

**City of Fort Lauderdale
UNSAFE STRUCTURES BOARD
Thursday, September 15, 2005, at 3:00 p.m.
City Commission Meeting Room - City Hall**

Board Member	Present/Absent	Cumulative	
		<u>1/1/05 to 12/06</u>	
		<u>Present</u>	<u>Absent</u>
Charles Schneider, Chair	P	7	1
Patrick Kerney	P	5	3
Olivia Charlton	P	1	0
John Carroll	P	7	1
Hector Heguaburo	P	1	0
Charles Minor	P	7	1
Michael Madfis	P	8	0

Also in Attendance

Eve Bazer, Community Inspections
Nadine Blue, Community Inspections
Farida Mohammed, Community Inspections
Yvette Ketor, Board Secretary
Brandy Cooper, Recording Clerk

The regular meeting of the Unsafe Structures Board convened at 3:00 p.m. on Thursday, September 15, 2005, at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

			<u>PAGE</u>
1.	Case No:	CE05011052	3-7
	Case Addr:	723 NW 6 Ave	
	Owner:	Luma Properties Inc.	
	Inspector:	Wayne Strawn	
	Disposition:	60 day extension granted with stipulation there be no automobile storage or spray painting in the warehouse during that 60 day period	
2.	Case No:	CE04111837	22-26
	Case Addr:	3601 SW 2 St	
	Owner:	Graham, Vincent & Jacqueline	
	Inspector:	Kenneth Reardon	
	Disposition:	Motion to demolish unanimously approved	

3. Case No: CE05041149 7-11
Case Addr: 1843 SW 4 Ave
Owner: Hatcher, Richard
Inspector: Kenneth Reardon
Disposition: Motion to demolish unanimously approved
4. Case No.: CE05010324 11-22
Case Addr: 809 NW 15 Ave
Owner: Myers, Herbert; Myers, Albert; Fernandez,
Joyce Ann; Dashiel, Mary; and Myers, Perry
Inspector: Wayne Strawn
Disposition: 90 day extension granted; stipulation that the
premises be vacated, boarded up, and power
cut off

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CHAIR SCHNEIDER: Good afternoon, ladies and gentlemen. I would like to welcome everyone to the Unsafe Structures meeting for the City of Fort Lauderdale for today's date September 15th, 2005. We're waiting on Nadine to come back and then we'll swear everyone and then we'll get started. We want to welcome everyone and thank everyone for coming. We do have a quorum this week, so we'll be able to proceed with the meeting. Nadine, if you would ask everyone to rise and please swear them in. And everyone that's about to give testimony, please rise and swear in.

[Thereupon, all witnesses were sworn in.]

CHAIR SCHNEIDER: Good afternoon. As I said, welcome to the Unsafe Structures meeting for today, September 15th. First case.

MS. MOHAMMED: First case, page one of your agenda. Inspector Wayne Strawn, case number CE 05011052, property address 723 Northwest 6 Avenue. The owner, Luma Properties Inc. Last permit issued for 725 Northwest 6 Avenue, 3/8/05, for a flat roof, re-roof; 2/14/96 installed a new subpanel lights electric; 729 Northwest 6 Avenue last permit issued 5/9/00, installed three doors, one front, two back; last permit issued for 723 Northwest 6 Avenue 10/28/96 for flat wall, replace rotted wall for warehouse. Certified mail sent to Gina K. Tuchman, green card signed by Raft [phonetic] 9/7/05; certified mail sent to Luma Properties, green card signed, not dated, signature illegible; certified mail sent to Joseph Barciano, green card returned not deliverable as addressed; certified mail to Solomon Bord, director, Transatlantic Bank, green card returned, signature illegible, not dated 8/30/05; certified mail sent to Julian L. Mazer, green card sign by Jacqueline Mazer dated 8/30/05;

certified mail sent to Sergio Rock, Director, Transatlantic Bank, green card returned, signature illegible dated 8/30/05.

CHAIR SCHNEIDER: Is this the first time this case has been before this Board?

MS. MOHAMMED: Yes, sir.

CHAIR SCHNEIDER: Wayne, would you please approach and read it into the record?

MR. STRAWN: Wayne Strawn, City Building Inspector, 723 Northwest 6th Avenue. Florida Building Code 111.1.1, this commercial building has become unsafe, means of egress have been compromised. The building has been substantially damaged by the elements, fire, and by alterations performed without permits. The building is being used in part illegally and improperly and constitutes a windstorm hazard. Florida Building Code 111.1.3, extensive structural alterations and additions have been done without obtaining a permit. Florida Building Code 111.2.1.1.3, a wall has been constructed dividing bay 725 from the adjacent bay and prevents access to the man-door. The egress remaining is approximately 90 feet to the west side of the building. Spray painting being conducted within the building without an approved spray booth presents an unacceptable fire hazard. Exit signs are not maintained operable and improperly placed. The required tenant separation is not being maintained. Florida Building Code 111.2.1.2.1, areas of the roof sheathing have failed, the roof decking is loose, electrical fixtures and conduits are loose on the walls. Florida Building Code 111.2.1.2.2, rafters and decking have deteriorated due to lack of maintenance. Florida Building Code 111.2.1.2.3, the building is partially destroyed by structural alteration without permits; fire damage to the roof structure is also evident. Florida Building Code 111.2.1.2.5, the electrical system of the building has not been maintained safe. Damage to the system is evident due to roof leaks. Florida Building Code 111.2.1.2.8, areas of the building are utilized for purposes that have not been approved; the uses not improved include, but may not be limited to, automobiles stored inside the building, spray painting inside the building without the required spray booth, and multiple tenant use without the required fire separation walls. Florida Building Code 111.2.1.3.1, the following alterations contrary to the Code have been performed without obtaining permits: removal of large sections of load bearing walls, to open a large tenant space at the rear of the building, the construction of an employee constructed roof area at the rear of the building much of which has been destroyed by the elements, the construction of a dividing wall between the tenants. Florida Building Code 111.2.1.3.2, the building is being used illegally and is not being maintained in a structurally sound condition. I would like to update the Board that the re-roof permit did replace a lot of the deteriorated decking. We still have the rafter issue and the rafters that are scorched and fire damaged. Also I would like to report to the Board that this is a new owner of the building. Since these violations were discovered, the building has changed hands and this owner intends to fix the problems. I cannot testify that as of this date since this was composed sometime ago that there are still automobiles inside the building and all that spray painting is ongoing at this time. I think you could listen to the owner of the building with regard to those issues.

CHAIR SCHNEIDER: Do we have a respondent here? Please approach, state your name.

RESPONDENT: Abe Tuchman and I represent Luma Properties.

CHAIR SCHNEIDER: Good afternoon.

