AGENDA ITEM # 10A

MEMORANDUM

TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT

THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.

TO: Code Enforcement Board

THROUGH: Drew Smith, Town Attorney

FROM: David Hooker, Code Enforcement Officer

DATE: February 3, 2016

DATE OF MEETING: February 22, 2016

Case Number: 43095

Address: 30 Inlet Harbor Road

Owner: Carmela Maglifore

Alleged Violation:
Failure to renew rental permit;

Land Use and development Code – Section 3.18.2 – Applicability

Brief History:
All rental permits are valid from October 1st through September 30th of each year. In July 2015, staff sent renewals to all properties that were rented during that calendar year.

In November 2015, a second notification was sent to all owners after the permit renewals were not paid and were now considered delinquent.

Few weeks passed with no contact with the owner. Subsequently, a formal Notice of Violation was sent on December 23, 2015.

After three attempts were made to contact owners about their rental permit renewal, a formal Notice of Hearing was issued on February 1, 2016.

Recommendation:
The property to be found in non-compliance and assess fine in accordance with Florida statutes Chapter 162.09.

Footnote:
As a reminder, code enforcement cases are quasi-judicial and receipt of any information outside of the public meeting on a case is strongly discouraged. If a board member obtains any information outside the public hearing process, this information must be disclosed in detail by the board member prior to the presentation of the case and may not be considered by the board member when making any decision related to the case.

TOWN OF PONCE INLET, PLANNING AND DEVELOPMENT DEPARTMENT
BUILDING & CODE ENFORCEMENT DIVISION
We strive to be professional, caring and fair

NOTICE OF VIOLATION

December 23, 2015

Carmela Maglifiore
2025 Travelers Palm Drive
Edgewater, Florida 32141

Method of Delivery: 7014-0150-0002-0116-5931

RE: 30 Inlet Harbor Road – Unit 1040 Code Enforcement case #43095

Dear Ms. Maglifiore:

Please be advised that a code violation is hereby issued for the property located at 30 Inlet Harbor Road – Unit 1040, Ponce Inlet, FL, having the parcel identification number #6430-15-00-1040 and legally described as: UNIT 104 TIDEWATER CONDO FKA INLET HARBOR CLUB CONDO PER OR 2713 PG 1842 PER OR 3453 PG 1389 PER OR 3570 PG 0760 OR 4285 PG 2351 PER OR 4692 PG 3267.

Description of violation: DWELLING UNIT IS RENTED WITHOUT A VALID RENTAL PERMIT. You are hereby cited with a violation of the Town of Ponce Inlet's Land Use and Development Code, Article 3, §3.18 (Regulation of Dwelling Rentals).

July 2015 and November 2015, the Town of Ponce Inlet sent your renewal notice for the fiscal year 2015/2016. As of this date, the Town has not received the permit renewal form, nor notification from you that you are no longer renting the dwelling.

Unless the aforementioned violations are corrected within ten (10) days of receipt of this letter, you shall be scheduled for a hearing before the Code Enforcement Board of the Town of Ponce Inlet.

Pursuant to Chapter 162.09(2)(a), Florida Statutes, "A fine imposed pursuant to this section shall not exceed $250 per day for a first violation and shall not exceed $500 per day for a repeat violation, and, in addition, may include all costs of repairs pursuant to subsection (1). However, if a code enforcement board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed $5,000 per violation."

If you have any questions, I may be reached at (386)236-2187, weekdays from 8:00am to 4:30pm or by e-mail at dhooker@ponce-inlet.org. Your cooperation is anticipated and appreciated.

Kind Regards,

David Hooker,
Code Enforcement Officer