

City of Fort Lauderdale  
 UNSAFE STRUCTURES BOARD  
 Thursday, July 19, 2007 at 3:00 p.m.  
 City Commission Meeting Room  
 City Hall

Board Member	Attendance	Cumulative Attendance 10/06 - 9/07	
		Present	Absent
Michael Madfis, Chair	A	8	2
Charles Minor, Vice Chair	A	7	3
Chris Bellissimo	P	8	2
Olivia Charlton	P	8	2
Hector Heguaburo	A	6	4
Joe Holland	P	7	0
Thornie Jarrett	P	3	0
Patrick Kerney	P	8	2
John Scherer	A	7	3

**City Staff**

Farida Mohammed  
 Yvette Ketor, Board Secretary  
 Assistant City Attorney Ginger Wald  
 Wayne Strawn, City Building Inspector  
 Brian McKelligett, Administrative Assistant II  
 Jamie Opperlee, Recording Clerk

**Guests**

CE06011118: Charlie Crum, owner  
 CE07021662: Steven Decker, owner  
 CE06102667: John Mislow, owner; Cory Canzone, owner; Nina Dean, contractor  
 CE05110196: Erika Hernandez, representative  
 CE06081280: Jennifer Cordero, attorney for interested party  
 CE06102225: James Poole, owner  
 CE06121094: Gloria Burnell, owner  
 CE06091833: Charles Donnelly, owner

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<u>Case</u>	<u>Respondent</u>	<u>Page</u>
1. CE06011118	Charles Crum	<u>3</u>
Disposition:	60-day extension for the owner to have obtained his building permit. Board unanimously approved.	

- |    |              |                                                                                                                                                                                                                       |                           |
|----|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 2. | CE07021662   | Steven Ray Decker                                                                                                                                                                                                     | <a href="#"><u>10</u></a> |
|    | Disposition: | DENIED: Mr. Decker's request for the Board to reconsider their previous ruling. Motion to approve the request failed in a 1 - 4 vote.                                                                                 |                           |
| 3. | CE06102667   | Cory Canzone & John Mislow                                                                                                                                                                                            | <a href="#"><u>35</u></a> |
|    | Disposition: | 60-day extension, owner to return for a status report. Board unanimously approved.                                                                                                                                    |                           |
| 4. | CE05110196   | Synergy Property Services                                                                                                                                                                                             | <a href="#"><u>39</u></a> |
|    | Disposition: | 60-day extension. Board unanimously approved.                                                                                                                                                                         |                           |
| 5. | CE06081280   | Sylvan Eversley                                                                                                                                                                                                       | <a href="#"><u>43</u></a> |
|    | Disposition: | 30-day extension for the mortgage holder to obtain a power of attorney in order to perform repairs needed to make the building safe, including the removal of the illegal extensions/additions. Board approved 4 - 1. |                           |
| 6. | CE06121094   | Gloria Burnell                                                                                                                                                                                                        | <a href="#"><u>62</u></a> |
|    | Disposition: | 30 days to demolish the property or the City will demolish. Board unanimously approved.                                                                                                                               |                           |
| 7. | CE06102225   | James Poole                                                                                                                                                                                                           | <a href="#"><u>80</u></a> |
|    | Disposition: | 80-day extension, the owner to return with plans and a building permit. Board unanimously approved.                                                                                                                   |                           |
| 8. | CE06091833   | Charles Donnelly                                                                                                                                                                                                      | <a href="#"><u>84</u></a> |
|    | Disposition: | 60-day extension. Board unanimously approved.                                                                                                                                                                         |                           |
| 9. | CE06031441   | Bobby & Linda Burrows                                                                                                                                                                                                 | <a href="#"><u>89</u></a> |
|    | Disposition: | 30-day extension [based on the fact that the plans have been approved and the permit has just not been picked up]. Board unanimously approved.                                                                        |                           |

The regular meeting of the Unsafe

Structures Board convened at 3:03 p.m. at the

City Commission Meeting Room, City Hall, 100

North Andrews Avenue, Ft. Lauderdale, Florida.

Election of temporary Board Chair

**Motion** made by Mr. Holland, seconded by

Mr. Jarrett, for Mr. Kerney to serve as temporary  
Chair. Board unanimously approved.

**[Swearing in]**

Board members introduced themselves in  
turn.

**1. Case: CE06011118**

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**Charles Crum**

**731 Northwest 15<sup>th</sup> Avenue**

MS. MOHAMMED: First case, it's an old  
business case on page four of your agenda.

MR. HOLLAND: Excuse me. Do we have to  
address the prior minutes' approval?

MS. MOHAMMED: Do you want to do that  
first, before we -

MR. HOLLAND: It would probably be a good  
idea if it's a continuance, just recommended.

MS. MOHAMMED: Okay.

MR. HOLLAND: Motion to, I move to approve  
the published prior meeting minutes.

MR. KERNEY: I've got a motion to approve  
the meeting minutes from last month, got a  
second?

MR. JARRETT: Second.

MR. KERNEY: Motion and a second, all in  
favor?

BOARD MEMBERS: AYE.

MR. KERNEY: All opposed? We're good.

Thank you.

MS. MOHAMMED: Page four. Inspector Wayne Strawn 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. The green cards are in the file and the information is noted on the agenda.

This is an old business case. This case was first heard 7/20/06. At that hearing the Unsafe Structures Board gave a 30-day extension of time to allow Mr. Crum to hire an architect and return to the Board with proof of having done so. On 9/21/06 the Board gave a 30-day extension of time.

At the 11/16/06 Unsafe Structures Board hearing, the Board granted a 30-day extension with the provision that Mr. Crum returns with a copy of the drawings that he has submitted to the City.

On 12/21/06 the Unsafe Structures Board granted an extension to 2/15/07. At the 2/15/07

hearing the case was continued to 3/15/07 and the respondent was ordered to return with a set of plans from his architect.

On 3/15/07 the Unsafe Structures Board granted a 60-day extension to 5/17/07, the owner to return with a progress report. On 5/17/07 the Unsafe Structures Board granted a 60-day extension to 7/19/07.

MR. KERNEY: Where are we at Mr. Crum? Please state your name when you come to the microphone, please.

MR. CRUM: Charlie Crum. At the moment, the plans, the surveyors have everything and the architect. I had a setback because of the contractor had been hospitalized.

MR. KERNEY: Okay, do you have any drawings or anything?

MR. CRUM: I have all the drawings, yes.

MR. KERNEY: You do?

MR. CRUM: I do have the drawings.

MR. KERNEY: Okay, great. Can we see them?

MR. CRUM: Sure.

MS. WALD: Ginger Wald, Assistant at the City Attorney's Office. Actually a notice of

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appearance was made by an attorney on behalf of Mr. Crum, and that's why I wanted to - and I actually spoke to her, and that's why I wanted to give him an opportunity to see if she was going to appear today.

MR. CRUM: She said she would but I don't know where she is at the moment.

MS. WALD: Do you want to wait for her before you proceed?

MR. CRUM: No, because this far she's addressing this -

MS. WALD: You're ready to proceed without your attorney?

MR. CRUM: [inaudible]

MS. WALD: Okay, I just wanted to make it clear that the respondent was ready to proceed without his attorney, since she did file a notice of appearance and also filed a motion for continuance and wanted the motion for continuance heard in front of the Board today.

MR. KERNEY: Okay. Well let's see what he has because we may get that anyway.

MS. WALD: That's fine; I'll leave it up to Mr. Crum how he wishes to proceed. I just wanted to -

MR. KERNEY: Okay. We can always stop if  
- you don't know if she's coming or not?

MR. CRUM: [inaudible]

MR. KERNEY: Okay. You can hand them  
directly to me. [Mr. Crum hands his plans to Mr.  
Kerney]

Okay, what else do we have? We asked you  
for progress with the drawings. Now tell me what  
stage you're at with this; have you submitted  
anything to the City?

MR. CRUM: All that's been submitted to  
the City, picked up because we have to have some  
corrections made.

MR. KERNEY: So, you're in for permit, but  
there's corrections.

MR. CRUM: Right.

MR. KERNEY: Do you know the processing  
number, do you have the processing number? They  
would have given you a number.

Wayne, do you have information, have you  
still been involved since he's -

INSPECTOR STRAWN: Wayne Strawn, City  
building inspector. Yes, he is working hard to  
get these plans through. The latest snag - I had  
a discussion with Mr. Crum this morning. I was

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unaware that the only thing holding it up is they need to know the elevation of the finished floor inside the building. And it wasn't on his original plans; back then it wasn't required. This is why the surveyor is involved. And aside from that, I think he's getting very close to getting a permit.

MR. KERNEY: Alright, great. What would you be looking for, 60-day extension?

MR. CRUM: [inaudible]

MR. KERNEY: What's the Board's pleasure? Does anybody have any questions for Mr. Crum? I'll entertain a motion from the floor then.

MR. JARRETT: I'll make a motion to give Mr. Crum an additional 30 days, which, lets see, if I look at this calendar, would be -

MR. KERNEY: August 16.

MR. JARRETT: August?

MR. KERNEY: Yes, if you're going to give him 30, it's going to be August 16.

MR. JARRETT: Did we say 60 or -

MR. KERNEY: He's asking for 60.

MR. JARRETT: Sixty. So let's give 60, which would be September 20<sup>th</sup>. And that would be to have the building permit?



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MR. CRUM: I'm not sure, I should have it.

MR. JARRETT: Do you see, does City staff see any problem with that, 60 days?

INSPECTOR STRAWN: No, I think it's out of his control. I think the staff will process those plans as expeditiously as possible, if his surveyor comes back with the required information. It's pretty much in the surveyor's hands right now.

MR. JARRETT: Okay. Then we would say with the building permit within that time period.

MR. KERNEY: Just so I'm sure of the motion: you're giving Mr. Crum a 60-day extension, at which time you expect him to return with a building permit.

MR. JARRETT: Correct, or have the permit, and the City dismiss the case.

MR. HOLLAND: Second.

MR. KERNEY: I've got a motion and a second. All in favor, signify by saying aye.

BOARD MEMBERS: Aye.

MR. KERNEY: All opposed? Sixty more days.