RESPONDENT: Good afternoon. As Mr. Wayne said, we recently bought the building and it is our intention to do all the repairs that have to be done. To date, we have retained the services of MS Architects, a local firm here in Fort Lauderdale, and they're helping us out to make plans and all kinds of new details that we have to know regarding the building. We fixed the roof, replaced the roof. Garage doors are being added with carbon monoxide vents that would help in case they leave some cars during the night. And we're taking care of heat and electric. It's a local company that's also going to do our electrical inspections and repairs. And, let's see, we're also cleaning the surroundings and are keeping them, which never has been done. It took us a long time to do this for reasons that the previous owner had a lot of stored auto parts and he didn't take it for a period of time, so we couldn't get in and really look at the facilities the way we do it now. We're trying to get some order into the building. It was not well kept, but now it's under our management and we should have roughly in 60 days the plans with the architect and permits will take another 60 to 90 days. Basically, we have like a time frame, you know, five, six months in order to do the job correctly which we intend to do.

CHAIR SCHNEIDER: Very well. Wayne, do you have a recommendation?

MR. STRAWN: Wayne Strawn, City Building Inspector. I have been having some discussions with Mike Sanchez and they are working on plans to rehabilitate the building. I would caution the owners about the automobiles inside that vents through the garage doors are not sufficient for a commercial building. It will actually have to have mechanical ventilation that draws air mechanically from one foot close to the floor. Perhaps the Board would want to limit their time extension to ninety days so that they can monitor the progress.

CHAIR SCHNEIDER: Very well. Do we have any questions from the Board.

MR. MADFIS: Does this property have proper zoning? Is it an industrial zone?

MR. STRAWN: Yes.

MR. MADFIS: And was the current use the same use as what's being used now?

MR. STRAWN: Yes, it's a storage warehouse is what its approved use is. If they want to make any changes and use it for any other industrial use they would have to get that approved. I would – excuse me, I'm sorry, my memory's failed me. I think historically it was used for manufacturing because it's got three phase electric and someone told me it had been used for manufacturing.

MR. MADFIS: So, at one time it had an approved use for manufacturing, but that use was it – become abandoned after 180 days or –

MR. STRAWN: Well, that use was abandoned a long time ago. In my memory, it's been used the same for many years.

MR. MADFIS: Is the square footage of this building greater than 5000 square feet, do you know?

MR. STRAWN: Yes, it's a sprinkled building.

MR. MADFIS: Okay. So, it would be my understanding that he has absolutely no occupancy there allowed right now at all. He has no use associated with the building. It's become abandoned and he has to go back and go through a development review committee in order to establish a new use and then implement his architectural or his construction improvements.

MR. STRAWN: I'm not sure that that's accurate. You'd have to look at the building Code. If it's a use that is less restrictive, then it may not require a new CO.

MR. MADFIS: It may not, but I think once you've abandoned your use, you sort of have to go back and re-establish all of the conforming –

CHAIR SCHNEIDER: That may be correct, but that's not our purview here. Ours is to strictly see that it complies with the unsafe structure ordinances.

MR. MADFIS: My question is toward in order to achieve those permits within any reasonable time, it's my understanding he's going to have to go through this process. Today that process takes including the building permits six months or more. So, we need to be prepared for that is all I'm trying to point out.

CHAIR SCHNEIDER: Well, I think that's why Wayne's recommendation was that for your consideration that it be limited to no more than 90 days and then come back before the Board for a cursory review and then, if they need another continuance, postponement, then we would consider it at that time.

MR. MADFIS: I guess my other question is when you purchased this property, did you do any investigation to determine, you know, whether you could use it for what you wanted to use it for? You seem like you're a business person and not perhaps naïve to these kinds of things.

RESPONDENT: It was sold as six bays individually run by each person. Each tenant has to have his own permits and things. It's like any other building in the block. They're all the same use.

MR. MADFIS: At the same time, if you're purchasing a building, you maybe do some investigation to determine whether it's in compliance with current codes, so that when you inherit this situation you might be more prepared to be proactive to, you know, resolve it, so we're not here today in this position.

CHAIR SCHNEIDER: We have any other comments or questions? Wayne?

MR. STRAWN: Yes, if it was – it's never been abandoned. The building is being used today. So, if the use, its present use is legal, then that – then he won't have to go before DRC. All of those things will be sorted out in the next 90 days.

CHAIR SCHNEIDER: Very well.

MR. KERNEY: Mr. Chairman, I'm prepared to motion.

CHAIR SCHNEIDER: Please.

MR. KERNEY: I would like to make a motion that we extend this by 60 days and in that 60 day time, I would like to see an approved set of plans back from an architect. That should be sufficient time for your architect to complete their work, with an additional stipulation that there's no auto storage done in the warehouse in that 60 days, citing the ventilation and possible fire hazard with storing automobiles in the warehouse.

CHAIR SCHNEIDER: Do we have a second?

MR. CARROLL: I'll second that.

CHAIR SCHNEIDER: Discussion?

MR. MADFIS: I'm wondering whether first conformance or actually confirmation of whether there is, in fact, a use allowed in that building currently. It looks like it's in terrible condition. Maybe it's been occupied for all that time, but was the use properly continued and is this a building that can be actually continued to be occupied at all right now is the question I have.

CHAIR SCHNEIDER: Again, I appreciate that concern, but that's really not our concern as a Board. Our concern is to see that the building conforms to the City ordinances and the codes with respect to it being a safe structure. Having said that, is there any further discussion on this issue?

MR. KERNEY: Well, to put his mind at ease, let's go back to the inspector. If – do you feel that the building is in safe enough condition that if we limited not parking the vehicles inside the building, are we okay for the next 60 days?

MR. STRAWN: I think the automobiles and the spray painting, which was going on at the time the photographs were taken, if – those things are large factors and I would be comfortable with that.

MR. KERNEY: I would be willing to amend my motion to include the spray painting as well.

CHAIR SCHNEIDER: Very well, is that agreeable with the seconder?

MR. CARROLL: Yes.

CHAIR SCHNEIDER: Yes, sir.

RESPONDENT: One last thing. We do have a sprinkler system in the building. The whole building is – has sprinklers all over the place. I mean, it's not -

CHAIR SCHNEIDER: Right. Wayne did mention that.

RESPONDENT: Okay.

MR. MADFIS: And that's operable? The sprinkler system is currently operable?

MR. KERNEY: But there's other issues as far as ventilation, firewalls. Sprinklers on their own are not going to prevent a tragedy if they're not used in conjunction with proper firewalls and ventilation and things of that nature. It's great that you have sprinklers, but does it solve the problem completely? No, and that's why these stipulations are there and I know it may interrupt some of your tenants in their business and that's unfortunate but the burden was on you when you bought the building to make sure that you weren't buying a building that wasn't in compliance. So, with that, I'd say call the question.

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

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: Opposed, like sign. The motion carries. Please report back in 60 days with progress and approved plans. Thank you very much. Next case.

MS. MOHAMMED: Next case page 3 of your agenda. Inspector Kenneth Reardon, case number CE05-0941149. Property address 1843 Southwest 4th Avenue; the owner, Richard Hatcher. Last permit issued 10/28/02 for a reroof; certified mail sent to Richard Hatcher, green card signed by Richard Hatcher dated 9/7/05; certified mail sent to Robert C. Frederick, green card signed by Kathleen A. Frederick, green card signed by Kathleen A. Frederick, not dated.

CHAIR SCHNEIDER: Good afternoon, Kenneth. How's the progress?

MR. REARDON: Okay, good afternoon, Board. This case has already been heard and you ordered a continuance until today with the caveat that Mr. Hatcher would return with a letter from a licensed architect to certify that the building is repairable and that the electrical was disconnected, I believe was the notes I have here. I would defer to Mr. Hatcher to see what progress he has made.

CHAIR SCHNEIDER: Mr. Hatcher, you want to step forward please? How are you today, sir?

RESPONDENT: Okay, thank you.

CHAIR SCHNEIDER: Please state your name for the record.

RESPONDENT: Richard Hatcher.

CHAIR SCHNEIDER: Have you got your letter with you?

RESPONDENT: No, I do not. I was prepared for the last meeting. The only three architects that I am able to get out there wanted two hundred seventy-five dollars and a thousand dollars to write the plans. I just didn't think it was right that I would have to spend fourteen hundred dollars to repair a nine hundred dollar building. I took this up with Ken and I took this up with Mr. Craig, and Mr. Craig was under the impression that if I do not move a wall, I do not need an architect. All I want to do is –

CHAIR SCHNEIDER: Excuse me. There were other significant issues.

RESPONDENT: I don't know what they were, sir. What are you talking about? My neighbor?

CHAIR SCHNEIDER: Well, with regard – I'm not even concerned about your neighbor. The significant issues that were regarding your structure was 1) we were concerned that it was wired improperly and without a permit, and demanded that it be disconnected, and that it be verified and certified by an architect that that was the case; 2) there were other structural issues with regard to structural members being deteriorated or rotted due to the weather. And, as I told you at the last time, there was evidence of significant enough damage that this Board would have to take action short of you not coming forth with the required documents that we requested from you. So, having said that, I mean, you've got us in a position now where you haven't complied with what we requested you to do. You feel that it's unreasonable for you to spend fourteen hundred dollars to repair an eight or nine hundred dollar building and you're probably right. It is unreasonable to spend fourteen hundred dollars to do that. It's probably more reasonable to tear it down. So, having said that, Board, what's your pleasure?

RESPONDENT: Can I comment on that?

CHAIR SCHNEIDER: Sure.

RESPONDENT: I don't understand how you would say that it's more profitable for me to tear this building down than replace this building by Ted's Sheds or Home Depot or Lowe's or anybody else and would be two thousand nine hundred dollars. I would have to hire a crane for four hundred dollars to lift it over my fence. You're talking about a building that has twenty-seven sheets of plywood at twenty dollars a sheet. I don't understand the comparison in the price. If you want me to tear it down, I'll tear it down because I'm tired of fighting over it.

MR. MADFIS: I'll make a motion.

RESPONDENT: But it's not very practical.

CHAIR SCHNEIDER: Sir, I don't want you to tear it down and I don't want you to be denied the use of your property. I just want you to make it compliant with the ordinances and the codes as set forth in the City of Fort Lauderdale.

RESPONDENT: He will tell you. I bought the place in 1975. I had no idea that it never had an electric permit. When they told me, I took it out. My neighbor called up and said I didn't have it up and somebody was living in it. Ken was nice enough to come out on the very same day and see that it was out of the building.

CHAIR SCHNEIDER: Is there power currently on this building?

MR. REARDON: No. It has been disconnected. It was disconnected in a fashion that was not really acceptable. What he did – he disconnected it at the shed and I told him and he may have done it since I haven't been back, that I wanted it disconnected at the meter or the box. But the power has been cut at the source.

CHAIR SCHNEIDER: The source.

MR. REARDON: At the source, exactly.

CHAIR SCHNEIDER: How about the structural integrity of the building?

MR. REARDON: Okay. He spoke to - our building official is Curtis Craig. He spoke to Mr. Craig numerous times and the final word Mr. Craig told him is to work it out with me, okay, because he was kind of feeling badgered. The Code is clear that this type of repair, by his own admission, the repair is well over 50% of the cost of the building, the value of the building, and the replacement cost of the building. You need drawings. This has got to be – this repair has got to be designed, the whole building has got to be brought up to Code. The Code is clear and there's no way that he can proceed. He's attempting to get the building official to agree to a permit to just do a board-for-board replacement which can be done on

smaller repairs where it hasn't been condemned. This thing is beyond that. This has gotten too far. We need a design professional to design –

CHAIR SCHNEIDER: In your opinion as a professional inspector is this structure dilapidated to the point where it's become hazardous to life, limb, and property?

MR. REARDON: Yes, this is an unsafe structure, otherwise it would have never been brought to this Board.

MR. MADFIS: I'll make a motion to recommend that we have this structure torn down.

CHAIR SCHNEIDER: Do we have a second?

MR. KERNEY: I second that.

CHAIR SCHNEIDER: Do we have any discussion? The motion is to demolish the structure.

MR. REARDON: Actually, I think and correct me if I'm wrong, isn't that verbiage the City would ask you to give the property owner thirty days to demolish the building and if he doesn't demolish it in that time, the City will move forward with the demolition.

CHAIR SCHNEIDER: That's correct. For the record, that will be the motion. The Board is requesting that the owner demolish the property and if the property is not demolished within thirty days then we will refer it to the City for demolition.

RESPONDENT: May I say something?

CHAIR SCHNEIDER: One minute, sir. I have a motion on the floor. I will follow Roberts Rules of Order. Is there any further discussion by the Board? Being none – yes, sir.

RESPONDENT: Actually, [inaudible] I called Mr. Craig and Ken's suggestion and I said word for word what he told me to say to him and Mr. Craig said it would be alright I would repair that building. Now, if I'm going to tear it down, I'm going to tear it down, but I'm an old man and I'm not going to be able to tear it down in thirty days. I will tear it down and remove it.

CHAIR SCHNEIDER: Well –

RESPONDENT: Thirty days is not very long.

