

### **CITY OF NORTH PORT**

#### SARASOTA COUNTY, FLORIDA DEVELOPMENT SERVICES

#### **CODE ENFORCEMENT DIVISION**

4970 City Hall Boulevard - North Port, FL. 34286

CITY OF NORTH PORT, FLORIDA	}
Petitioner,	}
VS.	}
GILIARDI DA ROSA	}
Respondent(s)	CASE NO.: CECASE-25-02093
ADDRESS OF VIOLATION:	}
0 *ADDRESS NEEDED NORTH PORT, FL, 34286-4286	}
Parcel ID.: 0990032123	}
STATE OF FLORIDA :	
COUNTY OF SARASOTA : ss	
	MENT INSPECTOR, upon his/her oath, deposes and says:
	TIDAVIT OF POSTING  OTICE OF MANDATORY HEARING by posting said Notice at 0 286, a copy of which is attached.
	authory & Breher
	Tony Brehon, Affiant Development Services  the deans of ■ physical presence or □ online notarization, this 7th day of
10/07/2025 by Tony Brehon	Luptodynn Cavell
	Notary public - State of Florida
X Personally Known OR Produced Identification Type of Identification Produced	TRYSTA LYNN CASSELL Commission # HH 709360 Expires August 12, 2029



#### CITY OF NORTH PORT

SARASOTA COUNTY, FLORIDA 4970 City Hall Boulevard North Port, FL 34286

#### **CODE ENFORCEMENT HEARING**

CITY OF NORTH PORT, FLORIDA	}	
Petitioner,	}	
VS.	}	
	}	
GILIARDI DA ROSA	}	
3432 S CRANBERRY BLVD	}	
NORTH PORT, FL 34286-4309	}	
	)	
Respondent(s)	) CASE NO.: CECASE-25-0	2093
	} CERTIFIED MAIL NO.: 10/06/2025	
ADDRESS OF VIOLATION:	}	
0 *address Needed	}	
North Port, FL 34286	}	
PARCEL ID.: 0990032123	)	

#### **NOTICE OF MANDATORY HEARING**

Pursuant to the attached Affidavit of Violation dated 10/06/2025, **YOU ARE HEREBY FORMALLY NOTIFIED** that at **9:00 a.m.**, or as soon thereafter as possible, on October 23, 2025, in City Chambers, City Hall, **4970 City Hall Boulevard, North Port, Florida**, there will be a public hearing to determine whether or not you have violated certain CITY OF NORTH PORT, FLORIDA CODES/ORDINANCES with regard to the CODE OF THE CITY OF NORTH PORT, FLORIDA. A Notice of Violation, dated 10/06/2025, was previously served by REGULAR MAIL.

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

**YOU ARE HEREBY ORDERED** to appear before the HEARING OFFICER of the CITY OF NORTH PORT, FLORIDA on October 23, 2025, to present your case with regard to the violation stated in the attached AFFIDAVIT OF VIOLATION.

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

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

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

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

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

Matthew Powell City Clerk

Mulleren Mundell

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the ORDER ASSESSING ADMINISTRATIVE FINE has been furnished to Respondent(s) by Certified Mail/Return Receipt Requested, at 3432 S CRANBERRY BLVD , NORTH PORT, FL 34286-4309.

DATED: October 6th., 2025.

Trysta Cassell – CITY OF NORTH PORT

LuptoLynn Cassell



#### CITY OF NORTH PORT

### SARASOTA COUNTY, FLORIDA CODE ENFORCEMENT DIVISION

#### 4970 City Hall Boulevard - North Port, FL 34286 (941) 429-7186

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Petitioner,	}	
VS.	}	
	}	
GILIARDI DA ROSA	}	
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NORTH PORT, FL 34286-4309	}	
	}	CASE NO.: CECASE-25-02093
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Respondent(s)	}	
	}	
ADDRESS OF VIOLATION:	}	
0 *address Needed	}	
North Port, FL 34286	}	
PARCEL ID.: 0990032123	}	

#### **AFFIDAVIT OF VIOLATION**

STATE OF FLORIDA:

: SS

OF SARASOTA

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

Respondent(s) has been served with a Notice of Violation and Order to Correct Violation, dated 10/06/2025, by first class mail, a copy of which is attached.

(1) The following complaint was received in the Code Enforcement Division:

Parcel 0990032123 had a full land clear without permit conducted on Saturday July 26, 2025. They applied for a permit (PNTR-25-00003) on July 24, 2025 which has not been reviewed or approved.

Parcel is owned by the neighbor occupied property at 0990032122. They state in their application that

they wanted to clear the lot to expand their yard. There is no unity with their house and tree removal would not have been permitted.

As of yesterday 7/28/2025 there is a large pile of debris in the ROW.

There was approximately 4000 sq ft of canopy loss of undetermined tree size. We would recommend \$6000 penalty based on 4000 sq ft of undetermined tree removal.

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

#### **Violation Description**

- 2-511. NPCC Fines and liens (b) Fine. (1) A fine imposed pursuant to this section shall not exceed the following amounts, unless otherwise provided by this Code or the Unified Land Development Code: b. Fines for violation of specific sections of the Unified Land Development Code, Chapter 6, Article VII. Tree Protection Regulations. Each unauthorized removal of a single tree regulated by this chapter shall be a separate violation or offense:
- 1. \$100.00 per diameter inch at breast height (DBH) for each tree and \$200.00 per DBH for each heritage tree up to a maximum of \$5,000.00 per tree for harmful acts as described in Unified Land Development Code Chapter 6.
- 2. \$100.00 per diameter inch at breast height (DBH) for each tree and \$200.00 per DBH for each heritage tree up to a maximum of \$5,000.00 per tree for conducting an activity that requires authorization pursuant to Unified Land Development Code Chapter 2 without first obtaining that authorization.
- 3. In a case where tree removal has occurred and the number of trees removed is unable to be determined, \$15,000.00 fine shall be assessed per each 10,000 square feet of lot/parcel or fraction thereof. Each 10,000 square feet constitutes a separate violation.
- 4. When the city collects fines or receives payments of liens associated with violations described in Sec. 2-511.(bl(l)b, those funds shall be deposited into the city's environmental protection fund as described in Unified Land Development Code Chapter 6, Article I, Section 6.1.3.

#### **Violation Text**

Arborist states property has cut 4000 square feet worth of trees for a fine of \$6000.

#### **Violation Corrective Action(s)**

Attend the required Code Enforcement Hearing to states facts concerning this violation. (Chapter 2 - Administration Article 9 - Code Enforcement Section 2-511(B)(1)(B) Fines and Liens)

(3) Field Inspection Notes:

DATED: 10/06/2025

Anthony Brehon

Inspector

**Neighborhood Development Services** 

authory & Breher

City of North Port,

4970 City Hall Boulevard

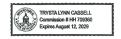
North Port, Florida 34286

STATE OF FLORIDA COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of  $\square$  physical presence or  $\square$  online notarization, this 06th day of October 2025, by Anthony Brehon.

Trysta Cassell - Notary Public - State of Florida

Lupta Lynn (assell



X Personally Known OR	Produced Identification
Type of Identification Produce	ed



# CITY OF NORTH PORT SARASOTA COUNTY, FLORIDA Code Enforcement Division 4970 City Hall Boulevard - North Port, FL 34286

## AND ORDER OF CORRECT

GILIARDI DA ROSA 3432 S CRANBERRY BLVD NORTH PORT, FL 34286-4309

**DATE:** October 06, 2025

CASE NO.: CECASE-25-02093

REAL PROPERTY ADDRESS: 0 \*address Needed, North Port, FL 34286

LOT 23 BLK 321 5TH ADD TO PORT

PARCEL ID: 0990032123 SERVED BY: FIRST CLASS MAIL

#### **NOTICE OF VIOLATION**

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

#### **Violation Description**

- 2-511. NPCC Fines and liens (b) Fine. (1) A fine imposed pursuant to this section shall not exceed the following amounts, unless otherwise provided by this Code or the Unified Land Development Code: b. Fines for violation of specific sections of the Unified Land Development Code, Chapter 6, Article VII. Tree Protection Regulations. Each unauthorized removal of a single tree regulated by this chapter shall be a separate violation or offense:
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- 2. \$100.00 per diameter inch at breast height (DBH) for each tree and \$200.00 per DBH for each heritage tree up to a maximum of \$5,000.00 per tree for conducting an activity that requires authorization pursuant to Unified Land Development Code Chapter 2 without first obtaining that authorization.
- 3. In a case where tree removal has occurred and the number of trees removed is unable to be determined, \$15,000.00 fine shall be assessed per each 10,000 square feet of lot/parcel or fraction thereof. Each 10,000 square feet constitutes a separate violation.
- 4. When the city collects fines or receives payments of liens associated with violations described in Sec. 2-511.(bl (I)b, those funds shall be deposited into the city's environmental protection fund as described in Unified Land Development Code Chapter 6, Article I, Section 6.1.3.

#### **Violation Text**

Arborist states property has cut 4000 square feet worth of trees for a fine of \$6000.

#### **Violation Corrective Action(s)**

Attend the required Code Enforcement Hearing to states facts concerning this violation. (Chapter 2 - Administration Article 9 - Code Enforcement Section 2-511(B)(1)(B) Fines and Liens)

#### **FINES SHALL BE ASSESSED:**

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

The fines which may be imposed include:

Violation of North Port City Code: Daily Fine Shall Not Exceed - \$10.00 per day

Maximum Cumulative Fine - \$1,000.00

Violation of Unified Land Development Code: Daily Fine Shall Not Exceed - \$25.00 per day

Maximum Cumulative Fine - \$2,000.00

Violation of Florida Building Code: Daily Fine Shall Not Exceed - \$50.00 per day

Maximum Cumulative Fine - \$5,000.00

Violation of Florida Building Code as it pertains to unsafe building abatement as determined

by the Building Official: Daily Fine Shall Not Exceed - \$250.00 per day

There Is No Maximum Cumulative Fine Cap

For any repeat Violations: Maximum Cumulative Fine \$25,000.00

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

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

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

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

Anthony Behron Inspector Neighborhood Development Services e-mail:abehron@northportfl.gov



## PROOF OF ACCEPTANCE (ELECTRONIC)

PRODUCED DATE: 10/06/2025

CITY OF NORTH PORT:

The following is information for Certified Mail™/RRE item number: 9214 8901 9403 8336 5755 33

Our records indicate that this item was accepted by the USPS at:

SHIPMENT RECEIVED ACCEPTANCE PENDING NORTH PORT,FL 34286 10/06/2025 14:25

ORIGINAL INTENDED RECIPIENT:
GILIARDI DA ROSA
3432 S CRANBERRY BLVD
NORTH PORT FL 34286-4309

Case Number: CECASE-25-02093

Parcel ID: 0990032123

The above information represents information provided by the United States Postal Service.