

City of Fort Lauderdale
UNSAFE STRUCTURES BOARD
Thursday, March 15, 2007 at 3:00 p.m.
City Commission Meeting Room
City Hall

Board Member	Attendance	Cumulative 1/1/07 to 12/31/07	
		Present	Absent
Chris Bellissimo	P	3	0
Olivia Charlton	P	3	0
Hector Heguaburo	P	2	1
Joe Holland	P	3	0
Patrick Kerney	A	2	1
Michael Madfis, Chair	P	3	0
Charles Minor	A	2	1
John Scherer	P	3	0

City Staff

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

Guests

CE06011118: Charles Crum
CE06031441: Bobby Burrows, owner, Dennis
Chrisham, contractor
CE06080943: R. Samson, owner
CE06091833: Charles Donnelly

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

[1. Case CE06031441]

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MS. MOHAMMED: Good afternoon Board. First case, page three of your agenda. It's a new business case, Inspector Wayne Strawn for case number CE06031441, case address, 2509 Northwest 20th Street, the owner Bobby L. Burrows and Linda C. Burrows. Certified mail to the owner signed 2/10/07 by Linda Burrows, certified mail to Chevy Chase Bank FSB signed 1/26/07 signature eligible, certified mail to Chase Manhattan Bank, signed 1/26/07 by Artis Elliot.

CHAIR MADFIS: Okay, I guess we'll hear from the City first.

INSPECTOR STRAWN: Wayne Strawn, City building inspector, the violations that exist at the property, at 2509 Northwest 20th Street, exist as follows:

FBC 117.1.1

THE SINGLE FAMILY HOME HAS BEEN SUBSTANTIALLY DAMAGED BY IMPROPER MAINTENANCE, WINDSTORM, AND BY AN ABORTED REPAIR ATTEMPT. THE BUILDING EXISTS AS A SHELL ONLY. THE BUILDING REMAINS ARE A FIRE AND WINDSTORM HAZARD AND DO NOT COMPLY WITH THE MINIMUM HOUSING STANDARD OF THE CITY OF FORT LAUDERDALE.

FBC 117.2.1.2.1

BUILDING PARTS ARE LOOSE, HAVE FAILED OR ARE LOOSENING. THE PARTS INCLUDE ROOF DECKING, ELECTRICAL CONDUIT, AND INTERIOR PARTITION WALLS.

FBC 117.2.1.2.2

THE ROOF DECKING AND RAFTER ENDS ARE DETERIORATED BY ROT.

FBC 117.2.1.2.3

THE BUILDING IS PARTIALLY DESTROYED BY WATER INTRUSION AND BY AN ABORTED REPAIR ATTEMPT. THE INTERIOR FINISH HAS BEEN GUTTED AND NO

DRYWALL OR PLASTER EXISTS ON THE WALLS OR
CEILINGS.

FBC 117.2.1.2.5

THE ELECTRICAL SYSTEM HAS BEEN SUBJECTED
TO WATER INTRUSION FOR MANY MONTHS. THE SYSTEM IS
NOT APPROVED FOR OPERATION IN WET CONDITIONS AND
IS UNSAFE.

FBC 117.2.1.3.1

THE BUILDING HAS BEEN ALTERED WITHOUT
OBTAINING PERMITS. THE WORK INCLUDES, BUT MAY NOT
BE LIMITED TO, NEW WINDOW INSTALLATIONS AND
ELECTRICAL SYSTEM ALTERATIONS. NEW CIRCUITS AND
CONDUIT ARE IN EVIDENCE. STRUCTURAL REPAIRS HAVE
BEEN ATTEMPTED BY SCABBED ON ADDITIONS TO RAFTER
ENDS.

FBC 117.2.2.1

THE COST TO REPAIR OR REPLACE THE BUILDING
EXCEEDS 50% OF THE VALUE OF THE BUILDING.

I'm withdrawing that code section. That's
a very close call, and I'm not prepared to defend
the City's position on that.

FBC 117.2.2.4

EXCEPTIONS TO THE - that was only showing
the exceptions to that which I have withdrawn.

FBC 117.2.1.3.2

THE BUILDING HAS NOT BEEN MAINTAINED
ACCORDING TO THE STANDARD OF THE CODE IN EFFECT
AT TIME OF CONSTRUCTION OR THE FLORIDA BUILDING
CODE. THE BUILDING DOES NOT COMPLY WITH THE
STANDARD OF THE MINIMUM HOUSING CODE OF THE CITY
OF FORT LAUDERDALE.

And I'd like to introduce evidence.

CHAIR MADFIS: Sure.

[Ms. Mohammed distributed photographs of
the property to the Board.]

CHAIR MADFIS: Okay we're receiving some
photographs.

INSPECTOR STRAWN: I believe there is a
person to represent the building.

CHAIR MADFIS: Okay, and the City is
seeking demolition?

INSPECTOR STRAWN: Yes.

CHAIR MADFIS: Okay. Thank you. And is
there a representative from the owner? Can you
come forward, state your name and tell us your
relationship to the property?

MR. BURROWS: Excuse me?

CHAIR MADFIS: Can you speak into the
microphone, state your name and tell us your
relationship to the property?

MR. BURROWS: I'm Bobbie Burrows, and I'm the owner.

CHAIR MADFIS: Okay.

MR. BURROWS: Okay, on the part with the windows and stuff there, those are the original windows that was there when I purchased the home. And Mr. Chrisham will explain to you guys asking about where we are at with the insurance and all that.

MR. CHRISHAM: Hi, good morning. I'm Dennis Chrisham, I'm with Rose construction. We were working with Citizens Insurance from about March of last year trying to get the claim settled for Mr. Burrows. Originally Citizens offered a whopping \$17,000 for the damages. As it stands right now the insurance claim is going to be settled for approximately \$80,000. We've put, we hired an architect -

CHAIR MADFIS: Excuse me one second, I don't mean to cut you off, but, do these people need to be sworn in? I'm sorry. Anyone who's going to give testimony today, can you please stand and be sworn in for this case or any other case that will be coming forward.

[Swearing in]

CHAIR MADFIS: Okay, thank you. I'm
sorry. You can -

MR. CHRISHAM: Keep going?

CHAIR MADFIS: Yes, continue.

MR. CHRISHAM: We hired Joseph Pisula, the
architect, to do architectural plans for
everything that was damaged after we finally met
with the insurance company. The only reason that
any demolition was done on the property was to go
ahead and allow the insurance company to see the
damages that were there.

Like I said they offered approximately
\$17,000 worth of insurance repair for the
gentleman. The only demolition that was done was
pulling down the wet ceilings and the walls so
they could see what was - that did fall also,
most of it, most of it we cleaned out.

CHAIR MADFIS: So, excuse me, so you're
saying that basically all the work that was done
was demolition and any of the nonconforming
construction windows and roof and electric work
was all done prior to your client taking
ownership?

MR. CHRISHAM: Yes sir. Prior to my
client taking ownership. I would assume so. It

was prior, I know it was definitely prior to the hurricane loss. And like I said, I showed up, I was out there in March to go ahead and look at it. The windows that were put in were definitely put in prior to hurricane Wilma. And according to my customer, they were put in prior to him taking ownership of the house.

As far as what he's stating as far as the scabbing of the ceiling joists and stuff like that, we saw that once we pulled it down. We saw that that was done, it's nowhere near to code. That's all coming down, we've got a new truss drawing put together, done by Causeway, and it was designed by Joseph Pisuli.

We submitted all of our permit applications and our drawings sometime in November, I don't have a date right in front of me. We got a process number sometime in December. We got all of our remarks and everything else that needed to be done.

Part of the things that they want us to do though, was put in a window schedule for the homeowner. And again, I'm not here to fight that, I don't know that that's fair to him, if that's what's going to be required, that's fine.

They are new windows, we tried to get, we tried to get product approvals for them, product approvals are no longer available, and we can't get product approvals for them.

And that's where we stand right now, but every other issue has been addressed with the architectural plans, which I'm sure you can check within the Building Department.

CHAIR MADFIS: Okay, so you say you have a permit application in -

MR. CHRISHAM: Absolutely.

CHAIR MADFIS: - the plans have been reviewed. You have your comments back -

MR. CHRISHAM: Yes sir.

CHAIR MADFIS: You've addressed all the comments, except for a comment that related to the windows not being proven to be to code.

MR. CHRISHAM: I'm, I am addressing that. What's happening right now because the architect and ourselves, we cannot find product approvals for those particular windows that were installed, and unfortunately, they were installed prior to Mr. Burrows' taking ownership of the house.

What I was hoping to do is see if something can come about to where we could get

the windows approved. If possible, leave them in place, bring them up to whatever code needs to be done. And then go ahead and take care of the hurricane protection for them, because we planned on putting shutters in for him anyway.

CHAIR MADFIS: Okay, so you're just in that very final end of receiving your permit, once you come to a approval from the City, and the only outstanding item that hasn't been approved from the City, you're telling me, is the structural item? So your mechanical, your electrical, your plumbing have all been signed off on this application?

MR. CHRISHAM: All the, every one of the comments have been addressed. The, all the, everything that was done by Mr. Pisuli should be back to us this week and I'm going to resubmit them this week.

CHAIR MADFIS: Okay, so you -

MR. CHRISHAM: And we are actually addressing the windows, which I'm hoping that he may not have to go through the expense of replacing the windows.

CHAIR MADFIS: Okay. But you don't have all your other sign offs yet; you're just getting

ready to respond to those comments.

MR. CHRISHAM: Yes sir.

CHAIR MADFIS: Okay. Any other thing to add?

MR. CHRISHAM: I want to introduce the photos.

CHAIR MADFIS: Okay great, pass those up.

MR. BURROWS: Even with the windows, you can see where they - you can see where the original windows are in there -

MR. CHRISHAM: That's what I'm saying. What he's trying to show you here now, is the fact that the windows were installed and done, and they were not damaged. They were not damaged by hurricane Wilma, nor was any, my estimate or the insurance company's estimate didn't address them.

CHAIR MADFIS: So they're time-tested. So there was never a permit for those windows, is what you're telling me either, as much as there were installed before your, before the owner took possession of the property. There was never actually permit for those.

MR. CHRISHAM: I don't know sir, according to your inspector there wasn't. I don't have

anything prior to that. All I'm saying is that the windows were there. They weren't damaged by the storm, he had nothing to do with it, and the fact that the inspector was saying things were abandoned, that, I responded to that several times in writing. Somebody came out and told his neighbor that they're going to tear his house down, which I thought was very non-professional, and we've been working on this since March of last year.

CHAIR MADFIS: Well, if it's insecured, and it poses a danger, that's when it comes to us. I guess it must have been in that condition regardless of the fact you may have submitted for a building permit or started some demolition. Any other questions for the owners, from the Board?

MR. SCHERER: Are you requesting an extension? What are you requesting? Do you want an extension?

MR. CHRISHAM: I don't, I don't even know, why would they tear the, if we're going through all the expenses and stuff. I don't know what I'm asking for sir, this is the first time I've been in here.

MR. SCHERER: How long until you anticipate having a permit, to start?

MR. CHRISHAM: That would be up to your City. They held the permit application for three and a half months before they even got back with me, so I couldn't tell you. I'm ready to start the work, he has the money from the insurance company to start the work. It's basically, we need permits. I'd like to extend 'til tomorrow, if you guys will give me my permits tomorrow.

MR. HOLLAND: Excuse me. Mr. Burrow, you said, one of you mentioned a \$17,000 dollar offer from Citizens, and they have now - do you have confirmation on the 80,000 from Citizens?

MR. CHRISHAM: He's gotten the - he's gotten paid the policy limits on the building and then he also has coverage, and I have any of that information if you want it -

MR. HOLLAND: I'm just curious, I -

MR. CHRISHAM: They've paid him the policy limits, which is why I'm saying we're ready to get started. Once I get everything from the building department, He also has coverage for lawn ordinance items - the electrical that has to be upgraded, the roof joists that have to be

upgraded, and so on, so forth.

I do have confirmation on that, that they will extend coverage for him. Before Citizens pays him, I need to have a permit in hand, so I can send it to them and they'll release the money to him and his mortgage company.

CHAIR MADFIS: Any other questions for the owner? I'm sorry, I want to hear back from the City and clarify a few other outstanding questions.

INSPECTOR STRAWN: Wayne Strawn, City building inspector, the clarification on the windows is the building was built in 1961, so they're not the original windows. I would suggest, I did not have time to research at the County and look for permits, but I would suggest they go to the Broward County since this area has been annexed within the last few years, and see if the previous owner did obtain permits for those windows. And that may be a contributing - something that the plan review department would want to know at the City.

CHAIR MADFIS: Okay.

MR. BURROWS: Because, when I first moved into the home, we was unincorporated Broward.

CHAIR MADFIS: Okay.

MR. BURROWS: It wasn't the City of Fort
Lauderdale then.

CHAIR MADFIS: So, how long have you owned
the home?

MR. BURROWS: 1999 or 2000.

CHAIR MADFIS: And you occupied the home
for some time?

MR. BURROWS: Excuse me?

CHAIR MADFIS: You actually occupied the
home at one time?

MR. BURROWS: Yes I did.

CHAIR MADFIS: Okay, and then it was
damaged by the - until the hurricane.

MR. BURROWS: Until Wilma. Until Wilma.
All the damage from the pictures are from
hurricane Wilma.

CHAIR MADFIS: Okay. And, but those
windows were still older than 1999 then, is what
you're saying.

MR. BURROWS: I gather. When I bought the
house, the windows was there.

CHAIR MADFIS: Right, so they wouldn't be
any newer than 1999.

MR. BURROWS: They wouldn't be.

CHAIR MADFIS: Okay. And alright, so, and Wayne, we don't know whether they actually have a permit application or not, or do we?

INSPECTOR STRAWN: Yes we do.

CHAIR MADFIS: They do, Okay.

INSPECTOR STRAWN: They do have a failed in January, the last review was done in January.

CHAIR MADFIS: Right, okay. And so January, and here we are in March. It's taken three months to get back to the City?

MR. CHRISHAM: No, it's, I got the plans back from them. That's when it started was, that's when it started was in January is when I finally got the plants back in. I finally got the plans back to me in the middle of February. The first plan review, it passed zoning, and then it got kicked back on, mechanical passed, electrical - I have the comments here, if that's, if that's a point, I have the comments here.

CHAIR MADFIS: Yeah, I'd like to see the comments.

INSPECTOR STRAWN: It was late in January. Last week in January, when they failed building, so forth.

CHAIR MADFIS: Okay. And the question is

simply this, what divisions have you passed and wath divisions are left to be approved?

MR. CHRISHAM: We passed mechanical, we failed building because of the windows. We failed electrical because they wanted an additional GFI in the kitchen, and that was it. And everything -

CHAIR MADFIS: So you passed plumbing and zoning?

MR. CHRISHAM: Zoning we passed, plumbing, they wanted some kind of a meter in the back, a water flow meter or something that wasn't shown on the plans. The biggest thing that we've been working on, and the architect has been working on since I sent it back to him was the situation with the windows because they wanted us to go ahead and permit the windows.

And to the best of my knowledge, neither myself, nor our window manufacturer, nor the architect was able to find current product approvals for those existing windows.

CHAIR MADFIS: Okay. So, you have three outstanding divisions to go to: plumbing, building, and electrical, and you've passed your zoning and mechanical.

MR. CHRISHAM: That's correct.

CHAIR MADFIS: Okay, and you're ready to resubmit these plans now, you're saying?

MR. CHRISHAM: Yes we are, sir.

CHAIR MADFIS: You're ready to resubmit them, okay.

MR. CHRISHAM: The permits, the applications are being Federal Expressed to me. I'll be here Monday morning to resubmit them for them.

CHAIR MADFIS: Okay, and then, you're going to need some time, obviously to have the City review them and hopefully approve them this time and -

MR. CHRISHAM: The comments were very minimal sir, to be honest. The only major comment, like I said, was the windows.

CHAIR MADFIS: Well, to expedite this you might set up a professional day meeting with the outstanding plan reviewers, but what kind of time do you think you might need, thirty, sixty days to get a final building permit?

MR. CHRISHAM: I don't know what your permit processing is sir, every municipality I deal with has been different. If I could set up

a walk-through with them, that would be wonderful. That's totally up to the City of Fort Lauderdale, we're ready to move forward.

CHAIR MADFIS: You can set up a meeting at least, and maybe it's not a walk-through, but you can clarify all your outstanding issues and you can do that once a week.

MR. CHRISHAM: Okay.

CHAIR MADFIS: So, if you did that next week and then had three weeks of time to process the plans. That's thirty days or so or, we need to get a, you know, we can either make a motion to demolish your property or make a motion to -

MR. CHRISHAM: We don't want to demolish the property sir.

CHAIR MADFIS: - give you some type of time extension to come into compliance. In the meantime, of course, we are going to make sure that you've disconnected all of your electric and secured the property and -

MR. CHRISHAM: Sir, the - I don't know - and I also don't understand why you're saying the property isn't secured. None of the windows are broken, the door is locked and the windows, I mean the roof is [inaudible], the place has never

been abandoned.

CHAIR MADFIS: Okay, well, that's our concern -

MR. CHRISHAM: Other than him having to pay to live outside of the house.

CHAIR MADFIS: - that's our concern, that it be secured to the inspector's -

MR. CHRISHAM: Can I ask the gentleman why he's saying it was not secured?

CHAIR MADFIS: Sure. Come on Wayne [inaudible]

INSPECTOR STRAWN: Wayne Strawn, City building inspector. The City of Fort Lauderdale requires a board-up certificate for abandoned houses. I walked by today, and the windows are open and that makes sense because he wants to ventilate the area, you know, but it doesn't meet the requirements of - it has no - there's no evidence of illegal entry, but the windows are open, and it wouldn't meet the City's requirement for a secured building. However, under the circumstances that's not a very important issue right now.

CHAIR MADFIS: I understand. But at -

MR. BURROWS: I raised the windows.

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CHAIR MADFIS: I'm sure you did, sir. I guess our concern simply is that, you know, when you're working on a property like this, you're really not living there, and it is effectively unoccupied. As much as you may come by once, I don't know how often, a day, every other day, once a week, I don't know. But someone can find themselves in there and get into trouble and this is what we're concerned about.

MR. CHRISHAM: I do have a business associate who lives right next door, and I do talk with him every day, and the only reason I did not want to board up the windows was to go ahead and destroy the stucco on the outside of the house. Part of the remodeling was putting up shutters.

CHAIR MADFIS: Well, there are ways to board up without destroying your stucco. All right, well, I think we've heard enough information; anybody else have any questions? I'll just bring it back to the Board for discussion, is there anyone wants to currently make a motion and we can put it up for discussion?

MR. SCHERER: I'll make a motion. Make a

motion for a sixty-day time extension and, until the May 17th meeting and at that time, report back and give us the update on the permit status and the status of the construction.

CHAIR MADFIS: Is there a second for that motion?

MR. HOLLAND: I'll second, Joe Holland.

CHAIR MADFIS: Okay. And any further discussion on that motion? Okay, hearing no more discussion, let's take a vote. All in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: Alright, so you guys have sixty days to get your permit, and if you get your permit, actually, I believe this case would just be dismissed and everything would be fine.

MR. CHRISHAM: That was my only question. Once the permit is issued, and we start construction, do we need to come back here, or do I send a letter to somebody in reference to that, or how do I do that?

CHAIR MADFIS: You'll only be back here, I guess, if you don't get your permit and you're going to try to get another extension, but we're really not looking forward to that.

MR. CHRISHAM: No, we don't want an

extension.

CHAIR MADFIS: Okay. So what I would suggest is that you make that Monday appointment. It might take you a week to get to that appointment, but it will really smooth things over if you have any questions.

MR. CHRISHAM: Okay, so once I have permits in hand, I'll call and try and set up an appointment -

CHAIR MADFIS: No no no, before you, if you're going - to keep from delaying your permit at all, to make sure you understand all the components in this issue with the window, you should meet with the building plan reviewer and not just send your plans in and hope everything's going to work out.

So you may not get him to sign off at that meeting like a walk-through, but you will at least get all of the issues clarified for you, and if you need to bring back more information or supplement something, you won't have to wait three weeks to find that out, you'll be able to get that a little sooner.

And like Wayne says, maybe you can check with the County, they're right over here on

Federal Highway by Ninth Street Southwest to - or Southeast, I think - to check and see if they have microfilm on the permit application for those windows, if it was ever done. That might help you with that meeting in clarifying the issue.

MR. CHRISHAM: Okay. Thank you.

CHAIR MADFIS: We're ready for the next case.

MS. MOHAMMED: Any opposed?

CHAIR MADFIS: I'm sorry.

MS. MOHAMMED: Any opposed?

CHAIR MADFIS: I'm sorry, any opposed to that motion? Hearing none, motion passes.

MS. MOHAMMED: Thank you.

CHAIR MADFIS: We'll hear the next case.

[2. Case CE06080943]

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MS. MOHAMMED: Next case, page four of your agenda. It's a new business case. Inspector Wayne Strawn for case number CE06080943 case addressed 1601 Northwest 6th Avenue. The owner Robert H. Samson. Certified mail to the owner returned unclaimed, certified mail to Mortgage Electronic Registration Systems Inc. signed 2/5/07 by Valerie Marino, certified mail

to CT Corporation System signed 2/5/07, signature illegible. The owner was personally served with a Notice of Violation by Inspector, Building Inspector Wayne Strawn on 3/5/07.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. The violations exist at 1601 Northwest 6th Avenue exist as follows. Let me prefix these violations by saying that Mr. Sampson has been working and has a dumpster on the site and much of the damaged and destroyed parts of the building have been loaded into a dumpster at this point in time.

FBC 117.1.1

THE STORM DAMAGED BUILDING IS A WINDSTORM AND FIRE HAZARD. THE BUILDING HAS BEEN SUBSTANTIALLY DAMAGED BY A LARGE TREE WHICH WAS TOPPLED OVER ONTO THE ROOF DURING THE HURRICANE LAST YEAR.

In this case, since I composed this, this would be the year before last.

FBC 117.2.1.2.1

THE ROOF TRUSSES HAVE FAILED. COMPONENTS OF THE ROOF STRUCTURE HAVE BEEN UNIVERSALLY LOOSENED, ARE LOOSE OR ARE HANGING LOOSE.

FBC 117.2.1.2.3

THE ROOF OF THE GARAGE HAS BEEN CRUSHED BY
A LARGE WINDSTORM-TOPPLED TREE.

FBC 117.2.1.2.4

MANY OF THE TRUSSES AND OTHER ROOF
COMPONENTS ARE SAGGING INTO THE GARAGE DUE TO THE
OVERSTRESSED CONDITION CAUSED BY THE WEIGHT OF
THE TREE AND THE PRESSURE OF THE WIND.

FBC 117.2.1.2.5

THE ELECTRICAL SYSTEM IS COMPROMISED DUE
TO WATER INTRUSION SINCE THE DESTRUCTION OF THE
ROOF SYSTEM.

I'd like to introduce some photographs
into evidence. The City is asking for motion to
demolish.

CHAIR MADFIS: Okay, thank you. Is the
owner here, or someone representing the owner?
Would you come forward, state your name, and you
have been sworn?

MR. SAMSON: Robert Samson, I'm the owner
of the property. I have a written statement
here, I have a copy for each of you or, five
copies. I don't know if I need to read it into
the record or what the procedure is. I also
provided a copy for the City.

CHAIR MADFIS: Okay.

ASSISTANT CITY ATTORNEY: What is this,
it's your statement?

MR. SAMSON: Yes.

ASSISTANT CITY ATTORNEY: You can just
make your statement.

MR. SAMSON: Well, I'd prefer to put it in
the record, if I can. I write much better than I
speak so. I mean, would you like to read it and
I can paraphrase it, or what? Its four-page
letter.

CHAIR MADFIS: Yes, I don't know if we
have time to -

MR. SAMSON: It's a rather detailed
situation.

CHAIR MADFIS: We'll have it in front of
us, but why don't you go ahead and paraphrase it
and -

MR. SAMSON: Okay.

CHAIR MADFIS: - do the best you can to
bring in all the details.

MR. SAMSON: I have a single-family home.
I have a detached garage in the front. I had two
huge ficus trees that were about as big as ficus
trees get that were on both sides of the
driveway. Katrina knocked over both trees and

one of the trees went on top of my garage. It did damage the roof severely, in fact it actually crushed through some of the trusses some of the, some of it was completely broken down through the floor.

Most of that happened in Wilma, a few weeks later. But I spent the next few months myself out with, I went through five chainsaws cutting these trees down and removing the debris. The City was very helpful with removing debris other than the normal bulk trash pickups.

I think in February or March of 2006 I finally removed the rest of the trees, and I had the stumps removed professionally. As you know, insurance doesn't cover tree removal so that was all at my own expense, my own labor.

Irma Westbrook, who is a Code Enforcement officer with the City of Fort Lauderdale came by, I would think it was probably around March of 2006, right after I finished with the trees. I also had a wood fence that encircled the entire property, and a lot of that was damaged in the storm. She asked me would I take down the fence and remove the debris. And I did that and I complied with her response.

Let's see here. I recall talking to her about some of the fence posts, because I'd left some of the fence post up because they still looked pretty sound to me and I wanted to rebuild the fence eventually and she let that slide. So she did clear the complaint.

She asked me at the time, if anybody in the City had contacted me about my garage and I said no. And she had my telephone number, I didn't write down the notes of our conversation but either she told me she had given my number to somebody, and I don't know if that was Mr. Strawn or, she said she was going to give their number, give my number to somebody. But I was never notified about this property. That was the first I'd ever talked to anybody about the garage. In late December 2006, I received a notice -

CHAIR MADFIS: I'm sorry, can I ask, I didn't mean to stop you, the last incident when you met with that woman, what was the time, the date?

MR. SAMSON: That was around April probably March or April 2006.

CHAIR MADFIS: March or April, okay.

MR. SAMSON: When I had complied with her

request to take down the fence.

CHAIR MADFIS: Okay.

MR. SAMSON: In December of 2006. I received the notice from Code Enforcement, they apparently did a sweep to the neighborhood and they noticed I had, when I had taken down the fence I was slowly putting out materials with my bulk trash pickup, which is only monthly. I had fencing materials, mainly the slats and two-by-fours on my porches. And I was putting it out slowly.

They came by and they wrote me up for that, plus they wanted me to take down the remaining fence posts that I was planning to rebuild. I didn't really argue with them. I went ahead, took it all down and then I called Mr. Gossman - he's the Code Enforcement officer that wrote me up for it - and I asked him to come out and make an inspection.

That was around January 11th. I waited a couple of weeks and then I called him back because he didn't contact me. He said that his field determined, a field inspector had determined that I had complied, and I'd got rid of the material adequately, and he said the only

outstanding complaint was regarding my garage. This was the first time I ever heard that the City had a complaint with me about my garage, other than my informal conversation with Ms. Westbrook back earlier in the year.

So I talked to Mr. Gossman about the garage. We talked about what the problem was with the garage, he said I could go ahead and take off the garage because the hurricane had damaged it so severely he considered it to be hurricane debris cleanup and I didn't need a permit for that, is what he told me.

So I went ahead I, after that I called Mr. Strawn, at Mr. Gossman's suggestion, I called him right after I had hung up with Mr. Gossman. I spoke to him about it, I don't recall if I told him I was going to take down the garage roof, but we did talk about the fact that, I told him I had never been notified about the garage.

I never knew that there was an outstanding complaint about the garage with the City. And he said to call Yvette, and I'm not sure of her last name, I think it's Ketar, I called and left a message for her. She called me back the next day

-

MR. SCHERER: Mr. Samson?

MR. SAMSON: Yes?

MR. SCHERER: Maybe we can make this a little easier. What are your intentions with the property?

MR. SAMSON: Well, I want to fix it up.

MR. SCHERER: What have you -

MR. SAMSON: I've been talking with some contractors and been trying to get bids, but you have to realize that all this - I'm sorry.

MR. SCHERER: Do you have an architect?

MR. SAMSON: I've actually been working with GCs, but now I'm thinking about, I'm waiting on bids from them to kind of handle the whole thing, to arrange for an engineer or an architect and also kind of a full-service GC, but I'm finding that's not working very well.

So now, Mr. Strawn was nice enough to give me some engineers that he's worked with and I'm going to start calling them and see if I can - I want to get in and get a permit and I'll just sign up as a GC myself since I'm the owner, and I'll submit the plans prepared by an architect or an engineer and proceed that way I think.

CHAIR MADFIS: Did you receive this

notice, you didn't receive any notice that your house was not in compliance?

MR. SAMSON: I did, ten days ago.

CHAIR MADFIS: Ten days ago.

MR. SAMSON: Mr. Strawn came to the property and served me along with this gentleman here, I believe.

CHAIR MADFIS: Okay. Is that the way works Wayne, or, I mean, I'm looking at this number here: CE0608943, and I interpret that, with my limited knowledge about the City, that that's somewhere maybe in August of 2006, that case number?

INSPECTOR STRAWN: The case number's old -

CHAIR MADFIS: Okay.

INSPECTOR STRAWN: Right, but, since this is only a garage and it was uninhabited, it wasn't on the top of my list of fish to fry. So I finally got to it.

CHAIR MADFIS: Alright, so he's pretty correct about getting caught up at this point with this information that he's in need of demolition. Okay.

MR. SAMSON: Well, I've never heard of anybody requesting demolition. I've talked with

him several times. Sorry.

CHAIR MADFIS: Okay.

MR. SAMSON: I mean the -

CHAIR MADFIS: Well, at the same time it's, here we are in March, and you had known since December that there's an issue and-

MR. SAMSON: Since January.

CHAIR MADFIS: Alright well, three months to, you know, go ahead and start looking into actually taking care of it, you know, that's a bit of time.

MR. SAMSON: I had taken off the garage roof, which was the main issue, but then after talking to Mr. Strawn, if I thought I had complied with the problem, as I understood it, he told me I needed a permit to take off the garage roof.

I went to the City to get a permit in retrospect, the garage roof was already off, and I'd already disposed of that material except for tile, barrel tile that was on the ground, I found out I couldn't get a permit to take off the roof unless I demolished the entire structure. So -

CHAIR MADFIS: Alright well, at that point should have been ready to go and get your

architect or engineer to help you prepare the required plans that the City probably indicated that you would need to pull whatever permits you need. Now that you understand that, you're just getting at that point where you're going to contact the engineer or an architect.

MR. SAMSON: Well, I've been talking with contractors, and I'm waiting on two bids, I have another contractor that supposed to look at it this weekend -

CHAIR MADFIS: Unless they're going to provide the architectural services as part of their service -

MR. SAMSON: Yes.

CHAIR MADFIS: - you're going to need to get that together, okay.

MR. SAMSON: Yes, I'm [inaudible] with that, sir.

CHAIR MADFIS: I guess we're going to listen to, you know, what you think you might need in terms of time to expedite this process, and -

MR. SAMSON: I know everything seems to take longer than I think it should. I think the building industry's very busy right now, I have a

hard time getting people to respond to me, quite honestly. I mean, I've been waiting about ten days now for two contractors to get back with me just on bids. I don't know if that's because they're busy or just because of the size of the job.

MR. SCHERER: Are they providing you with design service as well?

MR. SAMSON: Yes. They have -

MR. SCHERER: There are architects in their office that are designing the project for you?

MR. SAMSON: Apparently, they're subcontractors, they're engineers or architects that they work with. And so they're saying that they're going to give me a bid that will include that service in it.

CHAIR MADFIS: You know, it's hard for them, this is why they are not responding, because, to be honest with you, it's hard for them to give a price without having a set of plans first. All they could do is give you some pie-in-the-sky ballpark number, and then give you maybe a fixed fee for the design services. But until they actually get in there and prepare some

plans -

MR. SAMSON: What they've told me was, is that they were coming back with their engineer during the day while I'm at work. And I assume they've been out, but I don't know it for a fact.

CHAIR MADFIS: It may be a convenient way to go but it's really not the most expeditious way, I think, in your case, but ultimately, you know, we don't want this thing to drag on at all either, and someone who's not been through this before, it's a very challenging process. So I guess you might want to think about the values here, and whether, what is your intention over all with this property when it's all said and done?

MR. SAMSON: Well, to re-roof the garage.

CHAIR MADFIS: And live there, and occupy it?

MR. SAMSON: Yes.

MR. SCHERER: But it's not just the garage that has damage to it, right? I mean, I'm reading that roof trusses have failed, components of the roof structure have been universally loosened, are loose, and are hanging loose. That's not just specifically the garage, is it

Wayne?

MR. SAMSON: That's the garage.

INSPECTOR STRAWN: No, I was only
addressing the garage on this notice.

CHAIR MADFIS: Okay.

MR. SAMSON: I am replacing [inaudible]

CHAIR MADFIS: Is the garage a separate
building? Because I can't quite tell from this.

INSPECTOR STRAWN: It's detached, but
there's roof structure -

CHAIR MADFIS: There's a breezeway
connecting.

MR. SCHERER: Are you still living in the
house?

MR. SAMSON: Yes.

MR. SCHERER: Okay.

MR. SAMSON: I am replacing the family
room roof, which was an addition that was put on
about forty years ago. I'm trying to do that at
the same time I'm addressing the garage issue.

CHAIR MADFIS: Is there insurance money
involved?

MR. SAMSON: I've been paid by, I was paid
about seventy-five hundred dollars for the roof
and the fence, and that's when even in the

ballpark of being close.

CHAIR MADFIS: I'm sure. Any other questions from the Board?

MR. HOLLAND: Yes, Joe Holland. Is there a hazard of some of these roof materials at this point, giving - this may be a question to Mr. Strawn - in your opinion, do you think some of these, as it exists now, are a hazard to others if we have a storm come up this summer?

INSPECTOR STRAWN: I believe the dumpster is still present on the site.

MR. SAMSON: No, it's gone.

INSPECTOR STRAWN: So, the material which may blow away has been removed from the site, as far as the garage is concerned.

MR. HOLLAND: And just another comment for the Board, although I agree it's not the best way to do it, taking a general contractor and having the design professional being under that wing. But there are cases with the computerized trusses and things of that nature where I as a professional structural engineer could see it done economically that way if it's not too elaborate a plan to do so, and be priced accordingly. So I do defer to the, I'm sorry

you're Mr. Samson, that that may be an approach, although I do agree you've got to be very careful with that.

MR. SAMSON: Well, I've kind of decided to go in the other direction. I think I mentioned, Mr. Strawn had given me some engineers that he's worked with, so I'm going to start calling them and just do that separately, get the plans and come in and get a permit myself. And that'll give me time to shop for a GC to do the work.

MR. HOLLAND: And one of my concerns, it's also our neighbors, your neighbors we're concerned with, and just making sure that everything's secure during storm season

MR. SAMSON: Yes, I took the roof off, and all the debris from the roof is removed. So that's out of there. There's still kind of a mess inside the garage, but it can't go out because the walls, there's still integrity in the walls.

CHAIR MADFIS: Any other questions from the Board? All right, anything else from the city? We're all set? All right, we'll bring it back for motion. I guess, to allow, well, I'll hear a motion from the Board.

MR. SCHERER: I'll make a motion for a thirty-day time extension for you to obtain the services of an architect or general contractor and that at that time, come back and explain where you are in the process of hiring and designing.

CHAIR MADFIS: A second for that motion?

MR. HEGUABURO: Second.

CHAIR MADFIS: Any further discussion on that motion? Hearing none, we'll take a vote. All in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed? Hearing none, the motion passes unanimously. So we'll see you back in thirty days, architect under contract or engineer under contract or contractor with an engineer or however you want, combination you want to do it, but somebody's committed to you to do that work.

MR. SAMSON: Okay. Should be time. I just have one other quick issue with this, I know that there are costs here involved. And I don't, if you read the letter, I personally don't think there should have been hearing at all. I have not resisted speaking to these people at all, and

like I, I was only notified of this in January.
I don't think, I was willing to work with them.
I don't think I should have been, even had to
attend a hearing on this. I've been doing
everything I could, I feel, and -

MR. HOLLAND: May I comment? I just,
we've been through a storm season, and it sounds
like some of this has been at peril for others
and that regardless of relying on City staff to
point that out, we all have a moral obligation to
protect each other through storm season. Just a
comment. Thank you.

MR. SAMSON: Okay. Understood. That's
all I had to say.

CHAIR MADFIS: Okay, thank you very much.

MS. MOHAMMED: The thirty days will be, so
Mr. Samson will know the date of the hearing,
next hearing, do you want to say into the record
the date of the next hearing, the thirty days?

MR. SCHERER: Okay, the date of the next
hearing is April 19th.

MS. MOHAMMED: Okay.

[3. Case CE06011118]

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MS. MOHAMMED: Next case, page five of
your agenda, it's an old business case.

Inspector Wayne Strawn for case number CE06011118, case address 731 Northwest 15th Avenue. The owner Charles L. Crum. Certified mail to Charles Crum signed by Charlie Crum not dated, certified mail to Edwina Crum, signed by Charlie Crum, not dated. Certified mail to the Bank of America NA, signed by Charles, sorry, James Lerner, signed 2/26/07.

And this is an old business case. This case was first heard by the Unsafe Structures Board and 7/20/06, at that hearing, the Board granted a thirty-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 thirty-day extension, and at the 11/16/06 Unsafe Structures Board meeting the Board granted a thirty-day extension with the provision that Mr. crumb returns with a copy of the drawings that he had submitted to the city.

On 12/21/06 the Unsafe Structures Board granted an extension to 2/15/07 and on 2/15/07, the Unsafe Structures Board continued this case to 3/15/07 and ordered the respondent to return with a set of plans from his architect.

CHAIR MADFIS: Almost ready for a birthday. Okay, we'll hear from the property owner.

MR. CRUM: My name's Charlie Crum. I had hired, six months ago, I hired an architect, the engineer architect which was required, and I didn't, I was unable to get the plan, but today, I have a copy the plans that you requested. They've been submitted to the City.

CHAIR MADFIS: They have been?

MR. CRUM: Yes.

CHAIR MADFIS: And, have you had any response from the City on those, on that submission?

MR. CRUM: Not -

CHAIR MADFIS: When were they submitted?

MR. CRUM: Beg your pardon?

MR. SCHERER: When were they submitted?

MR. CRUM: Last week.

CHAIR MADFIS: Okay, just a week ago. And you know, we've granted you quite a few extensions since last July for the same purpose, month after month, and now at least we do have the plans and you did just submit them. I guess the question is, are they in fact complete such

that they won't get bounced back for another three or four months and allow this to go all the way to a year. Do you have - who's the architect?

MR. CRUM: I have a copy, Mr. Osborne.

CHAIR MADFIS: You do. Could you actually start - could they be submitted to the engineer first and we'll pass them down.

MR. SCHERER: Did you get a permit tracking number?

MR. CRUM: Yes.

MR. SCHERER: So it's been submitted for a permit.

MR. CRUM: 06070899

CHAIR MADFIS: 0607 hm? And you say you just actually made your first submission the other day?

MR. CRUM: No sir, we made the submission but the architect had to make some changes, he had to put a firewall in there to change the trusses. We had submitted this long ago, and -

MR. HOLLAND: And this is the same architect you're working with?

MR. CRUM: Yes sir.

CHAIR MADFIS: So, it took your architect

that actually submitted the plans sometime back in July until March, six, seven months to fix whatever it took fixed and how we know that it's not what another six months for him to fix any other mistakes or issues?

MR. CRUM: I didn't understand the question.

CHAIR MADFIS: I'm concerned that, you know, this process took us six months just to get you to come back with a set of plans that have actually been resubmitted from a set that you actually submitted six months ago, and I want to make sure it's not going to take another six months to make sure these plans are correct and fixed up and ready to go.

MR. CRUM: When I spoke to - they're supposed to be being checked right now. I spoke to a man and he had them on the desk, and they were checking them.

CHAIR MADFIS: Okay, any other questions from the Board? And you guys have looked at the plans and -

MR. HOLLAND: They're dated March 3rd '07 and I don't see the signed or sealed embossed, you might want to help me with that Michael.

CHAIR MADFIS: Well, they're certainly designed by somebody who's familiar with all the requirements of the City, so that makes me feel a lot better.

MR. SCHERER: Looks like Wayne has something to say.

CHAIR MADFIS: I'm sorry, Wayne, you want to say something?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. The submittals for '06 didn't encompass the whole job. A truss plan was submitted and then we had to explain that we needed a set of plans that encompass the entire job that there were fire wall issues, because it's a duplex with the trusses going across the tenant separation.

CHAIR MADFIS: Right, now I remember yes.

INSPECTOR STRAWN: Yes, and that's - and so this actually, this complete set of plans was never submitted 'til this year, according to the owner's testimony.

CHAIR MADFIS: Well, it's a shame that it took so long. But they look like they're a good set of plans, and they'll probably make their way through. Any other thoughts or comments from the

Board? I'm ready to hear a motion if anyone wants to make one. I guess we need to give this guy a little more time to get his permit. I'm not sure whether we need to make him come back in thirty days or longer, but I'll leave it up to the Board.

MR. SCHERER: Is the house boarded up and safe?

INSPECTOR STRAWN: Yes, I was at the property today and it's secure.

MR. HOLLAND: I move to extend forty-five days.

CHAIR MADFIS: Is there a second on that motion?

MR. SCHERER: Well, it's got to be the next meeting.

MR. HEGUABURO: Yes, it's got to be either the next meeting or [inaudible]

MR. HOLLAND: Even thirties?

MR. HEGUABURO: The plans are not going to be ready [inaudible]

CHAIR MADFIS: We can go to thirty or sixty. It's not going to necessarily be ready in thirty.

MR. HOLLAND: Yes, move to extend sixty

days.

CHAIR MADFIS: Okay. And again I would make every effort - I'm sorry is there a second to that motion?

MR. SCHERER and MR. HEGUABURO: I second the motion.

CHAIR MADFIS: Okay, motion seconded. A little bit of discussion. I just wanted to say that you should make every effort you can to make sure that the permit comes out within that sixty-day period. It wouldn't be a bad thing for it to come out in forty-five days. So if you could help your architect keep an eye on the permit comments by checking online or with the City, at least weekly and then as soon as those comments are available you get with your architect and make sure he's getting ready to respond so that for whatever reason, we don't have the same kind of lapse in time between the work.

MR. CRUM: Okay.

CHAIR MADFIS: Alright, any other discussion?

MR. HEGUABURO: Well, we want to see him back on the seventeenth of May.

MR. SCHERER: Correct.

CHAIR MADFIS: Thank you for that clarification. Any other comments? Hearing none, we'll take a vote, all in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed? None, motion passes.

[4. Case CE06091833]

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MS. MOHAMMED: Next case, page five of your agenda. New business case, Inspector Wayne Strawn for case number CE06091833, case address 3018 Northeast 20th Court, the owner Charles E. Donnelly. Certified mail to the owner Charles E. Donnelly signed 1/20/07 by C. Donnelly, certified mail to Thomas J. O'Brien and Miriam H. O'Brien, no mail returned so it's no service. But we have service by posting the notice of violation at the property, and the notice for this hearing the 3/15/07 Unsafe Structures Board hearing was also advertised.

INSPECTOR STRAWN: Wayne Strawn City building inspector for 3018 Northeast 20th Court. The violations that exist at the property, regarding the structures are as follows:

FBC 117.1.1

THE SEAWALL HAS BECOME UNSAFE. THE SEAWALL

IS SUBSTANTIALLY DAMAGED BY THE ELEMENTS AND ITS
STRUCTURAL INTEGRITY HAS BEEN COMPROMISED. THE
SEAWALL PRESENTS THE HAZARD OF COLLAPSE.

FBC 117.2.1.2.2

THE SEAWALL, INCLUDING THE SEAWALL CAP,
BATTER PILES, AND SHEET STEEL ARE DETERIORATED TO
A GREAT EXTENT.

I'd like to correct that, there's - I
didn't see any sheet steel, and I inspected the
property today, so I must've been moving very
fast when I wrote that.

FBC 117.2.1.2.4

THE SEAWALL IS LEANING TOWARD THE WATERWAY
AND THE SEAWALL CAP IS TILTING.

