

# AGENDA REQUEST FORM CITY OF DANIA BEACH

**Date:** March 5, 2014

**Agenda Item #:**

**Title: Request for Abatement**

**Requested Action:**

Approval of the Settlement Received for: Carlos V. Sanchez & Graham Sanchez, 4172-4174 SW 51 Street, Case # 2012-1139

**Summary Explanation & Background:**

This was originally cited on 11/7/12 for 8 violations, and was given 15 days to comply. This went to the Special Magistrate on 2/7/13 for 5 violations. Special Magistrate Mark Berman issued an order giving the respondent until 3/19/13 to comply or a fine of \$100.00 per day would be levied. At the 7/11/13 hearing, Special Magistrate Gordon Linn confirmed the fine as a lien. The property had not been brought into compliance at the time of settlement acceptance, and per agreement with Special Counsel Office Ryan & Ryan, LLC, the new owner was given 60 days to bring the property into compliance or be cited. There is only one violation remaining (trash & debris) and new owner is working with Public Services to schedule a special pick-up. The fines ran from 3/19/13 through 10/29/13, 224 days @ \$100.00 per day = \$22,400.00 plus admin fees of \$254.00 for a total of \$22,654.00.

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$2,500.00 as settlement for the code case.

**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:**

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$2,500.00 as settlement for the code cases.

**Commission Action:**

Passed  Failed  Continued  Other

**Comment:**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Clerk

Case Number: 2012-00001139

Case Type:  
Notice of Violation

Case Description:  
Initial Case

Case Start Date:  
10-26-2012

Status:  
Active

Status Date:

Default Inspector:  
Barbara Urow

Cited Address:  
4172 SW 51 ST

Folio Number:  
5041-36-02-0310

Cited Party:  
Carlos V Sanchez &

Note Type

Case Notes

Date

CASE ACTIVITY NOTES	CASE ACTIVITY NOTES	11-07-2012
CASE INSPECTION NOTES	CASE INSPECTION NOTES	11-07-2012
CASE HEARING NOTES	CASE HEARING NOTES	11-07-2012
CASE ACTIVITY NOTES	NOV approved and mailed on 11/8/12. KM 11/8/12	11-08-2012
CASE INSPECTION NOTES	Per Insp Urow: case failed reinspection on 11/30/12.&nbsp;&nbsp; Send to next available hearing. KM 11/30/12	11-30-2012
CASE HEARING NOTES	Per Special Magistrate Mark Berman, at the 2/7/13 hearing, the following was ordered: Compliance by March 19, 2013 or \$100.00 per day fine.&nbsp;&nbsp; \$100 administrative fee assessed.&nbsp;&nbsp;  KM 2/11/13	02-11-2013
CASE INSPECTION NOTES	Per Insp Urow: case failed post hearing reinspection on 3/20/13.&nbsp;&nbsp; Send to T/S for confirmation. KM 3/22/13	03-22-2013
CASE ACTIVITY NOTES	Per T/S results received: set case for next available hearing for confirmation. KM 5/15/13	05-15-2013
CASE HEARING NOTES	Per Special Magistrate Gordon Linn, at the 7/11/13 hearing, the following was ordered: Fine confirmed. KM 7/16/13	07-16-2013
CASE ACTIVITY NOTES	Per Email from Tim Ryan dated 10/30/2013. City will accept \$2,500 settlement offer and property must be in compliance by new owner within 60 days of 10/30/2013 or City will re-cite. LW 10/30/2013	10-30-2013
CASE ACTIVITY NOTES	Per Tim Ryan's Office: Received settlement check #57398 in the amount of \$2,500.00 on 12/4/13. Forwarded the Release for signature and then recording. Will schedule for Commission Abatement Hearing on 3/5/14  LW 12/5/13	12-05-2013

Case Activity Comments

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## Case Violations

1	CE008021141001 - DBCC 8-21(a)(4)(a) Building Condition	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.		10/26/2012
2	CE008021151101 - DBCC 8-21(a)(5)(a)(1) Building Maintenance	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.		10/26/2012
3	CE008021151201 - DBCC 8-21(a)(5)(a)(2) Paint Maintenance	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.		10/26/2012
4	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.		10/26/2012
5	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.		10/26/2012
6	CE013034003001 - DBCC 13-34(c) Untended Vegetation	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.		10/26/2012
7	CE022001000001 - DBCC 22-1 Building Numbers (Front/ Rear/ Alley)	DBCC 22-1 states any building in the city must display the correct street number upon such building and 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.		10/26/2012
8	CE235030001001 - DBLDC 235-30 (A) Max Height (Front Yard)	DBLDC 235-30(A) states walls, fences, and hedges located in the front yard shall not exceed four (4) feet in height in any RS, RD, and CRA form-based zoning districts, or on any lot occupied by a single-family, two-family, or townhouse dwelling.		10/26/2012

# City of Dania Beach

100 W. Dania Beach Blvd.  
 Dania Beach, FL 33004  
 954-924-6810

**OWNER:** CARLOS V SANCHEZ GRAHAM SANCHEZ  
**FOLIO:** 0136-02-0310  
**LEGAL:** BROWARD GARDENS 21-48 B LOT 6 BLK 3  
**ADDRESS:** 4172 Southwest 51 Street, Dania Beach, Florida

CODE ENFORCEMENT ORDER LIEN							CEB 2012-1139			RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE			
Date	Date	Amount	Days	FINE	Fee	Total									
3/19/2013	10/29/2013	\$100.00	224	\$22,400.00	\$254.00	\$22,654.00	50035	1250-1255	7/31/2013	50393	135	12/10/2013			

*Acceptance letter from Tim Ryan's Office - 10/29/13*

ESTIMATED COST OF RECORDING FEES			
1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	32.00
2	PAGES	SUPPLEMENTAL ORDER	17.00
1	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
			<b>254.00</b>