

BEFORE THE SPECIAL MAGISTRATE IN AND FOR VENICE, FLORIDA

CITY OF VENICE,

Petitioner,

Vs.

CASE NO: CEBD24-00454

ARTHUR J MCCAFFREY

Respondent(s).

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ADMINISTRATIVE ORDER

This case came before the Special Magistrate at its meeting held on January 8, 2025. Based upon the evidence presented to the Special Magistrate at said meeting, the Special Magistrate enters the following order:

FINDINGS OF FACT

1. The Respondent owns the following described real property located within the City of Venice, Florida:

Parcel ID No.: 0410050051

Legal Description: Lot 8, Block 209, EDGEWOOD SECTION OF VENICE, according to the plat thereof, recorded in Plat Book 2, Page 166, of the Public Records of SARASOTA County, Florida

2. Section 3.2 of Chapter 88 of the City Code of Ordinances ("City Code") provided, as of the date of the Notice of Violation in this case, as follows:

A. All dwelling units (i.e., residential structures), whether occupied or unoccupied, shall comply with the following requirements:

8.Exterior and Interior Structures of Dwelling Units. All the following components of a dwelling unit shall be maintained in good condition in accordance with the building codes in effect at the time of construction.

A. Foundation. The building foundation walls, or other structural elements shall be maintained in a safe manner and be capable of supporting the load which normal use may place thereon.

B. Exterior Walls. The exterior walls shall be maintained free from holes, breaks and loose or rotting material. Such exterior walls shall also be substantially weather tight and weatherproof, and surfaces properly coated as needed to prevent infestation and deterioration. Any graffiti shall be removed or repainted to match existing surfaces.

C. Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Tarp use for weather protection may not exceed 60 days unless there is an active building permit for roof repair or replacement. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

J. Protective Treatment. All exterior surfaces other than decay-resistant woods shall be protected from the elements by painting or other protective covering according to manufacturer's specifications.

K. Accessory Structure. All accessory structures shall be maintained and kept in good repair and sound structural condition.

N. Structural Supports. Every structural element of a dwelling unit shall be maintained in good repair and show no evidence of deterioration which would render it incapable of carrying loads which normal use may cause to be placed thereon.

3. The roof of the structure has holes in it, concrete walls crumbling, and the roof beams are sitting on concrete block.

4. Respondent has failed to bring the property into compliance with the City Code pursuant to Section 3.2 of Chapter 88 of the City Code.

CONCLUSIONS OF LAW

5. The Respondent violated Section 3.2 of Chapter 88 of the City Code.

ORDER

1. Respondent shall come into compliance with Section 3.2 of Chapter 88 of the City Code by obtaining a permit to repair or demolish the structure on or before March 4, 2025.

2. Should the Respondent fail to comply with this Order within the time frame set forth herein, a fine may be imposed of up to \$250.00 per day for each day the violation continues beyond the time specified herein for compliance.

3. This case will be heard at the March 5, 2025 Special Magistrate meeting to determine if the Order has been complied with and whether a fine should be imposed.

ORDERED this 13th day of January, 2025.



Patrick Reilly, Special Magistrate

ATTEST:



Deputy City Clerk