



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Enforcement Hearing

Thursday, August 28, 2025

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 11:11 a.m.

ALSO PRESENT

Police Legal Advisor Kimberly Rubino, Code Enforcement Manager Kevin Raducci, Recording Secretary Trysta Cassell, Code Enforcement Inspectors Louis Cerbone, Joshua Presson, Anthony Brehon, and Gavyn O'Neil, Officer Sergio Ramirez, Assistant Parks & Recreation Director Trish Sturgess, Urban Forester Ryan Pieper, and Administrative Service Specialist Lane.

2. PUBLIC COMMENT

Michael Arneson: Expressed concern to violations within neighborhood.

3. REVIEW OF PROCEDURES AND ADMINISTRATION OF OATH

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

4. COMPLIANT CASES

[B-CASE-25-00328](#) (JP) Zwiercan Homes Inc, 4533 Denmark Ave
105.4.1.1, Florida Building Code - Permit has expired
(Residential New | Permit Expired - 21-00005900(02/08/2025))

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

5. CONTINUED CASES

[CASE-24-4292](#) (KMR) Minh Nguyen, 5000 S Chamberlain Blvd.
2-511 NPCC - Fines and Liens, Tree Protection Regulations
(Permit Required (Total of 172 trees cut down on property without permit))

Hearing Officer Toale announced the item.

Ms. Rubino, being duly sworn, spoke to land clearing without permit, motions to dismiss, and contract.

Carl Roberts, Attorney for property owner, being duly sworn, spoke to withdrawing motions.

Mr. Raducci, being duly sworn, spoke to agreement with both parties.

Mr. Pieper, being duly sworn, spoke to hurricane damage, 172 trees cut down, gopher tortoise, and tree mitigations.

Mr. Toale spoke to a motion to be consolidated.

Based on evidence presented, Hearing Officer Toale found Case No. 24-4292 and Case No. 24-4293, to be in violation of Section 2-511 of the North Port City Code – Fines and Liens, Tree Protection Regulations and imposed a combined fine of \$163,000.

[CASE-24-42](#)
[93](#)

(KMR) Minh Nguyen, 5200 S Chamberlain Blvd
2-511 NPCC - Fines and Liens, Tree Protection Regulations
(Permit Required (Total of 172 trees cut down on property without permit))

This case was heard with Case No. 24-4292.

[CASE-25-00](#)
[182](#)

(JP) Sun Coast Plaza Property Owners Association Inc., Sun Market Pl
(0984-07-0095)
IPMC 2021, 302.7 Accessory structures
(A green light pole is knocked down on the sidewalk next to Sunmarket Place.)
IPMC 2021, 302.3 Sidewalks and driveways
(Pothole next to storm drain in the center of the roadway on Sundown Lane.)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections, contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 25-00182, to be in violation of International Property Maintenance Code 2021, Section 302.3 – Sidewalks and Driveways and imposed a fine of \$250 per day with a no maximum to commence on September 22,2025.

6. 2ND HEARING CASES

[CASE-25-00](#)
[482](#)

(LC) Palladio Development LLC, 2431 Manheim Ave.
IPMC 2021, 304 Exterior Structure - 304.1 General. 304.1.1 Unsafe conditions.
(Unsafe conditions house needs to be boarded up)
105.4.1.1, Florida Building Code - Permit has expired
(Permit is expired)

Hearing Officer Toale announced the item.

Inspector Cerbone, being duly sworn, provided a presentation including inspections, contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 25-00482, to be in violation of International Property Maintenance Code 2021, Section 304 – Exterior Structure, 304.1 General, 304.1.1 Unsafe Conditions and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 25-00482, to be in violation of Florida Building Code, Section 105.4.1.1 – Permit Expired and signed the order imposing the fine.

[CASE-25-00294](#)

(LC) David M Bates, 4255 Grobe St
59-1 (b)(1) NPCC, Prohibited parking - Right-of-way
(Camper on property)
59-1 (c)(1) NPCC, Allowed parking
(Pull behind camper on property with what appears to have someone living in it.)

Hearing Officer Toale continued Case No. 25-00294 to the September 24, 2025 Code Enforcement Hearing.

7. GENERAL BUSINESS

[CASE NO. 25044659](#)

Case No. 25044659 Trespass Appeal - Boyarkin - 12200 San Servando Ave. (Warm Mineral Springs)

Hearing Officer Toale announced the item.

Ms. Lane administered the interpreter oath.

Interpreter 3598 Russian translator for North Port Police Department, being duly sworn, interpreted on behalf of Mr. Boyarkin.

Ms. Rubino, being duly sworn, spoke to trespass appeal, warning issued, and questioned Ms. Sturgess regarding July 13, 2025 Warm Mineral Springs incident.

Mr. Boyarkin spoke to not receiving notices.

Ms. Sturgess spoke to all notices translated through family members to Mr. Boyarkin.

Mr. Toale spoke to documents sent from legal guardian and questioned Ms. Sturgess.

Ms. Rubino, spoke to concern with the documentation presented from Mr. Boyarkin.

Officer Ramirez, being duly sworn, answered questions regarding the July 13, 2025 Warm Mineral Springs incident.

Mr. Boyarkin spoke to Warm Mineral Springs health benefits, having guardian with him, and apologized.

Mr. Toale spoke to prior encounters with Mr. Boyarkin.

Officer Ramirez spoke to prior encounter with Mr. Boyarkin not paying to enter Warm Mineral Springs.

Ms. Rubino spoke to staff continuing to have the same issues with Mr. Boyarkin.

Mr. Toale questioned Mr. Boyarkin on his mode of transportation to Warm Mineral Springs on July 13, 2025.

Ms. Rubino provided closing arguments including evidence presented to uphold trespass.

Mr. Boyarkin provided closing arguments Warm Mineral Springs helps with his health issues, properly informed of the trespass, following warning, witnesses confirmed he was covered with a towel, and not having prior information that he needed a guardian.

Based on evidence presented, Hearing Officer Toale denied Case No. 25044659.

8. PUBLIC COMMENT

There was no public comment.

9. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 12:25 p.m.

James E. Toale, Hearing Officer