



City of Venice

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

Meeting Minutes Code Enforcement Board

Thursday, November 1, 2018

10:00 AM

Council Chambers

I. Call to Order

A Regular Meeting of the Municipal Code Enforcement Board was held this date in Council Chambers at City Hall. Chair Robert Young called the meeting to order at 10:00 a.m.

II. Roll Call

Mr. Young requested board members to notify Ms. Taylor if they will be absent.

Present 4 - Chair Bobby Young, Judith Keeler, Patrick Reilly and Richard Hale

Absent 2 - Jon Preiksas and John Burton

ALSO PRESENT

Liaison Council Member Fred Fraize, City Attorney Kelly Fernandez, City Clerk Lori Stelzer, Code Enforcement Supervisor Jim Davis, Director of Public Works James Clinch, Assistant City Clerk Heather Taylor, and Recording Secretary Mercedes Barcia.

III. Audience Participation

No one signed up to speak.

IV. Approval of Minutes

[18-3511](#)

Minutes of the September 6, 2018 Regular Meeting

A motion was made by Mr. Reilly, seconded by Mr. Hale, that the Minutes of the September 6, 2018 meeting be approved as written. The motion carried unanimously by voice vote.

V. New Business

[CASE NO.](#)
[18-709](#)

THIS ITEM HAS BEEN DISMISSED PER CODE ENFORCEMENT DEPARTMENT

Sharon Fraley, 1318 Karen Drive, Violation of City of Venice Code of Ordinance Chapter 86, Land Development Code, Article VI, Design and Development Standards, Division 10, Residential and Commercial Vehicle Parking, Section 86-500, Parking, Storage or Use of Certain Recreational

Equipment; and Chapter 34, Environment, Article III, Nuisances, Division 2, Offensive Accumulations, Section 34-81, Prohibited , Exceptions

Ms. Fernandez noted this case was dismissed.

CASE NO.
18-381

Emily Wyatt, 1024 Pineland Avenue, Violation of City of Venice Code of Ordinance Chapter 86, Land Development Code, Article VI, Design and Development Standards, Division 4, Off-Street Parking, Section 86-423(b), Driveway Standards; Chapter 62, Streets, Sidewalks and Other Public Places, Article III, Driveways and Curb Cuts, Section 62-62, Right-of-Way Use Authorizations and Section 62-63, Driveway Specifications

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. There were none.

Mr. Young opened the public hearing.

Mr. Davis, being duly sworn, reviewed the case to include site inspection, violations, timeframe for the owner to come into compliance, staff communication with the owner, final inspection, setback requirement, millings, site permit, and responded to board questions regarding setback requirement, area being used as a driveway, filing of site plan, staff's last contact with the owner, and corrective action needed.

Mr. Clinch, being duly sworn, noted the owner obtained a site prep permit for the pipe extension only.

Discussion followed regarding permit process, the area being used as a driveway, drainage issues, millings being higher than the neighbors property, and option for the owner to remove milling on the portion of the right-of-way and five feet from the property line.

Mr. Davis noted staff's request is to restore the original state of the property or obtain a site prep permit and approval from zoning.

Mr. Young closed the public hearing.

Discussion continued on the site prep and right-of-way permits, and area being used as a driveway.

A motion was made by Mr. Reilly, seconded by Mr. Hale, that based on the sworn testimony and evidence presented, the Board finds Respondent in violation of Sections 86-423(b), 62-62 and 62-63 of the City Code of Ordinances, and that the Respondent be given until January 1, 2019 to correct the violation by restoring the property to its original state, or receive a site prep permit to modify the driveway and a right-of-way use permit, and receive a final inspection. Should the Respondent fail to comply with this order within the timeframe 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. This case will be

heard at the January 3, 2019 Code Enforcement Board meeting beginning at 10:00 a.m. to determine if the order has been complied with and whether a fine should be imposed. The motion carried by the following vote:

Yes: 4 - Chair Young, Vice Chair Keeler, Mr. Reilly and Mr. Hale

Absent: 2 - Mr. Preiksats and Mr. Burton

VI. Updates

[18-3550](#)

Assistant City Attorney Kelly Fernandez and City Clerk Lori Stelzer: Refresher on Public Records and Sunshine Laws as Requested by the Settlement Agreement in the Citizens for Sunshine and Anthony Lorenzo Litigation

Discussion took place regarding candidate forums.

Ms. Fernandez reviewed articles on Public Records and Sunshine Law violations.

Discussion followed regarding whether the sunshine law applies to prior elected officials or candidates running for office, conversations between board members after a meeting is adjourned, sunshine law restrictions to members within the same board, not discussing matters coming before the board, and ex-parte communications.

VII. Adjournment

There being no further business to come before this Board, the meeting was adjourned at 10:44 a.m.

Chair

Recording Secretary