTALLED TO POWER THE  
LIGHTING AND OUTLETS INSIDE THE TENT.

FBC(2007) 1612.1.2

THE TENT 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 28 days or a fine of \$25 per day, per violation.

Ms. Stephanie Toothaker, representative of the respondent, explained that the resort had been utilizing the tent under 30-day permits for some time until the City refused to issue additional 30-day permits and advised the resort to find a more permanent solution. She said they had met with City representatives and determined the best solution to get an approval for the tent. She displayed a copy of the application and the City's zoning approval, signed by Chief Zoning Examiner Burgess, on the ELMO. Ms. Toothaker explained that the tent had been removed while they discussed the problem with the City, and a former general manager had phoned the tent company and had them reinstall it as soon as they received the City approval, without obtaining a permit.

Ms. Toothaker stated they had met with Chris Augustin, Chief Building Official, to determine how to obtain an after-the-fact permit for the tent, and had encountered a snag because the ULDR described the structure as an awning, while the South Florida Building Code described it as a tent, which had different requirements. Ms. Toothaker said as soon as the tent was re-erected, the resort had entered into a year's worth of contracts for events to be held in the tent. The Building Department had determined the

best avenue was to apply for a temporary use application from the Board of Adjustment, for which Ms. Toothaker had drafted the application. In the meantime, the City Attorney's office determined it would be better to appeal to the Board of Adjustment for an interpretation of the code. They were scheduled for the April 13 Board of Adjustment meeting. Ms. Toothaker requested an extension to obtain approval from the Board of Adjustment and to resubmit modified plans for the tent to the Building Department.

Inspector Ford stated electrical had been installed in the tent and this must be addressed immediately. Ms. Toothaker agreed to take care of this right away. Inspector Ford informed the Board that the Board of Adjustment could approve the use, but not the structure; the structure must still be permitted. Inspector Ford continued that the City approval was for an awning, not a tent, and this must be addressed. Ms. Toothaker agreed to apply for an after-the-fact electrical permit immediately.

Mr. Gary Sieger, complainant, stated he lived across the street from the resort. He said the tent was built atop an unpermitted patio that covered part of the hotel's required landscaping. He said the tent also extended into the setback. He supported staff's recommendation for the resort to appeal to the Board of Adjustment. Mr. Sieger felt the resort should convert interior space into a ballroom instead of utilizing the tent. Mr. Sieger said noise from the events bothered neighbors. Ms. Toothaker stated the pavers under the tent were properly permitted and did not cover required landscaping. She added that the City's approval specifically allowed use of the tent for weddings and outdoor events and they had never been cited for noise.

**Motion** made by Mr. Nelson, seconded by Ms. Hinton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 3/22/11 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: CE10031742**

3040 Southwest 23 Street  
MILIAN-RODRIGUEZ, RAYMA  
TERRILL, MARK S

Certified mail sent to the owner was accepted on 2/5/11.

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. MAJOR RENOVATIONS OF THE KITCHEN AND TWO  
BATHROOMS WITH NEW CABINETS, PLUMBING, AND  
ELECTRICAL FIXTURES.

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. SHOWERS, FAUCETS AND LAVATORIES.

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 MAIN ELECTRICAL PANEL WAS REPLACED. BY ADDING ADDITIONAL LIGHTS AND WALL OUTLETS FOR THE KITCHEN AND BATHROOM AREAS, THE LOAD HAS BEEN INCREASED WITHOUT BEING DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING 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, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation and to record the order. He stated he had been talking with the owner's representative, who was present and had agreed to these terms.

Mr. Ramon Rodriguez, owner's representative, said his sister had hired a contractor and thought the issues had been taken care of. He said he would take care of it now.

**Motion** made by Mr. Mitchell, 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 4/26/11 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: CE10090682**

1937 Northwest 9 Avenue  
CRP II-LAUDERDALE MANOR LLC

Certified mail sent to the owner was accepted on 2/7/11.

George Oliva, Building Inspector, testified to the following violations:  
5-26(b)

OPERATING A BUSINESS LOCATED WITHIN THREE HUNDRED FEET OF ANOTHER BUSINESS WITH A VENDOR LICENSE TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON OR OFF THE PREMISES IS PROHIBITED AND REQUIRES A CONDITIONAL USE PERMIT PER SECTION 47-24-3.

