

**CITY OF FORT LAUDERDALE  
UNSAFE STRUCTURES BOARD  
THURSDAY, JUNE 18, 2009 AT 3:00 P.M.  
CITY COMMISSION MEETING ROOM  
CITY HALL**

<u>Board Members</u>	<u>Attendance</u>	<b>Cumulative Attendance 10/08 through 9/09</b>	
		<b>Present</b>	<b>Absent</b>
John Scherer, Chair	P	6	2
John Phillips, Vice Chair	P	6	2
John Barranco	A	5	3
Joe Crognale	P	1	0
Pat Hale	P	7	1
Hector Haguaburo	P	5	3
Joe Holland	P	7	1
Thornie Jarrett	P	8	0
Michael Weymouth	P	5	0

**City Staff**

Lori Grossfeld, Board Secretary  
Ginger Wald, Assistant City Attorney  
Burt Ford, City Building Inspector  
Wayne Strawn, City Building Inspector  
Dee Paris, Administrative Aide  
Lindwell Bradley, Code Enforcement Supervisor  
John Heller, Acting Assistant Building Official  
J. Opperlee, ProtoType Inc. Recording Clerk

**Communication to the City Commission**

None

**Witnesses and Respondents**

CE07021325: Hope Calhoun, Attorney; Allen Kozich, Engineer  
CE09032197: Al Jackson, Owner; John Scott Conner,  
Architect  
CE08101034: John Brown, Owner  
CE07050197: Ana Catania, Owner; Alberto Barboza, Architect

<u>Index Case</u>	<u>Respondent</u>	<u>Page</u>
<b>1. CE07021325</b> Address: Disposition:	<b>Jungle Queen Inc</b> 2470 Southwest 21 Street 120-day extension to 10/15/09. Board approved 7 - 0 with Chair Scherer recusing himself.	<u><a href="#">3</a></u>
<b>2. CE09032197</b> Address: Disposition:	<b>Al Preston Jackson</b> 1800 Northwest 3 Court 60-day extension to 8/20/09. Board approved 8-0.	<u><a href="#">13</a></u>
<b>3. CE08101034</b> Address: Disposition:	<b>50 Isle of Venice LLC</b> 50 Isle of Venice 120-day extension to 10/15/09, with the recommendation that the owner secure the property against current windstorm threats with all due diligence as observed by City staff. Board approved 8-0.	<u><a href="#">16</a></u>
<b>4. CE07050197</b> Address: Disposition:	<b>Anthony &amp; Ana Marie Catania</b> 1636 NW 5 Avenue 30-day extension, owner to arrange a meeting with the Building Inspector at the house to determine its safety and that the respondent at the July hearing be knowledgeable about the property. Board approved 8-0.	<u><a href="#">23</a></u>
<b>5. CE09050243</b> Address: Disposition:	<b>Nettie Dwight</b> <b>1030 NW 25 Avenue</b> 30 days to demolish or the City will demolish. Board approved 8-0.	<u><a href="#">38</a></u>
<b>Board Discussion/ For the Good of the City</b>		<u><a href="#">42</a></u>

The regular meeting of the Unsafe Structures Board convened at **3:02** p.m. at the City Commission Meeting Room,

City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

**All individuals giving testimony before the Board were sworn in.**

**Approval of meeting minutes**

**Motion** made by Mr. Holland, seconded by Mr. Phillips, to approve the minutes of the Board's May 2009 meeting. Board unanimously approved.

**1. Case: CE07021325**

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**Jungle Queen Inc**

**2470 Southwest 21 Street**

MS. PARIS: Thank you. Our first case will be on page one and I believe we will have a quorum including the people who will recuse themselves. CE08 - correction, CE07021325, the inspector is Wayne Strawn, the address is 2470 Southwest 21st Street. The owner is Jungle Queen Inc.

We have service, personal service 6/5/09, advertising in the Daily Business Review 5/29/09 and 6/5/09. Certified mail as noted in the agenda. Violations as noted in the agenda. Do you want me to read in the whole history or should we just notice in the agenda? It's up to you.

CHAIR SCHERER: I, I don't think so, but for the new member maybe we can just give a brief overview, someone? Yes,

go ahead.

MS. PARIS: Sure. This case was first heard at the 6/21/07 USB hearing, at that time the Board granted a 90-day extension to the 9/20/07 USB hearing with staff's continued weekly monitoring. At the 9/20/07 USB hearing the Board granted a 90-day extension to 12/20/07. At the 12/20/07 USB hearing the case was continued to the 1/17/08 USB hearing, we did not have a quorum. At the 1/17/08 USB hearing the Board granted a 90-day extension to the 4/17/08 USB hearing.

At the 4/17/08 USB hearing the Board granted a 90-day extension to the 7/17/08 USB hearing. At the 7/17/08 USB hearing the Board granted a 90-day extension to the 10/16/08 USB hearing. Board members John Scherer and John Barranco abstained from voting. At the 10/16/08 USB hearing the Board granted a 60-day extension to the 12/18/08 USB hearing. The 12/18/08 USB hearing was canceled. This case was rescheduled for the 1/15/09 USB hearing.

At the 1/15/09 USB hearing the case was deferred to the 2/19/09 USB hearing due to lack of a quorum. At the 2/19/09 USB hearing the Board granted a 90-day extension to the 5/21/09 USB hearing, Board members John Scherer and John Barranco abstained from voting and at the 5/21/09 USB hearing the case was deferred to the 6/18/09 USB hearing due to lack of a quorum.

So, we have abstentions?

CHAIR SCHERER: Okay, alright, I think we can probably hear the respondent and - so, really quickly, before we get started, do I need to recuse myself from this? Do you know, Ginger, or?

MS. WALD: Ginger Wald, Assistant City Attorney, since we have a quorum without you -

CHAIR SCHERER: Okay.

MS. WALD: - and you've recused every single other time, why don't - for just safety concerns, even though I do have the opinion here - recuse yourself and then the rest of the Board can hear the case since we have enough. Where all the other times we weren't able to.

CHAIR SCHERER: Okay.

MS. WALD: Thank you.

MS. CALHOUN: Good afternoon Board. Hope Calhoun here on behalf of the applicant. Mainly for the new member, just by way of history: this is the Jungle Queen property and it had a number of, obviously, violations. One of the easiest ways, honestly, that could have been - one of the easiest things that could have been done to repair this would really just be to tear it down and start over.

We couldn't do that in this case because the Jungle Queen has been in existence for so long at this time it's a nonconforming use, meaning if they tore it down, he wouldn't be able to rebuild because it's not permitted in the current

zoning district. But the code does allow repairs as long as the entire structure's not torn down. Hence, we have to make repairs bit by bit, little by little, which is why we've been here for so long.

So, the good news is, we are now in, permits have been submitted - excuse me, plans have been submitted to the City of Fort Lauderdale. Plans were submitted and we got comments back very recently and we are now responding to comments hoping to resubmit hopefully by next week which will then, as you know, take further review, maybe come back out for more comments. So we anticipate going back and forth maybe for a few more months.

To that end I'm asking for an extension of time for 120 days just so we can go through the process. You know, summer is here now and people are going to be out and things, it might take a little bit longer. But we're much closer than we were in the beginning; at least plans are now in with the City of Fort Lauderdale. With that I'll just stay to answer additional questions.

CHAIR SCHERER: Board have any questions?

MR. HOLLAND: How many line items do we have remaining?

I -

MS. CALHOUN: Remaining?

MR. HOLLAND: Excuse me?

MS. CALHOUN: I was just listening to your question.

MR. HOLLAND: How many line items, I'm sure you resolved a lot of these that were listed in the original citing. Just curious how many line items remain; does anybody here know?

MS. CALHOUN: Wayne, Wayne can give you that - Allen?

MR. KOZICH: Actually, there's one item that's major that's the fire alarm system which has a voice evac system because of the occupancy capacity of the, of the commissary and the eating area.

MR. HOLLAND: Okay, and that's a major; there are others?

MR. KOZICH: Actually all the other ones have really been corrected and we are going to be putting a fire sprinkler system in the building also. Actually, it's a structure, really because it's all open around the perimeter of it.

MR. HOLLAND: Thank you.

MR. JARRETT: I don't think Allen stated his name for the record.

MR. KOZICH: I'm sorry, Allen A. Kozich, I'm one of the architectural engineer.

CHAIR SCHERER: Okay, Wayne.

INSPECTOR STRAWN: Wayne Strawn, I concur that a permit, plans have been submitted under permit application 09040996. They went back out for corrections on May the 12<sup>th</sup>.

What happened was, the plan reviewer identified a major correction with regard to the elevation of the site and he stopped making any further review of the plans at that point

until that issue could be resolved. And there has been meetings between the designers and the Building Department, that issue looks like it's going to be resolved.

But because he stopped reviewing the plans there may be, there may be another whole group of corrections that the plans, that may have to be addressed on the plans, so that's why I have no opposition to a 120-day extension.

CHAIR SCHERER: Jack, I pass to you.

MR. PHILLIPS: If any more questions from the Board? If anyone would like to make a motion?

MR. HOLLAND: Excuse me, one more question: and we're secure for storm season in your opinion Mr. Strawn?

INSPECTOR STRAWN: Wayne Strawn, City Building Inspector, we're still getting weekly reports from Chaiban engineering with regard to structural integrity because the facility is open, and that was a requirement made by the Building Official. We're still getting those reports.

MR. PHILLIPS: Wayne, can I ask a question? You say elevation, and we're talking like elevation on an elevation certificate for the -

INSPECTOR STRAWN: Sea level, correct.

MR. PHILLIPS: Okay, it's not like an elevation on an architectural plan.

INSPECTOR STRAWN: No, no. We're talking about the grade elevation of the project.



MR. PHILLIPS: Is there a minimum elevation this must have -

INSPECTOR STRAWN: Yes.

MR. PHILLIPS: - that it can never reach?

INSPECTOR STRAWN: Well, it's, there's going to be [inaudible]

MR. PHILLIPS: I mean, if it says you have to be 15 feet above sea level for something like this -

INSPECTOR STRAWN: Right, I think it's 7 feet.

MR. PHILLIPS: - and they're 3 feet above the water line, then -

INSPECTOR STRAWN: I'll let Allen explain how that's being -

MR. PHILLIPS: Are they going to bring in 800 truckloads of fill, like they do on -

INSPECTOR STRAWN: I'll let the designer explain how that's, how we're going to work that out.

MR. PHILLIPS: That seems like a major, if that, if the rest of them are: the decks and the electrical and the safety and keeping them down from wind and ADA and fire and septic and, those are things which I had been under the impression were maybe, maybe many in number, but were things that were being been dealt with in seriatim fashion.

But if they're saying elevation, if they can't correct the elevation, for example, how could they ever go ahead and

do the rest of this, unless it's built on hundred year flood pilings or something. So I think the sooner we learn that is really fair to us as we continue to have granted extensions over the years, I mean this goes back to the Code Board, [Inaudible] Board.

MR. KOZICH: Actually, that problem, that problem actually had been resolved with the other Building Official.

MR. PHILLIPS: Oh, it has?

MR. KOZICH: But the new Building Official that came on and the plans examiner weren't up to speed on it. But where the eating area is actually an open structure, so it doesn't have to comply with FEMA hundred year floodplain requirement, and they didn't realize that. And so, after they reviewed it then it was okay. And also we made provisions for the kitchen is going to be below the hundred year floodplain but we've waterproofed a foot above the water, that floodplain requirement in the kitchen area because we couldn't raise the kitchen up three more feet, three plus more feet because otherwise you'd have to have steps going up there.

So we have it all resolved, it's just a matter of, he stopped it prematurely and we just need to go back and revisit it again. But everything else, the plumbing, MEP, my fire protection and structural, all that's, and the architectural's all been taken care of. But we're probably going to have some comments coming back on the structure.

MR. PHILLIPS: Is this, is any, this is the first time I heard elevation being an issue.

MS. HALE: Um hum, yes.

MR. PHILLIPS: Did, I mean, I don't even think, is that even listed?

MS. HALE: I remember that even back in Code. When we heard this case.

MR. PHILLIPS: Well, I mean it's not in the Notice of Violation. Grandfathered in.

MR. JARRETT: Well, I think that the reason we didn't, it wasn't an issue is because of what Allen said, that the fact that the previous Building Official - we just changed Building Officials, and the previous Building Official had already approved the elevation and it was just a question in the mind of the new Official so -

MR. PHILLIPS: Pat, you have something to say?

MS. HALE: Well, why isn't there a carryover from one Building Official to the next?

MR. PHILLIPS: Good point.

MS. HALE: I mean, this is rather ridiculous; if you already had the approval -

CHAIR SCHERER: We have someone here that can answer that question.

MS. HALE: - from one Building Official and he retires, it's the same thing as we had -

CHAIR SCHERER: We have someone here that can answer that question after the meeting.

MS. HALE: Okay.

MR. PHILLIPS: Who can answer that?

MS. HALE: Yes.

CHAIR SCHERER: We have a Building Official here that we can ask questions to afterwards, so we can move this item along, we can -

MR. PHILLIPS: Okay. Would anyone like to - anyway, I don't think we're going to resolve that today. Anyone like to make a motion?

MR. JARRETT: I'm ready to make a motion.

MR. PHILLIPS: Go ahead.

MR. JARRETT: I make a motion that we give the respondent an extension of the 120 days as requested, and I believe that goes to the October 15<sup>th</sup> meeting.

MR. PHILLIPS: Anyone, Joe, would you like to second that?

MR. CROGNALE: Second it, please.

MR. PHILLIPS: Okay. Any further discussion? There being none all in -

MR. HOLLAND: Is that September or October?

MR. JARRETT: Did I count wrong?

MR. JARRETT: October, correct, 120 days?

MR. PHILLIPS: There being no discussion, all in favor of

granting -

MS. PARIS: October is 120.

MR. PHILLIPS: October is 120. All in favor of granting a 120-day extension, signify by saying aye.

BOARD MEMBERS: Aye.

MR. PHILLIPS: All opposed? Motion carries.

MS. CALHOUN: Thank you.

MR. KOZICH: Thank you.

CHAIR SCHERER: Alright, next case.

## **2. Case: CE09032197**

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### **Al Preston Jackson**

#### **1800 Northwest 3 Court**

MS. PARIS: Our next case will be on page six. This is also an old business case. Case CE09032197, the inspector is Wayne Strawn, the address is 1800 Northwest 3<sup>rd</sup> Court. We have service by post - the owner is Al Preston Jackson.

We have service by posting on the property 6/4/09, advertising in the Daily Business Review 5/29/09 and 6/5/09. Certified mail as noted in the agenda, violations as noted in the agenda.

This case was first heard at the 5/21/09 USB hearing. At that time the Board granted a 30-day extension to the 6/18/09 USB hearing with the stipulation that the owner return with his plans and architect and to remove debris from the property

to the Building Inspector satisfaction.

MR. CONNER: Hi gentlemen, ladies. I'm Scott Conner and I'm the architect for the plaintiff. I work here in Fort Lauderdale, Arc Urb Design Build Inc. and I provided actually Mr. Preston with the plans this morning and he has them in hand and he's ready to pull his sub permit requests to submit it for permit within the next day or two.

CHAIR SCHERER: So do you have, did you bring a copy of the plans with you? Okay.

MR. CONNER: Yes we did.

CHAIR SCHERER: Maybe if one of the architects on the Board or somebody want to take a look at those?

MR. HOLLAND: Yes, I'll take a look.

CHAIR SCHERER: And has all the debris from the property been removed to - is Wayne on this one? Yes.

MR. JACKSON: Yes.

CHAIR SCHERER: All of the debris has been removed to your satisfaction from the property?

INSPECTOR STRAWN: Yes, we don't have a problem with that.

CHAIR SCHERER: Okay. And you're submitting for permit when?

MR. JACKSON: I'm Al Jackson, it's going to be some time the first of next week. I have to get some just subcontractors.

CHAIR SCHERER: Are you, are you doing it yourself? Is it owner/builder?

MR. CONNER: Yes he is.

MR. JACKSON: Yes. Thank you.

CHAIR SCHERER: And you're asking for an extension?

MR. CONNER: Yes sir.

MR. JACKSON: Yes.

CHAIR SCHERER: How much time you need?

MR. CONNER: With the Building Department process, the standard time is 30 days. I would estimate you need probably 60 days for if they come back with any review comments, they be addressed and handled and within 60 days you get permit in hand to start construction.

CHAIR SCHERER: So, a 60-day extension. Is there any questions from the Board, or -

MR. WEYMOUTH: Was this the case that we heard last month that had the shared roof and the common, the party wall?

MR. CONNER: No sir.

MS. HALE: No.

MR. CONNER: Single-family residence.

MR. JARRETT: Let me ask the Building Inspector.

CHAIR SCHERER: Sure, Wayne, I think someone's got, we got, Thornie's got a question for you.

MR. JARRETT: Does the City agree with that?

INSPECTOR STRAWN: Yes, I don't have any objection. I'm

sure he's anxious to get his project going as we are.

MR. JARRETT: I'm ready to make a motion.

CHAIR SCHERER: Okay.

MR. JARRETT: I make a motion that we give the respondent a 60-day extension to the - let me put my glasses on - August 20<sup>th</sup> meeting, which should be sufficient time for you to do this.

MR. CONNER: Yes, absolutely.

MR. WEYMOUTH: Second.

CHAIR SCHERER: Okay, there's a motion, there's a second. Any discussion on the motion? No questions. All those in favor?

BOARD MEMBERS: Aye.

CHAIR SCHERER: Those opposed? Motion carries, see you in 60 days.

MR. CONNER: Thank you.

**3. Case: CE08101034**

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**50 Isle of Venice LLC**

**50 Isle of Venice**

MS. PARIS: Our next case will be on page four, this is an old business case, Case CE08101034. The inspector is Burt Ford, the address is 50 Isle of Venice, the owner is 50 Isle of Venice LLC.

There was service by posting on the property 4/6/09,



advertising in Daily Business Review 5/29/09 and 6/5/09. Violations and certified mail as noted in the agenda.

This case was first heard at the 1/15/09 USB hearing. At that time the Board granted a 60-day extension to the 3/19/09 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 permit.

At the 3/19/09 USB hearing the Board granted a 90-day extension to the 6/18/09 USB hearing with the stipulation that the respondent return with a contract from a licensed general contractor

CHAIR SCHERER: Okay.

MR. BROWN: Good afternoon, I'm John Brown, I'm the owner of the property, or actually the single member LLC. I do not have the general contractor but I just received the stamped drawings from the structural engineer just about a week ago, so they're stamped and ready to be submitted for permit.

I went over to the City and talked to the people at the City and they said I could submit this to the City and put pending as far as my selection of a general contractor because it's a renovation project that there was fire damage and it's not really clear, kind of what the City is going to require as far as the scope. This is what the engineer thinks.

I'll be happy to show you these. They're stamped and you

can review these; I'll submit them for the record and I plan on submitting this within the week to the City for the permit process. And then as it moves through the permit process what I understand is I will know the scope of the work so somebody could bid this properly and then I will give the, I will submit the contractor at the time. Here is.

[Mr. Brown presented his plans to the Board]

CHAIR SCHERER: Here, why don't you take a look and - So, the reason you're not having a contractor right now is because why?

MR. BROWN: They can't bid it. We don't know the scope of the work yet, there's fire damage in there and we don't know really what the City it's, it's ambiguous really, exactly what the City's going to require as far as the scope of the work on the renovation. And I had -

CHAIR SCHERER: Is the property up for sale?

MR. BROWN: Pardon me?

CHAIR SCHERER: Is the property for sale?

MR. BROWN: No it's not, it's not for sale. I've owned it for 25 years.

MR. CROGNALE: Mr. Brown, I have a quick question for you.

MR. BROWN: Sure.

MR. CROGNALE: Does the architect, has he forwarded or made any comment as to his estimated value of the

improvements? Usually an architect will submit -

MR. BROWN: I know, no, it's not, it's a structural engineer and architect and we haven't got any kind of idea [inaudible]

MR. CROGNALE: They haven't submitted an estimate of what the value would be?

MR. BROWN: No sir.

MR. HOLLAND: Just a clarification. I think you put a lot of weight in comments from the City reviewers. I understand that scope can change but it shouldn't be that significant with a professional design of which you've produced. And we're looking at diligence and time, do we have questions with staff about the securing of the building during storm season?

MR. PHILLIPS: Swimming pool?

MR. HOLLAND: We will ask about that but, when staff stands up. But in the meantime I understand you want everything clarified to get a scope before selecting a contractor but I'm questioning do we have all the time in the world to wait for this one step at a time approach?

MR. BROWN: I think I've moved along pretty aggressively since the time I was in here in January of '09. I didn't know whether I wanted to renovate it, or - the City, the reason, to be quite frank with you under oath, the reason that this building isn't getting built is because I put in for a five-story building which I had the right to build a couple of

years ago after Wilma, and the Planning Commissioner at the time said, well, we don't think that's really compatible with the architecture on the street, although they've let many of them be built on Hendrix Isle and Isle of Venice. Now you have 25 townhouses in foreclosure on this street that couldn't be - I'm not just saying this for the record I'm trying to explain -

MR. HOLLAND: Yes, but for the record, I think we discussed this before that it's not, you were probably asking for waivers to the code that didn't quite make it right to build project is my understanding, and I don't think you can -

MR. BROWN: I don't think it was a waiver, I think it was a -

CHAIR SCHERER: So that's completely out of what we're talking about now. Let's stick to what we have here. So your plans are to renovate the project and submit plans.

MR. BROWN: Exactly.

CHAIR SCHERER: Okay. Burt, is, hey Burt, is there any objection to giving an extension, or do you, have you seen the property?

INSPECTOR FORD: Yes, I went by the property yesterday as a matter of fact. Burt Ford, Building Inspector, City of Fort Lauderdale. I went by. It's fenced in, it's secured. He secured the pool with what we asked him to put over it, he's tried to kept it clean. He does have a full set of plans. I

just conferred with John Heller who's over at the other side and he said that we would accept the permit under a to be determined contractor so -

CHAIR SCHERER: And once the permit has been issued -

INSPECTOR FORD: As long as we're moving forward and it does, we will not issue it until a contractor of record is [inaudible]

MR. HOLLAND: How about, are you comfortable with windstorm exposure at this point? Do you think we need [inaudible]

INSPECTOR FORD: I'm comfortable in the fact that if we go over and take a real serious look at it that Mr. Brown will take care of it. And that might be something we would want to do.

MR. HOLLAND: Yes, we can't order that, but we can recommend it.

INSPECTOR FORD: Right, and recommend totally, and I feel comfortable -

MR. HOLLAND: And I think that we have to look at adjacent properties and risks to them -

INSPECTOR FORD: Sure.

MR. HOLLAND: - as this plays out in the positive path that it's taking.

MR. PHILLIPS: Mr. Brown, weren't you involved in building in Chicago area or something?

MR. BROWN: Yes, I'm building a building downtown Chicago.

MR. PHILLIPS: Okay, so you -

MR. BROWN: I've been a general contractor there for 35 years.

MR. PHILLIPS: So you know how to, you'll, you know how to secure this.

MR. BROWN: I do.

MR. PHILLIPS: Mr. Chairman, I'd like to make a motion that we grant a 120-day extension for this gentleman to get his plans, extension of time on this matter. I think that he's shown diligence with the sealed plans. And that's really how it goes, they submit it and then you get it bid by contractors. That will bring it, I guess, to the October hearing.

CHAIR SCHERER: So I have a motion, is there second on the motion? There's no second on the motion, is there another, would somebody like to make another motion?

MR. HOLLAND: Yes, I'd like to move that we grant a 120-day extension to the October -

CHAIR SCHERER: So is that a second?

MR. HOLLAND: Huh?

CHAIR SCHERER: Are you seconding the motion?

MR. HOLLAND: I haven't finished.

CHAIR SCHERER: Oh, sorry.

MR. HOLLAND: With the recommendation that we look at securing the property against current windstorm threats with all due diligence as observed by City staff.

MR. PHILLIPS: I'll second that.

CHAIR SCHERER: Okay, so the motion and a second, any discussion on the motion? No discussion, all those in favor signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: All opposed? Motion carries, you have 120 days.

MR. BROWN: Thank you.

#### **4. Case: CE07050197**

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#### **Anthony & Ana Marie Catania**

#### **1636 NW 5 Avenue**

MS. PARIS: Our next case will be on page three, this is an old business case, Case CE07050197. The inspector is Wayne Strawn, the address is 1636 Northwest 5th Avenue. The owners are Anthony Catania and Ana Marie Catania, formerly known as D'Aulerio, Ana Marie D'Aulerio.

We have service by posting on the property 6/4/09 advertising in the Daily Business Review 5/29/09 and 6/5/09. Violations and certified mail as noted in the agenda.

This case was first heard at the 4/16/09 USB hearing. At the time the Board granted a 30-day extension to the 5/21/09

USB hearing, with the stipulation that the respondent bring the design professional or his or her agent and the contract the respondent has with the design professional.

At the 5/21/09 USB hearing the Board granted a 30-day extension to the 6/18/09 USB hearing with the stipulation that the architect appear and report that the owner paid the retainer.

MS. CATANIA: Hi, my name's Ana Catania and I'm the owner of the property. I'm here to ask for an extension. We did hire the Peacock Company architects to draw up the plans. Unfortunately, we had, we have a mortgage with, sorry, excuse me, Bank of America and we spoke to a supervisor at Bank of America and they agreed to pay the architects for the plans, and then a week ago we got a call stating that they were unable to do so because if they made an exception for one - excuse me I'm very nervous - for one case, they would have to do it for all.

My husband has applied for a small loan, it's \$3,000 for the plans, and we're in the process on waiting for the approval.

CHAIR SCHERER: So, Bank of America was going to pay the architects?

MS. CATANIA: Well, that's what the supervisor had told us because if we did not go through with the plans and get the corrections made we were told that the house or the portion of



the house would be demolished. So the supervisor we spoke to said it was in their best interest to - we owe them - we have a mortgage with them obviously so they didn't want to have the house be demolished and they agreed to pay directly to the architect and he submitted his contract to them and then we got the response back stating that they were unable to do so, after the fact that they had already approved it.

MS. HALE: Excuse me, did Bank of America realize that you had built all of this without a permit, and that it was occupied without a Certificate?

MS. CATANIA: Do you mean at the time that it was built or now?

MS. HALE: Yes. Well, either one.

MS. CATANIA: Well, we weren't aware that it was built without permits up until recently in I believe April was when we found out that the -

MS. HALE: That's when Bank of America became aware of it.

MS. CATANIA: Correct, correct.

CHAIR SCHERER: Were you guys in Atlanta or something like that? Yes.

MS. CATANIA: Yes we were. And my husband is there now that's why he's not here; he was the one at the prior hearing.

MR. JARRETT: So basically, you're asking the Board for like a 30-day extension because of the hardship of paying for

the architect.

MS. CATANIA: To try to get the loan, for the loan to be approved because we just applied for it about a week ago because that's when Bank of America called us stating that they were not going to be able to pay the architects.

MR. JARRETT: Now, do you have the financing necessary to do whatever building is necessary after you obtain the services of the architect?

MS. CATANIA: Well, we don't know, we don't know yet. I know he has gone out to the property. We have some money available but again we're applying for a loan so -

MR. JARRETT: So basically you have to have the plans before you know how much you need to fix the property, is that what you're saying to the Board?

MS. CATANIA: Yes, correct.

CHAIR SCHERER: Wayne, is there, this, the house is enclosed and it's not - what's the status of the house, I guess?

INSPECTOR STRAWN: Wayne Strawn, City Building Inspector, I don't know of any immediate threat. However, I'd like to offer to the Board that we can't assume that that this is only going to be a paperwork problem. When people don't get permits it's very possible that when they do some destructive testing, that beginning at the footings and all the way through to the roof and the electrical and mechanical is all

wrong, in which case it may be very costly to try to save this building.

CHAIR SCHERER: It's not, it's the back of the building on this one, I think is what it was?

INSPECTOR STRAWN: The back of the building is the -

CHAIR SCHERER: It was added on [inaudible] through the aerials?

INSPECTOR STRAWN: Exactly. Yes, exactly. That's the one where the aerial photographs show that the entire rear of the building is, almost doubled the floor space, not quite, but -

CHAIR SCHERER: And you're currently living in the building?

MS. CATANIA: No.

CHAIR SCHERER: Is it rented?

MS. HALE: Does anybody live there?

MS. CATANIA: Yes, there is someone living there.

MS. HALE: In the back or the front?

MS. CATANIA: I'm really not sure, sorry.

MS. HALE: Wayne, do they live in the front that was permitted and original or -

INSPECTOR STRAWN: I have no information on that, last time I was there it didn't appear there was anyone home. I don't know what part of the building they occupy.

MR. PHILLIPS: Whose name is the electric and water in?

MR. HEGUABURO: I think I remember, I think I remember that your husband had said the back was occupied by the guy that was building the structure and he left, correct?

MS. CATANIA: Originally.

MR. HEGUABURO: Correct.

MS. HALE: But now she thinks somebody's living there.

MR. PHILLIPS: Ms. Catania?

MS. CATANIA: Yes, there is somebody living there.

CHAIR SCHERER: Well, someone's living in the house but -

MS. CATANIA: I just don't know which portion.

MS. HALE: She doesn't know front or back.

MR. PHILLIPS: Ms Catania, are you paying for the utilities?

MS. CATANIA: No.

MR. PHILLIPS: When's the last time you were there?

MS. CATANIA: I never lived in the home.

MR. PHILLIPS: When were you there to look at it?

MS. CATANIA: Oh, I haven't been there in a couple years.

MR. PHILLIPS: This is the problem. You have property you've got to -

MS. CATANIA: Well, my husband has been there, I just, I'm not involved in it. I'm just here because my husband is in Atlanta right now.

MR. PHILLIPS: Do you live here now?

MS. CATANIA: Yes, in Coral Springs.

MR. PHILLIPS: Property owners have to look after their property.

MS. CATANIA: I understand. My husband is trying to take care of this and get it right and make sure that everything was built properly and that's why we have hired the Tamara company to, architects to make sure that it was built properly and if not, to make the correct changes so that it's done right.

MR. WEYMOUTH: Is the property for sale?

MS. CATANIA: No, it is not.

MR. HOLLAND: Do you, did, was there any written correspondence about Bank of America entertaining this potential financing for your design phase here?

MS. CATANIA: No, I just have, well I don't have it on me but they did send a denial. Maybe he has it.

MR. PHILLIPS: Is this your husband?

MS. CATANIA: No. My husband is in Atlanta.

MR. PHILLIPS: You're the architect?

MR. BARBOZA: Yes. Tamara Peacock Architect.

MR. PHILLIPS: What?

MR. BARBOZA: Tamara Peacock Architect.

MS. CATANIA: This is the architect we hired.

MR. PHILLIPS: Oh, Tamara Peacock.

MS. CATANIA: Yes.

MR. PHILLIPS: Oh, okay.

CHAIR SCHERER: So, have you reviewed the, have you been in the house?

MR. BARBOZA: My name is Alberto Barboza, Project Manager from Tamara Peacock Company.

CHAIR SCHERER: Are you an architect?

MR. BARBOZA: I'm the project manager.

CHAIR SCHERER: Are you an architect?

MR. BARBOZA: I'm the [inaudible] Tamara Peacock architect, yes. I personally -

CHAIR SCHERER: Are you a registered architect licensed by the State of Florida?

MR. BARBOZA: Not yet, no.

CHAIR SCHERER: Do you have, have you looked at the house?

MR. BARBOZA: Yes.

CHAIR SCHERER: And who came up with the estimate to fix the house?

MR. BARBOZA: Mrs. Peacock.

CHAIR SCHERER: Okay, oh, she was in here last time.

MR. BARBOZA: Yes.

CHAIR SCHERER: Okay.

MR. PHILLIPS: Your office is here in Fort Lauderdale.

MR. BARBOZA: Yes.

MR. PHILLIPS: Okay. She's a well-known architect.

CHAIR SCHERER: If you don't have \$3,000 to pay the

architect to fix it, how are you going to pay to fix the house?

MS. CATANIA: Well, we, from what we gathered really it, I don't think that it - sorry - I don't think that we really will need to make a lot of changes to it. It really, to us it looks like it was built properly. Again, the architect will determine that and I think that from what I gathered it's just small things that need to be done like an outlet for every six feet or -

MS. HALE: When was this build, this back part?

MS. CATANIA: It's been a few years, I don't know the exact date.

CHAIR SCHERER: This is when they were in Atlanta, they bought the house and they had a contractor build it or something like that.

MS. CATANIA: Correct.

MS. HALE: Yes. I remember the whole story, but you -

MS. CATANIA: We bought it and then, shortly -

MS. HALE: - you put in -

MS. CATANIA: Sorry?

MS. HALE: - the addition, correct?

MS. CATANIA: Correct. And it looks -

MS. HALE: - and you just haven't been in it -

MS. CATANIA: Recently.

MS. HALE: - for the last couple of years.

MS. CATANIA: Correct.

MR. PHILLIPS: What's that show?

CHAIR SCHERER: 2006 is when it was -

MS. CATANIA: I did see it completed and it looked great to me, it didn't seem any part of it was unsafe. I'm not a professional, but from what I gathered there's just, they gave me an example like, an outlet has to be every six feet and maybe there might be some difference there, or small things, I don't presume that -

MR. PHILLIPS: Well, I think it's structural walls and roof trusses and windows and plumbing.

CHAIR SCHERER: Well, you don't know.

MS. CATANIA: Right, no, I don't know.

MR. PHILLIPS: You don't know what it is.

MR. HOLLAND: This is a very indeterminate scope of work, so there is no order of magnitude for what it'll take to construct and make it whole. I have a big concern with, this contract, I believe, is fairly open-ended depending on hourly rate on what they find and what they have to do subsequent to that discovery. I'm just very concerned that you had to appeal to the bank even for that portion of the funds. I, it's encouraging that you have a contract, but it's basically a rate schedule contract with an open-ended scope of work and-

MS. HALE: Is this a loan, or is this a credit line on your husband's company that you've applied to extend the



credit line?

MS. CATANIA: No, it's just a loan.

CHAIR SCHERER: The reason that we ask to see if the - there must have been something that triggered it last month and I don't remember exactly why we asked to see proof of payment, but I think it was probably had to do with your architect saying that they haven't done any work because they haven't been paid yet.

MS. CATANIA: Um hm, correct.

CHAIR SCHERER: And that triggers a red flag on the Board if you can't pay your architect to do the drawings to submit for permit, how are you going to pay for the construction which is probably a lot more than what you think because there was no permitting and there's no inspections and there's a lot of work that's going to go into it.

And it's a lot of work and it's going to be a lot of money and if the bank isn't willing to come forward and help you like you asked them to -

MS. CATANIA: Yes.

CHAIR SCHERER: I'm not sure how you get a home loan today in today's market anyways, it's going to be very difficult. So I -

MS. CATANIA: Well, it's not a home, we're not getting a home loan, we're just getting a personal loan. And I think once we get the plans, then we can determine what needs to be

done and how much it's going to cost at that point.

CHAIR SCHERER: Well, do you realize that the Board here could order them to, you to tear down the back of the house?

MS. CATANIA: I understand, that's what we're trying to avoid we obviously don't want our house to be demolished and we're trying to take the steps necessary to avoid that and, you know, that's, we just a little bit more time to get the funds.

CHAIR SCHERER: I think everybody on the Board sympathizes with the condition of the market and people in your shoes so I'm - willing to take any motions or listen to a motion.

MR. JARRETT: I'll make a motion, but I first have a question.

MS. CATANIA: Yes.

MR. JARRETT: Is a 30-day extension sufficient for you to-

MS. CATANIA: Yes, we should have the funds within the 30 days.

MR. JARRETT: And you realize, if we make, if we give you a 30-day extension then we would expect you to come again in 30 days -

MS. CATANIA: With the plans.

MR. JARRETT: - with your architect.

MS. CATANIA: Correct.

MR. JARRETT: Okay.

MS. CATANIA: I understand.

CHAIR SCHERER: And I think plans -

MR. HOLLAND: [inaudible] with plans, a scope.

CHAIR SCHERER: - plans submitted for permit, within 30 days.

MR. JARRETT: Well, that might be a little bit of a rush though, if it takes her a few weeks to get the financing certainly the architect's going to need more than the remaining two weeks to do the work.

CHAIR SCHERER: Wayne?

INSPECTOR STRAWN: Wayne Strawn, City Building Inspector. I think in order to report to the Board the full scope of this, perhaps she should arrange the inspector get inside, see if there's two distribution panels and see what the general condition, and see if there's any, just give us a rough, better rough idea of what we're looking at and how difficult it's going to be to comply.

MR. HEGUABURO: And also, and also to make sure the new structure is vacant.

INSPECTOR STRAWN: Yes. And the, of course we can't tell if they've got steel in the footings or any of that, but that would be left up to the engineer who's trying to make these determinations.

MR. HOLLAND: Is that something you'd be willing to do in conjunction with the architect, Wayne? I mean -

INSPECTOR STRAWN: Certainly, if she arranges a time that

we can get in and do a more thorough inspection so that we can report to the Board more fully.

MR. HOLLAND: I think something, an arrangement like that might help facilitate the process.

MR. JARRETT: Can I ask a question of Counsel? Can we put that condition on an extension, a 30-day extension?

MS. WALD: Ginger Wald, Assistant City Attorney, if you want to put that condition and voluntarily the owner - I don't know what the arrangement is with their tenant - can allow to view the property. If not, then it would have to be an inspection warrant. But it doesn't sound like we're at that position at this time.

MR. JARRETT: Thank you.

MS. WALD: You're welcome.

MR. WEYMOUTH: The rear portion should be vacated should it not? So it's not a matter of making a concession with the tenant.

MS. CATANIA: There is a tenant in the home, it may be in that main part, I'm not sure.

MS. HALE: But you don't know what section.

MS. CATANIA: Correct.

CHAIR SCHERER: It's not separated by a wall; it's all open -

MS. CATANIA: But he wants to see the whole structure so we would have to get the tenant, which it's not going to be a

problem to get the tenant to allow the inspector and the architect to examine the home.

CHAIR SCHERER: Okay.

MR. WEYMOUTH: One tenant occupies the whole building?

MS. CATANIA: That's what I believe but again, I'm not sure, I haven't been there, I did not rent the place myself so I don't know for sure. Unfortunately my husband is not here.

MR. WEYMOUTH: I would suggest - no offense - but I would suggest that somebody a little more familiar with the property come back in 30 days is what I'm -

MS. CATANIA: Yes, my husband will be back in 30 days. I didn't want to be here either but I had to be here, he's not here. And I understand that I don't have all the information but at least I'm here.

MR. PHILLIPS: Are you current on your mortgage?

MS. CATANIA: Yes sir.

MR. PHILLIPS: And you've got rent coming in from these people?

MS. CATANIA: I believe so. Again, my husband is in charge of the investments.

CHAIR SCHERER: Okay, would anybody like to make a motion?

MR. JARRETT: I'd like to make a motion. I would like to make a motion to give the respondent an extension of 30 days to the July 16<sup>th</sup> - am I seeing that correctly - 16th

meeting with voluntary conditions on it, because as counsel just advised, it has to be a voluntary condition. We would request two things: one, that you arrange with the Building Inspector behind you, before you leave -

MS. CATANIA: Okay.

MR. JARRETT: - a meeting at the location to determine the safety of the house.

MS. CATANIA: Okay.

MR. JARRETT: - and the second condition is that whomever appears in 30 days -

MS. CATANIA: It will be my husband.

MR. JARRETT: - be very knowledgeable and can answer the questions of the Board, okay?

MS. CATANIA: Yes. Okay.

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

MR. HOLLAND: Second.

CHAIR SCHERER: Any discussion on the motion? Seeing none, all those in favor signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: Opposed?

MS. CATANIA: Thank you.

CHAIR SCHERER: 30 days.

MS. PARIS: That concludes the respondents, we'll start

at page one. Page one and two, the case has been heard. Page three, the case has been heard. Page four, the case has been heard. Page five, case CE08111417 is withdrawn. Top of page six has been heard.

**5. Case: CE09050243**

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**Nettie Dwight**

**1030 NW 25 Avenue**

MS. PARIS: Bottom of page six, this is a new business case, Case CE09050243, the inspector is Burt Ford, the address is 1030 Northwest 25 Avenue, the owner is Mrs. Nettie Dwight.

We have service by posting on the property 6/3/09 advertising in the Daily Business Review 5/29/09 and 6/5/09, certified mail as noted in the agenda.

CHAIR SCHERER: Mr. Ford, what do we have?

INSPECTOR FORD: Burt Ford, Building Inspector, City of Fort Lauderdale. Presenting Case CE09050243. I first inspected the property on 5/5/09 at the request of the Fort Lauderdale Fire Department. There was a fire at this residence that did create significant damage.

I'd like to enter into evidence the Notice of Violations as Exhibit 1, which details all the Florida Building Code violations as well as the corrective action required.

I'd like to show you a few pictures of the damage that was done.

[Inspector Ford displayed photos of the property to the Board]

Here is just a picture of the front of the building, part of the roof structure that's been damaged. Again, here it's, you can see where it's fairly charred but this is not really representative to the worst part.

Some of the debris that's in the front. That's more exterior pictures. Here is an interior picture of all the debris. The walls and the ceilings have been completely burnt out. Severe charring of the roof rafters. Sections of the roof completely gone, an even larger picture coming up. Here you can see the light that's coming in from the next picture that we're going to see which is here and this is in the center of the building and it's completely gone. Some of the electrical panel. More damage. Just keep going through. Another section that was open to the air. All of the wall finishings have been burned off; we're looking at just studs. Another section of roof that's completely gone.

CHAIR SCHERER: Okay.

MR. JARRETT: Burt, I have a question.

INSPECTOR FORD: Certainly.

MR. JARRETT: There's a tenant there?

INSPECTOR FORD: No, no tenant.

MR. JARRETT: Oh, okay because it said here tenant, under the notification, it said tenant in possession.



MS. HALE: More like a squatter.

INSPECTOR FORD: It is absolutely vacant. The City is asking the Board to find for the City and grant an order to demolish the property in the absence of a demo permit or a building permit for repair by the owner in the next 27 days.

MR. PHILLIPS: 27?

INSPECTOR FORD: What's the amount of time? Until the next hearing.

MR. PHILLIPS: 27 days?

INSPECTOR FORD: 30 days.

CHAIR SCHERER: Is there a motion?

MR. PHILLIPS: Anyone here? Respondent?

CHAIR SCHERER: No respondent.

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

CHAIR SCHERER: Go ahead.

MR. PHILLIPS: I move we find the violations exist as alleged and that 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: The motion, is there a second?

MR. HOLLAND: Second.

MS. HALE: I'll second it.

CHAIR SCHERER: Motion and a second, no discussion, all

those in favor signify by saying aye.

BOARD MEMBERS: Aye.

CHAIR SCHERER: Those opposed? Motion carries.

MS. PARIS: That concludes our agenda and I believe we have John Heller here to answer questions for the Board.

CHAIR SCHERER: Alright. Okay.

### **Board Discussion / For the Good of the City**

CHAIR SCHERER: Afternoon Mr. Heller, thank you for coming. We had a couple questions last time, I had a couple questions last time about Crazy Gregg's permit process and it kept, seemed to keep coming in front of us because we were getting a story from the owners saying that they submitted, they got approved, it came back and now they're saying that they have to go back through Zoning and add a restroom and bring the building into compliance with ADA and now they need a restroom. What is going on with that and what can you tell us about that?

MR. HELLER: As I understand it from reading from the file, they were originally, they originally submitted plans for a Ted's Shed, which was approved by the Building Department but then rejected by the Zoning Department. They then submitted plans for a structure, which was approved by Zoning and has been rejected by the Building, by structural

and by plumbing.

That was several months ago, that was two, February the 9<sup>th</sup> it was approved by Zoning. It went through all four reviews within two days and was rejected on the 11<sup>th</sup>. They were notified by e-mail the next day, they picked up the plans about two weeks later, they have not returned the plans.

Contrary to what was reported at the last meeting, the structure that is there is not portable. The structure, as I haven't seen the plans, but from what the plan reviewer said what's being proposed is not a portable structure; a portable structure would not be approved by Zoning.

CHAIR SCHERER: So -

MR. HELLER: So, right now, they, this structure, as I understand, it was blown apart by hurricane Wilma approximately 3 1/2 years ago. It did not, they did not apply for the permit when they -

CHAIR SCHERER: Right, they redid it and added an air conditioner or something like that.

MR. HELLER: When they added an air conditioner and when they rebuilt the roof and rebuilt the structure. Which,

CHAIR SCHERER: If they had done it -

MR. HELLER: - we issued a stop work order, they ignored the stop work order, completed the building, which makes the building per the code unsafe; it's deemed unsafe by the code.

MR. HOLLAND: Mr. Chair, a question. The structural

issue is that it predominantly, the difference between a portable structure and a permanent, is that the structural issue or there more items associated with the structural?

MR. HELLER: The main item with the structural is it's, they did not get a permit to renew it; they rebuilt the structure from what I gather, and they didn't get a permit so it wasn't inspected. My understanding is that it was a nonconforming use, so, and it was more than 50% so therefore the Zoning Department wouldn't let them rebuild the structure. So that was their [inaudible]

CHAIR SCHERER: So it, before it was damaged it was a legal nonconforming use.

MR. HELLER: Before it was damaged it was a legal nonconforming use.

CHAIR SCHERER: And then after it was damaged, the only option that they had is to tear the building down?

MR. HELLER: That's basically correct, yes.

CHAIR SCHERER: Why did it take us two years to figure that out?

MR. HELLER: That I couldn't - they may have figured that out a while ago, I don't know. They're still open.

CHAIR SCHERER: I know.

MR. HELLER: So what I would assume, they were ordered by the Board to, when they were given an extension, to secure the property and I don't know that it's secure right now, so -

MR. JARRETT: What's the status of it now?

MR. HELLER: Say again?

MR. JARRETT: Have they resubmitted plans? What's the status right now?

MR. HELLER: No, they have not, the plans are still out for corrections as of February the 23<sup>rd</sup> I believe it was.

MR. JARRETT: But the corrections, in your opinion, don't include anything that would prevent them from going ahead with securing the building?

MR. HELLER: The corrections would, well, I haven't seen the plans, but the plan was primarily rejected for ADA purposes, for Florida Accessibility Code purposes.

MR. JARRETT: Right.

MR. HELLER: They needed a bathroom, and they needed to make the sales center accessible, which it is not.

MR. JARRETT: Now, I know that the bathroom issue was settled by a letter from one of the local businesses?

MR. HELLER: That's not my understanding.

MR. JARRETT: Oh.

CHAIR SCHERER: But they presented that to us because they gave us a letter -

MR. HELLER: They presented a letter to you but -

MS. WALD: Ginger Wald, Assistant City Attorney, I must state I'm becoming a little uncomfortable and the reason why is that when we were here last time and you had asked for

Chris Augustin, but he was on vacation so he nicely sent Mr. Heller.

CHAIR SCHERER: Right.

MS. WALD: And it was really to answer more of the general questions and maybe some of the ones dealing with this, but the problem that we're kind of getting into now is specific testimony in my opinion that Mr. Heller is giving in regards to this case, and this case is not on the agenda and additionally, the owners have not been provided notice to hear that.

CHAIR SCHERER: Right.

MS. WALD: So, again, it's more of an uncomfotability [sic] I don't want to have a problem because they're going to be coming back next month and of course if you want someone from, as we said, from the Building Department to come next month when they appear to answer the specific questions in regards to this case that's not a problem.

So I would gear you now towards moving away from this case specifically, if you have questions regarding generalities like we talked about last time. And I know you're really interested in this case more than anything else.

MR. WEYMOUTH: So we can ask the question but under a hypothetical situation?

MS. WALD: Yes, and in fact that's what -

MR. WEYMOUTH: Hypothetically, there's a building at the

corner of Seabreeze and Las Olas -

MS. WALD: Well, I, here, here's the thing.

MR. WEYMOUTH: Hypothetically there's a restaurant across the -

MS. WALD: Yes. What we talked about last time, we said let's have it, you had a choice how you wanted to do it and Mr. Augustin actually will be back for this case coming up next month and would be prepared, or maybe he'll send John, to come and talk about it so the owner then can hear it, can hear the direct testimony and then also can ask questions themselves and do a direct examination.

I think today what I had presented would be more appropriate as to the general questions. Some of the questions you had before were dealing with the length of time and why are these plants getting rejected and what about with the subcontractors and contractors and the different questions that were coming up.

So I would feel more comfortable [inaudible] to put you in -

CHAIR SCHERER: No, I understand, I agree they need to be here to respond to whatever Mr. Heller's saying, so -

MS. WALD: Right, thank you.

CHAIR SCHERER: You know, on top of that, we've also talked about the Glenn Wright developments and the homes and maybe someone wants to talk about that for a second while we

have the Building Official here.

MR. HOLLAND: Again John, thanks for coming. I'm glad we're having this discussion, and I think in general a lot of our hearings, we're looking, people are looking at relief and we're trying to ferret out whether there's a diligent effort on these, on permitting and plans review.

And very often, and we see the whole spectrum, and perhaps there may be a method, and I know there's no resources and no money and to do such a thing but if there was an easy way to keep our staff that's associated with this committee somewhat plugged into the plans review personnel by perhaps flagging that there is a demolition order on that particular property associated with a permit application we might be -

CHAIR SCHERER: I think they usually get hand, don't they usually do that?

MR. HOLLAND: Yes, I think to some degree.

CHAIR SCHERER: I think they, because they usually have a computer and check on the permit status of the, if it comes up. [inaudible] property.

MR. HOLLAND: Right. And hopefully it has specific comments. I don't know if it can be that kind of luxury but just and maybe if, within consideration of limited resources if there was a way to get maybe a little more direct comments to what's going on, we can better empathize with what the reviewers are up against and I think that again you have to



wear a man's or woman's shoes to know what's going on with the reviewer and we certainly respect the job that they have to do. And theirs isn't to be, to show the discretion that sometimes this Board and other boards can do.

Regarding the other issue of the Glenn Wright properties, for instance, we have a lot of financial difficulty projects with the slab poured and the dowels sticking up and I guess we had entertained, we have different opinions on a policy aspect of those things.

And I think we heard from this gentleman last meeting about, it takes City resources to demolish these things and resources are in short supply, so I personally feel with that and no need to be filling up landfills with concrete, we're hoping to get these things safed with fences, things of that nature around the rebar, not necessarily the entire property, and working with the neighbors and allowing the neighbors to come here and express their concerns about that foundation remaining. Maybe you can bring us up to speed on how your department is [Inaudible].

CHAIR SCHERER: Well, the reason why comes before us is because the permit expires. And the permits expire, it's deemed an, it becomes an unsafe structure because there's no activity going on. There is, as I understand, a new bill was just recently passed that's going to extend any existing permit for up to two years?

MR. HELLER: That's not my understanding, no.

CHAIR SCHERER: What is your understanding of it?

MR. HELLER: My understanding is that that bill only pertains to certain permits that were issued by the State and State organizations, not all building permits.

CHAIR SCHERER: Not all building permits.

MR. HELLER: And it would, and it only applies to building permits that are expired during a certain period with a specific date. These permits generally have already expired. So it wouldn't extend those, in any event. Even if it, it's a State statute and it's supposed to be reviewed by the City Attorney, which, but it's, from my reading of it, it's relatively clear that it's limited to what it's extending.

CHAIR SCHERER: if we were to start tearing down all these Glenn Wright or type projects, we would, this is all we would be doing and I think we're going to see a lot more of them coming up in the near future.

MR. HELLER: There are quite a few of them, yes.

CHAIR SCHERER: Unless we have some ideas from maybe your department and the Building Department get with the City inspectors to, I mean, just like you said, we don't want to be filling up our landfills with concrete and we don't want to be using our City workers -

MR. HELLER: There's a range of issues as to how safe

they are. Some of them, if the second-floor tie beam's not poured -

CHAIR SCHERER: Right.

MR. HELLER: - that's a serious problem in a hurricane.

MS. HALE: What's your suggestion for those sites?

MR. HELLER: Pardon me?

MS. HALE: What's your suggestion for those sites that you are deeming unsafe? Do you feel a fence around the poured concrete is sufficient?

MR. HELLER: I wouldn't have an objection to a fence around a poured concrete slab, no, that's perfect - the neighbors aren't going to like it no matter what you do, I hate to tell you.

MR. JARRETT: I have a question. John, how long - because this is the crux of the questions that are being asked here - John, in your opinion, professional opinion, how long would you think a building at some unfinished state - and we're talking about either a) the rebar sticking out of the foundation or b) the tie beam's been poured but the roof trusses have never been set - how long in your opinion would that structure, could it sit out in the weather before there would be real flags when somebody came in and said, well I want to finish the project, I want to pull the permit to complete the project?

In your opinion, how long would that projects sit out

there in the weather before you would have real problems with giving them a permit to finish it?

MR. HELLER: You know, they're all a windstorm hazard if a hurricane comes and the roof's not on and the beams, you're an architect the beams -

MR. HOLLAND: I think a slab on, a slab on [inaudible]

MR. HELLER: - it's not designed without the roof being restrained or the beam being restrained. So they could very easily blow apart in a hurricane.

MS. HALE: Yes but supposedly it's a concrete with the rebar; this is where we seem to get the most problems.

MR. HELLER: The concrete with the rebar, I don't see any issue with it other than it's a nuisance to the neighbors.

MS. HALE: So in other words, rebar has just an indefinite life sticking up like that?

MR. HOLLAND: No, I think they'd want a letter of re-certification from a design professional.

MR. HELLER: They may have to do some things to the rebar too.

MS. HALE: I think he asked for your professional opinion of how long does rebar last if it's not encased in concrete and part of a wall.

MR. HELLER: I, if it's exposed -

MS. HALE: Yes.

MR. HELLER: - I really don't know.

MR. HOLLAND: It varies.

MR. HELLER: It vary, it would vary depending on how rusty it got.

MR. JARRETT: But John, I remember, the last time we went through a situation like this was '80, '81. You remember we had a building boom in the late 70s, if all of us were in business down here in those days.

CHAIR SCHERER: I was three.

MR. JARRETT: And there was - okay, the Chair might have still been in school but -

CHAIR SCHERER: Kindergarten, actually.

MR. JARRETT: - us old folks were here. I recall back in '80, '81, you know, we had the building boom at the end of the 70s, '76 on through the 80s, and then we had the bust in the building, and I recall that there was lots of projects in '80, '81 that were stalled, and after a year or two, those structures started coming down because they were deemed that at the time - now this is 20 some years ago - at the time the Building Department determined that those structures weren't, they did not lend themselves to completion. That the concrete had weathered without protection, that the steel had weathered, that there was inner problems with the structures that they, and in a few years they started coming down and they disappeared.

MR. HELLER: Yes, at one time that was part of the code.

It was defined as an unsafe structure.

MR. JARRETT: Oh, and it's not, that was the South Florida Building Code?

MR. HELLER: South Florida Building Code at one time defined shells as an unsafe structure.

MR. JARRETT: And that's not addressed in the new Florida Building Code? Is that, it's not even addressed?

MR. HELLER: It's not in the Florida Building Code now although it's, they could be deemed as an unsafe structure, windstorm hazard. They could blow apart in a storm.

MR. HOLLAND: Your point's well taken about the neighborhood implications of these structures remaining; they're not very desirable. But I do think under the circumstances we could allow, your department and our Board could allow for those voices to be heard and in the absence of them proceed with some mercy to some of the owners and their equity, be it a bank or a person.

CHAIR SCHERER: My thought is -

MR. HOLLAND: And by all means, anybody can come in and speak and appeal the other way.

CHAIR SCHERER: - I think it's a lot cheaper to put a fence up instead of tear that thing down. If the City would just spend a little bit of money to put a fence up, then that would that would help get it off the unsafe structures -

MR. HOLLAND: And/or the owner and the bank. I think we

can suggest some things to the banking people that we see so many of, or their legal representatives, and they can use their facilities to do such things because it really is pocket change compared to anything else.

MR. HELLER: You might be able to motivate the banks also.

MR. HOLLAND: Exactly, and were starting to get a response to that because -

MR. JARRETT: We also have to keep in mind that if we create a policy that we allow these structures to exist, we're going to start having these Board meetings and presidents of neighborhood associations are going to start showing up and they're going to have residents with them, and they're going to say that Joe Smith cannot refinance his home because the appraiser doesn't give the proper appraisal on the property because the property next door is a stagnant construction site. Even with a yellow fence around it, it's still going to devalue the properties and that's an issue that we're going to be faced with.

CHAIR SCHERER: I don't think it's anything that Mr. Heller can solve for us today, but thank you very much for coming in. Anybody else have some questions we can -

MR. WEYMOUTH: I've got a quick - I'm trying to make sure I understand what is the task of this Board, to get the respondents to permitting or through permitting?

CHAIR SCHERER: Once a permit's issued it's off of our agenda.

MR. WEYMOUTH: Okay, so we're looking for the permit to be issued, not to get them with a permit number but, [inaudible] in hand.

CHAIR SCHERER: That's really why Mr. Heller came in today, to kind of talk about how we can speed along that process or why some of these, for instance, Crazy Gregg, that was one of them that's been just dragging on and we don't know why because we're not really getting the reviewer's story like we were talking about earlier.

MR. CROGNALE: Once a permit, once a process number is issued, to my understanding, then you can go online and follow the process through at the Building Department. You can get all the plan reviewers' comments, it's right there for us. But the process number has to be issued prior to the permit and then all the comments from each of the disciplines are online and very informative.

MR. HOLLAND: Yes, good point Joe. And we'll, usually we get that from staff on their computers here. This Board is limited to testimony and evidence presented here, and unlike Planning and Zoning and other boards, we're not even supposed to drive by and do our own inquiries.

That said, I think the main function of this Board is to order the demolitions or grant the extensions. And this is in



the realm of granting the extensions with the requested conditions of the fencing. And we can always bring them back and if we don't see compliance for suitable fencing.

And perhaps even landscaping can be suggested, like we're doing with the bigger site plan development properties that are going to vacant lots or so many of them are leaving the decrepit buildings there and the rusting signage, and that's being dealt with on a higher level.

MR. CROGNALE: Who provides the funding for the fences?  
[Inaudible]

MR. HOLLAND: Well, I'm hoping the banks will, quite frankly, because in these situations the banks are holding the bag and they are financing the legal profession enough to come in here and try and buy time; I think they can buy a lot of fencing material with a few hours of legal time.

CHAIR SCHERER: Or one [inaudible]

MS. HALE: Ginger?

MS. WALD: Ma'am?

MS. HALE: I thought you told us that it didn't matter if we drove by sites? If that's true, if we can drive by sites and, that are on the agenda, why couldn't we have the comments that are being made on the process notes? I mean, I was, that question did come up because in Code Enforcement Board we weren't supposed to drive by the sites.

MS. WALD: Well, here's, Ginger Wald Assistant City

Attorney, here's the whole thing with driving by a site or not driving by a site.

MS. HALE: Yes.

MS. WALD: You are supposed to make a determination of your case - because this is quasijudicial, it's almost like being in court - as to what is presented in front of you.

MS. HALE: Okay.

MS. WALD: Driving by a site is not what's presented in front of you. Someone wants you to see that, wants you to have a view of the site, they could take a video, they could bring a video in here, we can actually show that. Don't ask me how, but I'm sure it could be done; Dee would figured it out somehow. See, we just put them in. And, additionally, you have seen many times from respondents and also from the building inspectors themselves, the photographs.

So those, that information is really, is the only information that you're supposed to make your determination on.

MS. HALE: Okay.

MS. WALD: Similar to when you were on Code Enforcement Board, it is the same. And if you go by a site or you see something, you're supposed to make that announcement, and if you feel like it's a conflict to make the determination, you're not supposed to be on the dais to make that determination. But of course, I let you people stay on the

dais because you don't have a policy that you have to leave, right John?

CHAIR SCHERER: Exactly.

MR. WEYMOUTH: Well, hypothetically when I drive from my house to my office and I drive by Crazy Gregg's, I need to tell you and recuse myself?

MS. WALD: You drive by, look, you drive by Crazy Gregg's, you're not inspecting, you're not going out there, I mean, we live in Fort Lauderdale, we work in Fort Lauderdale, we drive by and see things all the time.

I would love to stand up about 10 times each time we have Special Magistrates here and testify that that person is not telling the truth because I walk by it every day. But I can't do that and I'm not going to do that. But we can't stop ourselves from driving or looking. It's when we have that financial interest or some type of contract that really is a direct conflict of interest that we're going to stay away.

But you're not going to the site for the intended purpose to make a determination on whether you need to tear the building down or not tear the building down.

MR. WEYMOUTH: I went there to use the bathroom and there wasn't one.

MS. WALD: Well, you know you're supposed to go to the restroom before you leave home.

MR. JARRETT: Well, wait a minute, were you in a

wheelchair, were you in a wheelchair?

MR. HOLLAND: Excuse me, excuse me, we're getting entirely too specific here.

MS. WALD: But, I want to thank - well he's gone - but I wanted to thank Mr. Heller, or for Chris for forcing Mr. Heller to come and speak with you. And as to next month with the case, I just spoke with Lindwell Bradley, and he's now promised to send out the email to Zoning and also to remind Chris Augustin.

And it sounds like, from what Mr. Heller was saying, it probably would make more sense for the reviewer, the plans reviewer, to be here at, least one of them, to be able to provide you the information that you're looking for. Or if not, provide the physical information in regards to the notes.

CHAIR SCHERER: Yes, because this is going to be tough for us to make, we have a business here that's operating, it's been there for two, three and a half years now, in, and it's - do we want to tear down a business and, so it's going to be one of those things that's -

MS. WALD: Because, yes, again -

MR. PHILLIPS: And this is one of the reasons why, Ginger, I wish you'd kind of jumped up right in the beginning, in fairness, due process, because -

MS. WALD: Well I wasn't paying attention, I must admit.

MR. PHILLIPS: - now it's like, now I'm like [inaudible]

already they're getting Augustin come in, and the others, and it's what if they come in and they think, well, we're to get another continuance for this and then they're hit with, they're hit with everything at once.

CHAIR SCHERER: Well, I think we asked the questions to the inspectors and they don't know the answer so -

MS. WALD: Actually, if we went back to the, not necessarily the minutes, but to the recording from, now, what, a month ago, you specifically stated that we would like to have somebody from the Department, from the Building Department come for the next hearing, and what you meant was -

CHAIR SCHERER: For the next time he's here.

MS. WALD: We thought it was going to be on this one and then we figured out after they were gone, they're not going to be here for 60 days from last month, so it's the next one. But because you had general questions at the end, you said, well let's have someone - I said do you want to wait 60 or do you want to know right away? And you said, oh, have someone come right away. So that's what I requested. So there still should be somebody, hopefully they will come again, for next month specifically for directing your questions - and it could be the same ones you had today, and I would suggest that - directing your questions to them in regards to that case and then also hopefully maybe someone will show up for Zoning and any questions you had as to Zoning you can direct those -

MS. HALE: Yes, I think you have to have somebody if that's part of the problem, but I don't think we quite understood when this whole began. It seemed like we were worried more about the bathroom and then he sort of threw out ADA at us the last time, and it seems like it was piecemeal and you solved one problem and you got 10 more.

MR. JARRETT: Well I think that, I think that we -

MS. WALD: Wait, before we get to specifics let's talk generally; I don't want to talk specifically again.

MR. JARRETT: No, in general, I think the request was generated because we sort of felt the frustration that the respondent was relating to us, I think that's what it was.

MR. HOLLAND: And I think, if I may, we, there's another solution. I mean, the Building Department's halfway across town, I mean, with today's electronics, our inspectors get on the computers for those comments that Joe brought up. We have that here accessible to us if we're all tuned in.

And I think there's some prepping that our inspectors can be doing perhaps with those computer applications before hand and then maybe we could request that the relevant reviewer be available at the Building Department to link in by phone for our inspectors to get some clarifications for us. Because really, having them come to these hearings at whatever could be heard at any point takes them away from their desk and we're very tight on resources and budgets and they need to be

where they, are accessible to us by phone.

MS. WALD: I think some of the problems you saw as - and again, this is my own personal observation from when I was assigned to handle this Board - was, over time, and, for some of the people who've been on the Board a little bit longer, in the beginning you had Wayne, and Wayne had all the cases and Wayne knew all the cases, Wayne started the cases, Wayne worked on the cases.

And then when we got additional building inspectors because Wayne was overloaded, a lot of those cases that Wayne was working on were given now to different building inspectors. Now you had already heard the beginning, that building inspector now assigned to the case - let's call him X because I don't want to call a specific one - doesn't have necessarily that personal information. They have it, I mean they have the information, but they know that has already been heard by the Board, but now we have different Board members. And their assumptions are, unless you specifically ask for the past information they're going to move on from that point because it's not a new case.

And a lot of that does get lost in the translation and especially with these cases because they're more complicated I mean, we're not talking about necessarily a Special Magistrate case where, did you cut your grass, didn't you cut your grass, you know, did you paint your house, didn't you paint your

house. It's pretty obvious.

These are more complicated matters dealing with zoning and dealing with the Building Department and having to obtain permits, even more complicated than the Code Enforcement Board because of what we're dealing with with the unsafe structure - potentially unsafe structure.

MR. PHILLIPS: I just think generally if we maintain an open mind, fair and unbiased, make your decisions based here, not do things that are suggested or that were selectively enforcing, not, we're selectively excusing certain areas like the shells with the rebar. I don't think Mr. Heller knows specific question when, and Lin knows, when it rusts you can't use the rebar which is embedded in concrete; the whole thing is bad.

So we didn't really get an answer from Mr. Heller as, well, it might be okay. But as long as we're consistent. If we are letting Middle River Drive properties stay there in the hope that they're going to eventually be [inaudible] and then we're getting Northwest 22<sup>nd</sup> areas that we're just knocking down quickly, that doesn't seem consistent.

So we should either be stricter, because we're going to have hundreds and hundreds of these. Is a cleared lot better than a lot with concrete and rusted rebar? These are decisions that I don't know the answers to; it's one of degree.



Now, if the banks have taken the property back in foreclosure then they're liable as the title owners. We would have a heck of a lot more leverage over there and they're worried about it. If it's in the foreclosure process and there's a second mortgagee or another one, then maybe they really don't care.

MS. HALE: They probably don't, that's the problem in some of these houses that when you get into that in-between stage you, you're in a gray area.

MR. PHILLIPS: And the City's talking about using funds to, Community Housing, to use certain federal funds to take over foreclosed properties, but I think the logistics of that are years away.

MS. HALE: Well, I can tell you on affordable housing, the fund that we get 1.4 million every year? Okay, well, Governor Crist had to sort of hit the backlog to make up his deficit, therefore the City of Fort Lauderdale will receive 140,000 this year.

MR. PHILLIPS: I thought that was federal.

MS. HALE: That's State money.

MR. PHILLIPS: But anyway, I think we have to bend over backwards to appear unbiased so our decisions are not challenged.

MR. HOLLAND: And I agree. I think the best way to achieve that is each case on its own merits. That's what we

do, that's what we've done, and that's what we're going to do. And I think we've, with the discussion we've accomplished a lot.

I think, hopefully my, you know, we can link these people in. I don't know if we need to talk more about whether we need them here physically or not, but I raised the suggestion and I hope that would be supported, and I'd welcome comments.

CHAIR SCHERER: I think Crazy Gregg's is a one example that just, we have one Crazy Gregg's in my two years here, so, in our two years, and it's just one thing. Why, what in the world is going on? Why do we - and then the inspectors don't know because they're not in the plan review, so we need to have somebody down here. So that's the first time I've ever had an inspector here and it was helpful. I think that Crazy Gregg, when they're here next time they'll be able to -

MR. PHILLIPS: Well don't forget, the burden's on the City.

MS. WALD: That is correct.

MR. PHILLIPS: So, if they don't want to show up, when in doubt we err in the favor of the property owner because it's a draconian property right and if we vote the City didn't prove its case, it's dismissed, the City is free to re-file, follow the procedures and get them over here to prove it. You know, so I think that with these guidelines -

CHAIR SCHERER: We can't dismiss a case can we?

MS. WALD: Well, no, I mean -

CHAIR SCHERER: No, we either give an extension or we tear it down.

MS. WALD: Basically you would, basically again, your options are demolish or go away. You've already made that determination way back when.

CHAIR SCHERER: Right.

MS. WALD: And you don't have the per se, you can't just quote, unquote, dismiss like in court. I know, it basically is tantamount to that, but it's actually not called that. And I know I hate doing it because I'm so used to using terms dealing with court, dismissal, with prejudice, without prejudice, it would be actually more along the lines of a dismissal without prejudice if we want to use court terms.

MR. PHILLIPS: [inaudible] denial, yes, that's [inaudible] but we say like the motion. Funny, the City never gave us a prepared statement to say, I move we find the violations do not exist as alleged [inaudible] and then [inaudible] we deny the City's request.

MS. WALD: I think that's pretty easy. I think that's an easy one. I don't think you need a script, but if you want one to be written up, Dee.

MR. PHILLIPS: Just be fair, just to be fair.

MR. JARRETT: Ginger in fact, does the City not really determine whether a) we only hear the cases that the City

presents.

MS. WALD: That is correct.

MR. JARRETT: So therefore, there may be lots of cases out there that the City, staff level, has determined not to bring to the Board for whatever reason, hardship or extenuating circumstances. We won't mention that on record, and there was some motions back there. And so, actually there is, there must be a policy that is beyond the Board, because obviously with all these building sites in the City and we only get a few every month? Therefore, there must be hundreds of sites that are not brought to the Board.

MS. HALE: You know there are.

MR. HOLLAND: Its complaint generated.

MR. JARRETT: So it's already kind of filtered. Am I assuming that correctly?

SUPERVISOR BRADLEY: You're assuming it correctly. Lin Bradley, Supervisor with the City of Fort Lauderdale. My superiors have given me the task of reviewing each case that is brought to this Board. And you're only getting the worst of the worst. We're taking a lot of the cases of buildings that are unfinished to the Code Enforcement Board. In fact we had one today that's going to have to be boarded up, that could be finished at a certain time, but right now deemed unsafe because it's not boarded. So we're doing that.

As far as the things that are built on the ground with

the rebar sticking up, we kind of feel like the same as you do, that that can wait for a while, but hopefully we can make the owner safe the property with something to go around that so that nobody gets hurt. But yes, we are looking at each case now because of the times that we're in, the money situation that we're in. So I've been instructed to do that, yes.

MR. PHILLIPS: You know, I've always found, and this is the second board I'm on, I've found that the City has been very, very fair and the inspectors and the complaint, they've always tried to work with the respondents and I just don't, sitting quasijudicial, I don't want to say that people come here are the worst of the worst. You know, let me see what the City has to say, let me see the respondents make a decision. But I think, Lin, in the Code Board on this Board there's a built in system to try to work things out.

SUPERVISOR BRADLEY: When I say the worst of the worst, I mean the buildings, not anybody.

MR. PHILLIPS: The buildings.

SUPERVISOR BRADLEY: The buildings the worst of the worst.

MR. PHILLIPS: We're talking about not people, we're talking about structures and [inaudible]

SUPERVISOR BRADLEY: Yes, we definitely work with people. And there are individuals in the pipeline right now that we're

working with to see if they can't get their permits or they can go in and demolish on their own because that only helps us, it only helps us. So you're getting the buildings that we just can't do anything with that we've got to do something with. Just like the fire today, no question that's got to come.

MR. PHILLIPS: Sure

SUPERVISOR BRADLEY: It's got to be here so.

MR. JARRETT: It's obviously a win-win.

SUPERVISOR BRADLEY: So we're make those choices.

MR. JARRETT: I realize, and I'm sure the whole Board realizes, that it's a win-win when the owner takes care of it themselves. a) The owner's going to get by cheaper. We know that private contractors out there without the City involved it's going to cost the owner less money to take that property down. They may even be able to salvage some of it and gain money there. Also, the City doesn't have the money to do all these demolitions. I mean, we're going to have to lay off firemen and policemen so that we can tear down buildings. That doesn't make any sense.

MS. HALE: Then they can demolish. They put out fires, they'll demolish.

CHAIR SCHERER: Can I get a gavel next time? Ready to go.

MS. PARIS: There is a gavel.

CHAIR SCHERER: Alright. Is there a motion to dismiss this discussion?

MS. HALE: You want a gavel? Go get a gavel.

CHAIR SCHERER: Anybody else discussion has anything?

MS. PARIS: Is there anything else for Good of the City that you want placed at the beginning of the minutes?

MS. WALD: Other than what we already talked about?

MS. PARIS: Other than what we've already discussed.

CHAIR SCHERER: No.

MS. PARIS: Thank you for filling the Board. Good deal.

CHAIR SCHERER: Are we full, we had a full Board today? That's good.

MR. PHILLIPS: Motion to adjourn, please.

MR. HOLLAND: Second.

MR. JARRETT: They should be appointing all the positions I believe is what she's referring to.

MS. PARIS: That's what I said, yes.

CHAIR SCHERER: No need to thank me or, I mean.

MR. JARRETT: No, compliment the Commission on filling the Board [inaudible] always have a quorum

MS. PARIS: That we finally have a full Board, yes.

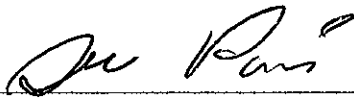
CHAIR SCHERER: I don't understand, what, okay, good, yes, that's good too, that's, any other ideas?

MS. PARIS: He understood it.

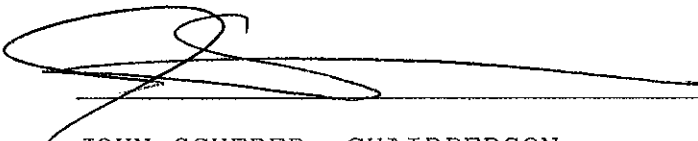
CHAIR SCHERER: Perfect. Motion to adjourn? Second?

MS. HALE: Yes, I second.

[Meeting concluded at 4:24 p.m.]

  
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BOARD CLERK

  
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JOHN SCHERER, CHAIRPERSON

Minutes prepared by: J. Opperlee, Prototype Services

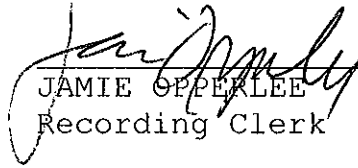


CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held June 18, 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 June, 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 June, 2009.

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

Notarial Seal:



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