



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes - Draft Code Enforcement Hearing

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Thursday, September 22, 2022

9:00 AM

City Commission Chambers

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### 1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:09 a.m.

### Also Present

Assistant City Attorney Katlynn Coughlin, Code Enforcement Division Manager Kevin Raducci, Code Enforcement Administrative Service Specialist Michelle 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 Hearing Officer Toale.

### 3. PUBLIC COMMENT

There was no public comment.

### 4. APPROVAL OF MINUTES

- A. [22-3553](#) Approval of Minutes for the August 25, 2022 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 22-1841](#) (JAG) James B & Peggy S Cardwell, 4268 Alfa Ter  
Sec. 59-16(c), North Port City Code  
(Parking a trailer on to the vacant lot to the right of this residence, which has no principal structure.)  
Section 42-24(a)(5) North Port City Code  
(accumulation of debris in the City Right-of-way consisting of pallets, boxes, and other items.)  
Chapter 42-23, North Port City Code  
(Accumulation of debris on the vacant lot to the right of the property consisting of dolly's, pallets, and other miscellaneous items. In addition,

there is accumulation of debris throughout the property consisting of tarps, buckets, pallets, boxes, dolly's crates, and other miscellaneous items.)

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

(Blue truck parked in City Right-of-way in front of the vacant lot across the street.)

Sec. 1-19, Unified Land Development Code

(No permit on file for chain link fence around rear yard.)

Chapter 105.1, Florida Building Code

(No permit on file for shed in the rear yard.)

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

**B. [Case No 22-1863](#)**

(WK) Yarlo J Lara Pena, 1552 Rice Ter

Chapter 105.1, Florida Building Code

(Expired roofing permit #19-196. Please contact permitting department, 941-429-7044 option 3)

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

**C. [Case No 22-1866](#)**

(WK) Glendale Trust II, 1372 Rice Ter

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)

Chapter 42-23, North Port City Code

(Accumulation of debris on property and going into vacant lot to the left of home. There are also several used tires stacked up on left side of home)

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

**D. [Case No 22-1872](#)**

(JAG) Michael D Lowe, 4830 Londel Ave.

Section 105.4.1.1, Florida Building Code

(Expired single family residence Permit)

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

**E. [Case No 22-1915](#)**

(WK) Dominick Fiorello, 2154 Azure Rd

Chapter 42-22A North Port City Code

(Grass and/or weeds on this property are in excess of twelve (12) inches in height and is in violation of City Code)

Section 42-24(a)(1)(b) North Port City Code

(City Right of way (the area of the property from the swale to the roads edge) contains grass and weeds 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.***

**F. [Case No 22-1931](#)**

(HLB) Robert L & Janice M Noel, 4576 Laratonda Rd

Chapter 105.1, Florida Building Code

(Dirt Driveway installed w/culvert in City Right-of-way, with no permit on file.)

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

G. [Case No 22-1952](#)

(JAG) Jason L Crawford & Lacey Holland, 4053 Pinstar Ter  
Sec. 59-16(f)(4), North Port City Code  
(Boat parked in City Right-of-way.)

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

H. [Case No 22-2025](#)

(HLB) Florida Opportunity Real Estate Investment LLC, 8650 Dorothy Ave  
Chapter 42-23, North Port City Code  
(Accumulation of debris in backyard consisting of yard waste, doors, broken lawn mower, toilet, tarps, buckets, boxes, and other miscellaneous items.)  
Section 105.4.1.1, Florida Building Code  
(Expired permit on file #18-3556. Please call the permitting department 941-429-7044 option #3.)

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

I. [Case No 22-2101](#)

(JAG) Kenneth J Wahl, 2661 Yamada Ln  
Chapter 62-50, North Port City Code  
(Solid waste containers improperly stored in front of the garage door.)

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

J. [Case No 22-2208](#)

(HLB) Theodore Stringer, 6774 Dunbarton St  
Section 105.4.1.1, Florida Building Code  
(Permit 07-3443 for residential new construction has expired. Please contact North Port Building/Permitting department 941-429-7044 option 3.)

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

K. [Case No 22-2133](#)

(JA) Roman Osypenko & Megan M Hansen, 5189 Jericho Ave  
Section 42-24(a)(5) North Port City Code  
(Accumulation of debris in City Right-of-way, outside of normal pick-up day consisting of a couch.)  
Chapter 105.1, Florida Building Code  
(Shed permit on file is in pick up status, please contact North Port Permitting Department 941-429-7044 option 3.)  
Section 105.4.1.1, Florida Building Code  
(Fence permit on file is expired)

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

L. [Case No 22-2214](#)

(HLB) Heron Creek Station LLC, 1151 S Sumter Blvd  
Section 105.4.1.1, Florida Building Code  
(Sign permit # 14-5230 has expired, with outstanding inspections. Please

contact North Port Building and permitting department 941-429-7044 option 3.)

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

- M. [Case No 22-2216](#) (JA) Tracey L Leggett, 4176 Quaker Ln  
Section 105.4.1.1, Florida Building Code  
(Permit 14-5999 for a complete mechanical change out has expired.  
Please contact North Port Building/Permitting department 941-429-7044 option 3)

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

- N. [Case No 22-2220](#) (JAG) James & Tina Timmons, 2023 Cloras St  
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.*

- O. [Case No 22-2230](#) (HLB) Bartlomiej Kosinski, 5723 Ganyard Ave  
Chapter 105.1, Florida Building Code  
(No permit on file for underbrush clearing with equipment on vacant lot.)

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

- P. [Case No 22-2271](#) (HLB) Joseph K Sullivan and Mary Lou Sullivan Living Trust, 4088 Fairway PI  
Section 105.4.1.1, Florida Building Code  
(Permit 15-3887 for a pool screen enclosure with outstanding inspections, pool screen has been installed.)

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

- Q. [Case No 22-2272](#) (HLB) George E & Carole McGhee, 4080 Fairway PI  
Section 105.4.1.1, Florida Building Code  
(Permit 15-4179 for a pool/screen cage has expired, pool screen has been installed.)

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

- R. [Case No 22-2273](#) (WK) Francisco & Iris Ayala Revocable Trust, 3990 Roderigo Ave  
Section 105.4.1.1, Florida Building Code  
(Permit #15-5230 for INT - Complete System change out has expired)

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

- S. [Case No 22-2293](#) (WK) Robert Andrew & Juliann R Jacobs, 2109 Azure Rd  
Section 105.4.1.1, Florida Building Code  
(Permit 16-43895 for residential new construction has expired)

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

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- T. [Case No 22-2429](#) (HLB) Liam M Jordan, 8337 Dorothy 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.*
- U. [Case No 22-2447](#) (WK) Jonathan Davis, 4931 Sylvania Ave  
Section 105.4.1.1, Florida Building Code  
(Expired permit #16-4444 for residential remodel. Please contact North Port Permitting Department. 941-429-7044 option 3.)  
*This case was brought into compliance with no further action required.*
- V. [Case No 22-2502](#) (JAG) Guennadi Paikin, 3781 Lapeer Ave  
Sec. 59-16(f)(4), North Port City Code  
(Red trailer parked in City Right-of-way across the street from residence.)  
Sec. 59-16(f)(3), North Port City Code  
(Red Trailer parked in City Right-of-way in front of vacant lot, across the street from residence.)  
Chapter 42-23, North Port City Code  
(Accumulation of debris consisting of a broken blue canopy, car tires, pallets, and other miscellaneous items)  
*This case was brought into compliance with no further action required.*
- W. [Case No 22-2568](#) (JA) Frank D Gray, 1369 Overhead St  
Chapter 42-23, North Port City Code  
(Accumulation of debris on this vacant lot consisting of a couch that needs to be removed.)  
*This case was brought into compliance with no further action required.*
- X. [Case No 22-2587](#) (HLB) Lauris Melvin, 6207 Lenape Ln  
Sec. 59-16(f)(4), North Port City Code  
(Boat parked in City Right-of-way across the street from residence.)  
Sec. 59-16(f)(3), North Port City Code  
(Truck and boat parked in City Right-of-way in front of a vacant lot.)  
*This case was brought into compliance with no further action required.*
- Y. [Case No 22-2609](#) (JA) Patrick J Desiree C/O New Vista Properties Inc, 1658 Namatka Ave  
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 22-2610](#) (JA) Robert Burns Jr Estate C/O Betty J Owens, 1605 Joshua Ave  
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.*

**AA. [Case No 22-2648](#)**

(JAG) Adams Homes of NW Florida Inc., 2443 Lancaster Ln  
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.*

**AB. [Case No 22-2747](#)**

(JA) James Fuller & Carsyn Morrow, 2038 Wheeling Ave  
Chapter 70-56, North Port City Code  
(There are no visible assigned numbers affixed to residence.)

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

**AC. [Case No 22-2767](#)**

(JAG) Jacob & Kate Pifer, 5367 Easter Ter  
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 Wednesday.)  
Chapter 42-23, North Port City Code  
(Accumulation of debris in the driveway consisting of buckets, cinder blocks, bricks, pallets, cardboard, truck bed liner, and other miscellaneous items)

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

**AD. [Case No 22-2792](#)**

(JA) Jordan C Dahl, 5321 Janus Ave  
Sec. 59-16(f)(4), North Port City Code  
(Trailer parked in City Right-of-way)

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

**AE. [Case No 22-2813](#)**

(HLB) Argenis Castellanos Duran & Josally Vazquez Rodriguez, 5139 Tower St  
Sec. 59-16(f)(4), North Port City Code  
(Trailer parked in City Right-of-way.)

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

**AF. [Case No 22-2831](#)**

(JA) Walterio & Maria Rivera, 4735 Cromey Rd  
Chapter 105.1, Florida Building Code  
(No permit on file for shed in rear of property)  
Section 105.4.1.1, Florida Building Code  
(There is an open permit for tree removal that needs to be completed or closed)

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

## **7. CONTINUED CASES**

A. [Case No 22-389](#)

(WK) Ivan & Nellya Boychenko, 3134 Whiptree Cir

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of loose trash, vehicle parts, and tires on property.)

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

(Accumulation of debris in City Right-of-way consisting of Vehicle parts and Tires)

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

(Multiple vehicles, semi-trailers, cars, trucks, and construction equipment with no principal structure.)

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

(Vehicle repair, maintenance, disassembled parts scattered all around property and into neighboring vacant lot. Vehicle being left in state of wreckage or disrepair state not allowed on vacant land.)

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

(Prohibited parking on roadway, semi and tractor trailer.)

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

(Prohibited parking in front of a vacant lot.)

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

(Prohibited parking and storage of prohibited vehicles. Truck Tractor, Construction equipment, Heavy equipment, tractor, and semi-trailer.)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, parking situation being in compliance, debris only violation left, and requested the Order be signed imposing the fine.

***Based on evidence presented, Hearing Officer Toale found Case No. 22-389 3134 Whiptree Circle to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash, vehicle parts, and tires on property and will sign the Order imposing the fine.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-389 3134 Whiptree Circle to be in compliance with Section 42-24(a)(5) North Port City Code for accumulation of debris in City right-of-way consisting of vehicle parts and tires with no further action required.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-389 3134 Whiptree Circle to be in violation of Section 59-16(c), North Port City Code for multiple vehicles, semi-trailers, cars, trucks, and construction equipment with no principal structure and will sign the Order imposing the fine.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-389 3134 Whiptree Circle to be in violation of Section 59-16(d), North Port City Code for vehicle repair, maintenance, parts scattered around property and into neighboring vacant lot, vehicle being left in state of disrepair on vacant land and will sign the Order imposing the fine.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-389 3134 Whiptree Circle to be in violation of Section 59-16(e), North Port City Code for prohibited parking on roadway and will sign the Order imposing the fine.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-389 3134 Whiptree Circle to be in violation of Section 59-16(f)(3), North Port City Code for prohibited parking in front of a vacant lot and will sign the Order imposing the fine.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-389 3134 Whiptree Circle to be in violation of Section 59-16(i), North Port City Code for prohibited parking and storage of prohibited vehicles and semi-trailer and will sign the Order imposing the fine.***

**B. [Case No 22-550](#)**

(JA) El-Bethel Apostolic Tabernacle, 4814 S Chamberlain Blvd  
Sec. 29-10 (6) Monument ground signs, Unified Land Development Code  
(New Monument sign on property with no current sign permit. Last sign permit was 2006.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, permit being in submitted status with revision needed, she had contact with the property owner, and submitted one photo into evidence.

Ken Palisano, being duly sworn, representing El-Bethel Apostolic Tabernacle, spoke to resolving permit status.

Ms. Ardinger recommended a continuance.

***Based on evidence presented, Hearing Officer Toale found Case No. 22-550 4814 South Chamberlain Boulevard to be in violation of Section 29-10 (6), Unified Land Development Code (ULDC) for new monument sign on property with no current sign permit and assessed a fine of \$10 a day with a maximum of \$2,000 to commence on November 11, 2022.***

**C. [Case No 22-1484](#)**

(WK) Abundant Life, 5716 N Salford Blvd  
Section 53-240(A)(3) Unified Land Development Code  
(Accessory structures on a vacant lot which does not have a principal structure.)  
Section 105.4.1.1, Florida Building Code  
(Expired permit on file- permit 19-2346. Please contact Building and Permitting. 941-429-7044 option 3)  
Chapter 42-23, North Port City Code  
(Accumulation of debris consisting of wood, metal, pvc, tools, construction materials, and another household items/materials on property.)  
Chapter 70-21, North Port City Code  
(Driving through City Right-of-way onto vacant lot causing damage.)  
Sec. 59-16(c), North Port City Code  
(Commercial mulching trailer, bobcat, which are prohibited on a vacant lot with no principal structure.)

Case No. 22-1484 was heard with Case No. 22-1916.

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, conferred with Sarasota County Property Appraiser, property owner did not provide requested documents, there being no permit for culvert, and submitted property appraiser view page of acreage into evidence.

**Based on evidence presented, Hearing Officer Toale dismissed Case No. 22-1484 5716 North Salford Boulevard for violation of Section 53-240(A)(3) Unified Land Development Code (ULDC) for accessory structures on a vacant lot which does not have a principal structure with no further action required.**

**Based on evidence presented, Hearing Officer Toale found Case No. 22-1484 5716 North Salford Boulevard to be in violation of Section 105.4.1.1, Florida Building Code for expired permit on file for a culvert and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2022.**

**Based on evidence presented, Hearing Officer Toale dismissed Case No. 22-1484 5716 North Salford Boulevard for violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of work materials with no further action required.**

**Based on evidence presented, Hearing Officer Toale found Case No. 22-1484 5716 North Salford Boulevard to be in violation of Chapter 70-21, North Port City Code for driving through City right-of-way onto vacant lot causing damage and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2022.**

**Based on evidence presented, Hearing Officer Toale found Case No. 22-1484 5716 North Salford Boulevard to be in violation of Section 59-16(c), North Port City Code for commercial mulching trailer and bobcat loader, which are prohibited on a vacant lot with no principal structure and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2022.**

- D. [Case No 22-1916](#) (WK) Abundant Life, 5716 N Salford Blvd  
Section 45-5A, Unified Land Development Code  
(No permit on file for land clearing.)

Case No. 22-1916 was heard with Case No. 22-1484

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

**Based on evidence presented, Hearing Officer Toale found Case No. 22-1916 5716 North Salford Boulevard 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 \$15,000.**

- E. [Case No 22-2207](#) (HLB) James E & Nancy J Bremer, 2899 Egret Ct  
Section 105.4.1.1, Florida Building Code  
(In ground pool on property with expired pool permit. Please contact City of North Port permitting department; 941-429-7044 option 3)

Inspector Burton, being duly sworn, noted 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. 22-2207 2899 Egret Court to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for in-ground pool on property and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2022.**

## **8. 1ST HEARING CASES**

- A. [Case No 22-1648](#) (JA) Vito L & Jessica D Amico, 5159 Fairlane Dr  
Chapter 105.1, Florida Building Code  
(No permit on file for pergola in front of house, as well as no permit on file for the garage which has been enclosed with a window and door-converting it to a living space.)  
Inspector Ardinger, being duly sworn, requested a continuance.  
  
***Based on evidence presented, Hearing Officer Toale continued Case No. 22-1648 5159 Fairlane Drive to the October 27, 2022 Code Enforcement Hearing.***
- 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, requested a continuance.  
  
***Based on evidence presented, Hearing Officer Toale continued Case No. 22-2138 2816 Industry Avenue to the October 27, 2022 Code Enforcement Hearing.***
- C. [Case No 22-2209](#) (HLB) Maria Francsics, 4319 Bayano St  
Section 105.4.1.1, Florida Building Code  
(Permit 08-1926 for a garage/carport has expired. Please contact North Port Building/Permitting department 941-429-7044 option 3.)  
Inspector Burton, being duly sworn, noted 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. 22-2209 4319 Bayano Street to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for a garage/carport and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on January 1, 2023.***
- D. [Case No 22-2210](#) (JAG) Christopher R Mills & John H Mills, 3360 Emerald Ln  
Section 105.4.1.1, Florida Building Code  
(Permit 08-2678 for residential additions has expired)  
Inspector Guilbault, being duly sworn, noted the case is in compliance.  
  
***This case was brought into compliance with no further action required.***
- E. [Case No 22-2213](#) (WK) 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)  
Inspector Kiddy, 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. 22-2213 1027 Petronia Street to be in violation of Section 105.4.1.1, Florida Building Code for expired permits for residential additions to remove/replace roof and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2022.***

- F. [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)
- Inspector Guilbault, 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 found Case No. 22-2251 4204 Ozark Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit on file for a re-roof and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2022.***
- G. [Case No 22-2294](#) (JAG) Evelyn Van Utrecht, 3601 Barbary Ln  
Section 105.4.1.1, Florida Building Code  
(Permit 16-4644 for a residential remodel has expired.)
- Inspector Guilbault, being duly sworn, noted the permit was reactivated and the case is closed.
- This case was brought into compliance with no further action required.***
- H. [Case No 22-2307](#) (WK) 3942 Oconto LLC, 3942 Oconto Ave  
Chapter 42-23, North Port City Code  
(Accumulation of debris consisting of loose trash in yard and on driveway.)
- Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the son, the violation being in compliance, submitted photos into evidence. and requested the violation be read into the record.
- Trustee Valentin Pashtenko, being duly sworn, spoke to electric lawnmower, no power to building, property cleaned up next day, and submitted photos into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-2307 3942 Oconto Avenue to be in compliance with Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash in yard and on driveway and dismissed the case with no further action required.***
- I. [Case No 22-2332](#) (JA) Aleksandr & Larisa Y Khoroshenko, 3713 Basket St  
Sec. 59-16(c)(2), North Port City Code  
(Number of vehicles on lot exceeds what is permissible by City Code.)  
Section 105.4.1.1, Florida Building Code  
(Demo permit 21-2970 is expired. Please contact Permitting department to reactivate permit. 941-429-7044 option 3.)  
Sec. 59-16(c), North Port City Code  
(Parking vehicles on a lot with no permanent structure with certificate of occupancy)
- Inspector Ardinger, being duly sworn, requested a continuance due to technical difficulties finding an interpreter.
- Based on evidence presented, Hearing Officer Toale continued Case No. 22-2332 3713 Basket Street to the October 27, 2022 Code Enforcement Hearing.***

- J. [Case No 22-2335](#) (WK) B&L North Port LLC, 2876 Bignay Rd  
Sec. 59-16(c), North Port City Code  
(Parking and storing RV trailer on vacant lot with no principal structure.)
- Inspector Kiddy, 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. 22-2335 2876 Bignay Road 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 imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2022.***
- K. [Case No 22-2368](#) (WK) William & Charlene Guillem, 2099 Snover Ave  
Chapter 42-23, North Port City Code  
(Accumulation of debris consisting of loose trash, household items, tarps, and miscellaneous debris in front of the house to the right side of the home which is on a trailer.)
- Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, the violation being in compliance, submitted photos into evidence, and requested that the violation be read into the record.
- Based on evidence presented, Hearing officer Toale found Case No. 22-2368 2099 Snover Avenue to be in compliance with Chapter 42-23, North Port City Code for accumulation of debris and miscellaneous debris on the right side of the home with no further action required.***
- L. [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)
- Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, evidence of fence being corrected, he had no contact with the property owner, submitted photos into evidence, and requested a continuance.
- Based on evidence presented, Hearing Officer Toale continued Case No. 22-2424 8406 Aero Avenue for the violation regarding Chapter 105.1, Florida Building Code to the October 27, 2022 Code Enforcement Hearing.***
- Based on evidence presented, Hearing Officer Toale found Case No. 22-2424 8406 Aero Avenue to be in compliance with Section 1-19, Unified Land Development Code (ULDC) for no permit for fence installation with no further action required.***
- M. [Case No 22-2465](#) (WK) Dimartino & Lisa Guerreiro, 3588 N Salford Blvd  
Section 105.4.1.1, Florida Building Code  
(Expired permit #21-3221 for Door; there are two (2) other permits, close to expiring, that you may need to find a solution for while inquiring about this one. Please contact North Port Building and permitting department, 941-429-7044 option 3.)

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

Property owner Dimartino Guerreiro, being duly sworn, concurred with Inspector Kiddy and noted he is working with Lowe's headquarters to obtain permit.

**Based on evidence presented, Hearing Officer Toale found Case No. 22-2465 3588 North Salford Boulevard to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for door and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on October 18, 2022.**

N. [Case No 22-2518](#)

(WK) Pamela Suter, 3611 Silverleaf Rd  
Section 45-5A, Unified Land Development Code  
(No permit on file for land clearing.)

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

Property owner Pamela Suter, being duly sworn, provided reason for cutting trees, and estimated the number of trees removed.

**Based on evidence presented, Hearing Officer Toale found Case No. 22-2518 3611 Silverleaf Road to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing with seven trees removed and imposed a fine of \$5,600.**

O. [Case No 22-2543](#)

(JAG) Amanda S & David Lower, 1967 Cardwell Ave  
Chapter 42-23, North Port City Code  
(Accumulation of debris throughout the property consisting of wood, drain pans, buckets, gas cans, pieces of wood, misc. pieces of metal, car batteries, cleaning supplies, large plastic containers, and other miscellaneous items.)  
Sec. 59-16(f)(3), North Port City Code  
(Red truck parked across the street from Residence, in front of a vacant lot.)

Inspector Guilbault, 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. 22-2543 1967 Cardwell Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris on property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2022.**

**Based on evidence presented, Hearing Officer Toale found Case No. 22-2543 1967 Cardwell Avenue to be in compliance with Section 59-16(f)(3), North Port City Code for red truck parked across the street in front of a vacant lot with no further action required.**

P. [Case No 22-2556](#)

(HLB) Luba Prokosa, 6093 Fabian Rd  
Chapter 105.1, Florida Building Code  
(Above ground pool in rear of property, as well as shed, and pergola with

no permit on file for any of them)  
Section 42-24(a)(2)(b) North Port City Code  
(Three (3) New Palm trees planted in City Right-of-way of which cannot be there)

Inspector Burton, being duly sworn, requested a continuance.

***Based on evidence presented, Hearing Officer Toale continued Case No. 22-2556 6093 Fabian Road to the October 27, 2022 Code Enforcement Hearing.***

**Q. [Case No 22-2703](#)**

(WK) Darrell & Arlene Gadsden, 1057 Grenard Cir  
Section 45-5A, Unified Land Development Code  
(No permit on file for land clearing.)

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

Property owner Darrell Gadsden, being duly sworn, noted his intent to build on the property, he is a State licensed general contractor, removed palmettos but no indigenous trees, cleared underbrush, contacted police regarding someone else clearing trees, measured lot lines, noted Pepper trees on property, and seven palm trees removed.

***Based on evidence presented, Hearing Officer Toale found Case No. 22-2703 1057 Grenard 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 \$5,600.***

**R. [Case No 22-2758](#)**

(JAG) Michael G Campbell & Terry J Lutjens, 4873 Crabapple Ave  
Chapter 70-56, North Port City Code  
(No visible assigned numbers affixed to residence.)

Inspector Guilbault, 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. 22-2758 4873 Crabapple Avenue to be in violation of Chapter 70-56, North Port City Code for no visible assigned numbers affixed to residence and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2022.***

**S. [Case No 22-2762](#)**

(JAG) CSMA BLT LLC, 5180 Prime Ter  
Sec. 59-16(f)(4), North Port City Code  
(Trailer parked in City Right-of-way.)  
Chapter 42-23, North Port City Code  
(Accumulation of debris throughout the property consisting of tarps, aluminum scaffoldings, tarps, ladders, yard waste, car tires, chairs, rims, bags, and other miscellaneous items)  
Section 42-24(a)(5) North Port City Code  
(Accumulation of debris in City Right-of-way consisting of car tires, 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 owners, and submitted photos into evidence.

**Based on evidence presented, Hearing Officer Toale found Case No. 22-2762 5180 Prime Terrace to be in violation of Section 59-16(f)(4), North Port City Code for trailer parked in City right-of-way and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2022.**

**Based on evidence presented, Hearing Officer Toale found Case No. 22-2762 5180 Prime Terrace to be in violation of Chapter 42-23, North Port City Code for accumulation of debris on property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2022.**

**Based on evidence presented, Hearing Officer Toale found Case No. 22-2762 5180 Prime Terrace to be in compliance with Section 42-24(a)(5), North Port City Code for accumulation of debris in City right-of-way with no further action required.**

- T. [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.)

Inspector Burton, being duly sworn, requested a continuance.

**Based on evidence presented, Hearing Officer Toale continued Case No. 22-2786 6511 Spring Haven Drive to the October 27, 2022 Code Enforcement Hearing.**

- U. [Case No 22-2805](#) (HLB) Anthony M & Elizabeth T Maggio, 6510 Ruff St  
Chapter 105.1, Florida Building Code  
(Shed on property with no permit on file.)

Inspector Burton, 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. 22-2805 6510 Ruff Street to be in violation of Chapter 105.1, Florida Building Code for no permit on file for shed on property and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2022.**

- V. [Case No 22-2876](#) (HLB) Jack Roush & Cathy McGuire, 6123 Fabian Rd  
Chapter 105.1, Florida Building Code  
(No permit on file for front door change out as well as pool heater change out.)

Inspector Burton, 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. 22-2876 6123 Fabian Road to be in violation of Chapter 105.1, Florida Building Code for no permit on file for front door change-out and pool heater change-out and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2022.**

- W. [Case No 22-2990](#) (JA) Jacqueline Nicole St Germaine, 5637 Rhapsody Ave  
Sec. 59-16(f)(4), North Port City Code  
(Trailer parked in City Right-of-way in front of house)

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

occasions, she had contact with the property owner, and submitted photos into evidence.

**Based on evidence presented, Hearing Officer Toale found Case No. 22-2990 5637 Rhapsody Avenue to be in violation of Section 59-16(f)(4), North Port City Code for trailer parked in City right-of-way in front of house and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2022.**

X. [Case No 22-2999](#)

(JAG) Thomas C Henderson, 2162 S Chamberlain Blvd  
Section 45-5A, Unified Land Development Code  
(No permit on file for land clearing.)

Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, one heritage tree being removed, and submitted photos into evidence.

**Based on evidence presented, Hearing Officer Toale found Case No. 22-2999 2162 South Chamberlain Boulevard to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing, removing one oak tree and imposed a fine of \$6,800.**

Y. [Case No 22-3054](#)

(JA) Jason Serrago, 3045 Jason St  
Chapter 42-23, North Port City Code  
(Accumulation of debris consisting of a broken fence laying on the ground to the rear of the property and lawn chairs. In addition, there is a dilapidated fence falling down on the rear right-hand corner of property, and the rear property as well.)  
Section 53-122(C) Prohibited uses and structures  
(There are two (2) Large Pot Belly pigs on this property being kept as pets.)

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

Z. [Case No 22-3077](#)

(WK) Brite Legacy LLC, 2219 Greenley Rd  
Section 45-5A, Unified Land Development Code  
(No permit on file for land clearing.)

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

**Based on evidence presented, Hearing Officer Toale found Case No. 22-3077 2219 Greenley Road to be in violation of Section 45-5(A), Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$15,000.**

AA. [Case No 22-4249](#)

(WK) Jessica Dobbins, 7260 Hub Ct  
Section 53-240(A)(3) Unified Land Development Code  
(Tiny home on vacant lot with no principal structure.)

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

**Based on evidence presented, Hearing Officer Toale found Case No. 22-4249 7260 Hub Court to be in violation of Section 53-240(A)(3), Unified Land Development Code (ULDC) for tiny home on vacant lot with no principal structure and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on November 12, 2022.**

**9. 2ND HEARING CASES**

- A. [Case No 22-65](#) (HLB) Stephen Charles Seed Jr, 6315 Beedla St  
Chapter 105.1, Florida Building Code  
(No permit on file for construction on property. There are three dirt piles and heavy equipment on property.)  
  
Inspector Burton, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.  
  
***Based on evidence presented, Hearing Officer Toale found Case No. 22-65 6315 Beedla Street to be in violation of Chapter 105.1, Florida Building Code for no permit on file for construction on property and will sign the Order imposing the fine.***
- B. [Case No 22-1155](#) (HLB) Ricardo Cabrera Vargas, 2951 Tropicaire Blvd  
Sec. 59-16(h), North Port City Code  
(RV trailer on this property that appears to be lived in.)  
Section 42-24(a)(1)(b) North Port City Code,  
(Entrance to the property has no apron or culvert pipe.)  
Chapter 105.1, Florida Building Code  
(No Permit on file for an addition in the back of home.)  
  
Inspector Burton, being duly sworn, noted no change in the violation and requested the Order be signed imposing the fine.  
  
***Based on evidence presented, Hearing Officer Toale found Case No. 22-1155 2951 Tropicaire Boulevard to be in violation of Section 59-16(h), North Port City Code for RV trailer on property with evidence of occupants and will sign the Order imposing the fine.***  
  
***Based on evidence presented, Hearing Officer Toale found Case No. 22-1155 2951 Tropicaire Boulevard to be in violation of Section 42-24(a)(1)(b), North Port City Code for no apron or culvert pipe in driveway entrance and will sign the Order imposing the fine.***  
  
***Based on evidence presented, Hearing Officer Toale found Case No. 22-1155 2951 Tropicaire Boulevard to be in violation of Chapter 105.1, Florida Building Code for no permit on file for an addition in the back of home and will sign the Order imposing the fine.***
- C. [Case No 22-1256](#) (JAG) Patricia A Bradley, 7511 Perennial Rd  
Section 53-240(A)(3) Unified Land Development Code  
(Shed located on an undeveloped parcel without a principal structure.)  
Chapter 70-21, North Port City Code  
(ATV's riding over the city right-of-way causing damage.)  
  
Inspector Guilbault, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.  
  
***Based on evidence presented, Hearing Officer Toale found Case No. 22-1256 7511 Perennial Road to be in violation of Section 53-240(A)(3), Unified Land Development Code (ULDC) for shed located on an undeveloped parcel without a***

*principal structure and will sign the Order imposing the fine.*

***Based on evidence presented, Hearing Officer Toale found Case No. 22-1256 7511 Perennial Road to be in violation of Chapter 70-21, North Port City Code for ATV's riding over the City right-of-way causing damage and will sign the Order imposing the fine.***

**D. [Case No 22-1801](#)**

(WK) Clearfield Trust II, 3671 Clearfield St.

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of loose trash, and cardboard in front of house and on driveway, and on left side of house mattress and other household items)

Chapter 62-50, North Port City Code

(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. There is also Solid Waste Containers being stored in front of house by garage)

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

***Based on evidence presented, Hearing Officer Toale found Case No. 22-1801 3671 Clearfield Street to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash and other household items and will sign the Order imposing the fine.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-1801 3671 Clearfield Street to be in violation of Chapter 62-50, North Port City Code for solid waste containers improperly stored at the street and will sign the Order imposing the fine.***

**E. [Case No 22-1808](#)**

(WK) Lewis R Tucker & Rosalind J Buckton-Tucker, 4491 LaFrance Ave

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of loose trash, cardboard, plastic, wood, and other miscellaneous household items in front of house, garage, and left side of driveway. Clean up is needed.)

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

***Based on evidence presented, Hearing Officer Toale found Case No. 22-1808 4491 LaFrance Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash in front of house, garage, and left side of driveway, and will sign the Order imposing the fine.***

**F. [Case No 22-2019](#)**

(JAG) Bryan Family Revocable Trust, 3991 Pepper Ln

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of a dead palm that has fallen down and is laying to the right of driveway. Tree has been there for several weeks.)

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

***Based on evidence presented, Hearing Officer Toale found Case No. 22-2019 3991 Pepper Lane to be in violation of Chapter 42-23, North Port City Code for***

*accumulation of tree debris on the right of driveway and will sign the Order imposing the fine.*

G. [Case No 22-2077](#)

(WK) Aimee Dietz, 3069 Tishman Ave  
Section 105.4.1.1, Florida Building Code  
(Expired permits on file for HVAC 19-267, and Windows 20-4637)

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

***Based on evidence presented, Hearing Officer Toale found Case No. 22-2077 3069 Tishman Avenue to be in violation of Section 105.4.1.1, Florida Building Code for expired permits on file for HVAC and windows, and will sign the Order imposing the fine.***

H. [Case No 22-2151](#)

(JAG) 2019 IH Borrower LP, 3142 Parade Ter  
Section 105.4.1.1, Florida Building Code  
(Expired permit # 14-3503, for a complete mechanical change out, which has outstanding inspections.)

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

***Based on evidence presented, Hearing Officer Toale found Case No. 22-2151 3142 Parade Terrace to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for a complete mechanical change-out including inspections and will sign the Order imposing the fine.***

I. [Case No 22-2152](#)

(JAG) 20191 IH Borrower LP, 1308 Elmore Ter  
Section 105.4.1.1, Florida Building Code  
(Permit #14-3502 for a complete mechanical change out has expired with outstanding inspections.)

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

***Based on evidence presented, Hearing Officer Toale found Case No. 22-2152 1308 Elmore Terrace to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for a complete mechanical change-out including inspections and will sign the Order imposing the fine.***

J. [Case No 22-2154](#)

(HLB) SWH 2017-1 Borrower LP, 7804 Jayman Rd  
Section 105.4.1.1, Florida Building Code  
(Permit 14-3157 for an INT-complete mechanical change out has expired and has outstanding inspections)

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

***Based on evidence presented, Hearing Officer Toale found Case No. 22-2154 7804 Jayman Road to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for an interior-complete mechanical change-out including inspections and will sign the Order imposing the fine.***

- K. [Case No 22-2155](#) (HLB) ARVM 5 LLC, 6100 Deer Run Rd  
Sec. 1-19, Unified Land Development Code  
(No permit on file for chain link fence around rear property.)

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

***Based on evidence presented, Hearing Officer Toale found Case No. 22-2155 6100 Deer Run Road to be in violation of Section 1-19, Unified Land Development Code (ULDC) for no permit on file for chain link fence around rear property and will sign the Order imposing the fine.***

## **10. GENERAL BUSINESS**

- A. [22-3190](#) Case No. 22-034472 Trespass Appeal - Michael A. Messina - 4970 City Hall Boulevard, North Port, Florida 34886 (City Hall)

Hearing Officer Toale introduced the item.

Attorney for the appellant, Jennifer Mantoni, being duly sworn, directed Mr. Messina to recount his experience at City Hall.

Mr. Messina, being duly sworn, provided a review regarding his failed attempts to resolve permit by phone, the encounter with Mr. Applegate in City Hall on June 15, 2022, his background as a local contractor, assumption that the office door opened in response to his knocking, being escorted from premises by officers, attorney not receiving notice of a hearing, inconvenience of sending secretary to obtain permits, and officer issuing trespass warning providing no information why.

Ms. Coughlin, being duly sworn, noted Mr. Messina being in private area after Building Department hours, ways to obtain permits, City procedures being followed, and appellant requested a continuance.

Officer Halley, being duly sworn, explained his involvement as the officer, City employees not requesting a trespass warning day of the incident, and had no recollection of who requested the trespass warning or why the delay in issuance.

Mr. Applegate, being duly sworn, provided a review of the incident including reasoning door was opened, Building Department's closing policy, indicated the door in question, demeanor of appellant speaking to Mr. Satti, actions leading to the trespass, directive being issued next day, length of violation, multiple requests that appellant leave, and no trespass was issued in conference room in presence of two officers.

Ms. Mantoni cited City Code requirements of issuing trespass violation.

Mr. Applegate spoke to being unaware of said requirement or of no certified notice being sent to appellant or attorney, appellant calmed down in conference room, lobby waiting policy, the point which appellant was asked to wait in conference room, and Mr. Satti's treatment of other guests.

Ms. Coughlin spoke to Building's publicly prohibited area, decision not to issue trespass, police called next day, first hearing postponed, service of notice requirements, agenda sent to counsel, and avenues open for doing business inside City Hall.

Ms. Mantoni cited City Code trespass stipulations, violation being improperly issued, Mr.

Applegate's direction to officer at time of incident, and requested trespass warning be overturned.

***Based on evidence presented, Hearing Officer Toale granted the appeal of Trespass Warning No. 22-034472.***

**B. [22-3391](#)**

Case No. 22-031204 Trespass Appeal - Samuel Pereira - 6205 West Price Boulevard (Morgan Center).

Hearing Officer Toale introduced the item.

Ms. Coughlin, being duly sworn, noted the appellant not able to attend and provided procedural history of the trespass warning.

Reymundo Rodriguez, parent of appellant, being duly sworn, spoke to corrective measures taken to son's actions.

***Based on evidence presented, Hearing Officer Toale dismissed the Trespass Warning No. 22-031204.***

**11. PUBLIC COMMENT**

There was no public comment.

**12. ADJOURNMENT**

Hearing Officer Toale adjourned the meeting at 12:11 p.m.

\_\_\_\_\_  
James E. Toale, Hearing Officer

Minutes were approved on the \_\_\_\_ day of \_\_\_\_\_, 2022.