

**City of Fort Lauderdale**  
**UNSAFE STRUCTURES BOARD MINUTES**  
**Thursday, February 17, 2005, at 3:00 p.m.**  
**City Commission Meeting Room - City Hall**

<u>MEMBER</u>	<u>PRESENT/ABSENT</u>
Charles Schneider, Chair	A
Jim Rampe, Vice Chair	P
Patrick Kerney	A
Tom Jones	A
Michael Madfis	P
John Carroll	P
Charlie Minor	P
Jon Albee	P

**Also in Attendance**

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

The regular meeting of the Unsafe Structures Board convened at 3:15 p.m. on Thursday, February 17, 2005, at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

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<u>CASE</u>	<u>INDEX</u>	<u>PAGES</u>
1.	CE03021109  Case Address: 1115 NW 3 Avenue Owner: Morgan, Gene & Cindy Edwards Vice Inspector: Robert Pignataro Disposition: Motion for 60 day extension unanimously approved.	15-17
2.	CE04041728  Case Address: 1600 NW 11 Ct. Owner: Zaniello, Gregory J. Inspector: Wayne Strawn Disposition: Motion for 30 day extension unanimously approved with stipulation that building be immediately secured.	2-15

VICE CHAIR: Good afternoon, ladies and gentlemen. This is the monthly hearing of the Unsafe Structures Board, which I'm calling to order. I would like anyone who plans to give testimony to stand and be sworn please.

[Swear-in by Ms. Bazer of all witnesses.]

VICE CHAIR: Thank you. We're going to go ahead and start with the second case actually.

MS. BAZER: It's on page two of your agenda and Wayne Strawn is the inspector. That's case CE04041728, 1600 Northwest 11<sup>th</sup> Court. Gregory J. Zaniello is the owner. The last permit issued on this property was November 10<sup>th</sup>, 2004 to abandon septic tank and connect a sewer. This was last heard November 18<sup>th</sup>, 2004, ninety-day continuance granted. Served by mail to Gregory Zaniello, signature illegible, signed 12/9/2004; Banker's Trust Company, green card not returned; CT Corporation System, registered agent for Banker's Trust, green card signed by Fred Singer 2/8/2004; certified mail to Argent Mortgage Company LLC, signature is illegible, signed 12/13/2004; and certified mail to NRAI Services, Inc., registered agent for Argent Mortgage Company LCC, signed by Ed Hand on 12/9/04.

VICE CHAIR: Wayne? Who's going first?

MR. STRAWN: Greg's asking.

VICE CHAIR: Okay, Greg, go ahead.

MR. ZANIELLO: How you doing?

VICE CHAIR: If you'd state your name for the record, please.

MR. ZANIELLO: Gregory Zaniello.

VICE CHAIR: Okay.

MR. ZANIELLO: Here's what we've got. We've got some progress in the last ninety days. In late December, late December '04, I met with the general contractor, Planar & Associates General Contractor number C060015 in Fort Lauderdale. They reviewed the plans and I gave them the keys to get me a bid so they could go in and review the property, etc. I received a bid for \$15,360.00 on the 14<sup>th</sup> of January, 2005. Paid a 30% deposit of \$4,606.00 on the 18<sup>th</sup> of January, January '05, with check number 1749. My permit number with the town is 04111695 made it to the plans room during that period of time. On 11/22/04, it was in zoning, 11/30 electrical, 12/3/04 mechanical, 12/7 plumbing, 6/1/05 [sic] structural. I picked up the plans in mid-January and gave them back to John Evans, architect in Fort Lauderdale to make the appropriate changes. John had a lot of questions on the changes that were requested by the town. He had a meeting with Malik Mohammad and Wayne Strawn at

the same time on February the 14<sup>th</sup>, Monday of this week, and Malik Mohammad – he's in the building department and he has the request. Basically, he knows what to change now and resubmit. The plumbing contractor, A to Z, still has the permit. As you heard before, the permit's been issued and they're just waiting on the demolition by the general contractor to do their part of the project. So, we're pretty close to good to go.

VICE CHAIR: Do you have some paperwork to show us in terms of the contract and/or that cancelled check? We had asked you bring your contract along.

MR. ZANIELLO: I have the contract right here from Planar and –

VICE CHAIR: If you have the cancelled check, that would be great, too.

MR. ZANIELLO: I do not have the cancelled check.

VICE CHAIR: Okay, that's fine. Wayne, do you want to go ahead please while we're looking at the contract.

MR. STRAWN: Wayne Strawn, City Building Inspector. I concur that progress is very close to a permit being issued. I did meet with Mr. John Evans and plan review staff and there's only some small changes, details that were left out on the plans, before they can be approved and the rebuilding or rehabbing process begin. I have no objection to any time frame Mr. Zaniello wants because I really expect to see the permit issued sometime within the next thirty days.

VICE CHAIR: How much of an extension are you seeking?

MR. ZANIELLO: Sixty, ninety.

VICE CHAIR: Okay. Board, do we have any questions?

BOARD MEMBER: I've got a question. Is this a single-family residence? Is it a multifamily residence? What's the zoning?

MR. ZANIELLO: Single.

BOARD MEMBER: I have a question then if it's single. What's the dumpster for on your –

MR. ZANIELLO: There's no dumpster.

BOARD MEMBER: No, this is for the second – we're hearing the second case. There's no dumpster on this site. There is a dumpster on the other site.

MR. STRAWN: The contractor will, I guess, bring a dumpster if they – when they get the permit.

BOARD MEMBER: I make a motion, ninety days

VICE CHAIR: Do we have a second, gentlemen?

BOARD MEMBER: I'll second.

VICE CHAIR: Any discussion?

BOARD MEMBER: Yes, I'd like to discuss the motion. Mr. Chair, I have been to the property today and I have just a few questions for you, sir. When did you purchase the property?

MR. ZANIELLO: About nine months ago.

BOARD MEMBER: And your intention for the property at that time was to?

MR. ZANIELLO: My intention was to continue with the renter that was already in there as promised by the former owner that everything was fine and that I'd get to have a nice rental property to add to my group of rental properties I had at the time. I no longer have any rental property. My current intention with the property is to finish paying everything I need to pay to it fixed so that the town passes it, do some landscaping, have it repainted, have new appliances installed, and sell it to another person who rents property in good condition.

BOARD MEMBER: So you're going to – it will still be in the rental stock, but it will be hopefully rehabbed? You started this process nine months ago? And when was it that you began the permitting process?

MR. ZANIELLO: The permit request went in – I think I had ninety days when I met this Board.

BOARD MEMBER: If you started nine months ago, when did you apply for a permit? Let me back up –

MR. ZANIELLO: About four months ago.

BOARD MEMBER: Okay, was the property in compliance at the time that you bought it?

MR. ZANIELLO: The day I bought the property I was supposedly in compliance, otherwise I would not have purchased it. I went on vacation. When I returned there was a notice in my mail for unsafe structure and I met with Wayne Strawn approximately a week or two later in reference to that.

BOARD MEMBER: So you bought the property without contacting the City to have them do their walkthrough inspection type of thing which they – a service the City provides for these types of things?

MR. ZANIELLO: I thought the bank provided the inspection. I got ripped off.

BOARD MEMBER: Well here's – let me share this with you. I think that rehabbing properties in this neighborhood is very important because we need workforce housing. There's no question that this is a neighborhood that support that and with proper development and redevelopment of some of these properties, I think we're on the right track. But I'll tell you that what I saw out there today and I have to tell you I'm a new member of the Board, so I've seen exactly two properties, both of them on the agenda for today – this is just completely unacceptable. As an owner of this property, I think you have an obligation, not only to yourself, but more importantly, to the community to make certain that that property is properly protected. The property currently is unsecured. If you have this general contractor who is part of this process, it seems to me that at the very least, a general contractor would board up the property to protect your financial interests.

MR. ZANIELLO: The question of boarding up the property came on the first and second meeting here and they said that boarding up was not required at the time.

BOARD MEMBER: Well, wouldn't you think for the purposes of protecting your financial interests, wouldn't you want to board up your property?

MR. ZANIELLO: I don't know if boarding up would protect it.

BOARD MEMBER: Because we're just pushing the string as far as I'm going to push it. I think that an extension of ninety days is not in the best interest of the community. I do not think it's in the best interest of the City and at the very least a thirty day extension would be what I would suggest given the status of the property today. And I think you need to report to this Board on a very regular basis as to the results that you're expecting to have in bringing this property back on line to benefit the neighborhood.

MR. ZANIELLO: That is understood and I would have fixed it up within one week of the time of the issuance of this request had the town given me permission to do so. I have plenty of money to fix it up. I have no problem cutting the checks and I have no problem getting it done. I would love for this Board to talk to the permit people to say let him do it.

BOARD MEMBER: You're very close to having your permit and that I think is a very positive thing. I would move to amend the main motion.

BOARD MEMBER: I'll accept that.

VICE CHAIR: We have a motion on the floor as amended from ninety days to thirty days. Do we have any further discussion? I, as Chair, would like to add that I think sixty days would be appropriate here. I'm willing to go along with John's concerns and maybe not go all the way to ninety days, but we have an individual here who's made a good faith effort from the get-go since we've been reviewing his property and I would qualify that by adding

to the motion that the property be secured immediately – boarded up, locked up, whatever, however. And, but other than that, I would really like to give him sixty days knowing how slow things move over in the permit office. Right now they're improving but, they're a bit slow over there, ergo, I think we would be better off to give him sixty days under the circumstances with the qualification that he immediately board up the property and so, I would like to see the motion amended yet again in that regard. Gentlemen?

BOARD MEMBER: Mr. Chair. I respect absolutely your concern with regard to extending the period of time. My concern is that we have an owner here with a property with an open septic tank. We have an unsecured property. I think it is in the best interest of the community, the neighborhood, that this property be, at the very least, secured and that this owner report to this Board on a very regular basis if necessary every thirty days. We can take five or ten minutes to listen to a status report to make sure that this is not falling through the cracks. I spent a great deal of time in this neighborhood for many years and I can tell you that there are landlords who do not respect this neighborhood. They're there to make a quick buck. They don't care about the people that live there. I do. I think we need to have this owner toe the line.

VICE CHAIR: Again, John, I respect your concerns and – but I have to respectfully disagree. We've had this gentleman before the Board a number of times. He has always acted in compliance with our requests. He has always appeared. He is making a good faith effort and we try and give folks a little bit of leeway when we know they are making a good faith effort and they are moving forward, and we have no complaints or reason to believe that he is a landlord who does not care about his properties. He obviously cares about this property. He's already cut one \$4,600 check and, under the circumstances, I think that, again, with the qualification that the property be immediately secured or boarded up, either one, that sixty days would be more appropriate considering the paperwork problems that we do have over in the permit office. Gentlemen? Wayne, please.

MR. STRAWN: Yes, Wayne Strawn, City Building Inspector. Just to pass some information onto the Board, an unsecured property is usually one that's defined as open to casual entry, which means that if your doors and windows are locked and someone has to break the law to get in and actually damage the property, then it's unsecured. The City of Fort Lauderdale has a board-up ordinance that requires you to get a permit and a board-up certificate if you board-up. I haven't been there recently; I'm relying on the testimony of the owner with regard to it being secure. However, in my experience in the past, it hasn't been broken into in the time – the months that I've been there. It has been secure; not boarded up, but secure, that is, locked up.

VICE CHAIR: John, let me ask since you did see it today, what was unsecured?

BOARD MEMBER: Windows were open.

VICE CHAIR: Windows were open?

BOARD MEMBER: Yes.

VICE CHAIR: Well then, let's again – rather than board up, I would qualify that the property be immediately secured by the owner with a sixty day extension in time. We have a lot of cases before this Board. We have a lot of time – we're taking up the time of the City staff. I agree, John, that we have a concern to move – to keep an eye on these properties in the best interest of the community, but under the circumstances, with all my prior statements in regards to this gentleman and this property, I believe that sixty days would be more appropriate and with the qualification, again, that he immediately secure the property. Lock the windows, lock the doors, and repair locks if necessary to do so. So, again, gentlemen, discussion?

BOARD MEMBER: I've got a question. Greg, on – what is – there's no time frame listed in the proposal. What is, in your best estimation, assuming everything goes right at the City, what is your best estimation to have the property completed so that somebody could occupy it or that you could sell it? What do you think, in your own mind?

MR. ZANIELLO: I would like to have it done in a matter of a week, a week or two from the permit. I don't think that that's realistic based on the amount of time it's taken to get everything done so far. I would have to imagine that the contractor themselves would be better able to answer that question. And based on my experience with getting things done from construction companies, I'd have to double or triple that couple of weeks that they made it since nothing ever gets done on time. I would like to see it done within a handful of weeks from the time the permit is issued and, believe me, I'll be cracking the whip on them for that to get done.

BOARD MEMBER: I'm just wondering why the contract was open-ended. It really doesn't say – usually it says – I mean, when I issue a contract, I say, you know, six weeks from the time of building permit issuance or something like that. I mean, that's one of the things – I mean, you signed a contract that basically gives them – you gave them the deposit and they could not show up for six months.

MR. ZANIELLO: I'm not familiar enough with contractors' contracts to say that I would have noticed anything missing here and I appreciate that. I'll have to talk to him on that, but I don't think there's any problem with anyone on the Board talking to Scott over at Planar if they'd like to. That's not a problem. I have his number right here, if you'd like to ask him how long he thinks it will take, but I'd like to hear a short period of time.

BOARD MEMBER: Yeah, we would all like a short period of time.

MR. ZANIELLO: Just for the Board's sake, I think everybody knows, I mean, some of you have been here before, I just want to finish this property. I was had. I purchased a property that I thought was in okay condition that I was going to fix up with maybe about five, ten, fifteen thousand dollars. I'm seventeen thousand in the hole as of today and have very little

progress to show for that. Most of it is due to the fact that the permit has not been issued. The plumbing has been paid for to attach all the way to the sewage, the new sewage ran down that street a while back. I was one of the first people to talk to Curtis Willis over at water management about how to attach that. I hired A to Z Plumbing in a matter of thirty days after I purchased the property. I would love to have this property finished and I'd love to have it, you know, repainted nice, refurbished on the inside, and I mean, that's non-permitted stuff, but that's just facelift after this permit issue is resolved, but it will look good.

VICE CHAIR: Thank you, Greg. Gentlemen, we have – I think a third amended motion on the floor for sixty days with the understanding that the owner immediately secure the property, so no one can get in there unless they use forced entry.

BOARD MEMBER: I'm happy to amend it again to sixty days, but I think John's point is well taken at the same time. The period of time – you know, it could be another month easy in the building department. You just made your submission yesterday with your comments. How many disciplines do you have to go through still?

MR. ZANIELLO: I really don't know. I think they have to re-look at the electric, which there is none. They have to do something – I think Wayne understands that part better.

VICE CHAIR: Wayne, do you know how many disciplines are involved?

MR. STRAWN: I didn't review it, but it is very, very close. There's no plumbing alterations, except hooking up to the new City sewer.

VICE CHAIR: So, in other words, the disciplines that are involved, it's not many items that they need to look at? It's just a few?

MR. STRAWN: No, the last thing was very simple. The plans were the simplest solutions to the problems and that is go back to the original plan on file, but the plan reviewers don't pull the original plan unless you submit it with your plan. So, the plan was showing the removal of the walls and enclosed carport, but it didn't show how the roof was going to be held up, which are on the original plans.

VICE CHAIR: Okay.

MR. STRAWN: So, John Evans is going to have to put some more general notes about how the original building is put together.

VICE CHAIR: Just a logistical problem that's easily straightened out. Okay.

BOARD MEMBER: It may or may not be and I guess that's one of the reasons I originally proposed ninety days. If you're going back to the structure and you're going to use the existing plans, but you're [tape skips] greater than fifty percent, but I guess what you're saying is that he's removing all the non – the violated work which is the fifty percent. I see.



MR. STRAWN: That's right.

MR. ZANIELLO: I think my short answer for that question is I have no idea how long the plans department is going to take before they finally say I can fix this property, and honestly at this point that's alright.

BOARD MEMBER: But I guess, you know, what little warning signs I see fly, such as electric didn't sign off, which is usually one of the easiest guys to get to sign off, lends me to believe that there's probably a little deeper issues here in getting your plans approved, and you might be surprised again similar to the surprises you've had up until now that going back to the original plans may not fly through the building department for whatever reason. Maybe they're going to feel that there's been enough significant changes to the code and to your building that you're going to have to show some new engineering, some new calculations, what have you. So, perhaps even going back to the thirty day just to monitor this because it does get so complex and [inaudible] it is moving very slowly. And maybe it's a slight inconvenience to have you come here, but again, I watch these things continue and continue and continue. Many times we thought it was only going to be another sixty days. Shirley, for instance, and, you know, since I've been on the Board some of these people have been coming and we kept thinking it's another thirty days or it's the building department's problem, but sometimes it seems to be that the submissions by the people to the building department may not really be thoroughly analyzed before they're submitted. And a simple response to whatever the violation says isn't the best solution usually. I get these on my desk all the time and the owner says, why can't you just do what it says here, it'll take two minutes. So, that looks a lot easier; they're making me the bad guy. I know what John Evans is going through and perhaps my first thought of ninety days was, yeah, it's going to take that long probably to straighten all this out. But when I heard John, I thought well maybe why don't we just monitor it and see that it is actually getting straightened out and not spiraling to the continued confusion that you've had since you purchased this home because a lot of people who are savvy in real estate would have these inspections done early and not bought something just based on a bank's inspection and solve their problems up front. Maybe it's taking you just a little bit longer to learn that, which is fine, but maybe we can also help monitor that and keep it to a minimum. So I'm suggesting maybe we stick with the thirty days.

VICE CHAIR: Gentlemen, any further discussion? And I believe we had a second on that thirty day; is that correct?

BOARD MEMBER: The original?

VICE CHAIR: Yeah, the original thirty day that John had called for.

BOARD MEMBER: I didn't second it.

BOARD MEMBER: I didn't hear a second to my amendment.

VICE CHAIR: Okay, Michael, will you restate the motion please?

BOARD MEMBER: My motion is to add to it or close up or secure the home and report back in thirty days if the permit and the violation hasn't been resolved by then.

VICE CHAIR: Do we have a second to that motion?

BOARD MEMBER: Can I interject?

VICE CHAIR: Yes, I'm sorry. Any discussion or comments?

MR. ZANIELLO: I'm going to be out of the country in thirty days.

VICE CHAIR: Again, because Greg has made such a good faith effort here and I understand that he's a little bit naïve about the process and that has caught him unawares as today, maybe he would have had the permit approved, maybe he wouldn't have had if he understood the process a little better, and that if we monitor, you know, we can maybe encourage him and point him in the right direction in that regard. But if he's going to be out of the country, to force him to hire a representative to be here when he's made the effort that he has made thus far, I think is not being fair, and especially considering this Board's past history of trying to work with property owners and homeowners who are making a good faith effort, which Greg clearly is. So, under the circumstance, I would again resubmit my motion for sixty days with the understanding that he immediately secure the property, only because he is going to be out of the country.

BOARD MEMBER: I'll ask one question, Greg. Do you have anyone who can represent you easily at this next hearing or is it really –

MR. ZANIELLO: I can have someone show up, but they're not going to know any more or less than – I could have – I don't know if the contractor is someone that you –

BOARD MEMBER: Well, if the contractor could be your agent, it might be the appropriate person to have here instead.

MR. ZANIELLO: I could ask them. I'm not sure what their policy is. I have no problem paying them to come.

BOARD MEMBER: Well, I think if someone's going to get paid that would be the appropriate person to hire and, you know, I'd like to see him here. That might be a good thing. I'm not sure if that's a proper policy for the Board to receive agents like that.

BOARD MEMBER: Well, we have this on the Board of Adjustment from time to time where people are out of town and they'll have a representative that comes before the Board on the applicant's behalf. It works out really very well because many times that individual knows more than the applicant.

VICE CHAIR: To my recollection, gentlemen, and I've been here quite a few years, the only time we've had somebody appear when the owner was not here – we've had any number of contractors, architects, whoever, appear with the owners, but the only time we have had someone appear on behalf of the owner, it was a licensed attorney, and I think that would be appropriate under the circumstance. Legally that's somebody that we know can properly represent you before the Board. And I would again submit, unless Greg, you're willing to go out and hire an attorney to do this, that we go back to the sixty day thing in the interest of not imposing yet another financial hardship on somebody who's been working hard to try and get this thing taken care of.

BOARD MEMBER: And again I'll be – I'll withdraw my original motion and let someone else make a new one, but I just thought if there was someone else who could come here and shorten this whole process in terms of overall time, that would be good.

BOARD MEMBER: I would agree with Michael. I think the idea is that we want to see this process move forward very quickly. I'm absolutely in agreement with you without question, and I think that simply a letter from you to the general contractor indicating that you have spoken with him and that he ought to be here on your behalf. He is representing your interest simply for the purposes of giving us a status report. I think that's fine. If you're having problems in the building department –

MR. ZANIELLO: I don't know if I trust other people to show up on time.

VICE CHAIR: John, if we're going to do that, we're probably going to have to call the City Attorney down here. I'm not comfortable as an attorney telling him that he can send a contractor to appear before this Board and he's properly represented.

BOARD MEMBER: And that would be my concern, too. You know, I just asked the question. I thought we could shorten the process.

BOARD MEMBER: I have a real issue – I'll tell you, I have a real issue with the idea that this is not been resolved in nine months. How much longer are we going to let him do this?

VICE CHAIR: Can we get the City Attorney down here please, ladies?

