



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final Code Enforcement Hearing

Thursday, October 28, 2021

9:00 AM

City Commission Chambers

1. CALL TO ORDER

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

Also Present:

Assistant City Attorney Michael Golen, 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. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

- A. [21-1628](#) Approval of Minutes for the September 23, 2021 Code Enforcement Hearing Officer 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 Ms. Hale swore in all those wishing to provide testimony.

6. COMPLIANT CASES

Ms. Ross noted the cases brought into compliance are listed on the agenda with no further action required.

- A. [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

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

- B.** [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
This case was brought into compliance with no further action required.
- C.** [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
This case was brought into compliance with no further action required.
- D.** [Case No 21-2085](#) (JAG) Patricia L Serio, 5416 Burdette Ter
Chapter 42-23, North Port City Code
(Accumulation of debris on the right side of this property consisting of interior doors, glass, plastic items, old lawn mowers, bicycles, rims, car tires, tools, car parts, as well as old basketball hoops)
Sec. 59-16(c), North Port City Code
(Truck and trailer being parked on the vacant lot to the right of property)
Sec. 59-16(c)(3) North Port City Code
(Four (4) vehicles on property unlicensed, Two (2) White Jeeps, White Ford, as well as a green open trailer.)
This case was brought into compliance with no further action required.
- E.** [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

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

- F. [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 10/28/21
This case was brought into compliance with no further action required.
- G. [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.
This case was brought into compliance with no further action required.
- H. [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.
This case was brought into compliance with no further action required.
- I. [Case No 21-2630](#) (WK) Laura Lee Wagner, 4414 LaFrance Ave
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.
- J. [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.

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

- K. [Case No 21-2794](#) (JA) John C & Sher Shirley, 1634 Spaniel Ave
Sec. 1-19, Unified Land Development Code
(No permit on file for fence on property)
Chapter 105.1, Florida Building Code
(No permit on file for wood structure attached to left side of residence.)
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of buckets, wood, crates, flowerpots, a stack of fence panels, pipes, cement blocks, and other miscellaneous debris. As well as debris in drainage/culvert area.)
Sec. 59-16(f)(3), North Port City Code
(Vehicle parked across the street from residence in City Right-of-way, in front of a vacant lot.)
Section 42-24(a)(1)(b) North Port City Code
(Rock driveway on right side of property with no culvert pipe)

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

- L. [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 10/28/21

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

- M. [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 10/28/21

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

- N. [Case No 21-2878](#) (JA) Nicholas Joseph Harvey, 2688 Pascal Ave
Sec. 59-16(d), North Port City Code

(Vehicle in rear right corner of property needs to be covered with non-transparent tarp, or removed if in disrepair.)

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

- O. [Case No 21-2987](#) (HLB) Luis M Baerz Pita & Yudelkis Cruz Echevarria, 3521 Lopinto St
Section 42-24(a)(5) North Port City Code
(Large Pile of Tree Debris along the City Right-of-Way.)
This case was brought into compliance with no further action required.
- P. [Case No 21-3006](#) (JA) CSMA BLT LLC, 1097 N Chamberlain Blvd
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.
- Q. [Case No 21-3026](#) (JAG) Donald D & Barbara Zahlman, 4748 Chamrade Rd
Chapter 105.1, Florida Building Code
(No permit on file for wood deck built for above ground pool.)
This case was brought into compliance with no further action required.
- R. [Case No 21-3030](#) (JAG) Julio E Gonzalez, 5462 Rosette 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 Wednesday, violation observed on a Thursday.)
This case was brought into compliance with no further action required.
- S. [Case No 21-3101](#) (HLB) Jacqueline E Thomas, 1501 Dexter Rd
Chapter 42-23, North Port City Code
(Accumulation of debris on vacant lot to left of property consisting of a basketball goal, landscaping materials and other miscellaneous items.)
Sec. 59-16(c), North Port City Code
(Two (2) vehicles parked on vacant lot to the right of residence with no principal structure.)
Sec. 59-16(f)(4), North Port City Code
(Truck and Trailer parked in City Right-of-way)
Sec. 59-16(f)(3), North Port City Code
(Truck and Trailer parked in City Right-of-way, in front of vacant lot to the right of residence)
This case was brought into compliance with no further action required.
- T. [Case No 21-3153](#) (HLB) Cocoplum Condominium Association Inc, 5725 Greenwood Ave
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.

- U. [Case No 21-3176](#) (JAG) Confidential Resident, 2105 Bennett Ln
Sec. 53-265(A)(2) Unified Land Development Code
(20-foot storage container located on the right side of property.)
This case was brought into compliance with no further action required.
- V. [Case No 21-3181](#) (JAG) Paul Zadie, 4177 Boston Ter
Chapter 66-62 (c), North Port City Code
(Portable Basketball hoop downed in City Right-of-way. Please remove, and store on property when not in use.)
This case was brought into compliance with no further action required.
- W. [Case No 21-3185](#) (WK) Christopher & Danielle Rogers, 6188 Pan American Blvd
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.
- X. [Case No 21-3197](#) (JAG) Zwiercan Homes Inc, 4642 Adolph Ave
Chapter 1, Administrative Code
(Accumulation of debris throughout the construction site consisting of bags, cinder blocks, and other items. Also, Dumpster is overflowing with cardboard pallets and other items.)
Section 33-7C(3), Unified Land Development Code
(Silt fence has fallen down around property)
This case was brought into compliance with no further action required.
- Y. [Case No 21-3207](#) (JAG) 20191 IH Borrower LP, 4237 Scottish Ter
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at street outside the time frame permissible by City Code. Pick up for this area is on Wednesday, violation observed on Tuesday.)
Chapter 42-23, North Port City Code
(Accumulation of debris in the driveway consisting of a clothes washer/dryer, and other miscellaneous items.)
This case was brought into compliance with no further action required.
- Z. [Case No 21-3209](#) (JAG) DR Horton Inc., 3730 Lookout Lane
Sec. 1-19, Unified Land Development Code
(No permit on file for the Six (6) foot chain link fence installed on property)
This case was brought into compliance with no further action required.
- AA. [Case No 21-3221](#) (WK) LLauris Melvin, 6207 Lenape Ln
Sec. 59-16(f)(4), North Port City Code
(Boat with Trailer parked on City Right-of-way.)

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

- AB.** [Case No 21-3255](#) (JAG) Michael C & Michelle A Knudson, 2627 Orchard Cir
Chapter 105.1, Florida Building Code
(No permit on file for shed being built in the rear yard)

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

- AC.** [Case No 21-3261](#) (JA) Harlan G Vowinkel, 1649 N Chamberlain Blvd
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.

- AD.** [Case No 21-3325](#) (JA) Axel De Chevron Villette, 3494 Worthington Ave
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.

- AE.** [Case No 21-3343](#) (JAG) Edward & Norma De Jesus Jr, 1446 Exchange Ave
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.

- AF.** [Case No 21-3377](#) (JA) Robert White III & Amanda L White, 2475 Strawberry Ter
Sec. 59-16(f)(4), North Port City Code
(Trailer parked in City Right-of-way in front of vacant lot.)
Sec. 59-16(f)(3), North Port City Code
(Trailer parked in City Right-of-way in front of vacant lot)
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.

- AG.** [Case No 21-3408](#) (JA) CSMA BLT LLC, 2628 N Salford Blvd
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way outside of normal pick up day consisting of tires, and a dresser)

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

- AH.** [Case No 21-3411](#) (HLB) Robert W, Joan, Robert John, and Rhonda Lee Yanavich
3902 Allure Ln
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.

