

1. **19-1110** Condemnation, Demolition and Removal of Unsafe Structure Located at 530 13th Place

Recommended Action: Staff recommends that the Board of County Commissioners declare the referenced structure unsafe and a nuisance, and order the building demolished, with related debris removed from the property by a private vendor approved through standard bid procedures.

Staff further recommends that the Board adopt the proposed resolution, which authorizes the Building Official to report the county's demolition and debris removal cost for said structure to the County Attorney, who will then prepare and record a lien against the subject property for the purpose of recovering County demolition costs.

Attachments: Staff Report

Resolution

Condemnation List

Pictures of Condemned Structure

Building Official Scott McAdam referred to staff's memorandum and a PowerPoint Presentation to provide the background on the vacant four (4) unit multi-family residential dwelling at 530 13th Place. He told of a December 4, 2019 meeting that staff had with the property owners, Juan De Los Santos and Maria De Los Santos of Indian River Beach Properties. Mr. McAdam stated that staff's recommendation was to order the building demolished; however, staff would be open to the structure being renovated rather than demolished, if a reasonable timeline could be agreed upon by the Board and the property owners.

Commissioner O'Bryan questioned Mr. McAdam about the cost of renovating the structure, and he estimated the cost to be \$200,000. The Commissioner then referred to Code Enforcement Chief Roland DeBlois for clarification related to the possibility of reducing the outstanding fines. Chief DeBlois explained that the fines were related to the exterior maintenance and securing the structure, and he stated that once those items were taken care of, the owners could go to the Code Enforcement Board for the consideration of reducing the accrued flat fine.

Commissioner Solari explained that County staff and the residents/property owners in the neighborhood have been dealing with the negative impact of the property at 530 13th Place for ten (10) years. He also mentioned the fact that the property was owned by a dissolved Limited Liability Company, and that the recent improvements to the property were not permitted. He suggested going before the Code Enforcement Board in the near future to have the guidelines made clear, and to have the reduced fine amount paid in advance, with a condition written in the guidelines agreement that the code enforcement fines would revert back to the original dollar amount if the property was not secured within the timeline that is set.

Vice Chairman Flescher questioned Mr. McAdam about permitting the work that had been done, and he felt it would be an easy task.

Chairman Adams opened the floor for public comments.

Margaret Slay, who represented four (4) properties that include 20 apartments on 13th Place, offered her concern regarding vandals and vagrants. She requested a plan for moving forward.

Maria De Los Santos, a resident of Miami and a property owner at 530 13th Place, spoke of her dissatisfaction that none of the neighbors had called law enforcement to report that vagrants were on the property. She stated that the problems on the property began after the 2004 hurricanes and she elaborated on the multiple attempts to secure the property and addressed the related issues. Ms. De Los Santos explained that in the past 60 days, they have installed new windows and doors with the exception of the sliding doors in the back of the units, which would remain covered by boards for visibility purposes related to vandals until the back of the property is cleared.

Commissioner O'Bryan received confirmation from Ms. De Los Santos that she and her husband had the financial means to bring the property into compliance.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to: 1) direct Code Enforcement Chief Roland DeBlois to arrange for the property owners, Juan and Maria De Los Santos, to appear before the Code Enforcement Board; 2) request that the Code Enforcement Board determine a conditional fine amount to be paid by the property owners in a reasonable amount of time; and 3) direct Building Official Scott McAdam to prepare a timeline for improvements that would include permitting and inspection requirements to be followed by the property owners.

Discussion ensued, and County Attorney Dylan Reingold reminded the Board that the item before them involved demolition. Additional discussion was heard, and it was noted by Chief DeBlois that the next Code Enforcement Board meeting was January 27, 2020. Commissioner O'Bryan agreed to amend his motion to table the agenda item until February 18, 2020.

An amended motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to table the item until February 18, 2020. The motion carried by the following vote:

Aye: 4 - Chairman Adams, Vice Chairman Flescher, Commissioner Zorc, and Commissioner O'Bryan

Nay: 1 - Commissioner Solari