



## Legislation Details (With Text)

**File #:** 19-1021

**Type:** Consent      **Status:** Agenda Ready

**In control:** Board of County Commissioners

**On agenda:** 10/22/2019      **Final action:**

**Title:** REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHAWN R MAESEL, Case No. 16-0102863

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. SIGNED FINE REDUCTION 16-0102863.pdf

Date	Ver.	Action By	Action	Result
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**PLACEMENT:** Consent

**TITLE:**

**REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHAWN R MAESEL, CASE NO. 16-0102863**

**EXECUTIVE SUMMARY:**

Pursuant to the provisions of Section 1.98B, General Ordinance, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction and Agreed Recommended Order regarding the Code Enforcement case of Shawn R. Maesel.

**DEPARTMENT:** Building

**PREPARED BY:** **Name:** Dawn Matias  
**Title:** Business Operations Manager

**REQUESTED BY:** Shawn R. Maesel

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

Shawn R. Maesel Fine Reduction Request:

This Fine Reduction Stipulation and Agreed Recommended Order involves a parcel located at 86 NE 16<sup>th</sup> Street, Stuart, Martin County, Florida.

On June 29, 2016, an Order Finding Violation was issued by the Code Enforcement Magistrate to

Shawn R. Maesel for the following violation(s): Section 21.114 - Exterior Walls, Section 67.201.A - Nuisance Declared: Weeds, Undergrowth, Section 67.201.B - Nuisance Declared Trash, Etc., General Ordinances, Martin County Code.

Compliance was required by November 30, 2016. On July 15, 2017, an Affidavit of Compliance/Accrued Fines was issued reflecting an outstanding fine of \$46,100.00 plus costs in the amount of \$575.00.

Staff has determined that a lien reduction is warranted. The Respondent brought the property into compliance and has offered to pay \$1,750.00 to resolve the outstanding fines which have accrued. In addition, staff has considered the \$34,620.00 assessed value of the property, plus the surplus payment in the amount of \$5,717.81 that was made to the County upon the sale of another property by the Respondent.

**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 recommendation that the lien on the property be reduced to \$1,750.00 and accepted as full payment.

**ALTERNATIVE RECOMMENDATIONS**

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

**FISCAL IMPACT:**

**RECOMMENDATION**

None

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

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

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