

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: 232-4 Group LLC, 232 SW 5 Street,
Case # 09-0224

Summary Explanation & Background:

This was originally cited on 2/12/09 for 11 violations, and was given 30 days to comply. This went to the Special Magistrate on 5/7/09 for 9 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 11/5/09 hearing, the fine was confirmed. The fines ran from 6/16/09 through 4/11/12, 1,030 days @ \$200.00 per day = \$206,000.00 plus recording/admin fees of \$258.00, for a total of \$206,258.00. This is a motion to accept the settlement offer received by the City. The City received \$7,520.00 as total settlement for this case.

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 the settlement offer received by the City. The City received \$7,520.00 as total settlement for this case.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

PREPARED 9/11/12, 21:44:08
PROGRAM CE200L
CITY OF DANIA BEACH

CASE HISTORY REPORT
CASE NUMBER 09-00000224

CASE TYPE ----- DATE ESTBL ----- STATUS -----
Folio Number ----- INSPECTOR ----- TENANT NAME ----- TENANT NBR -----
ADDRESS ----- 2/04/09 ----- ACTIVE ----- 2/12/09 -----
MINIMUM STANDARDS -----
5142-03-04-0490 -----
232 SW 5 ST -----
DANIA BEACH ----- FL 33004 -----

69. CASE 09-00000224

CASE DATA: CERTIFIED MAIL NUMBER 7008 1300 0000 4135 1937
CERT LINE HC
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 letter-8-21(a)(2)(g); 8-21(a)(2)(g); 8-21(a)(4)(a); 2/12/09
8-21(a)(4)(e); 8-21(a)(5)(a)(1); 13-34(a); 13-34(b); 2/12/09
14-2(a); 15-1; 22-21; 33-211 2/12/09

NOTICE NAMES: 232-4 GROUP LLC OWNER
786 SW 117 AVE
RESULT TEXT: Property failed reinspection per inspector Tuchette Torres. 3/19/09
March 19, 2009 9:46:03 AM danilxg 3/19/09
NARRATIVE: Compliance by June 16, 2009 or \$200.00 per day fine per 5/22/09
Special Magistrate Gordon Linn at the May 7, 2009 hearing. 5/22/09
May 22, 2009 2:25:31 PM daniszp 5/22/09
RESULT TEXT: Property failed reinspection per inspector Tuchette Torres. 6/16/09
June 16, 2009 3:06:16 PM danilxg 6/16/09
NARRATIVE: Fine confirmed day fine per Special Magistrate Gordon Linn 3/01/10
at November 5, 2009 hearing. \$100.00 administrative fee is 3/01/10
assessed. 3/01/10
November 9, 2009 4:02:00 PM DANITXT 3/01/10
RESULT TEXT: Property failed reinspection per Inspector Eric Walton. 3/18/10
March 18, 2010 9:40:41 AM DANITXT 3/18/10
RESULT TEXT: Property failed reinspection per inspector Tuchette Torres. 3/19/09
March 19, 2009 9:46:03 AM danilxg 3/19/09

VIOLATIONS: (1) DATE DESCRIPTION QTY CODE STATUS DATE RESOLVED
2/12/09 DBCC 8-21(a)(2)(g) Win/Door Mn 1 CE008021127001 ACTIVE
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5142-03-04-0490-
 232 SW 5 ST
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69. CASE 09-00000224

STATUS DATE

TENANT NBR

2/12/09

DATE ESTBL STATUS

TENANT NAME

ACTIVE

INSPECTOR

2/04/09

TUCHETTE TORRES

STATUS DATE RESOLVED

ACTIVE

ACTIVE

ACTIVE

ACTIVE

ACTIVE

ACTIVE

ACTIVE

ACTIVE

VIOLATIONS:

(1)

DATE 2/12/09

DESCRIPTION

QTY CODE

1 CE008021127001

DBCC 8-21(a)(2)(g) Win/Door Mn states every window and exterior door shall be reasonably weathertight, maintained without cracks and holes, and in a state of good repair.

ACTIVE

2/12/09

ACTIVE

DBCC 8-21(a)(2)(g) Window Equi states all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.

1 CE008021141001

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 CE008021145001

DBCC 8-21(a)(4)(e) Elec Cond requires all electrical wiring and accessories to be maintained in good, safe working condition and be adequately insulated and protected. No wiring, outlets, or connections shall be left exposed so as to create a hazardous condition.

(5)

DATE 2/12/09

DESCRIPTION

QTY CODE

1 CE013034001001

DBCC 13-34(a) Nus Accumulation 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, or any nuisance as defined in section 13-21 upon the premises.

ACTIVE

2/12/09

ACTIVE

DBCC 13-34(b) Prop & RW Maint 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 CE013034003001

DBCC 13-34(c) Untended Veg 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 CE013034002001

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(6)

DATE 2/12/09

DESCRIPTION

QTY CODE

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2/12/09

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(7)

DATE 2/12/09

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 5142-03-04-0490-
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VOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(8)	2/12/09	DBCC 14-2(a) Junk/Abd Vehicles DBCC 14-2(a) states it is unlawful to park, store, have, or permit parking or storage of any junked and abandoned vehicle of any kind or parts thereof upon any private property unless the vehicle is completely enclosed within a building or is in connection with an approved business and licensed as such.	1	CE0140020001001	ACTIVE	2/12/09
(9)	2/12/09	DBCC 15-1 BTR/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	CE0150010000001	ACTIVE	
(10)	2/12/09	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	CE0220210000001	ACTIVE	
(11)	2/12/09	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	CE0332110000001	ACTIVE	

City of Dania Beach

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

OWNER: 232-4 GROUP LLC
 FOLIO: 1203-04-0490
 LEGAL: DANIA HEIGHTS 3-22 B LOT 8 BLK 5
 ADDRESS: 232 SW 5 STREET

CODE ENFORCEMENT ORDER LIEN				CEB 09-0224		RECORDED		RELEASED	
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	BOOK	PAGE	BOOK	DATE
6/16/2009	4/11/2012	\$200.00	1,030	\$206,000.00	\$258.00	47241	974-976		7/21/2010
				Total	\$206,258.00				

REVISED 4/12/2012

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