

City of Fort Lauderdale

UNSAFE STRUCTURES BOARD

Thursday, February 15, 2007 at 3:00 p.m.

City Commission Meeting Room - City Hall

**Cumulative 1/1/07
to 12/31/07**

Board Member	Attendance	Present	Absent
Chris Bellissimo	P	2	0
Olivia Charlton	P	2	0
Hector Heguaburo	P	1	1
Joe Holland	P	2	0
Patrick Kerney	P	2	0
Michael Madfis, Chair	P	2	0
Charles Minor	P	2	0
John Scherer	P	2	0

City Staff

Eve Bazer, Code Enforcement

Farida Mohammed

Yvette Ketor, Board Secretary

Wayne Strawn, City Building Inspector

Jamie Opperlee, Recording Clerk

Guests

CE06011118: Charles Crum

CE06070120: Henry Denis, owner

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<u>Case</u>	<u>Respondent</u>	<u>Page</u>
1. CE06011118	Charles Crum	2
Disposition:	30-day extension. Unanimously approved.	
4. CE06070120	Harry & Marie Denis	8
Disposition:	30 days to demolish the property or the City will demolish.	

The regular meeting of the Unsafe Structures Board convened at 3:00 p.m. on Thursday, February 15, 2007 at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

[Swearing in] [**1. Case CE06011118**]

MS. MOHAMMED: Good afternoon Board. First case, page two of your agenda. This is an old business case. Inspector Wayne Strawn for case number CE06011118, case address 731 Northwest Fifteenth Avenue, the owner Charles L. Crum. This case was first heard by the Unsafe Structures Board on 7/20/06, at that hearing the Board granted a 30-day extension of time to allow Mr. Crum to hire an architect and return to the Board with proof of having done so.

On 9/21/06, the Unsafe Structures Board granted a 30-day extension. This case came before the Board again on 11/16/06. At that hearing, the Board granted a 30-day extension with the provisions that Mr. Crum returns with a copy of the drawings that he had submitted to the City. And finally, it came before the Board on 12/21/06, at that hearing the Unsafe Structures Board granted an extension to 2/15/07.

We have, Mr. Crum is present. And mail was sent out by certified mail and what was received is all the green cards noted on your agenda.

MR. MADFIS: Does the City have anything to add to their case?

INSPECTOR STRAWN: Wayne Strawn, City building inspector, I went by the property today and it is secure and the power has been cut, so it doesn't present any immediate danger.

MR. MADFIS: Okay, thank you. And does the owner or representative for the owner have the permit or made any progress in addressing the issues?

MR. CRUM: My name is Charlie Crum.

MR. MADFIS: Go ahead sir.

MR. CRUM: I applied for the permit and everything, I have a permit number here.

MR. MADFIS: You have the permit, you say?

MR. CRUM: The number. They issued me a permit, the one for the roof, but from what I understand, I needed two, and they're waiting for Mr. Osborne to get the drawing, finish the drawing -

MR. MADFIS: I think that's where we were last time, if I recall.

MR. CRUM: Beg your pardon?

MR. MADFIS: I think that's exactly where we were last time. You had a process number, and you were waiting on your architect.

MR. CRUM: Yes, we did it again; we went further with it.

MR. MADFIS: Right, last time, you only applied for a roof permit.

MR. CRUM: Right, we applied for everything and they gave me, approved the trusses and everything went to Mr. Osborne, he pulled them and sent them back to the City and the City issued one permit but I need a second one.

MR. MADFIS: Right, you need a foundation permit.

MR. CRUM: Right, so that has been submitted also. This is the number, right, I imagine it's probably the same number.

MR. MADFIS: Wayne, do you have something to say about that? I'm sorry, thank you sir.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. There was a little added complication on the design because the original building was a duplex but there was no tenant separation higher than the ceilings, so the trusses went straight across and Bill Osborne had to design a way to provide the required tenant separation. And of course, what we were looking for is total rehab of the building, which the first permit application didn't deal with.

MR. MADFIS: So, has this permit application - I'm not sure whether we saw the drawings, and I think that was one of our concerns- that we weren't sure what type of permit was being really applied for and what the scope of the work was and I don't recall if we ever saw those drawings.

INSPECTOR STRAWN: Wayne Strawn, I haven't seen them either.

MR. MADFIS: Okay. Do you have anything else to add?

MR. CRUM: That's what we're waiting Mr. Osborne to do.

MR. MADFIS: Okay. Thank you. I'll bring it back to the Board, is there any motion, that wants to be made regarding this matter?

MR. KERNEY: Well, I have some questions for Mr. Crum. Do you have a set of drawings for the renovation of the building, with the exception of the roof and the trusses? Do you have a set of drawings, interior drawings and -

MR. CRUM: No, that's what Mr. Osborne is right now-

MR. KERNEY: He's still working on it.

MR. CRUM: Right.

MR. KERNEY: Any idea when he's going to be done with this?

MR. CRUM: Well, I talked to him last week, and he told me he had got the approval, he was going on with it. And that's as far as I got with him

MR. KERNEY: Okay.

MR. MADFIS: Do you have a contract with him to do this work?

MR. CRUM: Yes. I've already made a deposit.

MR. MADFIS: Any other questions?

MR. HOLLAND: Yes, sorry if I missed it, Mr. Osborne's role is -

MR. MADFIS: The architect.

MR. CRUM: Right.

MR. HOLLAND: Architect, okay, and he was unable to be here on your behalf, or you didn't ask him to or -

MR. CRUM: Right, I asked him -

MR. HOLLAND: And he wasn't able to? Okay, and the prior hearing, did we hear any aspects about Mr. Osborne and his role on your behalf? Any prior commitments or movement?

MR. MADFIS: You're asking the Board.

Actually, I'm trying to recall, it's been quite a while but we, I think we asked for to have this evidence of these plans a couple of meetings back and like I said earlier, I'm not sure we ever did see them, so I'm not sure you've actually complied with some of our earlier requests and it seems to be a repeat almost of the last meeting, as I recall it, where you came in and said the architect is working on the plans, we have a truss application, and here's another permit process number.

So in my mind, I'm not sure that I see any progress but I would bring it back to the board to see if they could determine if there has been.

INSPECTOR STRAWN: Mr. Chairman, I had a meeting with Bill Osborne earlier in the week about an

unrelated matter and he did mention to me that he was still taking care of this matter for Mr. Crum.

MR. MADFIS: Sure.

MR. KERNEY: Mr. Chairman, I believe Mr. Crum is moving in the right direction, he's applied for a permit for the roof, he's got somebody employed doing the drawings, things take time, everybody's busy, I know. So I would be inclined, if the City would so agree, that we extend, give an extension for thirty days. Certainly by that time though, I would expect that you would have some sort of drawings, even if they're preliminary. You need to come back here with something, and let Mr. Osborne know that the Board is getting impatient and wants to see more progress than just you telling us that he's working on it. So I'd like to put that in the form of a motion.

MR. HOLLAND: Second.

MR. MADFIS: Alright, any further discussion regarding that motion? I would just like to add that I just hate to see these things repeat and repeat and I think you had a little bit of an extension just based on the holiday time as well. It seems that we didn't have you in every month in a row here so. I'll call for a vote. All in favor of the motion as stated?

BOARD MEMBERS: Aye.

MR. MADFIS: All opposed? Motion passes.

[2. Case CE06070120]

MS. MOHAMMED: Next case, page four of your agenda. It's an old business case. Inspector Wayne Strawn for case number CE06070120, case address 1512 Northwest Sixth Avenue. The owner, Harry P. Denis and Marie Julie Denis. This case was first heard by the Unsafe Structures Board on 10/19/06, at that hearing the Board granted a 60-day continuance.

This case came before the Board 12/21/06. At that hearing, the Board continued the case to 1/18/07.

And at 1/18/07, the Unsafe Structures Board heard the case and granted an extension to 2/15/07. Certified mail and green cards are in the file, in the case file, and details are noted on your agenda.

MR. MADFIS: Does the City have anything to add to the current case?

INSPECTOR STRAWN: Wayne Strawn, City building inspector, I was at the property today and scratched out a little spot just to check the footings and it doesn't seem as though it has adequate footings on the addition on the east, so it seems to be a difficult problem to overcome besides the setback problems.

MR. MADFIS: Okay, thank you.

MR. DENIS: Good afternoon, Board. My name is Harry P. Denis, as I was meet with Zoning last first twenty-fifth '07 and I spoke to Mr. Morris, and the way the meeting was he encouraged me to cut the building as the City required, Mr. Wayne required to ten feet and move in the power lines. So I get in touch with the architect, he said he cannot use the same plan, he's got to redraw another plan to show that. So this one, I give him okay to draw it as Mr. Wayne said, he said the building doesn't have any footing, he have four inch concrete but it wasn't built.

What happened is, I have a picture of the building to show you both. This is the power line Mr. Strawn asked him to remove. Also, the addition is right there. Used to have four-inch concrete, he just built on the four-inch concrete, it was existing. So I don't know if he goes in there, he's [inaudible] difficult to see what he do have a foundation on it.

So this one is not another building. What happened, my sister-in-law, living at the back portions, but she was pregnant at the time and then she asked me to close the porch. And when I hired the architect he put me in the hot water.

MR. MADFIS: So you have a non-conforming condition that looks like it's hard to salvage, maybe

not worth salvaging. Do you have a plan of action right now?

MR. DENIS: Yes, I do have a plan but since Mr. Strawn told me to cut the building ten feet, the architect said he cannot use the same plan, so he got to draw another plan. Also, before that, for Mr. Morris, I already have all the, he asked me fifteen copies for the Zoning. I already provide everything. But at the last meeting he said, if it was me, to be quicker, it's easy to just ask what the City required, just cut ten feet, but I agree, that's why I stop the zoning.

MR. MADFIS: So you're not processing for a variance at this pint, you're going to go ahead and try to adjust your structure.

MR. DENIS: Yes, and remove the power line.

MR. MADFIS: Which is the electric service, you're going to relocate.

MR. DENIS: Yes. And whatever necessary as Mr.

-

MR. MADFIS: And you've hired a architect to prepare the plans for this?

MR. DENIS: Yes, the architect is already working on the plans.

MR. MADFIS: And the architect has made some investigations of the site and conditions and feels he can proceed?

MR. DENIS: Yes, as required, he's supposed to come.

MR. MADFIS: Because I thought you mentioned earlier that someone had come out and determined that there was insufficient structure there? Or not.

MR. DENIS: Yes he was with me at the meeting at the Zoning. So in the meantime, I told him I'm going to spoke with Mr. Wayne to see what else is required. But, when I spoke to him, he said that the building doesn't have any footage, but I do know used four inches concrete slab it was built on it. But if any further step is required I can do it.

MR. MADFIS: Wayne knows a lot about construction, but you need to be relying on your architect or your engineer to determine whether this project can be prepared in such a way that it can be submitted to the City to achieve a permit.

MR. DENIS: I do already have a plan but he have to, he told me again not to use the same plans.
[inaudible]

MR. MADFIS: He's convinced that he can do this work. He's going to prepare a new plan-

MR. DENIS: Yes.

MR. MADFIS: And then you're gong to submit that plan for a building permit.

MR. DENIS: Yes.

MR. MADFIS: And you're going to make the adjustments.

MR. DENIS: Yes.

MR. MADFIS: Okay. Do you have anything else to add, anything more to tell us?

MR. DENIS: [inaudible]

MR. MADFIS: Any other - Wayne, do you have anything to add?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. There's two issues that come to mind. Of course, we understand what his architect is talking about. He's drawn a plan which is code-complaint and shows a thickened edge, which is a monolithic slab. And if he cuts ten feet off the building to adhere to the setbacks, he'll be back onto the slab, which isn't, and it would have to be rebuilt according to that.

The other issue is also a serious one is that, Mr. Denis speaks about enclosing a porch or building on a four-inch slab, and my investigation today shows that I don't find a thickened edge, so although the architect has submitted a plan with a monolithic slab,

there might not be a monolithic slab under the whole structure so that, although you could get a permit, you couldn't pass field inspections.

And so a lot of money would be wasted again in the planning, and again with an architect whom, I have to admit, gave him bad advice to seek a variance to begin with. So the City sees it seems it's doubtful to save this structure, and is asking for a motion to demolish.

MR. MADFIS: Okay, thank you. Is there any questions from the Board for the property owner or for Wayne?