FBC 117.2.1.2.7

THE SWIMMING POOL WATER IS BLACK AND
PRESENTS A HEALTH HAZARD

FBC 117.2.2.2

THE COST TO REPAIR OR REPLACE THE SEAWALL
STRUCTURE EXCEEDS 33% OF THE VALUE OF THE
STRUCTURE.

This is because I don't believe that any
part of the seawall can be salvaged, I think it
will have to be replaced completely. I'd like to
introduce some photographs into evidence.

CHAIR MADFIS: Okay, thank you Wayne.

INSPECTOR STRAWN: Wayne Strawn City of Fort Lauderdale. The City is asking for motion to demolish.

CHAIR MADFIS: Okay. And is there someone representing the owner of the property? And have you been sworn in?

MR. DONNELLY: Yes.

CHAIR MADFIS: Okay.

MR. DONNELLY: Mr. Strawn and his other partner were out at my property this, late this morning. We've been over the situation with the pool situation, but we believe, I believe, I believe I can have that pool situation righted in about seven days, alright? As far as the seawall, yes it does need to be replaced, and I'm requesting that you give me a sixty-day extension for me to get a qualified seawall contractor in place and permits in place.

CHAIR MADFIS: Any other, any comments from the Board?

MR. HEGUABURO: Sir, you need to state your name.

MR. DONNELLY: Oh, Charles E. Donnelly.

CHAIR MADFIS: I don't have any

particularly more questions. Anyone else? Okay.
Wayne any response?

INSPECTOR STRAWN: Wayne Strawn City of Fort Lauderdale. I would like, if a continuance is granted, that it be no more than thirty days so that we can verify the condition of the pool.

CHAIR MADFIS: Okay.

MR. DONNELLY: My request for the, was for sixty days was for the seawall contractor. The pool, yeah.

CHAIR MADFIS: Okay, okay, so you said you could do the pool in seven days.

MR. DONNELLY: Well, hopefully in seven days.

CHAIR MADFIS: Okay, but you can certainly do it in thirty.

MR. DONNELLY: Yeah, thirty, that's no problem.

CHAIR MADFIS: Okay, alright, so the motion could include two time spans. I'll hear a motion, if anybody wants to make one.

MR. HOLLAND: Move to allow an extension of thirty days for the swimming pool and sixty days for the seawall.

CHAIR MADFIS: Okay, a second on that

motion?

MR. HEGUABURO: Second.

CHAIR MADFIS: And just clarify that, that means you'll be back here with an engineered report or a proposal for reengineering and designing that wall within sixty days.

MR. DONNELLY: Yes.

CHAIR MADFIS: Okay. Great. Any other comments or discussion?

MR. DONNELLY: I'm looking at, you know, I'm looking at approximate, this is a guesstimate, but it's up in the neighborhood of around \$30,000.

CHAIR MADFIS: Yes, there's a linear foot price you can get probably pretty quick on it.

MR. DONNELLY: It's 115 feet, so.

CHAIR MADFIS: Yes, okay, it adds up fast. But it'll last you a long time, it'll be a great investment in a waterfront property and -

MR. DONNELLY: Well, that's the one thing about waterfront property, it doesn't usually go down.

CHAIR MADFIS: That's right. They don't make too much more of it. You don't want to lose any of it. Okay great, we'll hear a vote then.

All in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed, none. Motion passes.

MR. DONNELLY: Thanks you gentlemen.

MS. MOHAMMED: Just for the record the thirty days will be April 19th, and the sixty day, May 17th.

CHAIR MADFIS: Correct. Thank you for the clarification.

[5. Case CE06081280]

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ASSISTANT CITY ATTORNEY: Hi, [redacted] from the city attorney's office. I have a case to present that's not on the agenda. It really won't take but a minute. It is a case that you heard in November. It's case CE06081280, the addresses is 611 East Evanston Circle. The owner is Sylvan Eversley and Wayne was the inspector of course.

On November 16, 2006 you entered an order ordering the property owner to demolish the board or the city to demolish it after, and for one reason or another we have not yet demolished the board, and now we are involved in discussions with the owners or interested parties who are

trying to litigate the - they're trying to ask for an injunction preventing the City from demolishing property. They're going about it kind of in a wrong way, but what we've decided to do with them - since they are interested in fixing it and the inspector's testimony was that it could be fixed - is that what we'd like to do is ask you to vacate the order from November 16, 2006, but not dismiss the case.

That will give them, and we'll give them thirty days to come up with some kind of plan, they'll come back here in April and tell you what the plan is. If they haven't done anything, then we'll just go back ahead and ask for another order to demo and if they have, then I guess we can proceed along normal USB procedures.

CHAIR MADFIS: Is that property secured?

ASSISTANT CITY ATTORNEY: I don't know, and I - and to be honest I don't know whether anybody knows. Do you know, whether 611 Evanston, East Evanston Circle is secured? I don't -

INSPECTOR STRAWN: I had a meeting with the owner and their real estate agent this week, and they said that no one is living in it at this

time, because we are difficulty getting it vacated and I have not inspected it recently but it was secure the last time I was there.

CHAIR MADFIS: Any other comments from the Board?

MR. SCHERER: What were the - we don't typically tear a house down unless the respondent doesn't show up, or something goes on for an extended period of time.

ASSISTANT CITY ATTORNEY: Right.

MR. SCHERER: I don't remember the circumstances for this particular property, but is it one of the cases where the respondent didn't show up and - okay.

ASSISTANT CITY ATTORNEY: I don't know. Let's see if there's any minutes or any anything.

INSPECTOR STRAWN: I can testify to that.

ASSISTANT CITY ATTORNEY: Oh good, okay.

INSPECTOR STRAWN: The respondent, no one showed up. We had good service on the property. I testified to the Board that this house could be fixed, but no one seems to be interested.

MR. SCHERER: Okay.

CHAIR MADFIS: Thank you.

ASSISTANT CITY ATTORNEY: And now, I guess

they may be interested, or they may think they're interested, they may not know. You know, I think once they maybe go have a look at it they'll decide the extent of their interest, but, at any rate, in order to sort of get us out from having to demolish the property, we'd like to have the order from November 16th vacated so that we can give them another month to sort it out. We figure we won't be in any worse shape that we're in right now.

MR. BELLISIMO: If we vacate the order, we again have to go through the same process to demolish it, the same time frame, the same legal aspect.

ASSISTANT CITY ATTORNEY: Well, if, if you vacate -

MR. BELLISIMO: It's not like we can just go back and say we're back on to demolish it. We have to go through the same process, which takes thirty, sixty days at least.

ASSISTANT CITY ATTORNEY: Well, no, if you vacate the order today, then there's no order to demolish, but the case exists. We'll have everyone come back in April, and we will order the demolition. You know, I mean, I suppose

provided we can't get service on them, but we will, because now we're talking and we know where they are.

CHAIR MADFIS: So, regardless, it's really just a thirty-day extension from this point on.

ASSISTANT CITY ATTORNEY: It really is just a thirty-day extension, but because you entered an order to demolish we need to have the order vacated.

CHAIR MADFIS: Then I guess -

ASSISTANT CITY ATTORNEY: It's a little bit unusual, but I don't think it's a -

MR. HEGUABURO: Wayne, what's your advice to the Board on this house?

INSPECTOR STRAWN: Yes, I'll go along with that. The mortgage company is the interested party that wants to preserve the equity they have in the property. If the City demolished it, it would also include the pool in the backyard and everything. They would have a vacant lot and lose all of that, when actually, the property could be saved by demolishing much of the work that was done without permits and rehabbing the building. I'm in favor of a vacation.

CHAIR MADFIS: Okay, great. Any other

comments or thoughts from the Board?

