

City of Fort Lauderdale
UNSAFE STRUCTURES BOARD MINUTES
Thursday, June 17, 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	P
Tom Jones	A
Jacquelyn Scott	A
Michael Madfis	A

Also in Attendance

Eve Bazer, Community Inspections
Nadine Blue, Board Clerk
Asst. City Attorney, City of Fort Lauderdale
Robert Pignataro, Building Inspector
Wayne Strawn, Building Inspector
Lisa Edmondson, Recording Clerk

The regular meeting of the Unsafe Structures Board convened at 3:00 p.m. on Thursday, June 17, 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: Morgan, Gene & Vice, Cindy Edwards Inspector: Robert Pignataro Disposition: Thirty (30) day extension granted with plans and permit application submitted to the Building Department by the date of the next meeting.		3-5
2. CE04031526 Case Address: 801 NW 19 Avenue Owner: Black Diamond Properties, Samantha Johnson, as Registered Agent		13-19

Inspector: Robert Pignataro
Disposition: Thirty (30) day extension granted, with the owner
to return with a signed contract at the next meeting.

3. CE03051368 7-12
Case Address: 1225 NW 16 Street
Owner: Fletcher-Allen, Shirley M.; Hills, Vernon C.;
Hills, Delbert; Hills, James
Inspector: Wayne Strawn
Disposition: Thirty (30) day extension granted with the
Stipulation that a legally binding contract with
a licensed building contractor be submitted to the Board
with a clear start date, or the work to have already begun.
4. CE03102473 5-7
Case Address: 2531 NW 16 Street
Owner: Watkins, Dorothy A.
Inspector: Wayne Strawn
Disposition: Thirty (30) day extension granted with the
Stipulation that the plans be submitted
to the Building Department within that time period.
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CHAIR SCHNEIDER: - 17th. Is everyone here who is going to or about to give testimony been sworn? Please rise. Administer the oath please.

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

CHAIR SCHNEIDER: First case.

MS. BAZER: Good afternoon. The first case is Case CE03121109 at 1115 Northwest 3rd Avenue. The owners are Jane Morgan and Cindy Edwards Vice. This is a rehearing; they were here in March and given an extension until April, and then given a sixty day extension until today. There are no new permits since 1976 and we've got green cards returned unclaimed that went to Gene Morgan, Terence Vice, Cindy Vice, and Gene Vice [Morgan], and all of them went unclaimed on 4/26/04, 5/04/04, and 5/12/04.

CHAIR SCHNEIDER: Did you say this is the second time this has been here?

MS. BAZER: This is the third time.

CHAIR SCHNEIDER: Third time:

MS. BAZER: Third time - excuse me, to Gene Morgan those are the dates. To Terence Vice, Cindy Vice, and Gene Morgan, they were 4/24, 4/29, and 5/09.

CHAIR SCHNEIDER: So proper service and proper delivery has been rendered?

MS. BAZER: Yes.

CHAIR SCHNEIDER: Mr. Pignataro.

MR. PIGNATARO: Good afternoon, Board.

CHAIR SCHNEIDER: He speaks; he has a voice.

MR. PIGNATARO: I found it. I checked on permit history and we don't have any permits and I think you guys gave a – the owners a grocery list. Some of it was, property must be boarded, submit plans to the Building Department, and disconnect the power. I haven't been out to the building to check it. I've been busy doing other things, but I checked permit history and I don't see any movement that way. I haven't been contacted by any engineer or architect to say "I'm working on the plans" or anything like that. The City still contends this is an unsafe structure and if these things you have asked them to do are not done, then the City wants to vote for a demo.

MR. RAMPE: Mr. Chairman, if I may, I have the notes from our April meeting. We asked for plans to be submitted to the City within sixty days, that it be immediately boarded up, and that power be cut to the building by April the 19th. Bob, what do you know about those three things, if any of them were done?

MR. PIGNATARO: The only one that I know of is with the plans. There are no plans submitted to the City of Fort Lauderdale so - if the power's been cut, I'm not aware of that. I'm sure that the owners would be forthcoming in telling you whether they did or not.

MR. RAMPE: Do we have the owners here? Okay.

