



City of Venice

401 West Venice Avenue
Venice, FL 34285
www.venicegov.com

Meeting Minutes Special Magistrate for Code Enforcement

Wednesday, November 1, 2023

10:00 AM

Council Chambers

I. Call To Order

Special Magistrate Reilly called the meeting to order at 10:00 A.M.

Also Present

Assistant City Attorney Dan Lewis, Community Resource Office Supervisor Jim Davis, Community Resource Officer Michael Slowik, and Recording Secretary Amanda Hawkins-Brown.

[CEBD23-00](#)
[137](#)

1487 Venice LLC

Assistant City Attorney Lewis requested this item be rescheduled to the December 6, 2023 meeting as Respondent has sought permits and provided communication with Army Corp of Engineers.

Attorney Mike Fant, Agent for Respondent, agreed to reschedule to the December 6, 2023 meeting.

Special Magistrate Reilly agreed to reschedule CEB-00137 to the December 6, 2023 meeting.

II. New Business

[CEZN23-002](#)
[88](#)

Todd Johnson

Special Magistrate called the case.

Community Resource Officer Slowik presented case address, zoning of RF2, improper storage complaint on September 6th, inspection findings of trailers and potted plants, notice of violation posted September 8, 2023, Ford Mustang with tag not registered to vehicle, follow-up inspection conducted September 19, 2023, inspection on September 29, 2023 found addition of camper and trailer with solar panels, inspection and posting of notice of hearing on October 17, 2023, and inspection done this morning noted additional solar panels, and car batteries connected to wiring.

Special Magistrate Reilly accepted photos and power point presentation into evidence.

Fire Inspector Troy Deines spoke on solar panels and batteries, there being no permitted use for that type of power, no containment for the batteries, and bonding of solar panels being a safety risk.

Community Resource Office Supervisor Davis spoke on growth of accumulation since order given on September 6, 2023, concerns for safety and health, and recommendation to only grant five days to become compliant.

Todd Johnson, respondent, joined the meeting at 10:10 am.

Todd Johnson, Respondent, spoke to batteries being used to power and electric mower and tools to work on the property, and difficulty finding housing to place on property.

Community Resource Officer Slowik spoke to zoning, legal use of property in RF2 zoning, and whether storage of personal items without a home on property is allowed.

City Attorney Fernandez spoke to procedural best practice to keep records for both cases separate, timing for the use violation and ability to schedule a special hearing.

Special Magistrate Reilly ruled that based on the sworn testimony and evidence presented, finds the Respondent in violation of Section 2.2.7 of Chapter 87 of the City Code of Ordinances. Respondent is given until November 8, 2023 to correct the violation by removing trailers, vehicles, batteries, solar panels and potted plants. If the violation is not corrected by that date, a fine may be imposed of up to \$250.00 per day for each day the violation continues beyond the specified deadline. The case will be heard at the special hearing on November 9, 2023, Special Magistrate hearing beginning at 1:30 p.m. to determine if the order has been complied with and whether a fine should be imposed.

III. Old Business

[CEEN23-002](#) Todd Johnson
[93](#)

Special Magistrate Reilly called the case.

Community Resources Officers Slowik presented inspection findings, original accumulation violation, grass has been cut, fencing and debris still being present, additional accumulation occurred, now being a public safety issue, and repeat violations. Community Resource Officer Supervisor Davis spoke regarding the orders was for the property to be brought into

compliance as of October 31, 2023, additional accumulation that has occurred since order issued, and recommend to impose fine, possible need for abatement if not brought into compliance, and clarified the date of original violation as September 12, 2023.

Special Magistrate accepted the evidence into the record.

Assistant City Attorney Lewis recommended a \$500 fine due to past citations.

Todd Johnson, Respondent, spoke to only bringing items to repair property, and delays due to cost involved.

Special Magistrate spoke on concerns of not removing accumulation when first ordered, and adding of trailer, batteries and solar panels.

Special Magistrate Reilly closed the hearing.

Special Magistrate Reilly ruled that based on the sworn testimony and evidence presented, finds the Respondent has not brought the property into compliance as previously ordered on September 27, 2023 for the violation of Section 34-81(a)&(c) of Chapter 34 of the City Code of Ordinances. Also finds this to be a repeat violation based upon the prior orders of CEEN22-00080 and CEEN21-00262. A fine is hereby imposed in the amount of \$500.00 per day beginning September 12, 2023 and terminating on the day the property is found to be in compliance by the Code Enforcement Officer. In determining the amount of the fine, the Special Magistrate considered: (1) The gravity of the violation; (2) Any actions taken by the violator to correct the violation consisting of no action with the exception of mowing the lawn and the additional accumulation; and (3) Any previous violations committed by the violator. Additionally, the violations also present a serious threat to public health, safety, and welfare. Therefore, if the violations are not corrected by November 6, 2023, the City may take action to abate the violations and bring the property into compliance with the resulting reasonable costs recoverable by the City through this order. A certified copy of this order shall be recorded in the Public Records of Sarasota County, Florida, and thereafter shall constitute a lien against the subject property and upon any other real or personal property owned by the Respondent.

[CEEN23-002](#)
[37](#)

Eric Goetz

This item was pulled from the agenda due to the property now being in compliance.

IV. Staff Updates

Assistant City Attorney noted the next scheduled meeting is December 6, 2023 and the Special Hearing is November 9, 2023 at 1:30 P.M.

V. Adjournment

There being no further cases to come before the Special Magistrate, the meeting adjourned at 10:36 A.M.



Special Magistrate



Recording Secretary