



## Legislation Details (With Text)

<b>File #:</b>	20-556	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Report	<b>Status:</b>		Council Business	
<b>File created:</b>	8/25/2020	<b>In control:</b>		City Council	
<b>On agenda:</b>	9/9/2020	<b>Final action:</b>			
<b>Title:</b>	Approve the Code Enforcement Lien for the property located at 252 Orange St be Reduced to \$0, as recommended by the Code Enforcement Board. (Chief of Police)				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Staff Report.pdf, 2. Cost Affidavit Form -252Orange.pdf, 3. Brevard County Prop Appr..pdf, 4. Brevard Tax .pdf, 5. Order Imposing Notice.pdf, 6. Board Order CE-17-391.pdf, 7. Lien Reduction Application.pdf				

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

Memo Date: August 25, 2020  
Agenda Date: September 9, 2020  
Prepared By: Darla Crowl, (Code Enforcement Coordinator)  
Through: Michael Cantaloupe, (Chief of Police)  
Requested Action:  
Approve the Code Enforcement Lien for the property located at 252 Orange St be Reduced to \$0, as recommended by the Code Enforcement Board

### BACKGROUND:

#### CASE# 17-391

The Code Enforcement Board held a public hearing on **9/21/2017**, at which time the Board found the owner, **Aleck J. Greenwood** in violation of the following:

- AAP. A, ART. XII, SEC. 3 Minimum standards for the design of off-street parking/driveways

### Corrected Violation:

- Protective Treatment, Ch 6 Sec. 6-1003 (b)
- Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2)

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 **03/06/2018**. The lien ran at **\$25.00** per day from **1/19/2018** until compliance was achieved on **6/18/2020**. Code records show onsite inspections were conducted by Officer Murdick. The current owner, **Aleck J. Greenwood**, is requesting that the lien be reduced to **zero**, due to the fact that Mr. Greenwood felt the ordinance was unclear and that the code needed to be updated and have lime rock included as an acceptable substance

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; **Three**
- Number of Inspections performed: **20**
- The length of time the property was in violation: **1,591 Days**
- Previous Code Violations: **Yes, on other properties. Closed without Code Board Action**
- Property Taxes: **2019 are due, No outstanding Tax Bills**
- Other Liens: **Records show no outstanding liens on the property. No Water Liens**
- Property Inspection: **8/19/20 and was in compliance before Code Board Hearing. An inspection will occur prior to the Council Meeting**

The current market value of the subject property; the current market value is **\$34,140.00** according to the Brevard County Property Appraiser.

Staff submits their cost sheet for **\$2600.92** and recommends to reduce the lien to City Cost which is close to 6.5% of the current fine of **\$ 39, 775.00**

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 August 20, 2020, recommended that the lien be reduced to \$0.

**RECOMMENDED MOTION:**

Approve the Code Enforcement Lien for the property located at 252 Orange St. be Reduced to \$0, as recommended by the Code Enforcement Board.