



PINECREST

Building and Planning Department

DATE: December 2, 2024

TO: Yocelyn Galiano, ICMA-CM
Village Manager

FROM: Stephen Olmsted, AICP, LEED-GA
Planning Director

RE: Request for Reduction of Code Enforcement Fines
Villa La Selva, LLC; 6760 SW 124 Street

PETITION REQUEST

Patino & Associates, P.A. representing Ashot Chukiajian, Managing Member of Villa La Selva LLC, has submitted a request for reduction of fines and penalties that have accrued related to previous code enforcement violations at property located at 6760 SW 124 Street. As of November 22, 2024, outstanding code enforcement fines and penalties in the amount of \$142,215.00 are due. Mr. Patino indicates that the property owner, Villa La Selva, LLC, is offering to pay \$6,793.62 of the outstanding penalty and fines, which was calculated to be 5% of an earlier outstanding fine amount prior to the continued accrual of interest, and requests that the Village Council accept this offer to resolve the matter. A copy of Patino & Associates' Mitigation request is attached for the Village Council's consideration.

In 2020, previous owners of the property, Panterra 38, LLC, undertook extensive construction and remodeling activities without required building permits and inspections. Unpermitted work included installation of air conditioning units, exterior and interior remodeling, construction of an accessory building, and installation of concrete slabs, pool equipment, and a pool deck. A civil citation for work without permits was issued on November 24, 2020, and the case was adjudicated by the Special Magistrate on February 1, 2021. The property owner did not comply with the Special Magistrate's Order and fines began to accrue.

Villa La Selva, LLC acquired the property in in February 2024. Mr. Patino indicates in his letter that upon purchase of the property, Villa La Selva, LLC began to finalize plans, obtain required permits, and complete the renovations necessary to bring the property into compliance. Building permits were obtained on April 11, 2024 as necessary to comply with the Special Magistrate's Order. Work is in progress although no building inspections have yet been requested or completed.

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.

C/ Paul Buckler, RA, Building Director

**VILLAGE OF PINECREST
BUILDING AND PLANNING DEPARTMENT**

Code Compliance Fine Mitigation Request – Case History

6760 SW 124 Street

As of: November 22, 2024

CASE NUMBER:	CV20-0056
PROPERTY OWNER NAME:	VILLA LA SELVA LLC
FOLIO #:	20-5014-001-0040
ADDRESS OF VIOLATION:	6760 SW 124 Street
TYPE OF VIOLATION:	FLORIDA BUILDING CODE - WORK WITHOUT PERMITS
CIVIL CITATION ISSUED:	NOVEMBER 24, 2020
CIVIL CITATION REQUIRED COMPLIANCE DATE:	DECEMBER 8, 2020
SPECIAL MASTER HEARING DATE:	FEBRUARY 1, 2021
DATE OF REQUIRED COMPLIANCE:	DECEMBER 8, 2020 (DATE OF COMPLIANCE BASED ON COMPLIANCE DATE REQUIRED IN THE CIVIL VIOLATION)
DATE OF COMPLIANCE:	APRIL 11, 2024
SPECIAL MAGISTRATE ORDER RECORDED:	MARCH 3, 2021
NUMBER OF DAYS IN VIOLATION:	1220
FINE AMOUNT PER DAY:	\$100.00
TOTAL DAILY FEE:	\$122,000
DIRECT COSTS:	\$771.38
INTEREST:	\$19,443.62
TOTAL FINE DUE:	\$142,215.00

Property Owner Information:

AUGUST 2020	Property purchased by Pantera 38 LLC
FEBRUARY 2024	Property purchased by Villa La Selva LLC

Enforcement Process:

NOVEMBER 13, 2020:

Property red tagged by the building department

NOVEMBER 19, 2020:

Inspection revealed unpermitted work for:
Air conditioning units
Exterior/interior remodeling of main structure
Exterior/interior remodeling of the detached structure
Pool deck extension
Pool equipment
Shed
Concrete slabs

NOVEMBER 24, 2020:

Civil citation issued to the registered agent – service received
Civil citation posted at the location of violation

FEBRUARY 1, 2021

Case presented before the Special Magistrate.
Special Magistrate applied a daily fine of \$100.00 per day to obtain all required permits going retroactive as of December 8, 2020, which was the required date of compliance based on the civil citation

FEBRUARY 8, 2021

Special Magistrate order mailed to the registered agent – service received

MARCH 3, 2021

Special Magistrate order recorded

Request for Lien Searches:

May 15, 2023

Completed search

January 29, 2024

Completed search

Permitting Process:

April 16, 2021

Application submitted – BL2021-0510

October 7, 2022

Application voided – process surpassed the 180 days

May 22, 2023

Application submitted – BL2023-0765

April 2, 2024

Application approved

April 11, 2024

Permit obtained

PATINO & ASSOCIATES, P.A.

A PROFESSIONAL ASSOCIATION

WWW.PATINOLAW.COM

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PARALEGALS
LILIANA AYALA
CHRISTINE RODRIGUEZ

PLEASE REPLY TO
X CORAL GABLES OFFICE
WASHINGTON OFFICE

WASHINGTON, D.C. OFFICE
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WASHINGTON, D.C. 20004
TELEPHONE: (202) 204-3012

LAW CLERKS
LUBOMIR HURT
VICTOR QUESADA

November 21, 2024

Sent via Email to: solmsted@pinecrest-fl.gov

City of Pinecrest
Attn: Yoselin Galiano, Village Manager
12645 Pinecrest Parkway
Pinecrest, FL 33156

Re: Request for Reduction of Outstanding Violations and Fees
Hearing Date: December 10, 2024
Property Address: 6760 SW 124th Street,
Pinecrest, Florida 33156

Dear Ms. Galiano:

This firm represents Villa La Selva LLC, the owner of the property located at 6760 SW 124th Street, Pinecrest, Florida 33156. On behalf of our client, we submit this letter to provide a comprehensive overview of the situation regarding the property, which was purchased on February 16, 2024, in a distressed condition. At the time of purchase, the property had several open violations stemming from unpermitted interior work conducted by the previous owner. These violations, which accrued over several years, have resulted in outstanding fines and penalties totaling \$135,872.47.

History of the Violation

The violations in question arise from unpermitted interior work, including structural changes, electrical modifications, and plumbing adjustments. These issues were identified by the City of Pinecrest during an inspection and were left unresolved by the previous owner, leading to significant financial penalties.

Corrective Actions Taken

Since acquiring the property, our client has taken immediate and substantial steps to address and resolve these violations. In February 2024, they engaged a team of architects and contractors to develop a corrective plan. Permit #CV20-0056 was successfully opened, and our client has been working diligently with their team to finalize updated plans that comply with all applicable city regulations.

Request for Fine Reduction and Alternative Payment Proposal

Given the significant financial burden of the outstanding fines, our client respectfully requests that the Village Council consider reducing the outstanding balance to **\$6,793.62** (5% of the total amount owed). This proposed reduction reflects the immediate and ongoing efforts made to bring the property into full compliance with city codes.

Our client is prepared to remit an immediate payment of **\$6,793.62** as a demonstration of their good faith and commitment to resolving this matter expeditiously.

Reasons for Requested Reduction

1. **Substantial Investment in Compliance:** Our client has invested substantial financial and professional resources, as well as a significant amount of time and money, to rectify the violations and ensure full compliance with all relevant codes and standards, ensuring the property meets all code requirements.
2. **Prompt Remedial Action:** Since acquiring the property, our client has acted without delay to address the violations, demonstrating their commitment to the community and adherence to city regulations.
3. **Community Benefit:** Approving the requested reduction would allow additional resources to be directed toward property improvements, ultimately enhancing the neighborhood's value and appearance.

Additional Considerations

We respectfully request that the Village Council consider the efforts made by our client to promptly address these violations, their significant investment in the property, and their dedication to full compliance. Granting this reduction or accepting the alternative payment proposal will allow our client to continue improving the property and resolve this matter in a timely manner.

Additionally, we respectfully request an opportunity to meet with you, Ms. Galiano, prior to the scheduled hearing date of **December 10, 2024**. This meeting would provide a valuable opportunity to discuss our client's corrective actions, demonstrate their commitment to compliance, and address any concerns the City may have. Such a discussion would offer clarity regarding the substantial efforts our client has undertaken to remediate the violations and improve the property, while also identifying any additional steps needed to achieve a fair and practical resolution. Please let us know a convenient date and time for this meeting, and we will be happy to accommodate your schedule.

Thank you for your attention to this matter. We look forward to your response and are available to provide any additional information or documentation needed to facilitate your review.

Very Truly Yours,



RALPH G. PATINO, ESQ.

CC: Mr. Ash Chakujian
Villa La Selva, LLC.
6760 SW 124 St.
Pinecrest, FL 33156