



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Compliance Hearing

Thursday, August 24, 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, Jennifer Ardinger and Dave Grandt, Assistant City Clerk Adrian Jimenez, and Recording Secretary Shari Tharp.

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. [23-1175](#) Approve Minutes for the June 22, 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 22-3617](#) (DG) TREY WILLIAM SLOAN, AUTUMN DAWN SLOAN; 6644 HORNBUCKLE BLVD
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in driveway consisting of household furniture)

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

- B. [Case No 22-4879](#) (HLB) COREY MITCHELL REEDER, MARISSA AN REEDER, 3341 TONKIN DR
Chapter 105.1, Florida Building Code
(No Permit on file for work being done on doors in front of home and

appears they are closing in what used to be two French doors there is no permit.)

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

- C. [Case No 23-39](#) (DG) GARY BERGERON, 4474 MULGRAVE AVE
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired permit 21-957 for Residential Remodel. Please Contact North Port Permitting Department, 941-429-7044 option 3.)
This case was brought into compliance with no further action required.
- D. [Case No 23-128](#) (HLB) VIKTOR KLYMETS, ANNA GAZENKO; 5694 GILROY AVE
Chapter 70-21, North Port City Code It shall be unlawful
(Driving through City Right-of-way to access property, with no Right-of-way use permit.)
Sec. 59-16(f)(3), North Port City Code No motor vehicle
(Damage to Swale Area, from driving through to access property.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout the rear of property.)
Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.
(Trailer parked in City Right-of-way.)
This case was brought into compliance with no further action required.
- E. [Case No 23-470](#) (JA) SETH ANDREW & JAMIE BETH GAGNER; 6077 ABIGAIL AVE
Chapter 105.1, Florida Building Code - Permit required.
(Damaged shed being rebuilt on the right side of the property without a permit.)
This case was brought into compliance with no further action required.
- F. [Case No 23-527](#) (JA) KATHLEEN ELIZABETH POTS, RONALD PAUL HERB JR; 4324 ADELAIDE AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Dilapidated fence on this property due to storm. Please remove, repair, or replace.)
This case was brought into compliance with no further action required.
- G. [Case No 23-1111](#) (JA) CONNIE BUSHEY WISLOT, TIMOTEO PATRON CAYLAN; 1506 KNOTTY PINE AVE
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.

(Replaced vinyl fence with wood fence, no updated permit on file with the City.)

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

- H. [Case No 23-1282](#) (JA) ZACHARY A SIMPSON, MEAGHAN SMITH; 6836 LONGAN RD
Sec. 46-148 City of North Port Code (a) Camping is prohibited
(Evidence of a camp setup on this property. Living/ Camping is prohibited on an undeveloped lot.)

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

- I. [Case No 23-1401](#) (JA) WADE DIRR; 6372 OTIS RD
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for new windows installed at this property)

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

- J. [Case No 23-1421](#) (JAG) CARLOS & SYLVIA REINOSA; 8502 AERO AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in the front yard consisting of two (2) hot water heaters, buckets, and other miscellaneous items)
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for a hot water change out at this property.)

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

- K. [Case No 23-1479](#) (JA) BETTR HOMES CONSTRUCTION LLC; 1765 NAFTAL RD
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired SINGLE FAMILY RESIDENT PERMIT EXPIRED. LAST INSPECTION JULY 22)
Chapter 1, Administrative Code - City of North Port, Sec. 110 - Inspections Site Debris
(Accumulation of debris on construction site consisting of pallets, wheel barrel, and other miscellaneous debris. In addition the dumpster is overflowing and needs to be emptied.)

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

- L. [Case No 23-1488](#) (JA) FKH SFR PROPCO K LP; 1347 RUSSELLVILLE ST
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for roof work being done.)
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in City Right-of-way consisting of shingles, paper, and other debris at curb outside of normal pick up day.)
This case was brought into compliance with no further action required.
- M. [Case No 23-1840](#) (JA) YURIY & ALENA LYSUN; 4397 LA ROSA AVE
Chapter 105.1, Florida Building Code - Permit required.
(Underbrush removal done on undeveloped lot with heavy equipment, with no permit on file)
This case was brought into compliance with no further action required.
- N. [Case No 23-2041](#) (JA) ALGIS & CARLA L VALANCIUNAS; 7607 RAPTOR CT
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit: 19-10527 SHUTTERS)
This case was brought into compliance with no further action required.
- O. [Case No 23-2071](#) (JA) WILLIAM B DIRR; 8423 HERBISON AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout property consisting of wood, drywall, bikes, dollies, tools. doors, ladders, soffit, car tires, lawn mowers, and many other miscellaneous items.)
This case was brought into compliance with no further action required.
- P. [Case No 23-2100](#) (JA) KSMRE LLC; 5052 SAGO PALM RD
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout property consisting of furniture and other household items.)
Chapter 62-50, North Port City Code Refuse container(s)
(Solid waste containers improperly stored in driveway and at the road. Must be stored behind the front plane of the home.)
Sec. 59-16(e), North Port City Code Parking Prohibited on Public Roadway
(Vehicle parked in the street blocking thru traffic.)
This case was brought into compliance with no further action required.
- Q. [Case No 23-2114](#) (DG) DONNA INORIO (E LIFE EST), C/O ANTONY BIAGIANTI POA; 4625 MONGITE RD
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired permit #22-1074 for Door Replacement.)
This case was brought into compliance with no further action required.

- R. [Case No 23-2447](#) (DG) DALE R THOMPSON JR; 1786 KIRKWOOD ST
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in the City Right-of-way consisting of a dresser, a wooden stand and other miscellaneous items.)
This case was brought into compliance with no further action required.
- S. [Case No 23-2650](#) (DG) WISDOM PROPERTIES LLC, C/O SVN COMMERCIAL ASHLEY BLOOM; 1551 PRICE CREEK WAY
Sec. 37-29(H)(5) Unified Land Development Code, Roadway Design and Construction Standards
(Stop sign down on South East Corner, at intersection of Creighton and Price Creek)
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 he had no contact with the property owner, stated there were squatters, and property was inspected on multiple occasions.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-514 2409 Autumnleaf Terrace to the September 28, 2023 Code Enforcement Hearing.

- B.** [Case No 22-5100](#) (JA) JLP REALTY LLC, 14260 TAMIAMI TRL
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for building repairs being done to building as a result of storm damage.)
- Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, Hurricane Ian damage, she had contact with the property owner, and no permit on file.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-5100 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 imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 19, 2023.**
- C.** [Case No 23-310](#) (DG) THOMAS D & ANGELA LAMBERT, 6770 FLAVIA CT
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.)
- Inspector Grandt, being duly sworn, noted he had contact with the property owner.
- Property Owner Thomas Lambert, being duly sworn, spoke to timeline for being in compliance.
- Based on evidence presented, Hearing Officer Toale continued Case No. 23-310 6770 Flavia Court to the October 26, 2023 Code Enforcement Hearing.**
- 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.)

Inspector Grandt, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-1018 2090 Logsdon Street to the September 28, 2023 Code Enforcement Hearing.

- E. [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.)

Inspector Grandt, being duly sworn, requested a continuance, and noted he had contact with the property owner, hardship, and property owner working with Commission.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2099 7270 Hiawatha Terrace to the October 26, 2023 Code Enforcement Hearing.

8. 1ST HEARING CASES

- A. [Case No 23-785](#) (DG) RDK HOMES LLC; 6442 FABIAN RD
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(No permit on file for fence installed on property.)

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, and submitted a photo into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-785 6442 Fabian Road to be in violation of Section 1-19, Unified Land Development Code for no permit on file for fence installed on property and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on September 19, 2023.

- B. [Case No 23-1768](#) (DG) PETR MARTYNENKO; 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.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, submitted photos into evidence, and requested a continuance only with proof of changes to the property.

Division Manager Raducci, being duly sworn, spoke to code occupancy (CO) needed, insurance, garbage collection, owner protection, active permit, building notification, and conditions on renewed permit.

Inspector Ardinger, being duly sworn, noted previous violations and a current repeat violation.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-1768 5272 Chaplin Terrace to the September 28, 2023 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1768 5272 Chaplin Terrace to be in compliance with Section 105.4.1.14, Florida Building Code with no further action required.

- C. [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, 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. 23-1831 5223 Kingsman Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of dilapidated fence on property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1831 5223 Kingsman Avenue to be in violation of Section 1-19, Unified Land Development Code for no permit on file for fence installed on property and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on September 19, 2023.

- D. [Case No 23-1865](#) (DG) REGIONS BANK; 15000 TAMIAMI TRL
Sec. 37-29(H)(5) Unified Land Development Code, Roadway Design and Construction Standards
(Stop Sign is down on the left rear corner of property.)
- This case was brought into compliance with no further action required.**

- E. [Case No 23-1888](#) (DG) KARYNE UNDERWOOD, KIMBERLY KOSIANOWSKI; 2894 ASHLAND LN
Chapter 42-23, North Port City Code; Accumulation of Debris
(Dilapidated fence on rear property line which needs to be removed, repaired, or replaced. Additionally, there is tree debris on left side of residence.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, submitted photos into evidence, family issues, owner agreed to bring into compliance and requested a continuance.

Property Owner Karyne Underwood, being duly sworn, spoke to family issues and probate.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1888 2894 Ashland Lane to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of dilapidated fence on rear property line and tree debris on left side of residence and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 14, 2023.

- F. [Case No 23-1980](#) (DG) YELENA GOLOVATYUK TRUST; 3040 CHANDLER LN
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for sprinkler system installed, the sprinkler permit was not filed within the SFR permit for this address.)

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

- G. [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, 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. 23-1990 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 and a dilapidated fence and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

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, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1990 7873 McPhail Avenue to be in compliance with Chapter 62-50, North Port City Code with no further action required.

- H. [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, 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. 23-2004 2816 Pinewood Street to be in violation of Section 105.4.1.1, Florida Building Code for expired pool permit and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 19, 2023.

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 on file for electric light pole installed in rear of property and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 19, 2023.

- I. [Case No 23-2078](#) (DG) DUCK KEY OWNERS ASSN INC, C/O ARGUS MANAGEMENT OF VENICE; Parcel ID: 0998002601
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for directional entry sign at the entrance of Duck Key in the median.)

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.

Recording Secretary Kiddy, being duly sworn, spoke to certified returned mail process.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2078 Parcel ID: 0998002601 to the October 26, 2023 Code Enforcement Hearing.

- J. [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.)

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

Property Owner Douglas Stewart, being duly sworn, noted he had just returned from Canada and fence quote timeline.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2090 5514 Mac Caughey Drive to be in violation of Section 4501.17, Florida Building Code for no pool cage or safety barrier around pool and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 19, 2023.

- K. [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.)

Division Manager Raducci, being duly sworn, noted the property was inspected on multiple occasions, expired permit, and he had contact with the property owner.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2105 14415 Tamiami Trail to be in violation of Section 105.4.1.1, Florida Building Code for expired for Int complete system change out and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 19, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2105 14415 Tamiami Trail to be in compliance with Section 105.4.1.1, Florida Building Code

for fire alarm permit with no further action required.

- L. [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)
Inspector Grandt, being duly sworn, noted the property was inspected.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2106 1350 Bobcat Trail to be in violation of Section 105.4.1.1, Florida Building Code for expired permits for electric work only and commercial remodel and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 19, 2023.
- M. [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.)
Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted one photo into evidence.

Property Owner Autumn Santana, being duly sworn, spoke to being a single mom, having financial hardship, property owner is remodeling, and one side of fence complete.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2127 4007 Aba Lane to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of dilapidated vinyl fence, aluminum shed on its side, yard waste, and other miscellaneous items and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.
- N. [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, noted the property was inspected on multiple occasions and she had no contact with the property owner.

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 imposed a fine of \$25 a day with a maximum of \$2,000 to commence on September 19, 2023.
- O. [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.)

Inspector Ardinger, being duly sworn, noted the permit was in compliance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2153 3273 Oklahoma Street to the September 28, 2023 Code Enforcement Hearing.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2153 3273 Oklahoma Street to be in compliance with Section 105.4.1.1, Florida Building Code with no further action required.

P. [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.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, she had no contact with the property owner, no business tax on file, and permit for remodel was submitted.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2258 1037 North Sumter Boulevard to be in violation of Chapter 58-104, North Port City Code for new ownership change of occupancy and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2258 1037 North Sumter Boulevard to be in violation of Chapter 34-23, North Port City Code for new ownership new business tax receipt and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

Q. [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 on multiple occasions and he had no contact with the property owner.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2291 3451 South Chamberlain Boulevard to the September 28, 2023 Code Enforcement Hearing.

R. [Case No
23-2369](#)

(JA) STEPHEN C SEED JR (E LIFE EST); 6315 BEEDLA ST

Chapter 105.1, Florida Building Code - Permit required.

(-REPEAT VIOLATION - Prior Case # 22-65 adjudicated No permit on file for construction of pond and earthmoving by heavy equipment on property.
-REPEAT VIOLATION -)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, repeat violation, she had no contact with the property owner, submitted photos into evidence, property appraiser aerial view, and Sarasota County involvement.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2369 6315 Beedla Street to be in violation of Chapter 105.1, Florida Building Code for repeat violation with no permit on file for construction of pond and earthmoving by heavy equipment on property and imposed a fine of \$50 a day with a maximum of \$25,000 to commence on September 15, 2023.

S. [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 the property was inspected on multiple occasions, he had contact with the property owner, and submitted one photo into evidence.

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 consisting of pallets, fencing materials, plastic items, cones, and other miscellaneous items and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

T. [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 the property was inspected on multiple occasions and submitted one photo into evidence.

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 11 vehicles on property exceeding the amount permissible for property size per city code and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

U. **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.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 23-2561 1350 Bobcat Trail to be in violation of Section 42-24(a)(2)(b), North Port City Code for dilapidated chain link fence blocking the sidewalk that is running parallel with

Woodhaven Drive approximately 200 feet east of Fairlane Drive and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

V. [Case No 23-2562](#)

(DG) ART KRELL; 3522 CINCINNATI ST
** REPEAT VIOLATION**

Chapter 42-23, North Port City Code; Accumulation of Debris
(* REPEAT VIOLATION* Reference Cases: 22-5319; Accumulation of debris throughout the property consisting of a clothes line with trash and other items on it, pvc poles, signs, lids to plastic bins, stacks of lumber, plastic bins, patio chairs, plastic planters, coolers, buckets, cardboard boxes, and many other miscellaneous items.)

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

Property Owner Art Krell, being duly sworn, spoke to pvc poles, he had contact with Code Enforcement, stated he is handicapped, spoke with the mayor, current and previous violations, mail notices, debris, and buffers added.

Hearing Officer Toale spoke on debris and changed laws.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2562 3522 Cincinnati Street to be in violation of Chapter 42-23, North Port City Code for repeat violation of accumulation of debris throughout the property consisting of a clothes line with trash and other items on it, pvc poles, signs, lids to plastic bins, stacks of lumber, plastic bins, patio chairs, plastic planters, coolers, buckets, cardboard boxes, and many other miscellaneous items and imposed a fine of \$ 10 a day with a maximum of \$25,000 to commence on September 15, 2023.

Mr. Krell spoke to neighbors' debris.

W. [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 the property was inspected on multiple occasions and he had no contact with the property owner.

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 imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 19, 2023.

X. [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.)

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

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 two expired permits for int ductwork change out and electric work and imposed a fine

of \$50 a day with a maximum of \$5,000 to commence on September 19, 2023.

- Y. [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 the property was inspected on multiple occasions, he had no contact with the property owner, and submitted one photo into evidence.

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 trucks, and three trailers on the vacant lot the left of the property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 19, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2673 4147 Bula Lane to be in compliance with Chapter 42-23, North Port City Code with no further action required.

9. 2ND HEARING CASES

- A. [Case No 23-508](#) (JA) REYNALDO D VAZQUEZ, MISLAIDS PEREZ; 7919 JEFFERY AVE
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for the new window installed on the left side of the residence.)
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. 23-508 7919 Jeffery Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit on file for the new window installed on the left side of the residence and signed the Order imposing the fine.
- B. [Case No 23-1155](#) (JA) JEFFREY EDWARD HELD; 2043 ANANAS RD
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for shed located on property.)
Sec. 59-16(f)(3), North Port City Code - No motor vehicle as defined in section (a) shall be parked on the berm, shoulder or swale right-of-way area adjacent to any residential lot where the owner of the vehicle is not also lawfully residing at the property, or without receiving the express permission of the property owner; except to be in compliance with the lawful direction of a law enforcement officer. In no instance shall parking be permitted where doing so may cause damage to the drainage swale.
(Car and trailer parked across street on City Right-of-way, 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.

(Trailer parked in City Right-of-way, across the street from residence.)

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. 23-1155 2043 Ananas Road to be in violation of Chapter 105.1, Florida Building Code for no permit on file for shed located on property and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1155 2043 Ananas Road to be in violation of Section 59-16(f)(3), North Port City Code for car and trailer parked across street on City right-of-way, in front of vacant lot and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1155 2043 Ananas Road to be in violation of Section 59-16(f)(4), North Port City Code for trailer parked in City right-of-way, across the street from residence and signed the Order imposing the fine.

C. [Case No 23-1276](#)

(DG) SUMTER SQUARE LLC; Parcel ID: 1002170011

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

(Tree Debris scattered across all of the front lot on Access road to the east of the Home Depot parking lot.)

Inspector Grandt, 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. 23-1276 Parcel ID: 1002170011 to be in violation of accumulation of debris consisting of tree debris scattered across all of the front lot on access road to the east of the Home Depot parking lot and signed the Order imposing the fine.

D. [Case No 23-1519](#)

(JA) LEOPOLD O WAGNER (LIFE EST), JANEY S JACOBS, C/O DEBORAH WAGNER; 5004 KINGSLEY RD

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.

(Pool does not have a barrier around it, which is required per Code.)

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

(Accumulation of debris consisting of damaged pool cage screen, yard waste, and other miscellaneous items.)

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. 23-1519 5004 Kingsley Road to be in violation of Section 4501.17, Florida Building Code for pool without barrier around it and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1519 5004

Kingsley Road to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of a damaged pool cage screen, yard waste, and other miscellaneous items and signed the Order imposing the fine.

**E. 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, requested a continuance due to property owner medical condition.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-1529 2446 Altoona Avenue to the September 28, 2023 Code Enforcement Hearing.

**F. [Case No
23-1711](#)**

(JA) 211 MONITOR LLC; 4317 LOS RIOS ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in the rear and side yard consisting of drywall, black trash bags, metal items, and other miscellaneous debris.)

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. 23-1711 4317 Los Rios Street to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of drywall, black trash bags, metal items, and other miscellaneous debris and signed the Order imposing the fine.

10. GENERAL BUSINESS

There was no General Business.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 10:53 a.m.

By: _____
James E. Toale, Hearing Officer