



City of Miami Springs, Florida

The regular meeting of the Miami Springs **Code Enforcement Board** was held on Tuesday, April 5, 2016 at 7:00 p.m. in the Council Chambers at City Hall.

1) Call to Order/Roll Call

The meeting was called to order at 7:02 p.m.

Present: Chairman Marlene B. Jimenez
Vice Chair Walter Dworak
John Bankston
Jorge Filgueira
Robert Williams

Absent: Jacqueline Martinez-Regueira
Rhonda Calvert

Also Present: Council Liaison, Councilwoman Roslyn Buckner
Code Compliance Officer, Lourdes Taveras
Clerk of the Board, Juan D. Garcia

2) Invocation/Salute to the Flag

All who were present participated.

3) Approval of Minutes:

Minutes of the December 1, 2015 meeting were approved as written.

Board member Filgueira moved to approve the minutes as written. Board member Williams seconded the motion, which carried unanimously on voice vote.

4) NEW BUSINESS:

1) Case#15-1412

Address: 216 Shadow Way
Owner: Lascelles & Virginia McLean
Violation: 93-13 Maintenance of Property

Code Compliance Officer Taveras presented the case to the Board.

Virginia McLean was present to answer any question from the Board. Mrs. McLean explained to the Board that her husband is also the owner of the property but is currently in the processes of a divorce. Mr. McLean was not present.

Chair Jimenez asked Mrs. McLean how long it would take for her to complete the maintenance to the property. Mrs. McLean answered that most of the work is already completed and would be completely done in about a week. She also informed the Board that she has hired someone to help her clean the yard.

Chair Jimenez asked Code Compliance Officer Taveras if she could go inspect the property this week to confirm it had been cleaned. Code Compliance Officer Taveras said that she will be following up with this case as soon as possible to make sure it is in compliance. Chair Jimenez then asked Code Compliance Officer Taveras to have this item back on the agenda for next meeting as a follow up to make sure the work had been completed and meets code standards.

Vice Chair Dworak moved to grant the property owner 30 days to clean up the yard area of the property. Board member Bankston seconded the motion, which passed 5-0 on roll call vote.

2) Case#12-1367

Address: 171 Navajo Street
Owner: Albert & Irene Arends
Violation: 151-04 Application for building permits

Code Compliance Officer Taveras presented the case to the Board.

The property owner was not present.

Board member Bankston asked if any permit was issued for this property. Code Compliance officer Taveras commented that the plans were submitted and were in the plan check stage but the owner never paid for the permit. Due to the time that has passed without the plans ever being paid for, plans were never review. A notice of the violation was sent and received on January 22nd, 2016.

Chair Jimenez asked if it was the same property owners since 2012 when they were

first cited. Code Enforcement Officer Taveras says that according to the Miami-Dade Property Search website the owners are the same.

Board member Filgueira commented that there is no excuse for not responding. The property owners were notified multiple times and chose to ignore the notifications. He added that was a sign of disrespect toward the Code Enforcement Board.

Discussion ensued regarding what would be an appropriate action for the violation.

Board member Bankston moved to set a \$100 per day fine, starting from January 22, 2016, until the property owner comes into compliance. Board member Filgueira seconded the motion, which passed 5-0 on roll call vote.

3) Case#14-910

Address: 565 Minola Drive

Owner: Gabriel & Roseanne Hernandez

Violation: 151-04 Application for building permit

Code Compliance Officer Taveras presented the case to the Board.

Gabriel & Roseanne Hernandez were present to answer questions from the Board. Mrs. Hernandez informed the Board that they submitted a survey to the Building Department. Mr. Hernandez added that he spoke to City Planner Chris Heid and was told he would need submit a survey or if he would like, apply for a variance for the pool cabana.

Code Compliance Officer Taveras explained that although Mr. Hernandez spoke with the City Planner and took an application for a variance; no paperwork had been submitted for the pool cabana requesting a variance.

Mrs. Hernandez stated that they have lived in Miami Springs for twenty years and have never had any issues with their property. Board member Filgueira asked if they had every appeared before the Code Enforcement Board in their time as residents and Mrs. Hernandez responded that they have never had to appear before the Board.

Board member Dworak asked Code Compliance Officer Taveras what they needed to do to come into compliance. Code Compliance Officer Taveras responded that they need to apply for a permit and legalize the work. If they cannot legalize the work, the property owners would have to take down to the structure.

Discussion ensued on how much time would be needed to allow the property owners to come into compliance.

Board member Filgueira moved to grant Mr. and Mrs. Hernandez 60 days to begin the permit process for the pool cabana structure. Board member Bankston seconded the motion, which passed 5-0 on roll call vote.

4) Case#14-912

Address: 1100 Thrush Avenue
Owner: Hector & Hilda Garcia
Violation: 151-04 Application for building permit

Code Compliance Officer Taveras presented the case to the Board.

Chair Jimenez asked if there was anyone in the audience from this address to please approach the podium.

Hector Garcia of 1100 Thrush Avenue was present, as well as his daughter, Arelys Bofill, who lives in the house. With the permission of the Chair, Arelys Bofill spoke on behalf of Mr. Hector Garcia who does not speak English. Mrs. Bofill notified the Board that she has gone to the Building Department and payed for all the plans that were submitted and had the receipts as proof. Mrs. Bofill was unsure what else was pending and wanted to know why the case was still open.

Code Compliance Officer Taveras explained that they submitted plans for a permit and the plans were in plan review. The plans were last reviewed in August and were rejected by Plumbing, Building and Electrical. A notice was left at the property. The receipts for the plans have been paid but the permit has not been issued because the plans were rejected during the review process.

Board member Bankston explained the permitting process to the property owner.

Board member Bankston moved to grant the property owner 60 days to obtain a permit. Board member Williams seconded the motion, which passed 5-0 on roll call vote.

5) Case#14-1109

Address: 1031 Dove Avenue
Owner: Marysu Correa
Violation: 151-04 Application for building permit

Code Compliance Officer Taveras presented the case to the Board.

Marysu Correa, the property owner at 1031 Dove Avenue, was present. Mrs. Correa explained that she had spoken to the Building Department and the City Planner in regards to moving her air conditioning unit to the side of the house. The City Planner explained to her that it was not possible because it would be too close to the side yard setback. The City Planner then informed Mrs. Correa that she could fill out an application for a variance in order to bring her case in front of the Board of Adjustment.

Code Compliance Officer Taveras confirmed that in fact Mrs. Correa did speak with the City Planner, but no application for a variance was submitted. She then added that it was the responsibility of the property owner to follow up with the plans that were submitted or to submit an application for a variance if the owner decides to request one.

Mrs. Correa asked if the Board could clarify the process of how to obtain a variance. Code Compliance Officer Taveras explained the process to Mrs. Correa.

Board member Bankston moved to grant the property owner 90 days to obtain a permit or apply for a variance. Board member Filgueira seconded the motion, which passed 5-0 on roll call vote.

6) Case#14-1188

Address: 200 Azure Way

Owner: Azure Way Investment, LLC

Violation: 151-04 Application for building permit

Code Compliance Officer Taveras presented the case to the Board.

The property owner was not present.

Code Compliance Officer Taveras informed the Board that after several attempts to contact the owner, no contact was made. The owner has not responded to any of the notices that were sent. Code Compliance Officer Taveras added that this violation was only for the awnings on the property. The other work that was done to the property was all done with permits approved by the City's Building Department.

Board member Williams asked if the awnings were done properly and look as if they would pass an inspection from the City. Code Compliance Officer Taveras responded that the awnings appeared to be done correctly and look the same as the ones that were there previously.

Discussion ensued on where there would need to be a fine imposed on the property and if so an appropriate amount for the fine to be.

Board member Williams moved to grant the property owner 30 days to submit all the information needed to obtain a permit for the awnings; if the property owner fails to submit the information within the 30 days granted, a \$100 a day fine will be issued begin on May 5, 2016. Board member Dworak seconded the motion, which passed 5-0 on roll call vote.

7) Case#15-816 and 16-38

Address: 581 De Leon Drive
Owner: Dania Carballo Ortiz
Violation: 151-04 Application for building permit

Code Compliance Officer Taveras presented the case to the Board. This property has two violation cases.

The property owner was not present.

Code Compliance Officer Taveras explained that she did speak with the owner but was told that she is out of the country and is often out of the country. She further explained that although the owner told her that she is out of the country, work continues to be done on the property and cars are constantly parked in front of the house.

Board member Williams asked if there was any other communication from the owner other than the phone call that Code Compliance Officer Taveras referenced. Code Compliance Officer Taveras explained that the owner had not answered any emails that were sent. No phone call was received from the owner to excuse their absence or to explain why they haven't answered any notices that have been posted on the property. Board member Williams mentioned that this person is intentionally ignoring the notices and continues to do work on the property.

Discussion ensued on what would be an appropriate amount to set a fine for the violations. The board counted 5 different violations that the property had.

Board member Bankston moved to give the property owner 30 days to come into compliance or a \$50 per day fine, beginning from October 22, 2015, will be enforced for both cases. Board member Williams seconded the motion, which passed 5-0 on roll call vote.

8) Case#15-1132

Address: 379 N. Melrose Drive
Owner: Jose Castillo & Lisa Odum
Violation: 93-13 Maintenance of Property

Code Compliance Officer Taveras presented the case to the Board.

Property owners Jose Castillo and Lisa Odum were present. Mr. Castillo explained that he has been in contact with Code Compliance Officer Taveras several times and has followed any instruction she has given him in regards to the maintenance of the property. He further explained that he was unable to complete the maintenance work because he has health issues and because of the recent rain that had come down.

Chair Jimenez asked Mr. Castillo how much time he would need to complete the maintenance. Mr. Castillo answered that he would need thirty days to cut the vegetation that is on the sides of the house, but if the board was requesting for him to paint the house as well, he would need more time.

Board member Williams moved to grant the property owner 90 days to clean the mold and cut the vines that are growing along the sides of the house. Vice Chair Dworak seconded the motion, which passed 5-0 on roll call vote.

Code Compliance Officer Taveras informed Mr. Castillo that the Senior Center has volunteers available if he needs help with the maintenance of the property. She suggested calling the Senior Center for more information.

5) OLD BUSINESS:

1) Case#13-1189

Address: 298 Glendale Drive

Owner: Carlos E. Garcia

Violation: 93-13 Maintenance of Property - General Maintenance of Property

Code Compliance Officer Taveras presented the case to the Board. The property owner has not come into compliance after being granted 60 days at the previous Code Enforcement Board meeting.

An Enforcement Order was created and signed by the Chair. The Enforcement Order will be sent to Mr. Garcia notifying him of the violation.

2) Case # 14-874

Address: 517 Minola Drive

Owner: Wayne A. McMullen & Joann M. Price

Violation: 93-13 Maintenance of Property – General Maintenance of Property

Code Compliance Officer Taveras presented the case to the Board and informed them that a permit was issued for the roof and it has passed the final inspection. No further work was needed and the property is now in compliance. The case was closed.


6) Council Liaison Report and Request

None at this time.

7) Adjournment

There being no further business the meeting was duly adjourned at 9:04 p.m.

Respectfully Submitted:



Juan D. Garcia
Administrative Assistant I
Clerk of the Board

Adopted by the Board on
this 4 day of October, 2016.

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