



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes - Draft Code Enforcement Hearing

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Thursday, May 25, 2023

9:00 AM

City Commission Chambers

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### 1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:00 a.m.

### Also Present:

Assistant City Attorney Katlyn Coughlin, 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 Assistant City Clerk Adrian Jimenez.

### 2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

### 3. PUBLIC COMMENT

Division Manager Raducci noted a change in Case No. 22-5716 for continuance and stated home owner will provide a public comment.

Virginia Lewis: spoke to Case No. 23-1569.

Henry Jakimer: spoke to Case No. 22-5716.

### 4. APPROVAL OF MINUTES

- A. [23-0839](#) Approve Minutes for the April 27, 2023 Code Enforcement Hearing Meeting.

*Hearing Officer Toale approved the Minutes as presented.*

### 5. REVIEW OF PROCEDURES AND ADMINISTRATION OF OATH

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

### 6. COMPLIANT CASES

- A. [Case No 22-4947](#) (DG) MATTHEW & KRISTINA CORPSTEIN, 5849 ABDELLA LN  
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required  
(No permit on file for fence on property)

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

- B. [Case No 23-104](#) (JAG) ANNETTA L AGARRATT, 2423 MISTLETO LN  
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 car tires, television, and other miscellaneous items.)

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

- C. [Case No 23-134](#) (HLB) PATRICIA A LEGER TRUST, PATRICIA A LEGER; 1118 ENSLEY CT  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of miscellaneous debris throughout the property)  
Chapter 62-50, North Port City Code Refuse container(s)  
(Solid waste containers improperly stored in front yard, and must be stored behind the front plane of the home.)

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

- D. [Case No 23-388](#) (JAG) JOSEPH M PANULA (E LIFE EST) LINDA M PANULA (E LIFE EST), 1267 PETRONIA ST  
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.  
(No permit on file for the Six (6) foot wooden fence on this property as well as the four (4) foot stand alone and six (6) foot wooden fence panels on the left side of the property that are in front of the front plane of residence.)

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

- E. [Case No 23-480](#) (JAG) 5074 TROTT CIRCLE LLC, 5074 TROTT CIR  
Chapter 34-23, North Port City Code Any person who engages in any business, occupation or profession who does not pay the required business tax within 150 days after the notice that the tax is due and who does not obtain the required local business tax receipt is subject to civil actions and penalties, including court costs, reasonable attorney fees, additional administrative costs incurred as a result of collection efforts and a penalty of up to \$250.00 (in addition to cost of business tax).  
(Outstanding balance due in the amount of \$57.50 for North Port Towing, Business Tax Receipt.)

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

- F. [Case No 23-483](#) (JA) US SWEET HOMES LLC, 13841 TAMIAMI TRL  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of but not limited to, tents, bins, BBQ grills, tarps, plastic, carts with tires and axles, boxes, clothing, garbage, car tires, bike tires, appliances, pallets, chairs, bikes, barrels, coolers, and

other miscellaneous debris)

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

(Camping prohibited on this undeveloped lot. Any person(s) camping on cited property must produce valid documentation as stated by ordinance or vacate the property immediately.)

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

G. [Case No 23-552](#)

(JAG) KAREN R WASINGER REVOCABLE TRUST, 6681 MARA CT

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

(Accumulation of debris in City Right-of-way consisting of boxes, couches, kids toys, plastic bins, clothes, and other miscellaneous debris.)

Section 42-24(a)(2)(b) North Port City Code, Maintenance of stormwater drainage area

(Accumulation of debris in City Right-of-way consisting of boxes, couches, kids toys, plastic bins, clothes,

and other miscellaneous debris. These items are blocking the sidewalk preventing thru pedestrian traffic.)

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

(Accumulation of debris in driveway consisting of refrigerator, tarps, plastic bins, buckets, cages, and other miscellaneous debris.)

Chapter 62-50, North Port City Code Refuse container(s) shall be placed at the pick-up location no earlier than 6:00 p.m. on the evening prior to or later than 7:00 a.m. on the day pick-up is scheduled. Container(s) must be properly stored by 10:00 p.m. on the day of collection. Container(s) MAY NOT be stored in front of residence.

(Solid waste containers improperly stored at the street outside the time frame permissible by City Code.)

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

H. [Case No 23-585](#)

(DG) JOHN F & DAWN D KILBRIDE, 3630 PARADE TER

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

(Accumulation of debris throughout the property consisting of multiple AC units as well as other scrap metals, tarps, ladders, car tires, a canoe, and other miscellaneous items.)

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.

(Black trailer parked in City Right-of-way across the street from residence.)

Sec. 59-16(d), North Port City Code Vehicle Repair, Maintenance, Disassembly Ordinary vehicle maintenance

(Inoperable White Ford Ranger in the driveway, as well as an inoperable white trailer with flat tires in the driveway.)

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

- I. [Case No 23-596](#) (DG) IRADI NUESI, 4849 ABERNANT AVE  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of miscellaneous construction materials on the undeveloped lot to the right of property, which is also owned by same owner.)  
*This case was brought into compliance with no further action required.*
- J. [Case No 23-640](#) (JAG) HUGH SPARKS & MURISA KIPPIN, 8396 TRIONFO AVE  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.  
(Accumulation of debris in the city right away consisting of miscellaneous household items.)  
Chapter 70-56, North Port City Code Assigned numbers must be at least three (3) inches in height, in Arabic numeral form, placed on a contrasting background visible from the street.  
(No visible assigned numbers affixed to residence.)  
*This case was brought into compliance with no further action required.*
- K. [Case No 23-649](#) (JAG) AMADO ESTEVEZ, 8407 LA BOCA AVE  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.  
(Accumulation of debris in the city right away consisting of a recliner and other small pieces of debris.)  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris throughout the yard consisting of a box spring, trash, and other miscellaneous debris.)  
*This case was brought into compliance with no further action required.*
- L. [Case No 23-666](#) (JA) DANIIL SUPRUN, 6827 OVER CT  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of pallets, trash, household items, and many other miscellaneous items which appear to be from an old camp or dump site.)  
*This case was brought into compliance with no further action required.*
- M. [Case No 23-702](#) (JAG) CSMA FT LLC, 7251 PERENNIAL RD  
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.  
(Damaged fence was repaired by installing chicken wire fencing where the fence has fallen down, which is not permissible by City Code.)  
Chapter 105.1, Florida Building Code - Permit required.  
(No permit on file for the shed on the left side of the property.)  
*This case was brought into compliance with no further action required.*

- N. [Case No 23-784](#) (PM) H P HALLOCK COMPANY C/O DUCHARME, MCMILLEN & ASSOC, 12600 S TAMIAMI TRL  
Section 26-20, North Port City Code - Adoption of standards by reference. The Florida Fire Prevention Code and the Life Safety Code, as adopted and promulgated pursuant to F.S. § 633.0215 are adopted by reference.  
  
(NFPA 1:13.1.9 Whenever impairments, critical deficiencies, or non-critical deficiencies are identified in water-based fire protection systems maintained in accordance with NFPA 25, they shall be corrected in a time frame approved by the AHJ. Date of deficiency: December 8, 2022)  
  
*This case was brought into compliance with no further action required.*
- O. [Case No 23-797](#) (HLB) WILLIAM & CHARLENE GUILLEM, 2099 SNOVER AVE  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.  
(Accumulation of debris consisting of couch, outdoor furniture, chairs, mattresses, and other miscellaneous debris.)  
  
*This case was brought into compliance with no further action required.*
- P. [Case No 23-816](#) (JAG) BRETT A MARTIN, 7585 MESA ST  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.  
(Accumulation of debris in the city right of way consisting of yard waste, trash bags, couches, and other miscellaneous items.)  
  
*This case was brought into compliance with no further action required.*
- Q. [Case No 23-1012](#) (DG) GERGORY L & BECKI A GOTCHER, 3671 S CRANBERRY BLVD  
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.*
- R. [Case No 23-1569](#) (HLB) VIRGINIA LEWIS, 4729 GLORDANO AVE  
Chapter 42-22A North Port City Code - Excessive Growth of Grass/Weeds; It shall be unlawful for any owner of a lot to permit the excessive growth of grass and nuisance weeds on sodded or seeded grass area or within cultivated landscaped areas on a developed lot.  
  
(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.*

- . [Case No 23-1798](#) (DG) COREY MITCHELL REEDER MARISSA ANN REEDER, 3341 TONKIN 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.*
- T. [Case No 23-2003](#) (HLB) SCOTT, ROBERT, DEBRA MARTIN, 3800 COQUINA AVE  
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.*
- U. [Case No 22-5915](#) (JAG) AMY L & RAYMOND R GRIM, 2779 CHEROKEE ST  
Chapter 105.1, Florida Building Code - Permit required.  
(No permit on file for a garage conversion into livable space)  
*This case was brought into compliance with no further action required.*
- V. [Case No 23-294](#) (JA) ELENA TOBEI; 6229 MORNING AVE  
Section 105.4.1.1, Florida Building Code- Permit has expired.  
(Expired Permit 21-4464; for Residential Remodel Exp. 10/18/2022)  
*This case was brought into compliance with no further action required.*
- W. [Case No 23-493](#) (JA) GHEE HOMES LLC, 5391 BUTTERFLY LN  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris on undeveloped lot consisting of building materials, with no building permit on file.)  
*This case was brought into compliance with no further action required.*
- X. [Case No 23-624](#) (JAG) ALEKSEY & NATALIYA GROSHEV, 4213 GROBE ST  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris throughout the rear and side yard consisting of wood, tarps, car tires, lattice, and other miscellaneous household items.)  
Sec. 59-16(d), North Port City Code Vehicle Repair, Maintenance, Disassembly Ordinary vehicle maintenance  
(Vehicle in disrepair being stored on right side of driveway and not covered with a non transparent tarp.)  
*This case was brought into compliance with no further action required.*
- Y. [Case No 22-827](#) (JAG) GEORGE W GOODSPEED III / LYNNSEE MARIE TAYLOR, 7270 HIAWATHA TER  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of miscellaneous items. Please remove debris from lot returning it back to its natural state.)

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

## **7. 1ST HEARING CASES**

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

Inspector Burton, being duly sworn, requested for B&L North Port LLC to provide public comment, noted no permit on file, the property was inspected on multiple occasions, he had contact with the property owner, submitted photos into evidence, and Section 105.1 has been brought into compliance.

***Based on evidence presented, Hearing Officer Toale found Case No. 22-514 2409 Autumnleaf Terrace to be in violation of Section 59-16(c), North Port City Code for parking a vehicle 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 June 20, 2023.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-514 2409 Autumnleaf Terrace to be in violation of Chapter 42-23, North Port City Code for accumulation of debris on a vacant lot consisting of loose trash and a tent and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on June 20, 2023.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-514 2409 Autumnleaf Terrace to be in compliance with Chapter 105.1, Florida Building Code with no further action required.***

***Based on evidence presented, Hearing Officer Toale found Case No. 22-514 2409 Autumnleaf Terrace 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 June 20, 2023.*

*Based on evidence presented, Hearing Officer Toale found Case No. 22-514 2409 Autumnleaf Terrace to be in compliance with Chapter 105.1, Florida Building Code with no further action required.*

*Based on evidence presented, Hearing Officer Toale found Case No. 22-514 2409 Autumnleaf Terrace to be in violation of Section 46-148, North Port City Code for camping on cited property without valid documentation and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on June 20, 2023.*

**B.** [Case No 22-5100](#)

(JA) JLP REALTY LLC, 14260 TAMIAMI TRL

Chapter 105.1, Florida Building Code - Permit required.

(No permit on file for building repairs being done to building as a result of storm damage.)

Inspector Ardinger, being duly sworn, requested a continuance.

*Based on evidence presented, Hearing Officer Toale continued Case No. 22-5100 14260 Tamiami Trail to the June 22, 2023 Code Enforcement Hearing.*

**C.** [Case No 22-5742](#)

(DG) RPM MANAGEMENT GROUP LLC, 3546 OASIS AVE

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

(Accumulation of debris on property consisting of miscellaneous trash items, and a shopping cart. In addition, there is tree debris on rear of property.)

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

**D.** [Case No 22-5716](#)

(KMR) VLC HOLDINGS INC, 6726 JOEJEFF ST

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

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

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

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

Division Manager Raducci, being duly sworn, noted the property was inspected on multiple occasions, road was surveyed, neighboring properties flooded, roadway too high, removal of dirt, meeting with Julie Bellia in reference to clearing the road, he had contact with the property owner, business activity, and no alterations since 1989.



**Based on evidence presented, Hearing Office Toale continued Case No. 22-5716 6726 Joe Jeff Street to the June 22, 2023 Code Enforcement Hearing.**

- E. [Case No 23-39](#) (DG) GARY BERGERON, 4474 MULGRAVE AVE  
Section 105.4.1.1, Florida Building Code- Permit has expired.  
(Expired permit 21-957 for Residential Remodel. Please Contact North Port Permitting Department, 941-429-7044 option 3.)  
Inspector Grandt, being duly sworn, requested a continuance.

**Based on evidence presented, Hearing Officer Toale continued Case No. 23-39 4474 Mulgrave Avenue to the June 22, 2023 Code Enforcement Hearing.**

- F. [Case No 23-310](#) (HLB) THOMAS D & ANGELA LAMBERT, 6770 FLAVIA CT  
Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.  
(RV and other vehicles stored on vacant lot with no principal structure.)  
Sec. 46-148 City of North Port Code (a) Camping is prohibited  
(Camping prohibited; Any person(s) camping on cited property must produce valid documentation as stated by ordinance or vacate the property immediately)  
Section 53-240(A)(3) Unified Land Development Code, Special Structures - A. Accessory uses and structures. Permitted accessory uses and structures in all zoning districts shall be as follows: (3) Are located on the same lot as the permitted or permissible principal use or structure.  
(Wooden structure and Fence on property, which are not permissible without a principal structure.)  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Two (2) Car Canopy on vacant lot along with other debris consisting of camping materials and other miscellaneous items. All items must be removed from vacant lot)

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

Property owner Thomas Lambert, being duly sworn, spoke to grounds not being used for camping, tool storage, plans to build a house, noted there is no working electric, delays financially, architect hired, building plans submitted for the end of month, unaware of being able to store equipment at the site, fence built, waiting on permit, and temporary building can be moved.

Inspector Burton noted a principal structure is needed on the lot to store equipment and referred owner to storing in a commercial area.

Recording Secretary Kiddy, being duly sworn, spoke to resident on options for building permit and officials for a solution.

**Based on evidence presented, Hearing Officer Toale found Case No. 23-310 6770 Flavia Court to be in violation of Section 59-16(c), North Port City Code for parking RV and other vehicles 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 June 20, 2023.**

*Based on evidence presented, Hearing Officer Toale dismissed Case No. 23-310 6770 Flavia Court for the violation of Section 46-148 (a), North Port City Code with no further action required.*

*Based on evidence presented, Hearing Officer Toale found Case No. 23-310 6770 Flavia Court to be in violation of Section 53-240(A)(3), Unified Land Development Code for wooden structure and fence on property without a principal structure and imposed a fine of \$25 a day with a maximum of \$2,000 to commence June 20, 2023.*

*Based on the evidence presented, Hearing Officer Toale found Case No. 23-310 6770 Flavia Court to be in violation of Chapter 42-23, North Port City Code for two car canopies on a vacant lot along with other debris consisting of camping materials and other miscellaneous item and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on June 20, 2023.*

G. [Case No 23-338](#)

(HLB) LSF9 MASTER PARTICIPATION TRUST U S BANK TRUST N A (TTEE) C/O HUDSON HOMES MANAGEMENT LLC, 2651 W PRICE BLVD

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

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

*Based on evidence presented, Hearing Officer Toale found Case No. 23-338 2651 West Price Boulevard to be in violation of Chapter 105.1, Florida Building Code for driveway being torn out without a permit on file and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on June 20, 2023.*

H. [Case No 23-405](#)

(HLB) SRP SUB LLC, 2660 ABBEVILLE RD

Chapter 105.1, Florida Building Code - Permit required.  
(Hot water heater replaced with no permit on file.)

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

(Accumulation of debris in City Right-of-way consisting of water heater and boxes.)

Inspector Burton, being duly sworn, noted the property was inspected, violation was corrected, he had no contact with the property owner, and submitted photos into evidence.

*Based on evidence presented, Hearing Officer Toale found Case No. 23-405 2660 Abbeville Road to be in violation of Chapter 105.1, Florida Building Code for a hot water heater replacement without a permit on file and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on June 20, 2023.*

*Based on evidence presented, Hearing Officer Toale found Case No. 23-405 2660 Abbeville Road to be in violation of Section 42-24(a)(5), North Port City Code for accumulation of debris in City right-of-way consisting of a water heater and boxes and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on June 20, 2023.*

Recess was taken from 10:05 a.m. until 10:10 a.m.

- I. [Case No 23-449](#) (DG) JOHN & AMANDA C SULLIVAN, 6308 STARFISH AVE  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of a dilapidated fence that is mostly torn down with several panels missing. Fence must be removed, repaired, or replaced. In addition, there is debris consisting of miscellaneous trash scattered throughout property in both the back and front, as well as a bicycle left in the City Right-of-way area.)  
Inspector Grandt, being duly sworn, requested a continuance.  
**Based on evidence presented, Hearing Officer Toale continued Case No. 23-449 6308 Starfish Avenue to the June 22, 2023 Code Enforcement Hearing.**
- J. [Case No 23-609](#) (JAG) JOVAN & BISERKA KRSTEC, 8847 ALAM AVE  
Chapter 70-56, North Port City Code Assigned numbers must be at least three (3) inches in height, in Arabic numeral form, placed on a contrasting background visible from the street.  
(House numbers affixed to residence are not visible due to being blocked by gutters on right side of the home.)  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.  
(Accumulation of debris in City Right-of-way consisting of a large pile of yard waste, tree trimmings, as well as a second pile of household items.)  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris throughout the property consisting of multiple lawn mowers, old A/C units, plastic bins, buckets, and other miscellaneous items.)  
Inspector Guilbault, being duly sworn, noted he had no contact with the property owner, and requested a continuance.  
**Based on evidence presented, Hearing Officer Toale continued Case No. 23-609 8847 Alam Avenue to the June 22, 2023 Code Enforcement Hearing.**
- K. [Case No 23-685](#) (HLB) BAF ASSETS 3 LLC, 2763 DENICKE ST  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.  
(Accumulation of debris in the City Right-of-way consisting of tree debris, fencing material, and pallets of sod.)  
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. 23-685 2763 Denicke Street to be in violation of Section 42-24(a)(5), North Port City Code for accumulation of debris in the City right-of-way consisting of tree debris, fencing material, and pallets of sod and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on June 20, 2023.**
- L. [Case No 23-767](#) (JAG) WENDY P FELIX, 8333 DOLOMITE AVE  
Chapter 105.1, Florida Building Code - Permit required.

(No permit on file for hot water heater change out)

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

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

Inspector Guilbault, being duly sworn, noted the property was inspected, there being no permit on file, he had no contact with the property owner, submitted a photo into evidence, and accumulation of debris has been removed and brought into compliance.

**Based on evidence presented, Hearing Officer Toale found Case No. 23-767 8333 Dolomite Avenue to be in violation of Chapter 105.1, Florida Building Code for a hot water heater replacement without a permit on file and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on June 20, 2023.**

**Based on evidence presented, Hearing Officer Toale found Case No. 23-767 8333 Dolomite Avenue to be in compliance with Section 42-24(a)(5), North Port City Code with no further action required.**

M. [Case No 23-805](#)

(DG) DAVID A & DEBRA M WALLACE, 4616 BLUERIDGE ST

Section 105.4.1.1, Florida Building Code- Permit has expired.

(Permit # 18-9182 for COMPLETE MECHANICAL CHANGEOUT expired 4/30/2019.)

Chapter 105.1, Florida Building Code - Permit required.

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

Inspector Grandt, being duly sworn, noted the property was inspected, no changes in the property, and roof brought into compliance.

**Based on evidence presented, Hearing Officer Toale found Case No. 23-805 4616 Bluemidge Street to be in violation of Section 105.4.1.1, Florida Building Code for complete mechanical changeout with an expired permit and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on June 20, 2023.**

**Based on evidence presented, Hearing Officer Toale found Case No. 23-805 4616 Bluemidge Street to be in compliance with Chapter 105.1, Florida Building Code with no further action required.**

N. [Case No 23-1842](#)

(HLB) NIKOLAY & YELENA DOROFEYEV, 4439 LA ROSA AVE

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 property was brought into compliance.

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

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

(JAG) JENNIFER L JOHNSTON, 5550 GABO RD

Section 105.4.1.1, Florida Building Code- Permit has expired.

(-REPEAT VIOLATION- Expired permit #12-3184 for residential remodel is expired. This is a REPEAT violation concerning the same permit. 1.

Case Number 17-850-Inspector K. Hoffman, initiated 4/20/2017, currently in Lien Status, no compliance achieved.)

Inspector Guilbault, being duly sworn, noted the property was inspected, this being a repeat violation, permit has expired, no changes in the property, and he had no contact with the property owner.

Property owner Jennifer Johnston, being duly sworn, spoke to first notification received, contact with the City, reason for notice, acquiring the property after a divorce, and final inspection completed per the ex-husband.

Recording Secretary Kiddy, being duly sworn, spoke to permit procedures and options, previous fines, and any lien on the property.

**Based on evidence presented, Hearing Officer Toale continued Case No. 23-1893 5550 Gabo Road to the June 22, 2023 Code Enforcement Hearing.**

## **8. 2ND HEARING CASES**

- A. [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, noted removal of trees and shed.

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

- B. [Case No 22-4879](#) (HLB) COREY MITCHELL REEDER, MARISSA AN REEDER, 3341 TONKIN DR  
Chapter 105.1, Florida Building Code  
(No Permit on file for work being done on doors in front of home and appears they are closing in what used to be two French doors there is no permit.)

Inspector Burton, being duly sworn, noted no changes in the property, property was inspected on multiple occasions, and permit submitted although not issued.

Property owner Corey Reeder, being duly sworn, spoke to blueprint being drawn up and permit is in the process.

Inspector Burton requested a continuance to the August 24, 2023 Code Enforcement Hearing.

Recording Secretary Kiddy, being duly sworn, noted working towards compliance.

**Based on evidence presented, Hearing Officer Toale continued Case No. 22-4879 3341 Tonkin Drive to the August 24, 2023 Code Enforcement Hearing.**

- C. [Case No 22-4882](#) (HLB) OSVALDO FLORES, 1903 BUSHNELL AVE  
Chapter 105.1, Florida Building Code  
(No permit on file for Gazebo in backyard. In addition there is no permit on file for underbrush done on left side of 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. 22-4882 1903 Bushnell Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit on file for a Gazebo in the backyard or underbrush done on left side of property and signed the Order imposing the fine.**
- D. [Case No 23-77](#) (JA) LEOPOLD O WAGNER (LIFE EST) JANEY S JACOBS, DEBORAH WAGNER, 5004 KINGSLEY RD  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of yard waste and tree debris throughout the property.)  
Sec. 59-16(d), North Port City Code Vehicle Repair, Maintenance, Disassembly  
(Two (2) vehicles in disrepair, also appear to be abandoned, in driveway.)
- Inspector Ardinger, 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. 23-77 5004 Kingsley Road to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of yard waste and tree debris throughout the property and signed the Order imposing the fine.**
- Based on evidence presented, Hearing Officer Toale found Case No. 23-77 5004 Kingsley Road to be in violation of Section 59-16(d), North Port City Code for two vehicles in disrepair, and abandoned in the driveway and signed the Order imposing the fine.**
- E. [Case No 23-128](#) (HLB) VIKTOR KLYMETS, ANNA GAZENKO; 5694 GILROY AVE  
Chapter 70-21, North Port City Code It shall be unlawful  
(Driving through City Right-of-way to access property, with no Right-of-way use permit.)  
Sec. 59-16(f)(3), North Port City Code No motor vehicle  
(Damage to Swale Area, from driving through to access property.)  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris throughout the rear of property.)  
Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.  
(Trailer parked in City Right-of-way.)
- Inspector Burton, being duly sworn, noted no changes in the property and requested re-inspection with a continuance.
- Based on evidence presented, Hearing Officer Toale continued Case No. 23-128 5694 Gilroy Avenue to the June 22, 2023 Code Enforcement Hearing.**

- F. [Case No 23-277](#) (JAG) JULIE A NOLAN; 2354 MCMINN ST  
Section 105.4.1.1, Florida Building Code- Permit has expired.  
(Expired Permit 21-4001; for replacement of concrete driveway. Exp. 10/16/2021)
- 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. 23-277 2354 McMinn Street to be in violation of Section 105.4.1.1, Florida Building Code for replacement of concrete driveway with an expired permit and signed the Order imposing the fine.***
- G. [Case No 23-304](#) (HLB) JOHN WEBSTER JR: 3763 FIREGLOW CIR  
Section 53-240(A)(3) Unified Land Development Code, Special Structures  
(Shed on Vacant lot, as well as Fence on Vacant lot, both of which are not permissible on a lot with no principal structure.)  
Sec. 46-148 City of North Port Code (a) Camping is prohibited  
(Camping on Vacant lot. Camping prohibited on this property.)  
Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.  
(Inhabited RV being stored on this vacant lot.)  
Sec. 59-16(f)(3), North Port City Code No motor vehicle  
(Damage to City Right-of-way, with no Right-of-way use permit on file.)
- 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. 23-304 3763 Fireglow Circle to be in violation of Section 53-240(A)(3), Unified Land Development Code for shed and fence on a vacant lot without a principal structure and signed the Order imposing the fine.***
- Based on evidence presented, Hearing Officer Toale found Case No. 23-304 3763 Fireglow Circle to be in violation of Section 46-148(a), North Port City Code for camping on a vacant lot and signed the Order imposing the fine.***
- Based on evidence presented, Hearing Officer Toale found Case No. 23-304 3763 Fireglow Circle to be in violation of Section 59-16(c), North Port City Code for inhabited RV being stored on a vacant lot and signed the Order imposing the fine.***
- Based on evidence presented, Hearing Officer Toale found Case No. 23-304 3763 Fireglow Circle to be in violation of Section 59-16(f)(3), North Port City Code for damage to City right-of-way without a right-of-way use permit on file and signed the Order imposing the fine.***
- H. [Case No 23-376](#) (JA) DARRYL W & CLARA J HENRY; 5111 RICHMOND TER  
Section 105.4.1.1, Florida Building Code- Permit has expired.  
(Expired Permit 21-8504; for Water Heater. Exp. 01/08/22)
- Inspector Ardinger, 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. 23-376 5111 Richmond Terrace to be in violation of Section 105.4.1.1, Florida Building Code for an expired water heater permit and signed the Order imposing the fine.*

**9. GENERAL BUSINESS**

There was no General Business.

**10. PUBLIC COMMENT**

Jennifer Pethtel: spoke to Case No. 22-514, renter having no contact with the property owner, primary structure, right of way, assistance from Sarasota County, being kicked out of lot, living in a truck, and cost of living.

**11. ADJOURNMENT**

Hearing Officer Toale adjourned the meeting at 10:25 a.m.

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

Minutes were approved on the \_\_\_ day of \_\_\_\_\_, 2023.