



## NORTH BAY VILLAGE SPECIAL MAGISTRATE HEARING AGENDA VIRTUAL MEETING - JUNE 24, 2020

### **LOCATION:**

Virtual Meeting

### **TIME:**

2:00 P.M.

### **SPECIAL MAGISTRATE:**

Regine Monestime Esquire

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

Daniel A Espino Esquire, Village Attorney

Elora Riera CMC, Village Clerk

Ann Del Valle Gonzalez, Deputy Village Clerk

Orlando Rodriguez, Code Enforcement Supervisor

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: 835 0834 6492.
3. Enter the Password: 639860.
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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1. **Case # 140016** **1331 Bay Terrace** **OFC. ORLANDO RODRIGUEZ**  
Yongyuth Nethongkome &  
Siriphan Knatongeome  
1331 Bay Terrace  
North Bay Village, Fl. 33141

**CODE SECTION:**

**Section 152.115(A)** of North Bay Village Code of Ordinances. Occupying the property 1331 Bay Terrace without a Certificate of Occupancy.

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2. **Case# CE17797** **7525 E Treasure Drive** **OFC. ORLANDO RODRIGUEZ**  
Treasures on the Bay Master  
Association Inc.  
1900 S. Treasure Drive  
North Bay Village, FL 33141

**CODE SECTION:**

**Section 93.06(C)** of North Bay Village Code of Ordinances. Failure to install Knox Box required for Multifamily properties.

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3. **Case # CE18010** **7517 Hispanola Avenue** **OFC. ORLANDO RODRIGUEZ**  
U S Bank N A Trs  
Lsf9 Master Participation Trust  
3525 Piedmont Road Ne  
Bldg. 7 Ste 700 Atlanta, Ga 30305

**CODE SECTION:**

**Section 8-1** of the Miami Dade County Code of Ordinances. Work without permits, failure to obtain Electrical, Plumbing, and Demolition permits.

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4. **CIT# 6552** **Folio # 2332090081210** **OFC. ORLANDO RODRIGUEZ**  
RMG Signature Inc.  
1470 Nw 107 Ave # E  
Miami, Fl. 33172

**CODE SECTION:**

**Section 94.02(A) (1)** of the North Bay Village Code of Ordinances. Grass is overgrown over 8 inches in height. Vacant lot overgrown.

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5. **CIT# 7432** **1550 Kennedy Causeway** **OFC. ORLANDO RODRIGUEZ**  
Bms North Bay Village Llc  
C/O Public Storage  
Po Box 25025  
Glendale, Ca 91201

**CODE SECTION:**

**Section 8-1** of the Miami Dade County Code of Ordinances. Work commenced without permits.  
Electrical, Demolition, Temporary trailer installed without permits.

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6. **Case #194135** **7904 West Drive #905** **OFC. MARIA TOVAR**  
Combuscal Llc  
5445 Collins Ave #1504  
Miami Beach, FL 33140

**CODE SECTION:**

**Section 13.3(A)** of the North Bay Village Code of Ordinances. Operating as a short term vacation rental without a license.

**Section 110.06** of the North Bay Village Code of Ordinances. Operating a business without a Business Tax Receipt.

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7. **CIT# 6969/6970/6971** **7904 West Drive #1003** **OFC. MARIA TOVAR**  
Loftteam Llc  
92 SW 3 St #1603  
Miami, Fl. 33130

**CODE SECTION:**

**Section 13.3(A)** of the North Bay Village Code of Ordinances. Operating as a short term vacation rental without a license.

**Section 110.06** of the North Bay Village Code of Ordinances. Operating a business without a Business Tax Receipt

**Section 54.13** of the North Bay Village Code of Ordinances. Violation of Emergency orders of the Village. Operating a short term rental with Emergency order prohibiting short term rentals in place.

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8. **Case # 193098** **1865 Kennedy Causeway #PHN** **OFC. MARIA TOVAR**  
Brian Gordon  
8101 Lowwin Ter.  
Chesterfield, Va. 23832-2079

**CODE SECTION:**

**Section 151.11(A) / 8-1** of the North Bay Village/Miami Dade County Code of Ordinances. Work commenced without the required permits. Electrical panel replaced without permits on file.

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9. **CIT# 6577/6578**

**7711 Beachview Drive**

**OFC. ORLANDO RODRIGUEZ**

Smart Alek Properties Llc  
690 Ne 118 St  
Biscayne Park, Fl. 33161

**CODE SECTION:**

**Section 13.3(A)** of the North Bay Village Code of Ordinances. Operating as a short term vacation rental without a license.

**Section 110.06** of the North Bay Village Code of Ordinances. Operating a business without a Business Tax Receipt.

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