

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20070307**

- 1. ACTION REQUESTED/PURPOSE:** Authorize County Attorney to file suit to enjoin a public nuisance at 4434 Poinsettia Street.
  
- 2. FUNDING SOURCE:** Unincorporated Area MSTU; Program: Community Development Code Enforcement.
  
- 3. WHAT ACTION ACCOMPLISHES:** Authorizes County Attorney to file suit in Circuit Court to seek an injunction to abate a public nuisance.
  
- 4. MANAGEMENT RECOMMENDATION:** Approve authorization to file suit.

|  |   |   |
|--|---|---|
| <b>5. Departmental Category:</b> 12 - <u>A12C</u>  |   | <b>6. Meeting Date:</b> MAR 13 2007                           |
| <b>7. Agenda:</b>                                  | <b>8. Requirement/Purpose:</b> <i>(specify)</i> | <b>9. Request Initiated:</b>                                  |
| <input type="checkbox"/> Consent                   | <input type="checkbox"/> Statute                | <b>Commissioner</b> _____                                     |
| <input checked="" type="checkbox"/> Administrative | <input type="checkbox"/> Ordinance              | <b>Department</b> County Attorney                             |
| <input type="checkbox"/> Appeals                   | <input type="checkbox"/> Admin. Code            | <b>Division</b> Litigation                                    |
| <input type="checkbox"/> Public                    | <input checked="" type="checkbox"/> Other       | <b>By:</b> John J. Renner, Chief<br>Assistant County Attorney |
| <input type="checkbox"/> Walk-On                   |   |   |

**10. Background:** Lee County Code Enforcement has cited Robin T. Gray, owner of 4434 Poinsettia Street, for repeated violations of Lee County Ordinance No. 93-39 which prohibits nuisance accumulation on property. The case was heard before the Hearing Examiner. Based upon the evidence presented, the Hearing Examiner found a nuisance accumulation existed at 4434 Poinsettia Street; ordered the nuisance accumulation cleared from the property and imposed a fine of \$100 per day beginning October 11, 2005. The nuisance accumulation continues unabated. Copies of recent photographs showing the nuisance accumulation are attached.

**Funds available in account string:** LC5241115500.

**11. Review for Scheduling:**

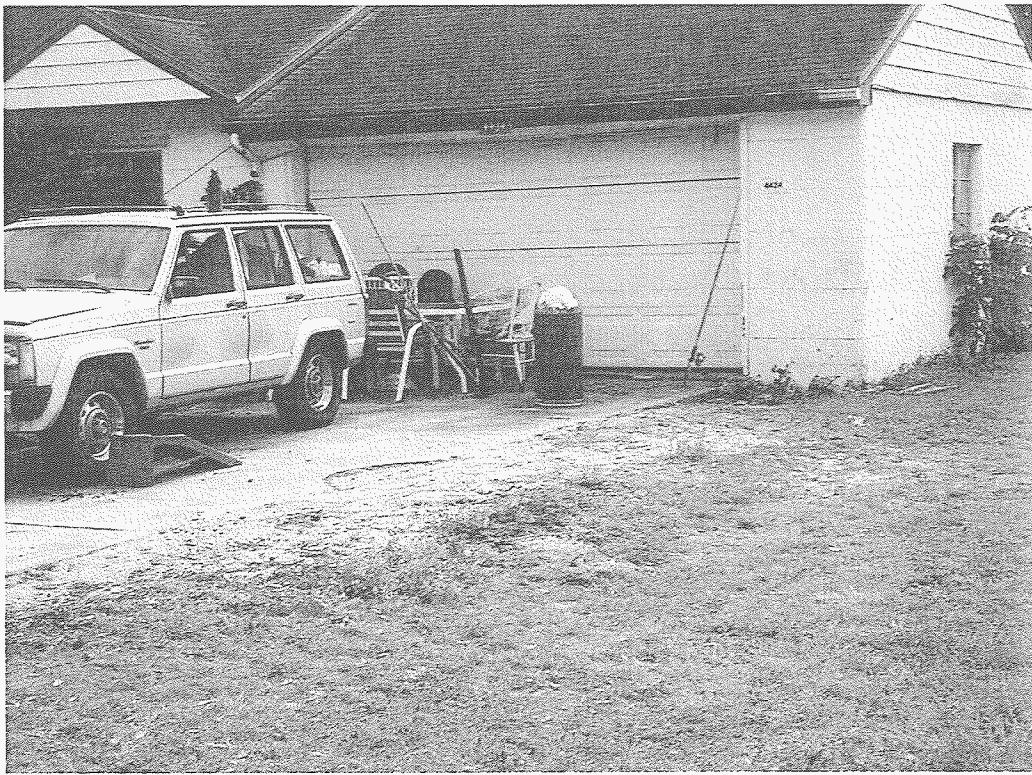
| Department Director | Purchasing or Contracts | Human Resources | Other | County Attorney    | Budget Services |         |                |         | County Manager/P.W. Director  |
|---------------------|-------------------------|-----------------|-------|--------------------|-----------------|---------|----------------|---------|-------------------------------|
|                     |                         |                 |       |                    | Analyst         | Risk    | Grants         | Mgr.    |                               |
|                     |                         |                 |       | <i>[Signature]</i> | 2/26/07         | 2/26/07 | RK for RB 2/26 | 2/26/07 | <i>[Signature]</i><br>2-27-07 |

**12. Commission Action:**

- Approved
- Deferred
- Denied
- Other

CO. ATTY.  
FORWARDED  
TO CO. ADMIN.  
2/23/07

RECEIVED BY  
COUNTY ADMIN:  
2/23/07  
430  
COUNTY ADMIN  
FORWARDED TO:  
2/26/07 - RK 10/00  
2-27-07 to PR@430



B. KEELER  
4434 Pomeroy St.  
Ref # 2005-14206  
Case # 06-194



B. Keeler  
4434 Poinsettia St.  
Ref # 2005-14206  
Case # 06-194



B. Kee 142  
4434 Pansetta St.  
Ref # 2005-14206  
Case # 06-194



B. Keeler  
4434 Bonsettia St.  
Ref # 2005-14206  
Case # 06-194



B. Keeler  
4434 Pomme Hill St.  
Ref # 2005-14206  
Case # 06-194



B. Keefer  
4434 Pomona St.  
Rm # 2005 - 14206  
Case # 06 - 194

0001



B. Keeler  
4434 Pomsetha St.  
Ref # 2005 - 14206  
Case # 06 - 194





B. Keeler  
4434 Pomsettia St.  
ref # 2005-14206  
car # 06-194

B. Keeler  
4434 Bonanza Ave. St.  
Apt # 2005 - K226  
Case # 06-194

