



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Agenda

Code Enforcement Hearing

Thursday, December 7, 2023

9:00 AM

City Hall Room 244

MEETING PROCEDURE: By placing your name and the case number you are interested in, you may express your comments during the course of the meeting. Comments on items not scheduled on the agenda will be heard under Public Comment. Comments on all scheduled agenda items will be heard immediately following the presentation by staff or petitioner. Please wait until you are recognized by the Hearing Officer, state your name and address so that your comments may be properly recorded, and limit your remarks to a period of three (3) minutes or less. The Hearing Officer will act on an agenda item after comments from city staff, the petitioner, and the public have been heard. Hearing procedures can be found at <http://www.cityofnorthport.com/home/showdocument?id=9593>.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT

4. APPROVAL OF MINUTES

- A. [23-1568](#) Approve Minutes for the October 26, 2023 Code Enforcement Hearing Meeting

Attachments: [Minutes](#)

5. REVIEW OF PROCEDURES AND ADMINISTRATION OF OATH

6. COMPLIANT CASES

- A. [Case No 23-2561](#) (DG) CLOUD TEN MARKETING GROUP LLC; 1350 BOBCAT TRL Section 42-24(a)(2)(b) North Port City Code, Maintenance of stormwater drainage area.
(Dilapidated chain link fence blocking the sidewalk that is running parallel with Woodhaven Dr. Approximately 200 feet east of Fairlane Dr.)
- B. [Case No 23-2755](#) (DG) ZACHARY A SIMPSON, MEAGHAN SMITH; 6836 LONGAN RD Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.
(Equipment being stored on lot with no principal structure.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of wood pallets, and other trash piled up in rear of lot.)
- C. [Case No 23-3003](#) (MCK) PHI LE LONG, 1366 NATRONA DR
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for the wooden structure attached to the left side of

- residence.)
- D. [Case No 23-3273](#) (DG) COMMERCIAL ACQUISITIONS LLC; 4768 FLINT DR Chapter 42-23, North Port City Code; Accumulation of Debris (Accumulation of debris in left corner of front yard consisting of a trailer and a lawn mower.)
- E. [Case No 23-3332](#) (DG) SERGEY A & LIDIYA V GUBCHAK; 4252 WALL LN Chapter 105.1, Florida Building Code - Permit required. (Construction work being done in crow and easement without out any type of permit.)
- F. [Case No 23-3368](#) (DG) BERNARD GERMAIN, ANDREW J VOLEY, 4257 APPLETON TER Sec. 1-19, Unified Land Development Code Local, state and Federal permits required. (New fence installed on this property with no permit on file.)
- G. [Case No 23-3421](#) (DG) DAVID J LE PAGE, MAEVA FULGENCE LE PAGE; 6216 TALBOT ST Chapter 42-23, North Port City Code; Accumulation of Debris (Accumulation of debris in rear of property consisting of household items, boxes, bags, plastic, and other miscellaneous items.) Section 105.4.1.1, Florida Building Code- Permit has expired. (Expired Permits 19-817 for Residential Remodel, and 18-6297 Above Ground Gas Tank.)
- H. [Case No 23-3491](#) (MCK) ARA KIMBERLY & MANUEL BURGOS; 1312 NACKMAN RD Chapter 105.1, Florida Building Code - Permit required. (No permit on file for shed on property.)
- I. [Case No 23-3502](#) (DG) BRIAN P & BILLIE JO DECKER, 1830 GUTTENBURG RD Sec. 53-122D, Unified Land Development Code The operation of a business unless specifically permitted as a home occupation. (Business being operated from this residence with supplies being visibly stored and deliveries being made, thus causing to much thru traffic and noise, and is prohibited per United Land Development Code.)
- J. [Case No 23-3508](#) (DG) ELAN FINANCIAL LLC; 8468 SAN PABLO 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, and is in violation of City Code.)
- K. [Case No 23-3544](#) (MCK) ROMAN & OLGA EVANS; 3345 TROPICAIRE BLVD Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion. (Silt fence around property needs to be repaired or replaced.)

Attachments: [Case Files 23-3544.pdf](#)

- L. [Case No 23-3564](#) (DG) VERNON NELSON TTEE; 1296 BANTER CIR
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of a dilapidated fence with missing panels that have fallen over onto neighboring property.)
- M. [Case No 23-3580](#) (DG) CASEY J & GAYE M SHARPE; 3227 ANADOR ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of wood, furniture, bikes, and miscellaneous loose garbage. Additionally the Solid Waste Containers are overflowing.)
- N. [Case No 23-3593](#) (KS) ESTERO DEVELOPMENT PARTNERS LP; 5785 TIDWELL ST
33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris; landscaped berms. The pile of debris shall be completely enclosed on all four (4) sides
(Construction site with overloaded dumpster. Additionally, there is debris on the ground consisting of plastic piping, boxes, plastic bottles, buckets, wood, and other miscellaneous garbage.)
Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.
(Silt fence needs to be repaired or replaced.)
- O. [Case No 23-3596](#) (DG) AUTO ZONE STORES LLC; 1021 CREIGHTON CREEK LN
Sec. 37-29(H)(5) Unified Land Development Code, Roadway Design and Construction Standards
(Stop Sign missing from pole At Creighton Creek Intersection.)
- P. [Case No 23-3639](#) (MCK) LYNNE M, KERRY GAEL THERIAULT, & MICHELLE KRYSTINA THERIAULT; 2888 N CRANBERRY BLVD
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on property consisting of loose garbage, tires, and other miscellaneous debris. Additionally, there is a dilapidated above ground pool infested with mosquitos that should be removed or repaired.)
Sec. 59-16(d), North Port City Code Vehicle Repair, Maintenance, Disassembly
(Two (2) vehicles on this property that are in a disrepair state and must be removed from property or covered with a non transparent tarp.)
- Q. [Case No 23-3686](#) (JA) QSR 4 LLC; 14920 TAMIAMI TRL
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit #17-4217.)
Sec. 37-29(H)(3) Unified Land Development Code – Roadway Design and Construction Standards, general requirements
(Large pothole on private roadway behind Popeyes.)
- R. [Case No 23-3704](#) (MCK) BERTHA & TIMOTEO ACOSTA; 2732 DONGOLA ST
Sec. 59-16(c)(2), North Port City Code Parking and Storing Vehicles on a Residential Lot The following combined total maximum number of vehicles and/or boats shall be permitted to be parked in the front, side or rear yards

- of a residential lot based on lot size: Under 11,000 square feet – 6 11,000 to 22,000 square feet – 8 Over 22,000 square feet - 8 with 1 additional for every 10,000 square feet over 22,000 with a maximum of 12 total (Number of vehicles on this property exceed the amount permissible per Code. Six (6) vehicles allowed, Seven (7) counted as well as a trailer.)
- S. [Case No 23-3726](#) (DG) EMILIA CALDERON, IMELBA MARTINE; 2503 DUMONT LN Chapter 42-23, North Port City Code; Accumulation of Debris (Accumulation of debris throughout property consisting of a chair, broken toilet, and a downed basketball hoop.) Chapter 62-50, North Port City Code Refuse container(s) (Solid waste containers improperly stored next to driveway and not behind the front plane of the home.)
- T. [Case No 23-3813](#) (MCK) BAF ASSETS 6 LLC; 6187 TALBOT ST Section 105.4.1.1, Florida Building Code- Permit has expired. (Expired Permit: 22-11936 INT-COMplete SYSTEM CHANGE OUT Expired: 08/17/2022)
- U. [Case No 23-3829](#) (DG) LUKASZ RAFAL CWIKLA, MALGORZATA ARGASINSKA CWIKLA; 2217 PICKARD LN Sec. 59-16(c)(2), North Port City Code Parking and Storing Vehicles on a Residential Lot The following combined total maximum number of vehicles and/or boats shall be permitted to be parked in the front, side or rear yards of a residential lot based on lot size: Under 11,000 square feet – 6 11,000 to 22,000 square feet – 8 Over 22,000 square feet - 8 with 1 additional for every 10,000 square feet over 22,000 with a maximum of 12 total (Number of vehicles on this property exceed the permissible amount for this property size. There were four (4) trailers, and seven (7) vehicles on property, only six (6) vehicles allowed per code.)
- V. [Case No 23-3848](#) (MCK) JOSEPH F TUCKER; 4694 NELE ST Section 105.4.1.1, Florida Building Code- Permit has expired. (Two (2) Expired Permits 22-16133 INT-RE ROOF SHINGLE TO SHINGLE, as well as 22-12434 INTcomplete SYSTEM CHANGE OUT.) Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area. (Large Pile of pallets in the City Right-of-way outside of normal pick up day.) Chapter 42-23, North Port City Code; Accumulation of Debris (Accumulation of debris in front of house consisting of furniture, fish tank, garbage bags, and other miscellaneous in carport.) Sec. 59-16(c)(4), North Port City Code - Parking and Storing Vehicles on a Residential Lot. (Trailer parked near sidewalk and not on an improved surface.)
- W. [Case No 23-3959](#) (DG) TELSON TRUST; 4821 LOS RIOS ST 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 piles of yard waste.)
- X. [Case No 23-4052](#) (DG) AT OWNER 14 L P; 6851 WILLOW CREEK CIR
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Two Expired permits, 21-6197 INT-COMPLETE SYSTEM CHANGE OUT as well as 19-1495 ELECTRIC WORK ONLY.)
- Y. [Case No 23-4079](#) (KS) FLORIDA RAIN LLC; 4139 TWINBUSH TER
Sec. 59-16(f)(5), North Port City Code No vehicle or boat shall be stored within the public right-of-way.
(Dilapidated RV parked in City Right-of-way to the right of property, in front of a vacant lot.)
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.
(Dilapidated RV parked in City Right-of-way to the right of property, in front of a vacant lot.)
- Z. [Case No 23-4083](#) (DG) DAVID A ERHARDT; 6629 ELMWOOD RD
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area
(Accumulation of debris in City Right-of-way consisting of tree debris.)
- AA. [Case No 23-4092](#) (NL) FRANK R & RENE D KELLY; 2122 WHEELING AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Dilapidated fence on the rear of this property which should be removed, repaired, or replaced.)
- AB. [Case No 23-4118](#) (NL) JAMES S & DARLENE S ROMITO; 1574 WOOD ROSE ST
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 front of residence.)
- AC. [Case No 23-4362](#) (MCK) WILLIAM J HOWELL; 3293 TROPICAIRE BLVD
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permits 20-2702 for Land-clearing Residential, as well as 20-2968 for Culvert Right-of-way.)
- AD. [Case No 23-4469](#) (KS) VIRGINIA MARIE FETRO; 5465 CAMBAY ST
Chapter 105.1, Florida Building Code - Permit required.
(No 'Issued' fence permit on file for the fence that has been installed around this property.)
- AE. [Case No 23-4528](#) (DG) PRATHER HOLDINGS LLC; 6912 KENWOOD DR
Section 45-5A, Unified Land Development Code - Land Clearing It shall be a violation of this chapter for any person or persons to remove or cause any tree or trees to be removed from any property within the City without first obtaining a permit to do so issued by the Building Department in

accordance with the provisions of this chapter. This prohibition extends to all vacant and undeveloped property on which any form or type of new development, construction, renovation or demolition is to occur.
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

7. CONTINUED CASES

- A.** [Case No 23-310](#) (DG) 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)
- Attachments:** [Case Files 23-310.pdf](#)
- B.** [Case No 23-2106](#) (DG) CLOUD TEN MARKETING GROUP LLC; 1350 BOBCAT TRL
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permits #18-6646 ELECTRIC WORK ONLY #17-7474 COMMERCIAL REMODEL)
- Attachments:** [Case Files 23-2106.pdf](#)
- C.** [Case No 23-2107](#) (PM) CLOUD TEN MARKETING GROUP LLC, 1350 BOBCAT 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.
(1. NFPA 1:10.12.1 Every person owning or having charge or control of any vacant building, premises, or portion thereof shall remove all combustible storage, waste, refuse, and vegetation and shall lock, barricade, or otherwise secure the building or premises to prohibit entry by unauthorized persons. Date of deficiency: January 31, 2023
2. NFPA 1:10.12.2 All fire protection systems shall be maintained in service in seasonal and vacant buildings, unless otherwise approved by the AHJ. Date of deficiency: January 31, 2023

3. NFPA 1:10.12.3 The AHJ shall have the authority to require an inspection and test of any fire protection system or fire alarm system that has been out of service for 30 days or more before restored back into service. Date of deficiency: January 31, 2023)

Attachments: [Case Files 23-2107.pdf](#)

- D. [Case No 23-2109](#) (PM) CLOUD TEN MARKETING GROUP LLC, 1400 BOBCAT 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. (1. NFPA 1:10.12.1 Every person owning or having charge or control of any vacant building, premises, or portion thereof shall remove all combustible storage, waste, refuse, and vegetation and shall lock, barricade, or otherwise secure the building or premises to prohibit entry by unauthorized persons. Date of deficiency: January 31, 2023
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Attachments: [Case Files 23-2109.pdf](#)

- E. [Case No 23-2291](#) (DG) DIEUPROMAITRE HYPOLITE, MARCELINE CORRIELANT; 3451 S CHAMBERLAIN BLVD
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for shed located in the rear of property.)

Attachments: [Case Files 23-2291.pdf](#)

- F. [Case No 23-2636](#) (DG) JEFF & JENETH D ALONZO, 8943 E RIVER RD
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for underbrush clear done on this undeveloped lot)

Attachments: [Case Files 23-2636.pdf](#)

- G. [Case No 23-2707](#) (DG) EDWARD F CLIFFORD (E LIFE EST), 2762 YAMADA LN
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout the property consisting of milk crates, buckets, gas cans, jack stands, pieces of wood, metal tables, and many other miscellaneous items.)

Attachments: [Case Files 23-2707.pdf](#)

- H. [Case No 23-3142](#) (DG) STEPHEN & LYNNE DURSTON, 3474 WHITMAN ST
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation)

Attachments: [23-3142 Documentation Submitted during hearing.pdf](#)
[Case Files 23-3142.pdf](#)

8. 1ST HEARING CASES

- A. [Case No](#) (DG) THOMAS M MC GUIRE; 4718 ITALY AVE
[23-3248](#) Chapter 42-23, North Port City Code; Accumulation of Debris
 (Accumulation of debris on this property consisting of a hot water heater
 and a large downed tree.)
 Section 105.4.1.1, Florida Building Code- Permit has expired.
 (Permit 22-17936 for hot water heater, is expired.)

Attachments: [Case Files 23-3248.pdf](#)

- B. [Case No](#) (DG) ROBERT & DEBRA COMELLA; 2025 LYNX RUN
[23-3462](#) Chapter 105.1, Florida Building Code - Permit required.
 (Permit Required for screened in Lanai-work has been started with no
 permit pulled.)

Attachments: [Case Files 23-3462.pdf](#)

- C. [Case No](#) (DG) DIMCE NAUMOVSKI; 4081 HEATON TER
[23-3583](#) 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 on left side of property. Must be
 stored behind the front plane of the home.)
 Chapter 42-23, North Port City Code; Accumulation of Debris
 (Wicker Chair thrown on left side of property.)

Attachments: [Case Files 23-3583.pdf](#)

- D. [Case No](#) (MCK) LILIYA POTOTSKAYA, ANATOLIY POTOTSKIY; 7516 JOPPA ST
[23-3739](#) Chapter 105.1, Florida Building Code - Permit required.
 (New deck built in backyard with no permit, additionally there is an above
 ground pool swimming pool with no permit.)

Attachments: [Case Files 23-3739.pdf](#)

- E. [Case No](#) (DG) JEROMY & KAITLYN LEE KEEN, MARILYN H PARK; 4854
[23-3884](#) FLAMLAU AVE
 Chapter 42-23, North Port City Code; Accumulation of Debris
 (Accumulation of debris next to driveway consisting of plastic buckets,
 tarps, and other miscellaneous items.)
 Section 105.4.1.1, Florida Building Code - Period of Validity
 (Expired Roof Permit 21-7980)

Attachments: [Case Files 23-3884.pdf](#)

- F. [Case No 23-4048](#) (KS) KERISSA ROSE GIBSON; 1286 SAVIA ST
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(Fence on property with no permit on file.)
Attachments: [Case Files 23-4048.pdf](#)
- G. [Case No 23-4110](#) (KS) ALEXANDER & GALINA SLOBODYAN; 2561 MATHER LN
Section 45-5A, Unified Land Development Code - Land Clearing It shall be a violation of this chapter for any person or persons to remove or cause any tree or trees to be removed from any property within the City without first obtaining a permit to do so issued by the Building Department in accordance with the provisions of this chapter. This prohibition extends to all vacant and undeveloped property on which any form or type of new development, construction, renovation or demolition is to occur.
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)
Attachments: [Case Files 23-4110.pdf](#)
- H. [Case No 23-4120](#) (NL) ROBERTO MENDEZ; 2805 BREWSTER RD
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for driveway and or culvert pipe. Lot is an UDL owned by the property adjacent to it. Lot must be combined before permit can be applied for.)
Attachments: [Case Files 23-4120.pdf](#)
- I. [Case No 23-4124](#) (NL) BIRGIT HANSON; 2240 SHACKLEFORD AVE
Section 45-5A, Unified Land Development Code - Land Clearing It shall be a violation of this chapter for any person or persons to remove or cause any tree or trees to be removed from any property within the City without first obtaining a permit to do so issued by the Building Department in accordance with the provisions of this chapter. This prohibition extends to all vacant and undeveloped property on which any form or type of new development, construction, renovation or demolition is to occur.
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)
Attachments: [Case Files 23-4124.pdf](#)

9. 2ND HEARING CASES

- A. [Case No 23-3127](#) (DG) SAVIA TRUST II, 1196 SAVIA ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Pool in back yard that is loaded with Mosquitos , bees, and other vermin.)
R4501.17, Florida Building Code Pursuant to Sections R4501.17.1 through R4501.17.3 of the Florida Building Code, this pool has been inspected and deemed to be unsafe, creating a life/safety issue.
(No swimming barrier around this pool which is required per code.)

Attachments: [Case Files 23-3127.pdf](#)

10. PUBLIC COMMENT

11. ADJOURNMENT

No stenographic record by a certified court reporter is made of these meetings. Accordingly, anyone seeking to appeal any decisions involving the matters herein will be responsible for making a verbatim record of the meeting/testimony and evidence upon which any appeal is to be based. (SEE: F.S. 286.0105) Note: Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office 48 hours in advance of the meeting. (SEE F.S. 286.26)

NONDISCRIMINATION: The City of North Port does not discriminate on the basis of race, color, national origin, sex, age, disability, family or religious status in administration of its programs, activities or services.

AMERICAN WITH DISABILITIES ACT OF 1990 - The North Port City Hall is wheelchair accessible. Special parking is available on the west side of City Hall and the building may be accessed from the parking area. Persons with hearing difficulties should contact the City Clerk to obtain a hearing device for use during meetings.

ADVISORY BOARD CURRENT VACANCIES

Art Advisory Board 4 Regular; 2 Alternate; 2 Youth
Auditor Selection Committee 2 Regular; 2 Alternate
Charter Review Advisory Board 2 Alternate; 1 Youth
Citizens' Tax Oversight Committee 1 Regular
Environmental Advisory Board 2 Alternate; 1 Youth
Parks and Recreation Advisory Board 1 Youth
Planning and Zoning Advisory Board 2 Alternate
Veterans Park Advisory Committee 1 Regular; 2 Alternate
Zoning Board of Appeals 2 Regular; 2 Alternate