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**CITY OF FORT LAUDERDALE**  
**UNSAFE STRUCTURES BOARD**  
**THURSDAY, JUNE 21, 2012 AT 3:00 P.M.**  
**CITY COMMISSION MEETING ROOM**  
**CITY HALL**

Cumulative Attendance 10/11 through 9/12
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<u>Board Members</u>	Attendance	Present	Absent
Michael Weymouth, Chair	P	6	0
Joe Holland, Vice Chair	A	3	3
John Barranco	P	5	1
Joe Crognale	P	6	0
Pat Hale	P	5	1
Thornie Jarrett	P	6	0
Don Larson	P	4	2
John Phillips	P	5	1
B. George Walker	P	5	1

**City Staff**

Lori Grossfeld, Board Secretary  
 Carrie Sarver, Assistant Attorney  
 George Oliva, City Building Inspector  
 Gerry Smilen, City Building Inspector  
 Chris Augustin, Chief Building Official  
 Dee Paris, Administrative Aide  
 Brian McKelligett, Administrative Assistant II  
 Jamie Opperee, ProtoType Inc. Recording Clerk

**Communication to the City Commission**

None

**Witnesses and Respondents**

CE12040056: Albert Khoury, owner's husband; Henry Hillman,  
 engineer; Alan Billups, general contractor  
 CE07061056: Enrique Crassus Senior, owner's representative;  
 Edmund Waterman, owner

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<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
<b>1. CE12040056</b>	<b>KHOURY, MICHELLINE</b>	<b><u>3</u></b>
Address:	1321 SW 22 TER	
Disposition:	30-day continuance. The Board recommends that: the respondent secure the remaining unsecured opening; the representations and recommendation of the engineer be followed and complied with; the pool be continuously drained and the demolition permit be obtained within seven working days. Board approved 8-0.	
<b>2. CE07061056</b>	<b>WATERMAN, EDMUND</b>	<b><u>24</u></b>
Address:	627 N FEDERAL HWY	
Disposition:	28-day continuance. The Board recommends the owner apply for a demolition permit and submit engineering and architectural plans within 10 days. Board approved 7-0 with Mr. Barranco abstaining.	
<b>3. CE12032397</b>	<b>SEAGER, PHILLIP L</b>	<b><u>42</u></b>
Address:	715 NE 15 AV	
Disposition:	28-day extension. The Board recommends the owner return in 28 days to show he has a plan to obtain a permit to render the building safe. Board approved 8-0.	
	<b>Communication to the City Commission</b>	<b><u>50</u></b>
	<b>For the Good of the City</b>	<b><u>51</u></b>

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

All individuals giving testimony before the Board were sworn in.

1        **Approval of meeting minutes**

2                    **Motion** made by Mr. Larson, seconded by Mr.  
3 Phillips, to approve the minutes of the Board's May 2012  
4 meeting. In a voice vote, motion passed 8-0.

5  
6        **Cases**

7                    1.    **Case: CE12040056**

[INDEX](#)

8                    **KHOURY, MICHELLINE**

9                    **1321 SW 22 TERRACE**

10                   MS. PARIS: We're on page one, first case is going  
11 to be an old business case at the bottom: CE12040056. The  
12 Inspector, George Oliva. The address, 1321 Southwest 22  
13 Terrace. The owner is Michelline Khoury. We have service by  
14 posting on the property 5/23/12 and 6/8/12. We've advertised  
15 in the Daily Business Review 6/1/12 and 6/8/12. Violations  
16 and extensions and certified mail as noted in the agenda.

17                   This case was first heard 5/17/12 USB hearing; the  
18 Board ordered 35-day continuance 6/21/12 USB hearing.

19                   CHAIR WEYMOUTH: Very good. Before we hear from  
20 you, I'd like to get an update from the inspector if we  
21 could, just a refresher. Inspector Oliva? Good afternoon.

22                   INSPECTOR OLIVA: Good afternoon Board.

23                   CHAIR WEYMOUTH: [inaudible] if you can give us an  
24 update of where we're at and just a refresher if you would  
25 please.

1           INSPECTOR OLIVA: Yes. I can say that the owner's  
2 having progress. He already hired this company that they're  
3 going to obtain the permits to rebuild the property and we  
4 just came to an agreement with the owner of the property or  
5 the owner's father. They're going to remove the roof deck  
6 with the trusses to make that property even safer. So that  
7 way the neighbors will feel better with the property. So  
8 it's up to the Board if you would allow him to a sixty-day  
9 extension so he can go through the process and he has an  
10 architect and an engineer with him. And they would like to  
11 speak to the Board.

12           CHAIR WEYMOUTH: That document doesn't show me  
13 anything other than the address. Either we can focus it in  
14 or pass it around. I have to confess I don't recall the  
15 outstanding issues specifically with this. Do we have any  
16 pictures from before or?

17           MR. MCKELLIGETT: Sure we can.

18           MS. PARIS: Hang on; I'll get them.

19           MR. PHILLIPS: Mr. Chairman, before we start, I  
20 think this is a case, the property's in a minor child's name.

21           CHAIR WEYMOUTH: Okay, yes, yes, thank you, yes.

22           MR. PHILLIPS: Remember, he was supposed to come  
23 back with the guardianship to see if they even have authority  
24 to discuss this.

25           CHAIR WEYMOUTH: You're absolutely right. I would,

1 I think we're perfectly willing to listen to him but I think  
2 we need to establish what capacity they are presenting  
3 themselves to the Board. So I think you're absolutely right  
4 Jack.

5 MR. KHOURY: Okay, the property actually is in my  
6 wife's name, not my daughter's name. It is under her Social  
7 Security number. I made a mistake the last time because my  
8 wife and my daughter, it's, my wife's name is Michelline --

9 MR. LARSON: Would you speak up.

10 MR. KHOURY: Sorry.

11 MR. LARSON: Or talk into the mic.

12 MR. KHOURY: Okay. The property is actually in my  
13 wife's name.

14 MR. PHILLIPS: Oh, okay. What's your wife's name,  
15 Michelline?

16 MR. KHOURY: Michelline. And --

17 MR. PHILLIPS: What's your daughter's name?

18 MR. KHOURY: Michelline as well.

19 MR. PHILLIPS: Oh.

20 MR. KHOURY: They're both Michelline. All right?  
21 It's actually in my wife's name, you were right.

22 MR. PHILLIPS: Okay.

23 MR. KHOURY: I wasn't here when they did that and I  
24 was under the impression because I didn't see the N, that it  
25 was under my daughter's name but it's actually under my

1 wife's name.

2 MR. PHILLIPS: Well, good. Then the question is,  
3 where's your wife?

4 MR. KHOURY: She left actually for Africa  
5 yesterday.

6 MR. PHILLIPS: Oh, okay.

7 MR. KHOURY: Alright? But she will be back.  
8 Sorry.

9 MR. HILLMAN: Hi, I'm Henry Hillman with Hillman  
10 engineering. We've been employed by the owners to go ahead  
11 and make this building as requested. I just gave your  
12 Inspector, and I have two more copies here if somebody needs  
13 them -- I assume you're the clerk for the Board -- of an  
14 engineering report. I am a structural engineer. There's  
15 report saying the building is structurally sound.

16 Let me explain to you what's happened. There was a  
17 fire in this in the spring of 2005 and then it damaged the  
18 trusses, it charred some of the trusses for the section and  
19 if we look in the report that I gave you, we pulled up the  
20 layout from the property appraiser's office and in there it's  
21 section 01, which they call the one-story area in that, the  
22 trusses were damaged. All the rest of the roof on this  
23 entire structure has already been removed. The only portion  
24 that is questionable is that.

25 In my report, what I recommend is a couple things.

1 One: that the trusses, that all the roof structure be  
2 removed; two: that stiff backs be put on the inside and  
3 outside of the masonry walls. It has CBS walls, concrete  
4 block and steel walls and they be stiff backs, supports on  
5 that to make sure the, you know, we get a hurricane, I don't  
6 want anything blowing over, I don't want any flying debris.

7           The next thing is that the owner agree to drain the  
8 pool. The pool was an inside pool, it's inside the  
9 structure. Currently right now, he has drained it down,  
10 there's about 6 inches of water in it. What I'm going to  
11 recommend is that he pool, until the structure can be made  
12 whole, that he once a week drain the pool so there's no  
13 possibility of any insects. The structure is all enclosed,  
14 there are a few windows that have not been boarded up, I'm  
15 going to recommend that the windows be boarded up so no kid  
16 can get in and fall into the pool area.

17           The other items are, I've requested that sixty days  
18 from now, what we'll do, we'll design up and draw up so they  
19 can get a demolition permit, take that portion of the roof  
20 down. And then start and do a reconstruction design. What  
21 I'd like to be able to do is within sixty days come back and  
22 give you a progress report and show you where we're at, that  
23 they've, that they're either in the process or are ready to  
24 apply for a permit.

25           There's a lot of work that they want to do to this

1 structure. We have to draw up the plans and specifications to  
2 do it. Here's the problem, we're going to exceed 50% of the  
3 assessed value so we have to bring it up to current 2010  
4 Florida Building Code.

5 Yes, that's why I said there's going to be a lot of  
6 plans. It just isn't as simple as going back in and putting  
7 it back together. Even if you just put it back together  
8 today it'll exceed 50% of the assessed value. The assessed  
9 value on the property appraiser right now is \$5,000.  
10 Structure, not the, not the dirt, but the structure's only  
11 \$5,000.

12 It was seventy-four in 2010; it was twenty-one in  
13 2011 and it's five thousand right now. So we'll exceed that  
14 without, before you do anything you're going to exceed that.  
15 So therefore, it has to be brought up to current code which  
16 is the 2010 Florida Building Code which means we'll have to  
17 put new columns in, all the windows and doors have to go to  
18 either to impact or wind rated plus shutters.

19 There's a lot of work to do on this building. So  
20 it isn't a simple matter I can draw set of plans and be done  
21 with it and go. No, there's a lot of work that has to be  
22 done so what I would say is I requested, and that's what I  
23 put into my engineering report which I gave you certified  
24 copies of, that we request that we, it's, give us sixty days  
25 just make sure where we're at and then we'll come back and



1 give you an interim report and show you where we've  
2 progressed to that point.

3 CHAIR WEYMOUTH: Are you acting as the engineer and  
4 the general contractor?

5 MR. HILLMAN: No, I am not the general contractor.  
6 I am the, I will be the, I am the engineer and will be the  
7 engineer of record.

8 CHAIR WEYMOUTH: The recommendations that you've  
9 made in your report is that the limit to what he can do?  
10 Here's my concern -

11 MR. HILLMAN: Sure.

12 CHAIR WEYMOUTH: Sixty days from now we're in the  
13 middle of August. We'll probably have a half - we'll  
14 probably have a dozen named storms behind us.

15 MR. HILLMAN: Um-hm [affirmative]

16 CHAIR WEYMOUTH: And the concern is, obviously, the  
17 roof needs to come off. My question is, there's a commitment  
18 to rebuild this. There's obviously a need to take the roof  
19 off because it's no good. Are we better off taking the roof  
20 off of the building at this time, knowing that it's going to  
21 need that regardless, so that doesn't become -

22 MR. HILLMAN: No, the --

23 CHAIR WEYMOUTH: I saw busted joists, burnt joists,  
24 and I don't need that to end up a tree house.

25 MR. HILLMAN: No, the report, the report, trying to

1 help short-circuit this for you. The report recommends  
2 within five days of you've approving us going forward this  
3 way, we'll have him pull a demolition permit and start  
4 removal of that roof immediately, within five days of this  
5 date.

6 CHAIR WEYMOUTH: Is that, is that achievable,  
7 Chief?

8 MR. AUGUSTIN: Sure.

9 CHAIR WEYMOUTH: Five days to get it --

10 MR. AUGUSTIN: Absolutely.

11 MR. HILLMAN: Yes. I need five working days; now,  
12 you know, don't count on the weekends.

13 CHAIR WEYMOUTH: No, it's just as long as long as  
14 you have a [inaudible].

15 MR. HILLMAN: Yes. And, no, that's from, that was  
16 the first step. But before we do anything, we need to have  
17 approval from you to go forward. I gave a set of  
18 recommendations I'll follow, if you'll look in the report,  
19 they're in there. Yes sir, go ahead.

20 INSPECTOR OLIVA: George Oliva, Building Inspector  
21 for the City. I spoke to Chris Augustin, Building Official,  
22 and we can walk through this permit tomorrow morning for the  
23 demo.

24 MR. HILLMAN: Okay.

25 CHAIR WEYMOUTH: Chief, have you looked at the

1 recommendations that he's making to this correction?

2 MR. HILLMAN: No, I -- probably not, because I just  
3 gave a copy and here's another one for you, for you, sir.

4 [Mr. Hillman handed a copy of his recommendations  
5 to Mr. Augustin]

6 I just brought them in today because we were just,  
7 we were physically hired yesterday. I was there on the  
8 property the day before.

9 CHAIR WEYMOUTH: I don't know if this is doable or  
10 not. I'd like to maybe give you a few minutes to review the  
11 recommendations and let's hear the other case and then come  
12 back.

13 MR. HILLMAN: Okay.

14 CHAIR WEYMOUTH: And make sure that what you're  
15 asking for is acceptable to the City. Before they get into  
16 that, I know that Thornie has a question. If there's any  
17 other questions let's entertain the questions now.

18 MR. HILLMAN: Yes sir.

19 CHAIR WEYMOUTH: So that we'll be getting this in  
20 its full context. Thornie?

21 MR. JARRETT: Yes. The only thing I have a concern  
22 about your report was the fact that not all the openings are  
23 boarded up.

24 MR. HILLMAN: That --

25 MR. JARRETT: We have we have a hole in the middle

1 of the structure and kids play and we don't want somebody  
2 hurt.

3 MR. HILLMAN: If you take a look at the report, we  
4 are requiring that all of the openings be secured.

5 MR. JARRETT: Yes. And that would take place --

6 MR. HILLMAN: That would take place as soon as the  
7 roof demolition has been occurred, we'll make sure that all  
8 the openings are secured.

9 MR. JARRETT: Okay. What kind of timetable are we  
10 talking about to seal that up?

11 MR. HILLMAN: Well, I'd imagine he could probably  
12 have it done within a week and a half. Have the roof  
13 demolished. Soon as that's done, it's going to be a matter  
14 of simply plywood. There is only one opening that is not  
15 secured currently right now. The others have windows and  
16 glass in them. But I don't trust windows and glass because  
17 kids can go through that. So that, I'm recommending that he  
18 plywood those shut for the time being.

19 MR. JARRETT: Would he agree to seal that one  
20 opening up ASAP?

21 CHAIR WEYMOUTH: I think they're going to need  
22 access --

23 MR. CROGNALE: Mr. Chair?

24 CHAIR WEYMOUTH: -- to the structure in order to do  
25 the demolition. But in conjunction with the removal I don't,

1 I think, once the roof's off they should be a --

2 MR. HILLMAN: Don't have a problem with that; we  
3 have that right as one of the recommendations in the report.

4 MR. CROGNALE: Mr. Chair?

5 CHAIR WEYMOUTH: Yes.

6 MR. CROGNALE: Question for the architect.

7 CHAIR WEYMOUTH: Go ahead.

8 MR. HILLMAN: Engineer, please.

9 MR. CROGNALE: Engineer, sorry about that.

10 MR. HILLMAN: Don't, that way nobody says, oh, you  
11 said you were an architect. No, I'm an engineer.

12 MR. CROGNALE: Had you been an architect he would  
13 have been --

14 CHAIR WEYMOUTH: We haven't tried to label him.

15 MR. CROGNALE: He would have been just as upset.

16 All right, you stated in your report, I just briefly read it,  
17 that the CBS load bearing walls are not compromised.

18 MR. HILLMAN: No they are not. There is one crack  
19 in one of the walls that, it's minor. That's repairable with  
20 a product called Shear Wall. The rest of the walls are still  
21 structurally sound. That's why I was able to give you, give  
22 you, that the structural load bearing walls are structurally  
23 sound.

24 MR. CROGNALE: Okay. All of the load bearing walls  
25 are intact.

1           MR. HILLMAN: Yes sir. All the load bearing walls  
2 are structurally sound and just to be safe with them, until  
3 the reconstruction gets going, I want the stiff-back them.  
4 Very simply, put a two-by-six inside/outside, you through-  
5 bolt them, and you put a brace to them so that if we get a  
6 bad storm or wind, nothing goes over it, it doesn't have any  
7 flying debris. Okay?

8           MR. CROGNALE: Okay, thank you Mr. engineer  
9 Hillman.

10          MR. BARRANCO: Mr. Chair, one question.

11          CHAIR WEYMOUTH: Go ahead.

12          MR. BARRANCO: First of all, just, my opinion on  
13 the whole matter, as long as things are safe I'm going to  
14 vote in favor of allowing an extension and hopefully this'll  
15 come off our agenda in the future and you guys will move on  
16 and build whatever it is you're going to build. I mean,  
17 that's the key to what we do here is just to make sure  
18 everything's safe, right?

19                 My question to you is, and you may have answered  
20 this at the last Board meeting and I don't remember -- why  
21 are you saving that structure? Because, and I'm going to  
22 give you not my opinion as a Board member, I'm giving you my  
23 professional opinion. You do realize it would be less money  
24 for you to build a new building, correct?

25          MR. HILLMAN: Go ahead.

1 MR. KHOURY: I don't know. Like I told you last  
2 time, I don't know whether we are going to save it or not.  
3 They're working on it and probably is not going to get saved,  
4 I don't know.

5 MR. WEYMOUTH: Okay.

6 MR. KHOURY: They're working on it. We're looking  
7 at all options. But right now we don't want to just go ahead  
8 and demo it and then later on regret doing that. I don't  
9 know. But I do know that this house is going to get built  
10 and you will see that it will get built.

11 MR. BARRANCO: I've got a lot of renovation work  
12 and typically when people renovate, because there's some  
13 value as to why they are renovating it, whether it's a  
14 setback that you violate, a square footage thing, a use,  
15 something that would give you reason to keep it because  
16 you're grandfathered in. Otherwise?

17 MR. HILLMAN: I think I can help you on that one.

18 MR. BARRANCO: My recommendation is tear it down.

19 MR. HILLMAN: On the East side, around the pool is  
20 a containment wall which would not meet the current setback  
21 as it is a CBS wall. If the wall exists where it is, it can  
22 remain in place. If they, if he demolished it, he can't do  
23 that. He would then have an exposed pool. He has a privacy  
24 wall along it.

25 MR. BARRANCO: You may have a case there, you may

1 not according to the zoning code. And I'm not speaking to  
2 the zoning code, I'm just giving you advice. When you guys  
3 go through the City of Fort Lauderdale's review you may be in  
4 peril because if the use has been discontinued for more than  
5 -- was it three months or a year -- there is a timeline. If  
6 it's a discontinued use, you lose it; the building is no  
7 longer conforming.

8 MR. HILLMAN: You may be exactly correct but we can  
9 still make the case that it has been approved at that  
10 particular location, we request that it be done again.

11 MR. BARRANCO: You can make that case and I have  
12 made that case and it's worked sometimes. But sometimes --

13 MR. HILLMAN: Sometimes yes, sometimes no, I  
14 understand.

15 MR. BARRANCO: -- no. Again, my advice to you,  
16 it's going to be a lot less expensive. Now, as long as it's  
17 safe, I'll vote in favor an extension and hopefully you guys  
18 will come off this agenda and we'll be done.

19 MR. HILLMAN: Okay.

20 CHAIR WEYMOUTH: Any other questions of the  
21 respondent?

22 MR. WALKER: Is that your general - sorry. George  
23 Walker, is that your general contractor in the back, do we  
24 want to hear from him?

25 CHAIR WEYMOUTH: Do you have a question for the



1 general contractor?

2 MR. WALKER: No I don't, but [inaudible]

3 CHAIR WEYMOUTH: Chief, have you gotten a chance to  
4 -- or do you need a little more time?

5 MR. AUGUSTIN: Yes I have. Chris Augustin,  
6 Building Official. Notice here in the conclusion and  
7 recommendation it speaks of the engineer putting together a  
8 plan, some working drawings within five working days. It  
9 does not speak of the timeframe for submitting to the  
10 Building Department and obtaining a permit.

11 MR. HILLMAN: That is for the demolition, sir.

12 MR. AUGUSTIN: I, no, I understand, but it still  
13 doesn't speak of that.

14 MR. HILLMAN: Okay. No problem.

15 MR. AUGUSTIN: It does not speak of securing the  
16 openings, which you said there was only one I believe?

17 MR. HILLMAN: There is one opening that's here.  
18 It's in here.

19 CHAIR WEYMOUTH: While you're looking that over, if  
20 I could ask the contractor one question. Are you going to be  
21 the gentleman doing the demolition and the board-up?

22 MR. BILLUPS: Yes sir.

23 CHAIR WEYMOUTH: Are you in a position to mobilize  
24 within the next seven working days to do the work?

25 MR. BILLUPS: Yes sir, yes.

1 CHAIR WEYMOUTH: Okay. Thank you.

2 MR. BILLUPS: You're welcome.

3 MR. KHOURY: We will board up, we will board up  
4 whatever needs to --

5 MR. HILLMAN: I stand corrected. I know it was  
6 supposed to be in there.

7 CHAIR WEYMOUTH: Was the contractor sworn in? Were  
8 you sworn in?

9 MR. BILLUPS: No, I was not.

10 MS. GROSSFELD: No, he's not signed in.

11 CHAIR WEYMOUTH: Okay. We may need to swear him in  
12 Brian. Thank you. Okay. Other than those couple of things  
13 --

14 MR. AUGUSTIN: I'd also like to see a detail on  
15 those plans of how the wall is to be braced.

16 MR. HILLMAN: That's no problem; we can do that.

17 MR. AUGUSTIN: Just make that part of the plans.

18 MR. HILLMAN: Sure, no problem.

19 MR. AUGUSTIN: The demolition plans.

20 MR. HILLMAN: No problem.

21 MR. AUGUSTIN: So that in case a hurricane does  
22 creep up on us while the roof structure is gone there'll be a  
23 better chance that the four walls will stand.

24 MR. HILLMAN: I agree with you that's what I  
25 recommended.

1 CHAIR WEYMOUTH: Does anybody else have any  
2 questions?

3 MS. HALE: Yes. The pool appears to be enclosed  
4 but is it totally enclosed?

5 MR. KHOURY: Yes.

6 MS. HALE: I can see two walls. So there's no way  
7 of getting into the swimming pool area?

8 MR. HILLMAN: May I approach? There's from Google  
9 Earth -- I just pulled those up. That's from last, that is  
10 the pool.

11 [Mr. Hillman showed an aerial photo of the  
12 property]

13 MS. HALE: Oh.

14 MR. HILLMAN: The area that was green at that time  
15 is the pool. East of that and the -- can I look one second  
16 just so I can orient you? Okay, this is the street.

17 MS. PARIS: Sir, I need you to [inaudible]

18 CHAIR WEYMOUTH: And put it on the overhead if  
19 you'd like.

20 MR. HILLMAN: Okay. All right, we'll do it that  
21 way. And there's additional copies so they can look at them  
22 also. There's additional copies here if you want to follow  
23 along.

24 CHAIR WEYMOUTH: Thank you.

25 MR. HILLMAN: It helps.

1 MS. HALE: So how do you get to the pool? I mean,  
2 do you enter the pool area from what was once the house?

3 MR. HILLMAN: Yes ma'am.

4 MS. HALE: Oh, okay. Because frankly, these  
5 pictures do not look as if anyone has drained the pool for a  
6 couple of weeks.

7 MR. HILLMAN: I can tell you when I was there,  
8 there was approximately six inches, I was there on, this is  
9 Thursday, I was there on Tuesday. There's approximately six  
10 inches of water. That is from, those pictures that you see  
11 are from Google Earth and they were --

12 MS. HALE: Yes, but I meant this one. It looked  
13 like it was more than six inches.

14 Mr. HILLMAN: That happens to be the angle at which  
15 I shot it at for my purposes.

16 MS. HALE: Oh.

17 MR. HILLMAN: And it's not conducive, actually  
18 there's about six inches of water in that pool and that's why  
19 I made one of the recommendations once a week the owner will  
20 pump the pool down so that there's no problem.

21 MS. HALE: Okay.

22 MR. LARSON: Mr. Chairman?

23 CHAIR WEYMOUTH: Yes sir?

24 MR. LARSON: Can I make a recommendation, in  
25 regards to the pool and the water that comes into it. From

1 time to time can you put some chlorine in it to kill the  
2 mosquitoes?

3 MR. HILLMAN: I have no problem with that.

4 MR. LARSON: So they don't turn up that they can,  
5 even though he pumps it out, it's starting to get water and  
6 he can throw some chlorine in there.

7 MR. HILLMAN: Sure.

8 MR. KHOURY: I'm actually going to hire a pool  
9 company. I can show evidence that I will hire a pool company  
10 with a contract to go out there and clean it as needed.

11 CHAIR WEYMOUTH: There's no power on the property,  
12 correct?

13 MR. KHOURY: That's correct. But there is a  
14 company, the people who drained it, they have their own like  
15 generator or whatever. So I will hire them to go out there  
16 and take care of that to where it is good.

17 CHAIR WEYMOUTH: Does the Board have any other  
18 questions?

19 MS. HALE: No.

20 CHAIR WEYMOUTH: I've just got one comment. In  
21 that it sounds like the City's going to work with you on  
22 expediting, getting a demolition permit and the timeframe  
23 that you need to put together for plans and all, it sounds  
24 like a permit could be in hand by a week from this Friday.

25 MR. HILLMAN: Yes sir.

1           CHAIR WEYMOUTH: It could be seven or eight working  
2 days. Sounds like you only need a couple weeks from what I  
3 was hearing to do the demolition. I'm uncomfortable letting  
4 it go out two months to revisit this. I'd like, again, my  
5 personal opinion is I'd like to see it back here at our next  
6 meeting to make sure the progress is moving forward as it is.  
7 As in poor condition as that roof is, it just, it scares me  
8 that we get into August before we revisit that.

9           MR. HILLMAN: Okay, I have no problem with that  
10 except please have your office notify me when the next  
11 meeting will be because --

12           MR. WEYMOUTH: I'll tell you.

13           MR. HILLMAN: -- they normally go out to the owner  
14 and the owner may not get it to me. So I'll be happy to do  
15 that.

16           CHAIR WEYMOUTH: July 19.

17           MS. HALE: No.

18           MR. HILLMAN: July 19?

19           CHAIR WEYMOUTH: The next meeting of this Board  
20 will be July 19 and if we did a thirty-day extension, you  
21 would be back on July 19.

22           MR. HILLMAN: Wait, wait, wait, wait.

23           CHAIR WEYMOUTH: It would be a twenty-eight-day  
24 extension.

25           MR. HILLMAN: Just a minute, just a minute. Okay,

1 okay.

2 MS. PARIS: You'll get notice.

3 MR. HILLMAN: Alright, thank you.

4 CHAIR WEYMOUTH: Anyway. That's my only comment.

5 If there's no other comments, does somebody want to make a  
6 motion?

7 MS. HALE: No, no, I read the wrong column. That's  
8 all right.

9 MR. PHILLIPS: I'd like to make a motion that we  
10 approve the stipulation entered into by the owner and the  
11 City subject to it being a thirty-day extension of time with  
12 the proviso that a) the remaining opening that is unsecured  
13 be secured; b) that the representations and recommendation of  
14 the engineer be followed and complied with; c) that the pool  
15 be continuously drained and 4) that the demolition be done  
16 within seven working days was it I guess? The permit, the  
17 demolition permit be obtained within seven working days.

18 MR. HILLMAN: Okay.

19 MR. LARSON: I'll second it.

20 CHAIR WEYMOUTH: Any additional discussion? Okay,  
21 we'll take it to a vote. All those in favor say aye.

22 BOARD MEMBERS: Aye.

23 CHAIR WEYMOUTH: Any opposed? Okay.

24 MR. HILLMAN: Thank you ladies and gentlemen.

25 CHAIR WEYMOUTH: We'll see you guys in a month.

1 MR. HILLMAN: Thank you.

2 CHAIR WEYMOUTH: Thank you.

3 MR. PHILLIPS: Good luck.

4

5 **2. Case: CE07061056**

[INDEX](#)

6 **WATERMAN, EDMUND**

7 **627 N FEDERAL HWY**

8 MS. PARIS: Our next case will be on page three.

9 This is a new business case. Case CE07061056. The Inspector,  
10 Gerry Smilen. The address, 627 North Federal Highway. The  
11 owner, Edmund Waterman.

12 CHAIR WEYMOUTH: Excuse me just a second, Dee.  
13 Gentlemen, if you could carry the conversation outside  
14 please. Sorry Dee.

15 MS. PARIS: I'll start over. It's a new business  
16 case on page three. CE07061056, the Inspector, Gerry Smilen  
17 the address 627 North Federal Highway. The owner is Edmund  
18 Waterman. We have service by posting on the property  
19 5/25/12. We've advertised in the Daily Business Review  
20 6/1/12 and 6/8/12. Certified mail as noted in the agenda.

21 INSPECTOR SMILEN: Good Afternoon Board.

22 CHAIR WEYMOUTH: Hello Inspector Smilen.

23 INSPECTOR SMILEN: Gerry Smilen, Building  
24 Inspector, the City of Fort Lauderdale. Presenting case  
25 CE07061056 at 627 North Federal Highway. I'd like to enter a



1 copy of the Notice of Violations into the record which will  
2 address each violation and the corrective actions for the  
3 violations. Basically this case is from '07. The case was  
4 opened up originally by Building Inspector Jorg Hruschka from  
5 a complaint by the fire department.

6 [Inspector Smilen displayed photos of the property]

7 And we can examine the pictures here. This, if  
8 we're looking, these are a couple years back. There was a  
9 lot of work that was done without permits and the building  
10 was also deteriorating at that time. As you can see through  
11 the pictures here from, I think these are taken what, October  
12 of '09.

13 There were walls up, there was a nightclub -- there  
14 were multiple businesses in this and as you can see there was  
15 plumbing that was done in there as well. That's the steel  
16 roof joists that are rotting away and deteriorating.

17 This is the outside of the building where the  
18 entrance was under the porte-cochere. And that's the  
19 overhang recently. As you can see, the structural members  
20 are rusting out and deteriorating. And some birds hanging  
21 out there as well.

22 That's the front of the building that's exposed to  
23 Federal Highway. As you can see, there's glass block that  
24 was put in there that was done without permits and you can  
25 see there's a gap still at the top it wasn't done according

1 to code. That's a little close-up of it.

2           That's another shot of the overhang. As you can  
3 see, where the roofing and the members are deteriorating.  
4 This is a gap where, around the front door area. This is in  
5 the back of the building. As you can see, that's from the  
6 roof drain, the runoff. The power's been disconnected. And  
7 that's showing some plumbing that was done without a permit.

8           Another angle of the outside of the building and  
9 more interior. You can see that there's four-by-four posts  
10 that are actually shoring up and supporting the roof in  
11 certain areas there because the fear of the failure of  
12 collapse. That's more jacks and more supports. I thought I  
13 had more pictures than this here.

14           Okay, at this point, the --

15           CHAIR WEYMOUTH: Is this case really five years  
16 old?

17           INSPECTOR SMILEN: Yes.

18           CHAIR WEYMOUTH: You guys have been looking at this  
19 for five years?

20           INSPECTOR SMILEN: Well, what had happened is when  
21 it got transferred to me, I believe it was transferred to me  
22 in 2008 or 2009. The building was secured and I didn't, I  
23 didn't get access until October of 2009. The building had  
24 remained secured, and so we left it at that for now.

25           Now, some time has passed by and as we notice on

1 the outside, the situation has gotten worse. We were trying  
2 to work with, there was a, I believe a gentleman by the name  
3 of Tom Clark, he was a manager for the owner. There were a  
4 couple of businesses that were, they were negotiating with,  
5 that were supposed to go into this building and actually  
6 occupy it and take care of the repairs and make it a viable  
7 building again. I believe there was some sort of a market,  
8 there was a car auto showroom that might go in there.

9           Everything fell through. So it just got to the  
10 point where we needed to do something about it. Now, I can  
11 tell you, update you to as recently as a couple days ago that  
12 I did meet with the owner, Mr. Waterman, and his general  
13 contractor, Mr. Senior, and they have cleaned out the  
14 building completely.

15           So it's clean, there's no combustible materials in  
16 there. They've acknowledged the fact that there are repairs,  
17 especially structural repairs to the roof that need to be  
18 done. And what they're willing to do is they want to go in  
19 there and they want to actually repair the joists and re-roof  
20 the building so there is a sound roof on there so we stop the  
21 leaks and any more deterioration and damage to the building.

22           And they will actually board up the building with  
23 shutters, get a shutter permit. And they will, again, try  
24 to, as the building is secured and the structural damage has  
25 been taken care of, their main goal at this point is to try

1 to lease the building out. And obviously with those problems  
2 taken care of it would be a much easier thing to do and it  
3 would take care of our violations of the property.

4           So, as of this morning, there was a interior  
5 demolition and future build-out permit that was submitted  
6 with applications, with plans. I reviewed the plans the  
7 other day with the general contractor and the owner and I'm  
8 satisfied that if they get the permit and they actually do  
9 the work, these serious violations will be taken care of.

10           And that will take care of the City's concern for  
11 this building. They also have agreed to try to take care of  
12 the outside of the building and make it look a little more  
13 presentable to the community, including painting the building  
14 and making it a little more presentable because it does have  
15 an exposure on Federal Highway.

16           So at this point, with all this new information and  
17 the fact that we, now we start seeing a little progress  
18 towards a goal of complying this building, the City would  
19 support a fifty-eight-day extension for him to get his  
20 permits and start the work.

21           CHAIR WEYMOUTH: Before we go any further, I was  
22 just handed a conflict of interest form as it relates to Mr.  
23 Barranco. I've, in my time on this Board not seen this come  
24 up. I don't know whether there's certain procedures that  
25 need to be --

1 MS. PARIS: No, it just needs to be announced on  
2 the record, that's all.

3 CHAIR WEYMOUTH: Okay.

4 MS. PARIS: That he won't be voting because of a  
5 conflict of interest.

6 MR. BARRANCO: Correct.

7 CHAIR WEYMOUTH: Okay.

8 MS. PARIS: That's all

9 MR. BARRANCO: If I could speak to that.

10 MS. PARIS: I didn't want to interrupt Inspector  
11 Smilen, and I wanted to --

12 CHAIR WEYMOUTH: No, no. neither did I.

13 MR. BARRANCO: If I --

14 CHAIR WEYMOUTH: He doesn't like to be interrupted.

15 MS. PARIS: No, no, no, no, no.

16 MR. BARRANCO: Hey Mike?

17 CHAIR WEYMOUTH: Yes sir.

18 MR. BARRANCO: If I could speak to that. I've  
19 signed a few of those. A lot of times I might have seen the  
20 property. There was another developer who was looking at the  
21 property and considering it. And I would never want to vote  
22 on an issue that would affect me in any way, so.

23 CHAIR WEYMOUTH: Understood.

24 MR. BARRANCO: I --

25

1 CHAIR WEYMOUTH: I just, I --

2 MR. BARRANCO: I just won't vote on the issue.

3 CHAIR WEYMOUTH: Whoops, you all right?

4 INSPECTOR SMILEN: Take it easy there.

5 CHAIR WEYMOUTH: Okay, thank you. Okay, any  
6 questions of the inspector before we hear from the  
7 respondent?

8 MR. CROGNALE: Yes, I have one question for Mr.  
9 Smilen. Gerry, based on what you just stated, the comment  
10 that I, as I understand it, is these people now want to just  
11 moth ball building.

12 INSPECTOR SMILEN: Could you speak up, sir?

13 MR. CROGNALE: Moth ball, they just want to moth  
14 ball the building right now.

15 INSPECTOR SMILEN: Well, well --

16 MR. CROGNALE: Get it closed up, safe, and then  
17 just leave it as is.

18 INSPECTOR SMILEN: Well, what they want to do is,  
19 they feel that if they take care of the structural problems  
20 and put a new roof on it, which will stop further  
21 deterioration of the building, it would be more marketable  
22 for them to lease the building out, which is what they intend  
23 to do, which would benefit everybody at this point, with a  
24 viable business operating in the building.

25 MR. CROGNALE: Okay, but offhand they don't have a

1 use for it, present use for it.

2 INSPECTOR SMILEN: At this point, no.

3 CHAIR WEYMOUTH: What would be accomplished in  
4 fifty-eight days? Fifty-eight days from now, when they come  
5 back, what would we expect to see, permit in hand? Work  
6 completed?

7 INSPECTOR SMILEN: Well, I can tell you in my  
8 opinion on it, but the owner and his general contractor here,  
9 they could probably be a little more realistic. But I can  
10 tell you what my expectations would be. My expectations  
11 would be that the permit would be obtained in that amount of  
12 time and that work would start on the structural parts.

13 But what they want to do is they have to take care  
14 of, they have to re-roof it, but they need to take care of  
15 the structural parts so they can reroof it and then from  
16 there they would apply for a roofing permit. And once  
17 there's a new roof on the building that would eliminate  
18 further damage to the building.

19 CHAIR WEYMOUTH: Okay. Does the respondent want to  
20 respond?

21 MR. WATERMAN: Good afternoon.

22 CHAIR WEYMOUTH: How are you?

23 MR. WATERMAN: Good.

24 CHAIR WEYMOUTH: Please announce your name for the  
25 record please.

1 MR. WATERMAN: Edmund Waterman, the owner of the  
2 property.

3 CHAIR WEYMOUTH: Welcome.

4 MR. WATERMAN: Thank you.

5 CHAIR WEYMOUTH: So, you've hired a general  
6 contractor.

7 MR. WATERMAN: I have.

8 CHAIR WEYMOUTH: Okay, and prepared permits.

9 MR. WATERMAN: Yes we have.

10 CHAIR WEYMOUTH: Hired an engineer to do all the  
11 work that needs to be done to be compliant?

12 MR. WATERMAN: Yes sir.

13 CHAIR WEYMOUTH: And is the general contractor the  
14 gentleman behind you?

15 MR. WATERMAN: Yes sir.

16 CHAIR WEYMOUTH: Yes, no?

17 MR. SENIOR: I'm the owner's representative and we  
18 have a general contractor. He's, I'm not the, I am a general  
19 contractor, but I'm the one managing the job so it gets done  
20 for him.

21 CHAIR WEYMOUTH: Okay.

22 MR. WATERMAN: Essentially, what Mr. Smilen said is  
23 exactly my understanding. I'm in agreement with everything  
24 he said.

25 CHAIR WEYMOUTH: Do you have permit drawings ready



1 now?

2 MR. WATERMAN: Yes.

3 CHAIR WEYMOUTH: They're ready to be submitted?  
4 Have they been submitted?

5 MR. SENIOR: We introduced them already.

6 CHAIR WEYMOUTH: They are submitted? Oh, okay, I'm  
7 sorry I must have missed that. Okay, any questions?

8 MR. SENIOR: I do want to say something.

9 CHAIR WEYMOUTH: Go ahead.

10 MR. SENIOR: Enrique Senior, and I'm the owner  
11 representative. I want to give you a little bit background  
12 also on this job because there are things that you might not  
13 know. This building, since before 2009 had no electrical so  
14 when they did the original report, when they did the --

15 MR. LARSON: You speak into the mic please?

16 MR. SENIOR: Okay. Since 2009, once Katrina, they  
17 had no electrical. So the original report was done based on  
18 an electrical violation which was not existent and we cleared  
19 it on a four-year certification. And we try to secure the  
20 building so it's safe for the public, number one, which is  
21 the first thing we have to do.

22 And now we need to do interior bracing before we  
23 can even get to the roof to do, take off the bad stuff and  
24 everything that's loose, and the old air conditioning boxes.  
25 Everything has been stolen from the roof, units and so on, so

1 we just need to clean it out.

2           And the idea is that we're, in this time we're  
3 still studying the possibility of either demolishing or to  
4 make for a new structure to come in. But we have two  
5 gentlemen interested in the property for a bigger development  
6 to take more of the land around which would be better in the  
7 future for the area. But we are anyway to make that building  
8 secure. It just doesn't make sense right now to go right  
9 into doing that new building because there are other things  
10 that are going to happen to all the lots around us.

11           CHAIR WEYMOUTH: Any additional comments?

12           MR. WATERMAN: I'm sorry?

13           CHAIR WEYMOUTH: Did you have an additional  
14 comment?

15           MR. WATERMAN: No. No sir.

16           CHAIR WEYMOUTH: Okay. Is there any -- Joe?

17           MR. CROGNALE: One question.

18           MR. WATERMAN: Sir?

19           MR. CROGNALE: To the general contractor. You  
20 stated that you're going to put new roof on; you're going to  
21 do a re-roof.

22           MR. SENIOR: We're going to -- there are two areas  
23 within the whole building that have the damage from the  
24 trusses and those areas are going to be new. The rest of the  
25 roof is not bad, we just have to repair all the areas where

1 the openings were or any air conditioning area and we're  
2 going to blend it into the other. Because that part of the  
3 structure, the whole building is not damaged. It's certain  
4 areas and then two larger areas where we have to remove  
5 twenty of the trusses and replace those and those areas will  
6 have completely new roof. Roofing the whole building new,  
7 okay, is a different undertaking.

8 MR. CROGNALE: You made a statement also that  
9 you're also considering a demolition of the whole building.

10 MR. SENIOR: Well, I'm, we're considering that  
11 because if he gets in a new building that's zero life, it  
12 might make more sense. A repair on a building like this kind  
13 of starts pushing the numbers to a point where you have to  
14 consider that option too.

15 MR. CROGNALE: My question was, if you put a new  
16 roof on it and then you demolish it, you've wasted all the  
17 money of putting the new roof on.

18 MR. SENIOR: Yes.

19 MR. CROGNALE: So which one we going to address  
20 first, the demolition or correction?

21 MR. PHILLIPS: No, I think he said he's just going  
22 to, he's just going to just patch the areas that have holes.

23 MR. LARSON: Patch the old roof.

24 MR. PHILLIPS: They're not going to re-roof it.

25 MR. CROGNALE: And I was understanding they were

1 going to re-roof it.

2 MR. SENIOR: A complete re-roof from zero doesn't  
3 make sense.

4 MR. CROGNALE: Okay, all right.

5 MR. SENIOR: But we're putting new roofing where  
6 the areas which are really bad.

7 MR. CROGNALE: Where it's necessary. You'll re-  
8 roof where it's necessary to make it safe.

9 MR. SENIOR: Yes, that's right.

10 CHAIR WEYMOUTH: How long ago did you submit for a  
11 building permit?

12 MR. SENIOR: What?

13 CHAIR WEYMOUTH: When did you submit for a building  
14 permit?

15 MR. SENIOR: Oh, today, no, no, we submitted the  
16 plans --

17 CHAIR WEYMOUTH: This morning?

18 MR. SENIOR: Yes. We submitted the plans today.  
19 And there's a very simple reason for this. We had our plans  
20 done on the third week of April to introduce them, and I was  
21 involved in a very bad car accident. And not only, until a  
22 couple of weeks ago was unable to go back and take over all  
23 this. I flipped five times in a truck, and I'm here because  
24 I'm lucky.

25 CHAIR WEYMOUTH: Having not seen -- I've got a

1 question for the inspector unless somebody else has another  
2 question for respondents. Having not seen the plans  
3 obviously, but you're going to need an engineering detail of  
4 the bar joists or the replacement joists or the support or  
5 what have you. Again, sir, like before, what's the timeframe  
6 for procuring a permit to do a reroof and a bar joist repair?

7 INSPECTOR SMILEN: Well, Gerry Smilen, Building  
8 Inspector, City of Fort Lauderdale. I did review the plans  
9 with them a couple days ago at the property and they did  
10 submit them today and they did show the repairs on the plans.  
11 With an engineer's seal.

12 CHAIR WEYMOUTH: [inaudible] the engineering for  
13 the bar joist repair?

14 INSPECTOR SMILEN: Yes. All the --

15 CHAIR WEYMOUTH: [inaudible] do an uplift test and a  
16 moisture test and all that?

17 INSPECTOR SMILEN: Well, as far as the moisture and  
18 uplift tests, if they're just partially repairing the roof  
19 that's not going to be a requirement for a repair. If they  
20 were going to replace the whole roof that would be a  
21 requirement.

22 CHAIR WEYMOUTH: So again, like the previous case,  
23 a permit can be obtained relatively quickly.

24 INSPECTOR SMILEN: Yes. I mean, you know, I'm not  
25 a plan reviewer.

1           CHAIR WEYMOUTH: I understand.

2           INSPECTOR SMILEN: But I can tell you that  
3 everything that we had discussed is on the plan and the  
4 violations would be addressed with the plan there. Now, if  
5 there's a couple things that documentation or notes that are  
6 needed by the plan reviewers when it goes through the  
7 structural discipline then so be it; it's a matter of how  
8 quickly they want to stay on top of it. But I can tell you  
9 the repairs were there, I mean, everything, the plans were  
10 pretty well detailed.

11           CHAIR WEYMOUTH: Well, and I'll just make another  
12 general comment. I'm not inclined to let these things go out  
13 an extended period of time to hear from them in two months  
14 that there's been a -- I'm more -- I know it's an  
15 inconvenience, I'm sorry, but I'd rather see you back next  
16 month to see the progress that's been made. Unless there is  
17 no progress that can be made.

18           To me it sounds like, if nothing else, there should  
19 be a permit in hand. And to know that. It sounds like it's  
20 a two-horse race between whether we fix the building or  
21 whether we tear down. And if there's structural problems  
22 with it I don't want to wait, I would not want to wait six  
23 months, sixty days to deal with it, so. That's just my  
24 comment.

25           MR. SENIOR: So wait. The building is not going to

1 fall structure. I'm also an engineer and an architect so you  
2 can call me either way.

3 CHAIR WEYMOUTH: Just don't call you a contractor.

4 MR. SENIOR: No, you can call me a contractor too,  
5 I happen to have to do two or three of them. The building is  
6 structurally not going to fall. The repair needs to be done  
7 because the diameter of some of these trusses has been eaten  
8 away, okay? But in no way it's going to fall.

9 The main two areas in my opinion I say we're going  
10 to remove the trusses because you can also reinforce them by  
11 siting trusses next to it and it will do the same job. We're  
12 still trying to go the most cost-effective way that will do  
13 the job and we can get, later sit down a solution to see okay  
14 do we put this building back into service or keep it.

15 But safe-wise, the building's not unsafe neither on  
16 the outside, we need to do, the big front door needs a repair  
17 because one side's open and if, you know, you can't measure  
18 that in the hurricane how is it going to take it.

19 CHAIR WEYMOUTH: And I'm not going to try to get  
20 into the code, but when I hear 18 trusses and I'm looking at  
21 this and I would say that those are four foot on center,  
22 you're talking about a large area now. You're talking about  
23 a couple thousand feet. Do they exceed the 25% rule on the  
24 re-roofing?

25 MR. SENIOR: It's two different areas it's not all

1 concentrated in one area. And [inaudible]

2 CHAIR WEYMOUTH: I don't think that's the way the  
3 code reads. You know what, I'm going to leave that up to you  
4 guys. That's, I'm not here to debate that.

5 INSPECTOR SMILEN: Gerry Smilen, Building  
6 Inspector, City of Fort Lauderdale. I was just informed by  
7 the Chief Building Official that if everything's on the  
8 plans, ten days. They, it's very possible to obtain a permit  
9 in ten days.

10 CHAIR WEYMOUTH: Okay. Thank you. Any other  
11 questions? Anybody want to make a motion? Everybody want to  
12 go home? Somebody make a motion.

13 MR. PHILLIPS: I move that we grant an extension of  
14 time subject to the conditions set forth in the stipulation  
15 that they will apply for a demolition permit and submit  
16 engineering and architectural plans within ten days and that  
17 we come back in thirty days for progress as to where they  
18 are.

19 CHAIR WEYMOUTH: They would actually return twenty-  
20 eight days. But at the July 19 meeting.

21 MR. PHILLIPS: Twenty-eight days. The extension of  
22 time twenty-eight days.

23 CHAIR WEYMOUTH: Okay, we have a motion; do we have  
24 a second?

25 MR. LARSON: I'll second.



1 CHAIR WEYMOUTH: Any additional discussion on the  
2 matter? Okay, we'll move to a vote. All those in favor say  
3 aye.

4 BOARD MEMBERS: Aye.

5 CHAIR WEYMOUTH: Any opposed? Okay we'll see you  
6 in twenty-eight days, thank you.

7 MR. WATERMAN: Thank you.

8 MR. BARRANCO: I abstained.

9 CHAIR WEYMOUTH: Is that it, Dee?

10 MS. HALE: No. Don't we have this other one?

11 CHAIR WEYMOUTH: Do we not have a second case, an  
12 old business case?

13 INSPECTOR SMILEN: Yes.

14 CHAIR WEYMOUTH: Okay.

15 MS. HALE: The one in the [inaudible]

16 CHAIR WEYMOUTH: Yes, yes. I [inaudible]

17 MR. MCKELLIGETT: Just a point of order before we -  
18 - a point of order before going on to the next case. In  
19 essence, what you've done is granted a 28-day continuance.  
20 The three options you had was to find the property in  
21 violation and order demolition; find property in violation  
22 but give an extension or to not find it in violation and  
23 continue it for twenty-eight days and that's what, so just to  
24 go on the record.

25 MR. WEYMOUTH: Okay.

1 MR. PHILLIPS: I'd just like to clarify my motion,  
2 that was meant to be a continuance, not an extension.

3 MR. MCKELLIGETT: Thank you.

4 CHAIR WEYMOUTH: Probably in both cases, correct?

5 MR. PHILLIPS: Correct.

6 MR. MCKELLIGETT: Correct.

7 MR. PHILLIPS: Nunc pro tunc.

8 MS. PARIS: Yes, this one and the previous case.  
9 We just didn't say anything at the previous case.

10 CHAIR WEYMOUTH: Very good. Next?

11

12 **3. Case: CE12032397**

13 **SEAGER, PHILLIP L**

14 **715 NE 15 AVENUE**

15 MS. PARIS: We have one case left on page one; it's  
16 an old business case at the top: CE12032397. The inspector  
17 Gerry Smilen, the address 715 Northeast 15 Avenue, the owner,  
18 Phillip L. Seager. We have service by posting on the  
19 property 5/25/12, we've advertised in the Daily Business  
20 Review 6/1/12 and 6/8/12. The violations and certified mail  
21 as noted in the agenda.

22 This case was first heard at the 5/17/12 USB  
23 hearing. The Board ordered a thirty-five-day extension to  
24 the 6/21/12 USB hearing.

25 CHAIR WEYMOUTH: Inspector, can we put up any

1 picture that may be --

2 MS. PARIS: Yes I'll get them

3 CHAIR WEYMOUTH: Just again, for those of us that  
4 are losing our memory of exactly what we're talking about  
5 here, so.

6 INSPECTOR SMILEN: Or having senior moments or  
7 something like that.

8 CHAIR WEYMOUTH: Something like that.

9 MS. HALE: That wasn't nice.

10 INSPECTOR SMILEN: Hey, I have them all the time.

11 CHAIR WEYMOUTH: What's that?

12 INSPECTOR SMILEN: Senior moments. Okay, Gerry  
13 Smilen, Building Inspector, City of Fort Lauderdale. On case  
14 CE12032397 at 715 Northeast 15 Avenue. I believe, to refresh  
15 the Board's memory, last time we were here we were talking  
16 about securing the back part of the duplex that had the fire,  
17 and that they would be required to board it up.

18 I can report to you that they did obtain a board-up  
19 permit. And I swung by there just before I came here and the  
20 fire-damaged unit is secured. They did put plywood up. I  
21 don't believe what they have there is going to pass any type  
22 of City inspection for the board-up itself. And inspections  
23 have not been called in, but nevertheless the building is  
24 secured. Nobody's going to be able to go in there unless  
25 they really spend a lot of time trying.

1           So, they have basically fulfilled their obligation  
2 and their promise to the Board. Now as we're moving forward,  
3 I can tell you that I don't have any record of any permits  
4 being applied for at this point. The property is clean; it  
5 looks good from the front, from the street. And that's  
6 pretty much where we stand.

7           CHAIR WEYMOUTH: Okay. Is there a respondent here?  
8 No respondent?

9           MS. PARIS: No.

10          CHAIR WEYMOUTH: Is there a recommendation by the  
11 City?

12          INSPECTOR SMILEN: At this point, it's not open and  
13 abandoned, but there is structural damage. So I have to  
14 leave it up to the Board how they want to take it from here.  
15 If the Board wants to give the owner an opportunity to now  
16 apply for the permits -- he did fulfill his obligation and  
17 his promise, so that would be up to you guys.

18          CHAIR WEYMOUTH: If you can refresh my memory, was  
19 the owner here at the last hearing on this property?

20          INSPECTOR SMILEN: Yes he was.

21          CHAIR WEYMOUTH: So it's for some unknown reason  
22 that that person couldn't make it here today.

23          INSPECTOR SMILEN: Yes, I don't have any notice  
24 from the person stating that he couldn't make it here. A lot  
25 of times, when we have a respondents that can't make it,

1 sometimes what we do is, we try to help them out and they'll  
2 e-mail me a statement that I can read into the record, but I  
3 have no communication.

4 CHAIR WEYMOUTH: Okay.

5 MR. PHILLIPS: Mr. Smilen, had you any conversation  
6 with him that, if you board it up, things will be okay?  
7 Because in fairness if the owner thought, I've got to board  
8 it up and that's it --

9 INSPECTOR SMILEN: No, that was never, never the  
10 discussion at all. The discussion was, the reason why the  
11 board-up came up, it was actually the Board here wanted that  
12 secured because of the vagrants that were loitering on the  
13 property and the police calls that we had. There were fifty-  
14 eight police calls in less than a year on the property.

15 So that was an action to stop that. The owner,  
16 I've met with owner and a general contractor on the job to  
17 rectify and rebuild the building. And that's, that was  
18 always the first priority was to rebuild the building or else  
19 we wanted to demolish it. So that's where we were at.

20 MS. HALE: Is this duplex is structurally two  
21 units?

22 INSPECTOR SMILEN: Yes.

23 MS. HALE: Or one unit. So that any of the fire  
24 damage went into the part that is undamaged on the front.

25 INSPECTOR SMILEN: No, it's a legal duplex and the

1 tenant separation walls for the fire rating worked.

2 MS. HALE: Okay.

3 INSPECTOR SMILEN: There was no, I believe there's  
4 a flat roof over that area. There was no smoke damage or  
5 anything to the front unit.

6 MS. HALE: Okay, so we're only talking about this  
7 separate unit then, in the rear.

8 INSPECTOR SMILEN: Yes.

9 MS. HALE: That is now --

10 INSPECTOR SMILEN: Boarded up.

11 MS. HALE: Unsafe.

12 INSPECTOR SMILEN: Right, and unsafe. That's  
13 correct.

14 MR. JARRETT: Can I make a comment?

15 CHAIR WEYMOUTH: Sure, Thornie?

16 MR. JARRETT: Gerry, I remember the case. In fact,  
17 I made the motion. And I'm shocked that the owner is not  
18 here especially if he boarded up the place. I'm inclined to  
19 believe that they're not aware of what they were supposed to  
20 do next --

21 MR. PHILLIPS: I agree.

22 MR. JARRETT: -- that they were obligated to be  
23 back here. I think that's the case.

24 INSPECTOR SMILEN: Well, I --

25 MR. JARRETT: If we were to give them a thirty-day

1 or a twenty-eight day extension or, yes extension is proper  
2 because we actually found them in violation. Would City  
3 staff make an effort to contact these people and let them  
4 know that they have to do more than just the board it up?

5 INSPECTOR SMILEN: We can do that, I mean --

6 MR. JARRETT: [inaudible] standard procedure?

7 INSPECTOR SMILEN: We can do that but, you know,  
8 it's, there was, for me to spend probably about an hour on  
9 the property with the owner and a general contractor to go  
10 over what he needed to get this building back up to code and  
11 into a livable situation there was never ever any type of  
12 misleading statements to say, oh you board it up and don't  
13 worry about it.

14 CHAIR WEYMOUTH: I don't think that's what we're  
15 implying. When was that meeting on-site?

16 INSPECTOR SMILEN: Maybe, I believe --

17 CHAIR WEYMOUTH: I mean -- thirty days?

18 INSPECTOR SMILEN: No, I believe it was about a  
19 week or so after our Unsafe Structures Board hearing.

20 CHAIR WEYMOUTH: Okay.

21 INSPECTOR SMILEN: For the initial hearing for this  
22 property.

23 MR. CROGNALE: I think it would be a necessity for  
24 the owner to appear before the Board and show what his  
25 intentions are.

1 MR. MCKELLIGETT: Let me speak to that, Brian  
2 McKelligett. Notice of this hearing was signed for by the  
3 property owner on 6/1 of 2012. Regardless of any  
4 conversations that may have been had. Now, you know, in all  
5 essence if the Board feels that they would like to give them  
6 another opportunity to come back, that's certainly within  
7 your --

8 CHAIR WEYMOUTH: Well, my quick observation, being  
9 that it's a duplex, I think we had a case like this a while  
10 back but it makes it increasingly difficult to tear down half  
11 a duplex.

12 MR. MCKELLIGETT: Almost impossible, correct.

13 CHAIR WEYMOUTH: So, you know, in an abundance of  
14 caution and trying to give them the ability -- I mean again,  
15 he responded to the Board when we asked him to board it up  
16 and did what he was asked and didn't go to the next step.  
17 I'm inclined to go along with Thornie in that we give him  
18 twenty-eight days to come back; if he doesn't come back then  
19 that's a whole different story.

20 MR. MCKELLIGETT: And if that in fact is going to  
21 be your order, then again, another Notice of Hearing will go  
22 out; the results of this hearing will be part of that, they  
23 said, the order was that they given a twenty-eight day  
24 extension the owner should appear within that period. If  
25 they don't come back then you ought to make a determination



1 from there.

2 MR. CROGNALE: I would think it'd have to be a  
3 necessity, to see the owner and get his comments and his,  
4 what his intentions are.

5 CHAIR WEYMOUTH: I think we all agree with you on  
6 that Joe. And we're just, I think there's a little bit of  
7 question of why they're not here. They were here over the  
8 first hurdle; we're at the second hurdle and why they're not  
9 here. Just, again, in an abundance of caution --

10 MS. HALE: Well, it looks like an attractive  
11 building from the street so that he must have some pride in  
12 his, you know.

13 CHAIR WEYMOUTH: It's Victoria Park.

14 MR. PHILLIPS: Can I make a suggestion that in the  
15 motion that there be somewhat of a directive to --

16 CHAIR WEYMOUTH: You're two for two -- you can make  
17 the motion if you want.

18 MR. PHILLIPS: Well, Thornie, I think, did.

19 MR. JARRETT: No, go right ahead.

20 MR. WEYMOUTH: He made the [inaudible]

21 MR. PHILLIPS: I'd like to move that we --

22 MR. MCKELLIGETT: Well, before you do that, if  
23 you're going to make a motion that includes an order to  
24 appear, you really can't do that unless the property owner is  
25 here now. Now, you can make a recommendation that they

1 appear but it can't be an order to appear unless they're  
2 here.

3 CHAIR WEYMOUTH: Okay. Thank you Brian.

4 MS. HALE: Strongly recommend.

5 MR. PHILLIPS: Well, okay. I'd like to move that  
6 we grant a twenty-eight day extension from today to allow the  
7 owner to come back before us, and we strongly recommend he  
8 come back before us. Since we acknowledge he boarded up the  
9 property but we need to get his plans on obtaining the  
10 demolition and building permit to render the structure safe.  
11 That sufficient?

12 CHAIR WEYMOUTH: Okay, we have a motion; do we have  
13 a second?

14 MR. CROGNALE: I'll second that motion.

15 CHAIR WEYMOUTH: Thank you, Joe. Any additional  
16 comment to this? Move it to a vote. All those in favor say  
17 aye.

18 BOARD MEMBERS: Aye.

19 CHAIR WEYMOUTH: Any opposed? Okay.

20

21

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22

**COMMUNICATION TO THE CITY COMMISSION**

23

MS. PARIS: Thank you Board, any communication to  
24 the City Commission?

25

MR. JARRETT: I don't think so.

1 CHAIR WEYMOUTH: None that I know of. No  
2 communications to the City? Okay.

3 Is that like goodbye or do you have one more thing?

4 MR. PHILLIPS: You look like a Russian parliament  
5 member.

6 MS. PARIS: Just waiting for you guys to adjourn.


7 CHAIR WEYMOUTH: This meeting is adjourned, Have a  
8 nice, safe Fourth of July.


9 INDEX

10 **FOR THE GOOD OF THE CITY**

11 [No discussion]

12  
13 [Meeting concluded at 3:55pm.]

14  
15   
16 \_\_\_\_\_  
BOARD CLERK

17   
18 \_\_\_\_\_  
MICHAEL WEYMOUTH, CHAIR

19  
20 [Minutes prepared by: J. Opperlee, Prototype, Inc.]  
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CERTIFICATION

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I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held June 21, 2012, 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 19 day of July, 2012.

PROTOTYPE, INC.

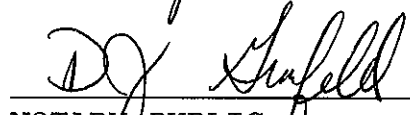
  
JAMIE OPPERLEE  
Recording Clerk

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 19 day of July, 2012.



D.J. GROSSFELD  
MY COMMISSION # EE 065058  
EXPIRES: April 26, 2015  
Bonded Thru Budget Notary Services

  
NOTARY PUBLIC  
State of Florida