MR. HOLLAND: Michael? Excuse me. Mr. Denis, I am the structural engineer on this Board, and I'm new, but I do an awful lot of building investigations in my line of work, and one of the worst things I find is putting good money for bad on a poor foundations. A lot of do-it-yourselfers or even with permits, have additions put on houses on slabs that are unadequate structural thickness, and it's only a matter of time that the whole investment from the ground up is at risk, your financial investment, and that of your residence is often, with declining settlement and deterioration of that addition.

You've heard it many times, a good structure is built from the ground up and as Mr. Strawn has provided evidence that that slab isn't there, and nobody, maybe I have a little insight into the business of engineering, but for your sake and everybody else's sake it would be a really bad move to try and salvage anything that doesn't have an adequate foundation.

I also find often that trying to retrofit or jacking piles, and all these products somebody will throw at you are good money for a bad money investments, and really I think it's sometimes in your best interest to start anew, the permitted way. Even pulling this back out of the setback, and there was a question of the wires, I don't know if that was that relevant, but I think for life safety and everybody's interest, particularly your own and your tenant's, probably best idea to start anew because the foundation sounds like it's just not there. Thanks.

MR. MADFIS: Any other questions for the applicant, for the property owner?

MR. KERNEY: I have a question, Wayne, we asked at the last meeting that the structure be not lived in or used. Did you find Mr. Denis to be in compliance?

INSPECTOR STRAWN: I believe, according to today's inspection it was occupied.

MR. KERNEY: It was occupied?

INSPECTOR STRAWN: Yes. A gentleman and a child were entering the door, the door only accesses that part of the structure.

MR. DENIS: That's the door yes, but he live on the next portion but he got to use the door, the new addition to go in.

MR. MADFIS: So they're just passing through.

MR. DENIS: Because, yes, these are together, is together with the -

MR. KERNEY: Mr. Denis, based on what you've heard here, a structural engineer essentially telling you you're wasting your money by going this route and we see it on this Board quite a bit, people try to salvage structures that - and they end up spending more money if they had just taken it down and started over - what are you thinking now, what are you asking from us right now?

MR. DENIS: I just see if you have any other ways you can help me save it but the way I see it, it looks like I don't have no chance because what happened is lot of, I spend lot of money so I feel deep, very deep, so, if that's the way I have to do it, I don't have no choice.

MR. KERNEY: I certainly empathize with you, you have been victimized and I don't know if you have recourse against the person that victimized you legally, I hope you do. I'm inclined to give you another thirty days if you want to investigate, but again, you're paying somebody to give you advice that may not be the best advice.

I think you're going to find in the end that you're going to end up tearing the whole structure down and as bad as that makes all of us feel that you've spent that money and now that money's gone, I'd kind of like to hear from you that you want to start over again and tear it down and do it correctly. Or do you want the 30 days to see?

MR. DENIS: Yes, give me another 30 days to see.

MR. KERNEY: You'd like the 30 days.

MR. MADFIS: Can you at least give us an idea exactly what you're going to do in that 30 days.

MR. DENIS: I think this is, it look like is my best interest now to [inaudible] the building.

MR. MADFIS: Do you feel comfortable with this architect or engineer that you're working with that they're actually giving you the attention that you need?

MR. DENIS: Yes. He spoke to Mr. Wayne and he said anytime he said he can help, that should work. He's a professional, I stand behind his word.

MR. MADFIS: Has he visited the site?

MR. DENIS: Do you know him Mr. Strawn, Mr. Chester?

INSPECTOR STRAWN: I don't know, I didn't see any evidence of any digging around the footings.

MR. MADFIS: Right. It sounds like the prescription that he's given might meet the design code requirements but it might be actually difficult or impractical to install, and that's what we're concerned about. So if the designer has visited the site and actually done the proper investigation to determine that this is a practical solution I think we'd all feel more comfortable.

Or if that were your next step, perhaps, to bring somebody out there to do the proper investigation and make sure, in fact, that the solution and the direction you're going in is proper because we have been going on a few months and it's not clear that you've actually gotten a grip on just what we need to do here.

MR. DENIS: Maybe as we have, Mr. Joe as in January, I don't know if he see any avenue to make it work so.

MR. HOLLAND: I'm sorry.

