

Law Office of
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January 11, 2023

***Posted at the Property and
sent via First Class Mail and
and via email to: reyjimenez@comcast.net***

306 Fluvia LLC
c/o Diaz Leyva Group, PLLC
Registered Agent
1501 Venera Ave, Ste 203
Coral Gables, FL 33146-3032

and

306 Fluvia LLC
970 San Pedro Ave
Coral Gables, FL 33156-6364

**Re: Notice of violations and further enforcement action regarding real property
located at 306 Fluvia Avenue, Coral Gables, FL 33134-7316 (“Property”)**

Dear Sir/Madam:

This office represents the City of Coral Gables, Florida (“City”). 306 Fluvia LLC (hereinafter “You”) is the listed as the owner of the Property in the office of the Property Appraiser and in the Public Records of Miami-Dade County.

As such, the City has brought or is bringing code enforcement actions against you for failure to maintain the Property. In spite of the City’s efforts, the Property remains in violation of the City Code and constitutes a public nuisance. Specifically, the Property is in violation of the City Code for reasons including, but not limited to, those set forth in the list of violations attached to the attached cease and desist letter (“Violations”).

You are hereby notified that the City will file a lawsuit or otherwise pursue further enforcement action, which may include any or all of the following: 1) an injunction requiring that the responsible parties maintain the Property in compliance with the City Code; 2) the appointment of a receiver at the expense of the responsible parties; 3) foreclosure on the City’s code enforcement and special assessments liens, if any; 4) forfeiture pursuant to applicable law; 5) the issuance of a code enforcement citation imposing a fine of \$500 per day, as stated in the attached cease and desist letter, pursuant to §§ 2-252 (e)(11) and 2-254 of the City Code; or 6) an unsafe structures proceeding, as applicable. Please be advised that the City’s code enforcement liens attach to all non-exempt real and personal property of the violator(s) named in the code enforcement order and that the City will seek its attorneys’ fees and costs.


If the violations pertain to the failure to maintain a structure that is historically significant and which is likely to be designated historic, please be advised that:

- **You may be subject to substantial fines that may not be mitigated.**
- **You may also be required to repair or restore the historic structure.**
- **If the historic structure is allowed to deteriorate to the point where it must be demolished**
 - **the City Code requires that you replace the structure with a similar historically-appropriate structure; and**
 - **the property will no longer qualify for an historic preservation tax exemption.**

Should you wish to bring this property into compliance voluntarily and possibly avoid further enforcement action, you must contact me within seven days of the date of this letter. Please provide a plan of action and a timeline, including how you intend to obtain any necessary development approvals and commence and complete the work to correct the Violations.

Please govern yourself accordingly.

Very truly yours,



Alexander L. Palenzuela

cc: Miriam Soler Ramos, Esq., B.C.S., City Attorney

THE CITY OF CORAL GABLES

OFFICE OF
THE CITY ATTORNEY



CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

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Registered Agent
1501 Venera Ave, Ste 203
Coral Gables, FL 33146-3032

and

306 Fluvia LLC
970 San Pedro Ave
Coral Gables, FL 33156-6364

**Re: Cease and desist demand regarding violations of the City Code at the premises
located at 306 Fluvia Avenue, Coral Gables, FL 33134-7316 (“Property”)**

Dear Sir/Madam:

This office represents the City of Coral Gables (“City”). You are hereby notified, as set forth below, that you are in violation of the City Code and other applicable law for failure to register and maintain a vacant and abandoned single-family home on the Property that has violations of the City Code.

Violations of the City Code

An inspection of the premises and review of City records, conducted on or about November 7, 2022, revealed that you committed the violations of the City Code set forth in the attached List of Violations (“Violations”).

In order to correct these Violations, you must take the corrective action described in the attached List of Violations, within seven days of the date of this letter.

Cease and Desist Order

In light of the Violations, we hereby demand, pursuant to §§ 2-252(e)(11) and 2-254 of the City Code, that you correct all of the above-described violations within seven days of the date of this letter. Failure to comply with this cease and desist letter shall result in the issuance of an additional code enforcement citation punishable by a fine of \$500 per day.

January 11, 2023

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Please note that, if you do not correct the Violations, the City will have no choice but to pursue further enforcement action, which may also include, but is not limited to, corrective action, including an action for a court injunction, the appointment of a receiver, or forfeiture; additional code enforcement actions, fines, and liens, including assessment liens; and foreclosure on any City liens; including any applicable attorneys' fees and costs. Please contact me no later than seven days of the date of this letter, to confirm that you will correct the remaining violations.

Nothing herein is intended to be a waiver of any of the City's rights and remedies which are expressly reserved, including, but not limited to, the right to issue citations for violations of additional provisions of the City Code.

Sincerely,



Cristina M. Suárez
Deputy City Attorney and
City Prosecutor

cc: Miriam Soler Ramos, Esq., B.C.S., City Attorney
Gustavo J. Ceballos, Esq., B.C.S., Assistant City Attorney
Suramy Cabrera, P.E., Development Services Department/Building Director
Douglas A. Ramirez, M.S., P.E., Deputy Director for Development Services
Antoine Loar, Code Enforcement Manager

List of Violations for 306 Fluvia Ave

	Code Sections	Description of Violation	Corrective Action Required
1.	Sections 34-202 and 34-203 of the City Code	Failure to maintain (as set forth herein) and register vacant property on www.ProChamps.com	Register the property as vacant and apply for, obtain, and pass final inspection on all required permits to maintain the Property
2.	Section 105-26 of the City Code and Section 105.1 of the Florida Building Code and Section 14-202.7(A)(1) of the City Zoning Code	Interior and exterior work without permits, including, but not limited to, driveway, front steps and landing, new garage door to conceal enclosed garage, interior and exterior electrical (including new meter box), mechanical, and plumbing, and rear steps and landing.	Case and desist all unpermitted work and apply for, obtain, and pass final inspection on required after-the-fact development approvals, including, but not limited to, building permits to legalize or remove all work done without a permit, as applicable