

Law Office of
Alexander L. Palenzuela, P.A.
1200 Brickell Avenue, Suite 1950
Miami, FL 33131-3298
Tel: (305) 333-0467
alp@alp-law.com

February 26, 2024

***Posted at the Property and
Sent via First Class Mail and
via email to barbsaenz@gmail.com***

Ms. Barbara Saenz
P.O. Box 144963
Coral Gables, FL 33114-4963

and

Ms. Barbara Saenz
824 Coral Way
Coral Gables, FL 33134-4823

**Re: Notice of violations and further enforcement action regarding real property
located at 638 Alhambra Cir, Coral Gables, FL 33134-3705 (“Property”)**

Dear Ms. Saenz:

This office represents the City of Coral Gables, Florida (“City”). You are 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.

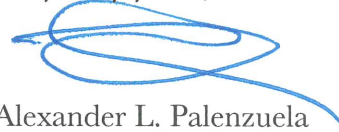
Since the violations pertain to the failure to maintain a structure that is historically designated historic, please be advised that:

- **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.**

If 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: Cristina M. Suarez, Esq., B.C.S.
City Attorney
City of Coral Gables

THE CITY OF CORAL GABLES

OFFICE OF
THE CITY ATTORNEY



The City Beautiful

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

January 30, 2024

***Posted at the Property and
Sent via First Class Mail and
via email to barbsaenz@gmail.com***

Ms. Barbara Saenz
P.O. Box 144963
Coral Gables, FL 33114-4963

and

Ms. Barbara Saenz
824 Coral Way
Coral Gables, FL 33134-4823

**Re: Cease and desist demand regarding violations of the City Code at the premises
located at 638 Alhambra Cir, Coral Gables, FL 33134-3705 (“Property”)**

Dear Ms. Saenz:

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 single-family historically designated home and accessory structures (i.e. a swimming pool and spa) (collectively referred to as “Structure”) on the Property that have violations of the City Code.

Violations of the City Code

An inspection of the premises and review of City records, conducted on or about December 29, 2023, January 2, 2024, January 9, 2024, January 10, 2024, and January 18, 2024, 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

Ms. Barbara Saenz
January 30, 2024
Page 2 of 4

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.

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,



Gustavo J. Ceballos
Assistant City Attorney and
City Prosecutor

cc: Cristina M. Suarez, Esq., B.C.S., City Attorney
Gustavo J. Ceballos, Esq., B.C.S., Assistant City Attorney
Douglas A. Ramirez, M.S., P.E., Acting Director for Development Services
Antoine Loar, Code Enforcement Manager

List of Violations for 638 Alhambra Cir

	Code Section	Description of Violation	Corrective Action Required
1.	Section 5-1803 of the City Zoning Code, of the City Code and Section 220 of Chapter 105, Minimum Housing Code, of the City Code	A ladder and extension cord are stored outside (in the rear yard) and not within a storage area permitted under these regulations, which shall be enclosed on all sides with a solid or louvered masonry wall, not less than six (6) feet in height, with necessary openings	Remove ladder and extension cord stored outside of a permitted storage area
2.	Section 34-55 of the City Code and Sections 220, 227, and 228 of Chapter 105, Minimum Housing Code, of the City Code	Permitting weeds, grass or undergrowth to grow thereon to a height of 12 inches or more from the ground; permitting rubbish, trash, debris, dead trees or other unsightly or unsanitary matter to remain thereon (i.e. dead palm fronds throughout the property and in the pool and a pile of cut branches in the rear yard); and permitting water to accumulate and stand in the swimming pool in such manner or fashion as to make possible the propagation of mosquitoes therein.	Remove the dead palm fronds and drain, clean, and cover the swimming pool or fill the pool with clean water
3.	Sections 34-202 and 34-203 of the City Code	Failure to register and maintain (as set forth herein) vacant property	Register and maintain the vacant Property, as set forth herein
4.	Sections 249, 250, 251, 255, and 278 of Chapter 105, Minimum Housing Code, of the City Code	Failure to maintain the structure by allowing: roof, exterior walls, driveway, pool patio, front porch, and walkway to become dirty; lose floor tile on front porch; rusted gate in rear yard; façade walls are cracked; chipped and peeling paint on window and doors frames; and damaged door frame	Clean roof, exterior walls, driveway, pool patio, front porch, and walkway; and apply for, obtain, and pass final inspection on color pallet approval to paint the Structure and building permits for the repairs, as required
5.	Section 8-108 of the City Zoning Code	Demolition by neglect of an historic structure; including, but not limited to: a) Deteriorated and decayed facades or façade elements, facades which	Apply for, obtain, and pass final inspection on any necessary permits to secure, repair, and

		<p>may structurally fail and collapse entirely or partially (chipped and peeling paint on window and doors frames)</p> <p>f) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or missing windows or doors (chipped and peeling paint on window and doors frames; loss floor tile on front porch).</p> <p>g) Defective or insufficient weather protection which jeopardizes the integrity of exterior or interior walls, roofs or foundations, including lack of paint or weathering due to lack of paint or other protective covering (chipped and peeling paint on window and doors frames)</p>	<p>preserve the historic Structure</p>
--	--	---	--