

**TOWN OF BAY HARBOR ISLANDS**  
SPECIAL MASTER HEARING  
SPECIAL MASTER RICHARD KROOP  
SEPTEMBER 29, 2021  
10:00 AM

**SPECIAL NOTICE – HYBRID MEETING**

The Town of Bay Harbor Islands Special Master Hearing will take place in a Hybrid format where the Special Master and Staff will be physically present at the Town Hall Council Chambers. Members of the public are welcome to participate in person or virtually via the Zoom platform.

Zoom Link: <https://us06web.zoom.us/j/86993650880>  
Meeting ID: 869 9365 0880

To request to speak during Zoom Public Comment, please utilize the “raise your hand” Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

Members of the Public may also be admitted to the Council Chambers in person, subject to social distancing and facial covering.

In addition, any member of the public who does not wish, or is unable to participate through the Zoom video conferencing platform, but would still like to participate can do so by listening to the meeting as it happens by dialing the Toll-free number below:

US Toll Free Number: 877 853 5247 or 888 788 0099

For higher quality, dial a number based on your current location.

US: 1 646 558 8656 or 1 301 715 8592 or 1 312 626 6799

Meeting ID: 869 9365 0880

Participant ID: Press the # key

To request to speak: Dial \*9 on your telephone device to activate the “Raise your Hand” feature on the zoom platform.

1. **1080 94 STREET # 604**  
**Owner:** Diana Berber  
**Registered Agent:** N / A  
**Citation #:** 21-000849

**Type of Hearing:** New Hearing  
**Code Officer:** Evelyn Merizalde  
**Date Issued:** May 6, 2021

**Violation:** Received a complaint regarding construction work in progress exceeding the scope of permit B20-000177 kitchen remodeling and B21-0000203 flooring installation.

**Code Section:** Sec. 5-6(d) If any required permit is not obtained in accordance with this section, any person who was required to obtain the permit shall be punished by a fine not exceeding \$250.00 per day for a first violation .....

<b>Department Recommendation:</b> Grant an extension for 60 days to obtain the required permits.	<b>Case History:</b> New case
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2. **1150 98 STREET**  
**Owner:** The Villas at Bay Harbor Condominium  
**Registered Agent:** Regatta Real Estate Management  
**Citation #:** 21-000958

**Type of Hearing:** New Hearing  
**Code Officer:** Evelyn Merizalde  
**Date Issued:** August 9, 2021

**Violation:** Complaint received regarding trees planted along a wall appear to be causing the wall to lean towards the adjacent property.

**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... Daily penalty \$50.00

<b>Department Recommendation:</b> Assess a fine from 8/9/21- 9/29/21 which represents 52 days at \$250.00 per day for a total of \$2,600.00	<b>Case History:</b> New case
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3. **1055 99 STREET**  
**Owner:** Arielle Gruber  
**Registered Agent:** N / A  
**Citation #:** 21-001048

**Type of Hearing:** New Hearing  
**Code Officer:** Evelyn Merizalde  
**Date Issued:** May 6, 2021

**Violation:** Hire a license contractor to obtain after the fact permits for interior renovations. 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

<b>Department's Recommendation:</b> Grant an extension for 60 days to obtain the required permits.	<b>Case History:</b> New case.
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4. **9440 West Broadview Drive**

**Owner:** 9440 West Broadview Drive, LLC

**Registered Agent:** N / A

**Citation #:** 21-000800

**Violation:** Obtain an after the fact permit for the pile installation.

**Type of Hearing:** New Hearing

**Code Officer:** Evelyn Merizalde

**Date Issued:** April 26, 2021

**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

<b>Department's Recommendation:</b> Assess a fine from 4/26/21 – 9/29/21 which represents 157 days at \$250.00 per day for a total fine of \$39,250.00	<b>Case History:</b> New case
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5. **10350 West Bay Harbor Drive #8R**

**Owner:** Aida Limeres & Luis Limeres

**Registered Agent:** N / A

**Citation #:** 21-001399

**Violation:** Hire a license contractor to obtain after building, electrical and plumbing permits from the Town of Bay Harbor Islands Building Department.

**Type of Hearing:** New Hearing

**Code Officer:** Evelyn Merizalde

**Date Issued:** July 13, 2021

**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

<b>Department's Recommendation:</b> Assess a \$150.00 administrative fee. Close the case.	<b>Case History:</b> New case.
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6. **10350 West Bay Harbor Drive**

**Owner:** Island Point Condominium

**Registered Agent:** Atlantic Pacific Management

**Citation #:** 21-000534

**Violation:** Obtain an after the fact permit for the barbecue area concrete slab. Obtain an electrical permit to remove the tiki hut(s) electrical connection.

**Type of Hearing:** New Hearing

**Code Officer:** Evelyn Merizalde

**Date Issued:** March 19, 2021

**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

<b>Department's Recommendation:</b> Assess a \$150.00 administrative fee. Close the case.	<b>Case History:</b> New case.
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7. **9250 West Bay Harbor Drive** **Type of Hearing: Re-Hearing**  
**Code Officer: Evelyn Merizalde**  
**Owner:** Colony Bay Harbor Condominium **Date Issued:** December 26, 2019  
**Registered Agent:** Ambassador Community Management  
**Citation #:** 19-000538  
**Violation:** Immediate action require to repair and/or replace the seawall. Permit required. Have the seawall inspected by a structural engineer and install a barricade to prevent unauthorized access.

**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... Daily penalty \$50.00  
 23-12(1) Nothing shall be done or suffered to be done or permitted to exist on any improved or unimproved property... daily penalty \$50.00

<b>Department's Recommendation:</b> Assess a fine from 12/2619 – 9/29/21 which represents 644 days at \$100 per day for a total of \$16,400.00	<b>Case History:</b> 2/26/20 – Curative measures required to repair the sea wall safeguard against further damage within 45 days acceptable to the Chief Building Official.
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8. **9431 East Bay Harbor Drive** **Type of Hearing: Re-Hearing**  
**Code Officer: Scherrie Griffin**  
**Owner:** Bay Harbor Islands Property Owner II, LLC **Date Issued:** January 3, 2020  
**Registered Agent:** Corporation Service Company  
**Citation #:** 19-000350  
**Violation:** Immediate action required to repair and/or replace the seawall. Permit required. Have the seawall inspected by a structural engineer and install a barricade to prevent unauthorized access.

**Code Section:** 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. It is further declared unlawful and a public nuisance for any property owner. Daily Penalty \$50.00

<b>Department's Recommendation:</b> Hire a geotechnical engineer to inspect the seawall and submit a report to the Chief Building Official.	<b>Case History:</b> 2/26/220 – curative measures must be maintained until the seawall is permanently repaired and/or replaced. This case will be scheduled for another hearing if necessary.
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9. **9461 East Bay Harbor Drive** **Type of Hearing: Re-Hearing**  
**Code Officer: Evelyn Merizalde**  
**Owner:** Bay Harbor Islands Property Owner II, LLC **Date Issued:** January 6, 2020  
**Registered Agent:** Corporation Service Company  
**Citation #:** 19-001025  
**Violation:** Immediate action required to repair and/or replace the seawall. Permit required. Have the seawall inspected by a structural engineer and install a barricade to prevent unauthorized access.

**Code Section:** 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. It is further declared unlawful and a public nuisance for any property owner. Daily Penalty \$50.00

<p><b>Department's Recommendation:</b> Hire a geotechnical engineer to inspect the seawall and submit a report to the Chief Building Official.</p>	<p><b>Case History:</b> 2/26/220 – curative measures must be maintained until the seawall is permanently repaired and/or replaced. This case will be scheduled for another hearing if necessary.</p>
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10. **9481 East Bay Harbor Drive**

**Owner:** Bay Harbor Islands Property Owner II, LLC  
**Registered Agent:** Corporation Service Company  
**Citation #:** 19-001024

**Type of Hearing:** Re-Hearing  
**Code Officer:** Evelyn Merizalde  
**Date Issued:** January 3, 2020

**Violation:** Immediate action required to repair and/or replace the seawall. Permit required. Have the seawall inspected by a structural engineer and install a barricade to prevent unauthorized access.

**Code Section:** 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. It is further declared unlawful and a public nuisance for any property owner. Daily Penalty \$50.00

<p><b>Department's Recommendation:</b> Hire a geotechnical engineer to inspect the seawall and submit a report to the Chief Building Official.</p>	<p><b>Case History:</b> 2/26/220 – curative measures must be maintained until the seawall is permanently repaired and/or replaced. This case will be scheduled for another hearing if necessary.</p>
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11. **10070 East Bay Harbor Drive**

**Owner:** The Anthony Gardens Condominium Association  
**Registered Agent:** LJ Services Group – Linda Johnson  
**Citation #:** 21-001342

**Type of Hearing:** New Hearing  
**Code Officer:** Mike Mesa  
**Date Issued:** July 7, 2021

**Violation:** Submit Engineers 40, 50, 60 ... year re-certification report and \$250.00 processing fee.

**Code Section:** Section 24-3. The Intent and purpose of the 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... Daily penalty \$50.00

<p><b>Department's Recommendation:</b> Assess a \$150.00 administrative fee. Close the case.</p>	<p><b>Case History:</b> New case.</p>
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12. **9100 West Bay Harbor Drive** **Type of Hearing: New Hearing**  
**Owner:** Blair House-South Condominium Association **Code Officer: Mike Mesa**  
**Registered Agent:** SKRLD, Inc. – Frank Blanco **Date Issued: July 7, 2021**  
**Citation #:** 21-001338  
**Violation:** Submit Engineers 40, 50, 60 ... year re-certification report and \$250.00 processing fee.

**Code Section:** Section 24-3. The Intent and purpose of the 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... Daily penalty \$50.00

<b>Department's Recommendation:</b> Assess a \$150.00 administrative fee. Close the case.	<b>Case History:</b> New case.
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13. **1001 - 91 STREET** **Type of Hearing: New Hearing**  
**Owner:** Longwood Towers Condominium Association **Code Officer: Mike Mesa**  
**Registered Agent:** Jorge Mirabal **Date Issued: July 7, 2021**  
**Citation #:** 21-001337  
**Violation:** Submit Engineers 40, 50, 60 ... year re-certification report and \$250.00 processing fee.

**Code Section:** Section 24-3. The Intent and purpose of the 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... Daily penalty \$50.00

<b>Department's Recommendation:</b> Report the property to the Miami-Dade Unsafe Structure Board.	<b>Case History:</b> New case.
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14. **1165 98 STREET** **Type of Hearing: New Hearing**  
**Owner:** Alcazar Condominium **Code Officer: Mike Mesa**  
**Registered Agent:** Quest Management Group **Date Issued: July 7, 2021**  
**Citation #:** 21-001345  
**Violation:** Submit Engineers 40, 50, 60 ... year re-certification report and \$250.00 processing fee.

**Code Section:** Section 24-3. The Intent and purpose of the 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... Daily penalty \$50.00

<b>Department's Recommendation:</b> Report the property to the Miami-Dade Unsafe Structure Board.	<b>Case History:</b> New case.
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15. **1080 94 STREET** **Type of Hearing: New Hearing**  
**Owner:** The Vintage Condominium Owners Association **Code Officer: Mike Mesa**  
**Registered Agent:** Thomas Kucera **Date Issued:** July 7, 2021  
**Citation #:** 21-001346  
**Violation:** Submit Engineers 40, 50, 60 ... year re-certification report and \$250.00 processing fee.

**Code Section:** Section 24-3. The Intent and purpose of the 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... Daily penalty \$50.00

<b>Department's Recommendation:</b> Report the property to the Miami-Dade Unsafe Structure Board.	<b>Case History:</b> New case.
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16. **10001 WEST BAY HARBOR DRIVE** **Type of Hearing: New Hearing**  
**Owner:** Place Ambassador Condominium Association **Code Officer: Mike Mesa**  
**Registered Agent:** Urban Resources – Javier Zuniga **Date Issued:** June 30, 2021  
**Citation #:** 21-001290  
**Violation:** Submit Engineers 40, 50, 60 ... year re-certification report and \$250.00 processing fee.

**Code Section:** Section 24-3. The Intent and purpose of the 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... Daily penalty \$50.00

<b>Department's Recommendation:</b> Assess a \$150.00 administrative fee. Close the case.	<b>Case History:</b> New case.
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17. **1130 93 STREET** **Type of Hearing: Re-Hearing**  
**Owner:** 1130 93 St., LLC **Code Officer: Mike Mesa**  
**Registered Agent:** N/ A **Date Issued:** November 20, 2019  
**Citation #:** 19-002415  
**Violation:** Apply and obtain all permits as per the repairs indicated on your engineers report.

**Code Section:** Section 24-3. The Intent and purpose of the 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... Daily penalty \$50.00

<b>Department's Recommendation:</b> Report the property to the Miami-Dade Unsafe Structure Board.	<b>Case History:</b> 1/23/20 – Imposed \$50.00 daily fine until compliance is met. If no activity within 90 days report to the Miami Dade Unsafe Structure Board.
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18. **9260-9280 BAY HARBOR TERRACE**  
**Owner:** Southern Star Condominium Association  
**Registered Agent:** LJ Services – Linda Johnson  
**Citation #:** 19-002413

**Type of Hearing:** New Hearing  
**Code Officer:** Mike Mesa  
**Date Issued:** November 20, 2019

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

**Code Section:** Section 24-3. The Intent and purpose of the 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... Daily penalty \$50.00

<b>Department's Recommendation:</b> Grant an extension for 60 days to achieve compliance.	<b>Case History:</b> 1/23/2020 – Special Master granted ninety (90) days to submit permit application and plans.
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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 records of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.