

**City of Fort Lauderdale  
UNSAFE STRUCTURES BOARD MINUTES  
Thursday, November 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	A
Patrick Kerney	A
Trey Morgan	P
Tom Jones	P
Michael Madfis	P

**Also in Attendance**

Eve Bazer, Community Inspections  
Lindwell Bradley, Community Inspections  
Nadine Blue, Board Clerk  
Assistant City Attorney  
Robert Pignataro, Building Inspector  
Wayne Strawn, Building Inspector  
Lisa Edmondson, Recording Clerk

The regular meeting of the Unsafe Structures Board convened at 3:25 p.m. on Thursday, November 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. CE03080428 Case Address: 505 NW 20 Ave Owner: Dallas, James A II Rev Living Trust Inspector: Mohammed Malik Disposition: Withdrawn from agenda		
2. CE03051368 Case Address: 1225 NW 16 St Owner: Fletcher-Allen, Shirley M & Vernon C Hills & Delbert Hills & James Hills Inspector: Wayne Strawn Disposition: Motion for 60 day continuance Unanimously approved		14-16

3. CE04031526 5-12  
Case Address: 801 NW 19 Ave  
Owner: Reich, Thomas  
Inspector: Robert A. Pignataro  
Disposition: Motion for demolition  
Unanimously approved
4. CE03121109 16-18  
Case Address: 1115 NW 3 Ave  
Owner: Morgan, Gene & Cindy Edwards Vice  
Inspector: Robert A. Pignataro  
Disposition: Motion for 90 day extension  
Unanimously approved
5. CE04041728 3-5  
Case Address: 1600 NW 11 Ct  
Owner: Zaniello, Gregory J  
Inspector: Wayne Strawn  
Disposition: Motion for 90 day extension  
Stipulation that owner have signed  
contract with contractor at that time  
Unanimously approved
6. CE04050369 12-14  
Case Address: 607 NE 2 Ave  
Owner: Keystone Hall Inc.  
Inspector: Wayne Strawn  
Disposition: Motion for 30 day continuance  
Unanimously approved
7. Board-ups Unanimously approved 19

[Swearing in of witness by Ms. Bazer.]

CHAIR SCHNEIDER: Alright, first case.

MS. BAZER: The first case is on page four of your agenda and it is case CE04041728 at 1600 Northwest 11<sup>th</sup> Court. Gregory J. Zaniello is the owner. Wayne Strawn is the inspector. Last permit issued for this property was on 8/17/1990 for reroofing. This case was last heard on 8/19/04. Respondent was to be sure that the structure remains vacant and secure. Certified mail was sent to Gregory Zaniello, signature was illegible, signed 8/30/04. Certified mail went to Argent Mortgage Company, signature was illegible; it was signed 8/31/04. Also to NRAI Services, Inc. as registered agent for Argent Mortgage signed by Leslie Hand [phonetic] on 8/30/04. Certified mail to Bankers Trust Company, signed R. Alcantaro [phonetic] on 8/30/04, and also to CT Corp. System as registered agent for Bankers Trust and that was signed by Michael Kepwis [phonetic] on 8/30/04. This was advertised in the *Daily Review* on 10/29 and 11/05/04.

CHAIR SCHNEIDER: Inspector Strawn?

MR. STRAWN: Wayne Strawn, City Building Inspector. I believe the respondent is here and I think he's going to ask for another continuance, so I'll let him make that request.

CHAIR SCHNEIDER: Alright, sir.

RESPONDENT: How are you doing?

CHAIR SCHNEIDER: Alright, how about yourself?

RESPONDENT: Good. Good. There's two major parts to the unsafe structure. Gregory Zaniello.

CHAIR SCHNEIDER: Thank you.

RESPONDENT: You're welcome. There's two major parts to the unsafe structure. There's the septic tank that exploded, overflowed, or broke, and the additions that had been added prior to my purchasing it, for non-permitted structures. I'll address the septic first. Okay, the City – a thousand dollars to connect to the City septic. They sent the receipt and lien statement; plumbing contractor A to Z got the official permit here. Official permit number 04110963 in order to connect to City sewage and abandon septic. As to the structures, architect John Evans put together the first plans after our last meeting. John Evans, Wayne Strawn, Wayne's boss, and I reviewed the plans together – came up with some things that we need to change on it. John Evans reworked the plans. I got my sealed plans here. And I have plans, permit, application number 0411695. They assured me it's going to take quite a while to get through plan review.

MR. KERNEY: Could we see that application and the plans and the permit for the septic

tank?

CHAIR SCHNEIDER: Long and short of it, what do you want to do?

RESPONDENT: I would think a ninety (90) day extension. I just need to get a contractor to get out there and start working. I'd love it if they'd call me back. I called quite a few contractors. Some of them only do corporate, some only do condos, some only do big projects, and I'd just love someone to call me back, take some money, and do it.

MR. RAMPE: Mr. Zaniello – I'm sorry, I'm blanking. Let me ask Wayne something if I could. What's your recommendation on this, Wayne, at this stage of the game? I'm sorry, what I was going to ask you was, how long did they tell you before your permit's going to be approved?

RESPONDENT: They said they've got to review the plans. The stack is really high. They don't know if they're going to have to change it.

MR. RAMPE: Right, so, you can't even start the work until your plans are approved.

RESPONDENT: That's right.

MR. RAMPE: Wayne, realistically, what should we do with this?

MR. STRAWN: He's come this far and he's got – I've seen the plans and they look like a realistic set of plans that's feasible to do and, in this case, I think we should give him a shot to go ahead and get his permit. He needs to find a contractor and I suggested that he get his plan review number and he get those plans into plan review so they can find a contractor while the plans are being reviewed and then hopefully he will be able to have a contractor when the plans are approved.

MR. RAMPE: And be able to start right away.

MR. STRAWN: Exactly. As long as the building is secured and empty, I don't see a problem.

MR. RAMPE: And that was my next question. Is it secured?

RESPONDENT: Secure and empty.

MR. RAMPE: Well, under the circumstance, we know how backed up plan review is. If this looks like a good project that is going to go forward and he's obviously been working on it all along that we should give him at least another ninety, if not another 120 days on this instead of having it before the Board again. It would appear to me.

MR. KERNEY: I'll second the ninety days if you'll amend it to say that he has to have his contractor under contract when he comes back in that ninety days. He doesn't necessarily

have to have the permit done because that's out of his control.

MR. RAMPE: Three months is - I agree, would certainly be enough time that he should at least have the contractor ready to roll once it comes out of permit.

CHAIR SCHNEIDER: Any other discussion? What's your pleasure? On the motion, yeas?

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: Nays? Motion carries. Granted. Thank you.

RESPONDENT: Thank you.

MR. RAMPE: So, Mr. Zaniello, you realize in ninety days you have to have that contractor if you come before us again?

RESPONDENT: I understand that.

MR. RAMPE: So, okay, make sure you get that done.

RESPONDENT: I'm calling them diligently.

MR. RAMPE: Okay. Don't stop being diligent. Thank you.

CHAIR SCHNEIDER: Next case.

MS. BAZER: Okay, on page 2 of your agenda, it's case CE04031526 at 801 Northwest 19<sup>th</sup> Avenue. Thomas Reich is the owner. Bob Pignataro is the inspector. The last permit at this address was on 4/30/04 for re-roofing. It was last heard on 10/21/04. Respondent was to return with a comment sheet from the building department stating that the plans in the review process. Certified mail sent to Thomas Reich signed 11/02/04; the signature was illegible. This was advertised in the *Daily Review* on 10/29 and 11/05. We did receive a letter from the owner saying that he was no longer the owner, but since we do not have a recorded deed, we have to proceed until we have that.

MR. KERNEY: What was that last - I missed that last part. Say that again.

MS. BAZER: We need a recorded deed in order to say that the ownership has changed, which we don't have.

CHAIR SCHNEIDER: Let's hear from the inspector and the respondent, then we'll get the Board's pleasure.

MR. PIGNATARO: Good evening, Board. Bob Pignataro for this case. 801 Northwest 19<sup>th</sup> Avenue. By the permit history, we've got one, two, three, four applications in, unsafe structure, interior remodeling - that's the building, we've got a plumbing, we've got a

mechanical, we've got electrical. The only one I think has been reviewed is the structural, so it's going through plan review. It looks like 11/10/04 it failed, something in there, but that's where it sits.

MR. KERNEY: There's an application in and it's moving through the plan review process?

MR. PIGNATARO: Right.

CHAIR SCHNEIDER: And it's failed some of that process? Thomas, can we hear from you, sir? Mr. Reich? Please state your name for the record.

RESPONDENT: Thomas Reich. I took on this project; I think it was a little bit too big for me. I planned on moving forward and closing the permits, but I lost a lot of hours of sleep between contractors and all the other nightmares that you hear. I ended up selling this property to somebody more qualified to handle it. I have the title company deed. I mean, it should be recorded as far as I understand. I got paid for the property even though I did take a loss, but that's not the point. I have a warranty deed that should be recorded or maybe it will be posted shortly notifying, of course, South Trust Incorporated

MR. RAMPE: What was the date of the closing? When did you sell?

RESPONDENT: The closing was – this is dated the 19<sup>th</sup> of October, 2004.

CHAIR SCHNEIDER: It can take – a recording of something like that can take upwards to forty-five days so that's not outside the –

MR. PIGNATARO: Do you want to see the documents?

MR. RAMPE: Let me look, please.

MR. KERNEY: Did you notify the people that you sold the property to that you were coming to this meeting, that you were called to this?

RESPONDENT: I notified them of all the open permits and all the other problems, basically with the building. And there's a letter actually in there stating all the open permits. They're aware of all this.

CHAIR SCHNEIDER: Are they aware of the fact that this property is in limbo subject to demolition?

RESPONDENT: They're aware of – I never met with these people. I went to Capital Title and closed the deal. I disclosed everything to Capital Title. There's a letter there identifying all the items that are listed. I never met South Trust – South –

MR. KERNEY: As much as I hate to do it, I think we need to postpone this until you get the correct owner in front of us. I don't know what our legal exposure would be if we voted to

tear it down and we weren't talking to the right people.

CHAIR SCHNEIDER: Where's the Board attorney today?

MR. RAMPE: He's sitting right here. You mean the City Attorney. But we've got a problem, Chuck, before we even go forward with that. The signatory from South West Trust – or South Trust on this deed isn't notarized. Mr. Reich's signature is notarized, but this deed isn't properly executed at this point. It can be corrected but –

MR. KERNEY: Have you gotten your money for the place?

RESPONDENT: Yes, I'm here just to get some time for the new owners. I was hoping they would be here. Maybe they weren't notified. I don't know what the situation is.

MR. RAMPE: I'm sure – we're aware of a problem here with the deed. We're – obviously the property has been sold. We've got somebody here testifying in front of us. He's, you know, under oath that he has received money for the property and the transfer has occurred. The problems with this deed can be correct, but we're on notice of a new owner. It would just occur to me right off the top of my head that I don't think we would be able to move forward with this until we get notice, proper notice to this new owner. We've got a problem here. Anybody else want to see this? Yeah, let's go on to the next case while we're waiting.

CHAIR SCHNEIDER: Let's hold this one in abeyance until we get [ACA] down here and-

MR. RAMPE: She's just upstairs.

MR. KERNEY: My question is do we need to keep this gentleman here? Is there anything he can say to the property or what's going to happen? I think he's a stand-up guy just for showing up. If I'd gotten my money –

CHAIR SCHNEIDER: Clearly, we appreciate you coming down, but at this point, the new owner should be here and – just for a point of information from the Board, since this case first appeared on our docket, how many times has this property changed ownership?

RESPONDENT: I, of course, bought it, and I did a good faith effort to try to optimistically go ahead with it and I sold it to somebody else. Prior to that, I don't know. I got a title insurance policy, so when I bought it, I know the property was illegal. Prior to that, I don't know. But I think now it should be coming to a tail end because we're here. The new owner, of course, will be here also as soon as he's notified.

CHAIR SCHNEIDER: But theoretically, what we've got to do now is start the process all over again and get them moving forward and the ultimate goal is obviously to get the property, the deficiencies corrected and move on with it.

RESPONDENT: If it's any consolation, the property is secured. The lawn is mowed. It's

not an eyesore anymore.

CHAIR SCHNEIDER: We remember you taking care of all that.

MR. KERNEY: Your attorney just showed up.

MR. RAMPE: Counsel, we're on constructive notice here that this property is in the hands of a new owner and we've got a deed here that has not been recorded, that I question if it's properly executed or not, but we have the prior owner testifying under oath that he has sold it and delivered – been paid for the property and, you know, our question becomes, as a Board what we can or can't do at this point without some proper legal notice to this new owner. It would appear to be that – it would appear to me that that would be in order before we could move forward with taking any action on the property at this stage of the game when we know, constructively, that we have a new owner. The City's on notice. It hasn't been recorded, but, I mean, does that relieve us of responsibility because it hasn't been recorded yet on that technicality?

ACA: Good afternoon everyone, [redacted] for the City Attorney's Office. We do a title search in anticipation of every Unsafe Structure Board meeting and we ask staff to remove from the agenda those cases that have title issues because we take very seriously what this Board does. We certainly don't want demolition orders recorded against a property if we haven't notified all the owners, but we have to rely on what the public records say. And I understand here's a person who's come in to testify under oath that he sold the property and has a deed, but – and has a deed signed, but the way that real estate is conveyed in Florida is by recording in the public records. The property isn't sold until the deed is recorded. So, our research in the past week showed that this deed had not yet been recorded, so I think that there's no reason to not proceed with this case.

MR. RAMPE: If you're comfortable with that. The legal fine point of it, it is not legally transferred until the deed is recorded. You're absolutely correct.

CHAIR SCHNEIDER: The question I have becomes, inasmuch as you've researched the title, transfer of the title has not yet been recorded or, in fact, taken place, what kind of position, if we go ahead and move forward would that ultimately put the prior owner in if this Board comes to the conclusion this afternoon to order demolition because he has sold it? And one of my questions to him was, as the seller of this property in real estate, he becomes obligated to have full disclosure to the buyer.

MR. RAMPE: And I believe he did. The deed – it's right on the deed that he signed, all the deficiencies and problems. Bob?

ACA: Well, hang on a second, Bob. I think what we'll do is when we get your order, we'll record it, so the next person to look through the public records to see what's going on with the title of this property will see that the City of Fort Lauderdale Unsafe Structures Board has entered an order to demolish the property. Any person who wants to contest that order or



maybe it's just any aggrieved party can appeal that order within thirty days. The City of Fort Lauderdale isn't going to demolish a property without doing a title search before the – if the respondent, today's respondent, does not demolish the property within the period of time that you specify and then the City of Fort Lauderdale comes on the 31<sup>st</sup> day or thereafter to demolish the property. We don't just march out and demolish a property even though we've got your order. We look into the title again to make sure that nothing's happened and occasionally things do happen in the interim between the time that you enter your order and by the time the City takes action on it. People do transfer properties. So, I think that we have to act based on the information that's available to us in the public records that this property owner is the property owner even though he's standing before you saying that he doesn't own it anymore. We don't have any real way to involve a third person who hasn't – who isn't the –

MR. RAMPE: Who isn't recorded in the land record as owner.

ACA: - technically the owner of record. So, if you guys feel comfortable with Bob's report about the violations and that the property is an unsafe structure, then you should go ahead and enter your order to demolish.

MR. KERNEY: I think I can make this easy.

ACA: Okay.

MR. KERNEY: Let's hypothetically say that the transfer of the property never happened and this gentleman was in front of us today. I personally would not call for a demolition because he's done everything we've asked him to do. As far as this Board's concerned, he's complied with our request to date.

ACA: Okay.

MR. KERNEY: So, what we should do is postpone this or give them another thirty day extension and hopefully in that time, when you've notified the new owners of this meeting, then it will be recorded and you'll notify the proper people.

MR. RAMPE: Bob, you were going to add something please.

MR. PIGNATARO: The Board last time asked that the – you gave him a thirty day extension and must provide sealed drawings and resubmit it. I don't know if that's what he did. I don't see any sealed drawings here, so I'm assuming that he has resubmitted it.

MR. KERNEY: Didn't you say that he had?

MR. PIGNATARO: I see four applications in there for '04 unsafe structures interior remodeling. So, I'm assuming that's his. This is an old '99 case and it has been before this Board before and we've actually gotten a demo, but then it switched hands a couple of times

along the way, but we have to focus on today's thing. Judging by what I see here in the permit history –

MR. MADFIS: Excuse me, is that a current status of the permit that's in now?

MR. PIGNATARO: Yes.

MR. MADFIS: Can I take a look at that?

MR. PIGNATARO: Sure.

MR. RAMPE: If the Board might want to note that my notes reflect that we gave him thirty days and he was either to bring approved plans with comments from the building department so we know that it's moving forward – is that the same thing that you're saying, Bob?

MR. PIGNATARO: Yeah.

MR. RAMPE: If I'm understanding? Okay.

MR. PIGNATARO: Those notes came from me. I provided those to the Board.

MR. RAMPE: Bob, what would you recommend at this point, forgetting the legalities?

MR. PIGNATARO: Forgetting the legalities, I would recommend a demo on this property.

MR. RAMPE: This has been going on since '99, correct?

MR. PIGNATARO: Yep.

CHAIR SCHNEIDER: Yeah, that was my recollection of it since I was admitted to this Board, that it has had a traditional history of every time we get close to where we need to be, it changes owner's hands.

MR. PIGNATARO: And then, see also once the owner supposedly has sold it and changes that new owner is not going to use those plans –

CHAIR SCHNEIDER: No, we start the process –

MR. RAMPE: We start all over again from zero.

MR. PIGNATARO: So, there's something here that, to me, is a little gray area that I'm not comfortable with at all and it's that we don't have proper documentation showing that he has transferred the title. I mean, I'm taking it on that he still owns the property and that's the way I'm looking at it.

MR. RAMPE: Well, Mr. Chairman, in light of the history of this property and it seems to be

doing yet again what it has done many times in the past – numerous times in the past, and considering what [ACA] has shared with us about legally who still owns this property, I think it would be in order that we go ahead and move for demolition at this time.

RESPONDENT: Can I comment please?

CHAIR SCHNEIDER: We have a motion on the floor. Let me get a second and then we'll go to discussion. Do we have a second on that motion? Do we have a second?

MR. JONES: I'll second.

CHAIR SCHNEIDER: We have a second, Tom. Yes, sir.

RESPONDENT: As far as I can see, the property is really not in the same condition it was. A new roof was put on with permits. The building looks better, okay? It's, of course, not in compliance yet. If, in fact, I'm paid for this property, which I was, the title company, for example, recorded the deed three days ago, I don't think it would be posted on the computer yet.

MR. PIGNATARO: Do you have some sort of a sale or receipt from the county? Usually the County give you like a receipt that you've given the money.

RESPONDENT: I went to Capital Abstract which gave me the warranty deed which they'll be recording, or did record.

MR. PIGNATARO: Did you give them a check or –

RESPONDENT: No, the other way around. They paid me.

MR. PIGNATARO: Okay.

RESPONDENT: I mean, as we're speaking, it could be posted, you know, with the County Clerk. I know that they're paying for this; they have to record it. Again, this is a step after me, recording it and being posted in the County tax roll, you know? For example, if you check today –

CHAIR SCHNEIDER: You've done your part. You showed up to the closing and you collected your money. It's not up to you to record it. That's clear.

RESPONDENT: I hate to see a structure with good four walls, good roofing, good foundation – the floor is good. You know, it's a matter of doing the inside. It's a good piece of property.

MR. PIGNATARO: If you recall, we caught him doing the roof without a permit and all the interior remodeling. I had to post a stop work on a building that was closed and boarded up. So, he unboarded it and started to do work that was unpermitted and not to Code. So, here

we are again with the same property going all the way back to '99.

MR. RAMPE: Mr. Chairman, I would reiterate my earlier remarks about the history.

CHAIR SCHNEIDER: We have one Board member that would like to ask the City Attorney a question.

MR. JONES: [ACA], before the loader and the large trucks show up to remove this home, you will check the title before that? Is that the way I understand it, before the actual demolition takes place?

ACA: Yes, that's the way it works. What happens today is that the – if you do enter an order, typically the orders say demolish a property within thirty days or the City has to demolish the property after that. Thirty days is the time for appealing this Board's order. So, if they commence the appeal process during that time, no one's going to demolish it until the appeal is sorted out. After the time for appeal has run and suppose that no one appeals, then the City is under the obligation to demolish the property, but we certainly don't send – the first thing that we do is we present it to the City Commission for their authorization and at that point in time, we do another title search and then, certainly before the trucks go out to do that. Now, if he's – if he did pay to have his deed recorded in the last few days, I've got a printout that's dated 11/16 and they are about seven to ten days behind, so it's possible – and I just called my office, but no one answered – to see if someone could check the public records themselves to see if it had been recorded in the last couple of days. It's not always – they're not always, you know, up to the minute. So, we will certainly make sure that we're not knocking down someone else's home based on an order against Mr. Reich, okay?

MR. JONES: That's what I wanted to hear.

ACA: Alright.

MR. KERNEY: Call the question, Mr. Chairman.

CHAIR SCHNEIDER: The question's been called. On the motion, all those in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: Opposed, like sign. The motion carries. Next case.

ACA: And we'll record that order so that –

MS. BAZER: The next case is on page five of your agenda. This is a new hearing. It's case CE04050369 at 607 Northeast 2<sup>nd</sup> Avenue. Keystone Hall, Inc., the owner. Wayne Strawn is the inspector. The last permit issued at this property was 11/21/2002. It was an after-the-fact permit for a building accessory. Certified mail sent to Keystone Hall, Inc., signature was

illegible, signed 10/21/04. Certified mail to John Malek as registered agent for Keystone, Inc., signature was illegible, signed 10/20/04. Certified mail to Mortgage Electronic Registration Systems, signed by D. Lewis, on 10/22/04. And certified mail to CT Corp Systems as registered agent for MERS, Inc., signed by Michael Kepwis [phonetic] on 10/20/04. Certified mail to Norman A. Levin, signed by J. Rhoda [phonetic]; there was no date on the card. And certified mail to First Regional Bank, signed by J. Rhonda; there was no date on the card.

CHAIR SCHNEIDER: This is the first time this case has been here, correct?

MR. STRAWN: He's asking for a continuance.

RESPONDENT: The property's been sold. My name is Ron Malek from Keystone Halls. The property has been sold. It will be demolished by [inaudible] who built the Winn Dixie on Federal Highway. Solid people. They've got their money. And the only problems have been there are five parcels and they're putting them all – they put them all together and the lawyers are diddling with the liens and the debits and the credits. We expect to close within the week and I'm sure Charlie will be in here the day after knocking the place down. So if we can get thirty days more, I'll have my money, you'll have a new player and the place will be knocked down.

CHAIR SCHNEIDER: What's your pleasure Board?

MR. KERNEY: Mr. Chairman, if memory serves me correct, this gentleman and the group he represents has pretty much done everything we've ever asked him to do. They've been stand up people, so I would ask for a thirty day continuance.

CHAIR SCHNEIDER: We have a second?

MR. RAMPE: Can we discuss that first or –

CHAIR SCHNEIDER: Yeah, after we have a second.

MR. RAMPE: Okay.

CHAIR SCHNEIDER: Do we have a second?

MR. MADFIS: I'll second that.

CHAIR SCHNEIDER: Discussion.

MR. RAMPE: Wayne, are you comfortable with this?

MR. STRAWN: Mr. Ladd has spoken to me. He called me on the phone and he has every intention as soon as he takes possession of knocking it down and I believe him.

MR. RAMPE: Okay. Good enough. Thank you.

CHAIR SCHNEIDER: Any more discussion? Being none, on the motion all those in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: Like sign those opposed. Motion carries. Thirty day extension granted. Next case.

MS. BAZER: Bottom of page one on your agenda. It's case CE03051368 at 1225 Northwest 16<sup>th</sup> Street; Shirley M. Fletcher-Allen, Vernon C. Hills, Delbert Hills and James Hills, the owner. Wayne Strawn is the inspector. The last permit issued on this property was 10/5/78. This was for an enclosed carport. This was last heard on 9/16/04. There was a 60 day continuance granted. Respondent must reapply for all permits for this meeting. Certified mail sent to Shirley Fletcher-Allen; the green card was not returned. Certified mail to J.I. Kislak Mortgage Corporation, returned forwarding expired, so they did not reach them. Christie Rodriguez, certified mail to the registered agent for J.I. Kislak Mortgage, signed by O. Escalante 9/28/04. It was advertised in the *Daily Review* 10/29 and 11/05/04.

CHAIR SCHNEIDER: Wayne? Shirley?

MR. STRAWN: Wayne Strawn, City Building Inspector. I believe Ms. Fletcher is asking for another extension of time. She's going to report on her efforts as per the Board's request at the last meeting.

CHAIR SCHNEIDER: Alright, sir. Shirley? Where's your name tag?

RESPONDENT: My name is Shirley Fletcher. I'm the owner of the property, 1225 Northwest 16<sup>th</sup> Street.

CHAIR SCHNEIDER: Hi, Shirley.

RESPONDENT: Hello.

CHAIR SCHNEIDER: How you making out?

RESPONDENT: It was tough. As you stated, the first plan was approved and it was discarded and I had to do everything all over again. I got that accomplished. I submitted the plans again. I do have a contractor. Thank God for that. And I have a signed contract.

CHAIR SCHNEIDER: So you're in currently under plan review again?

RESPONDENT: Right. I've been checking –

CHAIR SCHNEIDER: Do you have a PRA number? Plan Review Application number?

RESPONDENT: The same number that I submitted before.

CHAIR SCHNEIDER: Originally?

RESPONDENT: And they told me that there was two people have already reviewed it. There's two more that needs to be reviewed.

CHAIR SCHNEIDER: And you say you have a signed contract?

RESPONDENT: Yes.

CHAIR SCHNEIDER: Do you have that with you?

RESPONDENT: Yes.

CHAIR SCHNEIDER: Could you present that please?

RESPONDENT: Yes. When I was here the last time, I did have the contractor – I think it was James Ross or something like that. I've gone through – this is the third one I've gone through, so it – the contract that I reported the last time has changed.

MR. KERNEY: Mr. Chairman – oh, I'm sorry.

RESPONDENT: Go ahead.

MR. KERNEY: Mr. Chairman, I'd like to motion for a sixty day extension to allow this to finish through the plan review process.

CHAIR SCHNEIDER: Do we have a second?

MR. RAMPE: Might I suggest or rather could I ask Wayne a question first in regards to the number of days?

CHAIR SCHNEIDER: Withdraw your motion.

MR. KERNEY: I'll withdraw the motion.

CHAIR SCHNEIDER: Go ahead.

MR. RAMPE: Wayne, will this realistically be done with plan review in sixty days or should we make it ninety days?

MR. STRAWN: I would think less than sixty.

MR. RAMPE: Okay.

MR. STRAWN: Because they've only got two more disciplines to review.

MR. KERNEY: Who's got to review it?

MR. STRAWN: I haven't checked it out.

MR. RAMPE: Okay, but sixty days should be adequate.

RESPONDENT: I can tell you, I have the copies.

MR. RAMPE: That's okay, Shirley. Wayne knows. We'll go with his answer. Then I would make a motion to resubmit what Patrick has suggested.

MR. JONES: Your contract is rather open-ended. It doesn't describe the scope of the work or the pages or the date of the drawings or who his designer is and it also says, "This estimate cannot cover such contingencies," in other words, it's an open-ended contract. It leaves you vulnerable. It should be more definitive. You know, more information should be here to protect you.

RESPONDENT: Right, he had given me a schedule of value that I had looked over of the work that he will be doing and I discussed with him on the price and when we came up with the final decision, this is the best he gave me, you know at the last minute. Because, like I mentioned, this is the third contractor that I have gone through since the last board and this is the final contract that I will be receiving.

MR. RAMPE: I would again reaffirm that motion that Patrick started with to give –

CHAIR SCHNEIDER: Patrick, would you state your motion again for the record please?

MR. KERNEY: Sixty day continuance.

MR. RAMPE: I second.

CHAIR SCHNEIDER: Any further discussion? Being none, on the motion, all those in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: All those opposed? The motion carries. Sixty day extension is granted. Thank you, Shirley.

RESPONDENT: Thank you, Board.

CHAIR SCHNEIDER: Next case

MS. BAZER: Please turn to page three of your agenda and it is case CE03121109 at 1115



Northwest 3<sup>rd</sup> Avenue. Gene Morgan and Cindy Edwards Vice, the owners; Bob Pignataro is the inspector. Last permit issued at this address was 11/09/1976 for a sewer tap. It was last heard on August 19<sup>th</sup>, 2004; a ninety day continuance was granted. Certified mail was sent to Gene Morgan, signed by Gene Morgan, no date. Also sent to Terence Vice, signed by Cindy Morgan, no date on the card. Sent to Cindy Edwards Vice, signed by Gene Morgan, no date on the card. This was advertised in the *Daily Review* on 10/29 and 11/05/04.

CHAIR SCHNEIDER: Robert, can we have you and the respondent?

MR. PIGNATARO: Yes. Who would you like to speak first?

CHAIR SCHNEIDER: You. Where are we, what are we going to do, and what do you recommend, and how are they making out?

MR. PIGNATARO: Bob Pignataro for address 1115 Northwest 3<sup>rd</sup> Avenue. Checking with permit history, we've got an application in there. It's being reviewed. As of 11/16, it's gone through zoning and passed zoning. That's the only one that's been reviewed on it, and that's all I know.

MR. RAMPE: When was the last time we had the case before us? Bob, do you remember?

MR. PIGNATARO: It was on August 19<sup>th</sup>, 2004. You gave them a ninety day extension of time.

MR. RAMPE: Thank you.

MR. JONES: What was the ninety day extension or?

MR. PIGNATARO: I just have a ninety day extension. Before that it was July 2004, a thirty day extension.

MR. RAMPE: I don't have any qualifications in my notes. That's all I reflect was the ninety day extension.

MR. KERNEY: What was the date of the application for permit?

MR. PIGNATARO: The date of the application is 8/7/04.

MR. KERNEY: Only zoning's got to it in that amount of time?

RESPONDENT: I can shed light on it.

MR. KERNEY: Yeah, please. I knew things were slow over there but –

RESPONDENT: My name's Terence Vice, husband to Cynthia Vice; she's a co-owner of the property. In regard to the progress or lack of progress made with the permit, I apologize.

I'm new to this. It came to my attention when I called the reviewer, Doug Kurtock, I believe – yeah, Doug Kurtock, that zoning had flagged the blueprints because of setback dimensions not being there and a couple other issues. Had I become aware of that earlier, I would have addressed it at a much earlier date. But as soon as I became aware of that problem, I immediately got with my architect, had new drawings done and I resubmitted them to permitting and now I am checking it regularly on my computer to make sure it is moving forward and if I become aware of any department that tags have been – I'll do my best to address this quickly as possible.

MR. KERNEY: Yeah, that's the problem, if a trade flags you for something, it continues moving through the process and then you get them all, but if zoning flags you on the front end, it doesn't move from there. It just dies. So, he needs another ninety days.

CHAIR SCHNEIDER: Have you gotten – you say you've gotten those corrections taking place?

RESPONDENT: Yeah, my architect addressed those and it has moved through zoning, so it's still in the process of –

CHAIR SCHNEIDER: When did they go back in for correction review?

RESPONDENT: I submitted them on – just this past Monday.

MR. MADFIS: They passed it on the 16<sup>th</sup> or they just reviewed it on the 16<sup>th</sup>?

RESPONDENT: It passed.

MR. MADFIS: Okay, so now it goes to landscape or does it move over to building?

RESPONDENT: It was sent to the plans room according to my notes.

MR. RAMPE: Bob, what would your recommendation be on this please?

MR. PIGNATARO: I'd give them another ninety days to see if he can get it done. It sounds like he's on the right track.

MR. MADFIS: I make a motion to extend it ninety days.

MR. RAMPE: Second.

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

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: Like sign those opposed? Motion carries. Ninety days.

RESPONDENT: Thank you, gentlemen.

CHAIR SCHNEIDER: Next case.

MR. KERNEY: There's another case?

MR. RAMPE: Page one. We haven't heard that yet.

MS. BAZER: There are no more cases. The first case on page one was withdrawn and, for the record, it is case CE03080428. We also have before you a list of properties and we would like you to enter a finding that the buildings are open and abandoned and are unsafe so that the City can proceed with the board-ups. And for the record, I will just read in the case numbers. They are CE04082053, CE04080773, CE04082099, CE04081225, CE04081828, and CE04080754.

CHAIR SCHNEIDER: What's your pleasure?

MR. KERNEY: I make a motion for a board-up.

CHAIR SCHNEIDER: Do we have a second?

MR. JONES: Second.

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

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: Same sign, those opposed. Motion carries. Next meeting date. December when?

MS. BAZER: December 16<sup>th</sup>.

CHAIR SCHNEIDER: Okay, entertain a motion for adjournment?

MR. KERNEY: So moved.

MR. RAMPE: Second.

CHAIR SCHNEIDER: Have a nice Thanksgiving.

[Thereupon the meeting concluded at 4:10 p.m.]

CERTIFICATION

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

ProtoTYPE, INC.

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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 December, 2004.

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NOTARY PUBLIC  
State of Florida at Large

Notarial Seal: