

**CODE ENFORCEMENT BOARD  
CITY COMMISSION MEETING ROOM  
100 NORTH ANDREWS AVENUE  
AUGUST 23, 2011  
9:00 A.M. – 2:27 P.M.**

<b><u>Board Members</u></b>	<b><u>Attendance</u></b>	<b>Cumulative attendance 2/2011 through 1/2012</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Jan Sheppard, Chair	P	7	0
Howard Nelson, Vice Chair [9:09]	P	6	1
Paul Dooley	P	7	0
Howard Elfman	P	7	0
Genia Ellis	P	6	1
Joan Hinton	A	3	4
Chad Thilborger	P	7	0
PJ Espinal [Alternate]	P	5	1
Joshua Miron [Alternate]	A	4	4
Robert Smith [Alternate]	P	6	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,  
 Erin Peck, Clerk III  
 Burt Ford, Building Inspector  
 George Oliva, Building Inspector  
 Gerry Smilen, Building Inspector  
 John Madden, Building Inspector  
 Alex Hernandez, Building Department Supervisor  
 Jorg Hruschka, Building Inspector  
 Jamie Opperlee, Recording Secretary

**Communication to the City Commission**

None.

**Respondents and Witnesses**

CE11032316: Goran Dragoslavic, owner  
CE10040669: Craig Phillip Rogers, attorney  
CE10042739: Rodney Allen Hammes, contractor  
CE08121189: Anne Rosse, board president; Taisto Podesta, unit lessee; Elmer Generotti, attorney  
CE08071578: Alva Madeo, owner's representative  
CE11011144: Amanda Tsang, owner  
CE09020070: Gary Sieger, neighbor; Stephanie Toothaker, attorney; Anthony Conetta, neighbor  
CE10041015: Christine Marsters, general manager; Gerard Scalzo, owner  
CE10080416: Marta Cedeno, bank representative  
CE09051511: Jean Pierre DaSilva, architect  
CE10120954: Osmanis Franquero, owner's spouse  
CE10012098: Gary Snyder, owner; Jane Snyder, owner; John Tiberio, neighbor  
CE10042246; CE10042248; CE10042243: Ed Nichols, condominium assistant manager  
CE09051061: Hussein Shehata, owner  
CE10111822: Emile Luxe, owner  
CE11060708: Nerisa Henry, owner's representative  
CE10070744: Latarsha Johnson, tenant; Jasmis Carmichael, tenant  
CE10072008: Scott Beard, owner's brother  
CE09071049: Christopher Done, power of attorney for owner  
CE11020528: Jose Pol, owner's spouse  
CE10082089: Janna Lhota, attorney  
CE10050973: Norman Kent, attorney  
CE10071162: Thomas Lanigan, owner  
CE09050642: Damien Dominicis, owner  
CE10081798: Frederick Thompson, owner  
CE09030895: Kent Chamberlain, owner, Hamilton Joe DeSouza, contractor  
CE11040152: William Nielsen, owner's spouse  
CE10100039: Robert Belson, owner  
CE10121677: Brian Blanchette, assistant manager  
CE10101121: Bernice Hullaby, owner's representative  
CE10091722: Jennifer Trotta, property manager, David Wagie, contractor  
CE10071991: Ricky Pierce, owner  
CE11052306: Marilyn Gallington, owner  
CE11020641: Aaron Mawardi, contractor

CE10020129: Peter Flanagan, attorney  
CE10061995: Mohammed Markatia, owner; Carlos Flores, tenant  
CE11060149: August Perez, owner  
CE10021271: Warren Diener, attorney  
CE07081705: Sergio Vazquez, owner  
CE07071088: Jerome Petrisko, owner  
CE06030553; CE10062044: George Zartolas, owner; Herman Harlahuano, contractor  
CE10090641: Jeffrey Hallick, owner

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

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

**Case: CE10042739**

1501 Riverland Road  
LIVING WATER COMMUNITY CHURCH INC

This case was first heard on 4/26/11 to comply by 6/28/11. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the property was complied.

**Case: CE11020528**

720 Southwest 19 Street  
BANK OF NEW YORK TRSTEE  
New owner: Ambient Capital 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 and the City was requesting imposition of a \$3,375 fine, which would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 8/8/11.

Gerry Smilen, Building Inspector, recommended an extension to allow the new owners to have plans drawn.

Mr. Jose Pol, the owner's spouse, stated they had hired a roofer and chosen an architect. He requested 154 days. Inspector Smilen agreed with this request. He explained the house was secured and the lawn had been cut on his last visit.

**Motion** made by Ms. Ellis, seconded by Mr. Thilborger to grant a 154-day extension to

1/24/12, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Motion** made by Mr. Elfman, seconded by Mr. Thilborger, to amend the original Order compliance date from 7/26/11 to 8/23/11. In a voice vote, motion passed 7-0.

Mr. Nelson arrived at 9:09 and took Mr. Smith's place on the dais

**Case: CE08121189**

1525 Southeast 15 Street # 5  
SOUTH EAST ISLANDER APARTMENTS INC  
AND PESOLA, TAISTO A

This case was first heard on 4/26/11 to comply by 6/28/11. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Elmer Generotti, attorney, informed the Board that they had hired a contractor, but there was a question about whether the windows met the impact code and Ms. Wald had agreed to look into this. Mr. Generotti requested an extension.

Burt Ford, Building Inspector, stated they had a sequence for the product approvals, but it did not show that it was the same product. He had phoned the manufacturer, but had received no response yet. Inspector Ford wanted the contractor and owner to pursue this, and he recommended an extension of at least 90 days.

**Motion** made by Mr. Nelson to grant a 91-day extension to 11/22/11, during which time no fines would accrue.

Mr. Dooley questioned whether the issue could be resolved or the windows replaced within 91 days. Inspector Ford thought it could be sooner, but he did not object to 91 days.

Ms. Wald stated the owner's application had been rejected and she had addressed this. She said the Building Official must approve the product approval; if he did not accept it, the owner could seek a one-time product approval through Miami-Dade County. Mr. Nelson said the owner could also go to the Broward County Board of Rules and Appeals for a variance.

Mr. Nelson renewed his motion and Mr. Thilborger seconded. In a voice vote, motion passed 7-0.

**Case: CE10050973**

1116 W Broward Blvd  
NOOR INVESTMENTS REALTY LLC

This case was first heard on 5/24/11 to comply by 8/23/11. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported a mechanical permit had been issued and the owner still needed to remove water supply lines. He recommended a 35-day extension.

**Motion** made by Ms. Ellis, seconded by Mr. Nelson to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE09020070**

2000 North Ocean Boulevard # HOTEL  
URBANA PELICAN GRAND I LLC

This case was first heard on 2/22/11 to comply by 3/22/11. Violations and extensions were as noted in the agenda. The property was not complied.

Ms. Stephanie Toothaker, attorney, said they had applied for an after-the-fact building permit for the electric, but this had been denied, and Craig Stevens, Chief Electrical Inspector, had recommended they wait until they appeared before the Board of Adjustment. Ms. Toothaker stated at the July Board of Adjustment hearing their case had been deferred. She noted that staff wanted them to appeal to the Planning and Zoning Board instead. This required a parking study, which they had begun. Ms. Toothaker requested another extension.

Mr. Nelson said he was becoming "hugely uncomfortable with where this is going." He asked about the deferral from the Board of Adjustment, and Ms. Toothaker stated staff was drafting code amendments to address "outdoor uses of hotels, which is the bigger issue in the background."

Burt Ford, Building Inspector, said the Board of Adjustment had deferred the case until the Owner requested another hearing. He stated the tent must be permitted or removed. He noted the electrical had not been permitted and should be removed immediately. He could not recommend another extension. Inspector Ford thought the owner could not permit the electrical until the zoning issue was resolved.

