



TOWN OF DAVIE
PLANNING & ZONING DIVISION
6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
Phone: 954.797.1103 • Fax: 954.797.1204 • www.davie-fl.gov

PLANNING REPORT

Project Name	
Diaz	

Application	
Request/Number:	Variance (V)/14-335
Owner	Alexander and Melissa F. Diaz
Petitioner	Same as Property Owners
Project Planner	David Stallworth
Date of Report	02/02/2015
Date of Public Participation	N/A
Date of Public Notification	01/28/2015
Date of Board Review	02/11/2015
Date of Town Council Review	03/04/2015

Location/Site	
Folio/Identification Number	50-40-13-01-0094
Address	1985 SW 115 Avenue
Nearest North/South Road	Hiatus Road
Nearest East/West Road	Southwest 26th Street
Size (Approx. Acres)	43,650.00 s.f. (+/-1.0 acres)
Existing Use	Single-Family Home
Future Land Use	Residential 1 DU/Acre
Zoning	R -1
Council District	4
Redevelopment Area	N/A
Overlay District	N/A
Design Regulation	N/A
Flexibility Zone	100
Planning Area	2
Utilities Provider	Sunrise
Drainage District	Central Broward Water Control District (CBWCD)
Nearby Equestrian Trail	N/A
Nearby Recreational Trail	Peaceful Ridge
Nearby Park	N/A
Nearby Bus Route	N/A

Key Points
<ul style="list-style-type: none">• This is a request for a Variance to allow a +/-1,500-square-foot barn within six feet (6') from the north (rear) property line (§12-34[B][1][a] requires animal shelters to be a minimum distance of forty feet [40'] from a residential property line).• The property contains a renovated single-family residence that is +/-7,000 square feet in building area.• The property has the minimum 35,000 square feet of land area required to house up to four

horses on the property.

- The proposed barn will contain three (3) stalls and a tack room next to an existing +/-6,200-square-foot corral located near the northeast corner of the property.
- The applicant began constructing the barn without a building permit. The Town's Building Department was notified of the activity and, upon investigation, placed a stop-work order on the structure on November 6, 2014.
- There are at least fifteen (15) single-family residences within 300 feet of the property, three (3) of which have barns.
- Letters regarding this request have been received and accompany this staff report.

History

1. **Related Zoning Information:** N/A
2. **Previous Request(s):** N/A
3. **Concurrent Request(s):** N/A

Analysis

The following Staff analysis is based on the criteria established in §12-309(B)(1), Town of Davie Code, for variance applications:

- (a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the same district, and that said circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of such land or building for which the variance is sought, and that alleged hardship is not self-created by any person having an interest in the property.

There are no special conditions or circumstances specific to the subject property.

- (b) The granting of the variance is necessary for the reasonable use of the land or building and that the variance as requested is the minimum variance that will accomplish this purpose.

Granting of the variance is not necessary for the reasonable use of the land as a single-family detached residence already exists on the premises. The property previously contained a barn that has since been demolished.

- (c) That granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Similar residential development with agricultural uses can be found on nearby properties, but those properties have larger land areas than the subject property. No buffer landscaping or site mitigation is proposed in conjunction with the new construction.

Recommendations

Staff finds the application complete and suitable for review.

Attachments

- | |
|--|
| <ol style="list-style-type: none">1. Petitioner Documentation2. Land Use Map3. Zoning Map4. Noticing Information5. Public Correspondence |
|--|

November 14, 2014

Alex and Melissa Diaz

1985 S.W. 115th Ave

Davie, FL 33325

RE: Criteria Letter

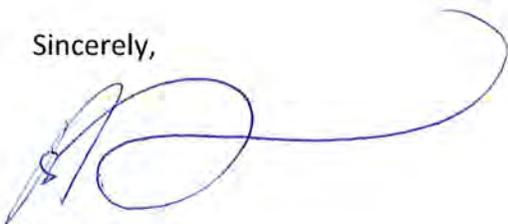
To Whom It May Concern:

The following is being written in reference to an application for a variance in order to construct a barn on our property. We adopted two horses from the Peaceful Ridge Rescue and would like to provide them with adequate shelter. Upon examining the layout of our property, it becomes obvious that the only location for the placement of a barn is on the side of our home as the alternate side of our home runs perpendicular to the street and our property does not provide permissible distance from the street for the construction of a barn on that side of our home. In addition, there is also a drain field consuming another portion of our property and a terrace, yet another, large piece of land; the barn would sit at the edge of the terrace which would make it unmanageable to place horses in the barn.

This variance is necessary as, if denied; we will be unable to provide shelter for our adopted horses and, thus, sadly, will be unable to keep our newest family members. This variance will benefit our horses, our children who adore their horses and the neighborhood as we will provide horse boarding.

Granting this variance in no way will be injurious to the neighborhood or detrimental to the public welfare.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Alex Diaz', with a large, sweeping flourish extending to the right.

Alex Diaz

November 14, 2014

Alex and Melissa Diaz

1985 S.W. 115th Ave

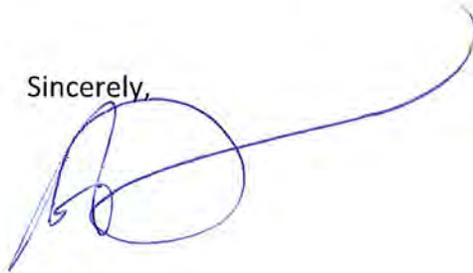
Davie, FL 33325

To Whom It May Concern:

This letter is to inform you of the scope of work we are doing. We are building a barn 30' x 50'.

There is no HOA in our neighborhood

Sincerely,

A handwritten signature in blue ink, appearing to be 'AD', with a long, sweeping horizontal line extending to the right.

Alex Diaz

194.00'

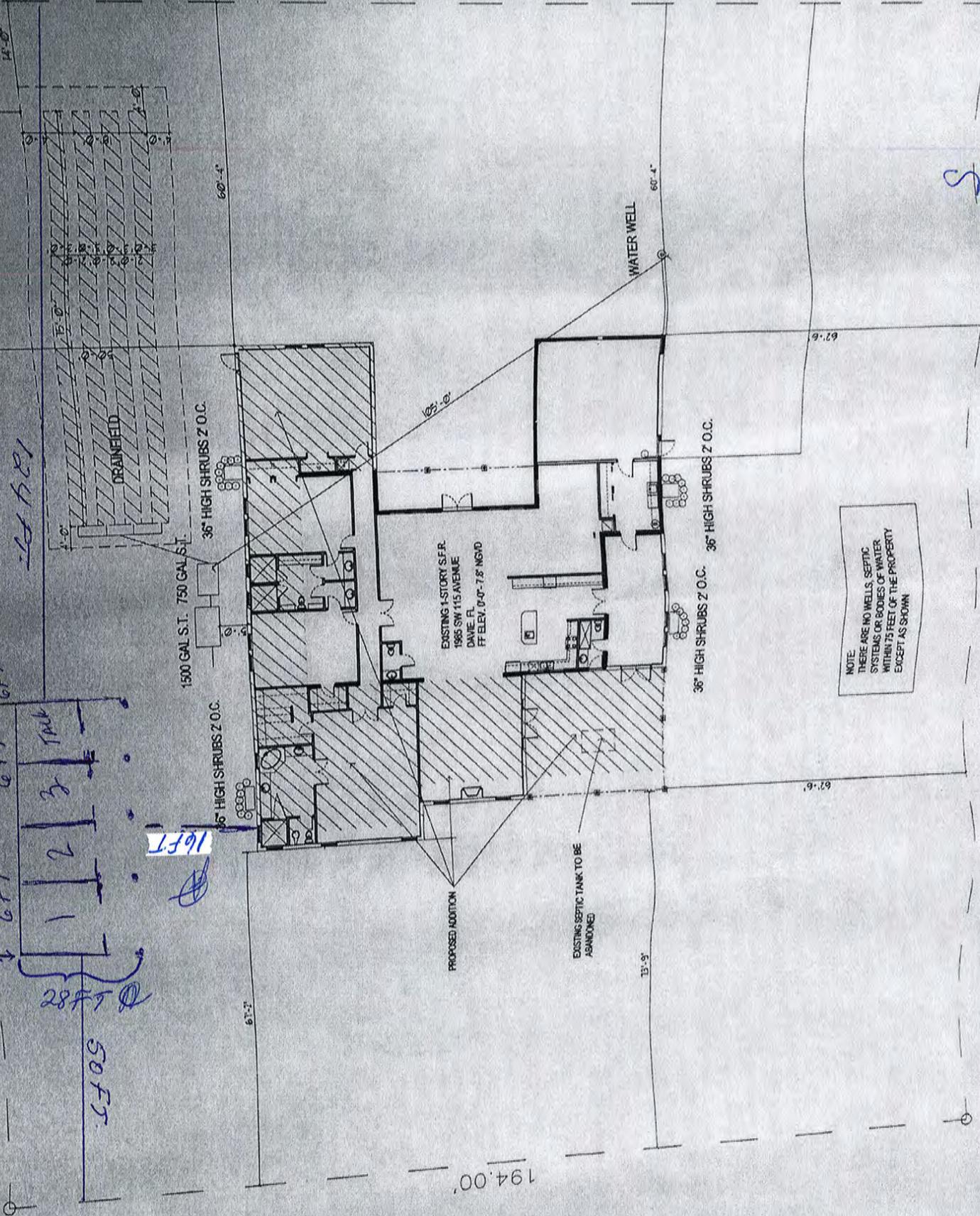
NA

S

225.00'

225.00'

NOTE:
THERE ARE NO WELLS, SEPTIC
SYSTEMS OR BODIES OF WATER
WITHIN 75 FEET OF THE PROPERTY
EXCEPT AS SHOWN



Handwritten notes in blue ink:

- 164 FT (vertical dimension on the left side)
- 16 FT (vertical dimension on the left side)
- 28 FT (vertical dimension on the left side)
- 50 FT (vertical dimension on the left side)

194.00'

11-12-2014

Heather Finney
1921 SW 115th Ave.
Davie, FL 33325

RE: Letter of No Objection /Setback Variance Request

To Town of Davie Building and Zoning Department:

My name is Heather Finney, I reside at 1921 SW 115th Ave, Davie, FL 33325. My property is adjacent 1985 SW 115th Ave, Davie FL 33325 which is owned by Alex & Melissa Diaz. I am aware of his request for a Setback Variance and have no objection to his request.

Sincerely,


Heather Finney

Nov 14, 2014

Garcia Ruben M. and Luz Mabelle

11500 S.W. 20th St.

Davie, FL 33325

RE: Letter of No Objection/ Setback Variance Request

To Town of Davie Building and Zoning Department:

My name is Ruben M. Garcia. I reside at 11500 S.W. 20th St., Davie, FL 33325. My property is to the south of 1985 S.W. 115th Ave., Davie, FL 33325 which is owned by Alex and Melissa Diaz. I am aware of their request for a Setback Variance and have no objection to their request.

Sincerely,


Ruben M. Garcia



Nov 14, 2014

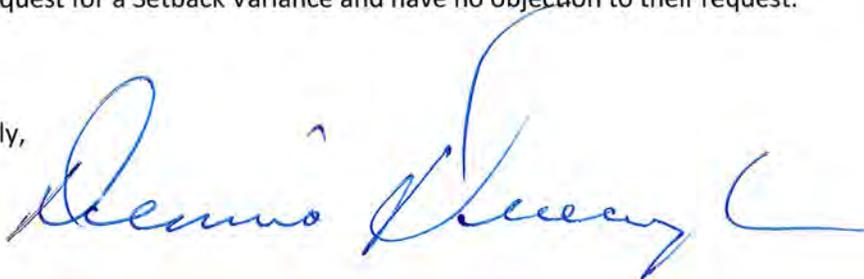
Dennis Deveaugh
1950 S.W. 115th Ave.
Davie, FL 33325

RE: Letter of No Objection/ Setback Variance Request

To Town of Davie Building and Zoning Department:

My name is Dennis Deveaugh. I reside at 1950 S.W. 115th Ave., Davie, FL 33325. My property is to the east of 1985 S.W. 115th Ave., Davie, FL 33325 which is owned by Alex and Melissa Diaz. I am aware of their request for a Setback Variance and have no objection to their request.

Sincerely,

A handwritten signature in blue ink that reads "Dennis Deveaugh". The signature is fluid and cursive, with a large initial "D" and a long horizontal stroke at the end.

Dennis Deveaugh

Nov 14, 2014

Gremsey, Jodi K. & Crawford W.

1901 SW 115th Ave.

Davie, FL 33325

RE: Letter of No Objection/ Setback Variance Request

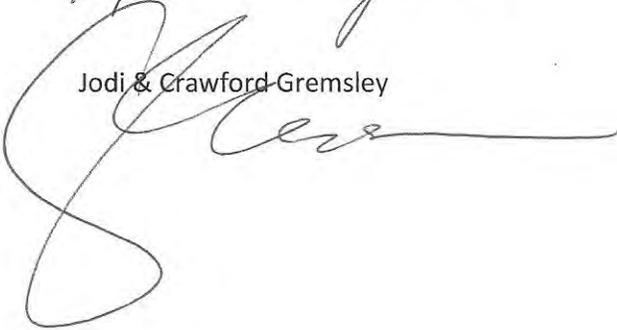
To Town of Davie Building and Zoning Department:

Our names are Jodi & Crawford Gremsey. We reside at 1901 SW 115th Ave., Davie, FL 33325. Our property is to the north of 1985 S.W. 115th Ave., Davie, FL 33325 which is owned by Alex and Melissa Diaz. We are aware of their request for a Setback Variance and have no objection to their request.

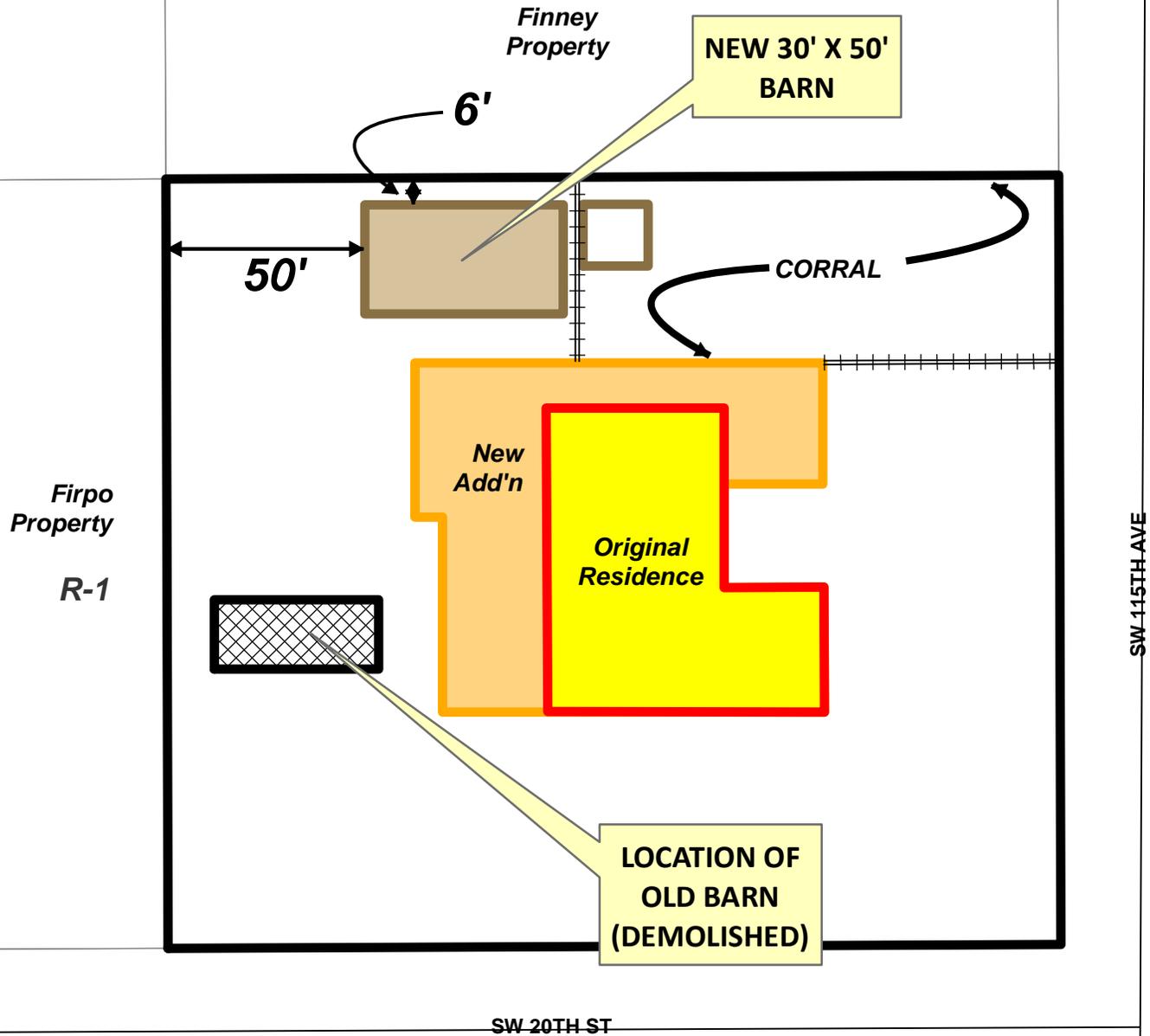
Sincerely,



Jodi & Crawford Gremsey

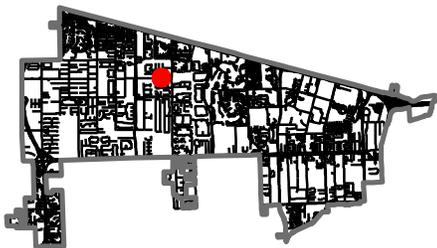


V 14-335, Diaz



SW 20TH ST

SW 115TH AVE



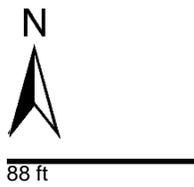
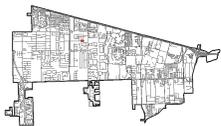
REFERENCE MAP

0 25 50 100 Feet

GIS DISCLAIMER:

The information on this map is for graphical purposes only. It does not represent a legal survey, and it has not been prepared, nor is it suitable for legal, engineering or surveying purposes. While every effort has been made to ensure that this data is accurate and reliable, the Town of Davie shall not assume liability for any damages caused by errors or omissions in the data.

Aerial Future Land Use Map



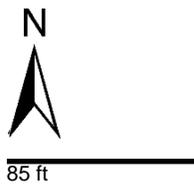
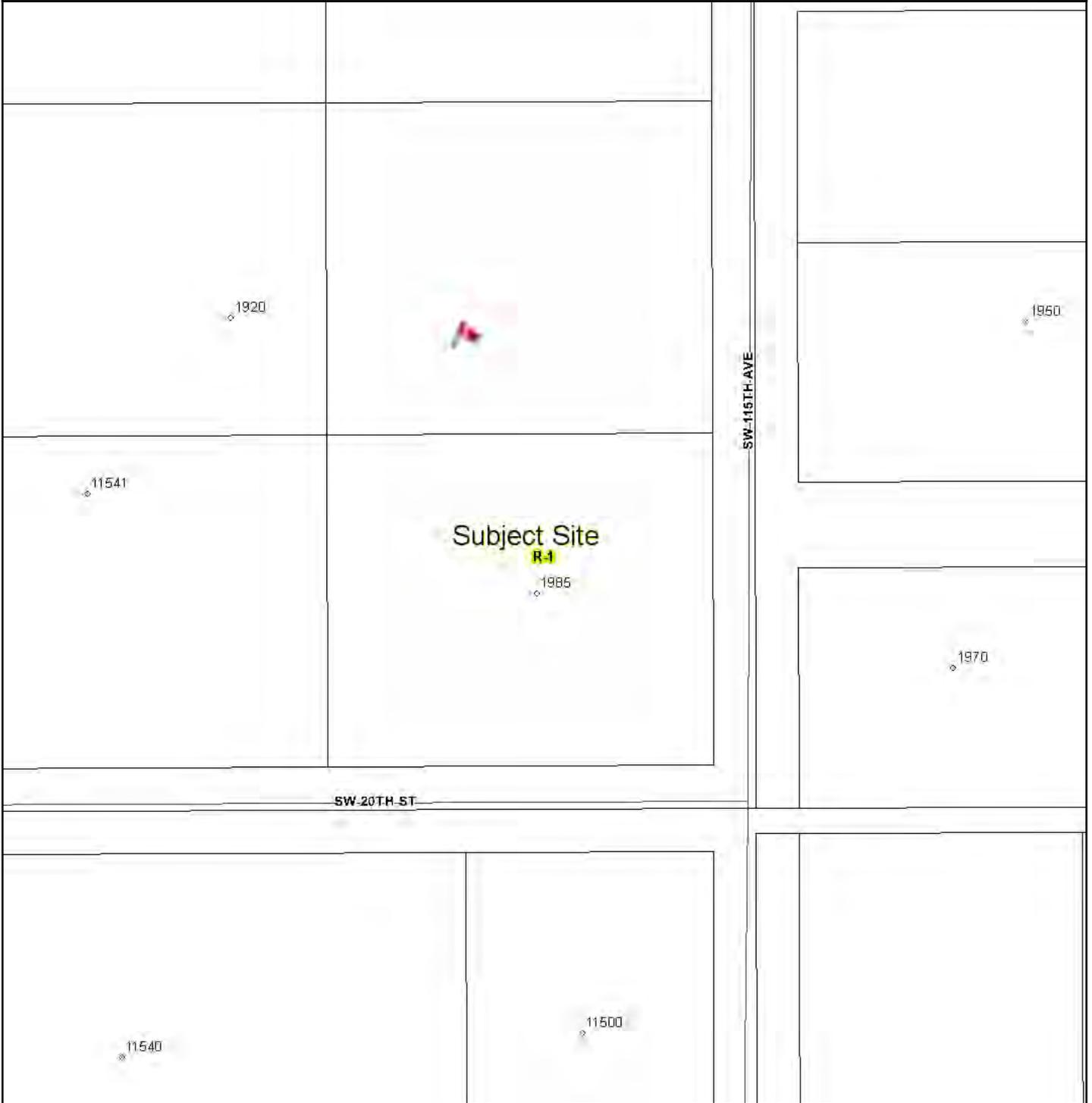
1985 SW 115 Ave



