

City of Fort Lauderdale  
 UNSAFE STRUCTURES BOARD  
 Thursday, August 16, 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	P	9	2
Charles Minor, Vice Chair	A	7	4
Chris Bellissimo	A	8	3
Olivia Charlton	P	9	2
Hector Heguaburo	P	7	4
Joe Holland	P	8	0
Thornie Jarrett	P	4	0
Patrick Kerney	P	9	2
John Scherer	P	8	3

**City Staff**

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

**Guests**

CE07060495, CE06080943, Robert Samson, owner; Douglas White, neighbor  
 CE06081391, 06081398: Steven Lee, attorney; Juan Leon, architect and contractor  
 CE06081280: Jennifer Cordero, attorney for interested party

**Index**

<u>Case</u>	<u>Respondent</u>	<u>Page</u>
1. CE07060495	Robert Samson	<u>3</u>
Address:	1601 Northwest 6 <sup>th</sup> Avenue	
Disposition:	30 days to demolish the property or the City will demolish. Board unanimously approved.	<u>30</u>
2. CE06080943	Robert Samson	<u>38</u>
Address:	1601 Northwest 6 <sup>th</sup> Avenue	

- Disposition: 30 days to demolish the property or the City will demolish. Board unanimously approved. 40
3. CE06081391 & Beaver Cleaning and Maintenance 41  
 CE06081398
- Address: 638 and 642 Northwest 15<sup>th</sup> Avenue
- Disposition: 90-day extension. Board unanimously approved. 48
4. CE06081280 Sylvan Eversley 49
- Address: 611 East Evanston Circle
- Disposition: 30-day extension to see a diligent effort to perform the demolition of the unsafe extensions per Inspector Strawn, to allow for securing of the building under the most expeditious and economical circumstances to safe the structure and to cut power to the property. Board unanimously approved. 60
5. CE06111478 Clifton Dawkins 63
- Address: 2830 Northwest 24<sup>th</sup> Street
- Disposition: 30 days to demolish the property or the City will demolish. Board unanimously approved. 67
6. CE07031821 Margree Lee & Alfred Denby 67
- Address: 1909 Northwest 3<sup>RD</sup> Court
- Disposition: 30 days to demolish the property or the City will demolish. Board unanimously approved. 74

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

Board members introduced themselves in turn.

**[Swearing in]**

Approval of meeting minutes

MR. KERNEY: I'll make a motion that we approve the minutes.

MR. HOLLAND: Second.

CHAIR MADFIS: All in favor of approving the minutes, say aye.

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed? None? The motion passes to approve the minutes.

1.

**Case: CE07060495**

[INDEX](#)

**Robert Samson**

**1601 Northwest 6<sup>th</sup> Avenue**

MS. MOHAMMED: Good afternoon Board. Our first case, page 12. It's a new business case. As a matter of fact, there are two cases on that property, 1601, and we're going to hear the new, the first new business case [inaudible] the inspector can read into the, present his side first.

MS. MOHAMMED: Page 12, new business, Inspector Jorg Hruschka for case number CE07060495. Case address: 1601 Northwest 6th Avenue. The owner: Robert H. Samson.

Certified mail was sent to the owner and

August 16, 2007

was signed 6/20/07, signature illegible. The interested parties were also notified via certified mail, the green cards are in the file, and the information is noted on the agenda.

INSPECTOR HRUSCHKA: Good afternoon Board, my name is Jorg Hruschka, City building inspector with the code enforcement division. This case is in addition to a case that was brought before you several months ago by Wayne Strawn.

It referred to a destroyed garage and we had a subsequent fire in that particular area, and the electrical - I'm sorry - the fire chief, or lieutenant on the job site indicated that it's for him an unsafe structure, which I concurred with. [inaudible] and unsafe structure on the complete home, which is connected through a breezeway to the garage.

And that's why we had two separate cases, because Wayne Strawn was not here at the time to continue with this, otherwise would have a joint case. And that way, Mr. Samson is going to ask for a continuance on this one here because he actually came in today to get a demolition permit for the garage section, which has been approved from the building inspector, from the permit

reviewer.

And he still needs to have an electrical and a plumbing sign-off on that one to take down the garage and the breezeway. The action that he's proposing would take care of the original complaint of the garage, which would be demolished, and it also would take care of a lot of the issues that I addressed in this particular complaint in form of taking the breezeway down.

And he's going to repair some of the other areas that he had already indicated at the last meeting, which would be rebuilding the roof section of the Florida room. And I would support a 60-day extension if the Board so decides to do so.

CHAIR MADFIS: Thanks. I've got a couple of questions. So he's applied for a demo permit for the garage section of the building.

INSPECTOR HRUSCHKA: Yes, and the breezeway.

CHAIR MADFIS: And the breezeway. And the demo permit has not actually been issued yet?

INSPECTOR HRUSCHKA: The structural reviewer looked at it, approved it. But he didn't have the plans, the applications for the

August 16, 2007

plumber or the electrician in yet so, he said you can tear it down as soon as we get the applications from both the plumber and the electrician we will issue the partial demolition permit.

CHAIR MADFIS: Is there any plumbing or electrical in this garage?

INSPECTOR HRUSCHKA: There is a washer hookup for the plumbing side and the electrical, plumbing for that.

CHAIR MADFIS: Okay, does anybody else want to speak on this matter?

MR. SAMSON: I'm the property owner.

CHAIR MADFIS: Okay.

MR. SAMSON: If you have any questions for me.

CHAIR MADFIS: I don't have any questions. Do you guys have any questions, anyone from the Board?

MR. KERNEY: This is a new business case?

INSPECTOR HRUSCHKA: It would be a new business case but if he's asking for an extension of time -

MR. KERNEY: Yes, I think, Mr. Chairman, it still needs to be read into the record, sure,

before we do anything.

CHAIR MADFIS: Okay, before we proceed any further then, why don't we go ahead and read this new case in. And to be clear, this case is not related to the garage, but you're saying that by demo-ing the garage he will then be able to address the issues in this new case?

INSPECTOR HRUSCHKA: Well, we had to keep two separate cases going simply because Mr. Strawn wasn't here to certify that he saw the damage at the site at the time that it occurred. He was on vacation. I went out, so since I witnessed this I had to start a new case on that one.

The buildings are connected with a breezeway. It's just, the garage goes down and now the rest of the building, so it's connected, but still it's separate when it comes to a case basis there. So the violation as I say:

FBC 117.1.1: THE PORCH AND STORAGE AREA OF THE SINGLE STORY RESIDENCE BUILT IN 1942 AND ATTACHED BREEZEWAY HAS SUBSTANTIALLY DETERIORATED BY NEGLECT AND BEEN DAMAGED BY THE ELEMENTS. THE BUILDING IS UNSAFE AND PRESENTS A FIRE AND WINDSTORM HAZARD. THE BUILDING DOES NOT COMPLY

WITH THE MAINTENANCE STANDARDS OF THE FLORIDA BUILDING CODE AND MINIMUM HOUSING CODE OF THE CITY OF FORT LAUDERDALE.

FBC 117.2.1.1.3: A SIDE DOOR AT THE REAR OF THE BUILDING IS THE ONLY APPARENT MEANS OF EGRESS. THE FRONT DOOR IS GROWN OVER AND WINDOWS HAVE SECURITY SCREENS ON INSIDE. THIS CREATES A HAZARD WITH RESPECT TO THE MEANS OF EGRESS AND FIRE PROTECTION FOR OCCUPANTS AND FIRE RESCUE PERSONNEL.

FBC 117.2.1.2.1: MANY BUILDING PARTS ARE LOOSE, HANGING LOOSE OR LOOSENING. THE PARTS INCLUDE BUT MAY NOT BE LIMITED TO, ROOF DECK MATERIAL, ROOFING MATERIAL, AND STRUCTURAL ELEMENTS. THE ROOF IN THE STORAGE AREA AND PORCH HAVE COLLAPSED AND THE ROOF SECTIONS IN THE BREEZEWAY COULD COLLAPSE AT ANYTIME WITHOUT WARNING.

FBC 117.2.1.2.2: THE ROOF DECK AND RAFTERS OF THE BREEZEWAY, PORCH AND STORAGE AREA ARE SUBSTANTIALLY DAMAGED BY LONG TERM WATER INTRUSION.

FBC 117.2.1.2.3: THE ROOFING SYSTEM FOR THE BREEZEWAY, PORCH AND STORAGE ROOM HAVE BEEN DESTROYED BY YEARS OF NEGLECT AND THE ELEMENTS.



WATER INTRUSION HAS COMPROMISED THE STRUCTURAL INTEGRITY OF THE BUILDING.

