

CITY OF FORT LAUDERDALE
 UNSAFE STRUCTURES BOARD
 THURSDAY, JANUARY 17, 2013 AT 3:00 P.M.
 CITY COMMISSION MEETING ROOM
 CITY HALL

Cumulative Attendance 10/12 through 9/13

<u>Board Members</u>	Attendance	Present	Absent
Michael Weymouth, Chair	P	2	1
Joe Holland, Vice Chair	P	2	1
John Barranco	P	3	0
Joe Crognale	P	3	0
Pat Hale	P	3	0
Thornie Jarrett	P	3	0
Don Larson	P	3	0
John Phillips [arr. 3:07]	P	3	0
B. George Walker	P	3	0

City Staff

Lori Grossfeld, Board Secretary
 Erin Saey, Clerk III
 Ginger Wald, Assistant Attorney
 Gerry Smilen, City Building Inspector
 Chris Augustin, Chief Building Official
 Jeri Pryor, Code Enforcement Supervisor/Clerk
 Jamie Opperee, ProtoType Inc. Recording Clerk

Communication to the City Commission

None

Witnesses and Respondents

CE12032397: John Grannie, contractor
 CE07061056: Edmund Waterman, owner; Enrique Senior,
 contractor
 CE12111484: Lauren Dell, Bank representative
 CE11111569: Gerry Scanlon, owner

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1. CE12111484	STEINGER, JOEL	<u>3</u>
Address:	1122 SE 4 ST	
Disposition:	The Board ordered the south dock demolished within 30 days. Board approved 9-0.	
2. CE11111569	BROWN, MORRIS L & JACQUELINE D	<u>17</u>
Address:	1642 NW 13 CT	
Disposition:	The Board granted a 35-day continuance to February 21, 2013. Board approved 9-0.	
3. CE12032397	SEAGER, PHILLIP L	<u>36</u>
Address:	715 NE 15 AVE	
Disposition:	Dismissed. Board approved 9-0.	
4. CE07061056	EDMUND WATERMAN	<u>40</u>
Address:	627 N FEDERAL HWY	
Disposition:	The Board granted the motion for reconsideration, vacated the 11/15/12 order for demolition and granted a 63-day extension to 3/21/13. Board approved 9-0.	
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The regular meeting of the Unsafe Structures Board convened at 3:01 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.

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Approval of meeting minutes

Motion made by Mr. Larson, seconded by Ms. Hale, to approve the minutes of the Board's November 2012 meeting. In a voice vote, **motion passed 8-0.**

Cases

1. Case: CE12111484

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STEINGER, JOEL

1122 SE 4 ST

MS. SAEY: Okay, the first case is going to be on page four, it's a new business case. Case number CE12111484, property address 1122 Southeast 4 Street. The owner is Joel Steinger. The certified mail was signed for as you can see on the agenda. Posted at the property 2/17/12, advertised in the Daily Business Review on 12/28/12 and January 4, 2013.

MR. LARSON: Is that mic working? That mic working?

MS. SAEY: I think so, yes.

MR. LARSON: You can't hear it that well back here.

MS. SAEY: Can't hear it?

MR. LARSON: No.

MS. SAEY: No? Okay.

CHAIR WEYMOUTH: Thank you.

1 INSPECTOR SMILEN: Good afternoon Board. Gerry
2 Smilen, Building Inspector for the City of Fort Lauderdale
3 presenting Case CE12111484 on page three of today's agenda.
4 1122 Southeast 4 Street. I'd like to enter a copy of the
5 violations into the record as well as pictures into evidence
6 for this case.

7 [Inspector Smilen displayed photos of the property]

8 This case was opened by myself in response to the
9 Marine Patrol complaint. There was debris that was floating
10 in the waterway that they felt was a problem for boaters and
11 a hazard. If we ever get energized here. Can I -- can't
12 even see.

13 Anyway, there were two phases. When I got there I
14 was able to view the property from the waterway with the help
15 of the Marine Patrol and the dock was actually in a very bad
16 way. There was a piling -- if I could get a little action
17 here -- you can see that little dot floating around there.
18 There was actually a piling that the Marine -- there it is
19 right there -- that was just completely loose. They had to
20 tie it off with a rope to keep it in place.

21 You can see that the whole structural areas of this
22 dock are just completely deteriorating and debris was
23 floating in the water. That pipe there is conduit for
24 electric but I believe there is no power on the property at
25 this time.

1 That's more of the structure and the framing of the
2 dock as you see is deteriorating. The dock is just, the dock
3 needs to be replaced.

4 I did speak to the property manager, there is a
5 company that is managing the property, and they did remove
6 part of the dock that was falling in. As we get into later
7 pictures you can see. This is from November. That's showing
8 to where it goes up to actually another property there. More
9 areas of the planks just laying loose in there and of course
10 -- okay, where -- that's even a better picture of the piling
11 there.

12 MS. WALD: Gerry, that piling [inaudible], correct?

13 INSPECTOR SMILEN: Yes, well, when I get to the
14 other pictures you could see, here's another, that's all, had
15 all fallen in.

16 Now this -- can we stop their please? Okay. What
17 had happened was they said that they were, they had somebody
18 removed the bad parts of the dock. So I think what they
19 meant by the bad parts are the ones that were just laying in
20 the water.

21 However, the structural integrity of this dock is,
22 really the whole thing needs to be removed. And as far as
23 the pilings, I couldn't tell you which pilings are good or
24 which aren't without further examination. There's probably a
25 good chance since that one piling was rotted to the point

1 where it was just laying in the water, the others probably
2 aren't too far behind considering the nature of the framing
3 and the consistency.

4 So, at this point, the City would like a ruling
5 that the dock is an unsafe structure and we'd like a thirty
6 day demolition, by the property --

7 CHAIR WEYMOUTH: Any questions for the inspector
8 before we hear from the respondent?

9 MR. BARRANCO: I've got one question.

10 CHAIR WEYMOUTH: Yes sir?

11 MR. BARRANCO: Gerry, is that backyard accessible
12 to anybody, I mean, can you just walk back there?

13 INSPECTOR SMILEN: No, no it's not. It's actually,
14 I forget the name of the community, but it's gated off, you
15 can't get in there and everything is fenced off in there.

16 MR. BARRANCO: Okay.

17 INSPECTOR SMILEN: I couldn't get to the front of
18 the house; this is the only way that I could even see
19 anything was through the water.

20 MR. BARRANCO: Okay. Thank you.

21 MS. HALE: Ginger?

22 MS. WALD: Yes ma'am?

23 MS. HALE: I notice one of the letters went to
24 Marshall Watson; is this a foreclosure house?

25

1 MS. WALD: Yes and I believe you actually have a
2 representative from a law firm there to answer the question.

3 MS. HALE: Oh.

4 MS. WALD: The other thing in regards to this
5 property is, it, the owner, Mr. Steinger or Steiner, he goes
6 by another name also, has some federal charges pending
7 against him and there has been a petition for forfeiture
8 filed by the assistant US attorney's office but there has not
9 been an order of forfeiture yet. So we are proceeding but
10 this case may be removed from the jurisdiction of this Board
11 at sometime in the future. But at this juncture it's not and
12 we can proceed.

13 CHAIR WEYMOUTH: Okay, any other questions for the
14 inspector? All right, ma'am, how are you?

15 MS. DELL: Hi, good morning, Lauren Dell on behalf
16 of City Mortgage. I would like this case to be continued; we
17 need some more time to get certificate of title issued to us.
18 We're in the litigation process right now. Yes I'm an
19 attorney.

20 MS. WALD: Okay, thank you.

21 CHAIR WEYMOUTH: I, I --

22 MS. DELL: We can't go onto the property.

23 CHAIR WEYMOUTH: -- I don't know how to respond to
24 that.

25 [Mr. Phillips arrived at 3:07]

1 MR. HOLLAND: Question?

2 CHAIR WEYMOUTH: Go ahead.

3 MR. HOLLAND: Yes, is the bank willing to take some
4 measures to make this safer in the interim?

5 MS. DELL: Yes, we would like to bring it into
6 compliance as soon as we get the certificate of title issued.
7 We just need more time to work on our case so, if we could
8 get this continued --

9 MR. HOLLAND: Yes, the risk to the --

10 MR. PHILLIPS: Do you have a case number?

11 MS. DELL: I do have a case number.

12 MR. PHILLIPS: What's the foreclosure case number?

13 MS. DELL: It's CACE080493.

14 MR. PHILLIPS: Okay, so this is a 2008 foreclosure
15 case.

16 MS. DELL: Correct.

17 MR. PHILLIPS: Four years it's been in foreclosure.

18 MR. LARSON: And you haven't closed yet.

19 MR. PHILLIPS: And have they filed summary judgment
20 yet?

21 MS. DELL: No, we have not; that's what we're
22 working on.

23 MR. PHILLIPS: Is there a default against -- is the
24 defendant fighting this?

25 MS. DELL: I'm not sure.

1 MR. PHILLIPS: Yes. I'm sorry to put you on the
2 stop, but I mean, but it's a four, it's going on five year
3 foreclosure.

4 MS. DELL: We can't do anything until we have
5 certificate of title issued.

6 MR. PHILLIPS: Well, I know, but you, the reason
7 you can't get certificate of title is because you're not
8 moving it to trial. And the moving you're not going to be --

9 MS. DELL: We actually have a litigation hold on
10 our file right now. We are working on that [inaudible].

11 MR. PHILLIPS: Who put the litigation hold on it,
12 the bank?

13 MS. DELL: No, we did, our firm did. There, we
14 have --

15 MR. PHILLIPS: Are you with Marshall Watson?

16 MS. DELL: Yes I am.

17 MR. PHILLIPS: Well, Choice, Choice.

18 MS. DELL: It's Choice Legal Group now. Yes.

19 MR. PHILLIPS: Yes, but litigation hold means
20 you're putting it on --

21 MS. DELL: See, I work on the foreclosure judgment
22 side.

23 MR. PHILLIPS: Yes.

24 MS. DELL: There's a whole litigation department,
25 so the case is in active litigation right now.

1 MR. PHILLIPS: Okay, but they're not moving it.

2 MS. DELL: We are moving; I mean it's a slow
3 process.

4 MR. PHILLIPS: It's not that slow.

5 CHAIR WEYMOUTH: I, I don't, I, if I can interrupt.
6 I don't think that all this is for the Board to weigh in on.
7 I think we should get back to looking at whether this is an
8 unsafe structure and what the timeliness or the request for
9 extension.

10 MR. PHILLIPS: Yes.

11 CHAIR WEYMOUTH: Being a boater and being familiar
12 with this area and specifically this dock because I've
13 watched over the years, it slowly go into the water. I think
14 that this, with the change of currents and the waves and all
15 continues to erode and I would concur that I think that this
16 thing is probably in need of immediate attention which it
17 doesn't sound like would happen through the legal system.

18 MR. PHILLIPS: The only reason I mention that is
19 it's a little bit unrelated, except to the extent that a bank
20 can move a case to foreclosure quickly.

21 CHAIR WEYMOUTH: Um-hm [affirmative].

22 MR. PHILLIPS: If they want. Now, they may not
23 want to because, and they're probably paying the taxes,
24 insurance on it in advance. So in terms of maintaining the
25 property, this is a common situation. So --

1 CHAIR WEYMOUTH: Yes.

2 MR. PHILLIPS: It's been five years. They could
3 move more quickly, they could get intermediate relief. So I
4 think that that should be considered in terms of whether or
5 not to give an extension of time. And I suggest this may not
6 be warranted given the life safety issues.

7 CHAIR WEYMOUTH: Okay.

8 MR. HOLLAND: I'd be prepared to move the item.

9 CHAIR WEYMOUTH: Well, I think we have another
10 question.

11 MR. LARSON: I concur with most of what Jack said
12 because there's, if you haven't got anywhere now, you could,
13 we could be another four years, or three years the way the
14 banks are playing games with the people.

15 And I'm not in favor, with a life safety issue on
16 all this stuff down into the Intracoastal and in the area
17 there, and I'm not willing to give you any more time at all.
18 As far as I'm concerned they can tear down yesterday and get
19 it cleaned up.

20 CHAIR WEYMOUTH: Do you have any more testimony?

21 MS. DELL: No, I do not.

22 CHAIR WEYMOUTH: Okay, are there any other
23 questions?

24 MR. BARRANCO: Mr. Chair? Yes, I have one more
25 question.

1 CHAIR WEYMOUTH: Mr. Barranco?

2 MR. BARRANCO: And it might be for Gerry, it might
3 be for you. Who's the property manager that took care of all
4 the problems that were there already? Who was that? Are
5 they associated with you?

6 MS. DELL: The property manager?

7 MR. BARRANCO: The people who took the dock out.

8 MS. DELL: I don't know.

9 MR. BARRANCO: Gerry? Could you answer that?

10 INSPECTOR SMILEN: Gerry Smilen, Building Inspector
11 City of Fort Lauderdale. They are actually associated with
12 the US Marshals, and that's how I was able to get their
13 number and get some action.

14 CHAIR WEYMOUTH: That's an interesting [inaudible]

15 MR. BARRANCO: Okay, and what else, I'm trying to
16 figure out, because they've done a lot compared to what it
17 was I think it's a lot safer. But what more has to be done
18 to make it safe if nobody can access it? Are you afraid that
19 it's going to fall on a boat or that a kid's going to walk
20 back there? I mean, what's your concern at this point?

21 INSPECTOR SMILEN: Well, you know, all those things
22 can happen.

23 MR. BARRANCO: Right.

24 INSPECTOR SMILEN: I mean, it's, you know, the
25 problem is that they removed the stuff that was, you know,

1 the material that was in the water and submersed, which was
2 good.

3 MR. BARRANCO: Right.

4 INSPECTOR SMILEN: However, you know, the structure
5 still sits there and the framing, there's more rotted framing
6 and more areas that, you know, they need, they just, whatever
7 was up they just left there. And in my opinion it needs to
8 be removed further, much further than that. I didn't
9 actually get off of the boat and try to walk on there, nor
10 would I.

11 MR. BARRANCO: Um-hm [affirmative].

12 INSPECTOR SMILEN: I don't have access to the
13 property so I couldn't get at it from the inside.

14 MR. BARRANCO: Right.

15 INSPECTOR SMILEN: So, at this point it's a nice
16 attempt at making things safer and it's a step in the right
17 direction but it's still not complete at this point in my
18 opinion.

19 MR. BARRANCO: So, would it be satisfactory to
20 demolish just -- and I don't know what side of this -- is
21 this the south side of the property? North side, that dock?

22 MS. WALD: South side.

23 INSPECTOR SMILEN: I guess it's the south side.

24 MS. WALD: South side.

25

1 MR. BARRANCO: Right. So would you be satisfied if
2 the south side were entirely removed? Would that make it
3 safe?

4 INSPECTOR SMILEN: Well I, you know, it would,
5 again, without further examination, that side would
6 definitely have to come down. As far as the east side goes,
7 I think that that would have to be under a further
8 examination of what would have to be.

9 MS. WALD: So the only [inaudible]

10 INSPECTOR SMILEN: Right, okay. The south side
11 would, is definitely what needs to be taken care of right
12 away.

13 MR. BARRANCO: Okay, okay.

14 INSPECTOR SMILEN: And that's what I'm citing at
15 this point in this case.

16 CHAIR WEYMOUTH: And that's the portion that runs
17 along the New River which gets the most exposure to the boat
18 traffic.

19 MS. WALD: Correct.

20 INSPECTOR SMILEN: That's correct.

21 CHAIR WEYMOUTH: Any other questions of the
22 inspector or the respondent?

23 MR. HOLLAND: Yes.

24 CHAIR WEYMOUTH: Mr. Holland?

25

1 MR. HOLLAND: Gerry, the pile that was displaced,
2 any idea how that happened? Did you get any look at the
3 bottom of it? Was it a boat collision? It looks like a
4 corner pile, but again, I share your concern that if one pile
5 went we might have one of those shallow pile installation
6 projects and the rest could be very suspect.

7 So I share your, as the structural engineer on the
8 Board I share your concern in that regard. The rest of it's
9 definitely a structural concern: the decking and the support
10 members. If there's any consideration of selective
11 demolition perhaps the piles could stay and some of the
12 deteriorating decking could come out pending an ability to
13 bring it up to code as we've seen in the past.

14 But I'm really concerned about that corner pile. Do
15 we have any more pictures or information about how that let
16 go?

17 INSPECTOR SMILEN: No, everything that I took was
18 after I got the report from the Marine Patrol. I couldn't
19 tell you if there was a collision. I'm not aware of any
20 reports of a collision. I can tell you would be very
21 possible, looking at the condition of the dock that it rotted
22 out to the point where it collapsed and it could have snapped
23 that piling right in the action of it collapsing.

24

25

1 So that's why I'm, you know, concerned about the
2 whole structure. But at this point, for what my evidence
3 shows me, the south side is definitely has to go for sure.

4 CHAIR WEYMOUTH: Well, and if we move forward with
5 this and recommend the demolition or partial demolition, if
6 the bank or whomever wants to move in a more expeditious way
7 ahead of the City, they would have the opportunity to have a
8 demolition contractor rescue the piles, put them on the
9 property for re-use at the later date if they're in good
10 condition. That's not for us to determine but they've got
11 those options at their disposal I would assume, so.

12 Any other questions for either side? If not, does
13 somebody want to make a motion?

14 MR. JARRETT: I'll make a motion.

15 MR. WEYMOUTH: Okay, Thornie.

16 MR. JARRETT: I move that we find the violations
17 exist as alleged and that we order the property owner to
18 demolish the structure within thirty days -- and we should
19 note the south dock -- as decided by the Board. And that we
20 order the City to demolish the structure should the property
21 owner fail to timely demolish. Such demolition shall be
22 accomplished by a licensed demolition contractor pursuant to
23 a City issued demolition permit.

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

1 MS. HALE: I'll second.

2 CHAIR WEYMOUTH: Any further discussion before we
3 vote on it? Okay, all in favor say aye.

4 BOARD MEMBERS: Aye.

5 CHAIR WEYMOUTH: Any opposed? Hearing none, the
6 motion carries.

7 Okay, before we move on to the next case, if the
8 record will show that John Phillips entered or joined the
9 meeting shortly after three o'clock I believe it was like
10 3:07. Thank you. And it's 3:18 now; it'll be 3:19 in about
11 a minute.

12

13 **2. Case: CE11111569**

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14 **BROWN, MORRIS L & JACQUELINE D**

15 **1642 NW 13 CT**

16 MS. SAEY: Okay, ready for our next case?

17 CHAIR WEYMOUTH: Yes ma'am.

18 MS. SAEY: Okay. Page number one. Property
19 address 1642 Northwest 13 Court, George Oliva. Case number
20 CE11111569. The property was posted on December 18, 2012,
21 and advertised in the Daily Business Review on 12/28/12 and
22 January 4, 2013. The violations are as noted on the agenda.

23 This case was first heard at the 7/19 Unsafe
24 Structure Board hearing. The Board ordered a final order to
25 demo. After a second property search, and interested party

1 submitted a request for reconsideration. It was heard on
2 October 18, 2012 USB hearing. The Board amended the final
3 order and granted a ninety-one day extension.

4 CHAIR WEYMOUTH: Good afternoon Inspector Oliva.

5 INSPECTOR OLIVA: Good afternoon Board. George
6 Oliva, Building Inspector for the City. Give us a minute
7 here to get ready with it. This property has a brand new
8 owner that they took over on --

9 CHAIR WEYMOUTH: Still looking at pilings.

10 INSPECTOR OLIVA: Still looking at, okay here we
11 go.

12 MS. WALD: One second.

13 INSPECTOR OLIVA: This is the property record for
14 that property and it shows that we have a brand-new owner.

15 CHAIR WEYMOUTH: Can we, can we blow that up?
16 Thank you. There we go.

17 MR. HOLLAND: Yes, that's right. Sorry.

18 INSPECTOR OLIVA: And they came to the City, they
19 applied and a permit was issued to repair the flat deck at
20 the rear of the property. Which I went to do a re-inspection
21 this morning and I found that the work was in progress. They
22 removed all the damaged wood and they were installing brand-
23 new wood and the deck was reinstalled and they were working
24 on the flat roof. And as you can see from my pictures here,
25 oh, that's too dark.

1 [Inspector Oliva displayed photos of the property]

2 You're going to see some of the previous pictures
3 that we took when we came for the first time and then there's
4 going to be the new pictures that they were taken today.

5 Keep going. Those are the old pictures. That's
6 the way the property's in the interior. That's another view
7 of the back of the property by kitchen and the bathroom.

8 That's a bathroom and the kitchen area in that
9 property. And that's the damaged part in the rear of the
10 property. That's another view to the kitchen.

11 Keep going. That's the rafter that they broke away
12 from the supporting beams. That's another view of the rafter
13 looking to the attic. And this is today. I went to the
14 property today, I saw the roofers were working there but when
15 I went to check on the permit records it showed that they
16 only have a permit issued for the re-roofing of the back
17 deck.

18 They don't have a permit for any repair to replace
19 the rafters, to replace a main beam that was done. So I had
20 to issue a Stop Work Order today and I asked the person that
21 was in charge of the property to stop work and to come to the
22 City.

23 And we need to have a permit issued for the
24 structural work that was being done at the time that I
25 arrived. Also they're going to have to have a permit for the

1 electrical and the plumbing that was damaged by the water
2 penetration because people going inside that property and
3 stealing the copper wires and the copper plumbing pipe.

4 So they need to have more work for the City to
5 comply this case. So far the damaged part that was done by
6 the weather and time went by the back day has been taken
7 care. We have permit that is not complete but I hope that
8 the owner which is here, they going to come to the City and
9 finish the permit process. So I would like to listen from
10 the owner and see his intake on this.

11 CHAIR WEYMOUTH: Any -- Joe?

12 MR. CROGNALE: Yes, George.

13 INSPECTOR OLIVA: Yes.

14 MR. CROGNALE: A permit was issued by a roofing
15 contractor, correct?

16 INSPECTOR OLIVA: Yes --

17 MR. CROGNALE: There's a roofing contractor of
18 record?

19 INSPECTOR OLIVA: This is the permit that was
20 issued. This is the company that had the permit issued. By
21 the way the permit was [inaudible]. Now they have an issue.

22 CHAIR WEYMOUTH: When did they issue that?

23 INSPECTOR OLIVA: It was issued on the tenth of
24 this month.

25 MR. CROGNALE: And your observation was that the

1 work was in progress but nothing was addressed with the
2 structure below the roof decking.

3 INSPECTOR OLIVA: Yes sir. They only have a
4 reroofing permit for the deck, a flat deck five hundred and
5 fifty square. As you can see. Where's my --

6 CHAIR WEYMOUTH: So --

7 MR. CROGNALE: But I would believe that the roofing
8 contractor was aware of the structure before he starts
9 putting roofing decking on --

10 [People speaking over each other]

11 INSPECTOR OLIVA: Of course, because he had a told
12 me that he replaced --

13 MR. CROGNALE: -- with an engineer, if it required
14 engineering or at least the minimum services of a general
15 contractor to go in and service it.

16 INSPECTOR OLIVA: Right. That's what I asked him
17 and he said no, he only was a roofer and he did replace the
18 rafters. And I even asked him, how did you strap it, and he
19 said, oh, I don't know I don't have any details on it.

20 MR. CROGNALE: Yes, Stevie Wonder could see that
21 that rafter has been collapsed.

22 INSPECTOR OLIVA: So, so far, yes. So as you can
23 see by my pictures, I can't tell how they were done or how
24 they're supporting the right side of rafter that is required
25 for that job. But, so far I hope they will come back with

1 the City with the proper drawings and the engineering so.

2 CHAIR WEYMOUTH: So my understanding, in the
3 ninety-one day extension that this Board gave back in
4 October, the only forward progress has been the issuance of a
5 reroof permit for --

6 INSPECTOR OLIVA: That's the only thing we have on
7 records and besides that the property changed ownership twice
8 on December 21. So I guess there was some kind of going back
9 and forth with the ownership there.

10 CHAIR WEYMOUTH: Okay, okay.

11 INSPECTOR OLIVA: So, so far that's all that I got
12 on that property and the new property owner is here so maybe
13 he will --

14 CHAIR WEYMOUTH: John, do you have a question?

15 MR. BARRANCO: I've got one question. It might be
16 for one of the Board members or for George could answer it.
17 This is more of a contractor question I guess but on a
18 reroof, I remember getting my roof done years ago and I had
19 some bad wood in there that the roofer replaced.

20 INSPECTOR OLIVA: Right. You can change a small
21 piece of the deck.

22 MR. BARRANCO: Right.

23 INSPECTOR OLIVA: You know, the plywood. But when
24 you get into the rafters or the trusses in whatever case you
25 were doing, you do require an engineer.

1 MR. BARRANCO: A separate permit?

2 INSPECTOR OLIVA: Right. You have to have a
3 structural permit, you have to have an engineer that decide
4 and calculate the load on the truss or the rafter and the
5 spans also.

6 MR. BARRANCO: Okay.

7 INSPECTOR OLIVA: And --

8 CHAIR WEYMOUTH: That's more of a question for
9 Chris. I think that --

10 INSPECTOR OLIVA: We got Chris behind.

11 CHAIR WEYMOUTH: The permit gets issued fairly
12 easily and then there's a re-nailing affidavit if I'm
13 correct. You know, I mean, I don't think that there's
14 anything that needs to be submitted with a reroof permit to
15 verify that the structural integrity of the roof is in good
16 shape before you issue a reroof permit.

17 MR. AUGUSTIN: Chris Augustin, Building Official
18 for the City of Fort Lauderdale. That's correct. But in
19 this situation, it's all deteriorated to the point that new
20 rafters obviously have to be put in place and they have been.

21 So there would be a framing inspection, there would
22 actually be a sheathing inspection. But prior to issuing
23 that permit for that work, an architect or engineer would
24 need to determine what needs to be done. You know, that will
25 be shown on plans, be reviewed, approved, permit issued, then

1 the work will be performed and inspected. And they skipped
2 all those stages unfortunately.

3 CHAIR WEYMOUTH: Well, and the point that I'm
4 trying to make is the permit that was secured is completely
5 independent of anything that would be required in connection
6 with this case and the current condition of the house.

7 MR. BARRANCO: Right. And that's where my next
8 question was going because I'm trying to make a distinction
9 between what we do as a Board. Because we've had many cases
10 come before us were we just want them to patch it up, put
11 some wood on the windows, disconnect the electrical,
12 disconnect the plumbing and we're done right?

13 CHAIR WEYMOUTH: That's it.

14 MR. BARRANCO: So I don't want to take this too
15 far. If it's not an issue with the Board at this point I
16 think as far Board's concerned it's probably safe. You know,
17 it's not going to fall in. It might fly away, that's more of
18 a building issue.

19 MR. AUGUSTIN: Well --

20 MR. BARRANCO: I don't know if that's as much of a
21 Board issue.

22 CHAIR WEYMOUTH: But I think we have to take that
23 into consideration as it relates to the safety of the
24 surrounding properties. And so yes, I think anything that
25 can fly away should be considered.

1 MR. HOLLAND: Yes. Our job is to find that these
2 findings are true. And I'm leaning towards that. The
3 strapping is a very important part of that. And the other
4 thing is about securing your secondary, or a job, of finding
5 whether these findings made by the Inspector are true or not.

6 MR. BARRANCO: Right. And, yes, there is a line
7 there. Because George had mentioned the electrical, all the
8 wiring's gone. It's not really our job, just disconnect the
9 electrical and it's a safe situation. It doesn't have to be
10 a habitable space; that's not our job to determine.

11 CHAIR WEYMOUTH: I agree with what you're saying
12 from the electrical standpoint but with the ability for the
13 roof to end up in a neighbor's yard is for me something else.
14 But from an electrical standpoint yes, kill the water, kill
15 the electric and it's uninhabitable. Thornie?

16 MR. JARRETT: Just make a -- I'd just like to point
17 out that the Board many times in years past has ruled on
18 illegal structures that had been standing for years that had
19 gone through maybe even a hurricane but it was determined
20 they were never built with a permit and we ruled them as an
21 unsafe structure. This is exactly that scenario. It might
22 have just occurred in the last two months but it's still an
23 unsafe structure. Work was done without a permit. Structural
24 work was done without a permit.

25 CHAIR WEYMOUTH: Okay. Any other questions before

1 we hear from the respondent?

2 MR. CROGNALE: Yes one, Mr. Chair.

3 CHAIR WEYMOUTH: Joe?

4 MR. CROGNALE: It's the roofing contractor's
5 obligation when he has a reroof permit, if he observes a
6 structural problem he has to address that structural problem
7 to a higher authority. If it requires like for like
8 replacement, rafters or what, like for like without changing
9 the footprint or the floor plan, a general contractor can act
10 in that behalf. If it's determined that the contractor needs
11 to have design professional to redesign that: attaching
12 points, hurricane straps, whatever, then he has to bring a
13 design professional in. And it's outside the scope of the
14 roofing contractor to address that. So in any event, it had
15 to go to a higher authority, somebody at a higher pay scale.

16 CHAIR WEYMOUTH: We can debate this back and forth
17 because the roofer can go out there, tear it off, put his
18 first layer of paper on, go for inspection and the City's
19 going to fail it. So shame on the roofer, he just put down
20 paper on something that he's not going to get paid for.

21 So I think at the end of the day, the roofing
22 permit I think does not apply to how we should be looking at
23 this case. That is not in any way going to resolve the
24 unsafe structure portion of this building. So, I don't
25 understand why the permit was pulled ahead of everything

1 else. Quite frankly I don't see any merit to consider it as
2 it relates to this property. Thornie?

3 MR. JARRETT: And also something we're overlooking:
4 we haven't heard from the respondent yet.

5 CHAIR WEYMOUTH: That's very true.

6 MR. JARRETT: To determine what he's going to do
7 about it because he hasn't owned it but a few weeks, correct?

8 MR. SCANLON: I think maybe two weeks.

9 MR. JARRETT: So --

10 CHAIR WEYMOUTH: Okay. If you would please state
11 your name.

12 MR. SCANLON: Yes, sorry. Gerry Scanlon, I'm the
13 general partner of American Real Estate Strategies Fund,
14 which is the new owner.

15 CHAIR WEYMOUTH: I'm sorry Gerry, you're who?

16 MR. SCANLON: Scanlon. I'm the general partner --

17 CHAIR WEYMOUTH: Okay.

18 MR. SCANLON: -- of American Real Estate Strategies
19 Fund. We're buying quite a lot of real estate in Fort
20 Lauderdale.

21 CHAIR WEYMOUTH: Can we confirm that Ginger? I
22 mean, I show a Morris and Jacqueline Brown here, and --

23 MR. SCANLON: It's --

24 CHAIR WEYMOUTH: You know, it --

25 MR. SCANLON: It's on the [inaudible]

1 MS. WALD: Okay. Hold on one second.

2 CHAIR WEYMOUTH: I don't know what the general --

3 MR. SCANLON: It's confusing.

4 CHAIR WEYMOUTH: It is.

5 MR. SCANLON: It's very confusing. I don't even
6 know who I bought this house off to be honest. I bought it
7 off a realtor but he seemed to have done something strange
8 but.

9 MS. WALD: According to Broward, a lot of things
10 have happened prior to this hearing but according to Broward
11 County Property Appraiser's office as of 1/17/2013, the owner
12 is American Real Estate Strategies Fund LP.

13 CHAIR WEYMOUTH: Is that your organization?

14 MR. SCANLON: I'm the general partner of that, I'm
15 in charge of that, yes.

16 CHAIR WEYMOUTH: Of that organization?

17 MR. SCANLON: Yes, of American Real Estate
18 Strategies Fund, yes.

19 MS. WALD: That's fine.

20 CHAIR WEYMOUTH: And we've confirmed that.

21 MS. WALD: That is fine.

22 MR. SCANLON: Yes.

23 MS. WALD: Confirming that? Probably not.

24 CHAIR WEYMOUTH: We've confirmed that he's the
25 general partner or can speak on behalf of the organization?

1 MS. WALD: If he is the general partner. If he's
2 lying, then he's committing a perjury in front of this Board.

3 CHAIR WEYMOUTH: Okay.

4 MR. SCANLON: And it's on SunBiz.org you'll see.

5 MS. WALD: Which I don't think he wants to do.

6 MR. SCANLON: I'm also the owner and manager of
7 Little Acorn Developments which is the investment arm of this
8 fund.

9 CHAIR WEYMOUTH: Okay.

10 MR. SCANLON: So, there's a lot of ground to cover.
11 Basically I just, we just bought this house. The first thing
12 that I said is, this house needs to be secured. We've hired
13 a general contractor called Infinity Homes, Infinity Custom
14 Homes. I don't even know who the roofing contractor is to be
15 honest.

16 But anyway, I've hired Infinity Custom Homes to do
17 the entire house so he will be pulling all the permits for
18 everything: plumbing, electric, etcetera. But with this rain
19 coming in with a opossum, there was a big nasty opossum in
20 there when I went into the house. Tried to take my foot off.

21 CHAIR WEYMOUTH: That's the new owner.

22 MR. SCANLON: I think it's the old owner. But
23 anyway, I, we wanted to get the roof done first and then have
24 all the plans done and, you know, reroof. Everything needs
25 to be done, the copper's been stolen, the electric's been

1 stolen. We buy this sort of junk quite a lot. So we will be
2 pulling all the permits to do it but I cannot answer why he's
3 done the roof that way.

4 CHAIR WEYMOUTH: Have you done work in the South
5 Florida, the tri-county area before?

6 MR. SCANLON: Yes. We have a lot. We've probably
7 got thirty, forty permits out at the moment for different
8 homes.

9 CHAIR WEYMOUTH: have you had an architect or an
10 engineer come out --

11 MR. SCANLON: We've had an engineer come by who
12 said the building was sound, or else I never would have bid
13 on the property. So he gave us the opinion, we paid him for
14 it, that the edifice was sound and was salvageable. Which is
15 why we bought it, or else I wouldn't have bought it.

16 MR. WEYMOUTH: Okay. Any more testimony? We'll
17 take questions.

18 MR. SCANLON: If there's questions, I'll happily
19 answer them.

20 MR. WEYMOUTH: If there's any questions of the
21 Board to the respondent.

22 MR. SCANLON: Yes.

23 MR. JARRETT: You had an engineer out there?

24 MR. SCANLON: Yes.

25 MR. JARRETT: And he saw the damage to the rafters

1 but he told you that it was structurally sound?

2 MR. SCANLON: The building. We obviously realized
3 the whole roof had to be replaced. So I -- yes.

4 MR. JARRETT: Oh, okay. So he recognized the
5 fact, he said that the basic structure was sound but it
6 needed --

7 MR. SCANLON: Oh, absolutely. You couldn't even
8 walk in the room because the rafter was down.

9 MR. JARRETT: And did he not inform you that that
10 needed to have an engineering plan before you --

11 MR. SCANLON: As I said, I've hired a general
12 contractor to do the entire house; to pull all the permits
13 and do everything. So I've given him the whole job, so.

14 MR. JARRETT: So your engineer that you had look at
15 it actually doesn't have anything to do with the new
16 construction.

17 MR. SCANLON: No, no, no, no. He was there with me
18 in December to see whether we wanted to buy this building.
19 We own another house up the street, you see, and it's a
20 eyesore on the street and it's adversely impacting the
21 street.

22 MR. JARRETT: Has your new, is your new contractor
23 the one that contracted this roofing contractor?

24 MR. SCANLON: Yes.

25 MR. JARRETT: And he did this without work, dealing

1 with the rafters? I question --

2 MR. SCANLON: Uh, I, apparently. I mean, I
3 honestly just found out this today. I was here this morning
4 at nine o'clock, I was told the meeting was at nine o'clock.
5 And when I got back to my office, somebody said, oh, there's
6 this problem that they've done the roof wrong. And we've got
7 probably six, seven homes in Fort Lauderdale being renovated
8 at the moment. And this just started the other day, so I'm
9 not on top of it.

10 MR. JARRETT: And this is the same general
11 contractor on these other homes.

12 MR. SCANLON: No. He's, this guy's got this one --

13 MR. JARRETT: So this is someone you've not dealt
14 with before.

15 MR. SCANLON: We've not dealt with before. And
16 we'll see how it goes from here because I'm not happy about
17 this.

18 MR. WEYMOUTH: Have you engaged an architect?

19 MR. SCANLON: We have got an architect to pull --
20 Chiara, I believe is -- I can't remember his name off the top
21 of his head. But we have an architect which I, who I've
22 given a deposit to to do the drawings on the inside of the
23 house. But as I said, the most important thing from our
24 perspective was to secure the building because it was being
25 used for all sorts of stuff.

1 MR. JARRETT: Our Board has heard this case many
2 times before.

3 MR. SCANLON: Um [affirmative].

4 MR. JARRETT: And generally, what we come up with a
5 consensus on is, we'll say to someone like you, we would give
6 you an extension of thirty days.

7 MR. SCANLON: Um-hm [affirmative].

8 MR. JARRETT: If you came back to the next meeting,
9 the next Board meeting with an architect.

10 MR. SCANLON: Um-hm [affirmative].

11 MR. JARRETT: Under contract.

12 MR. SCANLON: Um-hm [affirmative].

13 MR. JARRETT: And with some preliminary plans that
14 show that you're moving forward on this.

15 MR. SCANLON: Um-hm [affirmative]. We will. I
16 mean, we don't hang around, absolutely. We will do, I will
17 be here and we'll have it in control.

18 MR. JARRETT: So you would accept those type of
19 terms.

20 MR. SCANLON: Sure, absolutely. See, I mean, as I
21 said, we only bought this house a few days ago. So I'm, you
22 know, we want it done within three months, I want this whole
23 house finished within three months.

24 MR. JARRETT: Well, the Board realizes that you
25 can't have permits in thirty days, we know that.

1 MR. SCANLON: Right, right.

2 MR. JARRETT: The process takes longer.

3 MR. SCANLON: Um-hm [affirmative].

4 MR. JARRETT: But we would like to know that you
5 are doing something in those thirty days.

6 MR. SCANLON: Absolutely, I certainly am.

7 MR. WEYMOUTH: Well, I think you're right. The
8 chance of securing a permit in thirty days is a little bit of
9 a long shot.

10 MR. SCANLON: Yes.

11 MR. WEYMOUTH: But there can be a set of plans
12 drawn up and there can be, they can file for a permit and
13 have a process number, knowing that they're in the system.
14 And it's a matter of monitoring it.

15 MR. HOLLAND: The critical issue here is the
16 upcoming hurricane season, obviously, and the hazard that
17 that uninspected roof proposes to the general public.

18 MR. WEYMOUTH: I agree with what you're saying, but
19 there's, that's still six months away. Huh?

20 MS. HALE: Yes, I --

21 MR. PHILLIPS: Say, what is your, you're Mr.
22 [inaudible]?

23 MR. SCANLON: Scanlon: S-C-A-N-L-O-N. And we --

24 MR. PHILLIPS: What's your first name?

25 MR. SCANLON: With a G: Gerry. As an example,

1 there's a house just a few streets from there: 1525 Northwest
2 15 Avenue, which had all sorts of violations on it and we got
3 that all done in six weeks, eight weeks. It had a green
4 pool, it had, I mean, it was horrendous. And we got, we
5 pulled all the permits, we got it all done. So, I'm, you
6 know, it's, that's what we do for a living, I'm not here to
7 sit on a defunct property.

8 MS. HALE: Right.

9 MR. HOLLAND: Yes, I'm sorry, I didn't catch --

10 MR. SCANLON: That's quite all right.

11 MR. HOLLAND: I didn't -- I didn't quite finish.

12 MR. SCANLON: Oh, I'm sorry.

13 MR. HOLLAND: Because I didn't catch the
14 conversation over here but, the yes, there's enough time, but
15 really, it's got to move. And it's got to move fast.

16 MR. SCANLON: Um-hm [affirmative].

17 MR. HOLLAND: So when you come back in thirty days,
18 like the Chair said, you got to show quite a commitment to
19 move forward and move forward fast so that things stay well
20 ahead of hurricane season.

21 MR. SCANLON: I absolutely agree.

22 MR. HOLLAND: And as there's no doubt --

23 MR. WEYMOUTH: Any other questions for the
24 respondent, Thornie?

25 MR. JARRETT: No, I was ready to make a motion.

1 MR. WEYMOUTH: Any other questions before, Thornie?

2 MR. JARRETT: I move that we continue the case for
3 -- I have to look at my sheet -- thirty-five days. Is it
4 thirty-five days?

5 MR. WEYMOUTH: It would be thirty-five days to the
6 February 21, 2013 date.

7 MR. JARRETT: Okay.

8 MR. WEYMOUTH: Hearing a motion. Do we have a
9 second?

10 MS. HALE: I'll second.

11 MR. WEYMOUTH: Any additional discussion? All in
12 favor say aye.

13 BOARD MEMBERS: Aye.

14 MR. WEYMOUTH: Any opposed? Hearing none, motion
15 carries. We'll see you in thirty-five days.

16 MR. SCANLON: All right, thank you very much.

17 MR. WEYMOUTH: Good luck. Madame clerk?

18

19 **3. Case: CE12032397**

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20 **SEAGER, PHILLIP L**

21 **715 NE 15 AVE**

22 MS. SAEY: Okay, the next case is going to be on
23 page two of your agenda. Property address 715 Northeast 15
24 Avenue. Case number CE12032397. The inspector is Gerry
25 Smilen. Owner is Phillip L. Seager. The violations are as

1 noted on the agenda.

2 This was posted on the property on 11/20/12,
3 advertised in Daily Business Review on 12/28/12 and January
4 4, 2013.

5 This case was first heard at the 5/17/12 USB
6 hearing. The Board ordered a thirty-five day extension to
7 the 6/21/12 hearing. At the 6/21/12 hearing, the Board
8 ordered a twenty-eight extension to be brought back on the
9 7/19/2012 hearing. At the 7/19/2012 hearing, the Board
10 ordered a ninety-one day extension to the October 18, 2012
11 USB hearing. At the October 18, 2012 USB hearing, the Board
12 ordered a twenty-eight day demo.

13 A request for reconsideration was received at the
14 November 15, 2012 USB hearing. A motion to reconsider was
15 granted. The Board vacated the original order of demo and
16 granted an extension of sixty-three days.

17 MR. WEYMOUTH: Just a note or a question. I
18 believe that the name Seager as the owner is the same name
19 that we have had, or is that the new name?

20 MS. SAEY: It, it's, I'm sorry. It's the same
21 owner. They just have, we have a new warranty deed of a new
22 owner of this property.

23 MR. WEYMOUTH: All right. So has this property
24 changed hands as it was discussed?

25 MS. WALD: Yes. Yes. Actually, it was just

1 recently done.

2 MR. WEYMOUTH: Okay.

3 MS. WALD: As of 1/15/2013 is when it was recorded
4 in the official records of Broward County as a warranty deed.
5 And entered into on January 7, 2013 between Phillip Seager
6 and John Grannie and Dana Lee Grannie. So John and Dana
7 Grannie are now the owners of this property.

8 MR. WEYMOUTH: Thank you.

9 MS. WALD: You're welcome.

10 INSPECTOR SMILEN: Gerry Smilen, Building
11 Inspector, City of Fort Lauderdale. I'm also here to report
12 that all permits are active except for one, which is for the
13 roof, which is applied for.

14 If we, can we go to --

15 [Inspector Smilen displayed photos of the property]

16 Okay, this is, these are recent pictures showing
17 the condition of the property now. That's the dumpster,
18 there's a permit card. That's the structure there. As you
19 see, the whole roof structure that was fire damaged has been
20 removed. You can see new framing. There's areas, I believe
21 Mr. Grannie is going to be converting this to a single-family
22 home and he's got all, he's making the provisions to do that.

23 At this point, in the City's opinion, as you can
24 see, he's starting the construction process. Demolition has
25 been completed as far as the fire-damaged areas. This is

1 not, we don't consider this an unsafe structure any more. We
2 consider this a building under construction and a
3 construction site. So the City is asking that we dismiss the
4 case.

5 MR. WEYMOUTH: Okay, any questions of the
6 inspector? Okay. Hearing none, does somebody want to make a
7 -- is this a moveable item or do we just announce that it's
8 dismissed?

9 MS. WALD: It's complied?

10 MR. WEYMOUTH: Do we look for a motion and a second
11 or we just?

12 MS. WALD: Ginger Wald, Assistant City Attorney.
13 Gerry and I actually talked about this case the other day and
14 he had two options. One option was to go ahead and present
15 it to you and you could find that the case was complied and
16 it could be dismissed. The other option was Gerry could just
17 go ahead and dismiss the case, withdraw the case and dismiss
18 it himself. But he wanted you to see the progress that was
19 made.

20 MR. WEYMOUTH: Well, I think, well, why don't we
21 make a motion and go through the procedure. Can't hurt. So
22 does anybody want to make a motion?

23 MR. HOLLAND: Yes. I move that we dismiss the
24 case.

25 MR. WEYMOUTH: Any, do I hear a second?

1 MS. HALE: I second.

2 MR. WEYMOUTH: Any further discussion? Hearing
3 none, all in favor say aye.

4 BOARD MEMBERS: Aye.

5 MR. WEYMOUTH: Any opposed? Hearing none, motion
6 carries. That's a good win.

7 MR. GRANNIE: Thank you.

8 MR. PHILLIPS: I don't know, it just seems like
9 today's article that with all this stimulus money, the City
10 of Fort Lauderdale hasn't used any of the 5.3 million to save
11 the neighborhood and we got private industry coming in.

12 MR. WEYMOUTH: Saving the neighborhood. Yes. All
13 right. Madame clerk.

14

15 **4. Case: CE07061056**

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16 **WATERMAN, EDMUND**

17 **627 N FEDERAL HWY**

18 MS. SAEY: Okay, the last case today is on page
19 three. Property address 627 North Federal Highway. Case
20 number CE07061056. The owner is Edmund Waterman. This is a
21 motion to reconsider and the inspector is Gerry Smilen.

22 The property was posted with the hearing notice on
23 January 2, 2013.

24 This case was first heard at the 6/21/12 USB
25 hearing. The Board ordered a twenty-eight day continuance to

1 the 7/19 hearing. At the 7/19 hearing, the Board ordered a
2 sixty-three day extension to the 9/20 hearing, 12 hearing.
3 At the 9/20/12 hearing, the Board ordered a fifty-six day
4 extension to the 11/15/2012 hearing. At the 11/15/2012
5 hearing, the Board ordered a final order to demo. A letter
6 was received on October, oh, I'm sorry, December 27, 2012
7 from owner for a motion to reconsider. The violations and
8 certified mail is noted on the agenda.

9 MR. WEYMOUTH: Well, I'm assuming everybody got a
10 chance to read the letter that was sent in. Is there anybody
11 that did not? It was sent out with the, with the email. All
12 right then, Gerry, go ahead.

13 INSPECTOR SMILEN: Gerry Smilen, Building
14 Inspector, City of Fort Lauderdale. Reporting on 627 North
15 Federal Highway.

16 At this point, the permits have been renewed.
17 There was actually inspection today, a final inspection on
18 the demolition permit and it failed because there were still
19 some interior walls that needed to be removed on the
20 property, which I spoke to the owner and his representative
21 and they said that they would remove them immediately and
22 recall the inspection.

23 There has been considerable work done on the
24 property.

25 [Inspector Smilen displayed photos of the property]

1 As you can see, shutters have been installed on all
2 the window openings so the building is secured. As we can
3 progress here a little. If you notice, on the overhang,
4 there is a cementitious-type board that had been screwed to
5 the bottom of it. That's showing more of the board in the
6 front there.

7 MR. WEYMOUTH: That's all permitted work?

8 INSPECTOR SMILEN: That, I'm not too sure if it's
9 permitted or not. I don't, I can't say for sure on that.
10 But I can say is from the appearance of the building, it
11 improves it quite a bit being the exposure on Federal
12 Highway.

13 We were concerned about a couple things. If you
14 notice, up on the right-hand corner there, there used to be a
15 pergola that was up there. That has since been removed as
16 well, which was bothersome. We didn't know the condition of
17 it, of course, hurricane season will be coming before you
18 know it. And we were concerned about, number one, securing
19 the building, number two, improving the appearance on the
20 street and number three of course, making it safe.

21 So at this point, as you can see, those are new
22 doors that were installed from the old doors that were there,
23 that was permitted. So they are making great progress here
24 at this point.

25 There is a permit for, let's see, permit number

1 12121020, which was to do all the repairs on the trusses and
2 joists and to take care of the roof leak is, has been in plan
3 review and actually it was taken out, I believe it was
4 removed last week for corrections, out for corrections. And
5 they are making the corrections with the engineer and the
6 architect now and then that'll be resubmitted. So the City
7 would support an extension of time.

8 MR. WEYMOUTH: Okay.

9 MR. PHILLIPS: How long?

10 MS. WALD: Wait a second. Did we do the motion to
11 reconsider yet?

12 MS. PRYOR: No.

13 MR. WEYMOUTH: Oh, I thought we already did it, oh.

14 INSPECTOR SMILEN: Sorry, a little ahead of myself.

15 MR. WEYMOUTH: I thought we did a whole --

16 MS. WALD: Did we do the motion to reconsider yet?

17 MR. WEYMOUTH: I had my whole, I had my whole
18 speech already planned. [inaudible]

19 MS. WALD: Okay.

20 MR. WEYMOUTH: Boom, right to the finish line.

21 MS. WALD: I thought I was missing something. I
22 mean, you can hear all the rest of this but you might want to
23 do that first but that's up to you.

24 MR. WEYMOUTH: Well, I mean, my only comment was,
25 I'm glad to hear, I'm not glad to hear the circumstances of

1 why you weren't here in November.

2 MR. HOLLAND: No.

3 MR. WEYMOUTH: And I sympathize with anybody that's
4 got identity theft but I'm glad that you're back in front of
5 us. Especially after the prior case that, you know, where we
6 reconsidered back a while ago and somebody's actually done
7 something positive with the structure. So, um.

8 MR. HOLLAND: Yes. I'd like to move that we
9 reconsider this case.

10 MR. PHILLIPS: Second.

11 MR. WEYMOUTH: All in favor say aye.

12 BOARD MEMBERS: Aye.

13 MR. WEYMOUTH: Any opposed? Hearing none, the case
14 is being reconsidered and the testimony that's already been
15 given will be taken into account. So, I don't know if
16 anybody has any questions for the respondent before there's a
17 motion to grant what the City's asking, to give a
18 continuance.

19 MR. JARRETT: I'd just like to ask, how do you,
20 would you like to tell us how you're progressing with the
21 project, what's planned?

22 MR. SENIOR: I'm the owner's --

23 MR. WEYMOUTH: Could you state your name please.

24 MR. SENIOR: Enrique Senior, the owner's
25 representative and I handle the general contractor that's

1 working on the field. What we've done is, we've taken off
2 the building everything that was loose, based on the
3 engineer's instructions. And your question of work being,
4 everything that we've done was under the, a demolition and
5 pipe repair permit. And we've taken all that under
6 consideration based on the engineer's instructions of what
7 needed to be removed and taken.

8 We've taken everything off the roof of the
9 building. It doesn't have one loose box or old AC in it. We
10 pre-repair those roofing holes that were open and sealed them
11 until we can get the truss work done inside. To replace the
12 trusses, since the tectum was all in acceptable condition.
13 Only two areas that until I remove the trusses, we're going
14 to figure out how to take them out and replace them with a
15 metal roofing to substitute.

16 And we're also going -- we're just waiting a little
17 bit because the weather hasn't permitted -- so we can clean
18 out the outside the building and repaint it so it looks good.
19 You know, which is one of the concerns, that they were asking
20 us to make the building look good temporarily.

21 And there is no safe issues for pedestrians or kid
22 being able to get into the building. And as Mr. Smilen said,
23 we're in the process of just answering to the requirements of
24 the structural permit to change the trusses inside and with
25 that we should be done.

1 And you had a question of timing. I know that once
2 we get the permit back and they make any adjustments to our
3 trusses or anything, they're going to ask me for forty-five
4 days to be able to order the trusses and get them. And that
5 will give you an idea that we need a little bit more of time.
6 I'd love to come over here every thirty days, but if we get
7 some time now to do some work I would appreciate it in behalf
8 of the owner.

9 MR. JARRETT: Well actually, after you get your
10 building permit issued --

11 MR. SENIOR: Yes.

12 MR. JARRETT: You won't have to come at all.

13 MR. SENIOR: I understand that.

14 MR. JARRETT: Okay.

15 MR. WEYMOUTH: That was actually going to be a
16 question that I had for Inspector Smilen is that, you know,
17 with apparently a substantial amount -- Inspector Smilen,
18 Gerry?

19 MR. SENIOR: Just so you know. We've gotten three
20 permits; two have been closed and we're just on the final on
21 the third one.

22 MR. JARRETT: Right.

23 MR. SENIOR: And then the fourth one is the one
24 that --

25 MR. JARRETT: But what we're looking for is a

1 permit that addresses the issues --

2 MR. SENIOR: The, those trusses.

3 MR. JARRETT: -- that you were brought before the
4 Board for, which was the roof trusses.

5 MR. SENIOR: Well, we do, well, there is only one,
6 that permit solves just one pending issue. If you look at, I
7 looked at the letter the owner sent and there was specified
8 there that one issue is the one that gets solved with that
9 last permit.

10 MR. JARRETT: Did your engineer give you an idea
11 when he'll have these plan prepared?

12 MR. SENIOR: Well, we're working with the examiner
13 with the issue because there is an issue of [inaudible] this
14 building has tectum and the uplift test on a tectum roof is a
15 tricky situation. So we're working with him to figure out
16 how we, from both sides we can be happy to make it work.

17 MR. JARRETT: Old system Joe.

18 MR. WEYMOUTH: Okay. I'd like to ask the inspector
19 a quick question. There may be other questions for you, so
20 if you'll wait just a minute.

21 Inspector Smilen, the work that's been done and the
22 permits that have been closed out, is the building still
23 considered an unsafe structure as it stands right now?

24 INSPECTOR SMILEN: At this point, yes, I would
25 believe so because the joists are, I, to my knowledge are

1 still, they're shored up and braced off. And this repair on
2 permit number 12121020 needs to be completed and closed out
3 and inspected and approved.

4 MR. WEYMOUTH: Okay. I just thought if it was far
5 enough along and we could dismiss this one as well. If
6 they've gotten the work completed that would deem it an
7 unsafe structure. But if there's still more to go, then
8 there's still more to go.

9 INSPECTOR SMILEN: Well I think, once this permit's
10 issued and it's inspected, I think we'll be good to go.

11 MR. WEYMOUTH: You think that would be in the next
12 thirty to forty-five days?

13 INSPECTOR SMILEN: Well I can't, I would say under
14 normal circumstances, yes. I can't say whether his design
15 professional is going to make the corrections that quickly or
16 not. That's a little out of my hands.

17 MR. WEYMOUTH: Okay. Thank you.

18 MR. HOLLAND: I have a question.

19 MR. WEYMOUTH: Joe.

20 MR. HOLLAND: Yes, for the respondent. The soffit
21 material, the board that was put on the underside.

22 MR. SENIOR: Yes.

23 MR. HOLLAND: Can you tell us under what permit
24 that came in, or is that part of the demolition secure --

25 MR. SENIOR: That's part of the repair to prep.

1 Yes, if you read the permit and the notes that were sent.
2 The engineers asked us to check everything that was loose and
3 repair that in [inaudible]. Some of this stuff, it's just
4 easier just to -- put in new, because we're going to be able
5 to nail it all evenly and make it look a lot better on the
6 building.

7 MR. HOLLAND: Right, so it's temporary as part of
8 securing.

9 MR. SENIOR: Yes.

10 MR. HOLLAND: And then it'll be rolled over into an
11 approval specifically addressed in the final permit.

12 MR. SENIOR: It's already when we finalize our
13 permit, that should cover it.

14 MR. HOLLAND: That material and that attachment
15 method is in there. Okay, thank you.

16 MR. WEYMOUTH: Any other questions for the
17 respondent or the City? Would anybody like to make a motion?

18 MR. PHILLIPS: I'd like to move that we find the
19 violation exists as alleged again -- I think that's what we
20 do because we reconsidered. And as alleged, and we grant the
21 respondent sixty days, which would bring us to the March 21
22 hearing to come into compliance.

23 MR. LARSON: Sixty-three.

24 MS. HALE: Three.

25 MR. WEYMOUTH: That'd be sixty-three days.

1 MR. PHILLIPS: Sixty-three days.

2 MR. WEYMOUTH: Yes. Just to make sure that we
3 don't have the same concern that happened last time.

4 MS. HALE: I'll second that.

5 MR. WEYMOUTH: all right, we have a motion, we have
6 a second, is there any further conversation? Hearing none,
7 let's take it to a vote. All in favor say aye.

8 BOARD MEMBERS: Aye.

9 MR. WEYMOUTH: Any opposed? Hearing none, motion
10 carries. We'll see you in sixty-three days, good luck.

11 MS. WALD: Administratively, just in case the prior
12 order was recorded, and I'm not sure if it was. To make it
13 easier for this gentleman in case he needs, he'll have some
14 title issues. I believe you should go ahead and vacate the
15 final order to demo of 11/15/2012.

16 MR. WEYMOUTH: This is on the case that we just
17 heard? Okay.

18 MR. HOLLAND: I move that we vacate the order of
19 demolition on this case.

20 MR. WEYMOUTH: A motion, do we have a second?

21 MS. HALE: Second.

22 MR. LARSON: Second.

23 MR. WEYMOUTH: All in favor? Is there any
24 conversation? Hearing none, all in favor say aye.

25 BOARD MEMBERS: Aye.

1 MR. WEYMOUTH: Any opposed? Hearing none, motion
2 carries.

3 INDEX

4 COMMUNICATION TO THE CITY COMMISSION

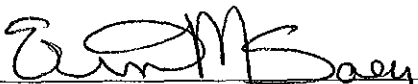
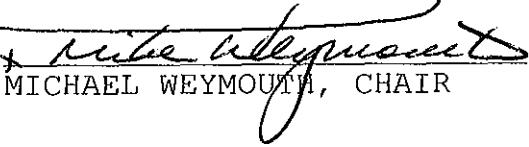
5 MR. WEYMOUTH: All right, do we have any
6 communications that we want to send up to our
7 commissioners? Hearing and seeing none, I think we will
8 move to adjourn this meeting at 3:56. Thank you all.

9 INDEX

10 FOR THE GOOD OF THE CITY

11 [None]

12
13 [Meeting concluded at 3:56 pm.]

14
15 
16 BOARD CLERK
17 
18 MICHAEL WEYMOUTH, CHAIR

19
20 [Minutes prepared by: J. Opperee, 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 January 17, 2013, 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 21st day of February, 2013.

PROTOTYPE, INC.
Lisa Edmondson
JAMIE OPPERLEE ~~LISA EDMONDSON~~
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 21st day of FEBRUARY, 2013.



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

NOTARY PUBLIC
State of Florida