MR. KERNEY: It takes longer than thirty days before the City will –

RESPONDENT: [inaudible]

CHAIR SCHNEIDER: Mr. Hatcher, first of all, you have thirty days from today to tear it down and then after that thirty days when it comes back and you haven't complied with that, it's probably going to take an additional sixty days for the City to show up out there and tear it down. So that gives you ninety days.

RESPONDENT: I'll have it down and out in ninety days.

CHAIR SCHNEIDER: Very well. The Chair is calling for the question. On the motion, all in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

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

MS. MOHAMMED: The next case, same page three. It's the next case down. Inspector Wayne Strawn, case number CE05010324; property address 809 Northwest 15th Avenue. The owner is Herbert Myers, Albert Myers, Joyce Ann Fernandez, Mary Dashiell, and Perry Myers. Last permit issued 5/9/72 for a sewer tap. Certified mail sent to Herbert Myers, green card signed by Herbert Myers dated 9/7/05 certified mail sent to Perry Myers, green card signed by Lula Myers dated 9/8/05; certified mail sent to Albert Myers, green card signed by Mary L. Myers dated 9/6/05; certified mail sent to Mary Dashiell, green card not returned; certified mail sent to Joyce Ann Fernandez, the green card not returned.

CHAIR SCHNEIDER: Wayne, this case has been read and come before this Board previously, has it not?

MR. STRAWN: That's correct.

CHAIR SCHNEIDER: How's the progress going?

MR. STRAWN: Yes, I reinspected the building with regard to the special conditions placed on the extension and the building has been secured and boarded up except for apartment number four which is occupied. The Board also specified that a licensed electrical contractor evaluate the electrical system for safety because of the water intrusion. We have no documentation that this has taken place and so I put it back on the agenda of the Board and it would have been heard last month. I have spoken to Mrs. Dashiell and she has had an electrician look at it, but he never got a permit, and he didn't do a thorough look at the panel or look for any water damage because he didn't get a permit.

CHAIR SCHNEIDER: Do we have a written report on that?

MR. STRAWN: We don't have that either. So, what we're looking for is a written report. I can talk to the chief - I have assured Mrs. Dashiell that I can talk to the chief electrical and make sure that Mr. Burrows who originally was there or anyone that - any electrical

contractor that the people want, gets a permit to evaluate the system and has an electrical inspector come out there. I don't concur with his findings.

CHAIR SCHNEIDER: Is a permit really required to evaluate and inspect the property?

MR. STRAWN: What I wanted was to have one of our electrical inspectors concur with his findings and I can't get him out there without a permit.

CHAIR SCHNEIDER: I see. We have a respondent I think who has some documentation.

RESPONDENT: Yes. Jim Eddy, I represent Mary Dashiel. She hired a person to go out there and he applied for a permit and was denied.

CHAIR SCHNEIDER: Do we know why the permit was denied?

RESPONDENT: I don't.

UNKNOWN SPEAKER: Good afternoon, Board.

CHAIR SCHNEIDER: Please state your name.

MR. CAPORALL: Nick Caporall and I'm a licensed building contractor, State of Florida, CBC054495.

CHAIR SCHNEIDER: Are you also an electrical contractor?

MR. CAPORALL: No, I'm not. I was here last month for the meeting and I think there wasn't a quorum and I was hired by Mary to go out and inspect the property as a general contractor with a list of violations that have been on here and I remember that I saw the electrical permit. I know it had gone through. I think that they were, you know, asking for some additional – no, they were asking for some perhaps blueprints and some load calculations and maybe even a panel schedule. Now, this was a permit that was supposed to be issued basically to do a safety check, fix some outlets, a smoke detector, and check on the waterheater.

CHAIR SCHNEIDER: Well, first of all, what Wayne is asking for is that a permit be issued so there can be a concurrence between the position –

MR. CAPORALL: I understand.

CHAIR SCHNEIDER: - of the electrical contractor and the City of Fort Lauderdale inspection department, and I can't get that concurrence unless the City is willing to issue a permit to at least go out and do a visual inspection and a concurrence inspection with the electrical contractor. And, quite frankly, sir, with all due respect, you're probably one awful good builder, but you're not very good as an electrical contractor.

MR. CAPORALL: No, I wouldn't be a very good electrical contractor. I don't like to mess around with it. But I talked to Wayne last month because I had the – I think that I had the permit in my hand. I was given – Mary Dashiel had given it back to me from the electrical contractor and I said, Wayne, maybe you can speak with the plans examiner –

CHAIR SCHNEIDER: George applied for the permit and what it says and what he applied for was for a smoke alarm for Code compliance. Well –

MR. CAPORALL: I think maybe Mary – he didn't understand the full ramifications and she said, you know, come and fix the smoke detector and a couple of other things and –

MR. KERNEY: I have a question. You mean to tell me you can't get a courtesy inspection or an inspector to come out and look without pulling a permit and if you did, what would you put on the permit application?

MR. CAPORALL: Actually, I probably did get a courtesy inspection. I have a pretty good rapport with most of the cities. I was brought in late to the game so I apologize, gentlemen. I was brought in just a couple of days before –

MR. KERNEY: Let me interrupt you for just a second then and ask the City Inspector, what – if I was the electrical contractor and I was going - wanted a courtesy inspection, to come out, what would I put on the permit application? Is that what I would put as the purpose?

MR. STRAWN: You have to pay for permits. Then it would fall out of the category of a courtesy inspection.

MR. KERNEY: Okay. In other words, they're kind of caught in a catch-22 from what I can see; that you want an electrical inspector to come out and go with you, yet they have to pull a permit to do that.

MR. STRAWN: The electrical department didn't consult me. I think this is a case of no coordination. They may have accessed on the computer the violations charged and Florida Building Code 111.2.1.3.1 charges that electrical distribution panels have been changed out. I think perhaps we've put the electrical department in a difficult situation. They're not going to go out and just generally look over the thing. If the panel's been changed out without a permit, they're not going to approve it until they get a permit to change out the panel.

MR. KERNEY: Then would it be possible for you to withdraw your request, as that being a stipulation, and so that they can move forward?

MR. CAPORALL: In order to move forward, they need to get a builder involved, correct, which they've done. They need to get an architect involved. But my understanding, and I apologize that I missed the meeting before this, part of the stipulation was that you requested that an electrical inspector go out and it seems that that's not possible.

MR. STRAWN: Actually, what the Board requested was that they have some assurance that the electrical system is safe if someone was going to stay there and occupy that apartment. So, if the Board wishes to accept a statement by a licensed electrical contractor –

CHAIR SCHNEIDER: Absolutely. Absolutely, he has – as long as this – as long as the electrical service and the electrical system meets within the current Florida – the criteria set forth under the current Florida Building Code that an electrical contractor can review that and I think that service is no larger than four to six hundred amps single-phase, then yes, either a State registered or a State certified electrical contractor can do that. If the service is outside of that window, then it has to be done by a State certified electrical engineer.

