



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Compliance Hearing

Thursday, August 25, 2022

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:10 a.m.

Also Present

Deputy City Attorney Michael Golen, Assistant City Attorney Katlyn Coughlin, Planning and Zoning Division Manager Lori Barnes, Code Enforcement Administrative Service Specialist Michele Ross, Code Enforcement Inspectors Henley Burton, Jeffrey Guilbault, Jennifer Ardinger, 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. [22-3188](#) Approval of Minutes for the June 23, 2022 Code Enforcement Hearing Meeting.

Hearing Officer Toale approved the Minutes as presented.

5. REVIEW OF PROCEDURES AND ADMINISTRATION OF OATH

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

6. COMPLIANT CASES

- A. **Case No** (JA) Maria A Carrasquillo, 8495 Cristobal Ave
21-4864 Chapter 105.1, Florida Building Code
(No permit on file for carport enclosure.)

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

- B. **Case No** (JAG) Keith W & Lori A Lamb, 2154 Azure Rd
21-5043 Section 105.4.1.1, Florida Building Code
(Permit numbers 19-7602 for a Single-Family Residence & 19-7868 for a Garage have expired)

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

- C. Case No 22-488** (WK) Marjory Griffin, 1538 Scarlett Ave
Chapter 105.1, Florida Building Code
(Permit required for Extension of concrete deck and screen cage no permit for work done)

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

- D. Case No 22-492** (WK) Richard Parsons, 2501 Bignay Rd
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of loose trash, fencing, silt screen, and other miscellaneous household items on property.)
Sec. 59-16(c), North Port City Code
(RV trailer, white truck, tan truck, grey car, and construction equipment and generators running being parked on vacant lot with no principal structure or permits.)
Sec. 46-148 City of North Port Code
(Camping prohibited, vacant lot affecting multiple lots, allowing access to other properties from this lot. RV trailer, tents, and other tarped structures, not owned or ownership permission evidence of vehicles, trash, and animals on site during this visit. (If this is not anyone you gave permission to please contact North Port Police Department 941-740-1048 or email communitypolicing@northportpd.com))

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

- E. Case No 22-533** (WK) Richard Parsons, 2501 Bignay Rd
Chapter 70-21, North Port City Code
(Driving through City right-of-way onto vacant lot causing damage.)
Sec. 1-19, Unified Land Development Code
(No permit for fenced gate on property.)

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

- F. Case No 22-544** (JAG) Sandra Pacheco & Oscar Antonio Lopez Hernandez, 3609 Lullaby Rd
Chapter 105.1, Florida Building Code
(No permit on file for shed being built in the rear yard without a permit.)

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

- G. Case No 22-769** (JAG) HP Florida I LLC, 8279 Amendola Ave
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.

- H. Case No 22-830** (JAG) Alexander J Skulitz, 7599 Parrish St
Section 105.4.1.1, Florida Building Code
(Permit #20-8928 is expired. Please contact our building and permitting department for further direction.)
This case was brought into compliance with no further action required.
- I. Case No 22-1211** (JA) Rose Clea Crema, 2649 E Price Blvd.
Chapter 105.1, Florida Building Code - Permit required.
(Concrete slab poured in rear yard under paver blocks, with no permit on file)
This case was brought into compliance with no further action required.
- J. Case No 22-1406** (HLB) JBCC Take 5 NP LLC, 14956 Tamiami Trail
Chapter 42-23, North Port City Code
(Property owner has accumulation of debris between access road and wall consisting of trash and yard waste.)
This case was brought into compliance with no further action required.
- K. Case No 22-1413** (HLB) QSR 4 LLC, 14920 Tamiami Trail
Chapter 42-23, North Port City Code
(Accumulation of debris between the access road and wall consisting of trash and yard waste.)
This case was brought into compliance with no further action required.
- L. Case No 22-1414** (HLB) Florida Extra Property Holdings LLC, 14914 Tamiami Trail
Chapter 42-23, North Port City Code
(Accumulation of debris on vacant lot and in grass area between and the access road and wall consisting of trash and pallet.)
This case was brought into compliance with no further action required.
- M. Case No 22-1476** (JAG) Daniel & Natalia Zarembo, 1318 Nebraska Ln
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of a dilapidated fence falling over onto the property to the rear, and to the right of 1318 Nebraska Ln.)
This case was brought into compliance with no further action required.
- N. Case No 22-1640** (HLB) Byron Keith McKnight Sr, 6243 Talbot St
Chapter 105.1, Florida Building Code - Permit required.
(No permit on file for reroof completed on home)
This case was brought into compliance with no further action required.
- O. Case No 22-1671** (HLB) Equity Trust Co Cust F/B/O Oleg Sapozhnikov IRA, 5010 Bullard St
Chapter 42-23, North Port City Code

(Accumulation of debris throughout property.)

Chapter 62-50, North Port City Code

(Solid Waste Containers improperly stored)

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

**P. Case No
22-1724**

(JA) Michael Scott Ridener 2082 Switzerland Rd

Sec. 59-16(F)(1), North Port City Code

(Unlicensed Nissan Pathfinder parked in City Right-of-way)

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

(Unlicensed Nissan Pathfinder parked in City Right-of-way, in front of vacant lot)

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

**Q. Case No
22-1754**

(JAG) Iradi Nuesi, 4849 Abernant Ave.

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

(Black Toyota parked in front of vacant lot across the street from residence)

Chapter 42-23, North Port City Code

(Accumulation of debris throughout the property consisting of pieces of wood, buckets, spare tires, pieces of plywood, soffit, generators, hardware boxes, and other miscellaneous items.)

