

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20031055

1. REQUESTED MOTION:

ACTION REQUESTED: Deny Treva Gilligan's request, filed on behalf of Lee County Housing Development Corp, to waive accrued interested of \$812.85 on County lot mowing and demolition liens for property located at 545 Lynnedda Avenue, in East Fort Myers.

WHY ACTION IS NECESSARY: Board approval is required for mitigation of county assessment liens.

WHAT ACTION ACCOMPLISHES: Allows assessment lien to be released.

<p>2. DEPARTMENTAL CATEGORY: COMMISSION DISTRICT # C4E</p>	<p>3. MEETING DATE: 09-23-2003</p>	
<p>4. AGENDA:</p> <p><input checked="" type="checkbox"/> CONSENT</p> <p><input type="checkbox"/> ADMINISTRATIVE</p> <p><input type="checkbox"/> APPEALS</p> <p><input type="checkbox"/> PUBLIC</p> <p><input type="checkbox"/> WALK ON</p> <p>5 TIME REQUIRED:</p>	<p>5. REQUIREMENT/PURPOSE: (Specify)</p> <p><input type="checkbox"/> STATUTE</p> <p><input type="checkbox"/> ORDINANCE</p> <p><input type="checkbox"/> ADMIN. CODE</p> <p><input type="checkbox"/> OTHER</p>	<p>6. REQUESTOR OF INFORMATION:</p> <p>A. COMMISSIONER</p> <p>B. DEPARTMENT Community Dev.</p> <p>C. DIVISION Building Dept.</p> <p>BY: Robert Stewart</p> <p style="text-align: right;">Building Official BS</p>

7. BACKGROUND:

Lee County has recorded special assessment liens on property at 545 Lynnedda Avenue in East Fort Myers. The lot mowing lien is \$197.90 plus accrued interest of \$199.99, totaling \$397.78. The demolition lien is \$743.00 plus accrued interest of \$612.97, totaling \$1,355.97.

The Property Appraiser has indicated that the assessed value of this property is \$35,240.00.

Staff recommends the request be denied.

The Board has no obligation to waive or mitigate any portion of the assessment liens.

Attachment: Recorded assessment liens (OR Bk 2489/3518 and Bk2469/3662); Request for Mitigation

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services	G County Manager								
<i>Man</i> <i>(6/23)</i>				<i>Warr</i> <i>9/10/03</i>	<i>Capm</i> <i>9/11/03</i>	<i>per for</i> <i>W/H/H 9-11-03</i>								
					<table border="1" style="width:100%; border-collapse: collapse; font-size: 0.8em;"> <tr> <td style="width:25%;">QA</td> <td style="width:25%;">QM</td> <td style="width:25%;">RISK</td> <td style="width:25%;">GC</td> </tr> <tr> <td><i>N/A</i></td> <td><i>N/A</i></td> <td><i>N/A</i></td> <td><i>N/A</i></td> </tr> </table>	QA	QM	RISK	GC	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	
QA	QM	RISK	GC											
<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>											

10. COMMISSION ACTION:

APPROVED
 DENIED
 DEFERRED
 OTHER

Rec. by CoAtty

Date: *9/10/03*

Time: *2:25*

Forwarded To:
County Clerk
4:01 PM 9/10/03

RECEIVED BY
COUNTY ADMIN: *ED*

9/10

2:25 PM

COUNTY ADMIN
FORWARDED TO:
9/10/03
4:45 PM

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

LEVYING A SPECIAL ASSESSMENT LIEN AGAINST THE PROPERTY OF

L.K. and Clara Roberts

(From the most recent tax records)

3572389

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION 1.

This Resolution is adopted pursuant to the provisions of Lee County Construction Code Ordinance No. 92-36 which adopts the 1985 Standard Unsafe Building Abatement Code.

SECTION 2.

It is hereby found and determined as follows:

A. All conditions precedent to the levying of a Special Assessment Lien on the property described herein pursuant to the provisions of the Lee County Construction Code and Standard Unsafe Building Abatement Code have been satisfied.

B. Written demands have been made on the record owner or owners of the herein described property for payment of the cost incurred by the County in correcting conditions in violation of the Lee County Construction Code and Standard Unsafe Building Abatement Code and said owner or owners have not reimbursed the County for such cost.

SECTION 3.

A Special Assessment Lien pursuant to and in accordance with the provisions of the Lee County Construction Code and Standard Unsafe Building Abatement Code in the principal amount of \$ 743.00 which shall bear interest at the rate of 10% per annum is hereby levied against the following described property:

545 Lynnedda Avenue, Ft. Myers, FL

Strap No: 09-44-25-06-0000A.0210

LEGAL DESCRIPTION: TICE HEIGHTS BLK A LOTS 21 & 24 PB 5 PG 32

This Resolution shall be recorded in the Official Records of Lee County, Florida, and a copy thereof mailed by the Clerk to the owner of the subject property as shown on the most recent tax records of Lee County, Florida.

DULY PASSED AND ADOPTED THIS 6th day of March, 1994.

ATTEST:

CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: Lisa L. Pierce
Deputy Clerk

By: Ray Judal
Chairman

State of Florida
County of Lee

APPROVED AS TO FORM

I, Charlie Green, Clerk of the Circuit Court for Lee County, Florida, do hereby certify this document to be a true and correct copy of the original document filed in the Minutes Department.

Kevin E. Brinkman
OFFICE OF COUNTY ATTORNEY

C4c
4-6-94

Given under my hand and official seal at Fort Myers, Florida, this 12th day of April, A.D. 1994

CHARLIE GREEN, CLERK

By: Lisa L. Pierce
Deputy Clerk

OR2489 PG3518

94 APR 13 AM 9:32
CHARLIE GREEN LEE CNTY, FL

6P

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: G. SHERWOOD, D.C.

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA
LEVYING A SPECIAL ASSESSMENT LIEN AGAINST THE PROPERTY OF

3535370

Leon K. Roberts and Clara Roberts
(FROM THE MOST RECENT TAX RECORDS)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY,
FLORIDA, that:

SECTION 1.

This Resolution is adopted pursuant to the provisions of Lee County Ordinance No. 93-23, as amended, (Lee County Lot Mowing Ordinance).

SECTION 2.

It is hereby found and determined as follows:

A. All conditions precedent to the levying of a Special Assessment Lien on the property described herein pursuant to the provisions of the Lee County Lot Mowing Ordinance have been complied with.

B. Written demands have been made on the record owner or owners of the herein described property for payment of the cost incurred by the County in correcting conditions in violation of the Lee County Lot Mowing Ordinance and said owner or owners have not reimbursed the County for such cost.

SECTION 3.

A Special Assessment Lien pursuant to and in accordance with the provisions of the Lee County Lot mowing Ordinance (in the principal amount of \$197.90) is hereby levied against the following described property:

545 Lynnedda Ave.
09-44-25-06-0000A.0210
Lots 21 and 24, Block "A", TICE HEIGHTS SUBDIVISION, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court in and for Lee County, Florida, in Plat Book 5, Page 32.

SECTION 4.

A certified copy of this resolution shall be recorded in the Official Records Book of Lee County, Florida, and a copy thereof mailed by the Clerk to the owners of the subject property as shown on the most recent tax records of Lee County, Florida.

IN WITNESS WHEREOF, Lee County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairman of said Board this 7th day of February 1994.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature]
DEPUTY CLERK

BY: [Signature]
CHAIRMAN

State of Florida
County of Lee
I Charlie Green, Clerk of the Circuit Court for Lee County, Florida, do hereby certify this document to be a true and correct copy of the original document filed in the Minutes Department.

Given under my hand and official seal at Fort Myers, Florida, this 7th day of February, A.D. 1994.

APPROVED AS TO FORM:

BY: [Signature]
OFFICE OF THE COUNTY ATTORNEY

CHARLIE GREEN, CLERK
BY: [Signature]
Deputy Clerk

DR2469 P63662

94 FEB - 8 PM 2:51

CHARLIE GREEN LEE CNTY FL

RECORD VERIFIED - GENERAL PURPOSE BY: G. SHEPHERD, D.C.

LEE COUNTY HOUSING DEVELOPMENT CORPORATION



*"A private, non-profit organization dedicated to creating affordable housing."
Funded in part by the Lee County Board of County Commissioners*

**P.O. Box 2854, Fort Myers, FL 33902-2854
Phone: (239) 656-2721 * Fax: (239) 656-2851**



August 27, 2003

Mr. Fred Roenigk
Senior Code Enforcement Officer
Lee County

Re: Lot Mowing Liens on 545 Lynnedda Avenue (09-44-25-06-0000A.0210)

Dear Mr. Roenigk:

I am writing you today regarding the outstanding liens that have been placed on the aforementioned property. I am requesting that the penalties and interest for lot mowing and unsafe building abatement be waived. We are willing to reimburse the county for the hard cost that have been incurred, but would like to have the remaining balance waived.

Lee County Housing Development Corporation is a local non-profit agency that has been providing affordable housing to the residents of Lee County for over 12 years. Bank United FSB out of Miami recently donated the Lynnedda Avenue property to us so to be used for affordable housing. We plan to demolish the current structure on the site and build a new affordable home for a low-income family. We have paid all delinquent taxes on the property.

Waiving these fees would allow us to move forward with our plans and put this piece of property back on the tax roll. I hope that you will grant this request so that we can continue to do what we have always done, provide affordable housing to the residents of Lee County. If you have any questions or need any additional information, please give me a call at (239) 656-2721 ext. 105.

Sincerely,

Treva K. Gilligan
Treva K. Gilligan
Executive Director

Dr. Bruce Merton, *President* * Donald Isaac, *Vice President* * Ahmad Kareh, *Secretary/Treasurer* * Treva K. Gilligan, *Executive Director*
Lee Ford * Bilal Muhammad * Michael Reitzman
Carmen Rivera * Dr. Rev. Israel Suarez