MR. STRAWN: Well, of course we know, and just to sort out a point, if the panel's been changed out, that requires a permit. So, they'll never meet Florida Building Code until we get a permit for any work done there without permits.

CHAIR SCHNEIDER: As far as a courtesy inspection goes, quite frankly, under the laws of the State of Florida, there is no such animal. The fact of the matter is, is that it has been a policy of many building departments throughout the community in Broward County to afford courtesy inspections under the purview of the authority having jurisdiction and that's usually the chief of that department. Yes, sir, you had a question?

MR. MADFIS: I was just going to say just that. There was a time when I thought the City had like a pre-purchase service that you paid for and they would send out some inspectors. I'm not sure if that's still available or not.

MR. STRAWN: Yes, that's still available.

MR. KERNEY: So why don't we have the owners bring an electrical contractor out there, do a survey, give them a price to fix it, and move forward.

CHAIR SCHNEIDER: Provided again, and I want to stipulate – provided it's under the restrictions in the Florida Building Code that it's under the guise that a State certified or State registered electrical contractor can do that. If not, then it needs to be a licensed electrical engineer. And the Code is very clear with regard to the site of the service and the voltage in the system.

MR. STRAWN: The amperage is small enough.

MR. CAPORALL: I don't think the panel has been changed out in Mary Dashiel's personal unit either. That is still the original panel.

CHAIR SCHNEIDER: We're not interested in just Mary Dashiel's apartment. We're interested in the entire structure.

MR. CAPORALL: That's going to make it slightly more difficult, guys. Then I need to find a way to get some access to the other four units so the electrical contractor can even do a complete survey.

MR. STRAWN: Well, before this property leaves the jurisdiction of this Board, all violations on the charging document will have to be addressed, including the panels that are changed out in other units. I think what we're discussing right now is the fact that Mary wants to continue to live there and we want to ensure that it's safe for her to live there.

CHAIR SCHNEIDER: I'd like to ask Mrs. Dashiell's attorney and the other attorney a couple of questions if I might. What is the progress? At the last hearing when you were here sixty days ago, I believe there was some conversation, if I recall properly, that you folks were in the process of trying to clear the deeds on the property and sell the property or something?

MR. EDDY: The property's in probate and there's five houses and this apartment unit that are in the estate. There was an attempt to convey them out of the estate by the personal representative but the deeds are defective. So, we were in the probate court with the judge; he's requiring at this point that all properties be appraised and so forth, or whatever arrangements are made between the family members. So, at this point, we're negotiating to try to purchase the property - this particular property by Mary. If that's accomplished then she'll go ahead and do the repairs and all, but all these other properties are also involved at this point. So, I guess, the other attorneys and I will have to get together and work out something so that they don't have to sell all of their houses and the apartments.

CHAIR SCHNEIDER: And how's your progress coming?

MS. STEWART: Good afternoon, Joy Stewart here representing Joyce Ann Fernandez, Mary Myers, and Lula Myers who are here present. We did - we were told last time it needs to be boarded up or an electrical contractor needs to go out and submit some paperwork in regards to getting it up to Code. Ms. Dashiell is the only one that lives in this property. My client had boarded up the rest of the entire property. So, I mean, the rest of the property is secure. My clients would like for the entire property to be boarded up because this all for the sake of all these permits, the electrical contractor, etcetera, this is all for the benefit of Ms. Dashiell only.

CHAIR SCHNEIDER: When Ms. Dashiell's attorney makes reference to the fact that she's trying to buy the property, that raises the question in my mind, can the property legally be sold under the new real estate laws of the State of Florida with regard to the state that the - the condition the property is under without it being fixed up first?

MS. STEWART: And if I may, not just that, there's a good likelihood at this point that it will not be sold to Mrs. Dashiell in regards to the other properties, it might be partitioned, etcetera. We're just simply trying to keep the building intact until it is sold.

CHAIR SCHNEIDER: My question to you is, can you make arrangements for access to be granted to a licensed either State certified or a State registered electrical contractor so we can have a review of the property and see what genuine state the electrical nature is of this property, so we can make a reasonable assessment on this Board?

MS. STEWART: The thing is that we've already used A Quick, I believe we were recommended by someone at the City, in order to board the property up and my clients have incurred expenses in order to board it up to try to comply with the Board's wish.

CHAIR SCHNEIDER: Did they board up the doors completely or is the door accessible?

UNKNOWN SPEAKER: They're not all boarded up.

CHAIR SCHNEIDER: So, they can gain entry through the doors?

UNKNOWN SPEAKER: In some apartments; yes, they can.

MS. STEWART: I believe the inspector even –

CHAIR SCHNEIDER: Time out. If anybody wants to speak, please approach the podium, state your name into the mike and do it one at a time in a courteous, professional manner and I'll be happy –

MR. KERNEY: We before we start hearing – I'm sorry, I don't mean to back up but again, I missed the last two meetings so I'm a little – somebody's got to catch me up a little bit, so I'm not making decisions on limited information. We have an apartment building. It's got five units in it of which one unit's occupied?

CHAIR SCHNEIDER: Correct.

MR. KERNEY: What does the City of Fort Lauderdale say about that unit being occupied? Is this where we got into the question of was it electrically safe?

CHAIR SCHNEIDER: Correct.

MR. KERNEY: Okay. Does the City of Fort Lauderdale believe that if the electrical portion of the building is safe that that one unit can remain occupied in a safe manner?

CHAIR SCHNEIDER: Wayne?

MR. STRAWN: The Florida Building Code actually defers to the Minimum Housing Code under local jurisdiction for some of its information and the entire building meets the criteria of an unsafe structure; that it's not fit to live in because it needs extensive repairs. What was requested at the time the discussion of electrical safety came up and general safety was an extension of time. At that time – you could review the minutes, but it was proposed to the two attorneys who were present and it was proposed to the Board that one of two things was

going to happen. Either they were going to tear it down – one of the attorneys representing the group who wanted to tear it down and the other attorney representing a person who wanted to fix it up. That one of these two things was going to happen and all that would be required was time. And the Board considered the safety issues with the sole thought of whether this would temporarily – could be considered to temporarily give a continuance of time and there's your context. As far as the City's concerned, it meets the criteria of the Florida Building Code as an unsafe structure. It has two routes to go; it either gets a permit to rebuild or it gets demolished. The particular problems to this property which this Board is grappling with are the ownership issues.

