



# V I L L A G E   O F   K E Y   B I S C A Y N E

## Department of Building, Zoning and Planning

### *Village Council*

Franklin H. Caplan, *Mayor*  
Mayra P. Lindsay, *Vice Mayor*  
Michael W. Davey  
Theodore J. Holloway  
Michael E. Kelly  
Ed London  
James S. Taintor

### *Director*

Jud Kurlancheek, AICP

### *Chief Building Official*

Eugenio M. Santiago, P.E., CFM

## BOARD OF CODE ENFORCEMENT SPECIAL MAGISTRATES FOR THE VILLAGE OF KEY BISCAYNE

BUILDING, ZONING AND PLANNING DEPARTMENT  
88 W MCINTYRE ST. SUITE 250  
KEY BISCAYNE, FL 33149

FRIDAY, JUNE 13<sup>TH</sup>, 2014 AT 9:00 A.M.

### SPECIAL MAGISTRATES

MARK FRIED   ROSEMARY SALA   TIMOTHY STICKNEY   MICHELLE ESTEVEZ   NANCY STONER

ALTERNATES: GABRIEL CHAVARRIA   CHRISTINA CHARTOUNI

- A. Call to Order and Attendance
- B. Deferrals, Withdrawals and Additions
- C. Swearing of Witnesses
- D. Explanation of the Public Hearing Process

### NOTICE REGARDING CELL PHONES:

Please turn off all cell phones or place them on silent. If you must use your cell phone, please leave the Council Chamber.

**NOTICE REGARDING ORDER:** Please be advised that the following cases on the agenda are quasi-judicial in nature. If you wish to testify in any of these cases, please inform the Clerk of the Board by filling out the available sign-up form. The parties will be allowed to testify in the order provided for in the rules for hearings before the Board of Code Enforcement Special Magistrates for the Village of Key Biscayne ("Board") that are sent with the notice of hearing. A copy of the rules for hearings before the Board may be obtained from the Clerk of the Board.

If authorized by the Board, third parties may testify in a case after the Village and the respondent have made their presentations. Third parties will not be permitted to cross-examine witnesses, but third parties may suggest questions for the Board to ask the parties and witnesses. All testimony will be given under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony may not be considered.

Case 1

Owner:	Joseph G. Young and Joann W. Young
Address:	600 Harbor Dr., Key Biscayne, FL 33149
Code Section:	Section 24-49 of the Miami Dade County Code
Violation:	Hatracking Tree and Tree Removal
Location:	600 Harbor Dr., Key Biscayne, FL 33149
Date:	4-14-14
Officer:	Michael Mila
Purpose of Hearing:	Imposition of fines and costs.

Case 2

Owner:	Charles J. Fernandez and Concepcio Fernandez
Address:	615 Harbor Circle, Key Biscayne, FL 33149
Code Section:	Section 30-237 and 30-239 of the Village of Key Biscayne Code
Violation:	Hatracking Tree
Location:	615 Harbor Circle, Key Biscayne, FL 33149
Date:	4-18-13
Officer:	Michael Mila
Purpose of Hearing:	Imposition of fines and costs.

Case 3

Owner:	Massimo and Natalia R. Martinotti
Address:	141 Crandon Blvd., #435, Key Biscayne, FL 33149
Code Section:	Section 105.1 of the Florida Building Code
Violation:	Work without required permits, balcony enclosure
Location:	141 Crandon Blvd., #435, Key Biscayne, FL 33149
Date:	4-19-13
Officer:	Michael Mila
Purpose of Hearing:	Imposition of fines and costs and required time to comply.

Case 4

Owner:	Island House Apartments Inc., c/o Siegfried, Rivera, Hyman, Lerner, De La Torre, Mars & Sobel, P.A. (RA)
Address:	201 Ahlambra Circle, Eleventh Floor, Coral Gables, FL 33134
Code Section:	101-8.5.6 of Florida Fire Prevention Code
Violation:	Failure to comply with protections for through penetrations and membrane penetrations of smoke barriers and providing a progress report to KBFD.
Location:	200 Ocean Lane Dr., Key Biscayne, FL 33149
Date:	5-21-10
Officer:	Marcos Osorio, Deputy Fire Chief
Purpose of Hearing:	Imposition of fines and costs and required time to comply.