

**City of Fort Lauderdale  
UNSAFE STRUCTURES BOARD  
Thursday, May 19, 2005, 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	A
Patrick Kerney	A
Tom Jones	P
Michael Madfis	P
John Carroll	P
Charlie Minor	P

**Also in Attendance**

Eve Bazer, Community Inspections  
 Nadine Blue, Board Clerk  
 Farida Mohammed, Community Inspections  
 Yvette Ketor, Board Secretary  
 Wayne Strawn, Building Inspector  
 Assistant City Attorney  
 Lisa Edmondson, Recording Clerk

The regular meeting of the Unsafe Structures Board convened at 3:00 p.m. on Thursday, May 19, 2005, at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

<u>CASE</u>	<u>INDEX</u>	<u>PAGES</u>
1. CE03121109 Case Address: 1115 NW 3 Avenue Owner: Morgan, Gene & Cindy Edwards Vice Inspector: Robert Pignataro Disposition: Motion for 30 day continuance unanimously approved.		2-4
2. CE03051368 Case Address: 1225 NW 16 Street Owner: Fletcher-Allen, Shirley M.; Hills, Vernon, Delbert & James Inspector: Wayne Strawn Disposition: Permit issued		5-

ACA: [redacted] City Attorney's Office. I've just been asked a question about the Sunshine law. The rules require that any time that any board convenes to discuss the business that typically comes before it, that meeting has to take place in the "Sunshine" and the Sunshine requirements are that there must be notice to the public of when the meeting's going to take place and minutes must be kept of the meeting and that the public is invited to the meeting. And a meeting is actually any - I guess, any two or more members of the same board at any point in time talking about issues that might come before the board. That constitutes a meeting. So, even if - like if you guys run into each other somewhere in town or out and about and, you know, I caution you not to discuss any issue that would come before this board because you'd be violating the Sunshine Law because you'd be having a meeting outside of the Sunshine and there wouldn't be any minutes, there wouldn't have been notice, and the public wouldn't be invited. So, the - we make it easy for you by scheduling the meetings, publishing the notice, and keeping the minutes, and that's why we ask that you not talk about any issues that might come up before this board, be it a case - an old case that already happened, board policy and like that, except here at this meeting and only when the tape is running and only when it's - when the meeting is actually on or going on. So, I don't know if that really answered your question or - okay. Are there any other questions?

CHAIR SCHNEIDER: No.

ACA: Okay, sorry to interrupt at the beginning of the meeting.

CHAIR SCHNEIDER: I'd like to call the meeting of the City of Fort Lauderdale Unsafe Structures Board Meeting of May 19<sup>th</sup> to order. Are all present who are about to give testimony been sworn? If not, please rise and do so.

[Swear in by Ms. Bazer of witnesses.]

CHAIR SCHNEIDER: Thank you. First case.

MS. MOHAMMED: First case, page one of your agenda. Inspector Wayne Strawn is filling in for Robert Pignataro. Case number CE03121109. Property address 1115 Northwest 3<sup>rd</sup> Avenue. Property owners, Gene Morgan and Cindy Edwards Vice. Last permit pulled May 2<sup>nd</sup>, 2005 for electrical repairs, and this case was last heard March the 17<sup>th</sup>, 2005. There was a 30 day continuance granted. Certified mail sent to Cindy Edwards Vice, green card signed by Gene Morgan, no date; certified mail sent to Gene Morgan, green card signed by Gene Morgan, no date; certified mail sent also to Terence Vice, green card signed by Gene Morgan, no date; certified mail sent to Catherine M. Banta, mortgagee, trustee of the Catherine M. Banta Trust, green card signed by Michelle L. Crosby on May 11<sup>th</sup>, 2005.

MR. VICE: My name's Terence Vice. The rehabilitation of the structure in question is going well. My general contractor feels like he will have his obligation fulfilled by this time next week. At that point, pretty much all the repairs will be done. The only things that will be left for me to take care of or have taken care of will be finishing touches such as painting, tiling the floor, cabinetry, furnishing a stove and refrigerator, things of that nature, but we're

just about done with the construction. I don't know if I need to ask for more time here or if this, you know, takes it out of the jurisdiction of the Unsafe Structures Board.

CHAIR SCHNEIDER: I have a question with regard to this. Doesn't - once they get the permits, doesn't that negate any action by this Board?

MR. STRAWN: If the master permit's been issued for a rehabilitation to rehab the building, that's correct.

CHAIR SCHNEIDER: Have we had a master permit issued on this one?

MR. STRAWN: I just - Bob just gave me this case and said it was - he wouldn't oppose an extension of time, so I thought it was a simple issue and didn't look - didn't research. Do you have a master permit?

MR. VICE: Yeah, if I can - 0140 -

CHAIR SCHNEIDER: It's to rehab the whole building?

MR. VICE: Yeah, yeah.

MR. STRAWN: I'm confused then. I don't know why it's in front of you.

CHAIR SCHNEIDER: I don't know why it's here.

