



## NORTH BAY VILLAGE SPECIAL MAGISTRATE HEARING AGENDA VIRTUAL MEETING - APRIL 29, 2021

### **LOCATION:**

Virtual Meeting

### **TIME:**

2:00 P.M.

### **SPECIAL MAGISTRATE:**

Regine Monestime Esquire

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

Haydee S. Sera 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: 856 7614 2133.
3. Enter the Password: 968189.
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. **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.

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2. **Case # 181401** **7904 West Drive #117** **OFC. MARIA TOVAR**  
Lifesaver Insurance Llc  
7601 E Treasure Dr. # 1009  
Miami, Fl. 33141

**CODE SECTION:**

**Section 8-1** of the Miami Dade County code of ordinances. Commencing construction work without the required building permits. (Installing A/C unit)

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3. **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)

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4. **Cit # 6702** **1820 S Treasure Drive #406** **OFC. ORLANDO RODRIGUEZ**  
Dr. Michael Joseph Miller  
1820 S Treasure Dr. 406  
North Bay Village, Fl. 33141

**CODE SECTION:**

**Section 8-1** of the Miami Dade County Code of Ordinances. Work commenced without permits, plumbing, flooring, bathroom, walls, / Interior renovations.

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5. **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.

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6. **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)

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7. **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).

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8. **Cit # 6715**    **7510 Coquina Drive**    **OFC. ORLANDO RODRIGUEZ**  
THR Florida LP  
1717 Main St 2000  
Dallas, TX. 75201

**CODE SECTION:**

**Section 94.021(A)(1)** of the North Bay Village code of ordinances. Weeds, grass overgrown over 8 inches high.

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9. **Cit # 6598**    **7505 Bounty Avenue**    **OFC. ORLANDO RODRIGUEZ**  
Romulo Herrera  
7505 Bounty Ave  
North Bay Village, Fl. 33141

**CODE SECTION:**

**Section 8-1** of the Miami Dade County code of ordinances. Commencing construction work without the required building permits. (Removed iron fence/retaining wall)

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10. **Cit # 6407**

**7601 E Treasure Drive #1512**

**OFC. MARIA TOVAR**

Humay Cosgun  
7601 E Treasure Dr. 2024  
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. (Interior renovations / Plumbing, Electrical, Building)

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11. **Cit # 7247**

**7505 Cutlass Avenue**

**OFC. MARIA TOVAR**

Crystal Perez  
David Rivero  
7505 Cutlass Ave  
North Bay Village, Fl. 33141

**CODE SECTION:**

**Section 8-1** of the Miami Dade County code of ordinances. Commencing construction work without the required building permits. (Working above scope of permits/ Demolition, Electrical, Plumbing, Structural)

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12. **Cit # 6704**

**7533 Bounty Avenue**

**OFC. ORLANDO RODRIGUEZ**

Jesus E Suarez Toscano  
7533 Bounty Ave  
North Bay Village, Fl. 33141

**CODE SECTION:**

**Section 8-1** of the Miami Dade County code of ordinances. Commencing construction work without the required building permits. (Garage conversion, Bathroom and A/C)

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