



**CODE ENFORCEMENT BOARD
FORT LAUDERDALE CITY HALL
100 NORTH ANDREWS AVENUE
SEPTEMBER 27, 2022
9:00 A.M.**

CITY OF FORT LAUDERDALE

**Cumulative Attendance
2/2022 through 1/2023**

<u>Board Members</u>		<u>Present</u>	<u>Absent</u>
Mark Booth, Chair	P	6	1
Chris Evert, Vice Chair	P	7	0
Justin Beachum	P	6	1
Michael Madfis	P	5	2
William Marx	P	6	1
Terry Nolen	P	6	1

Alternates

Lakhi Mohnani [until 9:05]	P	6	1
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Staff Present

Kymerlee Curry Smith, Board Attorney
Doris Coleman, Administrative Assistant
Jazmine Eveillard, Administrative Assistant
Rhonda Hassan, Assistant City Attorney
Tasha Williams, Administrative Supervisor
Yvette Cross-Spencer, Administrative Assistant
Alejandro DelRio, Senior Building Inspector
Jose Saragusti, Building Inspector
Jamie Opperlee, Prototype Inc., Recording Secretary

Communication to the City Commission

None

Respondents and Witnesses

CE-20011726: Roya Edwards
BE22020007: Dino Brett
BE21020069: Miguel Pilgram

The meeting was called to order at 9:00 a.m.

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

Mr. Mohnani left the meeting at 9:05.

Case: CE-20011726
3030 HOLIDAY DR
HARBOR BEACH PROPERTY LLC
% THE MACK CO

This case was first heard on 1/25/22 to comply by 3/22/22. Violations and extensions were as noted in the agenda. The property was not in compliance.

Roya Edwards described what was needed to comply and said the City now required a State Coastal Construction Control Line permit, which was in process. The consultant had informed them that this could take another three to four months. Once they had that permit, they could complete the City and County permit processes. She requested 120 days.

Jose Saragusti, Building Inspector, agreed to a 119-day extension, and requiring the respondent to attend the 1/24/23 hearing.

Ms. Hasan agreed the CCCL permit process was lengthy and recommended the 119-day extension, with a mandatory reappearance.

Motion made by Ms. Evert, seconded by Mr. Nolen to grant a 119-day extension to 1/24/23, during which time no fines would accrue and ordered the respondent to attend the 1/24/23 hearing. In a voice vote, motion passed 6-0.

Case: BE22020007
323 SW 16 ST
FIELD, JOHN W JR

Service was via posting at the property on 8/17/22 and at City Hall on 9/13/22.

Jose Saragusti, Building Inspector, testified to the following violation(s):

VIOLATIONS: FBC(2020) 105.1

THIS BUILDING HAS BEEN ILLEGALLY ALTERED AND CONSTRUCTION WORK ILLEGALLY PERFORMED, WITHOUT OBTAINING THE REQUIRED PERMITS, IN THE FOLLOWING MANNER BUT NOT LIMITED TO:
WOOD FENCE

Inspector Saragusti presented the case file into evidence and recommended ordering compliance within 56 days or a fine of \$50 per day.

Dino Bretti stated he had built a fence without a permit and then applied for a permit. He said there had been a nuisance tree that he had removed without a permit as well and this was why the City was holding up his fence permit. Inspector Saragusti agreed to meet with the owner to discuss how to resolve the issue. He said the fence permit had been in process since June.

Ms. Hasan said there was no permit on file for the fence.

The Board wanted to postpone a decision so staff could determine the status of the permit but Ms. Smith advised that this would not change the determination regarding the fence being constructed without a permit. She advised the Board to make a decision.

Ms. Hasan did not know if the City was holding up the fence permit because of the tree removal permit, but if this was part of the process, Mr. Bretti could contest that with the Board of Rules and Appeals. This did not change the fact that he had built the fence without a permit.

Ms. Williams stated there was a tree removal permit application dated in 2018 that said "in process" online but which should say expired, since it was so old. The fence permit said "awaiting client reply" since 6/27/22 online. Mr. Brett said he had never renewed the tree removal permit.

Alejandro DelRio, Senior Building Inspector, stated there was a violation for constructing a fence without a permit.

Motion made by Ms. Evert, seconded by Mr. Marx, to find for the City that the violation existed as alleged and to order the property owner to come into compliance within 56 days, by 11/22/22, or a fine of \$20 per day would begin to accrue and to record the order. In a roll call vote, motion passed 6-0.

Case: BE21020069
1448 NW 6 ST
MARGLIP INVESTMENTS LLC

This case was first heard on 1/25/22 to comply by 3/22/22. Violations, extensions, and service were as noted in the agenda. The property was in compliance, fines had accrued to \$1,900 and the City was requesting the full fine be imposed.

Miguel Pilgram, owner, described his efforts to comply and did not understand how fines had accrued, since any delays were not his fault.

Jose Saragusti, Building Inspector, explained how the fines had accrued. He stated Mr. Pilgram had been denied an extension at the last hearing.

Mr. Madfis pointed out that the case had begun because the structure was unsafe and it had taken Mr. Pilgram a long time to comply.

Inspector Saragusti recommend imposing administrative costs of \$1,427. Mr. Pilgram requested no fines or fees be imposed.

Motion made by Mr. Nolen, seconded by Mr. Marx to find the property was not in compliance by the ordered date and to impose a fine of \$700 for the time the property was out of compliance.

Chair Booth said the Board had waived all fines and costs for much worse violations. Mr. Marx withdrew his second of Mr. Nolen's motion. Mr. Madfis pointed out this had taken almost a year to resolve and seconded Mt. Marx's motion.

In a roll call vote, Mr. Nolen's **motion failed** 2-4 with Mr. Beachum, Ms. Evert, Mr. Marx, and Chair Booth opposed.

Motion made by Mr. Marx, seconded by Mr. Beachum to find the property was not in compliance by the ordered date and to impose no fine or fees. In a roll call vote, motion passed 5-1 with Mr. Madfis opposed.

Case: BE22020070
5990 NE 22 WAY
ELEFANTE, JILLIAN & MICHAEL

Service was via posting at the property on 8/29/22 and at City Hall on 9/13/22.

Alejandro DelRio, Senior Building Inspector, testified to the following violation(s):

VIOLATIONS: FBC(2020) 105.1

THIS BUILDING HAS BEEN ILLEGALLY ALTERED AND CONSTRUCTION WORK ILLEGALLY PERFORMED, WITHOUT OBTAINING THE REQUIRED PERMITS, IN THE FOLLOWING MANNER BUT NOT LIMITED TO:

NEW WOOD DECK, NEW CONCRETE PATIO WITH SHADE STRUCTURE AND OUTDOOR KITCHEN,
NEW BACKYARD LIGHTING AND OUTLETS.

Inspector DelRio presented the case file into evidence and recommended ordering compliance within 56 days or a fine of \$50 per day. He said a permit was awaiting the owner's corrections.

Motion made by Ms. Evert, seconded by Mr. Marx, to find for the City that the violation existed as alleged and to order the property owner to come into compliance within 56 days, by 11/22/22, or a fine of \$50 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: BE22030117
700 SW 24 AVE
MARTIN, MOHAMMED ABDUL
MATIN, PARVIN

Service was via posting at the property on 8/17/22 and at City Hall on 9/13/22.

Jose Saragusti, Building Inspector, testified to the following violation(s):

VIOLATIONS: 9-280(d)
THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED.
WALL DEMOLISHED BY A CAR ACCIDENT

Inspector Saragusti presented the case file into evidence and recommended ordering compliance within 56 days or a fine of \$50 per day.

Motion made by Ms. Evert, seconded by Mr. Nolen, to find for the City that the violation existed as alleged and to order the property owner to come into compliance within 56 days, by 11/22/22, or a fine of \$50 per day would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: BE21110142
110 SE 11 AVE
DMYTRIIEV, OLEKSANDR S

This case was first heard on 5/24/22 to comply by 6/28/22. Violations and extensions were as noted in the agenda. The property was not in compliance.

Jose Saragusti, Building Inspector, recommended the case come back as a Massey hearing.

The Board took no action.

Case: BE21100149
120 NW 16 ST
NW 16TH ST LAND TRUST#120 TR
FLORIDA TR SERVICES LLC TRUSTEE

This case was first heard on 1/25/22 to comply by 2/22/22. Violations, extensions, and service were as noted in the agenda. The property was not in compliance, fines had accrued to \$875 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Jose Saragusti, Building Inspector, recommended imposition of the fines.

Motion made by Mr. Nolen, seconded by Ms. Evert, to find the property was not in compliance by the ordered date and to impose the \$875 fine, which would continue to accrue until the property was in compliance. In a voice vote, motion passed 6-0.

Case: BE21120141
1220 NE 16 AVE
CHARRON FAM TR
CHARRON, NORMAND TRUSTEE

This case was first heard on 5/24/22 to comply by 6/28/22. Violations, extensions, and service were as noted in the agenda. The property was in compliance, fines had accrued to \$2,800 and the City was requesting the full fine be imposed.

Jose Saragusti, Building Inspector, recommended imposition of the fines.

Motion made by Ms. Evert, seconded by Mr. Nolen to find the property was not in compliance by the ordered date and to impose the \$2,800 fine. In a voice vote, motion passed 6-0.

Case: BE22010036
1952 NW 9 AVE
SUNTRAX CORP
% HADIGA HAIDER

This case was first heard on 6/28/22 to comply by 8/23/22. Violations and service were as noted in the agenda. The property was not in compliance, fines had accrued to \$1,700 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Jose Saragusti, Building Inspector, recommended imposition of the fines.

Motion made by Ms. Evert, seconded by Mr. Beachum, to find the property was not in compliance by the ordered date and to impose the \$1,700 fine, which would continue to accrue until the property was in compliance. In a voice vote, motion passed 6-0.

Complied, Closed and Withdrawn Cases

Motion made by Ms. Evert, seconded by Mr. Beachum to enter the closed cases listed on page 7 of the agenda into the record. In a voice vote, motion passed unanimously.

Board Meeting Minutes

Motion made by Ms. Evert, seconded by Mr. Nolen, to approve the minutes of the Board's August 2022 meeting. In a voice vote, motion passed unanimously.

Board Discussion

None

Communication to the City Commission

None

Cases Closed

The below listed cases were closed since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.

None

Cases Complied

The below listed cases were complied since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.
None

Cases Withdrawn

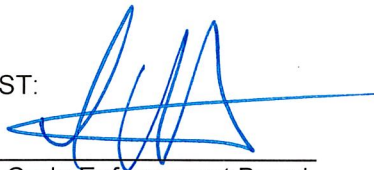
The below listed cases were withdrawn since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.
BE21090248

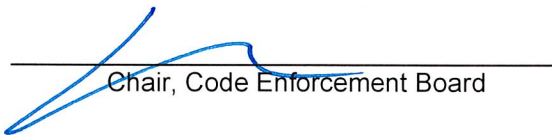
Cases Rescheduled

The below listed cases were rescheduled since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.
None

There being no further business to come before the Board, the meeting adjourned at 9:50 AM.

ATTEST:



Clerk, Code Enforcement Board

Chair, Code Enforcement Board

NOTE: The agenda associated with this meeting is incorporated into this record by reference. Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.