



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Enforcement Hearing

Thursday, September 28, 2023

9:00 AM

City Commission Chambers

1. CALL TO ORDER

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

Also Present:

Assistant City Attorney Katlyn Coughlin, Code Enforcement Division Manager Kevin Raducci, Code Enforcement Recording Secretary William Kiddy, Code Enforcement Inspectors Jennifer Ardinger and Dave Grandt, Assistant City Clerk Adrian Jimenez.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

- A. [23-1457](#) Approve Minutes for the August 24, 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 22-5942](#) (JAG) JCU ALL IN ENTERPRISES LLC, 14530 TAMIAMI TRL Chapter 105.1, Florida Building Code - Permit required.
(Per Building Inspector Tom Prindiville There is no permit on file for a commercial renovation at this unit)

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

- B. [Case No 23-305](#) (JA) JOHN T & MARLA K BROWN, 7610 EINSTEIN ST Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 21-4756; for Underbrush Only. Exp. 04/30/2022)

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

- C. [Case No 23-322](#) (JA) RICHARD JOHN & ELYSE J MORANO, 3035 ARMOUR TER
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 21-5133; for Underbrush Only Exp. 05/05/2022)
This case was brought into compliance with no further action required.
- D. [Case No 23-1018](#) (DG) MONA J STRUDWICK; 2090 LOGSDON ST
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required. Unless specifically exempted by these regulations, all work in connection with any structure located in, on, over or adjacent to any lands located within the incorporated area of the City of North Port shall be prohibited without obtaining a permit in accordance with applicable local rules, regulations, ordinances or codes. Local City approval shall not eliminate the need for obtaining associated State and Federal agency permits where applicable Sec. 61, Unified Land Development Code - Definitions and Word Usage Any artificially constructed barrier of any material or combination of materials constructed along the full length, or portion thereof, of any or all property line(s), or within the property for the purpose of protection or confinement or as a boundary or for the purpose of blocking part of the property from view or access. For the purposes of these land development regulations, a boundary fence is considered to be an accessory structure.
(No permit on file for the six- foot fence installed in the rear yard of this property. Fence is also facing the wrong direction and would need to be turned around to pass any final inspection. The permit for a fence on this property is for a chain link fence.)
This case was brought into compliance with no further action required.
- E. [Case No 23-1841](#) (JA) ALEKSANDR I & OLGA V POPOV, 4409 LA ROSA AVE
Chapter 105.1, Florida Building Code - Permit required
(No permit on file for underbrush clear that was done on this undeveloped lot.)
This case was brought into compliance with no further action required.
- F. [Case No 23-2090](#) (DG) DOUGLAS N STEWART, SHIRLEY ANN M STEWART; 5514 MAC CAUGHEY DR
Section 4501.17, Florida Building Code Pursuant to Section 4501.17 of the Florida Building Code, this pool has been inspected and deemed to be unsafe, creating a life/safety issue.
(No pool cage or safety barrier around pool.)
This case was brought into compliance with no further action required.
- G. [Case No 23-2105](#) (KMR) MICHAEL D & KELLY S AUSTIN; 14415 TAMIAMI TRL
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired permit #20-3666 for INT COMPLETE SYSTEM CHANGE OUT,

also Expired Permit #16-3119 for FIRE ALARM.)

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

- H. [Case No 23-2127](#) (DG) OSMANI M SANTANA VILLANUEVA, AUTUMN M SANTANA VILLANUEVA; 4007 ABA LN
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of a dilapidated vinyl fence, aluminum shed on its side, yard waste, and other miscellaneous items.)
This case was brought into compliance with no further action required.
- I. [Case No 23-2153](#) (JA) HARMONY N MADDOX; 3273 OKLAHOMA ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Fence installed on this property is dilapidated, and must be removed, repaired, or replaced.)
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Fence permit 22-8579, for the fence on this property is expired.)
This case was brought into compliance with no further action required.
- J. [Case No 23-2258](#) (JA) SLS HOLDINGS V SARASOTA LLC; 1037 N SUMTER BLVD
Chapter 58-104, North Port City Code Occupancy of any building is prohibited until the type of occupancy has been established and said building is in compliance.
(New Ownership of Beef O Brady's requires a Change of Occupancy.)
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
(New Ownership of Beef O Brady's requires a new Business Tax Receipt.)
This case was brought into compliance with no further action required.
- K. [Case No 23-2290](#) (JA) JAMES & ASHLEY N DALETTO, 1172 TORGERSON ST
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(Privacy fencing on both properties, which are not combined, and there is no fencing permit.)
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.
(Mobile home on this undeveloped lot which is not permissible per Code.)
This case was brought into compliance with no further action required.
- L. [Case No 23-2696](#) (JA) CONSTANCE BLUM, 3774 LORTON AVE
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.