MR. CRUM: Thank you.

MR. KERNEY: Nice to see you.

2. **Case: CE07021662**

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**Steven Decker**

**1006 Northeast 14<sup>th</sup> Place**

MS. MOHAMMED: Next case, page 12, 1 - 2 of your agenda. Inspector Wayne Strawn for case number CE07021662. Case address: 1006 Northeast 14<sup>th</sup> Place, the owner: Steven Ray Decker.

This case was first heard by the Unsafe Structures Board on 6/21/07. At that hearing the Unsafe Structures Board ordered the property owner to demolish the structure within 30 days and further ordered the City to demolish the structure, should the property owner fail to timely demolish the structure.

The owners and interested parties were notified of this hearing, and the information is noted on the agenda, and the green cards are in the file.

MR. KERNEY: Okay, do we have a respondent?

MS. WALD: The respondent is here: Mr. Decker. Ginger Wald, Assistant City Attorney. Mr. Decker had contacted me and wanted to have a motion for reconsideration orally made before the Board. He was placed on the agenda today to do

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so

MR. KERNEY: Okay, thank you. Can you state your name please?

MR. DECKER: Steven Decker.

MR. KERNEY: And your address.

MR. DECKER: 1007 North Federal Highway, Fort Lauderdale, 33304.

MR. KERNEY: Thank you. What do you have for us?

MR. DECKER: Thank you Ms. Wald for - I've been speaking to her and she's been trying to be very helpful and accommodating as possible. I've been suffering from a chronic illness for the past almost two plus years, and that's kind of the Cliff Note version. The other part of that is trying to get back in the saddle and get caught up on things such as this.

And since speaking to her, I initially got the paperwork, and I saw that I had to tear the property down. Financially I'm in a bind, and my intention when I first bought it, which I bought it boarded up a few years ago, two years ago, maybe Ms. Wald knows better than I do. But about two years ago it was boarded up, apparently to some sort of code, and my intention was to

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reconstruct new town homes.

We all know what the market is like here in the City, and that's not economically feasible nor do I have the funds to support that. So what I wanted to do is board it up, until I had funds to do the renovations.

My contractor is here with me today and also supplied me with an estimation of what it would cost once I get those funds in place to renovate it. But what I'd like to do in the meantime is go ahead and follow what code wanted me to do from the beginning, and that's go back and board it up per the new Fort Lauderdale code.

MR. KERNEY: And what do you think would be your timeframe as far as the renovation project starting?

MR. DECKER: That is going to be, I need a year plus, because I am in a very serious financial predicament right now. This is one of many of my properties. The property has been well taken care of, it's well groomed from the outside.

I do have to go back and resecure a couple of places, as Mr. Strawn had pointed out to me one day and I was even unaware that someone had

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torn off one of the half-inch sheets of plywood and dumped roofing material or debris, not roofing material, but debris in the building.

So, I want to make it fire safe for my own well-being as well as the neighborhood, as well as to comply with the City. And then board it back up, get back on the same page with everyone here. And then as funds become available, rent it out, because it's a major drain on me as well. It's not doing, candidly, either of us any good.

So, I'd like to be able to renovate it, get it rented to where there's some sort of cash flow.

MR. KERNEY: Do we have photographs of this property?

MR. DECKER: I have photographs, if you'd like them.

MR. KERNEY: I'd like to see the City's photographs as well. Wayne, do you have any input on this at all?

INSPECTOR STRAWN: Yes. Wayne Strawn, City building inspector. These are two old wood-frame structures. You notice the violations laid out for us. There was an aborted remodel/rehab attempt in 1996. They haven't been occupied

since before then.

The owner here has a credibility problem with his ability to actually rehab the properties. I was there this morning and found the property still open, and open to casual entry. We've been discussing about how they needed to be secured since last March. I would submit there's some question about his ability to rehab these buildings when it doesn't seem to be within his ability to keep them secure. I have photographs of what I found this morning, and of the debris that's inside.

For the record, I've been sending cases to this Board for almost 18 years and - would you pass me the NOV for that - the Florida Building Code, and before it the South Florida Building Code, deferred in what was kind of mysterious to me when I first got this job, why they talked about the minimum housing code and the building code. Why that was one of the criterion that a building could be subject to demolition.

And the Fort Lauderdale minimum housing code goes way back, and it says things like, you can't have a broken window. Let me just read you this code sections for a second. It's 117-1.1,

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if you'll bear with me.

Buildings or structures that are, or hereafter shall become unsafe, unsanitary or deficient in adequate means, facilities for means of egress, or which constitute a fire or windstorm hazard, illegal or improper use, occupancy or maintenance, or which do not comply with the provisions of the applicable minimum housing code, or which have been substantially damaged by fire... and then it goes on and on for the other criterion.

Certainly, if a building had a broken window we wouldn't bring it before this Board. It's also a violation not to have hot water, it's a violation of the minimum housing code. And certainly we wouldn't bring a building - if that was the only problem - before this Board.

But when the totality of the problems are that it doesn't meet any of the requirements of repairs - I once heard that our department used to be headed up or supervised by the Fire Department and the Fire Marshal was our - administratively - our head.

And I once heard him testify to this Board that he was unwilling to risk his firefighters

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for buildings that did not serve the community and for which there was no potential of serving the community. And his firefighters, every time they go out on a call, there's a risk involved. Sometimes it's great, sometimes it's not so great, but he said he was unwilling to risk his firefighters. And we all well know that open and abandoned, unsecured, vacant buildings burn more often than occupied buildings.

So we can review all the photographs, and so forth that show the condition of this building, but I have good reason to stand by and I don't think that the Board should vacate its previous order. Especially considering that the property owner has not seen fit to keep it secure since last March.

MR. KERNEY: Thank you Wayne.

MR. JARRETT: I have a question of staff. Wayne, we had this discussion last meeting or meeting before last about the time period when you officially board up and get that permit. Isn't that only for a year isn't that -

INSPECTOR STRAWN: The City ordinance involved is a certificate of board-up. And the purpose of the ordinance was that, first the City



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provided a service to the public where we actually took City funds and boarded up buildings and preserved the plumbing inside and the electrical inside so that the vandals didn't go in and totally strip the building.

After this program was in effect for a few years, we had a lot of boarded-up buildings in town and the City Commission passed an ordinance to reduce the number of boarded-up buildings, and to provide an incentive for the public to do, for citizens, property owners to do one of two things: demolish or rehab the building.

For that reason, a board-up certificate is required before you can maintain a boarded-up building in the City of Fort Lauderdale. The board-up certificate requires that the plumbing be capped, that the electrical be disconnected, and that all trash and debris be removed, as far as all combustibles and personal possessions be removed from the inside of the building.

The idea being that we would mitigate the chance of this building burning. And it was only good for 12 months. At the end of 12 months, the citizen had one shot at renewing it. He would have to show the building official that he was

going to rehab the building. If he wasn't going to be able to show that, he wouldn't renew the board-up certificate, could not be renewed.

So his choices were there: demo or rehab. And unfortunately, the ordinance, although it's six years, seven years old, it never was enforced very well. Because this building was boarded by the City in the year 2000, and it's still there.

It should have been neither rehabbed or - and the fines would be imposed, and the civil fines would be imposed if a person maintained a boarded-up building without the required certificate.

MR. JARRETT: So therefore then, what the owner has stated as a possible remedy to this is impossible, because he's asked for a year plus, and we've already, we've just been informed that a year is the maximum period. So, his request to the Board would not be proper.

MR. KERNEY: Mr. Decker, would you like to respond to that?

MR. DECKER: Certainly. So therefore, if a year is the maximum, then something less than a year.

The other thing that I would like to

mention is that I've been a very positive and substantial contributor to some of the worst neighborhoods in the City. And I did that intentionally because it wasn't purely philanthropic. It's because, it was for investment purposes.

And I realize that when I invest in certain areas that I have to put up with certain things that one does not otherwise have to put up with, i.e. illegal dumping on my property. This one, the debris in the building which Mr. Strawn was kind enough to point out to me.

And unfortunately, he and I had some harsh words one day which I regretted and I did call back and apologize, but unfortunately, I think perhaps some of the damage was done. And again, publicly, I apologize. Because he did help me tear down the building that I did buy, I affectionately called the hood, which is right near here, called Progresso, in which I own about 14 other properties.

My illness, and now I'm making this public, is chronic. I've been under three doctors' care. I've tried to present that information to Ms. Wald, Ms. Bolander. And today

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I lost a buyer on the only property that I had which was going to potentially put money back in my pocket that I could continue to pay my property taxes and remedy this situation, which is a board-up.

I'm asking for a year only because, I'm asking for more time than what I truly believe is necessary. Because I don't want to put myself in a position again where - I don't want to be in front of you other than to say here, it's all done.

I have applied for the plumbing permit. I got the number for that. I have proof from FP&L that I've addressed those issues. I was given a punch list by Code Enforcement in June of last, this past month, and again as my luck would have it, that list was incorrect, it was not up to date. So that set me back and I had to go back and redo things.

So I don't - I'm a little confused when the city expects something out of its citizens more than it's willing to give us back. We all make mistakes.

My doctor's crux of their letter was I had no ability, inability to make decisions to run my

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business. And that was including hiring a property manager, because I didn't have the ability to make a decision whether I wanted to get dressed in the morning.

So, I'm not hiding behind anything. I want some time to try to close the buildings up properly. I can't sit there with guard dogs and guns. I called the police on a 911 call; it took them an hour to show up, and that was three blocks from here.

I pay over 100,000 in property taxes on multiple properties. I work with the police on drug sting operations. I'm not a bad guy.

MR. KERNEY: Mr. Decker, certainly, nobody thinks you're a bad guy. What we're concentrating on is this property. And as long as I've been on this Board, we have granted people time to make things happen, but always they've had a financial plan to move forward, and never, to my recollection, have we allowed somebody whose plans were a year in the future.

We typically grant extensions of 30 and 60 days. And although I believe everybody on this Board empathizes with your position, we're still obligated to protect the citizens of the City of

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Fort Lauderdale. So it's going to be a tough sell to this Board because of the fact that you're being honest and you're saying that I just don't have the funds to make anything happen. I don't want to speak for the Board. Does anybody have any questions for Mr. Decker?

