

DC200427906U
DC200427909U
DC200427948U
DC200428335U

2379 NW 77 Terrace
1820 NW 63 Street
10821 NW 22 Avenue
3235 NW 37 Street

City of Miami:

M05-003
M05-004
M05-006
M05-008

235 NW 53 Street
1058-60 NW 55 Street A/K/A 1060 NW 55 Street
6320-22 NW 1 Place A/K/A 6320 NW 1 Place
90-102 NE 24 Street A/K/A 100 NE 24 Street

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

DCF2004104214U
DCF2004104274U

7100 NW 36 Avenue
5351 NW 27 Avenue, #01

City of Miami Cases:

M05-002
M05-005

58 NE 53 Street
4615 North Miami Avenue

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

Mr. Gordon Loader announced to speed up the process that the board would review the cases during the period of a status report of the Turner Guilford Knight Correctional Center (TGK).

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:22 P.M. by the court reporter.

Mr. Loader then took the opportunity to welcome new board member, Mr. Carlos Naumann. The other board members also welcomed him aboard.

Mr. Loader announced that the Turner Gilford Knight (TGK) has completed most of the work according to the status report.

Mr. Tom Roberts, Assistant County Attorney, Miami Dade County Attorney's Office proceeded to provide the members with a status report on the Turner Guilford Knight Correctional Center (TGK) fire alarm system and the smoke evacuation system. He stated that the fire alarm system had been installed completely and the smoke evacuation system is 99% completed. Mr. Roberts then stated that the project is on schedule and partial inspections are being performed by the Building Department. He then explained to the board that the Chase Wall Penetrations had been reported at the October 20, 2004 meeting, an unforeseen condition, openings (holes) in the smoke exhaust chases of the facility that was discovered during the fan testing phase.

Mr. Roberts further explained that the openings for one of the fans contributed to a loss of pressure and an improperly functioning system. He then requested for the time of extension required for the balance of the 31 fan assemblies.

Mr. Alberto Milian, Unsafe Structures Board Member, opposed to providing additional time due to the critical condition of the jail. He informed Mr. Roberts that he's aware of the fire that took place in the facility.

Ms. Mary Dabarro, Deputy Director of Miami Dade Corrections stated that the staff is trained to respond to a fire drill. She then informed the board that the fire alarms are working properly.

Mr. Loader asked if they could expedite.

Mr. Roberts answered that they want to expedite, but when he asked for a reasonable time, GSA experts informed him that it could not be any sooner than 6 months.

At this time, Mr. Starkweather moved to grant an extension of time of one hundred twenty (120) days from the date of hearing. As indicated in previous orders, a status report shall be provided to the Unsafe Structures Board on a quarterly basis until compliance is made. If any of the above conditions are not complied with, the Unsafe Structures Board shall retain jurisdiction to consider in its discretion any petition relating to the enforcement of the order including the granting of additional time to obtain required permits. Mr. Vera seconded.

Mr. Gonzalez administered a roll call vote that was requested by the Vice Chairman:

Motion passed 7 to1. (Mr. Milian opposed)

(For a verbatim version, please refer to the transcripts)

Mr. Milian left the conference room at 2:00 P.M for an emergency telephone call.

Mr. Loader informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case within the City of Miami Beach to be heard by the Board.

City of Miami Beach Case:

BV04001067

2800 Collins Avenue

Mr. Phil Azan, Building Official of City of Miami Beach, proceeded to provide the members with a status report on the property. He explained to the board that the City of Miami Beach Historic Preservation Board has a report that indicated that the building met the criteria. He further explained that Mr. John Pistorino, Engineer, informed him that there has been a change of ownership and the new owners will do the repairs.

Mr. Roberto Datorre, President of Miami Beach Community Development Corporation, informed the board that his organization has entered into a contract to buy the property. He further informed the board that the building is an elderly facility and asked for additional time to provide the elders a place to live temporarily. Mr. Datorre stated that they will submit the reports on a bi-weekly or monthly basis to Mr. Pistorino once the plans are completed on how they will restore the building. He then requested a 90 day deferral.

Mr. Azan advised the board that the City are in agreement with what Mr. Datorre had presented.

Mr. Ken Harris, Representative of Entity of Miami Beach, stressed his concerns about the tenant's safety. He then explained how long it took for the City to act on the property before they realized that it was unsafe. Mr. Harris advised the board that it is occupied. He further explained how the property is deteriorated and stated that the City is taking a risk with the building being occupied.

Mr. Pistorino, Engineer, stated that the building is an eighty-year old, three-story masonry structure with wood floors. He informed the board that a walk-through of the building was conducted to check for progression in the decay of the structure. Mr. Pistorino then gave their observation of the structure and stated that there is no immediate danger of structural failure, but he feels that the penetration in the east wall should be immediately patched with repair mortar and the patched areas should be waterproofed. He then informed the board that they will continue to monitor the cracking and bulging in the walls. Mr. Pistorino further informed the board that the structure is safe for occupancy for at least another two weeks.

Mr. Datorre informed the board that they intend to keep the property for the elders.

Mr. Deeb asked why the elders have not moved.

Ms. Eva Boutis, General Counsel of Housing of City of Miami Beach, answered that the tenants are under a Section "8" Program and they do not want to relocate.

At this time, Mr. Starkweather moved to defer this case for ninety (90) days and the Unsafe Structures Board shall retain jurisdiction. Mr. Essien seconded.

Mr. Gonzalez administered a roll call vote that was requested by the Vice Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach Case:

BV04000959

900 Collins Avenue

Ms. Rhonda Montoya-Hasan, City of Miami Beach Legal Advisor, informed the board that the City hired Mr. Douglas Wood, P. E. to do the repairs.

Mr. Gary Held, Representative of City of Miami Beach, stated that Mr. Wood visited the "Coral Rock House" at 900 Collins Avenue and performed some preliminary observations of the existing structural systems and prepared a sketch that illustrates the concepts.

Mr. Carter McDowell, Representative of Owner, reminded the board that the building is unsafe and should not be occupied. He then read into the record the Florida Building Code, Section 8-5. Mr. McDowell informed the board that the owner has not been able to occupy the building due to limited access to the building and because of the deferrals.

Mr. McDowell proceeded to inform the board that the City hired two different Engineers and they both provided different information about the property. He also stated to the board that they don't have authority to do anything different other than to demolish.

Mr. Phil Azan, Building Official of City of Miami Beach, stated that the building is unsafe and a report has not been provided by Mr. Wood due to his brief period of time of hired date on Tuesday, January 18, 2005.

Mr. Glenn Saks, Assistant County Attorney of Miami Dade County Attorney's Office, enlightened the board of what they are dealing with. He reminded the board of what is on the last board order. Mr. Saks pointed out what was said on the resolution that was passed out to the board at the last hearing.

Mr. William Carey, City of Miami Beach, stated that the building is the 5th oldest building in the City of Miami Beach. He further explained to the board the economic value to save the building. Mr. Carey then recommended that the City Commissioner take all required action. He also stated that he has not received any drawings nor an application of demolition from the owner.

Mr. John Pepper demonstrated to the board a sample of the rock and showed how easily it can break.

Mr. Gary Held, City of Miami Beach Attorney, stated that the City of Miami Beach Preservation Board designated that the building is historic.

Mr. Mohammed Partovi, Chief Engineer of City of Miami Beach, explained to the board the danger of the coral rock and stated that it could collapse any day.

Mr. Richard Hossbogin, Chief of Dade Truss, stated that the building meets the criteria. He proceeded to inform the board that they offer funds to the City and feels that Mr. Wood needed some time to show how he can save the building and therefore, requested for additional time.

Mr. Saks asked Mr. McDowell if they are in an agreement with the City.

Mr. McDowell answered "yes."

Mr. Azan informed the board that there are not any elements and stressed how lives may be lost trying to save the building. He also informed the board that the Engineer's have submitted reports indicating that the building is unsafe.

Ms. Becky Matkov, Interested Party, stated that it is important to save the building.

Mr. Wood agrees that the building is unsafe, but explained that it will take time to do the repairs. He further explained to the board as to what they have to do to save the building.

Mr. Partovi stressed to the board how impossible it is to save the building.

Mr. Wood showed the board a similar building that was restored.

Mr. Naumann asked if the Building Official can come to the board with a report as to what can be done with the building.

Mr. Loader answered that they have granted 30 days at the last meeting and nothing has been submitted to date.

Mr. Loader then asked that if the building were to be demolished, what are their plans.

Mr. McDowell answered that they plan to rebuild.

Mr. Woods addressed some issues and stated that plans can not be provided within 30 days.

After much discussion, Mr. Milian “granted an extension of thirty (30) days to allow the Engineer to submit plans to the Building Official of the City of Miami Beach Building Department for review and structural approval. The owner shall also provide reasonable access to the property. At the next scheduled Board meeting, the Building Official will report on the approval or rejection of the plans. If rejected, the Unsafe Structures Board will issue a written finding of demolition. Furthermore, all of the safety considerations from last month's meeting must be kept in force as follows: Said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure is to be secured in order to protect the members of the public in the event that the structure may collapse. The structure shall also be secured in a way to prevent unauthorized individuals from gaining entry to the structure. The method of securing to be employed shall be to the satisfaction of the City of Miami Beach Building Official.” Mr. Amedee seconded the motion.

Motion passed 5 to 2. (Mr. Deeb and Mr. Loader opposed)

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 4:40 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF FEBRUARY 16TH, 2005

Members Present: James Cueva, C Gordon Loader, VC Emile Amedee
Carlos Naumann James Starkweather Alberto Milian
Benjamin S. Essien Kevin Deeb Abel Ramirez

Absent: Jose Vera

Staff: Jorge Gamoneda, Acting Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Linda Roundtree, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, February 16th, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva requested a motion to approve and accept the minutes of the February 16th, 2005 Unsafe Structures Board Meeting. Mr. Milian moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Jorge Gamoneda then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|----------------|------------------------|
| DCF2004104370U | 9600 Bird Road, #01 |
| DC200428595U | 3802 SW 144 Place |
| DC200427663U | 7276-80 NW 58 Street |
| DC300428184U | 10791 N. Kendall Drive |
| DC2005029549U | 18691 NW 55 Avenue |
| DC2005029681U | 14235 SW 177 Street |

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami-Dade County:

| | |
|---------------|------------------------|
| DC200427908U | 2264 NW 63 Street |
| DC2005029549U | 10705 SW 59 Terrace |
| DC2005029764U | 17010 SW 120 Court |
| DC2005029925U | 425 SW 129 Avenue |
| DC2005029951U | 1836 NW 85 Street |
| DC2005030003U | 22355-57 SW 119 Avenue |
| DC200529043U | 6925 NW 30 Avenue |

City of Miami:

| | |
|---------|---|
| M05-011 | 170 NW 57 Street |
| M05-012 | 1359 NW 23 Street AKA 1365 NW 23 Street |

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

| | |
|----------------|------------------------------|
| DCF2004104425U | 1401 NW 103 Street, #02 |
| DC200423628U | 2918 NW 93 Street |
| DC2005030475U | 237 NW 80 Street |
| DC200528902U | 13700 SW 147 Circle Lane, #3 |

City of Miami Cases:

| | |
|---------|--------------------|
| M05-010 | 140 NW 60 Street |
| M05-013 | 1531 NW 62 Terrace |

The cases and photographs were submitted to the Board for review and were called by Mr. Gamoneda.

Mr. James Cueva announced that the City of Miami Beach requested to be heard at 2:30 due to the City Manager's arrival time to the meeting.

Mr. Gamoneda administered a roll call vote that was requested by the Vice Chairman.

Request passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:22 P.M. by the court reporter.

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gamoneda then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

| | |
|----------------|---------------------|
| DC20040298435U | 10360 SW 175 Street |
|----------------|---------------------|

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure and recommended that "said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Ms. Kathryn Woods, Owner, informed the board that she hired an attorney to handle her case, but it was too expensive for her to continue. She then further informed the board that she is willing to do the repairs and requested for more time to do so.

Mr. Loader asked how much time does she needs.

Ms. Woods replied that she would need at least 90 days.

Mr. Kramer stated that Country Walk has additional time constraints and guidelines.

After some discussion, Mr. Milian made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC200424893U 5710 NW 115 Street

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure and recommended that “said structure (A) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vega then gave the status of structures (B), (C), & (D) and recommended “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Olga Bandujo informed the board that she bought the home without the knowledge of a violation.

Mr. Starkweather asked Ms. Bandujo how long has she lived at the home.

Ms. Bandujo answered that she bought the home 23 years ago. She proceeded to inform the board that she was not aware of any violation to the home when she bought it. Ms. Bandujo then stated that she hired an Engineer who disappeared and she had to hire another one. She further informed the board that the current Engineer had sent the blue prints to the Building Dept.

Mr. Vega informed the board that the owner wants to legalize the structures.

Mr. Cueva asked if there were any zoning issues.

Ms. Bandujo replied “yes.”

Mr. Essien then asked Mr. Vega if the shed could be brought up to code.

Mr. Vega answered “no.”

After some discussion, Mr. Milian made a motion that “said structures (A) & (B) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (B) must be repaired or completed with plans prepared by an Architect/Engineer or by a qualified individual. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Milian then made his motion for structures (C) & (D) and moved that “said structures (C) & (D) must be demolished by an individual qualified to obtain a demolition permit within one hundred eighty (180) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach Case:

BV04000959

900 Collins Avenue

Mr. Loader advised everyone that he had a conversation with Gary Held, City Attorney of Miami Beach related to procedural issues about what the options was form here on in shortly after the last hearing. He then explained to everyone that other jurisdiction that more things have happened in different circumstances. Mr. Loader clarified as to what constituted outside discussions and what was permissible and not permissible. He then informed the board that he had no further discussion.

Mr. Carter McDowell, Attorney, clarified what the Board Order reads from its last meeting and the purpose of today's hearing is to have the Building Official report to the board and the board will take action.

Mr. Daniel Frastai, Assistant County Attorney, answered that the Board Order does state that, but the Board can rehear the issue if they would like. He then advised the board that it would be improper to go by the decision of the Building Official. Mr. Frastai further explained that the Board will need to make a finding if they're going to order demolition. He then gave an example of what he meant by the Board making a finding based on the evidence of the last hearing. Mr. Frastai informed the Board that they will need to make a finding and take a vote that there is no other feasible alternative to demolition. He then advised the Board that they will need to make the finding in writing and sign off on it if they are going to order the motion to take that vote.

Mr. Cueva clarified if the Board had made a finding that the building is unsafe. He then asked the Board to rule on it or was it uncontested.

Mr. Milian stated that he doesn't think that the Board made a factual finding that it's unsafe. He then informed the board that they have taken testimony regarding the safety issues of the particular structure. Mr. Milian then stated that the Assistant County Attorney had read to the Board the historic nature of the structure.

Mr. Frastai stated to Mr. Milian that he had heard the evidence from a lot of inspectors about the unsafe nature of the structure.

Mr. Starkweather commented that the roof is caved in on the structure.

Mr. Cueva stated that he doesn't think that part is being contested by the parties.

Mr. Deeb asked if there was any new evidence.

Mr. Cueva asked the City of Miami Beach to refresh the Board of their recommendation of the structure.

Mr. Gary Held, City Attorney of City of Miami Beach, answered that the Building Official has made a recommendation, but they have hired an Engineer to investigate and prepare plans to be submitted to the Building Official. He then informed the Board that is what the Building Official was going to report at this hearing today.

Mr. Held then provided the Board with some background of Mr. Wood and his assistant investigation of the property and undertook the Herculean task and submitted plans to the Building Official for shoring, bracing and restoration. He then informed the Board that Mr. Wood had received the comments from the Building Department of the rejection of the plans. He further stated that Mr. Wood is prepared to address the comments and he also brought the plans with him for the Board's review so that the Board can see that work has been done.

Mr. Held then explained to the Board that the Historic Preservation Board also further considered the matter at their last meeting. He further explained that it was determined that it could not be done within the 30 days that were provided by the Unsafe Structure Board at the last meeting. Mr. Held then asked the Board for additional time for Mr. Wood to complete that work.

Mr. Phil Azan, City of Miami Beach Building Official responded to the earlier question of his position on the structure. He then informed the Board that his recommendation remains the same from the first hearing. Mr. Azan explained to the Board that the building meets the minimum criteria in the building code as an unsafe structure. He further stated to the Board that he doesn't see any feasible way to safely restore this building for it to comply with the building code.

Mr. Azan then informed the Board that Mr. Wood submitted the plans to the Building Department on February 14, 2005. He also stated that they were reviewed on February 15, 2005 and the review was completed February 16th, 2005. Mr. Azan enlightened the Board that copies of Mr. Wood's plans were to sent to the Owner's Engineer's, Pistorino & Alam and Mr. John Pepper. He further stated that they also commented on the design contemplated for the restoration of the building. Mr. Azan informed the Board that the City's Engineer, Mr. Partovi and Mr. Luis Perez reviewed the plans and determined that they were not sufficient for them to issue an approval for them. He then stated to the Board that the City denied the plans.

Mr. Douglas Wood, Engineer, Douglas Wood and Associates, Inc., explained to the Board the steps that it will take to stabilize the concrete where there is no movement with no failure during the tests.

Mr. Essien asked Mr. Wood was it his professional opinion that the building can be restored.

Mr. Wood answered "no."

Mr. Essien then asked Mr. Wood what makes this building different from those he think should not be restored.

Mr. Wood replied that each building is unique and believe that this building is feasible. He then explained to the Board how he planned to address the stabilization of the wall while drilling.

Mr. Loader gave his opinion on how he feels there is a possible sequence of operations which will allow the stabilization process to take place.

Mr. Held informed the board that Chales Pauly, an Architect that has done restoration on a coral rock structure before and he has brought photos of that to show it could be done.

Mr. George Gonzalez, City Manager, City of Miami Beach, informed the Board that the City does own an interest in the historic district of Miami Beach. He also informed the Board that the building is one of the first buildings that were built in Miami Beach and it is very important to the City from a historical perspective for it to be saved.

Mr. Milian recommended that the owner's and city take a five minute recess to come to an agreement.

Mr. Gonzalez returned and informed the Board that they were not able to reach a conclusion.

Mr. Milian asked Mr. Gonzalez if they had discussed a possibility of reaching to a compromised to do the restoration the will be amenable to the owner.

Mr. Gonzalez replied "yes". He then stated that the first thing you would want to do is preserve it and save it when it is in preservation.

Mr. McDowell reminded the Board that this case has been before the Board since November and how much money his client had spent.

Mr. Michael Stern expressed his frustration about the situation of the property. He then reminded the Board of their Order at its last meeting where the Building Official was to come before the Board to provide them with a report as to whether or not he was able to approve and/or reject a set of plans for the restoration of the structure. Mr. Stern also stated that he has spent a great amount of money to get to the point where they can either restore and/or demolish.

Mr. Stern then expressed to the Board that he trusted the Board's word as to what was said at its last hearing. He then asked the Board to honor their word of the Board Order. Mr. Stern enlightened the Board that he had approached certain people that are within the Historic Board and they have said to him that "he will do it their way or it will drag on for two years. He further informed the Board that the person from the Historic Board stated that they're going to make it impossible for him to develop the property". He then stated that it is a political game that is going on.

Mr. Held asked the Board to consider an Order that will allow the Engineer to submit plans for the restoration and repair of the structure in 30 days that would include Mr. Wood's review of the comments of the building department and resubmit the plans.

Mr. Stern stressed to the Board that he will like for the Board to issue the demolition order so that he will not have to come back before the Board. He then stated that he will wait on the procedures that the City has to follow before he demolished the property. Mr. Stern then begged the Board not to make him come back before the Board again.

Mr. Rich Heisenbottle, President of Dade Heritage Trust, stated that Mr. Pauly has proof to show that the building is feasibility.

Mr. Charles Pauly, Architect, informed the board that building can be saved and it had been done before. He showed the board of much more complicated building that has been quarried from the ground. Mr. Pauly then stated that the building is fixable and it should not be designated to be torn down.

After much discussion, Mr. Starkweather “Said structure must be demolished by an individual qualified to obtain a demolition permit within sixty (60) days after obtaining the permit from the City of Miami Beach, Building Department, Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Naumann seconded the motion.

Motion passed 7 to 2. (Mr. Loader and Mr. Milian opposed)

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 6:40 P.M.

Prepared by: _____

Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF MARCH 16TH, 2005

Members Present: James Cueva, C Gordon Loader, VC Emile Amedee
Carlos Naumann Jose Vera Alberto Milian
Benjamin S. Essien Kevin Deeb Abel Ramirez

Absent: James Starkweather

Staff: Jorge Gamoneda, Acting Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:15 P.M. on Wednesday, March 16th, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva announced that the minutes of the February 16th, 2005, Unsafe Structures Board meeting would be available to review at the next board hearing on Wednesday, April 20th, 2005.

Mr. Jorge Gamoneda then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|----------------|------------------------|
| DC200424677U | 14601 NW 13 Court |
| DC200424680U | 305 NE 116 Street |
| DC200425284U | 12520 NW 22 Court |
| DC200425474U | 2905 SW 108 Place |
| DC200427102U | 35680 SW 188 Avenue |
| DC2005029975U | 3700 NW 27 Avenue |
| DC2005030001U | 1841 SW 93 Place |
| DC2005030047U | 8050 NW Miami Court |
| DC2005030118U | 12211 SW 28 Street |
| DC2005030225U | 19001 NE 14 Avenue |
| DC2005030505U | 681 NE 172 Terrace |
| DCF2004103904U | 200 NE 112 Street, #01 |

City of Miami:

| | |
|---------|-------------------|
| M05-016 | 6324 NW 11 Avenue |
|---------|-------------------|

Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami-Dade County:

| | |
|---------------|---------------------|
| DC200423628U | 2918 NW 93 Street |
| DC2005029769U | 15553 SW 41 Terrace |
| DC2005030305U | 301 NW 109 Avenue |
| DC2005030650U | 2258 NW 58 Street |

City of Miami:

| | |
|---------|---------------------------------------|
| M05-014 | 228 NE 61 Street |
| M05-015 | 240 NE 61 Street AKA 244 NE 61 Street |

Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

| | |
|----------------|------------------------|
| DC2005029519U | 595 SW 124 Avenue |
| DC2005029938U | 9880 SW 68 Street |
| DCF2004104438U | 9420 SW 56 Street, #01 |

The cases and photographs were submitted to the Board for review and were called by Mr. Gamoneda.

Mr. James Cueva announced that Mr. Roberto Datorre, President of Miami Beach Community Development Corporation had requested to be heard first to update the Unsafe Structures Board of the progress at 2800 Collins Avenue.

Mr. Gamoneda administered a roll call vote that was requested by the Chairman.

Request passed unanimously.

(For a verbatim version, please refer to the transcripts)

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gamoneda. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:22 P.M. by the court reporter.

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cueva then called Mr. Datorre to present the status report of his case.

Mr. Datorre informed the Board that they participated to have the plans ready in six months. He then stated that a third of a series of the biweekly structural monitoring reports have been conducted that is scheduled until June 1, 2005 for the property. Mr. Datorre also informed the Board that Mr. Pistorino conducted a walk-through of the building to check for progression in the decay of the structure. He then advised the Board that the Engineer observed no change in the plumbing or bulging of the exterior walls. Mr. Datorre also advised the Board that there is no increase in the cracking of the exterior wall. He then informed the Board that there is no immediate danger of structural failure.

Mr. Gamoneda then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

| | |
|--------------|---------------------|
| DC200318999U | 5461 NW 179 Terrace |
|--------------|---------------------|

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said structure to be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, sad structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then reminded the Board that this case had been before the Board prior and it was retained jurisdiction by the Board. He then informed the Board that the owner has not complied at this time. Mr. Errickson then requested that the Board provide a timeframe to resolve this matter.

Ms. Marlene Gonzalez, Owner, informed the Board that she does not speak English well and that she would need a translator.

Ms. Maria Pacheco from the audience then translated for Ms. Gonzalez. She informed the Board that the owner stated that it was too expensive for her to comply. She further informed the Board that the owner stated that she is willing to do the repairs and requested for more time to do so.

Mr. Loader then asked if she applied for any permits or variances.

Ms. Pacheco informed the Board that the owner had applied for a loan to do the repairs and Zoning and Variances.

Mr. Loader asked the owner why was it taking so long to resolve this situation.

Ms. Gonzalez answered that she is waiting for the loans to go through.

Mr. Milian then asked how much time was needed.

Mr. Errickson enlightened the Board that a Zoning hearing is scheduled for July 6th, 2005. He then recommended that the Board not grant additional time because nothing has been done since the last hearing.

After some discussion, Mr. Milian moved to defer case until the next board hearing.” Mr. Starkweather seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC200316210U

10429 NW 33 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said structures (A) & (I) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (I) must be repaired or completed. A building permit must be obtained for structures (A) & (I) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structures (A) & (I) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structures (B), (C), (D), E), (H), (J) & (K) and recommended “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then reminded the Board that this case had been before the Board prior and it was retained jurisdiction by the Board. He then informed the Board that the owner has not complied at this time, but has obtained a \$30,000 grant in effort to comply with the repairs.

Ms. Clotilde Alvarez, Owner, informed the board that the Contractor will submit the package to the General Center in 45 to 50 days. She then requested for additional time to do the repairs.

Mr. Loader then asked Ms. Alvarez if she had applied for any of the permits.

Ms. Alvarez replied “no.”

Mr. Milian then asked how much time does she needs.

Ms. Alvarez answered that she would need at least an additional 90 days.

After some discussion, Mr. Milian made a motion that “Said structures shall be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The complete building or structures shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gamoneda then called forth the third case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005030205U 7900 NW 171 Street

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Raul Ferreiro, Owner, stated that he bought the home in 2001 and proceeded to inform the Board that he was not aware of any violation on the property.

Mr. Milian asked the owner did he have an attorney at the time he purchased the home.

Mr. Ferreiro replied “no.” He then proceeded to inform the Board that he could not afford to demolish his home.

Mr. Milian then asked how much time was needed.

Mr. Ferreiro replied that he does not feel that he should be responsible to do pay for any repairs because he did not have the knowledge of any violations when he purchased the home.

Mr. Cueva then informed the owner that the board does not have the authority to waive any fees for the repairs to the violations.

After much discussion, Mr. Milian “Said structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to

Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The complete building or structure shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Naumann seconded the motion.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gamoneda then called forth the fourth case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005029767U 18601 SW 97 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structures and recommended that “said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Tom Courtney, Attorney, stated that the owner would prefer to proceed to do the repairs and then proceeded requested to additional time.

Mr. Milian then asked how much time was needed.

Mr. Courtney replied that the owner would need at least 180 days.

Mr. Robert Chisholm, Architect, informed the Board that the plans should be in no later than next week.

After much discussion, Mr. Milian “Said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for

eighty (180) days from today. The completion or repair of said structure (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days and said structures (A) & (C) shall be completed within eighteen (18) months after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Ramirez seconded the motion.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Board Discussion of Ethics Training

Ms. Kathy Charles, Building Code Compliance Office informed the Board members of a mandatory Commission on Ethics and Public Trust Training that passed a resolution requiring members of all County boards to complete ethics training. She then informed the Board that the training will be conducted by the Miami Dade Commission. Ms. Charles also informed the Board that all members of the County boards will be given up to one year to take this ninety-minute course, which will include a discussion of the Sunshine Law, the Public Records Act and the County’s Conflict of Interest and Code of Ethics Ordinance.

Mr. Milian asked when did they have to do the training.

Ms. Charles replied that the board can schedule their training when it’s convenient for them within a year.

After much discussion, Mr. Milian moved to have the training session after a meeting. Mr. Ramirez seconded the motion.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 6:40 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF APRIL 20TH, 2005

Members Present: Gordon Loader, VC Emile Amedee Carlos Naumann
Jose Vera Alberto Milian James Starkweather
Benjamin S. Essien Kevin Deeb

Absent: James Cueva, C Abel Ramirez

Staff: Jorge Gamoneda, Acting Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:15 P.M. on Wednesday, April 20th, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Gordon Loader requested a motion to approve and accept the minutes of the March 16th, 2005 Unsafe Structures Board Meeting. Mr. Milian moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Jorge Gamoneda then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|----------------|---------------------------|
| DCF2004104438U | 9420 SW 56 Street, #01 |
| DC2005029524U | 1800 NE 114 Street |
| DC2005030073U | 8050 NW Miami Court |
| DC2005031595U | 1310 NE 148 Street |
| DC2005031678U | 8920 NW 33 Avenue Road |
| DC2005031877U | 1805 SW 107 Avenue, #2601 |

Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami-Dade County:

| | |
|---------------|---------------------|
| DC200426495U | 11502 SW 214 Street |
| DC2005030943U | 2160 NW 79 Street |

Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

| | |
|---------------|-------------------------|
| DC200425984U | 14500 Tyler Street |
| DC2005030182U | 6345 SW 138 Court, #102 |
| DC2005030950U | 10920 SW 83 Avenue |
| DC2005031144U | 21300 SW 244 Street |
| DC2005031786U | 8350 NE 4 Place |

The cases and photographs were submitted to the Board for review and were called by Mr. Gamoneda.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gamoneda. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:22 P.M. by the court reporter.

Mr. Loader informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gamoneda then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005031260

8001 NW 5 Court

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said structure (A) is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. Said structure (B) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. Said structures (C) & (D) must be repaired or completed. A building permit must be obtained for structures for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structures (E), (F), & (G) and recommended “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. William Batillo, Owner, informed the Board that it was too expensive for him to comply. He further informed the Board that he is willing to do the repairs and requested for more time to do so.

Mr. Deeb then asked if any of the structures was occupied.

Mr. Hadley answered “yes”. He further informed the board that the window bars will be removed for safety hazard.

Mr. Loader asked the owner how long will it take for him to resolve this situation.

Mr. Batillo answered that he can remove the bars from the windows in 90 days.

Mr. Milian then asked how much time was needed to repair the other structures.

Mr. Julio Navarro advised the board that a permit is not needed to remove the window bars.

Mr. Loader confirmed the specifics of each structure.

After some discussion, Mr. Essien moved to “Said structure(s) (A), (B) & (E) shall be secured within seven (7) working days. The following securing method is approved: Structures (A), (B) & (E) - Storm Shutters (1/2 plywood, bolts and lumber as specs). Said structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A), (B) & (E) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days for structures (A) & (B) and two hundred seventy (270) days from today for structure (E). The completion or repair of said structures (A), (B) & (E) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structures (C), (D), (F) & (G) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Deeb seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Vice-Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gamoneda then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC2005030928U

2159 NW 75 Street

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure and recommended that “said structure (A) is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vega then gave the status of structure (B) and recommended that “said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. John Williams, Owner, stated that he is in agreement of the Building Official’s recommendation, but he will need additional time to do the repairs. He proceeded to inform the Board that he was not aware of any violation on the property when he purchased the property. Mr. Williams then requested for more time to comply.

Mr. Amedee asked the owner if he had made any progress to repair the property.

Mr. Williams replied “no.” He further advised the Board that it will take a long period of time to do the repairs. He then stated that he will need additional time to do the repairs.

Mr. Milian then asked how much time does he need.

Mr. Williams answered that he would need at least an additional 180 days to fully comply.

After some discussion, Mr. Milian made a motion that “The structure (A) is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The complete building or structure (A) shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within two hundred seventy (270) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.

Mr. Milian then made a motion for structure (B) that “Said structure (B) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Vice-Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gamoneda then called forth the third case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318999U

5461 NW 179 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “Said structure (B) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then reminded the Board that this case had been before the Board prior and it retained jurisdiction. He then informed the Board that the owner has not complied at this time. Mr. Errickson then requested that the Board provide a timeframe to resolve this matter.

Mr. Orlando Diez, Engineer, stated that the owner bought the home in 2001 and proceeded to inform the Board that she was not aware of any violation on the property. He further stated that the owner attempted to obtain a permit, but there is a lien on the property. Mr. Diez informed the Board that a lot of work needs to be done.

Mr. Diez then proceeded to inform the Board that a Zoning Hearing had been tentatively scheduled for July 8, 2005. He enlightened the Board that if the variances are approved at the Zoning Hearing, then the owner will be able to proceed with the repairs of the property.

Mr. Milian asked the owner did he have an attorney at the time he purchased the home.

Ms. Marlene Gonzalez replied “no.” She then proceeded to inform the Board that she could not afford for the house to be demolished.

Mr. Loader then asked how much time was needed.

Mr. Diez replied that the owner will need at least 180 days after the Zoning Hearing to do the repairs.

Mr. Emile Amedee, Board Member, asked Mr. Diez what are the owner's plans if the variances doesn't get approved.

Mr. Diez answered there is nothing they can do.

After much discussion, Mr. Milian made a motion that "Said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. If a variance is granted at the Zoning Hearing in July, or a date directly thereafter, the building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from the date of the Zoning Hearing. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant of the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. If variance is denied by the Zoning Hearing scheduled in July or a date directly thereafter, said structures must be demolished by an individual qualified to obtain a demolition permit within ninety (90) days of the Zoning Hearing after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Naumann seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Vice-Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gamoneda then called forth the fourth case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005029519U 595 SW 124 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structures and recommended that "said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within

Mr. Loader asked Mr. Giller how long would it take to complete the repairs.

After much discussion, Mr. Milian made a motion that “said structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The complete building or structure shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within two hundred seventy (270) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The Unsafe Structures Board granted an extension of thirty (30) days to allow the Engineer to perform an inspection to submit to the Building Official of the City of Miami Beach Building Department for review and structural approval.” Mr. Starkweather seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Vice-Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Annual Voting for Chairman & Vice-Chairman

Ms. Kathy Charles thanked all the Board members for all their hard work over the years and stated that he really appreciated them for taking time to contribute to the Unsafe Structures Board.

Mr. Loader thanked everyone for all their kind words and acknowledged the extraordinary contributions of his fellow Board members for over the last 12 months where they faced significant challenges. Specifically, he related to the limited number of Board members that have required a hundred percent attendance from all of them, which is an extraordinary commitment.

Mr. Milian elected Mr. Cueva for Chairman and Mr. Loader for Vice-Chairman. Mr. Starkweather seconded the motion.

Mr. Gamoneda then administered a roll call vote as requested by the Vice-Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Proposed Ordinance

Ms. Kathy Charles, Building Code Compliance Office, advised the Board that an item had been placed on the agenda for the Board of County Commissioners Meeting. She further informed the board that a letter had been passed out that was composed by Mr. James Cueva.

Mr. Milian stated that he will attend the hearing and proceeded to express his feelings about this matter.

After some discussion, Mr. Milian made a motion to accept the letter. Mr. Deeb seconded the motion.

Mr. Gamoneda then administered a roll call vote as requested by the Vice-Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 2:55 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF MAY 15TH, 2005

Members Present: James Cueva, C Gordon Loader, VC Emile Amedee
Carlos Naumann Jose Vera Alberto Milian
James Starkweather Benjamin S. Essien Kevin Deeb

Absent: Abel Ramirez

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:15 P.M. on Wednesday, May 18th, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva requested a motion to approve and accept the minutes of the April 20th, 2005 Unsafe Structures Board Meeting. Mr. Milian moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|----------------|-------------------------|
| DCF2004104096U | 1778 NW 69 Street, #01 |
| DCF2004104335U | 16800 NE 14 Avenue, #00 |
| DCF2004104386U | 16900 NE 14 Avenue, #01 |
| DCF2004104457U | 17000 NE 14 Avenue, #02 |
| DCF2004104458U | 17050 NE 14 Avenue, #03 |
| DCF2004104459U | 17090 NE 14 Avenue, #04 |
| DCF2004104460U | 17001 NE 13 Avenue, #05 |
| DCF2004104461U | 16901 NE 13 Avenue, #06 |
| DCF2004104462U | 16801 NE 13 Avenue, #07 |
| DCF2004104463U | 16701 NE 13 Avenue, #08 |
| DCF2004104464U | 1355 NE 167 Street, #09 |
| DC2005029701U | 15250 SW 269 Terrace |
| DC2005031179U | 2145 NW 62 Street |
| DC2005031948U | 9980 SW 1 Street, #C |
| DC2005032296U | 1854 NW 68 Terrace |
| DC2005032319U | 2161-2165 NW 63 Street |
| DC2005032484U | 1823 NW 68 Street |

City of Miami:

| | |
|---------|---|
| M05-019 | 3459 Elizabeth Street A/K/A 3457 Elizabeth Street |
| M05-024 | 3428 Day Avenue |
| M05-026 | 3457 Elizabeth Street |

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami-Dade County:

| | |
|---------------|---------------------|
| DC2005031342U | 12740 NW 62 Street |
| DC2005032240U | 2047 NW 69 Terrace |
| DC2005032248U | 11995 SW 222 Street |
| DC2005032357U | 1864 NW 63 Street |
| DC2005032432U | 1847 NW 70 Street |
| DC2005032701U | 242 NW 80 Street |
| DC2005032723U | 2739 NW 44 Street |

City of Miami:

| | |
|---------|--|
| M05-018 | 1213 NW 1 Place |
| M05-020 | 1344 NW 7 Court |
| M05-021 | 1336 SW 7 Street |
| M05-022 | 1345 NW 8 Avenue |
| M05-023 | 3756 Washington Avenue |
| M05-025 | 3430 Plaza Street A/K/A 3603 Thomas Avenue |

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

Unincorporated Miami-Dade County:

| | |
|---------------|----------------------|
| DC2005030484U | 900 NE 88 Street |
| DC2005030532U | 1251 NE 113 Terrace |
| DC2005031660U | 1811 NW 69 Street |
| DC2005031661U | 901-921 NE 88 Street |

City of Miami:

| | |
|---------|-----------------|
| M05-017 | 55 NE 48 Street |
|---------|-----------------|

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:22 P.M. by the court reporter.

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Prior to hearing the first case, Mr. Cueva announced that the Turner Gilford Knight (TGK) has provided the Board with a written report and the Board accepted it.

Unincorporated Miami-Dade County Case:

DC200424227U

3271 NW 51 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then reminded the Board that this case had been before the Board prior and it retained jurisdiction. He then informed the Board that the owner has not complied at this time and requested that the Board provide a timeframe to resolve this matter.

Mr. Deeb then asked if any of the structures were occupied.

Mr. Errickson answered “yes”.

Mr. Loader confirmed the specifics of each structure.

After some discussion, Mr. Loader moved that “Said structures must be demolished by an individual qualified to obtain a demolition permit within ninety (90) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC200426495U

11502 SW 214 Street

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Orlando gave an account for structure and recommended that “said structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be

Mr. Errickson then gave an account for structures and recommended that “Said structure (C) & (D) must be demolished by an individual qualified to obtain a demolition permit within sixty (60) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Marcel Reyes, Owner, stated that he purchased the home in 2001 and proceeded to inform the Board that he was not aware of any violation on the property. He further stated that he attempted to obtain a permit, but there is a lien on the property. Mr. Reyes informed the Board that a lot of work needs to be done.

Mr. Reyes then proceeded to inform the Board that he would like to repair the property and requested additional time.

Mr. Loader asked how much time was needed.

Mr. Reyes replied that he will need at least 90 days to complete the repairs.

Mr. Vega informed the Board that the owner would like to legalize the attached additions. He then proceeded to remind the Board that the Building Department recommends that the structures be demolished.

After much discussion, Mr. Milian moved that “The structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. The Unsafe Structures Board granted one hundred twenty (120) days to allow the Owner to legalize the property for review and structural approval by the Building Official of the Unincorporated Miami-Dade County Building Department. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer sealed plans. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the fourth case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005030583U

7300 NW 58 Street

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structures and recommended that “said structures (A), (B) & (C) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave an account for structures and recommended that “Said structure (D), (E), (F), (G), (H), (I), (J), (K), (L) & (M) must be demolished by an individual qualified to obtain a demolition permit within sixty (60) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson stated that he recommends that the retail use of structure (A) be terminated until it is made legal through the use of a Certificate of Occupancy. He then informed the Board that the Fire Department initiated an inspection as a result of an explosion that occurred at the air gas plant in what is now Doral.

Mr. Gerald Sommerset, Mechanical Supervisor of the Building Department, informed the Board that one of the bulk tanks has a clearance problem to the building. He also informed the Board that there is an unsafe condition with the gas mixture in the area.

Mr. Milian asked if the place had been closed down on an emergency basis.

Mr. Errickson answered “no”. He then proceeded to inform the Board that the tanks that have been installed would not have passed because DERM has not reviewed them as of yet and also there is no permit application.

Mr. Benjamin Essein then suggested that the building be vacated.

Mr. Carlos Lacasa, Representative, stated that the facility is designed to store and distribute gas to hospitals, dentist offices and various other industries in the County and it does not manufacture gas. He also stated that the facility was acquired from another company and the facilities were already constructed without permits. Mr. Lacasa then requested for a opportunity to legalize the site.

Mr. Cueva then asked how much time was needed.

Mr. Lacasa replied that the owner would need at least 90 days to obtain compliance.

Mr. Cueva stated that he does not see where there is a conflict if the Building Official is recommending the time that they are asking unless the owner is asking for more time.

Mr. Lacasa stated that he is not sure whether or not there is a Zoning issue. He then informed the Board that if the Zoning is not in place, then they will have to apply for the appropriate variance.

Mr. Gary Gann, General Counsel, Vice President and Secretary for the Corporation, stated that they take safety very seriously and they were surprised by the existence of the condition of the structure and on the fact that permits weren't pulled. He then informed the Board that if the facility was to get shut down, there will be no sufficient product in the marketplace to take care of the needs of the county.

Mr. Mark Walker, General Manager, stated that they have ordered the removal of some of the tanks back from the fence lines to gain the proper separations of the 10 foot that were encroached. He then informed the Board that the setback on a particular oxygen tank that can be switched with the vaporizers in two day by unloading the tank.

Mr. Robert Lara, Engineer of Morrison & Hirschfield Corporation, informed the Board that there was a liquid oxygen tank installed and he advised the owner that they must get the permit to resolve the problem.

Mr. Milian asked if the Board had the authority to take an emergency action when it is a danger of health or a fire hazard.

Mr. Daniel Frastai, Assistant County Attorney, answered "yes".

Mr. Errickson informed the Board that they provided a notice to the owner to vacate the building, but does not have the capability to enforce it.

Mr. Lacasa informed the Board that if the building was to shut down that it would be critical to the operation of certain industries in Dade County. He then proceeded to inform the Board that the facility is a safe environment. Mr. Lacasa then requested for additional time.

Each Board member expressed their feelings about the safety of the building.

Mr. Lacasa stated that according to Ordinance, 8-5C, there is an evaluation criteria that is applied in cases where legalization is available to the owner and this is clearly one of those cases. He then informed the Board that they have hired the appropriate professionals to resolve this problem.

After much discussion, Mr. Milian made a motion that "The Unsafe Structures Board recommends that the Fire Department monitor this facility to ensure that sufficient safety measures are maintained, in its discretion to protect the public. The Unsafe Structures Board also requests that the Fire Department conduct a safety inspection and report their finding to the Building Official. The structures shall be vacated immediately and are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer's Certification and Architect/Engineer sealed plans. A building permit must be obtained for structure (A) for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe

Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. Said structures (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L) & (M) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structures (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L) & (M) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed 6 to 1. Mr. Cueva opposed.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the fifth case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

| | |
|---------------|---------------------|
| DC2005030944U | 12062 SW 10 Terrace |
| DC2005030948U | 12062 SW 10 Terrace |

Mr. Donald Hatley, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Hatley gave an account for structures and recommended that “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Alice Pena, Power of Attorney, informed the Board that they have put up a fence be people have broken into the back of the property. She also informed the Board that they have tried to obtain permits, but it was denied. Ms. Pena stated that the owner would like to comply, but will need more time.

Mr. Cueva asked Ms. Pena what is the shed being used for.

Ms. Pena answered that the shed is used to store yard equipment and informed the board that the owner's hired an architect to draw plans to do whatever is necessary to get the permits.

After much discussion, Mr. Milian made a motion that "The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (B) must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structure (C) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible." Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Status Report

DC200317911

7000 NW 41 Street

Mr. Cueva then announced the next case to be reviewed by the Unsafe Structures Board as a status report for Turner Guilford Knight (TGK).

Mr. Milian expressed his feelings and informed the Board that he disagreed with granting any extensions because of the hazard to the individuals.

Mr. Starkweather enlightened the Board that everything has been completed with the exception of the smoke evacuation.

Mr. Milian then informed the Board that most fire deaths occur due to smoke inhalation.

After much discussion, the Board granted a 30-day extension.

Discussion

Mr. Cueva then spoke on the ordinance that had been proposed by the Unincorporated Miami-Dade County to the County Manager.

Ms. Kathy Charles, Building Code Compliance Office, informed the Board members of the items that were discussed at the Commission's meeting. She then enlighten the Board that if the proposal is granted, it will eliminate residential cases to come before the Unsafe Structures Board. Ms. Charles also informed the Board that they will hear only commercial cases from all municipalities.

Mr. Cueva expressed his feelings about the proposed ordinance because it doesn't adequately protect the people. He then suggested to the other Board members that each of them schedule an appointment with their appointed Commissioner to discuss the matter.

Mr. Gonzalez suggested that the Board educate their Commissioner of what the Board does.

After much discussion, the Board agreed that they all will attend the next Commission meeting on this issue. Mr. Deeb seconded the motion.

Mr. Gonzalez then administered a roll call vote as requested by the Vice-Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 4:45 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF JUNE 15TH, 2005

Members Present: Alberto Milian, AC Emile Amedee Carlos Naumann
Jose Vera Benjamin S. Essien Kevin Deeb
Abel Ramirez

Absent: James Cueva, C Gordon Loader, VC James Starkweather

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, June 15th, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Alberto Milian, Acting Chairman announced that the minutes of the May 18th, 2005, Unsafe Structures Board meeting would be available to review at the next board hearing on Wednesday, July 20th, 2005.

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|----------------|------------------------|
| DCF2004103846U | 1017 NW 79 Street, #01 |
| DC2005030906U | 6051 SW 15 Street |
| DC2005031785U | 901-921 NE 88 Street |
| DC2005031843U | 8750 NW 32 Avenue |
| DC2005032237U | 9720 SW 211 Street |
| DC2005032299U | 6329 NW 18 Avenue |
| DC2005032643U | 7300 SW 87 Avenue |
| DC2005032665U | 14445 SW 289 Street |
| DC2005032941U | 9143 SW 150 Avenue |

City of Miami:

| | |
|---------|------------------|
| M05-027 | 58 NE 53 Street |
| M05-029 | 120 NW 27 Avenue |
| M05-030 | 414 NW 53 Street |
| M05-032 | 5629 NE 2 Avenue |

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami-Dade County:

| | |
|---------------|----------------------|
| DC2005029423U | 9955 Nicaragua Drive |
| DC2005031221U | 441 NW 105 Street |
| DC2005031906U | 15916 SW 82 Street |
| DC2005032028U | 7940 SW 141 Avenue |
| DC2005032672U | 11840 SW 170 Terrace |
| DC2005032746U | 11401 SW 42 Street |
| DC2005033066U | 12760 Wood Street |

City of Miami:

M05-028

119 SW 6 Avenue

M05-031

1710 NW 68 Street

M05-033

7295 NW 1 Court

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Milian requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:30 P.M. by the court reporter.

Mr. Milian informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez informed the Board that a mandatory Financial Disclosure Form must be filed by July 1st, 2005.

Mr. Milian asked Mr. Gonzalez when are the Board members scheduled to attend the Ethics Training that Ms. Kathy Charles coordinated for the Board.

Mr. Gonzalez answered that it is in process and the Board will be informed as soon as possible.

Mr. Milian then announced that the Turner Gilford Knight (TGK) has provided the Board with a written report and the Board accepted it. He suggested that the Board hear the status report after all of the heard cases to expedite the process.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005030082U

3070 NW 54 Street

Mr. Donald Hatley, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Hatley gave an account for structure and recommended that "said structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said

structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Monroe Jackson, Interested Party, informed the Board that his father is in the process to upgrade the building and then requested for additional time.

Mr. Milian asked how much time is needed.

Mr. Jackson answered that he will need at least a year to do the repairs. He then informed the Board that a contractor was hired to do the work, but they went out of business and he couldn't get the deposit back.

After some discussion, Mr. Essien moved that “said structure shall be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within two hundred seventy (270) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC2005032547U

12726 NW 69 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structures and recommended that “said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said

structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Fernando Ferraris, Property Owner, stated that he recently purchased the property and would like to bring it up to the Florida Building Code. He then requested for additional time to comply.

Mr. Milian asked how much time is needed.

Mr. Ferraris answered that he would need at least additional 180 days to fully comply.

Mr. Milian then asked if the property was occupied.

Mr. Ferraris answered “yes.”

After some discussion, Mr. Essien made a motion that “said structure(s) shall be secured within five (5) working days. The following securing method is approved: Structures (A), (D), (E) & (F) - Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A), (D), (E) & (F) must be repaired or completed with Laboratory Tests, Engineer’s Certification and Architect/Engineer’s sealed plans. The Engineer’s Certification or Laboratory Test must be submitted within one hundred eighty (180) days from today. A building permit does not need to be obtained for structures for all repairs or items to be completed. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within N/A days from today. The completion or repair of said structures (A), (D), (E) & (F) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structures (B), (C), (G) & (H) must be demolished by an individual qualified to obtain a demolition permit within ninety (90) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Ameede seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by Mr. Milian.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005030584U 900 NE 88 Street

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “Said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Sandra Elliott, Owner, stated that her husband owns the building and proceeded to inform the Board that he was not aware of any violation on the property. She further stated that he attempted to obtain a permit, but there is a lien on the property. Ms. Elliott informed the Board that a lot of work needs to be done.

Ms. Elliott then proceeded to inform the Board that she would like to repair the property and then requested for additional time.

Mr. Milian asked the Building Official if the property was repairable.

Mr. Errickson answered “yes.”

Mr. Milian then asked how much time was needed.

Ms. Elliott replied that she will need at least 180 days to complete the repairs.

Mr. Essien asked the owner why she allowed the property to deteriorate.

Ms. Elliott replied that they travel a lot and no idea the property had deteriorated. She then informed the board that they are in the process to sale the property.

Mr. Essien then asked why she want to fix it if she is selling the property.

After much discussion, Mr. Naumann made a motion that “The Unsafe Structures Board deferred this case for thirty (30) days until its next board hearing date of July 20th, 2005 to allow the Engineer to submit plans to the Building Official of the Unincorporated Miami Dade County Building Department for review and structural approval. At the next scheduled Board hearing, the Building Official will report on the approval or rejection of the plans. If rejected, the Unsafe Structures Board will uphold the Building Official recommendation.” Mr. Vera seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the fourth case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005030728U

10405 SW 153 Court, #2

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structures and recommended that “said structures (A) & (B) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Albert Rey, Attorney, stated that he represents the owner, but unfortunately the owner is out-of-town and will not return until the end of the month. He then informed the Board that at the time of purchase of the property by the owner that he discovered a problem with the roof. Mr. Rey further informed the Board that the owner immediately sought after the Association that is responsible under the homeowner’s documents.

Mr. Rey then stated that the owner intend to move forward to repair, but would like for the Association to take part on their responsibility.

Mr. Milian asked how long had the problem been going on.

Mr. Rey replied since July of 2004.

Mr. Milian then asked if the Association was present.

Mr. Rey replied “no.”

Mr. Milian asked Ms. Latisha Byrd was the Association informed.

Ms. Byrd replied “no.” She then proceeded to inform the Board that they were not listed as an interested party.

After much discussion, Mr. Essien moved to defer for thirty (30) days until its next Unsafe Structures Board hearing on July 20th, 2005.” Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the fifth case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Status Report

| | |
|-----------------------|------------------------------|
| DCF2003103286U | 6950 NW 41 Street, #1 |
| DCF2003103287U | 6950 NW 41 Street, #2 |
| DCF2003103288U | 6950 NW 41 Street, #3 |
| DCF2003103289U | 6950 NW 41 Street, #4 |
| DCF2003103290U | 6950 NW 41 Street, #7 |

Mr. Orlando Vega, Building Inspector, gave the status report of all cases. He then informed the Board that the owner’s are not in compliance with the October 20th, 2004 Board Order because they failed to obtain the required permits.

Mr. Milian asked Mr. Vega are the structures occupied.

Mr. Vega replied “yes.” He then informed the Board that they are used for jail facilities, for inmates, a kitchen and a clinic and operational.

Mr. Tom Robertson, Assistant County Attorney, Representative of the Owner, informed the Board that the owner is in the process of going through the 40 year recertification. He further informed the Board that they have met the time period and provided the 40 year recertification records. Mr. Robertson then informed the Board that this particular project will need to go before the County Commission for approval in order to proceed for building because it exceeds the scope of the County Commission authority to the County Manager.

Mr. Milian expressed his feelings and informed the Board that they have been apprised at the time that this was going to be an issue. He then asked when will the County Commission Board hear the case.

Mr. Robertson replied “September.”

After much discussion, Mr. Essien made a motion that “This Board’s Order of October 20th, 2004 remains in full force and effect except as specifically modified below. The Unsafe Structures Board granted an extension of time of three hundred thirty (330) days, commencing from June 22nd, 2005, to obtain a master permit for repair of the structure(s) through a licensed contractor. Permits may include building, roofing, electrical, plumbing and mechanical. All of the required repairs shall conform to the latest edition of the Florida Building Code and must be reviewed and approved by the Unsafe Structures Unit of the Miami-Dade County Building Department prior to the processing of the permit(s). If the permit process is delayed by reasons beyond the Owner’s control, Owner may request in writing an extension of the time provided for in this paragraph and provide proof of the reasons for the delay to the Department. Also, the Electrical Engineer report must be submitted to the Building Official of the Unincorporated Miami-Dade County Building Department for review and structural approval *within thirty (30) days from today. If rejected, the Unsafe Structures Board will uphold the original Board Order dated November 1st, 2004.” Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed 6 to 1. Mr. Milian opposed.

(For a verbatim version, please refer to the transcripts)

Status Report

DC200317911

7000 NW 41 Street

Mr. Milian then announced the next case to be reviewed by the Unsafe Structures Board as a status report for Turner Guilford Knight (TGK).

Mr. Milian expressed his feelings and informed the Board that he disagreed with granting any extensions because of the hazard to the individuals.

Mr. Robertson, Assistant County Attorney, Representative of the Owner, gave a status and informed the Board that they have continued construction and testing the original concept.

Mr. Robertson then informed the Board that everything has been completed with the exception of the fire alarms. He further explained to the Board that the fire alarm was tested, but wasn't working properly. Mr. Robertson stated that the chaser had been sealed and they are still not working properly.

Mr. Robertson also informed the Board that there has not been a final of the permit as of July 31, 2005. He then stated that all the work has been done with the essence of getting the final permit approved.

Mr. Milian asked Mr. Robertson is the Board retained jurisdiction.

Mr. Robertson answered "yes". He then informed the Board that they retained jurisdiction up to this point.

Mr. Milian then asked if it was anything they want from the Board.

Mr. Robertson replied "no".

There being no further business, the meeting was adjourned at 3:45 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF JULY 20TH, 2005

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Alberto Milian Emile Amedee Carlos Naumann
Benjamin S. Essien Kevin Deeb

Absent: Jose Vera Abel Ramirez

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, July 20th, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva requested a motion to approve and accept the minutes of the May 18th, 2005 and June 15th, 2005 Unsafe Structures Board Meeting. Mr. Milian moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|----------------|------------------------|
| DC199900633U | 10301 SW 111 Street |
| DCF2004104055U | 7121 NW 35 Avenue, #01 |
| DC2005029771U | 6521 SW 20 Street |
| DC2005032318U | 1923 NW 66 Street |
| DC2005033092U | 11900 SW 232 Street |
| DC2005033668U | 26611 SW 138 Court |
| DC2005033690U | 11706 SW 108 Lane |
| DC2005033753U | 29930 SW 147 Court |
| DC2005033769U | 1600 SW 126 Place |
| DC2005033871U | 1140 NW 141 Street |
| DC2005034125U | 1310 NE 200 Terrace |
| DC2005034419U | 1371 NE 145 Street |
| DC2005034221U | 285 NW 81 Street |

City of Miami:

| | |
|---------|------------------------|
| M05-037 | 944 NW 64 Street |
| M05-043 | 1531 NW 62 Terrace |
| M05-044 | 3005 Washington Street |

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami-Dade County:

| | |
|---------------|-----------------------|
| DC200529129U | 1450 NE 191 Street |
| DC2005032431U | 20017 SW 123 Drive |
| DC2005032447U | 1872 NW 69 Street |
| DC2005032694U | 12267 SW 218 Street |
| DC2005033600U | 1190 NW 112 Terrace |
| DC2005033608U | 3327 NW 101 Street |
| DC2005033766U | 14849 SW 176 Street |
| DC2005033871U | 1280 NW 102 Street |
| DC2005034097U | 12125 NW 22 Avenue |
| DC2005034122U | 6025 NW 25 Avenue |
| DC2005034219U | 1383-85 NE 145 Street |

City of Miami:

| | |
|---------|---|
| M05-036 | 920 NW 2 Ave. A/K/A 914, 916, 918 NW 2 Ave. |
| M05-038 | 1044 NW 66 Street |
| M05-039 | 1171 NW 64 Street |
| M05-040 | 1279 NW 29 Terrace |
| M05-041 | 1420 NW 1 Place |
| M05-042 | 1531 NW 59 Street |

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:35 P.M. by the court reporter.

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cueva then announced that the Turner Gilford Knight (TGK) has provided the Board with a written request for a deferral until its next meeting dated Wednesday, September 21st, 2005.

After some discussion, the Board accepted the written request for a deferral.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

| | |
|---------------|----------------------|
| DC2005034109U | 19311 Christmas Road |
|---------------|----------------------|

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure and recommended that “said structure (A) shall be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within thirty (30) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vega then gave an account for structure (B) and recommended that “Said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Robert R. Bacso, Owner, informed the Board that he purchased the property in 1993. He further informed the Board that the records were not available at the time he purchased the home. He then proceeded to request for additional time from the Board.

Mr. Cueva asked what caused the property to be unsafe.

Mr. Milian asked when was the home built.

Mr. Bacso answered that the home was built in 1953.

Mr. Milian asked the owner how much time was needed and if he contracted any engineers to resolve this matter.

Mr. Bacso replied that he will need an additional 30 days to do the repairs and then informed the Board that each engineer indicated that they could not perform the work that is needed to bring up to code.

Mr. Cueva then clarified the property the structures for the members.

After some discussion, Mr. Milian moved that “said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed. A building permit does not need to be obtained for structures (A), (B), (C), (D), (E) & (H) for all repairs or items to be completed. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structures (A), (B), (C), (D) & (H) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit and within thirty (30) days after obtaining the permit for structure (E). Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.

Mr. Milian then moved that “said structures (F) & (G) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Essien seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC2005033980U

1814 NW 68 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structures and recommended that “said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Marina Diaz, Property Owner’s Daughter, stated that the property caught fire two days prior to the sale of the house. She also stated that her mother would like to bring it up to the Florida Building Code and then requested additional time to comply with the violations.

Mr. Milian asked if the property was secured.

Ms. Diaz replied that there is a fence around the house. She then informed the Board that the claims adjuster stated that a check in the amount of \$86,000 will be given to the mortgage holder and the mortgage holder will pay her mother.

Mr. Deeb asked how much does her mother owe on the house.

Ms. Diaz replied that her mother owes around \$90,000.

Mr. Deeb then enlightened the owner that the majority of the funds will go towards the repairs.

Mr. Milian then asked if the property was occupied.

Ms. Diaz answered “no.”

After some discussion, Mr. Naumann made a motion that “case shall be deferred for sixty (60) days per the Unsafe Structures Board.” Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed 7 to 1. (Mr. Milian opposed)

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200424534U

7323 SW 132 Place

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “Said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Antonio Ardavin, Owner, provided the Board with photos and proceeded to inform the Board that the permits could not be obtained, due to the violation of the property. He further stated that he attempted to obtain a permit, but they were revoked. Mr. Ardavin then informed the Board that a lot of work needs to be completed.

Mr. Errickson informed the Board that permits was issued, but the Owner failed to comply. He then informed the Board that the Building Department revoked the permit, due to the Notice of Violation issued in July 2004.

Mr. Ardavin stated that he’s living at the property and has been doing the repairs because he doesn’t have the funds to hire an engineer.

Mr. Loader asked how much time was needed to obtain compliance.

Mr. Essien suggested to the Owner that he find a source of income to do the repairs.

Mr. Ardavin then proceeded to inform the Board that he would like to complete the repairs to the property and requested additional time because he doesn’t have funds.

Mr. Milian asked the Building Official if the property was habitable.

Mr. Errickson answered “yes” and enlightened the Board that the permit that was revoked and would have expired July 2005.

Mr. Ardavin replied that she will need at least 365 days to complete the repairs and pleaded to the Board that they do not demolish his home.

Mr. Essien asked the owner why he allowed the property to deteriorate.

Mr. Ardavin replied that he did not have the proper materials, but he recently purchased the material that will secure the property.

Mr. Essien then asked why he wanted to salvage the property.

Mr. Ardavin replied that he does not have anywhere else to reside at this time.

After much discussion, Mr. Loader made a motion that “said structure shall be secured within five (5) working days. The following securing method is approved: Tarp for the Roof. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit for the exterior structural elements (roof, windows and doors) and within two hundred forty (240) days after obtaining the permit for the interior elements. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The Unsafe Structures Board further ordered that, in the event of a Hurricane Watch, the power must be terminated and the owner must vacate the property.” Mr. Essien seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 3:00 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF JULY 20TH, 2005

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Alberto Milian Emile Amedee Carlos Naumann
Benjamin S. Essien Kevin Deeb

Absent: Jose Vera Abel Ramirez

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, July 20th, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva requested a motion to approve and accept the minutes of the May 18th, 2005 and June 15th, 2005 Unsafe Structures Board Meeting. Mr. Milian moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|----------------|------------------------|
| DC199900633U | 10301 SW 111 Street |
| DCF2004104055U | 7121 NW 35 Avenue, #01 |
| DC2005029771U | 6521 SW 20 Street |
| DC2005032318U | 1923 NW 66 Street |
| DC2005033092U | 11900 SW 232 Street |
| DC2005033668U | 26611 SW 138 Court |
| DC2005033690U | 11706 SW 108 Lane |
| DC2005033753U | 29930 SW 147 Court |
| DC2005033769U | 1600 SW 126 Place |
| DC2005033871U | 1140 NW 141 Street |
| DC2005034125U | 1310 NE 200 Terrace |
| DC2005034419U | 1371 NE 145 Street |
| DC2005034221U | 285 NW 81 Street |

City of Miami:

| | |
|---------|------------------------|
| M05-037 | 944 NW 64 Street |
| M05-043 | 1531 NW 62 Terrace |
| M05-044 | 3005 Washington Street |

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami-Dade County:

| | |
|---------------|-----------------------|
| DC200529129U | 1450 NE 191 Street |
| DC2005032431U | 20017 SW 123 Drive |
| DC2005032447U | 1872 NW 69 Street |
| DC2005032694U | 12267 SW 218 Street |
| DC2005033600U | 1190 NW 112 Terrace |
| DC2005033608U | 3327 NW 101 Street |
| DC2005033766U | 14849 SW 176 Street |
| DC2005033871U | 1280 NW 102 Street |
| DC2005034097U | 12125 NW 22 Avenue |
| DC2005034122U | 6025 NW 25 Avenue |
| DC2005034219U | 1383-85 NE 145 Street |

City of Miami:

| | |
|---------|---|
| M05-036 | 920 NW 2 Ave. A/K/A 914, 916, 918 NW 2 Ave. |
| M05-038 | 1044 NW 66 Street |
| M05-039 | 1171 NW 64 Street |
| M05-040 | 1279 NW 29 Terrace |
| M05-041 | 1420 NW 1 Place |
| M05-042 | 1531 NW 59 Street |

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:35 P.M. by the court reporter.

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Cueva then announced that the Turner Gilford Knight (TGK) has provided the Board with a written request for a deferral until its next meeting dated Wednesday, September 21st, 2005.

After some discussion, the Board accepted the written request for a deferral.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

| | |
|---------------|----------------------|
| DC2005034109U | 19311 Christmas Road |
|---------------|----------------------|

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure and recommended that “said structure (A) shall be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within thirty (30) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vega then gave an account for structure (B) and recommended that “Said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Robert R. Bacso, Owner, informed the Board that he purchased the property in 1993. He further informed the Board that the records were not available at the time he purchased the home. He then proceeded to request for additional time from the Board.

Mr. Cueva asked what caused the property to be unsafe.

Mr. Milian asked when was the home built.

Mr. Bacso answered that the home was built in 1953.

Mr. Milian asked the owner how much time was needed and if he contracted any engineers to resolve this matter.

Mr. Bacso replied that he will need an additional 30 days to do the repairs and then informed the Board that each engineer indicated that they could not perform the work that is needed to bring up to code.

Mr. Cueva then clarified the property the structures for the members.

After some discussion, Mr. Milian moved that “said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed. A building permit does not need to be obtained for structures (A), (B), (C), (D), (E) & (H) for all repairs or items to be completed. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structures (A), (B), (C), (D) & (H) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit and within thirty (30) days after obtaining the permit for structure (E). Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.

Mr. Milian then moved that “said structures (F) & (G) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Essien seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC2005033980U

1814 NW 68 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structures and recommended that “said structures are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Marina Diaz, Property Owner’s Daughter, stated that the property caught fire two days prior to the sale of the house. She also stated that her mother would like to bring it up to the Florida Building Code and then requested additional time to comply with the violations.

Mr. Milian asked if the property was secured.

Ms. Diaz replied that there is a fence around the house. She then informed the Board that the claims adjuster stated that a check in the amount of \$86,000 will be given to the mortgage holder and the mortgage holder will pay her mother.

Mr. Deeb asked how much does her mother owe on the house.

Ms. Diaz replied that her mother owes around \$90,000.

Mr. Deeb then enlightened the owner that the majority of the funds will go towards the repairs.

Mr. Milian then asked if the property was occupied.

Ms. Diaz answered “no.”

After some discussion, Mr. Naumann made a motion that “case shall be deferred for sixty (60) days per the Unsafe Structures Board.” Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed 7 to 1. (Mr. Milian opposed)

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200424534U

7323 SW 132 Place

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “Said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Antonio Ardavin, Owner, provided the Board with photos and proceeded to inform the Board that the permits could not be obtained, due to the violation of the property. He further stated that he attempted to obtain a permit, but they were revoked. Mr. Ardavin then informed the Board that a lot of work needs to be completed.

Mr. Errickson informed the Board that permits was issued, but the Owner failed to comply. He then informed the Board that the Building Department revoked the permit, due to the Notice of Violation issued in July 2004.

Mr. Ardavin stated that he’s living at the property and has been doing the repairs because he doesn’t have the funds to hire an engineer.

Mr. Loader asked how much time was needed to obtain compliance.

Mr. Essien suggested to the Owner that he find a source of income to do the repairs.

Mr. Ardavin then proceeded to inform the Board that he would like to complete the repairs to the property and requested additional time because he doesn’t have funds.

Mr. Milian asked the Building Official if the property was habitable.

Mr. Errickson answered “yes” and enlightened the Board that the permit that was revoked and would have expired July 2005.

Mr. Ardavin replied that she will need at least 365 days to complete the repairs and pleaded to the Board that they do not demolish his home.

Mr. Essien asked the owner why he allowed the property to deteriorate.

Mr. Ardavin replied that he did not have the proper materials, but he recently purchased the material that will secure the property.

Mr. Essien then asked why he wanted to salvage the property.

Mr. Ardavin replied that he does not have anywhere else to reside at this time.

After much discussion, Mr. Loader made a motion that “said structure shall be secured within five (5) working days. The following securing method is approved: Tarp for the Roof. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit for the exterior structural elements (roof, windows and doors) and within two hundred forty (240) days after obtaining the permit for the interior elements. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The Unsafe Structures Board further ordered that, in the event of a Hurricane Watch, the power must be terminated and the owner must vacate the property.” Mr. Essien seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 3:00 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF SEPTEMBER 21ST, 2005

Members Present: Gordon Loader, VC James Starkweather Jose Vera
Alberto Milian Emile Amedee Benjamin S. Essien
Kevin Deeb Abel Ramirez

Absent: Carlos Naumann James Cueva, C

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, September 21st, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Gordon Loader requested a motion to approve and accept the minutes of the July 20th, 2005 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Miami and City of Sweetwater cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|---------------|--------------------------|
| DC200318321U | 7250 SW 73 Court |
| DC200428414U | 6705 SW 44 Street |
| DC200428415U | 6775 SW 44 Street |
| DC2005031217U | 5773 SW 149 Avenue |
| DC2005032728U | 10405 SW 153 Court, #2 |
| DC2005033609U | 15350 SW 72 Street |
| DC2005034362U | 23750 SW 122 Avenue |
| DC2005034447U | 1651 NE 144 Street |
| DC2005034469U | 22545 SW 124 Avenue |
| DC2005034478U | 6051 SW 109 Court |
| DC2005035089U | 936 NW 106 Avenue Circle |
| DC200528788U | 22535 SW 113 Court |
| DC200529127U | 1400 NE 191 Street |

City of Miami:

| | |
|---------|-------------------|
| M05-047 | 1825 NW 41 Street |
|---------|-------------------|

City of Sweetwater:

| | |
|----------|-----------------------|
| CS05-001 | 626-646 SW 109 Avenue |
|----------|-----------------------|

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County, City of Miami and City of Sweetwater cases were **No Show/No Contest:**

Unincorporated Miami-Dade County:

| | |
|---------------|-----------------------|
| DC200427820U | 7295 NW 64 Street |
| DC2005030484U | 900 NE 88 Street |
| DC2005031227U | 1840 NW 69 Street |
| DC2005033567U | 19600 Old Cutler Road |
| DC200533614U | 13045 SW 2 Terrace |
| DC2005033980U | 1814 NW 68 Terrace |
| DC2005034180U | 2145 NW 69 Terrace |
| DC2005034226U | 410 NW 82 Street |
| DC2005034318U | 1928 NW 67 Street |
| DC200529069U | 13810 SW 108 Street |

City of Miami:

| | |
|---------|--------------------|
| M05-046 | 1000 NW 58 Street. |
| M05-049 | 6955 NW 15 Avenue |

City of Sweetwater:

| | |
|----------|-------------------|
| CS05-002 | 11045 SW 5 Street |
|----------|-------------------|

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn:**

Unincorporated Miami-Dade County:

| | |
|---------------|------------------|
| DC2005034428U | 14310 NE 5 Place |
|---------------|------------------|

City of Miami:

| | |
|---------|-------------------|
| M05-045 | 761 SW 2 Street |
| M05-048 | 1847 NW 18 Avenue |

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

Mr. Gordon Loader announced to speed up the process that the board would review the cases during the period of a status report of the Turner Guilford Knight Correctional Center (TGK) to be presented by Mr. Thomas Robertson.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:45 P.M. by the court reporter.

Mr. Thomas Robertson, Assistant County Attorney, informed the board of the status of the Turner Guilford Knight Correctional Center (TGK). He then asked the Board if they would like for them to submit a status report quarterly.

After much discussion, Mr. Loader moved that the Unsafe Structures Board grant an extension of time of thirty (30) days from the date of hearing. Conditions of the Board Order of April 30th, 2003 shall remain in effect. A status report shall be provided to the Unsafe Structures Board at its next hearing date of October 19th, 2005, indicating the timelines of the completion of all repairs prior to the consideration of action on this case. The Unsafe Structures Board retained jurisdiction to consider in its discretion any petition relating to the enforcement of the order including the granting of additional time to obtain required permits. Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by Mr. Loader.

Motions passed 6 to 1. (Mr. Milian opposed)

(For a verbatim version, please refer to the transcripts)

After the Board reviewed each case file, Mr. Loader requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Loader informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Abel Ramirez, Unsafe Structures Board Member, arrived at the hearing at 2:05 pm.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005032945U

237 NW 80 Street

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said structure (B) shall be secured within five (5) working days. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Jose Ruiz, Owner, informed the Board that he purchased the property and has done everything to maintain it. He further informed the Board that he applied for a variance hearing, but he was not sure of the hearing date. He then proceeded to request additional time from the Board.

Mr. Loader asked what caused the property to be unsafe.

Mr. Errickson replied that the structure was built without permits.

Mr. Milian then asked when was the home built.

Mr. Ruiz answered that the home was built in the 1950’s.

Mr. Milian asked the owner how much time was needed and if he contracted any engineers to resolve this matter.

Mr. Ruiz replied that he will need additional time to bring the property up to code and then reminded the Board that a variance hearing date had not been set as of yet.

After some discussion, Mr. Milian moved that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. If a variance is applied for and granted at the Zoning Hearing on the date up to twelve (12) months from today, the building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from the date of the Zoning Hearing. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant of the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. If variance is applied for and denied by the Zoning Hearing scheduled on the date up to twelve (12) months from today, said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days of the Zoning Hearing after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Essien seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed 7 to 1. (Mr. Deeb opposed)

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC2005035385U

29460 Idaho Road

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structures and recommended that “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Louis Pardo, Property Owner, stated that Florida Power Light (FPL) terminated his power and he has been receiving power from a generator. He then informed the Board that he would like to bring his structure up to the Florida Building Code and then requested additional time to comply with the violations. Mr. Pardo then provided the Board with photos and proceeded to inform the Board that the permits could not be obtained, due to the violation of the property. He further stated that he attempted to obtain a permit, but they were revoked. Mr. Pardo then informed the Board that a lot of work needs to be completed.

Mr. Milian asked if the property was secured.

Mr. Pardo replied that there is a fence around the house.

Mr. Milian then asked if the property was occupied and if any debris was on the property.

Mr. Pardo answered "yes."

Mr. Errickson informed the Board that permits were issued, but the Owner failed to comply. He then informed the Board that the Building Department revoked the permit, due to the expiration date.

Mr. Loader suggested that the owner remove all debris from around the property.

Mr. Essein then asked if the house was repairable.

Mr. Errickson answered "yes."

After some discussion, Mr. Milian made a motion that "Said structure(s) shall be secured within seven (7) working days. The structures are to be maintained secure, clean and sanitary and unoccupied. Free of all interior and exterior debris, overgrown grass or weeds and free of discoloration or graffiti to the satisfaction of the Building Inspector. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted first to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit and can not be occupied until approved by the Building Official. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by Mr. Loader.

Motions passed.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the third case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200529104U

2120 NW 88 Street

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for the structure and recommended that “Said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Sara Fletcher, Owner’s Daughter, stated that she hired a probate lawyer. She then informed the Board that the property is secured and does not know how much time it will take to resolve this issue.

Ms. Fletcher stated that no one is living at the property, but it is secured.

After much discussion, Mr. Milian made a motion that “said structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one (1) year from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one (1) year after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by Mr. Loader.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the fourth case to be heard by the Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005034863U

11500 SW 191 Street

Mr. Donald Hatley, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Hatley gave an account for the structure and recommended that “said structure (A) shall be secured within five (5) working days. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Hatley then gave an account for structure (B) and recommended that “Said structure (B) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Ivan Almagro, Owner, stated that he bought the home in 1989 and proceeded to inform the Board that he was not aware of any violation on the property. He further stated that he attempted to obtain a permit, but there is a lien on the property. Mr. Almagro then proceeded to inform the Board that a variance hearing has been applied for. He enlightened the Board that if the variance is approved, then he will be able to proceed with the repairs of the property.

After much discussion, Mr. Milian made a motion that “The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. If a variance is granted at the Zoning Hearing in sixty (60) days from today, the building permit must be obtained for structure (A) by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from the date of the Zoning Hearing. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant of the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. The building permit must be obtained for structure (B) by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from the date of the Zoning Hearing. The completion or repair of said structure (B) shall conform to the Florida Building Code unless application is made pursuant of the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. If variance is denied by the Zoning Hearing, said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days of the Zoning Hearing after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by Mr. Loader.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 3:00 P.M.

Prepared by: _____

Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF OCTOBER 19TH, 2005

Members Present: James Cueva, C Gordon Loader, VC James Starkweather
Emile Amedee Benjamin S. Essien Kevin Deeb
Carlos Naumann

Absent: Jose Vera Abel Ramirez Alberto Milian

Staff: Herminio Gonzalez, Secretary
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Janett Taylor-Brown, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:27 P.M. on Wednesday, October 19th, 2005, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva, requested a motion to approve and accept the minutes of the September 21st, 2005 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Herminio Gonzalez then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County:

| | |
|----------------|-------------------------------|
| DC2005034353U | 13700 SW 147 Circle Lane, 3-5 |
| DCF2005104586U | 11500 NW 12 Avenue, #2 |
| DCF2005104734U | 4426 NW 32 Avenue, #1 |
| DCF2005105135U | 400 NW 73 Avenue, #1 |

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County case were **Withdrawn:**

Unincorporated Miami-Dade County:

| | |
|----------------|-----------------------|
| DCF2005104643U | 2362 NW 95 Street, #1 |
|----------------|-----------------------|

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

Mr. Cueva announced to speed up the process that the board would review the cases during the status report of the Turner Guilford Knight Correctional Center (TGK) to be presented by Mr. Thomas Robertson.

Mr. Thomas Robertson, Assistant County Attorney, informed the board of the status of the Turner Guilford Knight Correctional Center (TGK). He then informed the Board that a representative from GSA will provide them with the updated repairs at the TGK.

Mr. Jose Perez, GSA, Representative for TGK, informed the Board that it had been projected that the Smoke Evacuation and Fire Alarm system would be completed by June 2008. He then indicated that the bid for sealing the hose for penetration has been tentatively scheduled for January 2006.

Mr. Perez informed the Board that it would be a two year process once the bid is authorized, because the plans have to be reviewed prior to starting the repairs. He also informed the Board that there are 20 pods in the facility and it depends on the amount of crew to determine how long it will take to complete each pod. Mr. Perez further informed the Board it could take up to a month to complete each pod.

Mr. Loader then asked Mr. Rick Roig how does their department feel about the projected timeframes.

Mr. Rick Roig, Compliance and Coordinator Manager, Building Department, replied that based on the plans that were submitted to their office. He then informed the Board that the testing of the fire alarm must be completed prior to any repairs.

After much discussion, Mr. Starkweather moved that “the Unsafe Structures Board accept the attached timelines of the completion of all repairs for the structure that was submitted to the Board from Turner Guilford Knight Correctional Center (TGK). All repairs must be completed by June 24th, 2008. If any of the above conditions are not complied with, the Unsafe Structures Board shall retain jurisdiction.” Mr. Deeb seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed 5 to 2. (Mr. Loader and Mr. Cueva were opposed)

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:35 P.M. by the court reporter.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Amedee seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gonzalez then called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2005035837U

12400 SW 152 Street, B8A6

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure (A) and recommended that “said structure (A) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

He then gave account for structure (B) and recommended that said structure (B) shall be secured within five (5) working days. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Kevin Asher, Representative, informed the Board that the 8-Story building was formerly a wood frame structure. He then asked the Board to dismiss the demolition order that the Building Official had recommended. Mr. Asher further proceeded to request additional time from the Board.

Mr. Felix Perez, Division Director, stated that the facility is used to support several county agencies; he then asked the Board for an extension.

Mr. Don Frederick, Representative, informed the Board that the property was built without a permit. He also informed the Board that it is very important to save the historical perspective of the property. Mr. Frederick also requested an additional extension.

Mr. Loader asked what caused the property to be unsafe.

Mr. Errickson replied that the structure was built without permits.

Mr. Frederick informed the Board that they would like to bring the building up to code. He then assured the Board that they have no intention to occupy the property.

Mr. Cueva asked the representative how much time was needed to conduct the repairs.

Mr. Frederick replied that he will need 180 days to bring the property up to code.

After some discussion, Mr. Loader moved that “said structures shall be secured within five (5) working days with securing method by the satisfaction of the Building Official. Said structures must be repaired and an Engineer Report must be submitted to the Building Official using the accepted 40 year recertification report process. A building permit must be obtained for structures for all life safety repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the Code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said the Unsafe Structures Board shall retain jurisdiction for consideration of future action. Additionally, the Unsafe Structures Board recommended that the owner and/or interested parties are to proceed with the historical destination for the site.” Mr. Essien seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case within the Unincorporated Miami-Dade, Unsafe Structures Unit to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC2005034332U

12198 SW 117 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for the structures and recommended that “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days after obtaining the permit from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Craig McDonalds, Property Owner, informed the Board that he plans to rebuild the property. He then stated that a lot of work needs to be done and proceeded to request additional time to bring the property up to code.

After some discussion, Mr. Loader made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 3:45 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____