



CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
4970 City Hall Boulevard – North Port, FL. 34286

CODE COMPLIANCE HEARING

CITY OF NORTH PORT, FLORIDA }
Petitioner, }
vs. }
ESTERO DEVELOPMENT PARTNERS LP }
Respondent(s) }
ADDRESS OF VIOLATION: }
3418 Johannesburg Rd }
North Port, FL }
PARCEL ID.: 1138176503 }

CASE NO.: 24-221
CERTIFIED MAIL NO.: 9589071052700187029808

NOTICE OF MANDATORY HEARING

Pursuant to the attached **AFFIDAVIT OF VIOLATION** dated *April 05, 2024*, **YOU ARE HEREBY FORMALLY NOTIFIED** that at **9:00 a.m.**, or as soon thereafter as possible, **on June 27, 2024**, 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 *January 31, 2024*, 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 **June 27, 2024**, 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 Property Standard 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.

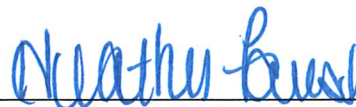
A copy of the ORDER FOR COMPLIANCE and ORDER ASSESSING ADMINISTRATIVE FINE(S) shall be provided to you by Certified Mail, Return Receipt Requested, within fifteen (15) days following the date the orders are rendered.

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 Compliance 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.

<http://www.northportfl.gov>

PLEASE GOVERN YOURSELF ACCORDINGLY.



HEATHER FAUST, City Clerk

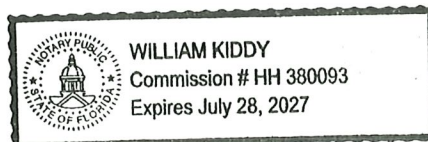
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this NOTICE OF MANDATORY HEARING has been served upon the RESPONDENT(S) by **Certified Mail/Return Receipt Requested** at PO BOX 3234 ROCK HILL SC 29732.

DATED: April 10, 2024



SERVER – CITY OF NORTH PORT





**CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
CODE COMPLIANCE DIVISION
4970 City Hall Boulevard – North Port, FL. 34286**

CITY OF NORTH PORT, FLORIDA	}	
Petitioner,	}	
vs.	}	
ESTERO DEVELOPMENT PARTNERS LP	}	
Respondent(s)	}	CASE NO.: 24-221
	}	
ADDRESS OF VIOLATION:	}	
3418 JOHANNESBERG RD	}	
NORTH PORT, FL	}	
PARCEL ID.: 1138176503	}	

AFFIDAVIT OF VIOLATION

STATE OF FLORIDA :
: ss
COUNTY OF SARASOTA :

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

Respondent(s) has been served with a Notice of Violation and Order to Correct Violation, dated January 31, 2024, by first class mail, a copy of which is attached.

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

1/22/2024, 9:16:39 AM CCUMMINGS Site appears to be abandoned, Dumpster on construction site is overflowing with neighborhood trash, additionally the SFR permit expired 09/23. Jim Wood 941-457-0230

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

Violation Description

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

Violation Text

Accumulation of miscellaneous debris on this construction site, as well as dumpster is overflowing.

Violation Corrective Action

Any/all debris on construction site must be contained and or removed from the site with ten (10) days of the date of this Notice.

Violation Description

Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.

Violation Text

No silt fence on this construction face.

Violation Corrective Action

Install and maintain staked filter fabric silt screens prior to any clearing or construction on site. Minimize the exposed area of soil in an effort to reduce the potential erosion volume. Silt screen must be placed across the upstream and downstream ends of the swale and also along the length of the R-ditch or canal. From time to time, the silt screens must be cleared of accumulated silt in order to promote positive drainage at all times. Failure to properly install and maintain adequate erosion control measures and silt screens may result in the issuance of a stop order which will remain in effect until conditions are restored to the satisfaction of the Road and Drainage District. Make required adjustments to silt screens within ten (10) days from the date of this Notice.

(3) Field Inspection Notes:

1/23/2024, 8:23:39 AM DGRANDT Upon arrival. There is lose trash on job site. Silt fence is down. Called contractor Black Tip to make corrections. Will resinspect in 7 days. Black tip 239-910-0044
1/30/2024, 9:08:25 AM DGRANDT Property is still in violation. POP 2/12/2024, 9:33:19 AM DGRANDT Property is still in violation. Left message with Black Tip Construction 239-910-0044. Will resinspect in 14 days. 3/4/2024, 10:27:58 AM DGRANDT No changes have been made. Sent a email to Building Offical to reach out to the contractor. Wil resinspect in 30 days. 4/4/2024, 1:27:14 PM JPRESSON Large amount of trash debris still scattered on property. Dumpster has been removed.

DATED: April 05, 2024

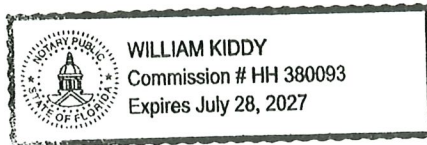
DAVE GRANDT
Inspector
Development Services
City of North Port
4970 City Hall Boulevard
North Port, Florida 34286

STATE OF FLORIDA
COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 5 day of Apr 2024, by DAVE GRANDT.

Notary Public - State of Florida

X Personally Known OR ___ Produced Identification
Type of Identification Produced _____





**CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
CODE COMPLIANCE DIVISION
4970 City Hall Boulevard – North Port, FL. 34286**

**NOTICE OF VIOLATION
AND
ORDER TO CORRECT**

ESTERO DEVELOPMENT PARTNERS LP
PO BOX 3234
ROCK HILL, SC 29732

DATE: January 31, 2024

PSI CASE NO.: 24-221
REAL PROPERTY ADDRESS: 3418 JOHANNESBERG RD, NORTH PORT, FL
LOT 3 BLK 1765 34TH ADD TO PORT CHARLOTTE PARCEL ID #: 1138176503
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

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

Violation Text

Accumulation of miscellaneous debris on this construction site, as well as dumpster is overflowing.

Violation Corrective Action

Any/all debris on construction site must be contained and or removed from the site with ten (10) days of the date of this Notice.

Violation Description

Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.

Violation Text

No silt fence on this construction face.

Violation Corrective Action

Install and maintain staked filter fabric silt screens prior to any clearing or construction on site. Minimize the exposed area of soil in an effort to reduce the potential erosion volume. Silt screen must be placed across the upstream and downstream ends of the swale and also along the length of the R-ditch or canal. From time to time, the silt screens must be cleared of accumulated silt in order to promote positive drainage at all times. Failure to properly install and maintain adequate erosion control measures and silt screens may result in the issuance of a stop order which will remain in effect until conditions are restored to the satisfaction of the Road and Drainage District. Make required adjustments to silt screens within ten (10) days from the date of this Notice.

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:

DAVE GRANDT
Inspector
Development Services
e-mail: dgrandt@northportfl.gov

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT *ND*
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
 \$ _____

Postmark Here

CE WK 24-221

ESTERO DEVELOPMENT PARTNERS LP
PO BOX 3234
ROCK HILL SC 29732

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0187 0298 08

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Pam Hardip</i> C. Date of Delivery <i>4/19/24</i></p>
<p>1. Article Addressed to:</p> <p style="text-align: right;">CE WK 24-221</p> <p>ESTERO DEVELOPMENT PARTNERS LP PO BOX 3234 ROCK HILL SC 29732</p> <p> 9590 9402 8272 3094 0128 28</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> Mail Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p>9589 0710 5270 0187 0298 08</p>	
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>



Bill Furst
SARASOTA COUNTY
PROPERTY APPRAISER

Property Record Information for 1138176503

<p>Ownership: ESTERO DEVELOPMENT PARTNERS LP PO BOX 3234, ROCK HILL, SC, 29732 Situs Address: 3418 JOHANNESBERG RD NORTH PORT, FL, 34288</p>	<p>Land Area: 10,000 Sq.Ft. Municipality: City of North Port Subdivision: 1588 - PORT CHARLOTTE SUB 34 Property Use: 0001 - Res-New Construction Not Substantially Complete Status: OPEN Sec/Twp/Rge: 29-39S-22E Census: 121150027472 Zoning: RSF2 - RESIDENTIAL, SINGLE FAMILY Total Living Units: 0 Parcel Description: LOT 3 BLK 1765 34TH ADD TO PORT CHARLOTTE</p>
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Buildings

Vacant Land

Extra Features

There are no extra features associated with this parcel

Values

Year	Land	Building	Extra Feature	Just	Assessed	Exemptions	Taxable	Cap. ①
2023	\$18,100	\$0	\$0	\$18,100	\$7,623	\$0	\$7,623	\$10,477
2022	\$15,300	\$0	\$0	\$15,300	\$6,930	\$0	\$6,930	\$8,370
2021	\$6,300	\$0	\$0	\$6,300	\$6,300	\$0	\$6,300	\$0
2020	\$6,100	\$0	\$0	\$6,100	\$6,100	\$0	\$6,100	\$0
2019	\$5,900	\$0	\$0	\$5,900	\$5,476	\$0	\$5,476	\$424
2018	\$5,600	\$0	\$0	\$5,600	\$4,978	\$0	\$4,978	\$622
2017	\$4,700	\$0	\$0	\$4,700	\$4,525	\$0	\$4,525	\$175
2016	\$5,000	\$0	\$0	\$5,000	\$4,114	\$0	\$4,114	\$886
2015	\$3,800	\$0	\$0	\$3,800	\$3,740	\$0	\$3,740	\$60
2014	\$3,400	\$0	\$0	\$3,400	\$3,400	\$0	\$3,400	\$0

Property taxes may be affected with change in ownership. When buying real estate, you should not assume that property taxes will remain the same. Use our tax estimator to estimate your new taxes.

Current Exemptions

There are no exemptions associated with this parcel.

Sales & Transfers

Transfer Date	Recorded Consideration	Instrument Number	Qualification Code	Grantor/Seller	Instrument Type
8/8/2020	\$30,400	2020108092	05	EQUITY TRUST COMPANY (CUST)	WD
10/10/2019	\$2,400	2019140285	11	KAVANAGH PATRICK	TD
2/17/2004	\$14,000	2004036363	01	BECKER, ELIZABETH K	WD
12/15/1992	\$100	2478/1057	11	BECKER, ELIZABETH K	QC
9/4/1991	\$7,800	2338/2424	15	N C N B NATIONAL BANK	TR
7/17/1991	\$100	2316/1342	15	GENERAL DEVELOPMENT CORP	QC
9/16/1989	\$5,000	2158/1778	15	HICKEY PAULINE R	WD
2/1/1982	\$2,800	1499/2054	01		NA

Associated Tangible Accounts

There are no associated tangible accounts for this parcel

Property record information last updated on: 4/4/2024

FEMA Flood Zone (Data provided by Sarasota County Government as of 4/4/2024)
 Different portions of a property can be in different flood zones. Please click on [MAP](#) link below to see the flood zones.

FIRM Panel	Floodway	SFHA ***	Flood Zone **	Community	Base Flood Elevation (ft)	CFHA *
0392F	OUT	IN	AE	120279		OUT
0392F	OUT	OUT	X	120279		OUT

* If your property is in a SFHA or CFHA, use the map to determine if the building footprint is within the flood area.
 ** For more information on flood and flood related issues specific to this property, call (941) 240-8050
 *** Federal law requires flood insurance for all properties in SFHAs with federally backed mortgages.
 For general questions regarding the flood map, call (941) 861-5000.