MR. KERNEY: Well, then it might be a moot point. If it's not safe to live in, then it really doesn't matter what the condition of the electric is. It needs to be boarded up in such a manner that the City is –

CHAIR SCHNEIDER: And that's correct and that's exactly where we were sixty days ago. And the only reason an extension was granted was to amiably not displace Mrs. Dashiell, number one, and number two, to have an electrical contractor come back and tell us what the state of the electrical work was in the building because there was evidence at that time that there was severe water intrusion and we wanted to know if it was safe or not. And if it's going to continue to get rolled around, I'm inclined to entertain a motion to demolish the structure. It's that simple. It's that cut and dry. I can't wait forever for somebody to make a decision whether or not they're going to comply with the request of this Board.

MR. MADFIS: Mr. Chairman?

CHAIR SCHNEIDER: Yes, sir?

MR. MADFIS: I just wanted to say that, yes, they've actually had an extra thirty days in which to get the electrician out there to do this confirmation, if occupying that one unit was such a concern, I think there was sort of a little reprieve last month and they could have taken that time to be a little more thorough.

CHAIR SCHNEIDER: Well, I think in defense of Mrs. Dashiell, quite frankly, the misunderstanding that comes into play was the request that an electrical permit be issued and then the permit was denied.

MR. MADFIS: Was there a request that the permit be issued?

CHAIR SCHNEIDER: Yeah, I had a copy that Mrs. Dashiell's attorney – that Burrow's electric applied for a permit, but it was denied.

MR. MADFIS: I didn't know that was the order of the Board to apply for a permit.

CHAIR SCHNEIDER: I don't ever remember requiring for a permit; I do remember requesting that we have an electrical contractor certify the state of the electrical work in the property.

MR. EDDY: There was no stipulation that a permit had to be issued. It was a request for a report from an electrical contractor is what the statement was. Here we are sixty days later. We have nothing. You know, I could see this thing taking a year or more. They don't have any intent of hiring an architect or an engineer to do the work that's necessary to even begin the process of apply for a permit. So, I mean, nobody's offered that up yet. They boarded up the doors and windows which is great, but you know, I mean, now forward – now we're sixty days in and we don't even have a process started. Nobody is even said they were going to do the process.

CHAIR SCHNEIDER: First, let me hear from Mrs. Dashiell. She was first and then I'd like to hear from these two ladies behind her.

MS. DASHIEL: My name is Mary Dashiell and I live there. I was living there for ten years before my father passed away. So it's very easy for someone else to walk in and say push it down. I mean, this is something that the rest of the people were just collecting rent there so they could care less. I feel that they were as responsible for those units because they were supposed to have been owners, to keep those places in shape, and all they wanted to do was to collect rent and they didn't care anything about the place. Right now, I do the maintenance and upkeep of the whole entire building. They care less about that building. I do. And I have sentimental values and feelings there. Now, when you said that we had to have a permit, an electrical permit to see if it was safe for me to stay there, I hired Mr. Burrows.

CHAIR SCHNEIDER: No, ma'am. I said I wanted a report from an electrical contractor.

MS. DASHIEL: Well, Mr. Burrows went in. At that time, it wasn't boarded up, and he examined all the units.

CHAIR SCHNEIDER: Where's the letter?

MS. DASHIEL: I could have gotten a letter, but Mr. Burrows, when he was denied the permit, what else this man was going to say because he was going to have his electrician go in there and do a thorough examination of everything. Everything is boarded up. How can he examine everything?

CHAIR SCHNEIDER: Mrs. Dashiell, please. There are three electrical contractors in this County that have been in this County for over thirty years and George Burrows is one of them. So, I know George personally and when George Burrows says he's going to do something, George does it.

MS. DASHIEL: Well, he did that, sir. He came out and he tried to work with me, but then when he went down to apply for the permit, they told him he had to go and get a whole drawing of the whole building and structure this and – I mean, this is what was told to Mr. Burrows. Mr. Burrows told me all I needed when he came in there that he could see at this time that my smoke alarm was already up there. He told me to go out there and get a smoke detector that had the batteries in it, back up batteries. I went and bought what he told me to buy. He said when I get the permit I will have my man come in and install the smoke alarm. He checked all of my electrical outlets and he said everything else was in shape. There was no loose wiring or no damage that could be damage to me in my apartment; that it was not unsafe. The problem I am having and everybody know that because they did not want to get together and get the roof fixed, that the roof was leaking, and that roof is old. So that is a problem that can be addressed. Now, I could have put a new roof on there, but why should I? My attorney advised me not to put a new roof on there and I don't own the property.

CHAIR SCHNEIDER: Mrs. Dashiell, let me hear from this lady behind you. Please state your name.

MS. MYERS: Mary L. Myers.

CHAIR SCHNEIDER: Yes, ma'am.

MS. MYERS: We did not know about the roof leaking. She did not contact us. And when we went over –

CHAIR SCHNEIDER: Time out, time out. I need all of you to understand that this Board does not care about who told what, when they were told, or how they were told, etc., etc., etc. What we care about is a) that the property is compliant with the Codes and the City ordinances, and that it is not an unsafe structure. Now, it has already been stated by the inspector for the City of Fort Lauderdale that the entire structure, including Mrs. Dashiell's property or apartment if you will, is in an unsafe state and has two ways to go. One, either get blueprints and plans and submit it for permit and make the repairs or tear it down. At the last meeting we were all at sixty days ago, we requested that an electrical contractor certify the state of the electrical work in the property. That hasn't been done to this point. As far as I can tell, what we've got here is we've got a rift between you folks and Mrs. Dashiell. You folks want to sell or tear down the property; Mrs. Dashiell wants to maintain the property and maybe fix it up or maybe not fix it up.

MS. MYERS: Can I say something?

CHAIR SCHNEIDER: Yes, ma'am.

MS. MYERS: Because she will not get along with us, she will not let us comply with anything. We had to get the police to go in there and board the place up. She now got dogs out there digging up in the yard. She's storing a rug in front of my apartment. I had cleaned the apartment out and it was clean in the front, and she got stuff stacked up on the other end

of the apartment where nothing was there and the apartment is just full of junk in front of it. So, if she's trying to comply, why is she doing this to us?

CHAIR SCHNEIDER: I can't answer that.

MS. MYERS: Alright then, that's what all I have to say.

MR. KERNEY: I have a question for the attorney.

CHAIR SCHNEIDER: I have the architect on the end who has a question.

MR. KERNEY: Oh, I'm sorry. I didn't catch your name counselor? Joy. Why did you make the comment or why do you feel as though the selling of the property won't come to fruition? Is there something that the Board needs to know?

