

UNSAFE STRUCTURES BOARD HEARING MINUTES OF January 18th, 2012

Members Present: James Cueva, Chairman Gordon Loader, VC Benjamin S. Essien
Kevin Deeb James Starkweather Carlos Naumann
Aymara D. Riley Robert Sweeney

Excused Absent: Emile Amedee Abel Ramirez Jose Escandell

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Michael Valdes, Asst. County Attorney

Court Reporter: Daisy Amador, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, January 18th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Permitting, Environment & Regulatory Affairs located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the December 14th, 2011 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Naumann seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County and City of North Miami Beach cases that were **agreements with the Building Inspector/Official:**

Unincorporated Miami Dade County:

DC20110146186U	7001 NW 36 Avenue
DCF2009109601U	8305 SW 72 Avenue, #1
DCF2010109972U	2185 NW 57 Street, #1
DCF2010110069U	7350 SW 8 Street, #1
DCF2010110406U	4700 NW 72 Avenue, #1
DCF2010110587U	2728 NW 32 Street, #1
DCF2010110815U	14511 SW Moody Drive, #1

City of North Miami Beach:

NMB2010-022	3755 NE 167 Street
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Ms. Charles announced that the following City of North Miami Beach case was **No Contest/No Show with the Building Official:**

City of North Miami Beach:

NMB-BV11-225	1340 NE 177 Street
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Ms. Charles then announced that the following Unincorporated Miami Dade County case was **Withdrawn/Deferred:**

Unincorporated Miami Dade County:

DCF2010110704U	333 Mendoza Avenue, #1
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The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Sweeney seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Discussion

Mr. James Cueva gave an update on the request to the Commissioners regarding new members for the Unsafe Structures Board. He then informed the members that he will contact the Commissioner to find out the status.

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 1:36 P.M. and seconded by Mr. Essien.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF February 15th, 2012

Members Present: Gordon Loader, VC Benjamin S. Essien Kevin Deeb
James Starkweather Carlos Naumann Aymara D. Riley
Robert Sweeney Emile Amedee Abel Ramirez
Jose Escandell

Excused Absent: James Cueva, Chairman

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Michael Valdes, Asst. County Attorney

Court Reporter: Daisy Amador, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, February 15th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Permitting, Environment & Regulatory Affairs located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. Gordon Loader requested a motion to approve and accept the minutes of the January 18th, 2012 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Sweeney seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Inspector/Official:**

Unincorporated Miami Dade County:

DC20090126155U	12262 SW 131 Avenue, #6
DC20090126580U	13210-70 SW 131 Street
DC20110146311U	12600 SW 8 Street
DC20110146485U	3755 NW 30 Avenue
DC20110147206U	6300 SW 138 Court

Ms. Charles announced that the following City of North Miami Beach case was **No Contest/No Show with the Building Official:**

Unincorporated Miami Dade County:

DC20090126758U	6902 NW 50 Street, #3-1
DCF2010110043U	3300 NW 32 Avenue, #1
G20110142655U	14175 SW 87 Street, #103

Ms. Charles then announced that the following Unincorporated Miami Dade County case was **Withdrawn/Deferred:**

Unincorporated Miami Dade County:

DC20120148036U	1791 NW 112 Street
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The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Loader requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles with the exception of City of Miami Gardens case. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Loader then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:40 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DC20110147418U

1113 NW 79 Street

Mr. Monte Lee gave an account of the structure and recommended that “Said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Rickie Robinson, Owner, informed the Board that the property has been in litigation for 5 years. He stated that he attempted to obtain a quick deed. Mr. Robinson further informed the Board that he bought the property in the condition it’s in and he can not obtain any permits to perform any work on the property due to a hold on the property.

Mr. Deeb asked the property owner if he wanted to repair the property.

Mr. Robinson replied that he would like to bring the property up to code.

Mr. Lee enlightened the Board that the property owner has not applied for a permit as of today.

Mr. Robinson explained to the Board that every time he attempted to meet with Mr. Lee, he was rejected.

Mr. Essien informed the property owner that he needed to obtain plans to move forward on the matter.

Mr. Loader read into the record the certificate of title for the property.

Mr. Essien asked Mr. Robinson if there was a financial issue that prevented him from proceeding to fix the property.

Mr. Robinson answered “no”.

After some discussion, Ms. Riley made a motion that, “The structure is to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. Said structure must be repaired or completed. An application for building and/or plans must be submitted to the Department of

Permitting, Environment and Regulatory Affairs within sixty (60) days from today. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted first to the Unsafe Structures Unit for approval. The building permit must be obtained by a qualified homeowner or a licensed contractor pursuant to section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure(s) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami-Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Mr. James Starkweather left the meeting at 2:10pm.

Ms. Charles then called forth the second cases that are consolidated to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach:

BV12000238	430 21 Street
BV12000239	435 20 Street
BV12000240	2000 Park Avenue

Ms. Montoya-Hassan, Assistant Attorney for the City of Miami Beach, appeared representing the Building Official and gave a little background information on the properties. She indicated that the structures were historical in nature and had been damaged as a result of the recent arson spree that the City experienced over a year ago. Ms. Montoya-Hassan indicated that the Building Official's recommendation was that the structures may be repaired but must be cleared, and have the bracing and shoring completed. She proceeded to inform the Board that the property had deteriorated due to lack of action taken on the property. Ms. Montoya-Hassan ordered that all parties secure, brace and repair the properties.

Mr. Steve Roskin informed the Board that the property is a foreclosure case and has been pending since last year. He further informed the Board that the sell date of the property has been postponed due to this matter. Mr. Roskin updated the Board that the next hearing date has been scheduled for May 17th, 2012.

Mr. Thomas Mooney, Design and Preservation Manager, stated that the City of Miami Beach Historic Preservation Board would like the same resolution as the City of Miami Beach. He proceeded to provide the Board copies of the resolution from the Historic Preservation Board. Mr. Mooney requested that the Board invoke the requirements of Section 16A-11(VI)(b), Miami Dade County Code, requesting and requiring that the Unsafe Structures Board establish a grace period of no less than 120 days to obtain a permit to repair the property, so that the property owner can perform the work necessary to fully stabilize and shore the Tyler Apartment Hotel. Including investigation and plan preparation, and submittal of such plans to the City's building Official, and any other authorities that may have jurisdiction over the matter. He further requested that until such work is completed and reviewed, it cannot be determined that there is no feasible alternative to demolition.

Mr. Loader inquired whether the properties were currently secured.

Ms. Montoya- Hassan replied that they were secure and that the City did want to safeguard the adjacent structures through these provisions.

Mr. Michael Valdes, Miami-Dade Assistant County Attorney, first clarified some of the conditions in the Code for historical properties and their preservation and that the Board can hear the matter on limited jurisdiction for requests of extension timeframes. He indicated that the City would have to bring any other compliance issues under subsequent separate action.

Mr. Paul Fig, Representative of G-2 Development, indicated that an agreement with the shoring and bracing of the structures was made last year, but the funds haven't been released from the insurance company to proceed with repairs. He informed the Board that the case has been a standoff.

Mr. Richard McConachie, Building Official, informed the Board that it is important to the City that the property gets braced and shored.

Mr. Sweeney pointed out that the documents from the Historic Preservation Board indicated that they want the bracing and shoring done prior to the hurricane season.

Mr. Deeb moved that "The structure is to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. The Owner is to prepare full shoring and bracing plans, obtain the required permits, and complete all shoring and bracing required to fully secure and stabilize the structures within ninety (90) days from today. A required permit must be obtained to stabilize the building and complete all shoring. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The Unsafe Structures Board acknowledges and preserves the City of Miami Beach Historic Preservation Board's right to evoke Miami Dade County Section 16A-11 (VI)(b) if deemed necessary in the future". Mr. Naumann moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Mr. Loader then requested clarification of the agreement made by the City of Miami Gardens:

City of Miami Gardens:

US2012-005

17300 NW 7 Avenue

Ms. Shellie Ransom, Building Official explained to the Board that an agreement had been made between the property owner, attorney and the City to allow them 180 days to turn in the proper documents. She further explained that when they sell the property, the new owner must comply with the original agreement in place.

Mr. Loader read into the record the signed agreement between all parties in reference to the case for clarification.

After the Board reviewed each case file, Mr. Loader requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the agreed case as called by Ms. Charles. Mr. Naumann seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, a motion was made by Mr. Essien to adjourn the meeting at 3:00 P.M. and seconded by Mr. Naumann.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF March 14th, 2012

Members Present: James Cueva, Chairman Gordon Loader, VC Kevin Deeb
James Starkweather Carlos Naumann Aymara D. Riley
Emile Amedee Jose Escandell

Excused Absent: Benjamin S. Essien Robert Sweeney Abel Ramirez

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Michael Valdes, Asst. County Attorney

Court Reporter: Fernando Subirats, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, March 14th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Permitting, Environment & Regulatory Affairs located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the February 15th, 2012 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Escandell seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Inspector/Official:**

Unincorporated Miami Dade County:

DC20090126080U	7875 NW 64 Street
DC20090126588U	13375 SW 128 Street, #101
DC20090126727U	7152 NW 50 Street
DC20090126760U	6960 NW 50 Street
DC20090126764U	7060 NW 50 Street, #7
DC20090126866U	14661 Bethune Drive
DC20110142587U	6701 SW 81 Street
DCF2010109977U	3071 NW 54 Street, #1

Ms. Charles announced that the following Unincorporated Miami Dade County cases were **No Contest/No Show with the Building Official:**

Unincorporated Miami Dade County:

DC20090126586U	11117 Biscayne Blvd.
DC20090126763U	7014 NW 50 Street, 5-1
DC20100137251U	6690 NW 18 Avenue
DC20110145662U	7723 NW 27 Avenue
DCF2010110333U	10740 NW 7 Avenue, #1
G20110142767U	750 NE 195 Street, #202

The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:50 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DC20100135015U 15852 NW 122 Avenue

Mr. Monte Lee gave an account of the structure and informed the Board that the owner’s representative is present because they requested an extension of time before the expiration date of the Board Order.

Jeffrey Flanagan, Attorney, gave a description of the property and informed the Board that his client acknowledges that the property needs to be repaired to bring the property up to code. He explained to the Board the use of the property and proceeded to request additional time to bring the property into compliance.

Mr. Cueva asked how much time is needed to bring property up to code or to get started with the repairs.

Mr. Jeffrey Flanagan responded that his client needed up to a year to obtain the permit due to complexity of the property for the problem which occurred with issues on the requirements for the C9 based.

After some discussion, Mr. Starkweather made a motion that, “The prior Board Order of October 19th, 2011 is modified to allow extension of time of three hundred sixty-five (365) days to obtain permits from today and a completion of the repairs shall be completed within three hundred sixty-five (365) days after obtaining the permit. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the second case to be heard by the Village of Pinecrest, Unsafe Structures Unit.

Village of Pinecrest:

VOP2012 – 001 10979 SW 77 Avenue

Mr. Leo Llanos, Building Official gave a background on the property. He indicated that the structures were damaged and unsafe to the community due to hurricane season approaching. Mr. Llanos indicated that his recommendation is that the structures may be repaired but must be cleared and completed. He proceeded to inform the Board that the property had deteriorated due to lack of action taken on the property. Mr. Llanos ordered that all parties secure and repair the property. He further informed the Board that if the property is not brought up to code within 30 days, then the City will demolish.

Mr. Jose Escandell asked the City if the permits had been applied for.

Mr. Llanos replied “no.”

Mr. Luis Hilman, Owner’s Representative, informed the Board that the property is a foreclosure case and has been pending since last year to obtain a hearing date. He further informed the Board that the Third District Court has postponed the hearing date due to ownership issues. Mr. Hilman updated the Board that the next hearing date has been scheduled for March 26th, 2012. He then requested for additional time.

Mr. Cueva, Member, explained the purpose of the Unsafe Structures Board. He further explained that the Unsafe Structures Board would like to see the safety of the property rehabilitates and brought up to code. Mr. Cueva proceeded to provide information on the authorities that may have jurisdiction over the matter. He then inquired whether the property was currently secured.

Mr. Hilman replied that the bank hired a company to maintain the property and that no one can move on the property because the case is in probate.

Mr. John Lukacs, Estate Attorney, expressed to the Board that demolishing the property is not the solution for the property. He informed the Board that a motion had been filed to appear in probate court to allow the ruling on the property. Mr. Lukacs then requested that the Board defer this case to allow them time to finalize court issues.

Mr. Bart Billbrough, Attorney, informed the Board that the property is in foreclosure and does not know who the owners are of the property until they obtain a hearing date. He suggested that the Board make a ruling on this case to end this process.

After some discussion, Mr. Starkweather moved that “The structures are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. Said structures must be repaired or demolish. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted first to the Unsafe Structures Unit for approval. The building permit must be obtained by a qualified homeowner or a licensed contractor pursuant to section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structures shall conform to the current Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami-Dade County and shall be completed within thirty (30) days from today. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Naumann moved to second the motion.

Motion passed. (Mr. James Cueva, Mr. Emile Amedee and Mr. Kevin Deeb opposed)

(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 2:25 P.M. and seconded by Mr. Naumann.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF April 18th, 2012

Members Present: James Cueva, Chairman Gordon Loader, VC Kevin Deeb
Carlos Naumann Aymara D. Riley Benjamin S. Essien
Jose Escandell

Excused Absent: Emile Amedee Robert Sweeney Abel Ramirez
James Starkweather

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Michael Valdes, Asst. County Attorney

Court Reporter: Daisy Amador, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, April 18th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Permitting, Environment & Regulatory Affairs located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the March 14th, 2012 Unsafe Structures Board Meeting. Mr. Deeb moved to accept the minutes of the board meeting. Mr. Naumann seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Inspector/Official:**

Unincorporated Miami Dade County:

DC20090126768U	7064 NW 50 Street, #3
DCF2011111711U	17800 SW 107 Avenue, #1
DCF2011111712U	17800 SW 107 Avenue, #2
DCF2011111713U	17800 SW 107 Avenue, #3
DCF2011111714U	17800 SW 107 Avenue, #4
DCF2011111715U	17800 SW 107 Avenue, #5
DCF2011111716U	17800 SW 107 Avenue, #6
DCF2011111717U	17800 SW 107 Avenue, #7
DCF2011111718U	17800 SW 107 Avenue, #8
DCF2011111719U	17800 SW 107 Avenue, #9
DCF2011111720U	17800 SW 107 Avenue, #10
DCF2011111721U	17800 SW 107 Avenue, #11
DCF2011111722U	17800 SW 107 Avenue, #12
DCF2011111723U	17800 SW 107 Avenue, #13
DCF2011111724U	17800 SW 107 Avenue, #14
DCF2011111725U	17800 SW 107 Avenue, #15
DCF2011111726U	17800 SW 107 Avenue, #16

Ms. Charles announced that the following Unincorporated Miami Dade County and City of Florida City cases were **No Contest/No Show with the Building Official:**

Unincorporated Miami Dade County:

DC20110141724U	686 NW 112 Street
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City of Florida City:

FC12-509	807-809 N. Redland Road
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The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Escandell moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:30 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DCF2010109952U 8001 NW 27 Avenue, #1

Mr. Monte Lee gave an account of the structure and informed the Board that the owner's representative is present because they requested an extension of time before the expiration date of the Board Order.

Mr. Lee further informed the Board that the permit had been obtained to demolish, but they need additional time. He also informed the Board that the County granted them an additional 90 days to demolish the structure.

Sarah Hollinworth, Administrator, gave a description of the property and informed the Board that they acknowledge that the property needs to be repaired and brought up to code, but they're going to demolish instead. She explained to the Board the use of the property and proceeded to request additional time to demolish and bring the property into compliance.

Mr. Cueva asked if the time was sufficient enough to bring the property up to code or to demolish.

Ms. Hollinworth responded that she felt that it will be enough time after she meets with the Trustee Board of the property.

After some discussion, Mr. Deeb made a motion that, "The prior Board Order of August 17th, 2011 is modified to allow extension of time to demolish within ninety (90) days from today." Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the second case to be heard by the City of Miami Springs, Unsafe Structures Unit.

City of Miami Springs:

MS2012 – 001 990 Morningside Drive

Mr. Tex Ziadie, Director, gave a background on the property. He indicated that the structure was damaged and unsafe to the community due to hurricane season approaching. Mr. Ziadie indicated that his recommendation is that the structure be demolished within 30 days. He proceeded to inform the Board that the property had deteriorated due to lack of action taken on the property.

Mr. Jose Escandell asked the City if the permits had been applied for.

Mr. Ziadie replied “no.” He enlightened the Board that the property owners have not done anything to the property since they were issued the Notice of Violation in July of 2005.

Mr. Edwin Reed, Building Official, informed the Board that the property is deteriorated beyond repair and must be removed and replaced. He further informed the Board that the City issued another Notice of Violation in October of 2011. Mr. Reed enlightened the Board that an extension was granted by the Engineer in November of 2011, but nothing had been done still today.

Mr. Charles Culpepper, Contractor, acknowledges that the property needs to be repaired to bring the property up to code, but needed more time. He explained to the Board that it is a conflict of interest of the owners.

Mr. Cueva, Member, explained the purpose of the Unsafe Structures Board. He further explained that the Unsafe Structures Board would like to see the safety of the property rehabilitates and brought up to code. Mr. Cueva proceeded to provide information on the authorities that may have jurisdiction over the matter. He then inquired whether the property was currently secured and if he was hired by the owner of the property.

Mr. Culpepper replied that the owner hired him to maintain the property and that no one can move on the property because it is out of compliance. He provided the Board with a letter that showed proof that the owner hired him and proceeded to request additional time to bring the property into compliance.

Mr. Cueva, Member, read into the record an affidavit supporting that Mr. Culpepper is allowed to handle the case.

Mr. Kevin Deeb, Member, asked how long had the property been out of compliance.

Mr. Ziadie replied that it’s been since 2005 and explained to the Board the timeline of the property, but nothing have been done still today.

Mr. George Wills, Property Owner’s Brother, expressed to the Board that demolishing the property is not the solution for the property. He informed the Board that his sister who is the property owner has health issues that prevents her to handle matters on the property. Mr. Wills then requested that the Board defer this case to allow them time to obtain a Power of Attorney.

Mr. Gordon Loader, Member, asked what was their anticipation to obtain a permit and bring property up to code.

Mr. Culpepper replied that he would need two months to obtain the permits and 5 months to complete the work.

Ms. Amy Riley, Member, suggested that the Board defer this case due to ownership issues.

Mr. Ziadie stated that more than enough time has passed to obtain power of attorney and to complete the necessary repairs to bring property up to code.

After some discussion, Mr. Essien moved to “Said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today. The demolition permit shall be obtained from the Unsafe Structure Unit or the applicable equivalent in the enforcing municipality. All debris resulting from the demolition shall be promptly removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Naumann moved to second the motion.

Motion passed. (Mr. James Cueva, Mr. Gordon Loader and Mr. Kevin Deeb opposed)

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the third case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach:

BV12000347 25 N. Shore Drive

Mr. Steven Rothstein, Assistant City Attorney, gave a background on the property. He indicated that the structure was damaged and unsafe to the community due to hurricane season approaching. Mr. Rothstein indicated that the City's recommendation is that the structure be demolished within 60 days and to secure the property within 30 days. He proceeded to inform the Board that illegal activities are also being performed on the property.

Ms. Inés Marrero-Priegues, Attorney, stated that the bank owns the property. She informed the Board that the Bank hired her 10 days ago. Ms. Marrero-Priegues then requested for the Board to defer the case to allow her more time to obtain more details to present the case. She acknowledges that the property had been abandoned, but it is repairable. Mr. Marrero-Priegues assured the Board that her client will secure the property and maintain it to the best of their ability.

After some discussion, Ms. Riley moved to "Case shall be deferred to the Unsafe Structures Board hearing of May 16th, 2012 per the Unsafe Structures Board." Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the fourth case to be heard by the City of Miami Springs, Unsafe Structures Unit.

City of Miami Beach:

BV12000384 1827 Michigan Avenue

Mr. Steven Rothstein, Assistant City Attorney, gave a background on the property. He indicated that the structure was built without a permit and unsafe to the community due to hurricane season approaching. Mr. Rothstein indicated that the City recommendation is that the structure be demolished within 30 days. He proceeded to inform the Board that the property's electricity is disconnected and the owner of property refuses to allow the City access on the property.

Mr. Benjamin Essien, Member, asked when the property owner had the new addition built to the property.

Mr. Adrian Avalos answered that he had no idea because the permits was not found.

Mr. Gordon Loader, Member, asked was there any zoning issues.

Mr. Richard McConachie informed the Board that he doesn't know because the City can not gain access on to the property.

Mr. Rothstein informed the Board that the homeowner will give a presentation that has no relevance to the reason why they are before the Board today.

Mr. Cueva, Member, explained the purpose of the Unsafe Structures Board. He further explained that the Unsafe Structures Board would like to see the safety of the property rehabilitated and brought up to code. Mr. Cueva proceeded to provide information on the authorities that may have jurisdiction over the matter.

Ms. Rita Starr, Property Owner, explained to the Board that her property is unsafe because she was robbed by an illegal contractor by the name of Michael Stern. She further explained that he performed work on her property without permits which resulted to causing her property to be unsafe.

Mr. Cueva asked Ms. Starr what is her intention to bring the property up to code.

Ms. Starr replied that she would like to fix the problem, but her funds do not allow her to do so at this time.

After some discussion, Ms. Riley moved that "The structure is to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. The electricity shall be turned off and no occupancy of the property. Said structure must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted first to the

Unsafe Structures Unit for approval. The building permit must be obtained by a qualified homeowner or a licensed contractor pursuant to section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure(s) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami-Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Naumann moved to second the motion.

Motion passed. (Mr. Benjamin Essien, Mr. Gordon Loader and Mr. James Cueva opposed)

(For a verbatim version, please refer to the transcripts).

Unsafe Structures Board Chairperson and Vice Chairperson Elections

The floor was opened for nominations in the position of Chairperson and Vice-Chairperson of the Unsafe Structures Board.

Mr. Essien nominated **Mr. James Cueva** as **Chairperson** of the Unsafe structures Board for the next year term. Mr. Cueva accepted the nomination. Mr. Essien moved to elect Mr. Cueva and Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Mr. Naumann nominated **Mr. Gordon Loader** as **Vice-Chairperson** of the Unsafe structures Board for the next year term. Mr. Loader accepted the nomination. Mr. Naumann moved to elect Mr. Loader and Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. Deeb to adjourn the meeting at 3:05 P.M. and seconded by Mr. Naumann.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF May 16th, 2012

Members Present: James Cueva, Chairman Kevin Deeb Carlos Naumann
Aymara D. Riley Benjamin S. Essien Jose Escandell
Robert Sweeney James Starkweather

Excused Absent: Gordon Loader, VC Emile Amedee Abel Ramirez

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Michael Valdes, Asst. County Attorney

Court Reporter: Fernando Sabirats, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, May 16th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Permitting, Environment & Regulatory Affairs located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the April 18th, 2012 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County and City of Florida City cases that were **agreements with the Building Inspector/Official:**

Unincorporated Miami Dade County:

DC20090126439U	7369 NW 34 Street
DC20090126495U	13330 SW 128 Street, #202
DC20110144896U	9401 Bird Road
DC20120148295U	19800 SW 180 Avenue, #578
DC20120148536U	8981 SW 8 Terrace, #B
DC20120149017U	11600 NW 7 Avenue
DCF2011111844U	15302 SW 282 Street, #1
DCF2011111845U	15302 SW 282 Street, #2
DCF2011111846U	15302 SW 282 Street, #3
DCF2011111847U	15302 SW 282 Street, #4
DCF2011111848U	15302 SW 282 Street, #5
DCF2011111849U	15302 SW 282 Street, #6
DCF2011111850U	15302 SW 282 Street, #7
DCF2011111851U	15302 SW 282 Street, #8
DCF2011111852U	15302 SW 282 Street, #9
DCF2011111853U	15302 SW 282 Street, #10
DCF2011111854U	15302 SW 282 Street, #11
DCF2011111855U	15302 SW 282 Street, #12
DCF2011111856U	15302 SW 282 Street, #13
DCF2011111857U	15302 SW 282 Street, #14
DCF2011111858U	15302 SW 282 Street, #15
DCF2011111859U	15302 SW 282 Street, #16
DCF2011111860U	15302 SW 282 Street, #17
G20110147332U	10724 SW 188 Street

City of Florida City:

FC12-523

863 NW 10 Street, Bldgs. A, B, C & D

Ms. Charles announced that the following Unincorporated Miami Dade County and City of Florida City cases were **No Contest/No Show with the Building Official:**

Unincorporated Miami Dade County:

DC20090126770U	6942 NW 50 Street, #2-2
DC20110143781U	18200 SW 102 Court
DC20110147478U	26700 S. Dixie Highway
DC20110147595U	11380 NW Biscayne Blvd.
DCF2011111735U	17801 Homestead Avenue, #1
G20120148764U	21320 SW 202 Avenue

City of Florida City:

FC10-410

905 West Palm Drive, Bldgs. A, B, C, D & E

FC12-522

375 NW 4 Street

Ms. Charles announced that the following Unincorporated Miami Dade County case was **Deferred/Withdrawn with the Building Official:**

Unincorporated Miami Dade County:

DCF2010110716U	6749 SW 120 Avenue, #4
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The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Sweeney seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

FC10-410 905 West Palm Drive, Bldgs. A-E

Mr. James Cueva went on record to acknowledge that the Property Owner of 905 West Palm Drive, Bldgs. A-E requested additional time in writing prior to the hearing, but it was not provided to the Office in a timely manner to grant the request. He proceeded to read into the record as to what exactly the property owner was requesting. Mr. Cueva further informed the Board that the property owner was present at the hearing, but had to leave on emergency purposes. He then informed the Board that they will treat the case as a No Show/No Contest.

Mr. Wesley Maltby, City of Florida City Building Official, informed the Board that the City is not in agreement with a deferral on this matter. He then informed the Board that a Notice of Violation was posted on the property back in 2010. Mr. Maltby gave a background on the property and indicated that the structures C, D and E were damaged and unsafe, but structures A and B are in better condition to repair. Mr. Maltby indicated that his recommendation is that the structures be demolished within 30 days because the City had given the property more than enough time to correct the problem. He proceeded to inform the Board that the property had no electricity. Mr. Maltby further informed the Board that the City was not able to perform an inspection inside of the property because they can not gain access inside.

Mr. Starkweather made a motion to “deny the deferral.” Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

After some discussion, Mr. Starkweather made a motion that, "Said structure(s) shall be secured within fourteen (14) working days. The following securing methods are approved: Boarding and Fencing. The structure is to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. Within fourteen (14) days from the hearing date the property shall be accessed by the city of Florida City, Building Department for securing confirmation. Said structures must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted first to the Unsafe Structures Unit for approval. The building permit must be obtained by a qualified homeowner or a licensed contractor pursuant to section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structure(s) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami-Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Escandell seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:50 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

City of Miami Beach:

BV12000347

25 North Shore Drive

Ms. Inés Marrero-Priegues, Attorney, advised the Board that the case was deferred. She then updated the Board on what the bank had done since the last hearing. Ms. Marrero-Priegues then informed the Board that the fence installation was delayed due to the weather. She stated that the bank acknowledges that the property had been abandoned, but it is repairable and they would like to bring it up to code. Mr. Marrero-Priegues assured the Board that her client will obtain a contract in a few weeks. She then requested for additional time to complete the repairs.

Ms. Rhonda Montoya-Hasan, Assistant City Attorney, gave a background on the property. She indicated that the structure was damaged and unsafe to the community due to hurricane season approaching. Ms. Montoya-Hasan indicated that the City's recommendation is that they obtain a permit within 90 days and repair the structure within 180 days after obtaining the permit. She also recommended that a security watch be in place and the property must be secured 24 hours until they start the repairs. Ms. Montoya-Hasan proceeded to inform the Board that the bank is looking to sell the property.

Mr. Cueva asked if the City and the representative of the bank were able to come to an agreement.

Ms. Marrero-Priegues replied that they intend not to get sidetrack of the Board Order.

Mr. Tegan, Neighbor, informed the Board that the bank obtained the property in January 2012. He explained to the Board that progress was done made, but it was only cosmetic to market the property. Mr. Tegan enlightened the Board that the fence is still leaning over and a large hole is in the fence, where people can gain access on the property. He stated that there is no guarantee there will be a buyer in a few weeks.

Mr. Les Bellinger, Architect, informed the Board that it will take some time because of the new code. He then informed the Board that he spoke to developers who would like to start the work to bring the property up to code.

After some discussion, Ms. Riley moved to “Said structure(s) shall be secured within fourteen (14) working days. The following securing method is approved: Fencing. The structure is to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. Within fourteen (14) days from the hearing date the property shall be accessed by the City of Miami Beach, Building Department for securing confirmation. The property owner shall provide a post up security from the hours of 7pm to 7am until the date of the building permit being issued. Said structure must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted first to the Unsafe Structures Unit for approval. The building permit must be obtained by a qualified homeowner or a licensed contractor pursuant to section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure(s) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami-Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:50 P.M. and seconded by Mr. Naumann.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF June 20th, 2012

Members Present:	James Cueva, Chairman	Gordon Loader, VC	Kevin Deeb
	Carlos Naumann	Aymara D. Riley	Benjamin S. Essien
	Jose Escandell	James Starkweather	Abel Ramirez

Excused Absent: Robert Sweeney Emile Amedee

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Michael Valdes, Asst. County Attorney

Court Reporter: Tanya Settler, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:10 P.M. on Wednesday, June 20th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the May 16th, 2012 Unsafe Structures Board Meeting. Mr. Deeb moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Official/Inspector:**

Unincorporated Miami Dade County:

DC20090126763U	7014 NW 50 Street, #5-1
DC20090126764U	7060 NW 50 Street, #7
DC20110147418U	1113 NW 79 Street
DC20110147868U	1101 SW 122 Avenue
DCF2011111263U	44 NW 150 Street, #1
DCF2011111407U	2000 NW 79 Street, #1
DCF2011111639U	6700 SW 81 Street, #1
G20110147669U (Grow House)	13155 SW 123 Avenue, #1

Ms. Charles announced that the following Unincorporated Miami Dade County, City of Florida City and City of Miami Beach cases were **No Contest/No Show for the Building Official** recommendation:

Unincorporated Miami Dade County:

DC20110147770U	26813 SW 128 Avenue
DCF2010110643U	8120 Coral Way, #1
DCF2011111438U	6800 NW 18 Avenue, #1

City of Florida City:

FC12-529	894 NW 3 rd Street
FC10-428	1623 NW 7 th Place

City of Miami Beach:

BV12000439	1779 Marseille Drive
BV12000444	630 79 th Street
BV12000441	810 Euclid Avenue

Ms. Charles announced that the following Unincorporated Miami Dade County case was **Deferred/Withdrawn by the Building Official:**

Unincorporated Miami Dade County:

DC20120150377U	30165 SW 160 Avenue
DC20120150386U	30161 SW 159 Avenue
DCF2011111264U	44 NW 150 Street, #2
DCF2011111265U	44 NW 150 Street, #3
DCF2011111687U	6400 SW 145 Avenue, #4
G20110147430U (Grow House)	4776 SW 75 Avenue
G20120149431U (Grow House)	4401 SW 75 Avenue, #6

City of Miami Beach:

BV12000438	1610 Michigan Avenue
BV12000440	611 Espanola Way

The cases and photographs were submitted to the Board for review and were called into the record by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles with the exception of case DCF2010110643U, 8120 Coral Way, #1, Unincorporated Miami Dade County. Mr. Escandell seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Loader excused himself on the proceeding case due to a conflict of interest.

Unincorporated Miami Dade County

DCF2010110643U	8120 Coral Way, #1
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Mr. Starkweather moved to accept the recommendation on the case as a **No Contest/No Show** called by Ms. Charles. Mr. Ramirez seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:35 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard from the City of Miami Springs, Unsafe Structures Unit.

City of Miami Springs:

MS2012-001	990 Morningside Drive
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Mr. Tex Ziadie, Director, gave an update on the property since the previous hearing. He indicated that the structure still remains damaged and unsafe to the community due to the hurricane season approaching. Mr. Ziadie informed the Board that the property owner agreed to demolish the structure by September 6th, 2012.

Mr. Paul Savage, Property Owner's Attorney, informed the Board that his client is in agreement to demolish the structure. He assured the Board that the owner will handle this in a timely manner.

After some discussion, Mr. Deeb moved that “Said structure shall be demolished by an individual qualified to obtain a demolition permit by September 6th, 2012. The demolition permit shall be obtained from the Unsafe Structure Unit or the applicable equivalent in the enforcing municipality. All debris resulting from the demolition shall be promptly removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the second case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DCF2010110716U 6749 SW 120 Avenue, #4

Mr. Monte Lee gave an account of the structure and recommended that “A 40 year recertification report in the format required by the Department of Regulatory and Economic Resources prepared by a Florida registered professional engineer or architect must be submitted to the Department of Regulatory and Economic Resources, Unsafe Structures Unit within thirty (30) days from today’s date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and/or electrical permit must be submitted for the structure to the Department of Regulatory and Economic Resources within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer’s or architect’s 40 year recertification report. The permit must be obtained within one hundred twenty (120) days from today’s date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today’s date. Upon completion of all required repairs, a revised engineer’s or architect’s 40 year recertification report shall be submitted to the Department of Regulatory and Economic Resources indicating that the structure, as repaired, can be recertified. If any of the above orders are not complied with, said structure(s) shall be demolished by Miami-Dade County as soon as possible. Except as otherwise specified above, the timeframes to comply will commence from the date of the Hearing at which the Unsafe Structure Board issued the Order. Also note that all time frames mentioned are in calendar days.”

Mr. Lee further informed the Board that the County suspected that the property is used as a clubhouse. He also informed the Board that the County attempted to perform several inspections on the property since December 2011, but had not been successful in gaining access onto the property. Mr. Lee then informed the Board that the case was brought to the Board because the 40 year recertification was not submitted to the County in a timely manner. He explained to the Board as to why the case was deferred from last month’s hearing. Mr. Lee further explained that they are requesting that the property owner does allow the County to inspect the property to ensure compliance with the Florida Statutes exemption.

Mr. Jorge Navarro, Property Owner’s Attorney, gave a background on the property and assured the Board that the property in question is used to breed and sell horses and small cattle and the training of horses. He then distributed copies of the 2011 Florida Statutes to the Board indicating that the property is exempt from a 40 year recertification due to the classification of the nonresidential farm. Mr. Navarro requested that the Board dismiss the case under this exemption.

Mr. Starkweather asked what is the zoning and if the property was built with a permit.

Mr. Navarro indicated that the property was authorized for use as farm property for the cattle. Mr. Navarro reiterated that Section 604.50 of the Florida Statutes provide that the property is exempt from a 40 year recertification and the case should be dismissed.

Mr. Felix LaSarte, Owner's Representative, enlightened the Board that the farm and property has not been leased or rented for any commercial activities such as special events or filming/movie production related activities. He stated that the Florida Statutes allow the exemption of this type of farm property. Mr. LaSarte requested that the case be dismissed.

Mr. Lee noted that the exemption and use of property is for occupancy less than 10. He further explained that the County will need to inspect the property to determine what activities are going on the property.

Mr. Cueva asked Mr. Lee does he have proof as to what activities are going on at the property.

Mr. Lee replied "no." He reiterated that the County had no access on the property to perform an inspection to determine.

Mr. Navarro informed the Board that the property owner applied for and obtained an Agricultural Classification exemption for the property from the Miami Dade County Property Appraiser's Office. He further informed the Board that the sole shareholder is active in the horse show business and in horse jumping competitions which is used solely for agricultural purposes, specifically the breeding of horses and small cattle and the training of horses. Mr. Navarro then stressed to the Board that Florida Statutes stated that nonresidential farm building is exempt from the Florida Building Code.

Mr. Michael Valdes, Assistant County Attorney, explained to the Board that they have two options which are to uphold the Building Official recommendation requiring the 40 year recertification or determine that this property falls under the exemption of the 2011 Florida Statutes Section 604.50.

Mr. Navarro stated that the evidence had been provided and falls under the 2011 Florida Statutes.

After some discussion, Ms. Riley moved that "property does not require 40-year recertification, as substantial evidence was presented to qualify for the exemption under the 2011 Florida Statute 604.50." Mr. Ramirez moved to second the motion.

Motion passed 6 to 3. (Mr. Gordon Loader, Mr. Jose Escandell & Mr. Kevin Deeb opposed)

(For a verbatim version, please refer to the transcripts).

Mr. Ramirez and Mr. Deeb left the meeting at 2:35pm.

Ms. Charles then called forth the third case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach:

BV12000445

6955 Carlyle Avenue

Ms. Rhonda Montoya-Hasan gave an account of the structure and recommended that "A 40 year recertification report in the format required by the City of Miami Beach prepared by a Florida registered professional engineer or architect must be submitted to the City of Miami Beach, Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and/or electrical permit must be submitted to the City of Miami Beach within thirty (30) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within sixty (60) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit will be determine by the City of Miami Beach when the property owner obtain the permit. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the City of Miami Beach indicating that the structure, as repaired, can be recertified. If any of the above orders are not complied with, said structure(s) shall be demolished by the City of Miami Beach as soon as possible."

Ms. Montoya-Hasan, City Attorney, informed the Board that the property owner failed to submit the 40 year recertification by the deadline. Ms. Montoya-Hasan further informed the Board that the City is willing to work with the property owner, but they would like the property brought up to code.

Mr. Jose Romero, Property Owner, explained to the Board that he was under the impression that he must submit a 50 year recertification opposed to the 40 year. He further described to the Board the minor repairs that need to be done and assured the Board that he will bring the property up to code. He then requested for additional time to complete the repairs and submit the 40 year recertification.

Mr. Cueva asked how much time is needed to submit report and do the necessary repairs.

Mr. Romero replied that he will need at least 90 days to submit the report and 120 days to do the repairs due to financial issues.

Mr. Essien, Board Member, confirmed that the owner understood what he needed to do to comply.

After some discussion, Ms. Riley moved that "A 40 year recertification report in the format required by the City of Miami Beach prepared by a Florida registered professional engineer or architect must be submitted to the City of Miami Beach, Unsafe Structures Unit within sixty (60) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and/or electrical permit must be submitted to the City of Miami Beach within sixty (60) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within ninety (90) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit will be determine by the City of Miami Beach when the property owner obtain the permit. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the City of Miami Beach indicating that the structure, as repaired, can be recertified. If any of the above orders are not complied with, said structure(s) shall be demolished by the City of Miami Beach as soon as possible." Mr. Naumann moved to second the motion.

Motion passed 6 to 1. (Mr. Gordon Loader opposed)

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the fourth case to be heard by the Village of Pinecrest, Unsafe Structures Unit.

Village of Pinecrest:

VOP2012-001

10979 SW 77 Avenue

Mr. Leo Llanos, Building Official, updated the Board on the property since the previous hearing. He indicated that the structure was still damaged and that ninety days had passed and a permit was just applied for with no plans submitted to the City. Mr. Llanos informed the Board that the structures may be repaired but must be cleared and completed. He proceeded to inform the Board that the property had deteriorated due to lack of action taken on the property. Mr. Llanos ordered that all parties secure and repair the property and bring it up to code within 30 days.

Mr. Luis Hilman, Owner's Representative, informed the Board that the property is a foreclosure case and has been pending since last year. He further informed the Board that a petition had been filed with the court in order to comply with the previous Board Order. Mr. Hilman updated the Board that the permit application was submitted to the City and approved to perform a partial demolition. He then requested for additional time.

Ms. Cindy Lerner, City of Pinecrest Mayor, informed the Board that the property had been deteriorated and in disrepair for several years. She further informed the Board that the property had not been maintained and is an embarrassment to the City. Ms. Lerner also informed the Board that the property is in foreclosure and the structure is a hazard to the community and particularly hurricane season is approaching, the property should be demolished.

Mr. Cueva, Board Chairman, explained the role of the Unsafe Structures Board. He further explained that the Unsafe Structures Board would like to see the safety of the community and the property rehabilitated and brought up to code. Mr. Cueva proceeded to provide information on the authorities that may have jurisdiction over the matter. He then inquired whether the property was currently secured.

Mr. Hilman replied that the bank hired a company to maintain the property.

Mr. John Lukcas, Estate Attorney, expressed to the Board that funds are available to bring the property up to code. He then requested that the Board give his client 60 days to do the partial demolition.

Mr. Bart Billbrough, Attorney, informed the Board that the property is in foreclosure and he does not know who the owners are of the property. He then informed the Board that he is against the extension of time request by Mr. Lukcas. Mr. Billbrough enlightened the Board that the extension request was not submitted to the County in a timely manner.

Ms. Lora Domiguez, Neighbor, provided the Board with copies of pictures showing the unsafe condition of the property to the community. She stated that the house could collapse any day and it needed to be demolished today.

Mr. Lukcas informed the Board that Cynthia Cutler is the beneficiary on records of the property. He read into the records an email from the Lender indicating that they are not in agreement with demolishing the property. Mr. Lukcas expressed that the issue of ownership and is deposition of the property is the matter for the court to decide. He further expressed that his client's intent is to save the property from demolition.

After some discussion, Mr. Essien moved that "The prior Board Oder of March 14th, 2012 is modified to allow extension of time to obtain permits and complete the demolition within thirty (30) days from today." Mr. Starkweather moved to second the motion.

Motion passed 4 to 3. (Mr. James Cueva, Mr. Jose Escandell and Mr. Carlos Naumann opposed)

(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 3:15 P.M. and seconded by Mr. Naumann.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF July 18th, 2012

Members Present: James Cueva, Chairman Gordon Loader, VC Carlos Naumann
Aymara D. Riley Benjamin S. Essien Robert Sweeney
James Starkweather

Excused Absent: Jose Escandell Abel Ramirez Emile Amedee
Kevin Deeb

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Michael Valdes, Asst. County Attorney
Annery Alfonso, Asst. County Attorney

Court Reporter: Daisy Amador, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:25 P.M. on Wednesday, July 18th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the June 20th, 2012 Unsafe Structures Board Meeting. Mr. Deeb moved to accept the minutes of the board meeting. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Official/Inspector:**

Unincorporated Miami Dade County:

DC20090126758U 6902 NW 50 Street, #3-1
DC20110147816U 15201 NE 6 Avenue
DCF2010110169U 5400 SW 122 Avenue, #1

Ms. Charles announced that the following Unincorporated Miami Dade County cases were **No Contest/No Show for the Building Official** recommendation:

Unincorporated Miami Dade County:

DCF2011111300U 1264 NE 111 Street, #1
DCF2011111439U 1901 NW 54 Street, #1

Ms. Charles announced that the following Unincorporated Miami Dade County cases and City of Miami Beach case was **Deferred/Withdrawn by the Building Official:**

Unincorporated Miami Dade County:

DCF2011111443U 6006 NW 22 Avenue, #1

City of Miami Beach:

BV12000441 810 Euclid Avenue

The cases and photographs were submitted to the Board for review and were called into the record by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Sweeney seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:30 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard from the City of Florida City, Unsafe Structures Unit.

City of Florida City:

FC10-410 905 West Palm Drive, Bldgs. A, B, C, D & E

Mr. Wesley Maltby, Building Official, gave an update on the property since the previous hearing. He indicated that the structure still remains the same. Mr. Maltby informed the Board that the property owner appeared recently at the City’s Office to pick up permit application forms, but no action was taken.

Mr. Cueva read into the record of the previous Board Order and asked Mr. Maltby if the property owner was in compliance with the Board Order.

Mr. Maltby replied “no.”

Mr. Cueva inquired about the City’s recommendation.

Mr. Maltby replied that he recommended that the structures be demolished due to the period of time that the City has dealt with the matter with no action.

Mr. Manny Davila, Property Owner, informed the Board that he needed to review what the violations are on his property to correct the problem. He further informed the Board that the property has been maintained secured.

Mr. Loader asked Mr. Davila if he hired an Engineer.

Mr. Davila replied that his funds do not allow him to hire an Engineer at this current time.

Mr. Loader explained to him the need for an Engineer in the case and asked why he had not hired one as yet.

Mr. Essien stated that the property owner had more than enough time to handle this matter.

After some discussion, Mr. Essien moved that “The extension of time on the case is denied and the prior Board Order of May 16th, 2012 is reaffirmed and stands.” Mr. Starkweather moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. Starkweather to adjourn the meeting at 1:45 P.M. and seconded by Mr. Naumann.

Prepared by: _____
 Recording Secretary **Chairperson**

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF August 15th, 2012

Members Present: James Cueva, Chairman Gordon Loader, VC Benjamin S. Essien
Kevin Deeb James Starkweather Carlos Naumann
Aymara D. Riley Robert Sweeney Abel Ramirez

Excused Absent: Emile Amedee Jose Escandell

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Annery Alonso, Asst. County Attorney
David Sherman, Asst. County Attorney

Court Reporter: Fernando Sabraits, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, August 15th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the July 18th, 2012 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Starkweather excused himself from the meeting due to a doctor's appointment at 1:22pm.

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Inspector/Official:**

Unincorporated Miami Dade County:

DC20090126727U	7152 NW 50 Street
DC20100133326U	25005 SW 133 Avenue
DC20120151543U	1177 NW 81 Street
DCF2011111362U	9400 NW 12 Avenue, #1
DCF2011111364U	1221 NW 95 Street, #2
DCF2011111365U	1221 NW 95 Street, #3
DCF2011111366U	1221 NW 95 Street, #4
DCF2011111886U	40800 SW 147 Avenue, #7

Ms. Charles announced that the following Unincorporated Miami Dade County cases were **No Contest/No Show by the Building Official:**

Unincorporated Miami Dade County:

DC20120148374U	1825 SW 87 Court
DC20120150798U	12170 NW 162 Street
DC20120150801U	12172 NW 162 Street
DCF2011111458U	3900 NW 32 Avenue, #1
DCF2011111464U	3066 NW 54 Street, #1

Ms. Charles then announced that the following Unincorporated Miami Dade County cases were **Withdrawn/Deferred by the Building Official:**

Unincorporated Miami Dade County:

DCF2011111446U	3000 NW 60 Street, #1
DCF2011111448U	6020 NW 27 Avenue, #1
DCF2011111495U	3270 NW 29 Street, #1
DCF2011111537U	10315 Coral Way, #3
DCF2011111539U	10315 Coral Way, #5

Ms. Charles then announced that the following Unincorporated Miami Dade County case was initially a No Show case, but the property owner arrived prior to the Board ratifying the cases. She informed the Board that the case was pulled for negotiation between the Building Inspector and the property owner.

Ms. Charles then informed the Board that the following case was now entered as an **Agreement with the Building Official.**

Unincorporated Miami Dade County:

DC20110146311U	12600 SW 8 Street
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The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Essien moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Sweeney seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Ramirez arrived at the closing of the meeting.

There being no further business, a motion was made by Mr. Carlos Naumann to adjourn the meeting at 1:30 P.M. and seconded by Mr. Essien.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF September 19th, 2012

Members Present: James Cueva, Chairman Gordon Loader, VC Benjamin S. Essien
Kevin Deeb James Starkweather Carlos Naumann
Jose Escandell Robert Sweeney Abel Ramirez

Excused Absent: Emile Amedee Aymara D. Riley

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Annery Alonso, Asst. County Attorney
David Sherman, Asst. County Attorney

Court Reporter: Kim Dobies, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, September 19th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the August 15th, 2012 Unsafe Structures Board Meeting. Mr. Essien moved to accept the minutes of the board meeting. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County cases that were **agreements with the Building Inspector/Official:**

Unincorporated Miami Dade County:

DC20090126439U	7369 NW 34 Street
DC20090126866U	14661 Bethune Drive
DC20120151643U	1515 SW 67 Avenue
DC20120151690U	2145 NW 32 Avenue
DCF2011111130U	2191 SW 67 Avenue, #1
DCF2011111199U	4730 NW 128 Street Road, #1
DCF2011111210U	2398 NW 119 Street, #2
DCF2011111299U	1270 NE 111 Street, #1
DCF2011111322U	7500 NW 52 Street, #1
DCF2011111707U	14661 Bethune Drive, #1
DCF2011111537U	10315 Coral Way, #3
DCF2011111539U	10315 Coral Way, #5

Ms. Charles announced that the following Unincorporated Miami Dade County cases were **No Contest/No Show by the Building Official:**

Unincorporated Miami Dade County:

DC20120152291U	7635 NW 27 Avenue
DC20120152994U	11338 Biscayne Blvd.
DCF2009109587U	7500 NW 25 Street, #1
DCF2010110288U	15900 SW 408 Street, #5
DCF2011111128U	6460 SW 8 Street, #1

DCF201111178U	15201 Memorial Highway, #1
DCF2011111205U	10801 NW 27 Avenue, #1
DCF2011111278U	13490 Memorial Highway, #1
DCF2011111321U	7242 NW 54 Street, #2
G20120150170U	10701 SW 216 Street, #9

Ms. Charles then announced that the following Unincorporated Miami Dade County cases were **Withdrawn/Deferred by the Building Official:**

Unincorporated Miami Dade County:

DCF2005105326U	13301 NW 24 Avenue, #1
DCF2011111211U	800 NW 111 Street, #1
DCF2011111334U	2950 NW 74 Avenue, #1

The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Naumann seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:40 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach:

BV12000441	810 Euclid Avenue
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Mr. Steven Rothstein, City of Miami Beach First Assistant City Attorney, advised the Board that the case was deferred by the City for several months. He then updated the Board that the City had obtained the 40 year recertification report from the property owner since the submission of the case. Mr. Rothstein then informed the Board that the property owner failed to comply with the 40 year recertification process by refusing to allow the City to inspect the property. He stated that the City acknowledges that the property is structurally sound, but the City's policy is to inspect the property to be certain that the structure is in compliance with the 40 year recertification report. Mr. Rothstein informed the Board that the property records indicated that it is a multi-family home, but the property owner had argued that he utilized as a single family.

Mr. Cueva asked how many units did the property have.

Mr. Rothstein replied "six". He then informed the Board that the property owner will not allow the City to inspect the property.

Mr. Starkweather asked the City if they inspected every building in the City of Miami Beach.

Mr. Candelario A. Martinez, City of Miami Beach Chief Electrical Inspector, replied that the City only inspects the outside of the property, but they do not inspect every property. He further informed the Board that they only spot check the property and will go inside the unit if they're granted access to property by the owner.

Mr. Mickey Morrero, Owner's Attorney, informed the Board that the owner lived in the home since 1958. He further informed the Board that the owner feels that the property is a single-family home is his resident and none of the units are being used as rentals. Mr. Morrero also informed the Board that a 40 year Engineer's Report was submitted to the City. He enlightened the Board that it does not state anywhere in the Code that an inspection of the property on a 40 year recertification is required. Mr. Morrero concluded that his client is in fact in compliance through the submission of the 40 year report.

Mr. Harry Cherry, Property Owner, stated that he submitted the 40 year recertification to the City, but they want to inspect his property in which is not a requirement. He further stated that he would like his privacy on his property.

Ms. Annery Alonso, Assistant County Attorney, informed the Board that according to the Code, the Board has jurisdiction when there is a case that is non-compliance and the property owner appears to have complied with the report.

Mr. Essien asked Mr. Cherry why he won't allow the City to do an inspection to his property.

Mr. Cherry replied that he felt threatened because the City Officials may be upset with him because he intervened on a project.

Mr. Ramirez asked if the property owner complied with the Notice of Violation.

Mr. Rothstein replied that the City has not performed an inspection to determine whether or not the owner had complied.

Mr. Morrero stated that he advised his client to revise his occupancy to a single family home.

Several Board members inquired about the information in the 40 year report and the format used in the report.

Ms. Alonso informed the Board that the information she provided earlier was incorrect, but the Notice of Violation requirement is under Section 8-11(f) and not Section 8-5(l). She further informed the Board that they do have jurisdiction to act on case if the City has found the report deficient to satisfy to the 40 year recertification.

After some discussion, Mr. Loader moved to "defer to the Unsafe Structures Board meeting of October 17th, 2012." Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Discussion

Kathy Charles informed the Board that a new member had been appointed, but he wasn't sworn in with the Clerk of the Board as of yet.

There being no further business, a motion was made by Mr. Carlos Naumann to adjourn the meeting at 2:40 P.M. and seconded by Mr. Essien.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF October 17th, 2012

Members Present: James Cueva, Chairman Benjamin S. Essien Kevin Deeb
 James Starkweather Carlos Naumann Jose Escandell
 Robert Sweeney Aymara D. Riley

Excused Absent: Gordon Loader, VC Emile Amedee Abel Ramirez

Staff: Kathy Charles, Acting Clerk of the Board
 Latisha Byrd, Board Recording Secretary
 Chris Angell, Asst. County Attorney
 David Sherman, Asst. County Attorney

Court Reporter: Neysa Sosa, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:08 P.M. on Wednesday, October 17th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the September 19th, 2012 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following City of Miami Beach case that was an **agreement with the Building Official:**

City of Miami Beach:

BV12000441 810 Euclid Avenue

Ms. Charles announced that the following Town of Cutler Bay case that was **No Contest/No Show by the Building Official:**

Town of Cutler Bay:

UNSF-06-11-0011 20220 Dothan Road

The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Escandell seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

There being no further business, a motion was made by Mr. James Starkweather to adjourn the meeting at 1:15 P.M. and seconded by Mr. Essien.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF November 14th, 2012

Members Present: James Cueva, Chairman Gordon Loader, VC Benjamin S. Essien
James Starkweather Carlos Naumann Jose Escandell
Robert Sweeney Aymara D. Riley

Excused Absent: Kevin Deeb Emile Amedee Abel Ramirez

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Annery Alonso, Asst. County Attorney
Chris Angell, Asst. County Attorney
David Sherman, Asst. County Attorney

Court Reporter: Tanya Settel, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:08 P.M. on Wednesday, November 14th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the October 17th, 2012 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Escandell seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County and City of Coral Gables cases that were an **agreement with the Building Official:**

Unincorporated Miami Dade County:

DC20110147868U	1101 SW 122 Avenue
DC20120150229U	519 NE 83 Street
DCF2010110864U	10901 N. Kendall Drive, #100
DCF2011111180U	171 NE 166 Street, #1
DCF2011111223U	2645 NE 186 Terrace, #1
DCF2011111248U	18780 NE 6 Avenue, #1
DCF2011111361U	9800 NW 7 Avenue, #1
DCF2011111412U	1113 NW 79 Street, #1
DCF2011111425U	790 NW 72 Street, #1
DCF2011111462U	4900 NW 27 Avenue, #1
DCF2011111463U	4596 NW 22 Avenue, #1
DCF2012015690U	2145 NW 32 Avenue

City of Coral Gables:

CG2012-002	119 Menores Avenue
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Ms. Charles announced that the following Unincorporated Miami Dade County cases that was **No Contest/No Show by the Building Official:**

Unincorporated Miami Dade County:

DC20110147557U	15600 NW 7 Avenue
DCF2011111326U	6945 NW 53 Terrace, #1
DCF2011111463U	2994 NW 46 Street, #1
DCF2011111476U	2812 NW 35 Street, #1
DCF2011111624U	9875 SW 72 Street, #1

Ms. Charles announced that the following Unincorporated Miami Dade County and City of Coral Gables cases were **Deferred/Withdrawn by the Building Official:**

Unincorporated Miami Dade County:

DC20100137228U 18300 NW 122 Avenue

City of Coral Gables:

CG2012-001 123 Giralda Avenue

The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Sweeney seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Old Business

Unincorporated Miami Dade County

DC20120151690U 2145 NW 32 Avenue

Mr. Monte Lee explained to the Board that the above-mentioned case is brought before the Board because an error occurred in the information submitted for the Board Order dated September 19th, 2012. He then provided the Board with the correct specifics on the case. The Board accepted the clarification of Building Official's prior recommendation and the Order would be amended to reflect the correct recommendation.

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 2:07 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DCF2011111521U 500 SW 80 Avenue, #1

Mr. Monte Lee gave an account of the structure and recommended that "A 40 year recertification report in the format required by the Department of Regulatory and Economic Resources prepared by a Florida registered professional engineer or architect must be submitted to the Department of Regulatory and Economic Resources, Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and/or electrical permit must be submitted for the structure to the Department of Regulatory and Economic Resources within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the Department of Regulatory and Economic Resources indicating that the structure, as repaired, can be recertified. If any of the above orders are not complied with, said structure(s) shall be demolished by Miami-Dade County as soon as possible. Except as otherwise specified above, the

timeframes to comply will commence from the date of the Hearing at which the Unsafe Structure Board issued the Order. Also note that all time frames mentioned are in calendar days.”

Mr. Mark Leeds, Property Owner’s Attorney, informed the Board that his client recently purchased the property on April 17th, 2012. He further informed the Board that this property is a transferred title and provided the Board with documents indicating that the property is a duplex and should be exempt from the 40-year requirement. Mr. Leeds explained to the Board that the films were destroyed because it was built in 1971 and Microfilm does not have records of the plans and permits on file for that year and property. He assured the Board that the owner will handle all matters in reference to the property, but needs additional time to bring the property up to code.

Mr. Lee informed the Board that the property is a 1-Story CBS Dwelling, which is missing its 40-year recertification and with building, electrical and plumbing work done without permits. He further informed the Board that the wood frame roof structure was built without permits and is not up to code. Mr. Lee explained to the Board that the electrical and mechanical installations created a hazardous condition that deemed the property to be unsafe. He further explained that unsanitary conditions exist by reason of inadequate or malfunctioning sanitary facilities or waste disposal systems of the Florida Building Code. Mr. Lee stated that the property owner had failed to obtain the 40-year recertification which is why the case is before the Board today. He then read into the record the notes of the timetable that were provided by Orlando Vega in reference to the case.

Mr. Loader asked inquired about the zoning variance issue.

Mr. Raul Rodriguez, Property Owner, informed the Board that there has been an issue with the Zoning since 1980. He also informed the Board that he requested a zoning hearing to resolve, but it can take up to a year to finalize. Mr. Rodriguez stated that he couldn’t find any records on the addition because they were not available.

Mr. Loader asked how much time does he need to comply.

Mr. Essien left the meeting at 2:20pm.

Mr. Leeds informed the Board that his client is working diligently to do the necessary repairs. He responded that he will need over a year due to the variance issues with Zoning.

Mr. Loader made a motion to grant nine months to resolve the zoning issue, three months to obtain permits and three months to complete the repairs. *(No member seconded the motion)*

Motion failed.

(For a verbatim version, please refer to the transcripts).

After further discussion, Ms. Riley moved that “This case shall be dismissed by the Unsafe Structures Board based on failure to provide evidence of the 40-year recertification.” Mr. Naumann moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the second case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DC20090126588U 13375 SW 128 Street, #101

Mr. Monte Lee informed the Board that the case is coming before the Board as a result of the Department’s presentation of Property Owner’s request for an extension of time to comply with the Board Order dated March 14th, 2012. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee explained to the Board that the Unsafe Structures Board can grant an extension of time on the decision and issue an agreement with property owner by the Miami-Dade County Unsafe Structures Board to provide additional time to complete the work.

Mr. Essien returned to the meeting at 2:35pm.

Mr. Cueva asked for further clarification on the new ruling of the County Attorney's Office. He also provided a background on prior guidance on the Board's jurisdiction to hear cases.

Mr. Escandell left the meeting at 2:36pm.

Ms. Annery Alonso, Assistant County Attorney, explained the new ruling of the County Attorney's Office for the Unsafe Structures Board. She informed the Board that the County (ie. Department) can bring a case back to the Board at their discretion to approve the agreement with an authorized representative to provide additional time to resolve a non-compliant case. Ms. Alonso further explained that it provides a final recourse of the Property Owner in the matter and waives any and all rights in connection with the property. Ms. Alonso also explained that it will not be in effect until such time as it is so executed and ratified by the Unsafe Structure Board, however it is not an agreement with the Board and Owner.

Mr. Robert Sweeney, Board Member, stressed that the Board had jurisdiction prior on Extension of Time sought before they became non-compliant. He indicated that this seems to be a significant change from that prior guidance.

Mr. James Cueva, Board Chairperson, stated that he is in agreement with Mr. Sweeney. He further stated that he was told that the Board can not have jurisdiction on any case beyond this period.

The Board Members request that County Attorney's Office provide some legal guidance in writing at the next meeting on the Board's jurisdiction on cases that are brought to them that are non-compliant.

After some discussion, Mr. Starkweather moved that "The prior Board Oder of March 14th, 2012 is modified to allow extension of time of sixty (60) days to obtain permit from today and a completion of the repairs shall be completed within one hundred eighty (180) days after obtaining the permit." Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the third case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DC20110147478U 26700 South Dixie Highway

Mr. Monte Lee informed the Board that the case is coming before the Board as a result of the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated May 16th, 2012. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee explained to the Board that the Unsafe Structures Board can grant an extension of time on the decision and issue an agreement with property owner by the Miami-Dade County Unsafe Structures Board to provide additional time to complete the work.

Mr. John Sanchez, Representative, informed to the Board that they have been working diligently to complete the necessary work. He then requested for additional time.

After some discussion, Mr. Starkweather moved that "The prior Board Order of May 16th, 2012 is modified to allow extension of time of one hundred eighty (180) days from today to complete all the repairs." Mr. Sweeney moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the fourth case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DCF2010110857U 1750 NE 191 Street

Mr. Monte Lee informed the Board that the case is coming before the Board as a result of the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated December 14th, 2011. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee explained to the Board that the Unsafe Structures Board can grant an extension of time on the decision and issue an agreement with property owner by the Miami-Dade County Unsafe Structures Board to provide additional time to complete the work.

Mr. Carlos Gimenez, Attorney, informed the Board that they have been working diligently to complete the necessary work, but the process was delayed. He then requested for additional time.

After some discussion, Mr. Starkweather moved that "The prior Board Oder of December 14th, 2011 is modified to allow extension of time of one (1) year from today to complete all the repairs." Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the fifth case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DCF2011111711-DCF2011111726U

17800 SW 107 Avenue, #1-16

Mr. Monte Lee informed the Board that the case is coming before the Board as a result of the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated April 18th, 2012. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee explained to the Board that the Unsafe Structures Board can grant an extension of time on the decision and issue an agreement with property owner by the Miami-Dade County Unsafe Structures Board to provide additional time to complete the work.

Mr. Alex Rodriguez, Representative, informed the Board that they have been working diligently to complete the necessary work. He then requested for additional time.

After some discussion, Mr. Starkweather moved that "The prior Board Oder of April 18th, 2012 is modified to allow extension of time of one hundred eighty (180) days to obtain permit from today and a completion of the repairs shall be completed within five hundred forty (540) days after obtaining the permit." Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. James Starkweather to adjourn the meeting at 3:02 P.M. and seconded by Mr. Essien.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF December 12th, 2012

Members Present: James Cueva, Chairman Kevin Deeb Benjamin S. Essien
James Starkweather Carlos Naumann Jose Escandell
Robert Sweeney Aymara D. Riley Ramon Arronte

Excused Absent: Gordon Loader, VC Emile Amedee Abel Ramirez

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Recording Secretary
Annery Alonso, Asst. County Attorney
Chris Angell, Asst. County Attorney
David Sherman, Asst. County Attorney

Court Reporter: Fernando Sabarits, APEX Reporting Group

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, December 12th, 2012, on the 2nd Floor, Conference Room I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the November 14th, 2012 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Sweeney seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County and Village of El Portal cases that were an **agreement with the Building Official:**

Unincorporated Miami Dade County:

DC20120150822U	13714 SW 88 Street
DC20120152557U	10890 Quail Roost Drive, West
DC20120152562U	10890 Quail Roost Drive, East
DC20120152563U	10880 Quail Roost Drive
DCF2011111200U	10300 NW 36 Place, #1
DCF2011111286U	11801 West Dixie Highway, #1
DCF2011111706U	11350 Dunbar Drive, #1
DCF2012113523U	8500 SW 109 Avenue, #8500
DCF2012113524U	8500 SW 109 Avenue, #8550
G200120151487U	12127 SW 131 Avenue

Village of El Portal:

US-08-09-12-01	136 NW 90 Street
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Ms. Charles announced that the following Unincorporated Miami Dade County cases that was **No Contest/No Show by the Building Official:**

Unincorporated Miami Dade County:

DC20120152508U	9521 NW 17 Avenue
DC20120152616U	8901 NW 22 Avenue
DCF2010110849U	20337 NE 2 Avenue
DCF2010110850U	20327 NE 2 Avenue
DCF2011111499U	2301 NW 33 Avenue, #1

Unincorporated Miami Dade County: Cont'

DCF2011111503U 4020 NW 26 Street, #1
DCF2011111504U 4020 NW 26 Street, #2
DCF2011111708U 9333 SW 152 Street, #1
DCF2011111709U 9333 SW 152 Street, #2
DCF2011111744U 18640 SW 104 Avenue, #1
DCF2011111762U 22339 SW 112 Avenue, #1

Ms. Charles announced that the following Unincorporated Miami Dade County cases were **Deferred/Withdrawn by the Building Official:**

Unincorporated Miami Dade County:

DCF2011111320U 7242 NW 54 Street, #1
DCF2012113403U 324-330 NW 84 Terrace, #41

The cases and photographs were submitted to the Board for review and were called by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Essien seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Old Business

Unincorporated Miami Dade County

DC20100137228U 18300 NW 122 Avenue

Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board because the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated November 10th, 2010. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee further explained to the Board that the Unsafe Structures Board can ratify the extension of time on the agreement with property owner and the Miami-Dade County Building Department to provide additional time to complete the work on a non-compliant case. He furthered informed the Board that an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-complaint case is to allow one hundred eighty (180) days to obtain permit from today and a completion of the repairs shall be done within one hundred eighty (180) days after obtaining the permit.

Mr. Jose Gonzalez informed the Board that he is in an agreement with the Miami Dade County of the timeframe.

After some discussion, Mr. Robert Sweeney ratified an agreement of Miami-Dade County and Property Owner to provide additional time to resolve a non-complaint case providing one hundred eighty (180) days to obtain permit from today and a completion of the repairs shall be done within one hundred eighty (180) days after obtaining the permit. Mr. James Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Heard Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 2:00 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DC20120148374U 1825 SW 87 Court

Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board because the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated August 15th, 2012. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee further explained to the Board that the Unsafe Structures Board can ratify the extension of time on the agreement with property owner and the Miami-Dade County Building Department to provide additional time to complete the work on a non-compliant case. He furthered informed the Board that an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-complaint case is to allow sixty (60) days to obtain permit from today and a completion of the repairs shall be done within one hundred eighty (180) days after obtaining the permit.

Mr. Mark Hutner, Property Owner's Attorney informed the Board that his client must apply for a permit for the pool to start the work. He furthered informed the Board that his client is in agreement with the County of the timeframe.

After some discussion, Mr. Kevin Deeb ratified the agreement of Miami-Dade County and Property Owner to provide additional time to resolve a non-complaint case providing sixty (60) days to obtain permit from today and a completion of the repairs shall be done within one hundred eighty (180) days after obtaining the permit.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the second case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DC97932U 11012 SW 216 Street

Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board because the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated March 11th, 1998. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee further explained to the Board that the Unsafe Structures Board can ratify the extension of time on the agreement with property owner and the Miami-Dade County Building Department to provide additional time to complete the work on a non-compliant case. He furthered informed the Board that an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-complaint case is to allow sixty (60) days to obtain permit from today and a completion of the repairs shall be done within one hundred twenty (120) days after obtaining the permit.

Mr. Marvin Wilson, President informed the Board that he is in agreement with the County of the timeframe.

After some discussion, Mr. James Starkweather ratified the agreement of Miami-Dade County and Property Owner to provide additional time to resolve a non-complaint case providing sixty (60) days to obtain permit from today and a completion of the repairs shall be done within one hundred twenty (120) days after obtaining the permit.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the third case to be heard by the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DC20100137092U

17200 NW 122 Avenue

Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board because the Department's presentation of Property Owner's request for an extension of time to comply with the Board Order dated May 18th, 2011. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee further explained to the Board that the Unsafe Structures Board can ratify the extension of time on the agreement with property owner and the Miami-Dade County Building Department to provide additional time to complete the work on a non-compliant case. He further informed the Board that an agreement between Miami-Dade County and Property Owner to provide additional time to resolve a non-complaint case is to allow ninety (90) days to obtain permit from today and a completion of the repairs shall be done within ninety (90) days after obtaining the permit.

Mr. Jose Gonzalez, Attorney, informed to the Board that his client is in agreement.

After some discussion, Mr. James Starkweather ratified the agreement of Miami-Dade County and Property Owner to provide additional time to resolve a non-complaint case providing ninety (90) days to obtain permit from today and a completion of the repairs shall be done within ninety (90) days after obtaining the permit.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the fourth case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach:

BV12000347

25 N. Shore Drive

Ms. Rhonda Montoya-Hasan, Assistant City Attorney, advised the Board that the case was brought before the Board based on an extension request by the property owner. She then updated the Board on what the property owner had done since the last hearing. Ms. Montoya-Hasan then informed the Board that the fence was installed and secured 24 hours by security watch, but the building permit had not been obtained within the timeframe of the Board Order.

Mr. Jeff Spear, Representative, informed the Board that they requested an extension of time because they didn't meet the deadline of the previous Board Order. He then informed the Board that the property is secured. Mr. Spear stated that they will continue to secure the property. He then requested for additional time to obtain the permits.

Mr. Cueva clarified the timeframe after obtaining the permit. He then asked if the City and the representative of the property were able to come to an agreement.

Mr. Richard McConachie, Building Official, replied that the City will agree if the timeframes are reasonable and feasible for Mr. Spears to comply.

Mr. Jeff Spears stated that it is a substantial amount of work to be done to bring property up to code. He also stated that they intent are not to get sidetrack to do the necessary work and complete by the deadline. Mr. Spears acknowledges that the property had been abandoned, but it is repairable. Mr. Spears assured the Board that they will continue to secure the property and maintain it to the best of their ability, but need additional time. He then requested for 120 days to obtain the permit and 2 years to complete the work.

Ms. Rhonda Montoya-Hasan indicated that the structures still remains the same. She then stated that the City will agree to obtain the permit within 180 days and 2 years to complete the work, otherwise all structures be demolished.

Mr. Cueva confirmed the timeframes of all structures.

Mr. Deeb asked the City what is the purpose to obtain a permit for all structures at one time.

Mr. McConachie explained that the structures will deteriorate if they sit.

Mr. Spears explained that 3 of the buildings are Engineers recommendations and the other are cages and ground level.

Ms. Kimberly Eve, Neighbor, informed the Board progress was done, but it was only cosmetic to market the property. She then stated that the 3 building must be maintained.

After some discussion, Mr. Starkweather moved that “The prior Board Oder of May 16th, 2012 is modified to allow extension of time for Building Nos. 1, 2, 6 & 7 of one hundred eighty (180) days to obtain the permit from today and the completion of the repairs shall be done within two (2) years after obtaining the permit. Additionally, an extension of time for Building Nos. 3, 4 & 5 of three hundred sixty (360) days from today to obtain the permit. The completion of the repairs shall be done within two (2) years after obtaining the permit. The structures are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration of graffiti. The property shall be accessed by the City of Miami Beach Building Department for confirmation of securing. Said structures must be repaired or completed with laboratory tests, engineer’s certification and architect/engineer’s sealed plans. The Building Official may request appropriate permits of any securing of the Building Nos. 3, 4 & 5 as needed and determined by Engineer’s Reports or submissions.” Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

Ms. Charles then called forth the fifth case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach:

DCF2011111711-DCF2011111726U

17800 SW 107 Avenue, #1-16

Mr. Monte Lee informed the Board that the case is coming before the Board as a result of the Department’s presentation of Property Owner’s request for an extension of time to comply with the Board Order dated April 18th, 2012. He informed the Board that the Property Owner has failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee explained to the Board that the Unsafe Structures Board can grant an extension of time on the decision and issue an agreement with property owner by the Miami-Dade County Unsafe Structures Board to provide additional time to complete the work.

Mr. Alex Rodriguez, Representative, informed the Board that they have been working diligently to complete the necessary work. He then requested for additional time.

After some discussion, Mr. Starkweather moved that “The prior Board Oder of April 18th, 2012 is modified to allow extension of time of one hundred eighty (180) days to obtain permit from today and a completion of the repairs shall be completed within five hundred forty (540) days after obtaining the permit.” Mr. Essien moved to second the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. James Starkweather to adjourn the meeting at 3:02 P.M. and seconded by Mr. Essien.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____