



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Compliance Hearing

Thursday, April 25, 2024

9:00 AM

City Commission Chambers

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

ALSO PRESENT:

Code Enforcement Manager Raducci, Recording Secretary Kiddy, Inspector Grandt, Inspector Schauer, Inspector Long, Assistant City Clerk Powell, Police Legal Advisor Coughlin, and Arborist Ruff

3. PUBLIC COMMENT

Adelina Jera: Spoke to Case Nos. 24-707 and 24-717.

4. APPROVAL OF MINUTES

- A. [24-0591](#) Approve Minutes for the March 28, 2024 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 Mr. Powell swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [Case No 23-4293](#) (NL) MIKHAIL A RADZIONAU, EKATERINA BISTREVSKY; 2987 LA TASSELL ST
70-21, NPCC - It shall be unlawful
(Using City-Right-of-way as a driveway in the rear of his property with no culvert, and no Right-of-way use permit.)

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

- B. [Case No 23-4819](#) (NL) IAN ANDREW DAVID SMITH, BRENDA LEE SMITH; 1468 WOOD ROSE ST
Chapter 105.1, Florida Building Code - Permit required.

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

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

- C. [Case No 23-5108](#) (DG) URIAN FAMILY TRUST CHARLIES T URIAN (TTEE); 7303 SPRING HAVEN DR
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for shed installed in rear of property.)
This case was brought into compliance with no further action required.
- D. [Case No 23-5221](#) (DG) 1000 CLEVELAND LLC; 5111 RICHMOND TER
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 21-8504 WATER HEATER ELECTRIC 07/11/2021 IS)
This case was brought into compliance with no further action required.
- E. [Case No 23-5394](#) (NL) KEVIN & JASMINE HERRERA, MINERVA OLGUIN GONZALEZ
4168 MAGENTA AVE
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for shed on this property.)
This case was brought into compliance with no further action required.
- F. [Case No 23-5439](#) (NL) FRANCISCO GUILLERMO; 1417 E PRICE BLVD
59-1 (c)(1), City Code Allowed parking
(Boat parked on front side of house not parked on an improved surface.)
This case was brought into compliance with no further action required.
- G. [Case No 24-34](#) (KS) BRANDON M HAYS; 3118 LANDRUM ST
59-2, City Code, Damage to the public right-of-way, abatement by city
(Damage to the City Right-of-way by use of vehicles or ATV's.)
70-21, NPCC - It shall be unlawful
(Driving through City Right-of-way with no culvert)
This case was brought into compliance with no further action required.
- H. [Case No 24-73](#) (DG) SAMUEL J KING; 4112 MATTOX CIR
Sec 46-148 City of North Port Code (a) Camping is prohibited
(RV and Tents up on this undeveloped lot. Camping is prohibited on this undeveloped lot, all items must be removing turning property back to its natural state. If this is not anyone that you have given permission to, please contact North Port Police Department non emergency dispatch to being the Trespassing Affidavit.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of miscellaneous trash throughout this property.)
This case was brought into compliance with no further action required.

- I. [Case No 24-87](#) (DG) JOSHUA & JILL CALVERT; 6219 DALEWOOD CIR
59-1 (c)(1), City Code Allowed parking
(Trailer parked on an unimproved surface.)
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Vehicles parked in City Right-of-way.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of wood in the driveway, as well as a car frame on the left side of the house.)
This case was brought into compliance with no further action required.
- J. [Case No 24-126](#) (NL) NICOLE & GASPARD SENAT; 2809 DUMONT LN
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Vehicle parked in the City Right-of-way with no license plate, and is facing the wrong direction of traffic.)
This case was brought into compliance with no further action required.
- K. [Case No 24-137](#) (NL) TRIPLE DEVELOPERS LLC; 1605 NORA LN
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Permit 21-00015335 is expired.)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in the City Right-of-way.)
This case was brought into compliance with no further action required.
- L. [Case No 24-149](#) (NL) THOMAS A & MARY R GREEN; 1953 MINCEY TER
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Vehicle parked in City Right-of-way.)
This case was brought into compliance with no further action required.
- M. [Case No 24-150](#) (NL) VICTOR GELLER; 2351 PILGER AVE
59-1(b)(2), North Port City Code, Prohibited parking
(Semi parked in Residential area.)
This case was brought into compliance with no further action required.
- N. [Case No 24-199](#) (DG) STEPAN GERMANOV; 3361 IROQUOIS AVE
59-1 (c)(1), City Code Allowed parking
(Trailer parked on undeveloped lot with no principal structure.)
This case was brought into compliance with no further action required.
- O. [Case No 24-236](#) (NL) TERRY A BRUNSON; 2591 SADNET LN
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Camper parked in City Right-of-way.)
This case was brought into compliance with no further action required.

- P. [Case No 24-243](#) (NL) HEXAGON DEVELOPERS LLC; 3086 POINT ST
33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris
(Dumpster in the City Right-of-way in front of this construction site, is overflowing. Additionally, dumpster must be removed from City Right-of-way.)

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

- Q. [Case No 24-462](#) (KS) LEVENTE MOLNAR, BOGLARKA LENGYEL; 5458 GADBOYS AVE
Sec. 74-51. - Restrictions on certain vehicles
(Bobcat front loader parked on residential lot which is prohibited per Code.)

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

8. 1ST HEARING CASES

- K. [Case No 24-516](#) (NL) JERROD RYAN ENGLISH REVOCABLE TRUST; 3923 PARTRIDGE AVE
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspection, no permit, unknown trees removed, property size, contact with property owner, and photographs submitted into evidence.

Jerrold English, property owner, being duly sworn, spoke to property location, hurricane Ian tree damages, neighborhood input, timeline, and witness statements submitted into evidence.

Mr. Ruff, being duly sworn, spoke to tree removal, satellite imagery, damages, and site visit.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-516, 3923 Partridge Ave., to be in compliance with Section 45-5A, Unified Land Development Code for land clearing and dismissed the violation.

- L. [Case No 24-707](#) (KS) LA NEGRITA ALEGRE LLC; 6333 ALHAMBRA 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 heard with Case No. 24-717.

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including site visit, lot clearing, tree removal, satellite imagery, and photographs submitted into evidence.

Mr. Ruff, being duly sworn, spoke to site visit, tree removal, heritage tree status, stump removal, and wildlife impact.

Adelina Jera, girlfriend of property owner, being duly sworn, spoke to intent and permit process.

Based on evidence presented, Hearing Officer Toale found Case No. 24-707, 6333 Alhambra Ave., to be in violation of Section 45-5A, Unified Land Development Code for land clearing and imposed a fine of \$15,000.

M. [Case No 24-717](#)

(KS) LA NEGRITA ALEGRE LLC; 6307 ALHAMBRA 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 heard with Case No. 24-707.

Based on evidence presented, Hearing Officer Toale found Case No. 24-717, 6307 Alhambra Ave., to be in violation of Section 45-5A, Unified Land Development Code for land clearing and imposed a fine of \$15,000.

7. CONTINUED CASES

[Case No 24-409](#)

(DG) BURKE GROUP LLC; 1593 HOLLISTER 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 heard with Case No. 24-398.

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 24-409, 1593 Hollister Ave., to the May 23, 2024, Code Compliance Hearing.

1ST HEARING CASES

J. [Case No 24-398](#)

(DG) BURKE GROUP LLC; 1593 HOLLISTER AVE
Section 53-240(A)(3) Unified Land Development Code, Special Structures
(Structure built on this property, as well as a fence, with no principal structure.)
59-1 (c)(1), City Code Allowed parking
(Vehicle parked on this property with no principal structure.)

This case was heard with Case No. 24-409.

Based on evidence presented, Hearing Officer Toale continued Case No. 24-398, 1593 Hollister Ave., to the May 23, 2024, Code Compliance Hearing.

CONTINUED CASES

D. [Case No 23-5447](#)

(KS) JOHN & AMANDA C SULLIVAN; 6308 STARFISH AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Debris consisting of household trash around the entire property and into the City Right-of-way. Additionally there is dilapidated fence in the rear of the property which should be removed, repaired, or replaced.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspection, continuance status, timeline, no changes to the property, debris, and photographs submitted into evidence.

Amanada Sullivan, property owner, being duly sworn, spoke to continuance, fence costs, and bulk pick up scheduled.

Mr. Raducci, being duly sworn, spoke to bulk pick up scheduled, fence status, and recommendations.

Inspector Grandt, being duly sworn, spoke to bulk pick up scheduled.

Based on evidence presented, Hearing Officer Toale found Case No. 23-5447, 6308 Starfish Ave., to be in violation of Chapter 42-23, North Port City Code, for debris and dilapidated fence and signed the order imposing the fine.

1ST HEARING CASES

A. [Case No 23-4679](#)

(NL) BERNADETTE GILCHRIST; 3747 TREE CT
Section 53-240(A)(3) Unified Land Development Code, Special Structures
(Fence and three (3) sheds located on this property, with no permits and no principal structure.)

59-1 (c)(1), City Code Allowed parking
(Camper parked on this property, with no principal structure.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspection, no permits, contact with property owner, and photographs submitted into evidence.

Bernadette Gilchrist, property owner, being duly sworn, spoke to violation notification timeline, permit status, and photographs submitted into evidence.

Mr. Raducci, being duly sworn, spoke to primary structure status, structures on property, and building permit status.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4679, 3747 Tree Ct., to be in violation of Section 53-240(A)(3), Unified Land Development Code for fence and sheds on property with no permit on file and no principal structure and imposed a fine of \$25 a day with a maximum of \$2000 to commence on August 4, 2024.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4679, 3747 Tree Ct., to be in violation of Chapter 59-1(c)(1), North Port City Code for camper on property with no principal structure and imposed a fine of \$10 a day with a maximum of \$1000 to commence on August 4, 2024.

- I. [Case No 24-269](#) (NL) JOHN F & DAWN D KILBRIDE; 3630 PARADE TER
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in the driveway and on the side of home, consisting of old air handlers and condensing units.)
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Trailer parked in City Right-of-way which is prohibited per City Code.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspection, violation, no contact with property owner, trailer location, and photographs submitted into evidence.

John Kilbridge, property owner, being duly sworn, spoke to property status, trailer location, and timeline.

Based on evidence presented, Hearing Officer Toale found Case No. 24-269, 3630 Parade Ter., to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in driveway and side of home and imposed a fine of \$10 a day with a maximum of \$1000 to commence on May 21, 2024.

Based on evidence presented, Hearing Officer Toale found Case No. 24-269, 3630 Parade Ter., to be in violation of Chapter 59-1(b)(1), North Port City Code for trailer parked on city right-of-way and imposed a fine of \$10 a day with a maximum of \$1000 to commence on May 21, 2024.
- C. [Case No 23-4776](#) (DG) CRAIG L EITTREIM, MICHELE M MARRIOTT; 6103 FREEMONT ST
59-1 (c)(1), City Code Allowed parking
(Number of vehicles on this property exceeds the amount permissible per City Code. There were nine (9) vehicles counted including trailers, motorcycles, a truck and a van- only six (6) allowed for this property size.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of tires, and a trailer in the driveway full of metal debris.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspection, violation, vehicle status, and photographs submitted into evidence.

Craig Eittreim, property owner, being duly sworn, spoke to hurricane Ian damages, repairs, vehicles, and timeline.

Based on evidence presented, Hearing Officer Toale, found Case No. 23-4776, 6103 Freemont St., to be in compliance with Chapter 59-1(c)(1), North Port City Code for vehicles in excess of the amount permissible per city code and dismissed the violation.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4686, 7811 Taplin Ave., to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in driveway and imposed a fine of \$10 a day with a maximum of \$1000 to commence on August 4, 2024.

CONTINUED CASES

B. [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.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspection, violation, no changes to property, and submitted photographs into evidence.

Roberto Mendez, property owner, being duly sworn, spoke to permit submitted and timeline.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4120, 2805 Brewster Rd., to be in violation of Chapter 105.1, Florida Building Code for driveway and/or culvert pipe with no permit on file and imposed a fine of \$10 a day with a maximum of \$5000 to commence on May 21, 2024.

A. [Case No
23-2099](#)

(DG) GEORGE W III GOODSPEED, LYNNSEE MARIE TAYLOR; 7270 HIAWATHA TER

Section 53-240(A)(3) Unified Land Development Code, Special Structures

(Accessory / Lot with Principal Fence/gate on vacant lot with no accessory structure which is un-permitted.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspection, violation, and contact with property owner.

George Goodspeed, property owner, being duly sworn, spoke to fence status and maximum fine amount.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2099, 7270 Hiawatha Ter., to be in violation of Section 53-240(A)(3), Unified Land Development Code for fence/gate on vacant lot with no accessory structure and imposed a fine of \$25 a day with a maximum of \$2000 to commence on May 21, 2024.

C. [Case No
23-5065](#)

(DG) GULF COAST ASSEMBLY OF GOD INC; 2800 PAN AMERICAN BLVD

Chapter 105.1, Florida Building Code - Permit required.

(No permit on file for commercial remodel/lanai enclosure done on this residence.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspection, violation, and permit application submitted.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-5065, 2800 Pan American Blvd., to the May 23, 2024, Code Compliance Hearing.

1ST HEARING CASES

B. [Case No 23-4686](#)

(DG) JAMES PATTEN, JAMES CHRISTOPHER GEARHART; 7811 TAPLIN AVE

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

(Debris on left side of the house consisting of plastic buckets, wood, and other miscellaneous debris.)

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

(Accumulation of debris in City Right-of-way consisting of plastic buckets, chairs, and other miscellaneous items.)

59-1 (c)(1), City Code Allowed parking

(Prohibited parking of vehicles in front yard, and in City Right-of-way.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspection, violations, contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4686, 7811 Taplin Ave., to be in violation of Chapter 42-23, North Port City Code for accumulation of debris on left side of house and imposed a fine of \$10 a day with a maximum of \$1000 to commence on May 21, 2024.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4686, 7811 Taplin Ave., to be in compliance with Chapter 42-24(a)(5), North Port City Code for accumulation of debris in city right-of-way and dismissed the violation.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4686, 7811 Taplin Ave., to be in violation of Chapter 59-1(c)(1), North Port City Code for parking vehicles in front yard and city right-of-way and imposed a fine of \$10 a day with a maximum of \$1000 to commence on May 21, 2024.

D. [Case No 24-79](#)

(DG) MATTHEW WHITE; 2210 MCTAGUE ST

59-1 (c)(1), City Code Allowed parking

(Three (3) vehicles on this property with expired tags.)

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

(Accumulation of debris in front of the garage consisting of a roll of tarps, a ladder, boxes, freezer chest, air compressor, coolers, and other miscellaneous items.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspection, violation, expired tags, debris, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 24-79, 2210 McTague St., to be in violation of Chapter 59-1(c)(1), North Port City Code for vehicles with expired tags and imposed a fine of \$10 a day with a maximum of \$1000 to commence on May 21, 2024.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4686, 7811 Taplin Ave., to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in front of garage and imposed a fine of \$10 a day with a

maximum of \$1000 to commence on May 21, 2024.

- E. [Case No 24-97](#) (KS) PATRICIA A BRADLEY; 7511 PERENNIAL RD
59-1 (c)(1), City Code Allowed parking
(Green Mustang parked on vacant lot with no principal structure.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspection, violation, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 24-97, 7511 Perennial Rd., to be in violation of Chapter 59-1(c)(1), North Port City Code for vehicle parked on vacant lot with no principal structure and imposed a fine of \$10 a day with a maximum of \$1000 to commence on May 21, 2024.

- F. [Case No 24-183](#) (KS) BRITTANY M PHILLIPS, LAURIE O NEAL; 6820 MYRTLEWOOD RD
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of a full trash dumpster and a pile of miscellaneous junk in driveway.)
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Vehicle parked on property partially blocking sidewalk, impeding thru pedestrian traffic.)
59-1 (c)(1), City Code Allowed parking
(Vehicle parked in front yard and not on an improved surface.)

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

- G. [Case No 24-246](#) (NL) ALLIED NORTH CONSTRUCTION CORP; 2591 VERDE TER
33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris
(Accumulation of debris on this construction site consisting of miscellaneous trash items that are overflowing from the dumpster.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspection, violation, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 24-246, 2591 Verde Ter., to be in violation of Section 33-7(D)(1)(C), Unified Land Development Code for accumulation of debris on construction site and overflowing dumpster and imposed a fine of \$25 a day with a maximum of \$2000 to commence on May 21, 2024.

- H. [Case No 24-255](#) (DG) KATHLEEN T VALLEJO; 2806 CHICKASAW AVE
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Two (2) vehicles parked in City Right-of-way.)
59-1 (c)(1), City Code Allowed parking
(Car and boat parked on property, and not on improved surface.
Additionally there is an RV parked on side easement.)
Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris next to driveway consisting of miscellaneous car parts.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 24-255, 2806 Chickasaw Ave., to the May 23, 2024, Code Compliance Hearing.

9. GENERAL BUSINESS

- A. [24-0476](#) Case No. 24010965 Trespass Appeal - Appellant - 1602 Kramer Way (Mullen Activity Center)

Hearing Officer Toale announced the item.

Ms. Coughlin, being duly sworn, spoke to no contact with appellant and recommendation.

Based on evidence presented, Hearing Officer Toale denied trespass appeal Case No. 24010965.

- B. [24-0521](#) Case No. 24014244 Trespass Appeal - Smith - 6207 W. Price Blvd. (Morgan Family Community Center)

Hearing Officer Toale announced the item.

Ms. Coughlin, being duly sworn, spoke to contact with appellant and recommendation.

Based on evidence presented, Hearing Officer Toale denied trespass appeal Case No. 24014244.

10. PUBLIC COMMENT

There was no public comment.

11. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 10:59 a.m.

James E. Toale, Hearing Officer