



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Compliance Hearing

Thursday, March 28, 2024

9:00 AM

City Commission Chambers

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

Also Present:

Inspector Grandt, Recording Secretary Kiddy, Inspector Schauer, Inspector Long, Code Enforcement Manager Raducci, Fire Marshal Marietti, Arborist Ruff, Assistant City Clerk Powell, Board Specialist Bodmer, and Police Legal Advisor Coughlin

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

- A. [24-0437](#) Approve Minutes for the February 22, 2024 Code Enforcement Hearing Meeting

Hearing Officer Toale approved the Minutes as presented.

5. REVIEW OF PROCEDURES AND ADMINISTRATION OF OATH

Hearing Officer Toale provided an overview of procedures and Mr. Powell swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [Case No 23-4703](#) (NL) JOSHUA LEE MENDENHALL; 1266 BILLY CT
59-1 (c)(1), City Code Allowed parking
(Four (4) Vehicles parked on this property without a principal structure.)
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for the Shed located on the property.)

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

- B. [Case No 23-4880](#) (NL) SVETLANA G CHELNOKOVA, KALIER ROSADO; 2754
ESCAMBIA CIR
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Vehicle (truck) parked in City Right-of-way.)

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

- C. [Case No 23-4974](#) (NL) JESUS ALFREDO LEMUS GONZALEZ, ESMERALDA RODRIGUEZ-DELGADO; 3003 THURSTON AVE
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Truck parked in City Right-of-way.)

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

- D. [Case No 23-5201](#) (KS) CSMA BLT LLC; 3686 N CRANBERRY BLVD
59-1(d), City Code, Vehicles under repair
(Three (3) derelict vehicles in the driveway, one vehicle is up on ramps, the second one is on jacks, and the third vehicle has it's hood open. Additionally vehicles are unlicensed, which is also prohibited per code.)

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

- E. [Case No 23-5216](#) (DG) BOGDAN & MARIA WOJCIK; 8333 HERBISON AVE
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Debris in City Right-of-way consisting of plastic panels.)
59-1 (b)(1), North Port City Code, Prohibited parking
(Vehicles parked on property and not on an improved surface.)

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

- F. [Case No 23-5279](#) (KS) VM MASTER ISSUER LLC; 4926 ESCALANTE DR
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 22-15517 for INT-RE ROOF)

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

- G. [Case No 23-5331](#) (DG) VINSON & ERIN SMITH; 6782 KENWOOD DR
59-1 (c)(1), City Code Allowed parking
(Vehicle on this property improperly parked, not parked on an improved surface.)

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

- H. [Case No 23-5333](#) (DG) STEPHEN & LAURIE JORDAN; 6649 KENWOOD DR
59-1(d), City Code, Vehicles under repair
(Vehicle parked on this property is not on an improved surface.)

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

- I. [Case No 23-5347](#) (KS) CLEOMAR BELUSSO; 6996 GLACIER AVE
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 pile Yard waste . Please call North Port Public Solid waste to arrange for a bulk pick up.)

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

- J. [Case No 23-5365](#) (KS) STEPHEN C SEED JR (E LIFE EST); 6315 BEEDLA ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in front of the property consisting of a large pile of wood, and wooden pallets, building materials, a partially dismantled vehicle and other miscellaneous items.)
Chapter 66-62 (c), North Port City Code No person shall construct, install, place or maintain structures, signs or other fixtures with the City right-of-way.
(Basketball Hoop left in City Right-of-way.)

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

- K. [Case No 23-5396](#) (MCK) MARSH CREEK HOLDINGS LTD, C/O KERKERING BARBERIO & CO PA; 1681 S SUMTER BLVD
Chapter 42-23, North Port City Code; Accumulation of Debris
(Undeveloped lot has miscellaneous trash scattered about, and under the underbrush surrounding the lot.)

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

- L. [Case No 23-5403](#) (NL) ROBERT E MILLER JR; 3720 HORACE AVE
59-1 (c)(1), City Code Allowed parking -
(Box truck, as well as five (5) vehicles and trailers, parked on property and not on an improved surface.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of dollies, gas cans, propane tanks, pieces of wood, and bottles of oil around the garage area.)

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

- M. [Case No 24-35](#) (KS) NIKOLAY SMYNTYNA; 5589 SHAFFER AVE
59-1 (c)(1), City Code Allowed parking -
(Trailer, Vehicle in Disrepair covered with a tarp, as well as a Silver Toyota parked on this undeveloped lot of which has no principal structure.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on this undeveloped lot consisting of tires and a kayak.)

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

- N. [Case No 24-44](#) (NL) FKH SFR PROPCO H LP; 4190 S CHAMBERLAIN BLVD
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in City Right-of-way outside of normal pick up day consisting of a box spring, multiple trash bags, cardboard, and trash cans along the street.)

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

- O. [Case No 24-60](#) (NL) BERTHA & TIMOTEO ACOSTA; 2732 DONGOLA ST
59-1(d), City Code, Vehicles under repair
(Red Truck in driveway that is in complete disrepair with flat tires, the hood is open, and a pan of some sort underneath.)
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.
(Unlicensed Blue Honda Civic truck parked in the City Right-of-way with plate 47788QQ)

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

- P. [Case No 24-62](#) (NL) SVETLANA VOYTUKHOV; 1743 S CRANBERRY BLVD
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 tree debris.)

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

- Q. [Case No 24-140](#) (KS) PAVEL SKALSKIY; 5628 COLD SPRING LN
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

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

- R. [Case No 24-168](#) (NL) YEVGENIY & TATYANA DURASENKO; 2741 W PRICE BLVD
70-21, NPCC - 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 without a Right-of-way use permit.)
59-2, City Code, Damage to the public right-of-way, abatement by city -
(a)Property owner responsibility.
(Damage to City Right-of-way from driving through to access property.)

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

1ST HEARING CASES

- C. [Case No 24-409](#) (DG) BURKE GROUP LLC; 1593 HOLLISTER AVE
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections,

contact with property owner, violation, and photographs submitted into evidence.

Robert Bolsa, property owner, being duly sworn, spoke to hurricane impact, trees cleared, and photographs submitted into evidence.

Mr. Raducci, being duly sworn, spoke to palm tree costs and fence construction timeline.

Ms. Coughlin, being duly sworn, spoke to emergency order applicability.

Mr. Ruff, being duly sworn, spoke to property inspection.

Based on evidence presented, Hearing Officer Toale continued Case No. 24-409 to the April 25, 2024 Code Compliance Hearing.

7. CONTINUED CASES

E. [Case No 23-4713](#)

(KS) SIMONE & SHERNETTE &, SHAWNAH D S BRYAN; 7027 DE BRITA RD

Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired SFR permit 19-8243.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections, contact with property owner, property pictures, and property sale status.

Shawnah Bryan, property owner, being duly sworn, spoke to property sale and overgrowth clearance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-4713 to the June 27, 2024 Code Compliance Hearing.

[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)

This case was heard with Case No. 23-2109.

Hearing Officer Toale announced the item.

Mr. Marietti, being duly sworn, spoke to violations.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2107, 1350 Bobcat Trail, to be in violation of 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 Florida Statutes 633.0125 are adopted by reference, for 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 with a date of deficiency of January 31, 2023, for 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 with a date of deficiency of January 31, 2023, and for 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 with a date of deficiency of January 31, 2023, and signed the order imposing the fine.

[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 found Case No. 23-2109, 1400 Bobcat Trail, to be in violation of 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 Florida Statutes 633.0125 are adopted by reference, for 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 with a date of deficiency of January 31, 2023, for 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 with a date of deficiency of January 31, 2023, and for 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 with a date of deficiency of January 31, 2023 and signed the order imposing the fine.

- A. [Case No 23-2099](#) (DG) GEORGE W III GOODSPEED, LYNNSEE MARIE TAYLOR; 7270 HIAWATHA TER
Section 53-240(A)(3) Unified Land Development Code, Special Structures
(Accessory / Lot with Principal Fence/gate on vacant lot with no accessory structure which is un-permitted.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, requested continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-2099 to the April 25, 2024 Code Compliance Hearing.

- D. [Case No 23-4120](#) (NL) ROBERTO MENDEZ; 2805 BREWSTER RD
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for driveway and or culvert pipe. Lot is an UDL owned by the property adjacent to it. Lot must be combined before permit can be applied for.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, spoke to permit, lot combination, and requested continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-4120 to the April 25, 2024 Code Compliance Hearing.

8. 1ST HEARING CASES

- A. [Case No 23-5221](#) (DG) 1000 CLEVELAND LLC; 5111 RICHMOND TER
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 21-8504 WATER HEATER ELECTRIC 07/11/2021 IS)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, spoke to inspection of the property.

Based on evidence presented, Hearing Officer Toale found Case No. 23-5221, 5111 Richmond Terrace, to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and imposed a fine of \$50 a day with a maximum of \$5000 to commence on April 23, 2024.

- B. [Case No 24-95](#) (KS) PATRICIA A BRADLEY; 7511 PERENNIAL RD
Section 53-240(A)(3) Unified Land Development Code, Special Structures
(-REPEAT VIOLATION- Garage on undeveloped lot with no principal structure. This is a repeat violation concerning the same violation of a shed on this property with no principal structure. 1) Case 22-1256- Inspector Guilbault- Initiated 3-23-22 Case is currently in Lien status.)
70-21, NPCC - 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.

(-REPEAT VIOLATION-Green mustang that has driving through the City Right-of-way to access/park on undeveloped lot. This is a repeat violation concerning the same violation of a vehicle being driven through the right of way to access the undeveloped lot. 1) Case 22-1256-Inspector Guilbault- Initiated 3-23-22 Case is currently in Lien status.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including violations, inspections, photographs submitted into evidence, and property status.

Based on evidence presented, Hearing Officer Toale found Case No. 24-95, 7511 Perennial Road, to be in violation of Section 53-240(A)(3), Unified Land Development Code, for repeat violation of garage on undeveloped lot with no principle structure and imposed a fine of \$500 a day with a maximum of \$25000 to commence on April 23, 2024.

Based on evidence presented, Hearing Officer Toale found Case No. 24-95, 7511 Perennial Road, to be in violation of Section 70-21, North Port City Code, for repeat violation of vehicle driving through City right-of-way to access/park on undeveloped lot and imposed a fine of \$500 a day with a maximum of \$25000 to commence on April 23, 2024.

9. 2ND HEARING CASES

A. [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.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections, contact with property owner, property and survey status.

Based on evidence presented, Hearing Officer Toale found Case No. 23-310, 6770 Flavia Court, to be in violation of Section 53-240(A)(3), Unified Land Development Code, for a wooden structure and fence on property, without a principal structure and signed the order imposing the fine.

B. [Case No 23-4186](#)

(DG) FELIX O CRUZ OCASIO, MARIA RIVERA; 7314 LARGELEAF ST

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

(Wooden fence erected onto this undeveloped property. This property is a UDL with no principle structure.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, spoke to no changes and requested order to be signed.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4186, 7314 Largeleaf Street, to be in violation of Section 53-240(A)(3), Unified Land Development Code, for a wooden fence on property without a principle structure and signed the order imposing the fine.

C. [Case No 23-4620](#)

(NL) TIM PRUITT; 3500 W PRICE BLVD
59-1 (b)(4) City Code, Prohibited Parking – Inoperable vehicle.
(Tan four door Pontiac Bonneville on jacks in driveway.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, spoke to no changes and requested order to be signed.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4620, 3500 W Price Boulevard, to be in violation of Section 59-1(b)(4), North Port City Code, for inoperable vehicle. (Tan four door Pontiac Bonneville on jacks in driveway.) and signed the order imposing the fine.

D. [Case No 23-4890](#)

(NL) ALAN & KATHLEEN QUACKENBUSH; 3326 TUSKET AVE
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris in City Right-of-way consisting of drywall, a cooler, pallets, yard waste, as well as a big bull dumpster.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, spoke to no changes and requested order to be signed.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4890, 3326 Tusket Avenue, to be in violation of Section 42-24(a)(5) North Port City Code for accumulation of debris in City right-of-way and signed the order imposing the fine.

E. [Case No 23-5025](#)

(DG) JASON L MEAD, BONNIE J SCATES; 6328 PAN AMERICAN BLVD
Chapter 42-22A North Port City Code - Excessive Growth of Grass/Weeds;
(Grass and/or weeds on this property are excessive in height and is in violation of City Code.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Dead plant growth, and miscellaneous items that are blocking the entry path into the rear yard.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, spoke to no changes and requested order to be signed.

Based on evidence presented, Hearing Officer Toale found Case No. 23-5025,

6328 Pan American Boulevard, to be in violation of Chapter 42-22A, North Port City Code for excessive growth of grass/weeds and Chapter 42-23, North Port City Code for accumulation of debris blocking the entry path into the rear yard and signed the order imposing the fine.

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

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

Chapter 105.1, Florida Building Code - Permit required.

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

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, spoke to contact with property owner, no changes, and requested order to be signed.

Mr. Raducci, being duly sworn, spoke to permit status.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-5065 to the April 25, 2024 Code Compliance Hearing.

G. [Case No 23-5078](#)

(DG) JIM BERGER; 6230 FREEMONT ST

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

(Accumulation of debris in front of property consisting of black roofing material.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, spoke to no changes and requested order to be signed.

Based on evidence presented, Hearing Officer Toale found Case No. 23-5078, 6230 Freemont Street, to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in front of property and signed the order imposing the fine.

H. [Case No 23-5193](#)

(DG) ALEKSEY & NATALIYA GROSHEV; 4213 GROBE ST

59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.

(Vehicles on this property are not parked on an improved surface.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, noted no changes in the property and requested the order to be signed.

Based on evidence presented, Hearing Officer Toale found Case No. 23-5193, 4213 Grobe Street, to be in violation of Chapter 59-1-(b)(1), North Port City Code, for vehicles on property not parked on an improved surface and signed the order imposing the fine.

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

(KS) JOHN & AMANDA C SULLIVAN; 6308 STARFISH AVE

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

(Debris consisting of household trash around the entire property and into the City Right-of-way. Additionally there is dilapidated fence in the rear of the property which should be removed, repaired, or replaced.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, spoke to owners working on fixing property.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-5447 to the April 25, 2024 Code Compliance Hearing.

10. PUBLIC COMMENT

There was no public comment.

11. GENERAL BUSINESS

- A. [Case No 24-007155](#) Case No. 24-007155 Parking Ticket Appeal - 1100 S Main St North Port, Florida

Hearing Officer Toale announced the item.

Ms. Coughlin requested case dismissal.

Based on evidence presented, Hearing Officer Toale dismissed Case No. 24-007155.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 10:04 a.m.

James E. Toale, Hearing Officer