

TAB 4

Deanna Roberts

From: William Strollo
Sent: Thursday, July 05, 2012 3:12 PM
To: Deanna Roberts
Cc: Whitney Chapman
Subject: Henry Lawrence, 401 17th Street West, CEB 12-05

Deanna,

Mr. Lawrence has cleared all of the overgrowth from his property including pruning trees & removing the vines from the house. All of the yard waste has been piled on the perimeter of the property, along the fence line. The fence has not been repaired, but I was advised by a third party that the fence was damaged by the contractor who was involved in the County/City renovation of 17th Street West. Under that circumstance, I do not wish to involve the Board further in this matter.

At this point, I feel the property is in compliance, but since all of the issues have not been resolved, I will defer issuing a Report of Compliance until I have an opportunity to review this situation with the CEB. Please list this case for review under Old Business for the next scheduled meeting. Thank you.

Bill.



516 8th Avenue West
P.O. Box 1209
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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

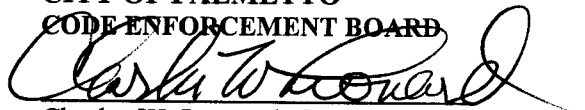
The Respondent, Henry Lawrence, is found in violation of the Palmetto Code of Ordinances as noticed and directed to bring the property into compliance within seven (7) days, or by June 5, 2012, by repairing the fence and removing the vegetation and overgrowth and ridding the property of all accumulated 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.

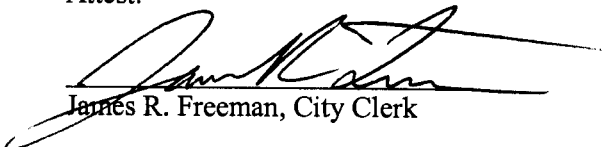
Any aggrieved party may appeal this Administrative Order to the Circuit Court in and for Manatee County. Such appeal shall not be a hearing *de novo*, but shall be limited to appellate review of the record created before the Code Enforcement Board. An appeal shall be filed within thirty (30) days of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

Done and ordered this 29th day of May, 2012

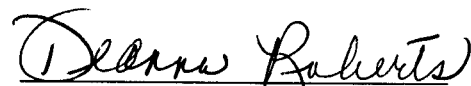
**CITY OF PALMETTO
CODE ENFORCEMENT BOARD**


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



516 8th Avenue West
P.O. Box 1209
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CITY OF PALMETTO
A political subdivision of the
State of Florida
Petitioner

vs.

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

Case No. CEB 12-05

ORDER IMPOSING FINE AND LIEN

Violation Location: 401 17th Street West
Palmetto, Florida 34221

On May 29, 2012, the Code Enforcement Board (CEB) of the City of Palmetto conducted a duly noticed Public Hearing in regard to the above Respondent. Following receipt of sworn testimony and other evidence, the Board makes the following findings:

1. The Respondent was found in violation of the City of Palmetto Code of Ordinances at a hearing held on May 29, 2012. A copy of the Board's Order is attached hereto and incorporated herein as Exhibit "A".
2. The Order required the Respondent to comply with the Palmetto Code of Ordinances, as cited, by June 5, 2012. The Order was sent to the Respondent by Certified Return Receipt Requested U.S. Mail and Regular U.S. Mail on May 30, 2012.

3. The Respondent was notified in that Order that the Code Enforcement Board would hold a hearing on June 26, 2012, to determine whether the Respondent was in compliance with the Order, and if not, whether to impose a fine.
4. At the June 26, 2012 hearing, the City of Palmetto Code Enforcement Director Bill Strollo, testified that the Respondent had not complied with the Palmetto Code of Ordinances as ordered by the Administrative Order dated May 29, 2012.

CONCLUSIONS OF LAW

1. The hearing has been properly notified and convened. A quorum is present and voting.
2. Section 2-87 (2) of the Code of Ordinances states that:

In determining the amount of the fine, if any, the CEB shall consider the following factors:

- a. The gravity of the violation;
 - b. Any actions taken by the violator to correct the violation;
 - c. Any previous violations committed by the violator.
3. The prior Administrative Order of this Board, dated May 29, 2012 was not complied with by the date set forth in the Administrative Order.
 4. The Board has considered the three factors cited above in arriving at its determination to impose a fine.

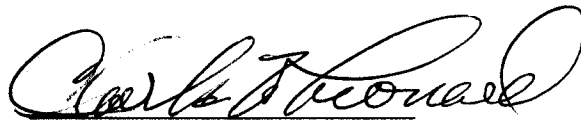
ORDER

Based on the foregoing, the Code Enforcement Board moved to impose a fine of \$50.00 per day commencing July 5, 2012, and continuing until the violation is corrected. A certified copy of this Order shall be recorded in the Public Records of Manatee County and any other county within the state of Florida where the Respondent has real or personal property, and it shall thereafter constitute a lien upon any real or personal property owned by the violator. Upon petition to the circuit court by the City, such Order may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but such Order shall not be

Henry Lawrence
Order Imposing Fine
June 26, 2012
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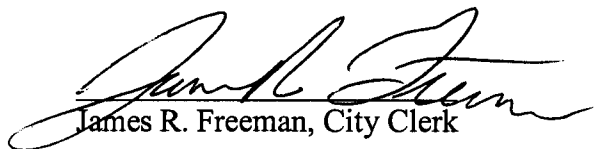
deemed to be a court judgment except for enforcement purposes. **A fine imposed pursuant to this Order shall continue with interest accruing until the violator comes into compliance, or until judgment is rendered in a suit to foreclose on a lien created herein, whichever occurs first.**

Date: June 26, 2012



Charles W. Leonard, Chair
Code Enforcement Board

Attest:



James R. Freeman, City Clerk