- AI. [Case No 21-3430](#) (JA) Olga L & Yohan E Marchena, 4414 Clarke St
Chapter 105.1, Florida Building Code
(No permit on file for shed in rear of property)
This case was brought into compliance with no further action required.
- AJ. [Case No 21-3463](#) (JA) Adam J & Marife B Adolf, 2496 Frantz St
Sec. 1-19, Unified Land Development Code
(Fence on property with no permit on file. There was a fence permit in 2004, but permit was voided and never reapplied for)
This case was brought into compliance with no further action required.
- AK. [Case No 21-3479](#) (JAG) Jeffrey Coursey, 1888 N San Mateo Dr
Sec. 59-16(f)(3), North Port City Code
(Trailer parked in City Right-of-way in front of the vacant lot to the left of residence)
Sec. 59-16(f)(4), North Port City Code
(Trailer parked in City Right-of-way, to the left of residence.)
This case was brought into compliance with no further action required.
- AL. [Case No 21-3538](#) (HLB) Carlos A Cortes, 4236 Alfa Ter
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored past the front plane of the home on the left side of the driveway)
This case was brought into compliance with no further action required.
- AM. [Case No 21-3539](#) (WK) Cascades Trust II, 8105 Cascadas Ave
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of large amounts of trash in rear yard, near house and on trampoline. Also large piles of household items, mattresses, toilet, and loose trash thrown into yard)
This case was brought into compliance with no further action required..
- AN. [Case No 21-3544](#) (WK) Tammy Lawson, 8129 Cascadas Ave
Chapter 42-23, North Port City Code
(Accumulation of debris in neighboring property consisting of yard waste, and lawn mower in neighboring yard.)
Sec. 59-16(f)(3), North Port City Code
(Damage to swale with tire ruts in City Right-of-way, to left of driveway)
This case was brought into compliance with no further action required.
- AO. [Case No 21-3558](#) (WK) Jesse Campos, 3628 Ponce DeLeon Blvd
Sec. 53-122D, Unified Land Development Code
(Outside storage of commercial materials used in connection with a home occupation or use of business, visibly stored in front of home on driveway)

and right side of home.)

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

AP. [Case No
21-3580](#)

(WK) Tinna L Reid, 5780 Gallatin Ln
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right of way consisting of loose trash.)

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

AQ. [Case No
21-3622](#)

(JA) Naomi C Jennings, 1426 Wise Dr
Sec. 59-16(f)(3), North Port City Code
(Gray vehicle parked in City Right-of-way, to the right of property, in front of a vacant lot.)

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

AR. [Case No
21-3625](#)

(HLB) Alla Meyko, 3550 S Sumter Blvd
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored in driveway. Must be stored behind the front plane of the home.)
Chapter 42-23, North Port City Code
(Accumulation of debris on right side of yard)

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

AS. [Case No
21-3645](#)

(JAG) Mieczyslaw, Leokadia, & Marek Gorzeda, 4789 Kiska Rd
Sec. 59-16(f)(4), North Port City Code
(Trailer parked in City Right-of-way, in front of the vacant lot, across the street from property)
Sec. 59-16(f)(3), North Port City Code
(Trailer parked in City Right-of-way, in front of the vacant lot, across the street from property)

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

AT. [Case No
21-3692](#)

(JAG) Andrae J & Heather Mejia, 1167 Geloso Ave
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 a Tuesday.)

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

AU. [Case No
21-3704](#)

(HLB) Bryan Family Revocable Trust, 3991 Pepper Ln
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored in the driveway of residence. Must be stored behind the front plane of the home)

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

- AV.** [Case No 21-3714](#) (JA) Steven F & Danielle N Miller, 4279 Rifkin Ave
Sec. 59-16(c)(2), North Port City Code
(Number of vehicles on property exceeds what is permissible by city code for size of property. Maximum allowed is six (6), ten (10) were counted at time that violation was observed. Two (2) Trailers, boat, and Seven (7) vehicles.)
Sec. 59-16(f)(3), North Port City Code
(Van and White car parked in City Right-of-way, in front of vacant lot, and over property)
This case was brought into compliance with no further action required.
- AW.** [Case No 21-3769](#) (JA) Ryan Daniel & Leeann Wade, 2560 Strawberry Ter
Chapter 105.1, Florida Building Code
(Expired pool permit for swimming pool. Permit number #1'7-2091" last" inspection 6/30/17." There are three outstanding inspections on this permit.)
This case was brought into compliance with no further action required..
- AX.** [Case No 21-3775](#) (HLB) Adreanna Quiring, 1315 Prairie Ter
Chapter 42-23, North Port City Code
(Homeowner has accumulation of debris on right side of home consisting of tires, toilet, tank, PVC, 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.)
This case was brought into compliance with no further action required..
- AY.** [Case No 21-3777](#) (JAG) Confidential Resident (119.071FS), 5165 Janus Ave
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.
- AZ.** [Case No 21-3798](#) (HLB) Viktor Minchuk, 5339 Brickell Dr
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on vacant lot next to property consisting of a tipped over porta john.)
This case was brought into compliance with no further action required.
- BA.** [Case No 21-3841](#) (JA) Daniel Elefanti & Jenny Mejia Zamora, 4300 Amanda Ave
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of a dilapidated fence that needs to be removed, repaired, or replaced. Fence is missing several slats and falling down)
This case was brought into compliance with no further action required.

- BB.** [Case No 21-3846](#) (JA) Felicia Carmen Neptune & Joshua Ethan Hesketh, 4729 Badali Rd
Section 105.4.1.1, Florida Building Code
(Property is fenced in with an expired permit. Permit # 20-6855 was issued on 7-20-20, last inspection disapproved on 10/27-20. Final inspection is outstanding, and permit is expired. Please call City of North Port Permitting Dept. at 941-429-7044 option #3.)
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.
- BC.** [Case No 21-3857](#) (HLB) CSMA FT LLC, 5135 Brophy St
Chapter 42-23, North Port City Code
(Accumulation of debris on left hand side of residence consisting of a large pile of patio furniture on right side of home)
Chapter 34-23, North Port City Code
(Property owner running a patio furniture business from home with no business tax ID.)
Section 29-7(U)(1) Unified Land Development Code;
(Vehicle in driveway advertising business.)
This case was brought into compliance with no further action required.
- BD.** [Case No 21-3885](#) (HLB) Savannah A Adams, 2958 Yuma Ave
Sec. 59-16(f)(4), North Port City Code
(Homeowner has boat and trailer parked in City Right-of-way, in front of property)
This case was brought into compliance with no further action required.
- BE.** [Case No 21-3964](#) (JAG) Sarah Brown, 1510 Fitzgerald 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 Wednesday, violation observed on Friday at 0902)
Chapter 66-62 (c), North Port City Code
(Kids portable basketball hoop in front of the vacant lot across the street from this residence.)
This case was brought into compliance with no further action required.
- BF.** [Case No 21-3995](#) (WK) Andrew M Vukadinovich, 7649 Battalla Rd
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.

7. 1ST HEARING CASES

- A. [Case No 21-2272](#) (HLB) Ileana Smarandachie, 8795 Cristobal Ave
Sec. 1-19, Unified Land Development Code
(Aluminum fence installed on property with no permit)
- Mr. Burton, being duly sworn, provided an overview, noted the property was inspected multiple times, testified he had no contact with property owner prior to today, submitted photos into evidence, permit submitted but not obtained, and fence installed without a permit.
- Based on evidence presented, Hearing Officer Toale found Case No. 21-2272 8795 Cristobal Avenue, to be in violation of Section 1-19, Unified Land Development Code (ULDC) for no fence permit obtained, and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on November 22, 2021.**
- B. [Case No 21-3042](#) (HLB) Christian E Tavares, 4491 Worcester Ave
Chapter 70-56, North Port City Code
(No visible assigned numbers affixed to residence.)
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored in Driveway. Must be stored behind the front plane of the home.)
- Mr. Burton, being duly sworn, provided an overview, noted the property was inspected multiple times, and requested a continuance.
- Based on evidence presented, Hearing Officer Toale continued Case No. 21-3042 4491 Worcester Avenue to the December 2, 2021 Code Enforcement Hearing.**
- C. [Case No 21-3097](#) (WK) Yvan and Denise Chretien Family Trust, 7042 Kenwood Dr
Sec. 59-16(c), North Port City Code
(Multiple trailers being parked on this vacant lot.)
- Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, testified he had contact with property owner, and submitted photos into evidence.
- Mr. Golen noted City Code requires all attorneys be sworn in when representing a homeowner.
- Based on evidence presented, Hearing Officer Toale found Case No. 21-3097 7042 Kenwood Drive, to be in violation of Section 59-16(c), North Port City Code for multiple trailers being parked on a vacant lot, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on November 22, 2021.**
- D. [Case No 21-3151](#) (JAG) Boris & Ingrid Mohorovic, 2321 Firebrand Rd
Chapter 42-23, North Port City Code
(Accumulation of debris in the driveway along the left and right side, consisting of metal. ladders, carpets, tarps, and other miscellaneous items.)
- Mr. Guilbault, being duly sworn, provided an overview, noted the tenants are being evicted, and requested a continuance.
- Based on evidence presented, Hearing Officer Toale continued Case No. 21-3151 2321 Firebrand Road to the December 2, 2021 Code Enforcement Hearing.**

- E. [Case No 21-3196](#) (JA) Ricardo G Machado & Blanca C Nubo, 3622 Giblin Dr
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing)
Presented at the 10/28 hearing. H.O. Toale signing order to assess \$250 Fine.
- Ms. Ardinger, being duly sworn, provided an overview, noted the property was inspected multiple times, stated one tree removed, submitted photos into evidence, and contractor hired to do work confirmed no permit was required.
- Based on evidence presented, Hearing Officer Toale found Case No. 31-3196 3622 Giblin Drive, to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing, and imposed a fine of \$250.**
- F. [Case No 21-3224](#) (WK) Raoul Lajeune & Emmania Jean, 6220 Fronda Ave
Sec. 59-16(d), North Port City Code
(Grey truck in disrepair on driveway of property, front left tire removed up on jacks, and tire part left under truck)
- Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, submitted photos into evidence, and testified he had no contact with property owner prior to today.
- Based on evidence presented, Hearing Officer Toale found Case No. 21-3224 6220 Fronda Avenue, to be in violation of Section 59-16(d), North Port City Code for truck in disrepair, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.**
- G. [Case No 21-3260](#) (JA) Jennifer Zellner, 2616 Traverse Ave
Sec. 1-19, Unified Land Development Code
(No permit on file for fence on property.)
- Ms. Ardinger, being duly sworn, provided an overview, noted the property was inspected multiple times, and requested a continuance.
- Based on evidence presented, Hearing Officer Toale continued Case No. 21-3260 2616 Traverse Avenue to the December 2, 2021 Code Enforcement Hearing.**
- H. [Case No 21-3289](#) (WK) Patricia A Bradley, 7511 Perennial Rd
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of household items, jet ski, wood, pallets, loose trash, construction materials, piles of rocks, bricks, ladders, cones, plastic buckets, vehicle parts, road sign and other materials outside of detached garage front, side, and rear.)
Sec. 59-16(c), North Port City Code
(Jet Ski parked on vacant lot with no principal structure)
Chapter 70-21, North Port City Code
(No access for vehicle traffic to cross City Right-of-way and is not permit able due to non-conforming property to be able to approve a culvert/driveway until primary structure is built)
- Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected

multiple times, he had contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-3289 7511 Perennial Road, to be in violation of Chapter 42-23, North Port City Code for accumulation of debris, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-3289 7511 Perennial Road, to be in violation of Section 59-16(c), North Port City Code for a Jet Ski parked on vacant lot with no principal structure, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-3289 7511 Perennial Road, to be in violation of Chapter 70-21, North Port City Code for traversing the right-of-way illegally, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.

I. [Case No 21-3295](#)

(WK) Megan Kauffman, 5998 Kovner Ln
Sec. 59-16(d), North Port City Code

(Two vehicles in disrepair, jeep and car partially covered by tarp. Car parts are on scattered throughout driveway, and left side of the house going into the vacant lot to the left of the home.)

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of pallets, loose trash, tires, plastic buckets, tools, metal, and auto parts which are going onto the vacant lot to the left of the home.)

Chapter 105.1, Florida Building Code

(No Canopy Permit on file for Tent canopy in front of the home)

Chapter 62-50, North Port City Code

(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code.)

Mr. Kiddy, being duly sworn, provided an overview, submitted photos into evidence, noted the property owner is now in compliance with Chapter 62-50 regarding placement of solid waste containers, he had no contact with the property owner prior to today, and will speak with property owners to ensure future compliance.

Property owner Megan Kauffman, being duly sworn, spoke to the current stage of compliance for each violation.

Mr. Kiddy requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-3295 5998 Kovner Lane to the December 2, 2021 Code Enforcement Hearing.

J. [Case No 21-3398](#)

(HLB) Progress Residential Borrower 9 LLC, 5515 MacCaughey Dr

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of a dilapidated fence leaning to the rear property of 5500 Burdette Terr.)