MR. HOLLAND: Yes, I don't, this is in the form of a discussion. I'd like to ask the Assistant City Attorney for an opinion on the hardship aspects of the case from some of the more sensitive discussions to the matter that are, we don't need to share with everybody, but I guess from a legal standpoint, how much do we consider the hardship aspects of these cases?

MS. WALD: That is your decision to make on regards to the hardship aspect. First of all, speaking specifically as to this case, on a legal basis, this Board had already decided at the last agenda meeting to go ahead and order the demolition. So the findings of fact were already made and the order was already put in.

Specifically again, for legal process this basis is on the oral motion of Mr. Decker, pro se, for you to reconsider what you have already decided. So you've already made that

determination.

So first of all, you would have to decide whether a) you wanted to go ahead and vacate the order that you had already entered, and then b) basically getting to your question as to a hardship, you can take that in consideration, but again, you have already made the determination once in this case that this property did meet the guidelines and qualifications to be demolished. So I do want you to understand that, and the basis of this.

MR. HOLLAND: I believe we had, at that meeting there was no, the owner was not represented, correct?

MS. WALD: Nobody showed up for that meeting.

MR. HOLLAND: And we saw photographs and again, forgive me if I don't recall the condition of the building. Was it felt that it was salvageable, or was there an issue there with Mr. Strawn? Mr. Strawn your opinion on the equity of this structure and the ability to, I mean, assuming there was a board-up condition extended, is there salvageability or inherent inability to rehab this structure?

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INSPECTOR STRAWN: These are wood frame structures. One of them was moved onto the property in 1948 so I don't know how old it is exactly. Anything can be rebuilt. The persons who decided to rehab both buildings in an aborted attempt, abandoned the job back in '96. They had re-stuccoed the entire building, put a new, the roof was put on, the roof is about 20 years old now.

So this, from an economic standpoint, I don't think this is a practical thing to do. But of course, anyone is willing to put money into something, their property, even though that may be financially foolish, they certainly can.

What we're looking for is to return it to viability, and new sets of plans that address everything, all the work that was done with the original plans in '96 with the expired permits. When there's no longer a valid permit it's presumed to be unsafe because it never got a CO; they never followed through with the job.

MR. KERNEY: Wayne brings up another point. What we've found in the past, Mr. Decker, and again, I've sat on this Board for a long time, is that a lot of times we'll grant



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extensions on properties for long periods of time only for the owner to realize that it doesn't make any sense. The building's too far gone.

Especially when you speak of a wood frame structure like this. It doesn't make economical sense to try and try and rehab the property and it ends up being demolished six months later, or however long the extensions go out.

So my personal opinion, as a Board member, is that the decision that was made last month, I would say it should stand.

MR. DECKER: Excuse me, may I interject one thing?

MR. KERNEY: Sure.

MR. DECKER: Well, actually two things. But one is a cost estimate that was provided to me by a licensed contractor for \$31,000 for both buildings. Obviously, this is my money, and with, at \$31,000 that includes, that's move in with your toothbrush.

So that is the roof, the whole thing. So, those numbers make things very reasonable. A board-up is two to three thousand dollars, which, give me six months. Now I understand a year may be a long time, and candidly, I want to have my

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entire business wrapped up within a year. But we all know the time creeps up on us.

As far as what was done or not done before I owned the buildings, I don't know anything about that. As I said, my intention was, before our market tanked, was to build two town homes, which I spent another \$15,000 on plans, and then everything just hit the wall. So that did not make economic sense to do that.

So, to me, what does make economic sense is to board it up and then go back in and, Mr. Bresnock, who is my contractor, who is sitting here, if you have any technical questions relating to that please, you may ask him.

But, that makes the most sense. Because we looked at it and said, okay. As I once when I first met Wayne Strawn was, that building was an obvious tear down. There was no way of salvaging the building. And in fact, thanks to the City, I got a better price than I did from the private sector.

But as I looked at it this time around and said, okay, well our market's gone to pieces, what makes more sense, board it up or renovate it? So, I would like to have the time, do I, am

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I running by the seat of my pants? No.

Financially, right now, yes.

Are you going to get any money from me?

The answer is no. Not today, not until I can get a lien removed from one of my other properties, and cooperation from the City and it gives me space and time to fix this. Otherwise, the whole empire crumbles.

And I, as you stated Sir, I'm being honest, because it's the only way I've ever been. Like I said, I'm sorry I told Mr. Strawn something. But you know what? I lost my cool I'm wrong, but I want to address this.

The other thing is, let me also state this for the record. Since I'm not doing a lot of things apparently is, I was given a notice that said I didn't pay one of my other bills attributable to this property, which was illegal dumping on the property. And I have proof from my bank that that was paid to the City, the City already took that money. And I got another letter from the City, final notice, which, like I said before, mistakes are made on both sides.

I'm trying to address everything. I have proof from my bank that that check cleared. I

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think it's either written on there or, cleared 6/7 or shortly thereafter. My point being is, I'd like a little bit of slack. I realize before I was able to stand here before you, because 60 days ago, I wasn't. And so, I'm trying to handle stuff on my own.

MR. KERNEY: Okay, thank you. Board, does anybody have any more questions?

MR. HOLLAND: Just another one for Mr. Decker. You mentioned a number of properties and holdings that you have. Can you -

MR. DECKER: Would you like to buy one? I can give you a great deal.

MR. HOLLAND: Are they - we're getting into a whole, a totality of something else when we look at the whole condition of your finances. Can you allude to how you stand with these other properties mortgage-wise or -

MR. DECKER: Everything is current.

MR. HOLLAND: Are you looking at liquidating some of the properties to better your position?

MR. DECKER: Sir, my properties have been on the market for over a year. And my properties are probably the lowest, in fact, I think they're

the lowest by maybe even as much as 20 percent now. And there's no activity.

MR. HOLLAND: Understood. Thank you.

MR. DECKER: So, due to my illness, I've gone through all my personal savings and I've just been trying to jumble equity and if the bank will work with me and restructure the loan. I'm doing that. But, to answer your question, everything else is well-maintained and current.

MR. KERNEY: Board, what's your pleasure?

MR. JARRETT: Well I'm not inclined to give the property an extension of a year. If Mr. Decker had some plan that was on a very much shorter term, I might be inclined to entertain it but not for a year. I would say let the previous motion stand, unless Mr. Decker has some alternate to -

MR. DECKER: I'm sorry sir, as I said before, I asked for a year because that is potentially the longest period. If it's less than a year, then I'm open to the Board's recommendation and flexibility. If six months is a magic number - I'm just trying to give myself some space, because I've got a house in Coral Ridge Addition that I'm trying to give away and

no one will take it.

MR. JARRETT: Mr. Decker, had you appeared at the meeting that we had, at the hearing that we had, that your house was ordered demoed, we would have probably given you 30 to 60 days to obtain, to hire an architect and to start the procedure to rebuild the building. Are you prepared to say that you could do this in 30 days?

MR. DECKER: Within the next six months.

MR. HOLLAND: I think with the complexity of this issue, my inclination is, I mean, I do feel that, I mean, counsel has had more extensive conversations than we have, and we've heard the advice.

I think one of the things Mr. Strawn has pointed out to us a number of times is that our purview is making things safe. And I think if an extension could be considered for the certificate of board-up less than 12 months, I guess under the circumstances as a hardship, which I guess everything is. I'd be inclined to entertain a motion.

I see he's got a contractor here and I see there may be the ability to pursue a reasonable

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board-up and make the property safe for an interim period and giving it another go.

I can't necessarily describe exactly - I'm too new to the Board to exactly describe how that would take place, but I think you get the general idea that I feel that if we can get a commitment and a reality of a safe board-up, perhaps we can allow another look at this from an extension standpoint, knowing that the 12 months has already been applied to the property, but not necessarily this owner.

MR. KERNEY: Well, again, my thoughts are, had Mr. Decker come last month and said, I'm not going to do anything with it for six months, we would have, I believe we would have voted, or I certainly would have motioned for demolition. And that position has not changed now that he's here in front of us.

He's telling you, I can't do anything in 30 to 60 days, and as long as I've sat on this Board, we've never let anything go past that.

Regardless, you are correct. Everyone's a hardship. There's no multimillionaires walk through that door with a problem. It's all people that do have financial problems, and

that's where they're in that position. It makes sitting on this Board very, very difficult because of that.

I've had to order people's houses demolished that I was sad when I walked out of here that I had to do that. But we had no choice; we have to protect the safety of the public. And that's my opinion as a Board member. Do we have anybody on the Board that would like to motion?

MR. DECKER: May I, just a quick question? A board-up I can do immediately. It's if you're asking for a full-fledged renovation, as Mr. Bresnock outlined, that's what I'm asking for a longer period. To board it up, I'm prepared to do that right away.

MR. KERNEY: To my knowledge, this Board does not typically allow board-ups for something that may happen in the future. We tell people to make a property secure for 30 or 60 days while they go through the necessary process with the City. This Board does not ask for a board-up so that down the road in the future something can happen. But that's -

Would we even need a motion from the floor



if we're not going to do anything?

MS. WALD: The only motion you have to go ahead and take at this point in time is really just on the respondent's motion for reconsideration. So it would be a motion to consider or not reconsider, yea or nay. That would be the first one.

MR. KERNEY: I need a motion from the Board to either consider or not consider to open the case back up.

MR. HOLLAND: Question for counsel. Regarding the medical hardship, have you seen written doctors' indications of such medical hardship?

MS. WALD: What I actually received - there were two cases going on, and I actually received the letters that were provided by the respondents in another case. I was also informed by the respondent to keep those matters confidential. So, obviously they're in my file, they'll stay in my file, and they will not be made - on my part - part of a public record. That would be up to the respondent himself to make that decision.

I'm also not a doctor or a lawyer dealing

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with probate matters and whether someone's competent or not competent. So I don't take any consideration other than they were provided to me as part of a claim being made by Mr. Decker. But it's not something that I take in consideration. So yes.

MR. KERNEY: Board, I absolutely need a motion from somebody one way or the other.

