

City of Fort Lauderdale
UNSAFE STRUCTURES BOARD
Thursday, August 17, 2006 at 3:00 p.m.
City Commission Meeting Room - City Hall

| Board Member | Attendance | Cumulative 1/1/06 to 12/31/06 | |
|--------------------------|-------------------|--------------------------------------|---------------|
| | | Present | Absent |
| Charles Schneider, Chair | P | 6 | 2 |
| Patrick Kerney | A | 6 | 2 |
| Olivia Charlton | P | 6 | 2 |
| John Carroll | A | 5 | 3 |
| Hector Heguaburo | P | 6 | 2 |
| Charles Minor | A | 4 | 4 |
| Michael Madfis | P | 7 | 1 |
| John Scherer | A | 7 | 1 |
| Chris Bellissimo | P | 6 | 1 |

City Staff

Farida Mohammed, Community Inspections
Yvette Ketor, Board Secretary
Assistant City Attorney
Wayne Strawn, City Building Inspector
Jamie Opperlee, Recording Clerk

Guests

CE06060884: Wilbur Bermudez, 31 NW 67th Street

The regular meeting of the Unsafe Structures Board convened at 3:10 p.m. on Thursday, July 17, 2006, at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

[Swearing in]

[Case CE05111611]

MS. MOHAMMED: First case, page one of your agenda, Wayne Strawn is the inspector for case number CE06060884, case address: 150 Northwest 68th Street; the site address, 31 Northwest 67th Street. The owner of the mobile park, Pan American Corp. and the mobile home, Wilbur Antonio Bermudez. Certified mail sent to Wilbur Antonio Bermudez returned “unknown.” Certified mail sent to Pan American Corp., signed for by Sally O. Bates, and certified mail sent to Frank W. Cox, signed for by Sally O. Bates, and certified mail sent to Southeastern Mobile Homes Inc. signed for by Sally O. Bates and we do have the property owner Wilbur Antonio Bermudez here, so we have service also by personal appearance.

INSPECTOR STRAWN: Wayne Strawn, City building inspector, with violations, with the aforementioned or afore-cited address. Florida Building code, the violations exist as stated on the notice of violation and they are as follow:

FBC 117.1.1

THE ADDITION ON THE WEST SIDE OF THE MOBILE HOME IS A WINDSTORM HAZARD AND DOES NOT COMPLY WITH THE MINIMUM STANDARD OF THE FORT LAUDERDALE HOUSING CODE.

FBC 117.1.2

THE ADDITION ON THE WEST SIDE OF THE MOBILE HOME HAS BEEN BUILT WITHOUT OBTAINING A PERMIT OR A CERTIFICATE OF OCCUPANCY AND IS PRESUMED AND DEEMED BY THE CODE TO BE UNSAFE.

FBC 117.2.1.2.8

THE DESIGN, MATERIALS AND CONSTRUCTION METHODS DO NOT COMPLY WITH THE FLORIDA BUILDING CODE. THE DESIGN OF THE ADDITION DOES NOT PROVIDE RESISTANCE TO UP-LIFT AS REQUIRED BY THE CODE. THE USE OF 2 X 4'S FOR RAFTERS AND WALL FRAMING DOES NOT PROVIDE THE DESIGN STRENGTH REQUIRED BY THE CODE TO RESIST PENETRATION BY WIND BORNE DEBRIS AND THE GRAVITY LOADS IMPOSED.

FBC 117.2.1.3.1

THE ADDITION HAS BEEN COMPLETED WITHOUT OBTAINING A PERMIT.

FBC 117.2.1.3.2

THE ADDITION DOES NOT COMPLY WITH THE REQUIREMENTS OF THE MINIMUM HOUSING CODE OF THE CITY OF FORT LAUDERDALE. THE REQUIRED LIGHT AND VENTILATION HAVE NOT BEEN PROVIDED.

The City is asking for a motion to demolish.

CHAIR SCHNEIDER: Can we hear from the respondent; would you please approach the podium and state your name in full.

MR. BERMUDEZ: Wilbur Bermudez.

CHAIR SCHNEIDER: What are we going to do here Wilbur?

MR. BERMUDEZ: I come in for you say you know I got a extra room on my house, but I no got it for living. Nobody living, only for my tools.

MR. HEGUABURO: Wilbur - I'm going to speak Spanish, Board, so he can understand what I'm talking about.

CHAIR SCHNEIDER: And I'll state it first in English for the Board and he will interpret what I'm saying. First of all Wilbur, any structure built in the City of Fort Lauderdale or in this community must be built by obtaining a permit and in order to obtain a permit, you have to have engineered, architect-approved plans.

MR. HEGUABURO: [translated Chair Schneider had said for Mr. Bermudez]

MR. BERMUDEZ: [spoke in Spanish to Mr. Heguaburo]

MR. HEGUABURO: [translated for Mr. Bermudez] He's stating that he doesn't have any electrical, any electrical [inaudible] only for tools.

CHAIR SCHNEIDER: It doesn't matter whether it's an occupied facility or not, it still requires to be, that it be built under and with a permit.

MR. HEGUABURO: [translated this for Mr. Bermudez]

MR. BERMUDEZ: [spoke in Spanish to Mr. Heguaburo]

MR. HEGUABURO: He's asking us if, he says that there was an existing roof there, Wayne, at the property? Was there an existing roof at the property?

INSPECTOR STRAWN: There may have been.

