

INDIAN RIVER COUNTY
M E M O R A N D U M

TO: Jason E. Brown
County Administrator

THROUGH: Phil Matson, AICP
Community Development Director

FROM: Roland M. DeBlois, AICP
Planning Director

DATE: February 6, 2020

RE: Condemnation, Demolition and Removal of Unsafe Structure Located at 530 13th Place (tabled from the December 10, 2019 County Commission meeting)

It is requested that the Board of County Commissioners formally consider the following information at the Board's regular meeting of February 18, 2020.

DESCRIPTION AND CONDITIONS

At its meeting on December 10, 2019, the Board of County Commissioners considered a report from the County Building Official regarding a vacant 4-unit multiplex residential building at 530 13th Place. County building staff had posted the building as unsafe and had advised the owner to repair or remove the structure (see Attachment 1, 11/14/2019 staff report). As reflected in the staff report at that time, staff's recommendation was for the Board to declare the structure as unsafe and a nuisance, and order that the building be demolished.

At that meeting, however, the building owner, Maria De Los Santos, spoke of her problems and efforts over the years to secure and maintain the property, indicating that she had recently replaced windows and doors to secure the structure, which is otherwise in solid condition (see unapproved 12/10/19 BCC minutes, Attachment 2). After further discussion, the Board voted to table the matter until after the Code Enforcement Board's January 27, 2020 meeting, at which time the Code Board could considered setting fine amounts relating to past violations on the property.

Code Enforcement Board Action

At a hearing on January 27, 2020, the Code Enforcement Board considered two cases relating to the subject property. Under the two cases, accruing fines had been previously imposed for exterior maintenance and unsecured structure violations. [Note: leading up to the hearing, the owner conducted further clean-up of the exterior of the building, bringing it into full compliance with the Code Board's orders as of December 15, 2019 (see photos, Attachment 3).] At the January 27 hearing, the Code Board acknowledged the owner's compliance with the previous orders and set the fine amount due for the two cases (combined) at \$4,300 (see unapproved CEB minutes, Attachment 4).

ANALYSIS

In addition to the Code Enforcement Board's action since the County Commission's tabling of this matter, county building staff has developed an estimate of what would be considered a reasonable time frame for design, permitting, and restoration of the building to a useable residential condition (see Attachment 5). The time frame estimate is summarized as follows:

- Within 30 days: permitting for installed windows and doors (option: incorporate within overall renovation permit).
- Within 90 days: owner obtains a design professional and contractor, produces required plans and documents; submits a complete application for a renovation permit.
- Permit review period: 10-30 days, depending on completeness of application.
- Start of construction: within 45 days of permit issuance.
- Construction/renovation completion: within 6 months of commencement.
- Total time frame: approximately one year.

The Code Enforcement Board, in reducing and setting the accrued fines at its January 27 meeting, discussed and considered the public interest of the owner bringing the 4-unit multiplex "back on line" for work-force housing as opposed to the building being demolished. In the meantime, however, the Code Board emphasized the need for the owner to maintain the property in a clean, safe condition so as not to cause an attractive nuisance and blight to the neighboring properties.

The subject building, in its current secured condition with cleaned-up exterior, is not the safety hazard or nuisance that it was in its previous unmaintained state. Notwithstanding, staff has concerns that, unless the owner maintains the property and progresses with renovations (as outlined above), the property could again become an unsafe attractive nuisance. For reasons explained herein, staff supports holding off on demolition of the building to allow for renovation within the referenced time frame, with the understanding that the County can revisit that matter via code enforcement and condemnation action if no progress is made towards renovation.

RECOMMENDATION

Staff recommends that the Board of County Commissioners hold off on directing staff to proceed with demolition of the subject building, with the understanding that if the owner does not progress with renovations and occupancy of the building in the coming year, staff will bring this matter back to the Board for demolition authorization.

ATTACHMENTS

1. 11/14/2019 staff report (presented to the BCC on 12/10/2019).
2. Unapproved BCC 12/10/2019 meeting minutes.
3. Exterior photos of building and property as of December 15, 2019.
4. Unapproved CEB 1/27/2020 meeting minutes.
5. Building staff estimate of design, permitting, and renovation time frame.