



CITY OF CORAL GABLES

Agreed Code Enforcement Board Enforcement Order

The City of Coral Gables

4/21/2021

-vs-

**ESTATE OF AUDREY KAYE
C/O MARK ALAN KAYE
PURPORTED PERSONAL REPRESENTATIVE
OF THE ESTATE OF AUDREY KAYE
4616 NW 107TH AVE., APT. 2104
DORAL, FL 33178-4316**

Case #: CE279064-071718

Folio #: 0341180011541

**Address of Violation(s):
1129 SEVILLA AVE (“Property”)**

This cause having come before the Code Enforcement Board for Hearing on 4/21/2021, 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. The Respondent is subject to Section 101-107. The Respondent is in violation of:

1. Sections 34-202 and 34-203 of the City Code; to wit: Failure to maintain (as set forth herein) and register vacant Property.
2. Sections 226, 227, 248, 250, 255, 275, 278, and 280 of Chapter 105, Minimum Housing Code, of the City Code; to wit: As to the garage: Failure to maintain an accessory structure by allowing: termite infestation; the roof to collapse and for the structure to fall into disrepair, creating a hazard; an accumulation of trash and debris in the structure; cracks and loose plaster on the walls.
3. Sections 250, 255, 278, 279, and 280 of Chapter 105, Minimum Housing Code, of the City Code; to wit: As to the single-family home: Failure to maintain the structure by allowing: roof leaks; an accumulation of trash and debris in the structure; cracks and loose plaster to fall from the ceiling and walls; the exterior walls, walkway, pavers, front door, chimney, and concrete ribbons to become dirty or cracked; driveway approach to become pitted.

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:

4. The Respondent has corrected the violation in paragraph 1 above, by registering the Property as vacant, and has removed the accumulation of trash and debris in the garage;
5. The Respondent shall secure and stabilize the single-family home and garage (collectively referred to as “Structures”) and correct the remaining violations of the City Code as set forth below.
6. The Respondent shall, within 7 days of the date of this Order, correct all City code violations on the Property that do not require permits (i.e. remove all trash and debris from the Property and Structures) and shall clean or pass final inspection on the color pallet approval to paint the exterior walls, walkway, pavers, front door, chimney, and concrete ribbons and the Structures, as appropriate.
7. The Respondent shall also secure the Property by obtaining the required permit and erecting a temporary construction fence within 7 days of the date of this Order.
8. The Respondent shall also, within 7 days of the date of this Order, secure all windows and doors by replacing any missing glass and closing them or placing screens in the windows, if they are opened.
9. The Respondent shall submit a structural report of a licensed engineer within 10 days of the date of this Order and shall shore up the Structures as recommended by the engineer in his report and as required to secure and stabilize the structure within 60 days of the date of this Order.

10. The Respondent shall also fumigate/tent the Structures on the Property as required to remove any insect infestation within 30 days of the date that the owner pass final inspection of the permits to replace the roof on the Structure.
11. The Respondent shall also, within 60 days of the date of this Order, place a white or tan cover or tarp on the Structures or by any other appropriate means keep rain from causing further damage to the Structures, if recommended by the engineer in his report.
12. The Respondent shall apply, within 90 days of the date of this Order, for all required development approvals to correct the violations that require permits ("Permits")(i.e. repair and walls and roof of the Structures and the driveway approach and concrete ribbons).
13. The Respondent shall obtain the Permits no later than 30 days from the date of the application for the Permits and, in any event, no later than 120 days from the date of this Order.
14. The Respondent shall make substantial progress on the Permits, to the satisfaction of the Building Official, every 30 days thereafter.
15. The Respondent shall pass final inspection on the Permits within 120 days of the date that the City notifies the Respondent that the Permits are ready to be picked up and, in any event, no later than 210 days from the date of this Order.
16. 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.
17. The City agrees to expedite its review of the applications for Permits, the building plans, and its inspections.
18. In the event of non-compliance by the Respondent not cured within a reasonable period of time after Respondent receives notice thereof, a fine of \$150 per day shall 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.
19. 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.
20. The Respondent shall pay the administrative costs for the hearing of \$108.75.
- 21. 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 1-16, 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.

