

**TAB 3**



516 8th Avenue West  
P.O. Box 1209  
Palmetto, Florida 34220-1209  
Phone (941) 723-4570  
Fax: (941) 723-4576  
Suncom: 516-0829  
E-mail: [chgeneral@palmettofl.org](mailto:chgeneral@palmettofl.org)  
Web: [www.palmettofl.org](http://www.palmettofl.org)

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

**CITY OF PALMETTO**

A political subdivision of the  
State of Florida

**Petitioner,**

vs.

John E. Matheny, Jr.  
Jill Ann Matheny  
146 Montibello Drive  
Mooresville, North Carolina 28117

**Case No. CEB – 09-27**

**Respondent.**

**REPORT OF COMPLIANCE**

This is notice that pursuant to the Administrative Order of the Code Enforcement Board of the City of Palmetto dated November 24, 2009, the violation of the Palmetto City Code in this matter was corrected effective November 30, 2009.

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Director, Code Enforcement

cc: (property owner)



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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 09-27**

John E. Matheny, Jr.  
Jill Ann Matheny  
146 Montibello Drive  
 Mooresville, NC 28117  
**Respondent**

**Re Violation Location:** 408 20<sup>th</sup> Avenue West  
Palmetto, Florida 34221

**Legal Description:** **BEG 145 FT N AND 9 FT E OF THE SW COR OF SE1/4 OF SEC  
15, TH E 76 FT, N 65 FT, W 76 FT, S 65 FT TO THE POB  
(1768/6506) Township 34S, Range 17E, Section 15**

**Parcel ID #:** 28670.0010/9

**ADMINISTRATIVE ORDER IMPOSING LIEN**

**THIS MATTER** came before the City of Palmetto Code Enforcement Board for Public Hearing on November 24, 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 mater of fact that:

- The above noted property contains personal belongings that are stored in plain view of arterial streets in a residentially zoned district.
- The above noted property is overgrown.

### CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. The Respondents have violated Palmetto Code of Ordinances, Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6 Screening of Open Storage, (a) & (b); Chapter 7, Buildings and Building Regulations, Article XI, Minimum Maintenance Standards, Section 7-243(a); Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26(3), and Section 16-27(a), (b), & (c):

## ORDER


The Respondents, John E. Matheny, Jr. and Jill Ann Matheny, are found in violation of the Palmetto Code of Ordinances as noticed, and given until December 4, 2009, to comply with the Palmetto Code of Ordinances cited above. If the aforementioned action is not taken by December 4, 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 December 29, 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 \$311.80, 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.

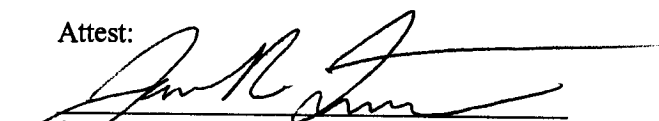
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of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

Done and ordered this 24<sup>th</sup> day of November, 2009

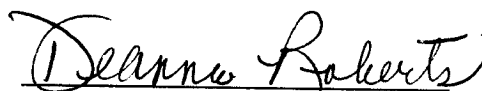
CITY OF PALMETTO  
CODE ENFORCEMENT BOARD

  
Charles W. Leonard, Chairman

Attest:

  
James R. Freeman, City Clerk

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 25<sup>th</sup> day of November, 2009.

  
Deanna Roberts, Clerk of the Board