MR. KERNEY: He was asking whether or not, based on what you've seen, is there, in your professional opinion, is there a way to make it work, which, you had said there's driving piles or -

MR. HOLLAND: The one picture, the testimony of the four-inch slab, normally that's virtually just a sidewalk, a patio. Too often I see people over the weekend behind the back of their house, put a whole new addition on.

Unfortunately, as much as you dislike engineers, we're here for a purpose, and our real purpose is life safety and one of the toughest jobs in the world is be a structural engineer and be responsible for people's lives. Some of these buildings can fall on people with the right amount of settlement, a heavy rain could make that slab start shifting under the excessive weight that's been put on it. It was supposed to be a few patio chairs and a table or two, now it's got this roof load, wall load, furniture load, human loads, dressers, heavy loads, that slab can't take it.

I would be willing to see what, if perhaps your architect could show good faith, you don't necessarily need an engineer, but if there's some kind of footing retrofit plan, at the minimum, but you can't have it in the setback anyway. I think there's an issue of the wire. Mr. Strawn, is this wire the FPL or just the drop?

INSPECTOR STRAWN: Yes, the service drop which hangs too low over the addition. The addition was built underneath the service drop. I might add also that I don't remember if I saw the plans that his architect drew up, whether they show CBS construction. But I slapped the wall today, and it's frame construction. And if it's not, we know that the code for frame, if it's a two-by-four frame, it's not acceptable either.

MR. MADFIS: Or spaced improperly. Alright, I guess we're ready to bring it. Anything more you need to add to the discussion? Okay, thank you. I'll bring it back for a motion if anybody's prepared to -

MR. KERNEY: Actually, based on the additional testimony by the City inspector, if that's not made out of block, they're not going to let you leave it. As much as I hate to say it, you're going to end up having to take that down. Thirty days isn't going to do you

any good because it's not made out of the proper building materials.

Much as it pains me to do it, I'd like to make a motion. I move that we find that the violations exist as alleged, and that we order the property owner to demolish the structure within 30 days and that we order the City to demolish the structure should the property owner fail to timely demolish. Such demolition is to be accomplished by a licensed demolition contractor pursuant to City-issued license and a permit.

MR. MADFIS: Do I hear a second?

MS. CHARLTON: I second.

MR. MADFIS: All in favor of that motion?

BOARD MEMBERS: Aye.

MR. MADFIS: All against? Motion passes.

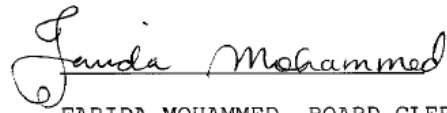
MR. KERNEY: Sorry about that Mr. Denis, I really do feel bad for you.

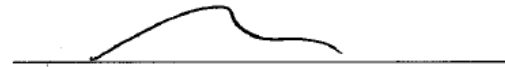
MR. MADFIS: Thank you.

MS. MOHAMMED: The other cases, withdrawn. I'm just reading into the record. Page one, case number CE06091955, case address 826 Northwest First Avenue, withdrawn by the City. Page five of your agenda, case number CE06100738 case address 1365 Southwest Thirty-first Street, withdrawn by the City. And finally, on

page seven of your agenda, case number CE06091892 case address 824 Northwest First Avenue, withdrawn by the City. That concludes today's agenda.

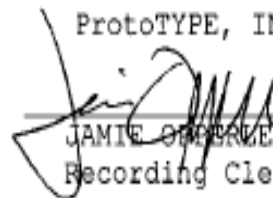
[Meeting concluded at 3:26]


FARIDA MOHAMMED, BOARD CLERK


MICHAEL MADFIS, CHAIRPERSON

CERTIFICATION

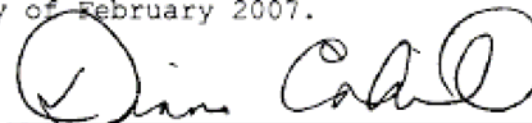
I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held February 15, 2007, at 3:00 p.m., City Hall, 100 North Andrews Avenue, City Commission Meeting Room, Fort Lauderdale, Florida, dated at Ft. Lauderdale, Broward County, Florida, this 18 day of February 2007.

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 18 day of February 2007.



NOTARY PUBLIC
State of Florida at large

Notarial Seal:

