



Legislation Text

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File #: 20-323, Version: 1

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## CITY COUNCIL AGENDA ITEM

Memo Date: June 4, 2020  
Agenda Date: September 9, 2020  
Prepared By: Darla Crowl, (Code Enforcement Coordinator)  
Through: Michael Cantaloupe, (Police Chief)

Requested Action:

Approve the current Code Enforcement Lien for the property located at 1311 Elizabeth Ave., be reduced to \$500.00 as recommended by the Code Enforcement Board.

### BACKGROUND:

#### CASE # 18-644

The Code Enforcement Board held a public hearing on **5/16/18** at which time the Board found the owner, **Moomoxe Investments LLC** in violation of the following:

**Protective Treatment, Ch 6 Sec. 6-1003 (b)**  
**Roofs & Drainage, Ch 6 Sec. 6-1003 (g)**  
**Accumulation of Trash & Litter, Ch 6 Sec. 6-900 (b) (1) a-d**  
**Boarded Up Windows, Ch 6 Sec. 6-900 (b) (5)**

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 **07/17/2019**. The lien ran at **\$100.00** per day from **7/17/2019** until compliance was achieved on **4/7/2020**. The total fine is **\$26,610.00** Code records show onsite inspections were conducted and contact was made. The current owner **Moomoxe Investments**, is requesting that the lien be reduced to **\$0 to \$1000.00**, due to obtaining a permit and contractor issues.

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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, Moomoxe Investments**
- The number of violations related to the subject liens; **Four**
- Number of Inspections performed: **11**

- The length of time the property was in violation before correction
- Previous Code Violations: **Yes, property has been cited 6 times in the past**
- Property Taxes: **2019 are due, No outstanding Tax Bills**
- Other Liens: **Records show no outstanding liens on the property.**  
**No Water Liens**
- Property Inspection: **6/02/20 and was in compliance and again before the Council Meeting**

The current market value of the subject property; the current market value is **\$64,630** according to the Brevard County Property Appraiser.

Total Amount of both Liens: **\$26,610.00**

Staff submits their cost sheet for Case # **18-644** in the amount of **\$1,280.63**

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. **A reduction to the total amount as per the City's cost in the amount of \$1,280.63**

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 \$500.00.

**RECOMMENDED MOTION:**

Approve the Code Enforcement Lien for the property located at 1311 Elizabeth Ave., be reduced to \$500.00, as recommended by the Code Enforcement Board.

