

City of Fort Lauderdale
 UNSAFE STRUCTURES BOARD
 Thursday, May 17, 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	4	1
Olivia Charlton	A	4	1
Hector Heguaburo	A	3	2
Joe Holland	P	5	0
Thornie Jarrett	P	1	0
Patrick Kerney	P	4	1
Michael Madfis, Chair	P	5	0
Charles Minor	A	3	2
John Scherer	A	4	1

City Staff

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

Guests

CE06031441: Bobby Burrows, owner
 CE06080943: Robert Samson, owner
 CE06081391: Steven Lee, attorney
 CE06011118: Charlie Crum
 CE06031441: Dennis Chrishan, contractor
 CE06091833: Charles Donnelley, owner
 CE06111478: Ricardo Dawkins, owner's son
 CE06081391: Jose Fente, owner; Juan Jose Leon, relative
 CE06121094: Gloria Burnell

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- at June 21, 2007 meeting. Board unanimously approved.
3. CE06080943 Robert Samson [19](#)
Disposition: 90-day extension. Board unanimously approved.
 4. CE06081391 & Beaver Cleaning [28](#)
CE06081398
Disposition: 90-day extension. Board unanimously approved.
 5. CE06091833 Charles Donnelly [33](#)
Disposition: 30-day extension: owner to provide proof of retaining and engineer and proof the engineer is moving forward; pool violation must be complied.
 6. CE06111478 Clifton Dawkins [46](#)
Disposition: 30-day extension; architect must have addressed comments and resubmitted plans to the City. Failing that, the architect must appear with the owner to explain.
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Disposition: 30-day extension; power must be turned off; property must be boarded with a permit; demolition of the wall; owner must present contract with architect;

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The regular meeting of the Unsafe Structures Board convened at 3:03 p.m. on Thursday, May 17, 2007 at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida. Board members introduced themselves in turn.

[Swearing in]

[1. Case CE06011118]

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MS. MOHAMMED: Good afternoon Board. Your first case is on page one of your agenda. This is an old business case. Inspector Wayne Strawn

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for case number CE06011118, case address, 731 Northwest 15th Avenue, the owner, Charles L. Crum. The owners and interested parties were notified via certified mail, and the green cards are in the file and as noted on the agenda.

This case was first heard by the Unsafe Structures Board on 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.

At the 11/16/06 Unsafe Structures Board meeting, the Board granted a thirty-day extension with the provisions that Mr. Crum 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.

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. On 3/15/07 the Unsafe Structures Board granted a sixty-day extension, and the owner to return on May seventeenth with a progress report.

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CHAIR MADFIS: Okay, do we have a report?

Will you just state your name again?

MR. CRUM: My name's Charlie Crum. I own 731 Northwest 15th Avenue. At the last meeting, I brought in the drawing for the new plans and everything, complete set of plans, and I submitted them back. I had already submitted them to the City. And I had to pick them up on the third of this, last month, take them back to the architect because there was, something wasn't done in reference to the - he needed to write a letter concerning the walls, the masonry, and the driveway, the floor elevation and a few other things. So as of right now, the architect has the drawings.

CHAIR MADFIS: Okay, so the plans have been submitted for a building permit. They were reviewed by - I'm just guessing this - they were reviewed by a variety of disciplines and then you got your comments back?

MR. CRUM: Yes sir.

CHAIR MADFIS: And now you've taken them back to the architect for his corrections.

MR. CRUM: Yes sir.

CHAIR MADFIS: And then you expect to

bring them back to the City and get your building permit.

MR. CRUM: Yes sir.

CHAIR MADFIS: Okay. Do you have any evidence of having done any of that other than just telling us about it? Do you have a record from the City of the comments or -

MR. CRUM: No, I gave the comments to the, I sent them to the architect.

CHAIR MADFIS: It's good to take a copy of those things and so you have them when you come here, as opposed to just us, because as you heard them read into the record, this has been going on for a long time, and what we're really trying to do is make sure that we're making progress and we're not just going around in circles, because that happens a lot. So, right now, we don't really have a lot of strong evidence about the status of this project. Wayne, is there something more that you can offer?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. I can collaborate or concur, corroborate with the testimony of Mr. Crum. Approximately two weeks ago, the plans were picked up for corrections.

CHAIR MADFIS: Okay great, so, what he's basically told us is actually right. That's good to know. And, any other questions from the Board at this time? And what are you coming to the Board for at this point, are you asking for some more time? Do you know how much time you'd like to ask for?

MR. CRUM: [inaudible] some more time, because I don't have any idea how long it'll take the architect to do it.

CHAIR MADFIS: When did the architect indicate he might be able to return the plans, any idea?

MR. CRUM: I have no idea.

CHAIR MADFIS: It's been since the third of last month you said?

MR. CRUM: No, this month.

INSPECTOR STRAWN: This month, two weeks ago.

CHAIR MADFIS: This month. Just two weeks ago, okay. I listen to the Board if there's any other -

MR. KERNEY: Mr. Chairman, I believe if we were to grant a sixty-day extension then it's possible that he would be able to get the plans

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back, maybe even get the permit and it would come off of our agenda automatically. So I'd like to put that in the form of a motion - sixty-day extension.

CHAIR MADFIS: Alright, we have a motion, is there a second for the sixty-day extension?

MR. HOLLAND: Second. Joe Holland.

CHAIR MADFIS: Okay, great. Any discussion on that at this time? No discussion? Okay, let's take a vote then. All in favor of a sixty-day extension?

BOARD MEMBERS: Aye.

CHAIR MADFIS: Any opposed? Hearing none, the motion passes unanimously. Thank you very much. We'll hopefully not see you in sixty days because hopefully you'll have your permit by then and the case will be dismissed.

MR. CRUM: Okay, thank you sir.

CHAIR MADFIS: You're welcome. I'm sorry, the date? That would be July nineteenth; July nineteenth will be the date.

MR. KERNEY: Do you need me to amend the motion to specifically say July nineteenth?

MS. MOHAMMED: No, that's fine. July nineteenth.

[2. Case CE06031441]

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MS. MOHAMMED: Next case, page two of your agenda. This is an old business case also. Inspector Wayne Strawn for case number CE06031441. Case address, 2509 Northwest 20th Street, the owners, Bobby L. Burrows and Linda C. Burrow. The owner and interested parties were notified via certified mail and the green cards are in the file as noted in the agenda, on the agenda.

This case was first heard by the Unsafe Structures Board on 3/15/07. At that hearing the Board granted a sixty-day extension and the owner to return on May seventeenth with a progress report.

CHAIR MADFIS: Okay, we'll have a progress report please. And will you state your name as well.

MR. BURROWS: Bobby Burrows, and this is Dennis Chrishan, he's the contractor, he's [inaudible].

MR. CHRISHAN: Hi, Dennis Chrishan from Rose Construction, how are you?

CHAIR MADFIS: Good, could you speak clearly into the microphone please?

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MR. CHRISHAN: Dennis Chrishan, Rose
Construction.

CHAIR MADFIS: Thank you.

MR. CHRISHAN: Since our last meeting on
3/15/07, we were here, one of the major problems
that we had on the job was that prior to Mr.
Burrows' purchasing the home all the windows were
replaced. The inspector said that he could not
find any records of that. He recommended I go
down to Broward County to see if maybe there was
old records in Broward County.

Made three attempts to Broward County,
could not find anything that there was any
permits or any drawings or anything like that, so
since that, based on his recommendation, we
resubmitted the plans back to our architect. We
now have new drawings done for new windows, new
shutters, new front door. That was given back to
my architect on 3/17, I got the revisions back on
4/17.

We attempted to put the plans back in on
5/7. We put the plans back in, before they even
allowed us to go ahead and put it in there, they
wanted the shutters, the shutter applications
signed by the architect. Sent them back to the

architect.

Bottom line is, our permit runner is at your office right now. The only other thing was is that we need to put in a separate permit for the shutters which I was not aware of. I thought that was included on our building permit. A new shutter permit has been put in. She's expecting to have the permit probably within about two weeks.

CHAIR MADFIS: Okay, so the permits that you're really going for are just for these windows and shutters and doors. Is there any other construction that you're permitting?

MR. CHRISHAN: Pardon me?

CHAIR MADFIS: Is there any other construction that you're permitting besides the windows and doors?

MR. CHRISHAN: We're putting on a new roof, we're doing new electrical, we're doing new plumbing, we're putting in an A/C system -

CHAIR MADFIS: Okay, so there's a comprehensive set of plans being submitted? Or are you just going for -

MR. CHRISHAN: Yes sir, no, it was - a comprehensive set of plans have been there since

January.

CHAIR MADFIS: Okay.

MR. CHRISHAN: They were sent back to us and at our last meeting of 3/15 we were not going to go ahead and replace all the windows; there was absolutely no damage to the windows and the front door from the storm. This is a hurricane, this is a hurricane damage loss. Because the City of Fort Lauderdale deemed that the building was more than fifty percent damaged, they wanted to go ahead and replace the windows. Now those windows were probably maybe two years old, maybe-

MR. BURROWS: Four years -

MR. CHRISHAN: Four or five years old.

However, they were there when Mr. Burrows purchased it. Even though there was no damage, they're making Mr. Burrows go ahead and replace them.

CHAIR MADFIS: You don't have the proper information, I guess, to satisfy the Building Department on those windows.

MR. CHRISHAN: I do now, but they're -

CHAIR MADFIS: Oh, you do now. Okay.

[inaudible]

MR. CHRISHAN: I do now. We went ahead

and did a complete new set of plans because you
all -

CHAIR MADFIS: Okay, so you're basically
responding to comments, I guess, on the -

MR. CHRISHAN: Yes sir.

CHAIR MADFIS: - permits and some of them
related to the window and door -

MR. CHRISHAN: Yes sir.

CHAIR MADFIS: - notice of acceptance and
getting them stamped by the architect and all
that.

MR. CHRISHAN: Yes sir.

CHAIR MADFIS: Now you've currently
getting them back in the department as we speak,
and you expect in about two more weeks you'll
have your building permit for the total set of
plans.

MR. CHRISHAN: Yes sir.

CHAIR MADFIS: Okay, good. Any thoughts
or comments from the Board?

MR. HOLLAND: Question, maybe for the
Board or anybody. Do the shutters preclude
having to replace the windows, or is it because
just the basic window is not certified in some
capacity?

CHAIR MADFIS: Usually, you have to bring the building up to code if it's over fifty percent. That includes all structural components and the envelope of the building. So therefore, the windows are part of that. They don't just, if you put shutters on, it doesn't cover everything because you could have wind pressure and water seepage without the windows in place. So, they may not be impact resistant, but they might handle the other issues.

MR. HOLLAND: So it's not so much a storm resistance specification for windows; it's just general specs?

CHAIR MADFIS: Right. So they need to meet certain standards, even with shutters. So yes, they would be required.

MR. HOLLAND: Thank you.

CHAIR MADFIS: Any other questions?

Alright. And so -

MR. JARRETT: My concern would be, of course, I noticed on here that it was noted that the electrical system, in addition to the water intrusion and so on, also has additions that were done without permits, and I assume that that's all going to be documented on your new set of

plans, and an electrical contractor not only would pull the permit for the new, but also inspect the old.

MR. CHRISHAN: The additions that they're referring to sir, was the windows. They were saying that the windows were never permitted. There's no additions at the house.

MR. JARRETT: Okay.

MR. CHRISHAN: There's a complete new set of plans. Everything had passed except for the comments that are on there.

MR. JARRETT: Okay. I'm just reading the comment here that says new electrical circuits and conduit are in evidence. That's not correct?

MR. CHRISHAN: That's all old. That's been there since - and I don't know why that was done. And at our last meeting, it was even made a comment at our last meeting that the building is really not fifty percent damaged. However, the gentleman here can relate to that. The only thing that was put up there was a temporary pole so we could do the demolition. All the electrical and stuff like that is still there, has not been moved. Everything is still there.

The problem was that the window situation

happened before Mr. Burrows was there and again, the insurance company is not going to go ahead and pay for the replacement of the windows because they weren't damaged. He's going to have to come up with the money to go ahead and replace the windows and then make them impact. Even though that they weren't damaged because when I went down to the Building, when I went down to the Building Department for Broward County, they could not find anything as far as the windows being replaced. And, the windows are fine, but when I attempted to go ahead and, again, based on his recommendation, if I could find some product approvals for those windows -

CHAIR MADFIS: You'd be all set.

MR. CHRISHAN: - then I could go ahead and do that, but the product approvals aren't existing anymore.

CHAIR MADFIS: Okay. Wayne, is there something else you want - I'm sorry.

INSPECTOR STRAWN: Just to clarify some issues. We didn't use the fifty percent criterion on the building although it may have been a close call. The windows were cited because they were installed, they were obviously

new windows and we never got a permit for their installation.

When I first saw the building, it appeared to be a shell. All the drywall is gone from the inside because of the water intrusion, and so it looked to me like they were doing a rehab, and they started with the windows for the sake of security.

CHAIR MADFIS: Sure.

INSPECTOR STRAWN: And so we find out, however, that the windows just happen to be very new and one of the few things that survived the storm. The electrical system will be inspected because it's a shell. They're going to be able to inspect everything that's there with the new building permit and the new electrical permit.

MR. JARRETT: So there would be an electrical permit?

INSPECTOR STRAWN: Yes -

MR. JARRETT: Because with the water intrusion, I'd just like to advise the owner, with the water intrusion -

INSPECTOR STRAWN: Absolutely.

MR. JARRETT: - that you should have an electrical contractor or electrician check your

system before you energize it.

MR. BURROWS: What he's saying is, all electric and all the plumbing's going to be brand new anyway.

MR. JARRETT: Okay, but I'm saying that you should have it checked just because it's been wet. Circuit breakers don't always function after they've been wet once.

MR. BURROWS: [inaudible] It's going to be, everything is going to be -

MR. CHRISHAN: He was the first one there.

MR. BURROWS: No, it's not the same boxes, not the same wiring everything -

CHAIR MADFIS: Okay.

MR. BURROWS: The house is totally destroyed, understand?

MR. CHRISHAN: The electrical contractor was the first one there with us, when, even before we met with the insurance company to go ahead and get him temporary power because we knew it was [inaudible]

CHAIR MADFIS: And the building's dried in at this point?

MR. CHRISHAN: Yes.

CHAIR MADFIS: Okay, great. What are you

requesting now then, in terms of an extension until you get your building permit?

MR. CHRISHAN: I just spoke with my processor; she said two weeks before I get my permit.

CHAIR MADFIS: Okay, so we'll hear a motion from the Board.

MR. HOLLAND: I'd like to propose a motion that we get an update on June twenty-first meeting.

CHAIR MADFIS: Okay, great. Do I hear a second for that motion?

MR. BELLISSIMO: Second.

CHAIR MADFIS: Any discussion following that? Any thoughts? Okay, I'll hear a vote in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: Any opposed? No? Okay, motion passes unanimously. We'll hopefully not see you here on the twenty-first, but if you don't get your permit we will.

MR. CHRISHAN: And how do I, what do I, once I get my permit do I just send a letter saying we have the permit and stuff like that, so we don't come back on the twenty-first, or how

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does that work?

CHAIR MADFIS: I don't know. Wayne will tell you.

MR. HOLLAND: Can Wayne speak on their behalf?

MR. CHRISHAN: I'll talk to Wayne.

INSPECTOR STRAWN: We always check when we're setting up the next agenda, and if the permits are issued, it doesn't get put on the agenda.

CHAIR MADFIS: There you go. Thank you very much.

[3. Case CE06080943]

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MS. MOHAMMED: Next case, page three of your agenda. It's an old business case. Inspector Wayne Strawn for case number CE06080943, case address 1601 Northwest 6th Avenue. The owner, Robert H. Samson. The owners and interested parties were notified via certified mail and the green cards are in the file and as noted on the agenda.

This case was first heard by the Unsafe Structures Board on 3/15/07. At that hearing, the Board granted an extension to 4/19/07. On 4/19/07 the Unsafe Structures Board granted an

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extension to May seventeenth, and the owner to return with a signed contract with an architect, and drawings.

CHAIR MADFIS: Okay. I will, state your name please.

MR. SAMSON: I'm Robert Samson, I'm the owner. I have returned with the plans. I've not yet submitted them for the permit because I'm shopping for a contractor now to do the work. I will have electrical and plumbing done so - I thought -

My original plan was to go ahead and submit them as an owner, be the contractor, but I've kind of decided that unless I have a delay with finding a contractor, I'll go ahead and do that. But I'd rather have the contractor and my deal in place and have the contractor submit it. So I'll have to do that anyway.

CHAIR MADFIS: Okay, so the architect has prepared the plans and they're complete?

MR. SAMSON: Except for specifications on the doors and the windows, which I need to get, decide on what I'm going to do there and have the documentation from the manufacturer on that. But I'm talking with the contractors about that

because they have input on that too, it's not just my -

CHAIR MADFIS: Okay, that could take a long time. You need to think about expediting this and making some decisions. So you basically have a set of plans that doesn't particularly have the windows and doors with the wind pressures and the notice of acceptances and all of the -

MR. SAMSON: To my knowledge, that's all that's missing from these plans.

CHAIR MADFIS: Could you pass those plans down the end and we'll pass them down and take a look at them and see just how complete they are? And, any other evidence to report to us at this time?

MR. SAMSON: That's it. I've just been interviewing contractors and hope to have a deal in place in the next couple weeks.

CHAIR MADFIS: Any questions or comments from the Board?

MR. HOLLAND: Yes, I've got a concern about due diligence here. Under the circumstances, we expressed concern about trying to stay ahead of hurricane season and hazards to

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the structure and others in the vicinity, and I'm just kind of aghast that you wouldn't put the plans in and start the process with the permitting, which is often controlling time line item.

MR. SAMSON: If you would recommend that, I'll do that. I just thought since I'm not going to be the general contractor anyway - If you think that's what I should do, I'll go ahead and do that.

MR. HOLLAND: It may be a point of law I can't necessarily address, but just as a layperson, it seems not real time-conscious under the circumstances.

MR. SAMSON: I might mention that the roof has been removed, so if there was a hurricane, all it is is a shell of a structure, so I don't feel there's any damage that, there's nothing that can come off of it that would damage any adjacent property.

MR. HOLLAND: Mr. Strawn, do you [inaudible] comment to that or, have you seen it lately?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. Mr. Samson already had a

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construction dumpster at the site and all of the broken roof parts, trusses and everything, have been taken to the dump, so it basically exists as four walls. He has some canoes inside, but hopefully the wind won't suck those out of there.

MR. HOLLAND: Thank you.

MR. JARRETT: I don't think these plans [inaudible] get through the Electrical Department.

MR. SAMSON: Really?

MR. JARRETT: According to that, your electric panel has two circuits in it, but yet you show washer and dryer and some other items so, obviously your architect needs to draw a little bit better set of electrical plans on there to get a permit.

MR. SAMSON: I'll mention that.

MR. JARRETT: I don't think your electrical contractor is going to be able to pull a permit based on that set of plans.

MR. SAMSON: Thank you for your opinion.

MR. BELLISSIMO: Have you made any contact or gotten bids from any contractors yet?

MR. SAMSON: I haven't gotten a firm number yet, but I've interviewed them and had a

couple out to look at the property.

MR. KERNEY: You know that you could turn these plans in and then when you've got your contractor, just do a change of contractor from owner builder. We do it a lot in our business that the building owner will go ahead and submit the plans because they're not sure who the contractor's going to be. But if you're - my personal opinion is that if you're close on selecting somebody, then just wait and have them submit it.

MR. SAMSON: Okay.

MR. KERNEY: I don't know how close you are to cutting a deal with somebody.

MR. SAMSON: I would think within the next two weeks but it's hard to say. If - it sounds like I might need to take the plans back to the architect for the electrical before I even submit it and maybe you can look at the plumbing because basically the plumbing's exists and I don't think there's a whole lot of detail about the plumbing either on there.

CHAIR MADFIS: As much as some of these systems are existing, the plan reviewers don't go out to your house to sort of verify what's there

and what's not, they rely a lot on what the drawings show. Then the inspector comes out to the field, and if the drawings don't represent what was there, what is there, then they may stop the inspections until the drawings are brought up to date. So it's really often important to the progress and flow of the job that the drawings be done properly up front.

You can get a permit on a very simple set of plans, but if you're doing a much larger scope of work, the inspector's going to stop the job early. So as much as you might feel excited you got your permit, you still want to make sure it's the right scope of work.

The plans look like they're under, in progress and they look like they're done with a good intention and will probably work eventually, they may need a little bit more work on them, but the concern really is to continue the process and move it along as quickly as possible so that you need to be [inaudible] with your contractor maybe as your plans are being developed so that when they all come together you're ready to go for permit. Otherwise, this thing can go on week, month after month, so -

MR. SAMSON: Right.

CHAIR MADFIS: What type of time do you think you need at this point? Our job really stops once you get a permit -

MR. SAMSON: Right.

CHAIR MADFIS: - not once you hire a contractor. So if hiring a contractor is important to you getting a permit, that needs to, that negotiation needs to be done right away.

MR. SAMSON: I would prefer to hire the contractor prior to applying the permit for myself but I would prefer also not to come back before the Board because I take time off work. So if I go a couple weeks and I still haven't settled on a contractor, I'll go ahead and submit the plans and get the permit activity going and then try to work out the details from there.

CHAIR MADFIS: Well, I know it's taking about three weeks just to get a first review on your plans, so if you wait another two weeks it'll be five weeks before you know how close you are to a permit. So what type of time do you think you might need?

MR. SAMSON: I guess sixty days, it sounds like.

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MR. KERNEY: Mr. Chairman, I believe he's at probably at least ninety days away from getting a permit. If Wayne feels as though the site is in safe condition at this point, then there's no sense in bringing this gentleman back here to tell us that his plans are in for permitting. Might as well extend it out for the ninety days and hopefully we won't have to see him again.

MR. HOLLAND: Wayne, do you concur?

MR. KERNEY: Nothing personal.

MR. SAMSON: Nothing personal here either.

CHAIR MADFIS: I tend to agree with that, I guess my only concern is that, keep the pressure on, and I feel both ways. No sense in having him come back just to say, yes, I'm two minutes away from getting the permit now, but at the same time, I don't want to see him back here in ninety days saying I'm still waiting on two more weeks before I decide on my contractor.

So, we see a lot of these projects linger and linger and I guess the benefit of this one is that the building is somewhat secured. Wayne, is there anything else you want to comment on? Any other thoughts from the Board?

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MR. HOLLAND: Just again, I think our main concern is safety, and it seems like that issue's been addressed in all points.

CHAIR MADFIS: Well, I'll listen to a motion [inaudible].

MR. KERNEY: I'd like to make a motion for a ninety-day extension, which will take us out to the August sixteenth meeting.

MR. HOLLAND: Second.

CHAIR MADFIS: Alright, all in favor of that motion?

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed? Hearing none, the motion passes. Thank you, hopefully we won't see you.

MR. SAMSON: Thank you.

[4. Case CE06081391 & CE06081398] [INDEX](#)

MS. MOHAMMED: The next case, we're gong to hear both cases together, same property owners. Case, next two cases will be heard together on page four and page five of your agenda. Wayne Strawn is the inspector. Case number CE06081391, case address 638 Northwest 15th Avenue, the owner, Beaver Cleaning and Maintenance Corp.

And page five of your agenda, case number

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CE06081398, case address 642 Northwest 15th Avenue, the owner, GMAC Mortgage Corp. The owners and interested parties were notified via certified mail, the green card's in the file and the information is noted on the agenda.

These cases were first heard by the Unsafe Structures Board on 11/16/06. At that hearing the Board granted a thirty-day extension and the respondents were to return with a progress report and evidence of negotiations with GMAC.

On 12/21/06, these cases were presented to the Unsafe Structures Board. At that hearing the Board granted a thirty-day extension of time, the owners were to return with proof of a deal with GMAC.

On 1/18/07 the Unsafe Structures Board granted a ninety-day extension and respondents must reappear with at least one proposal from a design professional. On 4/19/07, Unsafe Structures Board granted an extension to May 17th 2007.

MR. LEE: Thank you. Good afternoon, members of the Board. Steven Lee, on behalf of Beaver Cleaning, and the big change is GMAC is not here today because on May third we finally

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closed on this property. So we're very happy about this.

If you may recall, this was the Jekyll and Hyde property, we had one side that due to mortgage fraud they'd been sold separately when they never should have been split, we had one side that was in compliance and one side that was in violation, but since it was one property, both were cited.

And we really initially didn't have any way of buying the other side and we went through negotiations and then we had title defects and a lot of delays, but May third we closed. I have a copy of the unrecorded deed, but it has been sent to recording.

We've retained an architect; Beaver Cleaning has retained an architect. His name is Juan Jose Leon. He's here today; he's been sworn in and I guess he's available to answer any questions the Board might have as far as what he plans to do out there.

He's in the process, and just begun really, it was two weeks ago that we closed, just begun to draft his plans and get them ready for submittal. But I invite him here to answer any

questions, specific questions the Board may have about rehab. That's his area of expertise.

CHAIR MADFIS: Okay. Have you been sworn?

MR. LEE: He was, yes.

CHAIR MADFIS: The intention here really is we want to get a building permit as quickly as possible, and I guess now the owner's going to ask us for more time, and so we need to get an idea what type of time it's going to take to achieve a building permit.

MR. LEON: Well, from what I, Juan Leon, Juan Jose Leon. My question, maybe you can fill me in a little bit. What is your review, I heard review process takes about three weeks now at the Building Department for the first review, something like that? Because I'm not familiar with Fort Lauderdale.

CHAIR MADFIS: Welcome to Fort Lauderdale, I hope you come back. I'm hearing it's about three to four weeks right now because things have slowed down quite a bit, but I haven't gotten through a DRC in a long time, so I haven't been able to [inaudible] and I don't know what's going on over there. But yes, that's what I hear.

MR. LEON: I would say that, preparing the

plans, three to four weeks and say three to four weeks for the review and then for the initial comments back, I figure ninety days.

CHAIR MADFIS: Ninety days total you're thinking.

MR. LEON: Total, yes, to get a permit.

CHAIR MADFIS: To get a permit.

MR. LEON: Because the Board, as I see, the Board waits to have a building permit.

CHAIR MADFIS: Yes. Okay, any questions?

MR. HOLLAND: Yes, question for Mr. Strawn. Again, sorry if it's - how do we stand with the interim situation of these structures during our storm season which - by the way, I just heard, La Nina is here, and that's bad news.

INSPECTOR STRAWN: The building is secure. The boards are, there's one slightly loose board on the south exposure which needs to be tightened up so that no one can get in. But it is secure and it's a flat roof building so it doesn't really represent a great hazard and they need time to, the City's not opposed to giving them time.

MR. HOLLAND: Okay, appreciate it, thank you. Motion to extend the ninety days, which

would bring it to the August sixteenth date.

CHAIR MADFIS: Second?

MR. BELLISSIMO: I'll second.

CHAIR MADFIS: Okay, we have a motion and a second, is there any discussion at this time? No discussion? Let's take a vote. All in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed? Hearing none, the motion passes unanimously. Hopefully we won't see you.

MR. LEE: Thank you gentlemen.

CHAIR MADFIS: Good luck. But you've got to stay on that 'til you get that done.

[5. Case CE06091833]

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MS. MOHAMMED: Next case, page six of your agenda, it's also an old business case. Inspector Wayne Strawn for case number CE06091833. Case address, 3018 Northeast 20th Court, the owner, Charles E. Donnelly. The owners and interested parties were notified via certified mail. The green cards are in the file and the information is noted on the agenda.

This case was first heard by the Unsafe Structures Board on 3/15/07, at that hearing the Board granted a thirty-day extension for all

violations regarding the swimming pool, and a sixty-day extension for all violations regarding the seawall.

MR. HOLLAND: Mr. Chair, I'd like to make a disclosure. This is in my neighborhood and I have some indirect knowledge of the goings-on.

CHAIR MADFIS: Okay. That shouldn't cause any issue. Great. Thank you for making that. And, will you state your name?

MR. DONNELLY: Charles Donnelly.

CHAIR MADFIS: Okay, and you'll give us a brief report.

MR. DONNELLY: Well, I'm still working on getting some financing for the replacement of the seawall. I'm probably going to have to take out a second mortgage on the house. That's what it looks like right now, because I'm looking probably at a minimal expense of around thirty thousand dollars. So, as I said, I'm working on some financing on it and I would request a continuance.

CHAIR MADFIS: What about design of the project, are you getting an engineer involved, have you done that?

MR. DONNELLY: Well, I'm contacting some,

American Seawall and some other firms, getting estimates on it.

CHAIR MADFIS: So you're going to have the contractor do the design, the design-build process.

MR. DONNELLY: Yes. I don't know how to design a seawall.

CHAIR MADFIS: No, I'm sure you don't. I didn't know if you'd hire a separate engineer. I'm not sure maybe what the best way to handle it is.

MR. HOLLAND: I think often it's, sometimes a conflict of interest develops with the design/build. Sometimes it can be more economical for you to have a design professional, you paying him directly to come up with a scope that'll save you money and may be the most economical for you, versus a contractor may - no offense fellas - have a tendency to develop a scope that may be a bit gold-plated or something.

MR. DONNELLY: I didn't know there were seawall designers so I -

CHAIR MADFIS: One of the benefits of that, perhaps, could also be that you'll get your building permit, maybe you'll still have to be

negotiating your construction prices, but you'll get your building permit and that will take it off of our agenda.

The, there are probably a few options you can go, so we're just bringing that to your attention. You might want to take a look at that. That could shorten the time that you're in violation without having a permit for reconstruction.

And maybe your work might need to be done in phases as you can afford to pay for it or something. I see you have a pool. Is the pool at issue here as well, or just the seawall?

MR. DONNELLY: No, it was just the seawall today.

MR. JARRETT: There's an issue about the pool water is black and presents a health hazard, and of course you know we're entering mosquito season. I would hope you that you would be able to address that.

MR. DONNELLY: I'm still chemicaling it, trying to get it down.

MR. JARRETT: It's addressed. I believe so.

CHAIR MADFIS: Any other questions from the Board?

MR. HOLLAND: Yes, Mr. Chair?

CHAIR MADFIS: Sure.

MR. HOLLAND: Mr. Strawn, did we see photos on this condition? Just how imminent is the collapse, do we have any - Reason for asking, there is a concern for boaters and people going by, some kids use canals on occasion, may not be as cautious as some adults.

CHAIR MADFIS: Maybe the design professional could also design some temporary shoring or maybe even a temporary demolition or something to -

MR. HOLLAND: There may be some warning devices, the orange type that may be able to at least buy some time for safety concerns.

MR. KERNEY: While they're looking for the pictures, when was this case last heard?

MR. DONNELLY: March fifteenth.

MR. KERNEY: March fifteenth, that was the last meeting.

CHAIR MADFIS: And we granted a thirty-day extension, so they must have missed the April meeting.

MR. KERNEY: What was the thirty- I was at that meeting, I can't remember - what was that thirty-day extension based on?

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[Inspector Strawn displays photos of the property]

INSPECTOR STRAWN: The banner piles are broken off, as you can see. There's a close up of what you've got there. Black swimming pool. This gives you the, the pilings are actually, the seawall's pressing on the two-by-fours, which are shored to the pilings. Gives the flavor of what we have there. The swimming pool is still green, it's not, it hasn't been cured. It hasn't reached the position where it could be called sanitary; it's still a green pool.

CHAIR MADFIS: It's just a matter of chlorine, is that correct?

MR. DONNELLY: Yes, I had put some in yesterday; I can put some in tomorrow, tonight or tomorrow morning.

CHAIR MADFIS: Any other comments from the Board or questions?

MR. HOLLAND: Do you have any evidence of the discussions with some of the contractors or can you name some names?

MR. DONNELLY: I have them at home. I'm sorry I didn't bring them with me Mr. Holland.

MR. HOLLAND: Yes, I think it, again, as

this goes on, it's good to have backup and give us the indication of due diligence. It spends a lot of everybody's time readdressing these things. But, I think, Mr. Strawn, I don't know if we have any kind of standards for safing off guidelines for safety provisions or orange fencing around the dolphin piles or anything, if there's a hazard.

INSPECTOR STRAWN: I'll speak to the marine people and see what that standard would be.

MR. HOLLAND: I would appreciate it. Yes, and I do think, Mr. Donnelly, we need to have some good faith evidence of moving forward on this, and wish you well on the financing.

MR. KERNEY: Again, when we heard this case last month, was there a stipulation that we gave for the thirty-day - we typically say thirty-day extension based on architect's plans or something like that. Does anybody recall, was that documented, what that stipulation was?

MR. HOLLAND: And you raise a very good general question for this Board. I think some of the summations of the discussions and motions might be good to have as available.

CHAIR MADFIS: Some of them are in there,

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but maybe some of them are missing.

MS. MOHAMMED: Okay, on March fifteenth, you gave an extension to - one, the violations regarding the swimming pool will reconvene on April nineteenth at three p.m., and the violations regarding the seawall will reconvene on May seventeenth 2007 at three p.m. We were here, it was on the docket from April nineteenth, but the respondent was not here, and since he had gotten an extension to May, we thought we'll come back in May.

MR. KERNEY: Alright, now I remember.

CHAIR MADFIS: So we need to be a little more careful as we state our motions, perhaps, to try to incorporate those stipulations.

MR. KERNEY: Well, here's my general thought, if we're going to grant an extension on this particular case, we need to be very specific about what we expect out of Mr. Donnelly in regards to what he needs to come back here with. The pool is of most concern to me. We've had, in the past, another problem just like this, and of course, the Board's concern was somebody falling in there and nobody knowing it because you can't see to the bottom. Now -

MR. DONNELLY: You can see to the bottom now.

MR. KERNEY: You can see to the bottom, okay.

CHAIR MADFIS: And again, there's shock treatment to bring those pools back. I'm not sure, I don't have a pool but my friends do.

MR. DONNELLY: I got some shock, some algaecide and another gallon of chlorine's going in tonight so.

MR. KERNEY: I would make only a thirty-day extension which would bring us to June the twenty-first meeting, but I'm going to put some stipulations on it, and one of them is that by that time you'll have needed to retain an engineer and have proof that you have retained that engineer in the form of a contract of some sort, and proof that he's moving forward on it as well.

MR. DONNELLY: Alright.

MR. KERNEY: In addition to that, the pool needs to be finished with by that time. If not, if those aren't met, I personally will call for demolition because this is not, this isn't [inaudible] forward.

MS. KETOR: The pool has to be complied?

MR. KERNEY: Complied, yes.

MR. DONNELLY: That's not the problem, I just was, I was hoping to get sixty days on the seawall.

MR. KERNEY: Unfortunately, you haven't done anything with your last extension, so I'm not inclined to do that.

MR. DONNELLY: Alright.

CHAIR MADFIS: Alright, we have a motion, do we have a second for that?

MR. BELLISSIMO: Second.

CHAIR MADFIS: Great. Any other discussion regarding that motion? Hearing none, let's take a - I'm sorry.

MR. HOLLAND: I think it's reasonable, just to show the evidence of the due diligence on this thirty-day cycle.

CHAIR MADFIS: I agree a hundred percent with that as well.

MR. KERNEY: And to answer your question, had you come back and said well, I've got this guy or that guy, but we've basically sat idle here for the last two months and nothing's happened. I empathize with your problem that you

don't have the financing, but that doesn't keep you from moving forward.

CHAIR MADFIS: Alright, so we'll take a vote. All in favor of the motion?

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed? Hearing none, the motion passes unanimously as well. Thank you.

MR. DONNELLY: So, thirty days then?

CHAIR MADFIS: Thirty days. And try to make as much progress as possible. If you can even get the design done in that time and ready to submit for a permit, that would be good progress.

MR. DONNELLY: Alright, okay.

CHAIR MADFIS: I had a question for the legal staff and Wayne as well. In this situation, we have a seawall -

ASSISTANT CITY ATTORNEY: Don't ask, we don't know, we're not sure, we're trying to figure out and -

CHAIR MADFIS: Oh, so you were just talking about that?

ASSISTANT CITY ATTORNEY: [redacted] from the City Attorney's office, I expect you're going to ask me what the remedy is, that the Unsafe Structures Board can impose on this property,

right?

CHAIR MADFIS: Right, could it be demolished?

ASSISTANT CITY ATTORNEY: We were just talking about that, because we're trying to decide, we're trying to figure out how this case wound up on your agenda because obviously, you can't issue a demo order for the seawall.

CHAIR MADFIS: I don't know, if we do, would it mean digging it back far enough that it would create a angle of repose that would not cause any further damage to associated properties, so it would be demolition with maybe rip wrap installed or something?

MR. HOLLAND: No, I don't think -

ASSISTANT CITY ATTORNEY: I don't know.

MR. HOLLAND: The entire neighborhood is sea walled and I think you'd have sever erosion from wakes, et cetera, that would then be a maintenance threat to the channel depth.

CHAIR MADFIS: Sure.

ASSISTANT CITY ATTORNEY: My guess is that this case ought to go before the Code Enforcement Board. Wayne thinks that there have been, that this property has gone to Code Enforcement Board,

but I, but we're going to check and see whether that's the case and if so, what the status of it is and whether we need to step up some Code Enforcement action because certainly, the remedy that the Unsafe - I've, this hasn't happened yet, since I've been here, it's sort of weird. And I don't know how I missed it last time, but maybe I wasn't here. We just, we don't know what to do so -

MR. HOLLAND: I think there is a safety issue involved, and perhaps that's the main concern because of the title and function of our group, but we have addressed, independent of the motion, we did address that Mr. Strawn will research some interim provisions addressing the safety issue.

That said, perhaps it can revert to another board, if that's someone's pleasure, but I'm sure with the history, it wouldn't be, I don't see it as a problem for this Board to be able to continue handling it as far as due diligence.

ASSISTANT CITY ATTORNEY: Well, we're going to look into what the best way for the City to handle this might be, and so if we decide to take it from this Board, then you won't see it again

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and if we come up with, if we come up with a plan, we'll let you know next time, okay?

CHAIR MADFIS: Okay. We'll have to get a marine advisory on this Board. Thank you.

[6. Case CE06111478]

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MS. MOHAMMED: The next case is on page seven of your agenda, it's a new business case. Inspector Wayne Strawn for case number CE06111478. Case address, 2830 Northwest 24th Street. The owner, Clifton Dawkins. The owners and interested parties were notified via certified mail.

The green card's in the file and the information is noted on the agenda. Additionally, we have posted the property with the notice of violation, as well as advertised today's hearing in the Broward Daily Business Review.

MR. DAWKINS: Hello, good afternoon gentlemen, the Unsafe Structures Board.

MR. KERNEY: I'm sorry, I don't mean to interrupt but, point of order, this is a new case?

CHAIR MADFIS: Yes, then we need to read it into the record

MR. KERNEY: It needs to be read into the

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record.

INSPECTOR STRAWN: Wayne Strawn, City building inspector, this gentleman's going to ask for a continuance. But I'll read the charges into the record. For a continuance, right, the Board doesn't have to consider the charges, only the grounds for a continuance.

CHAIR MADFIS: We'll listen to that.

MR. DAWKINS: I'm Ricardo Dawkins, the son of Clifton Dawkins, the property owner. On 3/27, the architectural drawings were picked up by Jeff A. Lewis, who happens to be the architect. And the application, there was an application filed, and we were under, we were under the understanding that the application number that we got was in fact the permit number.

So we went ahead and started the job assuming that that was a permit number. That happened to be incorrect. Wayne pointed that out to us, and hence the violations listed here. We instructed our architect, Jeff, to pick up the drawings. He did do so on 3/27. He hasn't, unfortunately, he hasn't returned the drawings, so I'm asking for a continuance please.

CHAIR MADFIS: Okay, so, just to clarify,

you submitted the plans, you got your process number, you've now gotten a set of comments back, your architect has retrieved the plans on the -

MR. DAWKINS: March twenty-seventh.

CHAIR MADFIS: Twenty-seventh of March and he's addressing the comments as we speak and then you'll be resubmitting the plans. Do you have any idea what time or when you'll be resubmitting those plans?

MR. DAWKINS: Well, I've actually been pressing him, and unfortunately, he's been a little bit tardy in his response to me personally. I've tried on numerous occasions to say, you know, you've got to move forward; this is affecting myself and my Dad personally.

But what I can say is, given now that I have a full understanding of the situation and the urgency, I'll be pressing him to put it in by June, no later than June first.

CHAIR MADFIS: Do we have any idea what type of comments were given back? Is it pretty close to being completed or was it way off? I'm sorry, Wayne, do you know anything?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. One of the issues was the

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air conditioning calculations. The plan reviewer found no documentation that the air conditioning system had ever been approved by the County. And so, they can either find documentation that the original system was approved, or provide entire calculations for the air conditioning system.

The, many of the conditions that are cited here no longer apply because they began making repairs and I put a stop work on the job and they are now respecting the stop work order. So the work without permits has expanded to a great degree, but the individual, it's now secure, so the City isn't opposed to a continuance to let them get their plans corrected.

CHAIR MADFIS: Okay. Any other questions from the Board?

MR. KERNEY: Your architect, did you talk to him prior to coming to this meeting?

MR. DAWKINS: Yes, I called him prior to, yesterday, actually, and I asked him if he could come. Unfortunately, he said he couldn't make it because he was out of town, so I had to show up by myself.

MR. KERNEY: Did he give you any indication of when he'd be done?

MR. DAWKINS: He told me that he wanted to be done with the plan by next week Wednesday. I told him that, you know, you've got to move faster than this. It's been about three weeks now that I've seen this notice on the door. And I said, you've got to move faster than this.

MR. KERNEY: Okay.

MR. DAWKINS: So it's, in a sense, it's been a case of the architect behaving badly, but I've got to press him

CHAIR MADFIS: Do you know if you've been able to find the original record of the A/C permit, or whether you're going to have to do new plans for that?

MR. DAWKINS: I haven't been able to find the old records, so I anticipate that we will have to put a new one in.

CHAIR MADFIS: And who's preparing that? Is that under the architect's responsibility?

MR. DAWKINS: Yes.

CHAIR MADFIS: Okay. And he's aware of that?

MR. DAWKINS: He's aware of that. I think that's the reason why he picked up the plans.

CHAIR MADFIS: I see, okay. And was that

an additional to his scope of work or - He's prepared to do all that?

MR. DAWKINS: Yes, he's prepared to do all of that. Like Wayne pointed out, we've been trying our best on our side to do a lot of the work, and we've gotten a lot done. But still, because, without the permit, it's causing chaos. Without having a permit in place.

CHAIR MADFIS: Any other questions or ready to make a motion?

MR. KERNEY: Mr. Chairman, I would move for a thirty-day continuance, which would put this case to the twenty-first of June, but I am going to put some stipulations on it. By that time, the architect will have had to have addressed the comments and the plans need to be back in to the City. If that's not the case, you need to bring your architect with you to the next meeting so he can testify as to why that hasn't happened.

MR. DAWKINS: Okay.

MR. HOLLAND: Second that.

CHAIR MADFIS: Okay, any other discussion?

MR. KERNEY: Just a comment, I wait on plans all the time. Engineers are typically, and

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architects, no offense, are typically slow because they're like us: they're busy. So, but I would impress upon him that the City's threatening to tear your house down, this guy needs to get moving on this thing. It's been what, sixty days to address a few comments?

I'm assuming it's the load calcs on the air conditioning that's probably holding him up because it's difficult to find somebody inexpensively to do those load calcs for you. But I'd really push hard on this guy. Just let him know that the City's breathing down your neck to make this thing happen.

MR. DAWKINS: Absolutely. I can say that I really don't want the house to be torn down. I think it's a really beautiful house and we're really trying to make it state of the art so my Dad can move in.

CHAIR MADFIS: Okay, thank you. Do I hear, I'm sorry, all in favor of the motion?

BOARD MEMBERS: Aye.

CHAIR MADFIS: Any opposed? None, hearing none, the motion passes unanimously. Thank you very much.

MR. DAWKINS: Thank you.

[7. Case CE06121094]

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MS. MOHAMMED: Next case, page eight of your agenda, it's a new business case. Inspector Wayne Strawn for case number CE06121094. Case address, 2133 Northwest 6th Street, the owner, Gloria J. Burnell.

The owners and interested parties were notified via certified mail and the information is as noted on the agenda. Additionally, we have posted the notice of violation on the property as well as advertised today's hearing in the Broward Daily Business Review.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. The violations that exist at the property are as follows:

FBC 117.1.1: THE THREE UNIT, SINGLE STORY APARTMENT BUILDING AND THE MASONRY WALL ON THE NORTH PROPERTY LINE HAVE BECOME UNSAFE. THE BUILDING CONSTITUTES A FIRE AND WINDSTORM HAZARD, HAS BEEN SUBSTANTIALLY DAMAGED BY THE ELEMENTS AND BY WINDSTORM. THE BUILDING DOES NOT MEET THE REQUIREMENTS OF THE MINIMUM HOUSING CODE OF THE CITY OF FORT LAUDERDALE OR THE MAINTENANCE REQUIREMENTS OF THE FLORIDA BUILDING CODE. THE MASONRY WALL ON THE NORTH PROPERTY LINE HAS BEEN

SUBSTANTIALLY DAMAGED FROM THE ELEMENTS AND PRESENTS THE HAZARD OF COLLAPSE.

FBC 117.2.1.1.1: THE BUILDING IS VACANT, UNGUARDED AND IS NOT SECURED PROPERLY.

FBC 117.2.1.2.1: MANY BUILDING PARTS HAVE FAILED, ARE HANGING LOOSE OR ARE LOOSENING. THE PARTS INCLUDE BUT MAY NOT BE LIMITED TO, ROOF DECKING AND ROOFING MATERIAL, SOFFITS AND FASCIA, DOORS AND WINDOWS ALONG WITH THEIR FRAMES, ELECTRICAL FIXTURES AND EQUIPMENT.

FBC 117.2.1.2.2: AREAS OF THE ROOF HAVE MISSING RAFTERS AND THE PLYWOOD SHEATHING IS UNSUPPORTED. THE MASONRY WALLS OF THE UTILITY ROOM PROJECTIONS ON THE WEST EXPOSURE ARE NOT PROPERLY CONNECTED TO THE MASONRY WALLS OF THE MAIN PART OF THE STRUCTURE. LARGE CRACKS ARE OPENING UP SHOWING SEPARATION OF THIS PART OF THE BUILDING FROM THE MAIN PART OF THE BUILDING. THE BLOCK WALL AT THE REAR OF THE PROPERTY HAS LARGE CRACKS AND NO STRUCTURAL INTEGRITY. THE REAR MASONRY WALL IS CRACKED, LEANING AND IN THE PROCESS OF FALLING.

FBC 117.2.1.2.3: THE BUILDING AND MASONRY WALL AT THE REAR OF THE PROPERTY ARE PARTIALLY DESTROYED BY THE RECENT WINDSTORMS AND NEGLECT.

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FBC 117.2.1.2.4: THE ROOF OVER THE UTILITY ROOM ON THE SOUTH END OF THE BUILDING IS SAGGING AND THE MASONRY WALL AT THE REAR OF THE PROPERTY IS LEANING.

FBC 117.2.1.2.5: THE BUILDING HAS BEEN SUBJECTED TO WATER INTRUSION SINCE THE HURRICANES OF 2005. THE ELECTRICAL SYSTEM HAS BEEN COMPROMISED AND CREATES A HAZARD.

FBC 117.2.1.3.1: STRUCTURAL ROOF REPAIRS HAVE BEEN ATTEMPTED ON THE UTILITY ROOM ROOFS WITHOUT OBTAINING PERMITS. THE DECKING AND ROOFING MATERIAL IS NOT PROPERLY FASTENED TO THE BUILDING. WATER HEATERS HAVE BEEN INSTALLED WITHOUT OBTAINING THE REQUIRED PERMITS AND THE INSTALLATIONS DO NOT MEET THE REQUIREMENTS OF THE PLUMBING CODE. ALL STRUCTURAL REPAIRS ALONG WITH ALL PLUMBING INSTALLATIONS AND ELECTRICAL CONNECTIONS WITHOUT PERMITS ARE "PRESUMED AND DEEMED" BY THE CODE TO BE UNSAFE.

FBC 117.2.1.3.2: THE BUILDING DOES NOT MEET THE REQUIREMENTS OF THE MINIMUM HOUSING CODE OF THE CITY OF FORT LAUDERDALE.

In addition to my sworn testimony, I would like to provide evidence to the Board in the form of photographs: exhibit A through exhibit P.

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Exhibit A is the building as seen from the street. Exhibit B is the west exposure, showing the blue tarp on the roof and the doors open, the roof material loose. Exhibit C, I'm looking at the building projections added to the west side of the building housing the utility connections and the water heaters.

It was never tied to the building properly. See the large crack there, evidently there was never a body column and the required dowels when this part of the building was built. You can see the crack in that, can you see the crack in that? You can't see the crack in the film, it doesn't show? Let me show you that.

MR. JARRETT: You're speaking of the crack between the building and the added structure, is that what you mean?

INSPECTOR STRAWN: That's correct, that's correct. It's where the additions on the west, short walls were added some years ago improperly.

MR. HOLLAND: Some differential settling.

MS. BURNELL: Excuse me, let's correct that. Those were built when the building was built.

MS. MOHAMMED: Ma'am, were you sworn in?

MS. BURNELL: No, yes, whatever.

MS. MOHAMMED: Okay. You've got to get sworn in.

CHAIR MADFIS: I'm sorry, you'll have a chance to give your testimony in just a minute.

MS. BURNELL: I'm hearing a lot of stuff about [inaudible]

CHAIR MADFIS: Okay, we'll listen to everything you have to say in just a minute.

INSPECTOR STRAWN: Here's a structural crack in the tie beam of the same building additions where they're not holding together structurally. Can you see that? Does that come out? Okay. This is the roof structure where it has no roof covering, showing the fact that the - it's so dark on that film; can that be brightened? This exhibit F, and you see the electrical equipment in these additions.

MR. JARRETT: That was inside?

