

City of Fort Lauderdale
UNSAFE STRUCTURES BOARD MINUTES
Thursday, September 16, 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	P
Jacquelyn Scott	A
Michael Madfis	A

Also in Attendance

Lindwell Bradley, Community Inspections
Nadine Blue, Board Clerk
Robert Pignataro, Building Inspector
Kenneth Reardon, Building Inspector
Wayne Strawn, Building Inspector
Lisa Edmondson, Recording Clerk

The regular meeting of the Unsafe Structures Board convened at 3:05 p.m. on Thursday, September 16, 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. CE04070113 Case Address: 1904 SW 10 Court Owner: Reynolds, Thomas A & Frances Inspector: Kenneth Reardon Disposition: Motion for extension of thirty days to get electric disconnected and have a temporary pole set according to proper standards and permitting, unanimously approved.		3-5
2. CE04031526 Case Address: 801 NW 19 Avenue Owner: Thomas Reich Inspector: Robert Pignataro Disposition: Motion for thirty day extension with the stipulation that the plans will be submitted to the building department within those thirty days, unanimously approved.		5-7

3. CE03051368 8-13
Case Address: 1225 NW 16 Street
Owner: Fletcher-Allen, Shirley M.; Hills, Vernon C.;
Hills, Delbert; Hills, James
Inspector: Wayne Strawn
Disposition: Motion for sixty day extension with stipulation
that the general contractor reapply for the permit, unanimously
approved.
4. CE03031348 13-17
Case Address: 1029 NE 63 Street
Owner: Manoli Family Ltd Prtnr
Inspector: Wayne Strawn
Disposition: Motion for demolition within thirty days,
unanimously approved.
5. CE04011615 17-20
Case Address: 534 NW 22 Avenue
Owner: Goldberg, Andrew
Inspector: Wayne Strawn
Disposition: Motion for demolition within thirty days,
unanimously approved.
6. CE04070204 20-21
Case Address: 1416 NW 11 Street
Owner: Federal National Mortgage
Inspector: Wayne Strawn
Disposition: Motion for ninety day extension,
unanimously approved.

CHAIR SCHNEIDER: Welcome to the City of Fort Lauderdale Unsafe Structures meeting for September the 16th. Is everyone present that's going to give testimony been sworn yet? If not, please rise and take the oath.

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

MR. BRADLEY: Good afternoon, Board.

CHAIR SCHNEIDER: Good afternoon.

MR. BRADLEY: First case is going to be Ken Reardon. Case number on page number 1 is CE04070113. Address is 1904 Southwest 10th Court. Service was obtained through advertising in the *Broward Daily Review* from 8/27 to 09/03, and this was continued from 19 August '04.

CHAIR SCHNEIDER: Thank you, sir. Is this the first time this has been here before us? So we don't need to read it into the record? Kenneth, you want to take the lead on this?

MR. REARDON: What happened last time they were here, you wanted the power disconnected and I believe they got a letter. I know they're in for permitting or have gotten the temporary power permit. They had submitted plans into the building department previously. They were rejected by zoning due to some - you'll remember this one, the legal nonconforming issues. They got those issues resolved. Zoning has accepted their plan and now it's in the process of routing through the building department.

CHAIR SCHNEIDER: Very good, sir. Can we hear from the respondent please?

MR. FOWLER: We're trying to comply with all your requests and we seem to be getting back on schedule on the - taking care of all these legal matters and we'd like to continue since the plans are out of the building department.

CHAIR SCHNEIDER: Any recommendation from the City?

MR. REARDON: Yeah, I would say that - let's give sixty days to see how the plans fare and where the building department has them at that point.

CHAIR SCHNEIDER: Board?

MR. RAMPE: Question - could we ask to have our decision read from the record the last time we heard this case please? When was it heard? I may have it here in my folder if you can tell me. It was heard in August?

MR. REARDON: Yes.

MR. RAMPE: - to look it up. Let me - I'll read it for the Board's benefit. I just need to find it here. Okay, we had given him thirty days extension and the electric was to be

disconnected on the 19th of August.

CHAIR SCHNEIDER: Have you disconnected?

MR. FOWLER: Yes, sir. I have a letter from the electrical contractor if you'd like to see that.

CHAIR SCHNEIDER: Please.

MR. REARDON: I've looked at the letter and I know it will make a lot more sense to you than to me. Seemed like it was in order.

CHAIR SCHNEIDER: Temporary electrical permit issued.

MR. REARDON: Has that been issued?

CHAIR SCHNEIDER: Yeah, but that doesn't tell me – you have your receipt?

MR. FOWLER: No, I do not.

MR. REARDON: What's the description on that?

