

**City of Fort Lauderdale  
UNSAFE STRUCTURES BOARD  
Thursday, June 16, 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	P
Tom Jones	A
Michael Madfis	P
John Carroll	P
Charlie Minor	P

**Also in Attendance**

Eve Bazer, Community Inspections  
Farida Mohammed, Community Inspections  
Yvette Ketor, Board Secretary  
Wayne Strawn, Building Inspector  
Lisa Edmondson, Recording Clerk

The regular meeting of the Unsafe Structures Board convened at 3:10 p.m. on Thursday, June 16, 2005, at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

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3. CE05011972 5-7  
Case Address: 2124 NW 8 Street  
Owner: E C E Development, Inc.  
Inspector: Wayne Strawn  
Disposition: Motion to demolish unanimously approved
  
4. CE05040942 7-11  
Case Address: 150 NW 68 St  
Owner: Pan American Corp.  
Inspector: Wayne Strawn  
Disposition: 60-day continuance granted.

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CHAIR SCHNEIDER: Alright, ladies and gentlemen, we'll call this meeting to order. I'd like to welcome you to the City of Fort Lauderdale Unsafe Structures Board meeting for June 16<sup>th</sup>. All parties present that are about to give testimony been sworn? If no, please rise and swear in.

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

MS. MOHAMMED: First case, page one of your agenda. Inspector Robert Pignataro. This case is in compliance. Case number CE030121109; the property address 1115 Northwest 3<sup>rd</sup> Avenue and the owner is Gene Morgan and Cindy Edwards Vice. This case is in compliance and it's now closed. Next case, page two of the agenda. It's new business, new cases. Inspector Wayne Strawn. Case number CE05010324; property address 809 Northwest 15<sup>th</sup> Avenue. The owner is Herbert Myers, Albert Myers, Joyce Ann Fernandez, Mary Dashiell, and Perry Myers. The last permit issued on this property was 5/9/1972 for a sewer tap. Certified mail to Herbert Myers, green card signed by H. Myers, not dated; certified mail sent to Albert Myers, green card signed by Mary L. Myers dated June 1<sup>st</sup>; certified mail sent to Joyce Ann Fernandez, green card signed by Joyce E. Fernandez dated June 6<sup>th</sup>; certified mail sent to Mary Dashiell, green card signed by Mary Dashiell dated 6/1/05; and certified mail sent to Perry Myers, green card signed, signature illegible dated May 31<sup>st</sup>, 2005.

CHAIR SCHNEIDER: Wayne?

MR. STRAWN: Wayne Strawn, City Building Inspector. I believe we have people that asked for a continuance on this case. Would it be proper procedure to allow them to speak first?

CHAIR SCHNEIDER: Right after you read the case into the record.

MR. STRAWN: Wayne Strawn, City Building Inspector, 809 Northwest 15<sup>th</sup> Avenue. The

building does not comply – this is Florida Building Code 111.2.1.3.2, the building does not comply with the minimum housing requirements of the City of Fort Lauderdale. The following is a list of building parts not kept in “reasonably good repair” as required by Municipal Ordinance 9-280(B): windows, doors, ceilings, kitchen cabinets and counter, roof, plumbing systems, electrical systems, shower stalls (chipped and loose tile), smoke detectors, walls, (excessive mold), inoperable wall outlets, many other requirements of the Minimum Housing Code are also not provided as required. Florida Building Code 111.1.1, the single-story, five unit, residential structure has been substantially damaged by the elements, presents a fire hazard, does not comply with the Minimum Housing Code of the City of Fort Lauderdale, or the maintenance requirements of the Florida Building Code. Florida Building Code 111.1.2, building repairs and alterations have been done without obtaining the required permits. The work also encompasses the electrical system, plumbing system, and mechanical system. Florida Building Code 111.2.1.1.1, the building is not properly secured. Florida Building Code 111.2.1.2.2, a large crack exists in the concrete roof structure on the north exposure. Florida Building Code 111.2.1.1.2, there is an unwarranted accumulation of debris and combustibles inside apartment #4, combustibles are parked or stored around and on top of the electric water heater. Florida Building Code 111.2.1.1.3, the hard wired smoke detectors are inoperable. Florida Building Code 111.2.1.2.4, many ceilings are sagging because of deterioration caused by excess moisture. Florida Building Code 111.2.1.2.5, the premise wiring of the building is compromised due to excess moisture in the building. The window air-conditioning units have been installed without obtaining the proper permits. It has not been demonstrated that circuits powering these units are properly protected. Florida Building Code 111.2.1.3.1, the following work has been done without obtaining the required permits and is therefore presumed and deemed by the Code to be unsafe: electrical distribution panels have been changed out, new electrical circuits have been added, water heaters changed out and air conditioning equipment installed. Florida Building Code 111.2.1.2.6, the septic tank on the property has not been abandoned properly as required. In addition, the septic tank is not properly sealed. Florida Building Code 111.2.1.2.1, the smoke detectors and wiring to them are loose and hanging down. Areas of the ceiling are loose because of a moisture condition due to failure to maintain a watertight roof condition. Electrical conduit on the exterior of the building is loose on the wall. Kitchen sinks sag in the counters and the rear door of apartment #1 is off the hinges and loose in the jamb.

