



## Legislation Details (With Text)

<b>File #:</b>	20-558	<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 current Code Enforcement Lien for the property located at 112 Derby St., be reduced to \$1,107.60 as recommended by the Code Enforcement Board. (Chief of Police)				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Lien Reduction Application.pdf, 2. Staff Report for Lien Reduction-112Derbydocx.pdf, 3. Cost Affidavit Form -112 Derby.pdf, 4. Brevard County Prop Appr..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 Crawl, (Code Enforcement Coordinator)  
Through: Michael Cantaloupe, (Police Chief)  
Requested Action:  
Approve the current Code Enforcement Lien for the property located at 112 Derby St., be reduced to \$1,107.60 as recommended by the Code Enforcement Board.

### BACKGROUND:

#### **CASE # 16-424**

The Code Enforcement Board held a public hearing on **11/17/2016**, at which time the Board found the owner, **Nancy Maloney** in violation of the following:

**Sec. 6-1001(g) Fencing & shed in disrepair**  
**Sec. 6-1001(d) High grass, weeds & overgrowth**  
**Sec. 6-900(b)(7) Failure to secure structure**

The Code Enforcement Board provided the owner time to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a lien was recorded against the property effective **12/17/2016**. The lien ran at **\$25.00** per day from **12/18/2016** until compliance was achieved on **6/25/2018**. The total fine is **\$31,960** Code records show onsite inspections were conducted and contact was made. The current owner **Nancy Maloney**, was requesting that the lien be reduced to **\$0**.

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

- Whether the current applicant owned the property at the time the violation(s) occurred;  
**YES**
- The number of violations related to the subject liens; **Three**
- Number of Inspections performed: **8**
- The length of time the property was in violation before correction
- Previous Code Violations: **Yes**
- Property Taxes: **2019 are paid, No outstanding Tax Bills**
- Other Liens: **Records show no outstanding liens on the property.**  
**No Water Liens**
- Property Inspection: **6/24/20 and was in compliance before prior to the Code Board Meeting**

The current market value of the subject property; the current market value is **\$189,850** according to the Brevard County Property Appraiser.

Total Amount of both Liens: **\$31,960.00**

Staff submits their cost sheet for Case # **16-424** in the amount of **\$1,107.60**

Staff's recommendation is based on the gravity of the violations, the amount of time it took the property to come into compliance, and the total amount of the fines. **Reduction to the total amount of \$1,107.60 (staff costs)**

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 \$1,107.60.

**RECOMMENDED MOTION:**

Approve the current Code Enforcement Lien for the property located at 112 Derby St., be reduced to \$1,107.60 as recommended by the Code Enforcement Board.