UNSAFE STRUCTURES BOARD HEARING
MINUTES OF APRIL 20TH, 2016

Members Present:	James Cueva, Chairman Miguel A. Brizuela Anthony Rodriguez Jason Trauth Adebayo Coker	James Starkweather, VC Aymara D. Riley Carlos Naumann Ramon Arronte
Excused Absent:	Kevin Deeb Abel Ramirez	Julio Jiminez
Staff:	Kathy Charles, Acting Clerk of the Board Latisha Byrd, Board Secretary Daija Lifshitz, Asst. County Attorney Javier Zapata, 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, April 20th, 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 March 9th, 2016, Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes with the revision to list Carlos Naumann as "Present" instead of "Excused Absent" of the board meeting. 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, City of Miami Beach and Village of Pinecrest cases that were **agreements with the Building Official/Inspector:**

Unincorporated Miami Dade County Cases:

DC20090126221U	13999 SW 142 Street, #404
DC20150174064U	15221 NE 6 Avenue, #A307
DC20150175225U	13370 SW 17 Lane, #5-6
DC20160175950U	19701 SW 110 Court, Unit 130
DC20160176078U	7155 NW 17 Avenue
DCF2015000401U	2275 NW 79 Street, #2
DCF2015000974U	961 NE 172 Street, #1

City of Miami Beach Case:

BV13001114	750 Collins Avenue
BV13001255	720 Collins Avenue

Village of Pinecrest Case:

VOP2016-001	7401 SW 136 Street

Ms. Charles announced that the following Unincorporated Miami Dade County and City of Miami Beach cases that were **No Contest/No Show for the Building Official** recommendation:

Unincorporated Miami Dade County Cases:
DC20160175854U 17321 NW 66 Court, Clubhouse

City of Miami Beach Case:
BV15000958 1795 Normandy Drive

Ms. Charles announced that the following City of Miami Beach case that was **Deferred/Withdrawn by the Building Official:**

City of Miami Beach Cases:
BV11000153 5701 Collins Avenue - Withdrawn

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. Naumann 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 2:04 P.M. by the Court Reporter.

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

Unincorporated Miami Dade County:
DCF2015000707U 600 NE 215 Street, #1

Mr. Monte Lee, Unincorporated Miami Dade County Representative, gave an account of the structure and stated that said structure had been vacant and abandoned for quite some time. He mentioned that all debris needed to be removed from the premises and should be properly secured. Mr. Lee also mentioned to the Board that the 40 year recertification had not been submitted to the Unit. He then informed the Board that the property is an open structure and had been vandalized by the public.

Mr. Pedro Gassant, Property Owner Attorney, informed the Board that the property owner intents to close on the property by June 2nd, 2016. He then informed the Board that his client will also be securing the property. Mr. Gassant provided an explanation to the Board of the timeframes it would take to finish Phase 2 and Phase 3 after the Zoning approved the Zone IUC. He requested additional time to demolish or repair if property is approved for Zoning.

Board Member James Starkweather asked how long would it take them to secure the property.

Mr. Gassant responded that the property would be secured within 3 to 4 weeks.

Mr. Robert Miller, Architect, gave a description of Phase 2 and Phase 3. He stated that the plans will be submitted to the County. Mr. Miller also stated that they will request additional time if need be.

Mr. Lee informed the Board that the case was a standard 40 year recertification report that is required to be submitted.

Board Member James Starkweather stated that his concern is if there is an imminent danger to the community and if the property is secured. He also indicated that he believed that significant time had passed and action needed to be taken on the property.

After some discussion, Ms. Amy Riley moved to uphold the Building Official's recommendation to demolish within 30 days. Mr. Carlos Naumann the motion.
Motion passed unanimously.
(For a verbatim version, please refer to the transcripts)

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

City of South Miami:
SM2016-001 6126 SW 58 Street

Mr. Victor Citarella, P.E., Building Official, gave an account of the structure and recommended that said structure shall be demolished by an individual qualified to obtain a demolition permit within ninety (90) 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 structure shall be demolished by the enforcing municipality as soon as possible. He informed the Board that the structure had been vacant and abandoned for quite some time. Mr. Citarella also informed the Board that the inside of the house and roof had been deteriorated for some years. He enlightened the Board that the City received several complaints by neighbors in reference to the abandoned property. Mr. Citarella then informed the Board that the electric had been shut down and no action had taken place on this property.

Ms. Leticia Perez, Homeowner, stated that she owned the property for many years, but tragic situations happened, which forced her to leave the property. She then stated that she had to seek help medically and that she is on medication to help her with the matter, but it's been very difficult for her to visit the property. Ms. Perez described to the Board that she had been harassed by the neighbors to sell the house. She stated that she would like to repair the property, but her mixed emotion wouldn't allow her to do so. Ms. Perez then stated to the Board that she would like to seek an Architect to advise if the property has potential to be repaired, restored and rehabilitated rather than demolished. She mentioned to the Board that the property had been deemed unsafe for a number of years and that she is aware of the Unsafe Structure issues, but she had experienced significant financial hardship and hadn't been able to do the necessary repairs to bring the property up to Code.

Board Member James Cueva stated that a decision must be made by the Board based on the photos in the file whether to repair or demolish the property.

Ms. Perez informed the Board that she purchased her home in 1993 and was told by the Building Official of the City of South Miami that she must demolish her property within forty-five (45) days. She then requested the additional time to demolish her property.

Board Member James Cueva explained the demolition process within sixty (60) days, which is the Building Official's recommendation.

Ms. Perez informed the Board that she recently found out about the matter yesterday by a neighbor.

Board Member Ramon Arronte stated that an Engineer could be hired by the Owner to submit the plans to the City to rebuild or demolish.

Mr. Citarelli stated that the City's recommendation of sixty (60) days was enough time to demolish the property.

Board Member Adebayo Coker inquired how much time does she need to bring the property up to Code.

Ms. Perez replied that she will need 90 days to bring the property up to Code.

Board Member James Starkweather stated that his concern is if there is an imminent danger to the community and if the property is secured. He also indicated that he believed that significant time had passed and action needed to be taken on the property.

After some discussion, Mr. Adebayo Coker moved that a repair or demolition permit shall be obtained by a qualified individual within ninety (90) days from today. The demolition permit shall be obtained from the Unsafe Structure Unit or the applicable equivalent in the enforcing municipality. All debris resulting from the demolition shall be promptly removed from the premises **or** the structure shall be repaired or completed within one hundred eighty (180) days after obtaining the permit with laboratory tests, Engineer's certification and Architect/Engineer's sealed plans. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. Mr. Anthony Rodriguez seconded the motion.
Motion passed unanimously.
(For a verbatim version, please refer to the transcripts)

Sunset Review Report

Mr. James Cueva drew Members attention to the 2016 Sunset Review Report of the Miami Dade County Unsafe Structures Board. Mr. Rodriguez moved to accept and approve the Sunset Review Report. Mr. Cueva recommended that language be added regarding the Board resuming the function of reviewing residential cases that currently go to the Panel hearings. Mr. Rodriguez accepted the modification to the motion with such language to be added to the Report as recommended by the Chairman. Mr. Starkweather seconded the motion and accepted the Report as amended.
Motion passed unanimously.
(For a verbatim version, please refer to the transcripts)

Discussion

Mr. James Starkweather brought to the Board's attention in regards to the Property Owner's not knowing their rights to go before the Board should they need additional time to comply with the timeframes recommended by the municipalities.

Ms. Kathy Charles, Acting Secretary of the Board, indicated that the Property Owner may not realize they have the right nor are they required to agree with the Building Official's recommendation.

Mr. Jason Trauth stated that there may be a miscommunication with the Property Owner.

Mr. Starkweather enlightened the Board on how many heard cases were presented in the last year.

Mr. Starkweather requested that Staff generate language to the sign in sheet indicating their rights to be heard as a Property Owner.

There being no further business, a motion was made by Mr. Deeb and seconded by Mr. Starkweather to adjourn the meeting at 3:28 P.M.

Prepared by: _____ _____
Recording Secretary **Chairperson**

Date: 18 May 2016