



NORTH BAY VILLAGE SPECIAL MAGISTRATE HEARING AGENDA VIRTUAL MEETING – November 17, 2022

LOCATION:

Virtual Meeting

TIME:

2:00 P.M.

SPECIAL MAGISTRATE:

Regine Monestime Esquire

NORTH BAY VILLAGE STAFF:

Haydee S. Sera Esquire, Village Attorney

Orlando Rodriguez, Code Enforcement Director

Maria Tovar, Code Enforcement Officer

Scarlet Cid, Code Enforcement Clerk

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: 865 1214 5817.
3. Enter the Password: 891337.
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.



1. **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.

2. **Case # 7158**

1601-1647 N Treasure Drive

OFC. ORLANDO RODRIGUEZ

Treasure Island Cove Condo
Association Inc.
P.O.BOX 523532
MIAMI, FL 33152

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Work commenced without the required permits. (Resurface/Re-striping parking lot.)

3. **Case #211215**

1666 Kennedy Causeway

OFC. ORLANDO RODRIGUEZ

Causeway Tower Llc
1666 Kennedy Causeway # 610
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.

4. **Case # 210723**

7920 East Drive

OFC. ORLANDO RODRIGUEZ

Belle Isle Condominium
Association, Inc.
7920 East 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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5. **Case #6667** **1440 S. Treasure Drive** **OFC. MARIA TOVAR**
Ahmed Elfeki
1440 S Treasure Drive
North Bay Village, Fl. 33141

CODE SECTION:

Section 105.1 of the Florida Building code. Work performed without the required permits. (Driveway demolition without permits).

6. **Case # 6470** **7533 Adventure Ave** **OFC. ORLANDO RODRIGUEZ**
Debra and Danny LLC
7533 Adventure Ave
North Bay Village, FL 33141

CODE SECTION:

Section 105.1 of the Florida Building code. (Accessory structure installed in the set back with electrical connections and air conditioning split unit).

7. **Case #211209** **7909-7911 East Drive** **OFC. ORLANDO RODRIGUEZ**
Harbor Condo HOA Inc.
5701 Biscayne Blvd Cs1
Miami, Fl. 33137

CODE SECTION:

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

8. **Case #6656** **7557 Mutiny Ave** **OFC. MARIA TOVAR**
San Marcos Investment Group Llc
Estate Llc
7557 Mutiny Ave
North Bay Village, Fl 33141

CODE SECTION:

Section 105.1 of the Florida Building code. Construction commenced without the required permits. (Painting and Driveway demolition without permits).



9. **Case #6476**

7910 West Drive #205

OFC. ORLANDO RODRIGUEZ

Gator Harbor West Ltd
7850 Nw 146 St 4th Floor
Miami Lakes, FL 33016

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Work commenced without the required permits. (Interior demolition, electrical, plumbing, and structural.)

10. **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.

11. **Case #6691**

1670 S Treasure Drive

OFC. MARIA TOVAR

Dionny Baez &W
Yarisette Baez
1670 S Treasure Drive
North Bay Village, FL 33141

CODE SECTION:

Section 96.04(A) of the North Bay Village code of ordinances. Construction noise activity prohibited on a Saturday. (Construction Fence installation).

12. **Case #6539**

1690 S Treasure Drive

OFC. MARIA TOVAR

Atmosphere Invest Llc
4000 Hollywood Blvd 285 S
Hollywood, FL 33021

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.)



13. **Case #7179**

1820 S Treasure Drive

OFC. ORLANDO RODRIGUEZ

Casa Del Rey Condominium
Association, INC.
1820 S. Treasure Drive
North Bay Village, Fl. 33141

CODE SECTION:

Section 105.1 of the Florida Building code. Work performed without the required permits. (Structural repair to the balcony wall behind #205 without the required permit).

14. **Case #6680**

1700 N. Treasure Drive

OFC. MARIA TOVAR

Edgard Mendez
& W Fortuna
1700 N. Treasure Drive
North Bay Village, Fl. 33141

CODE SECTION:

Section 105.1 of the Florida Building Code. Work performed without the required permits. (Kitchen renovation).

15. **Case #6550**

7505 Bounty Ave

OFC. MARIA TOVAR

Romulo Herrera
7505 Bounty Ave
North Bay Village, Fl. 33141

CODE SECTION:

Section 8-1 of the Miami-Dade County code of ordinances. Work commenced without the required permits. (Roofing work.)
