

TAB 5



516 8th Avenue West
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**BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF PALMETTO, FLORIDA**

CITY OF PALMETTO

A political subdivision of the
State of Florida

Petitioner,

vs.

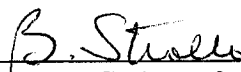
Alan L. Seekins
Carla Saint Andre
1009 16th Street West
Palmetto, Florida 34221

Case No. CEB – 10-19

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 26, 2010, the violation of the Palmetto City Code in this matter was corrected effective November 5, 2010.



Director, Code Enforcement

cc: (property owner)



PALMETTO

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

CITY OF PALMETTO

A political subdivision of the
State of Florida

Petitioner,

vs.

Case No. CEB 10-20

Michael Peffley
Katherine Elizabeth Emrick
P.O. Box 14276
Bradenton, Florida 34280-4276
Respondent.

Re Property of: Michael Peffley
Katherine Elizabeth Emrick
1306 13th Avenue West
Palmetto, FL 34221

Legal Description: LOTS 3, 4, & THE S 32 FT OF LOT 5 BLK C ARDMORE SUB
Township 34S, Range 17E, Section 14.

Parcel ID: PI#26789.0005/9.

ADMINISTRATIVE ORDER IMPOSING FINE

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on November 30, 2010 at 6:00 p.m., at Palmetto City Hall, after due notice to the Respondents, and the Board, having considered the testimony and evidence presented, does hereby find:

FINDINGS OF FACT:

1. The property, which is the subject of this Code Enforcement action, is located at 1306 13th Avenue West, Palmetto, Florida, 34221.
2. The Respondents, Michael Peffley and Katherine Elizabeth Emrick, owners of the subject property, have been given proper notice of the hearing.
3. The above single family residence is occupied by Juan Reyes, Darnisha McMillan, Micha N. Wells, Thomas P. Regler, Bobby Clark (Cerully); the Hector Melendez family and Michael Plaud occupy the rear area of this house. Single family occupancy is the only use permitted in this RS-3 district

CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. This is a repeat violation as that term is used under Chapter 162, Florida Statutes, and under the Code of Ordinances of the City of Palmetto.
3. Respondents have violated Palmetto Code of Ordinances Appendix B Zoning Code, Article I, Section 1.2 Legislative Authority; Section 1.3 Intent and Purpose; Section 1.5 Area of Coverage; Section 1.6 Code Affects ...Structures, Uses and Occupancies; Section 1.7(b) & (h) Code Affects ...Population Density...; Article II, Section 2.1 Establishment of Zoning Districts; Article III, Section 3.2 Definitions of Terms; Article IV Schedule of District Regulations, Section 4.1(a)(4) RS-3; Section 4.2 Schedule of Permitted and Conditional Uses by District.

ORDER

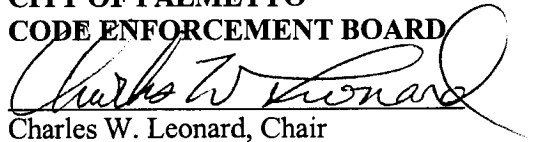
The Respondents, Michael Peffley and Katherine Elizabeth Emrick, are found in violation of the Palmetto Code of Ordinances as noticed. A fine of \$100.00 per day is hereby imposed for this repeat violation, commencing December 1, 2010, and increasing to \$ 500.00 per day on January 1, 2011 and continuing until the house is returned to single-family occupancy. **Upon recording, such costs shall constitute a lien on the property. Costs assessed pursuant to this Order shall continue with interest accruing.**

A certified copy of this Administrative Order shall 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 30th day of November, 2010.

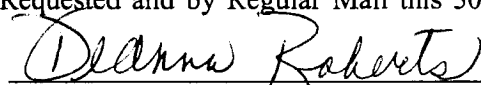
CITY OF PALMETTO
CODE ENFORCEMENT BOARD


Charles W. Leonard, Chair

Attest:


By: James R. Freeman, City Clerk

I hereby certify that a true copy of the foregoing Administrative Order Imposing Fine has been furnished to the Respondents by Certified Mail/ Return/Receipt Requested and by Regular Mail this 30th day of November, 2010.


Deanna Roberts, Clerk of the Board



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P.O. Box 14276
Bradenton, Florida 34280 4276

Case No. CEB – 10-20

Respondent.

REPORT OF COMPLIANCE

This is notice that pursuant to the Administrative Order Imposing Fine of the Code Enforcement Board of the City of Palmetto dated November 30, 2010, the violation of the Palmetto City Code in this matter was corrected on December 16, 2010.



Director, Code Enforcement

cc: (property owner)