

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

Board Member	Attendance	Cumulative Attendance 10/07 - 9/08	
		Present	Absent
Patrick Kerney, Chair	P	2	0
John Scherer, Vice Chair	P	2	0
Olivia Charlton	P	1	1
Pat Hale	P	2	0
Hector Haguaburo	P	2	0
Joe Holland	P	2	0
Thornie Jarrett	P	1	1

City Staff

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

Guests

CE07081768: Francisco Vargas, owner, Yoleni Vargas, owner
 CE06081391: Juan Jose Leon, architect
 CE06102225: James Poole, owner

Index

<u>Case</u>	<u>Respondent</u>	<u>Page</u>
1. CE07081768	Pan American Corp and Francisco Antonio Vargas	2
Address:	150 Northwest 68 Street	
Disposition:	60-day extension to January 17, 2008. Board unanimously approved.	
2. CE06081391 & CE06081398	Beaver Cleaning & Maintenance Corp.	5
Address:	638 Northwest 15 Avenue, 642 Northwest 15 Avenue	
Disposition:	60-day extension to January 17, 2008. Board unanimously approved.	
3. CE06102225	James Poole	8

Address: 1748 Northwest 29 Way
Disposition: 30-day extension to December 20, 2007,
owner to have subcontractors hired and
permit application filed by that date.
Board unanimously approved.

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.

All individuals wishing to speak on the matters listed on the Board's agenda were sworn in.

Approval of meeting minutes

Motion made by Mr. Holland, seconded by Ms. Hale, to approve the minutes of the Board's October 2007 meeting. Board unanimously approved.

1. Case: CE07081768

[INDEX](#)

Pan American Corp and Francisco Antonio Vargas 150 Northwest 68th Street

MS. MOHAMMED: Good afternoon Board. First case is on page four of your agenda. Page four or page five. The case address is 150 Northwest 68th street; site address: 118 Northwest 67th Street. I believe it's on page five of your agenda. Wayne Strawn is the inspector for case number CE07081768. Case address: 150 Northwest 68th street; site address: 118 Northwest 67th Street. The owner: Pan American

Corp. and Francisco Antonio Vargas.

Certified mail to the owner was signed 10/30/07 and the other owners: Pan American Corp. as well as Southeastern Mobile Home Inc., they were notified via certified mail. The green cards are in the file and the information is noted on your agenda.

This case was presented to the Unsafe Structures Board on 10/18/07 and the Board continued the case to today's date, 11/15/07, and I believe we have a respondent.

CHAIR KERNEY: Just to confirm, this has been read into the record?

MS. MOHAMMED: No.

CHAIR KERNEY: It has not. We might as well read it into the record.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. I think they're going to ask for another continuance and I'm not going to oppose it.

CHAIR KERNEY: Okay.

INSPECTOR STRAWN: For the information for the Board, all the walls have been torn down; everything on Pan American property has been removed. They didn't have to get a permit for that. But I also had cited them for 117.1.2, no, no, that's 117.2.1.2.5: electrical alterations. And they moved the water heater that was installed in the illegal additions. They've moved it somewhere else and wired it up. So we

expect to get an electrical permit to make sure this is done properly.

They have provided me with information that a licensed electrician has removed the violations, but he didn't get a permit. In Dade County, the code there, the Board of Rules and Appeals there, allows a licensed tradesman, plumber, electrician, to do small jobs without getting permits, but that's not the case with the Broward County Board of Rules and Appeals. So there's the snag, we still need a permit for the installation electrically of the water heater.

So I basically made their case for them. How much time do you need?

MS. VARGAS: My name's Yoleni Lusette Vargas, and he says that he needs about a month, maximum about a month, to make up the changes.

CHAIR KERNEY: Is it just to pull the permit?

INSPECTOR STRAWN: That's right.

MS. VARGAS: Yes.

CHAIR KERNEY: Not wanting to question the building official, but I thought if it was on the disconnect side, if it was on the, not on the service side but on the user's side of a piece of equipment, it didn't require a permit for it to be moved. And maybe the electrical contractor on the Board could answer that.

MR. JARRETT: I suspect that what's happened is the

feeder's been moved because the location of the water heater's been moved and therefore the permit's required.

CHAIR KERNEY: Okay, and if he gets a permit for this, this will remove the case from the Unsafe Structures Board?

INSPECTOR STRAWN: Yes, that's correct. We'd like to have him call for an inspection immediately to get the electrical inspector out there, make sure it's done right.

CHAIR KERNEY: Why don't we entertain like a 60-day, I mean there's no sense in bringing this gentleman back here at five days before Christmas if - to tell us that no, he doesn't have a permit yet.

MR. HOLLAND: Motion to extend 60 days to the January date that would correlate with - the 17th of January, 2008.

CHAIR KERNEY: Alright, I have a motion for a 60-day extension; do I have a second?

MR. SCHERER: Second.

CHAIR KERNEY: Motion and a second, is there discussion on the motion? All in favor, signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR KERNEY: All opposed? Can you let him know what happened?

MS. VARGAS: Alright, thank you.

CHAIR KERNEY: Thank you.

2. Case: CE06081391 & CE06081398

[INDEX](#)

Beaver Cleaning & Maintenance Corp.

638 Northwest 15 Avenue, 642 Northwest 15 Avenue

MS. MOHAMMED: Next case, page one of your agenda and also page two of your agenda. We're going to hear both cases together. Inspector Wayne Strawn for case number CE06081391. Case address: 638 Northwest 15th Avenue. The owner: Beaver Cleaning and Maintenance Corp. Page two 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 your agenda.

The information I'm going to read pertains to both cases. These cases were first heard on 11/16/07, sorry, 11/16/06. At that hearing, the Unsafe Structures Board granted a 30-day extension, the respondent to return with a progress report and evidence of negotiations 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 the 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. On 5/17/07, the Unsafe Structures Board granted a 90-day extension, and on 8/16/07, the Unsafe

Structures Board granted a 90-day extension to 11/15/07. And we do have a respondent.

MR. LEON: Juan Leon.

CHAIR KERNEY: Hold on, can I just hold you up for just a second? Mr. Vargas, did somebody let him know he could go? I'm sorry, go ahead.

MR. LEON: Thank you. Juan Leon, I'm the architect for the project. Basically, we submitted the plans, we've gone through the first review. We've got approvals for zoning, electrical and mechanical. We're revising the other items that are left. And it's kind of slowed the process down a little bit because of the new process that supposedly Fort Lauderdale has, that you have to submit all the applications of all the sub permits, and -

MR. SCHERER: That's just for the expedited review, I thought.

MR. LEON: No.

MR. SCHERER: That's for everything.

MR. LEON: For everything. And now when we got the plans back we had to get the additional subcontractor to do shutters too. That wasn't part of the original package. So we've gone through the first review, we're going back again now with the shutters and everything. So I think that if the Board could grant us 60 days, we should be able to have the permits by then.

CHAIR KERNEY: Okay. Wayne, do you have anything more to add?

INSPECTOR STRAWN: Wayne Strawn, City building inspector, I was there yesterday and it's, the building is secure.

CHAIR KERNEY: Okay, thank you. Questions from the Board? Seeing none, I'll entertain a motion from the Board, anyone?

MR. SCHERER: I'll make a motion for a 60-day extension to the January 17th meeting and at that time, hopefully you'll have your permit. And if not -

MR. LEON: I hope so.

MR. HOLLAND: Second.

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

BOARD MEMBERS: Aye.

CHAIR KERNEY: All opposed? Sixty-day extension granted.

MR. LEON: Thank you very much, Board.

MS. MOHAMMED: I'd also like to welcome Hector, just for the record.

3. Case: CE06102225

[INDEX](#)

James Poole

1748 Northwest 29 Way

MS. MOHAMMED: Next case, page four of your agenda. Inspector Wayne Strawn for case number CE06102225. Case

address: 1748 Northwest 29 Way. The owner: James Poole.

