



## Legislation Details (With Text)

**File #:** 20-0285  
**Type:** Consent  
**Status:** Agenda Ready  
**In control:** Board of County Commissioners  
**On agenda:** 2/18/2020  
**Final action:**  
**Title:** REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF BRENDA J LAZZARA, CASE NO. 17-0115340  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. SIGNED FINE REDUCTION 17-0115340.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 BRENDA J LAZZARA, CASE NO. 17-0115340**

### 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 Brenda J. Lazzara.

**DEPARTMENT:** Building

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

**REQUESTED BY:** Bank of New York Mellon TTEE c/o Select Portfolio Servicing, Inc.

**PRESET:**

**PROCEDURES:** None

### BACKGROUND/RELATED STRATEGIC GOAL:

Bank of New York Mellon TTEE c/o Select Portfolio Servicing, Inc. Fine Reduction Request:

This Fine Reduction Stipulation and Agreed Recommended Order involves a parcel located at 3042 NE Savannah Road, Jensen Beach, Martin County, Florida.

On January 17, 2018, an Order Finding Violation was issued by the Code Enforcement Magistrate to Brenda J Lazzara, for the following violation(s): Section 21.99 - Accessory Structures, Section 21.121.2 - Openable Windows, Section 21.223 - Electrical System Hazards, Section 67.201.A - Nuisance Declared: Weeds, Undergrowth, General Ordinances, Martin County Code.

Compliance was required by February 28, 2018. On November 7, 2019, an Affidavit of Compliance/Accrued Fines was issued reflecting an outstanding fine of \$202,600.00 plus costs in the amount of \$575.00.

Staff has determined that a lien reduction is warranted. Current Owners were not responsible for the violations; however, they brought the property into compliance and have offered to pay \$5,000.00 to resolve the outstanding fines which have accrued. In addition, staff has considered the \$39,220.00 assessed value of the structure.

**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 \$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

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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