

## M E M O R A N D U M

Date: April 30, 2013

**TO:** Town Commission  
**FROM:** Anne Ross, Assistant Town Manager  
**SUBJECT:** Resolution 2013-16, Setting Public Hearing on Outparcels and Unit A Buildings, 1620 Gulf of Mexico Drive

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At the April 24, 2013 Special Workshop Meeting the Town Commission discussed conditions at The Colony property Outparcels and Unit A. The Building Official has determined that building maintenance items are deficient and need to be brought into compliance.

The property owners were notified via letter from the Town Manager on March 19, 2013 and a compliance date of April 12, 2013 was given. The property owners did not achieve compliance by April 12, 2014 nor did they supply the Town with an action plan for compliance.

Resolution 2013-16 sets a public hearing on whether the Outparcels and Unit A buildings are a public nuisance or not. The public hearing is set for May 20, 2013 at 1:00 pm at the Longboat Key Town Hall, Commission Chamber. The Town Commission, per Town Code Section 152.22, reached consensus to forward Resolution 2013-16 to the May 6, 2013, Regular Meeting for formal action.

If you should have any questions or need additional information, please don't hesitate to contact me if you have any questions.

## RESOLUTION 2013-16

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, FINDING THE STRUCTURES AND BUILDINGS ON OUTPARCELS AND UNIT A OF THE PROPERTY KNOWN AS "THE COLONY BEACH AND TENNIS RESORT" LOCATED AT 1620 GULF OF MEXICO DRIVE, LONGBOAT KEY, FL, MAY CONSTITUTE A PUBLIC NUISANCE AS PROVIDED IN SECTION 150.22(A) OF THE LONGBOAT KEY TOWN CODE; SETTING A DATE FOR A PUBLIC HEARING TO DETERMINE WHETHER A PUBLIC NUISANCE IN FACT EXISTS; PROVIDING DIRECTION FOR NOTICING THE HEARING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Building Official of the Town of Longboat Key (the "Town") has examined the structures and buildings located at The Colony Beach and Tennis Resort, Outparcels and Unit A, 1620 Gulf of Mexico Drive, Longboat Key, Florida 34228 ("Outparcels" and "Unit A") and determined that they are "dangerous structures" within the terms of Section 150.22 of the Town Code of Ordinances ("Code"); and

**WHEREAS**, pursuant to Section 150.22 of the Code, the Building Official has issued a report to the Town Commission detailing the condition of the structures and buildings of Outparcels and Unit A and finding them to be a public nuisance; and

**WHEREAS**, the Town Commission has considered the Building Official's report and finds that the structures and buildings described therein may constitute a public nuisance; and

**WHEREAS**, pursuant to Section 150.22(E), the Town is hereby setting a time, place, and date for a public hearing on whether or not the structures and buildings of Outparcels and Unit A constitute a public nuisance.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, THAT:**

**SECTION 1.** The Town will hold a public hearing on whether or not the structures and buildings at The Colony Beach and Tennis Resort, Outparcels and Unit A, 1620 Gulf of Mexico Drive, Longboat Key, Florida 34228, as shown in Exhibit A, attached hereto, are a public nuisance on May 20, 2013, at 1:00 p.m., or as soon thereafter as it may be heard, at the Longboat Key Town Hall, Commission Chamber, 501 Bay Isles Road, Longboat Key, Florida 34228.

**SECTION 2.** Notice of this hearing, describing the property on which the structures and buildings are located sufficient for identification, must be published at least once in a newspaper of general circulation at least seven days prior to the hearing. The Town Clerk, or designee, is hereby directed to post a notice of the public hearing on the structures or buildings at issue and send a copy of the notice, by registered mail,

to the owner of the premises on which the structures and buildings are located, as it appears on the most current town or county tax assessment roll. The notice to the owner shall also describe, in general terms, the condition of the structures and buildings that are alleged to constitute a public nuisance.

SECTION 3. If any section, subsection, sentence, clause or provision of this Resolution is held invalid, the remainder of the Resolution shall not be affected.

SECTION 4. This Resolution shall become effective immediately upon adoption.

Passed by the Town Commission of the Town of Longboat Key at a meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
James L. Brown, Mayor

ATTEST:

\_\_\_\_\_  
Trish Granger, Town Clerk

Attachment:

Exhibit A: Aerial Photo, 1620 Gulf of Mexico Drive





**End of Agenda Item**