

AGENDA REQUEST FORM CITY OF DANIA

Date: January 3, 2011

Agenda Item #:

Title: Request for Abatement

Requested Action:

Consideration of the Settlement Received for Edvardo Archer c/o SO Excellence, 722 SW 3 Place, CASE # 09-0102

Summary Explanation & Background:

This was originally cited on January 23, 2009 for 8 violations, and was given 30 days to comply. This went to the Special Magistrate on May 7, 2009 for 8 violations. The Special Magistrate issued an order giving the respondent until 6/16/09 to comply or a fine of \$200.00 per day would be levied. At the 10/08/09 hearing, the fine was confirmed. The fines ran from 6/16/09 through 11/24/10, 526 days @ \$2240.00 per day = \$105,424.00 including cost. This is a motion to accept settlement offer received by the City. The City received \$8,342.40 for code case and \$601.54 for nuisance abatement work done for code case by the City= \$8,943.94 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 \$8,342.40 for code case and \$601.54 for nuisance abatement work done for code case by the City= \$8,943.94 as settlement.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

PREPARED 1/05/11, 15:07:59
PROGRAM CE200L
CITY OF DANIA BEACH

CASE HISTORY REPORT
CASE NUMBER 09-00000102

CASE TYPE
Folio Number
ADDRESS
MINIMUM STANDARDS
5142-03-36-.0700-
722 SW 3 PL

DATE ESTBL
INSPECTOR
1/15/09
TUCHETTE TORRES

STATUS
TENANT NAME
ACTIVE

STATUS DATE
TENANT NBR
1/23/09

7. CASE 09-00000102

CASE DATA: CERTIFIED MAIL NUMBER 7008 1300 0000 4135 7878
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. - 8-21a4f; 8-21a5a1; 8-21a5a2; 13-34a; 13-34b; 1/23/09
13-34c; 13-74c; 15-1 1/23/09

NOTICE NAMES: EDUARDO ARCHER OWNER
C/O SO EXCELLENCE

RESULT TEXT: Extension granted until 2/27/09 per inspector Tuchette Torres.
February 19, 2009 10:29:28 AM danlhxg 2/19/09
2/19/09

RESULT TEXT: Property failed reinspection per inspector Tuchette Torres.
March 6, 2009 11:19:23 AM danlhxg 3/06/09

NARRATIVE: Compliance by June 15, 2009 or \$200.00 per day fine per
Special Magistrate Gordon Lim at the May 7, 2009 hearing.
May 22, 2009 2:19:37 PM daniszp 3/02/10

RESULT TEXT: Property failed reinspection per inspector Tuchette Torres.
June 15, 2009 3:06:16 PM danlhxg 6/16/09

NARRATIVE: Sent to Tim Ryan's office for title search. July 24, 2009
8:47:46 AM danlhxg 7/24/09

NARRATIVE: Fine confirmed. Authorization to abate nuisances by cutting
overgrowth and removing debris granted after October 28,
2009, in the interest of public health and safety per
Special Magistrate Mark Berman.
October 21, 2009 2:30:04 PM DANITXT 8/18/10
8/18/10

CASE TYPE
 Folio Number
 ADDRESS
 MINIMUM STANDARDS
 5142-03-36-0700-
 722 SW 3 PL

DATE ESTBL STATUS
 INSPECTOR TENANT NAME
 1/15/09 ACTIVE
 TUCHETTE TORRES

7. CASE 09-00000102

RESULT TEXT: Properly failed reinspection per Inspector Eric Walton.
 October 29, 2009 4:38:45 PM DANITXT
 8/18/10
 8/18/10

RESULT TEXT: Properly failed reinspection on 1.27.10 per Inspector Eric Walton.
 January 28, 2010 4:10:39 PM DANITXT
 8/18/10
 8/18/10

NARRATIVE: RECEIVED TITLE SEARCH. PENDING FORECLOSURE, WILL CONTINUE TO MONITOR PER TIM RYAN'S OFFICE.
 APRIL 23, 2010 1:21:35 PM DANITXT
 10/26/10
 10/26/10

RESULT TEXT: Received payment of \$601.54 for nuisance abatement liens.
 August 3, 2010 1:12:21 PM DANITXT.
 11/29/10
 11/29/10

RESULT TEXT: Received \$8,342.40 settlement for code case. Case will be scheduled for January 2011 City Commission Abatement hearing.
 November 29, 2010 2:52:24 PM DANITXT.
 11/29/10
 11/29/10
 11/29/10

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(1)	1/23/09	DBCC 8-21(a) (4) (f) Fences/Wall	1	CE008021146002	ACTIVE	
		DBCC 8-21(a) (4) (f) states all fences, walls, and similar enclosures shall be maintained in a state of good repair.				
(2)	1/23/09	DBCC 8-21(a) (5) (a) (1) Bldg Mnt	1	CE008021151101	ACTIVE	
		DBCC 8-21(a) (5) (a) (1) states the exterior of all premises and every structure hereon, 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, tipping, tearing, or other holes or breaks.				
(3)	1/23/09	DBCC 8-21(a) (5) (a) (2) Paint	1	CE008021151201	ACTIVE	
		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 deterioration.				
(4)	1/23/09	DBCC 13-34(a) Nus Accumulation	1	CE013034001001	ACTIVE	
		DBCC 13-34(a) states it is unlawful for any owner or operator of premises within the city to allow the accumulation of or to accumulate any garbage, litter, or other refuse.				

CASE TYPE
 Folio Number
 ADDRESS
 MINIMUM STANDARDS
 5142-03-36-0700-
 722 SW 3 PL

DATE ESTBL
 INSPECTOR
 1/15/09
 TUQUETTE TORRES

STATUS
 TENANT NAME
 ACTIVE

STATUS DATE
 TENANT NBR
 1/23/09

7. CASE 09-00000102

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(4)	1/23/09	DBCC 13-34(a) Nus Accumulation 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	
(5)	1/23/09	DBCC 13-34(b) Prop & RM Maint DBCC 13-34(b) states each owner or operator of property within the city shall keep such property and the adjoining 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	
(6)	1/23/09	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	
(7)	1/23/09	DBCC 13-74(c) Removal of Items DBCC 13-74(c) states all garbage carts and all other 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	
(8)	1/23/09	DBCC 15-1 BRR/License Required DBCC 15-1 states it is unlawful for any person to engage in, manage or allow anyone on the person's property 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	

City of Dania Beach

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

OWNER: EDUARDO ARCHER C/O SO EXCELLENCE
 FOLIO: 1203-36-0700
 LEGAL: COLLEGE TRACT 2ND ADD 19-19 B LOT 25 BLK 11
 ADDRESS: 722 SW 3 PLACE

CODE ENFORCEMENT ORDER LIEN

CEB 09-102

Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	Total	RECORDED BOOK	PAGE	DATE	RELEASED BOOK	PAGE	DATE
6/16/2009	11/24/2010	\$200.00	526	\$105,200.00	\$224.00	\$105,424.00	47233	1880-1882	7/14/2010			

This property is in compliance as of 1/124/2010.

REVISED 1/5/2011

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	25.50
	PAGES	SUPPLEMENTAL ORDER	0.00
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
			224.00