



Town Council Agenda Report

SUBJECT: Resolution

CONTACT PERSON/NUMBER: Daniel J. Stallone, Code Compliance Official: 797-1121

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT LIEN IN CASE NO. 95-411 FROM \$9,200 IN AMOUNT TO \$1,123.19; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The property owners were cited for violations of displaying a temporary banner without a thirty (30) day permit, a vehicular signage code violation and violation of the commercial vehicle code. All violations (committed by a new tenant in the shopping center) were corrected in a timely manner.

PREVIOUS ACTIONS:	Respondent cited:	November 14, 1995
	Final Order:	November 30, 1995
	Non-Compliance Hearing:	November 24, 1998
	Fine/lien Imposed:	\$ 9,200

CONCURRENCES: The respondents agree with the staff mitigation guidelines.

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S): Motion to approve the resolution

Attachment(s): Resolution, Mitigation Request Summary

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT LIEN IN CASE NO. 95-411 FROM \$9,200 IN AMOUNT TO \$1,123.19; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sned, Pruit, D'Angio and Tucker on behalf of Broward Plaza Partnership and Blanche Fink and L. Kaufman and Irene Kaufman, requested a mitigation of a Code Enforcement lien from \$9,200 to \$1,123.19; and

WHEREAS, the Town of Davie Code Compliance Division has determined that the violation of Code Sections 12-243(d)(5), 12-238(l), 12-243(d)(5)(d) and 12-33(g) were corrected; and

WHEREAS, the Town of Davie Code Compliance Division staff suggested that based upon recommended mitigation guidelines, the mitigation of the original lien be from \$9,200 to \$1,123.19; and

WHEREAS, Sned, Pruit, D'Angio and Tucker on behalf of of Broward Plaza Partnership and Blanche Fink and L. Kaufman and Irene Kaufman, and the Town of Davie Code Compliance Division are agreeable to such mitigation.

WHEREAS, the Town Council is agreeable to such mitigation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the certain Code Compliance lien arising out of Case 95-411 in the amount of \$9,200, against Blanche Fink and L. Kaufman and Irene Kaufman, is hereby mitigated in amount to \$1,123.19.

SECTION 2. That this mitigated amount of \$1,123.19 be paid to the Town within 45 days of the enactment of this Resolution. Should this amount of \$1,123.19 not be paid within the specified time the lien shall revert to the original amount of \$9,200.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2000.

MAYOR/COUNCIL MEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

MITIGATION REQUEST SUMMARY

DATE: February 7, 2000

NAME: Sned, Pruitt, D'Angio and Tucker, on behalf of Broward Plaza Partnership and Blanche Fink and L. Kaufman and Irene Kaufman

ADDRESS: 4803 South State Road 7, Davie, FL

CASE: 95-411

SUMMARY:

Date respondents cited:	November 14, 1995
Date of Final Order:	November 30, 1995
Non-Compliance Hearing(s)	November 24, 1998
Fine/Lien(s) Imposed:	\$ 9,200

Original fine:	\$ 9,200
2.5% of amount	\$ 230
2% for correction of violation within 60 days	\$ 184
Base costs to Town	<u>\$ 709.19</u>
Total	\$ 1,123.19

Department Guideline recommended mitigation amount:	\$ 1,123.19
Amount the respondent desires to pay:	\$ 1,123.19
Date respondent requested mitigation:	February 19, 1999
Date of Mitigation Hearing by Special Master:	N/A Direct to Council in agreement with Guidelines.

The property owners were cited for violations of displaying temporary banners without a thirty (30) day permit, vehicular signage code violation, and commercial vehicle code parking in a business district. The violations (committed by a new tenant) have been corrected and mitigation is acceptable. The mitigated amount will cover the Town expenses and the recommended mitigated amount of \$1,123.19 should be considered and approved by the Town Council and the respondent(s) given 45 days to pay the mitigated amount.

DANIEL J. STALLONE
CODE COMPLIANCE OFFICIAL