CHAIR SCHNEIDER: Yes, sir. Please state your name.

MR. EDDY: My name is James Eddy. I’m an attorney representing Mary Dashiel. Mary Dashiel contracted with Bob Young Builders on the 8<sup>th</sup> of June to – her contract calls for all work to be done to put it into meeting Code. So, we’re asking that this be continued so Mr. Young has an opportunity to do the work to bring it to Code and then we will report back. If you’ll give us a thirty-day extension, we’ll come back and tell you what progress has been made in that thirty days as he commences his work. It’ll be done with all the proper permits and properly done.

CHAIR SCHNEIDER: Mr. Young with you?

MR. EDDY: No, he's not. I have the contract.

CHAIR SCHNEIDER: Thank you. Board, what's your pleasure?

MR. KERNEY: I'd like to see a copy of the contract if I may.

MR. EDDY: You certainly may. I believe we attached one to our appeal letter that we sent to you; however, I –

CHAIR SCHNEIDER: We're not in privity to that, sir.

MR. EDDY: I have another one here. It's somewhere – here it is.

MR. KERNEY: I see by the proposal that plans and permit are not included. Obviously, this would be the first step to the process before this gentleman can do anything.

MR. EDDY: Correct.

MR. KERNEY: Has there been any movement as far as acquiring the services of the licensed architect?

MR. EDDY: Yeah, they are working on getting a roofer. He's examining what exactly needs to be done so he knows what subcontractors he'll need to do the job and then go to the City to get the permitting, but he can't do it – he has to have time to check out everything that has to be done, to look for the subcontractors, and then go to the City and get the permitting. That's why we're asking for thirty days. We would ask for more because - if he started the job, but when we come back to you in thirty-days all of that shall have been done.

MR. KERNEY: But once the permit has been issued, it will be out of the hands of this Board anyway. It goes away immediately.

MR. EDDY: Right.

MR. KERNEY: Mr. Chairman, I'm in a position to make a motion, but I see there's another gentleman that might be –

CHAIR SCHNEIDER: State your name please.

MR. BELLWELL [PHONETIC]: Attorney Robert Bellwell. I'm attorney for Herbert Myers and the remaining holders of title of the property have asked me to speak on their behalf also. We have no objection at all to the thirty-day continuance. This is the first I've learned of Mr. Eddy's involvement. Now, we have a difference of opinion on the property. We have an offer on the table from South Trust to buy the property for cash. It would be their intention, I think, to demolish the property. We think that's the wiser way to go, but we'd also like the

thirty-day continuance. We'll work things out with Mr. Eddy in meantime and we'll hopefully in that thirty-day period, we'll either come back with the contract to remodel or the contract to demolish and a representative from South Trust will be here to speak to you.

CHAIR SCHNEIDER: Any further questions on the Board? What's your pleasure?

MR. KERNEY: Mr. Chairman, I would entertain a motion for a thirty-day extension with one stipulation. I noticed from the inspector's report that the property is not secure. That property would have to be secured without haste [sic].

CHAIR SCHNEIDER: Do we have a second?

MR. MINOR: I second.

CHAIR SCHNEIDER: Any discussion?

MS. MOHAMMED: Sir, it's a continuance, not an extension.

CHAIR SCHNEIDER: Correct.

MR. KERNEY: What's the difference? No seriously, what is the difference?

CHAIR SCHNEIDER: Two letters in the alphabet.

MR. KERNEY: I'm just a dumb old plumbing contractor. You've got to explain everything to me.

CHAIR SCHNEIDER: I'm a smarter electrical contractor. Two letters in the alphabet.

MR. KERNEY: Is that what we want? Did you say a continuance?

CHAIR SCHNEIDER: There being no discussion, all those in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: All those opposed, like sign. Motion carries. Next case.

MS. MOHAMMED: Next case, page three of your agenda. Inspector Wayne Strawn. Case number CE05011972, property address 2124 Northwest 8 Street. The owner is E C E Development, Inc. The last permit issued on this property was April 26, 2002 for boarding and securing. Certified mail sent to E C E Development, Inc. at property address 2124 Northwest 2<sup>nd</sup> Street, green card returned, vacant; certified mail sent to E C E Development, Inc. at 353 Sacramento, San Francisco, California, mail returned, attempted not known; certified mail sent to Tim Hagen, Esquire, at 2124 Northwest 8<sup>th</sup> Street, green card returned, vacant; certified mail sent to Marlon A. Hill, Esquire, green card returned, not signed; certified mail sent to We Buy Real Estate, Inc., green card signed, signature illegible, signed

on May 26, 2005; certified mail sent to H. Elliott Green & Associates, P.A. as registered agent for Four Properties Holding, LLC, green card returned, not deliverable as addressed, unable to forward; certified mail sent to Four Properties Holding, LLC, green card signed, signature illegible, signed on May 27<sup>th</sup>, 2005.

MR. STRAWN: Wayne Strawn, City Building Inspector. The violations that exist are Florida Building Code 111.1.1, the single family wood frame building at this location is a fire and windstorm hazard. It has been substantially damaged by the elements and does not comply with the Minimum Housing Code of the City of Fort Lauderdale or the Maintenance Standard of the Florida Building Code. Florida Building Code 111.2.1.1.1, the building is vacant, unguarded, and open to casual entry. Florida Building Code 111.2.1.2, there is an unwarranted accumulation of dust, debris, and combustible material inside the building. Florida Building Code 111.2.1.2.1, the ceilings, roof structure, siding, doors and windows have failed, loosened, and hang loose in many areas. Florida Building Code 111.2.1.2.2, the roof has deteriorated to the extent that the structure has been taking water for some time and the roof framing no longer supports the loads imposed. Florida Building Code 111.2.1.2.4, the roof structure is sagging and the roof projection on the east exposure is falling off the building. Florida Building Code 111.2.1.2.8, the electrical equipment has not been maintained in a dry condition as required by the National Electrical Code. Florida Building Code 111.2.1.3.2, the maintenance of the building does not comply with the Florida Building Code or the Minimum Housing Code of the City of Fort Lauderdale. Florida Building Code 111.2.2.1, the cost to repair, alter, or replace the building exceeds fifty percent of the value of the building. Florida Building Code 111.2.2.2, the cost of structural repair or structural replacement of the building exceeds thirty-three percent of the structural value of the building. Florida Building Code 111.2.2.4 is informational. It simply states that those percentages can be overcome if you meet certain criteria.

CHAIR SCHNEIDER: Is the respondent here?

MR. STRAWN: No, I had some contact with a gentleman who said that his mother had bought the building a few years ago and he did some preliminary research with the idea of rehabbing the structure, and then I didn't hear anything more from him.

CHAIR SCHNEIDER: What's your pleasure, Board?

MR. KERNEY: A motion to demo.

CHAIR SCHNEIDER: Do we have a second?

MR. MADFIS: I'll second that.

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

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: All those opposed, like sign. Motion carried. Next case.

MS. MOHAMMED: Next case, page five of your agenda. Inspector Wayne Strawn. Case number CE05040942. The owner is Pan American Corp. and it's a mobile park. The address of the mobile park is 150 Northwest 60<sup>th</sup> Street. The site address of the violation is 177 Northwest 66 Street. The last permit issued April 26, 2004 for a re-roof shingle. Certified mail to Carlos Gomez, green card signed by Mendoza Rafaela dated May 26, 2005; certified mail to Rafaela Mendoza, green card signed by Mendoza Rafaela dated May 26, 2005; certified mail to Frank W. Cox, Jr., as registered agent of Pan American Corp., green card signed by Anne O. Cox dated May 26, 2005; certified mail to Pan American Corp., as owner of Pan American Mobile Home Park, green card signed by Anne O. Cox dated May 26, 2005; and certified mail to Carlos Tecuac, green card signed by Mendoza Rafaela, dated May 26, 2005.

CHAIR SCHNEIDER: Wayne, were you the only guy in Fort Lauderdale inspecting this month?

MS. BAZER: Excuse me, Board. We have a language problem here, so we brought somebody in who's going to translate to and from Spanish, so it's going to take a little longer as we go through this.

CHAIR SCHNEIDER: Have these respondents been sworn in Spanish?

MS. BAZER: No.

CHAIR SCHNEIDER: Swear them in Spanish so they understand. Thank you. Wayne?

