

**CODE ENFORCEMENT BOARD
CITY COMMISSION MEETING ROOM
100 NORTH ANDREWS AVENUE
JULY 26, 2011
9:00 A.M. – 1:15 P.M.**

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative attendance 2/2011 through 1/2012</u>	
		<u>Present</u>	<u>Absent</u>
Jan Sheppard, Chair	P	6	0
Howard Nelson, Vice Chair	P	5	1
Paul Dooley	P	6	0
Howard Elfman [9:02]	P	6	0
Genia Ellis	P	5	1
Joan Hinton	A	3	3
Chad Thilborger	P	6	0
PJ Espinal [Alternate]	A	4	1
Joshua Miron [Alternate]	P	4	3
Robert Smith [Alternate]	P	5	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
 Lori Grossfeld, Clerk III,
 Deb Maxey, Clerk III
 Burt Ford, Building Inspector
 George Oliva, Building Inspector
 Gerry Smilen, Building Inspector
 Alex Hernandez, Building Department Supervisor
 Lori Grossfeld, Clerk III
 Junia Jeantilus, Haitian Programs Coordinator [translator]
 Jamie Opperlee, Recording Secretary

Communication to the City Commission

By unanimous consensus, the Board wished the City luck and congratulations on the hiring of the new City Manager and Assistant City Managers.

Respondents and Witnesses

CE09090509: Arthur Badaloo, owner
CE11020528: James O'Neill, buyer; Roger Reader, bank representative
CE09040981: Camey Davidson, owner
CE08050335: Jeffery Waters, owner
CE09072678: Sonia Souffrant, owner
CE09011970: Joey Partin, owner
CE08080683: Tyler Tuchow, owner
CE10041015: Christine Marsters, general manager
CE11012060: William Hickman, owner
CE09051061: Monica Ruppert, representative; Hussein Shehata, owner
CE10050006: Blendi Turku, owner
CE10122048: Robert Talbott, general contractor
CE10090377: Josue Cea, owner
CE09011358: Kristopher McKenney, owner
CE10080609: Douglas Fleishman, owner
CE08101015: Jeffrey Kriendler, owner's representative; Mellyzye Haas, owner's sister
CE08061524: Joseph Ieracitano, general contractor; Joe Quartarella, owner
CE10082026: Aron Echols, owner
CE11011144: Amanda Tsang, owner
CE10082096: Gustavo Pinero, manager
CE04071905: William Igoe, architect
CE08070005: Jennifer Cody, owner; Craig Downie, friend
CE11030687: David Kramer, church administrator; Rachel Greenberg, board president
CE10100508: David May, owner
CE10120909: Brian Ellis, owner's husband; Jimmy Edwards, bank attorney
CE10042430: Bruce Boddie, owner
CE11060708: Sean Kellier, general contractor
CE11012228: Elsa Herrera, owner; Jose Rubio, owner's son
CE10052019: Obbie Mallard, contractor
CE11021538: Marisela Rubio, owner

Chair Sheppard called the meeting to order at 9:01 a.m., introduced Board members and explained the procedures for the hearing.

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

Mr. Elfman arrived at 9:02

Case: CE08080683

1538 Northeast 3 Avenue
TUCHOW, TYLER

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.

Mr. Tyler Tuchow, owner, said the permits had been issued and he was finalizing work. He requested 63 days.

Burt Ford, Building Inspector, said the inspections were progressing, and agreed to the 63 days.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11020528

720 Southwest 19 Street
BANK OF NEW YORK TRSTEE

This case was first heard on 4/26/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied.

Mr. Roger Reader, bank representative, said there was a contract to buy the property and they were negotiating with the buyer regarding who would be responsible to make the repairs. He requested 60 days. Mr. Reader said the bank had received estimates from contractors to repair the property.

Gerry Smilen, Building Inspector, informed the Board that the front door area had been boarded up and the roof had been tarped. The yard was also being maintained. He said he had explained to two people what must be done to comply. Inspector Smilen supported a 63-day extension.

Motion made by Mr. Nelson to grant a 63-day extension to 9/27/11, during which time no fines would accrue. Motion died for lack of a second.

Case: CE09051061

4300 North Ocean Boulevard # 2P
SHEHATA, HUSSEIN A & SANAA A H/E
SHEHATA, AHMED H

This case was first heard on 5/24/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied.

Ms. Monica Ruppert, representative, said she had the drawings ready to submit and requested an extension to the end of the week.

Motion made by Mr. Miron, seconded by Mr. Nelson to grant a 28-day extension to 8/23/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10041015

2030 N Atlantic Blvd
SUN TOWER INVESTMENTS INC
C/O BRUSCO CONST

This case was first heard on 6/28/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied.

Ms. Christine Marsters, general manager, said the permits were in, but Zoning wanted a survey. She requested 60 days.

Motion made by Mr. Miron, seconded by Mr. Elfman to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a roll call vote, motion **failed** 3-4 with Mr. Dooley, Ms. Ellis, Mr. Nelson and Mr. Thilborger opposed.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 28-day extension to 8/23/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10122048

924 West Las Olas Boulevard
BRIGHT ASSETS LLC

This case was first heard on 4/26/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied.

Mr. Robert Talbott, general contractor, said SailUp LLC had just purchased the property on 7/21/11. Mr. Talbott stated all of the permits were ready to be issued and he hoped to begin work on Thursday. Mr. Talbott said it should take two months to do the work.

Chair Sheppard advised Mr. Talbott to go before the Historic Preservation Board [HPB] if he was changing the windows. Mr. Talbott did not feel this would be a problem, since they were replacing exactly the same windows.

Gerry Smilen, Building Inspector, said he was unsure if the HPB had approved this, but he supported a 91-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 91-day extension to 10/25/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE09011358

1040 Southwest 17 Street
MCKENNEY, KRISTOPHER J

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.

Mr. Kristopher McKenney, owner, said he had applied for all permits and requested an extension.

Gerry Smilen, Building Inspector, said he supported a 63-day extension.

Motion made by Mr. Miron, seconded by Ms. Ellis to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE09090509

320 Delaware Avenue
BADALOO, ARTHUR

This case was first heard on 6/28/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied and the City was requesting the fines as stated in the Order would begin on 7/27/11 and would continue to accrue until the violations were corrected. Certified mail sent to the owner was accepted on 7/13/11.

Mr. Arthur Badaloo, owner, said there was a flawed lease on the property. He presented communication between his attorney and the Florida Attorney General regarding a home repair and purchase group that Mr. Badaloo believed he had contracted with. Mr. Jolly said this might be an explanation for the violations, but it did not change them. Ms. Wald said this could cause a problem for the legal owner to enter the property to make repairs.

Mr. Badaloo said he had signed an agreement and not entered the property since last August. He stated he had left it a single family house but it was now being rented as a duplex. Mr. Badaloo asked the Board to wait until the State Attorney made a ruling and Mr. Badaloo could act.

George Oliva, Building Inspector, stated there was a tenant in the front unit so he could not access the property. He recommended a 63-day extension.

Mr. Nelson asked staff when the improvements had been made. Inspector Oliva said the original inspector had stated in 2009 that the screened porch had been enclosed and a bathroom had been built without a permit. Ms. Wald stated Mr. Badaloo had purchased the property in 2008. Mr. Badaloo said he had a permit for the bathroom, and he had not enclosed the porch. He stated the lessee had taken possession in

August 2010. Mr. Nelson said the 2010 tenant could not be responsible for the enclosed porch that had been reported by the inspector in 2009. Mr. Nelson noted that the owner was ultimately responsible. Mr. Miron noted that the Attorney General was not likely to find in Mr. Badaloo's favor; Mr. Badaloo would probably need to file action against the lessee.

Mr. Badaloo said after the State Attorney ruled, he needed to take legal action to recover his property. Mr. Nelson said Mr. Badaloo had other avenues besides waiting for the State Attorney.

Motion made by Mr. Nelson, seconded by Mr. Miron to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 7/27/11 and would continue to accrue until the violations were corrected.

Mr. Thilborger left the dais at 9:39.

Case: CE10082026

1650 Southwest 27 Avenue
ECHOLS, AARON

This case was first heard on 2/22/11 to comply by 4/26/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting the fines as stated in the Order would begin on 7/27/11 and would continue to accrue until the violations were corrected. Service was via posting on the property on 7/13/11 and at City Hall on 7/14/11.

Mr. Aron Echols, owner, produced a letter from his architect requesting an additional 90 days.

Gerry Smilen, Building Inspector, said he had spoken with the architect. Inspector Smilen said he would not object to a 63-day extensions to see progress.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, with Mr. Thilborger absent from the dais, motion passed 6-0.

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 City was requesting imposition of an \$8,100 fine, which would continue to accrue until the

property complied. Service was via posting on the property on 7/13/11 and at City Hall on 7/14/11. There was a new owner of the property as of 9/25/09: TLC Experts, Inc.

Gerry Smilen, Building Inspector, reminded the Board that the owner was in Brazil and could not return to the United States. He said the owner's ex-husband had taken over responsibility for the property and he was currently maintaining the property.

Mr. Jeffrey Kriendler, the owner's representative, said he had contacted an architect/general contractor, who was ready to move forward. Mr. Kriendler requested an extension.

Motion made by Mr. Nelson, seconded by Mr. Dooley to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, with Mr. Thilborger absent from the dais, motion passed 6-0.

Motion made by Mr. Nelson, seconded by Mr. Miron to extend the compliance deadline on the 2/ 22/11 Order to July 27, 2011. In a voice vote, with Mr. Thilborger absent from the dais, motion passed 6-0.

Mr. Thilborger returned to the dais at 9:46.

Case: CE08050335

1061 Northwest 25 Avenue
1061 Northwest 25 Avenue TR
CATALINA MANAGEMENT LLC TRSTEE

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.

Gerry Smilen, Building Inspector, said progress was being made and he would support a 63-day extension. He displayed photos of progress at the property.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE04071905

4041 Northeast 34 Avenue
BOUCHER, PHILIPPE
LAMBERT, LUCIE

This case was first heard on 6/28/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied.

Mr. William Igoe, architect, said they had resubmitted one permit, and an electrician had applied for his own permit for lights and wiring on the dock. Mr. Igoe felt work should be completed in three weeks.

Burt Ford, Building Inspector, recommended an extension.

Motion made by Mr. Miron, seconded by Mr. Thilborger to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE09040981

921 Southwest 31 Avenue
DAVIDSON, CAMEY CHEBETER

This case was first heard on 8/24/10 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 a \$6,160 fine, which would continue to accrue until the property complied.

