



**Unsafe Structures Board**  
**January 20<sup>th</sup>, 2016**

**City of Miami Beach Case:**

BV14001501

79 N. Hibiscus Drive

Ms. Charles announced that the following Unincorporated Miami Dade County cases that were **Deferred/Withdrawn by the Building Official:**

**Unincorporated Miami Dade County Cases:**

DCF2013114101	7830 SW 24 Street, #1 - Withdrawn
DCF2013115106	6970/6980 NW 186 Street, #3 - Withdrawn
DCF2013115180	6990/7000 NW 186 Street, #4 - Withdrawn
DCF2013115181	7010 NW 186 Street, #5 - Withdrawn
DCF2013115182	6990 NW 186 Street, Clubhouse - Withdrawn
DCF2013116338	6851 SW 147 Avenue, Clubhouse - Withdrawn
DC20150174314U	13300 SW 189 Avenue - Deferred ( <i>February</i> )

The cases and photographs were submitted to the Board for review and were called into the record by Ms. Charles.

After the Board reviewed each case file, Mr. Starkweather requested a motion to consolidate the deferrals, withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Naumann moved to accept the deferrals, withdrawals, agreed and uncontested cases. Mr. Rodriguez seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Starkweather then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

**Heard Case on Record**

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:35 P.M. by the Court Reporter.

Ms. Charles then called forth the case to be heard on record from the City of Miami Beach, Unsafe Structures Unit.

**City of Miami Beach:**

BV15000758

4424 N. Bay Road

Mr. Marty Solomon, Lender, stated that the property is in foreclosure. He advised the Board that they are in agreement with the City, but wanted to go on record with what the City recommended for compliance.

Mr. Steven Rothenstein, City Attorney, informed the Board that the owner is not present and the goal of the City was to remove the Owner from the property due to unsafe structures issues. He then provided the Board with the City's recommendation.

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Ms. Charles then called forth the second case to be heard on record from the City of Miami Beach, Unsafe Structures Unit.

**City of Miami Beach:**  
BV15001338

1446 Ocean Drive

Mr. Ian G. Bacheikov, Esq, informed the Board that a compliance agreement had been agreed upon between the City and the Property Owner of 1446 Ocean Drive. He mentioned to the Board that the owner desires to make a voluntary binding commitment to assure that the property shall be rehabilitated in accordance with the provisions of the Florida Building Code, Fire Prevention Code and all other Federal, State or Local Codes. Mr. Bacheikov also mentioned that the City of Miami Beach granted the Owner additional time to bring the property into compliance in avoidance of the City demolishing the property. He stated the Owner also agreed to be bound by the terms listed in the agreement, which shall be deemed to be a covenant running with the land, as well as, what the Owner agreed with the City. Mr. Bacheikov informed the Board that the Engineer prepared and submitted to the City the scope of work assessment and they are waiting on the City to approve the application.

Mr. Steven Rothenstein, City Attorney, gave a description of the property and informed the Board that the City had entered into an agreement with the Property Owner for compliance of the property, but wanted the Board's ratification.

Mr. Jim Mitchell, Property Owner, informed the Board that he's the Owner of Units 1 & 2. He also informed the Board that the Building was up for sale, but the deal didn't go through. Mr. Mitchell then advised the Board that he is in agreement to prepare the building.

Board Member Anthony Rodriguez asked how long had the issue been going on and how many units are there.

Mr. Bacheikov replied that the structures has 45 units.

Mr. Henry Stolar, Neighbor, informed the Board that the building has 45 units. He then informed the Board that the building is a contributing in the City's Local Historic District and has great potential to be repaired, restored, renovated and rehabilitated rather than demolished. Mr. Stolar mentioned to the Board that the property had been deemed unsafe for a numeral of years. He then stated that the track record shows that these buildings will never be repaired. Mr. Stolar also informed the Board that he provided an Amendment to the Board for their consideration and requested that they should not accept, ratify or approve the Compliance Agreement unless it is amended. Mr. Stolar informed the Board that an Engineer's Report was submitted to the City dated December 2013 and a new report needed to be updated and resubmitted. He also mentioned to the Board that he attempted to obtain information from the City in reference to the property, but none of his calls nor emails were responded to. Mr. Stolar then mentioned that he requested public records 4 times to obtain basic information, but he was told that there wasn't a public request.

Board Member James Starkweather asked Mr. Stolar what will he say or do if the City wanted to demolish the building.

Mr. Stolar replied that he would be opposed to demolition.

Board Member James Starkweather stated that the City does their best to keep the City safe.

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Mr. Stolar stated that the City has procedures in which they do not follow. He then stated that the City neglected the buildings for many years.

Board Member James Cueva asked the City what would happen if the matter didn't get resolved.

Mr. Rothenstein answered that the property would be demolished.

After further discussion, Mr. Rodriguez moved that "Board accepted and ratified the Compliance Agreement between parties and the Building Official." Mr. Cueva moved to second the motion.

**Motion passed 6 to 2. (Mr. Coker and Mr. Trauth opposed)**

*(For a verbatim version, please refer to the transcripts).*

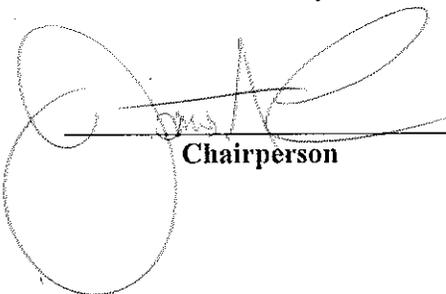
**Sunshine Law Training**

Mr. Christopher Angell explained to the Board the requirements of the Sunshine Law, which requires that they conduct themselves according to their guidelines as a Member of the Unsafe Structures Board hearing.

There being no further business, a motion was made by Mr. Naumann and seconded by Mr. Rodriguez to adjourn the meeting at 2:48 P.M.

Prepared by:

  
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**Recording Secretary**

  
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**Chairperson**

Date:

12 February 2016