



Legislation Details (With Text)

**File #:** 20-735      **Version:** 1      **Name:**

**Type:** Report      **Status:** Council Busines

**File created:** 10/19/2020      **In control:** City Council

**On agenda:** 11/10/2020      **Final action:**

**Title:** Approve the current Code Enforcement Lien for the residence located at 17 Travis St., be reduced, as recommended by the Code Board, to \$1,145.34 which is the cost of the investigation to the City of Cocoa. (Chief of Police)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Lien Reduction Application.pdf, 2. Authorization Letter.pdf, 3. Cost Affidavit Form -17travis.pdf, 4. Staff Report for Lien Reduction-17travis.docx, 5. Order Imposing Lien-18-323 - 17 Travis St..pdf

Date	Ver.	Action By	Action	Result
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**CITY COUNCIL AGENDA ITEM**

**Memo Date:** October 21, 2020  
**Agenda Date:** November 10, 2020  
**Prepared By:** Darla Crowl, (Code Enforcement Coordinator)  
**Through:** Michael Cantaloupe, (Police Chief)  
**Requested Action:**

Approve the current Code Enforcement Lien for the residence located at 17 Travis St, be reduced, as recommended by the Code Board, to \$1,145.34 which is the cost of the investigation to the City of Cocoa.

**BACKGROUND:**

**CASE # 18-323**

The Code Enforcement Board held a public hearing on **1/17/2019**, at which time the Board found the owner, **Smith, Dustin** in violation of the following:

- *Exterior General Condition Ch 6 Sec. 6-1003 (a)*
- *Weeds, Ch 6 Sec. 6-1001(d)*

The Code Enforcement Board provided the owner sufficient time to correct said violation. Therefore, consistent with the Code Enforcement Board’s Order a lien was recorded against the property effective **04/01/2019** The lien ran at **\$50.00** per day from **4/1/2019** until compliance was achieved on **6/18/2020**. Code records show onsite inspections were conducted by Officer Murdick. The current

owner, **Smith, Dustin**, is requesting that the lien be reduced to **zero**, Because the Demolition was \$10,000.00 and was a great benefit.

Staff utilized the following factors in making its recommendation to reduce the lien:

- Whether the current owner owned the property at the time the violation(s) occurred;  
**Yes**
- The number of violations related to the subject lien; **Two**
- Number of Inspections performed: **11**
- The length of time the property was in violation: **322 Days**
- Previous Code Violations: **No**
- Property Taxes: **2019 are paid, No outstanding Tax Bills**
- Other Liens: **Records show no outstanding liens on the property. There were No Water Liens.**
- Property Inspection: **8/19/20 and was in compliance before Code Board Hearing. An inspection will occur prior to the November 10<sup>th</sup> Council Meeting.**

The current market value of the subject property; the current market value is **\$21,450** according the Brevard County Property Appraiser.

Staff submits their cost sheet for **\$1,145.34** and recommends to reduce the lien to City Cost.

Staff's recommendation is based on the gravity of the violations, the length of time it took the property to come into compliance, and the total amount of staff time.

Per the City Code, this is only a recommendation to the City Council. If the Council reduces the amount owed, payment of the reduced amount is required within thirty (30) days of the Council's decision or the lien amount reverts back to the original amount owed, and a subsequent lien reduction request cannot be made for a one-year period of time.

### **STRATEGIC PLAN CONNECTION:**

Crime, Image and Community Development

### **BUDGETARY IMPACT:**

None

**PREVIOUS ACTION:**

The Code Enforcement Board, at its regular meeting October 15, 2020, recommended that the lien be reduced to \$1,145.34 which was the cost of investigations to the City of Cocoa.

**RECOMMENDED MOTION:**

Approve the current Code Enforcement Lien for the residence located at 17 Travis St, be reduced, as recommended by the Code Board, to \$1,145.34 which is the cost of the investigation to the City of Cocoa.