INSPECTOR STRAWN: Yes, that's in those additions on the west side of the building. The soffits and roof projections on the west side where the fascia boards are deteriorated. Soffit and then fascia board falling apart on the east side. Deterioration of the roof deck. Someone

had hung a blue tarp inside the building in order to, maybe they were protecting some possessions at one time, because the roof was leaking. We see the roof decking beginning to rot and showing damage from the weather.

Water heater without a permit. Rotten fascia again: that was exhibit K. Exhibit L, this was a patch job on a structural crack across those additions. Another water heater that's installed without a permit in those utility rooms.

A leaning wall, property line wall on the north side, cracked and leaning. And we have the same wall, in the process of collapsing. It's leaning to the north in the corner there, can be visible, we can see, probably pick up the lean. It's hard on a photograph sometimes. This is also another shot of the wall that's leaning.

The building is in need of serious, serious repairs in order to make it viable as a, make it viable as a useful building. The City is asking for a motion to demolish be adopted.

CHAIR MADFIS: Okay, thanks Wayne.

MS. BURNELL: Excuse me, this is getting to be a thing with the City, finding my buildings and then -

MS. MOHAMMED: We have to swear you in Ma'am.

[Ms. Burnell was sworn in]

MS. BURNELL: First of all, that building has been there -

MS. MOHAMMED: You have to say your name for the record.

MS. BURNELL: My name is Gloria Burnell. And first of all, the rafters on the roof, those are two-by-eights, they're yellow pine. And if you know anything about wood, they won't be rotting any time soon. They've been covered.

The hurricane came, it blew the roof off and created damage. The exterior was plywood, so the sheeting around was plywood, that's what they did back in when the building was built. That decays very quickly, very easily and it looks, it looks pretty bad.

As far as the windows and doors, he says the doors was open; every time I go by, the doors are closed. The windows were broken. They're not all broken out, they're jalousie windows,

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part of them are taken out. That happens from time to time. We put them back in, they take them back out. And there's a reason for that, it has to do with Friday and Saturday night from the railroad track all the way down to a certain block on Sistrunk every Friday and Saturday night where there's no police patrol or concern.

I got a contractor; the contractor was supposed to meet me here, but I guess he didn't get out of his meeting in Sunrise. As far as the hot water heaters are concerned, I don't know what he means. Those utility rooms were built with that building when that building was constructed. They are not, that was not added on, the utility rooms, and that was a common practice when that building was constructed, to build utility rooms on the outside of the building to service the interior service, walls. They did not build utility rooms with doors at that particular time, that opened from within the house.

That is what happened. And I think if we go through the records, you will see that that was there. Part of the utility was the hot water heaters and that was usually all that was in

there, hot water heaters and gas tanks that they used to use at that time, that was part of it. All this other stuff about, it was added on illegally, that's not true. It was added on according to the code of the period of the time that the building was constructed.

As for the cracks, like all old buildings in Florida, including many of the City buildings, there are fascia cracks running along them. This crack he said was repaired, there was never a repair on that building as far as that crack is concerned as far as I know of it, and I've owned that building over twenty years. And before I bought that building there was no crack repairs on there.

The crack is new; it's probably caused by water damage, I'll go along with that. The interior is damaged by the water, water seeps in even though somebody got up and pulled the blue tarps off the roof, causing the water to seep in more.

It is insured, the insurance company has failed. They are handing me out little lots of money but it is not enough to get what I need to get done. It's been an ongoing thing with the

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insurance company and I have a contractor to do the roof. It's Twenty First Century Roofing. I have someone, Sansone Enterprise, to look at the electrical and go through the electrical to do the electrical. It is all costing more than the insurance company wants to pay.

Now, as far as how, is it irreparable [inaudible] damage? No. I've lived in Florida all my life, I know what old Florida buildings are like. I've refurbished enough of them to know what it's like. That building is as sound as a rock. It may not be pretty today, but what much on 6th Street is pretty today? It needs some work.

The roofer will go in and pull the fascia off, restore all rotting boards that's there. Those two-by-eights, I doubt very seriously that that Florida pine is rotten. It may be wet, it may not be very pretty, but it doesn't rot easy. It gets like iron as time goes on.

It has two-inch nails going down into it to connect it to the rafters that run in the opposite direction. And I didn't see, I saw some, the outer porch areas is where the most damage is done, and that is where the plywood is.

CHAIR MADFIS: Well, thank you. The concern of our Board really is the safety of the citizens relative to the building. So if it's being vandalized to the point where people can get access to it and do whatever they want in there, maybe it need to, well, would need to be boarded up properly. The other concerns, of course, are the rest of the construction. Is anyone living in the house right now?

MS. BURNELL: There was supposed to be someone - they instructed the people that was there to kind of protect the building from the invaders that we have on Sistrunk and that part of Fort Lauderdale. And I was told that Building and Zoning, and I'm assuming it's Wayne and whoever, told them that they had to move out a few months ago.

And other than that, I don't know. The windows is a recent - my insurance company took photos of the building after the hurricane for the appraised amount. The appraiser took photos of every imperfection in that building for the insurance company so there's documented proof of what that building looked like and what was in that building.

And like I said, everything that was in there as far as the structure of that building is concerned, was built when that building was constructed, whatever date that was. And I'm sure, if we dig it all up - and as far as that wall on the perimeter of the property, I agree that needs to be removed.

As far as being a danger and boarded up, that's one of things that the contractor has agreed to do, is to board it up, the windows up so that until we finish the rest of it, once they put the roof on, he's going to board it up before the roof goes on to make sure the safety.

As far as the doors being open, I don't know about that. I notice that they take doors off the hinges now because they have to turn outward.

CHAIR MADFIS: Right. Well, the issue really comes down to the building needs to be boarded up, the electricity needs to be disconnected, it needs to be properly secured until you start your work.

MS. BURNELL: Okay.

CHAIR MADFIS: It appears that you're going to need to have a comprehensive building

permit and not just have individual subcontractors electric, plumbing, or what have you, do the repairs. So you're going to need to hire an engineer or architect or both in order to prepare those and submit for your building permit.

I'm noticing here from the citation number, that you must have received the citation just at the end of last year some time.

MS. BURNELL: Beg your pardon? I'm sorry.

CHAIR MADFIS: How long have you been aware of this violation?

MS. BURNELL: I got one in the mail about a month ago.

CHAIR MADFIS: That was the first time?

MS. BURNELL: At 885 Hyler Lane, about a month ago.

CHAIR MADFIS: And that's the first, the notice to come to this hearing?

MS. BURNELL: Beg pardon?

CHAIR MADFIS: That's the notice to come to this hearing you're talking about?

MS. BURNELL: Yes.

CHAIR MADFIS: And what about the violation that brought you here? When did you first find out about that?

MS. BURNELL: About a month ago.

CHAIR MADFIS: All this came together in a month?

MS. BURNELL: I just, they notified me about this a month ago.

CHAIR MADFIS: Right, but, did anyone ever cite you earlier? Wayne, was she cited earlier for any of these violations?

INSPECTOR STRAWN: Wayne Strawn, building inspector. Code Officer of that area is William Snow, and he had spoke to Mrs. Burnell previously and then referred the case to me, so she has known about it since last year some time. But we can pull the records that he filed, the reports that he filed and exactly what dates he spoke to this lady, this property owner.

CHAIR MADFIS: I guess again, I'm just trying to get to the essence of time and obviously there's been damage from the hurricane. It's been a long time, so you've been dealing with the insurance company for a long time.

You've probably been looking at contractors for a long time, and it appears that you've had a violation for about five months now and I don't see a lot of progress and at the same time, the burden of determining what was there and what wasn't there previously is really yours, so if you believe everything was there originally, and you know about this citation, then you need to retrieve the microfilm or a permit record of the work that was done originally.

But at this point, we're here to hear from you exactly what your plan is and how much time you're going to need. Otherwise, we may be forced to order demolition in order to secure the safety.

MS. BURNELL: Okay. The contractor is not only a roofing contractor but a general contractor, and they have agreed to, and drawn up a contract whereby they will do the roof, pull the permits and do the board-ups of the windows to secure the property so that nobody goes in and out of the property.

The electrical contractor, once all that is done, will come in and go through again as he

did prior, before, and reevaluate the electrical system again. And the electrical system that's there was there when the building was built.

That is the reason that I know that is no, if anything is there that is, was not there when the building was built. I went by there yesterday to see what was there and all that stuff wasn't there. So I don't know whether somebody moved in and created their own little system or what.

CHAIR MADFIS: Well, you need to know that and you need to take care of that.

MS. BURNELL: I did. I checked yesterday and anything that's removed, we call FPL, FPL comes out and they do the removal. If it's an illegal system, you have to call FPL, and FPL comes out and remove the illegal system.

But as soon as FPL remove the illegal system, you come back next week, it may be there again. But the thing about it is, we will secure it; we will call FPL, we will call again if it's there now and have FPL come out and remove the illegal system.

The electrician closed off everything after they were told, the tenant, the guard,

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guardian of the building which was in two, and that was the one that, two and three was not, the roof did not come all the way off there. It was one where the water, severe water damage was done, and there's nothing left in there. We took everything out but the walls, except for one wall now that seems to be damaged even more because somebody went up and took the blue roof, blue thing off the roof.

CHAIR MADFIS: So, we understand, there's plenty of damage. I'm sorry, Wayne, did you have something else too?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. Just to clarify, with regard to the occupation of the building. This building has been referred to us by Fort Lauderdale Police Department multiple times for illegal occupants inside the building.

And when it comes to whether or not things were built with permits, what we're talking about is the condition that exists now. Perhaps it was built the way it is now, but not built up to the standard of which we would build now and it hasn't maintained its integrity.

CHAIR MADFIS: Exactly.

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INSPECTOR STRAWN: What we're looking for, of course, as you brought out, is a full, comprehensive plan that will bring this building back to something that will meet the minimum housing standard of the City of Fort Lauderdale and become a viable, useful building for the community.

CHAIR MADFIS: And in the meantime, I think the building needs to be secured one hundred percent, and moving forward with a roofing contractor may be difficult, considering you're going to need a full permit.

MS. BURNELL: He's a general contractor too.

CHAIR MADFIS: Right, I understand, but really the stages, unless he's also an architect and an engineer, he's going to have to hire someone like that to prepare the plans before he can do his work.