CHAIR SCHNEIDER: Basically, I'm going to read this into the record. It's from Henry & Company Electrical Contractors. Basically says, "Dear sir or madam, our company has disconnected the existing outside service from the unsafe wiring inside the existing structure. We have also provided a weather resistant ground fault receptacle at the existing outside service for temporary construction use." In my opinion, this is noncompliant with this Board's desire and order. We indicated that we wanted the entire service disconnected and a temporary pole set. That was the intent. That's what I, as the electrical contractor on this Board want. I don't want any power connected to this structure whatsoever, otherwise it could be connected back without a C of O, and I don't want that process to take place. Therefore, I want the power completely disconnected from the house; the drop removed, coiled up and set up on a pole by the potheads, and a temporary pole set with ground fault in accordance with the National Electrical Code.

MR. FOWLER: Understood.

CHAIR SCHNEIDER: Board?

MR. RAMPE: In consideration of the Chairman's remarks, I have to agree and I would make a motion that we only give Mr. Reynolds thirty days to get this electric properly disconnected and have this temporary pole set according to proper standards and proper permitting.

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

MR. RAMPE: Yes.

CHAIR SCHNEIDER: Do we have a second?

MR. KERNEY: Second.

CHAIR SCHNEIDER: Questions, discussion? Being none, all in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: Opposed, same sign. Motion carries. Thank you, gentlemen.

MR. BRADLEY: Next case, Board, is on page 1 at the bottom. Robert Pignataro is the Inspector. Case number CE04031526, 801 Northwest 19th Ave. Service was obtained to the owners, Thomas Reich; signed, signature illegible, on 7/23/04; also advertised in the *Broward Daily Review* from 08/27 to 9/03/04. Last permit issued was 04/30/04 for a re-roof flat. Continued from the 15th day of July 2004. Order to continue reads number one item, the respondent shall retain a contractor, the property owner – the second thing, the owner must sign the contract, retain the contractor, and bring signed contract with clear start date for beginning of work to the September meeting; provide documentation. Number three, provide documentations that plans have been submitted to the City of Fort Lauderdale for review and approval.

CHAIR SCHNEIDER: Would you start off please?

MR. PIGNATARO: Good afternoon, Board. Bob Pignataro for this case on page 1, 801 Northwest 19th Avenue. Mr. Thomas Reich has submitted – I've signed his applications and I saw his two sealed drawings by an architect. He has not had the opportunity today to submit them. I hope he will before today's out for the remodeling of this building.

MR. RAMPE: Bob, question. Do you have a recommendation for the Board?

MR. PIGNATARO: Yeah, if he can get these submitted and - I would say another thirty days continuance.

MR. RAMPE: That's a reasonable time to get these things submitted? Thank you.

CHAIR SCHNEIDER: Can we hear from the respondent please?

MR. REICH: Good afternoon. I'm Thomas Reich. I was actually waiting for initials to submit this again which I will do right after this hearing. Thirty days, thank you, if you could allow that.

CHAIR SCHNEIDER: I have a couple of question for you.

MR. REICH: Yes, sir.

CHAIR SCHNEIDER: Number one, did you get a contract with your general contractor?

MR. REICH: Yes.

CHAIR SCHNEIDER: Do you have that signed?

MR. REICH: Yes.

CHAIR SCHNEIDER: That's all I need to know and just see evidence of it and we'll go from there because you can't give me a start date until after the plan review process is done and you have a permit.

MR. PIGNATARO: He has applications, all four of them: structural, electrical, plumbing, mechanical. They're all signed off by contractors and notarized.

CHAIR SCHNEIDER: Certainly, they wouldn't be issuing permits or requesting permits without a signed contract, but you never know. I know I don't issue a permit without a signed contract.

MR. PIGNATARO: That may be a requirement they want over there. I don't know. Usually they go on, if we have applications signed by and notarized by a licensed contractor, they usually go with that. They're really not interested in contracts because to them it doesn't mean anything, but to you as the Board, you've requested that. That's something he has to provide.

CHAIR SCHNEIDER: Exactly.

MR. PIGNATARO: Also, we'd like to get on the record the address that this gentleman does live at, so we get the proper notification.

CHAIR SCHNEIDER: Alright, sir. While you're looking for that, could you state your full name and proper home address please, mailing address for the record?

MR. REICH: Yeah, my name is Thomas Reich. I reside at 6259 Northwest 57th Street in Miami. The zip code is 33143. Last name is R-E-I-C-H.

CHAIR SCHNEIDER: Very good. Thank you, Tom.

MR. REICH: Thank you.

MR. PIGNATARO: Also, does your driver's license show that address?

MR. REICH: No, it doesn't show that address.

MR. PIGNATARO: What address is your driver's license –

MR. REICH: That was my old address nearby in Miami also. I recently moved and I will have a – at the driver's license bureau.

MR. PIGNATARO: Okay.

CHAIR SCHNEIDER: Don't have your contract with you?

MR. REICH: The contract I brought last time. I don't have it with me. I have all the notarized paperwork. I didn't bring it with me. I was prepared just to submit the plans.

MR. KERNEY: Mr. Chairman, if I may, I would be inclined to believe that if a general contractor is willing to sign a permit application, he has all intentions of doing the project.

CHAIR SCHNEIDER: I would concur with that.

MR. KERNEY: So, I think the contract –

CHAIR SCHNEIDER: Anybody else on the Board have anything? What's your pleasure?

MR. KERNEY: One other thing, I don't see the need to bring this gentleman back in front of us in thirty days. I do believe he's going to submit right after this meeting, so we ought to bring him back in a reasonable amount of time to let the plans make their way through the City which presently is sixty to ninety days.

MR. PIGNATARO: The suggestion of the thirty days was to make sure that he has submitted the plans, not to get them through the building department. I realize that it takes a little while to get through plan review.

CHAIR SCHNEIDER: Just a cordial how you doing?

MR. PIGNATARO: Yes.

MR. KERNEY: Then I'll make a motion that we extend this thirty days with the stipulation that the plans will be submitted to the building department within those thirty days.

CHAIR SCHNEIDER: Do we have a second?

MR. RAMPE: Second.

CHAIR SCHNEIDER: Any discussion? Being no discussion, all in favor, signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

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

MR. REICH: Thank you, gentlemen.

MR. BRADLEY: Page two, Board. This next one was withdrawn, CE03051368. And the reason was the demo was ordered for sixty days from 7/15/04 at the hearing. Next case, page three.

CHAIR SCHNEIDER: Excuse me.

MR. BRADLEY: Yes.

CHAIR SCHNEIDER: Is the attorney here today?

MR. BRADLEY: Which one?

CHAIR SCHNEIDER: The Board attorney. The City attorney.

MR. BRADLEY: Nope.

MR. RAMPE: We don't have a City attorney present?

CHAIR SCHNEIDER: We need to have one. Is it my understanding now that since the order for demolition was done the last time that'll be forthwith for the owner to comply and if she doesn't comply, then the City will handle that?

MR. BRADLEY: Read out what the order says, Susan. Hold on.

MR. RAMPE: When was this last before the Board? July?

MR. BRADLEY: Yeah, dated July the 15th, was continued, then an order for demolition – the number one stipulation that an order for demolition be issued after sixty days if the respondents have not come into compliance or having not demolished the building. This action was hereby continued for revocation.

MR. RAMPE: Does it not reflect that unless the permits were issued?

CHAIR SCHNEIDER: I think what the Board is interested in knowing - is the respondent, the property owner here? Could we have her before the Board please - them, before the Board?

MR. BRADLEY: Just state your name and address for the record please, and your relationship to the property.

MS. FLETCHER: My name is Shirley Fletcher and I'm the owner for 1225 Northwest 16th Street.

CHAIR SCHNEIDER: Shirley, have you submitted your permits?

MS. FLETCHER: I submitted my permits and my permits are no longer there. They trashed them. They got rid of them, so I can't comply with anything. The contractor can't comply with anything.

CHAIR SCHNEIDER: Do you have a signed contract? Do you have a general contractor on board with a signed contract?

MS. FLETCHER: I have a contractor which is Mr. Ross, but –

CHAIR SCHNEIDER: Do you have evidence of that contract?

MS. FLETCHER: Excuse me?

CHAIR SCHNEIDER: Do you have evidence of a signed contract?

MS. FLETCHER: I have evidence of a contract, but I have not signed it, when I went down to the City and noticed that my plans are gone.

CHAIR SCHNEIDER: What did they do with them? Does anybody know?

MR. STRAWN: The only information I have is what Ms. Fletcher – that she tried to get the plans. They are not required to keep them indefinitely. Wayne Strawn, City Building Inspector.

CHAIR SCHNEIDER: Hi, Wayne.

MR. STRAWN: They're not required to keep plans indefinitely when no one actually gets the permit issued.

MR. KERNEY: Do you know if the plans were approved?

MR. STRAWN: Yes.

MR. KERNEY: They were approved.

MR. STRAWN: Yes.

MS. FLETCHER: The plans were approved and during the time I was here at the Board, I thought the plans were still there. They discarded them August the 6th. I was unaware that –

CHAIR SCHNEIDER: With all due respect, Shirley, I think after a year, I think they get rid of them. They purge their files. So –

MS. FLETCHER: They weren't there quite a year. I had hired – I think I had the plans in

there sometime –

CHAIR SCHNEIDER: Does anybody from the City know what the purging time limit is with plans and stuff like that over there across the street?

MR. STRAWN: I know of no consistent discarding process. Sometimes they hang around for a very long time and other times they're thrown away. They're not obliged to keep them for – I don't know what exactly the limit is, but we are anticipating a move of the building department so they may have speeded up the elimination of unnecessary paperwork.

CHAIR SCHNEIDER: Well, first of all, in a pending case, when there's a case pending, and the order hasn't been executed, in my opinion, the City has absolutely no business whatsoever purging those plans out of the system, period.

MR. KERNEY: I agree.

CHAIR SCHNEIDER: There's no excuse for it.

MR. STRAWN: Just to add this information, I have no idea if those plans are purged or if they are just lost or when that took place, so I couldn't lend any information on that.