The owners and 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 presented to the Unsafe Structures Board on 7/19/07, the Board granted a continuance to 10/18/07. At the 10/18/07 Unsafe Structures Board hearing the Board granted a 30-day extension to 11/15/07, owner to submit a permit application by 11/15/07. And this case was never presented to the Board.

CHAIR KERNEY: It was never read into the record, okay.

INSPECTOR STRAWN: Wayne Strawn, City building inspector. With regard to 1748 Northwest 29th Way, the violations exist as follows:

FBC 117.1.2

AN ATTEMPT HAS BEEN MADE TO CONSTRUCT A LARGE ADDITION ON THE SOUTH SIDE OF THE RESIDENTIAL STRUCTURE. THE CONSTRUCTION EFFORT HAS BEEN ABANDONED. ONLY THE SLAB AND BLOCK WALLS EXIST. NO VALID PERMIT EXISTS FOR THE CONSTRUCTION. INCOMPLETE STRUCTURES COMMENCED WITHOUT A PERMIT OR THE PERMIT FOR WHICH HAS EXPIRED ARE PRESUMED AND DEEMED BY THE CODE TO BE UNSAFE.

FBC 117.2.1.3.1

NO VALID PERMIT EXISTS FOR THE INCOMPLETE ADDITION ATTACHED TO THE SOUTH SIDE OF THE DWELLING. THE

INCOMPLETE CONSTRUCTION IS PRESUMED AND DEEMED BY THE
CODE TO BE UNSAFE.

The City is asking for a motion to demolish.

CHAIR KERNEY: Thank you.

INSPECTOR STRAWN: Oh, I'd like to show some photographs
of the structure.

[Inspector Strawn presented photos of the property on the
Elmo]

INSPECTOR STRAWN: There we see it, we see the walls
without a - they're not filled because I can see he still has
the openings down there where he's going to put his tie-down
rods.

MR. SCHERER: What's the condition now?

CHAIR KERNEY: I believe at the last meeting we saw all
these. It looks familiar. Do we have a respondent? I
believe he's standing behind you.

INSPECTOR STRAWN: Oh, okay.

CHAIR KERNEY: Mr. Poole?

MR. POOLE: Yes.

CHAIR KERNEY: Have you been sworn in?

MR. POOLE: Yes I have.

CHAIR KERNEY: Okay, great. What do you got new for us?
Hopefully, an application for a permit.

MR. POOLE: Well, I have the application but I have it
with me. It's not been submitted yet because I have to

contract a mechanical contractor and a roofer. So I haven't put these people up under contract yet. So, and I found out from the Building Department that this whole application has to be submitted at one time, in its entirety. So, I can't submit an incomplete application without the mechanical.

CHAIR KERNEY: Okay, so you haven't selected your subs yet, so consequently they won't allow you to submit your permit application.

MR. POOLE: Correct.

CHAIR KERNEY: Wayne, how new is this latest requirement to -

MR. SCHERER: Six months.

CHAIR KERNEY: Is it? I don't -

MR. SCHERER: I had to do it for a permit we just pulled and it's - but I thought it was for the expedited permit.

INSPECTOR STRAWN: I believe it's been at least six months ago that they started to do that.

CHAIR KERNEY: That's for all permit applications? Expedited or otherwise.

INSPECTOR STRAWN: Yes. It used to be that was the case on an after-the-fact permit, and that they - some of the problems they encountered they're trying to solve by requiring it for all permits.

CHAIR KERNEY: Okay. What is your timeframe? When do you think that you can bring your subcontractors or make a

decision on your subcontractors so that you can move forward with pulling the permit?

MR. POOLE: Well, I have prospective subcontractors in mind, but we haven't come together on the numbers. And that's basically what we have to do is come to a common ground on the numbers.

CHAIR KERNEY: When do you think that'll take place?

