

INDIAN RIVER COUNTY

BUILDING DIVISION

INTEROFFICE MEMORANDUM

TO: Jason E. Brown
County Administrator

DATE: October 26, 2016

SUBJECT: Condemnation, Demolition and Removal of
Unsafe Structures Located at 529 20th Street S.W., 2385 11th Court S.W.,
4795 32nd Avenue, and 6345 85th Street

THROUGH: _____
Stan Boling, Director
Community Development Department

FROM: Scott P. McAdam, MCP, CBO
Building Official

It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of November 8, 2016.

DESCRIPTION AND CONDITIONS:

The structures listed in the attached condemnation list have been condemned and ordered repaired or removed by the Building Official. Said structures have been inspected by staff and are considered unsafe and detrimental to the health, safety, and welfare of the general public.

As per county code requirements, the owners of the properties and others with an interest in the properties were issued notices to repair or remove the structures within 60 days, and advised of their right to appeal the condemnation order before the Indian River County Building Code Board of Adjustments and Appeals. In addition, condemnation cards were posted on the properties. The owners were also notified that the Board would consider a Resolution to demolish the buildings and impose liens, if they failed to demolish the structures or obtain permits to repair the structures. None of the owners have applied for repair permits, demolition permits, or appealed the decision of the Building Official.

ANALYSIS:

The subject residential structures have been vacant for a considerable time. During that time, the buildings have continued to deteriorate and have been frequented by vandals and transients. Not only have the owners failed to maintain the structures in compliance with the Minimum Standard Codes, they have failed to bring the structures into compliance as required by posted notice. Since the owners have not filed an appeal to the condemnation order, the county may now proceed with demolition of the structures and with assessing a lien against the property for demolition and removal. Recent County demolition contracts have averaged \$5,000 per residential site.

The County Attorney's Office has reviewed the title reports on these four parcels and found the following encumbrances:

1. Martha R. Williams, 529 20th Street S.W., Vero Beach: this parcel has five outstanding tax certificates for 2011 through 2015 with taxes due and owing in the amount of \$3,897.12. There are also two code enforcement liens accruing on the parcel: a 2013 lien for long grass and discarded furniture and a 2015 lien for junk trash and debris. The two code liens total over \$152,000. There is also a 2010 utility lien for \$117.93, plus interest and penalties. The Sheriff's Office has expressed concerns about this structure being used for nefarious activity in close proximity to Indian River Academy Elementary School.
2. Helen Cooper, 2385 11th Court S.W., Vero Beach: this parcel has three outstanding liens for Vero Beach Highlands Property Owners Association unpaid dues accruing since July 2011 totaling \$3,896.54, plus interest and additional fees since 2014. There is also a code enforcement lien on the property for long grass and weeds from 2011, now over \$176,000.
3. LaCrystal Demario and Antonio Yorker, with full rights of survivorship, 4795 32nd Avenue. Vero Beach: this parcel has a 2006 utility lien for \$543.64, plus penalties, interest and accruing line charges. There are also code enforcement liens from 2009 and 2014 totaling over \$94,000. One of the owners has a judgment for costs in a 2010 criminal case for \$275.00.
4. William C. Minnis, Sr. and William C. Minnis, Jr., as joint tenants with the right of survivorship, 6345 85th Street: The Minnis property is immediately west of Lee's Pool Hall in Wabasso. This parcel has a County lien for water on the property from 2011 in the amount of \$221.64, plus current charges, interest and penalties. There are Tax Certificates outstanding for 2013, 2014 and 2015 for a total due and owing of \$2,902.96. The Health Department has expressed concerns about this structure.

Preliminary research shows that while this is an older building, it would not qualify as a historic structure.

One of the properties is located in the Gifford Neighborhood Plan area known as east Gifford. Demolition of unsafe structures on those sites, as proposed, will help meet the neighborhood plan objective of demolishing 10 unsafe structures in east Gifford by 2016. Also, in accordance with the neighborhood plan, the demolition project will include weed removal/control on the subject lots.

FUNDING

It is estimated that funding in the amount of \$20,000 (4 x \$5,000) will be needed for the demolition and removal of the unsafe structures on the four residential sites and that funding is available in the MSTU Fund/Reserve for Contingency. After demolition bids are received and a demolition contract is awarded, a budget amendment will need to be processed to move those funds to the MSTU/Road & Bridge/Other Contractual Services-Account # 00421441-033490.

RECOMMENDATION

Staff recommends that the Board of County Commissioners declare the referenced structures unsafe and a nuisance and order the buildings 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 attached resolution authorizing the Building Official to report the county's demolition and debris removal cost for said structures to the County Attorney for the preparation and recording of a lien to be placed on the real property of the owners of the demolished unsafe structures for the purpose of recovering the County's demolition costs.

Attachments:

1. Resolution
2. Condemnation List
3. Pictures of Condemned Structures

APPROVED AGENDA ITEM:

BY: _____

FOR: November 8, 2016

Indian River Co.	Approved	Date
Admin.		
Legal		
Budget		
Dept.		
Risk Mgr.		