MR. STRAWN: Wayne Strawn, Building Inspector. The one permit that was cited, there are many permits that were all lumped together. The 150 Northwest 68 Street is the address of the trailer park. So, there is no shingle roof connected to this case, so it's irrelevant. It's with some other part of the trailer park had a shingle roof. Florida Building Code 111.1.1, the dwelling is a fire and windstorm hazard and does not comply with the City of Fort Lauderdale's Minimum Housing Code. The means of egress for this dwelling are compromised and it has been substantially damaged by the elements and illegal alterations. The dwelling has been extensively altered without obtaining permits. The alterations include, but are not limited to a roof addition on the east and a large addition on the west. The design of these alterations do not properly address the gravity loads or the uplift resistance required by the Code. Florida Building Code 111.2.1.1.3, the addition on the west has been constructed too close to the mobile home on the abutting site. The required distance separation of ten feet as required by NFPA 509A 4-2.1.1 has not been provided. Florida Building Code 111.2.1.3.1, electrical and mechanical equipment and installations have been installed without the required permits. The work is presumed and deemed unsafe. Florida Building Code 111.2.1.3.2, the dwelling does not meet the requirements of the Minimum Housing Code. The deficiencies include, but are not limited to the absence of windows to provide light and ventilation in the addition attached to the west and the state of disrepair of

windows, doors, and other parts of the dwelling. There is – the trailer park owner, Mr. Frank Cox, is here and also the folks that live there that own the trailer itself.

CHAIR SCHNEIDER: What is your recommendation with this – with regard to this case, Wayne?

MR. STRAWN: This is very difficult. I haven't been inside and I don't know how badly compromised the coach itself is. The building official has, in the City of Fort Lauderdale, allowed trailers to be rewired according to the National Electric Code. So, there is some potential of saving the coach itself. But as it is in totality now, it's unsafe. If some effort was made to tear off the offending addition, provided they haven't compromised the coach, I don't know if the exterior wall of the trailer has been compromised – oh, I'm sorry.  
[Translation into Spanish]

CHAIR SCHNEIDER: Please have them approach and state their name and then translate.

RESPONDENTS: Carlos Gomez. Rafaela Mendoza.

CHAIR SCHNEIDER: Please.

TRANSLATOR: According to what they're telling me, the additions were done by them. Apparently they had no idea that they needed permits for what they did. That's as far as I got. What else did you want to tell them?

MR. STRAWN: Ask them if they've cut a hole in the trailer itself inside what's hidden by the addition or is it just a door that opens into the addition?

TRANSLATOR: She said that they're using the doors the trailer had existing to connect to those rooms.

CHAIR SCHNEIDER: I need you to address the Board, not the inspector.

TRANSLATOR: I'm sorry. First time here. Did you hear his question?

CHAIR SCHNEIDER: I heard his question and I need to hear your answer.

TRANSLATOR: Alright. According to her, they are using the existing doors that the trailer had and they're using that to connect to the rooms that they added. They haven't done any holes or any other changes to the trailer itself.

CHAIR SCHNEIDER: Are they aware that there is remedies that they can take to bring this structure into compliance?

TRANSLATOR: Let me convey that to them. Like?

CHAIR SCHNEIDER: Removal of the –



TRANSLATOR: Existing addition?

CHAIR SCHNEIDER: - existing additions that have been erected without permitting to bring the structure back into compliance. Any work that's been done without a permit, a permit will have to be secured and certified that it's safe, and Code work.

TRANSLATOR: If it's not done, what is going to happen? The entire structure will be demolished including the trailer?

CHAIR SCHNEIDER: More than likely, yes.

TRANSLATOR: Alright. Do they need a permit to demolish it – what they did? The additions? Or they just need to call in once it's done so that you guys can inspect it?

CHAIR SCHNEIDER: You know, I'm not real clear on that. I know that any time I'm involved in a job that has demolition on it, we're required to get a permit, but that may not be the case in this instance. So, I would suggest at that point that they check with the City of Fort Lauderdale Building Department with regard to that to determine whether they need that or not. Wayne could probably tell them yes or no on that issue.

TRANSLATOR: Okay.

MR. STRAWN: It's not required. If it's built without a permit as far as the City's concerned, it doesn't exist. They can tear it down without a permit. The exception to that is if there's main structural compromise. Then they're going to have to – some things you can't tear down without having a roof fall on your head. In that case, you're going to have to get a permit to restore whatever structural alterations you made to make it sound again. But in this case since they haven't altered the coach itself, they can just tear it down without a permit.

CHAIR SCHNEIDER: You want to translate that to them?

TRANSLATOR: Would they then need to call the Building Department to make sure that everything's back to normal?

MR. STRAWN: Yes. Yes, because we've got plywood covering windows which restricts the light and ventilation. We're trying to determine if this meets the Minimum Housing Code of the City. They will most likely have to get a licensed electrician because I see a hodge-podge of wiring that needs to be addressed and made safe.

CHAIR SCHNEIDER: Alright. There's a few issues there that you need to translate, so do it.

TRANSLATOR: She's telling me that the original windows are still there. They're just covered by the plywood that they can remove, so the ventilation, I guess, would take care with that. He's asking about the other trailers in the area. They are also doing construction.

They haven't said anything. I told them that they must have a permit and if they don't, I guess eventually you will on their case also.

MR. STRAWN: I can speak to that. I have two more pending in the City Attorney's Office; two more cases pending, and I have – I could write probably another twenty cases in that same trailer park. That's why I'm glad the owner of the trailer park is here today because I want to enlist him to help us prevent this from happening in the future.

CHAIR SCHNEIDER: Absolutely. You want to translate to them? And do they – did you translate the portion about that they'll probably need to get a licensed electrical contractor to check out their wiring?

TRANSLATOR: I told them that they had to remove anything that they've done and then call the City to inspect it. I guess at that point he could tell them if there's anything wrong, if they'll need any electrical, because according to her they didn't change any electrical.

CHAIR SCHNEIDER: The only thing the inspectors are going to tell them is if it's in violation or not. They're not supposed to tell them how to fix it or go about fixing it, etcetera. That's – they're only there to conduct the inspection to see if it's in compliance. So they will need to – they all need to take – it's incumbent upon them that they'll need to hire an electrical contractor licensed to pull a permit and/or rectify any code violations that exist.

TRANSLATOR: According to them, they did no changes to the electricity except run electrical cords to the additions from the house, but I'll tell them.

CHAIR SCHNEIDER: Thank you.

MR. KERNEY: Hold on, before you do, I think as a Board the only thing that we can deal with, are work that's been done without a permit.

CHAIR SCHNEIDER: That's right.

MR. KERNEY: You know, if they've got bad wiring just because it's old, bad wiring –

CHAIR SCHNEIDER: I'm just repeating what Wayne – reiterating what Wayne had already told them and that needs to be translated to them that's already into the record so they understand what the record reflects.

MR. KERNEY: Yeah, but I think it's important that they understand that all we're concerned about is work that they've done in addition to – that they did not, that they were required to pull a permit for and they didn't pull a permit for.

CHAIR SCHNEIDER: That's correct.

MR. KERNEY: The fact that their trailer may be old has nothing to do with us. We don't

care about that. And I think that needs to be – because I don't think that they understand that.

TRANSLATOR: Alright. She wants to know a time limit to remove what she has without a permit.

MR. KERNEY: We haven't really discussed that yet.

CHAIR SCHNEIDER: We're not there yet. We're going to see what the inspector recommends and what they request.

MR. STRAWN: I would not oppose a thirty day continuance to have them get started and show us that they can resolve some of these issues, and then come back in thirty days.

CHAIR SCHNEIDER: You want to translate that to them and see if that's adequate time or if they'd like to request additional time?

TRANSLATOR: Okay. Would a month and a half be okay? Forty-five days, they're requesting.

CHAIR SCHNEIDER: Sixty days.

TRANSLATOR: Sixty? Thank you.

CHAIR SCHNEIDER: Would that be adequate time for them? Is that their request?

TRANSLATOR: Yes, and they apologize for doing the additions without permits.

CHAIR SCHNEIDER: No apology is needed.

MR. KERNEY: Mr. Chairman, I'd like to make a motion for a sixty day continuance or extension? Motion for continuance.

CHAIR SCHNEIDER: Continuance. Do we have a second?

MR. MADFIS: I'll second that.

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

BOARD MEMBERS: Aye [unanimously].

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

TRANSLATOR: Will they get anything in writing or that's it?

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CHAIR SCHNEIDER: Are there any other cases to come before this Board?

MS. MOHAMMED: No, sir. That's the last case on the agenda.

CHAIR SCHNEIDER: Any board ups? Anything like that?

MS. MOHAMMED: No, sir.

CHAIR SCHNEIDER: Entertain a motion for adjournment.

MR. KERNEY: So moved.

CHAIR SCHNEIDER: Thank you very much.

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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 June 16, 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 June, 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 June, 2005.

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NOTARY PUBLIC  
State of Florida at Large

Notarial Seal: