

City of Miami Springs, Florida
201 Westward Drive
Miami Springs, FL 33166



ORDER SUMMARY
SPECIAL MAGISTRATE HEARING
Council Chambers
Tuesday, February 06, 2024

1. **Call to order:** Special Magistrate Roche called the meeting to order at 05:03 P.M.

Present at the meeting:

Myrnabelle Roche, Special Magistrate
Jose Arango, City Attorney
Rosemary Novo, Code Compliance Officer
Carlos Valdivia, Code Compliance Officer
Sandra Duarte, Hearing Secretary

This Special Magistrate, as per the City of Miami Springs Resolution No. 2022-4013, is empowered but not limited to, presiding over the City's code compliance violations; adopting rules for the conduct of hearings; hearing and deciding alleged violations of the City's Code of Ordinances; subpoenaing evidence and alleged violators and witnesses to its hearings; taking testimony under oath; assessing fines against violators of city codes and ordinances; issuing findings of fact based on evidence of record and conclusions of law; and issuing orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

Failure to pay stipulated fines could lead to the placement of a lien on the property affected and ultimately to a foreclosure of the property. The rulings of this Special Magistrate are final and can only be appealed to the Circuit Court of Miami-Dade County. If such an appeal is contemplated, the appellant is responsible for their own verbatim record of these proceedings.

2. **Invocation/Salute to the Flag:** Special Magistrate Myrnabelle Roche lead the salute to the flag and swore in all representatives and witnesses.

3. NEW BUSINESS:

CITY OF MIAMI SPRINGS VS.:

1) Case # 19-00707
Address: 189 Truxton Dr
Owner: Syndicate 12 Corp., C/O Tarik Luke Johnston
Violations: 151-04 – Application for Building Permits (Demo; Interior Work)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: No one

Magistrates Findings: That the owner shall come into immediate compliance or face a fine of \$100.00 per day until compliance is reached. That the owner shall pay the code administrative fee of \$150.00.

2) Case # 19-02307
Address: 340 S Melrose Dr
Owner: Julio E Vizcarrondo III
Violation: 151-04 – Application for Building Permits (Fence)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: No one

Magistrates Findings: That the owner shall come into immediate compliance or face a fine of \$100.00 per day until compliance is reached. That the owner shall pay a one-time fine of \$100.00 and the code administrative fee of \$150.00.

3) Case # 23-0719
Address: 610 De Leon Drive
Owner: Christina Maira Cubas
Violations: 71-04 – Inoperable Vehicles Prohibited

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: Wilfredo Hernandez

Magistrates Findings: That the owner shall come into compliance within 3 weeks or face a fine of \$100.00 per day until compliance is reached. That the owner shall pay a one-time fine of \$100.00 and the code administrative fee of \$150.00.

4) Case # 22-0128
Address: 851 Wren Ave
Owner: Delitza Villarroel Arias
Violations: 151-04 – Application for Building Permits (Kitchen; Door)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: Delitza Villarroel Arias

Magistrates Findings: That the owner shall come into compliance within 30 days or face a fine of \$100.00 per day until compliance is reached. That the owner shall pay a one-time fine of \$100.00 and the code administrative fee of \$150.00.

5) Case # 22-0671
Address: 1161 Wren Ave
Owner: Jorge M & Gloria Palacios Rev. Trust
Violations: 151-04 – Application for Building Permits (Demo; Interior Work)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: Mario Palacios

Magistrates Findings: This case will be tabled until further guidance is given by the Building Official in regards to the required permits.

6) Case # 22-0672
Address: 1161 Wren Ave
Owner: Jorge M & Gloria Palacios Rev. Trust
Violations: 93-13 – Maintenance of property by owner (Constr. Debris)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: Mario Palacios

Magistrates Findings: That the owner shall pay a one-time fine of \$100.00 and the code administrative fee of \$150.00. Case complied.

7) Case # 23-0991
Address: 1255 Starling Ave
Owner: Julie Dweck Rodriguez & Ramon Rodriguez
Violations: 93-11 – Dumping (Illegal Dumping)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: No one

Magistrates Findings: Case complied.

8) Case # 22-0291
Address: 580 La Villa Drive (R)
Owner: Altagracia Escobar
Violations: 150-145 – Vacation Rentals

Testifying for the City: Code Enforcement Officer Carlos Valdivia
Testifying for the Respondent: Altagracia Escobar

Magistrates Findings: Case withdrawn. As per previous meeting, this case will be closed and a new case will be opened and brought before the Magistrate with updated fine amounts.

9) Case # 23-1427
Address: 617 South Drive
Owner: Luxe Investments Group LP
Violation: 71-04 – Inoperable Vehicles Prohibited

Testifying for the City: Code Enforcement Officer Carlos Valdivia
Testifying for the Respondent: Sasha (No last name provided)

Magistrates Findings: Case withdrawn.

10) Case # 23-1181
Address: 300 Westward Drive
Owner: Richard F & Jennifer Greene
Violation: 151-04 – Application for Building Permits (Gutters)

Testifying for the City: Code Enforcement Officer Carlos Valdivia
Testifying for the Respondent: No one

Magistrates Findings: Case withdrawn.

11) Case # 23-1221
Address: 441 Swallow Drive
Owner: Top Service Property Management LLC
Violations: 93-11 – Dumping (Accumulation of trash out on non-designated pick-up day)

Testifying for the City: Code Enforcement Officer Carlos Valdivia
Testifying for the Respondent: No one

Magistrates Findings: That the owner shall pay a one-time fine of \$250.00 and the code administrative fee of \$150.00. Case complied.

4. FINE REDUCTION

CITY OF MIAMI SPRINGS VS.:

1) Case# 20-00092
Address: 665 Albatross St
Owner: Nubia Maldonado & Patrick Nolan TRS
Violation: 151-04 – Application for Building Permits (Deck/Pergola)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: Patrick Nolan

Magistrates Findings: That the owner shall pay the reduced fine of \$4,720.00 along with the one-time fine of \$100.00, \$150.00 for the lien filing and the code administrative fee of \$150.00. The total amount of \$5,120.00 shall be paid within 6 months or the fine will revert back to the original amount and the case won't be eligible for fine reduction again.

2) Case# 20-01666
Address: 671 Wren Ave
Owner: Ricardo Roses & W Ana M
Violation: 151-04 – Application for Building Permits (Fence/Gate)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: Ricardo Roses

Magistrates Findings: That the owner shall pay the reduced fine of \$260.00 along with the one-time fine of \$100.00, \$150.00 for the lien filing and the code administrative fee of \$150.00. The total amount of \$660.00 shall be paid within 30 days or the fine will revert back to the original amount and the case won't be eligible for fine reduction again.

3) Case# 20-01487
Address: 1101 Oakwood Drive (confirmed)
Owner: Holiday Express Transportation Inc., Mohammed
Violation: 151-04 – Application for Building Permits (Kitchen/Drywall/Floor)

Testifying for the City: Code Enforcement Officer Rosemary Novo
Testifying for the Respondent: Mohammed Rahman

Magistrates Findings: That the owner shall pay the reduced fine of \$5,200.00 along with the one-time fine of \$150.00 for the lien filing. The total amount of \$5,350.00 shall be paid within 6 months or the fine will revert back to the original amount and the case won't be eligible for fine reduction again.

5. ADJOURNMENT

There being no further business Special Magistrate Myrnabelle Roche adjourned the meeting at 06:22 P.M.

If any person decides to appeal any decision made by the Special Magistrate with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is based (F.S. 286.0105) 1981.