



City of Venice

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

Meeting Minutes Code Enforcement Board

Thursday, February 7, 2019

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. Vice Chair Judith Keeler called the meeting to order at 10:00 a.m.

II. Roll Call

Present 6 - Jon Preiksas, Judith Keeler, Patrick Reilly, Nick Flerlage, Greg Novack and Ernest Booker

Absent 1 - Chair Bobby Young

Also Present

Liaison Mayor John Holic, City Attorney Kelly Fernandez, Code Enforcement Supervisor Jim Davis, Development Services Director Jeff Shrum and Recording Secretary Mercedes Barcia.

III. Audience Participation

No one signed up to speak.

IV. Approval of Minutes

[18-3682](#)

Minutes of the December 6, 2018 and January 3, 2019 Regular Meetings

A motion was made by Mr. Preiksas, seconded by Mr. Flerlage, that the Minutes of the December 6, 2018 and January 3, 2019 meetings be approved as written. The motion carried by voice vote unanimously.

V. Unfinished Business

[Case No.](#)
[17-424](#)

Venice Lodge No. 1308 Loyal Order of Moose Inc., 111 N. Auburn Road #1, Violation of the City of Venice Code of Ordinance Chapter 90, Buildings and Building Regulations, Section 90-204(a), Permits and Fees

Ms. Fernandez called the case and questioned board members on conflicts of interest and ex-parte communications. There were none.

Ms. Keeler opened the public hearing.

Mr. Davis, being duly sworn, presented the city's case to include the

respondent placed a shed on the property without obtaining a permit, no progress has been made within the last 19 months towards bringing the shed into compliance, and noted the city recommends imposing a daily fine until the property is brought into compliance.

Jackson Boone, representing the respondent, being duly sworn, stated the application for the shed was submitted to the city yesterday, and spoke to case timeline, the Venice Moose Lodge's building expansion project, special exception for a setback, neighborhood meeting, pursuing remedy as requested by city staff, and application timeframe.

Discussion followed regarding violation timeframe and the Venice Moose Lodge's future expansion plan.

Mr. Boone explained the Venice Moose Lodge's approval process for the expansion plan, and responded to board questions on when his office was retained by the respondent.

Mr. Boone explained the respondent previously contemplated removing the shed.

Discussion continued on the administrative order, reason for shed still being on the property, and shed size and contents.

Ron Wencil, Venice Moose Lodge member, being duly sworn, responded to board questions regarding shed contents and attachment to the ground, previous tent shed, and ability and cost to move shed.

Mr. Shrum, being duly sworn, confirmed an application was filed yesterday, and commented on permit timeframe, special exception request, conversations with applicant, and responded to board questions on current setback to the property line, variance request, property line location, and wall along the property line.

Mr. Boone spoke regarding property line, setback, special exception to keep shed at current location, building permit, and responded to board questions on moving shed to a different location.

Mr. Wencil responded to board questions on expansion plan, asking architect about accommodating additional square footage as part of the plan, and reason for submitting the application yesterday.

Mr. Booker left the dais at 10:41 a.m. and returned at 10:42 a.m.

Discussion followed regarding application submittal.

No one signed up to speak.

Mr. Davis noted shed has never been inspected by the city and is missing a one hour fire brick, and responded to board questions regarding requirements for an engineering certification and the fire marshal's approval, and whether there is another location on the property suitable for the shed that does not require a special exception.

Mr. Boone questioned Mr. Davis on the city requesting to inspect the shed.

Mr. Shrum spoke regarding the site plan and building permit application process, and responded to board questions on staff's recommendation.

Discussion ensued on relocating the shed to another location on site and the administrative order.

Mr. Boone responded to board questions on the square footage of the proposed expansion, and noted respondent is willing to explore alternate site locations for the shed that does not require a special exception.

Ms. Keeler closed the public hearing.

Ms. Fernandez explained the possible motions to new board members.

A motion was made by Mr. Reilly, seconded by Mr. Preiksats, that based on the sworn testimony and evidence presented, the Board finds Respondent in violation of Section 90-204(a) of the City Code of Ordinances, and that the Respondent has not brought the property into compliance as previously ordered by this board on September 6, 2018. A fine is hereby imposed in the amount of \$1 per day beginning January 3, 2019 and terminating on the day the property is found to be in compliance by the Code Enforcement Inspector. A certified copy of this order shall be recorded in the Public Records of Sarasota County, Florida, and therefore shall constitute a lien against the subject property and upon any other real or personal property owned by the Respondent.

Discussion followed regarding the Venice Moose Lodge organization, violation timeframe, bringing property into compliance, filing of permit application, and proposed fine.

An amendment to the motion was made by Mr. Booker, seconded by Mr. Preiksats, to increase the fine to \$100 per day.

Discussion continued on the proposed fine.

The amendment carried by the following vote:

Yes: 5 - Mr. Preiksats, Vice Chair Keeler, Mr. Reilly, Mr. Novack and Mr. Booker

No: 1 - Mr. Flerlage

Absent: 1 - Chair Young

Discussion followed on proposed tier for fine, violation timeframe, number of times case has come before the board, and changing the date the fine begins to February 6, 2019.

An amendment to the motion was made by Mr. Booker, seconded by Mr. Preiksas, to change the date the fine begins from January 3, 2019 to February 6, 2019. The amendment carried by the following vote:

Yes: 4 - Mr. Preiksas, Vice Chair Keeler, Mr. Novack and Mr. Booker

No: 2 - Mr. Reilly and Mr. Flerlage

Absent: 1 - Chair Young

The motion that a fine is imposed in the amount of \$100 per day beginning February 6, 2019 and terminating on the day the property is found to be in compliance carried by the following vote:

Yes: 5 - Mr. Preiksas, Vice Chair Keeler, Mr. Reilly, Mr. Novack and Mr. Booker

No: 1 - Mr. Flerlage

Absent: 1 - Chair Young

Mr. Novack left the meeting at 11:14 a.m. and did not return.

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. Keeler called the case.

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

Ms. Keeler opened the public hearing.

Mr. Davis, being duly sworn, noted property came into compliance before the January 3, 2019 hearing and requested board to dismiss case.

No one signed up to speak.

Ms. Keeler closed the public hearing.

A motion was made by Mr. Reilly, seconded by Mr. Flerlage, that based on the sworn testimony and evidence presented, the Board finds Respondent violated Sections 86-423(b), 62-62 and 62-63 of the City Code of Ordinances, but that the Respondent corrected the violations. The motion carried by the following vote:

Yes: 5 - Mr. Preiksas, Vice Chair Keeler, Mr. Reilly, Mr. Flerlage and Mr. Booker

Absent: 2 - Chair Young and Mr. Novack

VI. New Business

19-3744

Election of Chair and Vice Chair

A motion was made by Mr. Preiksats, seconded by Mr. Reilly, that Mr. Young continue serving as Chair and Ms. Keeler as Vice Chair. The motion carried unanimously by voice vote.

VII. Updates

Ms. Fernandez reminded board members about the Freedom Boat Club special meeting on February 28, 2019 at 9:00 a.m. and requested Ms. Barcia remind Mr. Novack about the meeting.

VIII. Adjournment

There being no further business to come before this Board, the meeting was adjourned at 11:18 a.m.


Chair


Recording Secretary