



Agenda Item Summary

File ID: 19-1022

CNST-10

Meeting Date: 10/22/2019

PLACEMENT: Consent

TITLE:

REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHAWN R MAESEL, CASE NO. 16-0102861

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 66 NE 16th Street, Stuart, Martin County, Florida.

On July 27, 2016, an Order Finding Violation was issued by the Code Enforcement Magistrate to Shawn R. Maesel for the following violation(s): Section 21.122 - Doors, Section 21.121.2 - Openable Windows, Section 67.201.A - Nuisance Declared: Weeds, Undergrowth, Section 67.201.B - Nuisance Declared: Trash, General Ordinances, Martin County Code.

Compliance was required by August 29, 2016. On November 27, 2017, an Affidavit of Compliance/Accrued fines was issued reflecting an outstanding fine of \$43,275.00 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 \$39,190.00 assessed value of the property, plus the surplus

payment in the amount of \$5,717.81 that was made to the County upon 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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