MR. STRAWN: I don't know why it's here either. I would check that, you know, to make sure we have a master permit. But in the interim -

MR. VICE: I remember, it's 04071257.

MR. STRAWN: Why don't we just continue it for 30 days and it will be a dead issue if he does have a master permit.

CHAIR SCHNEIDER: Right.

MR. STRAWN: It will be a dead issue.

CHAIR SCHNEIDER: What's your pleasure, Board?

MR. CARROLL: Well, if he's got an electrical permit that was just issued this month -

MR. STRAWN: Not necessarily.

CHAIR SCHNEIDER: Doesn't necessarily mean that he has a master permit. But he mentioned that he had a general contractor and, quite frankly, in my opinion, a general

contractor wouldn't be involved unless there was a general master permit. Am I correct in that?

MR. STRAWN: That's correct.

CHAIR SCHNEIDER: So, again Board, what's your pleasure?

MR. CARROLL: Motion to table it for 30 days.

CHAIR SCHNEIDER: Any discussion?

MR. JONES: Seconded.

MR. CARROLL: We're actually looking to continue the case.

CHAIR SCHNEIDER: Motion's out of order. The Chair will entertain a motion for a 30 day extension or continuance, excuse me.

MR. CARROLL: I make a motion for a 30 day continuance.

MR. JONES: I second it.

CHAIR SCHNEIDER: Any discussion? Yeas? Nays? Motion carries. Thank you, sir.

MR. VICE: Just one question. And I won't be required to appear here at the next meeting, I understand it?

CHAIR SCHNEIDER: Well, again, if you have a – if you have a master permit, I've always been instructed, since I've been on this Board now for the last two and a half years, that that negates any further action by this Board, that if you have that master permit there's no need to hear your case anymore. You're in the process of making your remediation and remedial work. The inspectors handle that from this point on.

MR. STRAWN: You should contact Bob Pignataro to get it clarified.

MR. VICE: Okay.

CHAIR SCHNEIDER: Let's just find out where you're at and then they'll report back to us.

MR. VICE: Okay.

CHAIR SCHNEIDER: Thank you very much.

MR. VICE: Thank you.

CHAIR SCHNEIDER: Next case.

MS. BAZER: Can we just wait a minute?

CHAIR SCHNEIDER: Absolutely.

MS. BAZER: Shirley's just left for a moment. She'll be right back.

CHAIR SCHNEIDER: We have our terminology confused up here sometimes.

ACA: Well I think that – [redacted] from the City Attorney's Office. I think that the only action this Board would take would be a continuance, right? Extensions are usually given in say a Code Enforcement Board proceeding when there's a date set for compliance and then the Special Master would extend it based on someone's, you know, presentation of evidence and said they need more time. In this case, all you're really doing is you're continuing the case. You're not extending the date for compliance. You're saying, okay, we understand, you know, the case has been presented and the inspectors told you what the violations are. This Board would – you know, has the ability to enter an order of demolition if you believe what the inspectors allege to be true. Instead of doing that, you're giving the people some extra – the property owner some time to fix it and so therefore you're not going to decide on demolishing the house today. You're going to continue the case until next month when the property owner and the inspector can talk or get the permits or whatever it is. So, I don't see any extensions coming from this Board. I could be wrong, but it seems to me that the most typical motion that you'd make would be a continuance. A motion to continue the case for 30 days or 60 days or 120 days to give the property owner time to do whatever it is you want. And oftentimes, that motion comes with stipulations. I've heard this Board say things like, we'll give you 30 days, but you must have your permits turned in by then, or you come back here in 30 days with a contract from the architect, or whatever it is. And so there's continuations with like stipulations or, of course, an order to demolish. But I think that's really – those would be the most common ones for this Board. Is that okay? Okay.

CHAIR SCHNEIDER: Thank you.

MS. MOHAMMED: Second case is page 2 of your agenda. Inspector Wayne Strawn. Case number CE03051368. Property address, 1225 Northwest 16<sup>th</sup> Street. Owner is Shirley Fletcher-Allen, Vernon C. Hills, Delbert Hills, James Hills. Last permit issued October 5<sup>th</sup>, 1978 for enclosure of the carport for a den. This case was last heard April 21<sup>st</sup>, 2005 in which a 30 day continuance was granted. We have service by personal appearance by Shirley Fletcher-Allen. Also certified mail was sent to Chrisy Rodriguez, registered agent for J.I. Kislak Mortgage Corp., signature illegible, May 17<sup>th</sup>, 2005; and also certified mail sent to J.I. Kislak Mortgage Corp., green card not returned.

MR. STRAWN: Wayne Strawn, City Building Inspector. I inspected the property today and found that it is not secured properly and there's access to the rear of the building. There's plywood over the opening, but it's not secured. It's easily tipped away and removed for full access to the building.

CHAIR SCHNEIDER: Is this the only area where there's access?

MR. STRAWN: It doesn't meet the HUD standard for boarded-up buildings. The windows all have burglar bars, so they don't present a security problem, but the doors are mostly in such bad condition or, in this case, in the rear the door's gone, or they're in such bad condition that the HUD requirement would be to have long carriage bolts, 2 x 4's across the opening with a heavy piece of plywood, 5/8<sup>th</sup> plywood on the outside of the building to keep someone – with the smooth side of the carriage bolts on the outside, to keep someone from gaining access. The front door is secured with a piece of plywood, but it doesn't cover the whole door and I think you could kick in most of the rest of the door and get in that way, too, if you really wanted to.

MR. JONES: How about the site? Is it safe and clean or is it –

MR. STRAWN: Yeah, the outside of the site is not objectionable.

MR. JONES: - there's no debris or –

CHAIR SCHNEIDER: Is the electric and water disconnected – services disconnected?

MR. STRAWN: The electric service is disconnected. I don't know about the water.

CHAIR SCHNEIDER: Is there any other questions from the Board? Shirley? How you making out, Shirley?

MS. FLETCHER: Okay.

CHAIR SCHNEIDER: I say how you making out?

MS. FLETCHER: Oh, so far pretty good.

CHAIR SCHNEIDER: Good.

MS. FLETCHER: The answer to some of those questions Wayne had mentioned. The side door, which I'm aware of, that I had put the board up there, but I didn't have any nails to – I had already mentioned it to Mr. Murray's workers and they was going to take of it proper and also that's the only way to enter. I do have my permit.

CHAIR SCHNEIDER: Has it been issued?

MS. FLETCHER: Yes, that's why I'm just coming here and I apologize for being about three minutes late because I was – I left the hospital and I came straight there and I wanted to make sure I had that in my hand before I come here to you.

CHAIR SCHNEIDER: Well, if that's the case, this should be the last time we see you and we're going to miss you and we wish you well.

MS. FLETCHER: I do want to thank you all for supporting me through this. It was difficult the first time ever going through this and I needed the help, the support.

CHAIR SCHNEIDER: Nobody on this Board, Shirley, wants to ever, ever tear somebody's house down. Congratulations, very good, very happy for you. Wayne?

MR. STRAWN: May I add, since this permit is issued, the security of the building is now the responsibility of the contractor of record for the permit.

CHAIR SCHNEIDER: Very good. Shirley, you should pass along to your general contractor that now he's responsible for the property and he should see that it's secured properly so none of the work that's being done is vandalized or damaged in the process.

MS. FLETCHER: I will.

CHAIR SCHNEIDER: So, anything further that this Board can do, we're happy to do and we're very happy to see your case dispensed with. Thanks very much.

MS. FLETCHER: You're quite welcome, Board, and thank you.

CHAIR SCHNEIDER: Are there any other cases to come before this Board? Are you on the agenda, sir? Were you sworn in?

MR. HILLS: Yes.

CHAIR SCHNEIDER: Okay. Come forward and state your name please.

MR. HILLS: My name Vernon Hills.

CHAIR SCHNEIDER: Hi, Vernon, how are you?

MR. HILLS: Alright. I'd like to know what's going on with the property? Is a contractor supposed to be –

CHAIR SCHNEIDER: We're not privy to that and we have nothing to do with that other than the fact that once the permit is issued and there's, I'm assuming, a contractor employed, it's out of our hands. It then goes into the Building Department process.

MR. HILLS: So, if it don't get built or anything like that, it goes to someone else? What I'm saying is, I don't understand what's going on.

CHAIR SCHNEIDER: I'm not sure I understand your question.

MR. HILLS: What I'm asking is, is here she got a permit and everything to building the please, right? And get it remodeled?

CHAIR SCHNEIDER: Right.

MR. HILLS: And I want to know is it going to get remodeled by her?

CHAIR SCHNEIDER: I can't answer that. All I can tell you is, is that there's a building permit issued and that now that process comes under the care of the building department and the inspectors. Once a building permit is issued, it's no longer under the control of this Board. It goes over into the Building Department process.

MR. HILLS: Okay.

CHAIR SCHNEIDER: Okay, sir?

MR. HILLS: I'll talk with them then.

CHAIR SCHNEIDER: Thank you very much.

MS. FLETCHER: Can I say something?

CHAIR SCHNEIDER: I would assume so, yes, Shirley.

MS. FLETCHER: I just want to say my brothers and I, we just have to get together and further discuss things. That's all. And we'll go forward.

CHAIR SCHNEIDER: Okay.

MS. FLETCHER: That way to save him some time I will update him – update a lot of things that will be taking place and we'll make a decision on that.

CHAIR SCHNEIDER: Alright, thank you very much.

MS. FLETCHER: Thank you.

CHAIR SCHNEIDER: Is there any other further actions or cases to come before this Board?

MS. BAZER: No, sir.

CHAIR SCHNEIDER: Any board-ups? This meeting is adjourned. Thank you very much.

[Thereupon the meeting concluded at 3:20 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 May 19, 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 May, 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 May, 2005.

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NOTARY PUBLIC  
State of Florida at Large

Notarial Seal: