



City of Venice

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

Meeting Minutes Special Magistrate for Code Enforcement

Wednesday, September 1, 2021

10:00 AM

Council Chambers

I. Call To Order

Special Magistrate Patrick Reilly called the hearing to order at 10:01 a.m.

Also Present

City Attorney Kelly Fernandez, Administrative Coordinator Toni Cone, and Community Resource Officers Willie Acosta and Michael Halpin.

II. New Business

[CEEN21-002](#) Ilona Podeswa
[19](#)

Respondent was not present.

Magistrate Reilly requested to move forward with the evidence.

Mr. Acosta, being duly sworn, presented the city's case and recommendation that if the property is not brought into compliance by cutting the grass, removing vehicles, placing vehicles in the garage or providing current registration within 30 days (October 1, 2021) to fine the respondent of \$250 per day for each day the violation continues beyond the deadline.

Magistrate Reilly closed the public hearing.

Magistrate Reilly ruled that based upon the sworn testimony and evidence presented, the respondent violated Section 34-81(a) and (c) of the City Code of Ordinances, and respondent has 30 days, until October 1, 2021, to correct the violation by cutting the grass, removing vehicles, placing vehicles in the garage or providing current registration. If violation is not corrected by the deadline, respondent will be subject to a fine of up to \$250 per day as long as it continues. The case will be heard at the October 6, 2021 Special Magistrate meeting at 10 a.m.

[CEEN21-000](#) Mortgage Assets Management Series I Trust
[85](#) Bank of New York Mellon Trust Company N A (TTEE)

Respondent was not present.

Mr. Acosta, being duly sworn, presented the city's case and recommendations.

Ms. Fernandez recommended two orders be entered regarding the grass and roof.

Staff recommendation is to correct the violation by replacing the roof. If the violation is not corrected in 90 days, impose a fine of \$250 per day for each day the violation continues beyond the deadline.

Staff recommendation for grass is for the respondent to be deemed a repeat violator and subject to a fine of up to \$500 per day for each new violation.

Magistrate Reilly closed the public hearing.

Magistrate Reilly ruled that based upon the sworn testimony and evidence presented, the respondent violated Section 305.3.1 and 305.3.2 of the Standard Housing Code 1994 Edition, adopted by reference in Section 90-202 (a)1 in the City Code of Ordinances. Respondent has until November 26, 2021 to correct the violation by replacing the roof. If the violation is not corrected by that day a fine may be imposed in the amount of up to \$250 per day for each day the violation continues beyond the specified deadline. The case will be heard at the December 1, 2021, Special Magistrate meeting at 10 a.m. to determine if the order has been complied with and if a fine should be imposed.

Magistrate Reilly ruled that based upon the sworn testimony and evidence presented, the respondent violated Section 34-81(a) of the City Code of Ordinances, but respondent corrected the violation prior to the hearing. Respondent is put on notice that future violations of Section 34-81(a) of the City Code of Ordinances will cause the respondent to be deemed a repeat violator and will be subject to a fine of up to \$500 per day for each new violation beginning on the day the violation occurred.

III. Affidavit of Non-Compliance

CIVI21-0020
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Jordan Gerrity

Respondent was not present.

Mr. Acosta, being duly sworn, presented the city's case and recommendation that an additional \$100 penalty be ordered due to the nonpayment of the original \$150 citation.

Mr. Reilly inquired as to whether the certified mail was signed for and if service was attempted any other way.

Mr. Acosta and Ms. Fernandez noted that the citation was handed to the respondent at the time of the violation.

Magistrate Reilly ruled that based upon the affidavit of non-compliance and the sworn testimony and evidence presented, the citation has not been paid or timely appealed, and therefore accepts the civil penalty recommended by staff.

CIVI21-0021

Erin Moncol

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Respondent was not present.

Mr. Acosta, being duly sworn, presented the city's case and recommendation that an additional \$100 penalty be ordered, due to the nonpayment of the original \$150 citation.

Magistrate Reilly ruled that based upon the affidavit of non-compliance and the sworn testimony and evidence presented, the citation has not been paid or timely appealed, and therefore accepts the civil penalty recommended by staff.

CIVI21-0185

Michael Gordon

Respondent was not present.

Mr. Halpin, being duly sworn, presented the city's case and recommendations, that an additional \$100 penalty be ordered, due to the nonpayment of the original \$150 citation.

Magistrate Reilly ruled that based upon the affidavit of non-compliance and the sworn testimony and evidence presented, the citation has not been paid or timely appealed, and therefore accepts the civil penalty recommended by staff.

IV. Staff Updates

There were none.

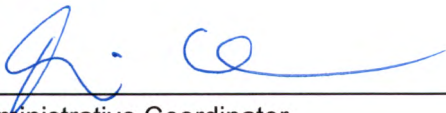
V. Adjournment

The hearing was adjourned at 10:41 a.m.

Patrick Reilly

Patrick Reilly (Sep 24, 2021 11:15 EDT)

Special Magistrate



Administrative Coordinator