



CITY OF CORAL GABLES
Development Services Department

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FL 33134

November 1, 2022

*Sent via first class and
certified mail,
return receipt number:*

7021 1970 0000 4015 5288

134 Florida, LLC
c/o Alex Pavlovsky
Registered Agent
168 La Quinta Ct.
Holmdel, NJ 07733

Re: Notice of Unsafe Structure, Notice to Vacate, and Notice of Emergency Action to secure the historic single-family home ("Structure") located at 134 Florida Ave, Coral Gables, Florida ("Property")

Dear Property Owner:

After an inspection of the Property, the undersigned has decided to hereby declare the Structure unsafe, as provided in Article III, Chapter 105 of the City of Coral Gables Code, entitled "Unsafe Structures". The Structure is declared unsafe because it is in violation of the following subsections of Section 105-89 of the City Code, entitled "Physical criteria for unsafe structures":

Sec. 105-89. Physical criteria for unsafe structures.

A structure shall be considered unsafe if it meets any of the following criteria:

- (1) The structure or its electrical, gas, mechanical, or plumbing system is unsafe; dangerous; unsanitary; does not provide adequate egress; constitutes a fire or windstorm hazard; is otherwise dangerous to human life; by reason of illegal or improper use, occupancy or maintenance, constitutes a hazard to safety or health or public nuisance; or has been substantially damaged by the elements, fire, explosion, or otherwise.
- (2) The structure constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

- (10) A structure shall be presumed to be unsafe if one or more of the following criteria applies:
- a. There is falling-away, hanging, or loose siding, blocks, bricks, or other building material.
 - b. The structure or its structural parts are deteriorated.
 - d. There is an unusual sagging or leaning out of plumb or square of the structure and such effect is caused by deterioration or over-stressing.
 - h. The structure is in violation of the minimum housing code of article V of this chapter.
 - i. The construction of the structure or the construction or installation of systems or components within the structure has been commenced or completed without a permit or all of the required inspections or where the permit has expired prior to the required final inspections and the issuance of a certificate of occupancy or certificate of completion.
 - j. The structure is vacant and abandoned and is not covered at the doors or windows or is covered with materials not previously approved by the building official.
 - l. The structure or part thereof meets any of the physical criteria of an unsafe structure set forth above and has not been repaired and brought into compliance with the applicable codes following the expiration of a reasonable notice period.

Specifically, you have performed renovations without the necessary development approvals, including, but not limited to, building permits (“Permits”) as follows: On or about July 25, 2022, you replaced wood siding on the rear of the Structure without a permit and the City posted the first stop work order on September 21, 2022. You illegally removed the stop work order and replaced the front door without a permit and the City posted the second stop work order, on October 19, 2022. You illegally removed the stop work order and replaced the subfloor under the front door without a permit and the City posted a third stop work order, on October 28, 2022. You illegally removed the stop work order and the City posted a fourth stop work order later the same day. You illegally removed the stop work order and the City posted a fifth stop work order on October 31, 2022. Police were summoned to the Property on September 24, 2022 and October 28, 2022. Each time the police came, the workers, who could be heard working inside the Structure, refused to open the door.

In addition, you are in violation of the Sections 248, 249, 250, 252, 253, 255, 275, 278, and 281 of Chapter 105, Minimum Housing Code, of the City Code, and Section 105-89 of the City Code as follows: Failure to maintain the structure by allowing: walls, floors, porch, and roof to fall into disrepair, some siding is loose; roof is not weathertight, windows are damaged and porch window is boarded; structural supports, walls, and roof are not sound; front steps are dirty; and house has termite infestation (see engineer’s Structural Inspection Report of 10-19-21).

Because the Structure is historic, you shall apply for, obtain, and pass final inspection on all Permits to demolish and reconstruct the Structure and you shall take into

consideration any comments and recommendations by the Historic Preservation Board (“Required Action”).

Pursuant to Section 105-94 of the City Code, entitled “Abatement required”, all unsafe structures or systems are declared illegal and shall be vacated and the unsafe condition shall be abated by repair, rehabilitation, or demolition. Therefore, you must apply for, obtain, and pass final inspection on all required development approvals, including, but not limited to, building permits, to bring the structure into compliance with the applicable codes.

Please be advised that, due to the health and safety hazards in the Structure, the City hereby declares the Structure unsafe and is taking emergency action, pursuant to Section 105-96 of the City Code, to immediately secure the Structure by installing a fence around the perimeter of the Property (“Emergency Action”). **Additionally, the City is requesting that Florida Power & Light and the Miami-Dade Water and Sewer Department, without any further notice, immediately disconnect the power and water to the Structure.** The City may impose a special assessment lien on the Property for the costs of the corrective Emergency Action, pursuant to Section 105-98 of the City Code.

Please note that it shall be unlawful for any person, firm, or corporation or their agents to remove this notice without written permission from the Building Official, or for any person to enter the Structure, except for the purpose of correcting the violations, after the required Permits have been issued.

You may also immediately contact me to make arrangements to undertake the Emergency Action yourself. Otherwise, you have the right to appeal this decision to the City’s Construction Regulation Board (“Board”). Filing an appeal will not prevent the City from taking the Emergency Action, but the Board shall decide whether you can be held responsible for the costs of the Emergency Action.

Your cooperation in this matter is greatly appreciated.

Sincerely,



Suramy Cabrera, P.E.,
Development Services Department/Building Director

cc: Peter J. Iglesias, P.E., City Manager
Miriam Soler Ramos, Esq., B.C.S., City Attorney
Cristina M. Suarez, Deputy City Attorney and City Prosecutor
Manuel Z. Lopez, P.E., Deputy Building Official
Warren Adams, Historical Resources and Cultural Arts Director
Rudy G. Perez, Chief Plumbing Official
Gerardo Moreno, Chief Electrical Official

Construction Regulation Board File