MR. KERNEY: There's a piece of paper right there that says exactly when they were destroyed.

MR. BRADLEY: Board, why don't we – the City would ask for a thirty day continuance to see if we could clear this issue up.

CHAIR SCHNEIDER: We're going to do one better. The Chair's going to entertain a sixty day continuance.

MR. BRADLEY: Okay.

CHAIR SCHNEIDER: And Shirley, we would like you to try and gather your plans back up. You need two signed and sealed copies. You need to have your general contractor go back down there and, if they've got a permit that's ready to issue and you're good to go with your general contractor and your finance is in order, that negates and nullifies our order to demolish your property. And I'm not going to yank the rug out from under you. I don't think it's fair to you and I don't think anybody on this Board has the intention of doing that to you, but in my opinion, those plans should have never been purged from the City until your case was liquidated and done away with one way or the other. So, Board, we need a motion for a sixty day continuance.

MR. KERNEY: So moved.

MR. RAMPE: And what – could we restate the qualifications on that sixty day continuance?

CHAIR SCHNEIDER: The qualifications are is that, Shirley, you need to get with your general contractor, we need to make sure your financing is in place, which is none of our business, but you'll need to do that with your general contractor, and he'll need to go down and reapply for permit, and if they're ready to issue that permit, let's get it going.

MS. FLETCHER: Okay, I was – I spoke with Nancy where she takes full responsibility of no business having it, you know, discarded. She said that it has to be submitted the same way that the other plan had been submitted. So, that means that I have to go through again and get the [inaudible] tests, the product approvals, and –

CHAIR SCHNEIDER: You didn't keep a copy of any of this information?

MS. FLETCHER: I do have – these are sealed copies and those that I have given the City, I mean –

CHAIR SCHNEIDER: I understand that.

MS. FLETCHER: I gave you so many, I don't have –

CHAIR SCHNEIDER: Shirl, let me give you a recommendation for the future. Any time you submit anything to anybody, if they ask for multiple copies, you get at least one more made for yourself. That way, the next time if you ever run into a situation like this, all you've got to do is go to a printer and get it printed, get it signed and sealed again, and submitted, and you've got everything you need. Now, this time, you've got to go and reinvent the wheel. So, you've got sixty days to try and get that done. So, it shouldn't be hard to do because all this stuff ought to be on record with the people that drew your plans and the people you dealt with before for your project approvals and, as far as your test report goes, that ought to be a matter of record with the people that did the test and they ought to be willing to send and forward you for very little money, any copies – certified or notarized copies as required. So, I think what you need to do is get with your general contractor. Quite frankly, that's what you're paying him to do for you is get all this stuff together and take care of all this liaison work for the City. So now, if you've got a general contractor, he ought to be able to handle this for you within about a week to two weeks and then it back submitted to the City. Once you submit it to the City, if there's a permit ready to go, it ought to be able to be, quite frankly, walked through the process. Okay?

MS. FLETCHER: Okay.

CHAIR SCHNEIDER: Board have anything else? On the motion, all those in favor signify by saying aye. All those opposed?

RECORDING CLERK: Mr. Chair, who seconded that motion?

MR. KERNEY: I will.

CHAIR SCHNEIDER: Thank you, Shirley.

MS. FLETCHER: Thank you. Can I ask something?

CHAIR SCHNEIDER: Sure.

MS. FLETCHER: I noticed a lot of work is not done much, but I know it's a lot of work I have to go back through and do, but if I have an alternative to do a cash contract for someone who do have the money and all that, would that be accepted?

CHAIR SCHNEIDER: I don't care how you pay the bill.

MR. KERNEY: What she's – I think what she's referring to is selling the property.

MS. FLETCHER: Yeah, I'm saying alternative if I have a cash contract of someone who is able to do all that. They said they would accept the plans that I have, but I still have to go through the plans and submit them. Would that be accepted? I mean –

CHAIR SCHNEIDER: Shirley, this thing has dragged – drug on now for well over a year. You can tell by today that I carry a sword that cuts both ways. I don't play any games. That thing cuts to the left just as it cuts to the right. Last month, or two months ago, you were standing on the right and I swung the sword to the right and I told you that within sixty days we didn't want to see you come back here. Today, in my opinion, by the City purging your plans out of their system and having a permit ready to go, while I agree with the City that they can't keep the plans indefinitely, that sword swung back to the left. When you talk to this Board about selling your property, that gives me a clear indication that this is just another stall tactic.

MS. FLETCHER: No, it isn't.

CHAIR SCHNEIDER: Well, whether it is or not, it has the appearance of it because on the three years that I've sat on this Board, that's generally the chain of events that happens - that these things continue to roll and roll and roll and the community, the people in this community never get served. They never get ultimately the result of what this Board is supposed to provide for them, which is the cleaning up and the repair and retrofitting of unsafe structures. Now, I don't know how long your structure was sitting there before it came before the Board, but I know that we've been talking to you over a year on this matter. So, if you're going to sell the property, there's nothing this Board can do to prevent, stop – or stop that. Quite frankly, once it goes to a new owner, the process would start over again and he'd have to, you know – he can't submit the plans – your plans in your name. He has to submit the plans in his name because he's the new property owner. And I don't know all the legal ramifications back and forth with it, but I know that as it stands right now, we're willing to work with you for another sixty days for you to get your plans in and resubmitted, and try and get a permit out of there. What the Board's attitude is and what – how they feel about you selling the property and us starting this entire process over again, that's something

that you'd have to ask them individually. I don't know what their pleasure is with regard to that. So, I know how I feel about it personally and I stated that. It just appears that it's just another way of postponing the inevitable, but that's my personal point of view. Board?

MR. KERNEY: I have no comment on it.

MR. RAMPE: I have no comment. We've made our decision. It's on the record.

CHAIR SCHNEIDER: Thank you, Shirley.

MS. FLETCHER: Thank you, Board.

MR. BRADLEY: Page three, Board. Case number – Wayne Strawn is the Inspector. Case number CE03031348, address is 1029 Northeast 63rd Street. Interested parties green card was sent to Jeffrey Walch [phonetic] for the – and also the Manoli Family Limited Partnership signed by L. Williams on 8/17/04. Interested party EJM Investments, Inc. signed by James Manoli on 8/23/04. The Manoli Family Ltd. Partnership signed by Manoli on 8/31/04. Robert Weiss signed by Robert Weiss on 9/9/04. Marlene Marmo [phonetic] signed by M. Marmo on 8/21/04. Rosara [phonetic] and Steve Marmo signed M. Marmo on 8/21/04. Advertised in the *Broward Daily Review* from 08/27 to 09/03 – 04. Last permit issued was 03/31/04, replacement of water heater.

MR. STRAWN: Wayne Strawn, City Building Inspector.

CHAIR SCHNEIDER: Wayne, is this the first time this thing's been before us?

MR. STRAWN: Yes, that's correct. The violations exist as stated on the Notice of Violation. It's kind of an unusual case because it's a mobile home with an addition to it.

CHAIR SCHNEIDER: You want to read it in for the record please?

MR. STRAWN: Alright. Florida Building Code 111.1.1, the mobile home dwelling is a fire and windstorm hazard. It has deficient and inadequate means of egress and is being used illegally as a rooming house. The dwelling does not meet the requirements of the minimum housing code. Florida Building Code 111.1.2, the dwelling has been changed in occupancy to a rooming house without obtaining a permit or a certificate of occupancy. The screen porch addition on the east has been converted to living space and a plywood enclosure has been attached/constructed on the north end of the screen porch without obtaining a permit. Florida Building Code 111.2.1.1.3, the dwelling has only one means of egress to the outside. Occupants may be trapped by a fire if this exit is not available. Florida Building Code 111.2.1.2.1, the metal awning structures are improperly loosely supported by wooden props throughout the dwelling. Florida Building Code 111.2.1.2.3, the building has been partially destroyed by the removal of a large section of the exterior wall. This exterior wall has been replaced, but the exterior wall remains compromised. What they're speaking about there – what I'm speaking about there, by way of clarification, is the exterior wall of the mobile

home itself. Many times people, after an addition is constructed, remove part of the mobile home wall to open up the floor plan. That evidently is what took place here, but then it was replaced, but the roof or ceiling roof floor connection is compromised. It's not built the way it was originally is what I'm saying. Florida Building Code 111.2.1.2.5, the electrical system in the mobile home has been altered by the addition of many circuits for air-conditioners. The electrical system may be overloaded and not properly grounded. Florida Building Code 111.2.1.2.8, the mobile home does not comply with any of the requirements for a rooming house. Florida Building Code 111.2.1.3.1, the mobile home has electrical installations without obtaining required permits. It is constructed and occupied without a certificate of occupancy. A water heater has been installed in the mobile home without obtaining a permit. Florida Building Code 111.2.1.3.2, the mobile home is being occupied and/or used illegally and does not meet the requirements of the minimum housing code. The City is asking that a motion to demolish be adopted for this. I have been to the property several times and we have interviewed several single males that live there and evidently rent rooms from the owner of the mobile home and we're afraid something's going to happen here that will cause a loss of life. The construction of the addition is similar to what was accepted thirty-five years ago. The roof weight is put upon the wall of the mobile home which isn't allowed today, so we can't give any permits to add a doorway, another doorway to provide another exit because we can't – the entire addition is without permits and it would trigger the replacement of the addition to what the Code requires today. Certainly, if he wanted to open up another hole in the wall for life safety purposes, no one here would stop him, but we can't issue a permit for that to be resolved.

CHAIR SCHNEIDER: Wayne, before you leave the podium, you said that the mobile home itself has been – the structure of it has been compromised by the removal of structural members and wall members –

MR. STRAWN: That's correct.

CHAIR SCHNEIDER: - from the way that it was originally built. That's of concern to me that in order to restore that to at best the manufactured housing standards when it was built would virtually require that the exterior skin and possibly the roof, as well as the interior finishes be removed and those structural members replaced.

MR. STRAWN: Yes, whenever you have something that's accepted by the City according to not a prescriptive code, but by a performance code, and mobile homes are built with a performance code, each one is engineered. And the State of Florida or Georgia or whatever state they're built inspects these as they're being built according to the engineer's specifications. You start to alter them and –

CHAIR SCHNEIDER: It changes the engineering.

MR. STRAWN: Yes, exactly. You don't – they don't fit the building code in any way, shape, or form. You're right back in the hands of an engineer. If you're talking about a forty year old mobile home, you're talking about something of very little value anyway.

CHAIR SCHNEIDER: Very good. Okay, go ahead, please.

MR. JONES: Question, Wayne. Is there any protection for hurricanes? Is there any anchorage of the trailer to the ground, such as is it screwed down? And how about the addition? Is it anchored, screwed?

MR. STRAWN: Well, its original installation, I believe it was anchored down.

MR. JONES: Okay, and the plywood enclosures, and also, any clips on it, wind clips or –

MR. STRAWN: No, it doesn't meet any –

MR. JONES: Anything.

MR. STRAWN: The plywood is – there was a shed in the rear yard which Mr. Weiss removed. He was living in the shed in the rear yard. But then, after we asked him to remove it and he began addressing the code violations, then he built another – and this is a recent development within the last year or so, the plywood enclosure. It's painted plywood. It doesn't meet any of the requirements. It's got an old jalousie door laid on its side as part of the wall construction.

CHAIR SCHNEIDER: Can we hear from the respondent please? Could you state your name and address please?

MR. MANOLI: Yeah, my name is Jim Manoli. I'm one of the property owners. Our address is 901 Northeast 63rd Street. That's the mobile home park address. I'm, unfortunately, the owner of the property this home sits on. Everything that's been done to it he's done. I haven't done it, but I want to cooperate fully with the City and do whatever it takes to resolve the problem. This is the first time it's come up, so I don't really know where to begin. I don't know if the City can get this guy out and then condemn it and I can it off if it has to. I mean, I can remove it. It might and all that, but the key is getting the guy out of the house if that's the –

CHAIR SCHNEIDER: Well, you've got to understand something. We're not in the business of evicting people. We are in the business, if the structure doesn't come into compliance, of ordering you to tear it down.

MR. MANOLI: Okay.

CHAIR SCHNEIDER: And if you don't tear it down, then the City will tear it down and encumber the property.

MR. MANOLI: So, I can try to evict the guy then? Is that where –

CHAIR SCHNEIDER: I'm not going to give you any legal advice one way or the other.

MR. MANOLI: Well, that's the only way I could possibly do it, would be to try to evict him.

CHAIR SCHNEIDER: I can just tell you what this Board is about.

MR. MANOLI: Well, I'll try to evict him if you – the Board will cooperate with me a little bit and give me some time to get him out and if I can get him out, then I can remove the home immediately.

CHAIR SCHNEIDER: We'll probably give you some ammunition to help you get him out.

MR. MANOLI: I'd love that. Whatever you can do.

CHAIR SCHNEIDER: Board?

MR. MANOLI: I want to make this place safe.

MR. MORGAN: I would move for an order of demolition.

MR. TOZZER: I would second that motion.

CHAIR SCHNEIDER: Discussion? Being no discussion, all those in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: All those opposed, like sign. There's your ammunition.

MR. MANOLI: Okay, now –

MR. RAMPE: You need to consult your own lawyer. As the attorney on the Board, I can tell you that there are a lot of specific laws about eviction, which I believe you're probably aware of as a landlord. But now that this order of demolition has been ordered, I would suspect that can greatly speed up the process of getting him out of there.

MR. MANOLI: Will I get a copy of this?

MR. RAMPE: The condemnation? Yes. Yes.

MR. MANOLI: Will I be assessed any fees since I'm cooperating fully with the City?

CHAIR SCHNEIDER: Only if you don't – once you get the order to demolish, only then it has to come back before the City Commission and then the City Commission will demolish it. It's at that point when they demolish it and spend money that they'll encumber the property.

MR. MANOLI: But there's no fees like for up to now for anything?

CHAIR SCHNEIDER: I don't think so, but you can ask these folks. I'm not sure about that.

MR. MANOLI: Can I ask you another question? How long will I have, because it will take me thirty to sixty days at least to get this gentleman out of the house. It depends if he responds to the summons or not or the violation that I do. So, it's going to be thirty to sixty for sure without a doubt. It could even be a little longer than that.

MR. KERNEY: You should probably discuss this with the City attorney.

CHAIR SCHNEIDER: Yeah.

MR. MANOLI: What's that?

MR. KERNEY: You should probably discuss this with the City attorney after the meeting.

CHAIR SCHNEIDER: Right.

