

TAB 2



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.

Christopher Lee Dunbar
3008 16th Avenue East
Palmetto, Florida 34221
Respondent

Case No. 11-07

Re Violation Location: 214 12th Street West, Palmetto, Florida
Legal Description: S1/2 LOT 7 BLK 3 MRS A D COX PLAT
Township 34S, Range 17E, Section 14.
Parcel ID #: PI#: 26192.0000/5

ADMINISTRATIVE ORDER IMPOSING LIEN

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on April 26, 2011, 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:

- An unsafe, dilapidated shed was located in the rear yard of this property.
- The above noted property contained a large accumulation of lumber and debris in the rear yard.
- The house on the above noted property requires repainting.
- The above noted property had blocked windows. Some of the wood sills are rotted.
- The roof overhang at the rear door is deteriorated and in need of repair, and the roof over the front porch contains rotted wood.
- The property was overgrown and yard waste had accumulated on the yards

CONCLUSIONS OF LAW:

1. The Code Enforcement Board is properly convened. Notice has been given and all conditions precedent have been satisfied.
2. Codes Violated: Palmetto Code of Ordinances Chapter 7 Buildings And Building Regulations, Article VII Dangerous And Unsafe Buildings, Section 7-151, Section 7-153(a), (b1 through 7), & (c); Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), (3), (4), & (12) and Section 16-27(a), (b), & (c); Chapter 17, Housing, Article II, Housing Standards, Section 17-28 Palmetto Property Maintenance Code; Section 304 Exterior Structure; Section (304.1) General; Section (304.2) Protective Treatment; Section (304.7) Roofs & Drainage; Section (304.9) Overhang Extensions and Section (304.13) Window, Skylight, and Door Frames:

ORDER

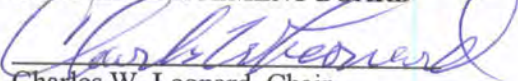
The Respondent, Christopher Lee Dunbar, is found in violation of the Palmetto Code of Ordinances as noticed and as they pertain to unfit or unsafe structures, nuisances and the Palmetto Property Maintenance Code. The Respondent is directed to correct the violation within sixty days, or by June 25, 2011. If the aforementioned action is not taken within the time specified, 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 June 28, 2011 to determine if the violation has been corrected by the date certain, and Administrative Costs incurred by the City in the prosecution of this case in the amount of \$ 345.00, plus any applicable recording fees, will be considered at that hearing. Upon recording, such costs shall constitute a lien and will 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 26th day of April, 2011.

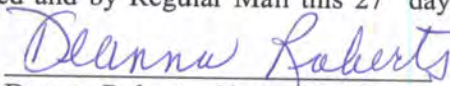
CITY OF PALMETTO
CODE ENFORCEMENT BOARD


Charles W. 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 April, 2011.


Deanna Roberts, Clerk of the Board

POINT PAPER
CEB HEARINGS, APRIL 26, 2011
CEB 11-07

Christopher Lee Dunbar, 3008 16th Avenue East, Palmetto, FL 34221 2443:

The property that is the subject of this code enforcement case is located at 214 12th Street West, Palmetto, Florida, PI# 26192.0000/5, Township 34S, Range 17E, Section 14. The Respondent, Christopher Lee Dunbar, is identified as the owner of the property through the Manatee County Property Appraiser's and Tax Collector's web sites.

The original property owner is deceased. A prior case concerning this property involved family residing here with a malfunctioning sewer line in the house. That issue was resolved when the family member vacated the premises.

The current case was initiated as a citizen complaint to Mayor Bryant; the complainant reported suspected drug activity at this vacant house. I met with the complainant on March 8, 2011 at which time he reported regularly hearing the chains securing the gates to the house rattling late at night. He stated whoever was accessing the property would remain in the house overnight, leaving early in the morning. He suspected drug activity.

While speaking to the complainant the condition of the rear yard was noted – dilapidated shed, overgrowth, large accumulation of debris in the rear yard, house in need of maintenance. The suspected drug activity was referred to the Palmetto Police Department for investigation.

On March 15, 2011 I accompanied the Building Official, Roger Titus, on the property. He condemned the shed, but he stated the house was a solid structure needing repairs to the rear roof overhang. Other areas of concern included the boarded over windows, damaged screens and peeling paint.

A Notice of Violation was issued on March 16, 2011 citing violations of Chapter 7 for unfit or unsafe structure (shed), Chapter 16 for nuisances (trash & debris, overgrowth, shed) and Chapter 17, the Palmetto Property Maintenance Code (peeling paint, rotted window sills, blocked windows, roof overhang). Rodney Dunbar, the Respondent's brother, contacted me on March 21, 2011 stating he was a co-owner of the property, and he would schedule a meeting on the property with me and the owners to discuss the violations. I reviewed the violations with Rodney at the time of this call; he did not schedule a joint meeting of the owners & Code Enforcement.

The Mayor's office received information on March 30th that family members were clearing the property on weekends and that they had met with Code Enforcement. Follow-up site inspections on March 30 and April 6, 2011 revealed no change in the condition of the property. A Notice of Hearing was mailed certified and regular on April 11, 2011 scheduling this evenings hearing.

On April 14th & 15th site inspections were conducted. There was some improvement to the property – the shed was dismantled but the debris remained, overgrowth was cut; the NOH was posted at CH & on the property at this time since delivery of the certified copy of the Notice could not be confirmed.

Follow-up site visits revealed significant progress on the clean-up of the property, but further work is needed to clear the property & bring the house into compliance.

Recommendation:

It is recommended the Respondent, Christopher Lee Dunbar, be found in violation of the City of Palmetto Code of Ordinances as they pertain to unfit or unsafe structures, nuisances and the Palmetto Property Maintenance Code, and that he be directed to bring the property into compliance within thirty (30) days. It is further recommended that the City's costs for processing this case, \$345.00 plus any applicable recording fees, be considered at the next public hearing scheduled on this case.

Total Costs to the City as of April 19, 2011:

Code Enforcement Officers	7.75 hours @ \$40.00/hour = \$310.00
Administration Costs	1 hour @ \$35.00/hour = <u>35.00</u>
Total Costs	\$345.00