

# CITY OF VENICE

## CODE ENFORCEMENT

401 W. Venice Avenue - Venice, FL. 34285-2006

Phone: (941) 486-2626 Fax: (941) 480-3031

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## NOTICE OF VIOLATION

July 15, 2017

Case: 16-824

**700 GENE GREEN LLC  
7405 28<sup>TH</sup> ST CT E  
SARASOTA, FL. 34243**

**Parcel ID No.: 0365001070**

**Address of Violation: 700 GENE GREEN RD., NORTH VENICE, FL 34275**

Dear Property Owner:

Based on an inspection it has been identified that the above property is in violation of Sections 86-49(b)(1), 86-49(f)(1), 86-59(b), 94-31(a), 90-204(a), 122-400 and 66-102 of the City of Venice Code of Ordinances. The violations and corrective actions required are as follows:

**Violation No. 1: Failure to have an approved site and development plan prior to using the site and erecting/constructing improvements.**

Chapter 86, Article IV, Sec. 86-49 - Site and development plan and zoning reviews.

(b) *Projects requiring a major site and development plan application and review.* Land development projects which meet any of the following criteria in this subsection shall be required to submit a major site and development plan application to the planning and zoning division:

(1) Development of land that is vacant or substantially vacant.

(f) *Procedures.*

(1) *Major site and development plan:* Major site and development plan applications shall be submitted to the planning and zoning division (incomplete applications will not be accepted). A public workshop shall be held prior to application. Complete applications shall be reviewed by applicable city departments and other local jurisdictions for technical compliance. The zoning administrator or designee shall schedule a public hearing before the planning commission no later than 45 days after all city departments have deemed the application in technical compliance with all applicable development standards. The planning commission shall hold the public hearing during which the planning commission shall hear and consider testimony and public comment, and upon closure of the public hearing take action on the major site and development plan application. The planning commission shall either approve, approve with conditions or safeguards, or deny a major site and development plan application. The planning commission shall take action on a major site and development plan application no later than 45 days after the close of the public hearing.

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An application shall be closed by the planning and zoning department when the applicant has not pursued in good faith substantial progress in moving the application forward over any six-month period of time. The zoning administrator shall notify the applicant in writing when an application has been closed by the planning and zoning division.

Chapter 86, Article V, Div. 1, Sec. 86-59 - Zoning district regulations generally.

(b) *Zoning affects use or occupancy.* No structure, land or water shall hereafter be used or occupied, and no structure or part thereof shall hereafter be erected, constructed, reconstructed, located, moved or structurally altered, except in conformity with the regulations specified in this chapter for the district in which it is located.

**Compliance: All operations must cease within 48 hours from receipt of this Notice. All improvements on-site, except as authorized by the Site Preparation Permit as clarified on July 11, 2017, must be removed. No further use of the property shall occur until an approved site and development plan is obtained along with any other necessary permits.**

**Violation No. 2: Failure to have a valid certificate of concurrency.**

Chapter 94, Article II, Sec. 94-31 - Required; exceptions.

(a)

*Certificate required prior to issuance of development permit.* A certificate of concurrency shall be required prior to the issuance of any development permit. If a development will require more than one development permit, the issuance of a certificate of concurrency shall occur prior to the issuance of each development permit.

**Compliance: All operations must cease within 48 hours from receipt of this Notice. All improvements on-site, except as authorized by the Site Preparation Permit as clarified on July 11, 2017, must be removed. No further use of the property shall occur until an approved site and development plan is obtained along with any other necessary permits.**

**Violation No. 3: Failure to have building permit for cabin on property.**

Chapter 90, Article IV, Division 3, Sec. 90-204 – Permits and fees.

- (a) *Permits required.* Any person who intends to erect a structure, alter an existing structure, or construct or demolish any structure, or change the occupancy of a building or structure, shall make application for a permit to the building division before the work has begun. This requirement includes any type of work which is regulated by the technical codes enforced by the city. The building official may approve minor repair work without the requirement of a permit provided such approval is not in violation of the technical codes.

Chapter 122, Article V, Division1, Sec. 122-400 – moving of buildings or structure

No building or structure shall be moved from one lot to another lot, or moved to another location on the same lot, unless such building or structure shall thereafter conform to all of the applicable provisions of this chapter and the building code regulations.

**Compliance: Remove cabin within five (5) days of receipt of this Notice and do not place it back on the property until an approved site and development plan and all necessary permits have been obtained.**

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**Violation No. 4: Failure to have current local business tax receipt for business being operated on property.**

Chapter 66, Article III, Sec. 66-102 - Tax levied; local business tax required.

(a) The local business tax is hereby levied on:

(1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.

(b) No person shall maintain a permanent business location or branch office within the jurisdiction of this city to engage in or manage any business, profession or occupation unless a local business tax receipt has been issued to such person upon receipt of the amount provided in this article, which local business tax receipt shall be signed by the city clerk with the corporate seal affixed.

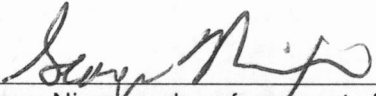
**Compliance: All operations must cease and all heavy equipment removed within 48 hours from receipt of this Notice. Once an approved site and development plan is obtained along with any other necessary permits. Contact the City planning and zoning division to obtain a local business tax receipt.**

The violation(s) listed above must be corrected within the timeframes indicated for each violation. Compliance must be verified by a City of Venice inspector.

- Contact the Code Enforcement Officer to verify compliance (941)882-7436 cell (941)650-1492

If you fail to correct all violations within the time periods specified in this Notice, then this matter will be scheduled for a hearing before the City Code Enforcement Board. The Code Enforcement Board has the power to impose a fine of up to \$250 per day for each day of the violation for a first time offender and \$500 per day for a repeat offender.

Sincerely,

  
George Nixon, code enforcement officer

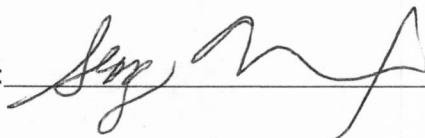
7/15/2017  
(DATE)

Method of Delivery :

If Hand Delivered :

Received By : \_\_\_\_\_

(DATE)

Hand Delivered/Posted :  \_\_\_\_\_

(DATE)

*Refused to sign / left copy with  
Monte Lengacher*



**MCLEOD LAND**  
**SERVICES, INC.**

07.24.2017



CODE ENFORCEMENT BOARD  
THE CITY OF VENICE, FLORIDA

City of Venice, Florida  
Respondent:  
700 GENE GREEN LLC  
Respondent(s):

STATEMENT OF VIOLATION AND NOTICE OF HEARING

Pursuant to Section 2-228 of the Code of the City of Venice, the undersigned Code Enforcement Board hereby certifies that the undersigned violations of the Code of the City of Venice, an active municipality department, which are hereby subject to a public hearing before the Code Enforcement Board.

1. Location/address where violation exists: 700 Gene Green Rd., North Venice, FL 33595
2. Name and address of owner/person in charge of violation where violation exists:  
700 GENE GREEN LLC  
7405 34th ST. CT. E. SARASOTA, FL 34235
3. Description of Violation: See Attached Notice of Violation for Violations and Corrective Action.
4. Date Violation first observed: JANUARY 18th, 2017
5. Date owner/person in charge given notice of violation: July 18th, 2017
6. Date on/by which violation to be corrected: JULY 23rd, 2017

Notice is hereby given that pursuant to section 2-228 of the Code of the City of Venice, a PUBLIC HEARING will be conducted in the above styled cause before the Code Enforcement Board on the 24th day of August 2017 at 4:00 PM at 401 W. Venice Blvd. Venice, Florida.

The Board will receive testimony and evidence pertaining to matters alleged herein.  
by the testimony and evidence  
24th day of July 2017.

NOTICE: If you are going to be represented by an attorney, that attorney should file a Notice of Appearance with the Board at 401 W. Venice Ave. Venice, Florida 33595.

Hand delivered - signed  
No one would sign  
Dropped at counter

*Leery M*  
City of Venice  
Code Enforcement Officer  
Office of Code Enforcement  
941.992.1409

07.24.2017