

**INDIAN RIVER COUNTY**  
**BUILDING DIVISION**  
**INTEROFFICE MEMORANDUM**

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TO: Jason E. Brown  
County Administrator

DATE: November 8, 2017

SUBJECT: Condemnation, Demolition and Removal of  
Unsafe Structures Located at 1041 10<sup>th</sup> Court S.W.; 8720 92<sup>nd</sup> Avenue;  
6290 84<sup>th</sup> Street; and 3770 69<sup>th</sup> Street

THROUGH: Stan Boling, Director  
Community Development Department

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

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It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of December 5, 2017.

**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 structures have been vacant for a considerable time. During that time, the buildings have continued to deteriorate. 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. Kelly; 1041 10<sup>th</sup> Court, SW, zoned residential (RS-6). There are unpaid taxes in the amount of \$5,134.21. There was a tax deed sale held in 2014 but no one bid on the property so it is currently on the list of land available for purchase by paying the back taxes. The property will escheat to County ownership in April, 2018 if no one buys it for the back taxes owed. There is a code enforcement fine accruing since November, 2012, now estimated to be \$182,500.
2. Liddi; 8720 92<sup>nd</sup> Avenue, zoned residential (RS-3). The taxes are outstanding since 2012 with \$3,666.16 owing. There are 4 tax certificates out on the property. There is a code enforcement fine accruing since February 2013 in the approximate amount of \$164,250. There are no other liens or mortgages on the property.
3. Estate of Cartwright; 6210, 6290 84<sup>th</sup> Street, zoned residential (RS-3). There were two dilapidated structures on adjacent parcels. The structure at 6210 84<sup>th</sup> Street was demolished without a permit. The dilapidated structure at 6290 84<sup>th</sup> Street remains and needs to be demolished. The taxes on the property at 6290 84<sup>th</sup> Street are current. There are no liens or mortgages on the property.
4. Weber; 3770 69<sup>th</sup> Street, zoned industrial (IL). The taxes are current on this parcel. There is a Code Enforcement lien on the property from May 2014 with an approximate amount of \$124,500. No other mortgages or liens were found on the property.

## **FUNDING**

Funding in the amount of \$20,000 (4 x \$5,000) for the demolition and removal of the unsafe structures on the four residential sites 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 executed 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