

UNSAFE STRUCTURES BOARD HEARING
MINUTES OF FEBRUARY 17TH, 2016

Members Present: James Cueva, Chairman James Starkweather, VC
Adebayo Coker Aymara D. Riley
Anthony Rodriguez Miguel A. Brizuela
Kevin Deeb

Excused Absent: Jason Trauth Carlos Naumann
Ramon Arronte Abel Ramirez
Julio Jimenez

Staff: Kathy Charles, Acting Clerk of the Board
Latisha Byrd, Board Secretary
Chris Angell, Asst. County Attorney
Daija Lifshitz, Asst. County Attorney

Court Reporter: Janice Aguirre, Miami Dade County Court Reporting Services

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, February 17th, 2016, on the 2nd Floor, Conference Rooms I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26th Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the January 20th, 2016, Unsafe Structures Board Meeting. Mr. Deeb moved to accept the minutes of the board meeting with the revisions mentioned on record. Mr. Rodriguez seconded the motion.

Motion passed unanimously.

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

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County and City of Miami Beach cases that were **agreements with the Building Official/Inspector:**

Unincorporated Miami Dade County Cases:

DC20090126897U	8275 S W152 Avenue, D-407
DC20150171805U	7424 NW 8 Street
DCF2012112317U	7130-7142 NW 169 Street, #1
DCF2012116413U	7000-7004 NW 169 Street, #2
DCF2012116414U	7006-7022 NW 169 Street, #3
DCF2012116415U	7024-7040 NW 169 Street, #4
DCF2012116416U	7042-7058 NW 169 Street, #5
DCF2012116417U	7060-7108 NW 169 Street, #6
DCF2012116418U	7110-7128 NW 169 Street, #7
DCF2015000721U	640 NE 149 Street, #1

City of Miami Beach Case:

BV14001129 6900 Bay Drive

Ms. Charles announced that the following Unincorporated Miami Dade County case that were **No Contest/No Show for the Building Official** recommendation:

Unincorporated Miami Dade County Cases:

DC20090126599U 8401 NW 8 Street, #105

**Unsafe Structures Board
February 17th, 2016**

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announced that the following Unincorporated Miami Dade County and City of Miami Beach cases that were **Deferred/Withdrawn by the Building Official:**

Unincorporated Miami Dade County Cases:

DCF2015000322U	18900 W. Dixie Highway (Withdrawn)
DC20150174314U	13300 SW 189 Avenue (Deferred)

City of Miami Beach Cases:

BV15000023	740 83 rd Street (Deferred)
BV15000475	629 Lenox Avenue (Deferred)

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. Cueva requested a motion to consolidate the deferrals, withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather 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. Cueva 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 1:47 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:

BV12000874	8260 Byron Avenue
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Mr. Steven Rothenstein, City Attorney, gave an account of the structure and recommended that said structure shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. He mentioned to the Board that the neighbors had made numerous of complaints and the owner hasn't done anything to correct the problem since they obtained the demolition permit. Mr. Rothenstein also mentioned that illegal activities are going on to the property.

Board Member James Cueva asked if the property is a historic building.

Mr. Rothenstein replied "no".

Board Member Kevin Deeb inquired if the property was vacant and if a potential buyer for the property was in place.

Unsafe Structures Board
February 17th, 2016

Mr. Rothenstein replied that the property owner had mentioned that he is giving the property to charity.

Board Member Miguel Brizuela asked if the property was secured.

Mr. Rothenstein replied that the property is open to the public to gain access. He informed the Board that the City received numerous complaints from the neighbors indicating that illegal activities are being performed onto the property.

Board Member Anthony Rodriguez asked how long had the issue been going on.

Mr. Rothenstein replied that it's been going on for quite some time now. He further informed the Board that the electric had been shut down since 2012 and the owner obtained a demolition permit, but no work had been done.

Mr. Allen Kaul, Property Owner, informed the Board that the building has great potential to be repaired, restored, renovated and rehabilitated rather than demolished. Mr. Kaul mentioned to the Board that the property had been deemed unsafe for a numeral of years. He then stated that he has owned the property since 1993. Mr. Kaul also informed the Board that he is aware of the unsafe structure issues, but he had come into a financial hardship and hasn't been able to do the necessary repairs to bring up to Code. He informed the Board that an Engineer's Report was submitted to the City in 2013 and a new report needed to be updated and resubmitted with revisions. Mr. Kaul also mentioned to the Board that his plans are to donate the property to a Charity Trust. He then informed the Board that he recently received notice a week ago. Mr. Kaul then requested for a continuance to allow him more time to get things in place.

Board Member James Starkweather asked Mr. Kaul what was his intent for the property.

Mr. Kaul replied that he would like to repair the property and donate to a Charity Trust.

Board Member James Cueva asked Mr. Kaul if he was donating the property to a Charity or investing in it.

Mr. Kaul stated that he will renovate the property and will donate to Mount Sinai.

Board Member James Cueva asked how much time is needed to do all the necessary repairs if the available funds come through.

Mr. Kaul informed the Board that the cost of the repairs is \$500,000 and the investors will have the funds available within 60 days. He further informed that Board that the investor had committed to this project.

Board Member Miguel Brizuela asked if 3 years will be enough time to do all the necessary repairs.

Mr. Kaul answered that he is not sure of the timeframes that are needed to do the necessary repairs and stated that is why he needs additional time to provide more details.

Board Member James Cueva stated that a lot of years have gone by with nothing being done to the property, which makes him feel uncomfortable that anything will ever get done to bring the property up to Code. He also stated that being that Mr. Kaul isn't the decision maker leaves him with additional concerns.

Unsafe Structures Board
February 17th, 2016

Board Member Miguel Brizuela asked what benefits and assets will the Charity receive.

Mr. Kaul answered that they will have ownership of the property.

Board Member asked if there was a contract in place to sale.

Mr. Kaul replied "yes". He further stated that the sale is scheduled for the first week of April.

Board Member Miguel Brizuela asked if there was an imminent danger and if the property is secured.

Mr. Kaul answered that the property is fenced and trespassing signs are up.

Board Member Kevin Deeb asked Mr. Kaul if he had the contract with him.

Mr. Kaul answered "no". He then stated that he was under the impression that he would get the continuance and didn't come prepared.

Board Member Anthony Rodriguez stated that he would like to help, but he hasn't given the Board anything to make a decision.

Mr. Kaul reiterated to the Board that he thought his request for a continuance would be granted.

After some discussion, Mr. James Starkweather moved to grant a 30 day continuance. Mr. Deeb seconded the motion.

Motion passed 6 to 1. (Amy Riley opposed)

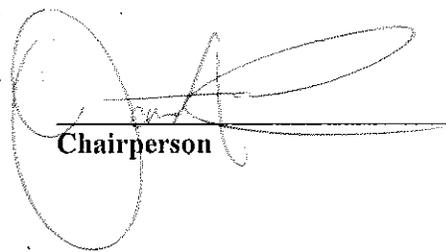
(For a verbatim version, please refer to the transcripts).

There being no further business, a motion was made by Mr. Deeb and seconded by Mr. Starkweather to adjourn the meeting at 2:27 P.M.

Prepared by:



Recording Secretary



Chairperson

Date:

9 March 2016