RESPONDENT: My name's Terence Vice. I'm the husband of co-owner, Cindy Vice. In regard to the power being cut, yes, it was. I called FP&L immediately upon arriving home after our last meeting and it took them about a week, but the meter was pulled as requested. In regards to security of the property, I have worked on it along with my mother-in-law. We checked doorways, windows, and other entrances and it is - I believe we have made that structure secure.

MR. RAMPE: So, it is boarded up or every opening is secure?

RESPONDENT: Every opening is secure, yes. Any person entering that premise would be - have to be breaking and entering. They'd have to smash through a window.

MR. RAMPE: Okay, and what about the plans that were to be submitted within sixty days? Where are we with that?

RESPONDENT: Okay, now, I wasn't aware that when you say over there "submitted." I had my architect - I have him working on the plans right now and I have a fax letter from him stating that those plans should be ready within a week., the drawings for the building. And that's where we stand right now. I'm working on getting financing to have the roof structure replaced.

MR. RAMPE: So you'll have plans, you think, to the City within a week or so?

RESPONDENT: Well, when you say plans to the City -

MR. RAMPE: Let me back up. Let me rephrase. Will you have the plans to the City within the next thirty days?

RESPONDENT: Yes.

MR. RAMPE: Absolutely you can do that?

RESPONDENT: Would you please - when you - you'll have to bear with me, I'm a novice when it comes to these matters.

CHAIR SCHNEIDER: He says will you have your plans to the City, that means will you have your plans submitted to the City Building Department with a building permit application filled out, secured a general contractor, and submitted your plans for review for the permitting process within thirty days?

RESPONDENT: That would require me to bring the drawings, payment for pulling an owner/builder permit –

CHAIR SCHNEIDER: Yeah, if you're the owner and this qualifies for you to pull an owner permit, owner/builder permit, then absolutely. But, will you be prepared within a thirty day period of time to a) have your plans completed by your architect, your building permit application filled out along with the proper number of copies of your blueprint and all the accoutrements that go along with it, submitted to the City of Fort Lauderdale Building Department for plan review?

MR. RAMPE: Within thirty days.

RESPONDENT: Within thirty days, I believe I could, yes.

CHAIR SCHNEIDER: What's your pleasure, Board?

MR. KERNEY: Well, I would make a motion that we extend it until the next meeting – those thirty days, but if you are not submitted with your plans and a permit application by the time you come back to the next meeting, I'll personally make the motion for demolition. We had sixty days and you didn't comply with the three things that we asked for, so we're giving you – I'm going to make a motion for another thirty days, but that has to be done. We're getting into the hurricane season here and this thing is in substantial disrepair. So, if somebody will second that, we can –

MR. MORGAN: Second.

CHAIR SCHNEIDER: Any more discussion? On the motion, all in favor signify by saying aye.

BOARD MEMBERS: Aye (unanimously).

CHAIR SCHNEIDER: Opposed, like sign. Motion carries. Thank you very much.

MS. BAZER: The next case you'll hear is the bottom of page three. It's Case CE03102473 at 2531 Northwest 16 Street. Dorothy A. Watkins is the owner. Doug Kurtcock is the inspector. Wayne Strawn is now the inspector for this area. He will present the case. There were no new permits on record here. Green cards were signed by Dorothy Watkins with no date; sent to Robert Watkins, signed by Dorothy Watkins, no date; sent to Associates Home Equity, return attempted not known. They were here in December, given a sixty day continuance to February. Here again in February, given another sixty days. Came in April and received another sixty day extension.

MR. STRAWN: Wayne Strawn, City Building Inspector. I've been working with these folks this week and I thought I made it perfectly clear they needed to come to the hearing and that I would not oppose a ninety day extension. Their plans are ready to be submitted and it was

just a glitch that they didn't get submitted yesterday. So, they're very close. The building is secured now and doesn't present an immediate danger. It's secured. I anticipate them to get their permit – at least submit for it, in whatever time it takes to go through the permitting process, the plan review process, for them to get a permit. I'm just surprised they're not here.

MR. RAMPE: Doug [sic], do you remember what our stipulations were the last time they were here?

MR. STRAWN: I wasn't here. I've taken over Doug's – I'm Wayne. I've taken over Doug's –

MR. RAMPE: I'm sorry, Wayne. I'm sorry.

MR. STRAWN: That's okay. But they have gone through considerable effort. I spoke to their architect on the phone on various details on the plans. They have an electrical contractor lined up. They have a roofing contractor lined up. They've done a lot of other – they're real close. Real close this week. And I don't know why they're not here today unless they somehow misunderstood.