MR. JARRETT: Well, I'll put it in a positive sense and therefore a no vote would be denial of the motion. But I'll say that we, the Board make a motion for the Board to reconsider.

MR. HOLLAND: Second.

MR. KERNEY: So your motion is to reconsider -

MR. JARRETT: Is in a positive sense, a nay vote would be denying the request.

MR. KERNEY: Correct, okay. So if, I have a motion and a second. All those in favor of granting opening up the case again, signify by saying aye.

MR. HOLLAND: Aye.

MR. KERNEY: All opposed?

MR. BELLISIMO, MS. CHARLTON, MR. JARRETT:  
Nay.

MR. KERNEY: Do we need a count?

MS. MOHAMMED: Yes.

MR. KERNEY: I'd like to take a count. A count for the aye votes. And the nay votes? I don't vote as Chairman right?

MS. MOHAMMED: Yes.

MR. KERNEY: Oh, I do? Nay. Motion is denied.

MS. WALD: So the motion to reconsider is denied. Thank you.

MR. KERNEY: Thank you.

3.

**Case: CE06102667**

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**Cory Canzone & John Mislow**

**3729 Southwest 12<sup>th</sup> Court**

MS. MOHAMMED: Next case, page nine. Page nine of your agenda. This is also an old business case. Inspector Wayne Strawn for case number CE06102667. Case address: 3729 Southwest 12th Court. The owner: Cory Canzone and John Mislow.

This case was first heard by the Unsafe Structures Board on 6/21/07. At that hearing the Board gave a 30-day extension, owners to provide a status report at the 7/19/07 hearing.

The owners and interested parties were

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notified and the information is noted on the agenda. Additionally, the notice of today's hearing was posted on the property on 7/2/07, and today's hearing was also advertised in the Broward Daily Business Review.

MR. KERNEY: Hi, could you state your name please?

MR. MISLOW: John Mislow, can you hear me?

MR. KERNEY: Yes I can.

MR. MISLOW: I was here about 30 days ago, and what we did was, we went to the Zoning Board and we had to get an abstract. We had all that done, we submitted it. We got a letter of something, anyway, we got it two days ago. We actually don't have it, but they called us and verbally they told us that it was a nonconforming lot. So, what that means to us as the owners, we have to fix what's there.

So, in lieu of that, we hired an engineer and he's going to be the engineer of record, and here's a copy.

MR. KERNEY: Could we see that please?

MR. MISLOW: Should I put it here?

[Mr. Mislow shows the Board the contract using the ELMO]

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MR. MISLOW: Anyway, Don Arpin's going to take care of it and whatever has to be done, he's going to do. All this is - because when we bought the property it was in perfect condition; it had already been redone.

But anyway, they give us some pictures today, Wayne did, from 10 years ago - 1999 - doesn't even look like this today. But anyway, we're going to go through, give this to the engineer and he's going to go through whatever has to be done and take care of it and hopefully we'll have some permits by then. Because I don't think we need permits from the engineer to do like the electrical and so forth.

So we'll go ahead and start on that and then let him do the drawings as he visits the property and tells us what we need. And hopefully in a very short time, we can get some permits and start fixing it.

MR. KERNEY: Okay, great.

MR. MISLOW: But as it is right now, the property's boarded up. Because Mr. Strawn, he went out there and put the pink papers on our plywood so he knows that it's boarded up, and the electric, as far as I know, is off. And that's,

we tried to make it as safe as we can. It's unoccupied and there's nothing in there, no furniture or anything, and it's all cleaned out.

MR. KERNEY: Wayne, do you have some information on this property?

INSPECTOR STRAWN: I have no problem with getting a continuance. They have an architect, an engineer, so it is within the realm, although it may be expensive, it's within the realm of repairing.

MR. KERNEY: Okay. Board, do you have any questions? Seeing no questions, I'm assuming you're asking for, what kind of an extension?

MR. MISLOW: This is all new to us; we don't know. We don't know how long it's going to take.

MR. KERNEY: We typically give the 60 days. Even if you're not ready, at least you come back [inaudible].

MR. MISLOW: That's fine, whatever you say. We'll give you a status report, sure.

MR. HOLLAND: Motion to extend 60 days to the September 20<sup>th</sup> date for rehearing.

MR. JARRETT: And I'll second the motion.

MR. KERNEY: I have a motion and a second.

All in favor, signify by saying aye.

BOARD MEMBERS: Aye.

MR. KERNEY: All opposed? It passes  
unanimously. See you in 60 days. Thank you.

MR. MISLOW: Great, thanks.

4. **Case: CE05110196** [INDEX](#)

**Synergy Property Services**

**705 Northwest 2<sup>nd</sup> Street**

MS. MOHAMMED: Next case, page three of  
your agenda. This is also an old business case.  
Inspector Wayne Strawn for case number  
CE05110196. Case address: 705 Northwest 2nd  
Street. The owner: Synergy Property Services.

This case was first heard 6/21/07. At  
that time the Unsafe Structures Board granted a  
30-day extension, and stipulated the owner to  
return on 7/19/07 with a status report. They  
owner to super-secure the property and verify the  
integrity of the boarding at least every other  
day.

The owners and interested parties were  
notified via certified mail, and the information  
is noted on your agenda.

MR. KERNEY: Thank you. Could you state  
your name for the record please?

MS. HERNANDEZ: Erica Hernandez for Synergy.

MR. KERNEY: What do you have for us?

MS. HERNANDEZ: Since our last meeting, we have secured the building. We changed out all of the boards like we were asked, to follow the code. They're painted white with the three holes, they're secure from the inside. I followed strictly by the municipal code that Mr. Strawn had provided to me.

Also, our plans were kicked back from the City; they needed some revisions. The revisions, it had to do with the railing up on the second floor and a couple other plumbing issues. Those were, I had that resubmitted to the City.

MR. KERNEY: Do you have a processing number from the City?

MR. KERNEY: I have permit numbers, and also they - this is what they faxed me, it's kind of hard to read. It's kind of hard to read, but it shows, it has a date up in the corner showing that they were resubmitted yesterday. I do have permit numbers and all the permit information from the City's web site all printed out.

MR. KERNEY: Alright, great.



MS. HERNANDEZ: On all the different permits. Starting that we applied for the roofing permit as of last year, October. The roofing permits have been, they were accepted, but they tied the interior with the exterior of the building. So the plans that were kicked back that we resubmitted yesterday had to do with the interior. So once those are approved we can start work on the building.

MR. KERNEY: Okay.

MS. HERNANDEZ: But we are prepared to start work. And we've been keeping the outside, we had a violation for keeping it clean and stuff like that since it was a vacant building, and I've had someone there every other day. We haven't had any break-ins or anything happen.

MR. KERNEY: Okay. Wayne, do you have some information on this property?

INSPECTOR STRAWN: Wayne Strawn City building inspector. I can verify that when the corrections were - when the plans went out for corrections they came right back. The corrections were made and they resubmitted them just yesterday, so that they can get these plans, this permit issued. So, I have a high level of

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confidence that they're really going to go forward and get this permit.

MR. KERNEY: And you would be asking for 60 days?

MS. HERNANDEZ: Yes, it's pretty much I'm waiting for the building department to -

MR. KERNEY: You're going to need the 60 days.

MS. HERNANDEZ: Right.

MR. KERNEY: I'd like to - if there are any questions from the Board? If not, I'll entertain a motion.

MR. HOLLAND: Move to grant an extension of 60 days to the September 20th date.

MR. KERNEY: I have a motion.

MS. CHARLTON: I second.

MR. KERNEY: Motion and a second. All in favor signify by saying aye.

BOARD MEMBERS: Aye.

MR. KERNEY: All opposed? Passes unanimously. We'll see you in 60 days.

MS. HERNANDEZ: Thank you.

MR. KERNEY: Unless you get a permit.

MS. MOHAMMED: Do you want to give us the date?

MR. KERNEY: Yes, he did give you the, 20<sup>th</sup>, September 20<sup>th</sup> meeting, yes.

MS. HERNANDEZ: So, once the permit is issued, am I still -

MR. KERNEY: You'll never see us again.

5. **Case: CE06081280**

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**Sylvan Eversley**

**611 East Evanston Circle**

MS. MOHAMMED: Next case, page six of your agenda. Inspector Wayne Strawn for case number CE06081280. Case address: 611 East Evanston Circle. The owner: Sylvan Eversley.

This case was first heard by the Unsafe Structures Board on 11/16/06. At that hearing the Unsafe Structures Board ordered the property owner to demolish the structure within 30 days and further ordered the City to demolish the structure, should the property owner fail to timely demolish.

On 3/15/07 this case was brought before the Unsafe Structures Board and the order of 11/16/06 was vacated and the property owners and interested parties were ordered to reappear at the April 19<sup>th</sup>, 2007 Unsafe Structures Board hearing.

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At the 4/19/07 Unsafe Structures Board hearing, the Board granted an extension to June 21<sup>st</sup> '07. At the June 21<sup>st</sup> '07 hearing, the case was continued to 7/19/07. The owners and interested parties were notified via certified mail. The information is as noted on your agenda, the green cards are in the file. Additionally, we posted the property on 7/2/07, and today's hearing was advertised in the Broward Daily Review.

MR. KERNEY: Okay, thank you. Could you state your name for the record please?

MS. CORDERO: Yes, Jennifer Cordero. I'm here on behalf of the bank that holds the mortgage and note on this property. I do not represent the defendant. I have been in touch with the defendant's attorney. They're not appearing today.

Our position is simply that we are moving forward with a foreclosure action against this property owner. They're not paying their mortgage either. It's pretty obvious to us that they're not remedying the deficiencies either. So we're just simply requesting an extension so that the foreclosure can take place so that we

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can buy back the property. And my client has all intention of remedying the violations and deficiencies but not until they have title.

So a foreclosure action, which is not being handled by my firm was instituted and filed on July 17<sup>th</sup>. Should this move accordingly, I'd say in the next few months, we will have a sale date. If you would like in 60 days, we can come back here and let you know how the foreclosure proceeding is going. But that's my client's position.

MR. KERNEY: So, if I'm to understand you correctly, your client, the mortgage holder, will take this mortgage back in repossession and rehab the property and put it back up for sale?

MS. CORDERO: That's, well, should the foreclosure sale go through, and nobody purchase it and it end up back in my client's hands, they have all intention of addressing all the deficiencies on the property, to not have it demolished.

MR. KERNEY: Does your client understand the amount of money it would take to bring the property up to current code?

MS. CORDERO: Yes, but my client also is

aware of how much money they loaned on this property as well.

MR. KERNEY: Right, I understand. Okay, thank you. Wayne, do you have an opinion or some information on this property?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. I concur the property owners aren't doing anything. The grass there is about up as high as my belt. And I'm not that tall, but it's still pretty tall.

The property is secured, and the swimming pool in the back has been protected so someone can't fall into it. So I can understand why the mortgage company would want to preserve the equity they have. Because if we demolish it, we take the pool and everything; it would just be a vacant lot. So I would leave it up to the Board.

MR. KERNEY: Again, as probably the most senior Board member, I can never remember a time that we, where the owner of the property didn't appear that we granted an extension. Although I probably empathize with your client's position. The way I see it, this could drag on for a long time.

MS. CORDERO: Well, we attended the last

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hearing, where the defendant did not appear and you guys continued the hearing. I just request that same courtesy because our foreclosure proceeding is going to proceed at this point, it's going to continue at this point. And, I mean, that is, in my client's view, that is step one in remedying the situation.

MR. KERNEY: And what do you believe the time frame is if the foreclosure is to go through to where you would take back ownership of the property and then move forward to bring it up to current code?

MS. CORDERO: Well 20 days after filing the initial foreclosure complaint, the defendant would have to answer. If they do answer, then we'll file a motion for summary judgment at some point, probably about 20 or 30 days after that.

Then we appear before a judge, a judge would then give us a sale date about 30 days from then. So I'm thinking a total of maybe four months until this property is back in my client's hands.

Throughout that process I'm more than willing to appear before the Board and explain how this is moving along, but unfortunately, my

client's hands are tied because they don't own the property.

But we have all intention of working with the Board and curing all deficiencies once we've obtained title. We are an interested party in this matter. So that's why I'm here, even though the defendant and to their attorney have pretty much said they have no intention of appearing here or doing anything.

MR. KERNEY: Okay, thank you. Board, does anybody have any questions for this respondent?

MR. JARRETT: I have a question. So, we're talking four months before your client obtains title. Now, would your client be inclined to then try to sell the property? Or is he immediately going to rehab the property at the end of this four-month period or what is the plans there?

MS. CORDERO: They would probably, more than likely, attempt to rehab the property. I don't know how marketable a property in this condition is going to be. I know that the conversations that I've had with my client is ideally, they want this back in their hands, they repair this, and then they sell it once it's been



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repaired. They just don't want to deal with the problem, losing their equity and then dealing with a property that's been demolished.

MR. JARRETT: I can appreciate your situation, but you can appreciate our situation. You're asking us to wait four months to even know what you're going to do with the property.

MS. CORDERO: Well, the only comfort I can give the Board is upon those four, and I'm willing to come every month and let you know how the foreclosure proceedings are going and upon the sale of the property, four months - I'm sorry - 30 days from then, we will have some action.

Either way, we're - from the Board's point of view, we're the interested party that is trying to cooperate with this matter. And being that a foreclosure proceeding has been instituted, we're the ones that have something to lose at this point. So we're just looking for some kind of extension, some kind of concession here so that my client is given an opportunity to protect its interest.

MR. JARRETT: City staff mentioned that the building is secure now?

INSPECTOR STRAWN: Yes.

MR. JARRETT: And the swimming pool was secure?

INSPECTOR STRAWN: Yes.

MR. JARRETT: Did your client do that or did the owner of record do that?

MS. CORDERO: After the April 17<sup>th</sup> hearing, we met with the defendant, the owner's attorney. We explained to this attorney our interest in seeing this property cured. We suggested a progress plan to make sure this person complied with all the requirements that this Board recommended, and at some point he stopped responding.

And with this hearing and the hearing before, he indicated, we're not showing up at the hearing, we're not doing anything. So we tried to work with this attorney, we tried to work with this owner, implement a progress plan, stay on top of it, and their efforts failed at some point.

Because of the fact we filed a foreclosure complaint, you can see that they're not paying their mortgage either. So we have all, my client has all intentions of seeing that this be remedied.

MR. JARRETT: Well, you may have, but I missed it if you did. The question, though, was: did your client actually perform the board-up and the securing of the pool, or was that, or did your client request that of the -

MS. CORDERO: That was done by the owner after we -

MR. JARRETT: That was done by the owner.

MS. CORDERO: -after we met on the April 17<sup>th</sup> hearing with the owner's attorney, and suggested this progress report, based on this plan that we suggested to cure these violations.

And at a certain point, that curing by the owner stopped. And that's when my client said okay, now let's do what we can to be able to institute our foreclosure proceedings and save this property.

MR. JARRETT: I have a question for staff. Do you consider the building totally habitable, and that it's safe now?

INSPECTOR STRAWN: Safe? Of course, the only safety standard that the, as a building inspector, as an advocate for the code that I can accept is the Florida Building Code. We've got additions and roof structures that haven't been

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inspected that do not meet the code, that became  
- will become flying debris in a hurricane.

The electricity is still hooked up to the building; the electrical system has been altered over and over again without inspection. So it does meet the criterion as an unsafe structure with the violations that I've cited.

Immediate danger? No, I don't see an immediate danger. It hasn't lit itself on fire so far, and we haven't had a hurricane so far, but it is secure, boarded-up. That's all I can tell you.

MR. JARRETT: Is there anything that would need to be done there to make it more secure for this four-month period of time?

INSPECTOR STRAWN: The original owner should have immediately begun to destroy the illegal additions. It wouldn't have even required a permit to destroy the illegal additions. It would have just required that they be hauled off, and then secure the building. And then you wouldn't have the risk of flying debris that you have now.

But the problem is, and it may be because, if I remember a conversation I had with the

Eversley, that they didn't have a lot of funds tied up. It was plausible for them to walk away. So that's, I guess, what they did.

MR. KERNEY: The problem that I see is - let's take something basic - shutting the power off to the house. Her client can't even have that done because they don't own the property.

And although we understand your position it's the risk you take with you when you lend people money. And I can see this thing dragging out for more than four months. I can see this thing ending up, I'll see this on the agenda for the next eight months. My position is we, demolition, but somebody else may -

MS. CORDERO: May I make a suggestion? Will you give us just a 30-day extension to see if we can work something out with the owner's attorney, in light of your current decision? Because if that can happen, maybe we can be in a good enough position where my client's interests are protected and your concerns are addressed.

MR. KERNEY: You can ask the Board. I'm unconvinced.

MR. HOLLAND: I feel it's a reasonable request. We're asked to look at all these legal,

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and, you've had a lot of exposure to them, but there's an awful lot on the table with this. There may be some case precedents that perhaps we could get more advice on.

But it seems like, if it can be made safe, and we can have this conditional - I mean, we do allow the certification of board-ups. And if we have a diligent commitment to move forward in that 12-year period of the board-up and get some, and it is safe, I think it's in our purview to grant that kind of grace to a situation like this, from what I understand of the board-up process.

MR. KERNEY: Again, my problem is, is that the owner, the people that have control over the property, won't even appear, and although -

MR. HOLLAND: We got that, but the attorneys can still talk, if they've retained counsel.

MR. KERNEY: Are we sure? Are they talking? We only have her testimony. When she goes to make that call there may not be a return call. Wayne?

MS. CORDERO: Well, that's why I'm asking for the 30 days, give us -

INSPECTOR STRAWN: I can talk to the Electrical Department and have a City request for a power disconnect at the property. Request FP&L to cut at the pole.

MR. KERNEY: Would that be acceptable with the City? If we were, if you were able to get that done, would you be inclined to recommend an extension? We - you have more knowledge of the property than we have.

INSPECTOR STRAWN: I'm in favor of anything that mitigates any kind of hazard that exists, so I'm more than happy to put forward the idea that the City can cut the power. But we have to stand on the code that it's unsafe. It's not as unsafe as it was when I wrote the first notice, because at that time it was being used as a rooming house.

MR. JARRETT: At this point, it is unoccupied, correct?

INSPECTOR STRAWN: Yes.

MR. JARRETT: But there is still power; there is still water; there is still -

INSPECTOR STRAWN: Yes, yes.

MR. BELLISIMO: I have a question. We ordered this demolition back in November, and

vacated the order. Does anyone recall why we vacated that order? I don't seem to recall why we did that.

MR. KERNEY: Probably bad service on the notice.

MR. BELLISIMO: Was that it?

MR. KERNEY: Was that it?

MS. WALD: According to the notes in my file there was a service issue. And it was actually in regards to the address that parties, because of Fremont Mortgage.

Additionally, for some other background information, Fremont Mortgage, from the old order, went ahead and filed a lawsuit against the City of Fort Lauderdale.

That has not moved forward. That order was vacated because of some problems with the service issues as to the interested parties.

My thoughts are, and again it's up to the Board as to what they want to decide to do, is that litigation will just start over again if the Board goes ahead and enters the order to demolish, but of course we will handle that as we handle that in circuit court.

As to Wayne's recommendation, the City can



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go ahead and do that. That would at least void out one of the problems. In regards to providing a 30-day continuance, I have no objection if that is done, and also on the assurances of counsel that she is going to speak with the owner and then come back in the next meeting, the next 30-day meeting and tell us where they are in regards to the foreclosure.

As to a foreclosure action, you can get it within 75 days to get it heard. Setting for the sale is completely up to the clerk of court, and even though it usually gets done within a 90-day period of time, sometimes that also gets pushed back too.

But that's kind of where we are in the legal matters dealing with this property, in the case in front of you and also the other case that's still pending.

MR. JARRETT: I have a question. Do you think that it would be possible for you to get a power of attorney from the owner of record within the next 30 days that would give you the authority to do whatever has to be done to make the building safe, such as demo the section of the building that the inspector has the concern

about?

MS. CORDERO: I would certainly like the opportunity to try. I mean, we are friendly with the owner's attorney. We do converse back and forth to try to get this issue resolved. So I would certainly like an opportunity to try to get that.

MR. JARRETT: If we could do that, then that would take care of the issue that some members have of waiting the full four months.

MS. CORDERO: That's fine.

MR. JARRETT: Could we work on that and -

MS. CORDERO: Certainly.

MR. JARRETT: - and if you could do that in 30 days -

MR. KERNEY: Would you put that in the form of a motion?

MR. JARRETT: Yes. Then I'd like to make a motion to give them an extension of 30 days on this issue, pending, the return in 30 days, that is, I say 30 days, but I need to give the date don't I? August 16<sup>th</sup> - to afford you the opportunity to get a power of attorney so that you can perform these necessary repairs as requested by the Code Department to make the

building safe and to not wait the full four-month period, that it'll take you to actually receive the property.

MS. CORDERO: Okay.

MR. KERNEY: Do we understand that motion?

MR. JARRETT: Yes, that's a long, involved motion.

MR. KERNEY: That's a long one, we got that? Do we have a second on that motion? The motion is to grant a 30-day continuance based on the mortgage company trying to get a power of attorney in order to get control over the property.

MS. CHARLTON: I second.

MR. KERNEY: I've got a motion and a second, is there any discussion on the motion?

MR. HOLLAND: Yes, where do we, does this go without saying that the certification of board-up will be pursued in this also, or do we already have that?

INSPECTOR STRAWN: Wayne Strawn, City Building Department. When we bring cases before the Unsafe Structures Board, basically the City has taken the idea that they can just board up the building and have it that way for a year.

You've taken that off the table.

We believe this Board has jurisdiction to order it secured while it's under the jurisdiction of this Board. But we don't, the City's position is that it should either be rehabbed or knocked down.

We look at buildings before we bring them here and decide whether or not we should let them keep it boarded up for a year. And if it's too far gone, we go here instead of going to the Special Magistrate with the fact that they don't have a certificate of board-up.

MR. HOLLAND: Right, I think I got that. So in essence, it goes without saying that if we grant any leniency there will be some kind of boarding up considerations or safing consideration regardless of what it's called.

INSPECTOR STRAWN: Yes, you have the - that's correct. You of course expect it to be maintained secure in the time when it's before this Board.

MR. JARRETT: I have a question, because now I'm confused since Joe brought that up. It is boarded up, correct? The pool is secure. What's not secured is this addition -

INSPECTOR STRAWN: Yes.

MR. JARRETT: - that has been built. And that would be addressed by the power of attorney to demo.

MR. HOLLAND: Is that in the motion?

MR. JARRETT: That's in the motion.

MR. HOLLAND: Okay, very good.

MR. JARRETT: Correct?

MS. MOHAMMED: For her to get a power of attorney.

MR. JARRETT: Correct. To proceed with the demo of the section of the building that is the danger. Yes.

MR. HOLLAND: And let's be very specific about those structures, whatever we are referring to them as, the porches, unpermitted porches -

INSPECTOR STRAWN: Extensions of the building, enclosures of the porches and, it's quite a bit of work that was done, that was not, expansion of the footprint of the building.

MR. HOLLAND: As long as we have the- we're moving forward on that in this 30-day period for safety considerations and hurricane season.

MR. JARRETT: Actually, we can't, she

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can't move ahead on it until she gets her power of attorney, but she may get that in the next two weeks and come back in here in 30 days with a demo permit stating that that's being taken care of, hopefully.

MR. KERNEY: Any more discussion? My position has not changed. I believe that this is not going to go anywhere, but I'll call the motion. All in favor, signify by saying aye.

MR. BELLISIMO, MR. HOLLAND, MS. CHARLTON, MR. JARRETT: Aye.

MR. KERNEY: All opposed? Nay. The motion passes.

MS. CORDERO: Thank you. Have a great afternoon.

6. **Case: CE06121094**

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**Gloria Burnell**

**2133 Northwest 6<sup>th</sup> Street**

MS. MOHAMMED: Next case, page ten. This is also an old business case. Inspector Wayne Strawn for case number CE06121094. Case address: 2133 Northwest 6th Street. The owner: Gloria J. Burnell.

This case was first heard by the Unsafe Structures Board on 5/17/07. At that hearing the

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Board granted a 30-day extension of time until 6/21/07 and stipulated the following: The power must be turned off, the property has to be boarded up with a permit from the City, and the wall must be demolished, and the owner must return with a contract with an architect.

At the 6/21/07 Unsafe Structures Board hearing, the Board gave a 30-day extension, the owner to return with plans and proof of their submission to the City for review, and the owner immediately secure, board up windows and doors.

And the owner and interested parties were notified via certified mail. The green cards are in the file and the information is noted on your agenda. Additionally, we posted the property on 7/2/07 and advertised today's hearing in the Broward Business Daily Review.

MR. KERNEY: Ms. Burnell, how are you doing today?

MS. BURNELL: I'm doing okay, I think.

MR. KERNEY: Hopefully, you brought us some plans.

MS. BURNELL: Thank you.

MR. KERNEY: I'm sorry, just to keep everything - could you state your name for the

record please?

MS. BURNELL: My name is Gloria Burnell. Last time I was told to get plans that showed the windows, the doors, and deliver them to the City. I did that. I did a board-up, but I did a check on every three days go by and check.

I'm reporting, be honest with you, I went by today, and somebody had broken in one of the doors. I did three types of door security systems just to see which one was the best. And the boarding up with the plywood is not the best.

They must have had power tools. They unscrewed it, gouged out the lock space on the side where the lock goes into the wall, and the last apartment, and they undid everything that was done there.

I will go back tomorrow morning. I've already called for someone to come in and re-secure it with the 6-inch concrete, steel, wooden screws directly into the door and into the wall and into, grab into the concrete.

That seems to have been the best way, because the front door, which was done that way they couldn't get that one open. But the back door that had the board up, they unscrewed all



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those screws from around there and got that one open.

So that was done as soon as I could. The weekend that I had scheduled for the board-up, the first week right after the hearing, the City of Fort Lauderdale had some kind of law enforcement thing going on, and they had closed off the road. I don't know what that was all about, but you can check with the City Police Department, they will tell you that that area was closed off.

So that's where I am and -

MR. KERNEY: Have you submitted the plans to the City yet?

MS. BURNELL: I gave the plans to City, I was informed, the plans that I thought I had to have, by this Board the last time, that I needed just simple plans showing the, because of the board up, the windows, the size of the windows and where they were located on the building. And that's what I gave the City

MR. KERNEY: That's for the board-up. We're speaking specifically of the renovation, moving forward with the renovation.

MS. BURNELL: Okay. The renovation, now

you asked me for plans for the board-up. Can you, the conversation was for the board-up, because I asked him, he was, I was saying I had to get an architect to do the plans, and the Chairperson said that no, you don't need that complicated a plan, you need simple plans. What the plans are intended to do for the board-up is to show where the windows and the doors are so the City can see that and have that.

MR. KERNEY: That was last month's meeting?

MS. BURNELL: Yes. Okay, and the other thing -

MR. KERNEY: I don't recall that. I can never recall the Board ever asking for plans for a board-up. Typically, what we ask for, because we are interested in that we have the property moving forward. Do you have anything for the rehab of the property? Where are we at with that?

MS. BURNELL: Okay, I have a contractor, I have the architect.

MR. KERNEY: Do you have paperwork showing that you've hired them?

MS. BURNELL: Yes, I gave you the contract

for the architect.

MR. KERNEY: Do you have it with you?

MS. BURNELL: They have a copy of it in the file.

MS. MOHAMMED: Here.

MR. KERNEY: Okay.

MS. BURNELL: This was from the last meeting, okay?

MR. KERNEY: Okay. That was a month ago; you've got to refresh my memory.

MS. BURNELL: Okay. I was told to bring that with me and to let him look at it. Now that the door's off, I might as well try to get him out there now while the door still is off.

But last meeting, I was specifically told to provide plans that showed the windows and the doors, and the location of the windows and the doors in the building for the board-up.

I was told to board up immediately and provide plans showing the board-up. And he explained to me what kind of plans I needed because I thought I needed the whole, you know architecture, structural type plans.

MR. KERNEY: I don't think the board-up is in dispute. Give us some sense of where we we're

at with the renovation of the building and what the timeframe is there.

MS. BURNELL: Okay, the first thing is the roof, and I hope to have within the next two to three weeks, within the next couple of weeks, because the architect is doing other projects for the cities, all the cities afraid of, and so is the contractor.

But they assured me that they were going to come out within the next couple of weeks, [inaudible] next couple of weeks, but the contractor assured me that he was going to try to pull permits. He's working with, they know each other, they're working together, so it's not a matter of -

MR. KERNEY: Are you here today to ask for an extension?

MS. BURNELL: Yes.

MR. KERNEY: Okay. How much of an extension would you like?

MS. BURNELL: 60 to, 30 to 60 days, and that's to get permits, make sure I got permits for everything that needs to be done. And they get to go through and walk through it and tell me the most economic way to do it. And then I have

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to send that back to the insurance company and to the bank.

MR. KERNEY: Okay. Wayne, do you have information on this particular property?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. I have some photographs I took today. I know Mrs. Burnell's stated that the doors were opened up. [Inspector Strawn showed the Board photos using the ELMO]

MS. BURNELL: One door: apartment three.

INSPECTOR STRAWN: Right, the front door was open, because it had not been secured properly. The screws were easily removed. As you can see the window is not secured properly in the rear and access can easily be gained at this window.

There's some photographs, of course, but we're familiar with the condition of the building. I don't think they come out very good.

This was the door that was open this morning. The piece of plywood that originally was over the door is here. With regard to the nature of the security of the building, George and I went, and there's one carriage bolt fastening a rather thin piece of plywood, which

is easily pulled up, as you can see.

So we don't have the kind of security that we need and it has not been successful in keeping people out.

MR. KERNEY: So, I'm going to make the assumption that no permit was pulled for the board-up either.

INSPECTOR STRAWN: No, because the permitting process for a board-up would be, the end goal would be to get a certificate of board-up and I'm not going to sign a certificate of board-up because we don't want the building to sit there for a year boarded up. We want it either rehabbed or torn down.

MR. KERNEY: Okay.

MS. BURNELL: Okay, now -

MR. KERNEY: Hold on one second. I've got a question from a Board member.

MR. JARRETT: I think we have something to clarify. Last meeting, you were absent.

MR. KERNEY: Okay, that's probably why I don't remember.

MR. JARRETT: And I believe on the motion, you came in and requested a 30-day extension, and I believe in the motion, the Board required you

to board up the home immediately, and you didn't need a permit for that because the Board was directing you to board up.

MS. BURNELL: Right, right, exactly.

MR. JARRETT: Is that correct?

MS. MOHAMMED: Correct.

MR. JARRETT: And I think that also in that motion, we required that you tear down a wall that was ready to fall?

MS. MOHAMMED: First hearing.

MR. JARRETT: Oh, okay.

MS. BURNELL: That was the first one.

MR. JARRETT: Did the wall come down?

MS. BURNELL: The wall has not come down.

We have to get a surveyor to [inaudible] survey because that may not be my wall. The wall was only built, there's some question about, because I've done, went through this with the City before with a fence.

They made me remove a fence, and then later the adjacent property owner came back and said that was not my fence to remove, that it was their fence, and there was a lot of problems with that on the same property. Because to maintain a fence, and it was a chain-link fence, and they

told us that that was not my, that was not my fence. And we took it down because of the -

MR. JARRETT: Okay, I can appreciate that. And the third item was, you were to come in here with some plans from an architect and a contractor's contract, is that correct? Is that specifically what we asked for in our motion?

MR. HOLLAND: Page 11.

MS. MOHAMMED: The owner to return with, at the 6/21/07 hearing you gave a 30-day extension and the owner to return with plans and proof of their submission to the City for review, and the owner to immediately secure, board up the windows and the doors.

MR. JARRETT: Okay so, where I'm going with this is, the three things we requested - the board-up, the board-up has not been properly done, right?

The wall is in question, but you don't have a survey here to tell us that, if the wall is not on your property, obviously that's not your issue.

MS. BURNELL: I believe it's right on the line, but I don't -

MR. JARRETT: But then the third item is



that you were supposed to come back in here with plans for the rehab. Because we can't just let this keep going on and - this is - you've been in here, this is the third month in a row, correct?

MS. BURNELL: Okay, but, if you would, do you record these hearings?

MS. MOHAMMED: Yes we do.

MS. BURNELL: Okay, when you asked for plans, whoever the chairperson is, when I said well, I have to get the architect to go out and do the, and look at it and do the plans, I was informed that the plans I needed to bring back to you, at least my understanding was, the plans were to show the location of the windows and the doors and it would not need an architect, but a simple plan.

Now, if you want to read back the statement that was made to me, either I was confused by that. As for the other plans, when I came back the first time, I brought back a contract from the contractor, proposals from the contractor for the building, and the architect.

I was informed at the last meeting, not only to wait, I should wait, it would be prudent that I wait until I got all the plans before I

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went into any agreement with contractors and make sure that I'm going to get everything that I need done prior to that.

I remember the statements that were made to me. I'm not trying to avoid anything and I'm not trying to get around anything. What I'm trying to do is make sure that it's clear as to what I was told to do for this meeting.

I realize that I have to get the other plans and everything; I realize I have to provide that. But with the second hearing, it was my understanding based on what he said that the plans I needed to produce for the City was to show the windows and the doors in the location. Maybe I got it wrong, maybe I'm confused, maybe [inaudible]

MR. JARRETT: Okay, well, actually, I believe the discussion that you're talking about was a whole discussion about board-up.

MS. BURNELL: Right.

MR. JARRETT: And whether or not a permit had to be taken for the board-up. And then City staff provided us with the answer, that you didn't have to proceed with that plan whatsoever, that the Board could order you to board it up.

And that's what we did.

So the whole discussion about a plan with the windows on it was about boarding up. It wasn't about the rehab of the building. What we requested as part of the motion was that plans for the rehab of the building be brought in at this meeting.

MS. BURNELL: Is that what it says?

MR. JARRETT: And that's what were waiting on. And you're asking for extension after extension, but we're not seeing forward progress on rehabbing the building.

And then what's most disturbing is the fact that we now see pictures that the board-up that we made as a condition at that meeting 30 days ago was not properly done, and was not done in a manner in which kept vagrants out of the house.

We have to protect the neighbors of this house. And we're not doing that if we just keep giving you extensions and you don't follow up with what we ask you to do.

MS. BURNELL: Well, I'm trying to follow up with what you asked me to do.

MR. JARRETT: Well, the board-up in those

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pictures was not what we asked. We need it done properly. Obviously, the board-up, as City staff pointed out, was not sufficient. And we have to safeguard the neighborhood.

So I'm not inclined to give you any more extensions based on the fact that you're not doing what, what you said you were going to do.

MR. HOLLAND: Question? Ms. Burnell regarding that contract, is it an executed contract? And has there been consideration or payments between the parties, or where do we stand with that?

MS. BURNELL: Well, he was waiting for me to give it back to him. The City had it and they held on, and I just got it back from the City.

MR. KERNEY: The City had that contract?

MS. BURNELL: Yes, I brought the original contract in with me. This contract. They were supposed to make a copy of the contract and give it back to me. For me to fax back.

She gave them the, this the contract, and you can see it's the original contract. It was a faxed contract, but it's an original contract. Fax does not mean not original.

MR. HOLLAND: I seem to recall it was

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signed the day of our last hearing, but you know, that's good for show, but my concern is diligence on things really moving forward and to blame the City now for holding up the paper on the contract for the design professional I think is a bit extreme here.

MR. KERNEY: If there is no more questions from the Board, I'll entertain a motion.

MR. JARRETT: I would say that we have no choice at this point, that we have given, we've granted extension after extension, and you haven't followed through, and I think we -

MS. BURNELL: Excuse me; I apologize for interrupting you, but I am trying to follow through. I am trying to do, I'm trying to get a basic understanding of what you want and get it done.

I am subject to time limits that I can get people to do things and work, just like everybody else is. I don't have any abundant amount of funds that I can snap my finger and there's going to be all these people there.

Now, that building is a good structured building. As far as it being unsafe for the neighborhood, that building has been there, and

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it's been safe for all these years.

Now I find also that it's odd that the windows were broken back into after an inspection was done of the building on Sunday, and it was secure, and it was safe on Sunday.

And I have a witness, and every time I go now I take a witness to ensure that there's not something going on here that's not quite kosher with these buildings in this area, and those of us who own these properties.

Now I, there is a witness that will come forward and swear under oath that on Sunday that building was secure. That was our last day. We go over every two to three days to make sure that they don't break in, and I don't care what kind of board-up you do, they can get in those board-ups.

Now, we screwed those, we Tapconned that plywood on those doors. Whoever removed that door, board-up, had to have power tools to get those Tapcons out of there. The other doors are screwed in with steel, wood and concrete screws.

MR. KERNEY: Mrs. Burnell, we listened to you before about how it was secured.

MS. BURNELL: [inaudible] Right.

MR. KERNEY: Okay.

MS. BURNELL: But the thing -

MR. KERNEY: That's not the issue that this Board has. The issue the Board has is that they asked you to do something specific and it wasn't done. So when you ask us for an extension and we give you specifics on how that extension is being granted, and it's not done, the typical, typically, the Board will then asked for a demolition. And I believe you're in the middle of a motion, I would like to move this forward. Would you like to motion?

MR. JARRETT: Well, at this point, I think that we should make a motion for demolition.

MR. KERNEY: I have a motion for demolition, is there a second?

MR. JARRETT: Do you want me to read it?

MS. MOHAMMED: Yes please.

MR. JARRETT: I move that we find the violations exist as alleged and that we order the property owner to demolish the structure within 30 days, and that we order the City to demolish the structure, should the property owner fail to in a timely manner. Such demolition is to be accomplished by a licensed demolition contractor

pursuant to a City-issued licensed demolition permit.

MR. KERNEY: I have a motion. Do I have a second?

MR. BELLISIMO: Second.

MR. KERNEY: Motion and a second. Is there any discussion on the motion? All those in favor signify by saying aye.

BOARD MEMBERS: Aye.

MR. KERNEY: All opposed? Motion passes unanimously. Next case, please.

7.

**Case: CE06102225**

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**James Poole**

**1748 Northwest 29<sup>th</sup> Way**

MS. MOHAMMED: Next case, page one. It's a new business case. Inspector Wayne Strawn for case number CE06102225. Case address: 1748 Northwest 29<sup>th</sup> Way. The owner: James Poole.

Certified mail to the owner, signed 6/18/07 signature illegible. Certified mail to Felicia Samuel, signature illegible, dated 6/19/07. Certified mail to American Investment Services Inc., signature illegible, not dated.

Certified mail to Shelby B. Palley, registered agent for American Investment Services



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Inc., signature illegible, not dated. Certified mail to Quick Loan Funding Inc., dated 6/18/07, signature illegible. Certified mail to NRAI Services Inc., signed for by A. Silvers, 6/18/07.

The property was posted 6/18/07, and we also advertised today's hearing in the Broward Daily Business Review.

MR. KERNEY: You said this was a new business case?

MS. MOHAMMED: Yes.

MR. KERNEY: We need it read into the record then Wayne, unless there's -

INSPECTOR STRAWN: He's going to ask for continuance.

MR. KERNEY: Okay, alright.

MS. MOHAMMED: He wasn't sworn; I have to swear him in.

[Swearing-in of Mr. Poole]

MR. KERNEY: Could you state your name for the record please?

MR. POOLE: James Poole.

MR. KERNEY: Good afternoon.

MR. POOLE: And I'm the property owner at 1748 Northwest 29<sup>th</sup> Way. I would like to ask for continuance. Actually, I started some work on

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the driveway at the house, and that was under permit.

But the structure, what was put on there has not been permitted, and the reason why, because I stopped the work myself. And I am a State certified general contractor, but I've been on other projects, and I kind of like put this one on the back burner because this is my house.

