



CITY OF MIAMI SPRINGS, FLORIDA

The regular meeting of the **Miami Springs Code Enforcement Board** was held on **Tuesday, November 1, 2011** at 7:01 p.m. in the Rebeca Sosa Theater at the City Community Center, 1401 Westward Drive.

1) Call to Order/Roll Call

The meeting was called to order at 7:01 p.m. by Chairman Marlene B. Jimenez.

Present: Chairman Marlene B. Jimenez
Vice-Chairman Raul Saenz
Jacqueline Martinez-Regueira
John Bankston
Rhonda Calvert
Walter Dworak
Robert Williams

Also Present: Code Compliance Officer Harold (Tex) Ziadie
Code Compliance Officer Lourdes Taveras
Council Liaison-Councilwoman Jennifer Ator

2) Invocation/Salute to the Flag

All present participated.

3) Approval of Minutes:

Minutes of the October 4, 2011 meeting were **approved as written.**

Vice-Chairman Raul Saenz moved to approve the minutes of October 4, 2011. Member John Bankston seconded the motion, which was passed unanimously by acclamation, all members voting "aye".

Tex Ziadie administered the oath to all who were present to give testimony.

4) OLD BUSINESS- CASES

- 1) Case# 08-2178
Address: 240 Lenape Drive
Owner: Domingo Santana and Milagros Solis
Violation: Section 151-04 Work Without a Permit

Mr. Santana and Ms Solis were not present. Tex Ziadie asked that this case be heard last, to give them time to appear. After the cases below were heard and acted on, this case was decided as follows:

Vice-Chairman Raul Saenz made a motion that if this case does not come into compliance by January 1, 2012, then a fine of \$50 per day shall begin at that time. Member Rhonda Calvert seconded the motion. There was discussion as to how long this case had gone on and how many extensions had been granted. The roll was then called and the motion passed by a vote of Four to Three with Members Jacqueline Martinez Regueira, Robert Williams and Chairman Marlene Jimenez voting “nay.”

5) NEW BUSINESS-CASES

- 1) Case# 07-997, 07-480 & 07-1534
Address: 489 Lafayette Drive
Owner: Deutsche Bank National Trust Company
Violation: Request for Reduction of Fine

Code Compliance Officer Lourdes Taveras summarized the prior actions of the Board in this case as follows:

At the Aug. 22, 2007 Board meeting, the following motion was made:

Vice-Chairman Raul Saenz made a motion to uphold the action of the Code Compliance Officer in both of the above cases, 07-480 and 07-997, and to issue liens against the property in the amount of \$100 per day for each case, said fine to begin on the date of the tickets being issued. Therefore, the fine in case 07-480 would be \$100 per day starting on March 1, 2007 and the fine in case 07-997 would be \$100 per day starting on March 26, 2007. The motion was seconded by member Rhonda Calvert and it passed unanimously on roll call vote.

The following month in a case of the grass being too high (07-1534) the Code Enforcement Board took the following action:

Member Walter Dworak made a motion to uphold the action of the Code Compliance Officer in the above case and to issue a lien against the property in the amount of \$100 per day starting on the date that the ticket was issued, July 13, 2007. The motion was seconded by member John Bankston and it passed unanimously on roll call vote.

On June 17, 2011 the structure was completely demolished, therefore bringing the property into compliance. The total fees for each case are as follows:

Case #07-480 WWP 1,569 days at \$100 per day is \$156,900

Case #07-997 WWP 1,544 days at \$100 per day is \$154,400

Case#07-1534 GW 71 days at \$100 per day is \$7,100

Total owed to the City is \$318,400.00

On August 29, 2011, the current property owners (Deutsche Bank National Trust Company) applied for a hearing to request a reduction of fine.

The City estimates its expenses in this case to be approximately \$1,000.

Debbie Satell of 700 South Palmetto Park Road, Boca Raton, Florida, from Aldridge Connors, LLP, representing Deutsche Bank National Trust Company then spoke as follows:

Ms Satell stated that the Bank had come into possession of the property in January of this year. She summarized their actions since then, regarding getting the property into compliance as soon as they could. She stated that there had been some delay due to problems with the Building Permit for Demolition, but the Bank had solved them as quickly as they could, accomplishing the demolition by June of this year. The Bank was asking that the fine be reduced to no more than \$10,000.

There was brief discussion among the members.

Vice-Chairman Raul Saenz made a motion that the fine be reduced to \$5,000, plus the City's costs of \$1,000, for a total of \$6,000. Member Walter Dworak seconded the motion and after brief discussion it passed unanimously on roll call vote.

2)	Case#	08-998
	Address:	914 Ibis Avenue
	Owner:	Fabian Maldonado and Sandra Vitteri
	Violation:	151-04 Work Without a Permit

Tex Ziadie reported that this case had been removed from the docket as the property owners had submitted plans this week and they are pending review by our Structural Engineer tomorrow.

3) Case# 08-1247
Address: 851 Bluebird Avenue
Owner: Joseph M. Corey
Violation: Request for Reduction of Fine

Code Compliance Officer Lourdes Taveras summarized the prior actions of the Board in this case as follows:

At the June 4, 2009 Board meeting the following motion was made:

Board member Walter Dworak made a motion that a lien be placed on the property in the amount of \$50 per day, starting on June 4, 2009 until the location is brought completely into compliance. The motion was seconded by Rhonda Calvert and it passed unanimously on roll call vote.

On October 7, 2011 an inspection of the property was performed, the alterations in the garage area and in the house were removed. The bathrooms and interior walls were demolished. The new property owner Joseph M. Corey, submitted an Escrow Agreement with the City to complete the work to code within 60 days from the closing date.

On October 19, 2011, Mister Joseph Corey applied for a hearing to request a reduction of fine.

Between June 4, 2009 and Oct. 7, 2011 there were 855 days; total amount due to the City is \$42,750.00.

The City estimates its expenses in this case to be approximately \$1,250.

Mister Joseph Corey of 510 Hunting Lodge Drive stated the following:

He had purchased the house as a wedding present for his son. They did not come into possession until October 19, 2011. Through some extraordinary efforts, they managed to close and put escrow money down with the City in just a few days. He commended the City for their rapid response to his need. Since then they have cleaned and restored the pool, cleaned the roof, applied for permits for a fence and they have plans for new windows and other improvements to the property. He was asking that the fine be waived.

There was brief discussion by the Board.

Vice-Chairman Raul Saenz made a motion that the fine in this case be reduced to \$1,500. The motion was seconded by Member Jacqueline Martinez Regueira and it passed unanimously on roll call vote.

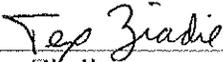
6) Council Liaison Report and Request

Councilwoman Ator was present. She thanked the Board again for their service and said that the City was still moving forward with improving Code Compliance. Tex Ziadie stated that he had not been so encouraged about Code Compliance in the City for many years and he felt that the Council was truly standing behind the Department. He gave some details about the current sweeps for Maintenance of Property and roof cleaning. Councilwoman Ator detailed some issues that had been raised by residents. Vice-Chairman Raul Saenz expressed some concern about the tree Ordinance. There was discussion about how the Ordinance came about and the benefits of being a Tree City USA. Several members made positive comments about that.

7) Adjournment

There being no further business the meeting was duly adjourned at 8:01 p.m.

Respectfully Submitted:



Tex Ziadie
Code Compliance Officer
Supervisor-Building Department
Acting as Clerk of the Board

Approved as written during meeting of:

Words ~~stricken through~~ have been deleted. Underscored words represent changes. All other words remain unchanged.