MS. BURNELL: We can do that; that's not a problem.

CHAIR MADFIS: [inaudible] he can do it all, but again, the building's been sitting there as a real problem now for a number of months.

MS. BURNELL: Okay.

CHAIR MADFIS: And again, even before the citation came along, the hurricane was quite a long time ago and what we, another thirty days, someone can get killed in there.

MS. BURNELL: Yes, but I'm having the same problem everybody else is having with buildings that were damaged by the hurricane.

CHAIR MADFIS: You can secure your building such that it won't cause harm to somebody.

MS. BURNELL: But the building, the windows and things were not damaged. They're damaged frequently and we, we go in and put the, excuse me, we secure the windows by putting new jalousies in but if the City of Fort Lauderdale call about, complain about the building, the City, I have a trespassing, with the City of Fort Lauderdale, for them to go into the building and remove any person that does not show a lease with his or her name on a lease or an agreement from me signed by me.

And that's in every building I own in the City of Fort Lauderdale. That is on record for that. And if the City Police Department is having a problem with that, maybe it's because,

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and I taped it, put it on video, but Friday and Saturday night [inaudible] from like on Sistrunk from the railroad track, I think that's to twenty-second in Fort Lauderdale, you cannot move on the road through there and there have been numerous, I have lodged numerous complaints about it, and numerous complaint about other illegal activity that occurred in the area and finally about two or three years ago, I contacted Broward Sheriff's office to do a sweep and they did a sweep.

But as far as, and each time we, each time that we put it up and there's some kind of event in the City of Fort Lauderdale, we have destruction. And it's all over and I'm, be quite honest with you, I'm having a problem with the fact that the City can come, the Police officers are complaining about the building, as when we call for them to come out and there's documentation for the records department of the City of Fort Lauderdale Police Department of the number of times that we've called and asked for help and service for the, not just the building, for the area, robberies that's taken place for people trying to -

CHAIR MADFIS: That's really not in our Board's -

MS. BURNELL: It may not be, but understand, the environmental conditions of the City has a direct effect on how things progress and look.

CHAIR MADFIS: Okay, thank you.

MS. BURNELL: You're telling me my windows are out and I'm telling you that there's no Police protection for property.

CHAIR MADFIS: You're right.

MS. BURNELL: We need to do something about that problem, don't we?

CHAIR MADFIS: Let's hold it there. The issue is, that environment is the same for every other landlord in the City of Fort Lauderdale and you don't see every other landlord here with those problems. So we're down to just a couple people here that have these types of issues and they're dealing in the same environment as everybody else.

So we're expecting you to deal with it in the same way that the majority of the other property owners do, which is properly. That building needs to be secured or it needs to be

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torn down. I'm going to listen to the Board for any more discussion or comments and then we'll take a motion.

MR. HOLLAND: I have a question. What stage are you at with Twenty First Century, the roofing and GC contractor, as far as estimates, written?

MS. BURNELL: The estimate has already been written for the roof and now they're giving me an additional estimate for boarding up. That has, the roofing contract has, that was several months ago, okay?

The, if you look at the notice on the electrical contractor's estimate, you'll see the date on that. It wasn't like we were just sitting around and waiting for the building to go ahead and deteriorate.

MR. HOLLAND: No offense, we just ask because as you heard from the other hearings, we try to see the due diligence.

MS. BURNELL: Anyway, 5/2006 is when this one was given. We are waiting and the problem was money. The mortgage company said they would gladly give me a loan to take care of it, but why

should I borrow money to pay for something that I pay insurance for for twenty-some years?

MR. HOLLAND: Well, insurance issues are complicated. It's a contractual matter. We realize a lot of people are, don't feel they've been served well by their insurance carriers, but it comes a point where - I do a lot of work in that business. I think some things may not seem fair, but hopefully - who is this insurance company?

MS. BURNELL: It's called SOFA, and it's a, it's of course, a banking insurance company because after Andrew, all my insurance were cancelled on all my buildings. I had Allstate and Allstate just cancelled me all out and so the banks came in Florida, I tried for Florida thing, but as long as the banks were willing to insure it, and I'm sure they wouldn't have been willing to insure it if they didn't think it was well worth the money.

The banks were willing to insure all the buildings, at least the banks that had the mortgages on them. And that's what I end up with when I went to the Florida insurance thing, they

said as long as the bank was willing to insure it, that's what I had to have.

So that's what I ended up with and it's been an ongoing thing with them about, how much money you going to give me to do it, I'll give you part, and of course the bank at the same time offer you a mortgage loan, an additional loan to do the improvement where the estimate, based on the estimate that the insurance company gave them.

MR. HOLLAND: So a lot of the issue comes down to your concern with being whole with the insurance company and using their funds versus your own.

MS. BURNELL: It comes down, I don't have any more funds, I used all my funds up on the [inaudible]. But I, I'm going broke on that, [inaudible] on that one. No more hotels for me. Anyway -

MR. KERNEY: Mr. Chairman I -

MS. BURNELL: I think that my problem now is to try to get, I had to get a contractor who will let me pay installments so that he could send the bill to the insurance company and then, in the beginning, earlier, last year and most of

this year, there was a lot of business for contractors, so they weren't willing to negotiate with you for installment payments.

Now, as their work is slowing down and they're beginning to work with us as far as, okay, we'll do this, and we'll do that, you pay and this and we pay -

CHAIR MADFIS: We're all aware of those kind of situations, and [inaudible]

MS. BURNELL: As you can see, my contracts.

CHAIR MADFIS: Can we just have another question, I'm sorry, from one of the other Board members [inaudible].

MR. KERNEY: Miss Burnell, nice to see you again.

MS. BURNELL: I don't like you.

MR. KERNEY: What are your intentions? Are your intentions to rehab this property?

MS. BURNELL: Yes.

MR. KERNEY: To bring it back to current building code.

MS. BURNELL: Right.

MR. KERNEY: It is, okay. So you do want to save the property.

MS. BURNELL: Of course I want to save it.
I'm almost, what a couple [inaudible]

MR. KERNEY: Well, I only ask the question because we find a lot of times, this Board, that people are interested in saving property when, if they looked at it objectively, it's actually cheaper to tear the building down than to try to bring it to current code because that's what you're going to be required to do. Although that building may be built very well, and was built back in, I don't know, the fifties or sixties or forties -

MS. BURNELL: Yes, [inaudible]

MR. KERNEY: Right, it might be -

MS. BURNELL: When the first bad hurricane came through, and the codes were really strong about the steel going down every so many feet within the concrete, that's when that building was built.

MR. KERNEY: Yes, but the -

MS. BURNELL: That's a historical building.

MR. KERNEY: But the point I'm making is it doesn't meet current building code. Whether that code is better or worse, who knows, it

really doesn't matter. It won't meet current building code and you're going to spend a lot of money to bring that to current building code. And that's what the City's going to require you to do, regardless of whether or not you think it's necessary, the City is going to insist on it.

So as a board member, I need to be sure that you're willing to spend the money to do that, regardless of where the money comes from, whether you take a mortgage or your insurance company becomes positive at some point. Are you willing to spend the kind of money that it's going to take to bring this to current building code?

MS. BURNELL: Yes.

MR. KERNEY: You are.

MS. BURNELL: I believe, other than the damage that's done on it, it's already up to pretty current building codes. I think it's stronger than current building codes.

MR. KERNEY: Again, that may be true, and I'm not, I'm not arguing that point with you -

MS. BURNELL: It might not be pretty, but it's strong.

MR. KERNEY: - what I'm saying is, it might be strong, but if it doesn't meet current building code, the City's not going to accept it.

MS. BURNELL: Okay. That's the reason I had, the only things that I was afraid of that might not meet current building code was the electrical system, because of the era and the time that it was really built. That's why I had the electrician go through and give me a estimate of what it would cost to bring that electrical system up to building code.

As far as the roof is concerned, the roofer went up and said if you have two-by-eight [inaudible] on top of a roof, that surpasses any building code in this state -

MR. KERNEY: May I interrupt you for one second?

MS. BURNELL: Right.

MR. KERNEY: The problem that I see, and I'm not a structural guy, remember, I'm the plumbing contractor -

MS. BURNELL: I got a niece who's a structural engineer.

MR. KERNEY: Right.

MS. BURNELL: And my contractor is one.

MR. KERNEY: Is a structural engineer?

MS. BURNELL: That's right.

MR. KERNEY: Because what I saw from the photos was where your beam is actually separated.

MS. BURNELL: Separated.

MR. KERNEY: And that indicates to me that whatever reinforcing steel is in there is probably deteriorated. You're talking about some significant concrete restoration to bring that back, or bring it up to current code. So it's not a matter of, well, I've got a little bit of electrical issues to fix; I need to put a new roof on -

MS. BURNELL: Okay, but I think that from what I can see with the beam, if it relies on, if the steel goes down into, the beam does not, steel does not come up, when it comes up to the concrete and come up to the top, the beam that is at question is fastened onto the concrete with bolts and a tie beam.

And if that is true, if we are looking at that's just moving, then what we have to do is go down and redo another so many feet away, drop down the steel, the rebar, pour in the concrete on the rebar. And you can do that now by

knocking a hole in, and pushing the concrete down in, sticking the [inaudible], the bolts in and I don't know how much, what the requirement is now, and rebolting that.

MR. HOLLAND: I think to make along story short, perhaps you can -

MS. BURNELL: [inaudible] I look at Bob Vila.

MR. HOLLAND: I think the important thing is [inaudible]

MS. BURNELL: But I'm willing to do it. That's all I'm saying.

MR. HOLLAND: [inaudible] see that in is that the licensed, professional engineer, the general contractor that you're using, for your benefit as well as the health and welfare of everybody else, particularly you, can give the opinion that it is salvageable and it's cost effective to do so. You're hiring him as a trusted contractor, do you have some history with these people?

MS. BURNELL: This contractor is accepted by Broward County and four major cities, including the City of Fort Lauderdale.

MR. HOLLAND: That's one thing.

MS. BURNELL: Is that what you're talking about, reputation?

MR. HOLLAND: No, no, I'm saying you're going to rely on his design professional portion of what he does, his engineering license, to assure others that it can meet the code with certain remedies that you speak of. The bolting, the what have you, whatever it is.

