

**CITY OF FORT LAUDERDALE**  
**UNSAFE STRUCTURES BOARD**  
**THURSDAY, FEBRUARY 21, 2013 AT 3:00 P.M.**  
**CITY COMMISSION MEETING ROOM**  
**CITY HALL**

Cumulative Attendance 10/12 through 9/13
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<u>Board Members</u>	Attendance	Present	Absent
Michael Weymouth, Chair	P	3	1
Joe Holland, Vice Chair	P	3	1
John Barranco	P	3	0
Joe Crognale	A	3	1
Pat Hale	A	3	1
Thornie Jarrett	P	4	0
Don Larson	P	4	0
John Phillips (arrived 3:15)	P	4	0
B. George Walker	P	4	0

**City Staff**

Lori Grossfeld, Board Secretary  
 Erin Saey, Clerk III  
 Ginger Wald, Assistant Attorney  
 George Oliva, Building Inspector  
 Chris Augustin, Chief Building Official  
 Jeri Pryor, Code Enforcement Supervisor/Clerk  
 Lisa Edmondson, ProtoType Inc. Recording Clerk

**Communication to the City Commission**

None

**Witnesses and Respondents**

CE11111569: Gerry Scanlon, owner; Tom Milletas, contractor

1	<b><u>Index</u></b>		
2	<b><u>Case Number</u></b>	<b><u>Respondent</u></b>	<b><u>Page</u></b>
3	<b>1. CE11111569</b>	<b>BROWN, MORRIS L &amp; JACQUELINE D</b>	<b><u>3</u></b>
4	Address:	1642 NW 13 CT	
5	Disposition:	The Board granted a 28-day extension to March 21, 2013. Board approved 6-0.	
6	<b>2. CE11111505</b>	<b>HSBC BANK USA NA AS TRUSTEE %OCWEN LOAN SERVICING</b>	<b><u>14</u></b>
7	Address:	2424 NW 21 ST	
8	Disposition:	Withdrawn.	
9	<b>3. CE12101972</b>	<b>EDWARDS, EDNA M, EDWARDS, STANLEY B &amp; EDWARDS, BRUCE B</b>	<b><u>14</u></b>
10	Address:	846 NW 17 AVE	
11	Disposition:	Withdrawn.	
12		Communication to the City Commission	<b><u>14</u></b>
13		For the Good of the City	<b><u>14</u></b>

The regular meeting of the Unsafe Structures Board convened at 3:03 p.m. at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

All individuals giving testimony before the Board were sworn in.

**Approval of meeting minutes**

**Motion** made by Mr. Larson, seconded by Mr. Holland, to approve the minutes of the Board's January 2013 meeting. In a voice vote, motion passed 6-0.

1        **Cases**

2  
3            1.   **Case: CE11111569**

INDEX

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

5                    **1642 NW 13 CT**

6                    MS. SAEY:    Out first case is on page one.    Case  
7                    number CE11111569.    Property address: 1642 Northwest 13  
8                    Court.    The owner is Morris L. Brown and Jacqueline D. Brown.  
9                    This is a old business case, the inspector is George Oliva.

10                    This was posted on the property on 1/28/2013 and  
11                    advertised in the Daily Business Review on 2/1/2013 and  
12                    2/8/2013.

13                    This case was first at the 7/19/2012 USB hearing.  
14                    The Board ordered a final order to demo.    After the second  
15                    property search, an interested property submitted a request  
16                    for reconsideration.    It was heard at October 18, 2012 USB  
17                    hearing.    The Board amended the final order and granted a  
18                    ninety-one-day extension to the 1/17/13 USB hearing.    At the  
19                    1/17/13 USB hearing, the Board ordered a continuance to the  
20                    2/21/13 USB hearing as is today.

21                    Certified mail was signed for by all the people  
22                    noted on the agenda as well as the violations as noted on the  
23                    agenda.

24

25

1 CHAIR WEYMOUTH: Before we hear from the  
2 respondents, Inspector, if you would refresh at least my  
3 memory, if not the Board's memory.

4 INSPECTOR OLIVA: George Oliva, Building Inspector  
5 for the City. This case is about the flat deck at the rear  
6 of the property that was giving in to the property. And we  
7 already deemed it to be unsafe once and then the property  
8 changed ownership and we have the new owner that he got a  
9 permit for re-roof the flat deck but he never got a permit to  
10 replace the rafters and the rafters were replaced without  
11 permit. And so far that's where we are.

