

SARASOTA COUNTY CODE ENFORCEMENT

NOTICE OF PUBLIC NUISANCE

**CASE NUMBER: CR-22-1737 September 6, 2022**

**PROPERTY OWNER:**

**Joanne Tkaczyk**

**185 Diane Ave**

**South Yarmouth, MA 02664**

**LOCATION OF VIOLATION: 2220 Bal Harbour Dr, Venice, FL 34293**

**PROPERTY IDENTIFICATION NUMBER: 0436010042**

**NOTICE OF PUBLIC NUISANCE/VIOLATION:**

**Pursuant to Chapter 54, Article XV and Chapter 2, Article VIII, Sarasota County Code, and Chapter 162, Florida Statutes, you are notified that a public nuisance and a violation of the following Sarasota County Code exist at the above location. Specifically, you are notified that there is a public nuisance and a violation according to the following:**

**Sarasota County Code, Section 54-473.**

**DESCRIPTION OF CONDITIONS CONSTITUTING THE VIOLATION**: Excessive Growth on private lands and Improper Outdoor Storage on private lands, including unlicensed and/or inoperable vehicles is hereby declared to be a public nuisance and is prohibited. Such a nuisance shall constitute violations of this Ordinance and shall be remedied by the owner or owners of the property on which they occur. Further, they are subject to immediate abatement by the County as provided by this Code.

**ORDER TO CORRECT VIOLATION:** The property owner is directed by this notice to make the following corrective actions: **Please mow grass to less than 12 inches. Do not allow these conditions to recur on this property.**

**CORRECT THE ABOVE VIOLATION(S) PRIOR TO: September 21, 2022**

**If you have corrected the violation or if you are unable to comply on the date specified above, please contact the Code Enforcement Officer listed on this notice.**

 **ABATEMENT ACTION MAY BE TAKEN OR PENALTIES MAY BE IMPOSED:**

The County may choose one of two alternate remedies: (1) abate the nuisance or (2) begin code enforcement proceedings against the property owner before a Code Enforcement Special Magistrate to have

the property owner correct the violation. The County expressly reserves the right to choose whether to abate the matter or seek a Special Magistrate order directing the property owner to take corrective action or face a possible fine.

***A. Nuisance Abatement***

Failure to Correct the violation(s) by the date specified above may result in an abatement of the condition constituting the public nuisance.

In order to prevent any abatement of the public nuisance by the County, the property owner and any mortgagee or lien holder identified above may contest this Notice of Public Nuisance/Violation and Order to Correct. There is a right to a hearing that may be exercised by providing a written request to this office in order to show that these conditions do not exist or do not constitute a public nuisance. If you do not request a hearing within the specified time indicated, you will be deemed to have waived your right to a hearing to challenge any abatement by the County.

If you do not abate the nuisance or request a hearing within the reasonable period of time set forth on this Notice of Public Nuisance/Violation and Order to Correct, or if a hearing has been requested, held and concluded adverse to you, the Code Enforcement Officer is authorized to cause the condition to be abated at the expense of the property owner of record interest in the Official Records of Sarasota County. After Sarasota County abates the condition, the Code Enforcement Officer shall submit a bill to the property owner of record interest in the Official Records of Sarasota County for all expenses incurred in abating the condition. If the bill is not paid within 30 days from the date on the bill, a special assessment lien will be immediately made upon the property. Notice of such lien shall be filed in the Office of the Clerk of the Circuit Court and recorded in the Public Records of Sarasota County, Florida.

 ***B. Code Enforcement Proceedings***

Alternatively, the County may elect not to abate the public nuisance and may instead seek a compliance order from the Special Magistrate directing the property owner to correct the violation. In the event that the condition constituting the public nuisance has not been corrected by the time specified above, the Code Enforcement Officer will file an Affidavit of Violation with the Clerk of the Court, Board Records. A Notice of Hearing will then be issued by the Clerk of the Court, Board Records, informing the property owner of the date of the evidentiary hearing to contest the alleged code violation before a Code Enforcement Special Magistrate. If the Code Enforcement Special Magistrate finds a violation exists, and corrective action is not timely taken pursuant to any compliance order, a penalty hearing may take place at which point penalties up to $250.00 per day may be imposed for each day the violation exists beyond the date set for compliance by the Special Magistrate. Penalties up to $500.00 per day for each repeat violation which exists beyond the date set for compliance may be imposed.

Mail any requests for hearing to: Code Enforcement Manager

Planning & Development Services Department

1001 Sarasota Center Blvd.

 Sarasota, FL 34240-7850



Susan Stahley    (941) 915-2696    sstahley@scgov.net

Code Enforcement Officer

Planning & Development Services / Code Enforcement

4000 S. Tamiami Trail Room 122

Venice FL 34293-5076

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