

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: November 17, 2015

Agenda Item #:

Title: Request for Abatement

Requested Action:

Consideration of the Abatement Request for: Dalland Properties LP, 113 NW 13 AVE, Case #13-1309 & Case #13-1568.

Summary Explanation & Background:

For Case #13-1309: This was originally cited on 8/23/13 for 6 violations. This went to the Special Magistrate on 12/12/13 for 4 violations. The Special Magistrate issued an order giving the respondent until 1/21/14 to comply the violations or a fine of \$200.00 per day would be levied. At the 1/8/15 hearing, the Special Magistrate confirmed the fine as a lien. The property was brought into compliance on 7/23/15. The fines ran from 1/21/14 through 7/23/15, 548 days @ \$200.00 per day = \$109,600.00 plus recording/admin fees of \$262.50 totaling \$109,862.50. At the 10/1/15 hearing, Special Magistrate Bruce Jolly recommended an abatement of the fine to \$10,900.00 to the City Commission. **The out of pocket costs to the City are \$1,200.**

For Case #13-1568: This was originally cited on 10/17/13 for 1 violation. This went to the Special Magistrate on 4/3/14 for 1 violation. The Special Magistrate issued an order giving the respondent until 4/23/14 to comply the violations or a fine of \$150.00 per day would be levied. At the 1/8/15 hearing, the Special Magistrate confirmed the fine as a lien. The property was brought into compliance on 8/13/14. The fines ran from 4/23/14 through 8/13/14, 112 days @ \$150.00 per day = \$16,800.00 plus recording/admin fees of \$254.00 totaling \$17,054.00. At the 10/1/15 hearing, Special Magistrate Bruce Jolly recommended an abatement of the fine to \$8,400.00 to the City Commission. **The out of pocket costs to the City are \$1,000.**

Exhibits (List):

- (1) Copy of the original violation letters issued.
- (2) Copy of all Final Orders and Supplemental Orders issued by the Special Magistrate.
- (3) Copy of the minutes from 12/12/13, 1/8/15, 10/1/15, (Case #13-1309); and copy of the minutes from 4/3/14, 1/8/15, 10/1/15 (Case #13-1568)
- (4) Copy of the lien total sheets.

Purchasing Approval:

Source of Additional Information: (Name & Phone)

Recommended for Approval By:

Case 13-1309: At the 10/1/15 hearing, Special Magistrate Bruce Jolly recommended an abatement of the fine to \$10,900.00 to the City Commission.

Case: 13-1568: At the 10/1/15 hearing, Special Magistrate Bruce Jolly recommended an abatement of the fine to \$8,400.00 to the City Commission.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk