

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: September 12, 2012

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Dotan Vaknin, 2733 SW 47 Street,
Case # 07-1054

Summary Explanation & Background:

This was originally cited on 4/24/07 for 9 violations, and was given 30 days to comply. This went to the Special Magistrate on 7/9/07 for 9 violations. The Special Magistrate issued an order giving the respondent until 9/7/07 to comply or a fine of \$150.00 per day would be levied. At the 6/5/08 hearing, the fine was confirmed. At the 8/7/08 hearing, the City was granted authorization to abate the nuisances on the property. The fines ran from 9/7/07 through 4/5/12, 1,672 days @ \$150.00 per day = \$250,800.00 plus recording/admin fees of \$149.50, for a total of \$250,949.50. This is a motion to accept the settlement offer received by the City. The City received \$7,500.00 as settlement for the fine, plus \$149.50 in administrative fees/costs, and full payment of the nuisance abatement liens at \$2,500.00, for a total settlement received of \$10,149.50.

Exhibits (List):

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

Purchasing Approval:

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

Recommended for Approval By:

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Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

PREPARED 1/20/10, 9:48:25
PROGRAM CE200L
CITY OF DANIA BEACH

CASE HISTORY REPORT
CASE NUMBER 07-00001054

CASE TYPE
Parcel Number
ADDRESS
MINIMUM STANDARDS
5042-29-14-0330-
2733 SW 47 ST

DATE ESTBL STATUS
INSPECTOR TENANT NAME TENANT NBR STATUS DATE
4/24/07 ACTIVE 4/24/07
MICHAEL RINALDI

26. CASE 07-00001054

CASE DATA: CERTIFIED MAIL NUMBER 7006 2760 0004 7017 9871
CERT LINE SM
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
FORMAL HEARING NOTICE CERT #
2ND INSPECTOR
3RD INSPECTOR
ALSO KNOWN AS ADDRESS

NARRATIVE: Violation 8-21a5a1; 8-21a5a2; 8-21a5a3; 13-34a; 13-34b; 4/24/07
13-34c; 15-1; 22-1; 33-211 4/24/07

NOTICE NAMES: DOTAN VAKNIN OWNER
2733 SW 47TH ST
RSLT TEXT: Property failed reinspection per inspector Mike Rinaldi. 5/24/07
May 24, 2007 2:36:01 PM danilxg 5/24/07
NARRATIVE: Comply by 9/07/07 or \$150 per day fine. 6/02/08
RSLT TEXT: Property failed reinspection per inspector Mike Rinaldi. 9/10/07
September 10, 2007 8:45:04 AM danilxg 9/10/07
NARRATIVE: Fine confirmed per Special Magistrate Mark Berman at the 7/30/08
June 5, 2008 hearing 7/30/08
June 16, 2008 3:33:30 PM daniszp 7/30/08
NARRATIVE: Authorization to abate nuisances granted in the interest of 11/19/08
public health and safety. 11/19/08
August 26, 2008 9:52:27 AM danilxg 11/19/08
RSLT TEXT: Property failed reinspection per inspector Mike Rinaldi. 1/04/10
November 7, 2008 4:46:17 PM danilxg 1/04/10
NARRATIVE: Sent to Tim Ryan's office for title search. November 13, 11/13/08
2008 9:08:38 AM danilxg 11/13/08

VIOLATIONS: (1) DATE DESCRIPTION QTY CODE STATUS DATE RESOLVED
4/24/07 DBCC 8-21(a) (5) (a) (1) Bldg Mnt 1 CE008021151101 ACTIVE PAGE 43

PREPARED 1/20/10, 9:48:25
 PROGRAM CE200L
 CITY OF DANIA BEACH

CASE HISTORY REPORT
 CASE NUMBER 07-00001054

CASE TYPE
 Folio Number
 ADDRESS
 MINIMUM STANDARDS
 5042-29-14-0330-
 2733 SW 47 ST

DATE ESTBL

STATUS

STATUS DATE

INSPECTOR

TENANT NAME

TENANT NBR

4/24/07

ACTIVE

4/24/07

MICHAEL RINALDI

26. CASE 07-00001054

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(1)	4/24/07	DBCC 8-21(a)(5)(a)(1) Bldg Mnt 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.	1	CE008021151101	ACTIVE	
(2)	4/24/07	DBCC 8-21(a)(5)(a)(2) Paint 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.	1	CE008021151201	ACTIVE	
(3)	4/24/07	DBCC 8-21(a)(5)(a)(3) Parking DBCC 8-21(a)(5)(a)(3) states all off street parking spaces shall be paved with asphalt or constructed of concrete or block, and shall be of smooth surface and in good repair.	1	CE008021151301	ACTIVE	
(4)	4/24/07	DBCC 13-34(a) Nus Accumulation 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, 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)	4/24/07	DBCC 13-34(b) Prop & RW 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)	4/24/07	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)	4/24/07	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	1	CE015001000001	ACTIVE	

PREPARED 1/20/10, 9:48:25
PROGRAM CE200L
CITY OF DANIA BEACH

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CASE NUMBER 07-00001054

CASE TYPE DATE ESTBL STATUS STATUS DATE
Folic Number INSPECTOR TENANT NAME TENANT NER
ADDRESS 4/24/07 ACTIVE 4/24/07

MINIMUM STANDARDS
5042-29-14-0330-
2733 SW 47 ST

26. CASE 07-00001054

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(7)	4/24/07	DECC 15-1 BTR/License Required business tax receipt (previously referred to as a license) from the city.	1	CE015001000001	ACTIVE	
(8)	4/24/07	DBCC 22-1 Bldg Numbers (Front) correct street number upon such building.	1	CE022001000001	ACTIVE	
(9)	4/24/07	DBCC 22-1 states any building in the city must display the 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	

City of Dania Beach

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

FOLIO: 0229-14-0330
LEGAL: AVON HEIGHTS 38-38 B LOT 9 BLK 2
ADDRESS: 2733 SW 47 STREET

CODE ENFORCEMENT ORDER LIEN CEB 07-1054

Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	RECORDED		RELEASED	
						BOOK	PAGE	BOOK	PAGE
9/7/2007	4/5/2012	\$150.00	1,672	\$250,800.00	\$149.50	45680	210-216		9/15/2008
					Total	\$250,949.50			

REVISED 4/18/2012

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	34.00
2	PAGES	SUPPLEMENTAL ORDER	17.00
2	PAGES	RELEASE OF LIEN	18.50
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
			<u>149.50</u>

City of Dania Beach

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

OWNER: VAKNIN,DOTAN
 FOLIO: 0229-14-0330
 LEGAL: AVON HEIGHTS 38-38 B LOT 9 BLK 2
 ADDRESS: 2733 SW 47 STREET

NUISANCE ABATEMENT LIEN

Interest Start	Through Date	Lien Amount	# of Days	Interest Amount	Per Diem	Interest Amount	Record Fee	Total	RECORDED BOOK	PAGE	DATE	RELEASED BOOK	PAGE	DATE
9/4/2008	4/18/2012	\$647.61	1,322	0.00032900	\$0.213064	\$281.67	\$90.00	\$1,019.28	45772	433	10/27/2008			
11/14/2008	4/18/2012	\$79.37	1,251	0.00032900	\$0.026113	\$32.67	\$90.00	\$202.04	45851	1007	12/8/2008			
1/15/2010	4/18/2012	\$132.69	824	0.00032900	\$0.043655	\$35.97	\$90.00	\$258.66	46902	917	2/25/2010			
6/23/2011	4/18/2012	\$258.30	300	0.00032900	\$0.084981	\$25.49	\$90.00	\$373.79	48012	1310	7/5/2011			
7/29/2011	4/18/2012	\$396.08	264	0.00032900	\$0.130310	\$34.40	\$90.00	\$520.48	48084	618	8/2/2011			
\$2,374.26														

CASE # 07-1054

RECORDED

RELEASED

This lien is accruing interest daily. To calculate additional interest amount, multiple the per diem amount (X) the number of days after: 4/18/2012

REVISED 4/18/2012
 Cherrie-Ann Browne
 Accts. Receivable & Liens

ESTIMATED COST OF RECORDING FEES	
1	PAGE(S) CLAIM OF LIEN 10.00
	ADM. FEE RECORDING LIEN 40.00
1	PAGE(S) RELEASE OF LIEN 10.00
	ADM. FEE RECORDING RELEASE 30.00
90.00	