He's the one who has to put his seal on there and attest that this can be done and it'll be suitable for everything else that's going to come behind it. Because obviously you don't want to spend good money for bad. I think Wayne may have a comment, but we all share in the concern that I think Patrick brought up, is that if the basic structure itself is not sound, any of these other measures are for naught if we can't assure that we have a safe structure.

MS. BURNELL: But this is a concrete building, this is not -

MR. HOLLAND: Oh, I'm very familiar with concrete buildings, but you got -

MS. BURNELL: You can take the whole roof off, you can take the whole top beam out, the tie beam out from the top.

MR. HOLLAND: The concrete tie beam.

MS. BURNELL: That's right. And put a whole new roofing system on, just like [inaudible]

MR. HOLLAND: Okay, so you're look, you're already talking about that.

MS. BURNELL: We've already talked about that, and that's already been part of the estimate if it has to be done, he's giving me estimates of what may have to be done.

MR. HOLLAND: Understood. [inaudible] Wayne, you have a comment.

MS. BURNELL: [inaudible] agree with [inaudible] that that's a undoable situation.

INSPECTOR STRAWN: Wayne Strawn, City building inspector, what we're talking about is a totality of the, all the building components, not just the structural elements. Because it may be impractical to repair the walls, the utility projections on the west, may be impractical from an economic standpoint, and your design professional may design, desire to put the water heaters inside someplace, demolish them, and move, waterproof, make sure he puts waterproof

electrical services on the outside of the building.

So it may not be, that may not be part of the discussion. But if you're going to pay a design professional, listen to him as far as what is the most cost effective way to repair the building. But what the City is saying is, it's the totalitarian, it's the ceilings have to be replaced, the totality of the job, so that when it's done it'll be completely done, meet the code and be a livable building.

And that's what I think Mr. Kerney was referring to, is it can be expensive to achieve that goal. Every American has the right to fix their property, and if this lady is successful in restoring this building then we've accomplished something. Of course, we have the obligation to see to it that either this gets accomplished or the other is [inaudible]

MR. HOLLAND: My concern is, we only get a quick view of some pictures, so, and I'm not supposed to even give a professional opinion on the viability of this project. But in concept, I agree these things can be done. We can advise, you know, sometimes taking the contractor ahead

of the design professional, they'll do anything for a buck and just make sure that this game plan has -

MR. KERNEY: I'm really getting beat up here and I don't know -

MR. HOLLAND: I mean, with all due respect, some, not that professionals don't have their own problems, but sometimes their job is to give you, based on an hourly rate, hopefully and not a lump sum, a package, and advise you every step of the way that you might want to do this, you might want to do that, and a trusted design professional.

Yes, you can get trusted contractors that can also bring in structural people and give you a sound rehab on a structure that everything else becomes viable. Again, I don't know if that's possible here. But I just would like, I would like to see a good faith effort on focusing on the design professional side because everything else becomes easy, just a lot of money, but is easy from a technical standpoint.

CHAIR MADFIS: I'm sorry, one second. Wayne, I think one of our Board members may have a question.

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MR. JARRETT: Yes, I have a question, a couple questions for City staff. Do we know when the building was built?

INSPECTOR STRAWN: I may have researched that information; I don't remember.

MR. JARRETT: Okay. Is this a building I can assume was built in an unincorporated county when it was built?

INSPECTOR STRAWN: No, I believe this has always been in the City.

MR. JARRETT: So, if it's always been in the City, then we should have this building on microfilm.

INSPECTOR STRAWN: We have the original plan and the date of construction.

MR. JARRETT: And can you say to your recollection now whether or not these, the outside structures such as the utility rooms were on the original plans?

INSPECTOR STRAWN: I don't remember, unless I put the plans in the file. Did I put the plans in the file? 1955 [inaudible] the property appraiser.

MR. JARRETT: Okay, so it's 1955.

INSPECTOR STRAWN: Right, and it really isn't an important condition of whether or not they're original. It's the fact that they haven't stood up to the test of time. They're not maintaining their structural integrity.

MR. JARRETT: I agree with that but -

MR. HOLLAND: The utility rooms. Well yes that, I'd say, let's assume the utility rooms come off and are addressed in some other capacity. Is that the only concern, are we looking at the entire super structure?

INSPECTOR STRAWN: Well, the building code in chapter 117 also refers to the minimum housing code as grounds for making something unsafe, so it's the totality of what we're talking about.

The fact that the electrical system has to be completely rebuilt, that the ceilings all have fallen and that you have all this water intrusion and it's the totality of the project that we're looking at to return it to a viable building.

The City doesn't want to have a boarded up building sitting there with a good roof on it for another twenty years.

CHAIR MADFIS: Right. At the same time, we don't want to deplete our stock of affordable

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housing and eliminate any opportunities for that level of housing that sometimes gets disappeared as we revitalize all of our neighborhoods.

But it sounds to me like you are a landlord and that you have had some experience in owning properties, and what concerns me the most, and I think some of these other Board members, although I don't want to speak for them, is really just the fact that you've neglected the situation to the point where it's come to this safety concern.

And that it does appear that you've made some attempts to get estimates and work with your insurance company, but the biggest issue is just boarding it up. Maybe it does cost three or four or five hundred bucks to board it up, but that would put it in a much better position so when you come here and you ask us for some time to straighten these things out, we can feel a little bit more confident that you're going to take the kind of responsibility that we need to know. So that's really my biggest concern. I think it's felt throughout the Board.

MR. KERNEY: Mr. Chairman, I'm in a position to make a motion.

CHAIR MADFIS: Okay, let's go ahead and hear a motion.

MR. KERNEY: I believe that Miss Burnell is, should be afforded the opportunity that everybody else has come in front of this committee, and that's the opportunity to fix her property. I'm going to grant a thirty-day extension; that will take us to the twenty-first of June meeting, but I'm going to put some stipulations on it. First of all, the power, and I don't know if it is; it may already be, the power to the property has got to be turned off.

MS. BURNELL: It's already off.

MR. KERNEY: It's already off, okay. The property has to be boarded up, and in order to board it up, you have to pull a permit with the City.

MS. BURNELL: We, that's what they're going to do, they're going to pull a permit.

MR. KERNEY: We need, I'd like you to start demolition on the wall, because that's obviously, and you've already agreed that you know that needs to come down.

MS. BURNELL: That needs to come down.

MR. KERNEY: Alright, demolition on the wall -

MS. BURNELL: But wait -

MR. KERNEY: Let me finish with my motion please.

CHAIR MADFIS: It will be discussed, there will be discussion afterwards.

MR. KERNEY: Yes, there will be -

MS. BURNELL: Okay.

MR. KERNEY: We need to have the wall removed, and you need to bring us a contract with an architect that you are going to hire, you need to make that happen in thirty days.

MS. BURNELL: Okay, alright.

MR. KERNEY: So, that would be the total motion.

CHAIR MADFIS: Okay, is there a second for that motion?

MR. HOLLAND: Second.

CHAIR MADFIS: Okay, any discussion from the Board? Do you have any comment on that?

MS. BURNELL: No, it's just that I've owned this building for twenty-seven years in the City. I've worked with Building and Zoning, the Code Team when they used to come out and we were

working together, it was more effective and more efficient then. This is not the only building - you tore the other one down - but this is just one building that I have and if the other buildings, if there was anything wrong, they were always immediately brought up to code as soon as I knew that something was wrong. A lot of times, didn't know.

But, so, the fact that it's neglect, you saying that I, it wasn't really just neglected, it's lack of funds. And I'm sure the City is not neglecting its old Building and Zoning building over there, and it looks pretty raggedy too, you know. But the thing is, it's not a deliberate neglect of property; it is a situation that I'm finding myself in. And I think a lot of governmental entities are finding themselves in where we're dealing with money and hurricane disruption.

CHAIR MADFIS: Okay, like I said, that atmosphere exists for quite a bit of us. That building is in bad shape, but it's secured. That's the point, it's secured.

MS. BURNELL: I understand that. We'll do that.

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CHAIR MADFIS: Alright, thank you. Okay, we'll have a vote on the motion. All in favor?

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed? No? Okay, motion passes unanimously.

MR. KERNEY: Hopefully, this will come to fruition and work out good and you'll change your opinion of me.

MS. BURNELL: You know how much money I lost when you did that? You know how much money I make in a summer off these kinds, these buildings when I fix them up? And they're usually quite pretty.

CHAIR MADFIS: Okay, we're looking forward to it.

MS. MOHAMMED: Next case, page ten of your agenda. Case number CE07011866, has been withdrawn.

[Ms. Mohammed and Mr. Jarrett discussed confusion regarding the Better Meeting Academy]

MR. HOLLAND: Some housekeeping. Did any other opinions about some of the materials we get when we revisit cases, summations, any other thoughts on that?

CHAIR MADFIS: Yes, I guess now that we're being more accurate with our motions, I guess that will reflect in the minutes and so therefore, it can reflect in the comments.

MR. HOLLAND: That's meant to remedy that.

MS. MOHAMMED: And all minutes are posted on line, together with the agenda. You can read your case if you know when it was heard before, you can go on that agenda and go to the minutes section and find everything. If you don't know, I can walk you through. Everything is posted on line.

MR. HOLLAND: Okay, I wasn't aware of that.

CHAIR MADFIS: They are posted on line. I guess we could request a copy of the, a hard copy of the minutes, but they've got to be a hundred pages or so.

MR. HOLLAND: Or [inaudible] electronic media. Is there any possibility of at least giving us a notice when they're posted and we can go there with a link.

CHAIR MADFIS: That would be good.

MS. MOHAMMED: Absolutely. If you'd like a copy, I could send a copy. Couldn't [inaudible]

CHAIR MADFIS: If you could just email us a note when they're ready with a link to the pdf file or something, that would be helpful. Because I do search for them now and then.

[Meeting concluded at 4:44 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 May 17, 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 25 day of May, 2007.

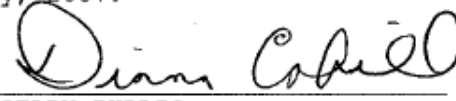
ProtoTYPE, INC.



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 31 day of May, 2007.



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