



CITY OF FORT LAUDERDALE

CODE ENFORCEMENT BOARD HEARING
Marine Industries Association of Florida,
221 SW 3rd Avenue,
Fort Lauderdale, FL 33312
October 24, 2023
9:00 A.M.

<u>Board Members</u>	<u>Attendance</u>	<u>Cumulative Attendance</u> <u>2/2023 through 1/2024</u>	
		<u>Present</u>	<u>Absent</u>
Chris Evert, Chair	P	4	0
Justin Beachum	A	3	1
Donald Karney	P	3	0
Carlos Lang	P	1	0
William Marx	P	3	1
Terry Nolen, Vice Chair	P	4	0
Alexander Schneider	P	1	0
<hr/>			
<u>Alternates</u>			
Lakhi Mohnani	A	0	4

Staff Present

Kymerlee Curry Smith, Board Attorney
Rhonda Hassan, Assistant City Attorney
Katie Williams, Administrative Assistant
Felicia Ritchey, PT Administrative Assistant
Marie Arias, Administrative Assistant
Tasha Williams, Administrative Supervisor
Yvette Cross-Spencer, Administrative Assistant
Alejandro DelRio, Senior Building Inspector
Jorge Martinez, Senior Building Inspector
Jose Saragusti, Building Inspector Hernandez
J. Opperee, Prototype Inc., Recording Secretary

Communication to the City Commission

None

Respondents and Witnesses

CE22060092: Roya Edwards	BE22110097: Andrew Schein Esq.
BE23040001: Rebecca Watt	BE23020142: Lorri Hill
BE22080271: Rodolfo Machado	BE23010185: Ilia Miminoshvili; Fitz Murphy
BE22120018: Leo Kuntz	BE21070288: Tamara and Edward Esquivel; Yizhah Benatar
BE22090118: David Alchivilche Hernandez	
CE23010124: William Garay	

The meeting was called to order at 9:11 AM.

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

Case: CE22060092
513 NE 4 ST
515 INC

This case was first heard on 8/23/22 to comply by 11/22/22. Violations, service and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$6,200 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Alejandro DelRio, Senior Building Inspector, said the folio number of the property where the fence was installed had changed so this case must be closed. He requested the previous order be vacated.

Motion made by Mr. Marx, seconded by Mr. Nolen to vacate the previous order. In a voice vote, motion passed 6-0.

Case: BE23040001
5820 NE 15 AVE
WATT, DAVID & REBECCA

This case was first heard on 7/25/23 to comply by 10/24/23. Violations were as noted in the agenda. The property was not in compliance.

Alejandro DelRio, Senior Building Inspector, reported the permit application had been submitted. He suggested a 98-day extension.

Rebecca Watt stated everything had been submitted as of October 20.

Motion made by Mr. Marx, seconded by Mr. Nolen to grant a 98-day extension to 1/30/24, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE22120018
1524 NW 15 ST
ORTIZ, EDDIE
VASILIOU ORTIZ, CHRISTINE

Service was via posting at the property on 9/22/23 and at City Hall on 10/10/23.

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:
INTERIOR OPENING TO TV ROOM WAS ENCLOSED AND A BATHROOM AND CLOSET WERE BUILT CONVERTING THE ROOM INTO AN EFFICIENCY.

Inspector DelRio presented the case file into evidence and recommended ordering compliance within 98 days or a fine of \$50 per day, per violation.

Leo Kuntz, property manager, stated a previous owner had done the work. A tenant had made the complaint and was evicted for not paying the rent. He said they now had a general contractor and plans had been submitted to the City. He confirmed this unit was not occupied.

Motion made by Mr. Nolen, seconded by Mr. Karney, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 98 days, by 1/30/24, or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Case: BE22090118

2609 SW 6 CT
ALCHIVILCHE, DAVID BRUNO H/E
SUSANIVAR, VIVIAN

This case was first heard on 3/28/23 to comply by 5/23/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Jorge Martinez, Senior Building Inspector, acted as interpreter for David Alchivilche Hernandez, the owner. Mr. Hernandez stated there were complications with the permit because the person helping him had left the area. The contractor had returned and would continue the permit process.

Jose Saragusti, Building Inspector, reported the permit had been in process since June.

Motion made by Mr. Nolen, seconded by Mr. Karney to grant a 35-day extension to 11/28/23, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE23010124

1350 SW 32 AVE
AGATON, MARIA
GARAY, WILLIAM

Service was via posting at the property on 9/25/23 and at City Hall on 10/10/23.

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:
EXTERIOR WALL REMOVED AND REPLACED.

Inspector DelRio presented the case file into evidence and recommended ordering compliance within 98 days or a fine of \$50 per day.

William Garay said the wall was not a proper wall so they had reinforced it.

Motion made by Mr. Nolen, seconded by Mr. Marx, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 98 days, by 1/30/24, 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: BE22110097

1415 E LAS OLAS BLVD
LUCKY 14 LLC

This case was first heard on 3/28/23 to comply by 5/23/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Andrew Schein Esq., the owner's attorney, described their progress and requested another 98 days. He said the project was still in DRC review and then they needed to go before the Planning and Zoning Board. He requested another 91 days.

Motion made by Mr. Marx, seconded by Mr. Nolen to grant a 98-day extension to 1/30/24, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE23020142
2717 YACHT CLUB BLVD
SUNRISE BAY ASSN INC

This case was first heard on 7/25/23 to comply by 10/24/23. Violations were as noted in the agenda. The property was not in compliance.

Jorge Martinez, Senior Building Inspector, reported one permit had been approved and one was ready for pickup. He recommended a 35-day extension.

Lorri Hill, property manager, requested 60 days. Inspector Martinez said when the permits were picked up, the property would be in compliance.

Motion made by Mr. Marx, seconded by Mr. Nolen to grant a 35-day extension to 11/28/23, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE23050058
1432 NE 2 AVE
NOVA, RONALDO W & AUSTIN, JEFFREY R

Service was via posting at the property on 9/27/23 and at City Hall on 10/10/23.

Jose Saragusti, 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:
TWO SHADE STRUCTURES, ONE TIKI HUT AND TWO SHEDS.

Inspector Saragusti presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day. He said structural and electrical work had been done.

Motion made by Mr. Nolen, seconded by Mr. Marx, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 35 days, by 11/28/23, 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: BE23040044
2830 NE 30 ST 7
KRESSBACH, CHARLEE A

Service was via posting at the property on 9/22/23 and at City Hall on 10/10/23.

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 AIR CONDITIONING SYSTEM AND ELECTRICAL DISCONNECT.

Inspector DelRio presented the case file into evidence and recommended ordering compliance within 98 days or a fine of \$50 per day.

Motion made by Mr. Nolen, seconded by Mr. Marx, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 98 days, by 1/30/24, 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: **BE22120016**
962 NW 53 ST
ACS 960 LLC

Service was via posting at the property on 10/2/23 and at City Hall on 10/10/23.

Jorge Martinez, 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:
INTERIOR WALL BEING BUILT

Inspector Martinez presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day.

Motion made by Mr. Nolen, seconded by Mr. Karney, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 35 days, by 11/28/23, 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: **BE23060089**
5240 NE 14 TER
5240 NE 14TH INC

Service was via posting at the property on 9/28/23 and at City Hall on 10/10/23.

Jorge Martinez, 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:
PLUMBING WORK ON THE FRONT AND SIDE PATIO

Inspector Martinez presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day.

Motion made by Mr. Nolen, seconded by Mr. Marx, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 35 days, by 11/28/23, 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: **BE22110101**
330 CAROLINA AVE
PADILLA, DAVID

This case was first heard on 5/23/23 to comply by 7/25/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Jose Saragusti, Senior Building Inspector, recommended a 98-day extension. He said the owner was having plans drawn.

Motion made by Mr. Marx, seconded by Mr. Nolen to grant a 35-day extension to 11/28/23, during which time no fines would accrue. In a voice vote, motion passed 5-1 with Chair Evert opposed.

Case: BE23030167
1645 NE 7 PL
ZANDIKARIMI, HEDIEH
MIZANI, SHAMSEDDIN

This case was first heard on 7/25/23 to comply by 10/24/23. Violations were as noted in the agenda. The property was not in compliance.

Jose Saragusti, Senior Building Inspector, recommended a 35-day extension. He said the demolition permit was in process.

Motion made by Mr. Nolen, seconded by Mr. Marx to grant a 35-day extension to 11/28/23, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE22120108
1714 W LAS OLAS BLVD
RUBINOV, REGINA

This case was first heard on 7/25/23 to comply by 10/24/23. Violations were as noted in the agenda. The property was not in compliance.

Alejandro DelRio, Senior Building Inspector, reported permits were in process and recommended a 98-day extension.

Motion made by Mr. Nolen, seconded by Mr. Karney to grant a 98-day extension to 1/30/24, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE23010053
2855 W COMMERCIAL BLVD
LAUDERDALE COMMERCIAL BLVD PARTNERS LLC

This case was first heard on 5/23/23 to comply by 7/25/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Alejandro DelRio, Senior Building Inspector, reported permits were in process and recommended a 35-day extension.

Motion made by Mr. Nolen, seconded by Mr. Marx to grant a 35-day extension to 11/28/23, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE22100008
720 SE 15 ST
PERITORE, FRANK

This case was first heard on 7/25/23 to comply by 10/24/23. Violations were as noted in the agenda. The property was not in compliance.

Alejandro DelRio, Senior Building Inspector, reported permits were in process and recommended a 98-day extension.

Motion made by Mr. Nolen, seconded by Mr. Marx to grant a 98-day extension to 1/30/24, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE22100090

804 SW 2 CT 1-3
1190507 TIFOMELO LLC

This case was first heard on 5/23/23 to comply by 7/25/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Alejandro DelRio, Senior Building Inspector, reported the owner had indicated they were going to convert the building back to a triplex. He recommended a 98-day extension.

Motion made by Mr. Nolen, seconded by Mr. Karney to grant a 98-day extension to 1/30/24, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE22120028

900 SW 31 ST
TAL SHIAR PROPERTIES LLC

This case was first heard on 5/23/23 to comply by 7/25/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Jorge Martinez, Senior Building Inspector, reported one permit remained to be issued and recommended a 35-day extension.

Motion made by Mr. Nolen, seconded by Mr. Marx to grant a 35-day extension to 11/28/23, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE21070288

2160 SW 16 CT
BENATAR, YIZHAK

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.

Jorge Martinez, Senior Building Inspector, reported the property had been sold and the new contractor had removed the plans to make changes to them. He recommended a 98-day extension

Motion made by Mr. Nolen, seconded by Mr. Lang to grant a 98-day extension to 1/30/24, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: BE22080271

1648 SW 28 TER
MACHADO, RODOLFO

This case was first heard on 3/28/23 to comply by 5/23/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Jorge Martinez, Senior Building Inspector, reported permits were in process and recommended a 98-day extension.

Ms. Hasan stated the owner was present but did not wish to speak.

Motion made by Mr. Nolen, seconded by Mr. Marx to grant a 98-day extension to 1/30/24, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE22040638

6801 NW 26 TER
PONCE DE LEON, JUAN RODOLFO

This case was first heard on 8/23/22 to comply by 11/22/22. Violations, service and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$1,350 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Jorge Martinez, Senior Building Inspector, recommended imposition of the fine. He said the owner had taken no action.

Motion made by Mr. Marx, seconded by Mr. Nolen, to find the property was not in compliance by the ordered date and to impose the \$1,350 fine, which would continue to accrue until the property was in compliance. In a voice vote, motion passed 6-0.

Case: BE23010185

2671 E COMMERCIAL BLVD
SOFIKO 14 LLC

Service was via posting at the property on 9/22/23 and at City Hall on 10/10/23.

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:
REMODEL OF SECOND FLOOR INCLUDING NEW PARTITION WALLS, NEW KITCHEN, AND BATHROOM.

VIOLATIONS: FBC(2020) 111.1.1

SECOND FLOOR CONVERTED FROM OFFICE SPACE TO LIVING QUARTERS, WITHOUT OBTAINING A CERTIFICATE OF OCCUPANCY

Inspector DelRio presented the case file into evidence and recommended ordering compliance within 98 days or a fine of \$50 per day, per violation.

The owner's architect did not have power of attorney and Ms. Hasan said the Chair could allow him to speak as an interested party. Chair Evert asked to hear from the architect.

Fitz Murphy, architect, said they had two pre-application meetings with the Planning Board. They wished to incorporate one residential unit so they needed to convert the property to a mixed use. They also needed a variance from the Board of Adjustment and an affordable housing flex unit for that residential unit. He clarified that the owner had purchased the property with the violations.

Motion made by Mr. Marx, seconded by Mr. Nolen, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 98 days, by 1/30/24, or a fine of \$50 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-0.

Complied, Closed and Withdrawn Cases

Staff entered the cases listed on page 12 of the agenda into the record.

Motion made by Mr. Nolen, seconded by Mr. Karney, to accept the cases on page 12 as closed. In a voice vote, motion passed unanimously.

Board Meeting Minutes

Motion made by Mr. Nolen, seconded by Mr. Marx, to approve the minutes of the Board's July 25, 2023 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.

None

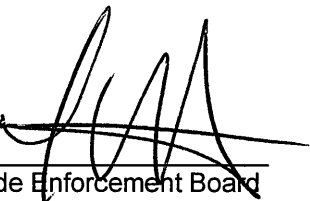
Cases Rescheduled

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 10:25 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.