

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. 12-05

Henry Lawrence
2110 2nd Avenue East
Palmetto, Florida 34221
Respondent

Violation Location: 401 17th Street West, Palmetto, Florida

Legal Description: BEG 660 FT W OF NE COR OF SEC 14, S 850 FT, W 125 FT, N 850 FT, E 125 FT TO POB, LESS E 25 FT RESERVED FOR ST LESS S 680 FT P-79-N. Township 34S, Range 17E, Section 14.

Parcel ID #: 26209.0000/7

ADMINISTRATIVE ORDER IMPOSING LIEN

THIS MATTER came before the City of Palmetto Code Enforcement Board for Public Hearing on May 29, 2012 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:

- Sections of the fence surrounding the above noted property are dilapidated and covered in dead vegetation and weeds.
- The above noted property contains garbage and debris in and around the yards.
- The above noted property was overgrown. In addition, vines have partially obscured the garage side of the house, and the fence line is overgrown.

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, Article XI, Section 7-242(a); Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), (3) & (4) and Section 16-27(a), (b), & (c):

ORDER

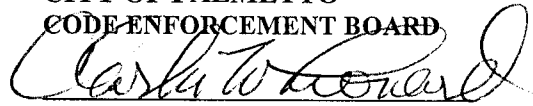
The Respondent, Henry Lawrence, is found in violation of the Palmetto Code of Ordinances as noticed and directed to bring the property into compliance within seven (7) days, or by June 5, 2012, by repairing the fence and removing the vegetation and overgrowth and ridding the property of all accumulated garbage and debris. If the aforementioned action is not taken by June 5, 2012, 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. Administrative costs incurred by the City in the prosecution of this case in the amount of \$407.00, plus any applicable recording fees, are hereby assessed. **Upon recording, such costs shall constitute a lien and shall continue with interest accruing. A public hearing will be held on June 26, 2012 to determine if the violation has been corrected by the date certain.**

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 29th day of May, 2012

**CITY OF PALMETTO
CODE ENFORCEMENT BOARD**


Charles W. Leonard, Chair

Attest:


James R. Freeman, City Clerk

I hereby certify that a true copy of the foregoing Administrative Order Imposing Lien has been furnished to the Respondent by Regular Mail and Certified Mail/ Return Receipt Requested this 30th day of May, 2012.


Deanna Roberts, Clerk of the Board

POINT PAPER
CODE ENFORCEMENT BOARD HEARINGS
MAY 29, 2012 CEB 12-05

Henry Lawrence, 2110 2nd Avenue East, Palmetto, Florida:

The property that is the subject of this public hearing is a vacant house located at 401 17th Street West. The Respondent, Henry Lawrence, is identified as the owner of the property through the Manatee County Property Appraiser's and the Manatee County Tax Collector's web sites. Both sites list the Respondent's address as the vacant house that is the subject of this action. For the purposes of this action, we utilized the address of Mr. Lawrence's family at 2110 2nd Avenue East, Palmetto (DMV registration address). A business address was obtained through a Sunbiz inquiry of Mr. Lawrence's company, Harbor Vista Hotel and Marina, LLC; the 2012 Annual Report listed his address as 1707 2nd Avenue East, Palmetto.

There are no active foreclosures regarding the subject property, 401 17th Street West, PID 26209.0000/7, Township 34 South, Range 17 East, Section 14.

Former case regarding this property, but different owner. CEB 06-14; public hearing held October 31, 2006 at which time Henry Lawrence appeared & reported to the Board that he would remediate the code violations which included overgrowth, accumulation of debris, 16 broken or missing windows, & unsecured doors. Property brought into compliance on November 28, 2006.

Monitored since that time including a Notice of Nuisance issued June 30, 2009 which resulted in the City clearing the property once – July 28, 2009. A letter was forwarded to the owner on January 12, 2010 regarding covering broken windows. The owner covered them with plywood on February 11, 2010.

Current case started September 15, 2011 due to the condition of the property – boarded over windows & doors, deteriorated appearance of the property. March 21, 2012 letter sent to Henry Lawrence requesting he clear the overgrowth and repair the damaged chain-link fence. Notice of Violation issued April 19th directing Mr. Lawrence clear the overgrowth & debris from the property and repair the fence. Posted at CH & on the property.

Notice of Hearing issued May 8, 2012 scheduling this public hearing - posted @ CH & on the property. Noted property mowed on May 17, 2012, but the damaged fence remained, loose yard waste was piled against the fence, and vines were growing over the house. These conditions remain as of May 24, 2012.

Recommendations:

It is recommended that the Respondent, Henry Lawrence, be found in violation of City of Palmetto Code of Ordinances, and that he be directed to bring his property into compliance

within the next seven (7) days. It is recommended 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 May 24, 2012:

Code Enforcement Officers	8.8 hours @ \$40.00/hour = \$ 352.00
Administration	1 hour @ \$35.00/hour = 35.00
Lien Filing Fees	= <u>20.00</u>
Total Costs	\$407.00