

BEFORE THE SPECIAL MAGISTRATE IN AND FOR VENICE, FLORIDA

City of Venice,

Petitioner,

CASE NO. CEEN24-00234

KITCHEN, GAYLE C.,

Respondent(s).

_____ /

NOTICE OF HEARING

1. Pursuant to Chapter 34 Section 34-81 of the Code of the City of Venice, the undersigned Code Enforcement Officer hereby gives notice of uncorrected violations of the Code of the City of Venice, as more particularly described herein, and hereby requests a PUBLIC HEARING before the Special Magistrate. A copy of this Notice of Violation is attached.

2. The Special Magistrate will hear this matter on **October 2, 2024, 10:00am**, or as soon thereafter as this case may be heard, in the Council Chambers 1st Floor, City Hall, 401 W. Venice Avenue, Venice, Florida.

3. If you have cleared the violation by the time stated in the Notice of Violation and have received written notification from the Director of the Department or his/her authorized designee that the violation has been cleared, the hearing will be cancelled and you will not be required to appear.

4. IT IS YOUR RESPONSIBILITY TO CONTACT THE CODE COMPLIANCE DIVISION TO ARRANGE FOR A REINSPECTION OF THE PROPERTY IN ORDER -TO VERIFY THAT THE VIOLATION HAS BEEN CORRECTED AND THAT THE PROPERTY HAS BEEN BROUGHT INTO COMPLIANCE WITH THE APPLICABLE SECTIONS OF THE CITY OF VENICE CODE.

5. Otherwise, you must be present at this hearing to avoid an order being entered against you solely on the evidence to be presented by the petitioner and a lien being recorded against your property. Violations may be fined at the rate of \$250.00 per day of violation.

6. If the Notice of Violation charges you with a Repeat Violation, the matter may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the hearing. If a violation is found to be a repeat violation, the Special Magistrate may increase the fine to \$500.00 for each day the repeat violation.

7. In addition to any fines, the amount of the lien may include the costs incurred in prosecuting the case pursuant to Section 162.07(2), F.S., and the reasonable costs of repairs that are required to bring the property into compliance pursuant to Section 162.09(1), F.S.

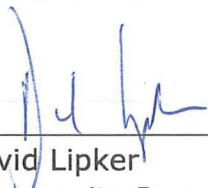
8. If you have witnesses or other evidence bearing on this matter, you should bring them with you at the time of the hearing.

NOTICE: If you are going to be represented by an attorney, that attorney should file a Notice of Appearance with the SPECIAL MAGISTRATE OFFICE, at 401 W. Venice Ave, Venice, Florida 34285.

If you should have any question regarding this case, please refer to the enclosed Notice of Violation for the Code Inspector's telephone number.

In accordance with the Americans with Disabilities Act, person needing a special accommodation or an interpreter to participate in this proceeding should contact the Code Compliance Officer at least seven (7) days prior to the date of the hearing.

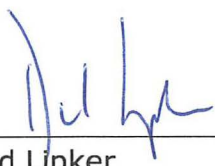
Dated on this 29th day of August, 2024,

 490

David Lipker
Community Resource Officer
Venice Police Department
941-294-9908

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the Notice of Violation and the Notice of Hearing was sent on this 29th Day of August 2024, by Certified Mail, return receipt requested, all parties listed on notice of violation.

 490

David Lipker
Community Resource Officer
Venice Police Department
941-294-9908
Email: dlipker@venicefl.gov

US Mail sent to:

KITCHEN GAYLE C
701 CADIZ RD
VENICE, FL 34285

**BEFORE THE SPECIAL MAGISTRATE
CITY OF VENICE, FLORIDA**

CITY OF VENICE,

Petitioner,

v.

CASE NO. CEEM24-00234

KITCHEN, GAYLE C.

Respondent.

NOTICE OF VIOLATION

1. An onsite inspection on July 19, 2024 of the property, located at 544 Nokomis Ave. South, Venice, Florida, described and zoned as:

Parcel ID: 0429060038 Residential,

An inspection at 544 Nokomis Ave. S., was conducted on July 19, 2024. The complaint was for offensive accumulation, tall grass and weed in excess of 12 inches of height from the ground on the front side of the property and right-of-way. Furthermore, on the back of the property was an apparent abandoned forklift. The forklift was rusty (forks detached, lying on the ground rusty) and with a flat tire and appeared inoperable.

This is a direct violation of **Chapter 34 – Section 81 - OFFENSIVE ACCUMULATIONS**

(a) Prohibited. It shall be unlawful to permit offensive accumulations upon any lot, tract or parcel of land within the city, whether improved or unimproved, occupied or unoccupied. An offensive accumulation is defined as the accumulation of stagnant and noxious waters (except in drainage ditches), rubbish, trash, filth, refuse, debris or untended growth of trees, vines, undergrowth, weeds or other noxious plants, or the growth and accumulation of grass in excess of 12 inches of height from the ground, which may cause disease, menace the public health, safety or welfare, create a fire hazard, reasonably create a breeding area for or infestation of mosquitoes, dangerous insects, rodents, poisonous reptiles and other vermin or which is likely to adversely affect the values of neighboring properties.

2. You were previously notified of the violation of City of Venice Code of Ordinance Chapter 34-81 OFFENSIVE ACCUMULATION by courtesy letter dated July 22, 2024 (no response) and August 13, 2024. The latter was confirmed to be received.

4. You are hereby notified that you must clear the violations by removing the forklift and cutting the grass.

5. You will be allowed **thirty (30) days** from your receipt of this Notice to correct this violation.

6. **Be advised that it is your responsibility to contact the Code Compliance Division to request an inspection to verify that the violation has been corrected.**

7. **Your failure to comply with the terms of this Notice will result in this matter being heard before the SPECIAL MAGISTRATE at the time to be determined.**

(Handwritten signature) 490

David J. Lipker
Community Resources Officer
Venice Police Department
1575 E. Venice Ave.
Venice, FL 34292
Phone: 941-294-9908
Email: dlipker@venicefl.gov

US Mail sent to:

KITCHEN GAYLE C
701 CADIZ RD
VENICE, FL 34285

If Hand Delivered:

Received By: _____ Date: _____