

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

SPECIAL MAGISTRATE TERRYANNE HOWELL, ESQUIRE

AGENDA

February 26, 2026
10:30 AM

1. 9950 East Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter:

Owner: Boutique Bay Harbor, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Alex Sirulink

Citation #: 25-000779

Date Issued: 4/15/2025

Violation: Repair the floor in unit # 1. Permit required. Do not remove the unsafe structure notice posted on unit # 1. Board all first floor openings of the vacant building.

Code Section: 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 \$250.00

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

<u>Department's Recommendation:</u>	<u>Case History:</u>
Grant a 90 days extension to demolish the building.	This is a new case.

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2. 1165 102 Street

Type of Hearing: Special Master Hearing

Presenter:

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 facia 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 \$250.00

<p>Department's Recommendation: Assess a daily fine of \$250.00 until the violation is abated and a \$500.00 administrative fee.</p>	<p>Case History: 10/30/25 Special Magistrate hearing — The property owner has seven (7) days to schedule a meeting with the town to discuss the violation. The case is continued to the next hearing date. 1/29/25 Special Magistrate hearing — Continuance is granted for 30 days.</p>
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3. 1135 101 Street

Type of Hearing: Special Master Hearing

Presenter:

Owner: Bay Harbor 1135, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Cogency Global, Inc.

Citation #: 23-001576

Date Issued: 8/22/2023

Violation: An air conditioning unit was installed 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> Close the case.	<u>Case History:</u> 3/21/24 Special Magistrate hearing — Extension granted for 90 days to obtain a permit for the air conditioning unit.
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4. 1350 96 Street

Type of Hearing: Special Master Hearing

Presenter:

Code Officer: Evelyn Merizalde

Owner: Matias Cohen

Registered Agent:

Citation #: 25-000607

Date Issued: 3/5/2025

Violation: Noise disturbance incident report # 25-154-OF received.

Code Section: 12-22 The following acts and the causing or permitting thereof, are presumed to be in violation of this article. (1)Operating or playing any radio, television, phonograph, drum, musical instrument or other machine or device for the production, reproduction or amplification of sound which creates a noise disturbance. (2)Owning, possessing or harboring any animal or bird which frequently or for a continued duration howls, barks or makes other noises which create a noise disturbance. (3)Operating or causing the operation of any tools or equipment used in construction activity and landscaping outside the hours specified in section 12-26 without first receiving a permit from the town manager pursuant to section 12-25. (4)Using or firing explosives, fire crackers, firearms, sirens or similar devices, except in an emergency, or using or firing firecrackers, skyrockets or the like if prior permission is not obtained from the town manager. Fine \$250.00

<u>Department's Recommendation:</u> Close the case.	<u>Case History:</u> This is a new case.
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5. 10086 Bay Harbor Terrace

Type of Hearing: Special Master Hearing

Presenter:

Code Officer: Evelyn Merizalde

Owner: MOD 10086, LLC

Registered Agent: Hanny Lerner

Citation #: 23-001574

Date Issued: 8/22/2023

Violation: Kitchen remodeling work is currently in progress without the required 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

<u>Department's Recommendation:</u> Close the case.	<u>Case History:</u> This case was rescheduled.
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6. 1251 100 Street

Type of Hearing: Special Master Hearing

Presenter:

Owner: Barry Perlstein

Code Officer: Scherrie Griffin

Registered Agent:

Citation #: 25-002426

Date Issued: 11/25/2025

Violation: The site was found open and unsecured on Monday, November 25, 2025. There were no workers present. Event #2511240073.

Code Section: Ordinance 1124 5-5(c) 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 construction 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 First Violation Daily Penalty: \$5,000.00 Second Violation Daily Penalty: \$10,000.00 For any subsequent or repeat violation, a Stop Work Order shall be issued pursuant to Section 12-27.

Department's Recommendation: Assess a fine of \$5,000.00 and a \$500.00 administrative fee.	Case History: This is a new case.
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7. 9700 West Bay Harbor Drive

Type of Hearing: Special Master Hearing

Presenter:

Owner: Aire Bay Harbor, LLC

Code Officer: Scherrie Griffin

Registered Agent: Alex D. Sirulnik, P.A.

Citation #: 25-002324

Date Issued: 11/3/2025

Violation: Received police incident report #25-000391 regarding the construction fence collapsing at the entrance of the site on Saturday, October 25, 2025. Fine imposed in the amount of \$5,000.00 First Notice of Violation.

Code Section: Ordinance 1124 5-5(h) 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. First Violation \$5,000.00 Second Violation \$10,000.00

<p><u>Department's Recommendation:</u> Assess a fine of \$5,000.00 and a \$500.00 administrative fee.</p>	<p><u>Case History:</u> This is a new case.</p>
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8. 1177 Kane Concourse

Type of Hearing: Special Master Hearing

Presenter:

Owner: 1177 Bay Harbor Islands, LLC

Code Officer: Scherrie Griffin

Registered Agent: Corporation Service Company

Citation #: 25-002020

Date Issued: 10/9/2025

Violation: Exterior construction activity was found in progress before 9:00 AM on Wednesday, October 8, 2025. Event #2510080026.

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.

<p><u>Department's Recommendation:</u> Assess a fine of \$5,000.00 and a \$500.00 administrative fee.</p>	<p><u>Case History:</u> This is a new case.</p>
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9. 1165 102 Street

Type of Hearing: Special Master Hearing

Presenter:

Owner: Wedgewood Apartments, Inc.

Code Officer: Scherrie Griffin

Registered Agent:

Citation #: 24-001358

Date Issued: 11/18/2024

Violation: The exterior of the structure needs to be painted and pressured cleaned.

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 \$250.00

<p><u>Department's Recommendation:</u> Assess a fine of \$50.00 per day from the date of the hearing until the violation is abated and a \$500.00 administrative fee.</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.

Bay Harbor Island Town Hall
Code Compliance Division
1030 95th Street
BAY HARBOR ISLANDS, FL 33154
Phone: (305) 993-1786



NOTICE TO APPEAR #1

Date: February 06, 2026
File Number: 25-000779

RE: Notice of Violation No: 25-000779
Date of Issuance: Apr 15, 2025
Code Compliance Officer: Evelyn Merizalde
Location of Violation: 9950 East Bay Harbor Drive
Bay Harbor Islands, FL 33154-1538

TO: VIOLATOR

BOUTIQUE BAY HARBOR LLC
2199 PONCE DE LEON BLVD STE
301
Coral Gables, FL 33134

REGISTERED AGENT

Alex D. Sirulink. P.A.
2199 PONCE DE LEON BOULEVARD SUITE
301
CORAL GABLES,, FL 33134

Code Sections Violated and Nature of Violations:

Code: Sec. 24-15 (i)

Violation: 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.

Corrective Action: Board all first floor openings of the vacant building. A permit is required.

Visit the permit portal at www.citizenserve.com/bhi to manage your Residential and Commercial construction projects. Get information on applying for your permits, track review and inspection milestones, manage your permits and more.

Code: Sec. 23-12(1)

Violation: 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 \$250.00
Corrective Action: Repair the floor in unit # 1. Permit required.
Do not remove the unsafe structure notice posted on unit # 1.

Visit the permit portal at www.citizenserve.com/bhi to manage your Residential and Commercial construction projects. Get information on applying for your permits, track review and inspection milestones, manage your permits and more.

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 26, 2026

Time: 10:30AM

TOWN OF BAY HARBOR ISLANDS
Place: MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154

You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,


Evelyn Herpello
Town Clerk

Bay Harbor Island Town Hall

Code Compliance Division

1030 95th Street

BAY HARBOR ISLANDS, FL 33154

Phone: (305) 993-1786



NOTICE TO APPEAR #4

Date: February 06, 2026

File Number: 24-001434

RE: Notice of Violation No: 24-001434
Date of Issuance: September 12, 2024
Code Compliance Officer: Evelyn Merizalde
Location of Violation: 1165 102 Street
Bay Harbor Islands, FL 33154-3700

TO: VIOLATOR

WEDGEWOOD APARTMENTS INC
1165-102 ST
BAY HARBOR ISLANDS, FL 33154-0000

REGISTERED AGENT

Christopher Kelly
11098 Biscayne Boulevard, Suite 205
Miami, FL 33161

Code Sections Violated and Nature of Violations:

Code: Sec. 23-12(1)

Violation: 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 \$250.00

Corrective Action: Hire a licensed pool vendor to clean/maintain the pool on a regular basis. Have the pool deck pressure cleaned.

Provide a copy of the current Florida Health Department pool operating permit.

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 06, 2026

Time: 10:30AM

TOWN OF BAY HARBOR ISLANDS
Place: MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154

You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,



Evelyn Herbello
Town Clerk

Bay Harbor Island Town Hall
Code Compliance Division
1030 95th Street
BAY HARBOR ISLANDS, FL 33154
Phone: (305) 993-1786



NOTICE TO APPEAR #2

Date: February 06, 2026
File Number: 23-001576

RE: Notice of Violation No: 23-001576
Date of Issuance: August 22, 2023
Code Compliance Officer: Evelyn Merizalde
Location of Violation: 1135 101 Street
Bay Harbor Islands, FL 33154-1524

TO: VIOLATOR

Bay Harbor 1135 / is Marco Capriles
222 N LASALLE STREET STE 300
Chicago, IL 60601

REGISTERED AGENT

Cogency Global, Inc.
115 N CALHOUN ST STE 4
Tallahassee, FL 32301

Code Sections Violated and Nature of Violations:

Code: Sec. 5-6(a)

Violation: 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

Corrective Action: Obtain an after the fact permit for the new air conditioning unit. Comply with the town code regarding:

- 1.Location of equipment on property with dimensions.**
- 2.Type of screening and material**
- 3.Elevation of equipment.4.SEER rating**
- 5.Sound rating in bels as contained in the current Unitary Systems Manufacturer's ARI standard rating.**

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 26, 2026

Time: 10:30AM

TOWN OF BAY HARBOR ISLANDS
Place: MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154

You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,



Evelyn Herbello
Town Clerk

Bay Harbor Island Town Hall
Code Compliance Division
1030 95th Street
BAY HARBOR ISLANDS, FL 33154
Phone: (305) 993-1786



NOTICE TO APPEAR #1

Date: February 06, 2026
File Number: 25-000607

RE: Notice of Violation No: 25-000607
Date of Issuance: March 20, 2025
Code Compliance Officer: Evelyn Merizalde
Location of Violation: 1350 96 Street
Bay Harbor Islands, FL 33154-1940

TO: VIOLATOR **REGISTERED AGENT**
MATIAS E COHEN
1350 96 STREET
BAY HARBOUR ISLAND, FL 33154

Code Sections Violated and Nature of Violations:

Code: Sec. 12-22

Violation: The following acts and the causing or permitting thereof, are presumed to be in violation of this article.

- (1) Operating or playing any radio, television, phonograph, drum, musical instrument or other machine or device for the production, reproduction or amplification of sound which creates a noise disturbance.**
- (2) Owning, possessing or harboring any animal or bird which frequently or for a continued duration howls, barks or makes other noises which create a noise disturbance.**
- (3) Operating or causing the operation of any tools or equipment used in construction activity and landscaping outside the hours specified in section 12-26 without first receiving a permit from the town manager pursuant to section 12-25.**
- (4) Using or firing explosives, fire crackers, firearms, sirens or similar devices, except in an emergency, or using or firing firecrackers, skyrockets or the like if prior permission is not obtained from the town manager.**

Fine \$250.00

Corrective Action: Fine imposed in the amount of \$250.00. Mail a check made payable to the Town of Bay Harbor Islands in the amount of \$250.00 or make a payment online at <https://bayharborislandsfl.municipalonlinepayments.com/bayharborislandsfl/easypay> .

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 26, 2026
Time: 10:30AM
TOWN OF BAY HARBOR ISLANDS
Place: MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154

You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,



Evelyn Herbello
Town Clerk

Bay Harbor Island Town Hall
Code Compliance Division
1030 95th Street
BAY HARBOR ISLANDS, FL 33154
Phone: (305) 993-1786



NOTICE TO APPEAR #2

Date: February 06, 2026
File Number: 23-001574

RE: Notice of Violation No: 23-001574
Date of Issuance: Aug 22, 2023
Code Compliance Officer: Evelyn Merizalde
Location of Violation: 10086 BAY HARBOR Terrace 10086
Bay Harbor Islands, FL 33154-1510

TO: <u>VIOLATOR</u>	<u>REGISTERED AGENT</u>
MOD 10086 LLC	Hanny Lerner
PO BOX 546232	250 95TH STREET SUITE 6232
MIAMI, FL 33154	Surfside, FL 33154

Code Sections Violated and Nature of Violations:

Code: Sec. 5-6(a)

Violation: 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

Corrective Action: Hire a licensed contractor to obtain building, plumbing and electrical permits for the interior alterations.

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 26, 2026
Time: 10:30AM
TOWN OF BAY HARBOR ISLANDS
Place: MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154

You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Evelyn Herbello', is written over the typed name and title.

Evelyn Herbello
Town Clerk

(3) For any subsequent or repeat violation. a Stop Work Order shall be issued pursuant to section 12-27

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.

Corrective Action: Fine imposed in the amount of \$5,000.00. 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>.

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 26, 2026

Time: 10:30AM

**TOWN OF BAY HARBOR ISLANDS
Place: MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154**

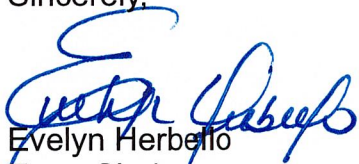
You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,


Evelyn Herbelo
Town Clerk

Bay Harbor Island Town Hall

Code Compliance Division

1030 95th Street

BAY HARBOR ISLANDS, FL 33154

Phone: (305) 993-1786



NOTICE TO APPEAR #1

Date: February 06, 2026

File Number: 25-002324

RE: Notice of Violation No: 25-002324
Date of Issuance: Nov 03, 2025
Code Compliance Officer: Scherrie Griffin
Location of Violation: 9700 West BAY HARBOR Drive
Bay Harbor Islands, FL 33154-1753

TO: VIOLATOR

Aire Bay Harbor LLC
2199 Ponce De Leon Blvd #301
Coral Gables, FL 33134

REGISTERED AGENT

Alex D. Sirulnik, P.A.
2199 PONCE DE LEON BLVD STE 301
Coral Gables, FL 33134

Code Sections Violated and Nature of Violations:

Code: Ordinance 1124 5-5(h)

Violation: 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.

Corrective Action: Fine imposed in the amount of \$5,000.00 First Notice of Violation. Please make a check payable to the Town of Bay Harbor Islands in the amount of \$5,000.00 or make a payment online at <https://www.municipalonlinepayments.com/bayharborislandsfl/easypay>. The construction fence shall maintain in good order.

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 26, 2026

Time: 10:30AM

**TOWN OF BAY HARBOR ISLANDS
Place: MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154**


You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,


Evelyn Herbello
Town Clerk

Bay Harbor Island Town Hall
Code Compliance Division
1030 95th Street
BAY HARBOR ISLANDS, FL 33154
Phone: (305) 993-1786



NOTICE TO APPEAR #1

Date: February 06, 2026
File Number: 25-002020

RE: Notice of Violation No: 25-002020
Date of Issuance: Oct 08, 2025
Code Compliance Officer: Scherrie Griffin
Location of Violation: 1177 Kane Concourse
Bay Harbor Islands, FL 33154-0000

TO: VIOLATOR

1177 Bay Harbor Islands LLC
3109 Grand Avenue, Unit 349
Coconut Grove, FL 33133

REGISTERED AGENT

Corporation Service Company
1201 Hays Street
Tallahassee, FL 32301

Code Sections Violated and Nature of Violations:

Code: 12-27(a)(i-iv)

Violation: 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.

Corrective Action: Fine imposed in the amount of \$5,000.00. Eighth Notice of 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>. Stop Work Order issued for 10/10/2025, to 10/16/2025. There shall be no noise of work from the site until 09:00 AM

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 26, 2026

Time: 10:30AM

TOWN OF BAY HARBOR ISLANDS
Place: **MORRIS N. BROAD COMMUNITY CENTER**
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154

You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,


Evelyn Herbello
Town Clerk

Bay Harbor Island Town Hall
Code Compliance Division
1030 95th Street
BAY HARBOR ISLANDS, FL 33154
Phone: (305) 993-1786



NOTICE TO APPEAR #3

Date: February 06, 2026
File Number: 24-001358

RE: Notice of Violation No: 24-001358
Date of Issuance: Jul 24, 2024
Code Compliance Officer: Scherrie Griffin
Location of Violation: 1165 102 Street
Bay Harbor Islands, FL 33154-3700

TO: VIOLATOR

WEDGEWOOD APARTMENTS INC
PO BOX 402391
MIAMI BEACH, FL 33140

REGISTERED AGENT

Barry Liebowitz
1165 102 Street
Town of Bay Harbor Islands, FL 33154

Code Sections Violated and Nature of Violations:

Code: Sec. 23-12(1)

Violation: 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 \$250.00

Corrective Action: Pressure clean and paint the exterior of the structure. Permit required from the building department. Provide paint sample color.

You are hereby notified that a hearing before the Town's Special Magistrate on the described violation will be held as follows:

Date: February 26, 2026
Time: 10:30AM

TOWN OF BAY HARBOR ISLANDS
Place: MORRIS N. BROAD COMMUNITY CENTER
1175 95TH STREET #2-3
BAY HARBOR ISLANDS, FL 33154

You may appear at said time and place to present any evidence in your behalf. You may be represented by Counsel, if you so desire. If represented by anyone other than legal counsel, please provide a letter of authorization from the owner naming the person or persons authorized to appear on their behalf. Decisions and agreements made by authorized representative shall be binding upon the owner of record. Failure to appear may result in adjudication of guilt and imposition of fines by the Special Magistrate.

An Administrative Fee, to be determined at the time of hearing, will be levied in conjunction with any fines. The Order may be recorded and shall constitute a lien against your property. Thereafter, a foreclosure proceeding may be instituted against your property.

Any request for continuance must be received by the Special Magistrate at least ten (10) calendar days prior to the date set for the hearing to be considered.

For information or comments, contact the Code Compliance Department at (305) 993-1786 or by email.

Sincerely,



Evelyn Herbellio
Town Clerk