

City of Fort Lauderdale
UNSAFE STRUCTURES BOARD MINUTES
Thursday, March 18, 2004, at 3:00 p.m.
City Commission Meeting Room - City Hall

<u>MEMBER</u>	<u>PRESENT/ABSENT</u>
Charles Schneider, Chair	P
Jim Rampe, Vice Chair	P
Brent Tozzer	P
Patrick Kerney	P
Trey Morgan	A
Tom Jones	P
Jacquelyn Scott	A
Michael Madfis	P

Also in Attendance

Eve Bazer, Community Inspections
Karen Van Assche, Board Clerk
Asst. City Attorney, City of Fort Lauderdale
Robert Pignataro, Building Inspector
Lisa Edmondson, Recording Clerk

The regular meeting of the Unsafe Structures Board convened at 3:00 p.m. on Thursday, March 18, 2004, at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

<u>CASE</u>	<u>INDEX</u>	<u>PAGES</u>
1. CE03121109 Case Address: 1115 NW 3 Avenue Owner: Gene Morgan & Cindy Edwards Vice Inspector: Robert Pignataro Disposition: Motion for extension of time; 30 days to acquire the services of a licensed architect or engineer; unanimously passed		2-5
2. CE03121221 Case Address: 1401 NW 7 Street Owner: Ingress Corp of FL Inspector: Douglas Kurtcock Disposition: In compliance, removed from agenda.		

CHAIR SCHNEIDER: Good afternoon. We'll call the meeting of the Unsafe Structures Board for the City of Fort Lauderdale to order. It's 3:00 p.m., March 18, 2004. Is everyone that's going to be giving testimony been sworn in? Proceed.

[Thereupon, Ms. Bazer swore-in the witnesses.]

MS. BAZER: Just let me read it. There's only one case that we're hearing today, but let me read into the record the other case that has complied and that was case CE03121221 at 1401 Northwest 7th Street and, as I said, that has complied. On the first page, case CE03121109 at 1115 Northwest 3rd Avenue. The owners are Gene Morgan and Cindy Edwards Vice. Inspector Pignataro is handling this case. There were no new permits. The last permit issued here was in 1976 for a sewer tap by the previous owner. A green card was signed by Gene Morgan; no date on the card. A green card was signed by Cindy Vice; no date on the card. Another signed by Terrence Vice; no date on the card. Yale Mortgage Corporation, signature was illegible; it was signed on 2/18/04. BankAtlantic, the card was signed on 2/19/04 by Stella Delgado. And this was advertised in the *Daily Business Review* on 3/1 and 3/8/04 and posted on 3/3/04.

MR. PIGNATARO: Good afternoon, Board. Bob Pignataro for this case CE03121109, address 1115 Northwest 3rd Avenue. Have we heard this before? No, we haven't, so I'll go ahead and read everything. The violations are as stated in your agenda, but I'll read them. Florida Building Code 111.1.1, the CBS rear structure and wooden storage shed have deteriorated from the elements and have not been maintained according to the requirements of the Florida Building Code or the Minimum Housing Code of the City of Fort Lauderdale. Florida Building Code 111.2.1.1.1, the building is vacant at this time. Florida Building Code 111.2.1.2.1, the fascia, soffit, and ceiling is falling due to exposure to the elements. Florida Building Code 111.2.1.2.4, there are settlement cracks around the concrete block structure. Florida Building Code 111.2.1.2.5, the electrical is partially destroyed due to the exposure to the elements. Florida Building Code 111.2.1.2.6, there are several piles of dog feces on the floor and the waste system is not working causing an unsanitary condition. Florida Building Code 111.2.2.1, the cost to alter or repair the building exceeds 50% of the value of the building. Florida Building Code 111.2.2.2, the cost of the structural repairs exceeds 33% of the value of the building. Florida Building Code 111.2.1.2.2, the roof, roof structure, ceilings, doors, and windows all are partially destroyed due to the exposure to the elements and are not being maintained properly. I was out there posting it and the front part of the building is gone. There's a big pile of debris, I think, that you might be able to see in the pictures. As far as the dog feces probably still being there, I don't think it's probably still there, but the plumbing is definitely not working because it's not being occupied. This is a rear structure to a main house. There are actually two buildings on this plot of land. The City's asking for a demo on this rear building.

CHAIR SCHNEIDER: Can we hear from the respondent please?

RESPONDENT: My name is Terrence Vice. I'm the husband of Cynthia Vice and a co-resident on the property. I – upon receiving the notice from the City sent an e-mail to Lori

Milano and outlined a few of the actions that we intended to take as well as a couple of points I did dispute. First of all, as Robert pointed out, we did tear down the front porch which was decayed and falling down. I do have photographs to prove this and the debris that he referred to was removed as of yesterday, so we've made progress on that. We've also secured that back structure to prevent intrusion and, again, I've got photographs. We put a front door up. All the windows all the way around are intact and (inaudible) make sure that wasn't accessible. It is not being occupied at this time. I don't know what relevance that has to the plumbing. As far as – what I hear raised as far as that I understand the City wishes to move to have the structure demolished is my understanding. There are a few cracks around the side of the house, but I don't believe that those are any more than surface cracks and – we don't dispute that the roof is shot. It needs to be replaced and we've already done some work, like I said. It would be difficult for us to raise money to have the roof replaced; however, we'll take whatever steps we can to try to secure whatever kind of financing we can. We do want to be responsible owners of this property. So, I believe the structure is sound. I don't know how the determination was made that the structure is not sound. As far as the walls go, it's all cinder block and concrete construction and the construction of it was approved by the City back in '74. And there were never any piles of dog feces to my knowledge. Oh, yes, and the shed has been – that was gone – that's been gone for almost a year. I have a picture of the missing shed as it were. All there is, is just a slab of concrete where it once stood. I do have photographs before and after. Who should I present these to?

CHAIR SCHNEIDER: You can present them to the Board.

MR. RAMPE: So it is your intention to restore the building?

RESPONDENT: Yes. We would like an opportunity to do so.

MR. RAMPE: When do you plan to do so?

RESPONDENT: Like I said, we've already torn down the front porch.

CHAIR SCHNEIDER: Let me stop you right there and ask you a question.

RESPONDENT: Okay.

CHAIR SCHNEIDER: When you tore down the front porch, did you secure a permit to do that?

RESPONDENT: No, we did not.

CHAIR SCHNEIDER: Alright. Let me explain something to you. Right there, in and of itself, is a violation of the Code. In order to demolish any structure, you have to secure a permit and register your debris disposal company in the process of it. As far as the determination whether your structure is structurally sound or not, Inspector Pignataro is a qualified, authorized inspector to make those judgments and those calls. Now, for you to ensure yourself whether the structure is or isn't structurally safe and sound, that can only be

done by a licensed architect and/or a structural engineer. So, you probably need to secure the services of one of those types of individuals; alright? The second thing is that this Board is put in place by the City of Fort Lauderdale to make decisions with regard to the Code-worthiness and the safety-ness for public safety of structures within the City of Fort Lauderdale premises, and that's why Inspector Pignataro brought this case here. He clearly feels, and from the pictures and the evidence, this is clearly an unsafe structure. Now, we're not here to hurt you as a citizen of Fort Lauderdale, we're here to more or less help you and in order for us to do that and get you through this process, you're going to need to eventually and rather more soon than not, apply for a permit to bring this structure up to minimum Code levels.

RESPONDENT: Alright.

CHAIR SCHNEIDER: So, I hope that helps clear up a little bit of any of the cloudy issues that you may have at this point with regard to what and how you need to go about doing what you need to do to get the structure up. Have you employed an architect at this point?

RESPONDENT: No, I have not. I would like some clarification on just what steps I need to take to certify the soundness of the building and –

CHAIR SCHNEIDER: Our suggestion is hire an architect.

RESPONDENT: Alright.

CHAIR SCHNEIDER: And he will make those structural determinations and place them on a set of documents called blueprints, which you will submit to the City of Fort Lauderdale for permitting in order to get this structure up to minimum Code levels.

RESPONDENT: Alright. We do have the original blueprints for the structure. Is that relevant at this point or –

CHAIR SCHNEIDER: No. They'll need to be updated and you'll need to hire qualified – either an architect registered in the State of Florida or a licensed engineer.

RESPONDENT: Okay.

CHAIR SCHNEIDER: You can get a current set of documents.

MR. RAMPE: Mr. Chairman, in light of the above, I would like to make a motion that we give these folks an extension on the demolition in order to obtain the services of a licensed architect or engineer and present to this Board within sixty days the copy of the contract or letter from the architect or engineer that confirms that they have been hired and that they're going forward with making plans to bring this building up to minimum Code.

CHAIR SCHNEIDER: Members of the Board, there's a motion on the floor. Do we have a second?

MR. JONES: Second.

CHAIR SCHNEIDER: Any discussion?

MR. KERNEY: If I may, why are we going with sixty days as opposed to thirty if they're not – if I understand the motion, it's just to acquire an architect? It's not to have any drawings?

MR. RAMPE: Yes. And I'm not opposed to thirty. That's not a problem. I think that's a reasonable time as well.

MR. KERNEY: I think if that's what the motion is, is just to acquire the service of an architect, I think thirty days. Would you mind amending your motion?

MR. RAMPE: No, I'm willing to so amend.

CHAIR SCHNEIDER: Do we have a second on that?

MR. JONES: Second.

CHAIR SCHNEIDER: Any more discussion? If not, on the motion all those in favor signify by saying aye.

BOARD MEMBERS: Aye (unanimously).

CHAIR SCHNEIDER: Opposed? Motion carries. Sir, you have thirty days to acquire the services of a Florida state-licensed architect and just come back before the Board or present evidence of such that you've hired him and you're moving it forward, and we'll go from there.

MR. RAMPE: Right. We need something in writing from the architect or the engineer that they have been hired, either a letter or a contract.

RESPONDENT: And how should I go about presenting that? Just bring it here?

MR. RAMPE: Bring it here for the next hearing.

RESPONDENT: Okay. I'll receive notice of the hearing?

MR. RAMPE: The hearing is April the 15th at 3:00 in the afternoon, I can tell you right now. April 15th, 3:00 in the afternoon.

RESPONDENT: Okay.

MR. RAMPE: Okay?

CHAIR SCHNEIDER: Just before the tax man comes. Do we have anything else?

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MR. KERNEY: Let me apologize for being late and missing what appears to be most of the meeting.

[Thereupon the meeting concluded at 3:15 p.m.]

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held on March 18, 2004, at 3:00 p.m., City Hall, 100 North Andrews Avenue, City Commission Meeting Room, Fort Lauderdale, Florida.

Dated at Ft. Lauderdale, Broward County, Florida, this ____ day of March, 2004.

ProtoTYPE, INC.

LISA G. EDMONDSON
Recording Clerk

SWORN TO and SUBSCRIBED before me by LISA G. EDMONDSON who is personally known to me and who signed the foregoing for the purposes therein expressed.

DATED this ____ day of March, 2004.

NOTARY PUBLIC
State of Florida at Large

Notarial Seal: