

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

SPECIAL MAGISTRATE TERRYANN HOWELL, ESQ.

AGENDA

October 30, 2025
10:30 AM

1. 1111 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Alexander Garcia

Owner: Concourse Plaza A Condominium Association, Inc. **Code Officer:** Alexander Garcia

Registered Agent: Stivelman, Alessandra,
Esq. Eisinger Law

Citation #: 25-000987

Date Issued: 5/28/2025

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

Code Section: Sec. 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 \$250.00

Department's Recommendation:

Assess a daily fine of \$250.00 until

Case History:

This is a new case.

compliance is achieved.	
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2. 9700 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Alexander Garcia

Owner: Summit Condominium Association, Inc. **Code Officer:** Alexander Garcia

Registered Agent: Quest Management Group

Citation #: 25-000989

Date Issued: 5/28/2025

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

Code Section: 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 \$250.00

Department's Recommendation: Assess a fine of \$250.00 per day until compliance is achieved.	Case History: This is a new case.
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3. 1165 102 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Wedgewood Apartments, Inc. **Code Officer:** Evelyn Merizalde

Registered Agent: Barry Lebowitz

Citation #: 24-001434

Date Issued: 9/12/2024

Violation: Found the pool is not properly maintained on a regular basis and the pool deck is dirty.

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> Assess a fine of \$250.00 per day until compliance is achieved.</p>	<p><u>Case History:</u> This is a new case.</p>
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4. 1125 97 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: 1125 97th Bay Harbor Condo 2618, LLC **Code Officer:** Evelyn Merizalde

Registered Agent: Zvi Yosifon

Citation #: 24-001299

Date Issued: 12/11/2024

Violation: Secure all first floor opens included but not limited to windows and doors. The material used to secure the opens must be approved by the Chief Building Official. Contact the Building Department at (305) 993-1786 for assistance with the permit process. Obtain a permit from the Town of Bay Harbor Islands Building Department to secure the first floor openings. Contact the Building Department at (305) 993-1786 for further assistance.

Code Section: 24-15(i) Every 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. Daily Penalty \$250.00

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 application 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. Daily Penalty \$50.00

<p><u>Department's Recommendation:</u> Assess a fine from 12/28/24 to 3/11/25,</p>	<p><u>Case History:</u> This is a new case.</p>
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which represents 73 days, \$250.00 per day for a total fine of \$18,250.00.

5. 1160 101 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: 1160 101 ST Bay Harbor Condo 2618, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Zvi Yosifon

Citation #: 24-001305

Date Issued: 12/19/2024

Violation:

Code Section:

Department's Recommendation:

Assess a fine from 1/21/25 to 3/11/25, which represents 49 days at \$250.00 per day for a total of \$12,250.00.

Case History:

This is a new case.

6. 1231 101 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: Shani Kagan & Beaujon

Code Officer: Evelyn Merizalde

Registered Agent:

Citation #: 23-002111

Date Issued: 12/11/2023

Violation: Obtain an after-the-fact permit for the exterior alterations. Design Review Board Approval 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:

Assess a fine from 11/12/24 to 12/16/24,

Case History:

This is a new case.

which represents 34 days at \$250.00 per day for a total of \$8,500.00.

7. 1231 101 Street

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Code Officer: Evelyn Merizalde

Owner: Shani Kagan

Registered Agent:

Citation #: 24-002015

Date Issued: 10/14/2024

Violation: Install an eight-foot temporary construction fence with a green dust screen.

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:

Close the case.

Case History:

This is a new case.

8. 9961 East Broadview Drive

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Code Officer: Evelyn Merizalde

Owner: George Bouis

Registered Agent:

Citation #: 23-000142

Date Issued: 3/2/2023

Violation: Replace all areas of artificial turf with grass as per the approved landscape plan.

In the single-family district (RD) a 2-story home must be pervious landscape open space, meaning at least 35% - 40% of the site must be living landscape open space.

Code Section: 24-16(1)(a)(b)(c) A property owner is responsible for ensuring that landscaping required to be planted pursuant to this section of any previous applicable ordinance(s), is: a. Installed in compliance with applicable ordinances; b. Maintained so as to represent a healthy, vigorous, and neat appearance, free from over growths, weeds, refuse and debris; c. Sufficiently fertilized and watered to maintain the plant material in a healthy condition, including appropriate use of pesticides as necessary. Daily penalty \$50.00

<p><u>Department's Recommendation:</u> Assess a fine from 1/29/25 to 10/30/25, which represents 274 days at \$50.00 per day for a total of \$13,700.00. The fine shall continue to accrue until the violation is abated.</p>	<p><u>Case History:</u> 11/29/2023 Continuance granted. 9/26/2024 The special magistrate hearing was canceled due to the possible impact of hurricane Helene. 10/31/2024 Continuance granted for 90 days. The owner shall contact the zoning inspector to discuss any other potential alternatives.</p>
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9. 9971 West Bay Harbor Drive # 206

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Code Officer: Evelyn Merizalde

Owner: Jared Hackmeier

Registered Agent:

Citation #: 24-001560

Date Issued: 9/17/2024

Violation: Hire a licensed contractor to obtain after the fact plumbing, electrical. and, mechanical permits for the washer and dryer connections. Contact the Town of Bay Harbor Islands Building Department at (305) 993-1786 for questions regarding the permit application process or visit the permit portal at www.citizenserve.com/bhi to manage your residential and commercial construction projects.

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><u>Department's Recommendation:</u> Close the case.</p>	<p><u>Case History:</u> This is a new case.</p>
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10. 1170 Kane Concourse # 101

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Code Officer: Evelyn Merizalde

Owner: 1170, LLC

Registered Agent: Oliviera Lew

Citation #: 25-000940

Date Issued: 5/13/2025

Violation: The sales center is operating without a valid Business Tax Receipt (BTR).The renewal requires Town Council approval. Business Tax Receipt # 2605 expired February 2025. Call # 25-16171

Code Section: 23-4(7)In the RM-1 and RM-2 Multiple Family districts, no building or land shall be used and no building shall hereafter be erected, constructed, reconstructed or structurally altered which is designed, arranged or intended to be used or occupied for any purpose, excepting for one or more of the following uses: Temporary sales and business offices, construction trailers, and model dwelling units, but only in connection with the construction of dwelling units, and upon specific approval and permit of the town council, including but not limited to such time limits and other any other conditions as may be imposed by the town council at its discretion. Daily Penalty \$250.00

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

<p>Department's Recommendation: Assess a fine from 6/17/25 to 10/08/2025, which represents 113 days at \$500.00 for a total of \$56,500.00.</p>	<p>Case History: This is a new case.</p>
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11. 10180 West Bay Harbor Drive 3C

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Code Officer: Evelyn Merizalde

Owner: Havaya Holdings, LLC

Registered Agent:

Citation #: 24-001369

Date Issued: 7/31/2025

Violation: Exceeding scope of construction work under permit B24-000011 issued for the flooring.

Obtain an after-the-fact building permit, electrical permit, plumbing permit for the interior alterations in two bathrooms and the kitchen.

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 a continuance of this case.	<u>Case History:</u> This is a new case.
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12. 1160 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: Bay Harbor Professional Center

Code Officer: Scherrie Griffin

Registered Agent: Sara 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> Close the case.	<u>Case History:</u> 3/13/2025 Special Magistrate hearing Extension granted for 90 days.
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13. 9550 Bay Harbor Terrace Suite 9580

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: W 9550 BH TERRACE LLC
WATERSTONE 2618 LLC

Code Officer: Scherrie Griffin

Registered Agent: WASERSTEIN &
NUNEZ PLLC

Citation #: 24-001232

Date Issued: 7/10/2024

Violation: Sec. 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

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><u>Department's Recommendation:</u> Assess a fine from 5/14/25 to 7/17/25 which represents 64 days at \$250.00 for a total of \$16,000.00 plus a \$200.00 administrative fee.</p>	<p><u>Case History:</u> Special Magistrate hearing 10/31/24- Extension granted for 60 days to abate the violation. If compliance is not met, a daily penalty of \$250.00 will accrue until compliance is met. 3/13/25- Extension granted for 60 days to abate the violation.</p>
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14. 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 walls are 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><u>Department's Recommendation:</u> Close the case with a \$200.00 administrative fee.</p>	<p><u>Case History:</u> Special Magistrate hearing 10/31/24 90 days to abate the violation. If compliance has not been met, a daily penalty of \$150.00 will accrue until compliance has been met. 3/13/25 Extension granted for 60 days.</p>
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15. 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 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

<p>Department's Recommendation: Assess a fine of \$250.00 per day until compliance is met.</p>	<p>Case History: Special Magistrate hearing 3/13/25 Revisit the case in 30 days.</p>
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16. 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 #: 24-002069

Date Issued: 10/17/2024

Violation: 1. Found debris around the structure. 2. The windows and window screens are missing around the structure. 3. The window frames are broken. 4. The soffit is in disrepair. 6. 5.The structure needs to be painted. 6. The grass appears to be overgrown. 7. 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.

<p><u>Department's Recommendation:</u> Assess a \$200.00 administrative fee and close the case.</p>	<p><u>Case History:</u> Special Magistrate hearing. 3/13/25 The case has been continued for 30 days.</p>
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17. 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

<p><u>Department's Recommendation:</u> Assess a fine from of \$250.00 per day until compliance is achieved.</p>	<p><u>Case History:</u> Special Magistrate hearing 3/13/25 Revisit case in 30 days.</p>
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18. 1025 Kane Concourse # 1029

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: ALAN COHEN TR & -

Code Officer: Scherrie Griffin

Registered Agent: HOWARD D. COHEN

Citation #: 25-000257

Date Issued: 1/31/2025

Violation: Suite 1029 - Found demolition in progress without a permit. Call #253018

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: Special Magistrate hearing 3/13/25 Extension granted for 120 days.
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19. 1177 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Evelyn Merizalde

Owner: 1177 Bay Harbor Islands, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Corporation Service Company

Citation #: 25-000834

Date Issued: 5/6/2025

Violation: Construction workers were observed using tools and creating noise while working in the open garage area of the project in violation of the extended work permit. Call # 25-13569

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 a Stop Work Order.

Department's Recommendation: Assess a fine of \$5,000.00.	Case History: This is a new case.
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20. 1177 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: 1177 Bay Harbor Islands, LLC

Code Officer: Scherrie Griffin

Registered Agent: Corporation Service Company

Citation #: 25-000370

Date Issued: 2/12/2025

Violation: 1. Gravel is missing at the entrance of the site on 97 Street. 2. The silt fencing is not completely installed around the perimeter of the site. 3. The storm drain has been impacted by silt. Call #254581 Fine imposed in the amount of \$2,500.00. Mail a check made payable to the Town of Bay Harbor Islands in the amount of \$2,500.00 or make a payment online at <https://bayharborislandsfl.municipalonlinepayments.com/bayharborislandsfl/easypay>.

Code Section: 25-10(b)(1) Pay the following civil fine :Pay the following civil fine: a. First violation within a 12-month period: \$500.00; b. Second violation within a 12-month period: \$1,000.00; c. Third or subsequent violation within a 12-month period: \$2,500.00...

25-9(b) All construction work, including work in an area less than one acre in size, that has the potential to impact the town's MS4, Biscayne Bay, surface waters, and/or adjacent properties, is required to employ sediment and erosion control measures that are in accordance with the Florida Department of Environmental Protection (FDEP) Florida Storm Water Erosion and Sedimentation Control Inspector's Manual, latest revision, to maintain water quality standards in accordance with Miami-Dade County Department of Environmental Resource Management (DERM) standards and Florida Administrative Code Chapter 62-302.

25-9(e) Construction entrance(s) shall be stabilized wherever traffic will be leaving a construction site and traveling on paved roads or other paved areas within the site that is open to the public.

25-9(i) Perimeter protection, including a staked silt fence where applicable, is required for all development or redevelopment activities.

Department's Recommendation:

Assess a fine of \$2,500.00.

Case History:

This is a new case.

21. 1177 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: 1177 Bay Harbor Islands, LLC

Code Officer: Scherrie Griffin

Registered Agent: Corporation Service Company

Citation #: 25-001011

Date Issued: 5/30/2025

Violation: Found a construction worker parked outside the designated parking area on May 29, 2025. Call #25-18231.

Fine was imposed in the amount of \$500.00. Mail a check made payable to the Town of Bay Harbor Islands in the amount of \$500.00 or make a payment online at <https://bayharborislandsfl.municipalonlinepayments.com/bayharborislandsfl/easypay>.

Motor vehicles which are used by construction workers and others involved in the

construction of the project at the site for the purpose of commuting to and from the construction site, shall park in the designated parking area for the site.

Code Section: 5-5(j) Motor vehicles which are used by construction workers and others involved in the construction of the project at the site for the purpose of commuting to and from the site, shall not be parked off of the site of the project except in the area or location which shall be first approved in writing by the town manager or his/her designee. Parking areas within the site are to be properly screened from the public and shall not be detrimental to the surrounding neighborhood. The town approval shall be based on assuring that: public streets or rights-of-way are not blocked; that adequate parking remains for existing residences and businesses; and that any impact to public parking resources is mitigated.

5-5(m) Failure to abide by the provisions of this section shall constitute a violation of the Town Code. Each day that a violation continues shall be deemed a separate violation. Any owner, occupant or user of a construction site who fails to correct a violation of this section, after being given notice by the town, shall have a fine imposed in the amount of \$250.00 for the a first violation and \$500.00 for a subsequent or repeat violation. If the violation is corrected within the time prescribed in the notice, then the fine shall be waived unless the violation is irreparable or irreversible in nature.

Department's Recommendation: Asses a fine of \$500.00.	Case History: This is a new case.
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22. 1177 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: 1177 Bay Harbor Islands, LLC

Code Officer: Scherrie Griffin

Registered Agent: Corporation Service Company

Citation #: 25-000369

Date Issued: 2/12/2025

Violation: The construction site was left open and unsecured on Tuesday, February 12, 2025. Police report #25-78-OF Fine imposed in the amount of \$500.00 .Please make a check payable to the Town of Bay Harbor Islands in the amount of \$500.00 or make a payment online at <https://www.municipalonlinepayments.com/bayharborislandsfl/easypay> .

Code Section: 5-5(a)(2)Secure, in reference to items, includes fastening down or removing all hazardous objects, including, but not limited to, such as construction shacks, temporary toilets, roofing tile, building materials, trash, forms, insecure structures, and temporary electric service poles. the term "secure" as applied to site access, includes protecting the construction site, during the hours described herein in paragraph (i), by way of locked fence surrounding the perimeter of the site and/or the provision of a security.

5-5(m) Failure to abide by the provisions of this section shall constitute a violation of the Town Code. Each day that a violation continues shall be deemed a separate violation. Any owner, occupant or user of a construction site who fails to correct a violation of this section, after being given notice by the town, shall have a fine imposed in the amount of \$250.00 for the a first violation and \$500.00 for a subsequent or repeat violation. If the violation is

corrected within the time prescribed in the notice, then the fine shall be waived unless the violation is irreparable or irreversible in nature.

<u>Department's Recommendation:</u> Assess a fine of \$500.00.	<u>Case History:</u> This is a new case.
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23. 1177 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: THE 1177 KANE CONCOURSE

Code Officer: Scherrie Griffin

Registered Agent: Corporation Service Company

Citation #: 25-000956

Date Issued: 5/19/2025

Violation: Noise of work in progress on the exterior of the structure on Saturday, May 17, 2025, was observed. This site was granted an extended work permit from 08:00 AM to 09:00 PM for interior work only. Police report #25-318-OF. Fine imposed in the amount of \$5,000.00 for the 5th violation. Mail a check made payable to the Town of Bay Harbor Islands in the amount of \$5,000.00 or make a payment online at <https://bayharborislandsfl.municipalonlinepayments.com/bayharborislandsfl/easypay> . The five workdays are TBD.

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.

<u>Department's Recommendation:</u> Assess a fine of \$5,000.00.	<u>Case History:</u> This is a new case.
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24. 9440 West Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: West Bay Club Condominium, Inc **Code Officer:** Scherrie Griffin
c/o Quest Management Group

Registered Agent: Quest Management Group

Citation #: 24-000897

Date Issued: 2/10/2025

Violation: Failure to paint the exterior of the structure. Call #254291 Permit required from the building department and provide a paint sample.

Code Section: Sec. 5-19.1The application or use of any colors on the roofs or exterior surfaces of any building or structures in the town shall require the application for and receipt of a permit authorizing said exterior painting, coloring, or other use and application of color.Daily Penalty: \$50.00

Department's Recommendation: Assess a fine in the amount of \$600.00 plus a \$200.00 administrative fee.	Case History: This is a new case.
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25. 1020 94 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: Chatillon Hall Condominium, Inc.

Code Officer: Scherrie Griffin

Registered Agent: Maria Luisa Taleno

Citation #: 23-001648

Date Issued: 9/5/2023

Violation: Found the pool deck is being replaced without a permit. There is a mini-split a/c unit installed in the common area without a permit. Hire a licensed contractor to obtain a building permit and after-the-fact mechanical permit.

Code Section: Sec. 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: Assess a fine of \$250.00 plus a \$200.00 administrative fee.	Case History: This is a new case.
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26. 1075 92 Street

Type of Hearing: Special Master Hearing

Presenter: Scherrie Griffin

Owner: FREDERIC DA FONTE

Code Officer: Scherrie Griffin

Registered Agent: Frederic Da Fonte

Citation #: 24-001187

Date Issued: 9/5/2023

Violation: Found work done in the kitchen without permits.Hire a licensed contractor to obtain after-the-fact permits from the building department.

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:

Assess a fine of \$250.00 plus a \$200.00 administrative fee for a total of \$450.00.

Case History:

This is a new case.

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.