12 CHAIR WEYMOUTH: Okay. Good afternoon. State your  
13 name please.

14 MR. SCANLON: Good afternoon. Gerry Scanlon, I'm  
15 the general partner of the owner which is American Real  
16 Estate Strategies Fund. It's still showing the old owner on  
17 the documents I just read. Just to clarify, we actually  
18 purchased this house I believe around the twenty-eighth of  
19 December, sometime in the, over the holiday period.

20 And when I came last month what had happened was  
21 there was some rain coming. So the first thing that happened  
22 was the roof, a roof permit was taken out and gentleman, the  
23 general contractor did the roof, had not strapped down with  
24 beams, the rafters. So when I was last here we discussed  
25 that and I was told to submit a full set of plans for the

1 building which we, I believe have just gone in today.  
2 Because there's architect's drawings in. There was a bit of  
3 back and forth but they have now been submitted.

4           So, I think that we're, you know, whilst it's not  
5 gone as quick as I'd like, they have been submitted and we  
6 intend to remediate everything. Tom Milletas, our general  
7 contractor who's with me is really overseeing the work on the  
8 project once we get going, once the plans are approved.

9           CHAIR WEYMOUTH: The violations here, can inspector  
10 refresh my memory, is that the rafters on not properly  
11 secured, correct? Or are they, have they been replaced and  
12 they were not properly secured? They were not replaced?

13           INSPECTOR OLIVA: Well, the case was because, like  
14 I said, the flat deck where the rafter were replaced, before  
15 they were replaced, they gave in into the property. And we  
16 deem that part of the property to be unsafe. They replaced  
17 everything in the back, we have permit for reroof but never  
18 got the permit for the re-raft, which require a different  
19 permitted structure, architect or engineer design for the  
20 rafters so. As per Florida Building Code, it states that  
21 anything that is done without permit is to be deemed unsafe  
22 so we back to square one because the rafter haven't been  
23 permitted or have any inspections on.

24

25

1 CHAIR WEYMOUTH: There's an image that's put up on  
2 our screens. Can you or whomever is putting this before us  
3 explain what we're looking at here?

4 INSPECTOR OLIVA: What you're looking at is a  
5 permit history on the property. And you can see the only  
6 permit that we have issued for the owner is the permit to  
7 replace the roof, the flat roof, which [inaudible]. You can  
8 do a minor repair on the plywood in case it's damaged by the  
9 weather but doesn't allow you to replace all the rafters, and  
10 do the restriping and the sheathing of the roof without the  
11 approval of the Building Official or a permit that has been  
12 issued for that type of work.

13 CHAIR WEYMOUTH: So, as we sit here today the only  
14 evidence we've got that there's been a new set of plans  
15 submitted to the Building Department is what the respondent  
16 is telling us is that they submitted something.

17 INSPECTOR OLIVA: I spoke to the Building  
18 Department at 3:01, that's what I put it there, and we don't  
19 have anything on the computer yet.

20 CHAIR WEYMOUTH: Any questions?

21 MR. JARRETT: I have a question for the owner.

22 MR. SCANLON: Yes.

23 MR. JARRETT: The plan you have in your hand there  
24 that you're presenting --

25 MR. SCANLON: Yes.

1 MR. JARRETT: That is the plan that is to be  
2 submitted?

3 MR. SCANLON: Absolutely. What actually happened  
4 is they tried to submit it yesterday. Sorry --

5 MR. JARRETT: Well, let me ask you a question.

6 MR. SCANLON: Oh, sure.

7 MR. JARRETT: Would you mind officially submitting  
8 that just for review. We have architects and engineers  
9 sitting right here.

10 MR. SCANLON: Okay, perfect, absolutely.

11 MR. JARRETT: Would, you know, and if one of them  
12 would look at it --

13 MR. SCANLON: I just, I just need -- absolutely.

14 MR. JARRETT: -- and tell us that the plan  
15 addresses the issues, then maybe we might be inclined to give  
16 you another thirty days.

17 MR. SCANLON: Of course. I just wanted to explain  
18 and what actually happened was they tried to submit them  
19 yesterday but they, not both sets were stamped; only one set  
20 was stamped so they didn't accept them. So they tried to  
21 resubmit them now as we speak.

22 CHAIR WEYMOUTH: Is that, is that --

23 MR. JARRETT: Actually, they want three sets.

24 MR. LARSON: Mr. Chairman?

25

1 MR. SCANLON: Sorry? Oh, is it three sets? I  
2 don't know I'm not the expert.

3 MR. LARSON: Mr. Chairman?

4 CHAIR WEYMOUTH: Who did you try to submit them to?

5 MR. SCANLON: To the Building Department. It was  
6 done through the contractor who's managing the project for  
7 us, Infinity Custom Homes, who did the roof.

8 MR. LARSON: Mr. Chairman?

9 CHAIR WEYMOUTH: I don't know what protocol is in  
10 the City and maybe we could hear from the Chief Building  
11 Official as to whether that is a reason not to consider a  
12 submission or not. I don't know the answer to that.

13 MR. AUGUSTIN: Yes, it would be a reason not to  
14 accept the plans. Generally, that would not be recognized by  
15 the clerk that would take plans in. There's an application  
16 would need to be filled out and the clerk at that time would  
17 assign a permit review number which would show up on this  
18 screen, what you're seeing on, before you. There is no  
19 application numbers and it would be an eight digit number.

20 CHAIR WEYMOUTH: Okay.

21 MR. LARSON: Mr. Chairman?

22 CHAIR WEYMOUTH: So, so, so, so, if I'm hearing you  
23 correctly, under normal protocol, the plans would have been  
24 received more than likely and been given a processing number

25



1 and then that would have come up as a comment during plan  
2 review, that it's not a signed and sealed permit.

3 MR. AUGUSTIN: Correct.

4 CHAIR WEYMOUTH: Okay.

5 MR. LARSON: George? May I ask you a question? On  
6 the flat roof over there, has the joists that's come across,  
7 that have any of those been compromised? Are they sagging or  
8 have they been rotted or anything like that or they just have  
9 to be anchored into the wall?

10 INSPECTOR OLIVA: The new ones, where they were  
11 replaced I was not allowed to go inside the property by the  
12 contractor that was doing the work. But what I saw, I saw  
13 from the window and I took a picture and I put it on the  
14 records. But I can't testify there's sagging or [inaudible]  
15 or they were done properly or not.

16 MR. LARSON: Yes, you don't know whether the joists  
17 have been compromised prior to them putting the new ones in  
18 or anything like that. Maybe the contractor can answer that  
19 question.

20 INSPECTOR OLIVA: Well, everything there is brand-  
21 new, they replaced all the damaged one, but like I said, I  
22 can't testify either way.

23 MR. LARSON: Okay. Alright.

24 INSPECTOR OLIVA: Due to the fact that I haven't  
25 seen it.

1 MR. LARSON: Okay, alright, thanks.

2 INSPECTOR OLIVA: Okay.

3 CHAIR WEYMOUTH: Before we go back to the  
4 respondent, Inspector, hang on a second. Are there any other  
5 questions of the Inspector before we go back to the  
6 respondent? We're not doing this back and forth ping-pong  
7 match here. Any other questions? Okay, thank you. I'm  
8 sorry. Did somebody have a question of the contractor or of  
9 the respondent?

10 MR. BARRANCO: I just want to make one statement.  
11 We've had a lot of applicants come before us where we said,  
12 next time you come in here you better have an architect or an  
13 engineer or some plan to do something with this building to  
14 see some good intent. He may not have the permit yet, but  
15 looking at those drawings, sounds like they just have to be  
16 signed and sealed and submitted. So I'd be willing to grant  
17 an extension for a month, and if he gets it done and in for  
18 permit in the next couple of weeks then hopefully this case  
19 will go away and we can move on. So I'd be willing to grant  
20 a month-long extension at this point.

21 CHAIR WEYMOUTH: Would you like to make a motion  
22 Mr. Barranco?

23 MR. BARRANCO: Yes. I'd like to make a motion that  
24 we grant a month extension to the March twenty-first meeting.

25 MR. LARSON: I'll second.

1 CHAIR WEYMOUTH: Any other conversation before we  
2 put it to a vote?

3 MR. BARRANCO: Yes, I should probably use the same  
4 language that we do on everything else.

5 CHAIR WEYMOUTH: Okay.

6 MR. BARRANCO: Even though I think this is an old  
7 case.

8 CHAIR WEYMOUTH: Why don't you go ahead and read  
9 it.

10 MR. BARRANCO: But it's basically a new site. So,  
11 I move that we find the violations exist as alleged and we  
12 grant the respondent how many days is that, thirty days?

13 CHAIR WEYMOUTH: Twenty-eight. Twenty-eight days.

14 MR. BARRANCO: Twenty-eight days to the March  
15 twenty-first agenda and that he brings the property into  
16 compliance by that date.

17 CHAIR WEYMOUTH: Okay. We have a renewed motion.  
18 Second to the renewed motion?

19 MR. JARRETT: You want to re-second that?

20 MR. LARSON: I'll second.

21 CHAIR WEYMOUTH: Okay, any additional conversation,  
22 input, questions?

23 MR. JARRETT: Only because the gentlemen still want  
24 to speak.

25 [Mr. Phillips arrived at 3:15]

1 MR. MILLETTAS: Go ahead and vote first.

2 CHAIR WEYMOUTH: Before we vote, if the clerk would  
3 please note that John Phillips has joined the dais.

4 MR. PHILLIPS: I've read the case and I remember  
5 [inaudible]

6 MR. HOLLAND: Our language says 28 days to bring  
7 the property into compliance. Do we consider the application  
8 as being in compliance? Okay, thank you.

9 MR. MILLETTAS: That was my question.

10 MR. HOLLAND: Well, wait a minute, I got a nod.  
11 The language of the motion, number of days to bring the  
12 property into compliance by? And by our standards the  
13 application --

14 MS. WALD: The -- Ginger Wald, Assistant City  
15 Attorney -- the application actually doesn't necessarily  
16 bring it into compliance because compliance is going to be  
17 fix it.

18 MR. HOLLAND: That's my point.

19 MS. WALD: That is your point. I thought you were  
20 saying the opposite.

21 MR. HOLLAND: No, that's my point. I'm sorry I  
22 didn't miss it at other meetings if that's been there a  
23 while.

24 MS. WALD: Okay.

25

1 CHAIR WEYMOUTH: Should this be a continuance  
2 instead of an extension?

3 MS. WALD: No, you've already made the finding.

4 CHAIR WEYMOUTH: Okay, alright.

5 MS. WALD: So you can just do it as an extension of  
6 time to come into compliance. That would be fine just as Joe  
7 said.

8 MR. BARRANCO: Well, if they don't bring it into  
9 compliance we'll tear it down. But as soon as they pull the  
10 permit, it goes away so.

11 MR. JARRETT: It goes away then, yes.

12 MS. WALD: Well they have, yes, that's what they  
13 need to do in this case is finishing up the permit process.

14 CHAIR WEYMOUTH: Any additional conversation,  
15 questions? Alright, let's put it to a vote. All in favor  
16 say aye.

17 BOARD MEMBERS: Aye.

18 CHAIR WEYMOUTH: Any opposed? Hearing none,  
19 passes. We'll see you guys in twenty-eight days.

20 MR. SCANLON and MR. MILLETAS: Thank you.

21 MR. JARRETT: Unless, of course, you have a permit,  
22 and then you don't have to come back.

23 CHAIR WEYMOUTH: Well, it's still an unsafe, he's  
24 got to fix it. Permit doesn't fix it.

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2. Case: CE11111505

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2424 NW 21 ST

MS. SAEY: Okay, on page two, case number  
CE11111505 has actually been withdrawn.

3. Case: CE12101972

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EDWARDS, EDNA M,

EDWARDS, STANLEY B &

EDWARDS, BRUCE B

846 NW 17 AVE

MS. SAEY: And bottom of the page, case CE12101972  
has also been withdrawn.

CHAIR WEYMOUTH: Very good.

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**COMMUNICATION TO THE CITY COMMISSION**

CHAIR WEYMOUTH: Is there anything that we would  
like to communicate to our fearless leaders at the City  
Commission, our commissioners?

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**FOR THE GOOD OF THE CITY**

[None]

[Meeting concluded at 3:17 pm.]

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BOARD CLERK

  
MICHAEL WEYMOUTH, CHAIR

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

CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held February 21, 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 21 day of MARCH, 2013.

PROTOTYPE, INC.

Jamie Opperlee  
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 21 day of MARCH, 2013.



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

D.J. Grossfeld  
NOTARY PUBLIC  
State of Florida

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