Inspector Ford explained to Ms. Espinal that the hotel had been continuously renewing temporary permits for the tent and Zoning had stopped doing that because this was a permanent tent. Ms. Toothaker confirmed that the hotel had been renewing the 30-day permit, and Zoning staff had indicated they would "prefer, instead of you coming in for these 30-day approvals, for you to get a more permanent solution for the tent, which is when we applied for the administrative approval for the permanent, which was granted." The hotel had re-erected the tent, but neglected to get a building permit. Ms. Espinal asked why the tent could not be taken down between events. Ms. Toothaker said the City would no longer issue them the temporary permits.

Mr. Nelson said the issue was that this was not the type of tent that Zoning had determined could be erected adjacent/attached to a building, even though it had been temporarily approved under the current interpretation of the zoning code. Mr. Nelson felt it "hugely problematic that our staff can't figure out our zoning code well enough to figure out how to permit or not permit something and they leave it to Code Enforcement staff to have to deal with." Mr. Nelson was most concerned about the electrical issue and asked that if the Board granted another extension, he wished the electrician to provide certification that the work met code. Ms. Toothaker agreed to provide this. Inspector Ford pointed out that the electrician could not approve the electrical work; this could only be done via the City's permit and inspection process.

Mr. Gary Sieger, neighbor, agreed this was a complicated zoning issue that he thought must be addressed in front of the Planning and Zoning Board. He explained that the setbacks were not being met and neither was the landscape requirement. He was concerned by the fact that the tent was not permitted. Mr. Sieger wondered why the hotel was allowed to keep and use the tent; he felt it should be taken down.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 91-day extension to 11/22/11, during which time no fines would accrue. In a roll call vote, motion passed 4-3 with Mr. Dooley, Mr. Elfman and Ms. Espinal opposed.

**Case: CE10120954**

3105 Southwest 13 Street  
CRESPO, ELBA

This case was first heard on 4/26/11 to comply by 6/28/11. Violations and extensions were as noted in the agenda. The property was not complied.

Alex Hernandez, Building Department Supervisor, translated for Osmanis Franquero, the owner's spouse. Mr. Franquero reported he had re-submitted the plans with corrections.

George Oliva, Building Inspector, confirmed the application had been submitted and recommended a 91-day extension.

**Motion** made by Mr. Thilborger, seconded by Mr. Elfman to grant a 91-day extension to 11/22/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE08071578**

1731 Northeast 3 Avenue  
VOLPE, TODD D

This case was first heard on 4/27/10 to comply by 6/22/10. Violations and extensions were as noted in the agenda. The property was not complied. Burt Ford, Building Inspector, reported the application had passed Zoning and the final inspection was scheduled. He recommended a 35-day extension.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 35-day extension to 9/27/11, 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 original Order compliance date from 5/24/11 to 6/28/11. In a voice vote, motion passed 7-0.

**Case: CE07071088**

3500 Vista Park  
FAHEY, DANA A

Ms. Paris requested vacation of the Order Imposing the Fine dated 6/28/11.

**Motion** made by Mr. Nelson, seconded by Ms. Ellis, to vacate the Order Imposing the Fine dated 6/28/11. In a voice vote, motion passed 7-0.

This case was first heard on 1/27/09 to comply by 3/24/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$9,300 fine. Certified mail sent to the owner was accepted on 8/5/11.

Mr. Jerome Petrisko, owner, explained the property had been complied prior to the last hearing and he had been told not to attend.

Gerry Smilen, Building Inspector, confirmed the property was complied.

**Motion** made by Mr. Nelson, seconded by Ms. Espinal to find the violations were not complied by the Order date, and to impose the \$9,300 fine. In a voice vote, motion failed 1-6 with only Ms. Espinal voting in favor.

**Motion** made by Mr. Nelson, seconded by Ms. Ellis to impose no fine. In a voice vote, motion passed 6-1 with Ms. Espinal opposed.

**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 and extensions were as noted in the agenda. The property was not complied.

Gerard Scalzo, owner, stated they had applied for a permit for parking but this had failed Zoning. He had found a 1999 site plan showing the parking, and would resubmit this to Zoning. Mr. Scalzo requested 60 days.

Burt Ford, Building Inspector, said it was up to Zoning to approve this, but he did not object to the extension request.

**Motion** made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 10/25/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10100039**

1717 Southwest 11 Court  
BELSON, ROBERT

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 the fine, which would begin on 8/24/11 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 8/8/11.

Mr. Robert Belson, owner, said he had purchased the property with the violations and already performed \$25,000 worth of improvements. He had hired an architect for the interior renovation plans and he had finished the revisions on July 30. Mr. Belson had also hired a general contractor to perform the interior work. He explained that the house was not habitable because the City had not made the new sewer hookup available yet. Mr. Belson requested an extension.

Jorg Hruschka, Building Inspector, recommended a 91-day extension, and remarked the owner had been working diligently.

**Motion** made by Mr. Thilborger, seconded by Ms. Ellis to grant a 91-day extension to 11/22/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10082089**

935 Intracoastal Drive  
JAMES ROBERT MCKEE TR  
C/O MCKEE, DAVID TRSTEE ETAL

This case was first heard on 5/24/11 to comply by 8/23/11. Violations were as noted in the agenda. The property was not complied.

Ms. Janna Lhota, attorney, stated the tenant had done most of the illegal work. She said the electrical issues had been addressed immediately. They had obtained existing plans and ensured their accuracy, and the permit application had been submitted to the



City. Ms. Lhota said the City had advised that they must go to the County DEP and the DEP had required an asbestos study. This had been done and no asbestos had been found. When the County approved the report, they would submit the plans to the City. She requested a 120-day extension.

Mr. Dooley recused himself from this case and Mr. Smith took his place on the dais.

Burt Ford, Building Inspector, confirmed what Ms. Lhota had said, and recommended a 154-day extension.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 154-day extension to 1/24/12, during which time no fines would accrue. In a roll call vote, with Mr. Dooley recusing himself and Mr. Smith voting in his place, motion passed 5-2 with Mr. Elfman and Ms. Sheppard opposed.

**Case: CE07081705**

3391 Southwest 15 Street  
VAZQUEZ, SERGIO H/E &  
VAZQUEZ, ESTEBAN

This case was first heard on 11/25/08 to comply by 1/27/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$843,300 fine, which would continue to accrue until the property complied. Service was via posting on the property on 8/4/11 and at City Hall on 8/11/11.

George Oliva, Building Inspector, translated for the owner, Sergio Vazquez. Mr. Vazquez stated he purchased the property in 1999 with the violations. He said he was in foreclosure litigation with the bank, and he wanted the bank to fix the violations before he made any more mortgage payments. Mr. Vazquez stated he occupied the property.

Chair Sheppard claimed Mr. Vazquez lived in Pompano Beach and this was a rental property, but Mr. Vazquez reiterated that he lived at the property.

Mr. Nelson mentioned the size of the existing fine, and noted that Mr. Vazquez could fix some of the violations, but Mr. Vazquez stated he could not afford to hire an architect or contractor. He said he was willing to work with Inspector Ford to address the violations as he could afford them.

Burt Ford, Building Inspector, said he had met Mr. Vazquez many times in 2008 to explain what needed to be done. He said the violations required professional design. He recommended imposition of the fine.

Mr. Nelson noted that imposing the existing fine "almost begs for foreclosure."

**Motion** made by Mr. Nelson, seconded by Ms. Ellis, to find the violations were not complied by the Order date, and to impose a fine of \$100 per day, per violation, to begin on 8/24/11 and to continue to accrue until the violations were complied. In a roll call vote, motion failed 2-5 with Mr. Dooley, Mr. Elfman, Ms. Espinal, Mr. Thilborger and Chair Sheppard opposed.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman, to find the violations were not complied by the Order date, and to impose the \$843,300 fine, which would continue to accrue until the violations were corrected. In a roll call vote, motion failed 7-0.

**Motion** made by Mr. Nelson to grant a 35-day extension to 9/27/11. Motion died for lack of a second.

Ms. Espinal suggested imposing 10% of the existing fine, which would continue to accrue at 10% of the original fine rate [\$84,330 and \$10 per day, per violation respectively].

**Motion** made by Mr. Nelson, seconded by Mr. Dooley, to find the violations were not complied by the Order date, and to impose an \$84,330 fine, which would continue to accrue at the rate of \$10 per day, per violation, until the violations were corrected. In a roll call vote, motion passed 4-3 with Ms. Ellis, Mr. Nelson and Mr. Thilborger opposed.

**Case: CE10012098**

3300 Northeast 16 Court  
SNYDER, GARY S & JANE LE  
SNYDER FAM TR

This case was first heard on 4/26/11 to comply by 6/28/11. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Gary Snyder, owner, reminded the Board that the house was in foreclosure and under contract for a short sale. The bank and the prospective buyer were still negotiating on a price. He requested an extension for the short sale to go through. He stated the rental unit was occupied by a friend who was not paying rent.

Burt Ford, Building Inspector, reported there had been no progress at the property.

Ms. Jane Snyder, owner, confirmed that the bank and prospective buyer were negotiating and she had submitted additional documentation. Ms. Snyder explained to Mr. Nelson that they were "financially against the wall" and could not afford to have the work done. She said the prospective buyer was aware of the violations and was willing to do whatever was needed to comply. Mr. Snyder said if this sale did not go through, there had been other parties interested in a short sale.

Mr. John Tiberio, neighbor, said they did not have a closing date, and he wondered how the rental unit could be occupied when it was not permitted. Mr. Tiberio said his property value had decreased because of all of the foreclosures in the area. He was concerned that the Snyders had no plans to rehabilitate the property but were relying on a sale.

Mr. Tiberio claimed that the Snyders kept a stereo playing in the backyard all day long and said he had called the Police to complain. Ms. Snyder agreed that Mr. Tiberio had called the Police several times, but the Police stated the Snyders' stereo had not violated any code. Ms. Snyder stated their plan was to short sell the house.

**Motion** made by Mr. Thilborger, seconded by Ms. Ellis to grant a 63-day extension to 10/25/11, during which time no fines would accrue. In a roll call vote, motion failed 2-5 with Mr. Dooley, Mr. Elfman, Ms. Espinal, Mr. Nelson and Chair Sheppard opposed.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a roll call vote, motion passed 7-0.

**Case: CE10090641**

4140 North Federal Highway  
ABCD RESORT PARTNERS LTD

This case was first heard on 6/28/11 to comply by 8/23/11. Violations were as noted in the agenda. The property was not complied.

Mr. Jeffrey Hallick, owner, said he had been forced to settle with his insurance company the previous week and he had hired a contractor. He requested a 91-day extension.

Burt Ford, Building Inspector, did not oppose the 91-day extension request. Mr. Thilborger said he had visited the property the previous week and the area was roped off.

**Motion** made by Mr. Thilborger, seconded by Ms. Ellis to grant a 91-day extension to 11/22/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The Board took a 10-minute break.

**Case: CE09030895**

1369 Southeast 14 Street  
CHAMBERLAIN, KENT T

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.

Mr. Hamilton Joe DeSouza, contractor, stated he had applied for the permits under his name and the architect was addressing the comments. He anticipated the permits would be issued any day.

Mr. Kent Chamberlain, owner, said the contractor felt work could be completed within 30 days.

Burt Ford, Building Inspector, recommended a 63-day extension.

**Motion** made by Mr. Thilborger, seconded by Mr. Nelson to grant a 63-day extension to 10/25/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE09050642**

1301 Northeast 17 Avenue  
DOMINICIS, MARIA LE  
DOMINICIS, LUIS, DOMINICIS, D

This case was first heard on 8/24/10 to comply by 10/26/10. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Damien Dominicis, owner, said he was awaiting his architect's submission of the mechanical plans revision. He said these would be submitted within the next two to three days.

Burt Ford, Building Inspector, agreed progress was being made, and recommended an extension.

**Motion** made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 10/25/11, during which time no fines would accrue. 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 imposition of the fine, which would begin on 8/24/11 and would continue to accrue until the property complied. Service was via posting on the property on 8/4/11 and at City Hall on 8/11/11.

Ms. Amanda Tsang, owner, reported her contractor had submitted the application and the permit had been issued the previous day.

George Oliva, Building Inspector, confirmed the permit had been issued and recommended a 63-day extension.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to grant a 63-day extension to 10/25/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10111822**

25 Northwest 11 Street  
LUXE, EMILE

This case was first heard on 4/26/11 to comply by 6/28/11. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$540.

Mr. Emile Luxe, owner, said he had received the permit the previous day.

Gerry Smilen, Building Inspector, confirmed the mechanical permit had been obtained the previous day. The only outstanding violation related to an electrical issue. He recommended a 63-day extension.

**Motion** made by Mr. Thilborger, seconded by Mr. Nelson to grant a 63-day extension to 10/25/11, 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 original Order compliance date from 6/28/11 to 7/26/11. In a voice vote, motion passed 7-0.

**Case: CE10042246**

3333 Northeast 36 Street # 2  
DADDARIO, ANGELA

This case was first heard on 4/26/11 to comply by 6/28/11. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Ed Nichols, condominium assistant manager, thought the violations were complied. He said he had pulled a landscape permit.

Burt Ford, Building Inspector, stated the property needed to pass a Building final inspection.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10042248**

3333 Northeast 36 Street # 3  
BAILEY, MAUREEN

This case was first heard on 4/26/11 to comply by 6/28/11. Violations and extensions were as noted in the agenda. The property was not complied.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10042243**

3333 Northeast 36 Street # 4  
RICHARD D FELDMANN REV TR

This case was first heard on 4/26/11 to comply by 6/28/11. Violations and extensions were as noted in the agenda. The property was not complied.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10101121**

1905 Southwest 11 Street  
HILL, JOHN

This case was first heard on 6/28/11 to comply by 8/23/11. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, confirmed that the fence permit application had not been submitted.

Ms. Bernice Hullaby, the owner's representative, reported the owner was ill and had been hospitalized. She requested an extension.

Inspector Smilen confirmed that he had spoken to the owner the previous day. He did not oppose a 35-day extension.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10040669**

409 Southeast 7 Street  
SHEPARD, MURRAY E & MICHELE M &  
LESKAR, DAVID W & CHERYL H

This case was first heard on 6/28/11 to comply by 8/23/11. Violations were as noted in the agenda. The property was not complied.

Mr. Craig Phillip Rogers, attorney, reported everything except the awning violation was now complied. He said they were trying to find documentation related to the awning installation.

Gerry Smilen, Building Inspector, confirmed that all violations except FBC(2007) 105.4.8. were complied. He recommended a 63-day extension.

**Motion** made by Ms. Ellis, seconded by Mr. Elfman to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a roll call vote, motion passed 4-3 with Mr. Nelson, Mr. Thilborger and Chair Sheppard opposed.

**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 and extensions were as noted in the agenda. The property was not complied.

Mr. Hussein Shehata, owner, said the contractor who had begun the work years ago had never received the permit and had abandoned the job. Mr. Shehata said he had spent \$2,500 to have plans drawn so he could obtain an after-the-fact permit. He had received a permit, but there was a problem with the electrical. Mr. Shehata described the electrical problem in the kitchen.

Burt Ford, Building Inspector, stated the property was complied.

**Case: CE10071991**

2600 Northwest 20 Court  
PIERCE, RICKY

This case was first heard on 3/22/11 to comply by 5/24/11. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Ricky Pierce, owner, said he had picked up the drawings for corrections and he anticipated resubmitting them later in the week.

George Oliva, Building Inspector, confirmed the case would be complied once the permit was issued. He recommended a 63-day extension.

**Motion** made by Mr. Nelson, seconded by Ms. Ellis to grant a 63-day extension to 10/25/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

The Board took a break from 11:09 – 11:28

**Case: CE11032316**

307 Southwest 11 Avenue  
COMMUNITY 8 PROPERTIES LLC

Personal service was made to the manager on 8/5/11.

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

THE MULTI-FAMILY BUILDING HAS BEEN ALTERED IN THE FOLLOWING WAY WITHOUT OBTAINING THE REQUIRED PERMITS:

1. NEW EXTERIOR DOORS HAVE BEEN INSTALLED.
2. A WOOD SHED HAS BEEN ERECTED IN THE REAR OF THE PROPERTY.
3. A NEW VANITY HAS BEEN INSTALLED.

FBC(2007) 105.4.4

THE FOLLOWING PLUMBING WORK HAS BEEN COMPLETED WITHOUT A PERMIT:

1. PLUMBING FOR A NEW VANITY SINK.
2. WASTE LINES HAVE BEEN INSTALLED IN THE SHED.
3. A NEW COMMODE HAS BEEN INSTALLED.

FBC(2007) 105.4.5

ELECTRICAL OUTLETS AND POWER HAVE BEEN PROVIDED IN THE SHED WITHOUT A PERMIT.

Inspector Smilen stated he had begun the case 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 35 days or a fine of \$20 per day, per violation.

Mr. Goran Dragoslavac, owner, said he had just purchased the property and the shed would be removed. He stated the property was in the historic district, so any work must be presented to the Historic Preservation Board [HPB] for approval. Their next meeting would be on September 12.



Ms. Wald confirmed that Mr. Dragoslavic was not yet on the HPB agenda, but he said he had been guaranteed he could be on the September agenda. Ms. Wald advised increasing the compliance deadline to 63 days.

**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 10/25/11 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

**Case: CE10091722**

2011 Northeast 31 Avenue  
MCDEVITT, MICHAEL

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

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. KITCHEN AND BATHS ARE BEING REMODELED.

FBC(2007) 105.4.4

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

1. PIPING, FIXTURES, AND APPLIANCES HAVE BEEN REPLACED DURING THE KITCHEN AND BATH REMODELING.

FBC(2007) 105.4.5

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

1. CIRCUITS HAVE BEEN ADDED/ALTERED DURING THE KITCHEN AND BATH REMODELING.

FBC(2007) 109.10

WORK WAS PERFORMED AND/OR COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

Inspector Ford said a stop work order had been posted on the property. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation.

Mr. David Wagie, contractor, said he had received permit applications and would submit them this week. He requested a 63-day extension.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 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: CE10071162**

1223 Northeast 15 Avenue  
1223 Northeast 15TH AVENUE LLC  
C/O CASEY WILLIAM COUGHLIN PA

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

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

9-280(b)

THE EXTERIOR DOORS AND WINDOWS HAVE NOT BEEN MAINTAINED.

9-280(g)

THE ELECTRICAL SYSTEM HAS NOT BEEN MAINTAINED. THERE ARE EXPOSED WIRES ON ELECTRICAL OUTLETS WITHOUT COVERS.

FBC(2007) 105.4.4

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

1. A WATER HEATER HAS BEEN INSTALLED IN UNIT #3.

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 WITH THE INSTALLATION OF THE WATER HEATER.

FBC(2007) 105.4.11

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

1. WALL A/C UNITS HAVE BEEN INSTALLED.
2. WINDOW A/C UNITS HAVE BEEN INSTALLED.

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. Thomas Lanigan, owner, stated the work would be done. He said he already had a contractor and work should be done by the deadline. He requested the potential fine be reduced to \$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 63 days, by 10/25/11 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

**Case: CE10021271**

3100 Northeast 29 Street # 106  
ELLIS, KALEEL M III

Service was via posting on the property on 8/5/11 and at City Hall on 8/11/11.

This was a requested to vacate the Final Order dated 7/26/11 and re-hear the case.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman, to vacate the Final Order dated 7/26/11. In a voice vote, motion passed 7-0.

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 stated the interior of the property had been gutted down to studs and concrete. He recommended ordering compliance within 63 days or a fine of \$10 per day, per violation.

Mr. Warren Diener, attorney, reported they had retained a general contractor, who would submit plans for permitting. Mr. Diener anticipated the issues would be resolved within the deadline. He confirmed the property was unoccupied.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 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: CE10081798**

1305 Northwest 19 Avenue  
THOMPSON, FREDERICK

Service was via posting on the property on 8/4/11 and at City Hall on 8/11/11.

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. FLPD OFFICER BADGE #212 CALLED FOR A BUILDING INSPECTOR. HE INVITED US INSIDE TO SHOW ILLEGAL ADDITIONS AND CONVERSIONS THAT WERE DONE ON THIS PROPERTY. OFFICER SAID THAT THREE FAMILIES ARE LIVING ON THE PREMISES. THIS IS ZONED FOR A SINGLE FAMILY LOW DENSITY RS-8.
2. A STORAGE SHED MADE OUT OF CBS THAT WAS BUILT 3/21/1974 HAS BEEN CONVERTED INTO AN ILLEGAL RENTAL APARTMENT WITH KITCHEN AND BATHROOM AREAS.
3. THE MAIN HOUSE WAS SUBDIVIDED INTO TWO RENTAL APARTMENTS WITH KITCHEN AND BATHROOM AREAS ON BOTH SIDES.

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. WASTE DRAIN LINES AND WATER SUPPLY PIPES WERE INSTALLED TO SUPPLY ALL THE ILLEGAL 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. THE ELECTRICAL LOADS IMPOSED ON THE CIRCUITS INCLUDING BUT NOT LIMITED TO THE ILLEGAL CONVERSION OF A SHED TO LIVING SPACE AND THE TWO ILLEGAL APARTMENTS THAT WERE BUILT INSIDE THE MAIN HOUSE EXCEED THE 150 AMPS CAPACITY OF THE EXISTING ELECTRICAL PANEL BECOMING A FIRE HAZARD.

FBC(2007) 109.10

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 ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A SINGLE FAMILY DWELLING TO MULTIPLE FAMILY WITHOUT OBTAINING THE REQUIRED CERTIFICATE OF OCCUPANCY OR PERMITS FROM THE CITY.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation and to record the order.

Mr. Frederick Thompson, owner, confirmed he had submitted a permit application earlier in the day, and stated he would return this to a single-family home.

Ms. Ellis left dais at 11:56 and Mr. Smith took her place.

**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 11/22/11 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: CE10061995**

3025 Davie Blvd  
MARKATIA EQUITIES INC

Service was via posting on the property on 8/5/11 and at City Hall on 8/11/11.

Gerry Smilen, Building Inspector, testified to the following violations:  
FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED WITH THE CONNECTION OF A NEW SPLIT A/C SYSTEM.

FBC(2007) 105.4.11

A NEW SPLIT A/C SYSTEM 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 35 days or a fine of \$20 per day, per violation.

At 12:00, Ms. Ellis returned to the dais and replaced Mr. Smith.

Mr. Nelson recused himself from this case and Mr. Smith took his place on the dais.

Mr. Carlos Flores, tenant, said he was unaware of the violations when he purchased the business. He requested 63 days.

**Motion** made by Mr. Elfman, seconded by Mr. Thilborger to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 days, by 10/25/11 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.

Mr. Nelson returned to the dais, replacing Mr. Smith.

**Case: CE11052306**

2645 Southwest 6 Court

HOUSING FOUNDATION OF AMERICA INC

Service was via posting on the property on 8/4/11 and at City Hall on 8/11/11.

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:

A STOP WORK ORDER WAS ISSUED ON MAY 26,2011

1. THE INTERIOR OF THE PROPERTY IS BEING REMODELED WITHOUT THE PROPER PERMITS.
2. THE SUPPORTING TIE BEAM HAS BEEN CUT IN DIFFERENT AREAS.
3. ELECTRICAL WORK IS BEING DONE.
4. NEW FRAMING WITH DRYWALL WORK IS BEING DONE.
5. PLUMBING WORK IN THE KITCHEN AND BATHROOM.
6. THE WINDOWS AND DOORS ARE BEING REPLACED WITH A

PERMIT APPLICATION ONLY.

FBC(2007) 105.14

1. THE WORK TO REPLACE THE WINDOWS AND EXTERIOR DOORS BEGAN WITH AN APPLICATION #11051449 DATED MAY 19, 2011 FOR A PERMIT THAT FAILED THE PLANS EXAMINER REVIEW ON MAY 24, 2011 FOR NOT BEING COMPLETED.
2. A STOP WORK ORDER WAS ISSUED AND THE CONTRACTOR WAS N.T.A. BY DET. JORGE MAURA OF THE FLPD.

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. REMODELING WORK OF THE KITCHEN AND BATHROOM WITH NEW PLUMBING FIXTURES.

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 ARE BEING REMOVED. SOME ARE BEING RELOCATED THROUGHOUT THE DWELLING, THE ONE INSIDE THE KITCHEN AND BATHROOM MUST MEET THE NEC 210.8 REQUIREMENTS.

FBC(2007) 1604.1

THE SUPPORTING CONCRETE TIE BEAM FOR THE ROOF WAS CUT IN DIFFERENT LOCATIONS INSIDE THE CENTER HALLWAY OF THE DWELLING COMPROMISING THE DESIGNED GRAVITY AND DEAD WEIGHT LOADING RATE OF THE SUPPORTING CONCRETE BEAM.

FBC(2007) 1612.1.2

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

FBC(2007) 1626.1

THE WINDOWS AND DOORS WITH GLASS PANELS THAT HAVE BEEN INSTALLED DO NOT PROVIDE THE REQUIRED RESISTANCE TO THE IMPACT OF WIND BORNE DEBRIS. AN APPROVED SHUTTER SYSTEM HAS NOT BEEN PROVIDED.

Inspector Oliva said the case had begun as the result of a complaint. A stop work order had been issued on May 26 and the unlicensed contractor had been arrested, but work had continued. He stated three permit applications had been submitted for the windows

but a permit had never been issued. Inspector Oliva stated tie beams had been cut and the Building Official wanted an engineer to certify the house was safe before the permits were issued.

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 \$30 per day, per violation and to record the order.

Ms. Marilyn Gallington, owner, said they had hired an engineer and a foreman to oversee the contractor. She had been informed by the contractor that the stop work order had been lifted. Ms. Gallington said the contractor was supposed to apply for the permits and clean up the property, which had been done. She requested 63 days.

**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 10/25/11 or a fine of \$30 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: CE09071049**

666 W Campus Cir  
RBA CAPITAL LP  
C/O BRUCE R JACOBS PA

Certified mail sent to the owner was accepted on 8/5/11.

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. THE WINDOWS AND DOORS ON THE DWELLING WERE REPLACED WITH AN APPLIED PERMIT FROM 2008.
2. THE ELECTRICAL WAS UPGRADED WITH A VOID PERMIT FROM 2007.
3. A CENTRAL A/C WAS INSTALLED WITH A VOID PERMIT FROM 2007.

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 PANEL WAS UPGRADED IN 2007 WITH A VOID PERMIT.
2. A CENTRAL A/C WITH A 7.5 ELECTRIC HEATER WAS INSTALLED IN 2007 ALSO WITH A VOID PERMIT.



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 WAS INSTALLED WITH DUCT WORK AND AN ELECTRIC HEATER.

FBC(2007) 109.10

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

FBC(2007) 1612.1.2

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

FBC(2007) 1626.1

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

Inspector Oliva submitted photos of the property and the Notice violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation and to record the order. Inspector Oliva stated the property was vacant.

Mr. Christopher Done, power of attorney for owner, reported the property was occupied. He said there had been multiple contracts on the property since the bank had taken it over. Mr. Done intended to pull the permits and perform the work within 63 days.

**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 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: CE11020641**

2741 Davie Blvd  
M R MCTIGUE PARTNERS LLC  
C/O EAST KELLOGG PLAZA ASSOCIATES

Certified mail sent to the owner was accepted on 8/10/11.

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

FBC(2007) 105.1

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

**INSPECTIONS:**

1. STOP WORK ORDER WAS ISSUED TO RADIO SHACK FOR REPLACING THE METAL EXTERIOR DOOR FACING THE EAST WITHOUT OBTAINING THE PROPER PERMITS.

Inspector Oliva reported a stop work order had been posted on the property. He submitted photos of the property and the Notice of Violation detailing the violation and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$20 per day, and to record the order.

Mr. Aaron Mawardi, contractor, said he would apply for the permit.

Mr. Nelson acknowledged that the owner was a friend of his but this would not affect his decision.

**Motion** made by Mr. Dooley, 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 10/25/11 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: CE06030553**

3901 Southwest 16 Street  
3901 DAVIE ASSOCIATES LLC  
New owner: Ada H. and George Zartolas

This case was first heard on 1/22/08 to comply by 6/24/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,066,300 fine, which would continue to accrue until the property complied. Service was via posting on the property on 7/21/11 and at City Hall on 8/11/11.

George Oliva, Building Inspector, showed photos of the property and explained the Fire Marshall had opened a case after a fire in July 2001. A permit application had been submitted and the permit eventually issued.

Inspector Oliva drew the Board's attention to the fact that the wall between the businesses did not go to the ceiling, and the firewall was penetrated by electrical pipes that were not properly sealed, increasing the risk of fire spread. He stated he had spoken with the new owner and his architect regarding what was needed to comply.

Mr. George Zartolas, owner, stated they had been doing the work piecemeal, but Inspector Hruschka had indicated he wanted one master plan for all of the work. Mr. Zartolas said his contractor had become ill and returned to Nicaragua, which had delayed the work. The contractor had returned and work could now continue. Mr.

Zartolas said some tenant space was occupied, and Inspector Oliva said an occupied space was one of the stores that had penetration and short walls.

Mr. Herman Harlahuano, contractor, said they had a set of plans now and Inspector Oliva had advised them how to address the violations.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to grant a 63-day extension to 10/25/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10062044**

3913 Southwest 16 Street  
ZARTOLAS, ADA H &  
ZARTOLAS, GEORGE

Certified mail sent to the owner was accepted on 8/5/11.

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. THE STORE SPACE WAS CONVERTED INTO A TAKE-OUT RESTAURANT.
2. RESTAURANT EQUIPMENT THAT WAS INSTALLED INCLUDED A HOOD, DEEP FRYER, COOLERS AND A THREE TANK COMMERCIAL SINK.
3. A PARTITION WAS BUILT TO SPLIT THE STOREROOM INTO TWO SPACES: ONE FOR THE COOKING AREA AND THE OTHER FOR A CUSTOMER AREA WITH A COUNTER TO PLACE THE TAKE-OUT ORDERS ON.

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 ALTERATIONS WERE DONE TO INSTALL THE NEW THREE TANK SINK IN THE KITCHEN AREAS WITH DRAINAGE PIPES AND HOT AND COLD WATER SUPPLY LINES.
2. A GREASE TRAP MUST BE PROVIDED AND FLOOR DRAINS FOR CLEANING PURPOSES.

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 THAT WERE REMOVED OR RELOCATED TO BUILD THE TAKE-OUT RESTAURANT MUST MEET THE NEC AND THE FBC 2007 REQUIREMENTS.

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 COMMERCIAL HOOD, GAS STOVE AND REFRIGERATION EQUIPMENT INSIDE THE COOKING AREA.

Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. He stated the tenant had been removed and the owner was selling the equipment that had been installed. Inspector Oliva said the City wanted the owner to obtain a demo permit to remove the gas and electrical and to ensure the fire walls were intact and the electrical was safe for the next tenant. He recommended ordering compliance within 63 days or a fine of \$25 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 63 days, by 10/25/11 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: CE09051511**

2516 N Atlantic Blvd  
MAVROOKAS, PETER &  
NOTTE-MAVROOKAS, KIM J

Certified mail sent to the owner was accepted on 8/5/11.

Burt Ford, Building Inspector, testified to the following violation:  
FBC 105.1

1. PERMIT APPLICATION 06031041 WAS SUBMITTED TO CHANGE THE SIZE OF WINDOW/DOOR OPENINGS FOR NEW WINDOWS/DOORS.
2. PERMIT APPLICATION 06031039 WAS SUBMITTED FOR WINDOW & DOOR REPLACEMENT.
3. THE WORK WAS DONE WITHOUT PERMITS BEING ISSUED.

Inspector Ford submitted a photo of the property and the Notice of Violation detailing the violation and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day.

Mr. Jean-Pierre DaSilva, architect, stated he had filed for the window and balcony permits.

**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 10/25/11 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: CE10121677**

1759 Northeast 12 Street  
EASTFORTLAUDERDALERENTALS.COM LLC

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

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

FBC(2007) 1612.1.2

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

Withdrawn:

FBC(2007) 105.4.11

Inspector Ford said the air conditioner units had been installed after he had posted a stop work order on the property for other work done without permits. He recommended ordering compliance within 35 days or a fine of \$15 per day.

Mr. Brian Blanchette, assistant manager, said they had the permit and they would do whatever was needed to comply.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 35 days, by 9/27/11 or a fine of \$15 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

**Case: CE11040152**

1544 Argyle Drive  
NIELSEN, CARA JEAN

Service was via posting on the property on 8/5/11 and at City Hall on 8/11/11.

Chair Sheppard disclosed that she had been a neighbor of the Nielsens 10 years ago.

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

FBC(2007) 105.1

A DOCK HAS BEEN COMPLETED ON THE PROPERTY WITHOUT OBTAINING THE REQUIRED PERMITS.

Inspector Smilen stated this case was begun as the result of a complaint from the Fire Department. He said a dock repair permit application had been submitted in 1998 but never issued. Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violation and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$15 per day.

Mr. William Nielsen, the owner's spouse, said he had found a survey from 1984 showing the dock as it presently existed. He intended to hire a contractor and have him apply for a permit. Mr. Nielsen added that the work must be approved by the Historic Preservation Board (HPB). He described for Mr. Nelson work that he had been done.

Inspector Smilen said the City did not believe most of the wood portions of the dock dated to 1959.

**Motion** made by Mr. Nelson, seconded by Ms. Ellis to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 11/22/11 or a fine of \$5 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Ms. Ellis left the meeting at 12:56 and Mr. Smith took her place on the dais.

**Case: CE10020129**

3015 North Ocean Boulevard # 18L  
WALSH, MARIA A

Certified mail sent to the owner was accepted on 8/10/11.

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. AN OPENING HAS BEEN CUT INTO THE EXISTING CMU WALL AND A FIXED GLASS WINDOW HAS BEEN INSTALLED IN THE OPENING.

FBC(2007) 109.10

WORK WAS PERFORMED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC(2007) 1612.1.2

THE OPENING CUT INTO THE EXISTING CMU WALL AND THE

FIXED GLASS WINDOW THAT WAS INSTALLED 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. He said he had met with the owner and her architect to try to resolve this. He said the owner had purchased the property in this condition and she was in a dispute with the homeowners association. Inspector Ford recommended ordering compliance within 63 days or a fine of \$10 per day, per violation.

Mr. Peter Flanagan, attorney, confirmed the owner was in a dispute with the homeowners association. The homeowners association wanted the owner to bring the window back to its original configuration. He explained the owner had an arbitration case before the Florida Department of Business and Professional Regulation. If the owner prevailed, the current configuration could remain [after permitting]; if the condo building prevailed, the window must be returned to its original configuration.

**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 154 days, by 1/24/12 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: CE11060708**

203 Northwest 12 Avenue  
SABLE HOMES #1 CORP

Service was via posting on the property on 8/9/11 and at City Hall on 8/11/11.

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, and stated John Madden, Building Inspector, would testify regarding the Certificate of Occupancy [CO]. Inspector Madden said Mr. Kellier had requested the Building Official grant a temporary CO, with the understanding that this would expire and the owner would pursue a full CO, but this had not been issued. Mr. Madden stated the property had failed the application for an elevation certificate last year, and again in January of this year. Mr. Madden had communicated with Mr. Kellier regarding what must be done to bring the elevation certificate into compliance. He had informed Mr. Kellier that the corrective action was simple: the designer of record must provide a letter and the elevation certificate must be updated.

Mr. Madden said in this case, the garage area was below base flood, and when this was the case, there must be flood vents. He believed this building required an engineered opening because this was a duplex with only one exterior wall. He said this was a simple fix that could be done in one day.

Ms. Paris read an email from the owner indicating what he had done to try to resolve this issue. The owner claimed that an approved elevation certificate had already been submitted. Mr. Madden said the elevation certificate to which Mr. Kellier referred was not approved.

Inspector Oliva recommended ordering compliance within 63 days or a fine of \$10 per day, per violation, and to record the order.

Ms. Nerisa Henry, owner's representative, said the owner was contending that in April 2009 the corrected elevation certificate had been sent to Mr. Madden and in May 2009 he had received a temporary CO. Ms. Henry stated per FEMA and Fort Lauderdale guidelines, the temporary CO would not have been issued without an approved final survey and elevation certificate.

**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 35 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: CE11060149**

3310 Auburn Blvd

A & A SOUTH FLORIDA INVESTMENT LLC

Service was via posting on the property on 8/4/11 and at City Hall on 8/11/11.

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:

A STOP WORK ORDER WAS ISSUED FOR:

1. THE ROOF WAS REPLACED FROM CEMENT TILE TO SHINGLES.
2. THE KITCHEN AND BATHROOMS ARE BEING UPGRADED WITH NEW CABINETS AND 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. PLUMBING ALTERATIONS WERE DONE TO REMODEL THE BATHROOM AND KITCHEN AREAS WITH DRAINAGE PIPES AND HOT AND COLD WATER SUPPLY LINES TO THE NEW FIXTURES.

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. JULY 1, 2011 I DID A SITE INSPECTION AND FOUND THE ELECTRIC METER WAS JUMPED WITH TWO WIRES BY WORKERS DOING WORK INSIDE THE PROPERTY AFTER MY STOP WORK ORDER WAS ISSUED ON JUNE 2, 2011. A REQUEST TO DISCONNECT THE POWER FROM THE POLE WAS GIVEN TO FPL. THIS IS A VIOLATION OF FBC(2007)111.3 ENERGIZING SYSTEMS:

It shall be unlawful for any person, firm or corporation to energize any wiring system or portion thereof until the electrical work has been inspected and approved, and the responsible person, firm or corporation is authorized by

the appropriate governmental jurisdiction to energize the system.

2. THE ELECTRICAL OUTLETS, SWITCHES AND LAMPS WERE REMOVED AND ARE BEING REPLACED THROUGHOUT THE DWELLING. THEY MUST MEET THE NEC 210.8 REQUIREMENTS INSIDE THE KITCHEN AND BATHROOM.

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 STRUCTURE OF THE ROOF DOES NOT MEET THE STANDARD FOR GRAVITY LOADING AND HAS NOT BEEN DEMONSTRATED TO WITHSTAND THE REQUIRED WIND LOADING THROUGH THE PERMITTING PROCESS. ALL THE STRUCTURES THAT WERE DONE ILLEGALLY ARE DEEMED TO BE UNSAFE AND THE CONSTRUCTION IS UNDERDESIGNED. THEY WOULD NOT PROVIDE THE REQUIRED RESISTANCE TO UPLIFT.

Inspector Oliva stated a stop work order had been posted on the property. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$10 per day, per violation, and to record the order.

Mr. August Perez, owner, said they had submitted permit applications and had hired a plumber to address the plumbing issues.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 63 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 6-1 with Mr. Dooley opposed.

**Case: CE10070744**

515 W Sunrise Blvd  
SOBOLEVSKY, ELLA

Certified mail sent to the owner was accepted on 8/4/11.

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

FBC(2007) 105.1

THE BUILDING HAS BEEN ALTERED IN THE FOLLOWING MANNER WITHOUT OBTAINING THE REQUIRED PERMITS:  
1. EXTERIOR WINDOWS/DOORS HAVE BEEN REMOVED AND

- THE WALLS HAVE BEEN BLOCKED/FRAMED IN.
2. INTERIOR WALLS HAVE BEEN BUILT IN THE OFFICE AREA.
  3. THE DIVIDING WALL BETWEEN TWO SEPARATE UNITS HAS BEEN REMOVED TO COMBINE THEM INTO ONE UNIT, THE HAIR SALON.
  4. EXTERIOR WINDOWS HAVE BEEN COVERED WITH PLYWOOD.
  5. SALON WORK STATIONS HAVE BEEN INSTALLED.
  6. TWO EXTERIOR DOORS HAVE BEEN INSTALLED AT THE REAR ENTRANCE, AN OUTSWING SLAB AND AN INSWING UNIT.
  7. A BUSINESS SIGN IS READY TO BE INSTALLED.

FBC(2007) 105.4.4

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

1. THE BATHROOM HAS BEEN REMODELED.
2. A WATER HEATER HAS BEEN INSTALLED OUTSIDE IN THE BACK OF THE BUILDING. PIPING HAS BEEN INSTALLED TO FEED THE UNIT.
3. SINKS ARE BEING INSTALLED IN THE SALON WORK STATIONS AND WASTE PIPE/VENTS ARE BEING INSTALLED ON THE EXTERIOR WALLS.

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 WATER HEATER.
2. CIRCUITS HAVE BEEN INSTALLED TO POWER THE CENTRAL A/C SYSTEM.
3. A GROUND ROD HAS BEEN INSTALLED AT THE SERVICE IN THE BACK OF THE BUILDING, THROUGH THE SIDEWALK.
4. AN INTERIOR BREAKER PANEL HAS BEEN INSTALLED ON THE WEST WALL.
5. MANY NEW OUTLETS, SWITCHES AND FIXTURES HAVE BEEN INSTALLED ON THE EXTERIOR BUILDING AND THE INTERIOR OF THE BUILDING.
6. EXIT SIGNS HAVE BEEN INSTALLED.

FBC(2007) 105.4.11

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

FOLLOWING MANNER:

1. A CENTRAL A/C SYSTEM HAS BEEN INSTALLED. THE EQUIPMENT DOES NOT APPEAR TO MATCH EACH OTHER.

FBC(2007) 105.10.3.1

PERMIT 05051723 WAS ISSUED FOR SEALCOAT & RESTRIPING OF PARKING LOT. THE PERMIT HAS EXPIRED WITHOUT PASSING ALL REQUIRED INSPECTIONS.

FBC(2007) 109.10

WORK WAS PERFORMED AND/OR COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS.

FBC(2007) 1612.1.2

THE AIR CONDENSING UNIT, EXTERIOR DOORS, THE PLYWOOD COVERING THE WINDOWS AND FRAMED-IN EXTERIOR WALL OPENINGS HAVE NOT BEEN PROVEN TO SUFFICIENTLY WITHSTAND ESTIMATED OR ACTUAL IMPOSED DEAD, LIVE, WIND, OR ANY OTHER LOADS THROUGH THE PERMIT AND INSPECTION PROCESS.

Inspector Smilen submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 35 days or a fine of \$20 per day, per violation.

Ms. Latarsha Johnson, tenant, said she had taken over the business in November 2010. She had resubmitted her plans with corrections in July and they had been returned to the architect, who was making corrections. Ms. Johnson requested 63 days.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 11/22/11 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: CE10072008**

624 Southwest 24 Street  
BEARD, LARRY D

Personal service was made to the manager on 8/5/11.

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

47-20.20 B.

THE PARKING LOT HAS BEEN ALTERED BY RESURFACING THE ENTIRE AREA. STRIPED AND HANDICAP SPACES ARE NOT DESIGNATED.

47-20.20.I.

THE PARKING FACILITIES WERE MAINTAINED BY

RESURFACING THE PARKING LOT. THE STRIPING HAS NOT BEEN DONE AND THERE HAS NOT BEEN ANY DESIGNATED HANDICAP PARKING.

FBC(2007) 105.1

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

1. A SHED HAS BEEN INSTALLED ON THE PROPERTY. **WITHDRAWN**
2. THE PARKING LOT HAS BEEN RESURFACED.

Inspector Smilen said the case was the result of a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence. Inspector Smilen said the owner would work with Zoning to get the parking area grandfathered in. He recommended ordering compliance within 154 days or a fine of \$10 per day, per violation.

Mr. Scott Beard, the owner's brother, said he had met with Terry Burgess regarding getting the parking grandfathered in.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 154 days, by 1/24/12 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.

The Board took a break from 1:39 to 1:50.

**Case: CE10011627**

3019 Northeast 19 Street  
WHITE, JAMES

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

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

FBC(2007) 105.1

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

1. INSTALLED DRIVEWAY AND WALKWAY PAVERS.

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

**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 35 days, by 9/27/11 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: CE10030682**

3019 Northeast 19 Street  
WHITE, JAMES

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

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 FOUNTAIN WITH A STONE WALL HAS BEEN INSTALLED IN THE FRONT YARD.

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 TO POWER THE FOUNTAIN PUMP AND MISCELLANEOUS LIGHTING.

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

**Motion** made by Mr. 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 35 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: CE09110699**

3111 Northeast 51 Street # 105C  
MCGLINCHEY, DWAYNE

Service was via posting on the property on 8/5/11 and at City Hall on 8/11/11.

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

FBC 105.1

THE ENTRANCE DOOR HAS BEEN REPLACED WITHOUT A PERMIT.

Inspector Ford submitted photos of the property into evidence, and recommended ordering compliance within 35 days or a fine of \$10 per day.

**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 35 days, by 9/27/11 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: CE10111974**

410 Southeast 14 Court  
VACA, MARIA ELENA

Service was via posting on the property on 8/5/11 and at City Hall on 8/11/11.

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

THE FOLLOWING WORK HAS BEEN COMPLETED ON THE SINGLE FAMILY DWELLING WITHOUT OBTAINING THE REQUIRED PERMITS:

1. A LARGE WOOD ANIMAL CAGE HAS BEEN INSTALLED IN THE BACKYARD.
2. THE FRONT PORCH HAS BEEN PARTIALLY ENCLOSED.
3. STRUCTURAL MEMBERS OF THE FRONT PORCH HAVE BEEN REPLACED.
4. FRONT PORCH ROOF HAS BEEN REPLACED WITH UNAPPROVED MATERIALS.
5. CEILINGS HAVE BEEN REPLACED WITH UNAPPROVED MATERIALS.
6. EXTERIOR DOORS HAVE BEEN REPLACED.

FBC(2007) 105.4.4

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

1. A NEW WATER HEATER HAS BEEN INSTALLED.
2. WASTE LINES FOR THE WASHING MACHINE HAVE BEEN INSTALLED.
3. WATER SUPPLY LINES HAVE BEEN INSTALLED FOR THE WASHING MACHINE.

FBC(2007) 105.4.5

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

1. A HOT WATER HEATER HAS A NEW ELECTRICAL CONNECTION.

2. PREMISE WIRING WITH OUTLETS HAVE BEEN INSTALLED.

FBC(2007) 105.4.11

THE FOLLOWING MECHANICAL WORK REQUIRES A PERMIT AND APPROVALS FROM THE PLAN REVIEW PROCESS:

1. HOOD FAN HAS BEEN REMOVED FROM THE KITCHEN LEAVING A CRUMPLED ALUMINUM DUCT EXPOSED IN THE KITCHEN.

FBC(2007) 109.10

THE FOLLOWING WORK HAS BEEN COMPLETED AND COVERED WITHOUT OBTAINING THE REQUIRED APPROVALS THROUGH THE PERMITTING AND INSPECTION PROCESS:

1. CEILINGS HAVE BEEN REPLACED.
2. THE FRONT PORCH ROOF STRUCTURE AND ROOFING.
3. THE FRONT PORCH WALLS.
4. EXTERIOR DOOR REPLACEMENTS.

Inspector Smilen said this case was begun as the result of a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 63 days or a fine of \$20 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 10/25/11 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

**Case: CE11041498**

1609 Northwest 8 Avenue  
SPENCE, JERMAINE & ANGELA

Certified mail sent to the owner was accepted on 8/3/11.

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 PORCH OVERHANG, DECK AND WALLS WERE ADDED TO THE REAR OF THE BUILDING.
2. NEW WINDOWS WERE INSTALLED.
3. THE LIVING ROOM ON THE NORTH SIDE OF THE DUPLEX WAS CONVERTED TO A ROOM.
4. THE SEPARATION WALL OF THE DUPLEX WAS OPENED UP.
5. THE KITCHEN ON THE NORTH SIDE WAS REMOVED.



FBC(2007) 105.4.4

THE PLUMBING SYSTEM HAS BEEN ALTERED WITH THE REMOVAL OF THE NORTH SIDE KITCHEN.

FBC(2007) 105.4.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED WITH THE CONVERSION OF THE KITCHEN TO AN OFFICE AND THE LIVING ROOM TO A BEDROOM.

FBC(2007) 109.10

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

FBC(2007) 110.1.1

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

FBC 708.3

THE FIRE SEPARATION WALL BETWEEN RESIDENTIAL UNITS HAS BEEN COMPROMISED WITH A DOUBLE DOOR WIDTH OPENING CUT OUT OF THE WALL.

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. 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 10/25/11 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

**Case: CE09111573**

6890 Northwest 9 Avenue  
BELLAMARC INVESTMENTS INC

Certified mail sent to the owner was accepted on 8/11/11.

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

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. THE THREE ORIGINAL SPLIT CENTRAL A/C'S WITH ROOF MOUNTED CONDENSER UNITS FROM AUGUST 23,1988 PERMIT (M881538). TWO OUT OF THE THREE

CONDENSER UNITS WERE REPLACED PLUS AN EXTRA SPLIT A/C SYSTEM WAS INSTALLED WITH A ROOF MOUNTED CONDENSER UNIT.

2. NEW DUCT WORK INSIDE THE NIGHT CLUB.
3. THE WORK WAS PERFORMED UNDER A RE-ROOFING PERMIT (09032072) TO UN-HOOK AND RE-HOOK THE SAME ORIGINAL THREE A/C CONDENSER UNITS - NOT A REPLACEMENT.
4. ADDING AN EXTRA SPLIT A/C SYSTEM TO A TOTAL OF FOUR CENTRAL A/C SYSTEMS ARE NOW EXISTING WITH ROOF TOP CONDENSERS.

FBC(2007) 109.10

THE 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 35 days or a fine of \$25 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 35 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 7-0.

**Case: CE09090509**

320 Delaware Avenue  
BADALOO, ARTHUR LLOYD

This was a request to vacate the Final Order dated 6/28/11 and the Order Imposing a Fine dated 7/26/11.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger, to vacate the Final Order dated 6/28/11. In a voice vote, motion passed 7-0.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger, to vacate the Order Imposing a Fine dated 7/26/11. In a voice vote, motion passed 7-0.

**Case: CE11010983**

1320 Mango Isle  
SANTIAGO, JOEL H/E  
SANTIAGO, FRANCISCO & ALEJANDRA

This case was first heard on 6/28/11 to comply by 8/23/11. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported there had been progress at the property and recommended a 91-day extension.

**Motion** made by Mr. Nelson, seconded by Mr. Thilborger to grant a 91-day extension to 11/22/11, 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. Service was via posting on the property on 8/4/11 and at City Hall on 8/11/11.

Jorg Hruschka, Building Inspector, said the owner was having a dispute with the new tenant who was utilizing the garage. He recommended an extension of at least 35 days.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman, to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE09011970**

1133 Southwest 5 Place  
ACREE, BARBARA  
New owners: Cameron Cook and Joey Partin

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 on 8/24/11 and would continue to accrue until the property complied. Service was via posting on the property on 8/8/11 and at City Hall on 8/11/11.

Gerry Smilen, Building Inspector, said inspections had not been scheduled.

Mr. Nelson did not want to impose a fine when the new owner was not present.

**Motion** made by Mr. Nelson, seconded by Mr. Elfman to grant a 35-day extension to 9/27/11, during which time no fines would accrue. In a voice vote, motion passed 7-0.

**Case: CE10092029**

2464 Southwest 8 Street  
SUNSHINE STATE PROPERTIES LLC

This case was first heard on 7/26/11 to comply by 8/23/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of the fine, which would begin on 8/24/11 and would continue to accrue until the property complied. Certified mail sent to the owner was accepted on 8/5/11.

George Oliva, Building Inspector, said he and Alex Hernandez, Building Department Supervisor, had met with a contractor recently, but no progress had been made.

Ms. Paris informed the Board about notices sent and postings made regarding the violations.

**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 8/24/11 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. Elfman, seconded by Ms. Ellis, to approve the minutes of the Board's July meeting. In a voice vote, motion passed 7 – 0.

**Communication to the City Commission**

None.

**For the Good of the City**

Mr. McKelligett informed Mr. Nelson that Assistant City Manager Suzy Torriente was overseeing Code Enforcement. Mr. Nelson asked that Ms. Torriente be invited to attend a Code Enforcement Board meeting. Mr. McKelligett agreed to extend the invitation.

**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:

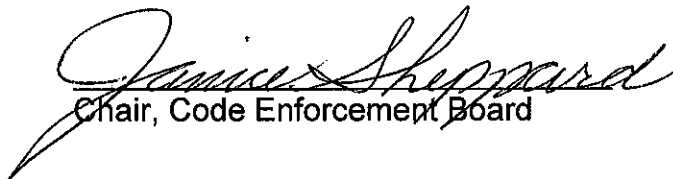
CE11061006      CE09060387      CE09120485      CE10100765  
CE10092090

**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:

CE10080416      CE10101100      CE11020100

There being no further business to come before the Board, the meeting adjourned at 2:27 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.