



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Compliance Hearing

Thursday, January 25, 2024

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:01 a.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

ALSO PRESENT:

Assistant City Attorney Katlyn Coughlin, Code Enforcement Division Manager Kevin Raducci, Code Enforcement Recording Secretary William Kiddy, Code Enforcement Inspector Dave Grandt, Development Services Director Alaina Ray, and Assistant City Clerk Matthew Powell

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

- A. [24-0013](#) Approve Minutes for the December 7, 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 Mr. Powell swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [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.)

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

- B. [Case No 23-3248](#) (DG) THOMAS M MC GUIRE; 4718 ITALY AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on this property consisting of a hot water heater

and a large downed tree.)

Section 105.4.1.1, Florida Building Code- Permit has expired.
(Permit 22-17936 for hot water heater, is expired.)

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

- C. [Case No 23-3468](#) (MCK) ASHLEY CORBIN, 5237 SIMRAK ST
2012 International Property Maintenance Code Section 108.1.1 - Unsafe structures.
(Exterior wall is crumbling. Wall must be repaired, to make building safe and secure.)
This case was brought into compliance with no further action required.
- D. [Case No 23-3739](#) (MCK) LILIYA POTOTSKAYA, ANATOLIY POTOTSKIY; 7516 JOPPA ST
Chapter 105.1, Florida Building Code - Permit required.
(New deck built in backyard with no permit, additionally there is an above ground pool swimming pool with no permit.)
This case was brought into compliance with no further action required.
- E. [Case No 23-3828](#) (MCK) KAREN R WASINGER REVOCABLE TRUST, 6681 MARA CT
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(Fence installed on this property with no permit.)
This case was brought into compliance with no further action required.
- F. [Case No 23-3849](#) (DG) MIECZYSLAW GORZEDA, LEOKADIA GORZEDA, MAREK GORZEDO; 4789 KISKA RD
Sec. 53-240(M)(5)(b) Unified Land Development Code, Special structures.
(Fence is installed with the posts facing the incorrect direction.)
This case was brought into compliance with no further action required.
- G. [Case No 23-3884](#) (DG) JEROMY & KAITLYN LEE KEEN, MARILYN H PARK; 4854 FLAMLAU AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris next to driveway consisting of plastic buckets, tarps, and other miscellaneous items.)
Section 105.4.1.1, Florida Building Code - Period of Validity
(Expired Roof Permit 21-7980)
This case was brought into compliance with no further action required.
- H. [Case No 23-3890](#) (DG) 20191 IH BORROWER LP; 2671 ESCAMBIA CIR
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for re-roof that was done on this property)
This case was brought into compliance with no further action required.

- I. [Case No 23-4048](#) (KS) KERISSA ROSE GIBSON; 1286 SAVIA ST
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(Fence on property with no permit on file.)
This case was brought into compliance with no further action required.
- J. [Case No 23-4124](#) (NL) BIRGIT HANSON; 2240 SHACKLEFORD AVE
Section 45-5A, Unified Land Development Code - Land Clearing It shall be a violation of this chapter for any person or persons to remove or cause any tree or trees to be removed from any property within the City without first obtaining a permit to do so issued by the Building Department in accordance with the provisions of this chapter. This prohibition extends to all vacant and undeveloped property on which any form or type of new development, construction, renovation or demolition is to occur.
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)
This case was brought into compliance with no further action required.
- K. [Case No 23-4178](#) (KS) DAVID J LE PAGE, MAEVA FULGENCE LE PAGE; 6216 TALBOT ST
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(No permit on file for wood fence on the property.)
This case was brought into compliance with no further action required.
- L. [Case No 23-4470](#) (MCK) MICHAEL V & ALECIA S PETTIT; 5360 CAMBAY ST
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Accumulation of debris, a curb consisting of garbage bags, dresser, drawers, a lawnmower, solid, waste, containers, garbage bags for the garbage, wood, and other miscellaneous items.)
This case was brought into compliance with no further action required.
- M. [Case No 23-4495](#) (DG) MARSH CREEK HOLDINGS LTD, C/O KERKERING BARBERIO & CO; 4950 WHITE IBIS DR
Sec. 42-22B Impinging Growths
(Impinging growth consisting of vegetative overgrowth and tree branches blocking sidewalk, impeding thru pedestrian traffic.)
This case was brought into compliance with no further action required.
- N. [Case No 23-4542](#) (NL) GLENROY SMITH; 1623 HOTELLA ST
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.)

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

O. [Case No 23-4602](#)

(KS) HILDA A QUINTANA-MOLINA; 6098 SAN SALVADOR RD
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired SFR permit 05-00010667.)

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

P. [Case No 23-4604](#)

(DG) DANIELLE ARD; 8008 CASCADAS AVE
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.

Q. [Case No 23-4610](#)

(NL) DALE & HEATHER RICHTER; 4648 ADDERTON AVE
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area.
(Debris piled up in the city right of way consisting of multiple trash bags. These bags are located across the street from 4648 Adderton Ave. right by the mailbox.)

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

R. [Case No 23-4649](#)

(NL) ROBERT M & ANN M CAPUANO; 1808 N SAN MATEO DR
Sec. 66-62(c) NPCC - Culvert and right-of-way use permits. (c) Except as otherwise provided in this section, no person shall construct, install, place or maintain structures, signs or other fixtures within the Road and Drainage right-of-way of the City of North Port without a currently valid permit issued by the District.
(Tipped over Porta Potty left in City Right-of-way.)

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

S. [Case No 23-4665](#)

(KS) CARPENTER HOMES LLC; 7575 W PRICE BLVD
33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris; landscaped berms. The pile of debris shall be completely enclosed on all four (4) sides

(Overflowing dumpster on this construction site with trash all along the base.)

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

- T. [Case No 23-4682](#) (DG) GENERATIONAL GROWTH PROPERTIES LLC; 4351 AIDAN LN Chapter 42-23, North Port City Code; Accumulation of Debris (Trash and debris on property consisting of a tent, plastic bags, and other miscellaneous debris.)
Sec. 46-148 City of North Port Code (a) Camping is prohibited (Camping is prohibited on this property.)
)
This case was brought into compliance with no further action required.
- U. [Case No 23-4747](#) (KS) FREEDOM RENTAL HOMES UNO LLC; 6572 HORNBUCKLE BLVD
Sec. 59-16(c)(4), North Port City Code - Parking and Storing Vehicles on a Residential Lot. Recreational vehicles, trailers, on-duty or on-call wreckers and boats parked in the front yard of a residential lot must be completely resting upon an improved surface.

(Boat trailer parked in front yard and not on an improved surface.)
This case was brought into compliance with no further action required.
- V. [Case No 23-4787](#) (MCK) ARTHUR LOZOVSKY; 4273 WABASSO AVE
Section 53-240(A)(3) Unified Land Development Code, Special Structures (There is Shed on this property of which has no principal structure. Shed was previously permitted prior to lots being split. Per code, shed needs to be removed.)
This case was brought into compliance with no further action required.

1ST HEARING CASES

- F. [Case No 23-4825](#) (NL) CLOUD TEN MARKETING GROUP LLC; 1350 BOBCAT TRL
Chapter 42-23, North Port City Code; Accumulation of Debris (Dilapidated fence on has fallen down and is blocking sidewalk on Woodhaven Drive. It is in front of parcel number 1140 00 1011.)
This case was heard with Case Nos. 23-2106, 23-2107, and 23-2109.

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections, violation, no contact with the property owner, and photograph submitted into evidence.

Richard Smith, property owner, being duly sworn, spoke to fence repair timeline, obtaining permits, and reasons for delay.

Mr. Raducci, being duly sworn, spoke to recommendations.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4825, 1350 Bobcat Trail, to be in violation of Chapter 42-23, North Port City Code, for fallen fence blocking sidewalk on Woodhaven Drive and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on February 20, 2024.

2ND HEARING CASES

- B. [Case No 23-2106](#) (DG) CLOUD TEN MARKETING GROUP LLC; 1350 BOBCAT TRL Section 105.4.1.1, Florida Building Code- Permit has expired. (Expired Permits #18-6646 ELECTRIC WORK ONLY #17-7474 COMMERCIAL REMODEL)

This case was heard with Case Nos. 23-4825, 23-2107, and 23-2109.

Richard Smith, property owner, being duly sworn, spoke to permit acquisition timeline.

Mr. Raducci, being duly sworn, spoke to recommendations.

Based on evidence presented, Hearing Officer Toale found Case No. 23-2106, 1350 Bobcat Trail, to be in violation of Chapter 105.4.1.1, Florida Building Code, for expired Permit No. 18-6646 electric work only and expired Permit No. 17-7474 commercial remodel and amended the prior order giving the Respondent until February 19, 2024 or assess a fine of \$10 a day with a maximum of \$1,000 to commence on February 20, 2024.

- C. [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 Nos. 23-4825, 23-2106, and 23-2109.

Peter Marietti, Fire Marshal, being duly sworn, spoke to inspections and violation.

Richard Smith, property owner, being duly sworn, spoke to sprinkler installation timeline.

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 amended the prior order giving the Respondent until February 19, 2024 or assess a fine of \$10 a day for each violation with a maximum of \$1,000 for each violation to commence on February 20, 2024.

D. [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 Nos. 23-4825, 23-2106, and 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 amended the prior order giving the Respondent until February 19, 2024 or assess a fine of \$10 a day for each violation with a maximum of \$1,000 for each violation to commence on February 20, 2024.

A. [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.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspection, violation, and photographs submitted into evidence.

Philip Caroleo, President Duck Key Owners Association, being duly sworn, spoke to notice, sign maintenance, and permit application.

Mr. Raducci, being duly sworn, spoke to sign permit denial and recommendations.

Ms. Ray, being duly sworn, spoke to reasons for sign violation, permit denial, waiver requirements, and options.

Based on evidence presented, Hearing Officer Toale dismissed Case No. 23-2078, Parcel ID: 0998002601, for the violation of Chapter 105.1, Florida Building Code for no permit on file for directional entry sign at entrance of Duck Key in the median with no further action required. Case was dismissed with no further action required.

1ST HEARING CASES

- B. [Case No 23-4576](#) (DG) WOODROW A STEWART; 13588 TAMIAMI TRL
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting miscellaneous junk items tossed in front yard and an abandoned yard waste trailer.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections, violation, no contact with the property owner, and photograph submitted into evidence.

Marcia Stewart, property owner, being duly sworn, spoke to compliance requirements.

Based on evidence presented, Hearing Officer Toale found Case No. 23-4576, 13588 Tamiami Trail, to be in violation of Chapter 42-23, North Port City Code, for vehicle and a yard waste trailer and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on February 20, 2024.

- A. [Case No 23-4380](#) (DG) MATTHEW G & STEPHANIE CALLEIA, TAMARA CALLEIA; 4437 GORGAS ST
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 19-1034 for Water Heater Electric is Expired.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections, violation, contact with the property owner, compliance, and permit requirements.

Matthew Calleia, property owner, being duly sworn, spoke to permit costs.

Mr. Raducci, being duly sworn, spoke to recommendations.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-4380, 4437 Gorgas Street, to the February 22, 2024 Code Compliance Hearing.

7. CONTINUED CASES

- A. [Case No 23-3462](#) (DG) ROBERT & DEBRA COMELLA; 2025 LYNX RUN Chapter 105.1, Florida Building Code - Permit required. (Permit Required for screened in Lanai-work has been started with no permit pulled.)
- Hearing Officer Toale announced the item.
- Inspector Grandt, being duly sworn, spoke to compliance.
- Based on evidence presented, Hearing Officer Toale found Case No. 23-3462, 2025 Lynx Run, to be in compliance with Chapter 105.1, Florida Building Code, with no further action required.***

8. 1ST HEARING CASES

- C. [Case No 23-4589](#) (DG) JASON L MEAD, BONNIE J SCATES; 6328 PAN AMERICAN BLVD Chapter 59-1(c)(1), North Port City Code; Allowed parking (Vehicle is parked in the front yard of property.)
- Hearing Officer Toale announced the item.
- Inspector Grandt, being duly sworn, provided a presentation including inspections, violation, no contact with the property owner, and photograph submitted into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 23-4589, 6328 Pan American Boulevard, to be in violation of Chapter 59-1(c)(1), North Port City Code, for allowed parking with vehicle parked in the front yard of property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on February 20, 2024.***
- D. [Case No 23-4759](#) (DG) CIRCLE K STORES INC; 13280 TAMIAMI TRL Sec. 37-29(H)(3) Unified Land Development Code – Roadway Design and Construction Standards (Large pot hole in the Alley behind this building.)
- Hearing Officer Toale announced the item.
- Inspector Grandt, being duly sworn, provided a presentation including inspections, violation, contact with the store owner, and photograph submitted into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 23-4759, 13280 Tamiami Trail, to be in violation of Section 37-29(h)(3), Unified Land Development Code, for a large pothole in the alley behind the building and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on February 20, 2024.***
- E. [Case No 23-4783](#) (DG) DOBRICA DJORDEJEVIC; 8409 TRIONFO AVE Chapter 42-23, North Port City Code; Accumulation of Debris (Accumulation of debris in rear of property consisting of metal and aluminum.)
- Hearing Officer Toale announced the item.
- Inspector Grandt, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-4783, 8409 Trionfo Avenue, to the February 22, 2024 Code Compliance Hearing.

9. 2ND HEARING CASES

- E. [Case No 23-2707](#) (DG) EDWARD F CLIFFORD (E LIFE EST), 2762 YAMADA LN Chapter 42-23, North Port City Code; Accumulation of Debris (Accumulation of debris throughout the property consisting of milk crates, buckets, gas cans, jack stands, pieces of wood, metal tables, and many other miscellaneous items.)

Hearing Officer Toale announced the item.

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

Based on evidence presented, Hearing Officer Toale found Case No. 23-2707, 2762 Yamada Lane, to be in violation of Chapter 42-23, North Port City Code, for accumulation of debris throughout property consisting of miscellaneous items and signed the order imposing the fine.

- F. [Case No 23-3583](#) (DG) DIMCE NAUMOVSKI; 4081 HEATON TER Chapter 62-50, North Port City Code Refuse container(s) shall be placed at the pick-up location no earlier than 6:00 p.m. on the evening prior to or later than 7:00 a.m. on the day pick-up is scheduled. Container(s) must be properly stored by 10:00 p.m. on the day of collection. Container(s) MAY NOT be stored in front of residence.

(Solid waste containers improperly stored on left side of property. Must be stored behind the front plane of the home.)

Chapter 42-23, North Port City Code; Accumulation of Debris (Wicker Chair thrown on left side of property.)

Hearing Officer Toale announced the item.

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

Based on evidence presented, Hearing Officer Toale found Case No. 23-3583, 4081 Heaton Terrace, to be in violation of Chapter 62-50, North Port City Code, for solid waste containers improperly stored on left side of property, and Chapter 42-23, North Port City Code, for accumulation of debris including wicker chair on left side of property, and signed the order imposing the fine.

10. PUBLIC COMMENT

There was no public comment.

11. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 10:03 a.m.

James E. Toale, Hearing Officer