TOWN OF BAY HARBOR ISLANDS SPECIAL MASTER HEARING

Special Master Richard Kroop

January 23, 2020

9:30 AM

1. **1101 99 Street #6**

Type of Hearing: **New Hearing**

Owner: Beach Park, LLC

Code Officer: **Scherrie Griffin**

Registered Agent: **Paula Moshe**

Citation # : 19-001364

Date Issued: September 24, 2019

Violation: **Hire a licensed contractor to remove the mold and fiberglass particles from the unit. Have the unit re-inspected by a licensed mold company and submit a copy of the report....**

Code Section: 23-12 Nothing shall be done or suffered to be done or permitted to exist on any improved or ..... Daily Penalty $50.00
5-6(a)Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structure..... Daily Penalty $250.00

Department's Recommendation:	**Case History:**
Assess a fine from 10/25/19-11/5/19, 11 days for $50.00 per day $550.00. Code section 5-6(a) Assess a fine from 10/25/19-12/10/19, 46 days at $250.00 per day for $11,500.00. Combined total $12,050.00	**New case no prior history.**

2. **1063 95 Street**

Type of Hearing: **Re-Hearing**

Owner: 1050 KC, LLC

Code Officer: **Evelyn Merizalde**

Registered Agent: **Frances Nuehut**

Citation # : 18-001854

Date Issued: September 20, 2018

Violation: **Obtain after the fact mechanical and plumbing permits and pass all required inspections for the range hood fire suppression system installed in Unico Cafe. Permit application attached.**

Code Section: 5-6(a)Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty $250.00

Department's Recommendation:	**Case History:**
Assess a fine from 1/16/19-2/25/19 which represents 40 days at $250.00 per day for a total of $10,000.00.	**1/16/19 Special Master hearing- The case will be set for a special master hearing when the permit is in compliance and finaled.**

Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Special Master with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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3. **1331 97 Street**

Owner: Beaujon Davidson & Shani Kagan

Registered Agent: **N/A**

Citation # : 19-000660

Type of Hearing: **New Hearing**

Code Officer: **Evelyn Merizalde**

Date Issued: May 9, 2019

Violation: **Found interior demolition work in progress without a permit.**

Code Section: 5-6(a)Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty $250.00

Department's Recommendation:	**Case History:**
Assess a fine from 6/11/19-7/23/19 which represents 42 days at $250.00 per day for a total of $10,500.00.	**New case no prior history.**

4. **1080 93 Street**

Owner: Bal Harbour Investments, LLC

Registered Agent: **Jordan Weinkle, Esq.**

Citation # : 19-000628

Type of Hearing: **New Hearing**

Code Officer: **Evelyn Merizalde**

Date Issued: September 10, 2019

Violation: **Obtain an after the fact permit for the kitchen and bathroom remodeling work in progress.**

Code Section: 5-6(a)Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty $250.00

Department's Recommendation:	**Case History:**
Assess a fine from 9/10/19-1/23/20 which represents 135 days at $250.00 for a total of $33,750.00. Daily fine of $250.00 will continue to accrue until compliance is met.	**New case no prior history.**

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5. **9430 West Broadview Drive**

Owner: Ryan Shapiro

Registered Agent: N/A

Citation # : 19-000756

Type of Hearing: New Hearing

Code Officer: Evelyn Merizalde

Date Issued: April 22, 2019

Violation: **Have a jet vac truck clean out the storm drain.**

Code Section: 5-5 (c) Erosion and runoff control. In compliance with the town's National Pollution Discharge Elimination System (NPDES) permit requirements, prior to beginning any clearing, grubbing, or construction activities, as part of the building permit process, the contractor shall submit a plan (erosion and sediment control plan) detailing the location and handling of materials.... Daily Penalty $250.00

Department's Recommendation:	Case History:
Assess a fine from 5/23/19-7/24/19 which represents 62 days at $250.00 per day for a total of $15,500.00.	**New case no prior history.**

6. **1047 92 Street**

Owner: BHI the Club 2, LLC

Registered Agent: CT Corporation System

Citation # : 19-001842

Type of Hearing: New Hearing

Code Officer: Evelyn Merizalde

Date Issued: September 27, 2019

Violation: **Silt fencing must be installed behind the construction fence along the perimeter of the site. Move the fence/ posts behind the valley gutter and install a dust screen on the construction fence .**

Code Section: 5-5(c) Erosion and runoff control. In compliance with the town's National Pollution Discharge Elimination System (NPDES) permit requirements, prior to beginning any clearing, grubbing, or construction activities, Daily Penalty $250.00 5-5(f) A temporary construction fence screening the site shall be erected and maintained in good order at all properties... Daily Penalty $250.00

Department's Recommendation:	Case History:
Assess a fine from 9/27/19-11/18/19 which represents 52 days at $250.00 per day for a total of $13,000.00.	**New case no prior history.**

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7. **1047 92 Street**

Owner: BHI the Club 2, LLC

Registered Agent: **CT Corporation System**

Type of Hearing: **New Hearing**

Code Officer: **Evelyn Merizalde**

Citation # : 19-001626

Date Issued: September 18, 2019

Violation: **Drain and maintain the site free of standing water at all times.**

Code Section: 23-12(1)Nothing shall be done or suffered to be done or permitted to exist on any improved or unimproved property which may be or become an annoyance, blight, eyesore, danger or nuisance to the neighborhood, the inhabitants of buildings or the safety and welfare of the general public.... Daily Penalty $50.00

Department's Recommendation:	**Case History:**
Assess a fine from 9/18/19 to 11/14/19 which represents 58 days at $50.00 per day for a total of $2,900.00.	**New case no prior history.**

8. **9200 West Bay Harbor Drive**

Owner: Curtis Woodworth, Courtney Woodworth

Registered Agent: **N/A**

Type of Hearing: **New Hearing**

Code Officer: **Evelyn Merizalde**

Citation # : 19-001060

Date Issued: May 30, 2019

Violation: **Obtain after the fact building, plumbing and electrical permits for the kitchen demolition.**

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty $250.00

Department's Recommendation:	**Case History:**
Assess a fine from 6/28/19-7/18/19 which represents 19 days at $250.00 per day for a total of $4,750.00.	**New case no prior history.**

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9. **9881 East Bay Harbor Drive**

Type of Hearing: **New Hearing**

Owner: Rexleigh Apartments, Inc.

Code Officer: **Evelyn Merizalde**

Registered Agent: **Harry Bruder**

Citation # : 19-002609

Date Issued: December 23, 2019

Violation: **Immediate action required to repair and/or replace the seawall. Permit required. Have the collapsed seawall inspected by a structural engineer, remove all debris from the waterway and install a barricade to prevent unauthorized access to the location of the collapsed seawall.**

Code Section: 23-12(11) It shall be unlawful and a public nuisance for any property owner in the town to permit, or to fail to repair or reconstruct, any failed seawall upon his property. Daily Penalty $50.00

Department's Recommendation:	**Case History:**
Seek recommendation for possible injunctive relief within 10 days of the special master hearing.	**New case no prior history.**

10. **9940 West Bay Harbor Drive 3A-S**

Type of Hearing: **New Hearing**

Owner: Iscaluva Realty, LLC

Code Officer: **Evelyn Merizalde**

Registered Agent: **Synder International Law Group, LLC**

Citation # : 18-000824

Date Issued: September 20, 2018

Violation: **A business tax receipt from the Town of Bay Harbor Islands Clerk's Office is required for vacation rental use. Approval has been denied by Kai Condominium Association to operate the unit as a vacation rental. Remove all advertisements from vacation rental websites, cancel.....**

Code Section: 23-72(a) Registration required. It is unlawful for any person to allow another person to occupy any residential property as a vacation rental within the Town of Bay Harbor Islands, or offer such rental services within the town, unless the person has registered the vacation rental property with the town and the vacation rental property has been issued a (BTR)..... Daily Penalty $250.00

Department's Recommendation:	**Case History:**
Assess a fine from 9/20/18-1/7/19 which represents 109 days at $250.00 per day for a total of $27,250.00.	**New case no prior history.**

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11. **9381 East Bay Harbor Drive**

Owner: London Towers Condominium, Inc.

Registered Agent: **Linda Johnson**

Type of Hearing: **New Hearing**

Code Officer: **Evelyn Merizalde**

Citation # : 19-001661

Date Issued: August 15, 2019

Violation: **Install a temporary construction fence around the pool, have the pool emptied or serviced on a regular basis.**

Code Section: 5-5(f)(3) Work on pools, pool installations or substantial renovations will require a temporary construction fence at all times to avoid health and safety hazards. Also pools undergoing renovations and new pools being installed must be emptied of accumulated water at all times. Daily Penalty $250.00

Department's Recommendation:	**Case History:**
Assess a fine from 9/17/19-11/14/19 which represents 61 days at $250.00 per day for a total of $15,250.00.	**New case no prior history.**

12. **10000 West Bay Harbor Drive**

Owner: Ten Thousand Plaza Condominium

Registered Agent: **Robert Yaffe**

Type of Hearing: **New Hearing**

Code Officer: **Evelyn Merizalde**

Citation # : 19-000498

Date Issued: March 15, 2019

Violation: **Hire a licensed contractor to repair the fire rated wall. Permit required.**

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty $250.00

Department's Recommendation:	**Case History:**
Assess a $150.00 administrative fee and close the case.	**New case no prior history.**

Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Special Master with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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13. **1175 98 Street**

Owner: Tross Infinity, LLC

Registered Agent: **Nobile Law Firm, P.A.**

Type of Hearing: **New Hearing**

Building Official: **Eliezer Palacio**

Citation # : 19-000231

Date Issued: February 12, 2019

Violation: **Submit Engineers 40 Year Re-Certification Report and $250.00 processing fee.**

Code Section: 24-3 The intent and purpose of this chapter is to protect the public health, safety, morals and welfare of all of the people of the town by establishing minimum standards governing the condition, occupancy and maintenance of all buildings and premises, establishing minimum standards governing utilities, facilities and other physical components and conditions essential... Daily Penalty $50.00

Department's Recommendation:	**Case History:**
Assess a $150.00 administrative fee and close the case.	**New case no prior history.**

14. **9140 West Bay Harbor Drive**

Owner: JEANNE BURACK

Registered Agent: **N/A**

Type of Hearing: **New Hearing**

Building Official: **Eliezer Palacio**

Citation # : 19-002416

Date Issued: November 20, 2019

Violation: **Apply and obtain all permits as per the repairs indicated on your engineers report.**

Code Section: 24-3 The intent and purpose of this chapter is to protect the public health, safety, morals and welfare of all of the people of the town by establishing minimum standards governing the condition, occupancy and maintenance of all buildings and premises, establishing minimum standards governing utilities, facilities and other physical components and conditions essential... Daily Penalty $50.00

Department's Recommendation:	**Case History:**
Obtain the required permits an complete the repairs within 90 days.	**New case no prior history.**

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15. **1130 93 Street**

Owner: 1130 93ST LLC

Registered Agent: **N/A**

Type of Hearing: **New Hearing**

Building Official: **Eliezer Palacio**

Citation # : 19-002415

Date Issued: November 20, 2019

Violation: **Apply and obtain all permits as per the repairs indicated on your engineers report.**

Code Section: 24-3 The intent and purpose of this chapter is to protect the public health, safety, morals and welfare of all of the people of the town by establishing minimum standards governing the condition, occupancy and maintenance of all buildings and premises, establishing minimum standards governing utilities, facilities and other physical components and conditions essential... Daily Penalty $50.00

Department's Recommendation:	**Case History:**
Obtain the required permits an complete the repairs within 90 days.	**New case no prior history.**

16. **9260-80 Bay Harbor Terrace**

Owner: Southern Star Condominium

Registered Agent: **LJ Service Group**

Type of Hearing: **New Hearing**

Building Official: **Eliezer Palacio**

Citation # : 19-002413

Date Issued: November 20, 2019

Violation: **Apply and obtain all permits as per the repairs indicated on your engineers report.**

Code Section: 24-3 The intent and purpose of this chapter is to protect the public health, safety, morals and welfare of all of the people of the town by establishing minimum standards governing the condition, occupancy and maintenance of all buildings and premises, establishing minimum standards governing utilities, facilities and other physical components and conditions essential... Daily Penalty $50.00

Department's Recommendation:	**Case History:**
Obtain approved plans, permits and complete the repairs within 90 days. This case will be referred to the Miami-Dade Unsafe Structure Board if compliance is not met.	**New case no prior history.**

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