VILLAGE OF KEY BISCAYNE

SPECIAL MAGISTRATE HEARING

AGENDA

Agenda of September 5th, 2025

LOCATION

Village Council Chambers
560 Crandon Blvd.
Key Biscayne, FL. 33149

TIME

9:00 A.M.

SPECIAL MAGISTRATES BOARD

Rosemary Sala -President-
Michele Estevez
Gabriel Chavarria
Karen Llorente
Ramon Blanco-Herrera
Mark Wigmore -Alternate-
Samuel L. Schrager -Alternate-

CODE ENFORCEMENT DEPARTMENT STAFF

Jeremy Calleros Gauger, Director
Dario Gonzalez, Sr. Code Compliance Officer
Walker Izquierdo, Code Compliance
Jessica Garcia, Code Compliance

WELCOME

We are very glad you have joined us for today's meeting. The Special Magistrate Hearing is a quasi-judicial forum which hears testimony, determines whether sufficient evidence exists to find property owners in violation of Village codes, determines if any additional **time** is appropriate, and the fine that should be imposed for failing to comply with its orders. Any person desiring to appeal a recommended action of the Magistrate should observe the notice regarding appeals below.

GENERAL RULES OF ORDER

The Magistrates are pleased to hear all non-repetitive comments. All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the Village Clerk, 88 W McIntyre St Suite #220, Key Biscayne, Florida 33149. Any person wishing to speak at a Special Magistrate hearing must fill out an Appearance Request Form and give it to the Chief of Code Enforcement prior to that item being heard.

Inquiries regarding the item may be directed to the Code Enforcement Department at 305-365-8917. Please refer to the Hearing/Item number when making an inquiry.

In accordance with the Americans with Disabilities Act, all people who are disabled and who need special accommodations to participate in tin's meeting because of that disability should contact the Village Clerk's Office at 305-365-8935 *no* later THAN **36 HOURS PRIOR TO THE PROCEEDING.**

APPEALS

If you wish to appeal the ruling of the Special Magistrates Board, you must file your appeal with the Circuit Court within 30 days of the date of this hearing (Ch. 162.11, Florida Statutes). If a person decides to appeal any decision made by the Special Magistrates Board with respect to any matter considered at a meeting or hearing, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes).

Thank you for participating in your government and continue to "keep Key Biscayne as the Island Paradise".

VILLAGE OF KEY BISCAYNE

SPECIAL MAGISTRATE HEARING

AGENDA

NOTICE TO PUBLIC

TO OBTAIN A COPY OF AN AGENDA ITEM MAY CONTACT THE CODE ENFORCEMENT DEPARTMENT AT 305-365-8917OR VIEW THE AGENDA AT VILLAGE HALL 88 W MC INTYRE ST., KEY BISCAYNE, FLORIDA 33149 DURING REGULAR BUSINESS HOURS MONDAY-FRIDAY 7:30 A.M TO 3:30 P.M.

YOU MAY ALSO VISIT OUR WEBSITE AT WWW.KEYBISCAYNE.FL.GOV

NOTE: IF YOU ARE NOT ABLE TO COMMUNICATE, OR ARE NOT COMFORTABLE EXPRESSING YOURSELF, IN THE ENGLISH LANGUAGE, IT IS YOUR RESPONSIBILITY TO BRING AN ENGLISH-SPEAKING INTERPRETER TO THE HEARING. THIS PERSON MAY BE A FRIEND, RELATIVE OR SOMEONE ELSE TO INTERPRET FOR YOU DURING YOUR APPEARANCE AT THE HEARING. A MINOR CHILD CANNOT SERVE AS A VALID INTERPRETER. THE VILLAGE OF KEY BISCAYNE DOES NOT PROVIDE INTERPRETATION SERVICES DURING ANY QUASI-JUDICIAL PROCEEDING.

NOTA: SI USTED NO ESTA EN CAPACIDAD DE COMUNICARSE, O NO SE SIENTE COMODO AL EXPRESARSE EN INGLES, ES SU RESPONSABILIDAD TRAER A UN INTERPRETE DEL IDIOMA INGLES A LA AUDIENCIA. ESTA PERSONA PUEDE SER UN AMIGO, FAMILIAR O ALGUIEN QUE LE HAGA LA TRADUCCION DURANTE SU COMPARECENCIA A LA AUDIENCIA. UN MENOR DE EDAD NO PUEDE SER SU INTERPRETE. LA CIUDAD DE KEY BISCAYNE NO SUMINISTRA SERVICIOS DE TRADUCCION DURANTE NINGUN PROCEDIMIENTO CUASI-JUDICIAL.

DISPOSITION:

1. **CASE # 12029** **Howard A Dacosta**
   195 Sunrise Drive, Unit 2, Key Biscayne, FL. 33149
   Notice of Violation: 11/14/23

   CODE SECTION: FBC 105.1

   Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

   Code Enforcement is requesting the following actions, penalties and/or following solutions:

   - Payment of $250 Administrative Cost
   - Set Accrued Fines
   - Set Mitigation Date, if requested

2. CASE # 12070 Wilwood Corporation
Corporate Maintenance Services, LLC
50 Cape Florida Drive, Key Biscayne, FL. 33149
Notice of Violation: 05/23/24

CODE SECTION: FBC 105.1

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

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- Payment of $250 Administrative Cost
- Set Accrued Fines
- Set Mitigation Date, if requested

3. CASE # 12071 Paola Herrera
61 Island Drive, Key Biscayne, FL. 33149
Notice of Violation: 05/23/24

CODE SECTION: FBC 105.1

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of Administrative Cost $250
- Set Accrued Fines
- Set Mitigation Date, if requested

4. CASE # 12072 Debra S Mastin
335 Westwood Drive, Key Biscayne, FL. 33149
Notice of Violation: 05/23/24

CODE SECTION: FBC 105.1

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of Initial Penalty of $250 and $250 Administrative Cost
- Set Accrued Fines
- Set Mitigation Date, if requested

5. **CASE # 12491** **Eva Diaz**
Lionel Diaz
115 Harbor Drive, Key Biscayne, FL. 33149
Notice of Violation: 06/28/24

CODE SECTION: FBC 105.1

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of $250 Administrative Cost
- Set Accrued Fines
- Set Mitigation Date, if requested

6. **CASE # 12547** **German Muller**
Maria Susana Alvarez Vitale
201 Knollwood Drive, Key Biscayne, FL. 33149
Notice of Violation: 01/29/25

CODE SECTION: FBC 105.1

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

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- Set Accrued Fines
- Set Mitigation Date, if requested

EXTENSION REQUESTED BY OWNER; WORKING WITH BUILDING

7. **CASE # 12631** **Jose A Piedrahita**
Carolina Mazuera
119 W. McIntyre Street, Key Biscayne, FL. 33149
Notice of Violation: 04/22/25

CODE SECTION: FBC 105.1

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of Initial Penalty of $250 and $250 Administrative Cost
- Set Accrued Fines

- Set Mitigation Date, if requested

CASE IS IN COMPLIANCE

8. **CASE # 12550** **Eva Diaz**
Lionel Diaz
400 Harbor Drive, Key Biscayne, FL. 33149
Notice of Violation: 02/03/25

CODE SECTION: VKB 17-2 (7)

Construction. The creation of any Plainly Audible sound in connection with Construction outside the following permitted hours:

a.7:00 a.m. to 6:30 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of Initial Penalty of $250 and $250 Administrative Cost
- Set Accrued Fines
- Set Mitigation Date, if requested

CASE IS IN COMPLIANCE

9. **CASE # 12619** **Alina De La Cruz**
701 N. Mashta Drive, Key Biscayne, FL. 33149
Notice of Violation: 03/19/25

CODE SECTION: FBC 105.1

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of Initial Penalty of $250 and $250 Administrative Cost
- Set Accrued Fines
- Set Mitigation Date, if requested

CASE IS IN COMPLIANCE

10. **CASE # 12652** **Galleria of Key Biscayne Inc**
Chartouni, Adib E
328 Crandon Boulevard,320, Key Biscayne, FL. 33149
Notice of Violation: 05/13/25

CODE SECTION: VKB 25-23; 25-26

No Person, either directly or indirectly, shall engage in or manage any Business in the Village for which a Receipt is required by this article without first obtaining the required Receipt from the Village Business Tax Officer.

Receipts shall be sold by the Village commencing on September 1 of each year. The Tax shall be due and payable on October 1 of each year. If October 1 falls on a weekend or holiday, the Tax shall be due and payable on or before the first working day following October 1. Those Receipts not renewed by October 1 shall be considered delinquent and subject to a delinquency penalty of

ten percent for the month of October, plus an additional five percent penalty for each month of delinquency thereafter until paid; provided, that the total delinquency penalty shall not exceed 25 percent of the Tax due.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of Initial Penalty of $250 and $250 Administrative Cost
- Set Accrued Fines
- Set Mitigation Date, if requested

CASE IS IN COMPLIANCE

11. CASE # 12700 **Leonardo Simoes Zica**
Juliana Ribero Zica
401 Ridgewood Road, Key Biscayne, FL. 33149
Notice of Violation: 05/15/25

CODE SECTION: VKB 30-242

No person shall install Artificial Turf without first obtaining a permit from the Village Planning, Building and Zoning Department.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of $250 Administrative Cost
- Set Accrued Fines
- Set Mitigation Date, if requested
- Set Mitigation Date, if requested

CASE IS IN COMPLIANCE

12. CASE # 12657 **Ole Herman Berg & Anne C**
251 Crandon Boulevard, Unit 409, Key Biscayne, FL. 33149
Notice of Violation: 05/13/25

CODE SECTION: VKB 25-23; 25-26

No Person, either directly or indirectly, shall engage in or manage any Business in the Village for which a Receipt is required by this article without first obtaining the required Receipt from the Village Business Tax Officer.

Receipts shall be sold by the Village commencing on September 1 of each year. The Tax shall be due and payable on October 1 of each year. If October 1 falls on a weekend or holiday, the Tax shall be due and payable on or before the first working day following October 1. Those Receipts not renewed by October 1 shall be considered delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five percent penalty for each month of delinquency thereafter until paid; provided, that the total delinquency penalty shall not exceed 25 percent of the Tax due.

Code Enforcement is requesting the following actions, penalties and/or following solutions:

- Payment of Initial Penalty of $250 and $250 Administrative Cost
- Set Accrued Fines
- Set Mitigation Date, if requested

STATUS REPORT

CASE # 11056, 11057, 11058 & 11059

Commodore Club West, Inc.
Becker & Poliakoff, PA
155 Ocean Lane Drive, Key Biscayne, FL. 33149
RE: Fire Alarm System

PRESENTATION

Redspeed Florida: School Speed Ticket Discussion