



City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: DECEMBER 13, 2022

RE: RESOLUTION NUMBER 22-95: AUTHORIZATION TO DEMOLISH THE
STRUCTURE AT 209 WEST BADGER AVENUE
CODE ENFORCEMENT CASE #20-01203

Introduction:

Resolution Number 22-95 approves the expenditure of funds for the demolition of a structure located at 209 West Badger Avenue.

Recommended Action:

The Administration recommends approval of Resolution Number 22-95.

Board Action:

On November 8, 2021, the Eustis Code Enforcement Board issued a Demolition Order for an unsafe single-family residential dwelling located at 209 West Badger Avenue.

Case History:

On September 28, 2021, the Code Enforcement Department prepared a Statement of Violation, Notice of Hearing and Request for Demolition and served notice to the property owner and all other interested parties in accordance with the City's Demolition Policy and Procedures (adopted by the Code Enforcement Board on March 19, 2007, and approved by the City Commission on May 3, 2007).

At the November 8, 2021, Code Board Hearing, the Board took evidence and testimony under oath from the City, and gave opportunity for the property owners and all other interested parties to give evidence and testimony under oath. Based on the testimony given and relevant evidence presented, the Board found that each and every one of the major violations indicated in the Statement of Violation constitutes a public nuisance, which is a danger to the public health, safety and welfare. The Board ordered that the property owner obtain all necessary permits to repair or demolish the structure by December 8, 2021, or the City would demolish the structure.

On December 13, 2021, the Code Enforcement Board postponed their Order for 60 days after Code Board Member, Ryan Benaglio, informed them that one of the owners of the property had contacted him about purchasing it. He advised that if he is successful in

purchasing the property, he and his company would bear the full cost of demolishing the structure and cleaning up the property.

On February 14, 2022, the Board granted another 60-day postponement after Mr. Benaglio updated them on the status of his pursuit to purchase the property.

On May 9, 2022, the Code Enforcement Supervisor updated the Board and advised them that Mr. Benaglio, who was not present, was still trying to work through title issues so he could purchase the property. As a result, the Board granted another 90-day postponement, in an effort to keep the City from incurring the unknown costs of the demolition.

On September 12, 2022, the Code Supervisor advised the Board that the City will be proceeding with executing the Demolition Order because all of Mr. Benaglio's efforts to obtain a clean title to the property and close on the purchase have failed. Mr. Benaglio confirmed this, despite all his best efforts.

Afterward, the Department contracted with an environmental firm to complete an asbestos survey as required by federal law at a cost to the City of \$1,947.95. The results of the survey found some materials containing asbestos that must be removed prior to demolition.

Staff, then solicited quotes from three demolition contractors to remove the asbestos and demolish the structure. Two quotes were returned, with the highest being \$32,250 and the low bid being \$16,500.

Community Input

No adjacent property owners attended the Code Enforcement Hearings.

Budget / Staff Impact:

Approval of the Resolution would result in an expenditure of \$16,500, which will be recorded as a lien against the property. The City currently only has \$11,000 budgeted in its Fund 68, for demolitions. Since there is a budget shortfall, the Resolution also authorizes the Finance Director to increase the demolition budget account 068-1220-552-30-31 by utilizing \$9,000 of the Fund Balance Reserve to increase the account to \$20,000, as a contingency to cover any unforeseen cost overruns.

Reviewed By:

Kenneth Toler, Captain

Prepared By:

Eric Martin, Code Enforcement Supervisor

Attachments:

- Staff Report
- Resolution Number 22-95