

AGENDA REQUEST FORM CITY OF DANIA

Date: January 3, 2011

Agenda Item #:

Title: Request for Abatement

Requested Action:

Consideration of the Settlement Received for Alonzo Neal, 813 NW 3 Street, CASE # 09-1193

Summary Explanation & Background:

This was originally cited on July 6, 2009 for 11 violations, and was given 30 days to comply. This went to the Special Magistrate on October 8, 2009 for 11 violations. The Special Magistrate issued an order giving the respondent until 11/17/09 to comply or a fine of \$250.00 per day would be levied. At the 3/04/10 hearing, the fine was confirmed. The fines ran from 11/17/09 through 12/21/10, 399 days @ \$250.00 per day = \$100,008.00 including cost. This is a motion to accept settlement offer received by the City. The City received \$6,000.00 for code case, \$350.00 for administrative fees and \$408.00 for recording fees= \$6,758.00 as settlement.

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. The City received \$6,000.00 for code case, \$350.00 for administrative fees and \$408.00 for recording fees= \$6,758.00 as settlement.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

CASE TYPE: FOLIO Number
 ADDRESS: MINIMUM STANDARDS
 5042-34-20-0090-
 813 NW 3 ST
 DANIA BEACH
 FL 33004

DATE ESTBL: 6/24/09
 INSPECTOR: WARREN OSTROFSKY
 STATUS: ACTIVE
 STATUS DATE: 7/06/09
 TENANT NAME: TENANT NBR

CASE DATA: CERTIFIED MAIL NUMBER 7009 0080 0001 0519 6901
 CERT LINE SM
 VIOLATION TYPE
 VIOLATION TYPE
 VIOLATION TYPE
 VIOLATION TYPE
 VIOLATION TYPE
 VIOLATION TYPE
 FORMAL HEARING NOTICE CERT #
 2ND INSPECTOR
 3RD INSPECTOR
 ALSO KNOWN AS ADDRESS

NARRATIVE: Vio.Let. - 8-21a2g win/door; 8-21a2g window equipd: 8-21a4a;
 8-21a5a1; 8-21a5a2; 8-21a5a3; 13-3a; 13-34c; 13-74c;
 28-4.20a; FBC 105.1
 7/06/09
 7/06/09
 7/06/09

NOTICE NAMES: ALONZO NEAL OWNER
 813 NW 3 ST

RSLT TEXT: Extension granted until 8/15/09 per inspector Warren Ostrofsky.
 August 6, 2009 11:06:15 AM danllxg 8/06/09
 August 17, 2009 4:24:18 PM danllxg 8/06/09

RSLT TEXT: Property failed reinspection per inspector Warren Ostrofsky.
 August 17, 2009 4:24:18 PM danllxg 8/17/09
 NARRATIVE: Compliance by November 17, 2009 or \$250.00 per day fine per Special Magistrate Mark Berkman at the October 8, 2009 hearing.
 October 22, 2009 9:05:29 AM DANITXT 8/18/10
 October 22, 2009 9:05:29 AM DANITXT 8/18/10

RSLT TEXT: Property failed reinspection on 11.17.09 per Inspector Warren Ostrofsky.
 November 17, 2009 3:29:48 PM DANITXT 11/17/09
 November 17, 2009 3:29:48 PM DANITXT 11/17/09

NARRATIVE: 0/00/00

NARRATIVE: Fine confirmed per Special Magistrate Mitch Kraft at the March 4, 2010 Special Magistrate hearing. \$100.00 administrative fee is assessed.
 March 15, 2010 2:15:13 PM DANITXT 8/18/10
 March 15, 2010 2:15:13 PM DANITXT 8/18/10

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 5042-34-20-0090-
 813 NW 3 ST
 DANIA BEACH
 FL 33004

DATE ESTBL
 INSPECTOR
 6/24/09
 WARREN OSTROFSKY
 STATUS
 TENANT NAME
 ACTIVE
 STATUS DATE
 TENANT NBR
 7/06/09

8. CASE 09-00001193

RESULT TEXT: Property failed reinspection per Inspector Warren Ostrofsky.
 June 2, 2010 3:42:50 PM DANITXT.

NARRATIVE: 0/00/00

RESULT TEXT: Property foreclosed on per Tim Ryan's office. Costs still
 owed. Property will be recited.
 August 20, 2010 3:28:24 PM DANITXT.
 10/28/10
 10/28/10
 10/28/10

RESULT TEXT: Received \$6,000.00 for code case, \$100 admin cost and \$408
 admin/record release for case plus \$250 for case 10-1241=
 \$6,758.00. Will wait for check to clear. Then case will be
 scheduled for City Commission hearing in January 2011.
 December 21, 2010 2:43:31 PM DANITXT.
 12/21/10
 12/21/10
 12/21/10

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(1)	7/06/09	DBCC 8-21(a) (2) (g) Win/Door Mm DBCC 8-21(a) (2) (g) states every window and exterior door shall be reasonably weathertight, maintained without cracks and holes, and in a state of good repair. DBCC 8-21(a) (2) (g) Window Equi 1 CE008021127002 DBCC 8-21(a) (2) (g) states all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.	1	CE008021127001	ACTIVE	
(3)	7/06/09	DBCC 8-21(a) (4) (a) Bldg Cond DBCC 8-21(a) (4) (a) 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. DBCC 8-21(a) (5) (a) (1) Bldg Mnt 1 CE008021151101	1	CE008021141001	ACTIVE	
(4)	7/06/09	DBCC 8-21(a) (5) (a) (1) states the exterior of all premises 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. DBCC 8-21(a) (5) (a) (2) Paint 1 CE008021151201 DBCC 8-21(a) (5) (a) (2) states all surfaces requiring 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	1	CE008021151201	ACTIVE	
(5)	7/06/09	DBCC 8-21(a) (5) (a) (2) states all surfaces requiring 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	1	CE008021151201	ACTIVE	

PREPARED 1/05/11, 15:08:08
 PROGRAM CE200L
 CITY OF DANIA BEACH

CASE HISTORY REPORT
 CASE NUMBER 09-00001193

CASE TYPE Folio Number
 ADDRESS MINIMUM STANDARDS
 5042-34-20-0090-
 813 NW 3 SE
 DANIA BEACH FL 33004

8. CASE 09-00001193

DATE ESTBL STATUS DATE
 INSPECTOR TENANT NAME TENANT NBR
 6/24/09 ACTIVE 7/06/09
 WARREN OSTROFSKY

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(5)	7/06/09	DBCC 8-21(a) (5) (a) (2) Paint deterioration.	1	CE008021151201	ACTIVE	
(6)	7/06/09	DBCC 8-21(a) (5) (a) (3) Parking shall be paved with asphalt or constructed of concrete or block, and shall be of smooth surface and in good repair.	1	CE008021151301	ACTIVE	
(7)	7/06/09	DBCC 13-34(a) Mns 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	
(8)	7/06/09	DBCC 13-34(c) Untended Veg 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	
(9)	7/06/09	DBCC 13-74(c) Removal of Items receptacles shall be removed from the right of way and from the front yard no later than dusk of the day of collection.	1	CE013074003002	ACTIVE	
(10)	7/06/09	DBCC 28-4.20(a) Appl of Regs on to, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all the regulations established by this chapter for the district in which the building or land is located.	1	CE028004020101	ACTIVE	
(11)	7/06/09	FBC 105.1 Permits Required 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 (2007 ed.), 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	

City of Dania Beach

100 W. Dania Beach Blvd.
 Dania Beach, FL 33004
 954-924-6800 Ext. 3662

OWNER: NEAL, ALONZO
 FOLIO: 0234-20-0090
 LEGAL: A K WIXON SUB 16-1 B LOT 13
 ADDRESS: 813 NW 3 STREET

CODE ENFORCEMENT ORDER LIEN

CEB 09-1193

Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	Total	RECORDED BOOK	PAGE	DATE	RELEASED BOOK	PAGE	DATE
11/17/2009	12/21/2010	\$250.00	399	\$99,750.00	\$258.00	\$100,008.00	47008	1060-1067	4/12/2010			

This property is in compliance as of 12/21/2010.

REVISED 1/5/2011

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	34.00
3	PAGES	SUPPLEMENTAL ORDER	25.50
2	PAGES	RELEASE OF LIEN	18.50
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	100.00
			258.00