



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final Code Enforcement Hearing

Thursday, February 23, 2023

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:14 a.m.

ALSO PRESENT

Assistant City Attorney Katlyn Coughlin, Deputy City Attorney Michael Golen, Assistant Director/Building Official Derek Applegate, Code Enforcement Division Manager Kevin Raducci, Code Enforcement Administrative Services Specialist Michele Ross, Code Enforcement Recording Secretary William Kiddy, Code Enforcement Inspectors Henley Burton, Jeffrey Guilbault, Jennifer Ardinger and Dave Grandt, and Recording Secretary Susan Hale.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

- A. [23-0352](#) Approve Minutes for the January 26, 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. Hale swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [Case No 22-2213](#) (JAG) Kathleen M & Fred B McCloe, 1027 Petronia St
Section 105.4.1.1, Florida Building Code
(Permit 13-4152 for residential additions and Permit 18-5355 for remove/replace roof has expired)

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

- B. [Case No 22-2251](#) (JAG) Home SFR Borrower LLC, 4204 Ozark Ave
Chapter 105.1, Florida Building Code

(No permit on file for a Re-Roof being done on this property)

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

C. [Case No 22-2424](#)

(HLB) Deivys Silva Diaz, 8406 Aero Ave

Chapter 105.1, Florida Building Code

(Structure built in backyard with no permit, as well as a screen room on left side of home with no permit.)

Sec. 1-19, Unified Land Development Code

(Fence being installed on property with no permit)

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

D. [Case No 22-3232](#)

(HLB) RHONDA CHARLES BROADWAY, 2620 SHEILA LN

Chapter 42-23, North Port City Code

(Accumulation of debris on vacant lot to the right of residence consisting of chairs, wood, and other miscellaneous items)

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

(Boat and trailer parked on vacant lot to the right of residence)

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

E. [Case No 22-4683](#)

(JA) RAYMOND & CHRISTINE ROYAL, 5900 SPEARMAN CIR

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of loose trash and miscellaneous household items. In addition there are vehicle tires, pipes and wood in front of home, and some items on right side of driveway.)

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

F. [Case No 22-4888](#)

(JAG) ARBOBELLA TREE SERVICE LLC, 3063 BRIARCLIFF AVE

Section 45-5A, Unified Land Development Code

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

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

G. [Case No 22-5150](#)

(JA) PP&P CONSULTING SERVICES INC, 6210 LANDOVER TER B

Chapter 105.1, Florida Building Code

(Extensive roof damage from storm. Building and/or reroof permit required.)

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

H. [Case No 22-5357](#)

(JA) JOCHEN PUNDT TRUST, 4527 LOS RIOS ST

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

(Accumulation of debris consisting of large piles of debris throughout property in front, side, and rear yard. Appears debris is being gathered and brought to property by scrappers. Debris consists of metal, wood, tires, windows, construction debris, furniture, and other miscellaneous items.)

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

- I. [Case No 22-5384](#) (JA) GRZEGORZ & AGNIESZKA BRYNDAL, 6289 SAN SALVADOR RD
Sec. 58-7(B) Unified Land Development Code
(Unpermitted underbrush clearing done, with machinery on lot that requires and archeological assessment)
Chapter 105.1, Florida Building Code
(No permit on file for underbrush clear done with machinery)

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

- J. [Case No 22-5386](#) (HLB) DEREK LEE MYALL, 5669 FAIRLANE DR
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(Fence being put up in rear yard with no permit on file.)

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

- K. [Case No 22-5392](#) (JA) BERNICE LAFFRENERE, 8407 DOROTHY AVE
Section 42-24(a)(2)(b) North Port City Code, Maintenance of stormwater drainage area.
(Maintain the sidewalks adjoining the property by keeping the sidewalks in a clean and sanitary condition which includes mowing, edging grass and weeds, both between the sidewalk joints and alongside the edge of pavement, removal of all obstructions including silt and mud, and other debris.)

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

- L. [Case No 22-5420](#) (JA) LAFFRENERE BERNICE, 8407 DOROTHY AVE
Chapter 42-22A North Port City Code - Excessive Growth of Grass/Weeds.
(Grass and/or weeds on this property are in excess of twelve (12) inches in height, and is in violation of City Code.)

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

- M. [Case No 22-5457](#) (JA) MATTHEW WHITE, 2210 MCTAGUE ST
Sec. 59-16(f)(5), North Port City Code No vehicle or boat shall be stored within the public right-of-way.

(Disabled vehicle with front end damage, being stored in the City Right-of-way area.)

Sec. 59-16(f)(2), North Port City Code, Parking Off Public Roadway
(Disabled vehicle parked in City Right-of-way, facing wrong direction of traffic.)

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

- N. [Case No 22-5571](#) (JA) WALL FAMILY LIVING TRUST, 3649 MONTCLAIR CIR
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout property consisting of all contents of house in front yard.)
This case was brought into compliance with no further action required.
- O. [Case No 22-5662](#) (JA) CSMA BLT LLC, 3978 N BISCAYNE DR
Sec. 59-16(F)(1), North Port City Code, Parking Off Public Roadway
(Unlicensed car parked in City Right-of-way.)
This case was brought into compliance with no further action required.
- P. [Case No 22-5712](#) (JAG) ELIJAH & RAVELYN LEE, 5442 ANSONIA TER
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout the property consisting of down tree limbs in rear yard, cinder blocks, snipe signs, plastic bags, shopping cart, pieces of wood, and multiple other items.)
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 a fish tank, and other miscellaneous items.)
This case was brought into compliance with no further action required.
- Q. [Case No 22-5728](#) (JA) JASON & SHELLY GARDNER, 2764 FAIRBROOK ST
Section 4501.17, Florida Building Code Pursuant to Section 4501.17 of the Florida Building Code
(In ground pool screens missing and pool is unsafe. Pool water is also green, full of mosquito's and other vermin, and not being maintained.)
This case was brought into compliance with no further action required.
- R. [Case No 22-5736](#) (JAG) ANTHONY CAPOVERDE, 4312 WOOLEY AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of car parts, transmissions, bumpers, metal bins, miscellaneous metal, engine hoist, popup tent, wheel barrel, buckets, and other miscellaneous items.)
This case was brought into compliance with no further action required.
- S. [Case No 22-5741](#) (JAG) KURT NOTEBOOM, 4022 ABEND AVE
Chapter 70-56, North Port City Code Assigned numbers
(Assigned numbers affixed to residence missing 1 or more digits. Address is reading 40_2.)
This case was brought into compliance with no further action required.
- T. [Case No 22-5747](#) (JAG) KERRY GARDNER, 2129 BONANZA LN
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.

(No permit on file for the chain-link fence on the right side of the property, and the wood fence being constructed on the left side of the property. Also, a black tarp on the right side of the property connected to the neighbors fence and the roof of the home which needs to be removed.)

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

U. [Case No 23-43](#)

(JA) ALEXANDER RONALD DALE, 5715 N BISCAYNE DR
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

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

7. CONTINUED CASES

A. [Case No 22-2786](#)

(HLB) SKS Investment Properties LLC, 6511 Spring Haven Dr
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Hearing Officer Toale noted the following Cases will be heard at one time: No. 22-2786, No. 22-5108, No. 22-5109, No. 22-5110, No.22-5111, No. 22-5112, No. 22-5113, No. 22-5115, No. 22-5116, No. 22-5117, No. 22-5123, No. 22-5124, No. 22-2125, No. 22-2126, and No. 22-5127.

Inspector Burton, being duly sworn, noted 20-30% of trees being affected.

Mr. Golen, being duly sworn, spoke to an agreement being reached and a fine of \$85,000 being imposed.

Jeffrey Boone, Boone, Boone, Boone, Koda & Frook, P.A., being duly sworn, noted the property owner being in agreement with the fine.

Mr. Kiddy noted the fine would be spread evenly across the cases.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2786 6511 Spring Haven Drive to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

B. [Case No 22-4297](#)

(DG) GEORGE COHN, NOELEEN PATRICIA ASTA, 3892 DUAR TER
Chapter 105.1, Florida Building Code
(Permit required for three (3) heritage oak trees taken down on property.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, submitted photos into evidence, trees being removed prior to August, and the New Tree Ordinance.

Property owner Noeleen Cohn, being duly sworn, submitted photos into evidence and presented an overview including timeline of tree removal.

Mr. Grandt spoke to the diameter of tree stumps.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4297 3892

Duar Terrace to be in violation of Chapter 105.1, Florida Building Code for permit required for three (3) heritage oak trees removed from property, imposed a fine of \$15,000, and spoke to the New Tree Ordinance controlling this situation.

C. [Case No 22-5108](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 2126 BRENT CIR
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5108 2126 Brent Circle to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

D. [Case No 22-5109](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 2132 BRENT CIR
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5109 2132 Brent Circle to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

E. [Case No 22-5110](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 2138 BRENT CIR
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5110 2138 Brent Circle to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

F. [Code No 22-5111](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 2144 BRENT CIR
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5111 2144 Brent Circle to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

G. [Case No 22-5112](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 2150 BRENT CIR
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5112 2150 Brent Circle to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

H. [Case No 22-5113](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 6571 SPRING HAVEN DR

Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5113 6571 Spring Haven Drive to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

I. [Case No 22-5115](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 6601 SPRING HAVEN DR

Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5115 6601 Spring Haven Drive to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

J. [Case No 22-5116](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 2075 VESTRIDGE ST

Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5116 2075 Vestridge Street to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

K. [Case No 22-5117](#)

(HLB) SKS INVESTMENT PROPERTIES LLC, 2115 VESTRIDGE ST

Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)

This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5117 2115 Vestridge Circle to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.

L. [Case No 22-5121](#)

(JA) MICHAEL B MYCHALCZUK, 8646 LA BOCA AVE

Chapter 105.1, Florida Building Code

(Extensive storm damage to rear enclosed room off of the patio. Residential remodel permit needed.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, permit being in submitted status, had contact with an associate of the property owner, and contractor may pick up the permit.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5121 8646 La Boca Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit to repair extensive storm damage to rear enclosed patio and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on March 21, 2023.

- M. [Case No 22-5123](#) (HLB) SKS INVESTMENT PROPERTIES LLC, 2159 BRENT CIR
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)
This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5123 2159 Brent Circle to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.
- N. [Case No 22-5124](#) (HLB) SKS INVESTMENT PROPERTIES LLC, 2195 VESTRIDGE ST
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)
This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5124 2195 Vestridge Street to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.
- O. [Case No 22-5125](#) (HLB) SKS INVESTMENT PROPERTIES LLC, 2155 VESTRIDGE ST
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)
This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5125 2155 Vestridge Street to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.
- P. [Case No 22-5126](#) (HLB) SKS INVESTMENT PROPERTIES LLC, 2109 BRENT CIR
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)
This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5126 2109 Brent Circle to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.
- Q. [Case No 22-5127](#) (HLB) SKS INVESTMENT PROPERTIES LLC, 2154 VESTRIDGE ST
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)
This case was combined with Case No. 22-2786.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5127 2154 Vestridge Street to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$5,666.67.
- R. [Case No 22-5153](#) (JAG) VOLODYMYR BARDONOV, 1645 RADA LN
Section 45-5A Unified Land Development Code

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

Inspector Guilbault, being duly sworn, noted the property violation is in compliance.

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

S. [Case No 22-5291](#)

(HLB) KID KELLY BOXING & FITNESS INC C/O ARACELIS COLOME, 2876 N YORKSHIRE ST

Section 45-5A Unified Land Development Code

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

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, the number of trees removed is undetermined, a Stop Work Order was posted on property, and submitted photos into evidence.

Property owner Kelly Colome, being duly sworn, noted an area not covered in trees, average tree diameter, number of trees removed, and intention was to clear lot of damaged trees.

Mr. Burton spoke to trees being cut entire length of property.

Mr. Raducci, being duly sworn, spoke to stumps being measured and property being zoned commercial.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5291 2876 North Yorkshire Street to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for tree removal without permit and imposed a fine of \$16,800.

Recess was taken from 11:10 a.m. to 11:12 a.m.

8. 1ST HEARING CASES

A. [Case No 22-2559](#)

(HLB) JHS BUILDERS LLC, 3315 LA GOY ST

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

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

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, the number of trees removed is undetermined, and submitted photos into evidence.

Patrick Bray, Vice President JHS Builders, being duly sworn, submitted Gopher Tortoise Relocation Request.

Mr. Applegate, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-2559 3315 La Goy Street to the March 23, 2023 Code Enforcement Hearing.

B. [Case No 22-5320](#)

(JA) 211 MONITOR LLC, 4317 LOS RIOS ST

Chapter 105.1, Florida Building Code - Permit required.

(No permit on file for re-roof that was done on this residence.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, she had no contact with the property owner, a Stop Work Order was posted on property, a permit needed for re-roof, and submitted photos into evidence.

Property owner Arthur Borys, being duly sworn, noted property damaged in hurricane, no insurance, loan secured for roof, and litigation with former tenant.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5320 4317 Los Rios Street to be in violation of Chapter 105.1, Florida Building Code for no permit on file for re-roof and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on March 21, 2023.

C. [Case No 22-5592](#)

(HLB) OFFERTICO LLC, 5064 ALAMETOS TER
Chapter 105.1, Florida Building Code - Permit required.
(Interior remodel done on residence with no permit on file.)

Inspector Burton, being duly sworn, noted the property was inspected multiple occasions, he had contact with property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5592 5064 Alametos Terrace to be in violation of Chapter 105.1, Florida Building Code for interior remodel done on residence with no permit on file and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on April 15, 2023.

D. [Case No 22-5656](#)

(HLB) JEAN LEONCE FRANCOIS FAMILY TR, 3498 WENTWORTH ST

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.

(Pontoon boat parked in City Right-of-way across the street from residence.)

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

(Truck and pontoon boat parked in City Right-of-way across the street from residence, in front of a vacant lot.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-5656 3498 Wentworth Street to be in violation of Section 59-16(f)(4), North Port City Code for pontoon boat parked on the right-of-way and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on March 21, 2023.

Based on evidence presented, Hearing Officer Toale dismissed Case No. 22-5656 3498 Wentworth Street for the violation of Section 59-16(f)(3), North Port City Code for pontoon boat parked on a vacant lot with no further action required.

E. [Case No 22-5661](#)

(DG) ANDREA D GRECO, BERLINDA B BLY GRECO, 5621 REISTERSTOWN RD

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

(Accumulation of debris in City Right-of-way consisting of household trash, dry wall, and plastic containers.)

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.

David Smith, attorney representing the property owner, being duly sworn, noted property was hurricane damaged, contractor unwilling to correct violation, and requested a continuance.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5661 5621 Reisterstown Road to be in violation of Section 42-24(a)(5), North Port City Code for maintenance of stormwater drainage area including household trash, dry wall, and plastic containers and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on April 15, 2023.

F. [Case No 23-62](#)

(JAG) JACKSONVILLE 1 LLC, 6348 N CRANBERRY BLVD
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

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

Bradford Matthews, Project Manager, being duly sworn, noted the property being an on-going project, permits and licenses being obtained, surveys being completed, and admitted fault for tree removal.

Hearing Officer Toale spoke to mitigating factors regarding fines.

Mr. Raducci, being duly sworn, spoke to the violation being under advisement.

Mr. Matthews continued regarding hurricane damage and workers clearing more land than needed.

Mr. Guilbault spoke to the emergency Ordinance pertaining to residential property.

Mr. Matthews spoke to property being ready for construction and submitted a Pre-Tree Removal Survey.

Mr. Guilbault spoke to removing trees outside the building footprint.

Mr. Raducci spoke to outstanding inspections.

Mr. Applegate, being duly sworn, spoke to mitigation still on the table and requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-62 6348 North Cranberry Boulevard to the March 23, 2023 Code Enforcement Hearing.

9. 2ND HEARING CASES

A. [Case No 22-1875](#)

(JAG) Dominick Fiorello, 2154 Azure Rd
Section 105.4.1.1, Florida Building Code
(Expired Single Family Residence Permit)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-1875 2154 Azure Road to be in violation of Section 105.4.1.1, Florida Building Code for expired Single Family Residence Permit and will sign the Order imposing the fine.

B. [Case No 22-2138](#)

(JA) FKH SFR Propco H LP, 2816 Industry Ave
Sec. 1-19, Unified Land Development Code
(No permit on file for fence installed on property.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-2138 2816 Industry Avenue to be in violation of Section 1-19, Unified Land Development Code (ULDC) for no permit on file for fence installed on property and will sign the Order imposing the fine.

C. [Case No 22-2704](#)

(HLB) Scott Wayne Parsons, 1489 Grenard Cir
Sec. 59-16(c), North Port City Code
(Parking and storing RV trailer on vacant lot with no principal structure)
Chapter 105.1, Florida Building Code
(Permit required for underbrush removal to vacant lot site)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-2704 1489 Grenard Circle to be in violation of Section 59-16(c), North Port City Code for parking and storing RV trailer on vacant lot with no principal structure and will sign the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2704 1489 Grenard Circle to be in violation of Chapter 105.1, Florida Building Code for permit required for underbrush removal to vacant lot site and will sign the Order imposing the fine.

D. [Case No 22-2754](#)

(HLB) FELIX O CRUZ & MARIA RIVERA, 7314 LARGELEAF ST
Sec. 59-16(c), North Port City Code
(RV and Trailer parked on property with no principal structure.)
Section 53-240(A)(3) Unified Land Development Code
(Accessory structure with no principal structure on vacant lot. Structure built of wood and metal siding.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris within campsite consisting of tents, canopy, miscellaneous household items, as well as trash in a pile.)
Sec. 46-148 City of North Port Code
(Camping prohibited)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-2751 7314 Largeleaf Street to be in violation of Section 59-16(c), North Port City Code for RV

and Trailer parked on property with no principal structure and will sign the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2751 7314 Largeleaf Street to be in violation of Section 53-240(A)(3), Unified Land Development Code (ULDC) for accessory structure with no principal structure on vacant lot and structure built of wood and metal siding and will sign the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2751 7314 Largeleaf Street to be in violation of Chapter 42-23, North Port City Code for accumulation of debris within campsite consisting of tents, canopy, miscellaneous household items, as well as trash in a pile and will sign the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2751 7314 Largeleaf Street to be in violation of Section 46-148, North Port City Code for camping prohibited and will sign the Order imposing the fine.

E. [Case No 22-2854](#)

(HLB) ION PROPERTIES INC, 7556 HAMPSHIRE CIR

Section 105.4.1.1, Florida Building Code

(Expired permit 05-10773 for Single Family Residential. Please contact Building and Permitting department 941-429-7044 option 3.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-2854 7556 Hampshire Circle to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for Single Family Residential and will sign the Order imposing the fine.

F. [Case No 22-3167](#)

(HLB) ILEANA SMARANDACHE, 8795 CRISTOBAL AVE

Chapter 105.1, Florida Building Code

(No permit on file for the Rock driveway with pipe installed in the City Right-of-way)

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

Based on evidence presented, Hearing Officer Toale found case No. 22-3167 8795 Cristobal Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit on file for the rock driveway with pipe installed in the City right-of-way and will sign the Order imposing the fine.

G. [Case No 22-4128](#)

(HLB) DUANE C WILSON (CO-TTEE) MARTHA M WILSON (CO-TTEE) (WILSON FAMILY TRUST 1/31/07), 2870 PRETZEL LN

Sec. 1-19, Unified Land Development Code

(Two (2) sections of chain link fence in front of property near property line on undeveloped lot)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-4128 2870 Pretzel Lane to be in violation of Section 1-19, Unified Land Development Code (ULDC) for two sections of chain link fence in front of property near property line on undeveloped lot and will sign the Order imposing the fine.

H. [Case No 22-4276](#)

(JA) RICHARD GRAVES TTEE (RICHARD WILLIAM GRAVES FAMILY TR DTD 10/16/01), 5848 SPEARMAN CIR
Sec. 1-19, Unified Land Development Code
(No permit for fencing on property.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-4276 5848 Spearman Circle to be in violation of Section 1-19, Unified Land Development Code (ULDC) for no permit for fencing on property and will sign the Order imposing the fine.

I. [Case No 22-4331](#)

(HLB) FREDERICK & MILAGROS DREANY, 4064 SUBURBAN LN
Chapter 105.1, Florida Building Code
(No permit on file for hot water heater change out.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-4331 4064 Suburban Lane to be in violation of Chapter 105.1, Florida Building Code for no permit on file for hot water heater change-out and will sign the Order imposing the fine.

J. [Case No 22-4480](#)

(JA) MICHAEL D SCHILLER, 5950 SPEARMAN CIR
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of loose trash, tires, wood, metal, plastic, parts, and other miscellaneous household items that are scattered about property, in front, side and rear of property. Tarps on roof trop beginning to tear and fray, must be replaced only temporary. A new roof permit is needed)
Chapter 105.1, Florida Building Code
(Makeshift metal and wood shed on property with no permit.)
Section 4501.17, Florida Building Code
(Inground pool must be secured, screens are off enclosure, and water needs to be kept clean and clear of vermin and vectors.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, there being no changes to the property, and no permit for the shed.

Property owner Michael Schiller, being duly sworn, spoke to the active steps being taken to bring property into compliance and scheduled a bulk pickup.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4480 5950 Spearman Circle to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash, tires, wood, metal, plastic, parts, and other miscellaneous household items in front and rear of property; tarps on roof beginning to tear and fray and a new roof permit is needed and

imposed a fine of \$10 a day with a maximum of \$1,000 to commence on February 21, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4480 5950 Spearman Circle to be in violation of Chapter 105.1, Florida Building Code for makeshift metal and woodshed on property with no permit and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on February 21, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4480 5950 Spearman Circle to be in violation of Section 4501.17, Florida Building Code for in-ground pool unsecured, screens are off enclosure, and water needs to be kept clean and clear of vermin and insects and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on February 21, 2023.

K. [Case No 22-4566](#)

(HLB) MILLARD W EHEART, 4047 SUBURBAN LN

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

(RV camper parked in City Right-of-way, in front of residence)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-4566 4047 Suburban Lane to be in violation of Section 59-16(f)(4), North Port City Code for RV camper parked in City right-of-way, in front of residence and will sign the Order imposing the fine.

L. [Case No 22-4585](#)

(JAG) FERNANDO A FROMETA III, 2398 REDSTONE AVE

Chapter 42-23, North Port City Code

(Accumulation of debris throughout the property consisting of shelving in rear yard, windows, bed topper for a truck, vehicle jack, tarps, lawn mowers, car tires, washer, dryer, pieces of wood, gas cans, oil pans, and other miscellaneous items.)

Sec. 59-16(f)(5), North Port City Code

(White dodge truck being stored in the City Right-of-way, with grass and weeds growing around it.)

Chapter 62-50, North Port City Code

(Solid waste containers improperly stored in front of the garage. Must be stored behind the front plane of the home.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-4585 2398 Redstone Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris throughout the property consisting of shelving in rear yard, windows, bed topper for a truck, vehicle jack, tarps, lawn mowers, car tires, washer, dryer, pieces of wood, gas cans, oil pans, and other miscellaneous items and will sign the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4585 2398 Redstone Avenue to be in violation of Section 59-16(f)(5), North Port City Code for truck being stored in the City right-of-way, with grass and weeds growing around it and will sign the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4585 2398 Redstone Avenue to be in violation of Chapter 62-50, North Port City Code for solid waste containers improperly stored in front of the garage and will sign the Order imposing the fine.

M. [Case No 22-4778](#)

(JA) CATHERINE PC LLC, 8030 CRISTOBAL AVE

Section 105.4.1.1, Florida Building Code

(Expired permit #19-4250 for Residential, Expired permit 14-4631 for Electric Service Change out, Expired permit #17-3114 for Electric work. Please contact North Port Building and permitting department 941-429-7044 option 3.)

Chapter 70-56, North Port City Code

(No visible assigned numbers affixed to residence, Numbers must be painted a contrasting color, or place on a contrasting Background.)

Inspector Ardinger, being duly sworn, noted property owner is downstairs reconciling the violation.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-4778 8030 Cristobal Avenue to the March 23, 2023 Code Enforcement Hearing.

N. [Case No 22-4902](#)

(JAG) FKH SFR PROPCO K LP, 3773 EAGLE PASS ST

Chapter 105.1, Florida Building Code

(Permit Required for Complete A/C and condenser change out, and Permit Required for Water heater replacement as well.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-4902 3773 Eagle Street to be in violation of Chapter 105.1, Florida Building Code for no permit for complete A/C and condenser change-out, and no permit for water heater replacement and will sign the Order imposing the fine.

O. [Case No 22-5095](#)

(HLB) KEVIN SCHENCK, 2857 BIGNAY RD

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

(Accumulation of debris consisting of loose trash, household items, and camping items/materials. Items on this property must be removed returning property back to its natural state. Someone has set up a tent and living on your vacant lot; If this is not anyone you gave permission to please contact North Port PD for help with trespassing. North Port Police Department Non-Emergency phone (941) 429-7300)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-5095 2857 Bignay Road to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash, household items, and camping items/materials and will sign the Order imposing the fine.

P. [Case No 22-5276](#)

(JA) COREY B LEACH, 8206 DOLOMITE AVE

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

(Vehicles in disrepair in driveway need to be repaired or covered with a

non transparent tarp.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-5276 8206 Dolomite Avenue to be in violation of Section 59-16(d), North Port City Code for vehicles in disrepair in driveway needing to be repaired or covered with a non transparent tarp and will sign the Order imposing the fine.

Q. [Case No
22-5310](#)

(JA) JAMES PATTEN, JAMES CHRISTOPHER GEARHART, 7811 TAPLIN AVE

Chapter 42-23, North Port City Code

(Accumulation of debris throughout the property that should be brought down to the curb side or stored, consisting of totes, tarped items, lawn mower, shelves, metal, chairs, wood, furniture, hoses, and other miscellaneous items throughout the property.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-5310 7811 Taplin Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris throughout the property consisting of totes, tarped items, lawn mower, shelves, metal, chairs, wood, furniture, hoses, and other miscellaneous items and will sign the Order imposing the fine.

R. [Case No
22-5319](#)

(JAG) ART KRELL, 3522 CINCINNATI ST

Chapter 42-23, North Port City Code

(Accumulation of debris throughout property consisting of Plastic bags, PVC piping, pieces of trash, buckets, bins, and multiple other miscellaneous items.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-5319 3522 Cincinnati Street to be in violation of Chapter 42-23, North Port City Code for accumulation of debris throughout property consisting of plastic bags, PVC piping, pieces of trash, buckets, bins, and multiple miscellaneous items and will sign the Order imposing the fine.

10. GENERAL BUSINESS

- A. [23-0005](#) Case No. 22-075923 Trespass Appeal - Guadalupe and Guadalupe - 6207 West Price Boulevard, North Port, FL 34287 (Morgan Family Community Center)

Hearing Officer Toale presided.

All those wishing to provide testimony were previously sworn in.

Erick Guadalupe, being duly sworn, spoke to daughter having things stolen, handling the situation better, his trespass being unwarranted, officer being disrespectful, and trespass creates difficulty to pick up his children from the Morgan Center.

Mr. Golen, being duly sworn, spoke to the trespass encompassing all of Butler Park.

Samantha Cremen, Recreation Program Coordinator, being duly sworn, noted she was present at the altercation, Ms. Guadalupe's screaming escalated the situation, building supervisor asked Ms. Guadalupe to leave, police were called, and the dispute continued outside the building.

Officer Jacqueline Calderone, being duly sworn, presented her account of the trespass, noting she was not the officer directly involved with the altercation, and she contacted the family later that evening.

Mr. Guadalupe spoke to Officer Calderone being in car when the disagreement took place.

Jasmine Guadalupe, being duly sworn, spoke to her account of the story, denied threats to officer, and left the area but returned for sister, and apologized for inappropriate language.

Based on evidence presented, Hearing Officer Toale denied trespass appeal Warning No. 23-075923.

- B. [23-0314](#) Case No. 23-007219 Parking Ticket Appeal - Pellot - 3750 Island Club Drive, North Port, FL.

Hearing Officer Toale presided.

Jessica Pellot, being duly sworn, provided her account of the parking violation and noted the handicapped tag was not present.

Mr. Golen, being duly sworn, noted placard was not displayed and police department has no authority to dismiss traffic violations.

Based on evidence presented, Hearing Officer Toale dismissed the Trespass Warning No. 23-007219.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 11:31 a.m.

James E. Toale, Hearing Officer

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