MR. ZANIELLO: The City sewer runs down the street. I've already paid A to Z Contracting Plumbing to connect to that. They cannot connect until – an abandoned septic until this other wall is taken down that the Board has requested.

VICE CHAIR: But the plumbing system is not in use correct?

MR. ZANIELLO: No one's been in that house since the day – I mean, other than the contractors. I mean, I'm going to have to check with them. They're the last ones that were there. They have the keys. The plumbing contractor has the keys and the general contractor

had the keys. I don't even have a copy of the keys right now. So, I'll have to get the contractor to go down and secure the place and I really do hope that they can issue me a permit in thirty days. I don't have confidence in the department over there to issue a permit in any kind of expeditious manner. I just don't think they can do it.

BOARD MEMBER: What about the architect? You hired him to come and meet with the plan reviewers recently to help resolve the problem.

MR. ZANIELLO: Correct.

BOARD MEMBER: Would he be willing to come in on – next month as well to bring us up to date on his work?

MR. ZANIELLO: I don't think he'd have a problem coming in. I think that while I'm away – I think that I would have the – lack confidence in anyone else showing up to do anything that I should be doing. I really don't trust – I don't even trust – I don't care how much I pay somebody, the only person I would trust to show up is one of the guys that directly works for me and they don't know a thing about housing. They know less than I know.

BOARD MEMBER: Well, I would hope that an architect that's submitting plans to the City of Fort Lauderdale and is asked to come here and paid for his hour or two of time would feel responsible and show up. At least, I guess, that's the way I would look at it. But if you don't feel confident in your architect to do that, then I certainly wouldn't want to extend that confidence beyond you.

MR. ZANIELLO: I just know that contractors and the people that hire for things, no matter how much you pay them, I mean – this house actually required an extra \$5,000 on the request to have it done because the workers didn't even want to go to the neighborhood and I told them, I'll pay you whatever you need. Get the guys out there.

BOARD MEMBER: That's a great negotiation tactic.

MR. ZANIELLO: Yeah, great. I paid an extra fifty percent.

BOARD MEMBER: I think there's not good transit to that location.

VICE CHAIR: Hello. Thank you for joining us. We have a legal question for you and I would like to proceed that by letting you know to the best of my memory having sat on this Board for a number of years now, we have not had other folks appear on behalf of the property owner unless it was an attorney. We have had many folks up here with the property owner, architects, engineers, contractors, so on and so forth. And we have an issue here with this gentleman. We're debating whether to give him a thirty day or a sixty day extension, but the problem is in thirty days, he's going to be out of the country. So, the issue becomes if he

sends somebody to represent him, who would constitute a legal representative that could appear before this Board?

ACA: [redacted] from the City Attorney's Office. And that's a good question, but I think the way we could do it would be that if – what's your name?

MR. ZANIELLO: Gregory Zaniello.

ACA: If Mr. Zaniello provides whoever comes in his place with a letter saying that he has given this person the authority to attend the meeting and to answer any questions the Board has and to stand here in his place, I think that would be fine. It could be a friend, it could be a tenant, it could be whoever he picks, whoever he thinks would be responsible to represent him. So, the choice will be his, but the person should come with a letter –

VICE CHAIR: A letter signed by Mr. Zaniello.

ACA: Right, and you might want to address the letter to the Board.

VICE CHAIR: And should the letter be notarized just to be –

ACA: Sure, you could have the letter notarized if – yeah, that's fine. And bring it to the – send it, you know, to the Clerk ahead of time so we know and make sure that person has it with him, okay? No, we'll give you a card, but we'll – and just make sure the person who comes here has it with him so that we can make sure – we don't want someone to come who you didn't pay, but if you're standing here telling us you're going to send someone, next time we'll expect there to be – if you're not here, we'll expect someone to be here with a letter saying that you've authorized him to attend in your place. The choice is yours. Does that satisfy?

VICE CHAIR: Yes, if you're comfortable legally that that will meet the qualifications of appearing before this Board, then that's certainly acceptable to the Board.

ACA: It's sort of a power of attorney letter that this person has the authority to come here and stand in my place and do all – and answer all the questions and, you know, when that person comes, if the Board feels that the person doesn't have enough knowledge of the facts of the case or they're unsure of the property or the construction issues, at that point, we'll cross that bridge when we come to it. But it needs to be – it ought to be someone who really can answer the questions that the Board might ask. The choice is yours and we'll see. Okay?

MR. ZANIELLO: The choice is theirs.

ACA: Well, the choice is yours – I mean that by the person you selection ought to be someone who's familiar enough with the property to answer questions in the way that is going to be best for you, okay. I mean, don't call me. I don't know anything about this.

VICE CHAIR: Mr. Zaniello, are you comfortable with finding such a person? Can you produce someone like this?

MR. ZANIELLO: I'll have three people requested to show up to cover that request so that someone is standing here, including one of my personal employees that will be here whether he knows a thing about housing or not, he will be here.

VICE CHAIR: Okay.

MR. ZANIELLO: I will request a contractor and John Evans to show up and I hope they do.

VICE CHAIR: [redacted]

ACA: [redacted] again. I would just like to make sure the letter says – identifies the person who comes. It's not just –

VICE CHAIR: Open-ended. Correct. The letter has to state the names of the parties he's sending to representing him.

ACA: Yeah, just so that –

VICE CHAIR: Would one letter serve for all three?

ACA: One letter would be fine with all three. That's yours, if you want three letters or one letter with all three of them. Any of these people could come and testify on your behalf.

MR. ZANIELLO: Any and all?

ACA: Well, yeah, exactly. Okay? Thank you.

VICE CHAIR: Thank you.

MR. ZANIELLO: I have no problem with that. I'll still have three people requested to come. John Evans, the architect, I'll request to come. I'll have Sonjay Aurora [phonetic] who works for me and doesn't know anything about housing, however, he will show up. We'll hopefully guarantee someone's here.

VICE CHAIR: You can update him a little bit on the situation.

MR. ZANIELLO: Hopefully, if the permit's been issued or something of that nature, you know, major has happened, he'll have Wayne Strawn's number, he'll have the permit number so you can check the internet for the permit request.

VICE CHAIR: Well, if the permit is issued, doesn't it drop off, Wayne? That's the end of debate. You won't have to send anybody. So, ideally, do what you can to get that permit out

within the next thirty days. Get your architect or contractor or whoever to, you know, do whatever they need to do to satisfy the permit people. That would be the ideal, okay? Anything else you'd like to add, Mr. Zaniello?

MR. ZANIELLO: Nope. I appreciate the help here and I hope to have it done as soon as possible.

VICE CHAIR: Okay. Thank you. That brings us back to the Board and let's restate, Michael, what you have on the floor.

BOARD MEMBER: Ask the respondent to come in thirty days with a representative if not himself, secure the property in the meantime as soon as possible.

VICE CHAIR: And I think we should state for the record that this representative should be carrying a notarized letter from the owner stating that they are authorized to appear on his behalf pursuant to what the City Attorney has provided us here. Is that acceptable?

BOARD MEMBER: Absolutely.

VICE CHAIR: Do we have a second, gentlemen?

VICE CHAIR: John seconded, okay. All in favor?

BOARD MEMBERS: Aye [unanimously].

VICE CHAIR: Opposed? Okay. We're all set.

MR. ZANIELLO: Thank you very much.

VICE CHAIR: Thank you. Next case.

MS. BAZER: Okay, on page one of your agenda. Bob Pignataro is the inspector and he's here. Case CE03121109 at 1115 Northwest 3<sup>rd</sup> Avenue. Gene Morgan and Cindy Edward Vice the owners. Last permit issued was November 9<sup>th</sup>, 1976 for a sewer tap. Last heard November 18<sup>th</sup>, 2004. A ninety day continuance granted. Certified mail sent to Gene Morgan, returned unclaimed 12/27/04; to Terrence Vice, green card signed by Gene Morgan, no date; and also to Cindy Edwards Vice, green card signed by Gene Morgan, no date on the card.

VICE CHAIR: Gentlemen? Mr. Vice, we'll hear from you first. Where are we?

MR. VICE: Alright. My name is Terrence Vice, resident at the property. I kept tabs on the progress of the permit. It's being reviewed and notice that it completed structural on January the 5<sup>th</sup> with comments attached. I faxed those to my architect to have them addressed. It took longer for him to respond than I would have hoped. During that process, also my

contractor's trust company informed us that the plans initially called for a gable roof with a wooden end on a masonry structure and they said that that was in violation of code. So, long story short is that I had to have my architect revise the plans yet again and change the roof to a hip roof and I just got the plans back Friday. Just got signed product approvals with me and my plan was to go right over to permitting afterwards and see if I can get these revisions submitted. And most importantly, I wanted to stress that in the past ninety days I have secured financing for this project so as soon as the approval is given, we're ready to start with construction.

VICE CHAIR: Bob? Thank you.

MR. PIGNATARO: Good afternoon, Board. He's correct. It is in plan review. It's failed two disciplines and if he makes those corrections, he'll probably be there.

VICE CHAIR: What would you recommend at this stage? Put you on the spot.

MR. PIGNATARO: I don't think it's up to me to recommend. I think it's the Board to recommend what their pleasure is.

MR. VICE: If it'd be alright, I'd like to ask for a ninety day continuance, or sixty, ninety days. I'm hoping that within ninety days construction will be complete if permitting can check out these revisions within the next few weeks. We're ready to move.

VICE CHAIR: Thank you. Board, could we have discussion or a motion?

BOARD MEMBER: I have a question. Besides structural, what's the other discipline that's outstanding? Do you know?

MR. VICE: Plumbing, I believe.

MR. PIGNATARO: Is that what it is?

MR. VICE: I have it in front of me.

MR. PIGNATARO: I couldn't print it out. The City's bought the most cheapest computer we can have on the planet earth, so right now they're all jamming up because everybody's inputting. So, I couldn't print out the permit history to bring it over here.

MR. VICE: I guess my computer at home's working a little better. I got on it in the evening so I printed this up. It languished last time without me being aware of it. Plumbing, it requires a sanitary riser diagram, water riser well – anyway, my architect, he likes to put these little cloud bubble graphics around his revisions and I looked at it and, of course I'm a layman, but as far as I could tell, he addressed those issues that were raised. They also called for product approvals to be submitted with his signature, so I ran those up to him. One copy he turned down. It's some issue between him and my contractor, so I faxed him and got



everything signed off on, so I have, as I said, the product approvals and revised plans including the hip roof, which we are now doing.

VICE CHAIR: Michael, does that answer –

BOARD MEMBER: Yeah, that answered my question. Thank you very much.

VICE CHAIR: Do we have any other questions or discussion?

BOARD MEMBER: Very brief question. Do you plan on living in this property when it's completed?

MR. VICE: My wife and I are going to live in the house up front. The back house is for my mother-in-law.

BOARD MEMBER: So, kind of like a granny flat sort of thing?

MR. VICE: Yeah, it's – my mother-in-law and I get along well, but our ways of living, my wife and mine and hers differ a bit so I'm shelling out over \$30,000 to allow her to live out back.

BOARD MEMBER: So you're going to be living in the property when it's completed along with your mother-in-law?

VICE CHAIR: Any more questions, John? Gentlemen, any more questions? Discussion? Could we have a motion here please?

BOARD MEMBER: I move sixty days, Mr. Chairman.

VICE CHAIR: We have sixty days on the floor. Do we have a second?

BOARD MEMBER: I'll second that.

VICE CHAIR: All in favor?

BOARD MEMBERS: Aye [unanimously].

VICE CHAIR: Opposed? Very good. The motion carries. Thank you.

MR. VICE: Thank you, gentlemen.

VICE CHAIR: Do you need this for the record? It's his contract that we told him to get. It's the copy of it. We need to do the board-ups, right? The board-up.

MS. BAZER: Yes, the board-up. If I may read from this and this is for case CE04082224. The owner is Patrick Downs, the address 1733 Northwest 18<sup>th</sup> Street, and the amount is \$267.00 and no cents. The below noted property was found to be open and abandoned. The City notified the owner requesting that the building be secured. After no action was taken, the City had its contractor secure the building. The Community Inspections Bureau requests that the Board review this item and enter a finding that the building is open and abandoned and unsafe. The City will then proceed to place a lien in the amount noted for the board-up charges including an additional fee of \$117.00 for administrative charges.

VICE CHAIR: Board, do we have a motion to approve?

BOARD MEMBER: I'll make that motion.

VICE CHAIR: And a second?

BOARD MEMBER: Second.

VICE CHAIR: Second. All in favor.

BOARD MEMBERS: Aye [unanimously].

VICE CHAIR: Opposed? Very good.

MS. BAZER: There's no further business.

VICE CHAIR: Thank you.

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

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EVE BAZER, BOARD CLERK

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CHARLES SCHNEIDER, BOARD CHAIR

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held February 17, 2005, at 3:00 p.m., City Hall, 100 North Andrews Avenue, City Commission Meeting Room, Fort Lauderdale, Florida.

Dated at Ft. Lauderdale, Broward County, Florida, this \_\_\_\_ day of March, 2005.

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 March, 2005.

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NOTARY PUBLIC  
State of Florida at Large

Notarial Seal: