



Building and Planning Department

DATE: September 9, 2025

TO: Yocelyn Galiano Gomez, ICMA-CM
Village Manager

FROM: Stephen R. Olmsted, AICP
Planning Director

RE: Pinecrest 8, LLC, 9000 SW 63 Court
Request for Reduction of Code Enforcement Fines - Case No. CC 20-0675

PETITION REQUEST

Mr. Daniel Milian, Esq. has submitted a request for reduction of fines and penalties that have accrued related to one of several previous code enforcement violations at his client's property located at 9000 SW 63 Court (Stritter Court), within the Stritter Estates Subdivision. As of August 31, 2025, total outstanding code enforcement fines, interest, and incurred expenses are due to the Village of Pinecrest in the amount of \$203,775.63. On behalf of his client, Mr. Milian is requesting that the Village reduce the total outstanding balance to an amount equal to six (6) months of daily penalties, interest, and direct costs incurred by the Village. This would equate to \$19,441.34. A copy of Mr. Milian's request is attached for the Village Council's consideration.

CASE HISTORY

The fines and penalties in this instance relate to a broken glass enclosure that surrounds an elevated balcony at the residence. During the code enforcement process, it was discovered that the property had been seized by the federal government. Following a lengthy application process, the Village Attorney was able to secure a license authorizing access to the property for code enforcement and property maintenance purposes. The property was purchased by the current owner, Pinecrest 8, LLC on January 16, 2025, and the balcony was brought into compliance on February 5, 2025.

Aside from this particular code enforcement case, the Village has expended significant amounts of time, effort, and resources in maintaining the property, including regular maintenance of the

lawn and landscaping, securing and treatment of the pool, removal of an inoperable vehicle, and mosquito abatement. Fines and penalties related to those cases were considered by the Special Magistrate on September 3, 2025. A summary of events is provided below:

October 17, 2013 - BF Stritter Estates, LLC applied for a permit to construct a new home on the subject property.

May 29, 2014 - The property was sold to Pinecrest Lot 7 LLC in 2014.

July 14, 2016 - Construction was completed and a certificate of occupancy was issued.

July 25, 2016 - The property was sold to 9000 SW 63 Court, LLC.

February 13, 2017 - The property was blocked, and the owner's assets were frozen by the US Department of the Treasury, Office of Foreign Assets Control. The Village Attorney subsequently obtained a License to access the property for code enforcement and maintenance purposes.

May 5, 2020 - Code Compliance Reminder notice Issued requesting replacement of 2nd floor glass balcony enclosure.

July 2, 2020 - Notice to Appear before the Special Magistrate issued for non-compliance with Code Compliance Reminder notice requirements.

July 22, 2020 - Special Magistrate Hearing date; Special Magistrate Order issued.

August 1, 2020 - Special Magistrate's assigned date for compliance.

January 16, 2025 - Property Sold at US Marshall Auction to current owner, Pinecrest 8, LLC.

February 5, 2025 - Date of Compliance.

OTHER VIOLATIONS, FINES, AND PENALTIES – SPECIAL MAGISTRATE MITIGATION

On September 3, 2025, the Special Magistrate considered a request for mitigation of a total of 19 other property maintenance fines at the subject property, each amounting to less than \$100,000.00. Following consideration of the property owner's request, the Special Magistrate reduced total fines and penalties owed for those cases from \$147,07.25 to \$126,535.21.

CODE OF ORDINANCES

Pursuant to Division 2-150 of the Village's Code of Ordinances, the Village Council has the authority to consider requested reductions in code enforcement penalties that exceed \$100,000.00. A "Fine Calculation Worksheet" including relevant dates and a description of accrued costs and fines are attached for the Village Council's consideration.

**VILLAGE OF PINECREST
BUILDING AND PLANNING DEPARTMENT
CODE ENFORCEMENT FINE MITIGATION – CASE HISTORY**

AUGUST 31, 2025

GENERAL

CASE NUMBER:	CC20-0675
PROPERTY OWNER NAME:	9000 SW 63 rd COURT LLC
CURRENT OWNER NAME:	PINECREST 8 LLC
FOLIO #:	20-5001-053-0070
ADDRESS OF VIOLATION:	9000 SW 63 CT
TYPE OF VIOLATION:	15-1 (C) – Structure Maintenance
CODE COMPLIANCE REMINDER ISSUED:	MAY 5, 2020
NOTICE TO APPEAR ISSUED:	JULY 2, 2020
SPECIAL MAGISTRATE HEARING DATE:	JULY 22, 2020
DATE OF REQUIRED COMPLIANCE:	AUGUST 1, 2020
DATE OF ACTUAL COMPLIANCE:	FEBRUARY 5, 2025
NUMBER OF DAYS IN VIOLATION:	1,650
FINE AMOUNT PER DAY:	\$100.00
TOTAL DAILY FINES:	\$165,000.00
DIRECT COSTS:	\$335.41
INTEREST:	<u>\$38,440.22</u>
TOTAL AMOUNT OWED:	\$203,775.63

PROPERTY OWNERSHIP

JULY 25, 2016	Property purchased by 9000 SW 63 COURT LLC
JANUARY 16, 2025	Property purchased by PINECREST 8 LLC at US Marshall Auction.

ENFORCEMENT PROCESS

MAY 5, 2020	Code Compliance Reminder Notice issued. Required date to comply: May 26, 2020.
JULY 2, 2020	Notice to Appear issued. Notice posted at location of violation; Notice posted at Village Hall; Certified mail returned unclaimed.

JULY 22, 2020

Case presented before the Special Magistrate. Special Magistrate's order required compliance by August 1st. Property assessed a daily penalty in the amount of \$100.00 per day until compliance is obtained.

FEBRUARY 5, 2025

DATE OF ACTUAL COMPLIANCE

Name 9000 SW 63 Ct, LLC
 Street Address: 9000 SW 63 Ct
 Folio #: 2050010530070
 Violation description Broken Balcony Panes
 Fine # CC20-0675
 Fine started: 8/1/2020
 Came into compliance: 2/5/2025 As per Esther Cabrera via email on 6/11/2025.
 Effective date: **8/31/2025**
 Date received in Finance: **8/10/2020**

Village cost to restore:

Fine amount	
Administrative fee	\$ 75.00
Certified mail	\$ 5.75
Billing postage	\$ 9.66
Attorney fee:	\$ 225.00
Lien fee:	\$ 20.00
	\$ 335.41

Inv.2020-0023

Year	Daily fine amount	Days in month	Additional Monthly fines
2020	\$ 100.00	154	\$ 15,400.00

Year	Daily fine amount	Days in month	Additional Monthly fines
2021	\$ 100.00	365	\$ 36,500.00

Year	Daily fine amount	Days in month	Additional Monthly fines
2022	\$ 100.00	365	\$ 36,500.00

Year	Daily fine amount	Days in month	Additional Monthly fines
2023	\$ 100.00	365	\$ 36,500.00

Year	Daily fine amount	Days in month	Additional Monthly fines
2024	\$ 100.00	366	\$ 36,600.00

Year	Daily fine amount	Days in month	Additional Monthly fines
2025	\$ 100.00	35	\$ 3,500.00

Year	Fines	2020 5.37%	2021 4.81%	2022 4.25%	2023 5.52%	2024 9.09%	2025 9.38%
2020	\$ 15,400.00	\$ 308.14	\$ 740.74	\$ 654.50	\$ 850.08	\$ 1,399.86	\$ 961.69
2021	\$ 36,500.00		\$ 1,755.65	\$ 1,551.25	\$ 2,014.80	\$ 3,317.85	\$ 2,279.34
2022	\$ 36,500.00			\$ 1,551.25	\$ 2,014.80	\$ 3,317.85	\$ 2,279.34
2023	\$ 36,500.00				\$ 2,014.80	\$ 3,317.85	\$ 2,279.34
2024	\$ 36,600.00					\$ 3,326.94	\$ 2,285.58
2025	\$ 3,500.00						\$ 218.57
	\$ 165,000.00	\$ 308.14	\$ 2,496.39	\$ 3,757.00	\$ 6,894.48	\$ 14,680.35	\$ 10,303.87
							\$ 203,440.22
							\$ 335.41
							\$ 203,775.63

Billed 18 Times

Note: entry is

D 001.115.00 AR General
 C 001.223.001 Deferred Revenues
 D- 001.180.01 Deferred Outflows Special Master
 C-001.240.001 Deferred Inflows Special Master

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August 29, 2025

BY E-MAIL

Stephen Olmsted
solmsted@pinecrest-fl.gov

Esther Cabrera
ecabrera@pinecrest-fl.gov

Re: Glass Balcony Violation – Case #CC20-0675

Dear Mr. Olmsted:

This firm represents **Pinecrest 8, LLC** (“Pinecrest 8”). My client purchased the property located at 9000 SW 63 Ct., Pinecrest, FL 33156 (“Property”) at a US Marshall foreclosure sale on January 16, 2025. In just a few short months, my client has taken the Property from a dilapidated condition and brought into full code compliance. Since taking possession, my client has made great efforts to successfully turn the Property into a pristine home that the residents can be proud to have in their neighborhood.

Since acquiring the property, Pinecrest 8 has made extensive improvements and repairs including:

- **Deep Cleaning:** A thorough, two-week cleaning was carried out to address the extreme interior dirt and debris left behind.
- **Pool Restoration:** The pool was filled with dirt and algae; a specialized company was contracted to empty, sanitize, and refill it.
- **Water Fountains:** Both front water fountains underwent the same process as above including cleaning, sanitizing, and refilling.
- **Landscaping:** Full landscaping services were performed, including cleaning the entire property, trimming all trees, and clearing the lot.

DUANE MORRIS LLP

201 S. BISCAYNE BLVD., SUITE 3400 MIAMI, FL 33131

C:\Users\damilian\OneDrive - Duane Morris LLP\Documents\Revised Pinecrest 8 - Request for Audience before Village Council

PHONE: +1 305-960-2200

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- **Garage Doors & Gates:** Neither were functioning properly; a gate company repaired and restored them.
- **Removal of Previous Owner's Items:** All remaining belongings were removed and cleared out.
- **Plumbing Fixtures:** Several toilets and showers were non-functional and were fully replaced.
- **Control 4 System:** The system was inoperative, making it impossible to manage lighting. A specialist was hired to assess and repair it.
- **Exterior Cleaning:** Full pressure cleaning of the house.
- **Wood Restoration:** Outdoor wood elements were restored.
- **Glass Panels:** Several broken glass panels were replaced.
- **Septic Tank:** Fully cleaned and serviced.
- **Real Estate Taxes:** Payment of \$518,165.43.
- **HOA Fees:** Payment of \$42,000.
- **Interior Painting:** Comprehensive indoor repainting.
- **Leak Repairs:** All leaks were identified and repaired.

Unfortunately, there was a period of time that no work on the property was allowed and, prior to my client purchasing the Property, the code violations were left open and allowed to accrue. However, as you can see with my client's diligence, all code violations have been closed and my client has shown to be an excellent neighbor. Due to the unique circumstances of this property, we ask to go before the Village Council in order for them to consider these circumstances and request a reduction in fines and penalties.

As you are aware, code violation fines serve to compel compliance with local building, health, safety, and zoning regulations, and is not intended to be punitive. In the instant case (Case No. CC20-0675), the code violation we would like to bring before the Village Council deals with broken glass of a balcony. At this time, Pinecrest 8 has replaced all the broken glass and closed the violation.

It is important to note that the previous owner is no longer involved with this property and the current owners have done everything possible to be compliant and make this a property the residents of the Village of Pinecrest can be proud to have in their neighborhood. We would like to

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request the Village council mitigate the fines. We understand that code violation fines should act as a deterrent to future code violators, but my client should not be excessively penalized for the bad acts of a previous owner. We ask that the Village Council balance the equities of the circumstances, where they deter future code violators while not unnecessarily punish a new owner trying to comply with the village code and be a good neighbor.

The outstanding fines and penalties for the broken glass balcony violation is \$207,622.22. We ask that the Village Council mitigate the outstanding fines to six (6) months of daily penalties, fines and interest, along with any and all hard costs the Village of Pinecrest has incurred.

We appreciate your understanding and look forward to presenting before the Village Council. If you have any questions, please do not hesitate to contact me at any time.

Sincerely,

/s/ Daniel A. Milian

Daniel A. Milian

DAM