

MEMORANDUM

TO: Martin Black, City Manager

FROM: Daniel Weigner, Deputy Building Official



DATE: March 10, 2008

Re: T.O.T.I. 127 E. Tampa Ave. (Application # 08-276)

On December 12, 2007, I received a telephone call from Roger Clark inquiring about the status of inspections or code violations at the subject property as they relate to issuance of an occupational license. Hans was in a department head staff meeting at the time so I checked with code enforcement officers John Patek and Pat Stuehler to see if there were any unresolved code enforcement issues. John informed me that an old code enforcement case had never been resolved and that Hans was familiar with the details and was "handling it" himself. I subsequently called Roger and recommended that he speak directly with Hans since Hans knew the details of the case. Upon his return to the office from the staff meeting, I notified Hans of the inquiry and Roger's desire to speak with him.

On February 13, 2008 a permit application was submitted to the building department by Contractor Plus Inc., a Florida Corporation located at 127 E. Tampa Ave. The registered Agent for the corporation is Michael J. Vellucci, license # CGC1513712. Business licensing records indicate 1/29/2008 as the original licensing date.

The scope of work indicated on the face of the application was: "Change of occupancy to assembly". The owner of the improved property known as Tavern on the Island (127 E. Tampa Ave.) was indicated as being Tammy Vellucci. A search of the State Division of Corporations website indicates that Tammy Vellucci is the registered Agent for the corporation, TOTI Tavern on the Island, LLC, however the owner of the physical property is Venice Trust, 81 Old Homestead Road, Warwick, Rhode Island, 02889.

One day after receipt of the permit application, it was forwarded to me for building plan review. The plan documents, drawn by Gmm design, Inc. and sealed by Sitti Engineering Group were lacking in both substance and accuracy resulting in a lengthy list of plan review comments (attached). Of utmost concern is the level of fire protection afforded to not only the 203 patrons of Tavern on the Island, but to the occupants of the residence above

as well. The greatest impact on the project will be the requirement for installation of a sprinkler system. The code is specific in this requirement for nightclub type occupancies and history provides some very grim statistics to substantiate that position.

In summary, it is my personal conclusion having garnished as much background information as possible, that the project represents a change from a Business/Residential mixed use occupancy to an Assembly (A2)/Residential/Business mixed use occupancy. The space appears to have been enlarged by perhaps incorporating the former construction company area into the nightclub space. Michael and Tammy Velluci have worked together under separate entities to effect the desired changes. Work has been completed without the required permit(s) and inspections, and occupancy has taken place in violation of the requirements for a Certificate of Occupancy. In addition, the illegal use of the space is non compliant with the technical requirements of the Florida Building Code and its referenced standards, thus it constitutes a significant potential danger to all who may use or occupy the space.

Finally, the construction documents provided by the contractor and the designer are insufficient to adequately determine the scope of work that has taken place or the full extent of the requirements to bring the structure into compliance with all applicable codes, standards, laws, and ordinances.

Mr. Valluci was notified of the review comments on February 22,2008 and has not responded.

(Attachments)