FBC 117.2.1.2.5: THE ELECTRICAL SYSTEM HAS BEEN EXPOSED TO WATER INTRUSION AND WOULD BE A HAZARD IF ENERGIZED.

FBC 117.2.1.3.2: BY REASON OF IMPROPER USE AND NEGLIGENCE, THE BUILDING IS PRESUMED UNSAFE AND DOES NOT COMPLY WITH THE FLORIDA BUILDING CODE AND THE MINIMUM HOUSING CODE OF THE CITY OF FORT LAUDERDALE.

CHAIR MADFIS: Thank you. I'm sorry sir, you'd like to say something?

MR. SAMSON: Well, it's one property, so even though it's a separate case, I'm looking at it as one. The last time I was here, I came in with my plans that I had drawn up to rebuild the roof - you may remember - on the garage.

Since then, after conversations with him and having several contractors out there, I've realized that probably it may not be financially feasible to fix this place up.

The land value has gone quite high in the neighborhood and the offers - I put the house on the market - the offers I'm getting are all for demolition and building two homes. I have two

lots there, the house is on two lots.

In fact, I have a verbal offer now, that I'm trying to get a signed contract for somebody to buy the house. But that aside, I can take care of these issues. I've gone ahead and decided to apply for the permit to demolish the garage. That takes care of the original permit, or, the original problem. With this is just the porches, which are attached, which I'll go ahead with the permit and demolish those.

CHAIR MADFIS: And that should resolve the violations throughout?

MR. SAMSON: Well, there are, the family room roof, I was having plans drawn up to replace the family room roof because it is - the family room roof - is no good. It has to be replaced.

CHAIR MADFIS: When will that be submitted for permit?

MR. SAMSON: Well, I think now, it's probably going to be demolished.

CHAIR MADFIS: Oh, so you're just going to demolish that as well.

MR. SAMSON: That's what the buyer plans to do -

CHAIR MADFIS: Well, hang on, you want to

August 16, 2007

get this case resolved, not so much worry about who's the new buyer.

MR. SAMSON: As far as the new case goes, this is the first I've seen of this. I did know that Jorg had problems with the property, but I didn't know to what extent. This is the first I've seen the complaint.

CHAIR MADFIS: What other, does this cover all the complaints on the project, on the site now?

INSPECTOR HRUSCHKA: The partial demolition is for the breezeway and the porch area. It does not include the Florida room. So we could not verify the damage inside so we're only going by his statement that it is collapsed, it needs to be rebuilt.

CHAIR MADFIS: The Florida room was on the previous complaint -

INSPECTOR HRUSCHKA: No, it's not on any complaint, because we could not verify that the Florida room is in fact collapsed. We just -

MR. SAMSON: Only by my own admission, it's not collapsed. It's just -

CHAIR MADFIS: Oh, I see. Okay, you were planning to fix a Florida room anyway. But now

August 16, 2007

you're going to maybe just demolish it. So it's not part of a complaint, and if he takes care of these items, has this building, gets a permit for demolition, he would have resolved the complaint.

INSPECTOR HRUSCHKA: He would have resolved a great part of the concerns that both the fire lieutenant and I had at the time.

CHAIR MADFIS: What's left after that?

INSPECTOR HRUSCHKA: I do want to see - if he says that the roof has an issue in the Florida room, I would like him to remediate that. Also the electrical, we just want to make sure that the house itself is safe.

MR. SAMSON: The electrical is off.

CHAIR MADFIS: You do state that in here, that he has to comply with - okay - but the demo may not resolve all the issues on that. Okay.

INSPECTOR HRUSCHKA: Not all of them, but it's going a long way to accomplishing that.

MR. SAMSON: It may be that if I don't complete the sale of the property that I plan to do, that once I demolish the garage and the porches, I may go ahead and come back in and apply for permit to redo the family room roof.

CHAIR MADFIS: I saw someone else in the

August 16, 2007

audience. Was there someone else wants to speak on this matter?

MR. WHITE: Good afternoon. My name's Doug White, I live at 1600 Northwest 6th Avenue, directly across the street from Mr. Samson. I'm here today because I've got mixed feelings about what's going on.

My feelings are that I like Bob, I've been his neighbor for four years next month. He's a good guy. I've watched his property. I've even call the police when, several times when incidents have happened there.

Even last night at 12:30 a.m., there was a homeless person walking through the street who walked into his driveway. I walked outside and I said, "I'm sorry, what are you doing over there?" Woman said, "I just took pee."

If you're not aware of South Middle River, I know some of you are, that are on the Board. Unfortunately, South Middle River has the highest crime rate in the entire City. We're the largest neighborhood in the entire City and part of that is the broken windows area.

Again, I've got mixed feelings, because I like Bob, but my house went up for sale - first

of all, there is some error in the reporting of some of the cases that are going on and I think some of the that needs to be fixed.

If in fact Mr. Samson is moving forward to demolish the garage, because again, you know, let me stop saying he's a nice guy; I've said that enough. He is a nice guy. I like Robert.

But I got my house up for sale. I've had it up for sale for about four and a half, five months now. And I've just, and I know the market's rough out there, but I brought you pictures of what the house across the street looked like in 2005, back in September of 2005 when it first got actually cited for the trees being on it. So this isn't a brand new case; this is from September 23<sup>rd</sup> 2005, and I got the case number here, tree fell on garage.

CHAIR MADFIS: What's the case number?

MR. WHITE: Case number is CE05091443. Violation is Code 3401.6: Maintenance. Case description: Tree fell on garage. October 11, 2005 - I won't read all the violations, I'll give these to you so you got it.

CHAIR MADFIS: I just wanted to get the case number so I could verify the date. Thank

August 16, 2007

you..

MR. WHITE: Sure. Well, here, I actually made enough copies for everybody here. So you can see that this has been ongoing.

CHAIR MADFIS: It's been in front of our board earlier.

MR. WHITE: If I may?

CHAIR MADFIS: Sure, thank you.

[Mr. White distributed his copies to Board members]

MR. WHITE: This has been ongoing for quite a while. Now, we all feel for our neighbors who had damage in Irma - not Irma - in Katrina and Wilma. The initial damage to this property was done by Katrina, in September. Then unfortunately, Mr. Samson had to deal with the fact that Wilma came through right after that.

We all want to have compassion for our neighbors who are going through some tough times. Just to give you a little bit of insight, Mr. Samson used to own three lots there. There was the one with his house, the one with his garage, and he owned an empty lot.

He sold that, the empty lot, back to me in June 2005 at an extremely reasonable price,

August 16, 2007

because he cared about me as a neighbor, he wanted to make sure I moved in there, and he wanted to make sure, because I had been the one that had been watching his house, and reporting it for police, and being a good neighbor, and he in turn had been a good neighbor to me.

Well, I went out and I secured plans, and it cost me about \$5,000 for the plans to have a three-bedroom two-car garage, two-bath beautiful home -

MR. SCHERER: Excuse me, I'm sorry, what's your name?

MR. WHITE: I'm sorry, Doug White.

MR. SCHERER: I missed your name.

MR. WHITE: Sure, Douglas White.

MR. SCHERER: Mr. White, can you just referred to we're talking about here, the garage? What would you like the Board to do?

MR. WHITE: Okay, well, it's all leading up to that. What I'm trying to say is part of my losses that have been involved in here.

CHAIR MADFIS: Just say that you have losses [inaudible] all the details about them and just -

MR. SCHERER: We're not one to -



August 16, 2007

MR. WHITE: Well, those plans of the 5,000, that I paid \$5,000 for, and the home being built just fell apart because of not just Mr. Samson's property obviously, but of what's happening in our neighborhood and the lack of things going on.

But I also have my house up for sale, like I say, right across the street from his and if you'd like to see the pictures -

CHAIR MADFIS: That's alright.

MR. WHITE: But you've got to see what faces Mr. Samson's house. My house. Which is a gorgeous, beautiful three bedroom, two bath home.

CHAIR MADFIS: You can put it on the ELMO, if you like.

[Mr. White displayed his photos using the ELMO]

MR. WHITE: Sure. That'll work.

CHAIR MADFIS: Then we'll see it.

MR. WHITE: And I happen to be a disabled vet, but I maintain my home and I work hard at it. I go out and I've done all the landscaping, everything on this thing, and I work very, very hard for this house.

But then you'll see, there's other

pictures in there from September, 2005 from the original damage, what the garage looked like. But you can see, my house faces his across the street. It was, went originally on the market for 334. Just this month I had to lower it down to 299. I've already lost \$35,000 [inaudible]

MR. SCHERER: Mr. White, I'm sorry, again, what would you like the Board to do with the current property that we're talking about?

MR. WHITE: Well, I'm hearing some movement forward because well, first, I guess I want to make sure it goes on the record that this case didn't happen last year, because it says that in the March minutes.

MR. SCHERER: We have copies of the record.

MR. WHITE: Okay. Well, I want to make sure that - I'm asking the City to move forward and - obviously Mr. Samson is trying to resolve the issue now, but it needs to be resolved. I've just lost \$35,000 on the sale of my home -

CHAIR MADFIS: Okay, thank you. We understand your concern and we're actually going to address it. That's our job and that's what we plan to do.

August 16, 2007

MR. WHITE: Like I said, I've got mixed feelings because I care about the guy.

CHAIR MADFIS: Thank you for coming and making us aware of your concern, and that's why I asked you to come up here and speak.

MR. KERNEY: Mr. Chairman, I would like an answer to the question. Do you want us to vote for demolition or not, do you want us to grant the extension?

MR. WHITE: I want the demolition.

MR. KERNEY: You want us to vote for demolition.

MR. WHITE: If you lived across the street from that - yes.

MR. KERNEY: I'm not, I don't need backup, the answer is yes, okay. That's -

MR. WHITE: Yes. He's saying, Mr. Sampson today said he's applied for the permit.

MR. KERNEY: Yes.

MR. WHITE: And that was verified by the inspector. [inaudible] permit for demolition.

MR. KERNEY: And he's asking for an extension of time for, but you - I'm just trying to clarify that. Okay. Thank you.

MR. WHITE: Sure, sure, thank you. I'm

August 16, 2007

sorry. I'm obviously compassionate because it's my home.

CHAIR MADFIS: I understand. Any other questions of this representative?

MR. JARRETT: Mr. Chairman? Now I'm confused. I thought I was following this. Are you asking for demolition of the carport, as he has applied for? Or are you asking for demolition of the whole property?

MR. WHITE: Currently, the house, as it is, because Robert has done a lot, he's worked hard -

CHAIR MADFIS: Just answer the question is simply as possible please.

MR. WHITE: Well, I'm just trying to validate the fact that -

CHAIR MADFIS: We understand. [inaudible]

MR. WHITE: He's made it a lot nicer, the house. He's worked hard.

CHAIR MADFIS: We're familiar with it.

MR. WHITE: Just the garage.

CHAIR MADFIS: Okay.

MR. WHITE: If the garage was not standing there as bad as it looks now, it would make the sale of my house a hell of a lot easier, it would

August 16, 2007

add to the - it would add to our neighborhood.

CHAIR MADFIS: Any other questions? Okay.

MR. KERNEY: I've got one: is Mr. Samson a good guy, or is he -

MR. WHITE: He's a good guy, I like Robert. I do, that's the problem. If he was a jerk or something it would be different, but he's a good guy. He really is.

CHAIR MADFIS: Alright, thank you. And watch us and make sure we do the right thing here okay?

MR. WHITE: Yes, I want to make sure we move forward and get that garage knocked down. Whatever you can do to help him get through fast would be great, because the poor guy's trying to do a good job.

CHAIR MADFIS: We're in the midst of hurricane season, we want to see all this stuff wrapped up nice and safe as quickly as possible. Thank you very much.

MR. WHITE: Thank you, thank you members of the Board.

CHAIR MADFIS: Okay, so, back to the Board, back to the request here. You're looking for an extension to get your demo permit

completed and get this off the record.

MR. SAMSON: Basically, yes. I mean, I really need to do this -

CHAIR MADFIS: So the an outstanding items on the demo permit are getting a subcontractor for electrical and plumbing out there to pull a permit to cap the work on that portion, have it inspected, and then get the final sign offs on your, is that right? That's all that's left to be done?

MR. SAMSON: And Jorg has worked with me quite diligently. He, I promised him within two weeks I'll have those permits to him or those, we'll be able to wrap up -

CHAIR MADFIS: You have a subcontractor to do the work and -

MR. SAMSON: I haven't called one, but I was talking to Jorg today about it.

INSPECTOR HRUSCHKA: This is a printout of what we had now. When plans review have noted over and we do need to -

CHAIR MADFIS: Right, well he's about a third of the way through, and it could still take a - he's about a third of the way through, of getting a demo permit. It's not as easy as he -

INSPECTOR HRUSCHKA: Sixty days would give him enough time to get the permit -

CHAIR MADFIS: Sixty days?

INSPECTOR HRUSCHKA: - and at 60 days after issuance they actually tear it down.

CHAIR MADFIS: We don't think we can wrap this up in 30?

INSPECTOR HRUSCHKA: I'm sorry?

CHAIR MADFIS: We don't think he can get the demo permit in 30 days?

INSPECTOR HRUSCHKA: No, no, he should get it in 14 days that we had talked about, he could get the permit issued. But 60 days would give him enough time to say we also tore it down. So that's why I would be supporting 60 days.

CHAIR MADFIS: Do we need to -

MR. KERNEY: We don't need that. Once the demo permit's issued, it relieves this Board of obligation, right?

CHAIR MADFIS: I'm not sure.

MR. KERNEY: I think that's -

INSPECTOR HRUSCHKA: That's why it's a little confusing, because I'm here because of the breezeway and the porch that is attached to the garage. He's getting, there's two cases -

August 16, 2007

CHAIR MADFIS: I understand. That's what I was trying to ask earlier. Would all the - So the only item that's outstanding - let me clarify this one more time - that's outstanding after this demo work would be done is some electrical concerns in the existing home would need to be addressed in order to make sure all the complaints have been handled.

And, what's your plan, if you don't mind my asking, for the rest of the house? You say you're going to sell it, and let the new buyer decide what to do

MR. SAMSON: I have a verbal agreement for somebody to buy it, but I'm going to go ahead and proceed as if that doesn't exist. I'm going to go ahead and demo the garage and demo the porches, and do whatever the electrical -

CHAIR MADFIS: We don't want him to see the blighted house sit there either, that still could be unsafe. Just by capping the electric may not complete all this. So, are you planning to restore that home when you're done?

MR. SAMSON: Hopefully, I'll sell it. I'm going to kind of take it a step at a time. I'll demolish the garage, I'll demolish the porches,



August 16, 2007

and at that point, I'll look at, and see what I want to do at that point.

CHAIR MADFIS: Well, if it's still unsafe, it may be required to be demolished.

MR. SAMSON: Well, I think it's just the family room that's going to, that I'm going to demolish, that is, not the family room, but the enclosed porch that would be considered unsafe.

CHAIR MADFIS: What are you, you're just going to board that up until the new buyer buys it?

MR. SCHERER: Sorry Mr. Sherman. Has the house been cited by you guys as well as by the code?

CHAIR MADFIS: Yes.

MR. SCHERER: The house, but it's just the breezeway and the garage.

INSPECTOR HRUSCHKA: The breezeway and porch is attached to the house so we cannot verify anything else in the house itself on the inside.

CHAIR MADFIS: I thought you said the electrical was already on a citation?

INSPECTOR HRUSCHKA: The electrical is on it because the electrical goes from the south

August 16, 2007

side of the building through the building to the garage. It's all interconnected.

So we have circuitry running from the garage. So that has to be done and was part of the fire lieutenant and also the building official that it needs to be looked over by an electrical contractor, make sure all the circuitry inside the house is working property before they, FPL energizes it.

MR. SCHERER: So, is Mr. Samson going to be in front of the Board in 60 days with the house as an unsafe structure?

INSPECTOR HRUSCHKA: Right now, he's in front of you right now, this particular case -

MR. SCHERER: I understand, for the breezeway and the garage.

INSPECTOR HRUSCHKA: - is for the house part. So 60 days should give him enough time to number one: resolve the garage issue, which is the second area. And also take a lot of the issue for the porch and the breezeway, that would be taken care of. A lot of the issues that's in the house -

MR. SCHERER: Separate and aside from the breezeway and the garage.

INSPECTOR HRUSCHKA: Right. That would give him the time -

MR. SCHERER: Forget that, he is already pulling a demolition permit for that.

INSPECTOR HRUSCHKA: He should come back in 60 days for the house and say look, I did the electrical work and this is what I'm going to do.

MR. SCHERER: But you haven't cited him for the house yet, that's what I'm trying to ask.

INSPECTOR HRUSCHKA: The house, we cited him for the electrical part in the house.

MR. SCHERER: So you have cited him for the house.

INSPECTOR HRUSCHKA: The house, yes for the electrical part, for, I don't know where the house stops because he's saying, family room -

CHAIR MADFIS: Wait, I'm not worried about it, we're worried about what's been cited right now. That's what's in front of our Board, that's all we're concerned about. We want to make sure he clears up all those items as quickly as possible, and it sounds to me like it's possible he could do it in 30 days instead of 60.

And what we, what I'm trying to figure out is what we need to do to do it in 30 days and if

there's an electrical item that's associated with the house - the house is not occupied is that correct?

MR. SAMSON: Correct.

CHAIR MADFIS: So basically, if they cap off the service to the house, should that satisfy that outstanding item?

INSPECTOR HRUSCHKA: Well, he has a choice of - our concern is only that the system is in working order. So what he needs to do for the garage is take all the circuitry going to the garage out. So that means that the circuitry in the house remains. So he still can rebuild it, it's not that he has to cap it off from FPL. it's just -

CHAIR MADFIS: That's what would like to be able to come up with a directive so he can have something simple that will resolve this matter. And then when he's ready to go ahead and have all the circuitry checked and repaired, he can simply turn it back on again.

MR. SAMSON: I had an electrical contractor out there, but he was told that I was going to be required to bring the entire house up to code because of the problem with the garage

and the porch.

And that's what, when I started to get bids of 15,000 minimum to redo the electric to bring it up to code, that's when I started to rethink a lot of these things on demo instead of refurbish.

CHAIR MADFIS: Well, then just disconnecting the electrical wouldn't be a bad thing.

MR. SAMSON: I understand that.

CHAIR MADFIS: It would be a safe thing.

MR. SAMSON: It's not a long-term solution, certainly.

CHAIR MADFIS: Well, you're not planning any long-term solution there, it doesn't sound like. It sounds like you're just planning a short-term solution so someone will buy the property and then tear it down. So if you're not planning to repair the whole property, what you need the electrical hitched up for, for someone else to get electrocuted.

MR. SAMSON: Exactly.

CHAIR MADFIS: I think it might be easier just to dismantle that. All right, any other questions from the Board members?

MR. KERNEY: I've got a comment Mr. Chairman. I'm inclined not to grant an extension for one simple reason. If Mr. Samson's intentions are to demo the house, then, if we were to motion and approve an order of demolition, that would guarantee that he is going to do it and it gives him plenty of time to still get his permit.

It takes, I believe if I'm not mistaken, 30 days once we do it, and then an additional 30 days, because it still has to go in front of the Commissioners.

CHAIR MADFIS: That's correct.

MR. KERNEY: So, I would be inclined order a motion of demo and that would certainly assure that, that what's going - because what I've found, sitting on the Board for a lot of years now, is that when there's the thought of selling the property, it typically drags things out. Then what will happen is the property will sell, and we'll be back here with another owner asking from another extension.

So with that said, I am going to motion. I move that we find that the violation exists as alleged, and that we order the property owner to

demolish the structure within 30 days. And that we order the City to demolish the structure, should the property owner fail to timely demolish. Such demolition is to be accomplished by a licensed demolition contractor pursuant to a City-issued demolition permit.

CHAIR MADFIS: Very well said. Is there a second for that?

MR. JARRETT: I'll second that.

CHAIR MADFIS: Okay. I have a couple of questions to ask a little further. One, is there any pictures of the building that we can take a look at the way this today?

MS. MOHAMMED: Yes.

CHAIR MADFIS: Okay.

MR. SAMSON: Have I lost the right to demolish it myself?

CHAIR MADFIS: No, no, you can do it before they do it.

MR. KERNEY: Actually, what will happen is, when you get your demo permit, then, what I've just motioned on, if it's voted in, that you won't, it won't be enforced, it will disappear. The minute you get, it gives you plenty of time to do it, but now we're assured you're going to

August 16, 2007

do it.

MR. SAMSON: You're just trying to make sure I do it.

MR. KERNEY: Right, exactly.

MR. SCHERER: Are we making a motion to demolish the entire property?

MR. KERNEY: I'm only motioning for this case only, which is the breezeway and the porches.

CHAIR MADFIS: Okay, I'm glad you clarified.

[Inspector Hruschka shows photos of the property to the Board using the ELMO]

INSPECTOR HRUSCHKA: This is the breezeway from a long shot. There's a hole in the back as you can see here. There's detail. The structural components of the breezeway are all compromised, rotten and waterlogged. The breezeway, where it touches to the home, and part of the porch area's collapsed as you can see here. And here is the detail of that particular area.

MR. SAMSON: [inaudible] because I thought that's what they were asking for.

INSPECTOR HRUSCHKA: No, that's only the



breezeway right now, we have the other case  
[inaudible] the garage issue.

MR. SAMSON: Well the garage is just a CBS  
shell with no roof.

CHAIR MADFIS: So, just to clarify again,  
this is not for the garage, this case, this is  
for the breezeway.

INSPECTOR HRUSCHKA: This is only right  
now for the breezeway and the porch area.

MR. SCHERER: So, is the garage -

MR. KERNEY: No, we have to hear that case  
separately, I would assume.

CHAIR MADFIS: That's, what about the  
house? Okay, I'm sorry.

MR. SCHERER: So we couldn't even make a  
motion to demolish the house.

MR. KERNEY: No, we're dealing with this  
case only. We're dealing with the breezeway and  
the porch.

CHAIR MADFIS: I'm sorry, I thought this  
include the garage, okay.

MR. HOLLAND: No, and we can't adjoin the  
Florida room portion?

MS. WALD: No, no. Just to clarify,

CHAIR MADFIS: Sure, thank you.

August 16, 2007

MS. WALD: Let's get it clarified.

CHAIR MADFIS: State your name please.

MS. WALD: For this case, and this case only. Let's just have it right on the record.

CHAIR MADFIS: Can you state your name please?

MS. WALD: Ginger Wald, City Attorney. CE07060495, at 1601 Northwest 6th Avenue. The matters dealing with this, and this case only, specifically for the breezeway and the porch. There is a companion case, that's an older case dealing with the garage that we will hear after this one. Just to clarify.

CHAIR MADFIS: And effectively there's only a minor element dealing with the house itself, which was the electrical. Or there's nothing dealing with the house, as far as you're concerned.

MS. WALD: Right, there is nothing specifically dealing with the house that's in front of you today.

CHAIR MADFIS: Okay. Thank you very much.

MS. WALD: You're welcome.

CHAIR MADFIS: Well, that helps. Alright, so we have a motion to demolish what's before us

here, which is the breezeway and the porch and as we've seen the pictures, I think the structural engineer and everyone will agree that it's certainly worth demolishing.

MR. HOLLAND: Oh, yes.

CHAIR MADFIS: We'll take a vote on that.

MR. HOLLAND: Question -

CHAIR MADFIS: I'm sorry, is there something else?

MR. HOLLAND: Does the applicant want to voluntarily or can he add the Florida room to this?

CHAIR MADFIS: Well, we don't know the impact of that -

MR. HOLLAND: Okay.

MR. SAMSON: I may want to restore the family room yet, if I don't sell the house. But I would like to reiterate that this is the first I've ever seen. I've never been served with this on the porch. I don't know what my rights are here, but it would seem like I would have more time. This is the first that I've ever seen this case, it's a brand-new case.

MR. SCHERER: No, you've been sent certified mail copies of this.

MR. SAMSON: I have not.

MS. MOHAMMED: Yes you have.

MR. SAMSON: Where?

MR. SCHERER: Well, it's been signed.

CHAIR MADFIS: Do you know who signed them? So, sir, you didn't sign these green cards?

MR. SAMSON: I've not seen this. I mean, I knew that Jorg had an issue with, I knew the City had a problem with it -

CHAIR MADFIS: I understand. Is there a lender on the property?

MR. SAMSON: Excuse me?

CHAIR MADFIS: Is there a mortgage company?

MR. SAMSON: Yes.

MS. MOHAMMED: They've also been served.

[Ms. Mohammed showed Mr. Samson the return receipt signature card]

MR. SCHERER: Okay, well, there's been service, so I don't know if it's even relevant because you're going to take the porch down anyway, so.

MR. SAMSON: Yes.

CHAIR MADFIS: That's really the basis of

August 16, 2007

this motion. When we really feel there's an opportunity to save something, we do give some time for the applicant to get the permits, sometimes it takes a ridiculous amount of time. But here, you offered to demo. I think it's the right thing to do.

At the same time, I think our concern is moving these cases along and we're in, like I say, in the midst of hurricane season, and if there's any value to be saved, we want to try to save it as well.

MR. SAMSON: If you can, whatever you decide with the porch and the garage here, to me it's kind of immaterial, because when I take down the garage, I may taking down the porches also.

CHAIR MADFIS: Sure.

MR. SAMSON: So whatever you decide, I'm going to go ahead and filed a permit to demolish the porches anyway, so I think we're done talking, really.

CHAIR MADFIS: Great.

MR. SAMSON: If Jorg can help me expedite-

MR. KERNEY: This may actually help you, the Unsafe Structures Board has asked you to tear it down. You need to come up with a permit so I

can make this happen.

MR. SAMSON: Alright, we'll hear a vote then if there's no other comments, okay. Alright, all in favor, say aye.

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed say no. Great motion passes. Thank you very much. I guess we'll see you in just a minute.

**2. Case: CE06080943**

[INDEX](#)

**Robert Samson**

**1601 Northwest 6<sup>th</sup> Avenue**

MS. MOHAMMED: Next case, page two of your agenda. This is an old business case, Inspector Wayne Strawn for case number CE06080943. Case address: 1601 Northwest 6th Avenue. The owner: Robert H. Samson. Certified mail was sent to the owner and was signed for on 5/24/7. The interested parties were also notified and the green cards are in the file, and the information is noted on your agenda.

This case was first heard 3/15/07. The Unsafe Structures Board granted 30-days extension, owner to return with a progress report. On 4/19/07 this case was brought before the Unsafe Structures Board and the owner was

granted a 30-day extension to 5/17/07, owner to return with a signed contract, and with an architect and drawing. On 5/17/07, the Unsafe Structures Board granted a 90-day extension.

MR. SAMSON: I thought we already solved this, but I realize it has to be read in.

MR. KERNEY: We've got to go through the motions again.

MR. SAMSON: I understand.

CHAIR MADFIS: Well, here's our opportunity to take a look at the garage now, that we were just looking at the breezeway.

INSPECTOR STRAWN: Wayne Strawn, City building inspector.

CHAIR MADFIS: Sure Wayne, go ahead, thank you.

INSPECTOR STRAWN: There is an application in to demolish the garage and the breezeway.

CHAIR MADFIS: Right, so this is together.

INSPECTOR STRAWN: So there's no, the application should move fairly fast since it won't require a sewer cap. And it won't require a disconnection of the electric to the entire building.

CHAIR MADFIS: Well, are you concerned

about the building at all electrically, Wayne?

INSPECTOR STRAWN: I haven't inspected the building, the home.

CHAIR MADFIS: And the buildings have been unoccupied for a while now?

INSPECTOR STRAWN: Mr. Samson would have to speak to that.

MR. SAMSON: Since June, about two months.

CHAIR MADFIS: Oh, just two months, okay. And the electric's been operating in there before that?

MR. SAMSON: It was until then, yes. When I took off the garage roof a few months ago, there was a wire hanging down, that wire sparked in the rain. And that's why Mr. White called the City, and that's why the electric got shut off.

CHAIR MADFIS: Thanks. Any other questions? Anyone prepared to make a motion?

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



demolition contractor pursuant to a City-issued demolition permit.

CHAIR MADFIS: Great, thank you. Any second to that motion?

MR. JARRETT: I'll second the motion.

CHAIR MADFIS: Any other discussion, questions? None? Let's take a vote. All in favor say aye.

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed say no.

Hearing none, the motion, passes. Thank you.

3. **Case: CE06081391 & CE06081398** [INDEX](#)

**Beaver Cleaning & Maintenance Corp.**

**638 and 642 Northwest 15<sup>th</sup> Avenue**

MS. MOHAMMED: Next case, we're going to hear both cases together on page five, starting on page five. These cases, they are related, so we have always heard them together.

Page five, Inspector Wayne Strawn for case number CE06081391. Case address: 638 Northwest 15th Avenue. The owner: Beaver Cleaning and Maintenance Corp. Page six of your agenda, Inspector Wayne Strawn for case number CE06081398. Case address: 642 Northwest 15th Avenue. The owner: Beaver Cleaning and

Maintenance Corp.

The owners were notified via certified mail, the green cards are in the file, and the information is noted on the agenda.

These cases were heard together, they were first heard on 11/16/06 by the Unsafe Structures Board. At that hearing, the Board granted a 30-day extension, the respondents to return with a progress report and evidence of negotiation with GMAC.

On 12/21/06 the Unsafe Structures Board granted a 30-day extension, the owners to return with proof of a deal with GMAC.

On 1/18/07 the Unsafe Structures Board granted a 90-day extension and respondents must reappear with at least one proposal from a design professional.

On 4/19/07 the Unsafe Structures Board granted an extension to 5/17/07 and on 5/17/07 the Unsafe Structures Board granted a 90-day extension. And that's for both cases.

CHAIR MADFIS: So that's 12 months.

MR. LEE: Good afternoon, members of the Board, Stephen Lee on behalf of Beaver Cleaning and Maintenance. We're at the tail end of what's

August 16, 2007

been a long road here. We had title defects as you know, and so forth.

We closed in May on the property owned by GMAC. I have here today, Mr. Juan León; he's the contractor and architect who's been retained to handle this for us. He's finalized the drawings, he brought an extra set today for your view to field any the questions.

He arrived a few minutes late and I don't think he was sworn in, so maybe we can have him sworn in him in and then he'll answer your questions on where he's at and how much time he'll need. But I don't think it's too much more. And he does have the plans completely finalized and a stamped set with him.

CHAIR MADFIS: Has the permit - so the permit has not been applied for yet. Or he'll answer that, I guess.

MR. LEE: He'll speak to that. I guess he's in the process of that.

MR. LEON: We have some little setbacks with this. But we're in the process now of submitting the plans. They've gone through - Juan Jose Leon, architect, general contractor - we went through the process downtown, which is

called, I think it's EDP and we're in the process of submitting to the building department.

But we had some issues here that we are not familiar with the process that you had to submit all the sub applications for the permit process and we're in the process of picking those up. And I can show you the plans that they have stamps already in them. So hopefully we would, month or so, have the applicable permits.

CHAIR MADFIS: Those are the County's stamps or are those the City's stamps?

MR. LEON: Yes.

[Mr. Leon shows Board members his copy of the plans]

MR. SCHERER: So you're in the process of obtaining your subcontractors to submit for the permit.

MR. LEON: Well, the thing is that I wasn't familiar with the process here. You submit all the applications -

MR. SCHERER: It's new too. It's new, that's why nobody's familiar with it.

MR. LEON: Pardon?

MR. SCHERER: It's new that's why nobody's familiar with it. [inaudible] the same thing.

MR. LEON: Oh. So it's a new process? Oh okay.

MR. SCHERER: I understand exactly what you're saying.

MR. LEON: Because in Dade County, and municipalities down south in unincorporated Broward I've done it too, you just submit the master application right through. But they gave me some leeway, they said the contractors don't have to be registered. I could submit the applications and then bring the registration papers within a week or so with all their insurances and all their paperwork. So I should be able to submit tomorrow.

CHAIR MADFIS: Great. Fantastic. And then, you're going through the regular review process, not the expedited process.

MR. LEON: Yes, I guess so.

CHAIR MADFIS: Okay. Because you're basically going to be asking for some time, here, I guess, to get your permit.

MR. LEE: We're hoping this will be the last extension.

MR. LEON: Yes.

MR. LEE: Sixty days, you think should be

sufficient?

MR. LEON: I think, yes, 60 days should be fine. Hopefully, I was amazed that the review downtown was relatively quick.

CHAIR MADFIS: It is.

MR. LEON: Compared to some of the reviews in Dade County. God, I went in there, and they got me out real fast.

CHAIR MADFIS: Good. Alright, any other thoughts or comments, questions?

MR. LEE: The Board's been patient with us and we appreciate it, but I think you can see we're working in good faith. It's been a long haul here and we're going to end up with a nice fixed-up property at the end of the day.

CHAIR MADFIS: Good.

MR. KERNEY: Just a comment to the Board. I don't think he's going to get it done in 60 days; he'd be lucky to get done in 90. Nothing against the building department, Wayne. They're very busy, I understand.

INSPECTOR STRAWN: Wayne Strawn, Building Inspector. I inspected the property today. It is secure, and aside from having people dump debris, tons of concrete debris on the property,

August 16, 2007

a little gift from someone, that's the only change at the property.

CHAIR MADFIS: And you guys will do your best to take care of that concrete?

MR. LEON: My question to Patrick. You say why you think it's going to take longer than 90 days, the permit process?

MR. KERNEY: Yes, it takes time.

MR. LEON: Well I have [inaudible]

CHAIR MADFIS: We got a structural review in a week.

MR. LEON: Residential, you have 60 days to approve or disapprove the plans by state law.

CHAIR MADFIS: What?

MR. LEON: Residential, by state law, statute -

CHAIR MADFIS: Well, they will get them back to you, you're right, within that time.

MR. KERNEY: Yes, and the plumbing code says you can take your relief and dump it into the safe pan underneath the water heater, but the City of Fort Lauderdale doesn't let you do it, so.

MR. LEE: We'll defer to your knowledge.

MR. KERNEY: Actually, I was trying to

help you, I was hoping somebody would motion for a 90-day extension, so we don't have to ask again.

CHAIR MADFIS: If you get the permit sooner, the case gets eliminated that much quicker, and it looks like you have a relatively comprehensive set of plans there and hopefully it will get done in 60 days. But we'll listen, unless there's any other questions or comments, I'll listen for a motion from somebody.

MR. SCHERER: I'll make a motion for a 90-day extension.

CHAIR MADFIS: Okay.

MR. HOLLAND: Second.

CHAIR MADFIS: Great. Yes, state the date for the record.

MR. SCHERER: December 20<sup>th</sup>, make a motion until December 20<sup>th</sup> 2007.

CHAIR MADFIS: Any other comments?  
Motion's been seconded.

MR. HEGUABURO: That would be November.

MR. SCHERER: November 15<sup>th</sup> 2007.

CHAIR MADFIS: Okay. We have a motion for a 90-day extension and a second. Any other comments or thoughts? Alright, I'll hear a vote.



All in favor say aye.

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed, no? Motion  
passes.

MR. LEE: Thank you.

**4. Case: CE06081280**

[INDEX](#)

**Sylvan Eversley**

**611 East Evanston Circle**

MS. MOHAMMED: Next case, page two of your  
agenda. This is also an old business case.

Inspector Wayne Strawn for case number  
CE06081280. Case address: 611 East Evanston  
Circle. The owner: Sylvan Eversley.

Certified mail to the owner signed 8/3/07  
by J. Eversley. The other interested parties  
were notified via certified mail, the green cards  
are in the file, and the information is noted on  
your agenda.

This case was first heard by the Unsafe  
Structures Board on 11/16/07. At that hearing  
the 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.

At the 4/19/07 hearing, the Board granted an extension to June 21<sup>st</sup> 2007. At the 6/21/07 hearing, the case was continued to 7/19/07.

At the 7/19/07 hearing, the Board granted a 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 or additions.

MS. CORDERO: Good afternoon Board, I'm Jennifer Cordero, on behalf of Fremont, we're the mortgage holders on the property. I have the power of attorney, we signed it. Well, we didn't sign it, our property owner signed it. And I wanted to give you an update on the foreclosure matter.

It's not being contested by the property owner, a default was entered against him. And so a motion for summary judgment hearing is scheduled for September 13. Being that it's not

being contested by the property owner, we're assuming at that date we will be given a sale date, which we are aiming for mid-October, because usually they give 30 days sale date.

So we've got our power of attorney, where we can, we've been given the authority to make any repairs that the Board deems to present imminent danger. And from that point on, we just hope that once the sale date arrives and we own the property, we'll be in a position to cure any and all violations that are on this property.

CHAIR MADFIS: And what's the conditions on the property, do we know those? Wayne, do you want to tell us? And when you, you don't need to wait 'til the sale date; you have the power of attorney right now to actually take action.

MS. CORDERO: That's correct. And so if there's anything that needs to be addressed, because it presents imminent danger, we're definitely, we have the authority to do so.

CHAIR MADFIS: Okay, great.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. I'll be more than glad to meet with their contractor and show him all the areas, go over the original plans with him and

show all the areas that have built without permits that need to be demolished.

And whatever openings, whatever they need to secure the building after removing those additions and changes in order to secure the building temporarily.

CHAIR MADFIS: And then, you think he needs a permit to make the permanent repairs, or can these things just be taken off?

INSPECTOR STRAWN: Many, much of that was built without permits can be removed without permits.

CHAIR MADFIS: Right. And what kind of condition you think that will leave the house in? Will he have to get another permit to fix the -

INSPECTOR STRAWN: Yes, they will have, they've got a lot of electrical issues. They'll have to have electrical and mechanical. The house will have to be gone completely through. And also some structural issues where they may have to restore walls, original, exterior walls that were compromised due to their additions.

CHAIR MADFIS: Okay, and the condition of the house right now, is it safe at all?

INSPECTOR STRAWN: To the best of my

knowledge, it's been secured.

CHAIR MADFIS: Okay, great. Alright, any questions?

MR. KERNEY: I've got a question for Wayne. Just to clarify something that you said. If something's built without a permit, then no permit is necessary to demolish it, is that correct?

INSPECTOR STRAWN: That's correct.

MR. KERNEY: Okay, thank you.

CHAIR MADFIS: What are you asking for now in terms of time?

MS. CORDERO: Essentially, I would like to ask for an extension until the sale has happened. Because if I were to come back here in 30 days at that point, I would have, I can give you the outcome of the summary judgment hearing and at that point, I can give you the date of the sale.

But until the property is actually sold unless there's something that you declare to be an imminent danger, our, my client's position is going to be that until we own the property we don't want to make all the repairs.

CHAIR MADFIS: Is your plan to repair the building and put it back into use?

MS. CORDERO: Absolutely. Either put it back into use or repair it to be able to put it on the market and sell it.

CHAIR MADFIS: So you're not planning to demolish it?

MS. CORDERO: If that - we don't want it to be demolished. If it's going to turn out to be more profitable for my clients to demolish it and sell the land, maybe, but they haven't explored those options yet, because at this point they don't know if they're going to get the property back unless somebody else bids higher at the public sale.

CHAIR MADFIS: I see. So you're not sure you actually have the property yet, okay.

MS. CORDERO: That's correct.

CHAIR MADFIS: Okay. Any other thoughts on that one?

MR. JARRETT: I have a question or a comment. At the last hearing, we granted the 30-day extension so that you could get the power of attorney to perform the repairs that the City deemed important to do right away.

MS. CORDERO: Okay.

MR. JARRETT: And it sounds like that

August 16, 2007

arrangements can be made for your contractor to meet with the City inspector for him to direct those things to be done. I would be inclined to give you a 30-day extension so that we know that in 30 days those issues have been addressed.

Not necessarily an update on the - you've just given us the update on the pending sale, but I'm inclined only to do a 30-day extension so that you can come back in 30 days and the Inspector can say that, yes that was taken care of. And then at that time, if you need further time to wait until after the sale, then we should do another extension. That's my thoughts on it.

MS. CORDERO: If I may respond, the only - I have no problem with that - the only, only concern I would have is, within 30 days at that point, we still won't know who's going to own the property. If somebody happens to bid higher, my client's not going to get the property back at the sale.

So I would hate to go through a tedious task of hiring a contractor, having the contractor meet with the City Inspector, the property be sold to somebody else, and then the work we did is pointless because at that point,

somebody else owns the property who's going to have to come before the Board and be advised of these violations and have to hire their own contractor.

MR. JARRETT: Well, I believe that when you came before the Board last month that the object of the Board agreeing to give you a 30-day extension was to get the power of attorney to perform the immediate repairs.

MS. CORDERO: Right, that's correct.

MR. JARRETT: And so therefore I would be inclined to want those repairs done whether the sale goes through or not, because that was what we agreed to last meeting.

MS. CORDERO: Okay, so will the City inspector inform our contractor which of these repairs are imminent, that need to be immediately addressed?

CHAIR MADFIS: It appears from the note here that it included all the extensions that were built without a permit. I'm sort of torn a little bit, because yes, this is exactly the situation we get into with these pending sales, and it's unlikely, who knows what's going to happen in the sale situation. And then the house



moves over to somebody else, and now we're chasing this next person down, and it's a tough one.

MR. HOLLAND: That's strictly an economic consideration from my point of view. I think safety is the key operative here and we need to -

CHAIR MADFIS: Well, if the building's secure -

MR. HOLLAND: - get relief on these extensions, and we have the ability now to do it immediately. And I think Wayne's plan to assist them is very generous and gives definition to it and I agree with the motion that Thornie is proposing.

MR. KERNEY: This is why I voted against the extension because I knew that this month we'd be right here. Sure, we got told what we wanted to hear, we'll get the power of attorney, we'll fix it up.

Now that they've got the power of attorney it's, well do I really want to put any money into this thing because I might not end up with it. I would agree. And further to the 30-day extension and having your contractor meet with the City building inspector, I would put some sort of

August 16, 2007

stipulation that something has to happen, the structures have to come down or, I don't know what stipulation we could put on it, but something that we're moving forward, not just well, we met with the inspector out there.

CHAIR MADFIS: Wayne, can you inform us maybe a little bit more, what type of direction would you give them? Would it include taking off all these illegal additions, or just securing them in some fashion?

INSPECTOR STRAWN: No, the illegal additions are presumed and deemed by the code to be unsafe. They've never been inspected. We have no assurance that these won't come apart in a storm, in a wind storm so they would have to be removed.

CHAIR MADFIS: I think the time to remove them is now. We've been lucky up until now with the hurricane season. The odds only keep building and getting worse and worse against us. If we don't even get a direct hit, a big wind can damage somebody else's property. We don't want to destroy an opportunity for some affordable housing, but at the same time, we don't want to destroy somebody else's property. Any other

August 16, 2007

thoughts on making, someone want to make a motion?

MR. SCHERER: I think that if we - because you don't have to get a demolition permit, you can probably hire a contractor and get the work done. I don't know how much work it entails, but if it's three or four additions that are attached it could probably be done in 30 days. And because you don't have to have a contractor go through the permitting process it could be done. Cost wise, I don't know if it's worth it for your company or not, for your client or not.

MS. CORDERO: Right.

MR. SCHERER: But unfortunately that's not up to us so -

INSPECTOR STRAWN: I'd like to speak to that. Wayne Strawn, City building inspector. The one large addition is CBS, and it's in the side yard setback, and the difficulty is removing the debris. There's very little clearance between the neighbor's property and the house on either side of the building.

So, although, if it was in the front yard, it would be very easy to get rid of. But it will be a tedious and more expensive proposition than

what you'd ordinarily suppose.

MR. HOLLAND: That said, do you consider it offers a degree of safety to the neighbor or a hazard to the neighbor in the event of a wind storm?

INSPECTOR STRAWN: Well, the closer it is to the neighbor, the more hazard it is.

MR. HOLLAND: Well, CBS can sometimes protect from other things, but I get your idea.

CHAIR MADFIS: And Wayne, you feel that it wouldn't be a sound decision to secure those unpermitted, un-inspected conditions, because we just don't know enough about them.

INSPECTOR STRAWN: I don't know anything about them really.

CHAIR MADFIS: So we really don't know what we're securing. Alright well, I'm ready to listen to a motion.

MR. HOLLAND: I move that we grant an extension of 30 days, to the date of September 20<sup>th</sup> in which case we see a diligent effort to perform the demolition of the unsafe extensions as advised by the City building inspector and allow for any unforeseen contingencies to be entertained at a later date.

CHAIR MADFIS: Second on that motion?

MR. KERNEY: I'll second it.

CHAIR MADFIS: Any other discussion?

MR. KERNEY: Yes, could the motion be read back so I'm sure I understand what I seconded?

MR. HOLLAND: Read back?

MR. KERNEY: Somebody, please.

MS. KETOR: You're giving them 30 days, 'til September 20<sup>th</sup> to demolish unsafe extensions as per the building inspector Wayne Strawn. What did you say after that?

MR. HOLLAND: And entertaining any unforeseen contingencies that could be addressed at a later date. What I intended by that is to, sometimes you do partial, I think Wayne was indicating as some of this tearout occurs there may be some unforeseen conditions that may be have to dealt with as attachment to the structures that we don't want demolished, is what my intent was.

INSPECTOR STRAWN: It may be more difficult to secure the structure after we remove the additions. I might add all so, the Board may want to consider ordering the power cut to the building. There is unsafe electrical,

August 16, 2007

unpermitted electrical, and it would be safer if the power was cut.

CHAIR MADFIS: Do you mind amending your -

MR. HOLLAND: Willing to add that to the amendment. And to clarify the amendment, the last sentence, to allow for securing of the building under the most expeditious and economical circumstances to save the structure.

MS. CORDERO: Is it currently secured? I thought that's what -

MR. HOLLAND: Well, no, I'm talking about during the transition -

MS. CORDERO: Once it's been demolished.

MR. HOLLAND: - from the tearout of extensions, illegal extensions.

MS. CORDERO: Okay, once it's been, that part's been demolished, okay.

CHAIR MADFIS: Are we clear?

MR. SCHERER: Is the building occupied?

CHAIR MADFIS: Is the building occupied?

MS. CORDERO: Uh-uh [negative].

CHAIR MADFIS: No. And, in that amendment, did we put in there to dismantle the electrical service?

MR. HOLLAND: I was allowing that in.

Yes, correct.

MR. KERNEY: It's okay with the second as well.

CHAIR MADFIS: Okay, thank you. Alright, so we have all that clear, good. Any other questions? Alright, I'll listen to a vote. All in favor, say aye.

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed, no? Hearing none motion. Passes. Thank you.

5.

**Case: CE06111478**

[INDEX](#)

**Clifton Dawkins**

**2830 Northwest 24<sup>th</sup> Street**

MS. MOHAMMED: Next case, page seven.

Inspector Wayne Strawn for case number CE06111478. Case address: 2830 Northwest 24th Street. The owner: Clifton Dawkins.

Certified mail was sent to the owner and the mail returned unclaimed. Certified mail to Ricardo Dawkins also returned, unable to forward.

We do have service by posting the property with a notice of today's hearing. On 7/2/07 we posted the property, and also advertised today's hearing in the Broward Daily Business Review on 7/27 and 8/3.

This case was first heard 5/17/07, the Unsafe Structures Board granted a 30-day extension and stipulated that during this time, the architect must address comments and resubmit the plans to the City. Failing that, the architect must appear with the owner at the next hearing to explain.

On 6/21/07, the Unsafe Structures Board granted a 30-day, sorry, a 60-day extension. Also the interested parties were notified via certified mail, the green cards are in the file and the information is noted on your agenda.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. The plans are approved. I looked at the plans for a rebuild - we are talking about 2830 Northwest 24<sup>th</sup> Street - alright - yes, the plans are approved. No contractor has picked them up yet. So they're that close to getting this rehab under way.

MR. KERNEY: I know how to motivate them.

INSPECTOR STRAWN: I see, yes. Have you, has the case been presented? Have you all seen the pictures to the, of the building?

MR. KERNEY: This has been in front of us twice.



CHAIR MADFIS: Yes, I think it's been read  
in.

INSPECTOR STRAWN: It has been?

CHAIR MADFIS: Anybody want to see any  
more on this or -

MR. HEGUABURO: How long has it been since  
they've been approved, the plans?

INSPECTOR STRAWN: They were approved just  
this week. The approval, I think just this week  
or last week, I think it was the fourteenth  
perhaps that the building finally signed off on  
the plans. I can show your photographs of the  
building, if you like.

MR. SCHERER: Yes.

[Inspector Strawn showed the Board photos  
of the property on the ELMO]

INSPECTOR STRAWN: That's a front view. I  
hope you can see that. It doesn't look good in  
that viewer, I hope comes up better on yours.  
This is your hurricane damage of the roof system,  
roof structure system in the rear yard.

This is the termite eaten and deteriorated  
beam that supports the roof structure on the  
addition on the south. There's another shot of  
that same beam. The ceilings had fallen due to

August 16, 2007

not having a watertight condition for a long time.

This is, the walls are falling apart because the building took so much water. The electrical panel, distribution panel, you see there, the cover falling off of it and had [inaudible] water.

Ceilings falling and you can see also the mold on the roof decking. Inside the, enclosed carport, that was done without a permit. New door installed without a permit, water heater installed without a permit, air-conditioning system installed without a permit. Front view of the building again.

This gives you a flavor of what exists. Hopefully they'll be able to fix it when they get their permit issued.

CHAIR MADFIS: Thank you Wayne. And there's no one here?

MR. SCHERER: There's no property owner or anybody here? Or the -

INSPECTOR STRAWN: The City has no alternative but to ask for a motion to demolish.

CHAIR MADFIS: Sure.

MR. SCHERER: Agree.

CHAIR MADFIS: Any other comments or thoughts? I'll listen to a motion.

MR. SCHERER: I'll make a motion. 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 timely demolish.

Such demolition is to be accomplished by a licensed demolition contractor pursuant to a city-issued demolition permit.

CHAIR MADFIS: Thank you. Do I hear a second?

MS. CHARLTON: I second.

CHAIR MADFIS: Thank you. All in favor, say aye.

BOARD MEMBERS: Aye.

CHAIR MADFIS: All opposed, say no.  
Hearing none, motion passes again. Thank you.

**6. Case: CE07031821**

[INDEX](#)

**Margree Lee & Alfred Denby**

**1909 Northwest 3<sup>RD</sup> Court**

MS. MOHAMMED: Next case, page ten of your agenda. Page ten, this is a new business case. Inspector Wayne Strawn for case number

August 16, 2007

CE07031821. Case address: 1909 Northwest 3<sup>rd</sup>  
Court. The owner: Alfred Denby.

Certified mail to the owner signed 8/11/07  
signature illegible. This is a new business  
case, and Wayne Strawn is here to present.

INSPECTOR STRAWN: Wayne Strawn, City  
building inspector. The violations that exist at  
the property are as follows, at 1909 Northwest 3<sup>rd</sup>  
Court:

FBC 117.1.1: THE SINGLE STORY HOME, BUILT  
IN 1955, HAS BEEN SUBSTANTIALLY DAMAGED BY RECENT  
WINDSTORMS AND DETERIORATED BY NEGLECT. THE  
BUILDING IS UNSAFE AND PRESENTS A WINDSTORM AND  
FIRE HAZARD. THE BUILDING DOES NOT COMPLY WITH  
THE MAINTENANCE STANDARDS OF THE FLORIDA BUILDING  
CODE AND MINIMUM HOUSING CODE OF THE CITY OF FORT  
LAUDERDALE.