MS. STEWART: They have offered to sell it to her and every time there's this whole thing, well, I want – I think the last time she said she wants the property inspected and it had to have – she lives in the property. I mean, it's a constant battle. You know, we've said, okay, we had an offer on the table. They wanted to sell it to her just to kind of end things, whoever will be responsible for it. She wants to fix it up, tear it down, whatever, and she can deal with you guys about it, I mean, to be quite honest. Because she lives there and she claims that, you know, she wants to continue living there. Well, we cannot get the deal done.

CHAIR SCHNEIDER: Well, unfortunately, it's in a state of and a position right now where everybody's in the mix and we're all going to deal with it. So, having said that, before I entertain a motion from this Board – yes, ma'am, please. You have been patiently waiting. Please come forward. State your name please.

MS. L. MYERS: Lula Myers. My concern is that you're talking about an electrical inspector and all. I did what – with my one-fifth percent is to board it up. I did board it up. My question to the panel, to the Board is once – if she acquires an electrical person to come in to take a look and see whether or not it's a safe structure if everything is done, does that mean that that same electrical person would have to come into each individual, all five apartments to see whether or not whatever is going wrong with one is connected to the other? Same as with the roof or something else?

CHAIR SCHNEIDER: Yes.

MS. L. MYERS: My question is that and my comment would be, as I said earlier, I did comply. All the other could care less. I did comply in boarding up, but I don't feel - it's causing me undue hardship because she may or may not be contrary to go ahead and board it up until we come to one consensus of what we're going to do with it, which means that if any portion's unboarded, anything that's found to be for with her unit because of all the others because they're so old and it's connected, that causes me undue hardship with more money, which my druthers or my favor would be if everything would be boarded up until all of us

come to a consensus as to what we're going to do with it, regardless of who it is sold to. I'm a senior; I'm sixty-eight years old. I'm on a fixed income and I can't afford to take care of contractors and/or City members trying to comply. I really would appreciate it if you would just come to anything that would be feasible for everybody to come to so that it's not an eyesore in a sense, only simply because what's there, it can be cleaned up. But if we can come – have some kind of structure so we can come together in one accord and see what we're going to do, whether or not we sell, tear down, or what.

CHAIR SCHNEIDER: We're probably going to do that for you today.

MS. L. MYERS: I really would appreciate it. Thank you.

MS. STEWART: If I might just, Mr. Kerney asked me a question also. The judge did say that it would be sold. He's going to order it to be sold whether it's to her – whatever our next court date is, I don't what that date is at this time. But it's either going to be sold to her, excuse me, or it's going to be sold outright and there are people interested in the property so I don't think that –

CHAIR SCHNEIDER: They're probably interested in the dirt. They're probably not interested in the building.

MR. KERNEY: Well, that makes it easy for us. What I'm inclined to do is make a motion that we require the entire property boarded up, even though Mrs. Dashiell is going to have to move out and I apologize for that – that the entire property be boarded up and that we give an extension of sixty to ninety days to let their ownership play out in court. And at that time, it will be back in front of us and we'll make a decision then. I'll put that in the form of a motion if somebody would second it.

CHAIR SCHNEIDER: Do we have a second?

MR. MADFIS: I'll second that.

CHAIR SCHNEIDER: Discussion? Wayne?

MR. STRAWN: Yes, if that's the case, then I would request that you also add that the power be disconnected to the building entirely and remove that hazard completely.

CHAIR SCHNEIDER: Absolutely. But my further question to you is, is that over that sixty to ninety day period, is the structure in such a shape that it presents other imminent danger?

MR. STRAWN: No, it does not. If it was entirely boarded up – it is a concrete structure with a concrete roof. One of the major criteria used in this condemnation procedure was the Minimum Housing meaning it's not fit to live in with all the water intrusion. So it presents much less of a hazard, no hazard if the electric is cut off, and it's completely boarded up.

MR. KERNEY: So, then let me restate the motion - that the property be completely vacated, that it be boarded up and the power or electrical service to the building be terminated, and a ninety day extension to this Board so they can work out their ownership problems.

CHAIR SCHNEIDER: We have a second to that motion?

MR. MADFIS: That's fine. I'll second that.

CHAIR SCHNEIDER: Any further discussion? On the motion, all in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: All opposed, like sign? The motion carries. You are instructed to board up the property, vacate the property, and disconnect the electrical utilities from it. Next case.

MS. MOHAMMED: The next case, page two of your agenda. It's the last case down. Inspector Kenneth Reardon, case number CE04111837; property address 3601 Southwest 2nd Street; the owner Vincent M. and Jacqueline Graham. Last permit pulled 4/22/04 for additional two bedrooms, bath, den, first floor, and second story three bedrooms two bath. Certified mail sent to Vincent and Jacqueline Graham, green card signed, signature illegible, dated 9/7/05. Certified mail sent to Countrywide Home Loans, green card signed by Kenneth C. Barthsham [phonetic] dated 9/8/05; certified mail sent to the Patient Hall [phonetic] Corporation System, Inc., green card returned, signature illegible, dated 9/8/05.

CHAIR SCHNEIDER: What's your progress, Kenneth?

MR. REARDON: Good afternoon, Board. At the July meeting, you had given Mr. Graham thirty days to remove the unfinished work or you would issue an order of demolition. I passed by today and I see no progress.

CHAIR SCHNEIDER: Thank you.

MR. REARDON: I would ask that you give the owner thirty days to demolish the unfinished work or order the City to.

CHAIR SCHNEIDER: Let me hear from the respondent.

RESPONDENT: I would tend to disagree because since I was here the last time, I had a bulldozer in back of the house, a bulldozer. First of all, the report that was made when I came here first, I took care of about ninety percent of that even before I came here. And when I came the last time, you said make some progress, blah, blah. Since I was here the last time, I had a bulldozer out there knock down, and basically all I have left is a foundation covered up under the dirt and two half-walls by the side. Also, I've engaged an architect; his

name is Mick Fogita [phonetic] preparing plans to get the permit to do the structure. What is left there can be incorporated in a new structure. Progress has been made since I've been here. Since I've been here last time, I called a bulldozer man to knock down and cover up and do something since then.

MR. KERNEY: How can there be such a discrepancy between –

CHAIR SCHNEIDER: Yeah, between what you're saying and what the inspector says?

MR. GRAHAM: Since I've been here the last time –

MR. REARDON: I can point out what is still visible. There's – along the – standing in front of the house along the left side in the back, an incomplete structure. From looking on the right side, the incomplete structure is still there, with columns coming up with steel reinforcing above it. Let me pass these out to the Board.

MR. CARROLL: Didn't we say to demo the structure though? I mean, there was no caveat that he was going to hire an architect or anything at that point. He never brought it up.

MR. GRAHAM: The last time I was here, I discussed that. What is left there can be used in the new structure if I apply for a permit.

MR. MADFIS: I think we determined that the ability to reincorporate that work into your new plan was going to be cost prohibitive in order to get the validation of the foundation and all the other rebars and -

MR. GRAHAM: Let us just ask an engineer, our engineering firm, a testing firm to say this foundation, what do you call the electromagnet to say the foundation is done right and so on and so on. I can pay for that to be done. To incorporate in the new structure once I have the plans drawn.

MR. MADFIS: But we don't even know at this point if you even have that. I mean –

MR. GRAHAM: If you have what?

MR. MADFIS: That the foundation is even going forward. We don't have any information here.

MR. KERNEY: You'll never get to reuse these walls again. You can't incorporate these walls into –

MR. GRAHAM: Yeah, that's down. All of this is down.

MR. REARDON: The columns are still there.

MR. GRAHAM: Okay. All that's left of this work, this top column, the steel – the steel

that's shoring up the column. The steel comes up to about here with a bucket covered over it. All that's left is – all these walls are gone. The columns – where the columns would have been just the stub columns are there with a bucket, a red bucket covering over all of them. There's no wall that's left there.

MR. REARDON: He's removed the concrete blocks; the beams, the columns are there and then something along the west side I see of the house.

MR. GRAHAM: That's just a form work – a total, all that is going to be is a total concrete wall. So the form work is there. I can knock that down.

MR. KERNEY: I'm just a dumb old plumbing contractor and maybe I don't know much about building, but if you put something up without a permit, you can't use it. You can't incorporate it –

MR. GRAHAM: I had a permit at first. The permit run –

MR. KERNEY: So, this has been inspected? I'm sorry? '99? You're going to have to tear it down anyway. You're not going to be able to reuse it.

MR. GRAHAM: The foundation –

MR. KERNEY: You're not going to be able to reuse it. It doesn't matter. It doesn't meet Code and a current inspector has to look at it.

MR. GRAHAM: I'll bet you the foundation meets more than current Code.

MR. KERNEY: You're probably right, but the fact that an inspector didn't look at it before you put it in, you're not going to be able to reuse it.

MR. GRAHAM: I had an engineer, an engineer firm, I had Walter [inaudible] was one of America's known engineers did the inspection and then I called an engineering firm, a testing firm –

MR. KERNEY: Show me on here what you're trying to reuse. What portions are you trying to reuse because maybe I'm confused.

MR. GRAHAM: It's underground. The portion I'm trying to reuse [inaudible] it can't be seen.

MR. KERNEY: So, let me hear from the inspector then. Is there more than just the underground?

MR. REARDON: Yeah, there's more than underground left there. Let me ask Mr. Graham, the County permit. Was it a Broward County permit that was issued, okay, we have since incorporated, the Broward County permit expired, but prior to it being expired, did you

obtain any inspections from the County?

MR. GRAHAM: Well I got – what the County wanted is an engineer to go and give an engineering report and I gave them that.

MR. KERNEY: Got you.

MR. CARROLL: I believe the work was done entirely without inspections from what I remember and the fact of the matter is and I think we had great discussion about this, the new Code is coming out October 1st, which is you know, fifteen days from now and it's not going to change drastically, but this stuff was started even before the '01 Code was put into effect, so the buried depth – even if the foundation is 30 by 30, it's still not going to be sufficient because the buried depth isn't going to be adequate. Right there you lose. And you agreed that you would tear it down and I don't know why we're even –

CHAIR SCHNEIDER: Any more comments? The Chair will entertain a motion from the Board.

MR. CARROLL: I'll make a motion to tear it down immediately and, you know, as per the requirements of the normal statement.

CHAIR SCHNEIDER: Can you restate your motion to the effect that you give the Respondent thirty days to tear the structure down in its entirety to grade level.

MR. CARROLL: I thought we already had that motion last time.

CHAIR SCHNEIDER: Well, I have to have it officiated into the record.

MR. CARROLL: Why are we making a second thirty days? He already had sixty days.

CHAIR SCHNEIDER: You have to give him thirty days to tear it down.

MR. CARROLL: We already did that.

CHAIR SCHNEIDER: You gave him an extension. Now you're going to give him a demolition order.

MR. CARROLL: Alright. I thought we told him to tear it down.

CHAIR SCHNEIDER: You gave him an extension because he volunteered that he would tear it down. Now you're giving him a demolition order.

MR. CARROLL: Okay, I make the motion for a demolition, give the Respondent thirty days to tear the structure down to grade and below, removing all structural elements.

MR. KERNEY: Second.

CHAIR SCHNEIDER: Any discussion? Being none, all those in favor –

MR. GRAHAM: Question.

CHAIR SCHNEIDER: Let me deal with the motion. All in favor signify by saying aye.

BOARD MEMBERS: Aye [unanimously].

CHAIR SCHNEIDER: All opposed, like sign. Yes, sir?

MR. GRAHAM: The question, I'd like to clarify where this concerns. Tearing it down or knock down whatever steel is left in thirty days, I could –

CHAIR SCHNEIDER: That means tear it down and remove the footers and get it out of there and restore it to grade.

MR. GRAHAM: But the problem is getting out the footers within thirty days. It might take me a little more time. The footers are huge. I will need a little more time than thirty days to get the footers out.

CHAIR SCHNEIDER: Well, sir, I'll tell you what I told the other gentleman earlier. You have thirty days to get it out of there, if at which time it's not removed, it will then be referred to the City Commission at which time the City Commission will vote on hiring a contractor to get it out of there and at that time, they'll levy against your property if you don't have it out of there. That's it.

MR. GRAHAM: What if I get everything, like say –

CHAIR SCHNEIDER: Sir, the negotiation process is over. The Board has – it's out of our control at this point. We requested that you take this action sixty days ago. We didn't meet last month. You had a thirty day grace period. You have thirty days to remove the structure. Next case?

MS. MOHAMMED: That's the end, sir.

CHAIR SCHNEIDER: No board ups?

MS. MOHAMMED: No board ups.

CHAIR SCHNEIDER: Entertain a motion to adjourn.

MR. KERNEY: So moved.

MR. MADFIS: Second.

CHAIR SCHNEIDER: Thank you, Board.

EVE BAZER, BOARD CLERK

CHARLES SCHNEIDER, BOARD CHAIR

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held September 15, 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 October, 2005.

ProtoTYPE, INC.

LISA G. EDMONDSON
Recording Clerk

SWORN TO and SUBSCRIBED before me by LISA G. EDMONDSON who is personally known to me and who signed the foregoing for the purposes therein expressed.

DATED this ____ day of October, 2005.

NOTARY PUBLIC
State of Florida at Large

Notarial Seal: