



## Agenda Item Summary

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**File ID:** 21-0284

**CNST-4**

**Meeting Date:** 1/12/2021

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**PLACEMENT:** Consent

**TITLE:**

**REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHIRLEY WICKER CASE NUMBER 16-0107914**

**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 Stipulation and Agreed Recommended order regarding the Code Enforcement case of Shirley Wicker.

**DEPARTMENT:** Building

**PREPARED BY:** **Name:** Rachel Spradley  
**Title:** Nuisance Abatement Coordinator

**REQUESTED BY:** 33162 Land Trust

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

Shirley Wicker Fine Reduction Request:

This Fine Reduction Stipulation and Agreed Recommended Order involves a parcel located at 2780 SE Holly St., Stuart, FL., Martin County, Florida

On November 16, 2016, an Order Finding Violation was issued by the Code Enforcement Magistrate to Shirley Wicker for the following violation(s): Section 67.201.A. - Nuisance Declared: Weeds, Undergrowth General Ordinances, Martin County Code.

Compliance was required by December 16, 2016. On April 17, 2018, an Affidavit of Compliance/Accrued Fines was issued reflecting an outstanding fine of \$48,600.00 plus costs in the amount of \$575.00.

33162 Land Trust is the Current Owner of the property. Pursuant to a Tax Deed recorded in Official Records Book 3082, Page 278, Martin County, Florida Public Records, Respondent has no remaining interest in the property.

Staff has determined that a lien reduction is warranted equivalent to the overage amount received by the County as the result of a tax deed sale and accordingly, no payment is required. The Current Owner was not responsible for the violation and the County received an overage in the amount of \$20,004.39 when the property was purchased at a tax deed sale.

**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 the overage amount and accordingly, no payment is required.

**ALTERNATIVE RECOMMENDATIONS**

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

**FISCAL IMPACT:**

**RECOMMENDATION**

None

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- |  |                                       |   |
|--|---------------------------------------|---|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application         | <input type="checkbox"/> Notice       | <input type="checkbox"/> Ordinance            |
| <input type="checkbox"/> Resolution                  |                                       |   |
| <input type="checkbox"/> Other:                      |                                       |   |

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