

**TOWN OF BAY HARBOR ISLANDS
SPECIAL MAGISTRATE HEARING
MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET
BAY HARBOR ISLANDS, FL 33154**

SPECIAL MAGISTRATE ANNETTE EPELBAUM CANNON

AGENDA

March 13, 2025
10:00 AM

1. 9501 East Bay Harbor Drive **Type of Hearing:** Special Master Hearing
Presenter: Mike Mesa
Owner: MANSARD CONDOMINIUM, INC. **Code Officer:** Mike Mesa
Registered Agent: John Bennett

Citation #: 22-001162 **Date Issued:** 6/14/2022

Violation: Failure to obtain a 40-Year Re-certification as required by Miami-Dade.

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 to make such buildings and premises safe, sanitary and fit to be occupied, fixing certain responsibilities and duties of owners, operators, agents and occupants of any building, and fixing penalties for the violations of the provisions of this chapter. This chapter is hereby declared to be remedial and essential to the public interest and it is intended that this chapter be liberally construed to effectuate the purposes as stated above. Daily fine \$50.00

Department's Recommendation: Impose a fine of \$50.00 per day until the violation is abated.	Case History: 11/29/23- The special magistrate granted an extension of 30 days to submit an extension letter from the engineer of record.
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2. 9260-80 Bay Harbor Terrace **Type of Hearing:** Special Master Hearing
Presenter: Mike Mesa
Owner: Southern Star Condominium Association, Inc. **Code Officer:** Mike Mesa

Registered Agent: Aracely Euceda

Citation #: 19-002413

Date Issued: 11/20/2019

Violation: Failure to obtain a 40-Year Re-certification as required by Miami-Dade.

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 to make such buildings and premises safe, sanitary and fit to be occupied, fixing certain responsibilities and duties of owners, operators, agents and occupants of any building, and fixing penalties for the violations of the provisions of this chapter. This chapter is hereby declared to be remedial and essential to the public interest and it is intended that this chapter be liberally construed to effectuate the purposes as stated above. Daily fine \$50.00

<u>Department's Recommendation:</u> Case closed. Assessed a \$200.00 administrative fee.	<u>Case History:</u> 1/23/20- The special magistrate granted an extension of 90 days to submit the permit application. 9/29/21- The special magistrate reset the case for 90 days.
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3. 9650 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Mike Mesa

Owner: Bal Bay Inn, LLC

Code Officer: Mike Mesa

Registered Agent: Ronald Finvarb

Citation #: 23-002003

Date Issued: 10/26/2023

Violation: Failure to obtain a 40-Year Re-certification as required by Miami-Dade.

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 to make such buildings and premises safe, sanitary and fit to be occupied, fixing certain responsibilities and duties of owners, operators, agents and occupants of any building, and fixing penalties for the violations of the provisions of this chapter. This chapter is hereby declared to be remedial and essential to the public interest and it is intended that this chapter be liberally construed to effectuate the purposes as stated above. Daily penalty \$50.00

<u>Department's Recommendation:</u> Close the case. Assess a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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4. 9721 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Mike Mesa

Owner: Island Place at Bay Harbor
Condominium Association, Inc.

Code Officer: Mike Mesa

Registered Agent: Franmar Management

Citation #: 23-000041

Date Issued: 1/17/2023

Violation: Failure to obtain 40-year Re-Certification per Miami-Dade.

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 to make such buildings and premises safe, sanitary and fit to be occupied, fixing certain responsibilities and duties of owners, operators, agents and occupants of any building, and fixing penalties for the violations of the provisions of this chapter. This chapter is hereby declared to be remedial and essential to the public interest and it is intended that this chapter be liberally construed to effectuate the purposes as stated above. Daily penalty \$50.00

<p>Department's Recommendation: Impose a fine of \$6,000.00, which represents 120 days at \$50.00 per day.</p>	<p>Case History: 6/27/2024- The special magistrate imposed a fine of \$50.00 per day until the violation is abated and a \$200.00 administrative fee.</p>
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5. 9721 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Island Place at Bay Harbor
Condominium Association, Inc.

Code Officer: Evelyn Merizalde

Registered Agent: Frank Blanco, Franmar
Management

Citation #: 24-001819

Date Issued: 9/20/2024

Violation: Evidence of possible structural seawall failure was observed which is impacting the pool deck. Immediate action is required to repair and/or replace the seawall and pool deck. Permit required.

Have the seawall inspected by a structural engineer and install a barricade to prevent unauthorized access to the pool area. Submit the inspection report to the Town of Bay Harbor Islands Chief Building Official.

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. It is further declared unlawful and a public nuisance for any property owner to fail to remove from his property

or an adjacent body of water the debris and rubble of any failed seawall. Daily Penalty \$50.00

<u>Department's Recommendation:</u> Assess a fine of \$50.00 per day until the violation is abated plus a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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6. 1231 98 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: CAROLYN HOROWITZ & JEFFREY HOROWITZ

Code Officer: Scherrie Griffin

Registered Agent: N/A

Citation #: 24-002593

Date Issued: 12/19/2024

Violation: Observed machinery being operated before 9:00 AM. Call #24-321-97.

Code Section: 12-27(a)(i-iv) For the First Violation, the violator shall receive a Notice of Violation imposing a fine of \$1,000.00. Second Violation-: \$2,000.00 plus one (1) workday of Stop Work Order. After a second violation, the property owner, the owner's agent, or the person performing the work shall meet with the Code officer to review the Code requirements and will be informed of the consequences for any further violations. Third Violation:\$3,000.00 plus three (3) workdays of Stop Work Order. Each subsequent violation: \$5,000 plus five (5) workdays of Stop Work Order.

12-26(1)(a) Construction activity is permitted from 9:00 a.m. until 6:00 p.m. Monday through Friday. No construction activity is permitted on Saturdays or Sundays, or legal holidays as defined hereinafter in subsection (2) below, except for watering in connection with dust mitigation. The arrival and departure of workers are limited to 30 minutes before and after the above stated construction activity hours. All such pre-work / post-work activities shall be restricted to areas within 100 feet of the actual construction site. The Town may designate suitable locations for workers to congregate for those early and/or late arrival or departure times, subject to rules and regulations to be promulgated by the Town. Workers shall remain in their vehicles when possible and not disturb neighboring properties or the Town in general. The Town may create and enforce rules and regulations to limit visible or outdoor worker activities, including but not limited to sanitation, the changing of clothes, cooking and eating, excessive noise, and the like. Unless a valid parking permit has been issued, all worker vehicles shall leave the designated temporary parking locations before 9:00 a.m. Noise / music emission must be in accordance with Section 12-20 through Section 12-23. Failure to comply with the above regulations may result in penalties as set forth in subsection 12-27.

<u>Department's Recommendation:</u> The Special Magistrate's discretion.	<u>Case History:</u> This is a new case.
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7. 1111 Kane Concourse # 610

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: The Ringer, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Yonathan Almagor

Citation #: 24-000229

Date Issued: 3/4/2024

Violation: Obtain after-the-fact permits for the interior alterations. There are no permits on file for the removal of an interior wall, flooring and new ceiling lighting.

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

<p>Department's Recommendation: Impose a fine of \$250.00 per day until the violation is abated plus a \$200.00 administrative fee.</p>	<p>Case History: This is a new case.</p>
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8. 9100 West Bay Harbor Drive # 10B

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Capital G Investments, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Christopher Gentile

Citation #: 24-001377

Date Issued: 7/29/2024

Violation: Failure to obtain a building permit, electrical permit, mechanical permit, plumbing permit required to complete the remodeling work to meet all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit. (null/void BP2017-89 ; E17-000026; MC2017-28 ;PL2017-37)

Code Section: Sec. 5-3. 105.4.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced. 105.4.1.1 If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work. 105.4.1.2 If a new permit is not obtained within 180 days from the date the initial permit became null and void, the building official is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on

application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit. 105.4.1.3 Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process. 105.4.1.4 The fee for renewal re-issuance and extension or a permit shall be set forth by the administrative authority. Daily Fine \$250.00

<p><u>Department's Recommendation:</u> Impose a fine of \$250.00 per day until the violation is abated plus a \$200.00 administrative fee.</p>	<p><u>Case History:</u> This is a new case.</p>
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9. 1080 99 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Goodheart Ventures Incorporated

Code Officer: Evelyn Merizalde

Registered Agent: Corporate Service Company

Citation #: 24-001557

Date Issued: 8/21/2024

Violation: Repair the flooring in the kitchen and hallway. A permit is required for the new floor joist.

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. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

<p><u>Department's Recommendation:</u> Close the case. Assess a \$200.00 administrative fee.</p>	<p><u>Case History:</u> This is a new case.</p>
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10. 1050 93 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Stuart House Condominium Association, Inc. **Code Officer:** Evelyn Merizalde

Registered Agent: Chela Garcia

Citation #: 24-001589

Date Issued: 9/3/2024

Violation: Obtain an electrical permit for the newly installed parking lot lighting. Make all the required changes to eliminate excessive lighting in the parking lots. Submit a certificate of compliance for the parking lot illumination.

Code Section: 23-19(d)(2) All outdoor lighting shall be designed and located such that the maximum illumination measured in foot-candles at the property line does not exceed one adjacent residential sites, adjacent commercial sites, the waterways adjoining the islands, and public road rights-of-way. Daily fine \$250.00

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

<p>Department's Recommendation: Impose a \$250.00 fine plus a \$200.00 administrative fee for a total of \$450.00.</p>	<p>Case History: This is a new case.</p>
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11. 1165 98 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Alcazar Condominium, Inc.

Code Officer: Evelyn Merizalde

Registered Agent: Suely Caramelo

Citation #: 24-001711

Date Issued: 9/13/2024

Violation: The pool contains stagnant green water. Have the pool serviced and maintained on a regular basis.

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. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No

monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

<u>Department's Recommendation:</u> Impose a fine of \$3,600.00, which represents 72 days at \$50.00 per day plus a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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12. 9181 West Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Gator Crestview Partners, LTD.

Code Officer: Evelyn Merizalde

Registered Agent: James Goldsmith

Citation #: 24-001845

Date Issued: 9/24/2024

Violation: Failure to maintain the roof in good condition. The roof and ceiling in unit 12A shall be repaired on or before the compliance date on this notice of violation. Permit required.

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. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

<u>Department's Recommendation:</u> Close the case. Assess a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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13. 10130 West Broadview Drive

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Michael Gad & Irina Gad

Code Officer: Evelyn Merizalde

Registered Agent: N/A

Citation #: 24-002030

Date Issued: 10/14/2024

Violation: Failure to install an eight-foot temporary construction fence with a green dust screen per ordinance 1098.

Code Section: 5-5(f) A temporary construction fence screening the construction site shall be erected and maintained in good order at all times. The temporary construction fence shall be erected and completely in place as a requirement for the issuance of a building permit and prior to the beginning of construction activities. The temporary construction fence shall be an eight foot high chain link fence with a screening material attached to visually screen and minimize impact to neighboring properties which may be affected by construction site dust and debris. The exterior face of such temporary construction fencing shall have a fabric mesh attached thereto with a Town adopted decorative graphic. The Town will pre-select the allowable decorative fabric mesh design(s). This requirement applies to all exterior faces of such fences (street(s) / rear / sides); however, this provision regarding decorative fabric mesh shall not be applicable to temporary construction fences on the West Island. The town manager or their designee shall administer and enforce these provisions. A fence permit is required to be issued for the temporary construction fence, The and the fence installed, must be inspected, and the fence permit must be closed-out by the building department prior to the issuance of a building permit for the development. Daily Penalty \$250.00

<u>Department's Recommendation:</u> Close the case. Assess a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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14. 1260 95 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: 1260 95 Street Associates, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Samuel Navon

Citation #: 24-002119

Date Issued: 10/23/2024

Violation: Failure to install an eight-foot temporary construction fence with a green dust screen required per ordinance 1098.

Code Section: 5-5(f) A temporary construction fence screening the construction site shall be erected and maintained in good order at all times. The temporary construction fence shall be erected and completely in place as a requirement for the issuance of a building permit and prior to the beginning of construction activities. The temporary construction fence shall be an eight foot high chain link fence with a screening material attached to visually screen and minimize impact to neighboring properties which may be affected by construction site dust and debris. The exterior face of such temporary construction fencing shall have a fabric mesh attached thereto with a Town adopted decorative graphic. The Town will pre-select the allowable decorative fabric mesh design(s). This requirement applies to all exterior faces of such fences (street(s) / rear / sides); however, this provision regarding decorative fabric mesh shall not be applicable to temporary construction fences on the West Island. The town manager or their designee shall administer and enforce these provisions. A fence permit is required to be issued for the temporary construction fence, The and the fence installed, must be inspected, and the fence permit must be closed-out by

the building department prior to the issuance of a building permit for the development. Daily Penalty \$250.00

<u>Department's Recommendation:</u> Close the case. Assess a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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15. 9270 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Code Officer: Evelyn Merizalde

Owner: 9270 BH 27D, LLC

Registered Agent: Alhadeff & Rousso Law, P.A.

Citation #: 25-000157

Date Issued: 1/22/2025

Violation: Sewage spills were observed around the perimeter of the building.

Code Section: 24-13(e) Every plumbing fixture, water pipe, waste pipe and drain shall be maintained in good sanitary working condition, free from defects, leaks and obstructions. Daily Penalty \$50.00

<u>Department's Recommendation:</u> Assess a fine of \$1,000.00, which represents 20 days at \$50.00 per day plus a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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16. 9800 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Code Officer: Scherrie Griffin

Owner: BH1 Property Holdings, LP

Registered Agent: SG Registered Agent, LLC

Citation #: 24-001489

Date Issued: 9/24/2024

Violation: The apartment rental property does not have a business tax receipt.

Code Section: 13-8(1) Any person who shall carry on or conduct any privilege, business, occupation or profession for which a business tax receipt is required by this chapter without first obtaining such receipt; any person who shall make a false statement, application or oath, in connection with any application for a business tax receipt. Daily Penalty \$250.00

<u>Department's Recommendation:</u>	<u>Case History:</u>
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Impose a fine of \$250.00 plus a \$200.00 administrative fee for a total of \$450.00.	This is a new case.
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17. 1050 98 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BH1 PROPERTY HOLDING LP

Code Officer: Scherrie Griffin

Registered Agent: SG Registered Agent, LLC

Citation #: 24-001487

Date Issued: 9/24/2024

Violation: The apartment rental property does not have a business tax receipt.

Code Section: 13-8(1) Any person who shall carry on or conduct any privilege, business, occupation or profession for which a business tax receipt is required by this chapter without first obtaining such receipt; any person who shall make a false statement, application or oath, in connection with any application for a business tax receipt. Daily Penalty \$250.00

Department's Recommendation: Impose a \$250.00 fine plus a \$200.00 administrative fee for a total of \$450.00.	Case History: This is a new case.
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18. 9350 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: DORBE GARDENS CONDOMINIUM, INC.

Code Officer: Scherrie Griffin

Registered Agent: Eric Stein

Citation #: 24-001950

Date Issued: 10/7/2024

Violation: Found exterior doors being replaced 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: Impose a fine of \$250.00 plus a \$200.00 administrative fee for a total of \$450.00.	Case History: This is a new case.
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19. 9291 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: 9291 EBH, LTD

Code Officer: Scherrie Griffin

Registered Agent: David Kahn

Citation #: 22-002043

Date Issued: 11/15/2022

Violation: Found the apartment rental building does not have a business tax receipt.

Code Section: 13-8 Any person who shall carry on or conduct any privilege, business, occupation or profession for which a business tax receipt is required by this chapter without first obtaining such receipt. Daily penalty \$250.00

<p>Department's Recommendation: Impose a fine of \$250.00 plus a \$200.00 administrative fee for a total of \$450.00.</p>	<p>Case History: This is a new case.</p>
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20. 9500 West Bay Harbor Drive # 4B

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: RE Bella Vista LLC

Code Officer: Scherrie Griffin

Registered Agent: Marcelo M. Re

Citation #: 23-001730

Date Issued: 9/13/2023

Violation: Report received about work in progress without permits.

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

<p>Department's Recommendation: Impose a fine of \$4,000.00, which represents 40 days at \$100.00 per day plus \$200.00 administrative fee.</p>	<p>Case History: 6/27/24- The Special Magistrate granted an extension of 90 days to abate the violation or a daily fine of \$100.00 will accrue.</p>
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21. 1080 99 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: GOODHEART VENTURES INCORPORATED

Code Officer: Scherrie Griffin

Registered Agent: Corporate Service Company

Citation #: 24-000081

Date Issued: 1/12/2024

Violation: The overhang soffit has fallen and was damaged.

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. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

24-14(o) Every owner, or owner's agent, of a building which has rental units, shall post a sign in a conspicuous place, inside the vestibule or lobby of the building, indicating the names, addresses and telephone numbers, local and foreign, of the owner or manager, except that this paragraph shall not apply where there is a resident agent on the premises. Every owner who does not maintain his principal residence within Dade County, Florida shall be required to designate, in writing, to the town manager designee some legally competent person who shall be designated as the owner's agent and who shall reside within Dade County. Such person shall be authorized by the owner to accept notices of violation, process, and other communications relating to the enforcement of this Code. The owner shall obtain the acceptance of such designation from the person so designated in writing and file same with the town manager or designee at the time the designation is filed. In the event the designated agent resigns, retires, is terminated or the agency relationship is otherwise terminated, the owner shall forthwith appoint another agent. The code compliance officer is authorized and directed to prescribe a form for the purpose of implementing this section. The information to be provided on the form shall include the name and residence address and telephone number of the owner and designated agent, the address of the building, the designated agent's work address and telephone. The form shall be required to be acknowledged before a notary or other person authorized by law to take oaths.

<u>Department's Recommendation:</u> Impose a fine of \$2,950.00, which represents 59 days at \$50.00 per day plus a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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22. 1080 93 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BAY HARBOR 1080 PARTNERS LLC **Code Officer:** Scherrie Griffin

Registered Agent: Charter Realty Group, LLC

Citation #: 24-002032

Date Issued: 10/14/2024

Violation: Failure to comply with Ordinance 1098 to install an 8-foot-high chain link fence around

the perimeter of the property and install the decorative mesh.

Code Section: 5-5(f) A temporary construction fence screening the construction site shall be erected and maintained in good order at all times. The temporary construction fence shall be erected and completely in place as a requirement for the issuance of a building permit and prior to the beginning of construction activities. The temporary construction fence shall be an eight foot high chain link fence with a screening material attached to visually screen and minimize impact to neighboring properties which may be affected by construction site dust and debris. The exterior face of such temporary construction fencing shall have a fabric mesh attached thereto with a Town adopted decorative graphic. The Town will pre-select the allowable decorative fabric mesh design(s). This requirement applies to all exterior faces of such fences (street(s) / rear / sides); however, this provision regarding decorative fabric mesh shall not be applicable to temporary construction fences on the West Island. The town manager or their designee shall administer and enforce these provisions. A fence permit is required to be issued for the temporary construction fence, The and the fence installed, must be inspected, and the fence permit must be closed-out by the building department prior to the issuance of a building permit for the development. Daily penalty \$250.00

Department's Recommendation: Impose a fine of \$250.00 per day until the violation is abated plus a \$200.00 administrative fee.	Case History: This is a new case.
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23. 1080 93 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BAY HARBOR 1080 PARTNERS LLC **Code Officer:** Scherrie Griffin

Registered Agent: Charter Realty Group, LLC

Citation #: 24-002067

Date Issued: 10/17/2024

Violation: 1. Found the grass is overgrown. 2. There is graffiti painted on the structure and the structure is deteriorated. 3. There are broken windows rain gutter is broken at the rear of the property. 4. There are broken windows around the structure and screens are missing. 5. The swimming pool contains stagnant water. 6. There is a couch placed on the property. 7. Litter and debris on the property. 8. Found a tree stump on the property. 9. The vacant structure is not secured.

Code Section: 24-15(g) All exterior surfaces shall be properly maintained and protected from the elements by paint or other approved protective coating applied in a workmanlike fashion. Daily Penalty \$50.00

24-15(j) All materials used to secure a vacant building or structure shall be painted in a workmanlike fashion in the same color as its other exterior walls.

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. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated

exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

24-15(i) very owner of a building or structure that is vacant and unsecured shall secure all ground floor entrances and other openings of said building or structure including, but not limited to, windows and doorways. Such vacant building or structure shall be secured and sealed with concrete block or other materials of the same durability as determined by the building official.

24-15(k) Prior to the boarding of a vacant or unoccupied building, the owner or operator thereof shall apply to the chief building official of the town for approval and the issuance of a permit, and shall pay to the town a permit fee of \$1,000.00. Such permit shall be for only a six-month period, and shall be renewed for subsequent six month periods upon the reapplication and payment of the permit fee. If a permit lapses, and such building or structure remains boarded, such permit and fee will be deemed to be automatically renewed, with the unpaid permit fees causing a lien to be placed upon the property for such unpaid fees. Such automatic renewal shall occur for the entire period which the building remains boarded.

24-15(a)

Every owner of a vacant building, structure or lot shall keep the premises in clean and sanitary condition, including yards, lawns, courts and driveways. Daily Penalty \$50.00

24-15(b) Exterior premises shall be kept free from the excessive growth of weeds, grass and other flora. The term "excessive" shall be interpreted as detrimental to the health, safety or welfare of the occupants or the public and shall be in the sole judgment of the town.

<p><u>Department's Recommendation:</u> Impose a fine of \$150.00 per day until the violation is abated plus a \$200.00 administrative fee.</p>	<p><u>Case History:</u> This is a new case.</p>
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24. 1060 95 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BAY HARBOR 1080 PARTNERS LLC **Code Officer:** Scherrie Griffin

Registered Agent: Charter Realty Group

Citation #: 24-002069

Date Issued: 10/17/2024

Violation: 1. Found debris around the structure. 2. The windows and window screens are missing around the structure. 3. 4. The window frames are broken. 5. The soffit is in disrepair. 6. The structure needs to be painted. 7. The grass appears to be overgrown. 8. The vacant building is not secured.

Code Section: 24-15(g) All exterior surfaces shall be properly maintained and protected from the elements by paint or other approved protective coating applied in a workmanlike fashion. Daily

Penalty \$50.00

24-15(j) All materials used to secure a vacant building or structure shall be painted in a workmanlike fashion in the same color as its other exterior walls.

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.

Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

24-15(i) very owner of a building or structure that is vacant and unsecured shall secure all ground floor entrances and other openings of said building or structure including, but not limited to, windows and doorways. Such vacant building or structure shall be secured and sealed with concrete block or other materials of the same durability as determined by the building official.

24-15(k) Prior to the boarding of a vacant or unoccupied building, the owner or operator thereof shall apply to the chief building official of the town for approval and the issuance of a permit, and shall pay to the town a permit fee of \$1,000.00. Such permit shall be for only a six-month period, and shall be renewed for subsequent six month periods upon the repplication and payment of the permit fee. If a permit lapses, and such building or structure remains boarded, such permit and fee will be deemed to be automatically renewed, with the unpaid permit fees causing a lien to be placed upon the property for such unpaid fees. Such automatic renewal shall occur for the entire period which the building remains boarded.

24-15(a) Every owner of a vacant building, structure or lot shall keep the premises in clean and sanitary condition, including yards, lawns, courts and driveways. Daily Penalty \$50.00

24-15(b) Exterior premises shall be kept free from the excessive growth of weeds, grass and other flora. The term "excessive" shall be interpreted as detrimental to the health, safety or welfare of the occupants or the public and shall be in the sole judgment of the town.

<p><u>Department's Recommendation:</u> Impose a fine of \$150.00 per day until the violation is abated plus a \$200.00 administrative fee.</p>	<p><u>Case History:</u> The is a new case.</p>
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25. 1060 95 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BAY HARBOR 1080 PARTNERS LLC **Code Officer:** Scherrie Griffin

Registered Agent: Charter Realty Group, LLC

Citation #: 24-002029

Date Issued: 10/14/2024

Violation: Failure to comply with Ordinance 1098 to install 8 foot high chain link fence around the perimeter of the property and install the decorative mesh.

Code Section: 5-5(f) A temporary construction fence screening the construction site shall be erected and maintained in good order at all times. The temporary construction fence shall be erected and completely in place as a requirement for the issuance of a building permit and prior to the beginning of construction activities. The temporary construction fence shall be an eight-foot-high chain link fence with a screening material attached to visually screen and minimize impact to neighboring properties which may be affected by construction site dust and debris. The exterior face of such temporary construction fencing shall have a fabric mesh attached thereto with a Town adopted decorative graphic. The Town will pre-select the allowable decorative fabric mesh design(s). This requirement applies to all exterior faces of such fences (street(s) / rear / sides); however, this provision regarding decorative fabric mesh shall not be applicable to temporary construction fences on the West Island. The town manager or their designee shall administer and enforce these provisions. A fence permit is required to be issued for the temporary construction fence, The and the fence installed, must be inspected, and the fence permit must be closed-out by the building department prior to the issuance of a building permit for the development. Daily Penalty \$250.00

Department's Recommendation:

Impose a fine of \$250.00 per day until the violation is abated plus a \$200.00 administrative fee.

Case History:

This is a new case.

26. 1047 92 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: BHI The Club 2, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Resigned

Citation #: 24-001878

Date Issued: 9/27/2024

Violation: Observed owner-grown vegetation, construction debris is not maintained inside a dumpster and the site contains standing water.

Code Section: Ordinance 1085 Sec-5-5(e)(e) Vegetation maintenance. Vegetation such as grass, shrubs, trees, and groundcovers shall be maintained in such a fashion so that the construction site does not appear overgrown or unkempt. Within 30 days of demolition of an existing structure, the construction site must be graded to be generally level with no piles of debris or fill material, sodded, and properly maintained, until such time as a construction fence is erected and construction activity begins. If more than 90 calendar days occur between the demolition of an existing structure and new construction, unless otherwise approved by the Building Official for unusual circumstances or safety reasons. the temporary construction fence and all construction related equipment and materials must be removed from the site, and the lot sodded and maintained until actual construction occurs. If for any reason construction activities cease for a time-period exceeding 30 days, the Town shall require that the site and any improvements therein be secured, the temporary construction fence fortified, and construction related equipment and materials removed from the

site, until actual construction occurs again. Daily Penalty \$250.00

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. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

<u>Department's Recommendation:</u> Impose a fine of \$250.00 per day until the violation is abated.	<u>Case History:</u> This is a new case.
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27. 1047 92 street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BHI THE CLUB 2 LLC

Code Officer: Scherrie Griffin

Registered Agent: Resigned

Citation #: 24-002077

Date Issued: 10/18/2024

Violation: The vacant/abandoned property is not registered.

Code Section: 24-17(i)(1) . If the property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned and the mortgagee shall, within ten days of the inspection, register the property with the town manager, or his or her designee, on forms provided by the town. A registration is required for each vacant property. Daily Penalty \$250.00

<u>Department's Recommendation:</u> Impose a fine of \$250.00 plus a \$200.00 administrative fee.	<u>Case History:</u> This is a new case.
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28. 1047 92 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BHI THE CLUB 2 LLC

Code Officer: Scherrie Griffin

Registered Agent: Resigned

Citation #: 24-002027

Date Issued: 10/14/2024

Violation: Failure to comply with Ordinance 1098 to install 8 foot high chain link fence around the perimeter of the property and install the decorative mesh.

Code Section: A temporary construction fence screening the construction site shall be erected and maintained in good order at all times. The temporary construction fence shall be erected and completely in place as a requirement for the issuance of a building permit and prior to the beginning of construction activities. The temporary construction fence shall be an eight foot high chain link fence with a screening material attached to visually screen and minimize impact to neighboring properties which may be affected by construction site dust and debris. The exterior face of such temporary construction fencing shall have a fabric mesh attached thereto with a Town adopted decorative graphic. The Town will pre-select the allowable decorative fabric mesh design(s). This requirement applies to all exterior faces of such fences (street(s) / rear / sides); however, this provision regarding decorative fabric mesh shall not be applicable to temporary construction fences on the West Island. The town manager or their designee shall administer and enforce these provisions. A fence permit is required to be issued for the temporary construction fence, The and the fence installed, must be inspected, and the fence permit must be closed-out by the building department prior to the issuance of a building permit for the development. Daily Penalty \$250.00

Department's Recommendation: Impose a fine of \$250.00 per day until the violation is abated plus a \$200.00 administrative fee.	Case History: This is a new case.
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29. 1047 92 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BHI THE CLUB 2 LLC

Code Officer: Scherrie Griffin

Registered Agent: Resigned

Citation #: 24-002494

Date Issued: 1/15/2025

Violation: The property address is not visible from the street.

Code Section: 17-23(e) All properties, whether residential or commercial, shall have address numbers clearly marked and visible from the street and, in the case of business properties, from the rear as well. In business districts B-1, properties may have three-dimensional plastic numbers. Daily Penalty \$25.00

Department's Recommendation: Impose a fine of \$25.00 per day until the violation is abated plus a \$200.00 administrative fee.	Case History: This is a new case.
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30. 1050 93 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: STUART HOUSE CONDOMINIUM ASSOCIATION, INC.

Code Officer: Scherrie Griffin

Registered Agent: Chela Garcia

Citation #: 24-000031

Date Issued: 7/30/2024

Violation: The parking lot is in disrepair and the wall is deteriorated.

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. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

<p>Department's Recommendation: Grant an extension of 60 days to complete the work.</p>	<p>Case History: 10/31/24- The Special Magistrate granted an extension of 90 days to abate the violation or a daily penalty of \$150.00 will accrue until compliance.</p>
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31. 9550 Bay Harbor Terrace

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: W 9550 BH TERRACE LLC WATERSTONE 2618 LLC

Code Officer: Scherrie Griffin

Registered Agent: Wasserstein & Nunez, PLLC

Citation #: 24-001232

Date Issued: 7/10/2024

Violation:

Code Section: Found interior renovation in progress without permits.

<p>Department's Recommendation: Grant an extension of 60 days.</p>	<p>Case History: 10/31/24- The Special Magistrate granted an extension of 60 days to abate the violation. If</p>
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	compliance is not met a daily penalty of \$250.00 will begin to accrue.
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32. 9800 West Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: GUILDFORD HOUSE OF BAY HARBOR CONDOMINIUM INC

Code Officer: Scherrie Griffin

Registered Agent: Stivelman, Alexandra, Esq.
Eisinger Law

Citation #: 19-000318

Date Issued: 5/9/2024

Violation: Failure to repair the seawall and dock.

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. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

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 to fail to remove from his property or an adjacent body of water the debris and rubble of any failed seawall. Daily Penalty \$50.00

Department's Recommendation: Close the case. Assess a \$200.00 administrative fee.	Case History: 10/31/24- The Special Magistrate granted an extension of 30 days to abate the violation or a daily penalty of \$100.00 will accrue.
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33. 1160 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BAY HARBOR PROFESSIONAL CENTER

Code Officer: Scherrie Griffin

Registered Agent: Sarah Smith

Citation #: 25-000363

Date Issued: 2/13/2025

Violation: Found the parking lot being repaved without a permit on Tuesday, February 11, 2025. Call #254449.

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

<u>Department's Recommendation:</u> Grant an extension of 90 days.	<u>Case History:</u> This is a new case.
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34. 1025 Kane Concourse # 1029

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Code Officer: Scherrie Griffin

Owner: Alan Cohen

Registered Agent: Howard Cohen

Citation #: 25-000257

Date Issued: 1/31/2025

Violation: Suite 1029 - Found demolition 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

<u>Department's Recommendation:</u> Grant an extension of 90 days.	<u>Case History:</u> This is a new case.
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35. 9400 East Bay Harbor Drive # 1

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Code Officer: Scherrie Griffin

Owner: PATRICIA M EMISON

Registered Agent: N/A

Citation #: 24-001866

Date Issued: 10/1/2024

Violation: The kitchen was demolished 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

<u>Department's Recommendation:</u> Grant an extension of 90 days.	<u>Case History:</u> This is a new case.
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36. 1160 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: BAY HARBOR PROFESSIONAL CENTER

Code Officer: Scherrie Griffin

Registered Agent: Sarah Smith

Citation #: 25-000374

Date Issued: 2/13/2025

Violation: Found workers repaving the parking lot after 6:00 PM on Tuesday, February 11, 2025. Call #254449

Code Section: 12-27(a)(i-iv) For the First Violation, the violator shall receive a Notice of Violation imposing a fine of \$1,000.00. Second Violation:- \$2,000.00 plus one (1) workday of Stop Work Order. After a second violation, the property owner, the owner's agent, or the person performing the work shall meet with the Code officer to review the Code requirements and will be informed of the consequences for any further violations. Third Violation:\$3,000.00 plus three (3) workdays of Stop Work Order. Each subsequent violation: \$5,000 plus five (5) workdays of Stop Work Order.

12-26(1)(a) Construction activity is permitted from 9:00 a.m. until 6:00 p.m. Monday through Friday. No construction activity is permitted on Saturdays or Sundays, or legal holidays as defined hereinafter in subsection (2) below, except for watering in connection with dust mitigation. The arrival and departure of workers are limited to 30 minutes before and after the above stated construction activity hours. All such pre-work / post-work activities shall be restricted to areas within 100 feet of the actual construction site. The Town may designate suitable locations for workers to congregate for those early and/or late arrival or departure times, subject to rules and regulations to be promulgated by the Town. Workers shall remain in their vehicles when possible and not disturb neighboring properties or the Town in general. The Town may create and enforce rules and regulations to limit visible or outdoor worker activities, including but not limited to sanitation, the changing of clothes, cooking and eating, excessive noise, and the like. Unless a valid parking permit has been issued, all worker vehicles shall leave the designated temporary parking locations before 9:00 a.m. Noise / music emission must be in accordance with Section 12-20 through Section 12-23. Failure to comply with the above regulations may result in penalties as set forth in subsection 12-27.

Department's Recommendation: The Special Magistrate's discretion.	Case History: This is a new case.
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37. 10101 West Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: PALM BAY OF BAY HARBOR CONDOMINIUM ASSOCIATION, INC.

Code Officer: Scherrie Griffin

Registered Agent: Law Office of Michael H.

Halberg

Citation #: 24-001848

Date Issued: 9/24/2024

Violation: Found construction activity in progress after 06:00 PM on September 13, 2024.

Code Section: 12-27(a)(i-iv) For the First Violation, the violator shall receive a Notice of Violation imposing a fine of \$1,000.00. Second Violation-: \$2,000.00 plus one (1) workday of Stop Work Order. After a second violation, the property owner, the owner's agent, or the person performing the work shall meet with the Code officer to review the Code requirements and will be informed of the consequences for any further violations. Third Violation:\$3,000.00 plus three (3) workdays of Stop Work Order. Each subsequent violation: \$5,000 plus five (5) workdays of Stop Work Order.

12-26(1)(a) Construction activity is permitted from 9:00 a.m. until 6:00 p.m. Monday through Friday. No construction activity is permitted on Saturdays or Sundays, or legal holidays as defined hereinafter in subsection (2) below, except for watering in connection with dust mitigation. The arrival and departure of workers are limited to 30 minutes before and after the above stated construction activity hours. All such pre-work / post-work activities shall be restricted to areas within 100 feet of the actual construction site. The Town may designate suitable locations for workers to congregate for those early and/or late arrival or departure times, subject to rules and regulations to be promulgated by the Town. Workers shall remain in their vehicles when possible and not disturb neighboring properties or the Town in general. The Town may create and enforce rules and regulations to limit visible or outdoor worker activities, including but not limited to sanitation, the changing of clothes, cooking and eating, excessive noise, and the like. Unless a valid parking permit has been issued, all worker vehicles shall leave the designated temporary parking locations before 9:00 a.m. Noise / music emission must be in accordance with Section 12-20 through Section 12-23. Failure to comply with the above regulations may result in penalties as set forth in subsection 12-27.

Department's Recommendation: The Special Magistrate's discretion.	Case History: This is a new case.
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38. 1177 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: 1177 Bay Harbor Islands, LLC

Code Officer: Scherrie Griffin

Registered Agent: Coporate Service Company

Citation #: 24-001946

Date Issued: 10/3/2024

Violation: Observed construction work in progress after 06:00 PM on October 2, 2024.

Code Section: 12-27(a)(i-iv) For the First Violation, the violator shall receive a Notice of Violation imposing a fine of \$1,000.00. Second Violation-: \$2,000.00 plus one (1) workday of Stop Work Order. After a second violation, the property owner, the owner's agent, or the person performing the work shall meet with the Code officer to review the Code requirements and will be informed of the consequences for any further violations. Third Violation:\$3,000.00 plus three (3) workdays of Stop

Work Order. Each subsequent violation: \$5,000 plus five (5) workdays of Stop Work Order.

12-26(1)(a) Construction activity is permitted from 9:00 a.m. until 6:00 p.m. Monday through Friday. No construction activity is permitted on Saturdays or Sundays, or legal holidays as defined hereinafter in subsection (2) below, except for watering in connection with dust mitigation. The arrival and departure of workers are limited to 30 minutes before and after the above stated construction activity hours. All such pre-work / post-work activities shall be restricted to areas within 100 feet of the actual construction site. The Town may designate suitable locations for workers to congregate for those early and/or late arrival or departure times, subject to rules and regulations to be promulgated by the Town. Workers shall remain in their vehicles when possible and not disturb neighboring properties or the Town in general. The Town may create and enforce rules and regulations to limit visible or outdoor worker activities, including but not limited to sanitation, the changing of clothes, cooking and eating, excessive noise, and the like. Unless a valid parking permit has been issued, all worker vehicles shall leave the designated temporary parking locations before 9:00 a.m. Noise / music emission must be in accordance with Section 12-20 through Section 12-23. Failure to comply with the above regulations may result in penalties as set forth in subsection 12-27.

<p><u>Department's Recommendation:</u> The Special Magistrate's discretion.</p>	<p><u>Case History:</u> This is a new case.</p>
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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.