



NORTH BAY VILLAGE SPECIAL MAGISTRATE HEARING AGENDA VIRTUAL MEETING - AUGUST 26, 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: 868 2172 4620.
3. Enter the Password: 639967.
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 # 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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2. **Cit # 6740** **Folio # 23-3209-000-0253** **OFC. ORLANDO RODRIGUEZ**
Shoma North Bay Village Llc
201 Sevilla Ave 300
Coral Gables, Fl. 33134

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Work commenced without the required building permits (Chain link fence.)

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3. **Case # 190042** **1880 S Treasure Drive** **OFC. ORLANDO RODRIGUEZ**
Treasure Bay 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 and Deck Repair)

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4. **Cit # 6725** **7532 Hispanola Ave** **OFC. ORLANDO RODRIGUEZ**
Villa Tesoro Inc
1604 Washington Ave
Miami Beach, Fl. 33139

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced electrical work without the required permits (Hot tub with electrical panel in rear yard).



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5. **Cit # 6901/6902** **7904 West Drive #407** **OFC. ORLANDO RODRIGUEZ**
U S Bank National Assoc Trs
The Rmac Trust
15480 Laguna Canyon Rd
Irvine, Ca. 92618

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

6. **Cit # 6432** **7500 Coquina Drive** **OFC. MARIA TOVAR**
Jose E Cofresi &W
Luciene G Brizolla
7500 Coquina Dr
N Bay Village, Fl. 33141

CODE SECTION:

Section 96.15 of the North Bay Village Code of Ordinances. Prohibited noise/Construction noise after 5:00PM

7. **Cit # 6438/6439** **7536 Adventure Ave** **OFC. MARIA TOVAR**
Cdp Nbv Llc
7536 Adventure Ave
North Bay Village, Fl. 33141

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.

8. **Cit # 6418** **7537 Adventure Ave** **OFC. MARIA TOVAR**
Dora Robaina
Roberto Lorenzo
7537 Adventure Ave
North Bay Village, Fl. 33141

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced work without the required permit. (Kitchen renovations without permit)



9. **Cit # 6434**

7600 Beach View Drive

OFC. MARIA TOVAR

302 South Street Llc
302 South Street 2
Boston, Ma. 02130

CODE SECTION:

Section 94.021(A)(1) of the North Bay Village Code of Ordinances. Weeds, dead plant life, or overgrown landscaping over (8) inches.

10. **Cit # 6431**

7801 Miami View Drive

OFC. MARIA TOVAR

Villa Mia Llc
7830 Atlantic Way
Miami, Fl. 33141

CODE SECTION:

Section 94.15(B)(1) of the North Bay Village Code of Ordinances. Trash/Recycle cans stored outside after collection day.

11. **Cit # 6419**

7552 Adventure Ave

OFC. MARIA TOVAR

Omar C Burgos
7552 Adventure Ave
North Bay Village, Fl. 33141

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Commenced work without the required permit. (Replacing windows and front door)

12. **Cit # 6436**

7548 Hispanola Ave

OFC. MARIA TOVAR

Luis A Sanchez Trs
Sanchez Family Trust
Michelle Gonzalez Sanchez Trs
11402 Nw 41 St Ste 202
Doral, Fl. 33178

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Work commenced without the required building permits. (Roof/fascia repair)



13. **Cit # 6433**

7528 Adventure Ave

OFC. MARIA TOVAR

Kwok K Chan
Ngan Y Chan
Man S Hui
7528 Adventure Ave
North Bay Village, Fl. 33141

CODE SECTION:

Section 96.15 of the North Bay Village Code of Ordinances. Prohibited noise/Construction activity/ noise on a weekend (Saturday)

14. **Cit # 6441**

7516 Jewel Ave

OFC. MARIA TOVAR

Cesar A Aguado
Christina M Peede Aguado
7516 Jewel Ave
North Bay Village, Fl. 33141

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Roof work commenced/performed without the required permits.

15 **Cit # 6445**

7700 Center Bay Drive

OFC. MARIA TOVAR

David Davidof
Sivan Azran
7524 Mutiny Ave
North Bay Village, Fl. 33141

CODE SECTION:

Section 94.021(A)(1)-(2) of the North Bay Village code of ordinances. Trash, rubbish, debris, junk, grass and property being maintained in unsightly manner.
