



CITY OF CORAL GABLES

Agreed Code Enforcement Board Enforcement Order

The City of Coral Gables

2/16/2022

-vs-

**BAUVEN LLC
2525 PONCE DE LEON BVLD 300
CORAL GABLES FL 33134**

Case #: CE302090-042921

**Address of Violation(s):
600 MADEIRA AVE ("Property")**

Folio #: 03-4108-002-0890

This cause having come before the Code Enforcement Board for Hearing on 2/16/2022, and based on the evidence, the Board enters the following FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER:

FINDINGS OF FACT

The Respondent, who is the Owner of the Property, has agreed to entry of this Order. Furthermore, the Respondent provided the above address for services or any notices and orders in this matter. The Respondent is subject to Section 101-107. The Respondent is in violation of:

1. Section 34-55 of the City Code and Section 220 and 227 of Chapter 105, Minimum Housing Code, of the City Code; to wit: a birdbath bowl and dead leaves and palm fronds.
2. Sections 34-202 and 34-203 of the City Code; to wit: Failure to maintain (as set forth herein) and register a vacant Property.
3. Sections 226, 255, and 278 of Chapter 105, Minimum Housing Code, of the City Code; to wit: As to the perimeter wall ("Wall"): Failure to maintain the Wall, which is dirty and needs painting.
4. Sections 250, 251, 255, and 278 of Chapter 105, Minimum Housing Code, of the City Code; to wit: As to the single-family home ("Structure"): Failure to maintain the Structure by allowing: roof leaks, dirty and stained roof, rotted rafter tails, soffits, and eaves; loose plaster to fall from the ceiling; dirty exterior walls and air conditioner enclosure in need of painting.
5. Sections 311 and 316 of Chapter 105, Minimum Housing Code, of the City Code; to wit: electricity service wires for the Structure have been severed.

CONCLUSIONS OF LAW

The foregoing findings of fact constitute a violation of the listed sections of the Code of the City of Coral Gables. It is the **Order** of this Board, based upon the foregoing and the agreement of the parties:

6. The Respondent shall register the property as vacant on the the City's abandoned real property registry on www.prochamps.com and shall maintain the Property as set forth herein within 7 days of the date of this Order.
7. The Respondent shall, within 7 days of the date of this Order, clean and paint the Wall, if the City will allow the wall to remain, and remove the birdbath bowl and dead leaves and palm fronds.
8. The Respondent shall apply for, within 15 days of the date of this Order, all required development approvals, including, but not limited to, building permits and color palette approvals, to correct the violations that require permits, i.e. painting of the Wall, if the City will allow the wall to remain, and demolition of the Structure and the Wall, if the City will not allow the Wall to remain ("Permits").
9. The Respondent shall obtain the Permits no later than 15 days from the date of the application for the Permits and, in any event, no later than 30 days from the date of this Order.
10. The Respondent further agrees to pass final inspection on the Permits, which includes, but is not limited to, laying down sod and removing any temporary construction fence, within 15 days of the date of the City notifies the Respondent that the Permits are ready to be picked up and, in any event, no later than 45 days from the date of this Order.
11. The Respondent shall consistently maintain the Property to avoid any new violations of the City Code. The City shall, nevertheless, provide the Respondent with written notice of any new violations that arise.
12. The Respondent agrees to provide, within 48 hours of the request, any information that the City requests in order to determine the status of compliance with this Order.

13. The City agrees to expedite its review of the applications for Permits, the building plans, and its inspections.
14. In the event of non-compliance by the Respondent, a fine of \$150 per day shall accrue for every day that the non-compliance continues. Once the fines begin to accrue pursuant to this Order, the Respondent must fully comply with this Order for the fines to cease accruing.
15. The City Code Enforcement Division or Code Enforcement Board may extend any of the above deadlines if either finds good cause beyond the control of the Respondent and that the Respondent acted in good faith and exercised due diligence in its efforts to obtain all required Permits, to correct all code violations, and to request an extension of any deadlines, as applicable. Good cause to obtain an extension shall include the time required for the City to review the application for Permits, the plans, and any revisions (collectively referred to as "Plans"), but only for the number of days the Plans have been submitted for review. Any additional time granted due to the City's review shall be computed from the date the Plans are submitted until the date the City notifies the Respondent that the Plans are ready to be picked up for any required revisions or that the Permits are ready to be picked up.
16. The Respondent shall pay the administrative costs for the hearing of \$108.75.
- 17. If the Respondent does not comply within the time specified, a certified copy of this Order shall be recorded in the Public Records of Dade County and thereafter SHALL CONSTITUTE A LIEN against the property upon which the violation(s) exist or upon any real or personal property of the violators.**

Upon complying, the Respondent must notify Code Enforcement Officer **Lynn Schwartz, 305 460-5273; lschwartz@coralgables.com**, who will inspect the Property and verify either compliance or non-compliance.

CONCLUSIONES DE LEY

Los resultados de hechos anteriores constituyen una violación de las secciones listadas del Código de la Ciudad de Coral Gables.

Es la **Orden** de esta Junta, basado en lo anterior:

1. El Demandado deberá pagar los gastos administrativos de \$108.75.
2. El Demandado deberá corregir las violaciones. Los párrafos 1-18, escritos en inglés más arriba, se incorporan aquí.
3. Si la violaciones no son corregidas como se describe más arriba, una multa de \$150.00 se impondrá cada día después de que continúe cualquiera violación.
- 4. Si el Demandado no cumple dentro del tiempo especificado, una copia certificada de esta Orden será inscrita en los Archivos Públicos del Condado de Miami-Dade y CONSTITUIRA UN GRAVAMEN en contra de la propiedad en donde existe las violaciones o sobre cualquier propiedad personal de los infractores.**

Al corregir la violación, el Demandado deben notificar al Oficial del Cumplimiento del Código **Lynn Schwartz, 305 460-5273; lschwartz@coralgables.com**, quien inspeccionará la propiedad y verificará el cumplimiento o no cumplimiento.

Terri Sheppard, Acting Clerk
Code Enforcement Board