



Broward County

Legislation Text

File #: 20-2322, Version: 1

Broward County Commission Regular Meeting

Director's Name: Leonard Vialpando

Department: Environmental Protection

Division: Planning & Development Management

Information

Requested Action

MOTION TO ADOPT Resolution No. 2021-009 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, February 23, 2021 at 10:00 a.m. in Room 422 of the Broward County Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, FL 33301, to consider Resolution to levy land clearance liens against certain described properties resulting from violations of the Property Maintenance regulations contained within Chapter 39 of the Broward County Code of Ordinances. **(Commission Districts 7 and 9)**

Why Action is Necessary

Board approval of a Resolution is necessary to levy land clearance liens pursuant to Chapter 39, "Zoning", Article X, "Property Maintenance", Section 39-138 of the Broward County Code of Ordinances.

What Action Accomplishes

This item provides notice of a public hearing for the Board to levy land clearance liens, on behalf of Broward County, against certain described properties for costs incurred by Broward County associated with land clearing, administrative and interest costs.

Is this Action Goal Related

No

Previous Action Taken

None

Summary Explanation/Background

THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT AND THE PLANNING AND DEVELOPMENT MANAGEMENT DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This item relates to activities in the Broward Municipal Services District (BMSD). The BMSD consists of 11.4 square miles with an estimated population of 15,375 in 2020. The Board of County Commissioners is the governing body of the BMSD and the provider of its municipal services that include, but are not limited to, business development, building permitting and housing development, libraries and parks facilities, roadway maintenance, street enhancements, and zoning and code enforcement.

Chapter 39, "Zoning", Article X, "Property Maintenance", Section 39-138 of the Broward County Code of Ordinances (Property Maintenance Ordinance) authorizes the Board, by Resolution, to levy a land clearance lien, on behalf of Broward County, against a property to recover costs of clearance, together with interest thereon, plus all costs related to assessment and recording of the lien in the public records of Broward County, Florida. The purpose of these provisions is to establish and define minimum standards for the proper care and maintenance of properties to preserve the public health and safety, protect and enhance property values and enhance the quality of life in the BMSD.

The Lien Resolution (Exhibit 2) includes Exhibit A that identifies violations and provides property-specific information. The County has complied with all procedural requirements necessary to levy these liens. The property owners were given notice of the violation(s) and failed to have the property cleared of litter, debris, garbage, and/or overgrown vegetation thus, forcing the County or its designee to clear the property.

Upon approval of this agenda item, all property owners will be re-notified of the proposed levy of special assessment liens and provided an additional opportunity to seek settlement, adjustment or compromises of land clearance costs and fees consistent with provisions of the Property Maintenance Ordinance. Exhibit A of the Resolution will be updated prior to the public hearing to reflect any settlements that are received.

Source of Additional Information

Josie P. Sesodia, AICP, Director, Planning and Development Management Division, (954) 357-6602

Fiscal Impact

Fiscal Impact/Cost Summary

Approval of the motion may result in recovering \$12,457 from the subject property owners to reimburse the County for costs incurred in the land clearing process.