

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: September 19, 2013

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Joshua Levitt, 125 NE 2 Avenue, Case # 10-1921 & 11-1608

Summary Explanation & Background:

For case #10-1921: This was originally cited on 12/29/10 for 6 violations, and was given 30 days to comply. This went to the Special Magistrate on 4/7/11 for 6 violations. The Special Magistrate issued an order giving the respondent until 5/17/11 to comply or a fine of \$150.00 per day would be levied. At the 8/4/11 hearing, Special Magistrate Mark Berman confirmed the fine as a lien. At the 5/3/12 hearing, the Special Magistrate granted authorization to sue for money judgment. The property was brought into compliance on 10-1921. The fines ran from 5/17/11 through 8/15/13, 821 days @ \$150.00 per day = \$123,150.00 plus admin fees of \$262.50 for a total of \$123,412.50.

For case #11-1608: This was originally cited on 9/28/11 for 1 violation, and was given 14 days to comply. This went to the Special Magistrate on 3/1/12 for 1 violation. The Special Magistrate issued an order giving the respondent until 4/10/12 to comply or a fine of \$100.00 per day would be levied. At the 11/1/12 hearing, Special Magistrate Gordon Linn confirmed the fine as a lien. The property was brought into compliance on 8/15/13. The fines ran from 4/10/12 through 8/15/13, 492 days @ \$100.00 per day = \$49,200.00 plus admin fees of \$254.00 for a total of \$49,454.00.

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$4,000.00 as settlement for the code cases.

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:

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Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

HISTORICAL - DMS Violation Letter	12-29-2010
REINSPECTION - REINSPECTION	01-28-2011
REINSPECTION - REINSPECTION	02-28-2011
HISTORICAL - DMS Affidavit of Service	03-23-2011
POST HEARING - POST BOARD	05-17-2011
F-TITLE SEARCH - TITLE SEARCH	05-24-2011
FORECLOSURE - FORECLOSURE REINSPECTION	11-14-2011
F-TITLE SEARCH - TITLE SEARCH	12-22-2011
HISTORICAL - DMS Affidavit of Service	04-19-2012

Case Violations

1	CE008021146002 - DBCC 8-21(a)(4)(f) Fences/Walls Maintenance	DBCC 8-21(a)(4)(f) states all fences, walls, and similar enclosures shall be maintained in a state of good repair.	ACTIVE	12/28/2010
2	CE008186002001 - DBCC 8-186(2) Storm Shutters	DBCC 8-186(2) states that except during the period from June 1st to November 30th of each calendar year, storm shutters are not permitted to be in a closed and secured position, unless there is a hurricane or tropical storm watch outside of the designated hurricane season.	ACTIVE	12/28/2010
3	CE013034001001 - DBCC 13-34(a) Nuisance 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.	ACTIVE	12/28/2010
4	CE013034002001 - DBCC 13-34(b) Property & R/W Maintenance	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.	ACTIVE	12/28/2010
5	CE022001000002 - DBCC 22-1 Building Numbers Req'd (Rear/Alley)	DBCC 22-1 states any building that abuts an alleyway in the city must display the correct street number of the building so that it is visible from the alleyway.	ACTIVE	12/28/2010
6	CE022021000001 - DBCC 22-21 Sidewalk Maintenance	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.	ACTIVE	12/28/2010
7	CE105130005002 - DBLDC 105-130(E) Max Permitted in Front	DBLDC 105-130(E) states no more than one (1) utility trailer or one (1) recreational vehicle or one (1) boat secured to a trailer shall be parked or stored in front of a residentially zoned property.	ACTIVE	12/28/2010

Case Violations

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City of Dania Beach

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

OWNER: Joshua Levitt
FOLIO: 0234-32-0040
LEGAL: Spar-Rich Resub of Blks 2&3 36-35 B Lot 4 Blk 2
ADDRESS: 125 Northeast 2 Avenue, Dania Beach, Florida

CODE ENFORCEMENT ORDER LIEN				CEB 11-1608			RECORDED			RELEASED		
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	Total	BOOK	PAGE	DATE	BOOK	PAGE	DATE
4/10/2012	8/15/2013	\$100.00	492	\$49,200.00	\$254.00	\$49,454.00	49252	693-698	11/16/2012			

Case compiled 8/15/13

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	32.00
2	PAGES	SUPPLEMENTAL ORDER	17.00
2	PAGES	RELEASE OF LIEN	25.00
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	100.00
			254.00