



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Draft Code Enforcement Hearing

Thursday, September 23, 2021

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:15 a.m.

Also Present:

Assistant City Attorney Michael Golen, Code Enforcement Division Manager Kevin Raducci, Administrative Service Specialist Terri Hasker, Property Standards Recording Secretary Michele Ross, Property Standards Inspectors Henley Burton, Jeffrey Guilbault, Jennifer Ardinger and William Kiddy, and Recording Secretary Susan Hale.

2. The Pledge of Allegiance was led by the Board.

3. PUBLIC COMMENT

Veldy Olenda: the judicial system vs. and the quasi-judicial system, no statute limiting fraud, and five-day notice given to the public by the City.

4. APPROVAL OF CODE ENFORCEMENT HEARING SCHEDULE FOR 2022

- A. [21-1463](#) Approval of Code Enforcement Hearing Meeting Schedule for 2022.

Hearing Officer Toale approved the 2022 Code Enforcement Hearing Schedule.

5. APPROVAL OF MINUTES

- A. [21-1465](#) Approval of Minutes for the August 26, 2021 Code Enforcement Hearing Minutes.

Hearing Officer Toale approved the minutes as presented.

6. REVIEW OF PROCEDURES AND ADMINISTRATION OF OATH

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

7. COMPLIANT CASES

- A. [Case No 20-4865](#) (WK) North Port OMV II LLC,, 14809 Tamiami Trail
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of miscellaneous trash and illegal dumping, likely due to the lack of walls around the dumpsters. Three (3) corrals are falling apart and become debris. Wood, appliances, trash,

waste materials all around)

Sec. 53-3(G) Unified Land Development Code

(Three (3) dumpsters are not surrounded by solid masonry walls as required by code.)

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

B. [Case No 21-404](#)

(HLB) Janine & David S Bielawski, 2655 Killian St

Chapter 105.1, Florida Building Code

(Tan Shed, and Red Shed, located on property, with no permit on file)

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

C. [Case No 21-815](#)

(JAG) Sandra J Gordon, 8338 Bumford Ave

Section 42-24(a)(5) North Port City Code

(Debris accumulation in City Right of way consisting of rugs, clothes, pillows, bins, and other miscellaneous items.)

Chapter 62-50, North Port City Code

(Solid Waste Containers improperly stored at the street, outside the time frame permissible by city code. Pick up for this area is on Thursday)

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

D. [Case No 21-910](#)

(JA) Savannah A Adams, 2958 Yuma Ave

Chapter 42-23, North Port City Code

(Accumulation of debris in front of garage door consisting of mattress, buckets, chemicals, filter, hose, possible pool cleaning equipment, and stroller. Other miscellaneous debris along right side of house.)

Chapter 62-50, North Port City Code

(Solid Waste Containers improperly stored in front of garage)

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

E. [Case No 21-1034](#)

(JAG) Carol J Duggan, 5504 Grobe St

Sec. 59-16(d), North Port City Code

(Inoperable vehicle that is on jack stands on the right side of the property, and not covered with a non-transparent tarp)

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

F. [Case No 21-1102](#)

(WK) Betty Jane Thomas, 2331 Jacoby Cir

Chapter 105.1, Florida Building Code

(No permit on file for relocation of shed)

Chapter 66-62 (c), North Port City Code

(Basketball hoop installed into ground within easement in front of house by road and is prohibited)

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

- G. [Case No 21-1170](#) (JA) Vitaliy Nesteruk, 1323 Tooley St
Chapter 105.1, Florida Building Code
(No permit on file for shed located on property)
Given until 9/19 to achieve compliance or fines may be assessed beginning 9/20 of \$50.00 per day max \$5,000 2nd Hearing to assess fines 9/23
This case was brought into compliance with no further action required.
- H. [Case No 21-1223](#) (JAG) Barbara Karl & Edward Mello, 8820 Agress Ave
Section 105.4.1.1, Florida Building Code
(Permit on file for AC change out is expired)
Given until 9/19 to achieve compliance or fines may be assessed beginning 9/20 of \$10.00 per day max \$5,000 2nd Hearing to assess fines 9/23.
This case was brought into compliance with no further action required.
- I. [Case No 21-1241](#) (JAG) Karen R Wasinger Revocable Trust, 6681 Mara Ct
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-Way consisting of a chair, and a cardboard box)
Chapter 42-23, North Port City Code
(Accumulation of debris throughout the property consisting of fuel cans, ladders, plastic items, and other miscellaneous items.)
This case was brought into compliance with no further action required.
- J. [Case No 21-1252](#) (WK) Weary Eagle 2020 LLC, 1309 Nackman Rd
Section 105.4.1.1, Florida Building Code
(Expired permit on file)
This case was brought into compliance with no further action required.
- K. [Case No 21-1428](#) (JA) Zachary Richards, 5075 Prime Ter
Chapter 105.1, Florida Building Code
(No permit on file for the pergola or wood deck on property, of which are attached to the house)
This case was brought into compliance with no further action required.
- L. [Case No 21-1538](#) (JAG) CSMA BLT LLC, 3163 Monday Ter
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. Pick up for this area is on Fridays)
Chapter 42-23, North Port City Code
(Accumulation of debris throughout the property consisting of washers, dryers, fish tank, cardboard, and other miscellaneous items)
Section 42-24(a)(5) North Port City Code

(Accumulation of debris in City Right-of-Way across the street from property, consisting of cardboard boxes, furniture, and other miscellaneous items)

Sec. 59-16(e), North Port City Code

(Silver Ford, and Silver Mazda being parked in the roadway)

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

M. [Case No
21-1650](#)

(JAG) Deanne L Sommerville, 2133 Mauve Ter

Sec. 59-16(f)(3), North Port City Code

(Parking a Black Toyota Tacoma in City Right-of-Way, in front of a vacant lot to the right of the property)

Chapter 62-50, North Port City Code

(Solid Waste Containers are improperly stored in the middle of the driveway. Must be stored behind the front plane of the home)

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

N. [Case No
21-1665](#)

(WK) Francis & Robin Castellano, 3602 Albin Ave

Chapter 105.1, Florida Building Code

(No permit on file for fencing located on property)

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

O. [Case No
21-1760](#)

(JA) Go Life Development LLC, 1629 Goshen Rd

Chapter 1, Administrative Code - City of North Port, Sec. 110

(Accumulation of debris on ground of construction site consisting of metal, cement blocks, cardboard, and other miscellaneous debris. There is no dumpster on this job site)

Section 33-7C(3), Unified Land Development Code

(Construction site does not have silk screen fence)

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

P. [Case No
21-1855](#)

(JAG) David Gregorovic, 3535 W Price Blvd.

Chapter 105.1, Florida Building Code

(Permit required for backflow preventer installed on water line.)

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

Q. [Case No
21-1941](#)

(HLB) Jeffrey A Via, 6496 Elmwood Rd

Chapter 105.1, Florida Building Code

(Metal Shed on property with no permit on file)

Sec. 53-122D, Unified Land Development Code

(Evidence of woodworking material in backyard for running business out of home.)

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

- R. [Case No 21-1990](#) (WK) Chung Family Trust, 1085 Grand Venture Dr
Chapter 42-23, North Port City Code
(Accumulation of debris throughout property consisting of loose trash throughout parking lot, pump areas, and within landscape areas, as well as within landscape areas all around property)
This case was brought into compliance with no further action required.
- S. [Case No 21-2018](#) (WK) Mirlande Paniague Revocable Trust, 3624 Chiron Ave
Sec. 59-16(d), North Port City Code
(Grey and white truck being worked on in driveway. Must be covered with non-transparent tarp)
Chapter 42-23, North Port City Code
(Accumulation of debris in driveway consisting of trash, as well as parts and tools around vehicles)
This case was brought into compliance with no further action required.
- T. [Case No 21-2028](#) (HLB) Sophia Gruneiro LLC, 8364 Herbison Ave
Section 53-239 (G)(2), Unified Land Development Code
(Resident has used up all three (3) garage sales, allowed per city code)
This case was brought into compliance with no further action required.
- U. [Case No 21-2049](#) (JAG) Brett Oberheim, 4441 Sargon Ave
Chapter 62-50, North Port City Code
(Solid waste containers improperly stored in front of the garage door)
Sec. 59-16(f)(2), North Port City Code
(Blue Unlicensed Ford Taurus parked in City Right-of-way, not parking in direction of traffic.)
Sec. 59-16(F)(1), North Port City Code
(Unlicensed Blue Taurus parked in City Right-of-way)
This case was brought into compliance with no further action required.
- V. [Case No 21-2050](#) (JAG) Donald & Donna Whitley, 1738 Mackinaw St
Chapter 70-56, North Port City Code
(No visible assigned numbers affixed to this residence)
This case was brought into compliance with no further action required.
- W. [Case No 21-2093](#) (JAG) Kimberly Jean Berryman, 4853 Talisman Ter
Chapter 42-23, North Port City Code
(Accumulation of debris on the right side of residence consisting of lawn chairs, patio chairs, aluminum pieces, a grill, vacuum, wooden chairs, and other miscellaneous items)
This case was brought into compliance with no further action required.

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- X. [Case No 21-2094](#) (JAG) SWH 2017-1 Borrower LP, 4408 Heather Ter
Sec. 59-16(f)(3), North Port City Code
(Three (3) vehicles parked in front of vacant lot across the street. (White Box Truck, White Nissan Van, Maroon Ford Truck)
This case was brought into compliance with no further action required.
- Y. [Case No 21-2127](#) (HLB) Zwiercan Homes Inc, 5425 Gainsboro St
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way across the street from construction site)
This case was brought into compliance with no further action required.
- Z. [Case No 21-2148](#) (WK) Christopher & Angelina Lukert, 2188 Belvidere St
Sec. 59-16(d), North Port City Code
(Vehicle in disrepair in driveway, gray truck with flat tires, visible vehicle parts, tires, bricks, and jack stands)
This case was brought into compliance with no further action required.
- AA. [Case No 21-2156](#) (JAG) BAF Assets 3 LLC, 3071 S Salford Blvd
Sec. 59-16(h), North Port City Code
(RV parked in front yard with water and power hooked up, and appears to be inhabited)
This case was brought into compliance with no further action required.
- AB. [Case No 21-2169](#) (HLB) Weizhen Quian, 8104 Cascadas Ave
Chapter 105.1, Florida Building Code
(Door added to exterior wall of the carport with no permit)
This case was brought into compliance with no further action required.
- AC. [Case No 21-2170](#) (HLB) Matthew G & Stephanie & Tamara Calleia, 4437 Gorgas St
Chapter 78-95, North Port City Code
(Homeowner has tow trucks leaking or draining oil down the driveway)
This case was brought into compliance with no further action required.
- AD. [Case No 21-2186](#) (HLB) Gregory D & Jennifer L Boucher, 5871 Cazler Ave
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way consisting of wire fencing and gas grill)
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored next to driveway near the road)
This case was brought into compliance with no further action required.

- AE.** [Case No 21-2254](#) (JAG) Luis M Baez Pita & Yudelkis Cruz Echevarria, 3521 Lopinto St
Sec. 59-16(i), North Port City Code
(Blue Semi Truck parked in the driveway at this residence)
This case was brought into compliance with no further action required.
- AF.** [Case No 21-2275](#) (JAG) Opendoor Property Trust I, 4517 Lovett Rd
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. Pick up for this area is on Friday. Violation observed on Tuesday)
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in the City Right-of-way consisting of a desk, boxes, bags, bikes, rugs, tables, and other miscellaneous items)
Chapter 42-23, North Port City Code
(Accumulation of debris throughout the property consisting of a wooden table, plastic bags, cardboard boxes, and other miscellaneous items)
This case was brought into compliance with no further action required.
- AG.** [Case No 21-2282](#) (HLB) Emma Cehovic-Dixneuf, 2769 Dooling St
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. Pick up for this area is on Thursday, violation observed on Tuesday)
This case was brought into compliance with no further action required.
- AH.** [Case No 21-2308](#) (WK) Jesse N Rivera, 1533 Oketo St
Chapter 62-50, North Port City Code
(Solid waste containers improperly stored at street outside the time frame permissible by City Code)
Chapter 70-56, North Port City Code
(No visible assigned numbers affixed to residence)
This case was brought into compliance with no further action required.
- AI.** [Case No 21-2345](#) (HLB) Richard W & Elaine B Arnold, 5162 Wilton Ct
Sec. 1-19, Unified Land Development Code
(homeowner has black metal fencing in backyard with no permit)
This case was brought into compliance with no further action required.
- AJ.** [Case No 21-2358](#) (HLB) Michael D Schiller, 5950 Spearman Cir
Chapter 105.1, Florida Building Code
(Homeowner has makeshift room built on right side of home with no permit)
This case was brought into compliance with no further action required.

- AK.** [Case No 21-2384](#) (WK) Freddy & Annette Gonzalez, 3411 Crittendon St
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)
This case was brought into compliance with no further action required.
- AL.** [Case No 21-2427](#) (HLB) Silfredo Nina, 8746 Herbison Ave
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in the city right of way consisting of yard debris)
This case was brought into compliance with no further action required.
- AM.** [Case No 21-2433](#) (JAG) Ivan & Nelya Danch, 3072 Lopinto St
Sec. 59-16(f)(4), North Port City Code
(Red Trailer parked in City Right-of-way)
This case was brought into compliance with no further action required.
- AN.** [Case No 21-2478](#) (JA) Brian J & Rachael A Almeder, 2118 Amnesty Dr
Sec. 1-19, Unified Land Development Code
(Fence installed on property with no permit on file)
This case was brought into compliance with no further action required.
- AO.** [Case No 21-2558](#) (JAG) SWH 2017-1 Borrower LP, 4526 Kenvil Dr
Chapter 42-23, North Port City Code
(Accumulation of debris throughout the property consisting of a mattress, box spring, and other miscellaneous items)
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way consisting of miscellaneous plastic items, a computer tower, a bike, and other miscellaneous items)
Chapter 62-50, North Port City Code
(Solid Waste Containers are being left at the street outside the time frame permissible by City Code. Pick up for this area is on Friday.)
Chapter 66-62 (c), North Port City Code
(Portable Basketball hoop being stored in the City Right-of-way.)
This case was brought into compliance with no further action required.
- AP.** [Case No 21-2726](#) (JA) Michael C Marchak Jr, 5001 Andris St
Sec. 1-19, Unified Land Development Code
(No permit on file for fence located on property)
This case was brought into compliance with no further action required.

- AQ.** [Case No 21-2731](#) (HLB) Christopher R Saffaras, 8344 Senate Ave
Sec. 59-16(c)(2), North Port City Code
(Number of vehicles on property exceeds what is permissible for lot size, by city Code. Number of vehicles counted on this property was more than sixteen (16))
This case was brought into compliance with no further action required.
- AR.** [Case No 21-2735](#) (HLB) Christopher Saffaras, 8330 Senate Ave
Sec. 59-16(c), North Port City Code
(Property owner has Six (6) vehicles, One (1) boat, RV, Three (3) Trailers, on vacant lot to the right of residence)
This case was brought into compliance with no further action required.
- AS.** [Case No 21-2742](#) (JAG) Chamberlain Trust II, 4473 S Chamberlain Blvd
Chapter 42-23, North Port City Code
(Accumulation of debris in the rear yard consisting of mattress, box spring, and other miscellaneous items that can be seen from the street)
Sec. 59-16(d), North Port City Code
(Inoperable vehicle being stored in the rear yard, not covered with a non-transparent tarp)
Sec. 59-16(c)(4), North Port City Code
(Inoperable vehicle being stored in the rear yard, and not on an improved surface.)
This case was brought into compliance with no further action required.
- AT.** [Case No 21-2758](#) (JAG) Tiffani M Taylor, 4580 Fernway Dr
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. Pick up for this area is on Fridays)
This case was brought into compliance with no further action required.
- AU.** [Case No 21-2976](#) (HLB) Empire Dawn LLC, 4535 Mongite Rd
Chapter 42-23, North Port City Code
(Accumulation of debris on right side of residence consisting of wood, boxes, chairs, as well as chemical containers)
This case was brought into compliance with no further action required.

8. CONTINUED CASES

- A.** [Case No 21-222](#) (JAG) Aracekis M Colome, 5233 Bullard St
Chapter 105.1, Florida Building Code
(No permit on file for 6-foot fence installed on this property.)
Chapter 105.1, Florida Building Code
(Verified no permit on file for the carport being enclosed)

Property owners legal counsel was present and requested a continuance to allow for more time H.O. Toale granted continuance to 9/23 Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$50 per day max of \$5,000 2nd hearing to assess fines 10/28

Inspector Guilbault, being duly sworn, noted there has been no change in the status of the permit.

Based on evidence presented, Hearing Officer Toale found Case No. 21-222 5233 Bullard Street, to be in violation of Chapter 105.1 of the Florida Building Code for having no permit on file for a 6-foot fence installed on the property, and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2021.

B. [Case No 21-640](#)

(JAG) Lionel & Irma Savoy, 6108 Fronda Ave
Chapter 105.1, Florida Building Code
(No permit on file for wooden fence installed)

Continuance requested to allow for more time. H.O. Toale granted continuance to 10/28

Inspector Guilbault, being duly sworn, requested a continuance.

Property owner Lionel Savoy, being duly sworn, had no objection to a continuance, and stated much of the debris is gone.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-640 6108 Fronda Avenue, to the October 28, 2021 Code Enforcement Hearing.

9. 1ST HEARING CASES

A. [Case No 21-303](#)

(WK) Timothy Connell & Thomas Donohue, 5245 Butia Ct
Chapter 42-23, North Port City Code; Accumulation of Debris
(Loose trash, yard waste, cut trees, construction materials, paint buckets, vehicle parts, and tires. On Property and within the City right of way and cul-de-sac)

Sec. 59-16(c), North Port City Code

(Parking & storing of (6) vehicles on property seen during inspection. Vehicles are prohibited to be parked or stored on vacant undeveloped lots. Some of which are in complete disrepair)

Sec. 59-16(f)(3), North Port City Code

(Damage to swale, city right of way from vehicles traversing the property and vehicles abandoned on right of way.)

Chapter 70-21, North Port City Code

(Damage to swale, and roadway from vehicles traversing the property and tearing up road)

Sec. 46-148 City of North Port Code (Camping prohibited, vacant lot no proof of ownership. evidence of vehicles, trash and animals on site during visit)

Inspector Kiddy, being duly sworn, noted the property was inspected September 22, 2021, submitted photos into evidence, he had contact with the property owner, and

requested a continuance.

Based on evidence presented, Hearing Officer Toale found Case No. 21-303 5245 Butia Court, to be in violation of Chapter 42-23 of the North Port City Code for the accumulation of debris, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on December 7, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-303 5245 Butia Court, to be in violation of Sec. 59-16(c) of the North Port City Code for parking and storing of multiple vehicles, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on December 7, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-303 5245 Butia Court, to be in violation of Sec. 59-16(f)(3) of the North Port City Code for damage to swale from vehicles, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on December 7, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-303 5245 Butia Court, to be in violation of Chapter 70-21 of the North Port City Code for damage to swale from vehicles, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on December 7, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-303 5245 Butia Court, to be in violation of Sec. 46-148 of the City of North Port Code for camping on a vacant lot with no proof of ownership and evidence for vehicles, trash and animals on site, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on December 7, 2021.

B. [Case No 21-1220](#)

(HLB) Kathy A Barnes, 4135 N Cranberry Blvd
Section 45-5A, Unified Land Development Code

(No permit on file for the removal of a Pine tree and a Oak tree on the left rear and one or more on the right side that was cut removed)

Inspector Burton, being duly sworn, noted the property was inspected on September 22, 2021, he had contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-1220 4135 N Cranberry Boulevard, to be in violation of Section 45-5A of the Unified Land Development Code for no permit for removal of two trees and imposed a fine of \$500.

C. [Case No 21-1380](#)

(JA) Ann & Henry W Adams Jr, 1493 Franklin Ln
Sec. 59-16(c)(5), North Port City Code

(Boat parked in rear of property, is impinging on neighboring property at 1470 Pelican. Needs to be moved away from property line)

Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$10 per day max \$1,000 2nd hearing to assess fines 12/2

Inspector Ardinger, being duly sworn, noted the property was inspected on September 22, 2021, she had no contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-1380 1493 Franklin Lane, to be in violation of Section 59-16(c)(5) of the North Port City Code

for boat parked on property impinging on neighboring property, and imposed a fine of \$10 a day with a maximum of \$1,000 commencing on October 18, 2021.

D. [Case No 21-1424](#)

(JA) American Momentum Bank, 1191 W Price Blvd
Section 42-24(a)(2)(b) North Port City Code
(Sidewalks in front of this property on Citizens Pkwy have lifted, and are a hazard to anyone that is walking down sidewalk)
Continuance requested to allow for more time. H.O. Toale granted continuance to 10/28

Inspector Ardinger, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-1424 1191 W Price Boulevard, to the October 28, 2021 Code Enforcement Hearing.

E. [Case No 21-1571](#)

(JA) Najmi Realty LLC, 4335 Scottish Ter
Section 45-5A, Unified Land Development Code
(There is no permit for land clearing on file)

Hearing Officer Toale allowed Cases Nos. 21-1571 and 21-2322 to be presented at the same time.

Inspector Guilbault, being duly sworn, noted that Case No. 21-1571 was inspected originally on April 12, 2021 and Case No. 21-2322 was originally inspected on June 1, 2021, submitted photos into evidence, and the number of trees cleared was unknown.

Based on evidence presented, Hearing Officer Toale found Case No. 21-1571 4335 Scottish Terrace, to be in violation of Section 45-5A of the Unified Land Development Code for clearing land without a land clearing permit, with the number of trees being unknown, found mitigating circumstances, and imposed a fine of \$1,000.

F. [Case No 21-1676](#)

(HLB) BAF Assets 3 LLC, 3370 Pan American Blvd
Chapter 105.1, Florida Building Code
(No permit on file for enclosure of garage)
Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$50 per day max \$5,000 2nd hearing to assess fines 10/28

Inspector Burton, being duly sworn, noted the property was inspected on September 22 2021, he had no contact with the property owner prior to today, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-1424 3370 Pan American Boulevard, to be in violation of Chapter 105.1 of the Florida Building Code for no permit for enclosure of garage and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2021.

G. [Case No 21-1945](#)

(JA) Yvonne R Thompson & Andrea Anderson, 4692 Hillman Ter
Sec. 1-19, Unified Land Development Code
(No permit on file for vinyl fence located on property)
Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$25 per day \$2,000 max 2nd

hearing to assess fines 10/28

Inspector Ardinger, being duly sworn, noted that the property was inspected on September 22, 2021, she had no contact with the property owner prior to today, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-1945 4692 Hillman Terrace, to be in violation of Section 1-19 of the Unified Land Development Code for no permit for a vinyl fence on the property, and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on October 18, 2021.

H. [Case No 21-1946](#)

(HLB) Steven B & Rebecca L Grebe, 4445 Bayano St

Chapter 42-23, North Port City Code

(Accumulation of debris on right side of home consisting of car seats, boxes, fencing materials, tires, and other miscellaneous items. Left side of home has tires, wood/lumber coolers. Driveway has doors, and bags of concrete)

Chapter 105.1, Florida Building Code

(No permit on file for car part which was converted into a living area with doors installed in front and rear)

Requested a continuance to allow for more time H.O. Toale granted continuance to 12/2

Inspector Burton, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-1946 4445 Bayano Street, to the December 2, 2021 Code Enforcement Hearing.

I. [Case No 21-2193](#)

(JA) Roberto Mendez, 2779 Brewster Rd

Chapter 105.1, Florida Building Code

(No permit on file for shed located on property)

Requested a continuance to allow for more time H.O. Toale granted continuance to 12/2

Inspector Ardinger, being duly sworn, noted the property was inspected on September 22, 2021, she had no contact with the property owner prior to today, and submitted photos into evidence.

Property owner Roberto Mendez, being duly sworn, stated he was told by a builder that a permit was not needed.

Inspector Ardinger stated the size of the shed requires a permit, and recommended a continuance.

Based on evidence presented, Hearing Officer Toale, continued Case No. 2779 Brewster Road, to the December 2, 2021 Code Enforcement Hearing.

J. [Case No 21-2205](#)

(WK) Arianna M Fiore, 5848 Shaffer Ave

Chapter 42-23, North Port City Code

(Accumulation of debris blown or thrown into vacant lots across the street and next to, consisting of; rocks, shells, interior door leaning on right side of house, yard waste piled up. Large wooden spool in left rear yard along with construction equipment, wheel barrow and waste pile)

Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way consisting of a large dirt pile)
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at street outside of the time frame permissible by City Code. Pick up for this area is on Thursday)
Chapter 66-62 (c), North Port City Code
(Portable basketball hoop left at street across the street from residence)
Sec. 59-16(f)(3), North Port City Code
(Damage to swale due to dumped pile due to dirt being dumped in ditch next to home, and ruts from vehicles being parked in front of vacant lot. Repair to area(s) needed)
Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 \$10 per day max \$1,000 2nd hearing to assess fine 10/28

Inspector Kiddy, being duly sworn, noted the property was inspected on September 22, 2021, he had contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2205 5848 Shaffer Avenue, to be in violation of Chapter 42-23 of the North Port City Code for accumulation of debris on the property, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 18, 2021.