1. 1951 NW 9 AVE - DIVINITY LOUNGE #720001



OPERATIONAL LICENSE GOOD TILL 9/30/11 – FOR  
NIGHT CLUB.

FBC 1019.11.5.1

AN ACCESSIBLE MEANS OF EGRESS IS ONE THAT COMPLIES  
WITH THIS CODE AND THE MINIMUM NUMBER OF EXITS  
REQUIRED SHALL BE PROVIDED AND HAVE ACCESS TO ALL  
THE OCCUPANT LOAD.

FBC(2007) 105.1

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

1. CABINETRY IS BEING DONE BY THE BAR AREA.
2. COUNTERTOP SINKS AND ELECTRICAL OUTLETS ARE  
BEING INSTALLED.
3. A NEW THREE TANK SINK IS BEING INSTALLED BY THE  
KITCHEN AREA.
4. WINDOWS AND DOORS ARE NOT MAINTAINED IN A  
SECURE MANNER. SOME OF THE GLASS PANES ARE  
BROKEN AND COVERED WITH PLYWOOD.

FBC(2007) 105.1.5

AS PER S. 500.12, FLORIDA STATUTES, A FOOD PERMIT  
FROM THE DEPARTMENT OF AGRICULTURE AND CONSUMER  
SERVICES IS REQUIRED OF ANY PERSON WHO OPERATES A  
FOOD ESTABLISHMENT.

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. MECHANICAL VENTILATION AND THE EXHAUST SYSTEM  
FROM THE KITCHEN AREA MUST COMPLY WITH THE  
FBC(2007)MECHANICAL.
2. A PERMIT IS REQUIRED TO INSTALL A WALL UNIT IN  
THE KITCHEN WALL AND CENTRAL A/C DUCT WORK.

FBC(2007) 105.4.15

A PERMIT IS NEEDED TO REPAIR OR REPLACE ANY  
REQUIRED IMPACT-RESISTANT OR TEMPERED GLASS FOR  
EXTERIOR WINDOWS AND GLASS DOORS IN A NEW OR  
EXISTING BUILDING.

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. THERE IS A DRAIN AND RUNNING WATER SUPPLY PIPES  
BEING INSTALLED IN THE KITCHEN AND BAR AREAS.

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. THERE ARE EXPOSED WIRES IN WALL OUTLETS & LIGHTS.
3. SOME OF THE PROTECTIVE COVERS IN THE ELECTRIC BOXES ARE MISSING.

FBC(2007) 110.1.1

MUST OBTAIN THE REQUIRED CERTIFICATE OF OCCUPANCY BEFORE OPENING FOR BUSINESS.

Inspector Oliva said the case was opened as a result of a complaint from the Police Department regarding an illegal nightclub. He explained the owner was removing the tenant from the premises, and displayed a copy of the writ of possession. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation and to record the order. Inspector Oliva stated the club had been shut down.

**Motion** made by Mr. Mitchell, 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 3/22/11 or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6 – 1 with Mr. Nelson opposed.

**Case: CE10082026**

1650 Southwest 27 Avenue  
ECHOLS, AARON

Certified mail sent to the owner was accepted on 2/11/11.

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

FBC(2007) 105.1

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

1. SHUTTERS FOR THE FLORIDA ROOM HAVE BEEN INSTALLED.
2. A SHED HAS BEEN PLACED IN THE REAR.
3. AN ATTACHED STORAGE CLOSET HAS BEEN

CONSTRUCTED.

4. THE OVERHANGS HAVE BEEN RESURFACED.
5. THE CARPORT CEILING HAS BEEN RESURFACED.
6. BOTH BATHS HAVE BEEN REMODELED.
7. AN ACOUSTICAL CEILING WAS INSTALLED IN THE GAME ROOM.

FBC(2007) 105.4.11

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

1. A NEW CONDENSING UNIT HAS BEEN INSTALLED.
2. A NEW AIR HANDLER HAS BEEN INSTALLED.
3. A WALL A/C UNIT HAS BEEN INSTALLED IN THE GAME ROOM.

FBC(2007) 105.4.4

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

1. TWO BATHROOMS HAVE BEEN REMODELED.
2. AN IRRIGATION PUMP HAS BEEN INSTALLED.
3. NATURAL GAS PIPING HAS BEEN INSTALLED.
4. A WATER HEATER HAS BEEN INSTALLED.