FBC 117.2.1.1.1: THE BUILDING IS VACANT,  
UNGUARDED AND OPEN AT DOORS AND WINDOWS.

FBC 117.2.1.1.2: THE HOME IS FILLED WITH  
TRASH, DEBRIS AND OTHER COMBUSTIBLE MATERIAL THAT  
CREATE AN UNACCEPTABLE FIRE HAZARD.

FBC 117.2.1.2.1: MANY BUILDING PARTS ARE  
LOOSE, HANGING LOOSE OR LOOSENING. THE PARTS  
INCLUDE, BUT MAY NOT BE LIMITED TO: ROOF DECK

MATERIAL, ROOFING MATERIAL, ELECTRICAL CONDUITS, FIXTURES, DOORS, WINDOWS AND STRUCTURAL ELEMENTS. MANY CEILINGS HAVE COLLAPSED. THE GARAGE RAFTER AND ROOFING SYSTEM HAS BEEN COMPLETELY REMOVED BY HURRICANE WINDS AND DEPOSITED IN THE BACKYARD.

FBC 117.2.1.2.2: THE ROOF DECK AND RAFTERS HAVE FAILED IN THE LIVING, KITCHEN AND FAMILY AREAS. THE REMAINING AREAS ARE SUBSTANTIALLY DAMAGED BY WINDSTORM AND LONG TERM WATER INTRUSION.

FBC 117.2.1.2.3: THE ROOFING SYSTEM HAS BEEN DESTROYED BY RECENT WINDSTORMS AND THE ELEMENTS. WATER INTRUSION HAS COMPROMISED THE STRUCTURAL INTEGRITY OF THE BUILDING.

FBC 117.2.1.2.5: THE ELECTRICAL SYSTEM HAS BEEN EXPOSED TO PROLONGED WATER INTRUSION AND WOULD BE A HAZARD IF ENERGIZED. THE ELECTRICAL SYSTEM HAS BEEN PARTIALLY DESTROYED AND COMPROMISED.

FBC 117.2.1.3.2: NO ATTEMPT HAS BEEN MADE TO MAINTAIN THE BUILDING SINCE THE HURRICANES. THE BUILDING IS PRESUMED UNSAFE AND DOES NOT COMPLY WITH THE FLORIDA BUILDING CODE AND THE MINIMUM HOUSING CODE OF THE CITY OF FORT LAUDERDALE.

August 16, 2007

INSPECTOR STRAWN: I have some photographs to show the Board.

[Inspector Strawn displayed photos of the property using the ELMO.]

INSPECTOR STRAWN: There's a front view of the building. Another front view with the removal of the carport roof. Behind that decorative block is what used to be a carport.

You might wonder what happened to the carport roof. It's here in the rear yard. This is the kitchen area here, you see the top cabinets and the roofing, ceiling having fallen.

This is inside the carport, with no roof, a couple of rafters there. This is inside the building, one of the rooms, the living room, where the ceilings have fallen. This is inside the kitchen looking toward the front door.

This is where the insulation is fallen with the ceilings. This is where the blue tarp that was temporarily put on top of the roof in the vain hope of saving something has now become more debris. This is the accumulation of rubbish and combustibles in one of the bedrooms.

I went by the building today, and verified the conditions have become worse. These pictures

were taken in May. Any questions on those pictures?

CHAIR MADFIS: Just getting some good design ideas.

INSPECTOR STRAWN: I had a visitor yesterday to the Building Department. The elderly woman who used to live here was the - has passed away, and it's the heirs who are the responsible parties now. They don't believe it's repairable, and they have someone who's interested in buying it for the sake of the property to demolish it.

CHAIR MADFIS: Perfect.

INSPECTOR STRAWN: So, they didn't feel, they didn't, they asked my advice whether they should come today or not, and I said, the value of the property with this building on it or without the building, the property was worth probably more without the building. So in either case, they had no stake in coming today.

CHAIR MADFIS: Well, we know what to do. Any other -

INSPECTOR STRAWN: The City's asking for a motion to demolish.

CHAIR MADFIS: Well thank you.

MS. CHARLTON: I have a question. The City received certified mail, Margaret Hayes. Did they receive any kind of grant money for any kind of renovation at a time or in a rehab or what was going on?

MS. WALD: Ginger Wald, Assistant City Attorney. I was curious about the same thing yesterday and actually looked this up. Back in, I believe it was 1988 or 1989. This was one of the City rehab properties.

MS. CHARLTON: Okay.

MS. WALD: And it was done, and there actually still is an active mortgage on the property. And that's why the City was notified, even though it was done 20 years ago. So that's why you see the notice to the service of the City.

MS. CHARLTON: Are they going to forgive the loan, or?

MS. WALD: Well, that's kind of - what I'm waiting now to happen on that is for CRA to actually send over their file, because there's some interesting things, one that actually happened, and now that you have the owner of the



property as Alfred Denby, that could potentially be a breach of the original purchase agreement.

So they're going to send it over for us to analyze that, and there is still a mortgage on it, but the owner, a quit claim deed was done back December the 20<sup>th</sup> 2006 to this Alfred Denby, who supposedly is the son. And this lady is deceased.

CHAIR MADFIS: So he's taken over the mortgage, Alfred has taken over the mortgage?

MS. WALD: Not that I know of yet.

CHAIR MADFIS: So the mortgage is still on the property.

MS. WALD: Mortgage is still on the property, it's still an active mortgage on the property. I do not know how much is still owed on it to the City, and I'm waiting for their files to come through.

As to their position, regardless of whether it is a breach of the agreement or not, again, we'd have to look at that and render our legal opinion in that regard. Their position on it is to go ahead and demolish the property because they also have the photographs, and

that's how I saw them before today, and they were pretty bad so.

The City as to CRA concurs with the City, on the other end, with code enforcement to go ahead and demolish the property. So hopefully that answers your questions.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. The family member that I spoke to yesterday acknowledged a \$20,000 liability to the City of Fort Lauderdale.

CHAIR MADFIS: Okay, great. Well that was an astute observation about the noticing thing. Thank you for bringing it up, I appreciate that. Any other thoughts or comments on that? All right, well we'll listen to a motion. This is going to be a demo motion.

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

CHAIR MADFIS: Thank you. And do we have a second for that one?

MR. HEGUABURO: I second.

CHAIR MADFIS: Thank you very much. All in favor of that motion, say aye.

BOARD MEMBERS: Aye.

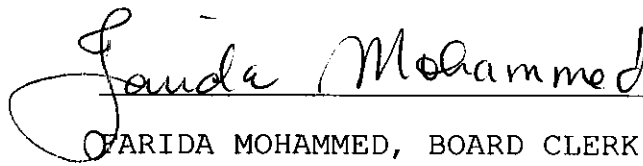
CHAIR MADFIS: All opposed, say no. Hearing none, that motion passes.

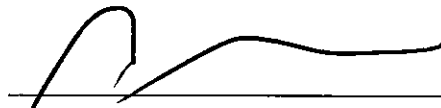
MS. MOHAMMED: I'll just go through the agenda. Page one, case number CE06031441. Case address: 2509 Northwest 20th Street, complied.

Page eight of the agenda, case number CE07021325: withdrawn. This case, on 6/21/07, they got an extension, a 90-day extension which would take them to next month. So it was placed on this agenda erroneously.

Page 11, case number CE07050031, no service. So at this time we're going to schedule this for another hearing. And that concludes today's agenda.

[Meeting concluded at 4:15 p.m.]

  
FARIDA MOHAMMED, BOARD CLERK

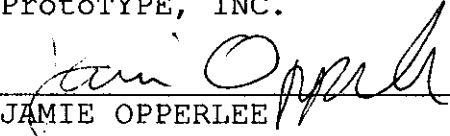
  
MICHAEL MADFIS, CHAIRPERSON

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held August 16, 2007, at 3:00 p.m., City Hall, 100 North Andrews Avenue, City Commission Meeting Room, Fort Lauderdale, Florida.

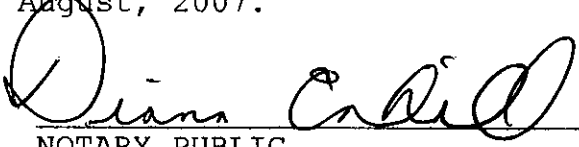
Dated at Ft. Lauderdale, Broward County, Florida, this 25 day of August, 2007.

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 27 day of August, 2007.

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

Notarial Seal:

