

**TAB 2**



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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 10-05**

Sarah Cornwell  
814 16<sup>th</sup> Avenue West  
Palmetto, Florida 34221  
**Respondent**

**Re Violation Location:** 814 16<sup>th</sup> Avenue West  
Palmetto, Florida 34221

**Legal Description:** LOT 2, N 20 FT OF LOT 3 BLK 5 PALMETTO HEIGHTS  
Township 34S, Range 17E, Section 15

**Parcel ID #:** PI#: 29008.0000/0

**ADMINISTRATIVE ORDER IMPOSING LIEN**

**THIS MATTER** came before the City of Palmetto Code Enforcement Board for Public Hearing on February 23, 2010, 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:

- There is debris, trash and personal belongings littering the property.
- The property is overgrown with weeds and brush.

### CONCLUSIONS OF LAW:

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

## ORDER

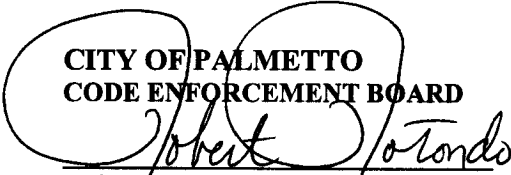
The Respondent, Sarah Cornwell, is found in violation of the Palmetto Code of Ordinances as noticed, and directed to bring the property into compliance within ten days or by March 4, 2010. If the aforementioned action is not taken by March 4, 2010, a fine of up to \$250.00 per day may be imposed for 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 March 30, 2010, to determine if the violation has been corrected. Administrative costs incurred by the City in the prosecution of this case in the amount of \$ 251.80, 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.

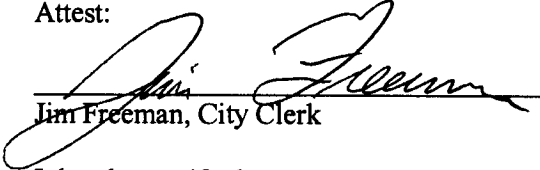
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of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

Done and ordered this 23<sup>rd</sup> day of February, 2010.

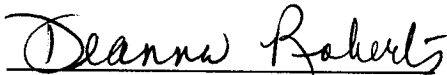
CITY OF PALMETTO  
CODE ENFORCEMENT BOARD

  
Robert Rotondo, Vice Chairman

Attest:

  
Jim 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 24th day of February, 2010.

  
Deanna Roberts, Clerk of the Board

**POINT PAPER**  
**CODE ENFORCEMENT BOARD HEARINGS**  
**February 23, 2010**

**Sarah Cornwell, 3335 10<sup>th</sup> Lane West, Palmetto, Florida 34221:**

The property that is the subject of this code enforcement action is located at 814 16<sup>th</sup> Avenue West, Palmetto, Florida, Parcel ID # 29008.0000/0 Township 34S, Range 17E, Section 15.

The Respondent, Sarah Cornwell, is identified as the owner 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 Respondent in the Manatee County Court, case number 2009-CA-000175; the Notice of Lis Pendens lists HSBC Bank USA, National Association as the Plaintiff in this action. Copies of the Notice of Violation and the Notice of Hearing have been forwarded to the Plaintiff's attorney of record, Shapiro & Fishman, LLP, Tampa, Florida.

This property was being monitored as a Notice of Nuisance case, and the owner maintained the property until January 2010. On January 21, 2010 the property was considered to be overgrown. In addition, personal property and debris littered the yards of this house. A Notice of Violation was issued to the Respondent on January 21, 2010. This Notice was forwarded to Ms. Cornwell certified and regular mail. An additional copy of the Notice was mailed to an alternate address in the City of Palmetto for Ms. Cornwell. The certified copy of the Notice of Violation was later returned unclaimed, and both the Notice of Violation and the Notice of Hearing were posted on the property and at City Hall on February 10, 2010.

Site visits on January 22 & February 1, 2010 revealed no change in the property. A Notice of Hearing was issued on February 3, 2010, mailed certified and regular, and posted on the property and at City Hall. Site visits on February 10 & 17, 2010 revealed no change in the condition of this property.

**Recommendation:**

It is recommended the Respondent, Sarah Cornwell, be found in violation of City of Palmetto Code of Ordinances, and that she be directed to bring this property into compliance within ten (10) days. It is further recommended that the City's costs for processing this case, plus any applicable recording fees, be assessed against the Respondent at this time.

**Total Costs To The City As Of February 18, 2010:**

Code Enforcement Officers	5.42 Hours @ \$40.00/hour =	<b>\$216.80</b>
Administration costs	1 Hour @ \$35.00/hour =	<b><u>35.00</u></b>
<b>Total Costs</b>		<b>\$251.80</b>