MR. POOLE: One, the roofer is out of town, okay, but the mechanical contractor, we've been touching bases. But I talked to the roofer on the phone, and he says he will address it soon as he gets back and that's next week.

CHAIR KERNEY: Is there a general contractor involved, or you're acting as the -

MR. POOLE: I am the general contractor.

CHAIR KERNEY: You are the general contractor. Okay.

MR. SCHERER: So, do you have a set of plans that are ready to be submitted?

MR. POOLE: Yes, I submitted that the last time I was here, a copy of the plans with the proposals.

MR. SCHERER: Was it a full set? It included mechanical, electrical, plumbing, structural, roof, everything?

MR. POOLE: Yes. I submitted it the last time I was here.

MR. HOLLAND: Question, did we say it was a requirement that all the subs be identified as part of the permitting

process?

CHAIR KERNEY: What he's saying is, when he went to submit his permit, they said all your subs have to submit at the same time.

MR. SCHERER: The City of Fort Lauderdale requires that.

MR. HOLLAND: Okay, if that sub permit is coming from them, but it doesn't have to. But I guess it's normal that, for the sub to submit -

MR. SCHERER: Then you have to submit for a subcontractor permit with your main permit application now.

MR. POOLE: Correct.

MR. HOLLAND: Correct, the actual person who's going to do the work.

MR. SCHERER: Which kind of puts the owner at an unfair advantage. Just my two cents on it but -

MR. POOLE: But I did want to also submit that the foundation was already approved. This one I did not have with me before because the foundation for the driveway and all the concrete paving that was out there on site now. The only thing that was done without the permit was the blocks going vertical, so -

CHAIR KERNEY: Could I see that?

MR. POOLE: Absolutely.

MR. SCHERER: You can just put it under there.

[Mr. Poole displays his documents using the Elmo, then

hands documents to the Board]

MR. JARRETT: Do you have that set of approved plans, or sealed plans? Do you have the set of sealed plans that you brought to the meeting last time, with you today?

MR. POOLE: No, I do not.

MS. HALE: Wayne, he had the permit for the structure, for the slab and the driveway, correct?

INSPECTOR STRAWN: Beg your pardon?

MS. HALE: He had the permit for the slab and the driveway, correct?

INSPECTOR STRAWN: No.

MS. HALE: No. So are you going to require him then, two types of permits, one after-the-fact?

MR. POOLE: See, before I poured any concrete, I got that permit.

INSPECTOR STRAWN: It is an after-the-fact permit, but it'll have to include everything.

MS. HALE: Right. So it's an after-the-fact for the slab and the driveway and then permitting for everything else, correct?

INSPECTOR STRAWN: Well, it'll all be one permit.

MS. HALE: Okay.

INSPECTOR STRAWN: Because he's already started, it turns into one after-the-fact permit.

MS. HALE: Okay, because he began.

MR. HOLLAND: I hope the slab is of adequate construction to make permit.

MR. HEGUABURO: So, on the new set of plans you're adding footers or a pad? We discussed that last time you were here, right?

MR. POOLE: Right. These footers are already in, and the engineer already certified that they're there and that they -

MR. HEGUABURO: And they're fine to build [inaudible].

MR. POOLE: Right. And those are the footers that the CBS block is sitting on now.

MR. HEGUABURO: Okay.

MR. POOLE: But as you can see on the highlighted portion on what I submitted to the City when I did my pavers, it identified where I was going to place concrete.

MR. SCHERER: Yes, but that's just a driveway permit. It had nothing to do with the foundation or footers or slabs.

MR. POOLE: Right, just the driveway and pavers, right.

MR. SCHERER: Has nothing to do with the foundation.

MR. POOLE: Right.

MR. SCHERER: Or the slab.

MR. POOLE: Correct.

MR. SCHERER: That's just the driveway, right?

MR. POOLE: Correct, that's not the -

MR. SCHERER: So it's nothing to do with what the Unsafe Structures - what you're here for, right?

MR. POOLE: Not entirely. Because this says that there was no permits pulled at this [inaudible] residence.

CHAIR KERNEY: Well, no permits pulled in respect to the structure.

MR. POOLE: Well this paving is adjacent to the structure.

CHAIR KERNEY: The City's not disputing that the driveway's unsafe; they're saying that the structure that was built is unsafe.

Again, back to my original question, what are we talking about? Because obviously, what we don't want to see happen is this thing continually drag on while you negotiate with your subcontractors. How much time do you need to bring this thing to fruition?

MR. POOLE: Respectively, I should have the subs up under contract and the application in the building Department after the holidays.

CHAIR KERNEY: After the holidays?

MR. POOLE: Yes.

CHAIR KERNEY: So 30 days isn't going to do you any good, because that's before the holidays.

MR. POOLE: I'm speaking of Thanksgiving holiday.

CHAIR KERNEY: Oh, okay, good. So you're looking for 30 days.

MR. POOLE: Yes. Thirty-one days, I should have

everybody up under contract and this application -

CHAIR KERNEY: Because our next meeting is on the 20th.

MR. POOLE: The 20th of November?

CHAIR KERNEY: Of December.

MR. POOLE: Okay.

CHAIR KERNEY: Any more questions from the Board?

MR. HOLLAND: Does anybody - we have a after-the-fact foundation slab that's got to be examined, and determined that it has adequate rebar to meet code and the structural requirements of the specific super-structure. I feel for you and having to get all this master permitting and all these other things that there's going to be a problem with that.

I just wanted to let you know that if there was any way that the City could look at that slab ahead of time to see if you even worth pursuing the rest. That's my concern. And if you're confident that slab can make it, they may have to x-ray and look for, and find rebar there because it's not easy to check placement at this point.

MR. POOLE: I'm confident, even if I have to core drill it.

MR. HOLLAND: Okay. Just a comment.

MR. SCHERER: Okay, but you have a structural engineer that has signed off on it?

MR. POOLE: Yes.

MR. SCHERER: I'll make a motion for a 30-day extension

of time to the December 20th date and by December 20th you have your subcontractors lined up and you have submitted for a permit already. So, in other words, you need to go get your contractors signed up, submit for a permit before the next meeting.

MR. POOLE: Um-hmm [affirmative].

CHAIR KERNEY: I have a motion; do I have a second?

MR. HEGUABURO: Second.

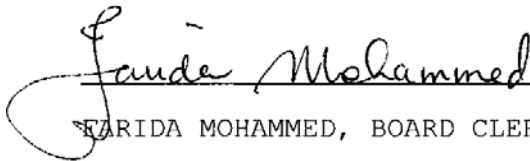
CHAIR KERNEY: I have a motion and a second, are there any questions on the motion? Seeing none, all those in favor, signify by saying aye?


BOARD MEMBERS: Aye.

CHAIR KERNEY: All opposed? You have thirty days, thank you.

MR. POOLE: Okay, thank you.

[Meeting concluded at 3:23 p.m.]


FARIDA MOHAMMED, BOARD CLERK

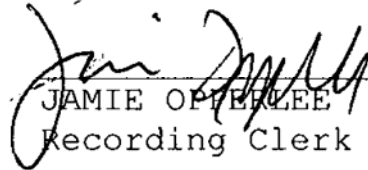

PATRICK KERNEY, CHAIRPERSON

CERTIFICATION

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

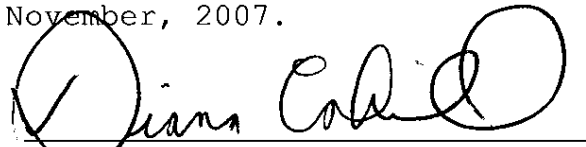
Dated at Ft. Lauderdale, Broward County, Florida, this 20 day of November, 2007.

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 15 day of November, 2007.


NOTARY PUBLIC
State of Florida at Large

Notarial Seal:

