



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final Code Enforcement Hearing

Thursday, March 24, 2022

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:20 a.m.

Also Present

Assistant City Attorney Michael Golen, Code Enforcement Division Manager Kevin Raducci, Code Enforcement Administrative Service Specialist Terri Hasker, Code Enforcement Recording Secretary Michele Ross, Code Enforcement Inspectors Henley Burton, Jeffrey Guilbault, Jennifer Ardinger, and William Kiddy, and Recording Secretary Susan Hale.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Attorney Toale.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

- A. [22-2412](#) Approval of Minutes for the February 24, 2022 Code Enforcement Hearing Officer Meeting.

Hearing Officer Toale approved the Minutes as presented.

5. REVIEW OF PROCEDURES AND ADMINISTRATION OF OATH

Hearing Officer Toale provided an overview of procedures and Ms. Hale swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [Case No 20-1736](#) (HLB) Rade Nedeljkov, 8470 Drolet Ave
Chapter 42-23, North Port City Code
(Debris consisting of a chair, concrete blocks on the left side of the property and yard debris, boxes and trash on the ground on the right side of property and also solid waste containers and properly stored in yard.)
Chapter 62-50, North Port City Code
(Solid Waste containers stored improperly in the front yard.)

This case was brought into compliance with no further action required.

- B.** [Case No 21-3256](#) (JA) Casey M & Kristina A Kelch, 2437 Baltimore St
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the curb outside the normal pick-up day. Pick up for this area is on Tuesday. Violation observed on Thursday.)
This case was brought into compliance with no further action required.
- C.** [Case No 21-3268](#) (WK) Petar Minic & Sasha Minich, 8337 Bumford Ave
Chapter 105.1, Florida Building Code
(No permit on file for window change out in front of house.)
Sec. 1-19, Unified Land Development Code
(No permit on file for new fence installed on property)
This case was brought into compliance with no further action required.
- D.** [Case No 21-3794](#) (JAG) Efrain A Pacheco, 3116 Whiptree Cir.
Sec. 59-16(f)(4), North Port City Code
(Three Tractor Trailers parked in City Right-of-way.)
Sec. 59-16(c), North Port City Code
(Multiple semi-trucks and tractor trailers parked on a vacant lot with no principal structure.)
Sec. 1-19, Unified Land Development Code
(No permit on file for the fence that was installed on property.)
Sec. 59-16(F)(1), North Port City Code
(One "unlicensed Volkswagen Jetta, and one unlicensed box truck parked in City Right-of-way, in front of a vacant lot. parked in front of a vacant lot)
Sec. 59-16(f)(3), North Port City Code
(Damage to the city right away from tractor trailers driving through the vacant lot)
Sec. 59-16(f)(3), North Port City Code
(One "unlicensed Volkswagen Jetta, and one unlicensed box truck parked in City Right-of-way, in front of a vacant lot. parked in front of a vacant lot)
This case was brought into compliance with no further action required.
- E.** [Case No 21-4188](#) (JA) Alejandra L Daniels, 3114 Tulsa Ave
Sec. 59-16(f)(4), North Port City Code
(White trailer parked in City Right-of-way, in front of home.)
This case was brought into compliance with no further action required.
- F.** [Case No 21-4882](#) (JA) Sherry Lynn Marti, 8372 Larrimore Ave
Sec. 1-19, Unified Land Development Code
(No permit on file for fence located on property)
This case was brought into compliance with no further action required.

- G. [Case No 21-4943](#) (JA) Manuel R & Diana J & John J Andrade, 8050 Porto Chico Ave
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of chairs, wood, car parts, boxes, plastic, and other miscellaneous debris in front of house and in driveway.)
Sec. 59-16(f)(4), North Port City Code
(Parking pop up camper and trailer parked in the City right of way in front of house)
This case was brought into compliance with no further action required.
- H. [Case No 21-5035](#) (JAG) Matthew A Lintz & Crystal Soto, 3086 Broad Ave
Chapter 70-56, North Port City Code
(No visible assigned numbers affixed to residence.)
This case was brought into compliance with no further action required.
- I. [Case No 21-5037](#) (JAG) Steven F Martin, 3441 Alfred Rd
Chapter 62-50, North Port City Code
(Solid waste containers are being stored in the middle of the driveway and in front of the front plane of the home.)
This case was brought into compliance with no further action required.
- J. [Case No 21-5090](#) (HLB) Salvador A & Clemencia C Santos, 3493 S San Mateo Dr
Chapter 105.1, Florida Building Code
(No Permit on file for a makeshift shed on the left rear corner of the property)
This case was brought into compliance with no further action required.
- K. [Case No 21-5091](#) (JAG) Robert & Teresa Newton & Domonick & Joanne Lobianco, 2343 Cincinnati St
Chapter 66-62 (c), North Port City Code
(Downed portable basketball hoop in the City Right-of-way.)
This case was brought into compliance with no further action required.
- L. [Case No 21-5115](#) (JAG) Mikhail & Nada Margitich, 3659 Weidman Ave
Chapter 62-50, North Port City Code
(Solid waste containers at the street. Pick up in the area is on Tuesday.)
This case was brought into compliance with no further action required.
- M. [Case No 21-5125](#) (JAG) DSB Land Trust, 2467 N Cranberry Blvd
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in the City Right-of-way consisting of yard waste, TVs, a mattress, and other miscellaneous items)
This case was brought into compliance with no further action required.

- N. [Case No 21-5128](#) (JAG) Jeffrey M & Joyce K Dales, 2808 Tusket Ave
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. Pick up for this area is on Tuesday, violation observed on a Thursday)
This case was brought into compliance with no further action required.
- O. [Case No 21-5148](#) (WK) CPI/Amherst SFR Program II Owner, 2558 Begonia Ter
Chapter 78-95, North Port City Code
(Discharge of from water softener, erosion and salt run off pooling and killing neighboring house grass @2522 Begonia Ter; break of PVC line on side of home requiring fix.)
This case was brought into compliance with no further action required.
- P. [Case No 21-5150](#) (JA) Anthony J & Jaseth J Mcfarlane, 2983 Cerullo St
Chapter 105.1, Florida Building Code
(Permit required for house re-pipe. Please contact the Building Department at 941-429-7044 for proper requirements.)
This case was brought into compliance with no further action required.
- Q. [Case No 21-5178](#) (JAG) Fishtail Holdings LLC, 4071 Everglades Ter
Sec. 59-16(f)(4), North Port City Code
(Jon boat being parked in City Right-of-way, in front of vacant lot, across the street from residence.)
Sec. 59-16(f)(3), North Port City Code
(Jon boat being parked in City Right-of-way, in front of vacant lot, across the street from residence.)
This case was brought into compliance with no further action required.
- R. [Case No 21-5196](#) (JAG) Antonio Regueira, 2934 Wyola Ave
Chapter 70-56, North Port City Code
(House numbers affixed to residence are not visible due to overgrowth of vegetation. Please trim back vegetation or move assigned numbers to a location where they are visible from the street.)
This case was brought into compliance with no further action required.
- S. [Case No 21-5197](#) (JAG) Natalya Nickles, 5934 N Cranberry Blvd
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. Pick up for this area is on Tuesday, violation observed on a Thursday.)
This case was brought into compliance with no further action required.

- T. [Case No 21-5209](#) (HLB) Estero Development Partners LP, 2075 Ivor Ave
Chapter 42-23, North Port City Code
(Construction site has accumulation of debris on property and right of way consisting of construction materials and trash.)
This case was brought into compliance with no further action required.
- U. [Case No 21-5236](#) (JA) Marjorie A Kelly Pena, 7788 Minardi St
Chapter 34-23, North Port City Code
(Business (Yasmar Pavers) registered to this address with no business tax on file.)
Sec. 59-16(f)(3), North Port City Code
(Dump truck belonging to this address parked down street in the city right-of-way in front of a vacant lot.)
Sec. 59-16(i), North Port City Code
(Dump truck belonging to this address parked down street, not permitted in residential area.)
Sec. 1-19, Unified Land Development Code
(Fence on this property, permit is in pickup status since March 16, 2021)
This case was brought into compliance with no further action required.
- V. [Case No 21-5261](#) (HLB) Scraper Family Living Trust, James L & Stacy L Scraper TTEE, 2098 Roscoe Ln
Chapter 105.1, Florida Building Code
(No Permit on file for the above ground pool in the backyard.)
This case was brought into compliance with no further action required.
- W. [Case No 22-29](#) (HLB) Beresford & Marva Gayle, 5321 Inkwood Dr
Chapter 42-23, North Port City Code
(Property owner has accumulation of debris on property consisting of portable carport, camping materials, different types of fencing, trash and other miscellaneous items)
Chapter 70-21, North Port City Code
(Driving over the City right of way to access this property)
This case was brought into compliance with no further action required.
- X. [Case No 22-34](#) (WK) Harry & Laura Klinkhamer, 1720 S Salford Blvd
Chapter 42-23, North Port City Code
(Debris consisting of wood fence in disrepair, posts and sections of the fence falling into the rear neighbor's yard. Fence is leaning on a tree, broken slats lying in the yard.)
This case was brought into compliance with no further action required.
- Y. [Case No 22-41](#) (HLB) Jeffrey & Rachel Kirkus, 5331 Ceriman Rd
Section 45-5A, Unified Land Development Code

(No permit on file for land clearing.)

This case was brought into compliance with no further action required.

Z. [Case No 22-44](#)

(JA) Mateo Orlando Otano Malagon, & Maricela Ramon Rodriquez & Orlando Otano Ramon, 4491 Lullaby Rd
Chapter 42-23, North Port City Code

(Debris consisting of two visible boat engines, an arc structure in rear left of the property and yard waste in the back of an open trailer on the side of the property.)

Sec. 53-122D, Unified Land Development Code

(Prohibited business being run from the residence, three large boats on the property, a large wooden arc structure, large trailer, truck and two (2) boat engines on the rear left of this property.)

This case was brought into compliance with no further action required.

AA. [Case No 22-170](#)

(PJM) H P Hallock Company C/O Ducharme, McMillen & Associates, 12600 S Tamiami Trail

Section 26-20, North Port City Code

(The fire sprinkler system has a yellow non-compliance tag indicating NON-CRITICAL deficiencies. Non-critical deficiencies are to be corrected within 90 days from the date of the inspection as outlined in FAC 69A-46.041.)

This case was brought into compliance with no further action required.

AB. [Case No 22-198](#)

(JAG) Julissa Torres Santos, 6354 Freemont St
Chapter 42-23, North Port City Code

(Remove, or cause to be removed, any and all debris on said property within ten (10) days from the date of this Notice.)

Section 42-24(a)(5) North Port City Code

(Accumulation of debris in City Right-of-way consisting of yard waste, and other miscellaneous items.)

Sec. 59-16(e), North Port City Code

(Grey car blocking the sidewalk.)

Sec. 59-16(d), North Port City Code

(One black inoperable car on jack stands and uncovered in the driveway. Must be covered with a non-transparent tarp)

This case was brought into compliance with no further action required.

AC. [Case No 22-223](#)

(JAG) Kusum LLC, 6358 Pan American Blvd
Chapter 70-56, North Port City Code

(No assigned numbers affixed to the residence.)

This case was brought into compliance with no further action required.

- AD.** [Case No 22-227](#) (JAG) Jason J & Elizabeth M Wager, 5468 Cold Spring Ln
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of dirt and sand, in the road in front of the driveway at this property.)
This case was brought into compliance with no further action required.
- AE.** [Case No 22-230](#) (JAG) Michael Lagerstrom, 8160 Lombra Ave
Sec. 59-16(f)(4), North Port City Code
(Prompt Towing Service truck and a white car parked in the city right-of-way across the street from the residence at Hope Park.)
Sec. 59-16(f)(3), North Port City Code
(Damage to the City right-of-way and sidewalk.)
This case was brought into compliance with no further action required.
- AF.** [Case No 22-267](#) (HLB) Jacob Harrold & Marianne Nowotny, 2817 Tusket Ave
Sec. 59-16(F)(1), North Port City Code
(Homeowner has un-registered vehicle with no tags in the City Right-of-way, in front of residence.)
This case was brought into compliance with no further action required.

7. CONTINUED CASES

- A.** [Case No 21-4864](#) (JA) Maria A Carrasquillo, 8495 Cristobal Ave
Chapter 105.1, Florida Building Code
(No permit on file for carport enclosure.)
Inspector Ardinger, being duly sworn, stated the property was inspected on multiple occasions, submitted photos into evidence, and requested a continuance to May.
Based on evidence presented, Hearing Officer Toale continued Case No. 21-4864 8495 Cristobal Avenue to the May 26, 2022 Code Enforcement Hearing.

8. 1ST HEARING CASES

- A.** [Case No. 21-2272](#) (HLB) Ileana Smarandache, 8795 Cristobal Ave
Sec. 1-19, Unified Land Development Code
(Aluminum fence installed on property with no permit.)
Inspector Burton, being duly sworn, stated the property was inspected on multiple occasions, he had contact with the property owner, and submitted photos into evidence.
Based on evidence presented, Hearing Officer Toale found Case No. 21-2272 8795 Cristobal Avenue to be in violation of Section 1-19, Unified Land Development Code for aluminum fence installed on property with no permit and imposed a fine of \$25 a day with a maximum of \$2000 to commence on April 19, 2022.
- B.** [Case No 21-4602](#) (WK) Chad & Jaymi Brousseau, 2666 Calabash Ln
Sec. 59-16(f)(3), North Port City Code
(Damage to Swale from Tire Ruts)

Chapter 70-21, North Port City Code
(Driving through City Right-of-way, causing damage.)
Sec. 53-239(I)(12), Home Occupations/Special Circumstances
(Outside storage of construction materials, pavers, and equipment.)
Chapter 105.1, Florida Building Code
(No permit on file for two accessory structures and deck on right side of property. Permit also required for City Right-of-way work performed, and two pipes installed, as well of rocks throughout. None of which is to code)
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of loose trash, wood pallets, household items, plastic buckets, tires, and other miscellaneous items that should be stored within enclosed structure)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions and submitted photos into evidence.

Property owner Chad Brousseau, being duly sworn, stated he was unaware a permit was needed, noted his intentions regarding the items to be removed, and requested guidance concerning permits.

Mr. Kiddy spoke to permit processing for construction sites and suggested for Mr. Brousseau to work with the Building Department regarding the shed.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-4602 1141 Plant Terrace to the April 28, 2022 Code Enforcement Hearing.

- C. [Case No. 21-4829](#) (WK) Wayne E & Donna J Scheiner & Jason F Erickson, 1141 Plant Ter
Chapter 70-21, North Port City Code
(Driving through the City right of way with vehicles.)
Section 105.4.1.1, Florida Building Code
(Permit 18-7077 for window replacement expired February 18, 2019.)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions, the violation for Section 105.1.1, Florida Statutes came into compliance, and requested a continuance for the violation of Chapter 70-21, North Port City Code.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-4829 1141 Plant Terrace regarding Chapter 70-21, North Port City Code to the April 28, 2022 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4829 1141 Plant Terrace regarding Section 105.4.1.1, Florida Building Code due to compliance with no further action required.

- D. [Case No. 21-4986](#) (WK) Domka & Alena Tarasenko, 5498 Densaw Rd
Section 105.4.1.1, Florida Building Code
(Permit 18-4791 is expired for six (6) windows, and slider impact, needs to be reactivated or revoked. Contact permitting for solution.)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions, he had contact with the property owners, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-4986 498

Densaw Road to be in violation of Section 105.4.1.1, Florida Building Code for an expired permit and imposed a fine of \$50 a day with a maximum of \$5000 to commence on April 19, 2022.

- E. [Case No 21-5020](#) (WK) Bao Liang & Mei Zhu Chen, 2550 Blackbird Ln
Chapter 42-23, North Port City Code
(Debris consisting loose trash spilling out from containers and on right side of driveway in yard)
Chapter 62-50, North Port City Code
(Solid Waste Containers stored in front of residence on the driveway.)
This case was brought into compliance with no further action required.
- F. [Case No 21-5043](#) (JAG) Keith W & Lori A Lamb, 2154 Azure Rd
Section 105.4.1.1, Florida Building Code
(Permit numbers 19-7602 for a Single-Family Residence & 19-7868 for a Garage have expired)

Inspector Guilbault, being duly sworn, noted the property owner is working on obtaining a permit, and he requested a 90-day continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-5043 2154 Azure Road to the August 25, 2022 Code Enforcement Hearing.
- G. [Case No 21-5059](#) (WK) Peter Mezheritsky & Yelena Levontin, 3344 Needle Ter
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of yard debris that was cut from palm in front yard.)

Inspector Kiddy, being duly sworn, stated the property is in compliance.

Based on evidence presented, Hearing Officer Toale closed the Case No.21-5059 3344 Needle Terrace due to compliance with no further action required.
- H. [Case No 21-5074](#) (HLB) Valeriy Kushnir, 2836 Abbeville Rd
Sec. 59-16(i), North Port City Code
(White semi-truck parked in the City right of way in front of this property)

Inspector Burton, being duly sworn, noted the property owner is working to find a place to park the truck, and he requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-5074 2836 Abbeville Road to the April 28, 2022 Code Enforcement Hearing.
- I. [Case No 21-5084](#) (HLB) Kenneth N Carignan Jr, 3520 Johannesburg Rd
Chapter 42-23, North Port City Code
(Debris consisting of wooden fencing post around property.)
Sec. 1-19, Unified Land Development Code
(No Permit on file for the fence posts around this property.)

Inspector Burton, being duly sworn, stated the property was inspected on multiple occasions, he had no contact with the property owner until today, submitted photos into evidence, and spoke to the fence post panels being removed but wooden posts remain standing.

Property owner Kenneth Carignan, being duly sworn, states he was unaware fence posts were considered debris and was unsure when he could pull a permit.

Inspector Raducci, being duly sworn, addressed why posts are considered debris, explained the permit application process, and why posts cannot remain without panels.

Inspector Ardinger, being duly sworn, stated posts having been present since February, 2021.

Mr. Toale spoke to a new owner being responsible for unpermitted work when the house was bought, and he will only fine the Unified Land Development citation due to the two violations being inconsistent with each other.

Based on evidence presented, Hearing Officer Toale dismissed Case No. 21-5084 3520 Johannesburg Road regarding Chapter 42-23, North Port City Code.

Based on evidence presented, Hearing Officer Toale found Case No. 21-5084 3520 Johannesburg Road in violation of Section 1-19, Unified Land Development Code for no permit on file for the fence posts around this property and imposed a fine of \$10 a day with a maximum of \$2000 to commence on April 19, 2022.

J. [Case No 21-5116](#)

(JAG) Coelho Investments USA LLC, 4439 Eldron Ave
Section 45-5A, Unified Land Development Code

(No Permit on file for an underbrush clear that has occurred at this property.)

Inspector Guilbault, being duly sworn, stated the property was inspected on multiple occasions, the number of trees removed was undetermined, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 21-5116 4439 Eldron Avenue to be in violation of Section 45-5(a), Unified Land Development Code for no permit on file for underbrush clearing with an unknown number of trees being removed and imposed a fine of \$2500.

K. [Case No 21-5141](#)

(WK) Home SFR Borrower IV LLC, 5362 Trekell St
Chapter 42-23, North Port City Code

(Accumulation of debris consisting of yard waste, trash, unused household items piled up, boxes, and carpet.)

Section 105.4.1.1, Florida Building Code

(Expired permit 19-8875 on file, inspection required.)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions, he had no contact with the property owner, and the violation for Chapter 42-23, North Port City Code for an expired permit is now in compliance.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-5141 5362 Trekell Street regarding Chapter 42-23, North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 21-5141 5362 Trekell Street in violation of Section 105.4.1.1, Florida Building Code for expired permit and imposed a fine of \$50 a day with a maximum of \$5000 to commence on April 19, 2022.

- L. [Case No 21-5151](#) (WK) Evelyn Y & Eduardo Javier Sedlar, 4461 Pocatella Ave
Sec. 59-16(c)(2), North Port City Code
(Number of vehicles (12) on property exceeds which is permissible by City Code for this property size)
Sec. 53-122D, Unified Land Development Code
(Active Lawn Service Business being ran from home with parking and storage of commercial vehicles, trailers, and material storage)
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of wood, stone, pavers, concrete blocks, and lawn mower parts.)
Sec. 59-16(f)(4), North Port City Code
(Trucks and Trailers parked in City Right-of-way.)
- Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, and submitted photos into evidence.
- Property owner Eduardo Sedlar, being duly sworn, agreed the photos were accurate and stated he needed a few weeks to move equipment.
- Based on evidence presented, Hearing Officer Toale found Case No. 21-5151 4461 Pocatella Avenue to be in violation of Section 59-16(c)(2), North Port City Code for vehicles on property exceeding permissible number and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.**
- Based on evidence presented, Hearing Officer Toale found Case No. 21-5151 4461 Pocatella Avenue to be in violation of Section 53-122(d), Unified Land Development Code for doing a business from home with parking and storage of commercial vehicles, trailers, and material storage and imposed a fine of \$25 a day with a maximum of \$2000 to commence on April 19, 2022.**
- Based on evidence presented, Hearing Officer Toale found Case No. 21-5151 4461 Pocatella Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.**
- Based on evidence presented, Hearing Officer Toale found Case No. 21-5151 4461 Pocatella Avenue to be in violation of Section 59-16(f)(4), North Port City Code for trucks and trailers parked in City right-of-way, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.**
- M. [Case No 21-5198](#) (HLB) Christopher Roland Barber PMA, 7610 Cottagemaid St
Chapter 42-23, North Port City Code
(Accumulation of debris on vacant lot consisting of miscellaneous items)
Sec. 59-16(c), North Port City Code
(Two (2) vehicles and trailer being parked on vacant lot with no principal structure.)
Chapter 105.1, Florida Building Code
(Two (2) sheds located on vacant lot with no permit on file)
Sec. 59-16(h), North Port City Code, Living or Camping in Vehicles
(RV parked on vacant lot appears to be inhabited)

Inspector Burton, being duly sworn, stated the property was inspected on multiple occasions, he had no contact with owner prior to today, submitted legal documents into the record from the property owner and submitted photos into evidence.

Mr. Toale stated the property owner was not present and there was no evidence to support any of the assertions in his affirmative defense.

Based on evidence presented, Hearing Officer Toale found Case No. 21-5198 7610 Cottage Main Street to be in violation of Chapter 42-23, North Port City Code for the accumulation of debris on vacant lot and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 21-5198 7610 Cottage Main Street to be in violation of Section 59-16(c), North Port City Code for vehicles and trailer being parked on vacant lot with no principal structure and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 21-5198 7610 Cottage Main Street to be in violation of Chapter 105.1, Florida Building Code for sheds located on vacant lot with no permit on file and imposed a fine of \$50 a day with a maximum of \$5000 to commence on April 19, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 21-5198 7610 Cottage Main Street to be in violation of Section 59-16(h), North Port City Code for RV parked on vacant lot which appears to be inhabited and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.

N. [Case No 21-5210](#)

(JA) Heather M Heyes, 1063 S Hartsdale St
Chapter 42-23, North Port City Code
(Debris consisting of wheel barrel, gas containers, ladder, kitchen stove, plastic containers, vehicle parts, kitchen sink, dead yard waste piles, and other miscellaneous debris throughout property)
Sec. 59-16(f)(4), North Port City Code
(Boat parked in the City right of way in front of this property.)
Chapter 70-21, North Port City Code
(Driving through the City right of way via the vacant lot to the right of this address not owned by this resident.)
Sec. 59-16(c)(5), North Port City Code
(RV parked in the easement of the vacant lot to the left not owned by this resident)

This case was brought into compliance with no further action required.

O. [Case No 21-5268](#)

(HLB) Adonys & Leonor Martinez, 2775 LaCasa Rd
Chapter 105.1, Florida Building Code
(No Permit on file for the shed that is in the backyard of this property.)

Inspector Burton, being duly sworn, noted the property owner is actively obtaining a permit, and he requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-5268 2775 LaCasa Road to the April 28, 2022 Code Enforcement Hearing.

- P. [Case No 22-14](#) (JA) LSF10 Master Participation Trust, 8314 Drolet Ave
Sec. 59-16(i), North Port City Code
(Bucket truck parked in the driveway of this property.)
- Inspector Burton, being duly sworn, noted the property owner never notified the tenant, is in process finding a place to park the truck, and he requested a continuance.
- Based on evidence presented, Hearing Officer Toale continued Case No. 22-14 8314 Drolet Avenue to the April 28, 2022 Code Enforcement Hearing.**
- Q. [Case No 22-22](#) (HLB) Michael Gamble, 2972 Button St
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)
- Inspector Burton, being duly sworn, stated the property was inspected on multiple occasions, he had no contact with the property owner prior to today, and submitted photos into evidence.
- Property owner Michael Gamble, being duly sworn, stated he was unaware a permit was required, trees consisted of pine trees and palmetto scrub, he received violation by chance finding it on the ground, and stated that approximately 20 trees were removed.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-22 2972 Button Street in violation of Section 45-5(a), Unified Land Development Code for no permit on file for land clearing and imposed a fine of \$2500.**
- R. [Case No 22-27](#) (HLB) Ahmed Khamis, 2891 Chinabox St
Chapter 42-23, North Port City Code
(Debris consisting of pallets, camping materials, trash and other miscellaneous items.)
Sec. 46-148 City of North Port Code
(Owner is camping on this vacant lot.)
Sec. 59-16(c), North Port City Code
(RV camper being stored on this property without a principal structure)
- Inspector Burton, being duly sworn, stated the property was inspected on multiple occasions and submitted photo into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-27 2891 Chinabox Street to be in violation of Chapter 42-23, North Port City Code for debris on the property, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.**
- Based on evidence presented, Hearing Officer Toale closed Case No. 22-27 2891 Chinabox Street regarding Section. 46-148 City of North Port Code due to compliance with no further action required.**
- Based on evidence presented, Hearing Officer Toale closed Case No. 22-27 2891 Chinabox Street regarding Section 59-16(c), North Port City Code due to compliance with no further action required.**
- S. [Case No 22-30](#) (HLB) TDP-FL LLC, 5339 Inkwood Dr
Chapter 42-23, North Port City Code

(Debris on this property consisting of portable carport, camping materials, different types of fencing, trash and other miscellaneous items.)

Chapter 70-21, North Port City Code

(Driving over right of way to access this property.)

Inspector Burton, being duly sworn, noted the property owner is actively clearing the property and requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-30 5339 Inkwood Drive regarding Chapter 42-23, North Port City Code to the April 28, 2022 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-30 5339 Inkwood Drive regarding Chapter 70-21, North Port City Code to the April 28, 2022 Code Enforcement Hearing.

T. [Case No 22-52](#)

(JAG) Nathan & Judith A Rosenfeld, 7826 Taplin Ave

Chapter 105.1, Florida Building Code

(No permit on file for the shed in the rear yard at this property)

Inspector Guilbault, being duly sworn, noted the property owner is actively obtaining a permit, and he requested a continuance to the May meeting.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-52 7826 Taplin Avenue regarding Chapter 105.1, Florida Building Code to the May 26, 2022 Code Enforcement Hearing.

U. [Case No 22-174](#)

(WK) Mikhail G Bublik, 3842 Gaskins Cir

Section 45-5A, Unified Land Development Code

(No permit on file for land clearing.)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions, there were an unknown number of trees removed, and submitted one photo into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-174 3842 Gaskins Circle to be in violation of Section 45-5(a), Unified Land Development Code for no permit on file for land clearing with an undetermined number of trees removed, and imposed a fine of \$2500.

V. [Case No 22-200](#)

(HLB) Coelho Investments USA LLC, 3505 Brownwood Ter

Section 45-5A, Unified Land Development Code

(No permit on file for land clearing.)

Inspector Burton, being duly sworn, noted the permit is in pick up status, and he requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-200 3505 Brownwood Terrace to the April 28, 2022 Code Enforcement Hearing.

W. [Case No 22-224](#)

(JAG) Diana Andrade & Michael Andrade, 8050 Porto Chico Ave

Sec. 59-16(f)(4), North Port City Code

(Camper parked in the city right-of-way.)

Chapter 14-20 Adoption of Florida Building

(No power or water deeming this property unfit for human occupancy, Red

Card posted on 1/21/2022)

Inspector Guilbault, being duly sworn, stated the property was inspected on multiple occasions, he had no contact with the property owner, the property is presently vacant, camper has been removed and submitted photos into evidence.

Mr. Kiddy, being duly sworn, noted that City Staff removed animals, remodeling needed inside of the structure and described the structure as unlivable.

Based on evidence presented, Hearing Officer Toale closed Case No. 22-224 8050 Porto Chico Avenue regarding Section 59-16(f)(4), North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 22-224 8050 Porto Chico Avenue to be in violation of Chapter 14-20 Adoption of Florida Building Code for no power or water deeming this property unfit for human occupancy and imposed a fine of \$250 a day with no maximum to commence on April 19, 2022.

X. [Case No 22-307](#)

(JAG) Angela L Johnson, 6837 Beedla St
Section 105.4.1.1, Florida Building Code
(Expired permit for Land Clear #19-1216; Expired Permit for Culvert Pipe Installation #19-1380; Expired Permit for Electric on site #19-1381. Please contact the Building and Permitting department.)

Chapter 42-23, North Port City Code

(Accumulation of debris on property consisting of construction materials, cinder blocks, outboard boat engine, tarps, scaffolding, lumber etc. Downed trees and stumps, littering the property)

Sec. 59-16(c), North Port City Code

(Parking vehicles on vacant property next to residence, with no principal structure to include, an open trailer, a white Ford Pickup, a Generator, as well as a Large Camper.)

Inspector Guilbault, being duly sworn, stated the property was inspected on multiple occasions and he had no contact with owners prior to today.

Property owner Angela Johnson, being duly sworn, stated she was ill and was unable to finish the projects in a timely manner.

Mr. Guilbault requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-307 6837 Beedla Street for Section 105.4.1.1, Florida Building Code to the April 28,2022 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale closed Case No. 22-307 6837 Beedla Street regarding Chapter 42-23, North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale closed Case No. 22-307 6837 Beedla Street regarding Section 59-16(c), North Port City Code due to compliance with no further action required.

Y. [Case No
22-333](#)

(WK) John A Deblasio & Ute Deblasio, 3102 Rufus Rd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Case No. 22-333 was heard with Case No. 22-340.

Inspector Kiddy, being duly sworn, noted the property owner's attorney could not be in attendance, and he requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-333 3102 Rufus Road to the April 28, 2022 Code Enforcement Hearing.

Z. [Case No
22-335](#)

(WK) Aleksandr & Larisa Y Khoroshenko, 3713 Basket St
Chapter 42-23, North Port City Code

(Accumulation of debris throughout the exterior of the property consisting of a large amount of burned household items, bricks, wood, metal, loose trash, construction materials, vehicle parts, miscellaneous Page 2 of 2 household items. All items must be removed from the exterior of house in front, sides, and rear yard or the city will take action to abate.)

Case No. 22-335 was heard with Case No. 22-342.

Ms. Hale swore in the Russian interpreter to provide accurate interpretations during this legal proceeding.

Inspector Kiddy, being duly sworn, stated the properties were inspected on multiple occasions, he had no contact with the property owner, and submitted photos into evidence.

Property owner Aleksandr Khoroshenko, being duly sworn, stated photos were an accurate depiction of the properties.

Mr. Raducci, being duly sworn, stated there was no active permit on file for demolition, after 45 days the City will take action to remove all remaining debris, and will bill Mr. Khoroshenko.

Mr. Khoroshenko spoke to receiving letters from the City regarding permit status but could not produce letters for this hearing.

Mr. Toale addressed Code Enforcement's responsibility to produce evidence of a violation and property owner's responsibility to show why he is not in violation, will treat the abatement separately and will ensure defendants receive due process.

Mr. Raducci stated if property can come to compliance there will be no further action.

Mr. Khoroshenko agreed to meet with Mr. Kiddy for a walk-through on March 28, 2022 at 10:00 a.m.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-335 3713 Basket Street, to the April 28, 2022 Code Enforcement Hearing, and supports the City's position that if not compliant by that date, the abatement papers will be served.

AA. [Case No 22-340](#)

(WK) John Deblasio & Ute Deblasio, 3087 Seth Rd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Case No. 22-340 was heard with Case No. 22-333.

Inspector Kiddy, being duly sworn, noted the property owner's attorney could not be in attendance and he requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-340 3087 Seth Road to the April 28, 2022 Code Enforcement Hearing.

AB. [Case No 22-342](#)

(WK) Aleksandr & Larisa Y Khoroshenko, 3713 Basket St
Sec. 59-16(F)(1), North Port City Code
(White Car with expired plate, parked in City Right-of-way in front of vacant lot.)
Sec. 59-16(c), North Port City Code
(Grey Van, unlicensed, parked on vacant lot to the left of the house, which has no principal structure.)
Sec. 59-16(d), North Port City Code
(Grey car on driveway in disrepair state, missing major components, and visibly not drivable.)
Section 105.4.1.1, Florida Building Code
(Demo permit on file 21-2970 has expired.)

Case No. 22-342 was heard with Case No. 22-335.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-342 3713 Basket Street regarding Section 59-16(f)(1), North Port City Code to the April 28, 2022 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale closed Case No. 22-342 3713 Basket Street regarding Section 59-16(c), North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale closed Case No. 22-342 3713 Basket Street regarding Section 59-16(d), North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-342 3713 Basket Street regarding Section 105.4.1.1, Florida Building Code to the April 28, 2022 Code Enforcement Hearing.

AC. [Case No 22-345](#)

(WK) Mitchell Crosby, 5064 Alametos Ter
Sec. 59-16(d), North Port City Code
(Vehicle repair, maintenance, and disassembly on property. Prohibited painting of vehicles being performed multiple times over the past couple months of which is prohibited on any residential lot.)
Sec. 59-16(i), North Port City Code
(Prohibited vehicle dump truck/truck tractor, and construction equipment parked on driveway during initial visit.)
Chapter 42-23, North Port City Code

(Accumulation of debris consisting of an engine lift, automotive parts/equipment, wood posts with wheels, lumber or any other building materials or equipment left outside not currently in use.)

Sec. 53-122D, Unified Land Development Code

(Evidence of business activity on the premises, (Painting/Repair work) including the parking and storage of commercial vehicles, material storage, inordinate vehicular traffic, outside storage. (Business "Resurrection Gelcoat & Paint Repair, Inc))

Inspector Kiddy, being duly sworn, stated the case is in compliance of all violations, had contacted the property owner, and due to the repeat nature of prior cases, he requested that any future repeat violation be fined.

Property owner Mitchell Crosby, being duly sworn, stated he understood the consequences of future violations and confirmed there was a violation in the past.

Based on evidence presented, Hearing Officer Toale, closed Case No. 22-345 5064 Alamos Terrace, regarding Section 59-16(d), North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale, closed Case No. 22-345 5064 Alamos Terrace, regarding Section 59-16(i), North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale, closed Case No. 22-345 5064 Alamos Terrace, regarding Chapter 42-23, North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale, closed Case No. 22-345 5064 Alamos Terrace, regarding Section 53-122D, Unified Land Development Code due to compliance with no further action required.

AD. [Case No 22-371](#)

(JAG) Joshua E Thomas, 5527 Galambos St
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Case No. 22-371 was heard with Case No. 22-375.

Inspector Guilbault, being duly sworn, stated the property was inspected multiple occasions, there was an unknown number of trees removed, and submitted photos into evidence.

Property owner, Joshua Thomas, being duly sworn, stated the photo is accurate depiction of the property, agreed the approximate number of trees removed totaled three for each property, trees still needing to be removed in the footprint of the home, and land clearing being performed by a previous owner.

Based on evidence presented, Hearing Officer Toale found Case No. 22-371 5527 Galambos Street to be in violation of Section 45-5(a), Unified Land Development Code for no permit on file for land clearing with an approximate number of trees removed on this lot totaling three and imposed a fine of \$750.

AE. [Case No 22-375](#)

(JAG) Joshua E Thomas, 5535 Galambos St
Section 45-5A, Unified Land Development Code

(No permit on file for land clearing.)

Case No. 22-375 was heard with Case No. 22-371.

Based on evidence presented, Hearing Officer Toale found Case No. 22-37 5535 Galambos Street to be in violation of Section 45-5(a), Unified Land Development Code for no permit on file for land clearing with an approximate number of trees removed on this lot totaling three and imposed a fine of \$750.

Recess was taken from 11:00 a.m. to 11:10 a.m.

AF. [Case No. 22-376](#)

(JAG) Howard E Thomas & Floreliz B Springstun, 5513 Galambos St
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Guillbault, being duly sworn, stated the property was inspected on multiple occasions, the number of trees removed being undetermined, submitted photos into evidence, he had contact with the property owner, and noted the previous owner performed the land clearing.

Joshua Thomas, holding Power of Attorney, being duly sworn, submitted mitigating circumstances that the land clearing was performed by a previous owner, had no objection to photos submitted, and stated the property was purchased last October.

Mr. Golen, being duly sworn, spoke to the current owner being liable for previous un-permitted changes to property with a civil case in court being the only recourse.

Mr. Raducci, being duly sworn, spoke to a title search done on land with a survey.

Mr. Thomas estimated three trees being removed.

Based on evidence presented, Hearing Officer Toale found Case No. 22-376 5513 Galambos Street to be in violation of Section 45-5(a), Unified Land Development Code for no permit on file for land clearing and imposed a fine of \$750.

AG. [Case No. 22-459](#)

(WK) Leon-Felix Laurent, 3310 Ikola Ave
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions, an undetermined number of trees being removed, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-459 3310 Ikola Avenue to be in violation of Section 45-5(a), Unified Land Development Code for no permit on file for land clearing with the number of trees removed being unknown and imposed a fine of \$2500.

AH. [Case No. 22-495](#)

(JA) Clementes Construction Inc, 3011 S Cranberry Blvd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Ms. Hale swore in the Spanish interpreter to provide accurate interpretations during this legal proceeding.

Inspector Ardinger, being duly sworn, stated the property was inspected on multiple

occasions and submitted photos into evidence.

Property owner Clemente Martinez, being duly sworn, stated he was unaware a permit was required, stopped cutting trees upon receiving the citation, and requested Staff help in obtaining a permit.

Mr. Toale explained there being no process in North Port for obtaining an "after the fact" permit for tree removal.

Mr. Martinez had no objection to the photos submitted representing the condition of the property.

Ms. Ardingner noted that the cleared area of the property was approximately 1/8 of the property.

Mr. Martinez agreed.

Ms. Ardingner spoke to Sabal Palms counting as protected trees requiring a permit to be cut and before a tree may be removed and a letter from a certified arborist required confirming the tree is dead.

Based on evidence presented, Hearing Officer Toale found Case No. 22-495 3011 S Cranberry Boulevard to be in violation of Section 45-5(a), Unified Land Development Code for no permit on file for land clearing and assessed a fine of \$2000 due to the property being affected was only 1/8 of the total area.

AI. [Case No 22-510](#)

(WK) Lotvestors LLC, 4425 Old Wine Rd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions, the number of trees removed was unknown, and submitted photos into evidence.

Property Owner Michael Ferreira, being duly sworn, stated he had no objection to photos of trees being submitted, had an objection to the possible out-of-date satellite photo, and submitted most recent aerial photos taken after the fire.

Mr. Toale accepted new photos taken after the fire of 2020 along with other photos.

Mr. Ferreira was unaware there were tenants living on the property, trees cut were already dead, brush was cleared with weed-wacker, living palm trees were not touched, some stumps were dead for an undetermined time, and no permit was pulled to cut trees.

Mr. Kiddy did not observe any stumps that were live trees.

Mr. Ferreira stated he has been working with Mr. Kiddy and is determined that the lot will be cleaned with no further damage being done.

Mr. Kiddy spoke to City Code trees killed by fire still need arborist inspection.

Based on evidence presented, Hearing officer Toale found Case No. 22-510 4425 Old Wine Road to be in violation of Section 45-5(a), Unified Land Development Code for no permit on file for land clearing and imposed a fine of \$250.

- AJ. [Case No 22-518](#) (WK) Reinvest Homes LLC, 1309 Nackman Rd
Section 105.4.1.1, Florida Building Code
(Expired permit for single family home residence)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions, he had no contact with the property owner prior to today, and submitted no photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-518 1309 Nackman Road, to be in violation of Section 105.4.1.1, Florida Building Code for an expired permit for single-family home residence, and imposed a fine of \$50 a day with a maximum of \$5000 to commence on April 19, 2022.

9. 2ND HEARING CASES

- A. [Case No 21-789](#) (JAG) Thomas L Cleary & Ronald L Cleary, 8713 LaBoca Ave
Chapter 42-23, North Port City Code
(Accumulation of debris throughout the property consisting of refrigerators, cardboard items, broken down lawnmowers, buckets, and other miscellaneous items.)

Inspector Guibault, being duly sworn, stated there were no changes to the property, and requested that the Order be signed and impose the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 21-789 8713 LaBoca Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris throughout the property, and signed the Order imposing the fine.

- B. [Case No 21-4060](#) (WK) Shadeenah Bolden, 6740 S Biscayne Dr
Chapter 105.1, Florida Building Code
(Digging up City Right-of-way, placing cement, sand, and bricks with no permit on file for work being performed.)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions and submitted photos into evidence.

Dewana Bell, the property owner's sister being duly sworn, stated she no longer lived on the property.

Mr. Kiddy spoke to the permit issuing requirements and current status of the property.

Ms. Bell spoke to recent pictures of the property.

Mr. Raducci, being duly sworn, addressed permits to be pulled by a contractor with all subsequent building inspections.

Based on evidence presented, Hearing Officer continued Case No. 21-4060 to the April 28, 2022 Code Enforcement Hearing with the condition that a permit must be pulled.

- C. [Case No 21-4539](#) (WK) Millard W Eheart, 4047 Suburban Ln
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of Loose trash in front sides and rear of

house, piles of metal on driveway, wood, plastic and other household items that need to be removed or stored enclosure, also Motor cart in disrepair on driveway.)

Section 105.4.1.1, Florida Building Code

(Expired permit 17-6437/ INT-COMplete CHANGE OUT)

Sec. 59-16(d), North Port City Code

(Disabled vehicle on driveway; RV with flat tires and parts on driveway)

Inspector Kiddy, being duly sworn, stated the property was inspected on multiple occasions, the violations for Section 105.1.1 Florida Building Code and Section 59-16(d), North Port City Code were brought into compliance, otherwise there were no changes to the property and submitted photos into evidence.

Property owner Millard Eheart, being duly sworn, questioned the date of the most recent inspection.

Mr. Kiddy addressed the overgrowth and debris, items in front were found to be in compliance, and permits being expired.

Mr. Eheart stated he hired-out the cleanup work and will do a walk-through with a property standards inspector to determine remaining non-compliant issues.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-4539 4047 Suburban Lane regarding Chapter 42-23, North Port City Code, to the April 24, 2022 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4539 4707 Suburban Lane regarding Section 105.1.1 Florida Building Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4539 4047 Suburban Lane regarding Section 59-16(d), North Port City Code due to compliance with no further action required.

D. [Case No 21-4579](#)

(JA) HPA US1 LLC, 8157 Chesebro Ave

Sec. 1-19, Unified Land Development Code

(Property is fenced with no permit on file.)

Inspector Guilbault, being duly sworn, stated there were no changes to the property and requested the Order be signed imposing a fine.

Based on evidence presented, Hearing Officer Toale found Case No.21-4579 8157 Chesebro Avenue in violation of Section 1-19, Unified Land Development Code for no permit on file for installing a fence and signed the Order imposing the fine.

E. [Case No 21-4582](#)

(WK) Alexander Rokovets, 4187 Aba Lane

Sec. 59-16(f)(4), North Port City Code

(Two (2) Construction open trailers parked in City Right-of-way)

Sec. 59-16(f)(3), North Port City Code

(Damage to swale with tire ruts)

Sec. 59-16(d), North Port City Code

(Disassembled grey car on driveway. Many tires, tools, and parts left in front side and rear of home.)

Sec. 53-122D, Unified Land Development Code

(Business activity on premises consisting of parking and storing commercial vehicles, material storage, and inordinate vehicular traffic.)

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of loose trash, and other household items being stored outside).

Chapter 70-56, North Port City Code

(No visible assigned numbers affixed to residence.)

Section 105.4.1.1, Florida Building Code

(Expired permit 14-4026, for detached garage on property)

Sec. 53-239(l)(12), Home Occupations/Special Circumstances Unified Land Development Code

(Outside storage of materials used in connection with business, such as construction equipment, materials used in construction and miscellaneous parts.)

Inspector Kiddy, being duly sworn, noted the status of each violation and submitted photos into evidence.

Property owner Alexander Rokovets, being duly sworn, stated he applied for a permit prior to the meeting and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4582 4187 Aba Lane Section 59-16(f)(4), North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4582 4187 Aba Lane Section 59-16(f)(3), North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4582 4187 Aba Lane Section 59-16(d), North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-4582 4187 Aba Lane Section 53-122(d), Unified Land Development Code to the April 28 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4582 4187 Aba Lane Chapter 42-23, North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4582 4187 Aba Lane Chapter 70-56, North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-4582 4187 Aba Lane Section 105.4.1.1, Florida Building Code to the April 28, 2022 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-4582 4187 Aba Lane Section 53-239(l)(12), Unified Land Development Code to the April 28, 2022 Code Enforcement Hearing.

- F. [Case No 21-4637](#) (WK) Jesse Demello, 2518 Ridgewood Dr
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way consisting of tree trunks, branches, and yard waste all along the City Right-of-way area in multiple piles. Loose trash, wood, cardboard, oil containers, and miscellaneous household items scattered about City Right-of-way as well.)
- Inspector Kiddy, being duly sworn, stated the property was inspected on numerous occasions, there were changes in property since last month, and submitted photos into evidence.
- Property owner Jesse Demello, being duly sworn, stated he anticipated debris cleanup could be finished by this weekend.
- Based on evidence presented, Hearing Officer Toale continued Case No. 21-4637 2518 Ridgewood Drive to the April 2, 2022 Code Enforcement Hearing.**
- G. [Case No 21-4645](#) (HLB) David Lloyd Wells & Vanessa Wells, 5258 Butterfly Ln
Chapter 42-23, North Port City Code
(Homeowner has a dilapidated wooden fence that is falling apart must be repaired or removed. Also, there is accumulation of debris in the back yard consisting of broken cabinets or dressers.)
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in the City Right-of-Way consisting of yard waste)
Chapter 105.1, Florida Building Code
(No permit on file for Shed located on property)
- Inspector Burton, being duly sworn, stated there were no changes in the property and requested the Order be signed imposing the fine.
- Based on evidence presented, Hearing Officer Toale found Case No. 21-4645 5258 Butterfly Lane to be in violation of Chapter 42-23, North Port City Code for a dilapidated wooden fence and an accumulation of debris in the back, and will sign the Order imposing the fine.**
- Based on evidence presented, Hearing Officer Toale found Case No. 21-4645 5258 Butterfly Lane to be in violation of Section 42-24(a)(5) North Port City Code for debris in the City right-of-way and will sign the Order imposing the fine.**
- Based on evidence presented, Hearing Officer Toale found Case No. 21-4645 5258 Butterfly Lane to be in violation of Chapter 105.1, Florida Building Code for no permit on file for shed and will sign the Order imposing the fine.**
- H. [Case No 21-4892](#) (WK) Jericho June Minnix, 2518 Margaret Ln
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of loose trash in front of home, cardboard and household items spilling out from garage. Also, there are stacks of bricks on front yard)
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. Pick up for this area is on Friday.

Violation observed on a Monday.)

Inspector Kiddy, being duly sworn, reported no changes in property, property being inspected on multiple occasions, stated pictures were submitted into evidence at the first hearing, and he requested the Order be signed imposing the fine.

Property owner Jericho June Minnix, being duly sworn, stated that most of the debris is gone, she was unable to attend the first hearing due to family illness, can remove remaining debris this week and will inform Mr. Kiddy when completed.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-4892 2518 Margaret Lane, regarding Chapter 42-23, North Port City Code to the April 21, 2022 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale, continued Case No. 21-4892 2518 Margaret Lane, regarding Chapter 62-50, North Port City Code to the April 21, 2022 Code Enforcement Hearing.

I. [Case No 21-4975](#)

(WK) CSMA BLT LLC, 3163 Monday Ter
Section 42-24(a)(5) North Port City Code
(Accumulation of debris consisting of cardboard, plastic totes, fish tank, pallets in City Right-of-way across the street from home, with no bulk pick up scheduled.)

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of cardboard in front yard, driveway up to front door, vehicle bumpers/parts on front yard, as well as household items, plastic shelving on driveway and dolly)

Chapter 62-50, North Port City Code

(Solid Waste Containers improperly stored in front of house, left of driveway)

Chapter 34-23, North Port City Code

(Running a business in home without a Business Tax Receipt)

Section 53-122, Unified Land Development Code

(Evidence of business being ran from residential.)

Inspector Kiddy, being duly sworn, noted Section 42-24(a)(5) North Port City Code being in compliance, Section 42-23, North Port City Code remaining in compliance, Chapter 62-50, North Port City Code remaining in violation, Chapter 34-23, North Port City Code remaining in violation, and Section 53-122, Unified Land Development Code being in compliance.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4645 53163 Monday Terrace regarding Section 42-24(a)(5) North Port City Code due to compliance with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 21-4645 53163 Monday Terrace to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in front yard, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 21-4645 53163 Monday Terrace to be in violation of Chapter 62-50, North Port City Code for solid waste containers in front of house and imposed a fine of \$10 a day with a maximum

of \$1000 to commence on April 19, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 21-4645 53163 Monday Terrace to be in violation of Chapter 34-23, North Port City Code for running a business in home without a Business Tax Receipt, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on April 19, 2022.

Based on evidence presented, Hearing Officer Toale closed Case No. 21-4645 3163 Monday Terrace regarding Section 53-122, Unified Land Development Code, due to compliance with no further action required.

10. PUBLIC HEARING - POLICE DEPARTMENT

- A. [22-2312](#) Case #22-009469 Trespass Appeal -- Ivan Shkrobut, 12200 San Servando Avenue, North Port, FL 34287 (Warm Mineral Springs).

Trespasser Ivan Shkrobut was not present.

Mr. Golen, representing the North Port Police Department, being duly sworn, presented forms requesting this appeal and noted that the individual refused to leave when so requested, and therefore police were called.

Based on evidence presented, Hearing Officer Toale, Case #22-009469 Trespass Appeal, noted the offender was not present and denied the appeal.

- B. [22-2342](#) Case # 22-010799 Trespass Appeal -- Michael Ramirez -- 8270 Lombra Avenue, North Port, FL 34286 (Veterans Park)

Ms. Hale swore in Officer Nicholas Mamalis, who will provide testimony.

Michael Ramirez, being duly sworn, requested to be shown where the trespass had taken place and had nothing more to say.

Mr. Golen, being duly sworn, requested that Officer Mamalis provide his testimony.

Officer Mamalis, being duly sworn, provided an account of issuing the trespass to Mr. Ramirez and the subsequent Police Incident Report documenting the associated violation of City Ordinance 46-1(12) drinking on public property, and is an accurate depiction of what happened.

Mr. Ramirez had no questions for the officer who issued the citation.

Based on evidence presented, Hearing Officer Toale, Case #22-010799 Trespass Appeal, noted the trespass warning was issued properly and denied the appeal.

11. GENERAL BUSINESS

There was no general business.

12. PUBLIC COMMENT

There was no public comment.

13. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 1:24 p.m.

James E. Toale, Hearing Officer

Minutes were approved on the ____ day of _____, 2022.