

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: Robert Slattery, 615 NW 8 ST,
Case # 09-1253

Summary Explanation & Background:

This was originally cited on 1/14/09 for 7 violations, and was given 30 days to comply. This went to the Special Magistrate on 11/5/09 for 7 violations. Special Magistrate Gordon Linn issued an order giving the respondent until 12/15/09 to comply or a fine of \$200.00 per day would be levied. At the 4/8/10 hearing, Special Magistrate Mark Berman confirmed the fine as a lien. At the 9/2/10 hearing, Special Magistrate Mitchell Kraft granted authorization to abate the nuisances. Public Services liens were placed on the property for the work performed. Those liens were paid, in the amount of \$2,057.05 on 10/8/13 and the liens were released. The property came into compliance on 9/18/13. The fines ran from 12/15/09 through 9/18/13, 1,373 days @ \$200.00 per day = \$274,600.00 plus admin fees of \$249.50 for a total of \$274,849.50.

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$6,000.00 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 \$6,000.00 as settlement for the code case.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Number: 09-1253

Case Type:
Notice of ViolationCase Description:
MINIMUM STANDARDSCase Start Date:
07-07-2009Status:
Active

Status Date:

Default Inspector:
Warren OstrofskyCited Address:
615 NW 8 ST

Folio Number:

Cited Party:
SLATTERY,ROBERT

Note Type

Case Notes

Date

Note Type	Case Notes	Date
INSPECTOR NAME	TUCHETTE TORRES	07-07-2009
INSPECTOR NAME	WARREN OSTROFSKY	07-07-2009
Case Narrative	Vio letter-8-21(a)(5)(a)(3); 13-34(a); 13-34(b); 15-1; 22-5(i)(5)(d); 22-21; 28-32.50	07-14-2009
Case Inspections Text	Extension granted until 9/4/09 per inspector Warren Ostrofsky. August 14, 2009 2:53:01 PM danilxg	08-14-2009
Case Inspections Text	Property failed reinspection per inspector Warren Ostrofsky. September 8, 2009 3:27:59 PM danilxg	09-08-2009
Case Inspections Text	Property failed reinspection on 12.15.09 per Inspector Warren Ostrofsky. December 16, 2009 12:41:33 PM DANITXT	12-16-2009
Case Board Meetings	Compliance by December 15, 2009 or \$200.00 per day fine per Special Magistrate Gordon Linn at the November 5, 2009 hearing. \$100.00 administrative fee is assessed. November 10, 2009 9:22:34 AM DANITXT	03-25-2010
Case Board Meetings	Fine confirmed per Special Magistrate Mark Berman at the April 8,2010 Special Magistrate hearing. April 13, 2010 12:25:49 PM DANITXT	04-13-2010
Case Inspections Text	Property failed reinspection on 7.7.10 per Inspector Warren Ostrofsky. July 8, 2010 11:00:27 AM DANITXT.	07-08-2010
Case Inspections Text	Property failed reinspection 9.27.10 per Inspector Warren Ostrofsky. September 30, 2010 11:19:39 AM DANITXT. EMAIL VICTORIA ABOUT STATUS OF CASE	12-22-2010
Case Narrative	Per Victoria(Tim Ryan's office) check back with her in February for status of foreclosure case. December 22, 2010 11:02:16 AM DANITXT.	12-22-2010
Case Board Meetings	Motion to foreclose rescinded per Special Magistrate Mitch Kraft at the September 2, 2010 Special Magistrate hearing. Authorization to abate nuisances by cutting and cleaning the overgrowth, trash and debris in regards to charges # 2 and 3 after September 22, 2010 granted in the interest of public health and safety. September 7, 2010 1:10:37 PM DANITXT.	03-28-2011
Case Inspections Text	check with Tim Ryan' office for status	03-31-2011

2	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	07/14/2009
3	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.	ACTIVE	07/14/2009
4	CE015001000001 - 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.	ACTIVE	07/14/2009
5	CE022005009541 - DBCC 22-5(i)(5) (d) Tree Height Maintenance	DBCC 22-5(i)(5)(d) states all trees shall be kept trimmed by the abutting property owner or tenant and shall have a clearance of at least eight (8) feet above the sidewalk and fourteen (14) feet above the street level so as to permit pedestrian and vehicular traffic beneath them without interference.	ACTIVE	07/14/2009
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	07/14/2009
7	CE028032050301 - DBCC 28-32.50 Unpermitted PODS	DBCC 28-32.50 states it is unlawful for any person to place or permit the placement of a storage container (PODS) on any site owned or occupied within the city without first obtaining a valid permit.	ACTIVE	07/14/2009

City of Dania Beach

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

OWNER: SLATTERY, ROBERT
 FOLIO: 0234-25-0510
 LEGAL: MELALECUA GARDENS RESUB 25-10 B LOT 4,5 BLK 5
 ADDRESS: 615 NW 8 STREET

NUISANCE ABATEMENT LIEN						CASE # 09-1253	RECORDED			RELEASED				
Interest Start	Through Date	Lien Amount	# of Days	Interest Amount	Per Diem	Interest Amount	Record Fee	Total	BOOK	PAGE	DATE	BOOK	PAGE	DATE
10/5/2010	10/11/2013	\$1,219.56	1,102	0.00032900	\$0.401235	\$442.16	\$90.00	\$1,751.72	47437	1843	10/11/2010	50250	259	10/11/2013
11/30/2010	10/11/2013	\$165.28	1,046	0.00032900	\$0.054377	\$56.88	\$90.00	\$312.16	47553	154	12/2/2010	50250	272	10/11/2013
Total								\$2,063.88						

COMPLIED 10/11/13

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
		<u>90.00</u>

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CODE ENFORCEMENT ORDER LIEN							CEB 09-1253			RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE			
Date	Date	Amount	Days	FINE	Fee	Total									
12/15/2009	9/18/2013	\$200.00	1,373	\$274,600.00	\$249.50	\$274,849.50	47049	766-772	4/29/2010	50378	1065	12/4/2013			

COMPLIED 9/18/13.

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	34.00
2	PAGES	SUPPLEMENTAL ORDER	17.00
1	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
			249.50