GIS MAP DISCLAIMER

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Zoning Map



1985 SW 115 Ave



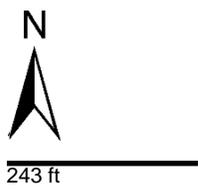
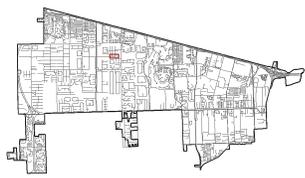
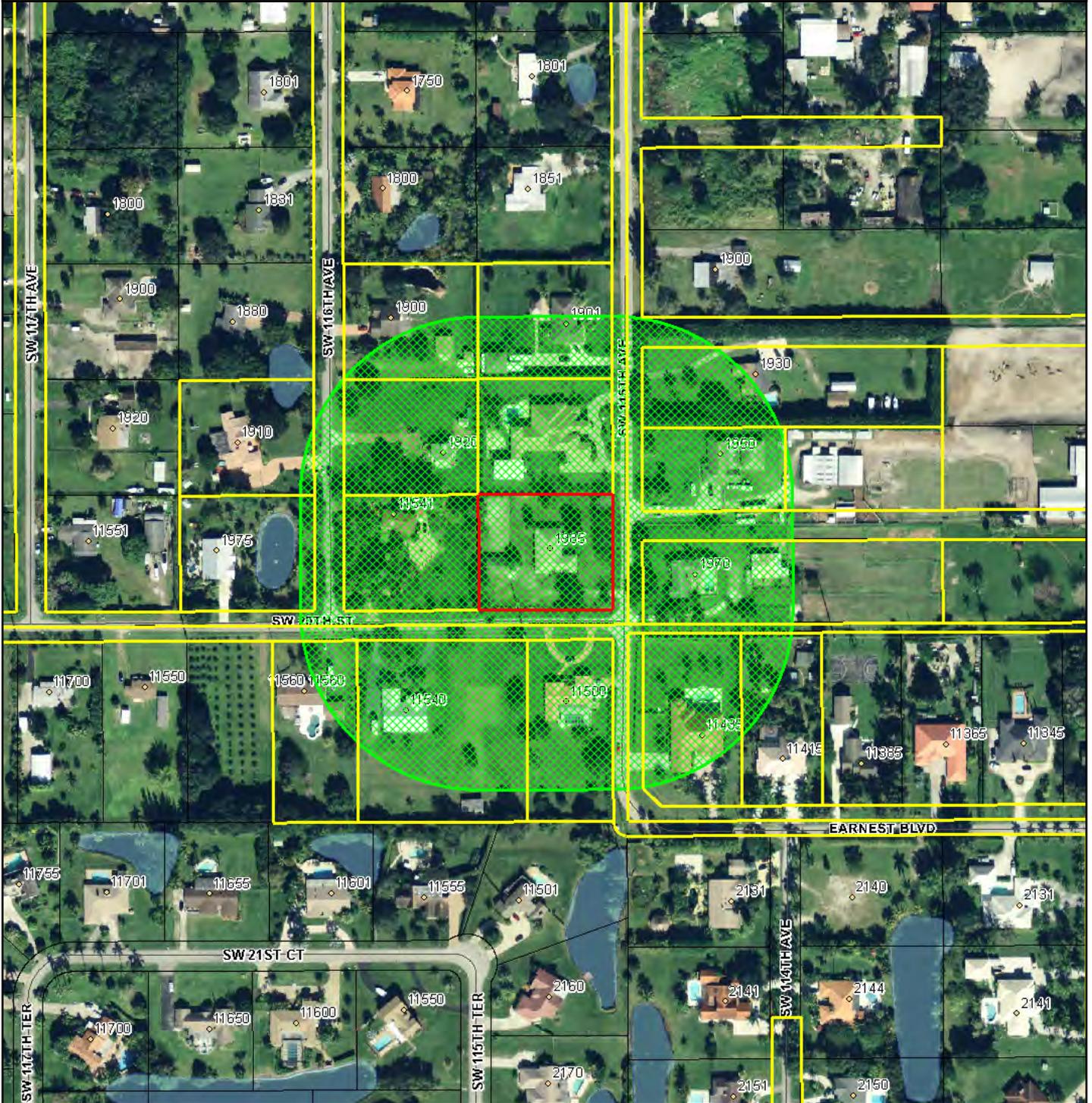
GIS MAP DISCLAIMER

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V14-335, Diaz (Variance)



300-FT Notification Buffer



GIS MAP DISCLAIMER

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17 Entries

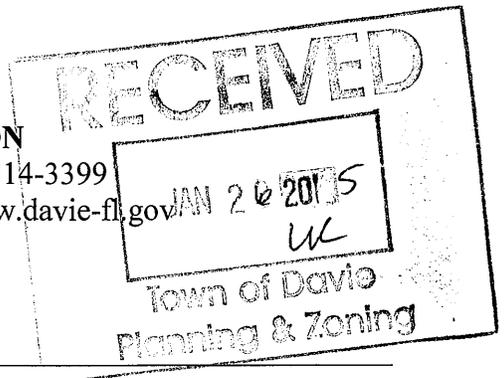
NAME	NAME LINE1	ADDRESS	CITY	STATE	ZIP
BOTERO,AMPARO INES ASTIE		CALLE 18 AA SUR #29C 311 #602	*MEDELLIN	CO	
DEVEAUGH,DENNIS K & NANCY R		1950 SW 115 AVE	DAVIE	FL	33325
DEVEAUGH,DENNIS K & NANCY R		1950 SW 115 AVE	DAVIE	FL	33325
DIAZ,MELISSA MAY FALCO		1985 SW 115 AVE	DAVIE	FL	33325
ENGEL,ROBERT A	HURD,DORILLA F	11540 SW 20 ST	DAVIE	FL	33325
FARKAS,ROMEO	FARKAS,DANIELA M	11415 EARNEST BLVD	DAVIE	FL	33325
FCP COTTAGE LLC		20210 SW 48 PL	SOUTHWEST RANCHES	FL	33332
FINNEY,HEATHER & JOHN D		1921 SW 115 AVE	DAVIE	FL	33325
GARCIA,RUBEN M & LUZ MABELLE E		11500 SW 20 ST	DAVIE	FL	33325
GOINS,CARL M & JACQUILYN E		1900 SW 116 AVE	DAVIE	FL	33325
GRIMSLEY,JODI K & CRAWFORD W		1901 SW 115 AVE	DAVIE	FL	33325
MUNEVAR,FERNANDO & SABINA		11435 EARNEST BLVD	DAVIE	FL	33325
PUMA,JOAN		1970 SW 115 AVE	DAVIE	FL	33325
RHOADS,LAWRENCE J & MELODY LEA		1930 SW 115 AVE	DAVIE	FL	33325
RUIZ,ANGEL	FIRPO,HEIDY	11541 SW 20 ST	DAVIE	FL	33325
SARHAN,DONNA W	DONNA W SARHAN TR	1910 SW 116 AVE	DAVIE	FL	33325
SMITH,R KENDALL		601 NW 22 CT	WILTON MANORS	FL	33311

16 Entries

CURR_OCC	ADDRESS_1	CITY STATE ZIP
CURRENT OCCUPANT	11415 EARNEST BLVD	DAVIE FL, 33325
CURRENT OCCUPANT	11435 EARNEST BLVD	DAVIE FL, 33325
CURRENT OCCUPANT	11500 SW 20 ST	DAVIE FL, 33325
CURRENT OCCUPANT	11540 SW 20 ST	DAVIE FL, 33325
CURRENT OCCUPANT	11541 SW 20 ST	DAVIE FL, 33325
CURRENT OCCUPANT	11560 SW 20 ST	DAVIE FL, 33325
CURRENT OCCUPANT	1900 SW 116 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1901 SW 115 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1910 SW 116 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1920 SW 116 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1921 SW 115 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1930 SW 115 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1950 SW 115 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1970 SW 115 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1975 SW 116 AVE	DAVIE FL, 33325
CURRENT OCCUPANT	1985 SW 115 AVE	DAVIE FL, 33325



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 6591 ORANGE DRIVE • DAVIE, FLORIDA 33314-3399
 Phone: 954.797.1103 • Fax: 954.797.1204 • www.davie-fl.gov



CERTIFICATION OF MAILOUT

TO: David Stallworth, Planner II – Town of Davie, FL
FROM: ALEXANDER DIAZ
DATE: 1/24/2015
SUBJECT: TOD Case No. V14-335, Diaz
 Planning/Zoning Board Hearing – 2/11/2015
 Town Council Hearing – 3/4/2015
 Deadline for mail-out: On or before Wednesday, January 28, 2015

This is certification that the attached notification of public hearings for the dates and venues referenced above was sent via USPS to both the property owners and current occupants identified on the mailing lists provided by the Town of Davie. A total of 20 notices were mailed on 1/24/2015

Printed name of applicant: MELISSA FALCO DIAZ & ALEXANDER DIAZ

Signature of applicant:

NOTARIZATION

Sworn to and subscribed before me this 25 day of January, 2015

Signature – Notary Public

Personally known

My commission expires on



Other

From: David Stallworth
To: "[kendall smith](#)"
Subject: RE: Town of Davie Case no. V14-335 (Diaz Variance)
Date: Wednesday, February 04, 2015 4:17:00 PM

Good afternoon, Dr. Smith:

This is to acknowledge receipt of your e-mail. Your attached comments shall be included in the staff report. Thank you.

Regards,

David Stallworth, AICP
Planner II, Town of Davie, FL
954-797-1081

-----Original Message-----

From: kendall smith [<mailto:rkendalls@me.com>]
Sent: Wednesday, February 04, 2015 2:50 PM
To: David Stallworth
Subject: Town of Davie Case no. V14-335 (Diaz Variance)

Mr. Stallworth:

Attached, please find my comments for the record on the above referenced case. Should you need to contact me directly I may be reached at 954-610-6381.

Respectfully,

Raymond Kendall Smith, Jr., MD

February 3, 2015

In response to recent notice of public hearing for variance application for Alexander Diaz and Melissa Falco-Diaz (V14-335, Diaz), 1985 SW 115 Avenue. I would like to express my absolute refusal for such a variance. I am a homeowner at 1975 SW 116th and have reason to believe that the unpermitted structure and its associated run-off will substantially contribute to the flooding problems that are routinely experienced along 20th Street from 115th-116th Avenue during periods of heavy rains.

Furthermore, as a longtime homeowner who was held to the letter of the building code and rebuilt my home in good faith and in cooperation with and in full compliance with the city code department in 2005-2006 after Hurricane Wilma, the mere idea that these individuals have routinely flouted city law and constructed a structure with a footprint nearly as large as my rebuilt home is an affront to the notions of basic society. This individual has demonstrated an ongoing and clear and blatant disregard of the rules and laws of the City of Davie that exist for the maintenance of civil order and protection of its citizens. His disdain for the city's laws is evidenced by his alleged flagrant removal of at least three notices to cease construction put on the property by Davie employees, as well as continuing with construction of what he clearly knew or should have known to be an illegal and unpermitted structure with absolutely zero consideration as to its impact on his immediate neighbors. This is an area of the city well known to be subject to frequent street flooding and the purpose of the city's strict building code is to mitigate such risks. This is not a minor infraction of the building code that is easily remediable, but a blatant disregard for the laws of the City of Davie that all residents must abide by to ensure a just and fair social structure. I was made to adhere to the building code during every step of my reconstruction process. To allow this variance to go forward perverts the entire process of code enforcement and sends a message to the community at large that there are no consequences nor repercussions to law breakers in the city of Davie. I am registering a protest to the proposed variance in the strongest terms.

Raymond Kendall Smith, Jr., MD

Electronically Signed on 2/3/2015 @ 1446 EST

From: David Stallworth
To: ["Heidy Firpo"](#)
Subject: RE: Town of Davie Case no. V14-335 (Diaz Variance)
Date: Wednesday, February 04, 2015 11:13:00 AM

Good morning, Dr. Firpo:

Your e-mail has been received and will be included in the staff report. Thank you.

Regards,

David Stallworth, AICP
Planner II – Town of Davie, FL
954-797-1081

From: Heidy Firpo [mailto:drheidyfirpo@yahoo.com]
Sent: Tuesday, February 03, 2015 7:59 PM
To: David Stallworth
Cc: Angel; Chris Sautter; John Rayson
Subject: Re: Town of Davie Case no. V14-335 (Diaz Variance)

Hi David, I am resending the email as requested. Please confirm if you are able to see the full message.

On Feb 2, 2015, at 2:53 PM, Heidy Firpo <drheidyfirpo@yahoo.com> wrote:

<code compliance letter.pdf>

Hello Mr. Stallworth and thank you for your reply. Here is our response to variance request for V14-335 (Diaz).

In response to recent notice of public hearing for variance application for Alexander Diaz and Melissa Falco-Diaz (V14-335, Diaz), 1985 SW 115 avenue. We would like to express our absolute refusal for such variance. For over a year, we have voiced our concern over this property and its lack of code compliance. As we have previously stated in writing to the Departments of Engineering and Code Compliance, our property has been negatively impacted by the change in ground elevation, enlargement of the primary residence and of greater concern the construction of a large unpermitted freestanding structure well beyond the required setbacks for any such type building and its inability to contain and absorb its water. As a result of this structure, our property that is directly adjacent to this residence has experienced heavy flooding, forcing us to we incur a \$4000 cost to bring in fill in order to prevent our existing shed from flooding.

During our meeting with Mr. Lemack on 12/8/14 and Laura Borgesi on 1/16/15 they voiced agreement that our concerns with this residence are in fact real and valid. Additionally, we met with Brian Dillion on 11/14/14 (which was recorded pursuant to both parties agreement) and he informed us that the building had been red tagged three times due to permitting violations and that the notices had been torn down each time. Mr. Dillion was surprised to hear the owner was continuing construction after several notifications to cease and desist. He instructed us to take photos as proof in order to pursue homeowner with possible arrest. We have dated photos showing workers on site and working on 11/14/14. Lastly, on 11/29/14 we had to call the police because the homeowner started screaming profanity and verbally threatening us stating "Your next call better be 911".

This individual has demonstrated an ongoing clear and blatant disregard of the rules and laws of the Town of Davie that exist for the maintenance of civic order and protection of its citizens. His disdain for the town's laws is evidenced by flagrant removal of three notices to cease construction put on the property by Davie employees. As well as continuing with construction of what he clearly knew to be an illegal and unpermitted structure with absolutely zero consideration as to its impact on his immediate neighbors and the potential safety issue this building possess during the hurricane season. This is not a minor infraction of the building code that is easily remediable, but a blatant disregard for the laws of the Town of Davie that all residents must abide by to ensure a just and fair social structure. Furthermore, the resident has refused to build a proper berm and deliberately cut down large vital limbs off of our trees exposing them to disease and possible death.

Given this residents clear lack of regard for rules and his impact on his neighbors, we cannot trust that he will not do anything further in the future that will have further negative impact on the safety and value of our residence. Given our properties significant conflict with this structure, the drainage and safety issue, we must remind this council that the town is ultimately responsible to ensure that there decision does not have any negative impact on the safety and value of our home. So we will conclude by restating our absolute refusal for this variance request.

We have included a copy of the certified letter sent on 11/5/14 to Rick Berni and Laura Borgesi. We thank you for your time and deliberation on this matter.

Sincerely

Heidy Firpo & Angel Ruiz

Sent from my iPad

On Jan 30, 2015, at 9:54 AM, David Stallworth <David_Stallworth@davie-fl.gov> wrote:

RE: TOD Case no. V14-335 (Diaz) - A request for a Variance from §12-34(B)(1)(a), Town of Davie Code of Ordinances, to allow a 1,500-square-foot barn within six feet (6') from the side lot line of a single-family residential parcel located at 1985 Southwest 115th Avenue in the R-1 zoning district (Folio 5040 13 01 0094). The item is to be scheduled for both the 2/11/2015 Planning and Zoning Board and 3/4/2015 Town Council meetings.

Good morning, Dr. Firpo:

The original venue for this item will be the February 11, 2015 Planning and Zoning Board meeting, which will begin at 6:30 PM at the Council Chambers, Town of Davie Complex, 6591 Orange Drive. Final action will occur at the March 4, 2015 Town Council hearing, which also begins at 6:30 at the same location. You will be provided opportunities at either event to express your support or objection to the proposed application.

If you are unable to attend either session, you may elect to submit your written position to either of the following:

Town of Davie, FL
Planning and Zoning Division
6591 Orange Drive
Davie, FL 33314
ATTN: David Stallworth, Planner II (V14-335)

-- Or --

Via e-mail at david_stallworth@davie-fl.gov .

Your input during this process is highly valued and encouraged. Any public input received concerning this development application shall be made part of the public record as dictated under State law. Please feel free to contact me if you have any further questions or concerns. Your acknowledgement of this e-mail is requested. Thank you, and have a great day!

Respectfully,

<image001.gif>

David J. Stallworth, AICP

Planner II – Planning and Zoning Division

Town of Davie, FL | (T) 954.797.1081 | (F) 954.797.1204

<image003.jpg>

Our Division's Mission: *To provide innovative, practical and cost-effective planning services to the Town, consistent with the comprehensive plan and recognized industry planning standards, while working cooperatively with the public, Town staff and other interested parties.*

Rick Berni, Code Compliance Supervisor
1230 South Nob Hill Road
Davie, FL 33324
Telephone: 954-693-8237
Fax: 954-693-8399

Laura A. Borgesi, Town Engineer
6591 Orange Drive
Davie, FL 33314
Telephone: 954-797-1113

Heidy Firpo & Angel Ruiz
11541 SW 20th St
Davie, FL 33325
(954) 370-1035
(954) 854-6582

RE: Ongoing construction at 1985 SW 115th Ave, Davie, FL 33325

Dear Mr. Berni & Ms. Borgesi

We have on prior occasions reached out informally to your departments due to concerns with construction at the above referenced address. To date, we have not received any resolution or a formal, written response addressing the issues summarized below and are contacting you at this time to request a formal assessment of the above property and assurances from yourselves that the ongoing construction at the site is within the scope of the original building permit. We have been Davie residents for over twelve years and have complied with all town regulations, which is why we are deeply frustrated and angered by the lack of oversight your departments have given our concerns.

Our major concerns regarding this building site include:

1. Significant changes in ground elevation that we believe has a major impact on our property. Said residence has raised the ground level on the north side of the property by several feet.
2. Ongoing construction of a large freestanding structure outside the setback requirements set forth in the city code for such buildings.
3. Currently the northeastern portion of our property is now experiencing significant flooding. We believe this is
4. a result the progressively increasing size of this outbuilding, changes to ground elevation, run-off from the building, and the fact that the ground under the building is no longer capable to absorb runoff water from the large primary house that was recently constructed at this address.
5. We see no evidence of a displayed building permit for the outbuilding, which leads us to believe that it may be an unsafe building as outlined below in section 5-66 of the Florida Building Code.
6. If the structure was in fact permitted, we would like assurances that it has been constructed within the required setbacks for such structures and that

appropriate engineering studies were certified and completed prior to the commencement of the project, as well as copies of such documents (which would be considered public record) to review due to the substantial flooding that the northeastern half of our property is now experiencing on a regular basis.

If you find the structure to be an unsafe building as defined by the building code, we would ask that your departments issue an injunction to prevent further completion of the building and removal of the building as required under section 5-66 of the Florida Building Code.

Sec. 5-66. - Unsafe buildings as defined by the Florida Building Code Section 117.00.

(a)

General:

(1)

Buildings or structures that are, or hereafter shall become unsafe, unsanitary or deficient in adequate facilities for means of egress, or which constitute a fire or windstorm hazard, or illegal or improper use, occupancy or maintenance, or which do not comply with the provisions of the applicable Minimum Housing Code, or which have been substantially damaged by the elements, acts of God, fire, explosion or otherwise, shall be deemed unsafe buildings and a permit shall be obtained to demolish the structure or bring the building to comply with the applicable Codes.

(2)

Incomplete buildings or structures commenced without a permit or the permit for which has expired, or completed buildings or structures commenced without a permit or the permit for which expired prior to completion and Certificate of Occupancy has been issued, shall be presumed and deemed unsafe.

(3)

Unsafe buildings or structures shall be demolished and removed from the premises concerned, or made safe, sanitary and secure in a manner required by the building official and as provided in this chapter, provided that where replacement, repair, alteration or demolition is required on buildings or structures within the purview of the applicable Minimum Housing Code, the provisions of such Code shall be complied with and shall control.

We will await the results of your investigation unto this matter.

Respectfully,

Heidy Firpo & Angel Ruiz



ADMINISTRATION DEPARTMENT
BUILDING DIVISION

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314
PHONE: 954.797.1111 • FAX: 954.797.1086 • WWW.DAVIE-FL.GOV

November 21, 2014

Heidy Firpo & Angel Ruiz
11541 SW 20 Street
Davie, FL 33324

RE: Construction at 1985 SW 115 Avenue, Davie FL 33325

Dear Ms. Firpo and Mr. Ruiz;

The Building Division is in receipt of a copy of letter that was sent to the Code Enforcement and Engineering Divisions at the Town of Davie in reference to construction being built at 1985 SW W115 Avenue without a permit.

On November 6, 2014 a "Stop Work Order" was issued and placed on the structure that is being built without a permit by the Chief Structural Inspector.

Today November 21, 2014 a permit has not been submitted for the structure and we forwarded this matter to Code Enforcement to be scheduled for a Special Master Hearing.

Please feel free to contact me directly with any questions or concerns you may have at 954-797-2052.

Sincerely

Brian Dillon, CBO
Building Official



ENGINEERING DIVISION

6591 ORANGE DRIVE • DAVIE, FLORIDA 33314
PHONE: 954.797.1113 • FAX: 954.797.1086 • WWW.DAVIE-FL.GOV

November 18, 2014

Heidy Firpo & Angel Ruiz
11541 SW 20th Street
Davie, FL 33325

RE: Construction at 1985 SW 115th Avenue, Davie, FL 33325

Dear Ms. Firpo and Mr. Ruiz,

I am in receipt of your undated correspondence which was addressed to me and received by the Town Clerk's office via Certified Mail November 7, 2014.

In your correspondence you state that you "reached out informally" to my department with construction concerns at 1985 SW 115th Avenue but have not received a resolution or a formal written response addressing the matter. Upon receipt of your letter I assigned my chief engineering inspector to follow up with Code Enforcement and with the Building Division to determine if the construction taking place at 1985 SW 115th Avenue had an approved building permit to construct the structure in the back yard. The property address was researched and it was determined that there was a permit issued for an addition to the existing structure, but that there was not a permit for a detached structure in the back yard. Since a building permit was not issued for the back yard structure, this matter was directed to the Building Official and his staff to stop the work being performed and follow up with the resident and contractor to obtain a building permit.

Please consider this letter as official response that the Engineering Division has visited the site and has determined that there is a structure being constructed without an approved permit and that the matter has been directed to the attention of the Town of Davie Building Official.

Should you have any additional questions or concerns for the Engineering Division, do not hesitate to contact me directly.

Sincerely,

Laura A. Borgesi, PE, PSM
Town Engineer