

**TAB 3**



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**BEFORE THE CODE ENFORCEMENT BOARD  
OF THE CITY OF PALMETTO, FLORIDA**

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED  
REGULAR MAIL**

**CITY OF PALMETTO**  
A political subdivision of the  
State of Florida  
**Petitioner,**

**vs.**

**Case No. CEB 09-26**

Peter A. Knowlton  
Ernestine Knowlton  
1616 9<sup>th</sup> Avenue West  
Bradenton, Florida 34205  
**Respondent**

**Re Violation Location:** 1930 11<sup>th</sup> Street West  
Palmetto, Florida 34221

**Legal Description:** **THE E 10 FT OF LOT 18 & ALL LOT 19 BLK B  
BRUNJES SUB  
Township 34S Range 17E Section 15**

**Parcel ID #:** **PI#: 28066.1000/8**

**ADMINISTRATIVE ORDER IMPOSING LIEN**

**THIS MATTER** came before the City of Palmetto Code Enforcement Board for Public Hearing on October 27, 2009, at 6:00 p.m., at Palmetto City Hall, after due notice to the Respondent.

**FINDINGS OF FACT:**

The Code Enforcement Board of the City of Palmetto finds as a matter of fact that:

- The above noted property has a pool that contains stagnant water which is breeding mosquitoes.

- The rear of the above noted property contains garbage, filth, furniture and personal belongings.
- The above noted property is severely overgrown

#### CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (1), (2), & (3), and Section 16-27(a), (b), & (c)

## ORDER


The Respondents, Peter A. Knowlton and Ernestine Knowlton, are found in violation of the Palmetto Code of Ordinances as noticed, and given until November 6, 2009, to comply with the Palmetto Code of Ordinances cited above. If the aforementioned action is not taken by November 6, 2009, a fine of up to \$250.00 per day may be imposed for each day the violation continues past the date and time specified herein. The Respondent is entitled to notice and an opportunity to be heard prior to a fine being assessed. **A Public Hearing will be held on November 24, 2009, to determine if the violation has been corrected. Administrative costs incurred by the city in the prosecution of this case in the amount of \$335.00, plus any applicable recording fees, are hereby assessed. Upon recording, such costs shall constitute a lien and shall continue with interest accruing.**

A certified copy of this Administrative Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors-in-interest or assigns if the violation concerns real property and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors-in-interest or assigns.

Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of the execution of this Administrative Order

Done and ordered this 27<sup>th</sup> day of October, 2009.

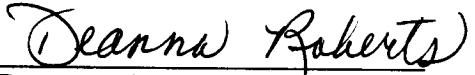
CITY OF PALMETTO  
CODE ENFORCEMENT BOARD

  
Charles W. Leonard, Chairman

Attest:

  
Diane Ponder, Deputy Clerk-Administration

I hereby certify that a true copy of the foregoing Administrative Order Imposing Lien has been furnished to the Respondent by Certified Mail/ Return Receipt Requested and by Regular Mail this 29th day of October, 2009.

  
Deanna Roberts, Clerk of the Board



# PALMETTO

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**Petitioner,**

vs.

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Ernestine Knowlton  
1616 9<sup>th</sup> Avenue West  
Bradenton, Florida 34205

**Case No. CEB – 09-26**

**Respondent.**

### REPORT OF COMPLIANCE

This is notice that pursuant to the Administrative Order of the Code Enforcement Board of the City of Palmetto dated October 27, 2009, the violation of the Palmetto City Code in this matter was corrected effective November 13, 2009.



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Director, Code Enforcement

cc: (property owner)  
cc: Paula Guenther, Field Asset Services, 101 West Louis Henna Blvd., Ste. 400, Austin,  
TX 78728

**POINT PAPER**  
**CODE ENFORCEMENT BOARD HEARINGS**  
**October 27, 2009**

**Peter A. Knowlton & Ernestine Knowlton, 1616 9<sup>th</sup> Avenue West, Bradenton, Florida 34205:**

The property that is the subject of this code enforcement action is located at 1930 11<sup>th</sup> Street West, Palmetto, Florida, Parcel ID # 28066.1000/8 Township 34S, Range 17E, Section 15.

The Respondents, Peter A. Knowlton and Ernestine Knowlton, are identified as the owners of the property through the Manatee County Property Appraiser's and Tax Collector's web sites. The house is vacant, and a mortgage foreclosure is currently pending against the Respondents in the Manatee County Court, case number 2008-CA-009140; the Notice of Lis Pendens lists the Deutsche Bank National Trust Company as the Plaintiff in this action. Copies of the Notices were provided to the Deutsche Bank, C/O the Florida Default Law Group.

Code enforcement issues were first addressed with the Respondents on April 28, 2009 via a letter requesting remediation of overgrowth and abandoned vehicle violations. This case was eventually referred to the Code Enforcement Board, CEB 09-10, scheduled for a June 30, 2009 hearing. The Respondents resolved all outstanding issues prior to the scheduled hearing, and the case was withdrawn from Board consideration.

On August 3, 2009 a neighbor complained regarding a pool filled with stagnant water, multiple cats roaming the property and overgrown yards. A site inspection confirmed the previously noted conditions plus a dead cat in the pool, the property unsecured, and personal belongings and debris scattered in the rear yard. Manatee County Animal Control removed the dead cat, but they would not trap the stray cats. The rear door was left open to prevent the unintentional trapping of any cats inside the house.

A Notice of Violation was issued on August 5, 2009. The property was monitored for the next two months. Although initial efforts were made to bring the property into compliance – the lawn was mowed, the pool was emptied, some debris was discarded – the attempts were short lived. At present, the property has returned to essentially the same condition as first cited – overgrown yards, debris and personal belongings in the back of the house, and rain water again has filled the pool.

A Notice of Hearing was forwarded to the Respondents, Peter and Ernestine Knowlton, on October 7, 2009 and the property remains in violation of City codes.

**Recommendation:**

It is recommended the Respondents, Peter A. Knowlton and Ernestine Knowlton, be found in violation of City of Palmetto Code of Ordinances, and that they be directed to bring this property into compliance within ten (10) days. It is further recommended that the City's costs for

prosecuting this case, plus any applicable recording fees, be assessed against the Respondents at this time.

**Total Costs To The City As Of October 23, 2009:**

Code Enforcement Officers	7.5 Hours @ \$40.00/hour =	<b>\$300.00</b>
Administration costs	1 Hour @ \$35.00/hour =	<u><b>35.00</b></u>
<b>Total Costs</b>		<b>\$335.00</b>