

CITY OF FORT LAUDERDALE
 UNSAFE STRUCTURES BOARD
 THURSDAY, MARCH 19, 2009 AT 3:00 P.M.
 CITY COMMISSION MEETING ROOM
 CITY HALL

Board Member	Attendance	Cumulative Attendance 10/08 through 9/09	
		Present	Absent
John Scherer, Chair	P	3	2
John Phillips, Vice Chair	P	4	1
John Barranco	A	3	2
Pat Hale	A	4	1
Hector Heguaburo	P	3	2
Joe Holland	A	4	1
Thornie Jarrett	P	5	0
Michael Weymouth	P	2	0

City Staff

Yvette Ketor, Board Secretary
 Lori Grossfeld, Clerk III
 Ginger Wald, Assistant City Attorney
 Gerry Smilen, City Building Inspector
 Burt Ford, City Building Inspector
 Brian McKelligett, Administrative Assistant II
 Dee Paris, Administrative Aide
 Wayne Strawn, City Building Inspector
 Jorg Hruschka, Building Inspector
 Lin Bradley, Code Enforcement Supervisor
 J. Opperee, ProtoType Inc. Recording Clerk

Witnesses and Respondents

CE08010743: Peter Frommer, Attorney for Bank
 CE08061887: Albert Khoury, interested party
 CE08101034: John Brown, Owner
 CE08081966, CE08081974, CE08081993, CE08090732: Alan Margolis, Owner
 CE08061887: Louis Isom, Owner

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Address:	1210 SW 29 Street	
Disposition:	28-day extension, respondent to return with either proof of progress toward demolition of the property or a contract	

MS. PARIS: Our first case is an old business case on page 8. Case is CE08101034, the inspector is Burt Ford, the address is 50 Isle of Venice. The owner is 50 Isle of Venice LLC.

This case was first heard at the 1/15/09 USB hearing. At that time, the Board granted a 60-day extension to the 3/19 USB hearing with the stipulation for the owner to return to inform the Board of his intentions and plans for the property. In the meantime, no work will be done on the property without permits.

We have service by posting on the property 2/3/09, advertising in Daily Business Review 2/27/09 and 3/6/09. Certified mail and violations as noted in the agenda.

CHAIR SCHERER: Is the respondent here?

MR. BROWN: Yes.

CHAIR SCHERER: Afternoon, how are you?

MR. BROWN: Good, how are you today?

CHAIR SCHERER: Good. Please state your name and -

MR. BROWN: My name is John Brown and I'm the owner of the building at 50 Isle of Venice.

CHAIR SCHERER: Okay.

MR. BROWN: Since the last time, I looked at my options with the City as far as demolishing the building and building a new building and I looked at all my other options and I kind of came to the conclusion for many reasons that it was better

to renovate the existing building. So on March the third, I signed a contract with Bromley and Cook, which I have a copy of it, to prepare the architectural and structural drawings for the complete renovation of the building.

I have a set of the preliminary drawings that I just picked up today for the, going to be submitted within, they, I asked them for a timeframe and they said within the next month they'll have them ready to submit to the City for permit to renovate the entire building.

MR. HEGUABURO: Can you show us the contract, please, and the -

MR. BROWN: Yes.

MR. HEGUABURO: Did you put a deposit already?

MR. BROWN: Pardon me?

MR. HEGUABURO: Did you submit a deposit for the job?

MR. BROWN: Yes, yes, I've already paid them \$5,000.

CHAIR SCHERER: And they already gave you a preliminary set of plans?

MR. BROWN: Yes, I have preliminary drawings right here that I went over with them today. We're looking at all the different options of how we're going to do the renovation and whatever. And so, they're maybe, I don't know, they're pretty much into the project already.

MR. JARRETT: I'm sorry, did you give us a timeframe when you, in your opening remarks there?

MR. BROWN: I, They wouldn't tell me exactly when they would have the drawings ready and I don't know how long it takes the City, once we submit the drawings, to get the permit. So, taking those two things into consideration, as soon as I get the permit issued from the City, or get the drawings from Cook and Bromley submitted to the City, get the City to review it and make the corrections, then we'll proceed on the project as soon as that happens.

MR. JARRETT: Do you have a general contractor already?

MR. BROWN: I'm considering some of them yes. I haven't picked one as yet. I may do it myself; I've been a licensed contractor in Chicago for 35 years and so I just have to take a test here.

CHAIR SCHERER: Okay. Any other questions? It sounds like you're well on your way to where you need to be so, is there anybody -

MR. PHILLIPS: How long do you suggest an extension to provide follow-up?

MR. BROWN: You know, I don't know the answer to that. From the previous question, you asked me to tell you how long it's going to take Cook and Bromley to do the drawings and how long the City is going to take to approve the drawings and to get a permit and I'm just not that familiar with the process with the City. I did ask Cook and Bromley, and they said they'd do the best they can to get it done in the next 30

days, however, they didn't promise me that.

MR. PHILLIPS: How about your schedule? Are you down here permanently, or do you go back and forth to Chicago?

MR. BROWN: I have a big project, I'm building a large building downtown Chicago as we speak so I fly back and forth two days a week but my primary residence is over on Fiesta Way; I've lived there for 19 years.

MR. PHILLIPS: So if we set this, let's say, three months out, sort of a status, would that -

MR. BROWN: That would be fine. I would hope that we'd had the permit by then and that we're starting construction. I don't want to promise you that because I don't know how long it's going to take the -

CHAIR SCHERER: Once the permit issued, then it comes off of our thing.

MR. BROWN: Yes.

CHAIR SCHERER: So I don't have a problem with the three months.

MR. PHILLIPS: Does the City? Okay.

CHAIR SCHERER: Okay. The City would like to -

INSPECTOR FORD: Burt Ford, Building Inspector, City of Fort Lauderdale. Obviously we don't have any opposition for him to move forward. Hopefully, I don't know how feasible it is to wait for him to get his contractor's license. If we're hiring contractors and getting all that done, that's fine. I

just remember how long it took me to get mine. But absolutely, 60, 90 days I think is reasonable. I would hate to push it out too far, just to make, keep tabs on where we are.

CHAIR SCHERER: Once he receives his building permit, he has a building permit, so that takes it off of our agenda and-

MR. PHILLIPS: Yes. Mr. Chairman, I move we grant a 90-day extension of time to the, to 50 Isle of Venice LLC.

CHAIR SCHERER: Which would be the June?

MR. PHILLIPS: June meeting.

CHAIR SCHERER: The June 18 meeting. Okay, I have a motion, is there a second on the motion?

MR. JARRETT: I'll second, but I'd like to ask the motion maker if we could -

MR. PHILLIPS: Mover.

MR. JARRETT: Mover.

MR. PHILLIPS: That doesn't sound good, motion maker.
[inaudible]

MR. JARRETT: If we could ask the gentleman to have a contractor back also in 90 days. I agree with the City inspector; I know the process for a State license, you could mess with that for Lord knows how long, and I don't think the Board wants to wait that long. But you said you did have, you could -

MR. BROWN: I have three or four people that would love

to do the work so, I'm not sure that I even want to go through the process of taking the test down here.

CHAIR SCHERER: You probably have three or four hundred people.

MR. BROWN: It's just something that I considered.

MR. JARRETT: So, would you accept that amendment?

MR. PHILLIPS: I'd glad to modify my motion by providing the 90-day extension of time to the respondent and at such time, he should, he should come back with a contract with a general, licensed general contractor.

MR. BROWN: I have no problem with that.

CHAIR SCHERER: Okay. Motion and a second. Any more further discussion? None. All those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: All those opposed, nay? See you in 90 days sir.

MR. BROWN: Thank you very much.

2. Case: CE08081966

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Great States Development LLC

825 NE 17 Terrace

Case: CE08081974

Great States Development LLC

835 NE 17 Terrace

Case: CE08081993

Great States Development LLC

833 NE 17 Terrace

Case: CE08090732

Great States Development LLC

821 NE 17 Terrace

MS. PARIS: Our next respondent actually has four cases, they begin on page four. We'll do the - I don't know if you want to do them separately, if you want to do them together, but we can start with the first one.

CHAIR SCHERER: Yes, we'll probably do them together.

MR. PHILLIPS: Can we do them all together?

MS. PARIS: You want to do them the way we did the last time? I'll just read all the case numbers. The first one on page four, Case CE08081966, address 825 Northeast 17th Terrace, Great States Development LLC, care of Margolis Enterprises, Inspector Burt Ford.

Page five, Case CE08081974, case address 835 Northeast 17th Terrace, Great States Development LLC care of Margolis Enterprises, Inspector Burt Ford. Page six, Case CE08081993. The address is 833 Northeast 17th Terrace, the owner is Great States Development LLC, care of Margolis Enterprises,

Inspector Burt Ford. And page seven, Case CE08090732, the address is 821 Northeast 17th Terrace, Great States Development LLC, care of Margolis Enterprises.

This case was first scheduled for the 12/18 USB hearing which was cancelled due to lack of a quorum. Rescheduled for 1/15 USB hearing. At 1/15/09 USB hearing, they were granted a 30-day extension to 2/19/09. 2/19/09 they were granted a 30-day extension to today's hearing.

We have service by advertising in the Daily Business Review 2/27 and 3/6/09. Certified mail and violations as noted in the agenda.

CHAIR SCHERER: Thank you. Is the respondent around?

MR. MARGOLIS: Good afternoon. My name is Alan Margolis. We're progressing. This is a - this is becoming a challenge. But we have - last time I was here I gave you a copy of the environmental survey which, the environmental survey has been submitted and signed off by DEP at this point. We have tried numerous times to submit our application, which I have here, for the demolition. Seems every time that we go, we're missing something and they have something else on the checklist.

MR. PHILLIPS: Could you put that on the Nemo unit right there? Just lay it down under the -

CHAIR SCHERER: You're going for a demolition permit on all three properties?

MR. MARGOLIS: On all of them, yes.

CHAIR SCHERER: And we've been trying to get this since December, four months.

MR. MARGOLIS: Okay, here's the, [inaudible] that's the last thing they asked for which we've already taken care of. And where's my, and here's the application. We believe at this point as of yesterday -

MR. PHILLIPS: Did you submit the application yet?

MR. MARGOLIS: We can't; every time we go to submit it they tell us we're missing something else.

CHAIR SCHERER: How many times have you tried to submit it?

MR. MARGOLIS: We're going on four. On Tues -

MR. PHILLIPS: What's that permit you have in your hand?

MR. MARGOLIS: This is, well we have, we did get the, and it states that we got the sewer cap permit and it states it's for demolition and that's already been done. So we're -

MR. PHILLIPS: This was issued February 16.

MR. MARGOLIS: We're just - Which again, you need this in order to get your permit.

MR. PHILLIPS: What are the other ones underneath that?

MR. MARGOLIS: Those are for each sewer cap. There the same one; they're just different permits because -

MR. PHILLIPS: Okay. Did you show us this at the February hearing, the sewer -

MR. MARGOLIS: Not this, no, we didn't have this at that time.

MR. PHILLIPS: But they were issued the 16th.

MR. MARGOLIS: Right, but we didn't have copies of the permit because it was done through the contractor. Then, at that point, we believe the sewer cap, I think Mr. Ford said that it had been done, but I didn't have any proof of it. Actually when he -

CHAIR SCHERER: Right. Burt, you want to give us an update on it?

MR. MARGOLIS: Right. Um, okay.

INSPECTOR FORD: Burt Ford, Building Inspector. At that meeting we did say that he did had them submit, that they were or were, been approved and everything.

CHAIR SCHERER: Yes, I remember. Right.

INSPECTOR FORD: Although we are missing one sewer cap permit for one of the properties. He's got them for three of them.

MR. PHILLIPS: Burt, is a progressing to the point that another extension, you think, is appropriate?

INSPECTOR FORD: Absolutely. I think he's working forward toward it -

MR. PHILLIPS: Thirty days or sixty?

INSPECTOR FORD: What do you think?

MR. MARGOLIS: You know, I've got a be honest with you, I

hope I have it next week but if we have it -

MR. PHILLIPS: Okay.

CHAIR SCHERER: You're within 30 days.

MR. PHILLIPS: Alright, I'd like to make a motion Mr. Chairman, on Cases CE08081966 for 825 Northeast 17th Terrace and CE08081974, 835 Northeast 17th Terrace, CE08081993, 833 Northeast 17th Terrace, and finally CE08090732, 821 Northeast 17th Terrace. I like to move that we grant a 30-day extension on all four cases to allow the respondent to come in with hopefully his final permits issued.

CHAIR SCHERER: There's a motion. Second?

MR. JARRETT: I'll second, but I have some discussion and comment.

CHAIR SCHERER: Sure. Discussion.

MR. JARRETT: For Mr. Margolis.

CHAIR SCHERER and MR. JARRETT: Mr. Margolis?

MR. MARGOLIS: I'm sorry. What?

MR. JARRETT: We're, we've just made a motion for your 30-day extension, and I am in favor of your 30-day extension; I second the motion, but I am also aware that as late as three days ago, police officers roused a bunch of people out of those buildings at three o'clock in the morning because I got a call on it from a person in the neighborhood who knew I was on this Board and was questioning -

MR. PHILLIPS: I don't think we should be discussing

that.

MR. MARGOLIS: I didn't even know about it so -

MR. JARRETT: No, I'm not putting it as part of the motion. I'm just saying that I would like to see it be moved as fast as possible.

MR. MARGOLIS: Well here's what we've, we're attempting to do now. I believe now we have everything that we need, so on Tuesday we're going to attempt again to do, instead of submitting it, do an actual walk through on the permit and if so, the contractor's ready to go. But he just, right now I just found out that I seem to be missing one sewer cap permit I will get a hold of the contractor as soon as I leave here and find out why -

CHAIR SCHERER: Have you signed a contract with the demolition company?

MR. MARGOLIS: Yes, you have a copy of the contract.

CHAIR SCHERER: Okay. Okay. So I have a motion and a second, is there any other discussion?

MR. PHILLIPS: No.

MR. JARRETT: No.

CHAIR SCHERER: All those -

MR. JARRETT: I just, I would appreciate it Mr. Margolis-

MR. MARGOLIS: I appreciate that, believe me.

MR. JARRETT: You've done a wonderful job; you've done what we've asked and, you know, we have the neighborhood to

worry about too.

MR. MARGOLIS: I understand, believe me, I don't want to come back here again for this and I want it down, so -

CHAIR SCHERER: Okay, all those in favor of the motion signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: All those opposed, no? Motion passes.

MR. MARGOLIS: You want copies, these are all copies.

MR. PHILLIPS: Good luck.

CHAIR SCHERER: Thank you.

MS. PARIS: Just so you're aware, because of the way the month is working, the next hearing is actually 28 days from today.

CHAIR SCHERER: Okay.

MS. PARIS: So, I don't know if that's critical or crucial to the motion, but, just so you're aware.

MR. PHILLIPS: Alright. Let it be noted: 28 days.

MR. MARGOLIS: Thank you very much.

CHAIR SCHERER: Thank you sir.

3. Case: CE07040050

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Stark Equity Group LLC

1340 NW 19 Avenue

MS. PARIS: Our next case is an old business case on page one. It's Case CE07040050. The address is 1340 Northwest 19th

Avenue, the owner is Stark Equity Group LLC, the inspector is Wayne Strawn. This case was first heard at the 2/19 USB hearing.

At that time the USB Board granted a 30-day extension to the 3/19/09 USB hearing with the stipulation the owner return with written, detailed proposals from his general contractor and his architect and his engineer their plan for rehabilitation.

We have service by post, by advertising in the Daily Business Review 2/27/09 and 3/6/09. Certified mail and violations as noted in the agenda.

CHAIR SCHERER: Alright.

MR. ISOM: Hello, my name is Louis Isom, I'm representing Stark Equity Group.

CHAIR SCHERER: I'm sorry, you're representing the owner?

MR. ISOM: Stark Equity Group, yes, is the owner.

CHAIR SCHERER: Are you an attorney?

MR. ISOM: No.

CHAIR SCHERER: Okay.

MR. ISOM: No, I just work with Stark Equity. It's actually a company.

CHAIR SCHERER: Okay.

MR. ISOM: We have hired our engineer and architect. He did finish the complete plans today. Unfortunately, I wasn't able to get them, he was not able to get them to me

electronically, and I didn't have time to pick up the plans.

CHAIR SCHERER: Who was the name of the architect?

MR. ISOM: It's Graham Gerald Architect and Engineering.

MR. PHILLIPS: Where are they located?

MR. ISOM: They're off Griffin Road and 95. And I, he, I wanted to have those plans to bring them in today and he finished them about an hour ago, I just didn't have time to go pick them up and he wasn't able to get them to me electronically.

CHAIR SCHERER: Do you have the proposals with you?

MR. ISOM: The proposals for the plans?

CHAIR SCHERER: The proposal that shows that you hired a engineer and architect. Contract.

MR. ISOM: No, I don't have that with me. Our general contractor does have the copy of that. We're working with, it's Richel construction, is the general contractor. That's R-I-C-H-E-L. It's Michael Richel.

We've also been working with Mr. Strawn, who's the inspector. What he had asked us to do is get our engineer in there, decide first of all, if we want to move forward with it. The property has multiple problems as you can see there. After having the engineer go through twice and draw up the plans we have decided we are going to go forward with it and do whatever we need to do to get it as a safe structure and get it up to code. So that's where we're at right now.

CHAIR SCHERER: You weren't before us, you haven't, this is your first time in front of us today?

MR. ISOM: I came last time, but yes, this is my first time to actually represent the -

CHAIR SCHERER: Okay. Wayne, you want to give us an update to see how things are going?

MR. PHILLIPS: Is this, was this the one where there wasn't even a stem wall properly built on a one [inaudible] addition?

INSPECTOR STRAWN: No. When I presented the photographs and the facts regarding the case you weren't present, I don't believe. This was last month.

MR. PHILLIPS: Last month?

CHAIR SCHERER: It was first heard on 2/19. So it's two months ago.

INSPECTOR STRAWN: It's the one, it's the one that's almost completed without permits.

CHAIR SCHERER: Is there just a -

INSPECTOR STRAWN: Additions and alterations and -

MR. PHILLIPS: Okay.

CHAIR SCHERER: Is there a photo that we could just look at?

INSPECTOR STRAWN: Yes, I could show the photos.

CHAIR SCHERER: Yes, just one or two; we don't have to go through them all again, just -

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

INSPECTOR STRAWN: This was originally a building that was open and abandoned and in bad condition. At that time, several years ago, I gained access to the inside of the building and found termite damage and other problems, and the building finally was rebuilt completely, but they didn't go through the process of getting any permits. They in fact, let me see some more, there's various alterations, some of which were done before these owners bought the building and others were done since these owners bought the building.

The story, if you remember right, I believe the owner of the company was here last time, and he explained how he hired an unlicensed contractor and they took him for a lot of money. And they never got a permit, although they told him they got a permit. And the, once I got into microfilm, I found out the building had been expanded and a large rear porch had been enclosed some time ago. These are all the new work: the new windows the new stucco. This doesn't show us a great deal.

This is the addition that was added on one portion before they stuccoed it. This was some of the interior shots. What's the date on that? 2007. I believe, here's we had the panel over top of the, over top of the water heater.

CHAIR SCHERER: And the electrical box right next to the water heater. I remember this one.

INSPECTOR STRAWN: Right.

MR. JARRETT: On the top.

CHAIR SCHERER: On top of it, I remember.

MR. JARRETT: Picture seven.

INSPECTOR STRAWN: And the new windows.

MR. JARRETT: Contract [inaudible]

INSPECTOR STRAWN: Various portions of that are not even shown as, they're still shown as porch on our plans. Here, and we caught them in the process of rebuilding with the walls stripped and the drywall going up. Excuse me.

CHAIR SCHERER: Wasn't the, I think the owner was here the first time and the second time.

MR. PHILLIPS: First time -

MR. ISOM: I believe we've only been -

INSPECTOR STRAWN: Once.

MR. ISOM: Here once.

INSPECTOR STRAWN: This is a tie beam, the original plan doesn't show this expanded portion; it shows a wall that runs flush underneath that tie beam. Now that the front entranceway has been built out causing that tie beam to present a span instead of a simple tie beam.

MR. PHILLIPS: Wayne, you had raised a question about that, that the wall was actually up and support the tie beam, right?

INSPECTOR STRAWN: Yes, the tie beam that wasn't designed

as a structural tie beam. Did you see the rotten roof deck? Here we have rotten roof deck.

MR. WEYMOUTH: Were these improvements made by the current owner?

INSPECTOR STRAWN: This improvement, yes. This improvement was, because he testified that he hired a contractor who was, turned out to be unlicensed. And of course unlicensed contractors can't pull permits, so the work was all being done - the - here's the, here's the old service drop, and the service has never been upgraded it's the original service from back in the 50s.

MR. ISOM: Wayne, can I jump in?

INSPECTOR STRAWN: Sure.

MR. ISOM: The original contractor that we hired to do that, to finish that addition, actually was licensed but what had happened is, he took off with about \$5,000 worth of materials, returned to the Home Depot and took off. We're in small claims court right now. He was served with papers. He didn't show up for the pretrial hearing. Of course, we found out that he also has four other claims against him, so - Probably nothing going to come of it, but, he did have a license he just didn't pull permits.

MR. PHILLIPS: What was his name? If you remember.

MR. ISOM: I can, I think I have it here, let me see.

INSPECTOR STRAWN: You may also, you may be able to file

a criminal complaint against him.

MR. ISOM: We did, yes, we did that through Home Depot. I'm not sure where in the process that is. When we contacted Home Depot that's what they recommended we do and we did that and I'm not sure where in the process they are with that.

MR. JARRETT: The State Licensing Board.

MR. PHILLIPS: Is your general, your architect, is he aware of the problems of the electrical box being near the hot water heater, that one wall built on, appears not to be a footer, the, maybe you have to knock it all down. Are you aware it's that serious [inaudible]

MR. ISOM: He is aware of the electrical problems. And he thinks that we can fix it. Obviously it's going to take some work, but he, according, I talked to him earlier today about the plans and he drew them up. I said, now are we going to move forward with this? He said, you can definitely get all that stuff fixed, it's going to take a lot of work. But unfortunately we've already put about \$30,000 into the house. A lot of that turned out to be a bad investment, because the contractor didn't pull any of the permits that we thought he pulled and so we're kind of stuck with it right now. And we have decided to go ahead and do whatever we need to do to bring it [inaudible]

MR. PHILLIPS: Does Stark Equity have a lot of places like this you're buying, fixing up, rehabbing?

MR. ISOM: Yes, we, I think at the moment we own probably about seven properties.

MR. PHILLIPS: Do the rest of them have permits?

MR. ISOM: Yes. None of them have near the problems that this one has. I think Tim, the owner of Stark Equity explained when he purchased this property he was out of town and unfortunately his realtor really didn't tell him what was going on [inaudible]

CHAIR SCHERER: Oh, that's right, and the title insurance or something was going on with the title insurance.

MR. ISOM: Yes, he really didn't do due diligence and check out the title.

CHAIR SCHERER: And there was, these, these, these were on, these were all on the title when he, when he bought the property.

MR. ISOM: Correct.

INSPECTOR STRAWN: Yes, [inaudible]

CHAIR SCHERER: See, the reason why I'm asking these, I'm curious about this is because we gave the owner a detailed list of things to bring back. Typically, that's not done when we think certain things or the owners might be taken advantage of. It seems like, it seems like this case is a little bit different from the unaware buyer and the unaware investor.

So, through my time on this Board, we typically would give you a list of things that we would require back and to

make sure that these things are getting done.

MR. ISOM: Uh huh.

CHAIR SCHERER: And you didn't bring any of them.

MR. ISOM: Yes, I know. I was, like I said, I was planning on bringing the plans; I thought I would have them. The architect told me he would have them done for me in order to bring them in today and he did get them done. According to him, he did get them done today but just not in time, I -

MR. PHILLIPS: We've asked for the architect, the general contractor and the engineer.

MR. ISOM: The architect and engineer are one in the same, it's Graham Architecture and Engineering.

MR. PHILLIPS: Okay, I mean we, the Chairman says three specific things, and that's kind of unusual. You make it tough on us to grant any extensions if you haven't even favored us with even one of them. You had plenty of time.

MR. ISOM: Go ahead.

MR. WEYMOUTH: The plans that he prepared, are they as-builts of what has been done or are there structural modifications and -

MR. ISOM: The plans that he prepared right now are as-builts, is what has been done. We had, starting off, we had to get a survey. I guess, we didn't, I didn't realize this, but when we buy properties from the bank, they don't come with a survey, like, like properties usually do when, you know,

when you buy them that are not are REO. So the first thing we had to do was start out with getting a survey of the property and then go from there with the engineer. And the plans that he has done right now are as is.

CHAIR SCHERER: What's your position with the company again?

MR. ISOM: I work as, I'm in charge of multiple properties, stuff like this, just making sure the paper work's getting done, trying to line up contractors.

MR. PHILLIPS: Goes to County Court, goes to Code Board. You ever been at a Code Enforcement Board?

MR. ISOM: Been on one, or been in front of one? Neither actually, neither.

MR. PHILLIPS: I move we grant a 30-day extension of time giving them the benefit of the doubt as to the [inaudible] architect contractor with the same conditions. That we have to have written, detailed, stamped proposals next time. Or I'm going to recommend that we authorize the City to demolish it, if it's not done next hearing, 28 days from now.

MR. ISOM: Okay.

MR. PHILLIPS: Written, detailed proposals from your general contractor and architect and the engineer.

MR. ISOM: Okay, if I -

CHAIR SCHERER: I have a motion, is there a second on the motion?

MR. JARRETT: I'll second the motion.

CHAIR SCHERER: Okay. Any discussion on the motion? I kind of have a comment. The - well, go ahead, any other comments? I'm sure there's some. My initial thought is that this is going to come before us next time in 30 days. You're going to have a proposal from an architect and the as-builts will be done or close to being done. And then the proposal will say, we have another 45 days before we submit for permit and we give you two more months and then we come in in three months and you haven't gotten the permit yet and it's just going to be extended on and on and on. So I would say more than a proposal, have a set of drawings to submit for permit in 30 days.

MR. ISOM: Yes, and I was actually going to say that. I can definitely have the plans, also have the proposal from the general contractor.

CHAIR SCHERER: I mean, the permit, the plans that you intend to submit for permit to the City of Fort Lauderdale.

MR. ISOM: Okay. Definitely, I can do that.

MS. PARIS: [inaudible]

CHAIR SCHERER: Maybe, yes, I would recommend that we amend the motion to include: provide the permitted-ready set of documents.

MR. PHILLIPS: Alright. I'd like to amend the motion as the Chairman has suggested that we, 30 days, but they provide

not only the written, detailed proposals from his general contractor and architect, and engineer, but plans prepared, ready to be submitted to the City.

MR. ISOM: Okay.

MR. PHILLIPS: Sealed by the architect.

CHAIR SCHERER: Motion, is there a second on the motion?

MR. JARRETT: Second.

CHAIR SCHERER: Any discussion on the motion? No discussion. All those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: All those opposed? Motion passes, see you in 30 days, 28.

MR. ISOM: Thank you.

MR. PHILLIPS: You might want to bring your, you might want to bring your principle back here.

MR. ISOM: Okay.

MR. PHILLIPS: Who has the full authority to deal with this.

CHAIR SCHERER: Especially if it's not [inaudible]

MR. PHILLIPS: Because it's not really fair for you, I mean, you're his field lieutenant doing a good job and you should be thankful you were so persuasive today.

MR. ISOM: 28 days? It's not 30 days?

CHAIR SCHERER: It is the March - no, I'm sorry - the May - April

MS. PARIS: April.

CHAIR SCHERER: 16th.

MS. PARIS: April 16th, April 16th, yes.

CHAIR SCHERER: April 16th.

MR. ISOM: Okay, thank you.

CHAIR SCHERER: Alright, next case.

4. Case: CE08010743

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Timothy Gonyer

1210 SW 29 Street

MS. PARIS: Our next case on page 2, this is an old business case, Case CE08010743. The address is 1210 Southwest 29th Street The owner is Timothy Gonyer, the inspector is Gerry Smilen.

We have service by posting on the property 1/21/09, advertising in the Daily Business Review 2/27/09 and 3/6/09. This case was first heard at the 11/20/08 USB hearing, at that time the Board granted a 30-day extension to the 12/18/08 hearing. The 12/18/08 USB hearing was canceled. This case was rescheduled for the 1/15/09 hearing. The 1/15/09 hearing, the Board granted a 60-day extension to 3/19/09 with the stipulation the owner return to inform the Board of the plans for the property, the property must be secure within five days to inspector Smilen's satisfaction. The order was recorded.

We have service, also certified mail and violations as

noted in the agenda. While the owner is not here, we do have a representative of U.S. Bank, an attorney, who wishes to speak as an interested party.

CHAIR SCHERER: Okay.

MR. PHILLIPS: Are you an attorney?

MR. FROMMER: I am an attorney.

CHAIR SCHERER: They don't need to be sworn in.

MR. PHILLIPS: What did you say, Mr. Chairman? Did I hear him say, did I hear you say that the lawyers need not be sworn in? Hallelujah.

MS. WALD: Swear him in.

MR. PHILLIPS: I've been arguing at the Code Board for seven years. You're the first person to know that.

CHAIR SCHERER: That's because I'm a member of the bar as well.

MS. PARIS: That was my error. The property did change hands on March 9th. It's still listed under the old owner, but the bank to take it back on March 9th.

CHAIR SCHERER: Okay.

MR. PHILLIPS: Now he has to withdraw because he's [inaudible]

MR. FROMMER: Members of the Board, Peter Frommer on behalf of U.S. Bank, my information actually is that the foreclosure went through on February 24th of '09. Obviously, the property is listed on your agenda as being owned by Mr.

Gonyer, which is not the case anymore. I understand the Board had previously given a 90-day extension for the property owner at the time to bring the property in compliance or advise otherwise.

I was advised yesterday by U.S. Bank, the current owner, that they're requesting 90 days to bring this property into compliance. I've spoken with the inspector here today, I understand the property is now secured. There was a tenant on the property on the day that we took possession of the property on the 25th of February, we did have a property securing unit, Attends, arrive at the scene, cut the grass, try to begin to assess the violations that were on the property. But there was a tenant on the property at the time.

My understanding as of last night is that the tenant has vacated the premises. I'm not here representing to the Board that U.S. Bank has decided what to do with the premises. They have not made that decision yet. I have spoken with inspector Smilen today and I intend to make an appointment with him to go visit the premises, get it opened up and assess it for my client about what they want to do. In all likelihood, they're going to make a decision well before the 90 days about whether or not to just demolish the premises if it's not worth the investment of funds to bring it up to compliance.

CHAIR SCHERER: Well, so, how long has US Bank owned it?

MR. FROMMER: They've owned it since February 24th of '09.

And I know the order was entered, the order of extension was entered January 15th of '09, but again, on the date that order was entered, U.S. Bank didn't even own the property. So they were unable, as not being the title owners, even do anything if they wanted to do something with the property.

CHAIR SCHERER: Well, and they still haven't decided what they want to do with it?

MR. FROMMER: Well, I don't think, aside from the visits that they've done since they took over the property, I don't think they've been able to bring an engineer and have somebody evaluate the numerous violations and decide whether or not it's cost effective or not. They do understand that they need to make that decision very quickly.

They've asked me to ask you all for a 90-day extension on this. Certainly whatever -

CHAIR SCHERER: My general feeling is that you don't need 90 days to decide what you're going to do with the place. You should be able to know within the next 28 with what you're going to do with this property. And I know banks are not very urgent to get, make decisions these days, but maybe this is one that they will. So, but any other discussion?

MR. JARRETT: That's been the Board's experience with foreclosures, is that we grant the, if we grant the long extensions, at the end of the extensions nothing's happened other than the bank has tried to sell the property. I'm

inclined to agree with the Chairman that a much shorter period of time is, is all you would require to determine what you need to do.

CHAIR SCHERER: Okay, is there a motion? Okay.

MR. JARRETT: I'm ready to make a motion. I'll make a motion to grant - oh, I'm sorry.

CHAIR SCHERER: The City, [inaudible] to hear from Gerry.

INSPECTOR SMILEN: Good afternoon, Board.

MR. JARRETT: Pre-empt you there.

INSPECTOR SMILEN: I thought you guys forgot about me. Gerry Smilen, City Inspector for the City of Fort Lauderdale. At this point, I haven't been to the property recently, so I can't really confirm whether the tenant has vacated the property or not. I'll have to determine that tomorrow or the, or next week, whether he's not there.

Last time I was there, I did meet the lawn cutting and maintenance crew to make sure that this tenant wasn't going to stop them from maintaining the property, and he wasn't there so they were able to maintain the property.

The house was secured. It was not open and abandoned like it was before, so at this point the City would have absolutely not a problem supporting a 28-day extension.

CHAIR SCHERER: Okay.

INSPECTOR SMILEN: Also, just to set the record straight, Timothy Gonyer never made any motion for an extension; it was

Karen Black-Barron, who was an attorney representing the bank at that time, that made that motion.

MR. PHILLIPS: Is this behind St. Jerome's by a couple blocks?

INSPECTOR SMILEN: St. Jerome's?

CHAIR SCHERER: It's down around [inaudible]

MR. PHILLIPS: South of, south of 84 and -

INSPECTOR SMILEN: South of 80 -

MR. PHILLIPS: - west of ninth?

MR. WEYMOUTH: Yes.

INSPECTOR SMILEN: Yes, yes.

MR. PHILLIPS: It's a nice neighborhood in there.

INSPECTOR SMILEN: If you look at the violations -

MR. PHILLIPS: What was the amount of the final judgment?

MR. FROMMER: I was told that the final judgment was February 24th.

MR. PHILLIPS: I said how much, what was the amount, does it tell you?

MR. FROMMER: Don't know, I don't have copies of it; I was notified of this last evening so -

MS. WALD: I have it, hold on.

MR. PHILLIPS: The main problem was that the -

MS. WALD: 252,942.50.

MR. PHILLIPS: The main problem was that the back use was converted illegally correct? It was only a little shed?

INSPECTOR SMILEN: Yes, that's correct. It was not approved for double occupancy on that property. And that was originally an auxiliary building, nonconforming. That was just supposed to be there for storage; there's a kitchen and bathroom facilities in there now.

MR. FROMMER: Just to be clear, before the Board rules, is the 30 days or 28 days that the Board is considering the time in which to advise this Board how we're going to proceed? It's not time in which to submit the plans to remedy -

CHAIR SCHERER: Well, we haven't made the motion just yet so, but you're giving us some good ideas of what is in the motion.

MR. FROMMER: Sounds good.

CHAIR SCHERER: Alright. I think we're ready for a motion.

MR. JARRETT: I would like to make a motion that we extend, or give an extension of 28 days to this case and that in 28 days that you either return with A) a conclusion you're going to demo the building and some progress along that way such as a letter or a contract from a demo contractor. If not that, if you decide to keep the building, rehab the building, then we need to have a contract from an architect or engineer, stating that they have been retained to do this. And that would be the only two conditions that I would put on, actually one or the other.

CHAIR SCHERER: Okay. I have a motion, is there a second on the motion?

MR. PHILLIPS: Second.

CHAIR SCHERER: Any discussion on the motion? I think that's a good motion; I think it's, it will definitely get someone's attention, because that's typically what we would do with anybody that was not a bank and doesn't have the means that a normal bank would have anyway, so. I know banks take a little bit longer to do things so, is there no more discussion? And seeing no more, all those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: All those opposed? Motion carries to the April 16th. Thank you.

5. Case: CE08050790

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HGMC Finance Inc

3644 SW 21 Street

MS. PARIS: Okay, we'll skip to page nine. This is a new business case, Case CE08050790. The address is 3644 Southwest 21st Street, the owner is HGMC Finance Inc., the Inspector is Gerry Smilen. We have serviced by posting on the property 2/5/09 advertising in the Daily Business Review 2/27/09 and 3/6/09, certified mail as noted in the agenda.

CHAIR SCHERER: Okay.

INSPECTOR SMILEN: Gerry Smilen, Fort Lauderdale Building Inspector presenting Case CE08050790, 3644 Southwest 21st Street.

My first inspection on the property was on 12/5 of '08, at this time the following violations were cited.

CHAIR SCHERER: Do we need to read these in? I thought we stopped reading them in and we were just going to go over with you the photos and give us your [inaudible]

INSPECTOR SMILEN: You know, you're really stealing my thunder here.

CHAIR SCHERER: I know. I know.

MR. PHILLIPS: You say, violations exist as stated.

MS. WALD: That's what you're going to introduce is the NOV. Sorry Gerry, they don't want it.

MR. JARRETT: Taking away your 15 minutes of fame.

MR. PHILLIPS: [inaudible]

INSPECTOR SMILEN: Okay, I'd like to submit the NOV to the Board.

CHAIR SCHERER: Okay.

INSPECTOR SMILEN: With the violations as stated. Okay, you guys messed me up. I'd also like to enter into evidence the following pictures.

CHAIR SCHERER: I mean, you can summarize it. You know, as we're going through the photos, you can say the building, I mean, it's vacant, it doesn't - you know, just, you don't have

to go through the process of reading every single word in Florida Building Code 117.2. -

INSPECTOR SMILEN: Well, I'm trying to make an emotional recovery here so, bear with me.

CHAIR SCHERER: You're doing okay right now.

[Inspector Smilen displayed photos of the property on the Elmo]

INSPECTOR SMILEN: Anyway, we've got right here, here is the frontal view of the building, we do have it, I did put some tape on there to try to keep people out. This building was severely damaged by fire, and also I guess, a casualty of a lack of maintenance. Next picture, please. Thank you picture man.

Okay. Up here we've got, this is the front porch overhang. As you can see, there's quite a bit of damage and sagging and failing structural members. We go up here, if you'll notice, these are the supports of the carport here. You'll notice that they have completely leaned and are out of plumb there. So this is definitely a hazard. Next picture, please.

Okay, here is some more evidence of structural damage. Here you can see there's damage to these beams up here on the same overhang. This piece right here is supposed to be level and obviously it's not, because of the roof sagging and collapsing, pushing that member down.

Here's another picture of the leaning beam. The whole, this whole beam here had actually moved. I don't know if something hit it or what happened, but it's not even in the place of original bearing for that structural integrity of that part.

Here's another look at it right here. You can actually see here there's areas that are unpainted, or it might have been at one time. Another picture of that beam that's showing the support or barely supporting, I should say.

At this point, the house is open, this door is the side door of the house and you can see the fire damage inside the house. This is areas of deterioration from lack of maintenance. The roof probably hasn't been re-roofed in quite some time. This is more evidence of deterioration here as these beams are rotting away. And this is an attempt at a boarding up one window over there with some structural cracks. Not the approved board-up method for sure.

MR. HEGUABURO: Gerry, what do you recommend to the Board?

INSPECTOR SMILEN: Demolition.

MR. HEGUABURO: Demolition.

CHAIR SCHERER: Is there a respondent here? Is this the Grand Cayman respondent?

INSPECTOR SMILEN: No, no respondent.

MR. PHILLIPS: Mr. Chair, I'd like to make a motion.

CHAIR SCHERER: Okay.

MR. PHILLIPS: Move that we find the violations exist as alleged and that we order the property owner to demolish the structure within 30 days, we order the City to demolish the structure should the property owner fail to timely demolish. Such demolition to be accomplished by a licensed demolition contractor pursuant to a City issued demolition permit.

CHAIR SCHERER: I have a motion, is there a second?

MR. HEGUABURO: Second.

CHAIR SCHERER: Alright, any discussion? None. All those in favor signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: Opposed? Motion passes.

MS. PARIS: Our next case is on page 10. Case CE08061887. The address is 1321 Southwest 22nd Terrace; that case is withdrawn.

6. Case: CE08071025

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Harry J. Scanlan Jr.

1536 NW 5 Avenue

Our next case is on page eleven is a new business case. Case CE08071025, the address is 1536 Northwest 5th Avenue. The owner is Harry J. Scanlan Jr., the Inspector is Wayne Strawn. We have service by posting on the property 2/10/09,

advertising in the Daily Business Review 2/27/09 and 3/6/09, certified mail as noted in the agenda.

INSPECTOR STRAWN: Wayne Strawn, City Building Inspector, with regard to 1536 Northwest 5th Avenue. I present to the Board the Notice of Violations that documents the violations that exist on the property and I'd like to also present as evidence the photographs.

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

This is the front view of the property. The fence was built without a permit and I think it's been there a long time. And it afforded the owners of the property in years past to do anything they pleased without getting any permits. The photos I'm going to show you show that a building inspector hasn't been behind that fence for many years.

This is a canvas carport structure, which was built without a permit. This is the edge of the canvas carport structure. This is a wall, the rear wall and the side wall are freestanding, wood frame walls that are just used to enclose the canvas carport structure.

Yes, this is a demonstration what I mean, there's your end of your 2 x 4 and there's your freestanding framed and stuccoed wall. And we have some rigged-up wiring. The advertisement on the outside of the fence says that the man who lived there was an electrician.

This is your panel inside the building without a permit.

CHAIR SCHERER: Oh my God. Is there still power, is this occupied?

INSPECTOR STRAWN: The power has been cut here.

CHAIR SCHERER: Okay. Was it occupied?

INSPECTOR STRAWN: No. This is foreclosed.

CHAIR SCHERER: Okay.

INSPECTOR STRAWN: This just shows the new windows that were installed. It's hard to get the camera angle on that. And this is a mast which holds exterior lighting.

This is the rear view of the house now. This wall is a frame wall; the plans we show it was a masonry wall. We also have a plan for a large addition on the back, which has been removed and demolished without a permit. Now we have some Smurf, they call this pretty blue, pretty blue conduit that they use. A new window install.

This is the corner of what used to be, was identified on the property appraiser and our plans as a Florida room. When they demoed the Florida room, the service mast was here on the corner. So they didn't demolish that, they left that and they guy wired it up and then went underground back over to the house.

That's the same Smurf we got in the other picture. As we said he was an electrician.

MR. JARRETT: Now it's a hazard

INSPECTOR STRAWN: They had evidently a great deal of plans for more work, because we see some tied mats and piles of rebar. This is the pavilion I referred to that is falling down, that was attached there close by, where the service or the old service drop is.

This is the green pool. The green pool was installed without a permit. This is the rear yard where another canvas structure was, the other side of that freestanding wall. And if we look inside that canvas structure on the end of the building we'll see a - oh, here it is - will see a nice water feature. And I neglected to cite that as also being black, and a health hazard. I don't know if it's a fish pond or wading pond. There's a close-up view of our famous service drop, service drop, service mast.

This is the pool piping. When you don't get a permit, you don't have to bury it.

MR. JARRETT: That saves a lot of time.

INSPECTOR STRAWN: This is another angle of the, and here's the inside of the building. This is a, this is not a truss-designed house, it's a framed roof system, and there was a beam up in here, and it ended here, but they tore out the wall that supported it. So I have no idea how they contrived to support the frame roof since they opened up the floor plan a great deal, also removing a wall over on the other side.

There, this shows where the, this is submitted a long

time ago for the plan for the addition on the back which was subsequently demolished, and another addition, which was also demolished. That's all there is, all right.

The City is, I met with some representatives that do the contract work for the bank that owns it. And they, when I was there, they secured the building, that is, they locked the door so it's not easily, so easily entered anymore.

MS. WALD: The bank does not own it.

INSPECTOR STRAWN: Oh, the foreclosure isn't complete?

MS. WALD: No.

INSPECTOR STRAWN: Oh, that's interesting. So, they suggested that they would recommend after going over everything, they're going to recommend to whoever ends up owning it, in this case it looks like the bank, that it be demolished. The City is asking for motion, for a order to demolish.

CHAIR SCHERER: Alright, thank you Wayne.

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

CHAIR SCHERER: Alright, a motion, is there a second?

CHAIR SCHERER: Any discussion? None. All those in favor, signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: Motion passes.

MR. PHILLIPS: Last one? We've got one more maybe.

CHAIR SCHERER: Wayne would still be reading if we had to read all those in. Holy -


MS. PARIS: Our last case is on page 14. Case CE08092184. The address, 1701 Northwest 22 Street. The case is withdrawn. That is the last case, we have on our agenda. Gentlemen, thank you for your time.

CHAIR SCHERER: Excellence. Thank you.

[Meeting concluded at 4:01 p.m.]



BOARD CLERK



JOHN SCHERER, CHAIRPERSON

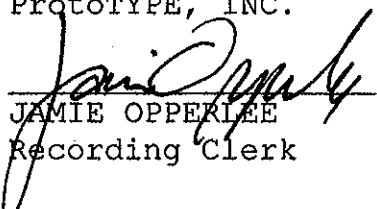
Minutes prepared by: J. Opperlee, Prototype Services

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held March 19, 2009, 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 March, 2009.

ProtoTYPE, INC.



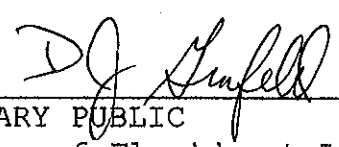
JAMIE OPPERLEE
Recording Clerk

SWORN TO and SUBSCRIBED before me by JAMIE OPPERLEE who is personally known to me and who signed the foregoing for the purposes therein expressed.

DATED this 25 day of March, 2009.



D.J. GROSSFELD
MY COMMISSION # DD 667809
EXPIRES: April 26, 2011
Bonded Thru Budget Notary Services



NOTARY PUBLIC
State of Florida at Large

Notarial Seal: