



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Compliance Hearing

Thursday, June 22, 2023

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:08 a.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

3. PUBLIC COMMENT

Jack Roush: spoke to Case No. 22-2876.

Hearing Officer Toale spoke to jurisdiction, proper notice service, and fines.

Jennifer Pethel: spoke to Case No. 22-514.

William Needham: spoke to Case No. 22-514.

Hearing Officer Toale spoke to facts, testimony, jurisdiction, and title transfer.

4. APPROVAL OF MINUTES

- A. [23-0968](#) Approve Minutes for the May 25, 2023 Code Enforcement Hearing 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. Jimenez swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [Case No 22-5943](#) (JAG) WHITE WING CAPITAL LLC, 5550 S SALFORD BLVD Chapter 105.1, Florida Building Code - Permit required. (Permit required for residential remodel due to tree falling and crushing roof as well as significantly damaging property)

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

- B. [Case No 23-234](#) (HLB) JULIE W HAYS; 3491 MATADOR RD Section 105.4.1.1, Florida Building Code- Permit has expired. (Expired Permit for SFR #21-3095)

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

- C. [Case No 23-395](#) (HLB) TONI MARIE BOOTH; 1707 GANTRY RD
Chapter 42-23, North Port City Code; Accumulation of Debris
(Dilapidated privacy fence on property. Fence must be removed, repaired, or replaced.)

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

- D. [Case No 23-405](#) (HLB) SRP SUB LLC, 2660 ABBEVILLE RD
Chapter 105.1, Florida Building Code - Permit required.
(Hot water heater replaced with no permit on file.)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in City Right-of-way consisting of water heater and boxes.)

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

- E. [Case No 23-449](#) (DG) JOHN & AMANDA C SULLIVAN, 6308 STARFISH AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of a dilapidated fence that is mostly torn down with several panels missing. Fence must be removed, repaired, or replaced. In addition, there is debris consisting of miscellaneous trash scattered throughout property in both the back and front, as well as a bicycle left in the City Right-of-way area.)

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

- F. [Case No 23-489](#) (JA) CLOUD TEN MARKETING GROUP LLC; 1350 BOBCAT TRL
Section 42-24(a)(2)(b) North Port City Code, Maintenance of stormwater drainage area.
(Accumulation of debris consisting of vines, dead grass, and dead palm fronds along sidewalk and walkway.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on right side of property consisting of a dilapidated fence, that needs to be removed, repaired, or replaced.)

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

- G. [Case No 23-609](#) (JAG) JOVAN & BISERKA KRSTEC, 8847 ALAM AVE
Chapter 70-56, North Port City Code Assigned numbers must be at least three (3) inches in height, in Arabic numeral form, placed on a contrasting background visible from the street.
(House numbers affixed to residence are not visible due to being blocked by gutters on right side of the home.)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.

(Accumulation of debris in City Right-of-way consisting of a large pile of yard waste, tree trimmings, as well as a second pile of household items.)

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris throughout the property consisting of multiple lawn mowers, old A/C units, plastic bins, buckets, and other miscellaneous items.)

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

H. [Case No
23-617](#)

(JA) MICHAEL N FLOOD; 3470 DUTCH CT

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris in the City Right-of-way consisting of miscellaneous items.)

Sec. 59-16(f)(3), North Port City Code No motor vehicle as defined in section (a) shall be parked on the berm, shoulder or swale right-of-way area adjacent to any residential lot where the owner of the vehicle is not also lawfully residing at the property, or without receiving the express permission of the property owner; except to be in compliance with the lawful direction of a law enforcement officer. In no instance shall parking be permitted where doing so may cause damage to the drainage swale.

(Damage to swale from driving through to access property.)

Sec. 46-148 City of North Port Code (a) Camping is prohibited

(Camping prohibited on this lot and there is evidence of a camp set up.)

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

I. [Case No
23-685](#)

(HLB) BAF ASSETS 3 LLC, 2763 DENICKE ST

Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.

(Accumulation of debris in the City Right-of-way consisting of tree debris, fencing material, and pallets of sod.)

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

J. [Case No
23-842](#)

(DG) MMS FLORIDA HOLDINGS LLC; 2456 SOPRANO LN

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris piled up in a trailer in front of residence. Debris consisting of a mattress and other miscellaneous household debris.)

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

K. [Case No
23-925](#)

(JAG) JERRY MAX VANEPPS (E LIFE EST); 4245 GORGAS ST

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation debris throughout the property consisting of car tires, fans, coolers, cardboard boxes, trash bags, piece of trash, clothes, speakers, and many other miscellaneous debris.)

Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.

(Verified the complaint of accumulation of debris in the city right away thing

of trash bags, couch, TV, and other miscellaneous items.)

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

- L. [Case No 23-952](#) (JAG) ANNA B BROWN; 1372 VENDOME TER
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permits: 21-8338 GARAGES (DET/ATCHED OR CARPORT)
21-6889 NON-STRUCTURAL FENCE)
This case was brought into compliance with no further action required.
- M. [Case No 23-956](#) (JA) OBED CESAR & STACY JEAN; 7523 MAYLAND ST
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired permit 21-7174 NON-STRUCTURAL FENCE)
This case was brought into compliance with no further action required.
- N. [Case No 23-1016](#) (JAG) KEVIN FOX; 2364 HOPWOOD RD
Chapter 70-56, North Port City Code Assigned numbers must be at least three (3) inches in height, in Arabic numeral form, placed on a contrasting background visible from the street.
(No visible assigned numbers affixed to residence.)
This case was brought into compliance with no further action required.
- O. [Case No 23-1059](#) (JAG) RICHARD E & DEBRA MILLER; 6349 SAFFORD TER
Chapter 62-50, North Port City Code Refuse container(s) shall be placed at the pick-up location no earlier than 6:00 p.m. on the evening prior to or later than 7:00 a.m. on the day pick-up is scheduled. Container(s) must be properly stored by 10:00 p.m. on the day of collection. Container(s) MAY NOT be stored in front of residence.
(Solid waste containers improperly stored at the street outside the time frame permissible by City Code. Violation observed Tuesday @0825.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of boxes, totes, gas cans, lawn mowers, clothes, and many other miscellaneous debris.)
This case was brought into compliance with no further action required.
- P. [Case No 23-1161](#) (HLB) BIG JIM VIII LLC; 1075 INNOVATION AVE UNIT 101
Sec. 37-29(H)(5) Unified Land Development Code, Roadway Design and Construction Standards - General requirements. H. Roadway design and construction criteria shall conform to all criteria contained herein, to include the criteria contained in the following publications which are hereby adopted and shall be considered and construed to be an integral part hereto to the greatest extent practicable: (5)The Manual of Uniform Traffic Control Devices, latest edition.
(Traffic sign is broken two (2) feet above ground on Innovation Ave. In the Right-of-way.)

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

- Q. [Case No 23-1202](#) (JAG) VADIM VILKOV; 3161 GATUN ST
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in the City Right-of-way consisting of yard waste.)
Chapter 70-56, North Port City Code Assigned numbers
(No visible assigned number assigned to residence.)

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

- R. [Case No 23-1215](#) (JAG) YANNA LISITSINA; 6681 OHIO RD
Chapter 62-50, North Port City Code Refuse container(s)
(Solid waste containers improperly stored at the street outside the time frame permissible by City Code.)

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

- S. (HLB) ANAMAKS LLC; 3726 N CRANBERRY BLVD
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Reflective rods placed in the City Right-of-way which are not permissible per City Code.)

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

- T. [Case No 23-1405](#) (DG) HUGO ARIEL BALAREZO, SHERYL ELAINE DRAKE; 1522 URMEY LN
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on construction site consisting of construction materials, roof tiles, and other miscellaneous items on right side of driveway.)
Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.
(Construction trailer parked in City Right-of-way)

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

- U. [Case No 23-1406](#) (JAG) ARKADI, LUDMILA, JANNA BOSHOER; 8477 FAY AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Dilapidated fence on this property that should be removed, repaired, or replaced.)

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

- V. [Case No 23-1520](#) (JAG) MICHAEL A & WINDSOR L PAGANO; 4180 GEOFFREY ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris behind shed consisting of a large pile of aluminum

and other metals.)

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

W. [Case No
23-1578](#)

(JA) MATTHEW R VALENTINE; 4644 CROMEY RD
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris of large wooden shelf structure in front of garage door, boxes, gates, wood, shutters, foam, blankets, plastic, broken playground, pallets, chairs, and other misc. debris.)

Chapter 66-62 (c), North Port City Code No person shall construct, install, place or maintain structures, signs or other fixtures with the City right-of-way.

(Basketball hoop is in City Right-of-way are, must be stored away from the road when not being used.)

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

X. [Case No
23-1893](#)

(JAG) JENNIFER L JOHNSTON, 5550 GABO RD
Section 105.4.1.1, Florida Building Code- Permit has expired.
(-REPEAT VIOLATION- Expired permit #12-3184 for residential remodel is expired. This is a REPEAT violation concerning the same permit. 1. Case Number17-850-Inspector K. Hoffman, initiated 4/20/2017, currently in Lien Status, no compliance achieved.)

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

Y. [Case No
23-2171](#)

(JAG) NICOLE & GASPARD SENAT; 2809 DUMONT LN
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout the entire property consisting of pallets, cardboard, car tires, piece of glass, tv's, trash cans, mops, brooms, mattresses, ladders, tarps, miscellaneous pieces of trash, and other various items.)

Chapter 62-50, North Port City Code Refuse container(s)

(Solid waste containers improperly stored to the left of the driveway in front of the residence.)

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

7. CONTINUED CASES

A. [Case No
22-5716](#)

(KMR) VLC HOLDINGS INC, 6726 JOEJEFF ST
Sec. 53-244, Unified Land Development Code, A. Movement, alteration, intensification. No nonconforming use of land not involving structures shall be moved in whole or in part to adjacent property not containing such use, nor shall such use be altered or intensified by adding additional nonconforming uses within the confines of the property containing such nonconforming use on the adoption date or amendment date of these zoning regulations.

(Added large amounts of fill dirt to fire lanes.)

Sec. 18-10, Unified Land Development Code (3) The proposed stormwater management system shall be designed to treat and attenuate the stormwater that originates within the development. The design of the stormwater conveyance system shall also divert or bypass off-site run-off that flows onto or across the development, from adjacent lands, so as not to adversely affect any adjacent lands.

(Stormwater from the Wood Chipping Facility property is draining onto the adjacent rear property.)

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

B. [Case No 22-5942](#)

(JAG) JCU ALL IN ENTERPRISES LLC, 14530 TAMIAMI TRL
Chapter 105.1, Florida Building Code - Permit required.

(Per Building Inspector Tom Prindiville There is no permit on file for a commercial renovation at this unit)

Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, permit is on file, and recommended 90 days for compliance.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5942 14530 Tamiami Trail to be in violation of Chapter 105.1, Florida Building Code for commercial renovation without a permit on file and imposed a fine of \$50 a day with a maximum of \$5,000 to commence September 6, 2023.

C. [Case No 23-39](#)

(DG) GARY BERGERON, 4474 MULGRAVE AVE

Section 105.4.1.1, Florida Building Code- Permit has expired.

(Expired permit 21-957 for Residential Remodel. Please Contact North Port Permitting Department, 941-429-7044 option 3.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, and submitted one photo into evidence.

Property owner Gary Bergeron, being duly sworn, spoke to being in compliance and requested an inspection.

Inspector Grandt noted the property owner needs to reactivate the permit.

Based on evidence presented, Hearing Officer Toale found Case No. 23-39 4474 Mulgrave Avenue to be in violation of Section 105.4.1.1, Florida Building Code for residential remodel with an expired permit and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on August 12, 2023.

D. [Case No 23-128](#)

(HLB) VIKTOR KLYMETS, ANNA GAZENKO; 5694 GILROY AVE

Chapter 70-21, North Port City Code It shall be unlawful

(Driving through City Right-of-way to access property, with no Right-of-way use permit.)

Sec. 59-16(f)(3), North Port City Code No motor vehicle

(Damage to Swale Area, from driving through to access property.)

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris throughout the rear of property.)

Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.

(Trailer parked in City Right-of-way.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, and he had contact with the property owner.

Based on evidence presented, Hearing Officer Toale found Case No. 23-128 5694 Gilroy Avenue to be in violation of Chapter 70-21, North Port City Code for driving through City right-of-way to access property with no right-of-way use permit and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on July 18, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-128 5694 Gilroy Avenue to be in compliance with Section 59-16(f)(3), North Port City Code with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 23-128 5694 Gilroy Avenue to be in compliance with Chapter 42-23, North Port City Code with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 23-128 5694 Gilroy Avenue to be in compliance with Section 59-16(f)(4), North Port City Code with no further action required.

8. 1ST HEARING CASES

A. [Case No 23-470](#)

(JA) SETH ANDREW & JAMIE BETH GAGNER; 6077 ABIGAIL AVE
Chapter 105.1, Florida Building Code - Permit required.

(Damaged shed being rebuilt on the right side of the property without a permit.)

Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, no permit on file, Hurricane Ian damage, and he had contact with the property owner.

Based on evidence presented, Hearing Officer Toale found Case No. 23-470 6077 Abigail Avenue to be in violation of Chapter 105.1, Florida Building Code for damaged shed being rebuilt on the right side of the property without a permit and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on August 12, 2023.

B. [Case No 23-508](#)

(JA) REYNALDO D VAZQUEZ, MISLAIDS PEREZ; 7919 JEFFERY AVE
Chapter 105.1, Florida Building Code - Permit required.

(No permit on file for the new window installed on the left side of the residence.)

Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, permit is on file, he had no contact with the property owner, and submitted one photo into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-508 7919 Jeffery Avenue to be in violation of Chapter 105.1, Florida Building Code for new

window installed on the left side of residence without a permit and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on August 12, 2023.

C. [Case No 23-1018](#)

(DG) MONA J STRUDWICK; 2090 LOGSDON ST

Sec. 1-19, Unified Land Development Code Local, state and Federal permits required. Unless specifically exempted by these regulations, all work in connection with any structure located in, on, over or adjacent to any lands located within the incorporated area of the City of North Port shall be prohibited without obtaining a permit in accordance with applicable local rules, regulations, ordinances or codes. Local City approval shall not eliminate the need for obtaining associated State and Federal agency permits where applicable Sec. 61, Unified Land Development Code - Definitions and Word Usage Any artificially constructed barrier of any material or combination of materials constructed along the full length, or portion thereof, of any or all property line(s), or within the property for the purpose of protection or confinement or as a boundary or for the purpose of blocking part of the property from view or access. For the purposes of these land development regulations, a boundary fence is considered to be an accessory structure.

(No permit on file for the six- foot fence installed in the rear yard of this property. Fence is also facing the wrong direction and would need to be turned around to pass any final inspection. The permit for a fence on this property is for a chain link fence.)

Inspector Guilbault, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-1018 2090 Logsdon Street to the August 24, 2023 Code Enforcement Hearing.

D. [Case No 23-1111](#)

(JA) CONNIE BUSHEY WISLOT, TIMOTEO PATRON CAYLAN; 1506 KNOTTY PINE AVE

Sec. 1-19, Unified Land Development Code Local, state and Federal permits required. Unless specifically exempted by these regulations, all work in connection with any structure located in, on, over or adjacent to any lands located within the incorporated area of the City of North Port shall be prohibited without obtaining a permit in accordance with applicable local rules, regulations, ordinances or codes. Local City approval shall not eliminate the need for obtaining associated State and Federal agency permits where applicable Sec. 61, Unified Land Development Code - Definitions and Word Usage Any artificially constructed barrier of any material or combination of materials constructed along the full length, or portion thereof, of any or all property line(s), or within the property for the purpose of protection or confinement or as a boundary or for the purpose of blocking part of the property from view or access. For the purposes of these land development regulations, a boundary fence is considered to be an accessory structure.

(Replaced vinyl fence with wood fence, no updated permit on file with the City.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, no permit on file, she had no contact with the property owner, and submitted photos into the evidence.

Property Owner Connie Bushey Wislot, being duly sworn, spoke to Hurricane Ian damage, fence material, and permit on file.

Division Manager Raducci, being duly sworn, spoke to waiving fees.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-1111 1506 Knotty Pine Avenue to the August 24, 2023 Code Enforcement Hearing.

E. [Case No 23-1155](#)

(JA) JEFFREY EDWARD HELD; 2043 ANANAS RD
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for shed located on property.)

Sec. 59-16(f)(3), North Port City Code - No motor vehicle as defined in section (a) shall be parked on the berm, shoulder or swale right-of-way area adjacent to any residential lot where the owner of the vehicle is not also lawfully residing at the property, or without receiving the express permission of the property owner; except to be in compliance with the lawful direction of a law enforcement officer. In no instance shall parking be permitted where doing so may cause damage to the drainage swale.

(Car and trailer parked across street on City Right-of-way, in front of a vacant lot.)

Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.

(Trailer parked in City Right-of-way, across the street from residence.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, no permit on file, she had no contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1155 2043 Ananas Road to be in violation of Chapter 105.1, Florida Building Code for shed located on property without a permit and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on August 12, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1155 2043 Ananas Road to be in violation of Section 59-16(f)(3), North Port City Code for car and trailer parked across the street on City right-of-way, in front of vacant lot and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on August 12, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1155 2043 Ananas Road to be in violation of Section 59-16(f)(4), North Port City Code for trailer parked in City right-of-way across from residence and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on August 12, 2023.

F. [Case No 23-1276](#)

(DG) SUMTER SQUARE LLC; Parcel ID: 1002170011
Chapter 42-23, North Port City Code; Accumulation of Debris
(Tree Debris scattered across all of the front lot on Access road to the east

of the Home Depot parking lot.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, submitted photos into evidence, and stated there were debris complaints.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1276 Parcel ID: 1002170011 to be in violation of Chapter 42-23, North Port City Code for tree debris scattered across all of the front lot on access road to the east of the Home Depot parking lot and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on July 18, 2023.

- G. [Case No 23-1334](#) (JAG) DE SAVOY IRMA D HERNANDEZ; 6108 FRONDA AVE
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 21-9222; for Fence. Exp. 04/13/2022)

Inspector Guilbault, being duly sworn, noted the case is closed.

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

- H. [Case No 23-1401](#) (JA) WADE DIRR; 6372 OTIS RD
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for new windows installed at this property)

Inspector Guilbault, being duly sworn, noted he had contact with the property owner, property owner moved due to Hurricane Ian damage, and working on submitted permit on line.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-1401 6372 Otis Road to the August 24, 2023 Code Enforcement Hearing.

- I. [Case No 23-1421](#) (JAG) CARLOS & SYLVIA REINOSA; 8502 AERO AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in the front yard consisting of two (2) hot water heaters, buckets, and other miscellaneous items)
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for a hot water change out at this property.)

Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, no permit on file, submitted photos into evidence, and had no contact with the property owner.

Property Owners Carlos and Sylvia Reinosa, being duly sworn, spoke to water heaters and Hurricane Ian impact.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1421 8502 Aero Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in the front yard consisting of two hot water heaters, buckets, and other miscellaneous items and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on August 12, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1421 8502 Aero Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit on file for a hot water change out at the property and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on August 12, 2023.

- J. [Case No 23-1488](#) (JA) FKH SFR PROPCO K LP; 1347 RUSSELLVILLE ST
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for roof work being done.)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in City Right-of-way consisting of shingles, paper, and other debris at curb outside of normal pick up day.)
Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, no permit on file, she had no contact with the property owner and submitted photos into evidence.
Based on evidence presented, Hearing Officer Toale found Case No. 23-1488 1347 Russellville Street to be in violation of Chapter 105.1, Florida Building Code for roof work being done without a permit and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on August 12, 2023.
Based on evidence presented, Hearing Officer Toale found Case No. 23-1488 1347 Russellville Street to be in violation of Section 42-24(a)(5), North Port City Code for accumulation of debris in City right-of-way consisting of shingles, paper, and other debris at curb outside of normal pick-up day and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on August 12, 2023.
- K. [Case No 23-1519](#) (JA) LEOPOLD O WAGNER (LIFE EST), JANEY S JACOBS, C/O DEBORAH WAGNER; 5004 KINGSLEY RD
Section 4501.17, Florida Building Code Pursuant to Section 4501.17 of the Florida Building Code, this pool has been inspected and deemed to be unsafe, creating a life/safety issue.
(Pool does not have a barrier around it, which is required per Code.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of damaged pool cage screen, yard waste, and other miscellaneous items.)
Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, submitted photos into evidence, and property is vacant.
Based on evidence presented, Hearing Officer Toale found Case No. 23-1519 5004 Kingsley Road to be in violation of Section 4501.17, Florida Building Code for pool not having a barrier around it as required per Code and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on July 18, 2023.
Based on evidence presented, Hearing Officer Toale found Case No. 23-1519 5004 Kingsley Road to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of damaged pool cage screen, yard waste, and other miscellaneous items and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on July 18, 2023.
- L. [Case No 23-1529](#) (DG) ADRIANNA GAIA; 2446 ALTOONA AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in front of residence consisting of a mattress. Additionally there is debris in the right rear corner of property consisting of

plastic can(s) and a cooler)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1529 2446 Altoona Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in front of residence consisting of a mattress and in the right rear corner of property consisting of plastic can(s) and a cooler and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on July 18, 2023.

M. [Case No 23-1711](#)

(JA) 211 MONITOR LLC; 4317 LOS RIOS ST

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris in the rear and side yard consisting of drywall, black trash bags, metal items, and other miscellaneous debris.)

Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted one photo into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1711 4317 Los Rios Street to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in the rear and side yard consisting of drywall, black trash bags, metal items and other miscellaneous debris and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on July 18, 2023.

N. [Case No 23-1823](#)

(HLB) GEORGE L HERMANN LIVING TRUST, 2695 COMMERCE PKWY

Section 45-5A, Unified Land Development Code - Land Clearing

(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

Inspector Ardinger being duly sworn, noted the property was inspected on multiple occasions, no permit on file, undetermined number of trees removed, it is a commercial property, and submitted photos into evidence.

Inspector Rogus, being duly sworn, spoke to square footage and undetermined number of trees removed.

Inspector Ardiner, spoke to measurement of trees.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1823 2695 Commerce Parkway to be in violation of Section 45-5A, Unified Land Development Code for land clearing and imposed a fine of \$45,000.

O. [Case No 23-1824](#)

(HLB) GEORGE L HERMANN LIVING TRUST, 2645 COMMERCE PKWY

Section 45-5A, Unified Land Development Code - Land Clearing

(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

This item was heard with Case No. 23-1823.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1824 2645 Commerce Parkway to be in violation of Section 45-5A, Unified Land Development Code for land clearing and imposed a fine of \$45,000.

9. 2ND HEARING CASES

- A. Case No 22-514** (DG) B&L NORTH PORT LLC, 2409 AUTUMNLEAF TER
Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot. (Vehicles parked on vacant lot with no principal structure.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on vacant lot consisting of loose trash and tent. Any camping items or construction materials on property)
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for fence/gate on property.)
Chapter 70-21, North Port City Code It shall be unlawful for any person to move or cause to be moved, drive or operate in, upon or across or depart from or enter upon any City Road in any vehicle, contrivance or device in such a manner as to cause damage to any City Road, right-of-way, drainage or utility structure and/or facility. The possession of a vehicle weight permit by such a person shall not constitute a defense herein. (Driving through City Right-of-way onto vacant lot causing damage.)
Chapter 105.1, Florida Building Code - Permit required
(No permit on file for structures on property. Also, no permit on file for right-of-way work and installing wood over right-of-way.)
Sec. 46-148 City of North Port Code (a) Camping is prohibited
(Camping prohibited; Any person(s) camping on cited property must produce valid documentation as stated by ordinance or vacate the property immediately.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, no changes in the property, and requested the Order be signed imposing the fine.

Recording Secretary Kiddy, being duly sworn, noted he had contact with the property owner and requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-514 2409 Autumnleaf Terrace to the August 24, 2023 Code Enforcement Hearing.

- B. [Case No 23-310](#)** (DG) THOMAS D & ANGELA LAMBERT, 6770 FLAVIA CT
Section 53-240(A)(3) Unified Land Development Code, Special Structures - A. Accessory uses and structures. Permitted accessory uses and structures in all zoning districts shall be as follows: (3) Are located on the same lot as the permitted or permissible principal use or structure.
(Wooden structure and Fence on property, which are not permissible without a principal structure.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, no changes in the property, submitted photos into evidence, and requested the Order be signed imposing the fine.

Property Owners Thomas D & Angela Lambert, being duly sworn, spoke to compliance with violations and building permit.

Division Manager Raducci, being duly sworn, spoke to permit and recommendations.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-310 6770 Flavia Court to the August 24, 2023 Code Enforcement Hearing.

- C. [Case No 23-338](#) (HLB) LSF9 MASTER PARTICIPATION TRUST U S BANK TRUST N A (TTEE) C/O HUDSON HOMES MANAGEMENT LLC, 2651 W PRICE BLVD

Chapter 105.1, Florida Building Code - Permit required
(Driveway being torn out with no permit on file.)

Inspector Guilbault, being duly sworn, noted no changes in the property and no permit on file.

Based on evidence presented, Hearing Officer Toale found Case No. 23-338 2651 West Price Boulevard to be in violation of Chapter 105.1, Florida Building Code for driveway being torn out without a permit and signed the Order imposing the fine.

- D. [Case No 23-767](#) (JAG) WENDY P FELIX, 8333 DOLOMITE AVE
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for hot water heater change out)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.

(Accumulation of debris in City Right-of-way consisting of a hot water heater)

Inspector Guilbault, being duly sworn, noted no changes in the property and no permit on file.

Based on evidence presented, Hearing Officer Toale found Case No. 23-767 8333 Dolomite Avenue to be in violation of Chapter 105.1, Florida Building Code for hot water heater change out without a permit and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-767 8333 Dolomite Avenue to be in violation of Section 42-24(a)(5), North Port City Code for accumulation of debris in City right-of-way consisting of a hot water heater and signed the Order imposing the fine.

- E. [Case No 23-805](#) (DG) DAVID A & DEBRA M WALLACE, 4616 BLUERIDGE ST
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Permit # 18-9182 for COMPLETE MECHANICAL CHANGEOUT expired 4/30/2019.)

Chapter 105.1, Florida Building Code - Permit required.

(Re-Roof being done, with permit still in Issued Status. Permit must be picked up.)

Inspector Grandt, being duly sworn, requested the Order be signed imposing the fine and noted no changes in the property.

Based on evidence presented, Hearing Officer Toale found Case No. 23-805 4616 Blueridge Street in violation of Section 105.4.1.1, Florida Building Code for complete mechanical change out with expired permit and signed the Order

imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-805 4616 Blueridge Street in violation of Chapter 105.1, Florida Building Code for re-roof being done, with permit still in issued status and signed the Order imposing the fine.

10. GENERAL BUSINESS

There was no General Business.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 10:26 a.m.

By: _____
James E. Toale, Hearing Officer

Minutes were approved on the ___ day of _____, 2023.