

TAB 2



PALMETTO

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
Web: www.palmettofl.org

**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.

Alan L. Seekins
Carla Saint Andre
1009 16th Street West
Palmetto, Florida 34221
Respondent

Case No. CEB 10-19

Re Violation Location: 1009 16th Street West
Palmetto, Florida 34221

Legal Description: LOT 22 BLK B MAIN STREET SUB
Township 34S, Range 17E, Section 14

Parcel ID #: 26591.0000/8

ADMINISTRATIVE ORDER IMPOSING LIEN

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on October 26, 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 contains a large amount of garbage, debris, personal possessions, construction material and a dilapidated above-ground pool in the front and back yards of this residence.
- The above noted property contains a blue Ford Ranger with expired Michigan plates, an inoperative vehicle on a car ramp and an abandoned boat on a trailer.

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 Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (1), (2), (5) & (12) and Section 16-27(a), (b), & (c); Chapter 18 Junked, Wrecked, Abandoned Property, Section 18-1 and 18-3:

ORDER

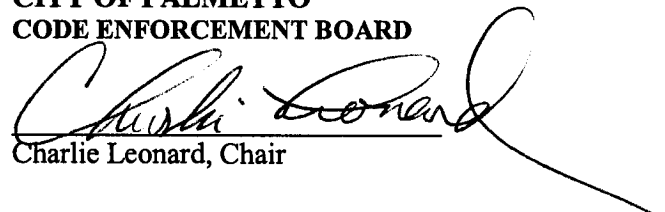
The Respondents, Alan L. Seekins and Carla Saint Andre, are found in violation of the Palmetto Code of Ordinances as noticed and directed to clear the front yard of debris within ten days or by November 5, 2010. If the aforementioned action is not taken by November 5, 2010, a fine of up to \$250.00 per day may be imposed for each day the violation continues past the date and time specified herein. The Respondents are entitled to notice and an opportunity to be heard prior to a fine being assessed. **A Public Hearing will be held on November 30, 2010, to determine if the action for the date certain has been corrected and to review progress on the entire property. Administrative costs incurred by the City in the prosecution of this case in the amount of \$ 390.00, plus any applicable recording fees, will be considered at the November 30, 2010 hearing.**

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.

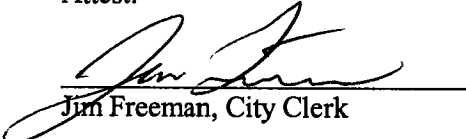
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of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

Done and ordered this 26th day of October, 2010.

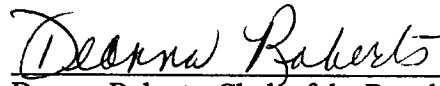
**CITY OF PALMETTO
CODE ENFORCEMENT BOARD**


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 Respondents by Certified Mail/ Return Receipt Requested and by Regular Mail this 27th day of October, 2010.


Deanna Roberts, Clerk of the Board

POINT PAPER
CEB HEARINGS OCTOBER 26, 2010
CEB CASE# CEB 10-19

Alan L. Seekins & Carla Saint Andre, 1009 16th Street West, Palmetto, Florida:

The property that is the subject of this code enforcement case is located at 1009 16th Street West, Palmetto, Florida. The Respondents, Alan L. Seekins and Carla Saint Andre, are listed as the owners of the property by the Manatee County Property Appraiser's and Tax Collector's web sites. Ms. Saint Andre is deceased, but since she is still listed as an owner her name was included in this action.

Prior to the current case, Code Enforcement received multiple complaints from neighbors regarding abandoned vehicles and an accumulation of debris and personal belongings in the front yard of this home. These issues were addressed with the Respondents who corrected the violations on those occasions.

On June 14, 2010 Code Enforcement received a complaint that the front yard was again covered with debris, the rear yard was littered with junk and the above ground pool was black, full of stagnant water. On June 15th these issues were addressed with Mr. Seekins who stated his son had already drained the pool, and they planned to clean and cover it until they could replace the pool pump. Mr. Seekins stated he would be on vacation in July and would remove the articles in the front & rear yard and properly store them.

On July 6th some progress was noted; on July 12th I spoke to Mr. Seekins who stated he just started his vacation that date, and he would have the entire area cleared of belongings and debris by the end of the week. Mr. Seekins was also repairing a jet ski and a vehicle supported on jacks at the time. He was directed to repair the vehicle & remove the vehicle jacks. On July 21, 2010 some improvement was noted, but the vehicle was still on car jacks. The rear yard was no longer visible due to the placement of solid wood fence panels against the chain link fence on the sides of the property.

On August 4th I spoke to Alan Seekins, his daughter and his son-in-law – a discarded refrigerator had been added to the front yard collection. I was assured the abandoned boat would be removed and the vehicle repaired within one week; the refrigerator would be scrapped or repaired and removed from the yard by the following day. An August 23rd site visit revealed a slight improvement, but the major issues including the boat & car remained. An additional complaint was received on August 27th regarding rat & mosquito infestations from the debris & standing water in the rear yard.

On September 7, 2010 contact was made with the owner's son-in-law who claimed the Lexus would be repaired that week, and the boat would be removed to the landfill the following day. He was directed to continue removing debris from the property. Follow-up visits on September 15 & 16, 2010 revealed no improvement. In addition the rear yard appeared heavily littered with belongings & debris and was overgrown.

Code Enforcement continued receiving community complaints regarding the condition of this property. A site visit on September 29, 2010 revealed the overgrowth in the rear yard had been corrected, but the remaining debris issues remained.

A Notice of Violation was issued on October 1, 2010 and hand delivered to the Respondent, Alan Seekins; the violations were reviewed with Mr. Seekins and he was requested to correct the violations. The property remained unchanged on October 7, and the case was scheduled before the Code Enforcement Board. The NOH was posted at City Hall and the property on October 15, 2010 when it was determined Mr. Seekins had not signed for his certified copy of the NOH.

At present, the front yard is considerably improved, but the side and rear yards remain cluttered. The Lexus has been moved to the rear yard behind the privacy fence gates, but it remains on car jacks. The property is not in compliance.

Recommendation:

It is recommended the Respondents, Alan L. Seekins and Carla Saint Andre, be found in violation of the City of Palmetto Code of Ordinances as they pertain to Nuisances and abandoned property, and that they be directed to bring their 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 Respondents at this time.

Total Costs to the City as of October 25, 2010:

Code Enforcement Officers	8.75 hours @ \$40.00/hour = \$350.00
Administration costs	1 hour @ \$35.00/hour = <u>40.00</u>
Total Costs	\$390.00