



Agenda Item Summary

File ID: 20-0285

CNST-6

Meeting Date: 2/18/2020

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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