Ms. Camey Davidson, owner, said the permit was ready to pick up. She stated the tenant had denied the contractor access to the property and sublet the carport as living space. She had contacted an attorney to evict the tenant.

George Oliva, Building Inspector, reported someone was living in the enclosed carport and the air conditioner had been put back. Inspector Oliva had left a message for the contractor but he had not phoned him back .

Motion made by Mr. Nelson, seconded by Mr. Miron to grant a 28-day extension to 8/23/11, during which time no fines would accrue. In a roll call vote, motion passed 4-3 with Mr. Dooley, Mr. Nelson and Mr. Elfman opposed.

Case: CE09072678

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

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 the fines as stated in the Order would begin on 7/27/11 and would continue to accrue until the violations were corrected. Service was via posting on the property on 7/14/11 and at City Hall on 7/14/11.

Gerry Smilen, Building Inspector, reported the permit had been issued. He described violations that had been complied.

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

Ms. Sonia Souffrant, owner, said she had picked up the permit on Friday. She said someone had requested two changes.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10090377

1025 Northwest 8 Avenue
CEA, JEANNITTE &
CEA, JOSUE

This case was first heard on 4/26/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied.

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

Mr. Josue Cea, owner, said he had realized his contractor did not have a license. Mr. Cea had then become ill and was not able to have the final inspection. He requested an extension.

George Oliva, Building Inspector, said one violation was complied; the rest remained. He explained that the expired permits were from 2001 and must be redone.

Mr. Cea stated he planned to get the permit for the first unit. Mr. Miron advised Mr. Cea to confer with the translator and Inspector Oliva to understand what must be done.

Motion made by Mr. Nelson, seconded by Mr. Miron to grant a 63-day extension to 9/27/11, 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.

Mr. Joseph Ieracitano, general contractor, said their request for a variance had been denied and they planned to move the building. He requested 91 days to complete work.

Burt Ford, Building Inspector, did not object to an extension.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 119-day extension to

11/22/11, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Mr. Miron opposed.

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 a \$2,400 fine, which would continue to accrue until the property complied. Service was via posting on the property on 7/13/11 and at City Hall on 7/14/11. Ms. Paris noted that as of 4/20/10, the owners were Cameron Cooke and Joey Partin.

Gerry Smilen, Building Inspector, said the exterior door permit had been issued.

Mr. Joey Partin, owner, stated he thought he was ready for inspections; he had the after-the-fact permit. Inspector Smilen checked in the computer and determined that there was no plumbing or electrical permit, but if this work was removed it would comply. Mr. Partin said he had removed the air conditioner and capped some lines.

Motion made by Mr. Nelson, seconded by Ms. Ellis to grant a 28-day extension to 8/23/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to amend the 4/26/11 Order compliance date to 7/26/11. In a voice vote, motion passed 7-0.

Case: CE11011144

1821 Southwest 23 Terrace
GLOBAL DIRECT MANAGEMENT LLC

This case was first heard on 6/28/11 to comply by 7/26/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting the fines as stated in the Order would begin on 7/27/11 and would continue to accrue until the violations were corrected. Service was via posting on the property on 7/14/11 and at City Hall on 7/14/11.

Ms. Amanda Tsang, owner, requested an extension. She said her contractor had spoken with Inspector Oliva. Ms. Tsang stated there was no tenant in the property.

George Oliva, Building Inspector, said no one had contacted him. He stated Ms. Tsang's husband had indicated he would let the property be foreclosed upon. Inspector Oliva said someone was occupying the property. Ms. Tsang reiterated she had no tenants in the property.

Ms. Tsang said the property was not for sale; they were unsure if they would rent or sell it. She said she had found a contractor who told her he had spoken with the inspector and knew what needed to be done to comply. She had paid him half, and the contractor informed her he was working on the paperwork.

Inspector Oliva showed photos of Ms. Tsang's property with two cars in the driveway.

Motion made by Mr. Miron, seconded by Mr. Nelson to grant a 28-day extension to 8/23/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10082096

2705 Northwest 20 Street
BANK OF AMERICA
C/O LAW OFFICES OF DAVID J STERN PA

This case was first heard on 3/22/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied. Ms. Paris stated on 3/28/11, the property had been sold by the bank to Vignacia LLC and on 3/30/11 the property had been sold to JJ Brothers Realty.

Gerry Smilen, Building Inspector, reported the window permit application had been resubmitted. He stated this would cover all of the violations.

Mr. Gustavo Pinero, manager, stated they were waiting for the permits to be issued. He said all of the other issues had been addressed.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10080609

1329 Northwest 7 Avenue
FLEISHMAN, DOUGLAS

This case was first heard on 4/26/11 to comply by 6/28/11. 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. Service was via posting on the property on 7/14/11 and at City Hall on 7/14/11.

George Oliva, Building Inspector, reported the plumbing was complied but still required inspection. He recommended a 63-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Ms. Ellis opposed.

Motion made by Mr. Nelson, seconded by Ms. Ellis to amend the compliance date on the 4/26/11 Order to 7/26/11. In a voice vote, motion passed 7-0.

Case: CE10050006

204 Northwest 16 Street
LARA & BLENDI LLC

This case was first heard on 11/23/10 to comply by 1/25/11. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, stated the owner had submitted all permit applications. He recommended a 63-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The Board took a break from 10:38 to 10:58.

Case: CE11012060

2554 Tortugas Ln
HICKMAN, WILLIAM

Personal service was made to the owner's granddaughter on 7/1/11.

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

THE FOLLOWING WORK WAS DONE WITHOUT OBTAINING THE PROPER PERMITS OR INSPECTIONS:

1. TWO NEW CENTRAL A/C'S WERE INSTALLED OVER THE LAST 6 MONTHS.
2. A WOOD FENCE WAS INSTALLED FACING THE SOUTH.
3. SOME OF THE WINDOWS WERE REPLACED AND TWO SETS OF DOUBLE GLASS DOORS, FRENCH STYLE, WERE INSTALLED FACING EAST.
4. THE BLACKTOP DRIVEWAY WAS REPLACED WITH PAVERS IN 2004.
5. A PVC FENCE WITH A GATE WAS INSTALLED FACING THE WEST.
6. THERE IS A WOOD SHED FACING THE NORTH SIDE BUILD OUT OF 2X4 AND PLYWOOD AND IS SITTING OVER THE SETBACK OF THE PROPERTY.

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. THERE ARE TWO NEW CENTRAL A/C'S THAT WERE INSTALLED OVER THE LAST 6 MONTHS.

FBC(2007) 109.10

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

FBC(2007) 1604.1

THE STRUCTURES FOR THE SHED BEING BUILT AND THE WOOD FENCE 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. THEY WOULD NOT PROVIDE THE REQUIRED RESISTANCE TO UPLIFT WHICH THE CODE PROTECTS ITS NEIGHBORS FROM FLYING DEBRIS IN A STORM AND WHICH THESE STRUCTURES MAY BECOME. THEY MUST BE REMOVED.

FBC(2007) 1612.1.2

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

FBC(2007) 1626.1

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

Inspector Oliva stated the case had been opened as the result of a complaint of work without permit. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 91 days or a fine of \$10 per day, per violation and to record the order.

Mr. William Hickman, owner, referred to a survey of the property from when he purchased the house and noted the driveway was present then. Mr. Hickman said the permit he had should have included the driveway. Inspector Oliva said the pavers had been installed by a previous owner.

Mr. Hickman said Air Around the Clock had installed the air conditioner and should have pulled the permit. He stated he intended to remove the fence and he would apply for a permit for the windows. Inspector Oliva complied FBC(2007)105.1 #5.

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

within 91 days, by 10/25//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: CE10100508

1407 Holly Heights Drive
KEYSTONE DEVELOPER SERVICE LLC

Service was via posting on the property on 7/6/11 and at City Hall on 7/14/11.

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 WOODEN FENCE HAS BEGUN TO BE INSTALLED.

FBC(2007) 1612.1.2

THE WOODEN FENCE 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 63 days or a fine of \$10 per day, per violation. Inspector Ford had spoken with the owner, who understood what must be done.

David May, owner, said he had spoken with an architect and an engineer and would get the work done.

Motion made by Mr. Miron, 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 9/27/11 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: CE10120909

1631 North Andrews SQ
PERKINS, DEBRA J

Service was via posting on the property on 7/12/11 and at City Hall on 7/14/11.

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. A KITCHEN HAS BEEN ADDED.

2. AN EFFICIENCY UNIT HAS BEEN PROVIDED.

FBC(2007) 105.4.4

PLUMBING FOR A KITCHEN IN THE EFFICIENCY UNIT HAS BEEN INSTALLED WITHOUT A PERMIT.

FBC(2007) 110.1.1

THE USE AND OCCUPANCY OF THE SINGLE FAMILY DWELLING HAS CHANGED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC(2007) 708.3

1 HOUR FIRE RATED TENANT SEPARATION WALLS HAVE NOT BEEN PROVEN THROUGH THE PERMIT AND INSPECTION PROCESS.

Inspector Smilen stated the case had been opened as the result of a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$20 per day, per violation. Inspector Smilen said the tenants were supposed to be evicted for the work to be done, but they had not been evicted yet.

Mr. Brian Ellis, the owner's husband, explained that the tenant in the main house was renting out the back house. Mr. Ellis said he was evicting the tenant from the main house and requested 90 days.

Motion made by Mr. Dooley, seconded by Ms. Ellis to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 10/25/11 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: CE11012228

830 Southwest 28 Street
HERRERA, ELSA

Service was via posting on the property on 7/12/11 and at City Hall on 7/14/11.

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

FBC(2007) 105.1

THE TWO FAMILY RESIDENTIAL DWELLING HAS BEEN ALTERED INTO A TRIPLEX WITHOUT OBTAINING THE REQUIRED PERMITS AND APPROVALS.

FBC(2007) 109.10

THE DUPLEX WAS CONVERTED INTO A TRIPLEX WITHOUT ANY INSPECTIONS BEFORE THE WORK WAS COVERED UP.

FBC(2007) 110.1.1

THE USE AND OCCUPANCY OF THE BUILDING HAS CHANGED

WITHOUT THE REQUIRED PERMITS AND APPROVALS.
FBC(2007) 708.3
THE REQUIRED FIRE SEPARATIONS REQUIRED BETWEEN
RESIDENTIAL UNITS HAVE NOT BEEN ESTABLISHED
THROUGH THE PERMITTING AND INSPECTION PROCESS.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 91 days or a fine of \$20 per day, per violation.

Mr. Jose Rubio, the owner's son, said the owner was aware of the violations and requested 91 days.

Motion made by Mr. Nelson, seconded by Mr. Miron to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 10/25/11 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: CE11030687

1304 East Las Olas Boulevard
FIRST PRESBYTERIAN CHURCH
OF FORT LAUDERDALE

Gerry Smilen, Building Inspector, testified to the following violations:
FBC(2007) 105.4.7

SIGNS HAVE BEEN DISPLAYED ON THE FRONT OF THE
BUILDING WITHOUT OBTAINING THE REQUIRED PERMITS.

FBC(2007) 110.1.1

THE USE OF THE COMMERCIAL SPACE HAS CHANGED FROM A
GROUP M MERCANTILE USE TO A GROUP A3 ASSEMBLY USE
WITHOUT OBTAINING THE REQUIRED APPROVALS AND
CERTIFICATE OF OCCUPANCY.

Inspector Smilen said this case was begun as the result of a complaint. He explained that the substance abuse center across the street had experienced a fire and they had moved temporarily into this building. He informed the Board that the repairs to the original location should be complete in September. Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 91 days or a fine of \$20 per day, per violation.

Mr. David Kramer, church administrator, said they planned to go back to the previous use for the 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 119 days, by 11/22/11 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.

At 11:37, Ms. Ellis left the meeting and Mr. Smith took her place on the dais.

Case: CE11021538

1213 Northwest 19 Street
GODS PROPERTIES FOR MGJ LLC

Service was via posting on the property on 7/1/11 and at City Hall on 7/14/11.

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:

A STOP WORK ORDER WAS ISSUED FOR:

1. A NEW WOOD FENCE WAS INSTALLED.
2. SOME OF THE WINDOWS IN BOTH UNITS WERE REPLACED.
3. A REAR DOOR IN THE SOUTH APARTMENT AND TWO FRONT DOORS WERE REPLACED.
4. INTERIOR REMODELING WORK IS BEING DONE INSIDE BOTH APARTMENTS IN THE KITCHENS AND BATHROOM AREAS.

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 SINKS, FAUCETS, TOILETS AND LAVATORIES ARE BEING REPLACED INSIDE BOTH UNITS.

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 OUTLETS, SWITCHES, AND LAMPS WERE REMOVED AND ARE BEING REPLACED THROUGHOUT BOTH APARTMENTS. THEY MUST MEET THE NEC 210.8 REQUIREMENTS INSIDE THE KITCHENS AND BATHROOMS INSIDE BOTH APARTMENTS.

FBC(2007) 1612.1.2

ALL THE WINDOWS AND DOOR INSTALLATIONS HAVE NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND

LOADING THROUGH THE PERMITTING PROCESS.

FBC(2007) 1626.1

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

Inspector Oliva said this case had been opened as the result of a complaint. He stated Ms. Rubio must submit proof of residency in order to pull the owner/builder permit. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He said the owner had continued work after he had issued the stop work order. Inspector Oliva recommended ordering compliance within 63 days or a fine of \$20 per day, per violation.

Ms. Marisela Rubio, owner, said she was unaware that permits were needed for "every little thing." She said she wanted to make the property nice in order to rent it. Ms. Rubio said work had stopped after the stop work order was issued.

Motion made by Mr. Miron, 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 9/27/11 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-1 with Mr. Nelson opposed.

Case: CE08070005

917 Southwest 2 Court
CODY, JENNIFER LYNN

Service was via posting on the property on 7/12/11 and at City Hall on 7/14/11.

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

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH THE INSTALLATION OF NEW WINDOWS AND DOORS 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 \$10 per day.

Ms. Jennifer Cody, owner, said she was working on pulling permits for the windows. She said she had not spoken with the Historic Preservation Board [HPB]. Ms. Wald said this would need to be presented to the HPB and suggested the owner be allowed more than 63 days.

Motion made by Mr. Nelson, seconded by Mr. Miron to find for the City that the

violations existed as alleged and to order the property owner to come into compliance within 182 days, by 1/24/12 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE10052019

1119 Northeast 15 Avenue
1119 Northeast 15 Avenue LLC

Service was via posting on the property on 7/6/11 and at City Hall on 7/14/11.

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 WOODEN FENCE HAS BEEN INSTALLED.
2. NEW EXTERIOR DOORS HAVE BEEN INSTALLED.
3. NEW WINDOWS HAVE BEEN INSTALLED.
4. THERE IS KITCHEN AND BATHROOM REMODELING IN PROGRESS.
5. THE GARAGE HAS BEEN CONVERTED INTO A BEDROOM WITH INTERIOR WALLS BEING BUILT, DRYWALL INSTALLED.
6. MISC DRYWALL REPAIR/REPLACEMENT.

FBC(2007) 105.4.4

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

1. PIPES AND FIXTURES HAVE BEEN REPLACED DURING THE KITCHEN AND BATHROOM REMODELINGS.
2. A BATHROOM HAS BEEN INSTALLED IN THE GARAGE ENCLOSURE.

FBC(2007) 105.4.5

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

1. CIRCUITS HAVE BEEN ADDED/ALTERED DURING THE KITCHEN AND BATHROOM REMODELINGS.
2. CIRCUITS HAVE BEEN ADDED DURING THE GARAGE ENCLOSURE INTO A BEDROOM AND BATHROOM.
3. MISC WIRING AND FIXTURES ARE BEING INSTALLED THROUGHOUT THE PROPERTY.

FBC(2007) 1612.1.2

THE WINDOWS, EXTERIOR DOORS, WOOD FENCE, AND GARAGE ENCLOSURE 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 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 \$15 per day, per violation.

Mr. Obbie Mallard, contractor, said he needed to get the permits and do the work.

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 9/27/11 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: CE10042430

3055 Northwest 19 Street
TOP DOG REAL ESTATE
HOLDINGS II LLC

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

George Oliva, Building Inspector, testified to the following violation:
FBC 105.1

DURING A BUSINESS TAX INSPECTION ON 4/27/2010 I
FOUND THE FOLLOWING WORK HAD BEEN DONE WITHOUT
PERMITS:

1. THE FRONT & REAR ENTRANCE DOORS HAVE BEEN REPLACED.
2. SPLIT A/C SYSTEM HAS BEEN INSTALLED.
3. INTERIOR PARTITIONS INSTALLED.
4. THE ORIGINAL PARTITION & DOOR SEPARATING THE BATHROOM FROM THE REST OF THE UNIT HAS BEEN REMOVED.

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 and to record the order.

Mr. Bruce Boddie, owner, said in the past two years he had put \$50,000 into this property. He said he had hired an architect to draw plans, but he had run out of money. Mr. Boddie said it would cost approximate \$4,200 to comply, which he did not have. He requested 180 days to comply. Inspector Oliva complied FBC 105.1 #3 & #4.

Motion made by Mr. Miron, 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 182 days, by 1/24/12 or a fine of \$10 per day, per violation would begin to accrue. In a voice vote, motion passed 6-1 with Mr. Nelson opposed

Case: CE11060708

203 Northwest 12 Avenue
SABLE HOMES #1 CORP

Certified mail sent to the owner was accepted on 6/30/11.

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

WORK THAT WAS DONE WITH AN OPEN PERMIT #05072455 IS NOW WORK WITHOUT A PERMIT SINCE THE MASTER PERMIT EXPIRED ON MAY 1, 2011 OR 90 DAYS AFTER THE LAST INSPECTION FOR THE ELEVATION CERTIFICATE, WHICH FAILED JANUARY 31, 2011. THE BUILDING IS BEING OCCUPIED AT THE MOMENT WITHOUT THE CERTIFICATE OF OCCUPANCY. THIS IS A VIOLATION OF THE FLORIDA BUILDING CODE AND THE CITY OF FORT LAUDERDALE.

FBC(2007) 105.10.3.1

THE FOLLOWING PERMIT #05072455 WAS ISSUED AUGUST 3, 2007 AND RENEWED OCTOBER 29, 2009. IT PASSED THE BUILDING FINAL INSPECTION ON JANUARY 28, 2010. IT FAILED THE ELEVATION CERTIFICATE JANUARY 31, 2011. THE PERMIT EXPIRED 90 DAYS AFTER THE LAST INSPECTION.

FBC(2007) 110.1.1

THE USE AND THE OCCUPANCY OF THE BUILDING IS BEING DONE ILLEGALLY. A CERTIFICATE OF OCCUPANCY HAS NOT BEEN OBTAINED. THE ORIGINAL PERMIT #05072455 FROM THE CITY HAS EXPIRED. BOTH SIDES ARE OCCUPIED UNDER THE CLASSIFICATION OF MULTI-FAMILY WITHOUT OBTAINING THE REQUIRED CERTIFICATE OF OCCUPANCY.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He explained the property had failed elevation inspection and the permit had expired. The owner was trying to get a Certificate of Occupancy for the property. Inspector Oliva recommended ordering compliance within 63 days or a fine of \$10 per day, per violation and to record the order.

Inspector Oliva referred to emails from the inspector who had failed the property for elevation advising the owner to reapply for the elevation certificate to finalize the permit.

Alex Hernandez, Building Department Supervisor, reported the property had failed elevation inspection on 1/31/11. He said this referred to a FEMA requirement for breakaway walls for flooding.

Mr. Sean Kellier, general contractor, said this had been submitted and approved in 2009 and he had been asking the City what happened to the original approval. He stated they had a Temporary Certificate of Occupancy for the property. He provided documentation regarding the first approval. Mr. Nelson said the emails seemed to indicate that "they didn't check the box for engineered openings, which is why the City is determining that the original elevation certificate may not be valid."

The City withdrew the case.

Case: CE09020587

Request for Continuance

1525 Southeast 15 Street # 4
MAFF, BENJAMIN I

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

BC(2007) 105.1

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

1. NEW WINDOWS HAVE BEEN INSTALLED.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING
THE REQUIRED APPROVALS.

FBC(2007) 1612.1.2

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

Ms. Wald stated the owner had requested a continuance because he was out of the country. The City did not object to this request.

Motion made by Mr. Nelson, seconded by Mr. Miron, to continue the case to 9/27/11. In a voice vote, motion passed 7-0.

Case: CE10021271

3100 Northeast 29 Street # 106
ELLIS, KALEEL M III

Service was via posting on the property on 7/13/11 and at City Hall on 7/14/11.

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. INTERIOR STRUCTURAL DEMOLITION HAS BEEN COMPLETED. THE UNIT HAS BEEN STRIPPED CLEAN.

FBC(2007) 105.4.4

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

1. PLUMBING DEMOLITION HAS BEEN COMPLETED.

FBC(2007) 105.4.5

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

1. ELECTRICAL DEMOLITION HAS BEEN COMPLETED.

FBC(2007) 105.4.11

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

1. MECHANICAL DEMOLITION HAS BEEN COMPLETED.

Inspector Ford said the owner had indicated that he had demolished the interior due to a palmetto bug infestation and would rebuild after July 2010. He said the owner had promised in September 2010 that he needed 30 days to start addressing the situation, but he never had. Inspector Ford stated the owner's attorney had requested and been granted a postponement last month and had requested another postponement this month. Inspector Ford submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence.

Ms. Wald said she was surprised no one was present, and said the owner had been offered a stipulated agreement, to which he had not agreed.

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 8/23/11 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: CE10080416

2186 Northeast 56 Street # 210
PRIVAS, MANU

Personal service was made to the owner on 7/1/11.

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

FBC(2007) 105.4.11

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

1. A WALL MOUNTED PACKAGE A/C UNIT HAS BEEN
INSTALLED.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING
THE REQUIRED APPROVALS.

FBC(2007) 1612.1.2

THE AIR CONDITIONING UNIT 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 a photo of the property and the Notice of Violation detailing the violations and corrective action into evidence and remarked a lis pendens had been filed against the property. He recommended ordering compliance within 28 days or a fine of \$10 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 28 days, by 8/23//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: CE10092029

2464 Southwest 8 Street
SUNSHINE STATE PROPERTIES LLC

Service was via posting on the property on 7/1/11 and at City Hall on 7/14/11.

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 KITCHEN AND BATHROOM AREAS WERE REMODELED.
2. THE FLOOR PLAN HAS BEEN CHANGED. THERE IS AN

ILLEGAL ADDITION IN THE REAR OF THE PROPERTY
FACING SOUTH.

3. INSIDE PARTITION WALLS WERE REMOVED OR
RELOCATED TO BUILD THE THREE ILLEGAL RENTAL
APARTMENTS.
4. EAST SIDE WALL. A WINDOW WAS REMOVED AND THE
OPENING WAS CUT TO INSTALL AN EXTERIOR DOOR TO
PROVIDE EGRESS TO ONE OF THE RENTAL APARTMENTS.
5. THE LEGAL UTILITY ROOM HAS BEEN CONVERTED INTO
AN ILLEGAL RENTAL APARTMENT.
6. THE WINDOWS IN THE REAR ILLEGAL ADDITION AND
ONE ON THE FRONT LIVING ROOM 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. THE KITCHEN AND BATHROOMS WERE REMODELED.
2. THERE IS A BATHROOM THAT WAS BUILT INSIDE THE
LEGAL UTILITY ROOM WHICH WAS CONVERTED INTO AN
ILLEGAL RENTAL APARTMENT.

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 LOADS IMPOSED ON THE CIRCUITS,
INCLUDING BUT NOT LIMITED TO THE ADDITION OF
THE THREE RENTAL APARTMENTS THAT WERE BUILT,
EXCEED THE CAPACITY OF THE EXISTING 150 AMPS
CIRCUITRY.

FBC(2007) 109.10

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

FBC(2007) 110.1.1

THE USE AND THE OCCUPANCY OF THE BUILDING HAVE
CHANGED FROM THE ORIGINAL SINGLE FAMILY OCCUPANCY
CLASSIFICATION TO A TRIPLEX OR MULTIPLE FAMILY
DWELLING WITHOUT OBTAINING THE REQUIRED
CERTIFICATE OF OCCUPANCY, WHICH IS A PROHIBITED
LAND USE IN THIS RS-8 ZONING DISTRICT.

FBC(2007) 1604.1

THE STRUCTURES FOR THE ILLEGAL ADDITION AT THE
REAR SOUTH SIDE OF THE DWELLING 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. THEY WOULD NOT PROVIDE THE REQUIRED RESISTANCE TO UPLIFT WHICH THIS CODE PROTECTS THE NEIGHBORS FROM FLYING DEBRIS IN A STORM AND WHICH THIS STRUCTURE MAY BECOME. THEY MUST BE REMOVED.

FBC(2007) 1612.1.2

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

FBC(2007) 1626.1

ALL THE NEW WINDOWS WITHOUT IMPACT GLASS NEED TO BE PROTECTED BY AN APPROVED HURRICANE PROTECTION SYSTEM.

FBC(2007) 708.3

FIRE SEPARATIONS BETWEEN RESIDENTIAL UNITS ARE NOT MAINTAINED. EACH TENANT SPACE SHALL BE SEPARATED FROM OTHER TENANT SPACES BY A FIRE PARTITION COMPLYING WITH FBC 708. OPENINGS IN A FIRE WALL SHALL BE PROTECTED AS PER FBC 715.

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 \$10 per day, per violation and to record the order.

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 8/23/11 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: CE11020100

900 Southwest 24 Avenue
BOYD, VALERIE DENISE
WILLIAMS, VONISHA P MNR

Service was via posting on the property on 7/12/11 and at City Hall on 7/14/11.

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

FBC(2007) 105.1

THE FOLLOWING WORK HAS BEEN DONE WITHOUT PERMITS:

1. NEW WINDOWS HAVE BEEN INSTALLED.
2. NEW DOORS HAVE BEEN INSTALLED.

3. NEW ROOF TILES HAVE BEEN INSTALLED.
4. NEW WOOD COLUMNS.
5. NEW FASCIA AND SUBFASCIA BOARDS.

FBC(2007) 105.4.4

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

1. NEW PLUMBING FIXTURES HAVE BEEN INSTALLED.
2. A WASTE LINE HAS BEEN INSTALLED THAT IS NOT CONNECTED TO THE SANITARY SYSTEM.

FBC(2007) 105.4.5

EXTERIOR PREMISE WIRING HAS BEEN INSTALLED WITHOUT A PERMIT.

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.

Motion made by Mr. Miron, seconded by Mr. Nelson to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 8/23/11 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: CE11021324

541 Northwest 1 Avenue
FLAGLER WAREHOUSE I LLC
ATTN: MR DOUGLAS MCCAWE

Service was via posting on the property on 7/12/11 and at City Hall on 7/14/11.

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

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED WITH THE INSTALLATION OF A CENTRAL A/C SYSTEM WITHOUT A PERMIT.

FBC(2007) 105.4.11

AN A/C SYSTEM HAS BEEN INSTALLED IN THE WAREHOUSE UNIT WITHOUT OBTAINING THE REQUIRED PERMITS.

Inspector Smilen reported a permit application had been submitted in October 2010 and had been out for corrections since October 6, 2010. The air conditioning contractor had informed Inspector Smilen he would pull the permit but this had not occurred yet.

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. Miron 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 9/27/11 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 Mr. Dooley opposed.

Case: CE10050517

817 Northwest 1 Street
DFD CAPITAL DEVELOPMENT CORP

This case was first heard on 6/28/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied and the City was requesting the fines as stated in the Order would begin on 7/27/11 and would continue to accrue until the violations were corrected. Service was via posting on the property on 7/14/11 and at City Hall on 7/14/11.

George Oliva, Building Inspector, said he had visited the property and the owner had agreed to remove the air conditioners to comply. He said the door violations would be withdrawn. Inspector Oliva recommended a 63-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to grant a 63-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10122046

1270 Southwest 29 Terrace
FLORENCIO, PEDRO & LEONOR ALEGRIA

This case was first heard on 5/24/11 to comply by 6/28/11. 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. Service was via posting on the property on 7/14/11 and at City Hall on 7/14/11.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to find the violations were not complied by the Order date, and to impose the \$810 fine, which would continue to accrue until the violations were corrected.

Case: CE10101100

1033 Northeast 16 Terrace
MAINI, ARCHANA
SHETH, KISHOR

This case was first heard on 2/22/11 to comply by 4/26/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,025 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 7/12/11.

Gerry Smilen, Building Inspector, reported the permits were ready, and recommended a 28-day extension.

Motion made by Mr. Miron, seconded by Mr. Thilborger to grant a 28-day extension to 8/23/11, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Mr. Nelson opposed.

Case: CE10111822

25 Northwest 11 Street
LUXE, EMILE

This case was first heard on 4/26/11 to comply by 6/28/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$540 fine, which would continue to accrue until the property complied. Service was via posting on the property on 7/14/11 and at City Hall on 7/14/11.

Gerry Smilen, Building Inspector, reported the door permit has passed final inspection and the mechanical permit had failed and was out for corrections.

Motion made by Mr. Nelson, seconded by Mr. Miron to grant a 28-day extension to 8/23/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10120975

2012 S Miami Rd
MIAMI ROAD PARTNERS LLC

This case was first heard on 4/26/11 to comply by 6/28/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,620 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 7/13/11.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to find the violations were not complied by the Order date, and to impose the \$1,620 fine, which would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE08080991

3061 Northeast 49 Street # 08
RUSSO, MICHELLE

This case was first heard on 5/24/11 to comply by 6/28/11. 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. Service was via posting on the property on 7/13/11 and at City Hall on 7/14/11.

Motion made by Mr. Miron, seconded by Mr. Thilborger to find the violations were not complied by the Order date, and to impose the \$810 fine, which would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE10030136

1730 Northeast 7 Terrace
LOVASCIO, JACK

This case was first heard on 6/28/11 to comply by 7/26/11. Violations were as noted in the agenda. The property was not complied and the City was requesting the fines as stated in the Order would begin on 7/27/11 and would continue to accrue until the violations were corrected. Service was via posting on the property on 7/13/11 and at City Hall on 7/14/11.

Motion made by Mr. Nelson, seconded by Mr. Thilborger to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 7/27/11 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Approval of Meeting Minutes

[This item was heard out of order]

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

Communication to the City Commission

By unanimous consensus, the Board wished the City luck and congratulations on the hiring of the new City Manager and Assistant City Managers.

For the Good of the City

None.

Cases Complied

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

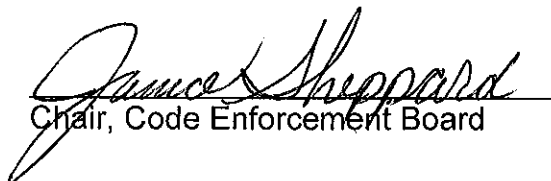
CE09120722 CE10070937 CE11011044 CE10060295

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:

CE10020129 CE10090265 CE10091742

There being no further business to come before the Board, the meeting adjourned at 1:15 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: Jamie Opperlee, ProtoType Inc.