MR. MANOLI: I'll get that number. I want to cooperate fully so it doesn't get to a bad point.

CHAIR SCHNEIDER: We understand.

MR. MANOLI: Give me a chance to get rid of the guy, that's all. Thank you. I appreciate it.

CHAIR SCHNEIDER: You're welcome. Thank you.

MS. BATCHELDER: The order for demolition, I need a date.

CHAIR SCHNEIDER: Gentlemen?

MR. RAMPE: Thirty days.

CHAIR SCHNEIDER: And if we give you thirty days, by the time it gets around to doing what's got to be done and the City takes over, it will be sixty days anyway. One of these folks will give you the City attorney's name and phone number. Yes, sir.

MR. BRADLEY: We're on the last page, looks like. Page four. Wayne Strawn is the Inspector. Case number CE04011615, property is 534 Northwest 22 Ave. Interested parties green card sent to Andrew Goldberg, returned unclaimed on 8/29/04; Security Bank signed by D. Francis on 8/20/04, Mers interested party signed by Alice Tucker on 8/23/04; Taylor Beam Whittaker Mortgage Corp. signed by Maura Pozo on 8/20/04, and CT Cap Systems for Mers Taylor Beam Whittaker Mortgage Corp. signed by Michael Kepwas on 8/20/04. It was advertised in the *Broward Daily Review* on 8/27 to 09/03/04, and the last permit issued was 10/09/2000 after-the-fact insulation of a water heater. Wayne Strawn.

MR. STRAWN: Wayne Strawn, City Building Inspector, 534 Northwest 22nd Avenue. Florida Building Code 111.1.1, the residential single-story concrete masonry structure has deteriorated from the elements and has 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 property is vacant and unguarded, and we have other folks here to testify with regard to the ongoing problem with the neighborhood and with being vacant and unguarded. Florida Building Code 111.2.1.1.2, there is an unwarranted accumulation of dust, debris, or other combustibles therein. Florida Building Code 111.2.1.2.1, there is a failure hanging loose of siding block, brick, and other building materials. Florida Building Code 111.2.1.1.2, the structure is uniformly destroyed due to vandalism. Some of the structural roof joists are deteriorated and rotted. Florida Building Code 111.2.1.2.3, roof sheathing has deteriorated and is missing in areas. Florida Building Code 111.2.1.2.5, the electrical and mechanical systems create a hazardous condition in violation of standards of this code. Florida Building Code 111.2.1.3.2, by reason of illegal and improper use, the structure does not comply with this code or the minimum housing code. Florida Building Code 111.2.2.1, the cost to alter or repair the building exceeds fifty percent of the value of the building. Florida Building Code 111.2.2.2, the cost of the structural repair exceeds thirty-three percent of the value of the building. The City is asking for a motion to demolish; the ongoing problem of having a vacant and unguarded property where none of the owners for a long time have taken any interest in resolving these problems. We have the officer – police officer of that area would like to testify and also Mr. Russell would like to testify.

MR. RAMPE: Excuse me, do we have the photos of this please for the Board? Russell, if you'd like to go ahead while we're looking at this.

MR. RUSSELL: I'm Richard Russell, 529 Northwest 22nd Avenue, Fort Lauderdale, Florida. I've been living there for about forty-eight years. I was there before the building was put there. It was mostly vacant lots. And my concern is, since they have rezoned that area and put nice homes in there and I may have stated some of this before but, I would really appreciate them putting the new homes in there. My house would be the worst one, so you know how I feel. And I'm real happy today that this is going on. But this building, this has been an eyesore for the last four or five years. The problem is nobody owns it and we was fortunate enough to get with the City Commission to shut it down because they were living there without paying anybody any rent and the water bill got high and they cut the water off several times. With the drug dealers working in that building, they had the water put back on, so what they was doing is selling drugs and taking care of the building. And I think the code enforcement got on their case a couple of times, but they overcame him. But I'm here to let you know that this has been an eyesore, it's been a problem before now, and there's nothing better that I need is to get it tore down. I'm not going to stand here and tell you that - about the other buildings because I need them torn down, too, around there, because this place – this neighborhood now is growing and they're talking about putting two, two twenty-five homes in there. That's a lot of money for a home to be around certain places as that. So, I would really all you all's support to try to get this done. And I think the officer would like

to say something, too, Officer Fleming.

OFFICER FLEMING: Hi, Officer Fleming, Fort Lauderdale Police Department. I patrol that area in the northwest section of Fort Lauderdale and I routinely get complaints about the property. It's currently boarded and has been for some time and if the boards are off, there's vagrants inside –

CHAIR SCHNEIDER: Excuse me, officer.

OFFICER FLEMING: Go ahead.

CHAIR SCHNEIDER: Your tape has run out. We have to get all this – please continue.

OFFICER FLEMING: Like I said, it's currently boarded, but if one of the boards should come off, we've got vagrants, we've got drug users in the building. There's currently now three brand new single-family homes to the south of that structure. The gentleman who lives right next to it is a single father with a little girl and the little girl even said to me, "I'm scared because I see people walking on the property next door." And they're vagrants, they go behind the building, smoke, drink, whatever. It's become a collection of trash on the property and, like I said, the vagrants will set up camp behind the property because it's kind of secluded. So, it is an eyesore and a problem, so it would be great if it could just go away and be torn down.

CHAIR SCHNEIDER: There is no owner of record on this property?

MR. STRAWN: Wayne Strawn, City Building Inspector. This was one of those properties that had been owned by the Kratenstein Trust and they had taken out multiple mortgages on things and they ran – I don't know if you followed the newspaper on it, they had a thirty million dollar scam that they defrauded various out-of-state banks and, after that, we notified everybody that has an interest in the property. Susan has the records on that. As we brought out, all those people were notified, but there's no one with an interest enough to make it comply with the code. I spoke to John Gosman who's the code officer assigned to that area and he routinely would nail – have a hammer and nails and nail boards back up on that structure, but this is not the City's job -

CHAIR SCHNEIDER: No.

MR. STRAWN: - to keep securing a building that the owners have no regard – and they have no regard for the neighborhood or the neighbors.

CHAIR SCHNEIDER: Anything else from anyone that would like to give testimony. Being none, Board, what's your pleasure?

MR. KERNEY: Motion for demolition in thirty days.

CHAIR SCHNEIDER: Do we have a second?

MR. RAMPE: Second.

CHAIR SCHNEIDER: Discussion? Being none, all those in favor, signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: All those opposed? There you go. There's your sign.

MR. BRADLEY: Bear with me, Board. This last case we have an issue on it. We're trying to clear it up right now.

CHAIR SCHNEIDER: We have any board-ups today? No?

MR. BRADLEY: No board-ups.

CHAIR SCHNEIDER: Good deal.

MR. STRAWN: Wayne Strawn with regard to 1416 Northwest 11th Street. Do you want to read out the service on it?

MR. BRADLEY: Alright, last page, page five. 1416 Northwest 11th Street, case number CE04070204. Green card sent to interested parties, Rose McCloskey, Federal National Mortgage Association, returned attempt, not signed 08 – I'm sorry, returned, attempts not known, date 8/04. Federal National Mortgage Association signed by David Brown 8/18/04; Michael Jerroll, Manager of the Federal National Mortgage Association, signed by Michael McCloskey 8/23/04. Advertised in the *Daily Broward Review* from 8/27 to 09/03/04. Wayne Strawn, the Inspector.

MR. STRAWN: Wayne Strawn, City Building Inspector. We have a new owner that wants to appeal to the Board for a continuance. He's going to attempt to solve the code problems and save this building.

MR. FANE: My name is Francis Fane. I'm the new owner. I purchased the property August 10th, I believe. I have the engineer and the contractors working on the revised plan. I'm asking for a sixty day continuance to get it done.

UNKNOWN SPEAKER: Do we have photos of this property?

CHAIR SCHNEIDER: Wayne, I'm confused. Is this the first time this thing's ever been here?

MR. STRAWN: That's correct, it's the first time. I don't oppose a continuance.

CHAIR SCHNEIDER: What are the violations?

MR. STRAWN: Very simple, this was – this is a new home started in 1993 or '2 and it was a gang that couldn't shoot straight. They couldn't pass all of their inspections. They renewed the permit and then couldn't pass the inspections on the renewals and those expired. And the code very clearly says that if you can't follow the permitting process, you can't get your work approved, you can't get a CO, that the City's only alternative is to knock it down even though it's a brand new home. What complicates matters for Mr. Fane is that the code has changed. We're no longer under the South Florida Building Code. The code is tougher, so he's going to try to get an engineer to see if he can't get this building to comply to the new code and resolve the problems. It really is a sad situation and I take my hat off to Mr. Fane's courage in attempting to resolve it.

CHAIR SCHNEIDER: Board?

MR. KERNEY: Mr. Chairman, if this gentleman comes back in sixty days with a letter or a contract from an engineer, I would be inclined to grant a sixty day continuance. I think he's going to need a lot longer than that to get it through the City, but that's a good place to start.

CHAIR SCHNEIDER: Any other discussion?

MR. RAMPE: Considering the backup with the permitting process over there, shouldn't – should we maybe start out and give this gentleman ninety days? He's obviously here making a good faith effort and displaying an interest.

MR. STRAWN: I have no objection to ninety days.

MR. KERNEY: I would accept that amendment if you would be willing to second the motion.

MR. RAMPE: So seconded.

CHAIR SCHNEIDER: Any more conversation? Discussion? Questions? Being none, all those in favor?

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: Opposed? Motion carries. Thank you. The meeting is now adjourned.

[Thereupon the meeting concluded at 4:00 p.m.]

Unsafe Structures Board Meeting
Thursday, September 16, 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 September 16, 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 September, 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 September, 2004.

NOTARY PUBLIC
State of Florida at Large

Notarial Seal: