

On January 28, 2016, an Order Finding Violation was issued by the Code Enforcement Magistrate to David F. Culberson for the following violation(s): Section 21.106 - Enclosures, General Ordinances, Martin County Code.; Section 21.105 - Swimming Pools, General Ordinances, Martin County Code; and Section 67.201.A- Nuisance Declared: Weeds, Undergrowth, General Ordinances, Martin County Code.

Compliance was required by February 5, 2016 for the damaged pool enclosure and on February 29, 2016 for the overgrowth and unsanitary pool. On May 17, 2021, an Affidavit of Compliance/Accrued Fines was issued reflecting an outstanding fine of \$380,800.00 plus costs in the amount of \$575.00.

Staff had offered to reduce the lien amount to \$16,430.00, representing ten percent of the value of the property; however, the Magistrate ruled that \$5,000.00 is appropriate to settle the outstanding fines in this case.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board accept the Magistrate's recommendations that the lien on the property be reduced to \$5,000.00 and accepted as full payment.

ALTERNATIVE RECOMMENDATIONS

Pull this item from the Consent Agenda and provide staff with further direction.

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- Budget Transfer / Amendment
- Chair Letter
- Contract / Agreement
- Grant / Application
- Notice
- Ordinance
- Resolution
- Other:

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