

M E M O R A N D U M

Date: May 1, 2013

TO: Town Commission
FROM: Dave Bullock, Town Manager
SUBJECT: Public Hearing of the Town Commission as Provided for in Resolution 2012-07, Section 5

At the April 24, 2013 Special Workshop Meeting Town Staff presented the status of property maintenance at the Colony. Resolution 2012-07, Section 4 states that "the Colony shall:

- 1) Maintain vermin and pest control programs reviewed and approved administratively by the Town;
- 2) Secure all unsafe buildings and stairways in compliance with Sections 150.04, 150.21, 150.22, and 150.71 of the Longboat Key Code of Ordinances as well as the Florida Building Code;
- 3) Restore and maintain the landscaping and irrigation of the portions of its property that are visible to the public and neighbors in a pre-shutdown condition;

Town Staff have found property maintenance issues at the Colony to be deficient or in violation. 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.

The Association for the Colony was required to provide the Town with a cash bond guaranteeing the performance of the three conditions provided above. Based on the provisions of Resolution 2012-07, the Town Commission has provided notice and scheduled a public hearing on May 6, 2013 to determine whether the requirements of the resolution have not been met. The Town Commission may take all necessary, reasonable, and appropriate action. Action can include Town abatement of issues utilizing the Association cash bond.

The attached information will be presented at the May 6, 2013 Regular Meeting. Should you have any questions or require additional information, please feel free to contact me or Anne Ross, Assistant Town Manager.

TOWN OF LONGBOAT KEY



PUBLIC HEARING ON PROPERTY MAINTENANCE ISSUES

TOWN COMMISSION REGULAR MEETING
MAY 6, 2013



PROPERTY MAINTENANCE REQUIREMENTS PER RESOLUTION 2012-07

- 1) **Maintain Vermin and Pest Control Programs**
- 2) **Secure all Unsafe Buildings and Stairways**
- 3) **Restore and Maintain Landscaping and Irrigation
Visible to Public at Pre-Shutdown Condition**



CODE VIOLATIONS AND DEFICIENCIES

- **40 Identified to Association and Outparcel Owners on March 19, 2013**
- **April 12, 2013 Deadline to Rectify Deficiencies and Violations or Establish Action Plan**
- **50 Issues Identified to Date**



NONCOMPLIANCE STATUS AS OF APRIL 24, 2013

- 34 Items Brought into Compliance
- No Violations to be referred to Code Enforcement Board
- 4 Deficiencies to be Handled by Town via Resolution 2012-07
Cash Bond
- 1 Junk Violation Addressed by Resolution 2013-15
- 2 New Deficiencies & 3 Violations to be noticed to Property Owner
- 6 Building Maintenance Deficiencies Addressed by
Resolution 2013-16



RESOLUTION 2012-07, SECTION 5

- **If Colony or Town Manager believes any conditions have not been met a public hearing before the Town Commission may be requested**
- **Public hearing is to determine compliance with resolution requirements**
- **If Town Commission determines requirements of resolution have not been met, the Town Commission may take all necessary, reasonable, and appropriate action**
- **Such action, upon 90 days notice, includes terminating all, or a portion, of the extensions of time granted for the nonconformity**



ACTIONS PER RESOLUTION 2012-07

- 1) In a Public Hearing, the Town Commission determines that conditions of Section 4 have not been met.**
- 2) Authorize Town Manager to take action to cure existing property maintenance issues**



End of Agenda Item