Mr. Burton, being duly sworn, provided an overview, noted the property was inspected multiple times, he had no contact with property owner prior to today. and submitted

photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 21-3398 5515 MacCaughey Drive to be in violation of Chapter 42-23, North Port City Code for accumulation of debris and imposed a fine of \$10 a day with a maximum of 1,000 to commence on November 22, 2021.

K. [Case No 21-3476](#)

(JA) Debra Carney, 4168 Lanark Ave
Sec. 46-41 North Port City Code

(Pet Birds located in rear property, making loud noises throughout the day and night. This is a repeat violation)

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of broken bird cages in front of garage, as well as other miscellaneous debris)

Ms. Ardinger, being duly sworn, provided an overview, noted the property was inspected multiple times, and submitted an audio recording along with documents into evidence.

Ms. Hasker, being duly sworn, stated the first hearing for Case No. 21-3476 was March 25, 2021, and recommended dismissing the case.

Based on evidence submitted, Hearing Officer Toale dismissed Case No. 3476 4168 Lanark Avenue.

L. [Case No 21-3488](#)

(WK) VERO LLC, 5848 Gabo Rd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Presented at the 10/28 hearing. H.O. Toale signing order to assess \$250 Fine

Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, one tree was removed, and submitted photos into evidence.

Ruvim Broslav, being duly sworn, stated he was a nephew representing the property owner, and was unaware a permit was needed.

Based on evidence presented, Hearing Officer Toale found Case No. 21-3488 VERO LLC, 5848 Gabo Road to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for not obtaining a land clearing permit for a residential lot, and imposed a fine of \$250.00.

M. [Case No 21-3559](#)

(WK) Brite Properties of Florida LLC, 2692 Mctague St
Section 45-5A, Unified Land Development Code

(No permit on file for land clearing.) Presented at the 10/28 hearing. H.O. Toale signing order to assess \$2,500 Fine.

Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, the number of trees removed was undetermined, submitted photos into evidence, contractor incorrectly marked and cleared the wrong lot, both owners were contacted, and no permit was posted as of yesterday.

Based on evidence presented, Hearing Officer Toale found Case No. 3559 2692 Mctague Street to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing, and imposed a fine of \$2,500.

- N. [Case No 21-3590](#) (WK) Shadeenah Bolden, 6740 S Biscayne Dr
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of loose trash, broken glass on sidewalk, miscellaneous household items scattered about front, and right side of driveway and right side of home as well as cinder blocks stacked up in front of home.)
Sec. 59-16(f)(3), North Port City Code
(Damage to Right-of-way, from driving through swale, large ruts, in front of home and neighboring homes, which must be repaired.)
- Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, submitted photos into evidence, and he had contact with property owners.
- Based on evidence presented, Hearing Officer Toale found Case No. 21-3590 6740 South Biscayne Drive to be in violation of Chapter 42-23, North Port City Code for accumulation of debris, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.**
- Based on evidence presented, Hearing Officer Toale found Case No. 21-3590 6740 South Biscayne Drive to be in violation of Section 59-16(f)(3), North Port City Code for damage to right-of-way from driving through swale, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.**
- O. [Case No 21-3593](#) (WK) Mikhail & Nonna Sukhovitsky, 5774 Gallatin Ln
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of loose trash throughout yard and sidewalk in front of home)
Chapter 70-56, North Port City Code
(Assigned numbers affixed to residence missing 1 or more digits.)
- Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, submitted photos into evidence, and had contact with the tenants but had no contact with the property owner.
- Based on evidence presented, Hearing Officer Toale found Case No. 21-3593 5774 Gallatin Lane to be in violation of Chapter 42-23, North Port City Code for accumulation of debris, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.**
- Based on evidence presented, Hearing Officer Toale found Case No. 21-3593 5774 Gallatin Lane to be in violation of Chapter 70-56, North Port City Code for numbers affixed to residence missing 1 or more digits, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.**
- P. [Case No 21-3628](#) (WK) Helen M Moses, 7825 Rockwell Ave
Sec. 1-19, Unified Land Development Code
(No permit for new fencing installed and across property line which is not permitted.)
Section 105.4.1.1, Florida Building Code
(Expired permit 18-4525 A/C no inspection)
- Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, submitted photos into evidence, and the violations are in compliance.

Based on evidence presented, Hearing Officer Toale found Case No. 21-3628 7825 Rockwell Avenue to be in compliance.

- Q. [Case No 21-3747](#) (JA) Malesa Family Revocable Living Trust, 1797 Alliance Ave Chapter 105.1, Florida Building Code (No Permit on file for new wood fence being installed. The only permit on file for this property is for a chain link fence. Change of fence material requires a new permit.)
Ms. Ardinger, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-3757 1797 Alliance Avenue to the December 2, 2021 Code Enforcement Hearing.

- R. [Case No 21-3757](#) (WK) Mikki Stevens, 3245 Mola St 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>)
Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, submitted photos into evidence, and the number of trees removed were unknown.

Property owner Mikki Stevens, being duly sworn, submitted documents into evidence, did not receive notice of violation in a timely manner, the tree was a danger to property, arborist who removed the tree confirmed it was diseased and no permit was needed per Florida House Bill 1159.

Mr. Kiddy requested to dismiss the case.

Based on evidence presented, Hearing Officer Toale dismissed Case No. 21-3757 3245 Mola Street.

- S. [Case No 21-3892](#) (HLB) Jesus R Gonzalez, 4454 Appleton Ter Chapter 42-23, North Port City Code (Accumulation of debris in driveway consisting of totes, buckets, mini fridge, blinds and other miscellaneous items)
Mr. Burton, being duly sworn, provided an overview, noted the property was inspected multiple times, stated he had no contact with the property owner prior to today, and submitted photos into evidence.

Jesus Gonzalez, being duly sworn, spoke to debris being from former tenant.

Based on evidence presented, Hearing Officer Toale found Case No. 21-3892 4454 Appleton Terrace, to be in violation of Chapter 42-23, North Port City Code for driveway debris, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 22, 2021.

8. 2ND HEARING CASES

- A. [Case No 21-222](#) (JAG) Aracelis 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)

Mr. Guilbault, being duly sworn, requested a continuance.

Ryan Dugan, Attorney for property owners, stated he will schedule time with staff to reconcile the violations.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-222 5233 Bullard Street, to the January 27, 2022 Code Enforcement Hearing.

B. [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 10/28
Presented for 2nd hearing. No changes. H.O. signing order to assess fine.

Ms. Ardinger, being duly sworn, stated there were no changes to property since the September hearing.

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), North Port City Code and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2021.

C. [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)

Mr. Burton, being duly sworn, provided an overview, noted the property owner failed to obtain a permit for enclosed garage, and submitted photos into evidence.

Paul Deguerre, employee and representative of BAF Assets, being duly sworn, spoke to obtaining permits as required, and plans to return property to original footprint.

Mr. Burton addressed steps to obtain compliance.

Based on evidence presented, Hearing Officer Toale continued the Case No. 21-1676 3370 Pan American Boulevard to the January 27, 2022 Code Enforcement Hearing.

D. [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 10/28/21 Presented for 2nd hearing. No changes. H.O. signing order to assess fines.

Ms. Ardinger, being duly sworn, provided an overview, noted the property was inspected

multiple times, there were no changes made to the property, and recommended assessing a fine.

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

E. [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.

Presented for 2nd hearing. No changes. H.O. signing order to assess fines.

Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, there were no changes in the property, and recommended assessing a fine.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2580 4682 Sunburst Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit issued for City right-of-way, and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on October 18, 2021.

Based on evidence presented, Hearing Officer Toale found Case No. 21-2580 4682 Sunburst Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2021.

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), North Port City Code for no silt barriers, and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on October 18, 2021.

F. [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)

Mr. Kiddy, being duly sworn, provided an overview, noted the property was inspected multiple times, submitted photos into evidence, the property was in process of being sold, and property owner requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 21-2595 2154 Azure Road to the December 2, 2021 Code Enforcement Hearing.

9. GENERAL BUSINESS

There was no general business.

10. PUBLIC COMMENT

There was no public comment.

11. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 11:26 a.m.

James E. Toale, Hearing Officer

Minutes were approved on the ___ day of _____, 2021.