



**VILLAGE OF BISCAYNE PARK**  
**Village Commission Agenda Report**  
**REGULAR MEETING**

**Item # 8.b**

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**TO:** Honorable Mayor & Members of the  
Biscayne Park Village Commission

**FROM:** Roseann Prado, Village Clerk

**DATE:** October 6, 2020

**TITLE:** Acceptance of Board Minutes

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**Background**

The board minutes as listed below are being provided for the commission's review and acceptance.

**Recommendation**

Acceptance on Consent Agenda

**Attachment**

- Code Compliance Board 06 27 2019 Revised Minutes
  - Code Compliance Board 07 18 2019 Revised Minutes
  - Code Compliance Board 07 09 2020
  - Code Compliance Board 07 21 2020
  - Code Compliance Board 08 18 2020
  - Code Compliance Board 09 22 2020
- 

Prepared by: Roseann Prado, Village Clerk



**CODE COMPLIANCE  
BOARD**

**MINUTES**  
**CODE COMPLIANCE BOARD MEETING**  
LOG CABIN: 640 NE 114th Street, Biscayne Park, FL 33161

Thursday June 27, 2019 at 7:00pm

Gary Kuhl, *Chairman*

Janey Anderson

Dale Blanton

Linda Dillon

Brian McNoldy

Jared Susi, *Alternate*

1. **CALL TO ORDER**  
Gary Kuhl called meeting to order at 7:00 p.m.
2. **ROLL CALL**  
Present: Gary Kuhl, Dale Blanton, Linda Dillon, Brian McNoldy, and Code Officer Christina Caserta  
Absent: Janey Anderson and Jared Susi  
**Linda Dillon motioned to accept the absence of Janey Anderson and was 2<sup>nd</sup> by Dale Blanton**  
Owners & Representatives present: Marvin Eugene
3. **ADDITIONS, DELETIONS OR WITHDRAWALS TO ORDER OF BUSINESS**  
**Withdraw:** b. Case #EEN19-1553 / 11331 NE 11 PL LLC / 11331 NE 11 PL Cans Storage.  
**Withdraw:** e. Case #EEN19-2036 / Orson Whitfield / 1002 NE 116 ST **Driveway on swale** done without permit.
4. **APPROVAL OF MINUTES**
  - a. May 13, 2019 –  
Linda Dillon made a motion to approve minutes.  
Motion 2<sup>nd</sup> by Gary Kuhl **4/0 Motion Passed**
5. **PREAMBLE & SWEARING IN**  
Gary Kuhl read the preamble & swore in all persons testifying at the hearing.
6. **NEW BUSINESS**
  - a. **Case #EEN19-2055 / Eagle Kelele Investments INC / 11841 NE 12 CT**  
**Porch repaired without permit**  
Dale Blanton made a motion; violation occurred, permit + double permit fee, impose fine of \$100.00 and comply by July 15, 2019 or Assess a daily fine of \$50.00 starting July 16, 2019  
Motion 2<sup>nd</sup> by Brian McNoldy **4/0 Motion Passed**
  - b. **Case #EEN19-1553 / 11331 NE 11 PL LLC / 11331 NE 11 PL**  
**Cans Storage (Withdraw)**  
Evicted tenants causing issues
  - c. **Case ##EEN19-1953 / Brandon Leno Jtrs / 923 NE 108 ST**  
**Wood fence installed without permit**  
Gary Kuhl made a motion; violation occurred, impose fine of \$100.00 and



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comply by July 17, 2019 or assess a daily fine of \$50.00 starting July 18, 2019  
Motion 2<sup>nd</sup> by Linda Dillon **4/0 Motion Passed**

**d. Case #EEN18-1380 / Pablo A Marcos / 11443 NE 6 AVE**  
**Parking on unapproved surface**

Dale Blanton made a motion; violation occurred, impose fine of \$50.00  
Motion 2<sup>nd</sup> by Gary Kuhl **4/0 Motion Passed**

**e. Case #EEN19-2036 / Orson Whitfield / 1002 NE 116 ST**  
**Driveway on swale done without permit (Withdraw)**  
New owner

**f. Case #EEN18-1089 / David Bernad / 11926 GRIFFING BLVD**  
**Roof cleaning required**

Brian McNoldy made a motion; violation occurred, and now in compliance,  
impose fine of \$50.00  
Motion 2<sup>nd</sup> for discussion by Gary Kuhl

Brian McNoldy amended motion; violation occurred and now in compliance,  
impose fine of \$100.00 and close case.  
Motion 2<sup>nd</sup> by Gary Kuhl **4/0 Motion Passed**

**7. OLD BUSINESS**

**a. Case #EEN17-0509 / Frederick Diehl / 470 NE 121 ST**  
**Paint exterior of home**

Linda Dillon made a motion to dismiss case  
Motion 2<sup>nd</sup> by Gary Kuhl **4/0 Motion Passed**

**8. REQUEST FOR RELIEF**

None

**9. GENERAL DISCUSSION:**

- Minutes posted on Village of Biscayne Park website
- Minutes to commission for approval

**10. ANNOUNCEMENTS / SCHEDULE OF NEXT HEARING**

The next meeting of the Code Compliance Board is Thursday, July 18, 2019

**11. ADJOURNMENT**

Brian McNoldy made a motion to adjourn meeting.  
Motion 2<sup>nd</sup> by Gary Kuhl **4/0 Motion Passed**  
Meeting Adjourned at 7:40 p.m.

Minutes Approved on: \_\_\_\_\_

Gary Kuhl, Chairman: \_\_\_\_\_



**REVISED MINUTES**

**CODE COMPLIANCE BOARD MEETING**

LOG CABIN: 640 NE 114th Street, Biscayne Park, FL 33161

Thursday July 18, 2019 at 7:00pm

**CODE COMPLIANCE  
BOARD**

Gary Kuhl, *Chairman*  
Janey Anderson  
Dale Blanton  
Linda Dillon  
Brian McNoldy  
Jared Susi, *Alternate*

1. **CALL TO ORDER**  
Gary Kuhl called meeting to order at 6:59 p.m.
2. **ROLL CALL**  
Present: Gary Kuhl, Dale Blanton, Linda Dillon, Brian McNoldy, Janey Anderson, and Code Officers Christina Caserta and Claudia Castro  
Absent: Jared Susi  
Owners & Representatives present: Marvin Eugene
3. **ADDITIONS, DELETIONS OR WITHDRAWALS TO ORDER OF BUSINESS**
  - a. Case #EEN19-2349 / Dan Schneiger & Mac Kennedy / 11705 NE 11 PL  
(Withdraw due to lack of witness)
  - b. Case #EEN19-2063 / Obed Manigat / 11911 NE 12 AVE  
(Withdraw, awnings opened)
  - c. Case #EEN19-2207 / Juan Manteiga / 615 NE 115 ST  
(Withdraw, object removed)
4. **APPROVAL OF MINUTES**
  - a. June 27, 2019 –  
Linda Dillon made a motion to approve minutes with two corrections:  
Correct spelling of her name (Dillon instead of Dillion) and Section 9 to reflect the fact that minutes were not being submitted to the Village Clerk. Motion 2<sup>nd</sup> by Gary Kuhl  
**5/0 Motion Passed**
5. **PREAMBLE & SWEARING IN**  
Gary Kuhl read the preamble & swore in all persons testifying at the hearing.
6. **NEW BUSINESS**
  - a. Case #EEN19-2349 / Dan Schneiger & Mac Kennedy / 11705 NE 11 PL  
Fence installed without a permit (Withdraw due to lack of witness). Although the case was “withdrawn”, the residents were not notified and both appeared to be distraught and wanted to be heard. There was back and forth dialogue between the residents and Code Officer Caserta, with Code Board members having additional questions regarding the original citation. Code Officer Caserta reported that the witness wanted to remain anonymous because of possible repercussions. The fence in question was completed with a permit three and half years prior and there were no current pictures. Additional comments by Code Officer Caserta created more questions by various Board members. The more Officer Caserta tried to explain herself, the more



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opposition was expressed by the residents. Things appeared to be escalating and Officer Caserta stated, I didn't think this was an open forum". Chairman Kuhl commented that the residents "had not been properly notified" and Officer Caserta indicated that she was "not required to notify them". Chairman Kuhl disagreed; but, at her suggestion, agreed to move on to hear the other cases. He asked the residents to wait until the end and they agreed.

Chairman Kuhl swore in the resident involved in Case c.

Janey Anderson questioned what happened to a and b and the other cases on the agenda that were also withdrawn and commented that traditionally the Board heard cases even if they came into compliance.

Chairman Kuhl wanted to know specifically when these properties had come into compliance.

Code Officer Caserta indicated they did not come into compliance as stipulated.

Chairman Kuhl indicated that she was not following the Ordinance.

Officer Caserta began making excuses and became defensive.

Chairman Kuhl stated that she needed: "to do your damn job".

Code Officer Caserta replied that she was "not going to sit here and be bantered and battered" and that she was leaving.

Code Officer Caserta picked up all the cases and left the meeting.

Chairman Kuhl cancelled the meeting and apologized to the other residents who had come from out of town to attend this meeting as the previous one had been cancelled.

**Minutes Approved on:** \_\_\_\_\_

**Gary Kuhl, Chairman:** \_\_\_\_\_



**MINUTES**  
**CODE COMPLIANCE BOARD MEETING**  
**VIRTUAL PUBLIC MEETING**  
**Thursday July 9, 2020 at 6:00 PM**

**CODE COMPLIANCE  
BOARD**

Gary Kuhl, *Chairman*

Janey Anderson

Dale Blanton

Linda Dillon

Brian McNoldy

**1. CALL TO ORDER**

Claudia Castro called meeting to order at 6:05 p.m.

**2. ROLL CALL**

Present: Gary Kuhl, Janey Anderson, Dale Blanton, Linda Dillon, Brian McNoldy, Village Clerk Roseann Prado and Code Officer Claudia Castro  
Owners & Representatives present: Jason Wandner, Jordan H Weitz, and Commissioner Mac Kennedy

**3. ADDITIONS, DELETIONS OR WITHDRAWALS TO ORDER OF BUSINESS**

None.

**4. APPROVAL OF MINUTES**

Linda Dillon made a motion to approve minutes for the June 27, 2019 and July 18, 2019.

Motion 2<sup>nd</sup> by Gary Kuhl

**5/0 Motion Passed**

**5. NEW BUSINESS**

a. Introduction of new Code Enforcement Officer

b. Discussion that request for fine reductions should be prioritized

c. Board Members Select:

Janey Anderson made a motion to nominate Gary Kuhl for chairman

Motion 2<sup>nd</sup> by Dale Blanton

**5/0 Motion Passed**

Janey Anderson nominated Dale Blanton for vice-chairman

Dale Blanton nominated Janey Anderson for vice-chairman

Gary Kuhl seconded the nomination of Dale Blanton for vice-chairman

**5/0 Motion Passed**

**6. OLD BUSINESS**

None

**7. REQUEST FOR RELIEF**

None

**8. GENERAL DISCUSSION**



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Refer to attorney if fines can be issued for landlord tenant permits.

**9. ANNOUNCEMENTS / SCHEDULE OF NEXT HEARING**

The next meetings of the Code Compliance Board are Tuesday, July 21, 2020 and Wednesday August 5, 2020.

**10. ADJOURNMENT**

Linda Dillon made a motion to adjourn meeting.

Motion 2<sup>nd</sup> by Brian McNoldy

Meeting Adjourned at 6:44 p.m.

**5/0 Motion Passed**

Minutes Approved on: \_\_\_\_\_

*7.21.20*

Gary Kuhl, Chairman: \_\_\_\_\_

*[Signature]*



**MINUTES**

**CODE COMPLIANCE BOARD MEETING**

**VIRTUAL PUBLIC MEETING**

**Thursday July 21, 2020 at 6:00 PM**

**CODE COMPLIANCE  
BOARD**

Gary Kuhl, *Chairman*

Janey Anderson

Dale Blanton

Linda Dillon

Brian McNoldy

**1. CALL TO ORDER**

Gary Kuhl called meeting to order at 6:05 p.m.

**2. ROLL CALL**

Present: Gary Kuhl, Janey Anderson, Dale Blanton, Linda Dillon, Brian McNoldy, Village Clerk Roseann Prado and Code Officer Claudia Castro

Owners & Representatives present: John Herin, Jason Wandner, Jordan H Weitz, Helain Hood, Brittany Levinson, Rose Merle, Joshua, and Lauren Merle.

**3. ADDITIONS, DELETIONS OR WITHDRAWALS TO ORDER OF BUSINESS**

None.

**4. APPROVAL OF MINUTES**

Janey Anderson made a motion to approve minutes for the July 9, 2020  
Motion 2<sup>nd</sup> by Brian McNoldy **5/0 Motion Passed**

**5. NEW BUSINESS**

**a. Case #EEN16-0708 /Jordan H. Weitz / 12035 GRIFFING BLVD**

***Water craft/Boat storage***

Gary Kuhl said there was nothing that can be done since there was no fine reduction submitted. Janey Anderson agreed that the case should not be heard.

**6. OLD BUSINESS**

None



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**7. REQUEST FOR RELIEF**

**a. Case #EEN20-0288 / Rose Mere / 960 NE 121 ST**

**Landlord Permit Required**

Gary Kuhl motioned to except the \$4,000 and that it'd be paid prior to the sale  
Motion 2<sup>nd</sup> by Janey Anderson **5/0 Motion Passed**

**b. Case #EEN20-0403 / Helain Hood / 810 NE 117 ST**

- **Property maintenance, house to be painted.**
- **Built exterior wall without a permit.**

Gary Kuhl made a motion to waive the admission fee and table this case to the next meeting and that the hearing notice needs to accurately state what is being provided in terms of documentation.

Motion 2<sup>nd</sup> by Janey Anderson

**4/1 Motion Passed**  
**(Brian McNoldy, against)**

**8. GENERAL DISCUSSION**

**9. ANNOUNCEMENTS / SCHEDULE OF NEXT HEARING**

The next meeting of the Code Compliance Board is Tuesday, August 18, 2020

**10. ADJOURNMENT**

Gary Kuhl made a motion to adjourn meeting.  
Motion 2<sup>nd</sup> by Janey Anderson  
Meeting Adjourned at 7:05 p.m.

**5/0 Motion Passed**

Minutes Approved on: 8/25/20

Gary Kuhl, Chairman: [Signature]



**CODE COMPLIANCE  
BOARD**

Gary Kuhl, *Chairman*

Janey Anderson

Dale Blanton

Linda Dillon

Brian McNoldy

Jared Susi, *Alternate*

**MINUTES**

**CODE COMPLIANCE BOARD MEETING  
VIRTUAL PUBLIC MEETING**

**Tuesday, August 18, 2020 at 6:00 pm**

Meeting ID: 950 6349 5296

**1. CALL TO ORDER**

Gary Kuhl called meeting to order at 6:03 p.m.

**2. ROLL CALL**

Present: Chairman Gary Kuhl, Vice Chair Dale Blanton, Linda Dillon, Brian McNoldy, Janey Anderson and Code Officer Claudia Castro

Owners & Representatives present: Claire Abourizk, Helain Hood and Jason Wandner

**3. ADDITIONS, DELETIONS OR WITHDRAWALS TO ORDER OF BUSINESS**

Move 8.a. EEN20-0290 to 6.a.

**4. APPROVAL OF MINUTES**

a. July 21, 2020

Janey Anderson made a motion, 2<sup>nd</sup> by Brian McNoldy, to approve minutes with corrections as discussed.

**5/0 Motion Passed**

**5. PREAMBLE & SWEARING IN**

Gary Kuhl read the preamble & swore in all persons testifying at the hearing.

**6. NEW BUSINESS**

a. **Case #EEN20-0290 / Claire Abourizk 11709 NE 11 Ave  
RV/trailer visible**

Janey Anderson made a motion; 2<sup>nd</sup> by Dale Blanton, to fine \$50 for the violation and either remove the RV or conceal it from public view as per code by Sept. 22., with an additional \$10/day fine if not in compliance by that date.

**5/0 Motion Passed**

**7. OLD BUSINESS - None**

**8. REQUEST FOR RELIEF**

**EEN20-0403/Helain Hood 810 NE 117 ST**

Property Maintenance, House to be painted and Exterior wall built without a permit



Attorney Wandner offered \$500 on behalf of the homeowner. 50 Homeowner Dale Blanton made a motion, 2<sup>nd</sup> by Janey Anderson, to reject the offer.

**5/0 Motion Passed**

A second offer of \$1000 was made. Linda Dillon made a motion to accept the offer. Motion failed for lack of a second. Linda made a motion to accept the next offer of \$1500 which also failed for lack of a second. Dale Blanton made a motion, second by Linda Dillon, to accept an offer of \$2,000.

**5/0 Motion Passed**

**9. GENERAL DISCUSSION:**

Chairman Kuhl presented a request from Police Chief Cabrera for the Code Board to review a list of various violations as administrative citations. Following discussion, there was consensus that those items not already covered by our code should be addressed by a Code Review Board. It was also suggested that the fee schedule should be revised.

The Board also asked that at least 12 cases be prepared for the next meeting.

**10. ANNOUNCEMENTS / SCHEDULE OF NEXT HEARING**

The next meeting of the Code Compliance Board is Wednesday, Sept. 10, at 7:00 pm.

**11. ADJOURNMENT**

Dale Blanton made a motion, second by Janey Anderson, to adjourn. The meeting adjourned at 7:34 pm.

Minutes Approved on: \_\_\_\_\_

Gary Kuhl, Chairman: \_\_\_\_\_



Code Compliance  
Board

Gary Kuhl, Chairman

Dale Blanton  
Janey Anderson  
Linda Dillon  
Brian McNoldy

**MINUTES**  
**CODE COMPLIANCE VIRTUAL MEETING**  
**Tuesday, September 22, 2020**  
**ZOOM ID: 944 8007 0034**

**1. CALL TO ORDER**

Chairman Gary Kuhl called the meeting to order at 7:07 PM.

**2. ROLL CALL**

Gary Kuhl - Present  
Janey Anderson - Present  
Dale Blanton - Present  
Brian McNoldy - Present  
Linda Dillon - Present

*Also present were: Code Officer, Dario Gonzalez, and Interim Village Manager, Roseann Prado.*

**3. ADDITIONS, DELETIONS or WITHDRAWALS**

5c. and 5d. Removed

**4. APPROVAL OF MINUTES**

Linda made a motion, second by Dale, to approve the minutes of August 18, 2020.

Approved 5/0

**5. NEW BUSINESS**

5a. 11231 NE 11 Place -EEN20-0438 – Fence without a permit; Janey made a motion, 2<sup>nd</sup> by Brian, \$100 fine and obtain an after the fact permit (double fee) by October 26. If not in compliance, additional \$50/day. Approved 5/0

5b. 1210 NE 120 Terr. - EEN19-2848 – Dirty Roof, Linda made a motion, 2<sup>nd</sup> by Gary, to give 30 day extension. If not in compliance, \$50 fine and \$25/day additional. Approved 5/0

5f. 690 NE 121 St. - EEN19-1565 - Clean Roof; Gary made a motion, 2<sup>nd</sup> by Janey, to clean roof and fine \$50 with addition \$10 per day until cleaned. Following discussion, the motion was amended to \$50 fine and 30 days to comply and then \$10/day if not in compliance. Approved 5/0

690 NE 121 St. – EEN19-1566; Gary made a motion , 2<sup>nd</sup> by Brian, to pressure clean outside walls then reinspect to determine if exterior painting is needed. (Janey Dissented) Approved 4/1

5e. 690 NE 121 St. – EEN20-0189 – Fence without a permit; Janey made a motion, 2<sup>nd</sup> by Dale, to obtain after the fact permit by Nov. 30 (double fee) with \$50/day if not in compliance. Motion was amended to \$20/day. Approved 5/0

**6. DISCUSSION**



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Resident Jason Andino requested to be heard. Code Officer Dario Gonzalez will meet with him to discuss his concerns in detail as he was not on the agenda.

In addition to new cases, the Board would like to review 5 old cases per meeting where unpaid fine(s) or amounts past due are at least \$2500 in order to consider beginning the lien process. Code Officer to review files for proper documentation.

Code Board would like a review of 11251 NE 11 Pl (After the fact fence permit) which was presented yesterday at P&Z to determine if a code violation had been issued.

Next meetings will be Thursdays, Oct. 22 and Nov. 12, both beginning at 7PM.

### **7. ADJOURNMENT**

Dale made a motion to adjourn, 2<sup>nd</sup> by Brian. Meeting adjourned at 8:35 PM.

Minutes approved on: SEPTEMBER 25, 2020

Gary Kuhl, Chairman: [Signature]