So you know, I'm being honest. And I already contacted an architect and had him come out and we've already assessed what direction we're are going to go. And I will have the plans in the Building Department probably within the next four to five weeks, depending on how quick he's going to do the drawings. And the rest is up to the City on when I'll have the permit.

MR. KERNEY: Okay, so are you asking for an extension that would possibly take you all the way to acquiring a permit?

MR. POOLE: Yes.

MR. KERNEY: Okay, so you're looking somewhere in the 90-day range then.

MR. POOLE: Realistically, yes.

MR. KERNEY: It's going to take you a month to get them and two to go through, so. Board, is

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there any questions for the respondent?

MR. HOLLAND: No, not for the respondent, for staff.

MR. KERNEY: Wayne, there's a question for you.

MR. HOLLAND: No, just, any other comments?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. I don't have a problem with that as it is. It's a shell. It's not unoccupied. It's just block work that's been erected, tie beams. And so, I don't have a problem with him. He's a contractor, I think that, is this a case where the cobbler's kids go barefoot?

MR. KERNEY: I was going to say the same thing.

INSPECTOR STRAWN: So I have no problem with an extension of, with a continuance of the case so he can get a permit.

MR. KERNEY: That's alright; I have a sink in my master bathroom that doesn't drain very well either. Okay Board, what's your pleasure?

MR. JARRETT: Were you going to, Joe? I'll make a motion that we give this gentleman a 90-day extension to our meeting October 18<sup>th</sup> to come

back in with his plans and building permit.

MR. KERNEY: If he has a building permit, we won't see him.

MR. JARRETT: Yes.

MR. HOLLAND: Second.

MR. KERNEY: Okay, I've got a motion and a second. Any discussion on the motion? All those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

MR. KERNEY: All opposed? We probably won't see you.

MR. POOLE: That's it?

MR. KERNEY: That's it.

MR. POOLE: Alright, thank you.

[Board took a four-minute break]

**8. Case: CE06091833** [INDEX](#)

**Charles Donnelly**

**3018 Northeast 20<sup>th</sup> Court**

MS. MOHAMMED: Next case, page eight of your agenda, and this is also an old business case.

Inspector Wayne Strawn for case number

CE06091833. Case address: 3018 Northeast 20<sup>th</sup>

Court. The owner: Charles E. Donnelly.

This case was first heard by the Unsafe Structures Board on 3/15/07. At that hearing, the

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Board granted a 30-day extension for all violations regarding the swimming pool and a 60-day extension for all violations regarding the seawall.

At the 5/17/07 Unsafe Structures Board hearing, the Board granted a 30-day extension to 6/21/07 and stipulated that the property, that the owner provide to the Unsafe Structures Board proof of having retained an engineer and proof that the engineer is moving forward. Also the pool violations must be complied.

At the 6/21/07 Unsafe Structures Board hearing the Board granted a 30-day extension for the owner to apply for a permit.

The property owner and interested parties were notified via certified mail. The green cards are in the file, and the information is noted on your agenda.

MR. KERNEY: Good afternoon. Could you state your name for the record, please?

MR. DONNELLY: Good afternoon. Charles Donnelly, the owner. Good news gentleman and lady, I've got a signed contract for the seawall.

MR. KERNEY: Great, could we take a look at that please?

MR. DONNELLY: Yes.

[Mr. Donnelly showed the Board the contract using the ELMO]

MR. DONNELLY: As a matter of fact, they came by this afternoon and already started dropping equipment off to work on.

MR. KERNEY: Okay, so you're moving forward.

MR. DONNELLY: Yes.

MR. KERNEY: And there was an issue with the pool as well?

MR. DONNELLY: Yes, the pool, Wayne came by this afternoon and checked the pool out; it's in much better shape.

MR. KERNEY: Okay. Wayne can you confirm that? The exact comment was the pool is in much better shape.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. The pool water is clean. We still have a yard chair, a chair in the bottom of it that needs to be fished out, compliments of hurricane Wilma.

MR. DONNELLY: My contractor tells me that the permits should be filed by the middle to the late next week.

MR. KERNEY: Middle to late next week, okay.

So would you require a 30-day extension?

MR. DONNELLY: Not knowing how long the permit process takes. Once they get the permits, right -

MR. KERNEY: It ends. We don't see you anymore.

MR. DONNELLY: Okay. Because I would feel if they get the permits within the next couple of weeks, I feel they're going to be starting to work on it.

MR. KERNEY: Would you like to go for 60 days?

MR. DONNELLY: Well, yes, it would be nice.

MR. KERNEY: It's a crap shoot. It really is.

MR. DONNELLY: See, that's what I, I'm not sure, I'm not familiar with the permitting process.

MR. KERNEY: I am. I'm intimately familiar with the permitting process.

MR. DONNELLY: Just from my meetings here, I would believe that.

MR. KERNEY: Is there any questions from the Board or possibly a motion?

MR. JARRETT: We have the seawall permit,

correct, from City staff? That's the only permit that has to be pulled?

INSPECTOR STRAWN: That's correct. It has to be a repair permit, an engineered repair permit to rebuild the seawall; that's all we require at this point.

MR. JARRETT: And at this point, is this a permit that can be filed by the contractor without a set of engineering plans?

INSPECTOR STRAWN: No, the contractor has to provide engineering plans.

MR. JARRETT: So, and that's part of your contract for him to provide those engineering plans?

MR. DONNELLY: Yes, because he came by the other day, because I forgot to give him, he had to look at the survey of the property and give it to his engineer in order to file for the permit. So that's apparently what's taking a few - he said he should have the permits filed by the middle of next week.

MR. JARRETT: Well, I'll make a motion that we give the gentleman a 60-day extension and hopefully it'll all be done. And you won't be back.



MR. DONNELLY: Hopefully.

MR. HOLLAND: Second.

MR. KERNEY: That would be to the September 20<sup>th</sup> meeting.

MR. JARRETT: Correct.

MR. KERNEY: Alright, I have a motion, is there any discussion on the motion? All in favor signify by saying aye.

BOARD MEMBERS: Aye.

MR. KERNEY: All opposed? Hopefully we won't see you.

MR. DONNELLY: Hopefully.

MR. KERNEY: Good luck with the seawall.

9. **Case: CE06031441** [INDEX](#)

**Bobby & Linda Burrows**

**2509 Northwest 20<sup>th</sup> Street**

MS. MOHAMMED: Next case, it's also an old business case on page five. Inspector Wayne Strawn for case number CE06031441. Case address: 2509 Northwest 20th Street. The owner: Bobby L. and Linda C. Burrows.

This case was first heard by the Unsafe Structures Board on 3/15/07. At that hearing, the Board gave a 60-day extension, the owner to return on May 17<sup>th</sup> with a progress report.

At the 5/17/07 Unsafe Structures Board hearing the Board gave an extension to 6/21/07, the owner to provide an update at that hearing.

At the 6/21/07 hearing the Unsafe Structures Board gave a 30-day extension to 7/19/07.

The owners and interested parties were notified. I'll read it into the record. The certified mail was sent to the owner. It was signed for, not dated. Certified mail to Chase Manhattan Bank, signed by Artis Elliott 7/3/07. Certified mail to Chevy Chase Bank FSB, signature illegible 7/3/07.

The property was posted on 7/3/07 and today's hearing was also advertised in the Broward Daily Business Review. I believe we don't have a respondent.

MR. KERNEY: Okay, Wayne, what do you know?

INSPECTOR STRAWN: Wayne Strawn, City building inspector. I'm at a loss as to why no one came today. The plans are approved and have been for a couple of days. I remember that they had some complaints about their contractor and miscommunications. If I had to wildly speculate

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I'd say the contractor told him he was going to pay for the permit and that's why, and pick it up, and that's where they're not here today.

MR. KERNEY: And you think possibly they just -

INSPECTOR STRAWN: They have every intention of rebuilding the building. And the plans have been approved, they've gone all through that trouble, so I'm at a loss as to -

MR. KERNEY: Would you recommend that we give them an extension based on the fact that they have approved plans?

INSPECTOR STRAWN: Yes, this would be out of the ordinary, but - yes, but I would recommend then. And I can phone them and ask them why, it's ready to go, let's go.

MR. KERNEY: May I have a motion to grant 30 days.

MR. JARRETT: I'll make a motion to grant the parties a 30-day extension based on the fact that the plans have been approved and the permit has just not been picked up.

MR. KERNEY: That would be the August 16<sup>th</sup> meeting.

MR. JARRETT: Yes. H

MS. CHARLTON: I second.

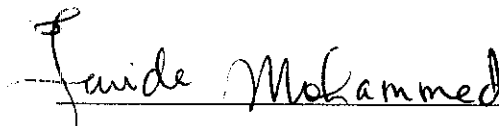
MR. KERNEY: I have a motion and a second.  
Any discussion? All in favor, signify by saying  
aye.


BOARD MEMBERS: Aye.

MR. KERNEY: All opposed? They have 30  
days. They don't even know it.

MS. MOHAMMED: Okay, one more case to read  
into the record. Page one of your agenda.  
Inspector Wayne Strawn for case number  
CE07051432. Case address: 1729 North Fort  
Lauderdale Beach Boulevard. The owner: FJ3 Beach  
House LLC. This case complied. And that  
concludes today's agenda.

[Meeting concluded at 4:48 p.m.]

  
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FARIDA MOHAMMED, BOARD CLERK


  
\_\_\_\_\_  
PATRICK KERNEY, ACTING CHAIRPERSON

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held July 19, 2007, at 3:00 p.m., City Hall, 100 North Andrews Avenue, City Commission Meeting Room, Fort Lauderdale, Florida.

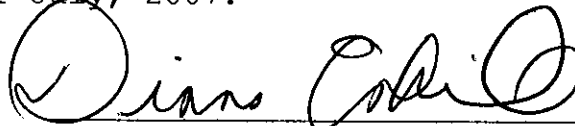
Dated at Ft. Lauderdale, Broward County, Florida, this 25 day of July, 2007.

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 25 day of July, 2007.

  
\_\_\_\_\_  
NOTARY PUBLIC  
State of Florida at Large

Notarial Seal:

