

BEFORE THE CODE ENFORCEMENT BOARD IN AND FOR VENICE, FLORIDA

CITY OF VENICE,

Petitioner,

v.

CASE NO. CEEN19-00108

SHARON K. FRALEY

Respondent(s).

NOTICE OF RECURRING VIOLATION

Case 18-709 Code Enforcement board hearing November 1st 2018 – dismissed due to compliance of Sec. 34-81. (a) (b) (c) (d).

THIS CASE WILL BE HEARD EVEN IF THE VIOLATION IS CORRECTED

1. A review of the City's databases and onsite inspections on **June 5th, 2019** by a Code Compliance Officer, of the property owned by **SHARON K. FRALEY**, located at **1318 KAREN DR., VENICE, FLORIDA, 34285**, described and zoned as:

Parcel ID: 0410080058

Zoning: RSF2 – RESIDENTIAL SINGLE FAMILY

resulted in finding Offensive Accumulations is occurring in side and rear of property.

2. This condition is in direct violation of the following provisions of the **Venice Code of Ordinances**:

CHAPTER 34 – ENVIRONMENT.

ARTICLE III. – NUISANCES.

DIVISION 2 – OFFENSIVE ACCUMULATION.

Sec. 34-81. – PROHIBITED.

(a)

Prohibited. It shall be unlawful to permit offensive accumulations upon any lot, tract or parcel of land within the city, whether improved or unimproved, occupied or unoccupied. An offensive accumulation is defined as the accumulation of stagnant and noxious waters (except in drainage ditches), rubbish, trash, filth, refuse, debris or untended growth of trees, vines, undergrowth, weeds or other noxious plants, or the growth and accumulation of grass in excess of 12 inches of height from the ground, which may cause disease, menace the public health, safety or welfare, create a fire hazard, reasonably create a breeding area for or infestation of mosquitoes, dangerous insects, rodents, poisonous reptiles and other vermin or which is likely to adversely affect the values of neighboring properties.

(c)

Residential areas. It shall be unlawful to use residential property for the open storage of junk, dilapidated motor vehicles, appliances, building materials or other similar unsightly items out of character with the neighborhood or likely to adversely affect the value of neighboring properties. For purposes of this section, a dilapidated motor vehicle is defined as one that is in a state of disrepair and incapable of being moved under its own power.

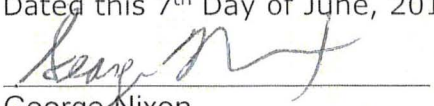
- 3. You are hereby notified that **you must correct the violation** by removing from the side and rear yard or storing inside all wood pieces, 5 gal. pails, boxes, appliances, 45 gal. drums, aluminum pieces, plumbing material, doors, tires, tarps, junk bicycles, tables, motors, carpets, filing cabinets, dilapidated trailers & miscellaneous debris and trash.

- 4. **You will be allowed ten (10) days from receipt of this Notice to correct this violation.**

- 5. **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.**

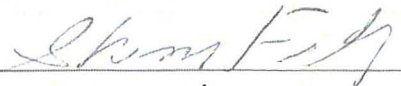
- 6. **You must appear before the CODE ENFORCEMENT BOARD at the time and place shown on the attached Notice of Hearing.**

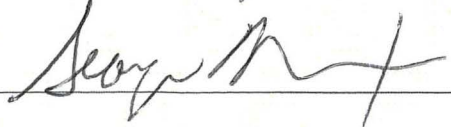
- 7. *Appeals.* An affected property owner shall have the right to appeal a proposed abatement of offensive accumulations or openly stored materials. An affected property owner shall also have the right to appeal a proposed assessment and lien for the costs after abatement by the city. A written appeal shall be filed with the city clerk within ten days of receipt of the notice being appealed or the date of publication of such notice, whichever is later. The failure to file a written appeal within the required time shall constitute a waiver of the right to contest the proposed action. Appeals shall be heard by the city code enforcement board which is hereby authorized to hear such appeals. The city code enforcement board shall hold a public hearing to consider the appeal after written notice of the hearing to the affected property owner. The affected owner shall have the right to testify and present evidence at the hearing. The decision of the city code enforcement board shall be final.

Dated this 7th Day of June, 2019

George Nixon

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

If Hand Delivered:

Received By:  Date: 6-8-19

Hand Delivered/Posted:  Date: 6-8-19


Certified mail sent to:

**SHARON K. FRALEY
1318 KAREN DR.
VENICE, FL. 34285**

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 7th day of June, 2019, by Certified Mail, return receipt requested to:

**SHARON K. FRALEY
1318 KAREN DR.
VENICE, FL. 34285**



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