

# AGENDA REQUEST FORM CITY OF DANIA

**Date:** September 3, 2010

**Agenda Item #:**

**Title:** Request for Abatement

**Requested Action:**

Consideration of the Settlement Received for: Juan C. Gonzalez, 715 SW 10 Street, CASE # 06-1247

**Summary Explanation & Background:**

This was originally cited on August 31, 2006 for 16 violations, and was given 30 days to comply. This went to the Special Magistrate on December 4, 2006 for 16 violations. The Special Magistrate issued an order giving the respondent until 3/05/07 to comply or a fine of \$200.00 per day would be levied. At the 5/07/07 hearing, the fine was confirmed. At the 10/02/08 hearing an authorization to abate nuisances and secure property was granted after 20 days in the interest of public health and safety as ordered per Special Magistrate Gordon Linn. The property was brought into compliance on 7/14/10. The fines ran from 3/05/07 through 7/14/10, 1227 days @ \$200.00 per day = \$245,566.50 including cost. This is a motion to accept settlement offer received by the City.

**Exhibits (List):**

- (1) Copy of the history report.
- (2) Copy of the lien sheet.

**Purchasing Approval:**

**Source of Additional Information:** *(Name & Phone)*

**Recommended for Approval By:**

This is a motion to accept settlement offer received by the City.

**Commission Action:**

Passed  Failed  Continued  Other

**Comment:**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Clerk

PREPARED 9/08/10, 9:58:07  
PROGRAM CE200L  
CITY OF DANIA BEACH

CASE HISTORY REPORT  
CASE NUMBER 06-00001247

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CASE TYPE DATE ESTBL STATUS  
Folio Number INSPECTOR TENANT NAME TENANT NBR STATUS DATE  
ADDRESS 8/31/06 THEODORE PEREZ ACTIVE 8/31/06  
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MINIMUM STANDARDS

5142-03-34-0050-  
715 SW 10 ST

2. CASE 06-00001247

CASE DATA: CERTIFIED MAIL NUMBER 7003 3110 0000 8259 2366  
CERT LINE ANA RESTREPO

VIOLATION TYPE  
VIOLATION TYPE  
VIOLATION TYPE  
VIOLATION TYPE  
VIOLATION TYPE  
FORMAL HEARING NOTICE CERT #  
2ND INSPECTOR  
3RD INSPECTOR  
ALSO KNOWN AS ADDRESS

NARRATIVE: Vio Letter 8-21(a)2g, 8-21(a)2g, 8-21(a)4(a), 8/31/06  
8-21(a)5(a)(1), 8-21(a)5(a)(2), 8-21(a)5(a)(3), 8/31/06  
8-21(a)5d, 13-29, 13-34a, 13-34b, 13-34c, 15-1, 22-21, 8/31/06  
33-211, fbc 105.1 8/31/06

NOTICE NAMES: JUAN C GONZALEZ  
715 SW 10 STREET

OWNER

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RSLT TEXT: Case failed 10/4/06 per Insp Perez, to go to SEM 10/06/06  
October 6, 2006 10:03:29 AM daniaxr 10/06/06

NARRATIVE: COMPLIANCE BY 3/4/07 OR A FINE OF \$ 200.00 PER DAY WILL 4/01/09  
BEGIN TO RUN PER MAGISTRATE MARK BERMAN. 4/01/09  
December 18, 2006 10:16:31 AM danilxg 4/01/09

RSLT TEXT: Property failed reinspection per inspector Eric Walton. 3/07/07  
March 7, 2007 3:09:19 PM danilxg 3/07/07

NARRATIVE: Fine was confirmed. 8/28/10

RSLT TEXT: Property failed reinspection per inspector Eric Walton. 9/24/08  
August 14, 2007 9:36:52 AM danilxg 9/24/08

NARRATIVE: Authorization to abate nuisances and secure property 8/28/10  
granted after 20 days in the interest of public health and 8/28/10  
safety ordered per Special Magistrate Gordon Linn. 8/28/10  
October 13, 2008 1:30:43 PM danilxg 8/28/10

RSLT TEXT: Property failed reinspection per inspector Eric Walton. 7/22/09

PREPARED 9/08/10, 9:58:07  
 PROGRAM CE200L  
 CITY OF DANIA BEACH

CASE HISTORY REPORT  
 CASE NUMBER 06-00001247

CASE TYPE ----- STATUS DATE  
 Folio Number ----- TENANT NBR  
 ADDRESS ----- 8/31/06  
 MINIMUM STANDARDS ----- ACTIVE  
 5142-03-34-0050-  
 715 SW 10 ST

INSPECTOR 8/31/06 THEODORE PEREZ

2. CASE 06-00001247

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RSLT TEXT: October 27, 2008 11:05:16 AM danilxg 7/22/09

NARRATIVE: Sent to Tim Ryan's office for title search. February 25, 2/25/09  
 2009 3:48:46 PM danihxc 2/25/09

NARRATIVE: Sent Tim Ryan's for title seach. February 25, 2009 3:55:05 2/25/09  
 PM danihxc 2/25/09

NARRATIVE: Fine was reconfirmed to show that property is still in 8/28/10  
 violation and accruing fines on a daily basis per Special 8/28/10  
 Magistrate Mark Berman at the hearing. 8/28/10  
 April 16, 2009 4:00:13 PM danihszp 8/28/10

RSLT TEXT: Property failed reinspection per Inspector Eric Walton. 7/26/10  
 October 16, 2009 11:39:18 AM DANITXT 7/26/10

RSLT TEXT: Received \$500.00 payment for code case and \$1,529.80 for 7/27/10  
 nuisance abatement liens. Will ck on status of check 7/27/10  
 clearing. once verified, release of lien will be processed. 7/27/10  
 Case will be put on next Commission abatement hearing. 7/27/10  
 July 26, 2010 1:01:27 PM DANITXT. 7/27/10  
 7/27/10  
 7/27/10  
 Payments cleared. Will process release of lien. Case will be 7/27/10  
 put on September Commission Abatement hearing for 7/27/10  
 settlement. 7/27/10  
 July 27, 2010 1:02:02 PM DANITXT. 7/27/10

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
( 1 )	8/31/06	DBCC 8-21(a)(2)(g) Win/Door Mn shall be reasonably weathertight, maintained without cracks and holes, and in a state of good repair.	1	CE008021127001	ACTIVE	
( 2 )	8/31/06	DBCC 8-21(a)(4)(a) Bldg Cond requires foundations, floors, walls, ceilings, roofs, roof surfaces, windows, doors, and all other building parts to be structurally sound, weather proof, water tight, rodent proof, and kept in a state of good repair.	1	CE008021141001	ACTIVE	
( 3 )	8/31/06	DBCC 8-21(a)(4)(a) Bldg Cond requires foundations, floors, walls, ceilings, roofs, roof surfaces, windows, doors, and all other building parts to be structurally sound, weather	1	CE008021141001	ACTIVE	

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 Folio Number  
 ADDRESS  
 MINIMUM STANDARDS  
 5142-03-34-0050-  
 715 SW 10 ST

DATE ESTBL

STATUS

STATUS DATE

INSPECTOR

TENANT NAME

TENANT NBR

8/31/06

ACTIVE

8/31/06

THEODORE PEREZ

2. CASE 06-00001247

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
( 3 )	8/31/06	DBCC 8-21(a)(4) (a) Bldg Cond proof, water tight, rodent proof, and kept in a state of Good repair.	1	CE008021141001	ACTIVE	
( 4 )	8/31/06	DBCC 8-21(a)(5)(a)(1) Bldg Mt and every structure thereon, including all parts of the structure and appurtenance where exposed to public view, shall be maintained in good condition and shall not show evidence of deterioration, weathering, discoloration, ripping, tearing, or other holes or breaks.	1	CE008021151101	ACTIVE	
( 5 )	8/31/06	DBCC 8-21(a)(5)(a)(2) Paint painting or which are otherwise protected from the elements shall be kept painted or protected, maintained free of graffiti, and be of uniform colors void of any evidence of deterioration.	1	CE008021151201	ACTIVE	
( 6 )	8/31/06	DBCC 8-21(a)(5)(a)(3) Parking block, and shall be of smooth surface and in good repair.	1	CE008021151301	ACTIVE	
( 7 )	8/31/06	DBCC 8-21(a)(5)(d) Vg Material provide complete coverage of the entire yard area exposed to public view, and its height shall conform with all applicable city ordinances.	1	CE008021154001	ACTIVE	
( 8 )	8/31/06	DBCC 13-29 Stagnant Water/Mosq keep, maintain, cause or permit within the city any collection of standing or flowing water in which mosquitoes breed or are likely to breed, unless such collection of water is treated so as effectually to prevent such breeding.	1	CE013029000001	ACTIVE	
( 9 )	8/31/06	DBCC 13-34(a) Nus Accumulation operator of premises within the city to allow the accumulation of or to accumulate any garbage, litter, trash, stagnant water, untended vegetation, or to allow any discoloration, or any nuisance as defined in section 13-21 upon the premises.	1	CE013034001001	ACTIVE	
( 10 )	8/31/06	DBCC 13-34(b) Prop & RW Maint within the city shall keep such property and the adjoining	1	CE013034002001	ACTIVE	

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Folio Number ----- INSPECTOR ----- TENANT NAME ----- TENANT NBR -----

ADDRESS ----- 8/31/06 ----- ACTIVE ----- 8/31/06 -----

MINIMUM STANDARDS ----- THEODORE PEREZ -----

5142-03-34-0050-

715 SW 10 ST

2. CASE 06-00001247

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
( 10)	8/31/06	DBCC 13-34(b) Prop & RW Maint unpaved portions of the public rights of way, swales, and/or canal banks clean and free from any accumulation of garbage, trash, and litter.	1	CE013034002001	ACTIVE	
( 11)	8/31/06	DBCC 13-34(c) Untended Veg DBCC 13-34(c) states the owners and operators of all improved property within the city shall not permit untended vegetation upon such property and the public rights of way, swales, and/or canal banks. Untended vegetation includes all grass, weeds, and underbrush in excess of eight (8) inches in height from the ground, and any overgrown vines and similar other vegetation.	1	CE013034003001	ACTIVE	
( 12)	8/31/06	DBCC 15-1 BTR/License Required DBCC 15-1 states it is unlawful for any person to engage in or manage any business in the city without having a business tax receipt (previously referred to as a license) from the city.	1	CE015001000001	ACTIVE	
( 13)	8/31/06	DBCC 22-21 Sidewalk Maint DBCC 22-21 states it is the duty of each owner of abutting property to construct or reconstruct, and to maintain and keep in uniform repair sidewalks in front of or abutting upon the property.	1	CE022021000001	ACTIVE	
( 14)	8/31/06	DBCC 33-211 Parking Surface DBCC 33-211 states all areas reserved for off street parking shall be hard surfaced in accordance with the specifications of the city.	1	CE033211000001	ACTIVE	
( 15)	8/31/06	FBC 105.1 Permits Required FBC 105.1 requires any owner or 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 electrical, gas, mechanical or plumbing system, the installation of which is regulated by the Florida Building Code (2004), or to cause any such work to be done, must first make application to the building official (or building department) and obtain the required permit(s).	1	CE105001000001	ACTIVE	
( 16)	8/31/06	DBCC 8-21(a) (2) (g) Window Equi DBCC 8-21(a) (2) (g) states all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.	1	CE008021127002	ACTIVE	

# City of Dania Beach

100 W. Dania Beach Blvd.  
 Dania Beach, FL 33004  
 954-924-3662

OWNER: GONZALEZ, JUAN  
 FOLIO: 1203-34-0050  
 LEGAL: COLLEGE TRACT 19-9 B LOT 5 BLK 1  
 ADDRESS: 715 SW 10 ST

CODE ENFORCEMENT ORDER LIEN				CEB 06-1247			RECORDED			RELEASED		
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	Total	BOOK	PAGE	DATE	BOOK	PAGE	DATE
3/5/2007	7/14/2010	\$200.00	1,227	\$245,400.00	\$166.50	\$245,566.50	44206	1491-1499	6/19/2007	47263	838-839	7/28/2010

[HyperLinks from Scans\1203-34-0050 CODE-FINAL-LIEN 06-1247.pdf](#)

REVISED 9/8/2010  
 Linda Mason  
 Accts. Receivable & Liens

ESTIMATED COST OF RECORDING FEES		
1	PAGES CERTIFIED COPY COVER	10.00
5	PAGES FINAL ORDER	42.50
3	PAGES CLAIM OF LIEN	25.50
2	PAGES RELEASE OF LIEN	18.50
	ADM. FEE RECORDING LIEN	40.00
	ADM. FEE RECORDING RELEASE	30.00
		<b>166.50</b>