FBC(2007) 105.4.5

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

1. A BURGLAR ALARM HAS BEEN INSTALLED.
2. AN IRRIGATION PUMP HAS BEEN CONNECTED.
3. AN AIR HANDLER AND CONDENSING UNIT HAVE BEEN CONNECTED.
4. AN OUTLET FOR A WALL A/C UNIT HAS BEEN INSTALLED.
5. A CEILING FAN IN THE GAME ROOM HAS BEEN CONNECTED.
6. EXTERIOR OUTLETS AND SWITCHES HAVE BEEN INSTALLED.
7. SECURITY LIGHTING HAS BEEN INSTALLED.
8. ELECTRICAL OUTLETS HAVE BEEN INSTALLED IN THE STORAGE CLOSET.

Inspector Smilen stated the case had begun as a result of a tenant complaint of work without permits. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

Mr. Aron Echols, owner, said he purchased the property in November 2009 and the work predated his ownership of the property. He stated the electric shutters dated to

1963 when the permit for the addition was submitted. Mr. Echols described vandalism committed at the home by a neighbor, and said the neighbor had also squatted on the property in his absence. Mr. Echols said he had the original permits for the addition and the patio. Mr. Mitchell stated the shutters should have had a separate permit.

Mr. Mitchell questioned why Mr. Echols had purchased this property without seeking an attorney or realtor who would have helped him identify violations on the property. Mr. Echols said he had hired inspectors who determined everything was up to code. He said the representative of the shutter company had informed him that the electric shutters were from 1963. Mr. Nelson did not think this type of shutter existed in 1963.

**Motion** made by Mr. Nelson, seconded by Ms. Hinton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 4/26/11 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 Sheppard opposed.

**Case: CE10060295**

4700 West Prospect Rd # 101  
OAKTREE WAREHOUSE LLC

Certified mail sent to the owner was accepted on 2/11/11.

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. A SECOND FLOOR WAS CONSTRUCTED INSIDE THE WAREHOUSE. IT IS COVERING 90% OF THE FLOOR AREA BELOW. IT IS BEING USED FOR STORAGE AND IS ONLY ACCESSIBLE BY AN EXTENSION LADDER.

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 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.

FBC(2007) 1604.1

THE STRUCTURES FOR THE SECOND FLOOR DO NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAVE NOT BEEN

DEMONSTRATED TO WITHSTAND THE REQUIRED DEAD WEIGHT LOAD SUPPORT THROUGH THE PERMITTING PROCESS. ALL THE STRUCTURES THAT WERE DONE ILLEGALLY ARE DEEMED TO BE UNSAFE AND THE CONSTRUCTION IS UNDERDESIGNED.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and said the owner had hired an architect to prepare plans. Inspector Oliva recommended ordering compliance within 91 days or a fine of \$25 per day, per violation and to record the order. He remarked that the electrical work appeared to have been done properly but still required a permit and approval from the Fire Department.

Mr. Michael Devlin, owner, agreed the work must be approved by the Fire Department. He stated he stored files upstairs and had an office and other storage downstairs.

**Motion** made by Mr. Nelson, seconded by Mr. Mitchell 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 5/24/11 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: CE08080933**

3400 North Ocean Boulevard  
3404 North Ocean Boulevard, LLC

Service was via posting on the property on 2/2/11 and at City Hall on 2/10/11.

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

FBC 105.1

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

1. EXTERIOR DOOR HAS BEEN INSTALLED.
2. TWO(2) ACCESS DOORS HAVE BEEN INSTALLED INTO THE EXTERIOR WALLS. ONE(1) ON THE SOUTH SIDE AND ONE(1) ON THE EAST SIDE.
3. EXTERIOR WALLS HAVE BEEN CUT TO ACCEPT WALL A/C UNITS.

FBC 105.2.11

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. 4 WINDOW A/C UNITS HAVE BEEN INSTALLED.

FBC 105.2.5

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

1. CIRCUITS HAVE BEEN ADDED TO POWER THE THREE(3) WALL AND WINDOW A/C UNITS.

FBC 109.6

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC 1612.1.2

THE WINDOW/WALL AIR CONDITIONING UNITS AND EXTERIOR DOOR HAVE NOT BEEN PROVEN TO SUFFICIENTLY WITHSTAND ESTIMATED OR ACTUAL IMPOSED DEAD, LIVE, WIND, OR ANY OTHER LOADS THROUGH THE PERMIT AND INSPECTION PROCESS.

FBC 712.3.1.1

THE HOLES CUT INTO THE EXTERIOR FIRE WALL HAVE COMPROMISED THE AFOREMENTIONED FIRE WALL. ANY ITEM INSTALLED INTO THE FIRE WALL IS REQUIRED TO BE AN APPROVED FIRE RESISTANT ASSEMBLY. WALL A/C UNITS ARE NOT FIRE RATED FOR PENETRATING A FIRE WALL NOR CAN THEY BE RATED. THE ACCESS DOORS THAT HAVE BEEN INSTALLED HAVE NOT BEEN PROVEN TO BE FIRE RATED ASSEMBLIES AND COMPROMISE THE FIRE WALL.

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 63 days or a fine of \$10 per day, per violation. Inspector Ford said the building appeared to be vacant.

**Motion** made by Mr. Mitchell, 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 4/26/11 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: CE10101100**

1033 Northeast 16 Terrace  
MAINI, ARCHANA  
SHETH, KISHOR

Service was via posting on the property on 2/8/11 and at City Hall on 2/10/11.

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

FBC(2007) 105.1

THE FOLLOWING WORK HAS BEEN PERFORMED ON THE

MULTI-FAMILY DWELLING WITHOUT OBTAINING THE  
REQUIRED PERMITS:

1. NEW COUNTERTOPS AND CABINETS HAVE BEEN  
INSTALLED.
2. A NEW PVC FENCE HAS BEEN INSTALLED.
3. REFRAMING AND BRACING FOR WINDOWS IS IN  
PROGRESS.

FBC(2007) 105.4.4

THE FOLLOWING PLUMBING WORK HAS BEEN COMPLETED OR  
IN PROGRESS WITHOUT OBTAINING THE REQUIRED  
PERMITS:

1. A NEW WATER HEATER WAS INSTALLED.
2. KITCHEN SINKS HAVE BEEN INSTALLED.
3. NEW BATHROOM FIXTURES HAVE BEEN INSTALLED.

FBC(2007) 105.4.5

LIGHTING AND WIRING HAVE BEEN ALTERED AND A NEW  
WATER HEATER HAS BEEN CONNECTED 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, and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 4/26/11 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: CE10120236**

1717 Southwest 17 Street  
HOUCK, STEVE

Service was via posting on the property on 2/7/11 and at City Hall on 2/10/11.

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

FBC(2007) 3304.1

THE OPEN FOOTERS EXCAVATED FOR A MASONRY WALL ARE  
NOT PROTECTED AND ARE ENDANGERING LIFE AND  
PROPERTY.

FBC(2007) 3306.1

PEDESTRIANS AND THE COMMUNITY ARE NOT PROTECTED  
DURING THE CONSTRUCTION OF THE MASONRY WALL.

Inspector Smilen stated the case was begun as the result of a complaint that a neighbor's child had been hurt falling into an open footer. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation. Inspector Smilen informed the Board this was a duplex property.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 3/22/11 or a fine of \$100 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

At 12:23 Mr. Nelson left the dais.

**Case: CE10071965**

2308 Northwest 14 Court  
AMSTAR ACQUISTIONS LLC

Service was via posting on the property on 2/9/11 and at City Hall on 2/10/11.

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. INTERIOR REMODELING WORK IN THE KITCHEN AND BATHROOM.
2. NEW CABINETS WERE INSTALLED
3. ALL THE FIXTURES WERE REPLACED.

FBC(2007) 105.4.4

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

1. PLUMBING FIXTURES WERE REPLACED - SINK, FAUCETS, LAVATORY IN THE BATHROOM AND KITCHEN AREAS.

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.



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, and recommended ordering compliance within 28 days or a fine of \$20 per day, per violation and to record the order. Inspector Oliva stated there was a tenant in the property.

**Motion** made by Mr. Mitchell, seconded by Ms. Hinton to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 3/22/11 or a fine of \$25 per day, per violation would begin to accrue and to record the order. In a voice vote, with Mr. Nelson absent from the dais, motion passed 6-0.

At 12:27 Mr. Nelson returned to the dais.

**Case: CE10081013**

3340 Southwest 18 Street  
FEDERAL NATIONAL MORTGAGE ASSN

Certified mail sent to the owner was accepted on 2/7/11.

