



# CITY OF GAINESVILLE

## Neighborhood Enhancement Division

P.O Box 490, Station 10A

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[www.cityofgainesville.org](http://www.cityofgainesville.org)

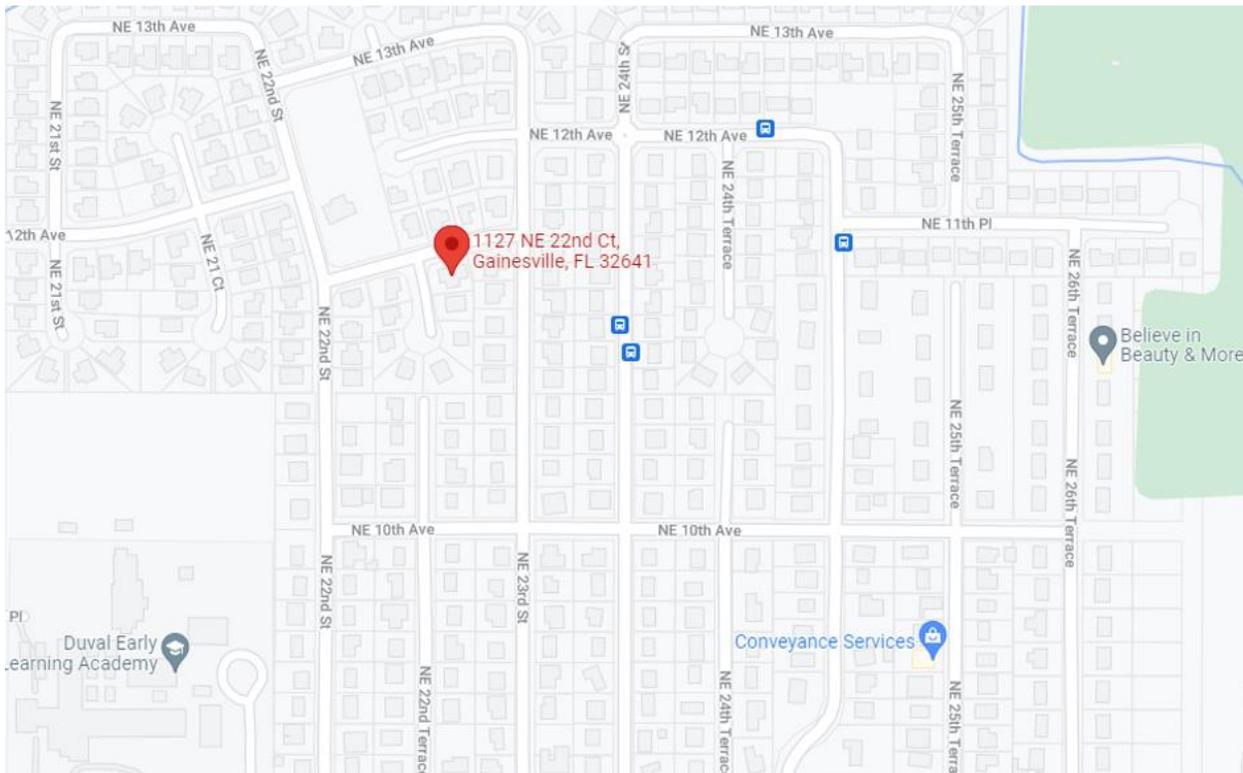
CITY v. WARREN MCCLUNEY  
 CE-20-00552 / SM 2020-083  
 1127 NE 22<sup>nd</sup> Ct. / Tax Parcel No. 10848-020-015

Notice of Violation:	February 25, 2020
Description of Violation:	Sec. 30-8.9 B& C – Installation and Maintenance of Landscape Materials: B. Replacement of Dead Material.
CEB Order Signed:	September 10, 2020
CEB Date Given to Comply:	365-days to comply = September 10, 2021
Affidavit of Non-Compliance Inspection Date:	November 3, 2021
Liens Recorded On:	October 26, 2021 in Book <u>4944</u> , Page <u>1874</u>
Affidavit of Compliance Inspection Date:	November 10, 2021
Accumulated Fine(s):	\$6,000
Assessed Costs:	\$650 (tree mitigation fee) and \$106.67 Administrative Costs (paid)
SMH Reduction/Rescission:	December 9, 2021
SMH Recommendation:	Reduce the remaining lien amounts to zero.
Staff Recommendation:	The City agrees with the Special Magistrate's Recommendation of zero.

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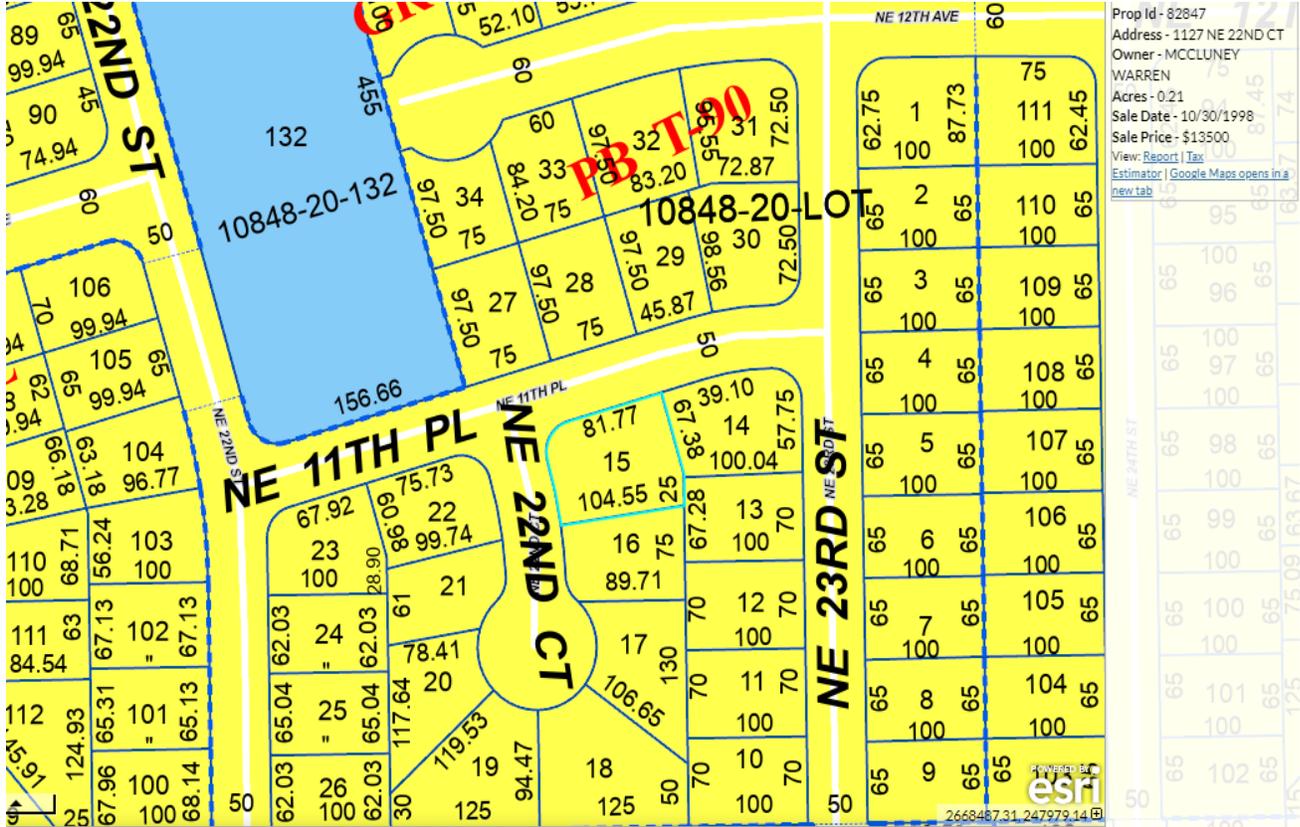
210673B  
January 6, 2022

Map(s) of Property Location



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SUMMARY:

This item is a request for the City Commission to consider an application for a lien reduction or rescission for 1127 NE 22<sup>nd</sup> Ct, Gainesville, Florida. On February 20, 2020, the City Arborist referred to Officer Samantha Norris a compliant of a 26" Live Oak removed without a permit from this location. This is a violation of City Ordinance 30-8.9 B&C.

On July 10, 2020, a Special Magistrate Hearing on the matter obtained a Guilty verdict. The Magistrate allowed Mr. McCluney until September 10, 2021 to pay the tree mitigation fee of \$650 plus Administrative Costs of \$106.67, or be fined \$100 a day. The fees and costs were not paid and the property was out of compliance for 60 days, resulting in a lien of \$6,000 plus the above mentioned costs and fees.

On November 15, 2021, Mr. McCluney met with Sustainable Development Director, Andrew Persons and Neighborhood Enhancement Manager, Pete Backhaus to discuss the reduction/rescission of the lien. He advised that he had lost track of time and was dealing with health issues, resulting in his not paying the fees and costs when due. He would like the fines reduced to zero.

Based on the violation only affecting Mr. McCluney's property and his payment of the outstanding Administrative costs and Tree Mitigation Fees, the City concurs with Mr. McCluney's request to reduce the fines to zero and the Magistrate's recommendation of the reduction to zero.

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07/01/2020 - Before Photo taken by Officer Samantha Norris and accurately reflected the condition of the property at the time it was taken.

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12/08/2021 – After Photo was taken by Pete Backhaus and accurately reflects the condition of the property at the time it was taken.