MR. HEGUABURO: And he's requesting whether he can leave the existing roof and knock off all the remaining walls that he had built.

INSPECTOR STRAWN: Whatever existing roof has been removed; the roof that's there now is made out of two-by-fours. So he's back to getting a permit for a roof. If there was an aluminum roof there at one time or that kind of a structure, a screen-porch-type roof, then he had to get a permit to replace it now that it's gone.

MR. HEGUABURO: Okay. [translated this for Mr. Bermudez]

MR. BERMUDEZ: [spoke in Spanish to Mr. Heguaburo]

MR. HEGUABURO: [translated for Mr. Bermudez] He's stating that it's an old roof that was there, that's always been there.

CHAIR SCHNEIDER: Well, if that's the case, the fact is that that roof was built illegally and not up to code requirements and the entire structure needs to be demolished, and if you want to replace it, then it needs to be built in accordance with the current code and with a permit, and you need to obtain engineered drawings to do so.

MR. HEGUABURO: Okay. [translated this for Mr. Bermudez]

MR. BERMUDEZ: [spoke in Spanish to Mr. Heguaburo]

MR. HEGUABURO: [translated for Mr. Bermudez] Wayne, he wants to know, if he gets a permit, does he still, is the roof acceptable or –

INSPECTOR STRAWN: No, two-by-fours haven't been allowed for fifty years, approximately, as horizontal framing members, so it won't meet any code as it stands now.

CHAIR SCHNEIDER: Well, I'd just tell him that, and tell him it has to be demolished. And if he wants to rebuild it, obviously he has to rebuild it in accordance with code.

MR. HEGUABURO: Okay. [translated this for Mr. Bermudez]

MR. BERMUDEZ: [spoke in Spanish to Mr. Heguaburo]

MR. HEGUABURO: [translated for Mr. Bermudez] He's stating that it's mostly demolished and he's just got the roof to knock down so, it's our call, what do we do?

CHAIR SCHNEIDER: When will he have the rest of the structure down so Wayne can go look at it?

MR. HEGUABURO: [translated this for Mr. Bermudez]

MR. BERMUDEZ: [spoke in Spanish to Mr. Heguaburo]

MR. HEGUABURO: [translated for Mr. Bermudez] He's requesting two weeks.

CHAIR SCHNEIDER: Alright, thank you, gracias. The Board will entertain a motion for a thirty-day continuance.

MR. MADFIS: I'll make a motion for thirty days.

CHAIR SCHNEIDER: Do we have a second?

MR. HEGUABURO: I second.

CHAIR SCHNEIDER: Any discussion?

MR. MADFIS: One question: is the, it's my understanding that the unit is not being occupied right now?

CHAIR SCHNEIDER: Wayne, there's no occupancy in this?

INSPECTOR STRAWN: I have no knowledge of the occupancy, however, we have sworn testimony today that it's only being used for tools.

MR. MADFIS: I'd like to know that there wouldn't be any occupancy in that space. Not to say that not having occupancy is any way to let it go, but it could hurt somebody else's property, but I'd hate to see these children –

MR. HEGUABURO: Are we requesting for him to come back in thirty days, or no?

MR. MADFIS: That's what the motion is, is give him thirty days to -

CHAIR SCHNEIDER: We're going to give him thirty days for a continuance, between now and then I think Wayne is going to go out and look at it again and come back to us.

Assistant City Attorney: If it's in compliance, then that'll be the end of it; we'll withdraw it.

CHAIR SCHNEIDER: Very well. Is there any further discussion?

MR. HEGUABURO: [translated this for Mr. Bermudez]

MR. BERMUDEZ: [spoke in Spanish] They have maybe six months living, for living they got a room, too many room, extra, no permit, no legal. People no have legal, you know? Why -

MR. HEGUABURO: [translated for Mr. Bermudez] He wants to know why there's so many other people building, has the same problem that he has and they haven't been bothering, why him.

CHAIR SCHNEIDER: I guess they just haven't been caught yet.

MR. HEGUABURO: [translated this for Mr. Bermudez]

CHAIR SCHNEIDER: Once they come before this Board, we take immediate action on them, just like we are with you. We don't treat anyone any differently than you, but sometimes people slip through the cracks and they don't get caught right away, but as soon as they come before the Board, we nail them.

MR. BERMUDEZ: You know, yesterday, when they see me, I drop [inaudible] My room is [inaudible] nobody come into my house, they told me. Too many people, people go to my house-

MR. HEGUABURO: I'm sure Wayne will be delighted to know the names of neighbors.

MR. BERMUDEZ: I don't know why he don't see.

CHAIR SCHNEIDER: Alright, any further comments, commentary? Being none, on the motion, all in favor signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHNEIDER: Those opposed? Motion carries. Move to adjourn.

MS. MOHAMMED: Thank you Sir. Sir, is it too late to state for the record that the other case on the agenda is withdrawn? Okay. Case number, page two of the agenda, case number CE06062203, withdrawn by the City. And that concludes today's agenda.

[Meeting concluded at 3:20]

FARIDA MOHAMMED, BOARD CLERK

CHARLES SCHNEIDER, CHAIR

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CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held August 17, 2006, 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 August, 2006.

ProtoTYPE, INC.

JAMIE OPPERLEE

Recording Clerk

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

DATED this _____ day of August 2006.

NOTARY PUBLIC

State of Florida at Large

Notarial Seal: