

**Unsafe Structures Board
July 16th, 2014**

City of Miami Beach:
BV14000083

5111 Pine Tree Drive

Village of Pinecrest Case:
VOP2014-001

6699 SW 127 Street

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 withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Essien 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 Cases

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 1:41 P.M. by the court reporter.

Ms. Charles then called forth the first case to be heard from the Unincorporated Miami Dade County, Unsafe Structures Unit.

Unincorporated Miami Dade County:

DCF2012112851U, DCF2012112852U,	9351 Fontainebleau Blvd., #B, 9353 Fontainebleau Blvd., #A,
DCF2012112853U, DCF2012112854U,	9355 Fontainebleau Blvd., #C, 9357 Fontainebleau Blvd., #D,
DCF2012112855U, DCF2012112858U,	9359 Fontainebleau Blvd., #F, 9363 Fontainebleau Blvd., #H,
DCF2012112859U, DCF2012112860U,	9365 Fontainebleau Blvd., #E, 9367 Fontainebleau Blvd., #G,
DCF2012112861U, DCF2012112862U,	9369 Fontainebleau Blvd., #J, 9371 Fontainebleau Blvd., #I,
DCF2012112863U, DCF2012112864U	9373 Fontainebleau Blvd., #K, 9375 Fontainebleau Blvd., #L

Mr. Monte Lee gave an account of the structure and recommended that "A 40 year recertification report in the format required by the Department of Regulatory and Economic Resources prepared by a Florida registered professional engineer or architect must be submitted to the Department of Regulatory and Economic Resources, Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and/or electrical permit must be submitted for the structure to the Department of Regulatory and Economic Resources within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the Department of Regulatory and Economic Resources indicating that the structure, as repaired, can be recertified. If any of the above orders are not complied with, said structure(s) shall be demolished by Miami-Dade County as soon as possible. Except as otherwise specified above, the timeframes to comply will commence from the date of the Hearing at which the Unsafe Structure Board issued the Order. Also note that all time frames mentioned are in calendar days."

Mr. Jeremy Koss, Attorney for the Association, informed the Board that a new owner purchased the property in April of 2014. He furthered informed the Board that the Association will be renovating the buildings and the permits have already been obtained. Mr. Koss then provided the Board with a timetable to perform all the necessary repairs to bring the property up to code. Mr. Koss assured the Board that the Association will handle all matters in reference to the property and proceeded to request additional time to bring the property into compliance.

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Mr. Cueva asked if the County inspected the property and whether it was structurally sound.

Mr. Ricardo Roig, Unsafe Structures Unit Division Director, informed the Board that there is a 40-year recertification in place and it's a process. He further informed the Board that the property had been inspected and it is not up to code. Mr. Roig explained to the Board that the building site and the electrical issues are in a hazardous condition that deemed the property to be unsafe. He further explained that the County had been working with the Association over the past 3 years to resolve the unsafe structure issue, which is why the case is before the Board today. Mr. Roig then read into the record the notes of the timetable that were provided by the inspector in reference to the case in which the County is in agreement.

Mr. Starkweather asked the County for their recommendation of this case.

Mr. Roig replied that the Homeowners & Association are taking all the necessary steps to comply. He mentioned that the Association hired a new Engineer, who does a walkthrough of the property on a weekly basis and emails him the status. Mr. Roig then informed the Board that the 40 year recertification for the Condo is the problem, along with the railing and safeguard. He also informed the Board that some of the property does have air conditioning, wiring and electrical issues. Mr. Roig then enlightened the Board that there had been progress with the Association working diligently to bring the property up to code. He then suggested that the case be brought back to the Board to monitor progress.

Mr. Koss gave a background on twelve units of the property. He informed the Board that the property owners are involved and had spent a great amount of funds to comply with the violation. Mr. Koss also stated that the property is not a luxury development and the Association had come into a financial issue where it delayed the process. He informed the Board that the Association hired an Engineer to start Phase I, which will allow the Association to raise funds to provide more time. Mr. Koss then provided the Board with a handout of the timeframes for each Phase. He then mentioned to the Board that their ultimate goal is to complete within a year.

Mr. Cueva asked if there was a alternate plan if something happened along the way and things changed.

Mr. Koss replied that the Association is comfortable with the timeframe that had been proposed.

Mr. Essien asked if they have funding or will they be borrowing from the bank.

The Structural Engineer informed the Board that they are working diligently to do the necessary repairs. He responded that he will need about a year to complete the repairs.

After further discussion, Ms. Riley moved that "All life safety issues must be addressed immediately in conjunction with the Building Official.

Phase I – Structures A, B, C & D

A 40 year recertification report in the format required by the municipality Building Department prepared by a Florida registered professional engineer or architect must be submitted to the municipality Building Department's Unsafe Structures Unit within sixty (60) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40 year recertification of the structure shall be subject to the following:

An application for building and/or electrical permit must be submitted to the municipality. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within one hundred sixty-five (165) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within two hundred fifty (250) days from today's date. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the Department of Regulatory and Economic Resources within two hundred eighty (280) days from today indicating that the structures, as repaired, can be

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recertified. If any of the above orders are not complied with, said structures shall be demolished by Miami-Dade County as soon as possible.

Phase 2 – Structures E, F, G & H

A 40 year recertification report in the format required by the municipality Building Department prepared by a Florida registered professional engineer or architect must be submitted to the municipality Building Department's Unsafe Structures Unit within one hundred thirty-five (135) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40 year recertification of the structure shall be subject to the following:

An application for building and/or electrical permit must be submitted to the municipality. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within two hundred ten (210) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within three hundred (300) days from today's date. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the Department of Regulatory and Economic Resources within three hundred thirty (330) days from today indicating that the structures, as repaired, can be recertified. If any of the above orders are not complied with, said structures shall be demolished by Miami-Dade County as soon as possible.

Phase 3 – Structures I, J, K & L

A 40 year recertification report in the format required by the municipality Building Department prepared by a Florida registered professional engineer or architect must be submitted to the municipality Building Department's Unsafe Structures Unit within one hundred seventy (170) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40 year recertification of the structure shall be subject to the following:

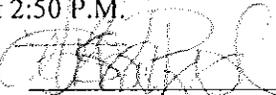
An application for building and/or electrical permit must be submitted to the municipality. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within two hundred seventy (270) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within three hundred sixty-five (365) days from today's date. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the Department of Regulatory and Economic Resources within three hundred ninety-five (395) days from today indicating that the structures, as repaired, can be recertified. If any of the above orders are not complied with, said structures shall be demolished by Miami-Dade County as soon as possible.

Except as otherwise specified above, the timeframes to comply will commence from the date of the Hearing at which the Unsafe Structure Board issued this Order. Please also note that all time frames mentioned are in calendar days." Mr. Naumann moved to second the motion.

Motion passed 7 to 2. (Abel Ramirez and Jose Escandell opposed)

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

There being no further business, a motion was made by Mr. Kevin Deeb and seconded by Mr. Benjamin Essien to adjourn the meeting at 2:50 P.M.

Prepared by: 
Recording Secretary


Chairperson

Date: 9 17 2014