George Oliva, Building Inspector, testified to the following violations:  
FBC(2007) 105.4.4

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

1. THE KITCHEN AND BATHROOMS WERE REMODELED WITH NEW FIXTURES.
2. THE LAUNDRY ROOM BEHIND THE CARPORT WAS CONVERTED INTO ANOTHER BATHROOM.

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 LOAD DEMAND WAS INCREASED BY ADDING ADDITIONAL LIGHTS AND WALL OUTLETS IN THE ENCLOSED CARPORT, REAR PORCH AND THE ILLEGAL ADDITION. THEY HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED AMPERAGE LOADING THROUGH THE PERMITTING PROCESS.

FBC(2007) 1604.1

THE STRUCTURES FOR THE CARPORT, REAR PORCH WITH THE ADDITION ENCLOSURES, AND THE SHED 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 DEEMED TO BE UNSAFE AND THE CONSTRUCTION IS UNDERDESIGNED. IT WOULD NOT PROVIDE THE REQUIRED RESISTANCE TO UPLIFT WHICH THE CODE PROTECTS NEIGHBORS FROM FLYING DEBRIS IN A STORM AND WHICH THIS STRUCTURE MAY BECOME, SO THEY MUST BE REMOVED.

FBC(2007) 1612.1.2

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

FBC(2007) 1626.1

THE NEW WINDOWS, DOOR AND SKYLIGHTS 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. THE CARPORT WAS ENCLOSED AND CONVERTED INTO LIVING SPACE.
2. THE REAR PORCH WAS ENCLOSED AND CONVERTED INTO LIVING SPACE WITH AN ILLEGAL ADDITION ADDED TO THE REAR ENCLOSURE.
3. THE KITCHEN AND BATHROOMS WERE REMODELED WITH NEW FIXTURES AND CABINETS.
4. SKYLIGHTS WERE INSTALLED ON TOP OF THE ROOF OVER THE KITCHEN AREA.
5. WINDOWS AND DOORS WERE REPLACED.
6. A SHED WAS BUILT OUT OF PLYWOOD AND 2X4 AT THE REAR OF THE PROPERTY AND IS OVER THE SETBACK LINE.
7. INTERIOR STRUCTURAL ALTERATIONS WERE DONE TO CONVERT THE DWELLING INTO A ROOMING HOUSE.
8. A CENTRAL A/C WAS INSTALLED WITH CENTRAL HEAT AND A WALL UNIT WAS PLACED IN THE ENCLOSED CARPORT.

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. A CENTRAL A/C WITH DUCT WORK AND AN ELECTRICAL HEATER WAS INSTALLED IN THE MAIN HOUSE.
2. A WALL A/C UNIT WAS PLACED IN THE WALL OF THE ILLEGALLY ENCLOSED CARPORT.

Inspector Oliva submitted photos of the property, the Notice of Violation detailing the violations and corrective action and the permit history into evidence. He stated Federal National Mortgage Association had taken ownership of the property on 7/6/10, had done no work on the property to comply but had rented the property to a tenant.

**Motion** made by Mr. Nelson, seconded by Mr. Mitchell 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 3/22/11 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.

**Approval of Meeting Minutes**

[This item was heard out of order]

**Motion** made by Mr. Nelson, seconded by Mr. Mitchell, to approve the minutes of the Board's January meeting. In a voice vote, motion passed 7 – 0.

**Communication to the City Commission**

None

**For the Good of the City**

Mr. Mitchell asked for an update on the house at Southwest 7<sup>th</sup> Avenue and 2<sup>nd</sup> Street at the Board's next meeting.

**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:

CE05060464              CE10020032              CE10062108

**Cases Withdrawn**

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

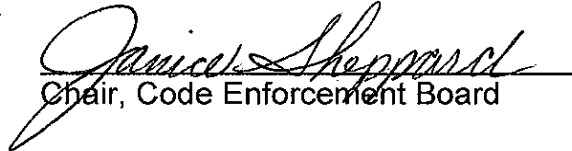
CE08010523  
CE09111379

CE09051930  
CE10082096

CE09060554

CE08071578

There being no further business to come before the Board, the meeting adjourned at 12:38 P.M.

  
Chair, Code Enforcement Board

ATTEST:

  
Clerk, Code Enforcement Board

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

Minutes prepared by: J. Opperee, ProtoType Inc.