MR. KERNEY: What are you suggesting? Maybe a thirty day extension?

MR. STRAWN: Yes, that's what I'm thinking and that way there, at least they can be in the process, maybe even be close to getting the issuance of a permit when they come back in thirty days.

MR. RAMPE: I would second that with the understanding – with the last case, because this has been before us repeatedly, again and again and again.

MR. STRAWN: Sure.

MR. RAMPE: If they don't have those plans in, in thirty days, we're going to move to demo. Yes, it's secure, but it has a lot of problems and, as Patrick recognized with the last structure, hurricane season is coming.

MR. STRAWN: Absolutely.

MR. RAMPE: Not coming, it's here – excuse me.

MR. KERNEY: Why don't you make that motion and I'll second it.

MR. RAMPE: Alright, I will move for a thirty day extension on this one with the understanding that if the plans are not submitted within thirty – within that time period that we will move to demo.

MR. KERNEY: Second.

CHAIR SCHNEIDER: Any further discussion? On the motion, all those in favor, signify by saying aye.

BOARD MEMBERS: Aye (unanimously).

CHAIR SCHNEIDER: Opposed, like sign. Motion carries.

MR. STRAWN: Thank you, Board.

MS. BAZER: Okay, the top of page three, the respondent is here for Case CE03051368 at 1225 Northwest 16th Street. The owners are Allen Fletcher, Shirley M. and Vernon C. Hills, and Delbert Hills, and James Hills. That was the owner that was listed. Doug Kurtcock was the inspector. Wayne Strawn will be taking over for him. There have been no new permits. The last permit was 1978 to enclose a carport by the same owner. No permit since then. We have the green card signed by Shirley Fletcher. No date. Sent to the – I can't read this, sorry. Sent to owners at Savannah, Georgia address, returned attempted not known. Sent to SI Kislak Mortgage Corporation, the forwarding order expired on that one. Sent to Christie Rodriguez as registered agent for SI Kislak Mortgage Corporation and that came back, signature was illegible. There was no date on it. We also advertised that in the *Daily Review* on 5/28 and 6/04.

CHAIR SCHNEIDER: When was the first time this case came before this Board?

MR. RAMPE: And the last time.

ACA: [redacted] City Attorney's Officer. While we're looking for that information, I can tell you that this case was here on April 15th and on April 15th, you gave Ms. Fletcher a sixty day extension of time and the stipulations that you required were that she must - evidently there had been debris on the property. You told her that she must remove the debris within seven days and that Doug was supposed to go out and check. I don't know if Wayne has that information or not. You also required that she retain a contractor with a signed contract and that she try to have the work – try to make sure that the work was started before today. So, the first hearing on this case was - I don't know. Oh, here it is. September 2003.

CHAIR SCHNEIDER: Thank you.

ACA: Sure.

CHAIR SCHNEIDER: And it was here in April at our last meeting.

ACA: The last time was April 15th when she was given sixty days to – well, seven days to clean the debris from the – I guess, from the yard. I think it was – if my memory's right, it was –

MR. RAMPE: It was seven days. I have it written down right here.

ACA: And it was debris but not related to the structure. It was just debris that was in the yard.

CHAIR SCHNEIDER: It was just yard trash.

ACA: It wasn't removing anything from inside the building. And then you asked that she retain a contractor with a signed contract and that the contractor be at least on his way to starting.

MR. RAMPE: We were supposed to have a signed contract submitted.

CHAIR SCHNEIDER: Where are we?

MR. RAMPE: We have – if I can go over this again, Chuck, just to make sure that we're clear here. The plans have been approved; is that correct?

RESPONDENT: Yes. [Ms. Fletcher]

MR. RAMPE: Okay. Okay, you are here, Shirley, good. So the plans have been approved. Where do we stand on getting the property secured? Is every opening locked or secured or boarded?

RESPONDENT: I'm Shirley Fletcher. The house is still secured.

MR. RAMPE: Okay. And let me ask you, how about the debris? Did we get that cleaned up?

RESPONDENT: Yes. And also I know she had mentioned just the debris. It was like I had piled a lot of branches that I had cut off –

MR. RAMPE: Okay. So, that's been taken care of.

[speaking at the same time]

MR. RAMPE: Okay, but question, just yes or no.

RESPONDENT: Yes, and also he mentioned, that she didn't mention the (inaudible) – the wooden, fallen (inaudible) want to be torn down on that, was torn down also.

MR. RAMPE: Okay, now the last thing we have - that we had requested of you was a signed contract with your builder and hopefully work started, although that's not required.

RESPONDENT: Right.

MR. RAMPE: How about the signed contract? Do you have that today?

RESPONDENT: Well, I've been through some changes. The last time I was here I did say I was down to two bids of contractors to make a decision and one of the contractors I do have a contract, but I didn't go with him under certain circumstances, for financial - what he charged me. Anyway, I did get a builder and the builder GC and at the spur of the moment I had to change GCs. But the builder did come out and he looked at the property and everything, but they was not able to make it. The GC is somewhere south doing a project and the builder is in West Palm Beach doing another project.

CHAIR SCHNEIDER: Shirley, you need to understand, you have been before this committee now for ten months and for ten months, pretty much, we've been at the end of one hurricane season and now we are at the beginning of another. This Board is not here, by any stretch of the imagination, to tear people's property down unless they're absolutely forced into that position, but there comes a point in time when this Board has to take action and I fear that that date is drawing awfully near in your case. So, we need to go away from here today with an ironclad understanding that work needs to start on your property and we need to move this forward, and it needs to be moved off of the slate of a hazardous property due to windstorm and damage and - which could cause damage to other property and other persons. Now is the time to do that and we need to do that today. So, we need to hear in no uncertain terms that, if by some stretch of the imagination one of these Board members up here wants to grant you another thirty days, that you're going to get underway to do this thing. Otherwise, there's going to come a point in time where we have to take some sort of action -

RESPONDENT: Yes, I understand.

CHAIR SCHNEIDER: - to force that into either occurring or to clean this up ourselves. Now, you know, you've been going through this process for ten months. We'd like to think that you're going to do that and move that forward and not waste all the time and money that you've already invested into it. So, where are you? What are you going to do?

RESPONDENT: I do have the GC, but he asked me - I don't know, is it possible to call to speak with the GC?

CHAIR SCHNEIDER: No, we don't want to talk to him. He needs - if you've employed him and you've hired him and you have him under contract, he needs to be here and represent you in that manner; otherwise, it leaves us with the feeling that that hasn't taken place. So, do you have a contract? Do you have a proposal from him that you're considering that you can show this Board that you're moving this forward?

RESPONDENT: I do have a proposal, but I don't have it in writing. I do have a proposal, like I said, from the other two decisions that I had made from this other GC that I do have the contract with me.

CHAIR SCHNEIDER: I'm not an attorney and I don't profess to be one and I'm not giving you any legal counsel or advice, but always get it in writing. In South Florida when you get done shaking your neighbor's hand, count your fingers.

MR. RAMPE: Mr. Chairman, I am empathetic to Shirley's problems here. It is a very complicated case. She had a lot of problems with her brothers and –

CHAIR SCHNEIDER: In-laws, out-laws, and the such.

MR. RAMPE: And she has, to her credit, appeared before us at every turn that this case has come up and in light of that fact, although I'm disinclined to continue to let this thing go on any further because of the observations that you've already astutely made, that I am willing to reluctantly grant another thirty days with the clear understanding, as with the last two cases, that this is it. And if you do not bring us a signed contract, signed by both you and the builder, a contractor who's going to do the work, if we don't get that at the next meeting then we're going to have to move to demolish the house. We can't continue to let other members of the community and – be at risk for persons and property because of – yes, I know you have lots of problems trying to get this together but ten months is a long time and now we're talking about eleven months and we just can't let it be a year. We have a responsibility to the rest of the folks in the community.

CHAIR SCHNEIDER: Is that in the form of a motion?

MR. RAMPE: I'll get off my soapbox now. I move that we give another thirty day extension with the clear understanding that a signed contract with the builder be delivered to this Board – if you want to bring the builder along, that's fine, but – pardon me?

RESPONDENT: I didn't know that – I thought maybe you wanted the GC and I couldn't – I didn't know whether you – I could have just brought the builder.

MR. RAMPE: No. You're misunderstanding me. I do not – I don't want to see the builder. What I want to see is a contract signed by you and him – a legal contract with a clear date for the work to begin or, ideally, the work will have already begun by the time you show us this contract. We need it in writing next meeting. Clearly no further debate, we're not going to discuss it anymore. If we don't get that signed contract, then we're going to have to move to demo. So, my motion is another thirty days with the stipulation that a legally binding contract with a licensed building contractor be submitted to this Board with a clear start date on it or, ideally, if the work has already started, that would be even better. Do you understand what I'm asking of you?

RESPONDENT: Yes, I understand. Yes.

MR. RAMPE: Okay.

CHAIR SCHNEIDER: Do we have a second?

MR. MORGAN: Second.

CHAIR SCHNEIDER: Discussion?

MR. TOZZER: I have a quick question.

MR. KERNEY: Go ahead with yours.

MR. TOZZER: Have we heard from the City's inspector yet on this one?

CHAIR SCHNEIDER: Mr. Inspector, do you have anything to add to this? Wayne?

MR. STRAWN: Wayne Strawn, City Building Inspector. No, if the plan's approved and she has a contractor, then it'll – there's no reason the permit won't be issued henceforth. When the permit is issued, she doesn't even have to come before this Board again.

MR. RAMPE: Because it won't – it will automatically be removed from our –

MR. STRAWN: Automatically it's removed from the agenda, yeah.

MR. KERNEY: That's where my line of questioning was going to go. The plans have been approved by the City, correct?

MR. STRAWN: I have – I'm new to the case and I don't really –

CHAIR SCHNEIDER: It was my understanding through the history of this case that, yeah, the plans were approved and ready for permitting.

MR. STRAWN: She has a printout right here that shows passed by plumbing, passed by – and she has a permit application number, passed by electrical. This one doesn't have building. You got one that shows building passed? I wasn't even aware that this had been before the Board before. I just drove by the property and verified that it was a bad building. It is cleaned up. There's no trash around.

MR. TOZZER: Secured?

MR. STRAWN: Yes.

RESPONDENT: Yes, this is the permit number I have.

MR. STRAWN: If you've been working with it that long, she's probably correct.

CHAIR SCHNEIDER: Yeah. Why don't you look it up over there, Bob?

RESPONDENT: I had the application at the last meeting, but I guess I left it.

MR. KERNEY: This is where I'm going with this. If, in fact, the plans have been approved and we'll find that out in a minute –

MR. STRAWN: She shows approval. I just don't see building, that's all. I see plumbing,

electrical.

CHAIR SCHNEIDER: How about zoning?

MR. PIGNATARO: Building's passed –

RESPONDENT: Everything passed.

MR. PIGNATARO: Plumbing passed.

CHAIR SCHNEIDER: You're ready to go.

MR. KERNEY: Instead of requiring her to have a signed contract with whatever builder, my suggestion or amendment to your motion would be that –

CHAIR SCHNEIDER: Don't come back.

MR. KERNEY: Don't come back. If you sign a contract with a builder or if you select one, whether you do it verbally or any other way, then it'll disappear the minute he pulls the permit. We will never see it again. You don't have to come back.

CHAIR SCHNEIDER: You're done with us. Then you've got to deal with him and we're easy.

MR. KERNEY: Regardless of whether or not he starts work right away or not.

RESPONDENT: That's why I've been going through these different GCs. I know what you're –

MR. KERNEY: Regardless of whether or not he starts right away, if you could just get him to pull the permit for you, then we're gone. And if you want to negotiate with him for the next couple of months, it's okay. I mean, the permit's good for six months before you need the first inspection. So, get somebody – a contractor to pull that permit from you and our relationship will be over.

RESPONDENT: Okay, thank you.

CHAIR SCHNEIDER: Okay, on the motion, all those in favor, signify by saying aye.

BOARD MEMBERS: Aye (unanimously).

CHAIR SCHNEIDER: All those opposed, like sign. Motion carries. Thank you very much.

RESPONDENT: Thank you very much for your time.

CHAIR SCHNEIDER: Oh, you're welcome. You show up one more time, we're going to

have a name plaque made for you.

MS. BAZER: The next respondent has not been sworn in so –

[Ms. Bazer then swore in the witness.]

MS. BAZER: The last case that we're going to hear today is on page two, and it's Case CE04031526 at 801 Northwest 19th Avenue. Bob Pignataro is the inspector. The owner that's listed on your sheet is no longer the owner. The County records do not reflect the new owner. The new owner is here. The inspector had posted on the property the notice on 6/1/04 and the new owner, Thomas Reich, is here today and apparently a permit was issued on 4/30/04 to re – for the roof. So, I'll let you – he can tell you the rest of it.

MR. RAMPE: Is this the first time this case has been before the Board? No? Okay.

MS. BAZER: With this owner now. With the new owner.

CHAIR SCHNEIDER: The pictures look –the photos look familiar. Robert?

[Mr. Pignataro handed out new photographs of the property to the Board members.]

[inaudible]

CHAIR SCHNEIDER: Without a permit?

MR. KERNEY: I thought only electrical contractors tried to pull that.

CHAIR SCHNEIDER: Only an electrical contractor would try to pull that.

MR. PIGNATARO: Bob Pignataro for this case, 801 Northwest 19th Avenue. There is a re-roof the flat. It was pulled on 4/30/04. It's been cancelled because of the sheathing inspection, was not done properly. So, the people that were doing the roof work are – went way beyond their classification and their skill level. That's why the building inspector that did the inspection cancelled it. I was called out there and saw this work beyond the roof going on so I put a stop work. I've been in touch with the owner, told him what he needs. He needs an architect to draw a complete set of plans, get the applications and stuff down. We had a meeting at the Code counter. To this day, I haven't seen the plans return with the application so that I can sign off on them and send them over to the Building Department. As far as the legalities of who owns the property, I don't know. This has been flipped back and forth so many times I can't count. So, this is a new owner, I guess, so –

CHAIR SCHNEIDER: Can we hear a little bit of history of this?

MR. PIGNATARO: Okay.

CHAIR SCHNEIDER: How many owners have we dealt with now on this property?

MR. PIGNATARO: These go back to Joseph Lagazzo back in '98. And back January 21st, '99, the Board said demo. Moving forward, it was rewritten again. Obviously, the owners changed.

MR. KERNEY: Does it show why it wasn't demolished?

MR. TOZZER: Yeah, why wasn't it demolished?

MR. PIGNATARO: I think what – somewhere along the line - that's what legal will probably point out is that the owners changed hands at, like, the last minute.

[speaking at the same time]

MR. RAMPE: There were service issues or something.

MR. PIGNATARO: Yeah. So, it was written again. I'll try to find it. November 21st, 2002, rescheduled. Due to not having a Board quorum, it was rescheduled. It went to December 2000 [sic] thirty days continuance. It went to January 16th of 2003, thirty day extension of time. It went to February 2003, the City would like thirty day extension of time to research ownership. May meeting -

CHAIR SCHNEIDER: Legal, has proper service ever been made to the real identifiable owner?

MR. PIGNATARO: That's legal. Went to May 2003, August meeting per Jean Grove, City Real Estate Officer, Housing Community and Development, was going to buy it for the City to rehab it, I guess. August meeting we gave them a sixty day continuance. And then I guess I write it to the Board and then I find this new guy on premise doing all this work without permits. So, I told him what he needs to do. They're redeveloping that whole area around there so those people are concerned that this is an eyesore. They'd like it to go one way or the other.

MR. RAMPE: Do we have a representative or the owner here? A representative of them or the owner?

CHAIR SCHNEIDER: Before I – we speak to him, what I'd like to hear from legal is is that, has there ever been proper service to at least now this owner?

MR. KERNEY: Well, doesn't the fact that it was posted on the property and that he's here –

CHAIR SCHNEIDER: Is that not legal and proper service?

MR. KERNEY: Constructive notice.

MR. PIGNATARO: His men were there. I made contact with him by phone.

CHAIR SCHNEIDER: That's what I want to hear.

MR. KERNEY: Why didn't you ask me if you wanted to hear that?

CHAIR SCHNEIDER: I wanted to hear it from the attorney.

ACA: [redacted] for the City Attorney's Office. I think what happened with this case is that we simply couldn't keep up with the various interested parties and the owners. I see that the property did change hands in February of 2004. There's a memo here from my office to Community Inspections identifying the current owner, their registered agent, and the mortgage company, and the registered agent for the mortgage company. Then one month later, the property changed hands again. The Property Appraiser's records reveal that Thomas Reich – did I pronounce that right? - is the property owner, and he's here. I think we can proceed and -

CHAIR SCHNEIDER: Thomas, you got caught doing work without a permit. Shame on you.

RESPONDENT: Can I speak?

MR. PIGNATARO: Identify yourself.

RESPONDENT: Okay, my name is Thomas Reich. I'm the owner. I intend to be the owner until it's fully renovated and we have it rented out to good tenants. I'll give you some good news. I intend on being the owner –

MR. TOZZER: Let me ask you something, are you a general contractor?

RESPONDENT: I'm not a general contractor myself. I started, as a matter of fact, to –

CHAIR SCHNEIDER: Where are you with your plans and your relationship with the general contractor in obtaining a permit for the proper remedial work that needed to be done on this structure?

RESPONDENT: I had a general contractor, Jerry McCrackin [phonetic], who started doing the work. He passed away. I hired – I found out that, I guess, he was maybe doing things he shouldn't have been doing. I hired an architect who drew up plans. I started getting roof permits. Maybe we kind of operated a little bit backwards; let's call it unconventional because I wasn't experienced with such a heavy rehab. Nevertheless, I'm willing to take on the challenge of that and I'm sure I'll do a good job. At this point, I need a GC. I have plans here, certified as a matter of fact, which I will present and I would like a meeting with you at your convenience, and I'm requesting more time. There's no more excuses regarding the previous owners. When I closed on this house, I had a title search. I was aware that there were problems because visually you could see it, but I wasn't aware that there was a chain of title problems. I got a clear title policy, but no clue of a demolition order. On my title

policy, there's no clue of a demolition order either, otherwise I might have been frightened away. Nevertheless, to me it looks like good CBS construction. It is in disarray, but I have painted the outside because neighbors approached me and said, "What are you doing with this?" and I said, "Well, at this point I'm obtaining permits." As soon as I was notified by the inspector and the note was posted on the door, the guys that were inside doing some work left, boarded up, we haven't touched it since except, with your permission, we painted the outside just for cosmetic reasons, but we have never gone inside the house ever since that permit – I mean, that notice, was posted. And, that's where we stand. I'm hoping that we – I could work with you and I'd like to get the job done.

MR. RAMPE: Bob, if I could ask you, we don't need to pass his plans around, but would you look and see if they do have an architect's seal on them?

MR. PIGNATARO: Yes.

MR. RAMPE: Are they sealed?

MR. PIGNATARO: Yes.

CHAIR SCHNEIDER: Bob, the work that – the scope of work that needs to be done to bring this structure up to – will require a general contractor or is an owner/builder type situation?

MR. PIGNATARO: A general contractor.

RESPONDENT: Okay, I got some misinformation before my contractor passed on. We had plans drawn up. Inside the house, it's all exposed, so hopefully you could double check the ties and other items as far as the roofing structure. There's nothing closed up at this point, so I'm hoping we can take over and get my permits. It could be inspected without any type of demo really.

CHAIR SCHNEIDER: Board, what's your pleasure with this situation?

MR. KERNEY: I have one more question. Can't this gentleman put those plans in for review without having his general contractor on board?

MR. PIGNATARO: No.

MR. KERNEY: He cannot? It has to go in? Then how did the last – Shirley, what's her last name - I'm sorry, Vernon - how did she get hers approved without having a GC?

MR. PIGNATARO: That's a good question.

MR. KERNEY: Well, it's only a good question if I can get a good answer.

MR. PIGNATARO: If I could give you the answer, I would.

MR. KERNEY: Okay.

MR. PIGNATARO: That's a different division over there, building sites. The requirements are when it's unsafe or if we tag you for after-the-fact, you're supposed to have two sets of sealed plans by an architect or engineer with all your applications of your subs together brought to the building inspector that cited you, he signs off on the bottom of the application to tell the girls over in the Building Department that it's okay to start the process. Now, it happens where they sneak in around us and they go in and charm the little girls and they get things done. It happens.

CHAIR SCHNEIDER: Charming.

MR. KERNEY: This is all being recorded, isn't it?

MR. PIGNATARO: Or that there's no holds put on.

CHAIR SCHNEIDER: Well, is there ever a situation where, in an instance such as this, where the scope of work may require sub permits and still qualify for an owner/builder permit and not a general contractor and yet this wouldn't be completely different in the scope and it'd be of the magnitude that it requires a general contractor?

MR. PIGNATARO: All unsafes require a general contractor.

CHAIR SCHNEIDER: Okay.

MR. KERNEY: That's good information. I did not know that.

CHAIR SCHNEIDER: Neither did I.

MR. PIGNATARO: It cannot be a homeowner. Your request of the previous one was to get a general contractor here with a signed contract.

CHAIR SCHNEIDER: But yet under new construction a homeowner has the right to apply for a permit.

MR. PIGNATARO: Correct. And this gentleman is not going to live there either.

CHAIR SCHNEIDER: So it's not his domicile.

MR. PIGNATARO: Right.

MR. TOZZER: Have you looked into costs yet on what it's going to take to rehab this property?

RESPONDENT: Yes.

MR. TOZZER: Okay.

RESPONDENT: I met with electricians, I met with drywall/sheetrock people, I met with the plumbers. Yeah, we know what's involved, but we like the neighborhood.

MR. TOZZER: Okay. I've been on the Board long enough, I've heard all the five previous owners say the same thing. No disrespect, but I have heard the same thing.

MR. KERNEY: Well, I'd like to make a motion that – sorry -

MR. PIGNATARO: One more thing. My observation of the inside, you know, with the beams and the way that they're put in now because the previous roofer didn't do it correctly, it's going to have to be redone or some major engineering changes are going to have to be done to these plans. They can do a draft plumbing and electrical, but when the building inspector does come out there, the plans are approved as they are, and they do see the roof members as they are, they're going to require extra stuff.

MR. KERNEY: But that would be after the permit's issued?

MR. PIGNATARO: It really should be before that it be addressed.

CHAIR SCHNEIDER: Are they structural in nature?

MR. PIGNATARO: Yes.

CHAIR SCHNEIDER: That will also require a structural engineer.

MR. KERNEY: Well, in order to get us past this point, obviously the problems of the past are not this gentleman's problems. He took on this property. He's obviously interested in renovating it. I would say that within thirty days, since you already have the plans, I would give you a thirty day extension but you would have to come back here with a signed contract from a general contractor, at which point I'd probably look to give you another thirty days to have your plans in and reviewed by then. So, do you think you can come to an agreement with a general contractor in thirty days?

RESPONDENT: Yes, absolutely, and I appreciate you giving me thirty days.

MR. KERNEY: I'll put that in the form of a motion.

CHAIR SCHNEIDER: We have a second?

MR. MORGAN: Second.

CHAIR SCHNEIDER: Any further discussion? On the motion, all those in favor, signify by saying aye.

BOARD MEMBERS: Aye (unanimously).

CHAIR SCHNEIDER: Like signs opposed. Motion carries. Thank you, sir. Thank you, Robert. Next victim.

MR. KERNEY: Just got board ups.

RESPONDENT: No more excuses, by the way. It's going to get done. Thank you.

UNKNOWN SPEAKER: Good luck.

CHAIR SCHNEIDER: By the way, your case – your situation right there, in of itself, is exactly what I was addressing to the previous people. There just comes a point in time where these things continue to roll over and yours has been here since – this property since 1968 – '98, excuse me. That's way too long.

RESPONDENT: I understand, but I think prior to me everybody was flipping it and making a couple of dollars.

CHAIR SCHNEIDER: I think that's probably the case.

[speaking at the same time]

CHAIR SCHNEIDER: Board ups. I've got them. Okay, the next thing we have is board ups. Put my eyes on here. The first one is complaint number CE04032629 in the amount of \$479.50. The next is CE04021176 in the amount of \$698.00. The next is CE04031133 in the amount of \$267.00, and finally, CE04012077 in the amount of \$727.38. What's your pleasure?

MR. RAMPE: I move that we approve.

CHAIR SCHNEIDER: We have a second?

MR. TOZZER: Second.

CHAIR SCHNEIDER: Any discussion? All those in favor, signify by saying aye.

BOARD MEMBERS: Aye (unanimously).

CHAIR SCHNEIDER: Opposed like sign. Meeting's adjourned. Next meeting date.

[Thereupon the meeting concluded at 3:45 p.m.]

Unsafe Structures Board Meeting
Thursday, June 17, 2004
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CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held on June 17, 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 June, 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 June, 2004.

NOTARY PUBLIC
State of Florida at Large

Notarial Seal: