

IN AND BEFORE THE SPECIAL MAGISTRATE OF
THE CITY OF MIAMI BEACH, FLORIDA

CASE NO.: SMC2022-02111/ZV2021-03674

Property Address: 1940 Park Avenue
Violator: City of Miami Beach
Owner: City of Miami Beach

ORDER OF SPECIAL MAGISTRATE

THIS CAUSE, having come before the Special Magistrate on December 1, 2022 for a zoning violation issued on May 11, 2022 for failing to comply with the minimum property maintenance standards in a historic district, in violation of section 118-532(g) of the City Code. The Chief Special Magistrate after having provided both parties an opportunity to present their respective case, hearing oral testimony from the parties and being otherwise fully advised in the premises, finds as follows:

FINDINGS OF FACT:

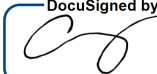
1. Code Compliance Officer Nehru Balgobin testified that zoning violation ZV2021-03674 was issued to City of Miami Beach for its failure to comply with Sec. 118-532(g) of the City Code for its failure to preserve the structure located at 1940 Park Avenue against decay, deterioration and demolition, and for failing to take prompt and corrective action to comply with the required minimum maintenance standards of this section; and
2. Deborah Tackett, the City's Historic Preservation and Architecture Officer testified that building is a contributing and that the current state of disrepair jeopardizes the architectural integrity of the structure and that any demolition that may be proposed in the future due to unforeseen consequences will require a Certificate of Appropriateness from the Historic Preservation Board ("HPB") if a Certificate of Appropriateness cannot be issued administratively; and
3. Ana Salgueiro, the City's Building Official and Director of the Building Department testified that although the structure is vacant, secured on the first floor and fenced in, there is an open recertification due on the property and the lack of either structural or engineering report is a concern to her as to the structural integrity of the building; and

4. Elizabeth Miro, Assistant Director of Facilities and Fleet Management testified that at the City Commission Meeting held on November 14, 2022, the City Commission authorized a Request for Proposal which is designed to gauge interest from the business community as to future development and/or redevelopment of the property.

IT IS ORDERED AND ADJUDGED, that:

1. The property shall be secured/fenced/sealed within forty-five (45) days from the date of this Order.
2. The property owner shall submit quarterly updates/reports to the Planning Department and, if requested by the HPB as a discussion item, appear and update the HPB with the current status of any development or re-development of the property.
3. Additionally, Ms. Tackett will notify the HPB of this Order at its next available meeting as a discussion item.
4. This case shall remain open and upon request of either party for a future hearing, the Clerk of the Special Magistrate shall schedule this matter for hearing.

DONE AND ORDERED in Miami-Dade County, Florida, this 1st day of December, 2022.

DocuSigned by:


Enrique Zamora, as Chief Special Magistrate
for the City of Miami Beach, Florida