



**CITY OF NORTH PORT**  
SARASOTA COUNTY, FLORIDA  
4970 City Hall Boulevard – North Port, FL. 34286

**CODE ENFORCEMENT HEARING**

CITY OF NORTH PORT, FLORIDA	}	
Petitioner,	}	
vs.	}	
BAF ASSETS 3 LLC	}	
Respondent(s)	}	CASE NO.: 23-685
	}	CERTIFIED MAIL NO.: 70203160000101942372
<b>ADDRESS OF VIOLATION:</b>	}	
2763 Denicke St	}	
North Port, FL	}	
PARCEL ID.: 0966050450	}	

**NOTICE OF MANDATORY HEARING**

Pursuant to the attached **AFFIDAVIT OF VIOLATION** dated *March 09, 2023*, **YOU ARE HEREBY FORMALLY NOTIFIED** that at **9:00 a.m.**, or as soon thereafter as possible, **on May 25, 2023**, in City Chambers, City Hall, **4970 City Hall Boulevard, North Port, Florida**, there will be a public hearing to determine whether or not you have violated certain CITY OF NORTH PORT, FLORIDA CODES/ORDINANCES with regard to the CODE OF THE CITY OF NORTH PORT, FLORIDA. A **NOTICE OF VIOLATION**, dated *February 17, 2023*, was previously served by **REGULAR MAIL**.

The attached **AFFIDAVIT OF VIOLATION** specifying the Code Provisions violated and the facts and circumstances of the CODE VIOLATION have been filed with the CITY OF NORTH PORT, CITY CLERK.

**YOU ARE HEREBY ORDERED** to appear before the HEARING OFFICER of the CITY OF NORTH PORT, FLORIDA on **May 25, 2023**, to present your case with regard to the violation stated in the attached **AFFIDAVIT OF VIOLATION**.

In exercising their power under CHAPTER 162, FLORIDA STATUTES, and CHAPTER 2, ARTICLE IX, CODE ENFORCEMENT, CITY OF NORTH PORT finds a violation exists, it shall:

- (a) Order the violator to pay administrative fine in amount consistent with Section 2-511, Code of the City of North Port, for each day the violation(s) exists beyond the date set for compliance by the HEARING OFFICER. If the violation(s) is a repeat violation occurring within the last five (5) years, administrative fine(s) may be imposed, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the Property Standard Inspector;
- (b) Order the violator to pay a fine not to exceed \$1,000.00, \$2,000.00, \$5,000.00, or \$25,000 per violation, dependent upon the violation, if the violation was irreparable or irreversible in nature. If it pertains to unsafe abatement as determined by the building Official. There is no maximum fine cap defined in 2-511(b)(1)(d); and
- (c) Issue orders having the force of law to command whatever steps necessary to bring the violation(s) into compliance.

CONSISTENT WITH SECTION 162.09(1) FLORIDA STATUTES, NO OTHER HEARING SHALL BE NECESSARY FOR THE ISSUANCE OF THE ORDER ASSESSING THE ADMINISTRATIVE FINE(S).

In the event that the violator does not pay the administrative fine(s) (if any) prescribed by the CITY OF NORTH PORT, FLORIDA HEARING OFFICER at the hearing, the CITY OF NORTH PORT may establish a lien against the violator's property on which the violation(s) exists and upon any other real or personal property owned by the violator in accordance with Section 162.09(3), Florida Statutes and Section 2, CODE OF THE CITY OF NORTH PORT, FLORIDA. Should it become necessary for the CITY OF NORTH PORT, FLORIDA to foreclose on such a lien, the RESPONDENT(S) could be liable for additional expenses including, but not limited to, reasonable attorney fees, costs, and expenses incurred by the CITY OF NORTH PORT, FLORIDA or its agents and the same may be assessed as cost in the foreclosure action.

Although you may represent yourself, you have the right to an attorney at your own expense to represent you before the HEARING OFFICER. You have the right to record the proceedings of the hearing at your own expense. You also will have the opportunity to present witnesses as well as question the witnesses who may testify against you prior to the HEARING OFFICER making a determination. Please be prepared to present evidence at the hearing why you should not be found in violation of the Code Provision cited in the attached AFFIDAVIT OF VIOLATION and, in the case of a repeat violation, why an administrative fine(s) shall not be assessed.

A copy of the ORDER FOR COMPLIANCE and ORDER ASSESSING ADMINISTRATIVE FINE(S) shall be provided to you by Certified Mail, Return Receipt Requested, within fifteen (15) days following the date the orders are rendered.

THE CITY OF NORTH PORT MAY PROCEED IN THE ABSENCE OF ANY PARTY, THEIR AGENT, OR THEIR ATTORNEY, WHO AFTER DUE NOTICE, FAILS TO BE PRESENT AT THE HEARING.

If you should have any questions or **compliance has been achieved**, please contact the Code Enforcement Inspector whose name appears on the attached AFFIDAVIT OF VIOLATION, at **(941) 429-7186**, or write to them at 4970 City Hall Boulevard, North Port, FL 34286.  
<http://www.northportfl.gov>

PLEASE GOVERN YOURSELF ACCORDINGLY.

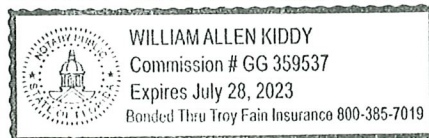
  
HEATHER FAUST, City Clerk

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of this NOTICE OF MANDATORY HEARING has been served upon the RESPONDENT(S) by **Certified Mail/Return Receipt Requested** at 5001 PLAZA ON THE LAKE STE 200 AUSTIN TX 78746.

**DATED:** March 10, 2023

  
SERVER - CITY OF NORTH PORT





**CITY OF NORTH PORT  
SARASOTA COUNTY, FLORIDA  
CODE ENFORCEMENT DIVISION  
4970 City Hall Boulevard – North Port, FL. 34286  
(941) 429-7186**

**CITY OF NORTH PORT, FLORIDA** }  
Petitioner, }  
vs. }  
**BAF ASSETS 3 LLC** }  
Respondent(s) } **CASE NO.: 23-685**  
}  
**ADDRESS OF VIOLATION:** }  
**2763 DENICKE ST** }  
**NORTH PORT, FL** }  
**PARCEL ID.: 0966050450** }

**AFFIDAVIT OF VIOLATION**

**STATE OF FLORIDA** :  
: ss  
**COUNTY OF SARASOTA** :

The undersigned CODE ENFORCEMENT INSPECTOR, upon his/her oath, deposes and says:  
Respondent(s) has been served with a Notice of Violation and Order to Correct Violation, dated February 17, 2023, by first class mail, a copy of which is attached.

(1) The following complaint was received in the Property Standards Division:

2/13/2023, 2:56:37PM CCUMMINGS Debris left in City Right-of-way for multiple weeks. Eduard 678-977-5113

(2) The following Ordinance Provision(s) Violation still exists:

**Violation Description**

Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area. Every lot owner is responsible for maintenance of the stormwater drainage systems within the city's road rights-of-way located adjacent to their lot, unless excused from this responsibility as further provided by this section. These maintenance responsibilities are limited to the following areas: (5) Removing trash, debris, litter, or other items from the swale area to prevent obstruction or partial obstruction of the driveway culvert and swale.

**Violation Text**

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

**Violation Corrective Action**

Remove the trash, debris, and/or litter specified above within ten (10) days of the date of this Notice.

(3) Field Inspection Notes:

on inspection I verified homeowner has accumulation of debris in the right of way consisting of tree debris, fencing materials and pallets of sod 2/21/2023, 1:01:44 PM HBURTON Posted on property 3/3/2023, 8:05:03 AM HBURTON Homeowner is still in violation

DATED: March 09, 2023

Henley Lee Burton

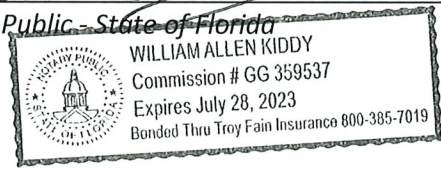
HENLEY LEE BURTON  
Inspector  
Neighborhood Development Services  
City of North Port  
4970 City Hall Boulevard  
North Port, Florida 34286

STATE OF FLORIDA  
COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 9 day of March 2023, by HENLEY LEE BURTON.

William Allen Kiddy  
Notary Public - State of Florida

X Personally Known OR \_\_\_ Produced Identification  
Type of Identification Produced \_\_\_\_\_





**CITY OF NORTH PORT  
SARASOTA COUNTY, FLORIDA  
CODE ENFORCEMENT DIVISION  
4970 City Hall Boulevard – North Port, FL. 34286**

**NOTICE OF VIOLATION  
AND  
ORDER TO CORRECT**

BAF ASSETS 3 LLC  
5001 PLAZA ON THE LAKE STE 200  
AUSTIN, TX 78746

**DATE:** February 17, 2023

PSI CASE NO.: 23-685  
REAL PROPERTY ADDRESS: 2763 DENICKE ST, NORTH PORT, FL  
LOTS 50 & 51 BLK 504 11TH ADD TO PORT CHARLOTTE PARCEL ID #: 0966050450  
SERVED BY: FIRST CLASS MAIL

**NOTICE OF VIOLATION**

Pursuant to the CODE OF THE CITY OF NORTH PORT, FLORIDA, YOU ARE NOTIFIED that a violation exists on the above-described real property:

**Violation Description**

Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area. Every lot owner is responsible for maintenance of the stormwater drainage systems within the city's road rights-of-way located adjacent to their lot, unless excused from this responsibility as further provided by this section. These maintenance responsibilities are limited to the following areas: (5) Removing trash, debris, litter, or other items from the swale area to prevent obstruction or partial obstruction of the driveway culvert and swale.

**Violation Text**

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

**Violation Corrective Action**

Remove the trash, debris, and/or litter specified above within ten (10) days of the date of this Notice.

**FINES SHALL BE ASSESSED:**

FAILURE TO CORRECT THE DEFICIENCIES on the date specified above will result in an AFFIDAVIT OF VIOLATION to be filed with the Hearing Officer, charging you with the violation(s) set out above. A HEARING WILL BE HELD AT WHICH YOU SHALL ATTEND. If the Hearing Officer finds a violation exists, administrative fine(s) shall be assessed for each day the violation exists beyond the date for compliance as determined by the Hearing Officer.

***The fines which may be imposed include:***

Violation of North Port City Code:	Daily Fine Shall Not Exceed - \$10.00 per day Maximum Cumulative Fine - \$1,000.00
Violation of Unified Land Development Code:	Daily Fine Shall Not Exceed - \$25.00 per day Maximum Cumulative Fine - \$2,000.00
Violation of Florida Building Code:	Daily Fine Shall Not Exceed - \$50.00 per day Maximum Cumulative Fine - \$5,000.00
Violation of Florida Building Code as it pertains to unsafe building abatement as determined by the Building Official:	Daily Fine Shall Not Exceed - \$250.00 per day There Is No Maximum Cumulative Fine Cap
For any repeat Violations:	Maximum Cumulative Fine \$25,000.00

A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance, and such compliance is confirmed in accordance with §2-511(C), or until the Maximum Cumulative Fine has been reach, as defined in §2-511(b)(5).

**LIEN(S) MAY BE PLACED:**

A certified copy of an order assessing an administrative fine may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. No lien shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction.

***If you have any questions concerning this notice or to schedule a reinspection, please contact the following inspector:***

HENLEY LEE BURTON  
Inspector  
Neighborhood Development Services  
e-mail: [hburton@northportfl.gov](mailto:hburton@northportfl.gov)





**CITY OF NORTH PORT**  
SARASOTA COUNTY, FLORIDA  
4970 City Hall Boulevard – North Port, FL. 34286

CITY OF NORTH PORT, FLORIDA }  
Petitioner, }  
vs. }  
BAF ASSETS 3 LLC }  
Respondent(s) }  
ADDRESS OF VIOLATION: }  
2763 DENICKE ST }  
North Port, FL }  
PARCEL ID.: # 0966050450 }

CASE NO.: 23-685

**AFFIDAVIT OF MAILING AND POSTING**

STATE OF FLORIDA :  
: ss  
COUNTY OF SARASOTA :

The undersigned, William Kiddy, upon his oath, deposes and says:

On May 12, 2023, the Respondent(s) was served with a NOTICE OF MANDATORY HEARING dated March 09, 2023 by posting said Notice at City Hall, 4970 City Hall Boulevard, North Port, FL, and mailing said notice via U.S. Postal Service (Certified Mail) to 5001 PLAZA ON THE LAKE STE 200 AUSTIN TX 78746-', a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

**DATED:** May 12 2023

  
\_\_\_\_\_  
William Kiddy, Affiant  
Recording Secretary

STATE OF FLORIDA  
COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 12<sup>th</sup> day of May 2023, by William Kiddy.

  
\_\_\_\_\_  
Notary Public - State of Florida

X Personally Known OR \_\_\_ Produced Identification  
Type of Identification Produced \_\_\_\_\_





**CITY OF NORTH PORT**  
**SARASOTA COUNTY, FLORIDA**  
**NEIGHBORHOOD DEVELOPMENT SERVICES**  
**CODE ENFORCEMENT DIVISION**  
**4970 City Hall Boulevard – North Port, FL. 34286**  
**(941) 429-7186**

CITY OF NORTH PORT, FLORIDA	}	
Petitioner,	}	
vs.	}	
BAF ASSETS 3 LLC	}	
Respondent(s)	}	CASE NO.: 23-685
	}	
ADDRESS OF VIOLATION:	}	
2763 DENICKE ST	}	
NORTH PORT, FL.	}	
PARCEL ID.: 0966050450	}	

STATE OF FLORIDA :  
: SS  
COUNTY OF SARASOTA :

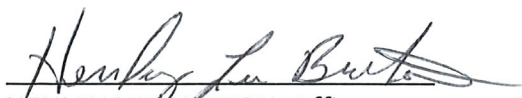
The undersigned, CODE ENFORCEMENT INSPECTOR, upon his/her oath, deposes and says:

**AFFIDAVIT OF POSTING**

On May 3, 2023 the Respondent(s) was served with a NOTICE OF MANDATORY HEARING by posting said Notice at 2763 DENICKE ST, NORTH PORT, FLORIDA, a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

**DATED:** May 3 2023

  
HENLEY LEE BURTON, Affiant  
Neighborhood Development Services

STATE OF FLORIDA  
COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 3 day of May 2023 by HENLEY LEE BURTON.

  
Notary Public - State of Florida

X Personally Known OR \_\_\_ Produced Identification  
Type of Identification Produced \_\_\_\_\_





7020 3160 0001 0194 2372

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

CE WK 23-685

**BAF ASSETS 3 LLC**  
**5001 PLAZA ON THE LAKE STE 200**  
**AUSTIN TX 78746**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p style="text-align: center;"><b>CE WK 23-685</b></p> <p style="text-align: center;"><b>BAF ASSETS 3 LLC</b>  <b>5001 PLAZA ON THE LAKE STE 200</b>  <b>AUSTIN TX 78746</b></p>		<p>B. Received by (Printed Name) C. Date of Delivery</p>	
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7020 3160 0001 0194 2372</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>9590 9402 8002 2305 9025 31</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p>Mail Restricted Delivery (over \$500)</p>	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	



**Bill Furst**  
**SARASOTA COUNTY**  
**PROPERTY APPRAISER**

**Property Record Information for 0966050450**

**Ownership:**  
 BAF ASSETS 3 LLC  
 5001 PLAZA ON THE LAKE STE 200, AUSTIN, TX, 78746  
**Situs Address:**  
 2763 DENICKE ST NORTH PORT, FL, 34286

**Land Area:** 21,275 Sq.Ft.  
**Municipality:** City of North Port  
**Subdivision:** 1534 - PORT CHARLOTTE SUB 11  
**Property Use:** 0100 - Single Family Detached  
**Status:** OPEN  
**Sec/Twp/Rge:** 15-39S-21E  
**Census:** 121150027402  
**Zoning:** RSF2 - RESIDENTIAL, SINGLE FAMILY  
**Total Living Units:** 1  
**Parcel Description:** LOTS 50 & 51 BLK 504 11TH ADD TO PORT CHARLOTTE

**Buildings**

<a href="#">Situs - click address for building details</a>	<b>Bldg #</b>	<b>Beds</b>	<b>Baths</b>	<b>Half Baths</b>	<b>Year Built</b>	<b>Eff Yr Built</b>	<b>Gross Area</b>	<b>Living Area</b>	<b>Stories</b>
2763 DENICKE ST NORTH PORT, FL, 34286	1	3	2	0	1998	2008	1,800	1,156	1

**Extra Features**

There are no extra features associated with this parcel

**Values**

<b>Year</b>	<b>Land</b>	<b>Building</b>	<b>Extra Feature</b>	<b>Just</b>	<b>Assessed</b>	<b>Exemptions</b>	<b>Taxable</b>	<b>Cap.</b>
2022	\$34,800	\$190,500	\$0	\$225,300	\$225,300	\$0	\$225,300	\$0
2021	\$18,100	\$136,900	\$0	\$155,000	\$133,442	\$50,000	\$83,442	\$21,558
2020	\$15,700	\$115,900	\$0	\$131,600	\$131,600	\$50,000	\$81,600	\$0
2019	\$16,000	\$115,500	\$0	\$131,500	\$131,500	\$50,000	\$81,500	\$0
2018	\$12,500	\$112,900	\$500	\$125,900	\$125,900	\$0	\$125,900	\$0
2017	\$7,300	\$110,100	\$500	\$117,900	\$117,900	\$0	\$117,900	\$0
2016	\$6,700	\$91,900	\$300	\$98,900	\$98,900	\$31,162	\$25,000	\$42,738
2015	\$6,400	\$78,600	\$300	\$85,300	\$55,772	\$30,772	\$25,000	\$29,528
2014	\$4,300	\$67,500	\$200	\$72,000	\$55,329	\$30,329	\$25,000	\$16,671
2013	\$3,900	\$59,800	\$300	\$64,000	\$54,511	\$29,511	\$25,000	\$9,489

**Current Exemptions**

There are no exemptions associated with this parcel. File for Homestead Exemption

**Sales & Transfers**

<b>Transfer Date</b>	<b>Recorded Consideration</b>	<b>Instrument Number</b>	<b>Qualification Code</b>	<b>Grantor/Seller</b>	<b>Instrument Type</b>
4/26/2021	\$100	2021093887	11	BAF 3 LLC	WD
1/15/2021	\$219,000	2021010511	01	HEINTZ STUART YUN	WD
9/23/2016	\$162,500	2016119526	01	HOWARD KIRBY	WD
4/29/2011	\$78,000	2011050006	01	SHEEDY,WILLIAM F	WD
6/16/2000	\$77,000	2000083011	01	COON ROGER L & PAMELA J,	WD
3/9/1998	\$76,600	3082/1585	03	ALLSTATE BUILDERS OF SW FL INC	WD
8/6/1997	\$103,500	3002/1093	X2	ATLANTIC GULF COMMUNITIES CORP	WD
11/15/1993	\$100	2577/1143	15	N C N B NATIONAL BANK	TR
8/23/1989	\$100	2275/218	11	GENERAL DEVELOPMENT	WD
6/1/1986	\$0	1866/1939	X2		NA

**Associated Tangible Accounts**

There are no associated tangible accounts for this parcel

Property record information last updated on: 3/5/2023

FEMA Flood Zone (Data provided by Sarasota County Government as of 3/6/2023)  
 Different portions of a property can be in different flood zones. Please click on MAP link below to see the flood zones.

<b>FIRM Panel</b>	<b>Floodway</b>	<b>SFHA ***</b>	<b>Flood Zone **</b>	<b>Community</b>	<b>Base Flood Elevation (ft)</b>	<b>CFHA *</b>
0379F	OUT	OUT	X	120279		OUT

\* If your property is in a SFHA or CFHA, use the map to determine if the building footprint is within the flood area.  
 \*\* For more information on flood and flood related issues specific to this property, call (941) 240-8050  
 \*\*\* Federal law requires flood insurance for all properties in SFHAs with federally backed mortgages.  
 For general questions regarding the flood map, call (941) 861-5000.

