City of Coral Gables

405 Biltmore Way Coral Gables, FL 33134 www.coralgables.com



Meeting Minutes

Wednesday, January 16, 2019 8:30 AM

City Hall, Commission Chambers, 2nd Floor

Code Enforcement Board

Chairperson Andres Murai, Jr Vice Chairperson George Kakouris Board Member Ignacio Borbolla Board Member Alexander L. Bucelo Board Member Jeffrey Flanagan Board Member J.M. Guarch, Jr. Board Member Christopher Zoller

CALL TO ORDER

Meeting called to order by Chairperson, Andres Murai. Jr.

ROLL CALL

Present: 7 - Chairperson Murai Jr, Vice-Chairperson Kakouris, Board Member Guarch Jr., Board Member Zoller, Board Member Borbolla, Board Member Flanagan and Board Member Bucelo

APPROVAL OF THE MINUTES

Code Enforcement Board Summary Minutes of November 28, 2018

Attachments: NOVEMBER 28, 2018

A motion was made by Vice-Chairperson Kakouris, seconded by Board Member Zoller, that this matter be approved. The motion passed by the following vote.

Yeas: 7 - Chairperson Murai Jr, Vice-Chairperson Kakouris, Board Member Guarch Jr., Board Member Zoller, Board Member Borbolla, Board Member Flanagan and Board Member Bucelo

PUBLIC HEARING

5 Alcantarra Avenue

Violation Description - Broken concrete wall, standing water in decorative fountain.

Remedy - Repair wall and remove and maintain fountain free from standing water.

Owner -Maria L Lopez

Code Enforcement Officer J. Garcia

Attachments: 5 Alcantarra Violation photos

5 Alcantarra Postings and Doucments

Violation Photos

Found guilty, obtain repair permit(s) within 30 days of the Board's Hearing and finalize within 90 days of the Board's Hearing date. \$150 daily fine to commence if no compliance. Administrative Fee of \$108.75 assessed by the Board.

A motion was made by Board Member Borbolla, seconded by Board Member Flanagan, that this matter be found Guilty. The motion passed by the following vote.

Yeas: 7 - Vice-Chairperson Kakouris,Board Member Guarch Jr.,Board Member Zoller,Board Member Borbolla,Board Member Flanagan,Chairperson Murai Jr and Board Member Bucelo

12 Phoenetia Avenue

Case was continued by the Code Enforcement Board on October 17, 2018.

Violation Description - Minimum housing. Property was cited for several issues but only violation remaining is the broken asphalt on driveway and parking area in the rear.

Remedy - Repair driveway and parking area.

Owner - Gustavo Duque

Code Enforcement Officer J. Garcia

Attachments: Warning signed

Warning posting (2)
Warning posting (1)
Summons to Appear

Summons posting Afidavit

ownership
NOV Signed
NOV posting (2)
NOV posting (1)
NOV affidavit

12 Phoenetia NOV Photos (6)

12 Phoenetia (11) (1)

12 Phoenetia (8)

12 Phoenetia (7)

12 Phoenetia (7) (1)

12 Phoenetia (4)

12 Phoenetia (3)

12 Phoenetia (2)

12 Phoenetia (1)

12 Phoenetia violation photos (13)

12 Phoenetia violation photos (12)

12 Pheonetia Summons posting (2)

12 Pheonetia Summons posting (1)

Notice Photos

Violation Photos

12 Pheonetia Driveway repair done by Owner (1)

12 Pheonetia Driveway repair done by Owner (2)

12 Pheonetia Driveway repair done by Owner (3)

12 Pheonetia Driveway repair done by Owner (4)

Violation Photos

Found guilty. Obtain and finalize permit(s) within 30 days of Board's

Hearing. \$250 daily fine to commence if no compliance. Administrative Fee of \$108.75 assessed by the Board.

A motion was made by Board Member Flanagan, seconded by Board Member Zoller, that this matter be found Guilty. The motion passed by the following vote.

Yeas: 7 - Vice-Chairperson Kakouris, Board Member Guarch Jr., Board Member Zoller, Board Member Borbolla, Board Member Flanagan, Chairperson Murai Jr and Board Member Bucelo

357 Almeria Avenue

Violation Description - Failure to maintain the building water tight. Tenants are having water intrusion problems in their units due to water penetrating the exterior walls of the building. Engineer's report attached indicating as such.

Remedy - Must make necessary repairs to exterior of building to remediate water intrusions and pooling of water throughout decks around the building.

Owner - Gables Park Tower Condominium Association Inc.

Code Enforcement Division Manager Ortiz

Attachments: 091318 - email from complainant

130601 Almeria Park Condominium Testing Report (1)

130601 Almeria Park Condominium Testing Report

130601 Almeria Park Report - Engineer report submitted by unit owner

130601 Almeria Park Report
Allergy letter for Ramon Fernandez

Certified mail packet received from property owner's attorney on 12.27.18

Int damage 1

Int damage 2

Int damage 3

Int damage 4

Int damage 5

MIN Code Section

Mold and outside area 1

Mold and outside area 2

Mold and outside area 3

Mold and outside area 4

Notice of Violation Registered Agent-signed

Notice of Violation-signed

NOV Affidavit of Posting

ownership

Pics for CEB

Raymond GablesParkTower Communications

Raymond GablesParkTower Communications

Shutter in closed position to retain water 2

Shutter in closed position to retain water

Sunbiz

Video from property owner

Video from unit owner 1

Video from unit owner 2

Continued to CEB Hearing scheduled for February 20, 2019 prior to hearing.

931 Catalonia Avenue

Violation Description - Trash & debris around property and allowing pets to defecate on walkway along east side of property causing foul odor and hazard to health.

Sec. 10-4. - Removal of animal feces.

(a) Any person owning, possessing, harboring or having the care, charge, control or custody of any animal shall immediately remove and thereafter dispose of any fecal matter deposited by the animal on public or private property within the city (other than upon the property of the owner of the animal) unless the owner or person in lawful possession of the property has consented to such deposit. For the purpose of compliance with this section, animal fecal matter shall be immediately removed by placing the matter in a closed or sealed container and thereafter disposing of it by depositing the matter in a trash receptacle, sanitary disposal unit, or other closed or sealed container.

Remedy - Must clean up all trash & debris from property and pick up all feces from walkway on side of home. Maintain area clean and free of trash & debris, and animal feces at all times.

Owner - BILTMORE APARTMENTS OWNER LLC

Code Enforcement Division Manager Ortiz

Attachments: 110418

110418 - Updated violation photos (1) 110418 - Updated violation photos (2)

110418 - Updated violation photos (3)

110418 - Updated violation photos (4)

110418 - Updated violation photos (5)

122618 - Updated violation photos (1)

122618 - Updated violation photos (2)

122618 - Updated violation photos (3)

122618 - Updated violation photos (4)

122618 - Updated violation photos (5)

CEB Summons Affidavit of Posting

CEB Summons Posting for January Hearing

Code Enforcement Violation Warning Registered Agent-signed

Code_Enforcement_Violation_Warning-signed

Notice of Violation Registered Agent-signed

Notice of Violation-signed

ownership

Photos for CEB Hearing

Violation pics - animal feces on side walkway (1)

Violation pics - animal feces on side walkway (2)

Violation pics - animal feces on side walkway (3)

Case Closed prior to hearing.

119 Grand Avenue

Violation Description - Section 105-26 of the City Code and Section 105.1 of the Florida Building Code and Section 3-207 of the City Zoning Code, to wit: Work without a permit: As to the commercial structure: Installation of iron bars over air conditioning compressors; As to the residential structure: Installation of metal screens or plywood over windows. Section 105-26 of the City Code and Section 105.4.1.1 of the Florida Building Code, to wit: Allowing the building permits for the Structure, for an historical sign (permit # AB-13-06-0429 and BL-13-06-1210) and to repair and paint exterior wall and trim (ZN-15-06-5747), to expire. Section 105-29 of the City Code, to wit: As to the commercial structure: Failure to maintain a commercial structure by allowing the exterior building surfaces, walls, and walkway to become dirty and the iron bars to become rusted and the paint and walls and fascia and soffits to become chipped, pitted, cracked, discolored, or to peel or fade, and for wall cladding to rot or fall away. Sections 220 and 428 of Chapter 105, Minimum Housing Code, of the City Code, to wit: Rubbish, trash, and debris along the edge of the concrete slab and the residential structure. Sections 249, 250, 251, 252, 253, 255, and 278 of

Chapter 105, Minimum Housing Code, of the City Code, to wit: As to the residential structure: The Structure's walls, columns, concrete slab, and stairs are dirty and covered with mold; the railings are rusted, and the paint is chipped, pitted, cracked, discolored, or is peeling or fading, and the wall cladding is rotting or falling away. Sections 431 of Chapter 105, Minimum Housing Code, of the City Code, to wit: As to the residential structure: Allowing the occupancy of units in the Structure that are not in good repair, clean, sanitary, in habitable condition, and in full compliance with all provisions of the Minimum Housing Code, as set forth herein. Sec. 3-1108 of the City Zoning Code, to wit: Demolition by neglect of an historic structure; including, but not limited to: a) Deteriorated walls or other vertical structural supports, or members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration; b) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or missing windows or doors; c) 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; and d) Faults and defects in the Structure that render it not properly watertight.

Remedy - Apply for, obtain, and pass final inspection on required after-the-fact permit to repair and legalize or remove or demolish all work done without a permit, as applicable. Apply to re-open and pass final inspection on all expired permits for the Structure. Clean and repair exterior building surfaces, walls, and walkway and apply for, obtain, and pass final inspection on color pallet approval to paint and permits to repair the Structure, as required, and clean and paint or remove iron bars. Remove all rubbish, trash, and debris. Clean walls, columns, concrete slab, stairs, and railings and apply for, obtain, and pass final inspection on color pallet approval to paint the Structure, as required. Correct all violations of the Minimum Housing Code or relocate all occupants. Repair, and preserve the historic Structure and apply for, obtain, and pass final inspection on permits, as required.

Owner - Luis Properties LLC

Code Enforcement Division Manager Ortiz

Attachments: Affidavit of Posting - NOV

NOV Posting #1

NOV Posting #2

Signed NOV with Certified Mail label

Violation Photos #1
Violation Photos #2
Violation Photos #3

<u>USPS - Summons to Appear</u> USPS - Notice of Violation

SUM Posting #1
SUM Posting #2

Signed SUM with Certified Mail label

Found guilty. Complete full project within 180 days of the Board's Hearing. \$250 daily fine to commence if no compliance. Administrative Fee of \$108.75 assessed by the Board.

A motion was made by Board Member Guarch, Jr., seconded by Vice-Chairperson Kakouris, that this matter be found Guilty. The motion passed by the following vote.

Yeas: 7 - Board Member Guarch Jr.,Board Member Zoller,Board Member Borbolla,Board Member Flanagan,Board Member Bucelo,Chairperson Murai Jr and Vice-Chairperson Kakouris

6810 Maynada Street

Violation Description - As to the single-family home: replacement of soffits, repair of roof, and replacement of shingles; and chimney repair (Dayron to verify). As to the garage: Failure to maintain an accessory structure by allowing: garage doors to become damaged and dirty; exterior building surfaces, roof, soffits, walls, driveway and walkway to become dirty; missing roof tiles; fascia to be damaged and corners and angles; paint on door and on the fascia to become chipped, pitted, cracked, discolored, or to peel or fade; flashing to become rusted. As to the residential structure: The Structure's walls and roof are stained, dirty, and mildewed, sidewalk is dirty; missing window pane; damaged South side wall (plaster is separating); chimney need painting where new stucco was applied; damaged railing for veranda; plats growing out of gutter; fascia is damaged over second floor windows; paint on window frames is chipped off; paint on window panes has chipped off. Demolition by neglect of historic structures; including, but not limited to: a) Deteriorated walls or other vertical structural supports, or members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration; b) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or missing windows or doors; c) 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; and d) Faults and defects in the Structure that render it not properly watertight. Possible illegal dwelling unit over garage.

Remedy - Clean the sidewalk. As to the garage: Clean and repair exterior garage doors, exterior building surfaces, roof, soffits, and walls, driveway, walkway, fascia, and flashing and apply for, obtain, and pass final inspection on color pallet approval to paint the Structure and building permits for the repairs, as required. As to the single-family home: Clean or paint walls and roof, and apply for, obtain, and pass final inspection on color pallet approval to paint the Structure and building permits for the repairs, as required.

Repair, and preserve the historic Structure and apply for, obtain, and pass final inspection on permits, as required.

Owner - Kathleen M. Smith Zorn

Code Enforcement Division Manager Ortiz

Attachments: Affidavit of Posting - NOV

NOV Posting #1

NOV Posting #2

Signed NOVs with Certified Mail label

Violation Photos #1
Violation Photos #2

Signed Summons' with Certified Mail label

SUM posting photo #2 SUM posting photo #1

USPS - NOV

USPS - Summons to Appear

Violation Photos #3

Order read into the record by City Attorney, Miriam Ramos.

This Code Enforcement Board Violation was found Guilty

Yeas: 7 -

Board Member Guarch Jr.,Board Member Zoller,Board Member Borbolla,Board Member Flanagan,Board Member Bucelo,Chairperson Murai Jr and Vice-Chairperson Kakouris

603 Minorca Avenue

Violation Description - Work done on property without obtaining approvals and permits. (i.e. iron fence installed along SW corner of property, gazebo installed at NW corner of property, in side and rear setbacks, and 2 roofed structures, attached to rear of home). There are also 2 storage sheds on N side of home.

Remedy - Must obtain necessary permits to keep on property or permit for demolition of aforementioned items, as well as passing all pertinent inspections. Must also remove storage sheds from exterior of home.

Owner - Wells Fargo Bank NA Harborview Mortgage Loan TR

Code Enforcement Division Manager Ortiz

Attachments: CEB Summons Affidavit of Posting

CEB Summons Posting for January Hearing

Gazebo at NW corner of property
Notice of Violation-signed
NOV Affidavit of Posting

NOV Posting

NOV USPS Delivery Confirmation

Photos for CEB Hearing

Roof structures over rear patio (1)
Roof structures over rear patio (2)
Roof structures over rear patio (3)
Sotage sheds on side of home

Temporary iron fence on SW corner of property (1) Temporary iron fence on SW corner of property (2)

Case closed prior to hearing.

90 Sevilla Avenue

Violation Description - A/C unit replaced in 2016 without obtaining permit. Permit was applied for (ME16087190), but it was never issued.

Remedy - Must obtain permit for AC replacement and pass all necessary inspections. Please contact Jorge Pino at jpino@coralgables.com for assistance with obtaining the permit.

Owner - Janette Ferreira Da Silva

Code Enforcement Division Manager Ortiz

Attachments: 103018 - email complaint from permit division

AC unit installed without permit - photos from Chief Mechanical Inspector (1) AC unit installed without permit - photos from Chief Mechanical Inspector (2)

CEB Summons Affidavit of Posting

CEB Summons Posting for January Hearing

Notice of Violation-signed NOV Affidavit of Posting

NOV Posting

NOV USPS Delivery Confirmation

ownership

Photos for CEB Hearing

Violation photos

survey

90 Sevilla Ave 90 Sevilla Plans Found guilty, 30 days to resubmit and 60 days to finalize permit(s) from the date of the Board's Order. \$150 daily fine to commence if no compliance. \$108.75 Administrative Fee assessed by the Board.

A motion was made by Board Member Guarch, Jr., seconded by Vice-Chairperson Kakouris, that this matter be found Guilty. The motion passed by the following vote.

Yeas: 7 - Board Member Guarch Jr.,Board Member Zoller,Board Member Borbolla,Board Member Flanagan,Board Member Bucelo,Chairperson Murai Jr and Vice-Chairperson Kakouris

322 Viscaya Avenue

Violation Description - Garage enclosed without any record of approval and permit.

Remedy - Must obtain permit and inspections as needed.

Owner - Aldo Berti

Code Enforcement Division Manager Ortiz

Attachments: awning permit 2003

CEB Summons - Affidavit of Posting

CEB Summons Affidavit

CEB Summons Posting for January Hearing

CEB Summons posting

CEB Summons

CEVW - Affidavit of Posting

Code Enforcement Violation Warning-signed

driveway 2003

email requesting CEB extension

email to cite

Notice of Violation-signed

NOV - Affidavit of Posting

NOV USPS
Original plans
ownership
Posting CEVW

Posting NOV

Summons for January CEB

WWP

Case continued to CEB Hearing for February 20, 2019 prior to hearing.

3511 Alhambra Circle

Violation Description - PWP Violation CC 62-84 - Maintaining low hanging plants on public right-of-way which exceeds 24 inches in height and exceeds the 3ft permitted radius surrounding City tree without a Public Works Department permit.

Remedy - Must cut back low hanging plants 3ft from public street and keep all plants within the permitted 3ft radius around city trees. If owner wants to maintain plants outside the 3ft radius, owner must apply for permit with the Public Works Department. Must trim all plants below 24 inches in height, this includes plants growing on trees.

Owner - 3511 Alhambra LLC

Code Enforcement Officer Paz

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Attachments:
              3511 Alhambra Cir- PWP (Trees) (1)
              3511 Alhambra Cir- PWP (Trees) (2)
              3511 Alhambra Cir- PWP (Trees) (3)
              3511 Alhambra Cir- PWP (Trees) (4)
              3511 Alhambra Cir- PWP (Trees) (5)
              3511 Alhambra Cir-PWP (Trees) (6)
              3511 Alhambra Cir- PWP (Trees) (7)
              3511 Alhambra Cir- PWP (Trees) (8)
              3511 Alhambra Cir- PWP (Trees) (9)
              3511 Alhambra Cir- PWP NOV Posting
              3511 Alhambra- City Swale Letter Posting
              3511 Alhambra- PWP (Trees) (1)
              3511 Alhambra- PWP (Trees) (2)
              3511 Alhambra- PWP (Trees) (3)
              3511 Alhambra- PWP (Trees) (4)
              3511 Alhambra- PWP Warning and City Swale Letter Posting
              3511 Alhambra- SUM Failed (1)
              3511 Alhambra- SUM Failed (2)
              3511 Alhambra- SUM Failed (3)
              3511 Alhambra- SUM Failed (4)
              3511 Alhambra- SUM Posting (1)
              3511 Alhambra- SUM Posting (2)
              Ownership
              SUM Affidavit- 3511 Alhambra Cir
              Inspector Report 3511Alhambra Circle
              USPS- NOV Tracking
              3511 Alhambra Cir- NOV Affidavit
              3511 Alhambra Cir- Posting Photos
              3511 Alhambra- Violation Photos
              3511 Alhambra- Summons to Appear Affidavit (JAN CEB)
              3511 Alhambra- Summons to Appear USPS Tracking® Results
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Case continued to CEB Hearing for February 20, 2019 prior to hearing.

108 Oak Avenue

Violation Description - WWP Violation CC 105-26 & Florida Building Code 105.1 - Windows and doors installed without permits.

Remedy - Must obtain permit and approval or remove.

Owner - Jun Liang

Code Enforcement Officer Paz

Attachments: 108 Oak- NOV Warning Posting

108 Oak- SUM Posting (1) 108 Oak- SUM Posting (2) 108 Oak- Warning of Violation (1)

108 Oak- Warning of Violation (2)

108 Oak- Windows and Doors WWP Remain (1)
108 Oak- Windows and Doors WWP Remain (2)

108 oak wwp (1) 108 oak wwp (2) 108 oak wwp (1) 108 oak wwp (3) 108 oak wwp (5)

108 oak wwp Code Enforcement Violation Warning

Ownership

Permit Search- 108 Oak 3.8.2018

SUM Affidavit- 108 Oak

USPS- NOV Shipped to Owner

CC 106-26

Florida Building Code 105.1 10.16.2018- Eden Permit Search

Notice Photos
Violation Photos

USPS-SUM Shipped

108 Oak- 2 Day Prior to JAN CEB Inspection (1)

108 Oak- 2 Day Prior to JAN CEB Inspection (2)

108 Oak- 2 Day Prior to JAN CEB Inspection (3)

108 Oak- SUM Posting on 1.3 for JAN CEB Hearing (1)

108 Oak- SUM Posting on 1.3 for JAN CEB Hearing (2)

108 Oak- Summons to Appear Affidavit (JAN CEB)

Found guilty, 60 days to submit and 120 days to finalize permit(s) from the date of the Board's Order. \$150 daily fine to commence if no compliance. \$108.75 Administrative Fee assessed by the Board. Status report to be given at February 20, 2019 Hearing.

This Code Enforcement Board Violation was found Guilty

Yeas: 7 - Board Member Zoller,Board Member Borbolla,Board Member Flanagan,Board Member Bucelo,Chairperson Murai Jr,Vice-Chairperson Kakouris and Board Member Guarch Jr.

1450 Baracoa Avenue

At the October 17, 2018 Code Enforcement Board hearing, a retroactive extension of time was granted by the Board with 30 days from the hearing date to obtain a contractor; status report in 30 days requested by the Board. The new compliance due date is November 17, 2018. Case was first heard at the Code Enforcement Board hearing on March 21, 2018

where the property was found guilty with 120 days to comply or a \$150 per day fine thereafter; Administrative Fee was waived by the Code Enforcement Board.

Violation Description - Garage door, fascia and roof are in disrepair.

Remedy - Need to make repairs and obtain permits.

Owner - Standford Peter Birnholz Tr & Standford P. Birnholz (Ben)

Code Enforcement Officer Sheppard

Attachments: 1450 baracoa emails #2

1450 baracoa emails
Board's Order Affidavit
Board's Order Pic
Board's Order

Case Presentation Sheet

Code Enforcement Violation Warning Affidavit
Code Enforcement Violation Warning Posting Pic

Code Enforcement Violation Warning

Code Section
NOV Affidavit
NOV Posting Pic
NOV usps
NOV

Ownership

Pictures of violation

Summons to Appear Affidavit

Summons to Appear Posting Pic

Summons to Appear usps

Summons to Appear

Violations pics

Violations pics

Violation Photos - new

Picture 9 13 18

Picture revised summons 10 17 18

Pictures for 10 17 18 (1)

Pictures for 10 17 18 (2)

Pictures for 10 17 18 (3)

Pictures for 10 17 18 (4)

Pictures for 10 17 18 (5)

Pictures for 10 17 18 (6)

Pictures for 10 17 18 (7)

Pictures of violation

Pictures taken 10 16 18 (1)

Pictures taken 10 16 18 (2)

Pictures taken 10 16 18 (3)

Pictures taken 10 16 18 (4)

Pictures taken 10 16 18 (5)

Pictures taken 10 16 18 (6)

<u>Pictures taken 10 16 18 (7)</u> <u>Pictures taken 10 16 18 (8)</u>

Pictures taken 10 16 18 (9)

Pictures taken 10 16 18 (10)

Pictures taken 10 16 18 (11)

Pictures taken 10 16 18 (12)

Posting of summons 10 17 18

Case continued indefinitely, voted unanimously.

DISCUSSION ITEMS

Review and Approval of the 2019 Board Hearing Dates

Motion to approve calendar by George Kakouris and seconded by Christopher Zoller. Unanimously approved by the Board.

ADJOURNMENT

Meeting adjourned by Chairperson, Andres Murai, Jr.