



NORTH BAY VILLAGE SPECIAL MAGISTRATE HEARING AGENDA VIRTUAL MEETING - JANUARY 21, 2021

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

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: 858 8329 7014.
3. Enter the Password: 325226.
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 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. **Cit # 6553** **1872 Kennedy Causeway** **OFC. ORLANDO RODRIGUEZ**
Nbv Corp
Norman Ciment
1665 Washington Ave # 4 Fl.
Miami Beach, Fl. 33139-3172

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Work commenced without required building permits. (Demolition, Electrical, Plumbing)

2. **Cit # 6566** **7925 West Drive** **OFC. ORLANDO RODRIGUEZ**
Valleyview Reit Llc
7925 West Drive
Miami, Fl. 33142

CODE SECTION:

Section 8-1 of the Miami Dade County code of ordinances. Commencing work on the seawall cap without permits.

3. **Case 18008 / 18009** **1441 S Treasure Drive** **OFC. ORLANDO RODRIGUEZ**
Yair Massri
4141 Nautilus Dr. 5b
Miami Beach, Fl. 33140

CODE SECTION:

Section 8-1 of the Miami Dade County code of ordinances. Commencing construction work without permits. (fence, electrical, plumbing, demolition, and painting)

4. **Cit # 7226** **7904 West Drive #CU12** **OFC. ORLANDO RODRIGUEZ**
Bayshore Yacht Club Llc
7904 West Drive
North Bay Village, Fl. 33141

CODE SECTION:

Section 110.06 of the North Bay Village code of ordinances. Operating a business without a business tax receipt. (Operating marina without a BTR)



5. **Cit # 6593**

7904 West Drive #CU12

OFC. ORLANDO RODRIGUEZ

Bayshore Yacht Club Llc
7904 West Drive
North Bay Village, Fl. 33141

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced construction work without the required building permits. (Mooring piles)

6. **Cit # 6975**

7536 W Treasure Drive

OFC. MARIA TOVAR

7536 W Treasure Dr. Llc
488 Ne 18 St Unit 4601
Miami, Fl. 33132

CODE SECTION:

Section 8-1 of the Miami Dade County code of ordinances. Commenced work without the required building permits. Repairs to 2nd floor balcony/terrace.

7. **Cit # 7223**

1701 N Treasure Drive #6

OFC. MARIA TOVAR

Sonilex Llc
495 Brickell Ave Tower 2 #3401
Miami, Fl. 33131

CODE SECTION:

Section 94.02(A) (1) of the North Bay Village code of ordinances. Landscape not maintained, grass/hedges overgrown on the property.

8. **Cit # 6583**

7556 W Treasure Drive

OFC. ORLANDO RODRIGUEZ

Jesus Moreno &W Daisy
7556 W Treasure Drive
North Bay Village, Fl. 33141

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced work without the required permits for installation of mooring piles.



9. **Case # 190042**

1880 S. Treasure Drive

OFC. ORLANDO RODRIGUEZ

Treasure Cay Club Condo
T.B.C. Condo Association Inc.
C/O: Urban Resource
PO Box 415700
Miami Beach, Fl. 33141

CODE SECTION:

Section 151.11(a) of the North Bay Village code of ordinances. Construction work commenced without building permit. (Structural/Pool Deck Repair)

10. **Cit # 6596/6597**

7810 Beachview Drive

OFC. ORLANDO RODRIGUEZ

Ezequiel Rodriguez &W
Wendy Rodriguez
7810 Beach View Dr.
North Bay Village, Fl. 33141

CODE SECTION:

Section 13.3(a)/ (b) of the North Bay Village Code of Ordinances. Operating and advertising 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

11. **Cit # 7246**

1830 S. Treasure Drive

OFC. MARIA TOVAR

Montmartroise Usa Llc
50 Biscayne Blvd #508
Miami, Fl. 33132

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced construction work without the required permits. (Replacing A/C units).

12. **Cit # 7240**

7810 Coquina Drive

OFC. MARIA TOVAR

Tung Duc Nguyen
Loan Dang Nguyen
Po Box 415116
Miami Beach, Fl. 33141

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced construction work without the required permits. (Interior renovations).



13. **Cit # 7239**

7904 West Drive #614

OFC. MARIA TOVAR

American Dream Bayshore
Yacht Club 614 Llc
1001 91 St 212
Bal Harbour, Fl. 33154

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced construction work without the required permits. (Installation of A/C unit).

14. **Cit # 6586**

1865 Kennedy Cswy #6K

OFC. ORLANDO RODRIGUEZ

Edmund Sweeney
746 S Orlando Ave #608
Cocoa Beach, Fl. 32931

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced construction work without the required permits. (Demolition, Plumbing, and Electrical).

15. **Cit # 6947/6948**

7904 West Drive #115

OFC. MARIA TOVAR

Henry Gonzalez Herrera
8690 NW 17 Ct
Pembroke Pines, Fl. 33024

CODE SECTION:

Section 13.3(a) of the North Bay Village Code of Ordinances. Operating and advertising 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

16. **Cit # 7242**

7510 Coquina Drive

OFC. MARIA TOVAR

THR Florida Lp
1717 Main St 2000
Dallas, TX. 75201

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced construction work without the required permits. (Interior renovations/repairs).



17. **Cit # 7241**

7505 W. Treasure Drive

OFC. MARIA TOVAR

Oneisy Leiva
7505 W Treasure Dr.
North Bay Village, Fl. 33141

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced construction work without the required permits. (Fence).