MR. HOLLAND: I'm sorry if I missed something. Was there a response from the mortgage company the first round?

CHAIR MADFIS: I don't think so, but I'm not sure.

MR. SCHERER: No, there was no respondent, so that's -

MR. HOLLAND: As far as the certified mails and -

ASSISTANT CITY ATTORNEY: Oh yes, we did have service, but they didn't come. But you know, sometimes with mortgage companies, we send service to their registered agent, and they send it to the office in New York, who sends it to the office in Texas, and finally gets back to the people in Fort Lauderdale but the hearing was last week, I mean, that's sort of a typical scenario that we see a lot of times with mortgage companies and also with big companies like Target or, you know, it's almost impossible to get someone to show up at the right time, because twelve people had to look at the order, but -

CHAIR MADFIS: Gas stations.

ASSISTANT CITY ATTORNEY: Yes, gas

stations is another one exactly. So it's a little bit unusual what we're asking for, but at this stage we really should have demolished the property a while ago. We didn't, it's our fault for not demolishing it.

At this point, the fact that they're interesting in saving it, or at least giving it a shot could save the City money in demolishing it, plus, they seem to want to have it demolished and - notwithstanding their attempt at a lawsuit which we would have to litigate before we could demolish anyway so -

MR. HOLLAND: Thank you.

CHAIR MADFIS: Alright, well I guess we can listen for a motion from the Board and perhaps we can have something in there about making sure the property is secure.

ASSISTANT CITY ATTORNEY: Sure.

MR. HEGUABURO: I move a motion to vacate is it?

ASSISTANT CITY ATTORNEY: Vacate, yes.

MR. HEGUABURO: Vacate. And I would like to see on April, next meeting is April 19th.

ASSISTANT CITY ATTORNEY: Okay. We will, we will, we've already informed their attorney to

be here, so if they're not here we'll present the case anyway, we'll give them notice, but if no one shows up again then we'll just be back where we were in November, okay?

CHAIR MADFIS: Great, and we need to vote on that.

ASSISTANT CITY ATTORNEY: Yes you do.

CHAIR MADFIS: So, all in favor - I'm sorry, we get a second on that?

MR. SCHERER: I'll second.

CHAIR MADFIS: Okay. And all in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed? None. It passes. Is that, any more cases?

[6. Case CE05110458]

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MS. MOHAMMED: Next case, page one of your agenda, it's a new business case. Inspector Wayne Strawn for case number CE05110458, case address, 1613 Northwest Eleventh Court. The owner, Deborah Campion and Louis S. Cupio. The City is requesting that this case be continued to the 4/19/07 hearing, Unsafe Structures Board hearing, so that we can notify the second owner, Deborah.

CHAIR MADFIS: Okay, so we need a motion

to postpone this case 30 days 'til we get better notice.

MR. HOLLAND: Second.

CHAIR MADFIS: Well, someone should make the motion.

MR. HOLLAND: So moved.

CHAIR MADFIS: Okay, and a second?

MR. SCHERER: Second.

CHAIR MADFIS: Okay, seconded. And all in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: Okay. Postponed for thirty days. I have one question for the city attorney.

ASSISTANT CITY ATTORNEY: Okay.

CHAIR MADFIS: We're a quasi-judicial board?

ASSISTANT CITY ATTORNEY: Yes.

CHAIR MADFIS: Okay, if anyone comes -

MS. MOHAMMED: We have two more cases, may I just read into the record quickly?

CHAIR MADFIS: Okay, sure.

MS. MOHAMMED: Page six of your agenda, case number CE06090278, complied.

CHAIR MADFIS: Okay.

MS. MOHAMMED: And page seven of your

agenda, case number CE06091255, complied.

CHAIR MADFIS: Okay, thank you.

MS. MOHAMMED: And that concludes our agenda for today.

CHAIR MADFIS: Just before we adjourn, I just want to ask the city attorney one question. If we're a quasi-judicial board, do we need to start the meeting by requesting any of the people on the panel to disclose any possible conflict or communications [inaudible]?

ASSISTANT CITY ATTORNEY: Yes, that's a good point, and I should have, I should have mentioned it but yes, you do need to disclose any visits to the property or any relationships that you have with any of the people involved, any of the property owners.

And the reason for that is that the idea is that you're supposed to make your decision based on what's presented to you here. And if you know something else because, you know, everyone lives in Fort Lauderdale it's a small community and people know people and people know about things. It just needs to be disclosed that you have driven by this place or you did, you were contacted about it, or something like that,

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so that it's on record that you're making your decision based on what's presented here today, but also with the understanding that you've disclose this sort of ex parte, or information that you learned outside of this forum.

The reason for that is that people have the due process right to rely on the City presenting a case based on the evidence and the inspector's testimony. If a Board member always drives by this place on his way to work and might have an opinion about it from having to run by it, then it really isn't fair to the owner of the property who's expecting to get a hearing based on what the inspector's report says.

So, I should've said that, I guess I missed an opportunity. I should've done that maybe when the chair changed. But yes, it's an obligation that you disclose. It doesn't disqualify you from hearing the case, but you do have to disclose any site visits or any sort of information that you learned outside this room about the case. That makes sense.

CHAIR MADFIS: Okay, thank you. Any questions about that?

MR. HOLLAND: That said, can I enter into

the record as far as the seawall case today -

ASSISTANT CITY ATTORNEY: Sure.

MR. HOLLAND: - I was aware of the property and the owner just from being association president a few years ago -

ASSISTANT CITY ATTORNEY: Okay, that's the kind of thing that -

MR. HOLLAND: And also, I have heard talk of the seawall, but I would like to disclose that at this time after the fact. And it did not enter into my decision for his extension.

ASSISTANT CITY ATTORNEY: Okay, that's fine.

MR. HOLLAND: But I did have that knowledge. I'm not a boater, so I'm not out on the waterfront as much as - this was word-of-mouth.

ASSISTANT CITY ATTORNEY: Okay, that's fine. Thank you. I don't think we've had a sea wall case, since I've been here so.

CHAIR MADFIS: Alright, I'll make sure to ask the question of the beginning of each meeting then, in the future.

ASSISTANT CITY ATTORNEY: Okay. Are you guys all, do we need to talk about the sunshine

law or anything like that? Is everyone up on that? This is: don't talk to each other if you run into each other outside of here about anything that might come before you so, no sea walls, no falling down roofs.

CHAIR MADFIS: [inaudible] particularly discussing about policy of how we might handle things here or anything like that.

ASSISTANT CITY ATTORNEY: Right, exactly. You can talk about sports or kids or the mayor, okay? Alright, thank you very much.

CHAIR MADFIS: Thank you. And I'll hear a motion to adjourn.

MR. SCHERER: Motion to adjourn.

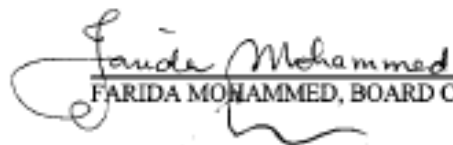
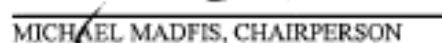
CHAIR MADFIS: Second?

MR. HEGUABURO: Second.

CHAIR MADFIS: All in favor?

BOARD MEMBERS: Aye.

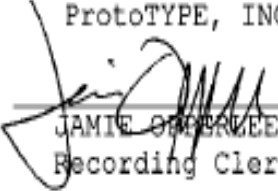
[Meeting concluded at 4:05 p.m.]


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 March 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 26 day of March, 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 27th day of March, 2007.



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