



Agenda Item Summary

File #: 24-00095

Agenda Date: 2/13/2024

Agenda Item Name:

Public Hearing to consider finding of a Public Nuisance at 2604 NE 69th Terrace, Gainesville, Alachua County, FL

Presenter:

Greta Moreau, Interim Director Office of Code Administration

Description:

Public Hearing on Authorization for Abatement of Public Nuisance located at 2604 NE 69th Terrace, Gainesville, FL, parcel No. 17742-024-000, Code Enforcement Case SM22-015

Recommended Action:

Determine public nuisance exist at the property located at 2604 NE 69th Terrace, Gainesville, FL, parcel No. 17742-024-000, and authorize County staff and its contractors and authorized agents to enter this property and abate the nuisance, at the expense of the property owner.

Prior Board Motions:

N/A

Fiscal Note:

The cost of the demolition and removal of the nuisance is \$3,500.00. There are funds appropriated in the MSTU (Municipal Services Taxing Unit) Fund in account 008.65.6510.524.34.00 to cover these expenses in the Office of Code Administration Division under the operating expense description - Other Contractual Services.

Strategic Guide:

Environment and Public Safety

Background:

On 01/25/2022, after receiving a complaint, Code Administration conducted an inspection of the property located at 2604 NE 69th Terrace, Gainesville, Alachua County, FL, Parcel No. 17742-024-000 ("property") owned by J.C. McCoy and Callie Lawson (deceased). A Code Officer observed a manufactured mobile home on the property that was damaged due to a fire, along with junk, trash and debris littered about the site. The property was the subject of a code enforcement case, *Alachua County v. J.C. McCoy*, SM 22-105. In that case, the Special Magistrate entered an Order finding the property in violation of sections 74.29 and 74.20(a) of the Alachua County Code. At that time, County staff had communications with the owner and the owner's family. An Order Imposing Administrative Fine/Lien was entered and recorded in the Official Records of Alachua County, acting as a lien

pursuant to local and state law. Upon re-inspections, the property was found to be still in violation. The property is located in the area known as Copeland and the condition of the property was identified as an issue or concern by this community.

A public nuisance is defined in Section 74.23, Alachua County Code. It is requested that the Board of County Commissioners ("Board") determine the property amounts to a public nuisance and as a result, the Board authorize County staff and the County's contractors and authorized representatives to enter the property and cause the conditions to be remedied at the expense of the property's owner, pursuant to Chapter 74, Alachua County. According to Section 74.28 of the Alachua County Code, the Board should consider whether there is an ongoing code violation of any section of the Alachua County Code on the property and whether the condition of the property poses a risk to the health, safety, and welfare of the general public or neighboring properties, including the economic welfare of adjacent properties.

Pursuant to Section 74.27, Alachua County Code, the owner was notified of the nuisance conditions, was directed to remedy the conditions, and was provided with a reasonable time to comply. The property remains out of compliance and the nuisance conditions remain. Notice was sent of today's hearing and that the County may seek recover its costs for the abatement of the nuisance. If this agenda item is approved, Code Administration is directed, after abatement of the conditions, to certify the expense and invoice the property owner as provided in Chapter 74, Alachua County Code.