

BEFORE THE CODE ENFORCEMENT BOARD
IN AND FOR VENICE, FLORIDA

CITY OF VENICE,

Petitioner,

v.

CASE NO. 17-570

FL TRADERS LLC

And

MANATEE YOUTH FOR CHRIST, INC.
D.B.A.

SUNCOAST YOUTH FOR CHRIST

Respondent(s).

/

CORRECTED - STATEMENT OF VIOLATION AND NOTICE OF HEARING

1. Pursuant to Section 2-328 of the Code of the City of Venice, the undersigned Code Inspector hereby gives notice of an uncorrected violation of the Code of the City of Venice, as more particularly described herein, and hereby requests a PUBLIC HEARING before the Code Enforcement Board. A copy of this Notice of Violation is attached.

2. The Code Enforcement Board will hear this matter on **MARCH 1st, 2018, at 10:00 a.m.**, 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 corrected the violations by the time stated in the Notice of Violation and have received written notification from the Director of Development Services or his/her authorized designee that all the violations have been corrected, the hearing will be canceled 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 VIOLATIONS HAVE 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. Uncorrected violations may be fined at the rate of up to \$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 Code Enforcement Board even if the repeat violation has been corrected prior to the hearing. If a violation is found to be a repeat violation, the Code Enforcement Board may increase the fine to a maximum of \$500.00 per day.

7. In addition to any fines, any lien imposed 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.

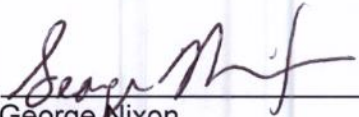
8. If you have witnesses or other evidence bearing on this matter, you should bring them with you at the time of the hearing.

NOTICE: If you are going to be represented by an attorney, that attorney should file a Notice of Appearance with the Board prior to the hearing, 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 2nd day of February, 2018


George Nixon
Code Enforcement Officer
Division of Code Enforcement
941-882-7436

CERTIFICATE OF SERVICE

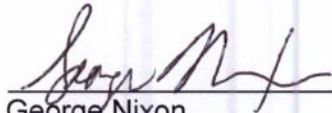
I, the undersigned, hereby certify that a true and correct copy of the Notice of Violation and the Notice of Hearing was sent on this 2nd day of February, 2018, by Certified Mail, return receipt requested to:

FL TRADERS LLC
PO BOX 1613
OSPREY, FL 34229

Registered Agent: For – FL TRADERS LLC
BRYAN L GUENTNER
428 S TAMiami TRAIL
OSPREY, FL. 34229

MANATEE YOUTH FOR CHRIST, INC.
D.B.A. - Suncoast Youth for Christ
Attn: Michael R Chaplinsky -Director
1901 30TH AVENUE WEST
BRADENTON, FL 34205

Registered Agent:
For – MANATEE YOUTH FOR CHRIST, INC.
CHRISTIAAN HUTH
5203 GULF DR.
HOLMES BEACH, FL 34217



George Nixon
Code Enforcement Officer
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CORRECTED - NOTICE OF VIOLATION

1. A review of the database and an onsite inspection on January 19th, 2018 by a Code Compliance Officer of FL Traders LLC's property, located at 328 MIAMI AVE. W., VENICE, FLORIDA, 34285, described and zoned as:

Parcel ID: 0408040092
CBD (Commercial Business District)

resulted in finding **Suncoast Youth For Christ is providing outdoor recreation as part of an after school children's program which is not a permitted use under the property's zoning district.**

2. The outdoor recreation is a violation of **Chapter 86, Land Development Code, Article V – Use Regulations, Division 4 – Business Zoning Districts, Section 86-94 CBD (Commercial Business District)** which states as follows:

Sec. 86-94. - CBD (commercial, business district)

(a) **Generally; intent.** The CBD district is intended to be applied only to that area which forms the city's center for financial, commercial, governmental, professional, cultural and associated activities. The standards are designed to protect and enhance the district's suitability for these activities and to discourage uses not requiring central city location or which are of a nature likely to create friction with pedestrian traffic and the primary activities for which the district is intended. High density multiple-family structures are permitted, but heavily automotive-oriented uses are prohibited.

(b) **Permitted principal uses and structures.** Permitted principal uses and structures in the CBD district are:

- (1) Governmental uses.
- (2) Convention centers and auditoriums.
- (3) Retail and service establishments such as bars or taverns for on-premises consumption of alcoholic beverages, reducing salons or gymnasiums and nightclubs.
- (4) Motorbus or other transportation terminals.
- (5) Wholesaling from sample stocks only, provided no manufacturing or storage for distribution is permitted on the premises.
- (6) Pawnshops in completely enclosed buildings.
- (7) Professional offices, banks and financial institutions without drive-in facilities.
- (8) Open air cafes as accessory to restaurants.
- (9) Residential dwellings above the first floor of any structure.

(c) **Permitted accessory uses and structures.** Permitted accessory uses and structures in the CBD district are:

- (1) Uses and structures which:
 - a. Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
 - b. Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.
 - c. Do not involve operations or structures not in keeping with the character of the district.
- (2) On the same premises and in connection with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof.

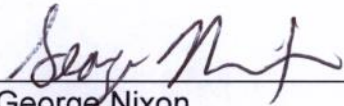
3. You are hereby notified that you must correct the violation by removing the outdoor recreation, particularly the skateboard ramp.

4. Suncoast Youth for Christ, the tenant, was notified of the permissible use of the property by letter dated 11/21/2017.

5. You have **ten (10) days** from your receipt of this Notice to correct this violation.

6. **Your failure to comply with the terms of this Notice will result in this matter being heard before the CODE ENFORCERMENT BOARD at the time and place shown on the attached Notice of Hearing.**

7. **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.**


George Nixon

Certified Code Compliance Officer
Community Development Services
401 W. Venice Ave.
Venice, FL 34285
Phone: 941-882-7436
Email: gnixon@venicegov.com

Certified Mail sent to:

FL TRADERS LLC
PO BOX 1613
OSPNEY, FL 34229

Registered Agent: For - FL TRADERS LLC
BRYAN L GUENTNER
428 S TAMIAMI TRAIL
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Attn: Michael R Chaplinsky -Director
1901 30TH AVENUE WEST
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Registered Agent:
For - MANATEE YOUTH FOR CHRIST, INC.
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