

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: June 4, 2014

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Robert Roach, 242 SW 12 Street,
Case #08-0595

Summary Explanation & Background:

This was originally cited on 4/7/08 for 7 violations, and was given 30 days to comply. This went to the Special Magistrate on 4/2/09 for 4 violations. Special Magistrate Gordon Linn issued an order giving the respondent until 12/11/08 to comply or a fine of \$150.00 per day would be levied. At the 4/2/09 hearing, Special Magistrate Mark Berman confirmed the fine as a lien. At the 1/7/10 hearing, Special Magistrate Mark Berman granted authorization to foreclose. The fines ran from 12/11/08 through 4/1/14, 1,937 days @ \$150.00 per day = \$290,550.00 plus admin fees of \$141.00 for a total of \$290,691.00.

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

Commission Action:

Passed **Failed** **Continued** **Other**

Comment:

City Manager

City Clerk

Case Number: 08-0595

Case Type:
Notice of Violation

Case Description:
MINIMUM STANDARDS

Case Start Date:
04-01-2008

Status:
Active

Status Date:

Default Inspector:
Eric Walton

Cited Address:
242 SW 12 ST

Folio Number:

Cited Party:
ROACH, ROBERT

Note Type

Case Notes

Date

INSPECTOR NAME	ERIC WALTON	04-01-2008
Case Narrative	VIO LETTER: 8-21A4F; 13-34B; 13-34C; 14-2A; 28-4.20A; 33-211; FBC 105.1	04-07-2008
Case Inspections Text	Extension granted until 6/7/08 per inspector Eric Walton. May 12, 2008 4:20:39 PM danilxg	05-12-2008
Case Inspections Text	Extension granted until 7/16/08 per inspector Eric Walton. June 17, 2008 9:10:43 AM danilxg	06-17-2008
Case Inspections Text	Extension granted until 8/17/08 per inspector Eric Walton. July 22, 2008 11:22:29 AM danilxg	07-22-2008
Case Inspections Text	Property failed reinspection per inspector Eric Walton. August 22, 2008 10:30:39 AM danilxg	08-22-2008
Case Inspections Text	Property failed reinspection per inspector Eric Walton. December 18, 2008 10:10:38 AM danilxg	12-18-2008
Case Other Actions	Sent for Title Search	01-06-2009
Case Inspections Text	Property failed reinspection per inspector Eric Walton. August 7, 2009 3:56:49 PM danilxg	08-07-2009
Case Board Meetings	Compliance by December 11, 2008 or \$150.00 per day fine Fine confirmed per Special Magistrate Mark Berman at the hearing. ordered per Special Magistrate Gordon Linn. October 13, 2008 1:30:43 PM danilxg April 16, 2009 4:13:37 PM daniszp	01-06-2010
Case Board Meetings	Authorization to foreclose granted by Special Magistrate Mark Berman at the January 7, 2010 Special Magistrate hearing. January 19, 2010 11:49:48 AM DANITXT	05-31-2011
Case Inspections Text	Tim Ryan's office requested status of property. Property still in violation per Inspector Eric Walton. March 18, 2010 2:20:55 PM DANITXT	05-31-2011
Case Narrative	Per Tim Ryan's office: Received settlement of \$500.00 on 3/28/14. Release of Lien recorded 4/1/14. Send to Commission Abatement Hearing of 6/4/14 for acceptance of settlement. LW 4/24/14	04-24-2014

Case Activity Comments

INITIAL - INITIAL INSPECTION	04-01-2008
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HISTORICAL - DMS Violation Letter	04-07-2008
REINSPECTION - REINSPECTION	05-07-2008
REINSPECTION - REINSPECTION	06-07-2008
REINSPECTION - REINSPECTION	07-16-2008
REINSPECTION - REINSPECTION	08-17-2008
POST HEARING - POST BOARD	12-11-2008
F-TITLE SEARCH - TITLE SEARCH	01-06-2009
FORECLOSURE - FORECLOSURE REINSPECTION	08-03-2009
F-TITLE SEARCH - TITLE SEARCH	08-24-2009
REINSPECTION - REINSPECTION	03-18-2010

Case Violations

1	CE008021146002 - DBCC 8-21(a)(4)(f) Fence / Wall / in disrepair	DBCC 8-21(a)(4)(f) states all fences, walls, and similar enclosures shall be maintained in a state of good repair.	ACTIVE	04/07/2008
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	04/07/2008
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	04/07/2008
4	CE014002001001 - DBCC 14-2(a) Junk/Abandoned 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.	ACTIVE	04/07/2008
5	CE028004020101 - DBCC 28-4.20 (a) Application of Regulations	DBCC 28-4.20(a) states no building shall be erected, added on to, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all the regulations established by this chapter for the district in which the building or land is located.	ACTIVE	04/07/2008
6	CE033211000001 - 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.	ACTIVE	04/07/2008
7	CE105001000001 - FBC 105.1 Permits Required	FBC 105.1 requires any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the Florida Building Code (2007 ed.), or to cause any such work to be done, must first make application to the building official (or building department) and obtain the required permit(s).	ACTIVE	04/07/2008

City of Dania Beach

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

OWNER: ROACH,ROBERT
 FOLIO: 1203-10-2240
 LEGAL: NORTH HOLLYWOOD 4-1 B LOT 6 BLK 22
 ADDRESS: 242 SW 12 STREET

CODE ENFORCEMENT ORDER LIEN							CEB 08-0595			RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE			
Date	Date	Amount	Days	FINE	Fee	Total									
12/11/2008	4/1/2014	\$150.00	1,937	\$290,550.00	\$141.00	\$290,691.00	46439	1247-1252	8/10/2009	50662	555	4/1/2014			

REVISED 4/22/2014

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	25.50
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
			141.00