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Application # CE - 20 - 1157

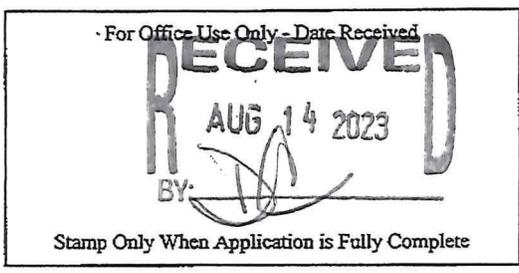


LIEN REDUCTION APPLICATION
Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, Florida 32922
Phone; (321) 433-8508

1221 CYPRESS LN

This application must be completed entirely. The property must be in compliance per the City Code Section 6-707(d), if the property does not meet the guidelines of the City Code the Lien Reduction Application will not be scheduled for a hearing before the Code Enforcement Board.

This form is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Code Enforcement Board and City Council hearing.



Please TYPE or PRINT this application neatly.

1. Date: 08/11/2023

2. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.
 Company (if applicable): SILVER ENTERPRISES SERVICES LLC
 Name: David Silva
 Mailing Address: 119 Lake Dr
 City: Oviedo State: FL Zip Code: 32765
 Phone #: (407) 489-7685 Fax #: _____
 Mobile #: (407) 489-7685 E-mail: laligaindoor@gmail.com, davidsilverenterprises@gmail.com

3. Property Owner Information: * Check here if same as Applicant →
 * If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): _____
 Name: _____
 Mailing Address: _____
 City: _____ State: _____ Zip Code: _____
 Phone #: _____ Fax #: _____
 Mobile #: _____ E-mail: _____

1st 08/24/2023 - FAILED INSPECTION VJB
2nd 08/30/2023 - FAILED INSPECTION VJB

4. Information for property on which lien occurs:

Street Address and Location: 1221 Cypress Ln Cocoa, FL 32922

Parcel ID:

- - - -

Tax Account Number:

Existing Use(s) on Property: Residential

Proposed Use(s) on Property: Residential

(If residential – (circle one) **owner occupied** or **rental**), if rental does property owner anticipate accepting any state or federal rental subsidies? No

* Nature of Violation(s): Exterior general condition, Maint of interior struct, pool and spas, accessory structures, weeds, wrongful disposal of excrement etc. on property or into natural inlet, fail to secure struct, Accum. of trash and litter, Premises identification

Date Fine or Lien Imposed: 05/20/2021 Amount of Fine: \$52,660.00 or \$225 per day

Have the violation(s) on the subject property been corrected: Yes No (Circle one)

* Date upon which the subject property was brought into compliance: 09/08/2020

5. Please provide the following information:

Code enforcement case number: 20-1157

Were you the property owner at the time the lien was imposed? Yes / No (Circle one) If so, how many days did it take from the board order to the date compliance was achieved? Yes

If you were not the property at the time the violation occurred, were you aware of the lien when you purchased the property? Yes / No / NA (Circle one) If the property was not in compliance at the time you purchased the property how many days from the time of purchase did it take for you to come into compliance? _____

* Did you receive the Notice of Violation issued by the Code Enforcement Division: Yes / No (Circle one)

* Did you receive the Finding of Facts issued by the Code Enforcement Board: Yes / No (Circle one)

* The factual basis upon which the application for reduction of the lien should be granted:
I was always in communication with Code Enforcement
I was complying with all requirements & permits
due to negligence in communicating to me
that a Fine Fee will be running daily, it was
after months that I find out about the lien,

* The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

Lack of communication from code enforcement
& wrong directions as to what to do.

* Amount you are requesting that the lien be reduced to: \$0

Please provide any other information deemed pertinent to this request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine. Include documentation of any financial investment made to physically improve the property:

* Are there any other properties within the jurisdictional limits of the City of Cocoa owned by the applicant and/or owners of the subject property on which code violations have been alleged, of which the case is still active, or a Finding of Facts has been entered by the Code Enforcement Board, if so please provide the address, the nature of violation and the status of such:

no

6. Please submit the following items in order complete the application:

- a. **Notarized application.**
- b. **Reimbursement to City for recording costs at time of application.** Pursuant to Section 6-707(c), Code of the City of Cocoa, at the time of application, payment to the city in the amount necessary to reimburse the City for its costs associated with processing and recording the order imposing a penalty or fine and the requested satisfaction or release of lien. Please make checks payable to the 'City of Cocoa' and submit payment **ONLY** to the Community Services Department. Please note that these costs are non-refundable without regard for the final disposition of the application for satisfaction or release of lien. **The application fee is \$20.00 and will need to be paid at the time the application is submitted.**
- c. **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- d. **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- e. **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.

7. Application Filing Procedure. This application, together with all required exhibits and attachments, shall be completed and filed with the Code Enforcement Division by the third Friday of each month at 5:00 pm in order to be scheduled for public hearing for the following month.

- 8. **Procedure per City Code.** Section 6-707 states the City Lien Reduction rules and procedures for applying for a reduction. It is the applicant's responsibility to read and understand the rules and procedures that are located on page 6 of the Lien Reduction Application
- 9. **Board Action.** An Inspection of the property must be performed to be scheduled at the Code Board. Following a presentation by staff and testimony offered by the applicant, the Code Enforcement Board will formulate a recommendation to City Council.
- 10. **City Council Action.** An Inspection of the property must be performed to be scheduled before council. Following the Code Enforcement Board making a recommendation to the City Council, staff will schedule the item for the next available City Council regular meeting.
- 11. **Inspections.** I agree to allow Code Enforcement to inspect my property and give consent to walk the property before proceeding with this reduction YES NO

Signature below will also show that consent to inspect was given by the property owner or representative.

12. Signatures and Notarization.

STATE OF Florida COUNTY OF Seminole, Luis David Silva,
being first duly sworn, depose and say that:

- I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

[Signature]
(APPLICANT SIGNATURE)
Public)

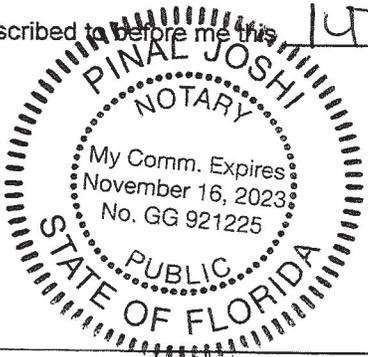
Luis David Silva
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification FLDL
Type of I.D. Produced FLDL

[Signature]
(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF Seminole BREVARD

Sworn and subscribed to before me this 14th day of August, 2023.



Property Information

Address: 1221 CYPRESS LN
 COCOA, FL 32922
 Location ID: 7690
 PARCEL NUMBER: 24 3629268 18
 Alternate ID #: 2421990
 Zoning: NA NOT AVAILABLE
 Subdivision:
 Property Address Map
 1221 CYPRESS LN COCOA, FL 32922 1467065.71 736734.17 X 24362926818 7690 2421990

Case General Information

Case status: FL Fixed Lien
 Status date: 10/27/2021
 Case type: FAIL Failure to Secure
 Rent name/number: NL 2020 Case
 Reported date: 9/08/2020
 Origination: OO Officer Observed
 Default inspector: SJM Steven Murdick
 Credit balance: .00
 Disposition: Public
 Pin number: 520411

Owner Information

Owner name: RITA EVERETTE
 Address: 1221 CYPRESS LN
 City: COCOA, FL 32922
 Phone: (321) 631-9281
 Notice: Y
 Flip: Y

Violations

Type ----- Status Location ----- Date Established ----- Date Resolved -----
 No violations exist

Case Data

Description ----- Data -----

Active Inspections

Type ----- Insp ID ----- Schedule Date -----
 No scheduled inspections exist

Type Description	Transaction Amount Due	Amount Billed	Starting date	Ending date	Daily fee	Lien amount
AM Lien paid Administration Fee	50.00	.00	6/03/2021		.00	.00
LF Code Board Fine to Lien	52650.00	.00	12/19/2020	8/10/2021	225.00	.00
	52700.00	.00				.00

PAID
 620.00 CASH
 8/16/23 (72)

Dennis Bunt

From: Vincent Buonocore
Sent: Thursday, August 24, 2023 12:39 PM
To: laligaindoor@gmail.com; davidsilverenterprises@gmail.com
Cc: Darla Crowl
Subject: Lien reduction inspection 1221 Cypress Lane

Mr. Silva,

I have received your lien reduction application and have completed the inspection. Based on my inspection findings, the property has failed the inspection due to:

- Plexiglas in place of windows - needs replaced with glass or replace entire windows. Ch 6 Dec 6-900 (b) (5)
- Unsafe Building front and rear of residence - windows are screwed shut blocking means of egress which does not provide a safe travel in case of fire or panic, windows need to be fully operational able to open and close. Ch 6 Sec. 6-600 (6) (10)
- Front living room windows were replaced without permit - (**needs permit and approved final inspection**) App A Art. XV Sec 2 (a)
- Rotted wood and unprotected fascia on the front of home - needs to be replace and areas need to be painted. Ch 6 Sec. 6-1003 (a)-(p)
- Outside storage – pile of lumber in backyard needs to be placed into an enclosed building. Ch 6 Sec. 6-900 (b) (11)
- Trip hazard – concrete raised and is a trip hazard located on the west side of residence by the carport. Ch 6 Sec. 6-1001
- Electrical – lighting box located in laundry room has bare and exposed wiring, needs to sealed with proper electrical box cap. Ch 6 Sec. 6-1004 (a)

The above deficiencies were found during my inspection and after verification with our building/permitting system. Once the above items are corrected feel free to contact me and I can schedule a re-inspection of the property and proceed to the next stage of the lien reduction application process. If you have any questions feel free to contact me, thank you.

Respectfully,



Vincent Buonocore
Code Enforcement Officer
400 S Varr Ave. • Cocoa, FL 32922
Cell: (321) 704-0647
✉ vbuonocore@cocoapolicecom

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Darla Crowl

From: Vincent Buonocore
Sent: Thursday, August 31, 2023 5:04 PM
To: irene.americanhomecenter@gmail.com
Cc: Darla Crowl; Dennis Bunt
Subject: 1221 Cypress Lane

Irene Daileg,

On August 31, 2023, I completed the requested inspection and found those items previously identified as violations have be addressed. At this time the case can move forward in the lien reduction process.

Respectfully,



Vincent Buonocore
Code Enforcement Officer
400 S Varr Ave. • Cocoa, FL 32922
Cell: (321) 704-0647
✉ vbuonocore@cocoapolicem.com

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Sec. 6-707. - Satisfaction or release of code enforcement lien.

- (a) Where a certified copy of an order imposing a penalty or fine, as described above in section 6-705, has been recorded in the public records and has become a lien against the land and/or property of the violator, such violator may apply for a satisfaction or release of such lien as follows:
 - (1) *Lien satisfaction*. Upon full payment by the violator of the fine or penalty imposed in accordance with this chapter, the city manager is hereby authorized to execute and record a satisfaction of lien.
 - (2) *Lien reduction or forgiveness*. Upon request for a reduction or forgiveness of a fine or penalty imposed in accordance with this chapter, the violator shall submit a written application to the community development director as follows.
 - (b) *Application*. The application shall be executed under oath and sworn to in the presence of a notary public and shall include, but may not be limited to the following:
 - (1) The code enforcement case number;
 - (2) The date upon which the violator brought the subject property into compliance with the City Code;
 - (3) The factual basis upon which the violator believes the application for reduction or forgiveness of the lien should be granted;
 - (4) The terms upon which a satisfaction or release of lien should be granted;
 - (5) The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded;
 - (6) The reduction in penalty or fine sought by the violator; and
 - (7) Any other information which the violator deems pertinent to the request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine.
- (c) *Reimbursement to city for recording costs at time of application*. The violator shall submit, at the time of application, payment to the city in the amount necessary to reimburse the city for its costs associated with recording the order imposing a penalty or fine and the requested satisfaction or release of lien. These costs are non-refundable, without regard for the final disposition of the application for satisfaction or release of lien.
- (d) *Processing of application by community development director*. Upon receipt of the application for satisfaction or release of lien and payment provided above, the community development director shall confirm through the code enforcement department that the violation which resulted in the order imposing penalty or fine has been brought into compliance. If the violation has been brought

into compliance and there is no current code violation upon the property in question, the community development director shall place the application upon the agenda of the next meeting of the code enforcement board.

(e) *Code enforcement board hearing.* At the hearing before the code enforcement board, the board shall review and consider the application for satisfaction or release of lien, provide the violator with an opportunity to address the board regarding the application for satisfaction or release of lien, and to take the testimony of other interested parties, including but not limited to city staff. Review and recommendation. Upon review of the application and any testimony presented, the code enforcement board shall recommend to the city council approval, approval with conditions, or denial of the application for satisfaction or release of lien.

The code enforcement board, in determining its recommendation, shall consider the following factors:

- (1) The gravity of the violation;
- (2) The time in which it took the violator to come into compliance;
- (3) The accrued amount of the code enforcement fine or lien;
- (4) Any previous or subsequent code violations;
- (5) Any financial hardship; and
- (6) Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine.

(f) *Presentation to city council.* After a recommendation has been rendered by the code enforcement board, the community development director shall place the application for satisfaction or release of lien upon the agenda of the next regularly scheduled city council meeting. The city council may take action solely based upon the sworn application and recommendation of the code enforcement board; or it may, in its discretion, provide the violator with an opportunity to address the council in regard to the application for satisfaction or release of lien.

City council action. The city council may approve, approve with conditions, or deny the application to satisfy or release of lien. If the city council approves the application to satisfy or release the lien and the approval is conditioned upon the violator paying a reduced penalty, fine, or any other condition, the satisfaction or release of lien shall not be prepared or recorded until the condition(s) placed by the council have been satisfied.

(g) *Compliance with city council conditions.* The violator shall have thirty (30) days in which to comply with the conditions imposed by the city council. Failure of the violator to comply will result in the automatic denial of the application for satisfaction or release of lien.

(h) *Effect of denial on application for subsequent lien reduction or forgiveness.* If the application is denied or if the application is automatically denied due to the failure of the violator to comply with the conditions imposed by the city council, the violator shall thereafter be barred from applying for a subsequent reduction or forgiveness of the lien for a period of one (1) year from the date of denial. During the one-year period, the lien may only be satisfied and released upon full payment of the fine or penalty imposed in accordance with this chapter.

(Ord. No. 16-06, § 2, 5-9-06)