

**TAB 3**

# PALMETTO

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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 10-10**

Joseph M. Kevelighan  
2606 49<sup>th</sup> Drive East  
Bradenton, Florida 34203  
**Respondent**

**Re Violation Location:** 1502 14<sup>th</sup> Street West  
Palmetto, Florida 34221

**Legal Description:** **LOT 5 LAMP POST PLACE PHASE I**  
**Township 34S, Range 17E, Section 15**

**Parcel ID #:** 28000.0125/3

## **ADMINISTRATIVE ORDER IMPOSING LIEN**

**THIS MATTER** came before the City of Palmetto Code Enforcement Board for Public Hearing on April 27, 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:

- The above noted property is overgrown.
- The above noted property contained a blue Buick Riviera that has an expired tag and two flat tires.

### 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(3) & (12) and Section 16-27(a), (b), & (c); Chapter 18 Junked, Wrecked, Abandoned Property, Section 18-1 and 18-3:

## ORDER

The Respondent, Joseph M. Kevelighan, is found in violation of the Palmetto Code of Ordinances as noticed, and ordered to bring the property into compliance within twenty days, or by May 17, 2010. If the aforementioned action is not taken by May 17, 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 May 25, 2010, to determine if the violation has been corrected. Administrative costs incurred in the prosecution of the case in the amount of \$239.00, 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.

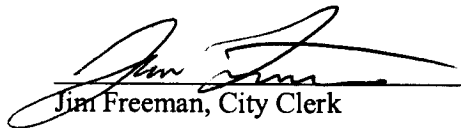
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of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

Done and ordered this 27<sup>th</sup> day of April, 2010.

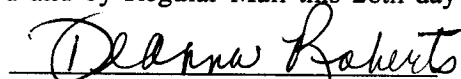
CITY OF PALMETTO  
CODE ENFORCEMENT BOARD

  
Charlie Leonard, Chair

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 28th day of April, 2010.

  
Deanna Roberts, Clerk of the Board

cc: Law Offices of Marshall C. Watson, P.A.

<b>CASE FIELD REPORT</b>		Assigned to: Strollo, Bill	<b>CE10-25</b>
<b>City of Palmetto/Code Enforcement</b>			
Location of Violation:	1502 14TH ST W Palmetto, FL 34221	APN#	2800001253
<b>CDBG</b>	<b>Custom Location Field</b>	<b>Custom Field</b>	
NO	Property Type: Residential SPD: 4 WARDS: 2	Foreclosure?: Vacant?:	
Subject Name:	Address (if different)	Hm:	
KEVELIGHAN, JOSEPH M, (Property Owner)	2606 49th Drive East Bradenton, FL 34203	Wk:	
<b>Open Violation(s)</b>	<b>Code Section</b>		
Overgrown Property	16.16.26 (3)		
<b>Date</b>	<b>Type</b>	<b>Officer</b>	<b>Note/Activity</b>
04/27/2010	Note	Strollo, Bill	Point Paper prepared.
04/26/2010	Case	Strollo, Bill	Case Status changed to Administrative Hearing Scheduled
04/26/2010	Violation	Strollo, Bill	Changed violation disposition to Compliance
04/26/2010	Violation	Strollo, Bill	Status changed: Violation Junked, Wrecked, Abandoned Property Closed with disposition Compliance
04/26/2010	Note	Strollo, Bill	Property Appraiser, Tax Collector & Clerk of Court searches.
04/23/2010	Note	Ewing, Whitney	Vehicle still gone. Property remains severely overgrown.
04/15/2010	Violation	Ewing, Whitney	Added: Overgrown Property
04/15/2010	Violation	Ewing, Whitney	Added: Junked, Wrecked, Abandoned Property
04/15/2010	Case	Ewing, Whitney	Initial Case Status Notice of Violation Issued
04/15/2010	Note	Ewing, Whitney	Vehicle is gone. Property severely overgrown. Recheck before hearing. Pictures taken. Property posted with NOH & NOV.
04/15/2010	Note	Strollo, Bill	Entered in error. Wrong case.
04/15/2010	Note	Strollo, Bill	Certified copy of NOV returned as unclaimed. New delivery address, 2606 49th Drive East, Bradenton, FL 34203.
03/24/2010	Note	Strollo, Bill	NOV issued. Mailed certified & regular service.
03/23/2010	Note	Strollo, Bill	Property still overgrown. Issue NOV.
03/15/2010	Note	Strollo, Bill	Property overgrown. No response. Hanger left directing owner to mow yards. Blue Buick Riviera, BH5 209, with expired tag - 01/10. RT on vehicle.
04/08/2009	Note	Strollo, Bill	Prior case history. Property overgrown; NON issued; case followed through July 1, 2009. Property cleared & maintained by owner.
04/15/2010	Initial	Strollo, Bill	Case Opened
<b>Follow-up</b>	04/27/2010	Hearing scheduled	
<b>INVESTIGATION:</b>			