

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: May 20, 2016

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Gristina Girard, 731 Phippen RD, Case #09-0796, 15-1284, and 16-0026.

Summary Explanation & Background:

For case #09-0796: This was originally cited on 4/17/16 for 7 violations. This went to the Special Magistrate on 8/26/09 for 7 violations. The Special Magistrate issued an order giving the respondent until 10/15/09 to comply or a fine of \$200.00 per day would be levied. At the 1/7/10 hearing, Special Magistrate Mark Berman confirmed the fine as a lien. The fines ran from 10/15/09 through 4/12/6/16, 2,379 days @ \$200.00 per day = \$475,800.00

For case #15-1284: This was originally cited on 9/24/15 for 8 violations. The case was scheduled for the 5/5/16 Special Magistrate hearing but was closed out 3/22/16 due to change of ownership property.

For case #16-0026: This was originally cited on 1/8/16 for 2 violations. This case was compiled 2/1/16.

This is a motion to accept the settlement offer received by the City due to sale of property. The City received \$3,500.00 as settlement for the code cases.

Exhibits (List):

- (3) Copy of the history report.
- (1) 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 sale of property. The City received \$3,500.00 as settlement for the code cases.

Commission Action:

Passed Failed Continued Other

Comment:

Case Number: 09-0796

Case Type:
Notice of Violation

Case Description:
MINIMUM STANDARDS

Case Start Date:
04-17-2009

Status:
Active **Status Date**

Default Inspector:
Barbara Urow

Cited Address:
731 PHIPPEN RD

Folio Number:

Cited Party:
GRISTINA GIRARD

Note Type	Case Notes	Date
INSPECTOR NAME	TUCHETTE TORRES	04-17-2009
Case Narrative	Vio.Let. - 8-21a5a1; 8-21a5a2; 14-2; 15-1; 28-4.20a; 33-211; and FBC 105.1	04-23-2009
Case Inspections Text	Property failed reinspection per inspector Tuchette Torres. May 28, 2009 10:48:48 AM danilxg	05-28-2009
Case Board Meetings	Compliance by October 15, 2009 or \$200.00 per day fine per Special Magistrate Gordon Linn. August 26, 2009 3:27:19 PM danilxg	08-26-2009
Case Other Actions	October 21, 2009 8:15:12 AM DANITXT	10-21-2009
Case Inspections Text	Property failed reinspection per Inspector Eric Walton. October 16, 2009 11:52:39 AM DANITXT	11-08-2010
Case Board Meetings	Fine confirmed per Special Magistrate Mark Berman at the January 7, 2010 Special Magistrate hearing. \$100.00 administrative fee is assessed. January 19, 2010 4:08:50 PM DANITXT	07-01-2011
Case Inspections Text	Didn't reinspect status of property. REi needs to go to Inspector Eric Walton. Received ppwk on property. November 8, 2010 10:48:13 AM DANITXT.	07-01-2011

Case Activity Comments

INITIAL - INITIAL INSPECTION	04-17-2009
HISTORICAL - DMS Violation Letter	04-23-2009
REINSPECTION - REINSPECTION	05-23-2009
POST HEARING - POST BOARD	10-15-2009
F-TITLE SEARCH - TITLE SEARCH	10-21-2009
FORECLOSURE - FORECLOSURE REINSPECTION	04-08-2010

Case Violat

1	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.	ACTIVE	04/17/2009
2	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.	ACTIVE	04/17/2009
3	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	04/17/2009
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	04/17/2009
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	04/17/2009
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	04/17/2009
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	04/17/2009

Case Number: 2015-00001284

Case Type:
Notice of Violation

Case Description:
Initial case

Case Start Date:
09-24-2015

Status:
Inactive **Status Date:**
03-22-2016

Default Inspector:
Ricky Ali

Cited Address:
731 PHIPPEN RD

Folio Number:
5142-03-35-0160

Cited Party:
731 Phippen Waiters Road
Prodigy Land Tr & Andrew
Hankin Trstee

Note Type	Case Notes	Date
CASE INSPECTION NOTES	CASE INSPECTION NOTES	09-29-2015
CASE HEARING NOTES	CASE HEARING NOTES	09-29-2015
CASE ACTIVITY NOTES	Per Insp Ali: NOV posted on 9/24/15, also mailed. JC 9/29/15	09-29-2015
CASE INSPECTION NOTES	Per Insp Ali: Extension granted from 10/19/15 until 11/18/15. JC 10/27/15	10-27-2015
CASE INSPECTION NOTES	Per Insp. Ali: case failed re-inspection on 2/9/16 set case for 5/5/16 SM Hearing. AL 2/10/16	02-10-2016
CASE INSPECTION NOTES	Case closed due to change of ownership, property to be recited. AL 3/22/16	03-22-2016

Case Activity Comments

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Case Violations

1	CE008021127001 - DBCC 8-21(a)(2)(g) Window/Door Maint./ Equip.	DBCC 8-21(a)(2)(g) states every window and exterior door shall be reasonably weathertight, maintained without cracks and holes, and in a state of good repair and all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.		09/24/2015
2	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.		09/24/2015

3	CE008021145001 - DBCC 8-21(a)(4)(e) Electrical Condition	DBCC 8-21(a)(4)(e) requires all electrical wiring and accessories to be maintained in good, safe working condition and be adequately insulated and protected. No wiring, outlets, or connections shall be left exposed so as to create a hazardous condition.		09/24/2015
4	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.		09/24/2015
5	CE008021154001 - DBCC 8-21(a)(5)(d) Vegetative Material Required	DBCC 8-21(a)(5)(d) states live vegetative material shall provide complete coverage of the entire yard area exposed to public view, and its height shall conform with all applicable city ordinances.		09/24/2015
6	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.		09/24/2015
7	CE100040004001 - DBLDC 100-40(D) Prohibited Use	DBLDC 100-40(D) states any use not specifically listed as a permitted use or a special exception use for the subject property's zoning district is prohibited.		09/24/2015
8	CE265130004001 - DBLDC 265-130(D) Prohibited Parking	DBLDC 265-130(D) states that parking on unimproved lots, or within a developed lot on any unimproved surface or surface not designed specifically for off street parking, is prohibited.		09/24/2015

Case Number: 2016-00000026

Case Type:
Notice of Violation

Case Description:
Initial Case

Case Start Date:
01-08-2016

Status:
Inactive **Status Date:**
02-01-2016

Default Inspector:
Windy Damis

Cited Address:
731 PHIPPEN RD

Folio Number:
5142-03-35-0160

Cited Party:
731 PHIPPEN WAITERS ROAD
PRODIGY LAND TR &
ANDREW HANKIN TRSTEE

Note Type

Case Notes

Date

CASE INSPECTION NOTES	CASE INSPECTION NOTES	01-12-2016
CASE HEARING NOTES	CASE HEARING NOTES	01-12-2016
CASE ACTIVITY NOTES	Per Insp Damis: NOV posted on 1/8/16, also mailed. JC 1/12/16	01-12-2016
CASE INSPECTION NOTES	Per Insp Damis: Case complied on 2/1/16. JC 2/11/16	02-11-2016

Case Activity Comments

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Case Violations

1	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.	01/08/2016
2	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.	01/08/2016

City of Dania Beach

100 W. Dania Beach B
 Dania Beach, FL 33
 954-924-6800 Ext. 3

OWNER: GIRARD,GRISTINA
FOLIO: 1203-35-0160
LEGAL: COLLEGE TRACT FIRST ADD 22-10 B LOT 2 BLK 3
ADDRESS: 731 PHIPPEN ROAD

CODE ENFORCEMENT ORDER LIEN						CEB 09-0796		RECORDED			RELEASED	
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK/INSTRUMENT	PAGE	
Date	Date	Amount	Days	FINE	Fee	Total						
10/15/2009	4/20/2016	\$200.00	2,379	\$475,800.00	\$258.00	\$476,058.00	46902	963-970	2/25/2010	113643025	1 OF 1	

REVISED 5/20/2016
Cherrie-Ann Browne
Accts. Receivable & Liens

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	34.00
3	PAGES	SUPPLEMENTAL ORDER	25.50
2	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
			258.00