

CODE ENFORCEMENT BOARD

City Commission Meeting Room

100 North Andrews Avenue

June 27, 2006

10:00 A.M. – 1:23 P.M.

From January 2006

<u>Board Members</u>	<u>Attendance</u>	<u>P</u>	<u>A</u>
Howard Elfman (alternate)	A		
Pat Hale, Chair	A	5	1
Sarah Horn	P	5	1
Sam Mitchell	P	6	0
John Phillips [10:20]	P	6	0
Rixon Rafter, Vice Chair	P	6	0
Myrnabelle Roche	A	4	2
Jan Sheppard (alternate)	P		
Doug White (alternate)	P		
Bobby Young	P	6	0
Bruce Jolly, Board Attorney	P		

Staff Present

Assistant City Attorney
Eve Bazer, Administrative Assistant II
Debra Maxey, Clerk III
Lynda Crase, Secretary, Code Enforcement Board
Farida Mohammed, Clerk, Code Enforcement Board
Robert Kisarewich, Fire Inspector
Mohammed Malik, Building Inspector
Ken Reardon, Building Inspector
Thomas Clements, Fire Inspector
Wayne Strawn, Building Inspector
Dallas Shumaker, Fire Inspector
Ivette Spence-Brown, Fire Inspector
Lindwell Bradley, Community Inspections Supervisor
Jamie Opperlee, Recording Secretary

Also Present:

CE04110655: Jihad Doujeji, owner
CE05030768: Lorna Banister, attorney

CE00062070: Stanley Pawlowski; interpreter; Joseph Titone, attorney; Maria Pikuta, owner
CE05011073: John Bryant, owner
CE06050394: Elias Mitrani, owner
CE06050413: Phillip Shuman, owner; Jerome Teppes, attorney
CE05090938: Gloria Royster, the owner's mother
CE06050399: Joseph Cozzolino, owner's representative
CE01071635: Scott Strawbridge, director, Karen Beard, executive director
CE05011881: Felix Garcia, owner, Miguel Morejon, owner's nephew; Rene Portieles, architect
CE03091766: William Cone, attorney
CE05090142: Michael Hirsch, attorney
CE05070568: Lee Sigler, owner; Deborah Sigler, owner; Betsy Dow, neighbor
CE04070632: Allan Kozich, engineer
CE02091580: John Wilkes, attorney
CE05100397: Luciano Diaz, manager
CE05090691: Henry Mazel, manager

Vice Chair Rafter called the meeting to order at 10:03 a.m., introduced the Board and explained the procedure for the hearing.

All individuals wishing to speak on any of the cases on today's agenda were sworn in.

Reference CE01100240

John & Susan Storelli
631 Northeast 18th Avenue

Massey Hearing

Ms. Mohammed announced that the case was first heard on 5/25/04 with compliance ordered by 7/24/04: one section at \$50 per day. The property was not complied.

The Assistant City Attorney determined that a variance had been granted for the carport in December 2005, so the property was complied and fines must be recalculated before the City could request their imposition. The Board agreed to hear other cases and return to this case later.

Upon returning to the case, Ms. Mohammed announced that the City was withdrawing the case on the advice of the Assistant City Attorney, but wanted the record to reflect that the case was withdrawn but not complied.

Reference CE00062070

Maria Pikuta
104 Southeast 11th Avenue

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was originally heard on 2/27/01, with compliance ordered by 4/24/01: 2 sections at \$50 per day. The property was complied and fines had accrued in the amount of \$119,800. The City was requesting imposition of the fine.

Mr. Joseph Titone, attorney, introduced Ms. Pikuta and an interpreter, Mr. Stanley Pawlowski.

Mr. Lindwell Bradley, Community Inspections Supervisor, said the City felt strongly about recovering the entire fine amount, given the time and work hours invested by City personnel in this case. Mr. Titone asked that the case be dismissed, as the inspector was not present to testify to the facts of the case, and Supervisor Bradley did not have direct knowledge of the case. The Assistant City Attorney stated the City objected to Mr. Titone's request to dismiss the case.

The Assistant City Attorney stated that prior hearings had already determined that a violation existed and Supervisor Bradley could represent the City at the Massey hearing. Mr. Jolly agreed, noting that the only question was whether there were any mitigating circumstances why the fine should not be imposed.

Mr. Titone said Ms. Pikuta required an interpreter for all English interactions. She was also unfamiliar with the laws here. He noted that Ms. Pikuta insisted there never was a violation. Mr. Titone asked that fines be reduced to administrative expenses rather than punitive levels. He said he had already discussed the possibility of a fine of \$2,500 with the City.

Motion made by Mr. Mitchell, seconded by Ms. Horn, to dismiss the case with prejudice. Motion failed 0 - 6.

[Mr. Phillips arrived at 10:20]

Ms. Pikuta said she had written and called to request an inspector meet with her to state specifically what the violations were, but no one had ever contacted her. Mr. Mitchell asked if she had made any changes to the property or if she bought it in its present condition. She stated the home was in the same condition as when she purchased it in 1988. Ms. Pikuta said she did have an attorney at the closing, but Mr. Titone said he could not confirm that this person was, in fact, an attorney.

The Assistant City Attorney said that discussion of the existence of the violations was irrelevant now; the City was requesting imposition of the fines due to untimely compliance. Supervisor Bradley noted that after the fines were imposed, there would be an opportunity for Ms. Pikuta to seek mitigation of the fines.

Supervisor Bradley could not locate any letters from Ms. Pikuta in the file, and Ms. Pikuta's attorney could not produce them. Mr. Mitchell pointed out that the letters should have been introduced at an earlier hearing. Mr. Jolly advised that the Board could consider any evidence now

that they saw fit. He noted that the case was heard and decided in 2001, and any correspondence was relevant then.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to continue the case to July 25 to allow Mr. Titone to better prepare his presentation. Board approved 4 – 3 with Mr. Mitchell, Mr. White and Mr. Young opposed.

Reference CE06050394

Hendricks Isles Development
201 Hendricks Isle

NFPA 1 10.1.1: No fire line water supply;
NFPA 1 10.4.1: Smoke detector service

Ms. Mohammed announced that certified mail addressed to the owner and registered agent were both accepted on 6/5/06. Ms. Mohammed informed the Board that Inspector Kisarewich had a stipulated agreement with the owner to comply.

Mr. Robert Kisarewich, Fire Inspector, stated the violations existed as cited and he had an agreement with the owner's representative to comply the property within 180 days or a fine of \$100 per day. Inspector Kisarewich said the docks were currently vacant and he felt confident that they would remain so for the duration of the project.

Motion made by Mr. Phillips, seconded by Mr. White, to approve the stipulated agreement and order compliance within 180 days, or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

Reference CE06050413

Phillip & Joyce Schuman
443 Hendricks Isle

NFPA 1 10.1.1: Second floor safety railing not
maintained

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 6/6/06. Ms. Mohammed informed the Board that Inspector Kisarewich had a stipulated agreement with the owner to comply.

Mr. Robert Kisarewich, Fire Inspector, stated the violations existed as cited and he had a stipulated agreement with the owner to comply the property within 90 days or a fine of \$100 per day.

Motion made by Mr. Phillips, seconded by Mr. White, to approve the stipulated agreement and order compliance within 90 days, by September 26, 2006, or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

Reference CE06050399

Prettyman-Bonham Land Trust

NFPA 1 10.1.1: Windows blocked without permit

631 Northeast 8th Avenue

Ms. Mohammed announced that certified mail addressed to the trustee was accepted on 6/5/06.

Mr. Robert Kisarewich, Fire Inspector, stated the violations existed as cited and he had a verbal agreement with the owner's representative to comply the property within 90 days or a fine of \$100 per day.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to approve the agreement and order compliance within 90 days, by September 26, 2006, or a fine of \$100 per day, per violation would be imposed. Board unanimously approved.

Reference CE04110655

Audy Unison LLC
300 Sunset Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on 3/22/05 with compliance ordered by 4/26/05: 4 sections at \$250 per day. On 4/26/05 the date was extended to 7/26/05; on 8/23/05 the date was extended to 10/25/05; on 2/28/06 the date was extended to 3/28/06 and on 3/28/06 the date was extended to 6/27/06.

Mr. Jihad Doujeji, owner, stated they had experienced a delay due to air conditioner units being backordered, and presented a copy of the order to the Board. Mr. Doujeji felt they would soon be ready for final inspection, and requested an additional 60 days to comply.

Mr. Lindwell Bradley, Community Inspections Supervisor, stated he had spoken with Mr. Doujeji and his brother and seen the backorder, and felt comfortable that they should be able to comply within 60 days.

Motion made by Mr. Mitchell, seconded by Mr. Phillips, to grant a 60-day extension to August 22, 2006. Board unanimously approved.

Reference CE05011881

Felix Garcia & Aida Morejon
1017 Southwest 25th Avenue

Request for Extension

Ms. Mohammed announced that this case was first heard on 9/27/05 with compliance ordered by 1/24/06: 1 section at \$25 per day. On 2/28/06 the date was extended to 5/23/06. The property was not complied.

Mr. Miguel Morejon, the owner's nephew, stated the project was delayed because the original architect had not done anything and his uncle had hired a new one. He therefore needed some additional time to comply.

Mr. Ken Reardon, Building Inspector, confirmed that the plans had failed in plan review and required revisions and the original architect had never attended to the comments. He recommended a 60-day extension.

Motion made by Mr. Mitchell, seconded by Mr. Phillips, to grant a 60-day extension to August 22, 2006. Board unanimously approved.

Reference CE04070632

Marina Holding Inc.

Request for Extension

2700 Southwest 25th Terrace

Ms. Mohammed announced that this case was originally heard on 8/24/04 with compliance ordered by 9/28/04: 23 sections at \$50 per day, per violation. On 9/28/04, the date was extended to 10/26/04; on 10/26/04, the date was extended to 1/25/05; on 1/25/05, the date was extended to 5/24/05; on 5/24/05, the date was extended to 6/28/05; on 6/28/05, the date was extended to 7/26/05; on 7/26/05 the date was extended to 9/27/05; on 9/27/05 the date was extended to 3/28/06; on 3/28/06 the date was extended to 6/27/06. The property was not complied and no fines had accrued to date.

Mr. Allan Kozich, project engineer, stated the property was complied; the guard shack had been demolished and the electric service halted. The Fire Marshall and Inspector Strawn had signed off on the property.

Mr. Wayne Strawn, Building Inspector, said he had not met Mr. Kozich at the property yet to confirm compliance, but would accept his sworn testimony and photo evidence.

Mr. Phillips asked if the City could recover some of the funds used to pursue this case and Mr. Jolly informed him that since no fine had ever accrued, the only option was to make a request of the owner. Mr. Kozich reminded the Board that one of the issues in the case had been that the property was in bankruptcy for some time. Inspector Strawn noted that the Board had found violations existed, but Mr. Kozich had appeared to request extensions and explain extenuating circumstances. Inspector Strawn said he would be in favor of recovering some of the City's costs, however. Mr. Jolly explained that the statute limited the City to collecting only accrued fines. Mr. Phillips said this case illuminated the Board's concerns about recouping administrative costs.

Reference CE05090691

Laurence Diskin Trust

Massey Hearing/Request for Abatement

2145 Davie Boulevard #106

Ms. Mohammed announced that this case was first heard on 1/24/06 with compliance ordered by 3/28/06: 1 section at \$100 per day. The property was complied and fines had accrued to \$700. The City was requesting imposition of the fine.

Mr. Thomas Clements, Fire Inspector, stated he had spoken with the owner's representative and agreed to request abatement of the fine.

Mr. Henry Mazel, manager, confirmed that the property was complied. Inspector Clements stated the owner had neglected to call for reinspection to confirm compliance after the permit's final inspection.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to reduce the fine to \$100. Motion withdrawn.

Mr. Mazel stated the property was complied on March 3; the ordered date was March 28. Inspector Clements said the property was complied on time, but the owner did not call right away for inspection.

Motion made by Ms. Horn, seconded by Mr. Mitchell, to abate the fines. Board unanimously approved.

Reference CE05011073

John & Lorna Bryant
34 Nurmi Drive

Massey Hearing/Request for Extension

Ms. Mohammed announced that this case was first heard on 3/22/05 with compliance ordered by 6/28/05: 4 sections at \$100 per day, per violation. On 7/26/05 the date was extended to 11/22/05. The property was not complied and fines had accrued to \$97,200. The City was requesting imposition of the fine.

Mr. John Bryant, owner, stated that as of last July, he had a permit to demolish the interior, and had plans in for approval for the rest of the work to be done. He had then decided to demolish the entire house and had problems with "other parties." In January 2006, he had obtained a demo permit for the plumbing, sewer and water.

Mr. Lindwell Bradley, Community Inspections Supervisor, confirmed that Mr. Bryant had obtained an interior demolition permit in June 2005. Mr. Bryant confirmed for Mr. Phillips that he had hired a contractor for the demolition, and the contractor had pulled the permit. Supervisor Bradley confirmed with Mr. Bryant that he intended to demo the entire property and had a permit for this. When the property was demolished, the property would be complied. Mr. Bryant asked for 60 days to demolish the property. Supervisor Bradley did not object to allowing 60 days.

Motion made by Mr. Mitchell, seconded by Ms. Sheppard, to impose the fine. In a roll call vote, Board approved 4 – 3 with Mr. Phillips, Mr. Rafter and Mr. Young opposed.

Mr. Phillips was concerned that the fine would present a “real roadblock” to redevelopment of the site. Mr. Mitchell noted that they had seen many cases where an owner promised to rebuild and received several extensions and fine abatements, and “the City is left with nothing.”

Reference CE05090938

Chadman Turner

Request for Extension

623 Northwest 15th Way

Ms. Mohammed announced that this case was first heard on 1/24/06 with compliance ordered by 2/28/06: 1 section at \$150 per day. On 2/28/06 the date was extended to 5/23/06. The property was not complied.

Ms. Gloria Royster, the owner’s mother, explained that the contractor was waiting for permits to be issued and requested another 90 days to comply. She explained that she had paid her first contractor to install the cook hood and he had not been licensed. Then she hired a new, licensed contractor to finish the job.

Mr. Dallas Shumaker, Fire Inspector, confirmed that the fire suppression system worked but had not been permitted. He confirmed that the new contractor could not move forward until the permit was obtained for the hood system. Inspector Shumaker said he had no objection to a 90-day extension.

Motion made by Mr. Phillips, seconded by Mr. White, to grant a 90-day extension to September 26, 2006. Board unanimously approved.

Reference: CE01071635

Florida Trust for

Request for Abatement

Historical Preservation

900 North Birch Road

Ms. Mohammed announced that this case was first heard on 2/25/03 with compliance ordered by 8/25/03: 1 section at \$50 per day. On 9/23/03 the date was extended to 1/21/04; on 2/24/04 the date was extended to 7/27/04; on 8/24/04 the date was extended to 2/22/05; on 2/22/05 the date was extended to 8/23/05; on 8/23/05 the date was extended to 1/24/06; on 2/28/06 the date was extended to 6/27/06. The property was complied and fines had accrued to \$4,700.

Mr. Scott Strawbridge, president of Bonnet House and director on the Board of the Florida Trust for Historic Preservation, stated that the project was finally complete and the property complied. He

reminded the Board that the problems involved the retaining wall on an adjacent property that had fallen into the Bonnet House wall, and the delays they had experienced due to easement issues.

Mr. Mohammed Malik, Building Inspector, confirmed that everything was complied and said he had no objection to abatement of the fines. Mr. Phillips wanted to collect some of the administrative costs, but Inspector Malik informed him that the other property involved had had their fines abated entirely already.

Motion made by Mr. Phillips, seconded by Mr. White, to abate the fines. Board unanimously approved.

Reference CE05100397

Davie Boulevard Gas LLC
3350 Davie Boulevard

Request for Extension

Ms. Mohammed announced that this case was first heard on 3/28/06 with compliance ordered by 6/27/06: 5 sections at \$250 per day, per violation. The property was not complied and no fines had accrued to date.

Mr. Luciano Diaz, manager, requested another 180 days to comply. He explained that the shed and dumpster issues remained and they were waiting for permits.

Mr. Ken Reardon, Building Inspector, informed the Board that the owner intended to move the tanks and renovate the entire property; he had no objection to an extension.

Motion made by Mr. Phillips, seconded by Mr. White, to grant a 180-day extension to January 23, 2007. Board unanimously approved.

Reference CE02091580

Hammocks at Edgewood Development
2807 Southwest 15th Avenue

Request for Extension

Ms. Mohammed announced that this case was originally heard on 5/25/04 with compliance ordered by 9/25/04 and 5/24/05: 22 sections at \$50 per day. On 10/26/04 the date was extended to 5/25/05; on 5/24/05 the date was extended to 6/28/05; on 6/28/05 the date was extended to 1/26/06; on 1/24/06 the date was extended to 2/28/06; on 2/28/06 the date was extended to 3/28/06; on 3/28/06 the date was extended to 4/25/06; on 4/25/06 the date was extended to 6/27/06.

Mr. John Wilkes, attorney for the owner, stated he thought the property was complied, but some additional items had now apparently come up. He noted that pursuant to the stipulated settlement of May 2004, compliance would be accomplished by ceasing mobile home park operations. He

explained that the park was closed in April, almost all electric and sewer service was disconnected, and a fence surrounded the property. Only a maintenance trailer, and a security trailer for a guard remained operational on the site.

Mr. Wayne Strawn, Building Inspector, said there was disagreement regarding compliance. He stated that in the original charges, it was stated that compliance would be accomplished via the removal of the units that had been moved in without a permit, and 45 unpermitted units remained on the property today; these must be removed or permitted, not simply vacated. Inspector Strawn said Curtis Craig, Building Official, agreed that all the trailers must be removed or permitted, including the two now used for the guard and for storage. Inspector Strawn continued that the electrical inspector was not certain on his last visit that the electrical violations were complied. The plumbing systems had never been inspected or approved, and Inspector Strawn had spoken with the plumbing chief this morning, and he wanted all open septic pipes capped, which required a permit. Inspector Strawn suggested a meeting with Mr. Wilkes to discuss the open issues.

Mr. Phillips referred to the dates Mr. Wilkes had appeared and said he thought the goal was to have no inhabitants at the park, and it seemed they were progressing in this goal. Inspector Strawn said that since there were no current inhabitants, he would agree to an extension, but he reminded the Board that he had noted in the past that he felt the owner was not acting in good faith. Inspector Strawn felt that the owners had used extensions as a "carte blanche" to do what they wanted on the property. When the owner requested abatement of the fines, he asked the Board to consider this.

Mr. Robert Kisarewich, Fire Inspector, stated he last visited the property on June 22, at which time there were still 45 mobile homes present on the property. Some of these did have distance separation problems, but neither of the two that were still used did. The Fire Marshall had decided to comply the property's fire code violations.

Mr. Wilkes said he took "great exception" to Inspector Strawn's remarks, stating he had sent letters on May 12 and June 16, 2006, asking to meet with Inspector Strawn to discuss the remaining issues. Mr. Wilkes stated the 2004 issues had been with the prior owner and concerned non-conforming uses. The new owner had entered into the stipulated agreement in 2004 to shut the property down and had done so. Mr. Wilkes noted that they had only received DRC approval for this project on May 17, 2006. Mr. Wilkes wanted to know exactly what was required to comply the property now.

Mr. Phillips said he was "a little shocked about what I think is a change in the mutual cooperation" that Inspector Strawn had previously shown. He asked Mr. Wilkes if the owner had moved in mobile homes and collected rent. Mr. Wilkes stated, "The place is closed since April... if you're asking me about what happened between May of 2004 and April 2006, we can go back through that time frame, because the place was an operable mobile home park and there was a provision in there that said if a particular unit was in violation... that it would be identified and not re-occupied."

Mr. Wilkes continued, "What does the City want us to do so we can have them acknowledge compliance by shutting down the park, removal of the violations?" Mr. Wilkes said the violations cited by Inspector Strawn earlier were not accurate "because the violations occur because there was occupancy of a residential unit in violation of the code. Nobody is doing that at this point in time, except at the permission of this Board for the temporary basis of the office, so therefore, there is no violation. I'm going to say that we are in compliance." If the City did identify specific violations still needing correction, Mr. Wilkes requested time to correct the items.

Regarding the specificity of the required corrections, Mr. Jolly explained that the issue was if the respondent was somehow unable to go forward because "he or she or it does not have the particulars to be able to defend; then it becomes a due process issue." If the respondent claimed this to the Board, there might be a request for dismissal, but this had not occurred. Mr. Jolly noted that the Board did not have the ability to order parties to meet and work out their differences. The issue here was whether the Board would extend additional time to comply. Mr. Young pointed out that it was up to Mr. Wilkes to get together with the inspectors to determine what must happen to comply.

Mr. Mitchell asked Inspector Strawn to be more specific and Inspector Strawn said the stipulated agreement stated the respondent would go by the remedial actions specified in writing in the original 2002 case. These included the requirement that the trailers must be permitted or removed. Mr. Mitchell asked Mr. Wilkes why there were still all these trailers on the property. Mr. Wilkes said that those that remained could not be moved because they were obsolete. They had an ad in the paper to give the trailers away. Failing that, they must demolish them. They had bids to demolish the units but did not have a contract for it. If the Board insisted on demolition, Mr. Wilkes said they would run them over to crush them and put the crushed trailers in a dumpster. Mr. Wilkes reiterated that he believed his client had "complied with the spirit of the stipulation of May of 2004."

Mr. White noted that they had kept collecting rent on occupied trailers from 2002 to April of this year, even though they had been told to remove the trailers. Mr. Wilkes corrected Mr. White, explaining that the stipulated agreement between his client and the City was dated May 2004. When his client assumed control of the property in June 2004, they had immediately proceeded to take over the obligations and prior violations. He reminded Mr. White that the new owner had then needed to seek approval for the redevelopment and provide statutory notice to the current occupants to leave.

Inspector Strawn said this was the basis of the disagreement; the Board's order was to remove the trailers, and extensions were granted for the owner to comply, not for the owner to defy code.

Motion made by Mr. Young, seconded by Mr. Phillips, to grant a 90-day extension to September 26, 2006. Motion passed 4 – 3 with Mr. Mitchell, Ms. Sheppard and Mr. White opposed.

Reference CE03091766

William & Electa Cone
1028 Northwest 6th Street

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was first heard on 10/28/03 with compliance ordered by 1/26/04: 5 sections at \$100 per day per violation. The property was complied and the City was requesting imposition of \$2,500 in accrued fines.

Mr. William Cone, representative of the family, requested abatement of the fines. He explained to Mr. Phillips that his father, the deceased owner, had been ill for years while trying to deal with the violations.

Mr. Phillips suggested reducing the fine to \$100 for administrative costs and Mr. Cone agreed to pay these.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to reduce the fine to \$100. Board unanimously approved.

Reference CE05070568

Lee & Deborah Sigler
2201 Middle River Drive

Request for Extension

Ms. Mohammed announced that this case was first heard on 3/28/06 with compliance ordered by 5/23/06: 1 section at \$50 per day. The property was not complied.

Mr. Lee Sigler, owner, explained that there were problems with the original contractor and he had been forced to hire a new one. The Master Permit had expired and the new contractor had spoken with Curtis Craig, Building Official, and told Mr. Sigler it would take at least 60 days to get a new Master Permit.

Mr. Mohammed Malik, Building Inspector, confirmed that the permit must be renewed, the work completed, and the property must pass final inspection to comply. Supervisor Bradley said neighbors were present wishing to speak.

Ms. Betsy Dow, neighbor, described the Sigler house as "in shambles" for four years. During this time, her adjacent fence had been broken by workers and never replaced. Ms. Dow thought a homeless man might be inhabiting the house as well. She felt the Siglers were being irresponsible, and the house was a nuisance.

Mr. Sigler stated the property was locked up and alarmed. The man Ms. Dow had seen was a tree trimmer working at the property who Mr. Sigler thought attempted to burgle the unoccupied house and tripped the alarm.

Mr. Mohammed Malik, Building Inspector, confirmed that as of now, there were two large piles of sand on the property but the garbage had been removed. Mr. Sigler agreed to remove that sand until they were ready to use it. Mr. Sigler explained that he wanted the house completed as much as anyone, since he was still paying the mortgage and rent to live elsewhere temporarily. Ms. Deborah Sigler, owner, confirmed that the house was locked and had a security system, and that they checked on the house regularly.

Mr. White felt the Board had two choices: grant the extension or impose the fine. He said he had asked Mr. Jolly's advice, and Mr. Jolly had told him the Board must first vote on whether to grant an extension; if that motion failed, they could move to impose the fine.

Supervisor Bradley recommended allowing the owner 30 days to make improvements at the property and report back to the Board. Mr. Phillips made specific suggestions to improve the property and please the neighbors: remove the sand mounds, clean up the weeds, and repair the fence.

Motion made by Mr. Phillips, seconded by Mr. Young, to grant a 30-day extension to July 25, 2006. Motion passed 6 – 1 with Ms. Sheppard opposed.

Reference CE05090142

Isco Properties LLC
1291 Northwest 65th Place #A

Massey Hearing/Request for Extension

Ms. Mohammed announced that this case was first heard on 1/24/06 with compliance ordered by 2/28/06: 8 sections at \$100 per day, per violation. The property was not complied and fines had accrued to \$94,400. The City was requesting imposition and continuation of the fines.

Mr. Michael Hirsch, attorney for the owner, stated that the property was complied and the issues were resolved in a timely manner. He requested abatement of the fines.

Ms. Ivette Spence-Brown, Fire Inspector, confirmed that the violations were complied. She was unsure of the date of compliance, and Ms. Mohammed requested a continuance to confirm the date.

Motion made by Mr. Young, seconded by Mr. White, to grant a 30-day continuance to July 25, 2006. Board unanimously approved.

Regarding unit B at the same address and concerning a mezzanine in the building, Mr. Hirsch said his client's engineer had advised him that the costs to close a permit would be exorbitant and his client had decided to remove the mezzanine. He hoped to have it removed by his next appearance before the Board.

Reference CE05030768

Burton Point Condo Association
535 Hendricks Isle

Request to Vacate All Previous Orders

Ms. Mohammed announced that the City was requesting vacation of the orders dated 4/26/05 and 2/28/06 because the wrong codes had been cited.

Ms. Lorna Banister, the condo attorney, asked for vacation of the orders.

Mr. Robert Kisarewich, Fire Inspector, explained that the codes had changed between the time the property was cited and the Code Enforcement agenda was printed. He remarked that the property would probably be re-cited under the new codes.

Motion made by Mr. Mitchell, seconded by Mr. Phillips, to vacate the orders dated 4/26/05 and 2/28/06. Board unanimously approved.

The Board broke for lunch from 12:24 – 12:57

Reference CE06050396

Herbert & Jane Young
635 Northeast 8th Avenue

FBC 104.1.1: Work without permits

Ms. Mohammed announced that certified mail addressed to the owner was accepted on June 9, 2006.

Mr. Robert Kisarewich, Fire Inspector, stated the violations existed as cited. He had visited the property yesterday and taken photos, which he presented to the Board. He recommended ordering compliance within 30 days or a fine of \$50 per day.

Motion made by Mr. Mitchell, seconded by Mr. Phillips, to order compliance within 30 days, by July 25, 2006, or a fine of \$50 per day would be imposed. Board unanimously approved.

Reference CE06050402

Mark McWilliams
625 Northeast 13th Avenue

FBC 104.1.1: Work without permits

Ms. Mohammed announced that certified mail addressed to the owner was accepted on June 3, 2006.

Mr. Robert Kisarewich, Fire Inspector, stated the violation existed as cited. He had spoken with the property owner and agreed to recommend 90 days to comply or a fine of \$50 per day. Inspector Kisarewich noted the property was vacant and the owner wished to obtain permits for the existing security screens.

Motion made by Mr. Phillips, seconded by Ms. Sheppard, to order compliance within 90 days, by September 26, 2006, or a fine of \$50 per day would be imposed. Board unanimously approved.

Mr. Mitchell wondered if they should reconsider because of the safety issue. Mr. Phillips asked why the owner could not remove the security screens immediately. Inspector Kisarewich stated the owner would be able to get a permit for the screens and he had already agreed to allow 90 days provided the property was vacant, which it was.

Reference CE00080363

Uptown Village Tarragon
1719 North Andrews Square

Request to Vacate Order Dated 5/22/01

Ms. Mohammed announced that the City was requesting vacation of the order dated 5/22/01 to impose the fine as the property was complied prior to the fines' commencing.

Motion made by Mr. White, seconded by Mr. Phillips, to vacate the order dated 5/22/01. Board unanimously approved.

Reference CE05101306

Synergy Financial LLC
1304 Northwest 1st Avenue

Massey Hearing

Ms. Mohammed announced that this case was first heard on 2/28/06 with compliance ordered by 5/23/06: 5 sections at \$50 per day, per violation. The property was not complied and fines had accrued in the amount of \$8,500. The City was requesting imposition and continuation of the fines.

Motion made by Mr. White, seconded by Mr. Young, to impose and continue the fines. Board unanimously approved.

Reference CE03080416

Floval Oil Corp.
1075 West Sunrise Boulevard

Massey Hearing

Ms. Mohammed announced that this case was originally heard on 10/28/03 with compliance ordered by 2/25/04: 6 sections at \$100 per day, per violation. On 2/24/04 the date was extended to 8/24/04; on 9/28/04 the date was extended to 1/25/05; on 2/22/05 the date was extended to 8/23/05; on 8/23/05 the date was extended to 2/28/06; on 2/28/06 the date was extended to 5/23/06. The property was not complied and fines had accrued in the amount of \$73,200. The City was requesting imposition and continuation of the fines.

Motion made by Ms. Horn, seconded by Mr. White, to impose and continue the fines. [Motion later withdrawn.]

Mr. Wayne Strawn, Building Inspector, said the demo permit was issued on June 12 and he thought perhaps Mr. Flores mistakenly thought this complied the property. Mr. Phillips remembered Mr. Flores, noted that he had reported several times on the property's progress, and wondered if they should continue the case. Ms. Crase confirmed that the fine was recorded at the previous hearing. Inspector Strawn said the property had been cleaned up and there was no longer a safety threat. Mr. Flores intended to renovate the property and was experiencing DOT problems.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to continue the case for 30 days, to July 25, 2006. Board approved unanimously.

Reference CE05031570

Immanuel Church of God in Christ Massey Hearing
715 Northwest 14th Way

Ms. Mohammed announced that this case was first heard on 1/24/06 with compliance ordered by 3/28/06: 1 section at \$150 per day. The property was not complied and fines had accrued to \$13,500. The City was requesting imposition and continuation of the fines.

Mr. Dallas Shumaker, Fire Inspector, said he had spoken to the pastor, who informed him that he had a permit, but was waiting on the contractor.

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to find the property was not complied by the ordered date and to impose and continue the fines. Board unanimously approved.

Reference CE05090104

Robert A. Zucker Trust Massey Hearing
1305 Northwest 65th Place

Ms. Mohammed announced that this case was first heard on 1/24/06 with compliance ordered by 2/28/06: 3 sections at \$100 per day, per violation. The property was complied on 3/9/06 and fines had accrued to \$2,400. The City was requesting imposition of the fine.

Ms. Ivette Spence-Brown, Fire Inspector, confirmed that the property was complied on 3/9/06. Ms. Mohammed confirmed that service was proper.

Motion made by Mr. White, seconded by Ms. Sheppard, to impose the fine. Board unanimously approved.

Approval of Meeting Minutes

Motion made by Mr. Phillips, seconded by Mr. Mitchell, to approve the minutes of the May 2006 meeting. Board unanimously approved.

Cases Complied

Ms. Mohammed announced that the below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06050367	CE06050369	CE06050370	CE06050371
CE06050373	CE06050385	CE06050390	CE06050406
CE06050409	CE06050489	CE06050481	CE06050482

Cases Pending Service

Ms. Mohammed announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06040954	CE06050416	CE04062158	CE05060301
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Cases Withdrawn

Ms. Mohammed announced that the below listed cases were withdrawn by the City. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06050420	CE06050414
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There being no further business to come before the Board, the meeting adjourned at 1:23 P.M.


Chair, Code Enforcement Board

Code Enforcement Board

June 27, 2006

Page 18

ATTEST:


CLERK, CODE ENFORCEMENT BOARD

NOTE: The agenda associated with this meeting is incorporated into this record by reference.