



NORTH BAY VILLAGE  
EST. 1945

## NORTH BAY VILLAGE SPECIAL MAGISTRATE HEARING AGENDA VIRTUAL MEETING – MARCH 3, 2022

### **LOCATION:**

Virtual Meeting

### **TIME:**

2:00 P.M.

### **SPECIAL MAGISTRATE:**

Regine Monestime Esquire

### **NORTH BAY VILLAGE STAFF:**

Haydee S. Sera Esquire, Village Attorney

Debra Eastman MMC, Interim Village Clerk

Amy Henderson, Deputy Village Clerk

Orlando Rodriguez, Code Enforcement Division Director

Maria Tovar, Code Enforcement Officer

### **NOTICE OF PROCEDURES**

Due to a declaration of emergency adopted by the Village Commission on April 22, 2020, North Bay Village (the "Village") will be conducting its Special Master hearings by video conference. Video conference hearings shall be conducted by the use of the platform Zoom. Anyone wishing to attend a hearing may do so by following these instructions:

1. Go to <https://zoom.us/>.
2. Enter the Meeting ID: 870 4182 5965.
3. Enter the Password: 797330.
4. Click "Join."
5. Upon commencement of the hearing, the Special Master shall provide an explanation of the hearing procedures.
6. Those who will be speaking during the hearing shall be sworn in.
7. The Special Master shall proceed to call the cases listed in the agenda.
8. Each case before a Special Master shall be presented by the Village staff.
9. All hearings before the Special Master shall be conducted as quasi-judicial hearings. All witnesses shall be sworn to tell the truth under penalty of perjury. Although the Florida Rules of Evidence shall not be applied to the proceedings strictly, due process and fundamental fairness shall be accorded to all alleged violators. Hearsay testimony may be considered to give weight or credibility to other evidence, but no order

shall be entered based solely on hearsay testimony.

10. IF YOU WISH TO INTRODUCE EXHIBITS AS EVIDENCE, YOU MUST PROVIDE THE VILLAGE WITH A COPY OF THOSE EXHIBITS AT LEAST 3 DAYS PRIOR TO THE HEARING. PLEASE EMAIL YOUR EXHIBITS TO [code@nbvillage.com](mailto:code@nbvillage.com) AND INCLUDE THE PROPERTY ADDRESS AND CASE NUMBER IN YOUR EMAIL.

a. For all quasi-judicial hearings, a list of all proposed exhibits and a copy of the proposed exhibits shall be provided to the Clerk for the Special Master, in a format that is easily viewable on the Zoom platform. All exhibits shall be clearly labeled so as to allow for efficient retrieval and display on the Zoom platform during the hearing.

11. In determining appeals, the Special Master shall determine whether:

- a. The person and, or, the property owner were properly served with the civil citation and notice of hearing.
- b. The citation adequately identifies facts constituting reasonable cause and the section or paragraph of the applicable law violated.
- c. The Special Master shall consider all the evidence presented during the hearing.

12. The record shall consist of the code enforcement file, the testimony of the Code Enforcement Officer who issued the civil citation and any other evidence accepted by the Special Master.

13. The Special Master shall base its determination on substantial, competent evidence in the record and shall issue an order containing a statement of facts, conclusions of law and order. The order may affirm in whole or in part, or reverse, the charge of violation, affirm or modify the fine levied in the ticket, direct additional corrective action by the violator and, or, property owner, request corrective action by the Village, include the cost of repairs incurred, or that might be incurred by the Village, in correcting the violation, request the initiation of enforcement proceedings and take any other action consistent with the powers of the Special Master.

14. Any person who might seek judicial review of the order of the Special Master must arrange for a court reporter to transcribe the hearing.







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| <b>9. Case #211227</b> | <b>1880 S Treasure Drive</b><br>Treasure Bay Club Condo<br>T.B.C. Condo Association Inc.<br>C/O: Urban Resource<br>Po Box 415700<br>Miami Beach, Fl. 33141 | <b>OFC. ORLANDO RODRIGUEZ</b> |
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**CODE SECTION:**

*Section 151.20(A) of the North Bay Village code of ordinances. Failure to obtain recertification of buildings and components.*

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| <b>10. Case #6539</b> | <b>1690 S Treasure Drive</b><br>Atmosphere Invest Llc<br>4000 Hollywood Blvd<br>Hollywood, Fl. 33021 | <b>OFC. MARIA E TOVAR</b> |
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**CODE SECTION:**

*Section 8-1 of the Miami-Dade County code of ordinances. Work commenced without the required permits. (Interior remodeling, plumbing, electrical, and Tiki hut built without zoning approval.)*

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| <b>11. Case #211209</b> | <b>7909-7911 East Drive</b><br>Harbor Condo Homeowners<br>Association, Inc.<br>5701 Biscayne Blvd Cs1<br>Miami, FL 33137 | <b>OFC. ORLANDO RODRIGUEZ</b> |
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**CODE SECTION:**

*Section 151.20(A) of the North Bay Village code of ordinances. Failure to obtain recertification of buildings and components.*

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| <b>12. Case #6524</b> | <b>7552 Cutlass Avenue</b><br>7552 Cutlass Llc<br>7552 Cutlass Ave<br>North Bay Village, Fl. 33141 | <b>OFC. MARIA E TOVAR</b> |
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**CODE SECTION:**

*Section 104.02(D) of the North Bay Village code of ordinances. Construction site maintenance standards, any swale, street, sidewalk damaged during construction shall be repaired by the property owner.*

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13. **Case #211201**                      **7915 East Drive**                      **OFC. ORLANDO RODRIGUEZ**  
C & D Bay Village Llc  
7915 E Drive #1  
North Bay Village, FL 33141

**CODE SECTION:**

*Section 151.20(A) of the North Bay Village code of ordinances. Failure to obtain recertification of buildings and components.*

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14. **Case #211205**                      **7921 West Drive**                      **OFC. ORLANDO RODRIGUEZ**  
Azure Usa Llc  
6355 Nw 36 St #401  
Miami, FL 33166

**CODE SECTION:**

*Section 151.20(A) of the North Bay Village code of ordinances. Failure to obtain recertification of buildings and components.*

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15. **Case #211229**                      **7925 West Drive**                      **OFC. ORLANDO RODRIGUEZ**  
Valleyview Reit Llc  
7925 West Dr  
Miami, Fl. 33142

**CODE SECTION:**

*Section 151.20(A) of the North Bay Village code of ordinances. Failure to obtain recertification of buildings and components.*

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16. **Case #211211**                      **7921 East Drive**                      **OFC. ORLANDO RODRIGUEZ**  
The Lido Condominium  
Association, Inc  
7921 East Drive # 6  
North Bay Village, FL 33141

**CODE SECTION:**

*Section 151.20(A) of the North Bay Village code of ordinances. Failure to obtain recertification of buildings and components.*

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17. **Case #211213**

**7928 West Drive**

**OFC. ORLANDO RODRIGUEZ**

The Islander Club Condo  
Association, Inc.  
7928 West Drive  
North Bay Village, FL 33141

**CODE SECTION:**

*Section 151.20(A) of the North Bay Village code of ordinances. Failure to obtain recertification of buildings and components.*

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18. **Case # 6519**

**1610 S Treasure Drive**

**OFC. MARIA TOVAR**

Ron L Schuman Trs  
Lefty Lucky Revocable Trust  
Luciana P Schuman Trs  
1610 S Treasure Drive  
North Bay Village, FL. 33141

**CODE SECTION:**

*Section 8-1 of the Miami-Dade County code of ordinances. Electrical work commenced without the required permits. Replacing a generator on the property.*

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