(Fence on property with no permit on file.)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.

(Couch left in City Right-of-way outside of normal pick up day.)

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

- M. [Case No 23-2821](#) (JA) DOUGLAS A WYNN REVOCABLE TRUST, 2250 HOMESTEAD CIR
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.

(No permit on file for fence installed on property.)

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

- N. [Case No 23-2822](#) (JA) LISA N RUSSEL, 2450 HOMESTEAD CIR
Chapter 42-23, North Port City Code; Accumulation of Debris
(Dilapidated fence on this property of which should be removed, repaired, or replaced.)

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

- O. [Case No 23-2858](#) (JA) SALOMAO PROPERTY INVESTMENT LLC, 3585 GIBLIN DR
Chapter 1, Administrative Code - City of North Port, Sec. 110 - Inspections
Site Debris
(Accumulation of debris throughout property consisting of wood pallets, concrete blocks, loose garbage, and other miscellaneous debris. Additionally there is no dumpster or other garbage containment on site.)

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

- P. [Case No 23-2878](#) (JA) CHRISTOPHER R SAFFARAS, 8344 SENATE AVE
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 allowed per City Code. There were fourteen (14) vehicles counted and only six (6) permissible for this property size.)

Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot. Motor vehicles, recreational vehicles, boats and trailers may be parked or stored on a residential lot only if said lot has a principal structure.

(Vacant lot next to property with same owner, but not combined, has four (4) vehicles stored on it, which is not permissible with no principal structure.)

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

- Q. [Case No 23-2880](#) (JA) BETTR HOMES CONSTRUCTION LLC, 4075 KESSLER TER
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Single Family Residential Permit (#22-1115))
Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.
(Silt fencing on this construction site has fallen over in multiple spots.)
Chapter 1, Administrative Code - City of North Port, Sec. 110 - Inspections Site Debris
(Accumulation of debris throughout the construction site consisting of pallets, trash, and other miscellaneous debris)
This case was brought into compliance with no further action required.
- R. [Case No 23-2911](#) (JA) EMMA CEHOVIC-DIXNEUF, 2769 DOOLING ST
Chapter 62-50, North Port City Code Refuse container(s)
(Solid waste containers left in City Right-of-way outside the time frame permissible by City Code.)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris consisting in City Right-of-way, consisting of garbage containment/fabric dumpster at right of way purchased at Home Depot or another store that needs to be picked up by a company that is filled with construction Additionally there are two (2) Solid waste containers overflowing with garbage that have been left in City Right-of-way.)
This case was brought into compliance with no further action required.
- S. [Case No 23-2983](#) (DG) JARED & MELANIE R LUCE, 1175 HENNING ST
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit for Fence 22-14090)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Debris in City Right-of-way that is under Power Lines. Some of the debris is also to long for the truck and needs to be cut to three (3) or four (4) foot sections. Please contact North Port Solid Waste Department at 941.240.8050)
This case was brought into compliance with no further action required.
- T. [Case No 23-3053](#) (DG) HOLIDAY BUILDERS INC, 1881 W PRICE BLVD
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 19-1907 for Signs at this property.)
Sec. 29-7R, Unified Land Development Code The following signs are prohibited: R. Snipe signs. Any sign, generally of a temporary nature, made of any material, when such sign is tacked, nailed, pasted, glued or otherwise attached to trees, poles, stakes, or other objects.
(Snipe signs in the City Right-of-way at this model home.)

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

- U. [Case No 23-3088](#) (DG) BETTR HOMES CONSTRUCTION LLC, 8126 CHESEBRO AVE
Chapter 1, Administrative Code - City of North Port, Sec. 110 - Inspections Site Debris
(No dumpster or garbage containment on site which is required per Code.)
Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.
(Silt fence down on left side of property. Fence should be repaired or replaced)

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

- V. [Case No 23-3138](#) (DG) VINCENT P CIPOLLETTI, 1213 NACKMAN RD
Chapter 62-50, North Port City Code Refuse container(s)
(Solid waste containers stored improperly at the street outside the time frame permissible by City Code.)

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

- W. [Case No 23-3247](#) (JA) RYBKA LLC, 2314 ALLSUP TER
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired permit 20-1337 for INT- Complete System Change out.)
Chapter 70-56, North Port City Code Assigned numbers
(No visible assigned numbers affixed to residence)

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

- X. [Case No 23-3286](#) (DG) KEVIN D DOORMAN, 4282 GARBETT TER
Chapter 105.1, Florida Building Code - Permit required.
(Work being done in City Right-of-way with no permit.)
Section 42-24(a)(1)(b) North Port City Code, Maintenance of stormwater drainage area.
(Construction materials stored in City Right-of-way that are blocking drainage area.)
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Two (2) expired permits: 21-13620 LCR& 21-12953 SPV.)

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

- Y. [Case No 23-3303](#) (DG) BETTR HOMES CONSTRUCTION LLC, 3133 MONDAY TER
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.
(Debris from construction site in left swale area consisting of wood pallets. Additionally, there is no dumpster or other garbage containment on site.)

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

- Z.** [Case No 23-3310](#) (DG) BETTR HOMES CONSTRUCTION LLC, 1291 S HABERLAND BLVD
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
(No dumpster or garbage containment on site which is required per City Code.)
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 22-14504 for Solar Photovoltaic as well as 21-12134 for Single Family Residential.)
Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.
(No silt fence around this construction site.)
This case was brought into compliance with no further action required.
- AA.** [Case No 23-3330](#) (DG) BAF ASSETS 6 LLC, 2627 INLAND AVE
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Debris in City Right-of-way consisting of two (2) couches, a wood bed frame, and other miscellaneous items.)
This case was brought into compliance with no further action required.
- BB.** [Case No 23-3331](#) (DG) CORBEL HOMES 31A LLC, 4156 MANCHESTER TER
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in City Right-of-way consisting of couches, a dresser, and other miscellaneous 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.

7. CONTINUED CASES

- A.** [Case No 22-514](#) (DG) 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 Grandt, being duly sworn, noted property had changes and property owner moved.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-514 2409 Autumnleaf Terrace to the October 26, 2023 Code Enforcement Hearing.

B. [Case No 23-1529](#)

(DG) ADRIANNA GAIA; 2446 ALTOONA AVE

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

(Accumulation of debris in front of residence consisting of a mattress. Additionally there is debris in the right rear corner of property consisting of plastic can(s) and a cooler)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1529 2446 Altoona Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of a mattress, consisting of plastic can(s) and a cooler in the right rear corner of property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 24, 2023.

C. [Case No 23-1768](#)

(DG) PETR MARTYNNENKO; 5272 CHAPLIN TER

Chapter 58-104, North Port City Code Occupancy of any building is prohibited until the type of occupancy has been established and said building is in compliance.

(House being lived in with No Certificate of Occupancy.)

Section 105.4.1.1, Florida Building Code- Permit has expired.

(Building permit 06-6973 is expired.)

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

D. [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.)

Inspector Grandt, being duly sworn, noted the property was inspected and no permit or application pending.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2291 3451 South Chamberlain Boulevard to be in violation of Chapter 105.1, Florida Building Code with no permit on file for shed located in the rear of property and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 24, 2023.

8. 1ST HEARING CASES

A. [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)

Division Manager Raducci, being duly sworn, noted he had contact with the property owner.

Property Owner Richard Smith, being duly sworn, spoke to violation will be in compliance within 60 days.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2107 1350 Bobcat Trail to the December 7, 2023 Code Enforcement Hearing.

B. [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

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)

This case was heard with Case No. 23-2107.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2109 1400 Bobcat Trail to the December 7, 2023 Code Enforcement Hearing.

C. [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)

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

Division Manager Raducci, being duly sworn, spoke to applying for an underbrush permit and clarified handheld machines vs. industrial machines for clearing.

Property Owner Jeneth D Alonzo, being duly sworn, spoke to had hired a contractor to clear lot, being advised no permit needed by contractor, neighbor complaints, and contractor now applying for a permit.

Recording Secretary Kiddy, being duly sworn, noted the types of permits applied on record by the homeowner.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2636 8943 East River Road to the December 7, 2023 Code Enforcement Hearing.

D. [Case No 23-2643](#)

(JA) THR FLORIDA L P C/O INVITATION HOMES TAX DEPT, 3952 VEHLIN ST
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(No permit on file for the wooden fence installed on this property.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, she had no contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2643 3952 Vehlín Street to be in violation of Section 1-19, Unified Land Development Code for no permit on file for wooden fence installed on this property and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on October 24, 2023.

E. [Case No 23-2680](#)

(DG) IVAN MUCHAYLOVICH BOYCHENKO, NELLYA IVANIVNA BOYCHENKO, 1431 NORA LN
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in the rear yard consisting of trash corrals, buckets, pallets, tarps, cardboard, drywall, and other miscellaneous 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.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 23-2680 1431

Nora Lane to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of trash corrals, buckets, pallets, tarps, cardboard, drywall, and other miscellaneous items and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 24, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2680 1431 Nora Lane to be in violation of Chapter 70-56, North Port City Code for no visible assigned numbers affixed to residence and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 24, 2023.

- F. [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.)

Inspector Grandt, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2707 2762 Yamada Lane to the October 26, 2023 Code Enforcement Hearing.

- G. [Case No 23-2733](#) (DG) FREDERICK & MILAGROS DREANY, 4064 SUBURBAN LN
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.
(Hot water tank left in City Right-of-way. Please call North Port Solid Waste to schedule a bulk pick up.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2733 4064 Suburban Lane to be in violation of Chapter 105.1, Florida Building Code for no permit on file for hot water heater change out and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 24, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2733 4064 Suburban Lane was brought into non-compliance with no further action required.

- H. [Case No 23-2792](#) (DG) ART KRELL, 3522 CINCINNATI 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 plastic shed roofs, plywood, cinderblocks. pvc sign, and other miscellaneous items.)
Chapter 62-50, North Port City Code Refuse container(s)
(Solid Waste Containers improperly stored in front of the front plane of the home.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, solid waste containers have been removed, and the right-of-way is cleared.

Property Owner Art Krell, being duly sworn, spoke to not receiving a notice, health issues, clarified stormwater ditch, and reaching out to solid waste for assistance.

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

I. [Case No 23-2908](#)

(JA) WARREN H BONTA FAMILY TRUST, 6279 LENAPE LN
Chapter 42-22A North Port City Code - Excessive Growth of Grass/Weeds
(Grass and/or weeds on this property are in excess of twelve (12) inches in height, and is in violation of City Code.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, she had no contact with the property owner and submitted a photo into evidence.

Division Manager Raducci, being duly sworn, spoke on contractors for removal of grass and administrative cost.

Assistant City Attorney Coughlin, being duly sworn, spoke to concerns on fines to the city and third parties.

Recording Secretary Kiddy, being duly sworn, spoke to who's removing the excess grass.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2908 6279 Lenape Lane to be in violation of Chapter 42-22A, North Port City Code for grass and/or weeds on this property being in excess of twelve (12) inches in height and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 24, 2023.

J. [Case No 23-2947](#)

(JA) DEIVYS SILVA DIAZ, 8406 AERO AVE
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired fence permit #22-6055 is expired, and Canopy Permit #22-1305 is expired as well.)
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 tub cut in half, carpet, wood, garbage bags, boxes, hoses, mattresses, and other miscellaneous items.)

Inspector Ardinger, being duly sworn, noted the property was inspected, she had no contact with the property owner, and submitted one photo into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2947 8406 Aero Avenue to be in violation of Section 105.4.1.1, Florida Building Code for expired permits for fence and canopy and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 24, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2947 8406 Aero Avenue of Section 42-24(a)(5), North Port City Code for accumulation of debris and was brought into compliance with no further action required.

K. [Case No 23-3003](#)

(JA) 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.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, no permit on file, she had no contact with the property owner, submitted one photo into evidence, and clarified the different types of permits.

Property Owner Phi Le Long, being duly sworn, spoke to having contact with Sarasota County for structure and received notice for permit.

Recording Secretary Kiddy, being duly sworn, spoke to permit submitted.

Division Manager Raducci, being duly sworn, spoke to clarification on the different types of permits to the owner.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-3003 1366 Natrona Drive to the December 7, 2023 Code Enforcement Hearing.

L. [Case No 23-3007](#)

(JA) NIKOLIC BRANISLAV, 8114 TRIONFO AVE

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

(Inoperable black sedan in driveway with flat tires, and not covered with a non transparent tarp. Vehicle must be removed from property, placed in an enclosed area, or covered with a non transparent tarp.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, she had no contact with the property owner, and submitted one photo into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-3007 8114 Trionfo Avenue to be in violation of Section 59-16(d), North Port City Code for inoperable black sedan in driveway with flat tires, and not covered with a non transparent tarp and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 24, 2023.

M. [Case No 23-3036](#)

(JA) JERRY MAX VANEPPS (E LIFE EST), 4245 GORGAS 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 loose garbage, laundry basket, boxes, small kitchen appliances, and other miscellaneous items, of which have blown into the street.)

Chapter 62-50, North Port City Code Refuse container(s)

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

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, she had no contact with the property owner, and submitted one photo into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-3036 4245 Gorgas Street 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 loose garbage, laundry basket, boxes, small kitchen appliances, and other miscellaneous items, of which have blown into the street and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 24, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-3036 4245 Gorgas Street to be in violation of Chapter 62-50, North Port City Code for solid waste containers improperly stored at the street outside the time frame permissible by City Code and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 24, 2023.

Recess was taken from 11:04 a.m. until 11:06 a.m.

N. [Case No 23-3047](#)

(DG) FELIX O CRUZ OCASIO, MARIA RIVERA, 7314 LARGELEAF ST
Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.

(RV and trailer parked on property with no principle structure.)

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.

(Accessory structure built of wood and metal siding on property with no principle structure.)

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

(Accumulation of debris consisting of tents, canopy, household items, and loose trash. All debris must be removed returning property to its natural state.)

Inspector Grandt, being duly sworn, submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-3047 7314 Largeleaf Street to be in violation of Section 59-16(c), North Port City Code for RV and trailer parked on property with no principal structure and imposed a fine of \$500 a day with a maximum of \$25,000 to commence on October 24, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-3047 7314 Largeleaf Street to be in violation Section 53-240(A)(3), Unified Land Development Code for accessory structure build of wood and metal siding on property with no principal structure and imposed a fine of \$500 a day with a maximum of \$25,000 to commence on October 24, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-3047 7314 Largeleaf Street to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of tents, canopy, household items, and loose trash and imposed a fine of \$500 a day with a maximum of \$25,000 to commence on October 24, 2023.

O. [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)

Inspector Grandt, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-3142 3474 Whiteman Street to the October 26, 2023 Code Enforcement Hearing.

- P. [Case No 23-3314](#) (DG) MADELAINE & HERBERT HALLOCK, 2710 CASCABEL TER
Chapter 42-23, North Port City Code; Accumulation of Debris
(Downed trees in rear of property which need to be removed.)
- Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions and submitted photos into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 23-3314 2710 Cascabel Terrace to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of downed trees in rear of property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 24, 2023.**
- Q. [Case No 23-3531](#) (DG) ALEJANDRO ANDUZE, ASTRID ANDUZE-MELENDZ, 4017 CINCINNATI ST
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)
- Inspector Grandt, being duly sworn, noted the property was inspected, undetermined number of trees removed, submitted photos into evidence, and he had contact with the property owner.
- Property Owner Alejandro Anduze, being duly sworn, spoke to history of lot, no previous contact with contractor, and approached neighbors of the property.
- Division Manager Raducci, being duly sworn, spoke to sending out an arborist for a tree count survey.
- Based on evidence presented, Hearing Officer Toale continued Case No. 23-3531 4017 Cincinnati Street to the October 26, 2023 Code Enforcement Hearing.**
- Division Manager Raducci, being duly sworn, requested the case to be reopened and the case be dismissed.
- This case was brought into compliance with no further action required.**
- R. [Case No 23-3600](#) (DG) FARID MIAH, 4908 ARITON RD
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. 23-3602.
- Based on evidence presented, Hearing Officer Toale continued Case No. 23-3600 4908 Ariton Road to the October 26, 2023 Code Enforcement Hearing.**
- S. [Case No 23-3602](#) (DG) FARID MIAH, 4927 BECKHAM ST
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)
- Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, undetermined number of trees removed, and submitted photos into evidence.
- Property Owner Farid Miah, being duly sworn, spoke to wrongful information provided to

him and noted having no survey for a tree count.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-3602 4927 Beckham Street to the October 26, 2023 Code Enforcement Hearing.

- T. [Case No 23-3703](#) (DG) YOHANK BENITEZ, ANDREA MOREIRA, 4680 PROPHET AVE Section 45-5A, Unified Land Development Code - Land Clearing (Attend the required Code Enforcement Hearing to states facts concerning this violation.)

Inspector Grandt, being duly sworn, noted the property was inspected, undetermined number of trees removed, and submitted photos into evidence.

Property Owners Yohank Benitez and Andrea Moreira, being duly sworn, spoke to no contact with Code Enforcement department, clearing lot to build a house, being told permit was not required, and has a survey identifying trees.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-3703 4680 Prophet Avenue to the October 26, 2023 Code Enforcement Hearing.

9. 2ND HEARING CASES

- A. [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, 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. 23-5100 14260 Tamiami Trail to be in violation of Chapter 105.1, Florida Building Code for no permit on file for building repairs being done to building as a result of storm damage and signed the Order imposing the fine.

- B. [Case No 23-1831](#) (JA) JACLYN R BURKE; 5223 KINGSMAN AVE Chapter 42-23, North Port City Code; Accumulation of Debris (Dilapidated fence on this property should be removed, repaired, or replaced.)

Sec. 1-19, Unified Land Development Code Local, state and Federal permits required

(No permit on file for fence installed on this property.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 23-1831 5223 Kingsman Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of dilapidated fence on this property that should be removed, repaired, or replaced and signed the Order imposing the fine.

- C. [Case No 23-1990](#) (JA) BARBARBA PIERKOWSKI; 7873 MCPHAIL AVE Chapter 42-23, North Port City Code; Accumulation of Debris (Accumulation of debris consisting of torn tarps, blankets, cinder blocks,

wood chest, and other miscellaneous items. Additionally, there is a dilapidated fence that needs to be removed, repaired, or replaced.)

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

(Inoperable purple car in driveway on cinder blocks, which should be removed or covered with a non transparent tarp.)

Chapter 62-50, North Port City Code Refuse container(s)

(Five (5) Solid waste containers improperly stored in front of the garage door. Containers must be stored behind the front plane of the home.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 23-1990 7873 McPhail Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of torn tarps, blankets, cinder blocks, wood chest, and other miscellaneous items. Additionally, there is a dilapidated fence that needs to be removed, repaired, or replaced and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1990 7873 McPhail Avenue to be in violation of Section 59-16(d), North Port City Code for inoperable purple car in driveway on cinder blocks, which should be removed or covered with a non-transparent tarp and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1990 7873 McPhail Avenue to be in violation of Chapter 62-50, North Port City Code for Five (5) solid waste containers improperly stored in front of the garage door and signed the Order imposing the fine.

D. [Case No 23-2004](#)

(JA) VERNON L STAPLETON; 2816 PINWOOD ST

Section 105.4.1.1, Florida Building Code- Permit has expired.

(Pool Permit 20-2773 is expired.)

Chapter 105.1, Florida Building Code - Permit required.

(No permit on file for Electric Light Pole installed in rear of property.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 23-2004 2816 Pinewood Street to be in violation of Section 105.4.1.1, Florida Building Code for expired pool permit and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2004 2816 Pinewood Street to be in violation of Chapter 105.1, Florida Building Code for no permit for electric light pole installed in rear of property and signed the Order imposing the fine.

E. [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)

This item was heard with Case No. 23-2107.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2106 1350 Bobcat Trail to the December 7, 2023 Code Enforcement Hearing.

- F. [Case No 23-2146](#) (JA) DYLAN THOMAS ROBERTSON; 3018 UPLAND ST
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(Six (6) foot wood fence installed on property with no permit. Original Fence permit pulled was for chainlink fence. Chain-link fence is still around outside perimeter of wood fence. Permit for wood fence would still need to be pulled.)
Inspector Ardinger, being duly sworn, requested the Order be signed imposing the fine and noted no changes in the property.
Based on evidence presented, Hearing Officer Toale found Case No. 23-2146 3018 Upland Street to be in violation of Section 1-19, Unified Land Development Code for Six (6) foot wood fence installed on property with no permit and signed the Order imposing the fine.
- G. [Case No 23-2392](#) (DG) CAYLA LYNNE MARIE MCKENZIE, CODY J MCKENZIE; 2244 PENGUIN LN
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout the property consisting of pallets, fencing materials, plastic items, cones, and other miscellaneous items.)
Inspector Grandt, 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. 23-2392 2244 Penguin Lane to be in violation of Chapter 42-23, North Port City Code for accumulation of debris throughout the property consisting of pallets, fencing materials, plastic items, cones, and other miscellaneous items and signed the Order imposing the fine.
- H. [Case No 23-2540](#) (DG) DMITRIY M SHAPOVALOV; 4524 DOWNEY CT
Sec. 59-16(c)(2), North Port City Code Parking and Storing Vehicles on a Residential Lot
(Number of vehicles on this property exceeds the amount permissible for this property size per city code. Eleven (11) vehicles counted, only eight (8) allowed.)
Inspector Grandt, 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. 23-2540 4524 Downey Court to be in violation of Section 59-16(c)(2), North Port City Code for eleven (11) vehicles on the property exceeding the permissible amount of eight (8) and signed the Order imposing the fine.
- I. [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.)

This item was heard with Case No. 23-2107.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2109 1350 Bobcat Trail to the December 7, 2023 Code Enforcement Hearing.

J. [Case No 23-2596](#)

(DG) BERNARD GERMAIN, ANDREW J VOLEY; 4257 APPLETON TER
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Permit for Pre Fab Shed 21-14544 is expired.)

Inspector Grandt, 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. 23-2596 4257 Appleton Terrace to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for prefab shed and signed the Order imposing the fine.

K. [Case No 23-2618](#)

(JA) JLP REALTY LLC; 14260 TAMIAMI TRL
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Two (2) expired permits : 20-4128 for INT-DUCTWORK CHANGE OUT, 20-3519 for ELECTRIC WORK.)

This item was heard with Case No. 23-5100.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2618 14260 Tamiami Trail to be in violation of Section 105.4.1.1, Florida Building Code for expired permits for Int ductwork change out and for electric work and signed the Order imposing the fine.

L. [Case No 23-2673](#)

(DG) BARTOLAIN COLIN JAMES; 4147 BULA LN
Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.

(Parking three (3) trucks, and three (3) trailers on the vacant lot the left of the property. This lot is not owned by the same property owner.)

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

(Accumulation of debris on the vacant lot to the left of the property consisting of scrap aluminum, glass, yard waste, cinder blocks, and other miscellaneous debris.)

Inspector Grandt, 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. 23-2673 4147 Bula Lane to be in violation of Section 59-16(c), North Port City Code for parking three (3) trucks, and three (3) trailers on the vacant lot to the left of the property and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2673 4147 Bula Lane to be in violation of Chapter 42-23, North Port City Code for accumulation of debris for the vacant lot to the left of the property consisting of scrap aluminum, glass, yard waste, cinder blocks, and other miscellaneous debris and signed the Order imposing the fine.

10. GENERAL BUSINESS

- A. [Case No. 23-056097](#) Case No. 23-056097 Trespass Appeal - Douglas - 4970 City Hall Boulevard (City Hall)

Assistant City Attorney Coughlin, being duly sworn, noted she spoke with the property owner and is requesting a dismissal.

This case was granted a trespass appeal.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 11:17 a.m.

By: _____
James E. Toale, Hearing Officer