Inspector Kiddy noted that the property is now in compliance for the violations of Section 42-24(a)(5) of the North Port City Code and Chapter 62-50 of the North Port City Code.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2205 5848 Shaffer Avenue, to be in violation of Chapter 66-62 (c) of the North Port City Code for the portable basketball hoop left in the City right-of-way, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 18, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2205 5848 Shaffer Avenue, to be in violation of Section 59-16(f)(3) of the North Port City Code for damage in the swale in the City right-of-way due to parked vehicles and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 18, 2021.

K. [Case No. 21-2207](#)

(JA) Thomas L & Virginia & Renota J & Thomas R & Claudine Weaver, 1326 Geranium Ave
Section 45-5A, Unified Land Development Code
(No Permit on file for the removal of four Oak trees, two possible heritage oak, 2.5 to 3ft diameter)

Inspector Ardinger, being duly sworn, noted the property was inspected on September 22, 2021, submitted photos into evidence, and noted Champion and Heritage trees are treated the same in residential areas.

Property owner Virginia Weaver, being duly sworn, stated she was unaware that a permit was needed, and the trees were full of rats.

Inspector Ardinger, stated the arborist confirmed the trees removed were oak trees.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2207 1326 Geranium Avenue, to be in violation of Section 45-5A of the Unified Land Development Code for the removal of four Oak trees and two possible Heritage Oak

trees, and imposed a fine of \$1,000 due to four oak trees being removed.

L. [Case No
21-2280](#)

(HLB) Melissa Powell & David Gordon, 2833 Dooling St
Sec. 59-16(f)(4), North Port City Code
(RV parked in City Right-of-way, across the street from residence, in front of a vacant lot)
Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 \$10.00 per day \$1,000 max 2nd hearing to assess fines 10/28/2021

Inspector Burton, being duly sworn, submitted a photo into evidence, and noted he inspected the property on September 22, 2021.

Property owner Melissa Gordon, being duly sworn, stated she is working on the side of the house and will complete the work in two weeks.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2280 2833 Dooling Street, to be in violation of Section 59-16(f)(4) of the North Port City Code for a recreational vehicle parked in right-of-way in front of residence, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2021.

M. [Case No
21-2304](#)

(JAG) Tatsiana Tarasevich, 1797 Turrell St
Section 33-7C(3), Unified Land Development Code
(Silt fencing is down in areas along this site)
Chapter 42-23, North Port City Code
(Accumulation of debris, consisting of wood, cinder blocks, and other construction materials)

Inspector Guilbault, being duly sworn, noted the property was inspected on September 22, 2021, submitted photos into evidence, he had no contact with property owner prior to today, and the silt fence was replaced but is still falling down.

Property owner Tatsiana Tarasevich, being duly sworn, spoke to efforts to clear the debris and will finish by tomorrow.

Inspector Guilbault stated he will inspect the property tomorrow.

Ms. Tarasevich stated she will obtain a container to collect debris.

Code Enforcement Division Manager Raducci, being duly sworn, stated inspectors will return to the address on Monday to give Ms. Tarasevich time to resolve the issue.

Based on evidence presented, Hearing Officer Toale found that, as of September 22, 2021, Case No. 21-2304 1797 Turrell Street, was in violation of Chapter 42-23 of the North Port City Code for accumulation of debris.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2304 1797 Turrell Street to be in violation of Section 33-7C(3) of the Unified Land Development Code for silt fencing being down in areas, and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on October 18, 2021.

N. [Case No
21-2322](#)

(JAG) D.R. Horton Inc., 1266 Woodcrest Ln
Section 45-5A, Unified Land Development Code

(No permit on file for land clearing)

This case was discussed under Case No. 21-1571.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2322 1266 Woodcrest Lane, to be in violation of Section 45-5A of the Unified Land Development Code for having no permit on file for land clearing, the number of trees being unknown, finding mitigating circumstances for the case, and imposed a fine of \$1,000.

O. [Case No 21-2356](#)

(JA) Stanley Dean Jackson Jr & Whitney Paige Justice-Jackson, 4359 Cromey Rd

Section 45-5A, Unified Land Development Code

(No permit on file for land clearing)

Inspector Ardinger, being duly sworn, noted the property was inspected September 22, 2021, one tree was removed, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2356 4359 Cromey Road to be in violation of Section 45-5A of the Unified Land Development Code for no permit on file for land clearing, and imposed a fine of \$250.

P. [Case No 21-2377](#)

(JA) FKH SFR PROPCO D LP, 1864 Nordendale Blvd

Sec. 1-19, Unified Land Development Code

(No permit on file for fence located on property)

Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 \$25.00 per day \$2,000 max 2nd hearing to assess fines 10/28/2021

Inspector Ardinger, being duly sworn, noted the property was inspected on September 22, 2021, she had no contact with the property owner prior to today, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2377 1864 Nordendale Boulevard to be in violation of Section 1-19 of the Unified Land Development Code for no permit on file for fence located on property, and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on October 18, 2021.

Q. [Case No 21-2386](#)

(JAG) Euseblo Perez Peralta, 2778 Flagami Ln

Chapter 42-23, North Port City Code

(Accumulation of debris throughout property consisting of pieces of wood, AC units, pallets, hot water heater, cardboard boxes, trash bags, buckets, and other miscellaneous debris)

Chapter 70-56, North Port City Code

(No visible assigned numbers affixed to this residence)

Chapter 105.1, Florida Building Code

(No permit on file for installation of new door)

Inspector Guilbault, being duly sworn, noted the property was inspected on September 22, 2021, he had contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2386 2778 Flagami Lane, to be in violation of Chapter 42-23 of the North Port City Code for accumulation of debris throughout property, and imposed a fine of \$10 a day with a

maximum of \$1,000 to commence on November 12, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2386 2778 Flagami Lane, to be in violation of Chapter 70-566 of the North Port City Code for no visible assigned numbers affixed to the residence, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 12, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2386 2778 Flagami Lane, to be in violation of Chapter 105.1 of the Florida Building Code for no permit on file for installation of a new door, and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on November 12, 2021.

R. [Case No 21-2429](#)

(HLB) Caitlin McGinn, 8406 Aero Ave
Chapter 42-23, North Port City Code
(Accumulation of debris in backyard consisting of totes, buckets, household items, wood, mirror, and on the left side debris consisting of metal and other miscellaneous items)
Chapter 70-56, North Port City Code
(No visible assigned numbers affixed to residence that can be seen from the street.)
Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$10.00 per day max of \$1,000.00
2nd hearing to assess fines 10/28/21.

Inspector Burton, being duly sworn, noted the property was inspected on September 22, 2021, he had no contact with property prior to today, and submitted photos into evidence.

Property owner Caitlin McGinn, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2429 8406 Aero Avenue, to be in violation of Chapter 42-23 of the North Port City Code for accumulation of debris on the property, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2021.

S. [Case No 21-2573](#)

(HLB) Romans Kokurins & Jelena Protopopova, 8135 Mossborger Ave
Sec. 53-122D, Unified Land Development Code
(Homeowner running vehicle repair business from residence)
Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$25.00 per day max of \$2,000.00
2nd hearing to assess fines 10/28/21.

Inspector Burton, being duly sworn, noted the property was inspected on September 21 2021, contacted property owner and tenant, and submitted photos into evidence.

Tenant Vienyek Lebec, being duly sworn, spoke to owning four vehicles, was told car repairs may be done, and stated he was paid for doing repair work on other cars.

Inspector Burton stated a commercial license is needed to work on other individual's cars.

Public Comment

Bill Quinn, being duly sworn, stated the property owner works on other cars, cleans cars,

moved operations down the block, and Mr. Lebec admitted to doing a repair business from his home.

Brenda Farley, being duly sworn, noted when the work started, the different activities being conducted on the premises, and the property being messy and cluttered.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2573 8135 Mossborger Avenue, to be in violation of Section 53-122D of the Unified Land Development Code for an illegal vehicle repair business being performed on the property, and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on October 18, 2021.

T. [Case No 21-2580](#)

(WK) 2017-1 IH Borrower LP, 4682 Sunburst Ave

Chapter 105.1, Florida Building Code

(No permit issued for City Right-of-way use, large dirt pile within right-of-way into street)

Chapter 42-23, North Port City Code;

(Accumulation of debris consisting of wood, plastic buckets, gas can, cooler, and other miscellaneous household items being left outside in front of garage, on driveway, and in screen entry way blocking access to home)

Section 42-24(a)(1)(b) North Port City Code

(No silt barriers up to prevent run off of silt/sand/rocks of which are piled up in City Right-of-way within drainage area; Must be able to maintain the flow of storm water through the culvert, while maintaining a neat appearance free from excessive growth, as well as any other debris at both ends of any driveway culvert pipe)

Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$50.00 per day max of \$5,000.00 and \$10.00 per day max of \$1,000 2nd hearing to assess fines 10/28/21.

Inspector Kiddy, being duly sworn, noted the property was inspected on September 22, 2021, he had no contact with property owner but did with the tenants, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2580 4682 Sunburst Avenue, to be in violation of Chapter 105.1 of the Florida Building Code for no permit issued for City right-of-way use and large dirt pile within the right-of-way into street, and imposed a fine of \$50 a day with a maximum of \$5000 to commence on October 18, 2021.

Inspector Kiddy noted that Case No. 21-2580 4682 Sunburst Avenue, is now in compliance for the violation of Chapter 42-23, North Port City Code.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2580 4682 Sunburst Avenue, to be in violation of Section 42-24(a)(1)(b) of the North Port City Code for no silt barriers up to prevent run off of silt/sand/rocks of which are piled up in City right-of-way, and imposed a fine of \$50 a day with a maximum of \$5000 to commence on October 18, 2021.

U. [Case No 21-2591](#)

(JA) Malcolm S Gentley, 5427 Kedgewick Ln

Section 45-5A, Unified Land Development Code

(Obtain the required land clearing permit within ten (10) days from the date

of this Notice. For additional information, go to:
<http://cityofnorthport.com/index.aspx?page=121>)

Inspector Ardinger, being duly sworn, noted the property was inspected on September 22, 2021, 10 small pine trees were removed, she had contact with the property owner, and submitted photos and an email into evidence.

Property Owner Malcolm Gentley, being duly sworn, stated he was unaware of the permitting process.

Inspector Ardinger stated approximately two trees were larger than 4-inches.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2591 5427 Kedgewick Lane, to be in violation of Section 45-5A of the Unified Land Development Code for two trees that were cleared without a permit, and imposed a fine of \$500.

V. [Case No 21-2595](#)

(WK) Keith W & Lori A Lamb, 2154 Azure Rd
 Section 311.1 Florida Building Code
 (No port-a-potty(s) located on this construction site)
 Chapter 1, Administrative Code - City of North Port, Sec. 110
 (No dumpster on construction site)

Section 105.4.1.1, Florida Building Code
 (Swimming pool permit # 20-3105 is expired)

Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$10.00 per day max of \$5,000.00 and \$10.00 per day max of \$1,000, \$10.00 per day max of \$5,000.00 2nd hearing to assess fines 10/28/21.

Inspector Kiddy, being duly sworn, noted that the property was inspected on September 22, 2021, he had contact with the property owner prior to today through email, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2595 2154 Azure Road, to be in violation of Section 311.1 of the Florida Building Code for no port-a-potty(s) located on this construction site, and imposed a fine of \$10 a day with a maximum of \$5000 to commence on October 18, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2595 2154 Azure Road, to be in violation of Chapter 1 of the North Port City Code, for no dumpster on construction site, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 18, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2595 2154 Azure Road, to be in violation of Section 105.4.1.1 of the Florida Building Code for an expired swimming pool permit #20-3105, and imposed a fine of \$10 a day with a maximum of \$5000 commencing on October 18, 2021.

W. [Case No 21-2628](#)

(WK) Leonel G Rodriguez & Zaida R Diaz, 4693 Vaquero St
 Chapter 105.1, Florida Building Code
 (No permit on file for wooden structure added to the rear of house)
 Section 53-240(5), Unified Land Development Code
 (Both Sheds on property need to be moved back 10 feet off rear property,

and 7 1/2 feet off of side property)

Inspector Kiddy, being duly sworn, noted the property was inspected on September 22, 2021, submitted photos into evidence, and he had contact with property owners.

Leonel Garcia Rodriguez, being duly sworn, stated there were multiple inspections scheduled but no one showed up, and he is willing to resolve the problem.

Mr. Kiddy explained the process to reconcile the violation, and showed onscreen comments regarding the Building Department permit comments.,

Mr. Garcia stated he will comply with the requirements.

Based on evidence presented, Hearing Officer Toale, continued Case No. 21-2628 4693 Vaquero Street, to the October 28, 2021 Code Enforcement Hearing.

Inspector Kiddy noted that the Respondents to Case No. 21-2628 for 4693 Vaquero Street, stated that a Building Official requested an extension for the continuance of 90 to 120 days to complete additional extensive work.

Based on further evidence, Hearing Officer Toale, continued Case No. 21-2628 4693 Vaquero Street, to the January 20, 2022 Code Enforcement Hearing.

X. [Case No 21-2655](#)

(JAG) Petr Martynenko, 5272 Chaplin Ter
Chapter 58-104, North Port City Code
(Living in residence with no Certificate of Occupancy)

Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$10.00 per day max of \$1,000.00 2nd hearing to assess fines 10/28/21.

Inspector Guilbault, being duly sworn, noted that the property was inspected on September 22, 2021, he has not had contact with the property owner, and submitted one photo into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 21-2655 5272 Chaplin Terrace, to be in violation of Chapter 58-104 of the North Port City Code for living in a residence with no Certificate of Occupancy, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 18, 2021.

Y. [Case No 21-2685](#)

(HLB) Susan Hughes, 3310 Pan American Blvd
Chapter 62-50, North Port City Code
(Solid Waste Containers stored improperly in driveway. Must be stored behind the front plane of the home.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris to the right side of the property consisting of yard waste)

Inspector Burton, being duly sworn, noted the property was inspected on September 22, 2021, and he had no contact with owner.

Property owner Susan Hughes, being duly sworn, noted yard waste is from a tree, and it is difficult for her to do yard work.

Inspector Burton suggested asking neighbor or pay someone, noted pine needles can be picked up by the City if bundled and tied, and recommended giving two months to clean

up.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2685 3310 Pan American Boulevard, to be in violation of Chapter 62-50 of the North Port City Code for yard debris, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 12, 2021.

Z. [Case No 21-2694](#)

(HLB) Melchor Ochoa, 3848 Alwood St
Section 45-5A, Unified Land Development Code
(Trees cut down with no permit on file for land clearing)

Mr. Burton, being duly sworn, noted the property was inspected on September 22, 2021, submitted photos into evidence, he had no contact with the property owner prior to today, and the total number of trees were identified.

Property owner Melchor Ochoa, being duly sworn, stated he was aware that he is guilty and expressed regret.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2694 3848 Alwood Street, to be in violation of Section 45-5A of the Unified Land Development Code for trees cut with no permit for clearing, and imposed a fine of \$250 per tree for a total fine of \$1,500.

AA. [Case No 21-2807](#)

(WK) DLP Brite Homes LLC, 4073 Titan St
Section 33-7C(3), Unified Land Development Code
(No Silt screening on construction site to prevent silt from getting into storm water runoff)

Given until 10/17 to achieve compliance or fines may be assessed beginning 10/18 of \$10 per day max \$2,000 2nd hearing to assess fines 10/28

Inspector Kiddy, being duly sworn, noted that the property was inspected on September 22, 2021, he had no contact with the property owners prior to today, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2807 4073 Titan Street, to be in violation of Section 33-7C(3) of the Unified Land Development Code for no silt screening on construction site to prevent silt from getting into storm water runoff, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 18, 2021.

AB. [Case No 21-2837](#)

(JAG) Christy Marecki, 1741 Nobregas Ave
Sec. 59-16(d), North Port City Code
(One inoperable green truck in the driveway, and one Inoperable grey Honda in driveway. Must be covered with a nontransparent tarp)
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. Pick up for this area is on Wednesday)
Chapter 42-23, North Port City Code

(Accumulation of debris throughout the property consisting of plastic bottles, gas cans, coolers, tool boxes, pieces of wood, car tires, metal pipes, refrigerator, ac units, and other miscellaneous items)

Given until 10/17 to achieve compliance or fines may be

assessed beginning 10/18 of \$10 per day, \$10 per day \$10 per day max \$1,000 max \$1,000 max of \$1,000 2nd hearing to assess fines 10/28

Inspector Guilbault, being duly sworn, submitted photos into evidence, noted the property was inspected on July 6, 2021, and he had no contact with property owner prior to today.

Property owner Christy Marecki, being duly sworn, stated she is working on the cleaning up the property, a car accident hinders her husband from working, and other debris is being cleaned up.

Inspector Guilbault spoke to covering the car with a tarp to bring the violation into compliance.

Property owner Johnny Thomms, being duly sworn, spoke to the physical complications from the accident.

Based on evidence presented, Hearing Officer Toale, found Case No. 21-2837 1741 Nobregas Avenue, to be in violation of Section 59-16(d) of the North Port City Code for the inoperable truck, and imposed a fine of \$10 a day with a maximum of \$1,000 commencing on October 18, 2021.

Based on evidence presented, Hearing Officer Toale, found Case No. 21-2837 1741 Nobregas Avenue, to be in violation of Chapter 62-50 of the North Port City Code for solid waste containers improperly stored at the street outside the time frame permissible by City Code, and imposed a fine of \$10 a day with a maximum of \$1,000 commencing on October 18, 2021.

Based on evidence presented, Hearing Officer Toale, found Case No. 21-2837 1741 Nobregas Avenue, to be in violation of Chapter 42-23 of the North Port City Code for accumulation of debris throughout the property consisting of plastic bottles, gas cans, coolers, tool boxes, pieces of wood, car tires, metal pipes, refrigerator, air conditioning units, and other miscellaneous items, and imposed a fine of \$10 a day with a maximum of \$1,000 commencing on October 18, 2021.

AC. [Case No 21-2891](#)

(HLB) Bryan & Pamela Lynn Rudyk, 2099 Yalta Ter
Section 45-5A, Unified Land Development Code
(No approved permit on file for land clearing)

Inspector Burton, being duly sworn, noted that the property was inspected in July, submitted photos into evidence, and had no contact with the property owner prior to today.

Property owner Bryan Rudyk, being duly sworn, explained the history of submitting permit applications, number of trees removed, Florida Power and Light (FPL) inspection of their pole, Engineering Technician II James Polak stopped the permit process, and upon receiving summons he applied for permits.

Inspector Burton spoke to the height at which pine trees are considered trees, and an aerial of the property was provided.

Mr. Rudyk submitted before and after photos of the area.

Code Enforcement Division Manager Raducci, being duly sworn, spoke to the City Arborist's part in the permit process.

Mr. Rudyk stated a Building official arrived after the trees were removed.

Inspector Burton spoke to a land clear permit needed first, displayed the permits submitted by the property owner, and permit for pole barn was stopped due to needing additional information.

Code Enforcement Division Manager Raducci spoke to all permits being submitted at one time.

Mr. Golen, being duly sworn, spoke to the role of the hearing officer under Florida Statutes Chapter 162.

Mr. Rudyk stated he will plant trees to replace what was removed.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2891 2099 Yalta Terrace, to be in violation of Section 45-5A of the Unified Land Development Code for having no permit on file for land clearing, and imposed a fine of \$1,000 due to mitigating circumstances.

10. 2ND HEARING CASES

- A. [Case No 21-1159](#) (JA) Allyn & Betty Lord, 5145 Densaw Rd
Chapter 105.1, Florida Building Code
(No permit on file to begin work on home, after structure fire)
Given until 9/19 to achieve compliance or fines may be assessed beginning 9/20 of \$50.00 per day max \$5,000 2nd Hearing to assess fines 9/23
Ms. Ardinger, being duly sworn, noted there were no changes in the violation of Chapter 105.1, Florida Building Code.
Based on evidence presented, Hearing Officer Toale found Case No. 21-1159 5145 Densaw Road to be in violation of Chapter 105.1 of the Florida Building Code for no permit on file to begin work on home after structure fire, and imposed a fine of \$50 a day with a maximum of \$5000 to commence on September 20, 2021.
- B. [Case No 21-1456](#) (JA) Jeremy Sawyer, 3470 Elias Cir
Chapter 42-23, North Port City Code
(Accumulation of debris on this property consisting of wood, buckets, propane tank, water tank, construction debris, and other miscellaneous items)
Given until 9/19 to achieve compliance or fines may be assessed beginning 9/20 of \$10.00 per day max \$1,000 2nd Hearing to assess fines 9/23
Inspector Ardinger, being duly sworn, noted the property was inspected on September 22, 2021, there is some material to be cleaned up, and submitted photos into evidence.
Based on evidence presented, Hearing Officer Toale found Case No. 21-1456 3470 Elias Circle, to be in violation of Chapter 42-23 of the North Port City Code for accumulation of debris on this property, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on September 20, 2021.

- C. [Case No 21-1798](#) (JA) William Schwartz, 4248 Tribby Ter
Chapter 42-23, North Port City Code
(Dilapidated fence on property needs to be repaired, replaced or removed)
Given until 8/13 to achieve compliance or fines may be assessed beginning 9/19 of \$10.00 per day max \$1,000 2nd Hearing to assess fines 9/23

Inspector Ardinger, being duly sworn, submitted photos into evidence, and noted the property was inspected today, there have been no changes to the property, and requested the attorney assess a fine.

Property owner Kimberly Schwartz, being duly sworn, stated the fence was installed without her knowledge, is physically disabled and cannot do yard work, and her mother owns the home.

Based on evidence presented, Hearing Officer Toale found Case No. 21-1798 4248 Tribby Terrace, to be in violation of Chapter 42-23 of the North Port City Code for dilapidated fence needing to be repaired, replaced, or removed, and imposed a fine to of \$10 a day with a maximum of \$1,000 to commence on September 19, 2021.

- D. [Case No 21-1822](#) (JA) Nichole & Gregori Louis, 5171 Dahoon Ter
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of piles of dead/burnt vegetation, clothing, plastic bottles, folding chairs, boxes, and other miscellaneous debris.)
Chapter 105.1, Florida Building Code
(Structure (shed) on property with no permit. *If you did not give permission for these individuals to be on your property please contact communitypolicing@northportpd.com)
Given until 9/19 to achieve compliance or fines may be assessed beginning 9/20 of \$10.00 per day max \$1,000 2nd Hearing to assess fines 9/23

Ms. Ardinger, being duly sworn, noted there were no changes to the property, and requested the attorney assess a fine.

Based on evidence presented, Hearing Officer Toale found Case No. 21-1822 5171 Dahoon Terrace, to be in violation of Chapter 42-23 of the North Port City Code for accumulation of debris consisting of piles of dead/burnt vegetation, clothing, plastic bottles, folding chairs, boxes, and other miscellaneous debris, and imposed a fine of \$10 a day with a maximum of \$1000 commencing on September 20, 2021.

11. PUBLIC HEARING - POLICE DEPARTMENT

- A. [CASE NO. NPPD 21.034928](#) Yakov Kantarovich - Trespass Warning Issued to Mr. Kantarovich for 12200 San Servando Ave. (Warm Mineral Springs Park). North Port City Code Chapter 46-2 Trespass Warnings on Public Property. Subject was attempting to sell jewelry on the property.

Ms. Hale swore in all those wishing to provide testimony on the agenda item.

Attorney Toale presided as the Hearing Officer.

Yakov Kantarovich, being duly sworn, stated he lives out-of-state and holds an annual pass to Warm Mineral Springs, and hopes this can be resolved so he may enjoy this again.

Mr. Golen, being duly sworn, stated he had no questions of the plaintiff, and requested the manager of Warm Mineral Springs to come forward and answer questions.

Assistant General Manager Cameron Opelt, being duly sworn, stated he interacted with Mr. Kantarovich who was reported to be selling jewelry and other objects on Warm Mineral Springs property, after Mr. Kantarovich was told he could not sell items he left but returned later and threatened physical harm, and that police were called and removed Mr. Kantarovich from the property.

In response to Mr. Golen's question, Mr. Opelt stated his interaction with Mr. Kantarovich was finished and that he was present when the police issued the no trespass warning.

Mr. Kantarovich had no questions for Mr. Opelt.

Mr. Golen requested Officer Jasmine Gutierrez to come forward and answer questions.

Officer Gutierrez, being duly sworn, stated she responded to a call on June 18, 2021 to the Warm Mineral Springs, issued Mr. Kantarovich a warning for trespassing on the premises, submitted the complaint into the record, and after the conversation Mr. Kantarovich left the property.

Mr. Golen explained City Code Section 46-2 regarding trespassing.

Mr. Opelt stated rules are posted at multiple places on Warm Mineral Springs property.

Mr. Kantarovich stated he holds a pass to Warm Mineral Springs and was unclear regarding why he cannot return to the Springs.

Mr. Golen quoted the City Code Fee Schedule regarding refunds and that if the trespass stands, there would be no refund for the remaining time on his pass.

Attorney Toale rejected the appeal of Mr. Kantarovich due to the trespass warning being properly issued, and the judgment remaining in force for one year until June 17, 2022.

Mr. Golen stated he will prepare the order for Attorney Toale.

12. GENERAL BUSINESS

There was no general business.

13. PUBLIC COMMENT

There was no public comment.

14. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 12:46 p.m.

James E. Toale, Hearing Officer

Minutes were approved at the Code Enforcement Hearing this ___ day of _____, 2021.