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

(Silver Chevy Truck, and black trailer parked on vacant lot to the right of residence)

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

(Damage to the City Right-of-way to the left of driveway)

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

**R. Case No
22-1768**

(JAG) Cayla Lynne Marie & Cody J Mckenzie 2244 Penguin Ln.

Chapter 105.1, Florida Building Code

(No permit on file for culvert pipe installation)

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

**S. Case No
22-1812**

(JAG) SWH 2017-1 Borrower LP, 3761 Lapeer Ave

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

(Portable basketball hoop being left in the City Right-of-way at this residence)

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

**T. Case No
22-1816**

(JAG) Zohar Akva, 4732 Prime Ter

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

(Accumulation of debris in the City Right-of-way consisting of two (2) piles of dirt).

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

- U. Case No 22-1819** (JA) Salvador A & Clemencia C Santos, 3493 S San Mateo Dr
Chapter 105.1, Florida Building Code
(No permit on file for structure built in rear property)
This case was brought into compliance with no further action required.
- V. Case No 22-1849** (JA) David & Stacey Jordan, 5463 Allamanda Ave
Sec. 1-19, Unified Land Development Code
(Property is fenced in and permit is still in submitted status. Permit number is #21-3857)
Sec. 59-16(f)(4), North Port City Code
(Trailer parked in the City Right-of-way to the right of property in front of vacant lot.)
This case was brought into compliance with no further action required.
- W. Case No 22-1878** (JA) Second Ave Sfr Holdings I LLC, 5766 Baker Rd
Section 105.4.1.1, Florida Building Code
(Permit on file for Single Family Residence is expired. There have been no inspections or progress made to residence under construction. Construction site is also overgrown with weeds and appears to have been abandoned)
This case was brought into compliance with no further action required.
- X. Case No 22-1879** (JAG) Earl R & Angela D Meade, 4057 Fontainebleau St
Section 105.4.1.1, Florida Building Code
(Expired Culvert Permit)
This case was brought into compliance with no further action required.
- Y. Case No 22-1912** (WK) Brenda & Florencio Vega, 4599 Trojan St.
Chapter 42-23, North Port City Code
(Accumulation of debris in front and side of residence consisting of building materials, wood, metal, tools, gas containers, cinder blocks, stacked pavers, and other miscellaneous household items)
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at street outside of time frame permissible by City Code. Pick up for this area is on Tuesday, violation observed on a Friday)
This case was brought into compliance with no further action required.
- Z. Case No 22-1922** (JA) Christopher Dino Golden, 5523 Delight Ave
Sec. 59-16(f)(4), North Port City Code
(Enclosed trailer parked across the street from house in City Right-of-way, in front of vacant lot)
Sec. 59-16(d), North Port City Code

(Vehicle in driveway, in disrepair and not covered with a non-transparent tarp)

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

**AA. Case No
22-1966**

(WK) Victor Nieves, 3380 W Price 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.

**AB. Case No
22-1982**

(JA) Devin Thomas, 1287 Beeman Ave
Section 105.4.1.1, Florida Building Code
(Permit for irrigation system, #20-7707 has been ready for pickup since 7-27-20. Permit needs to be picked up or closed. Please contact permitting 941-429-7044 option 3.)

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

**AC. Case No
22-2002**

(JA) Roko Construction Services Inc., 2397 E Price 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
22-2008**

(WK) Brian J Andrews, 1390 McCrory St
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of furniture, loose trash, plastic, propane tanks, and other miscellaneous debris not currently being used throughout front and sides of property)
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored on driveway in front of house, and not behind the front plane of home.)

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

**AE. Case No
22-2031**

(JA) Jeffrey Edward Held, 2043 Ananas Rd
Sec. 59-16(c), North Port City Code
(Parking and storing vehicles on vacant lot to the right of property, that belongs to a separate owner and has no principal structure.)
Sec. 59-16(f)(3), North Port City Code
(Damage to City Right-of-way on vacant property to the right of this residence belonging to another owner)
Chapter 105.1, Florida Building Code
(No permit on file for heavy machinery being brought onto vacant lot with no underbrush or land clearing permit on file.)
Chapter 70-21, North Port City Code
(Driving through City Right-of-way, without a culvert pipe.)

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

AF. Case No 22-2100 (JAG) CSMA BLT LLC, 2641 Yamada Ln
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored in front of the garage doors, to the right of driveway.)

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

AG. Case No 22-2130 (JAG) Robert J Ferraris & Virginia L Ferraris, 2520 Shady Ave
Sec. 1-19, Unified Land Development Code
(No permit on file for Black chain link fence on this property)

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

AH. Case No 22-2153 (HLB) CSMA FT LLC, 6245 Jordan St
Chapter 105.1, Florida Building Code
(Permit 15-4518 for an INT-complete mechanical change out has expired with outstanding inspections)

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

7. CONTINUED CASES

A. Case No 22-65 (HLB) Stephen Charles Seed Jr, 6315 Beedla St
Chapter 105.1, Florida Building Code
(No permit on file for construction on property. There are three dirt piles and heavy equipment on property.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, and violation remains open.

Based on evidence presented, Hearing Officer Toale found Case No. 22-65 6315 Beedla Street to be in violation of Chapter 105.1, Florida Building Code for no permit on file for construction on property and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 20, 2022.

B. Case No 22-1276 (JAG) FYN Group Inc, 8735 Cristobal Ave
Chapter 105.1, Florida Building Code
(No permit on file for residential remodel.)

Inspector Guilbault, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-1276 8735 Cristobal Avenue to the October 27, 2022 Code Enforcement Hearing.

C. Case No 22-1484 (JAG) Abundant Life, 5716 N Salford Blvd
Section 53-240(A)(3) Unified Land Development Code
(Accessory structures on a vacant lot which does not have a principal structure.)
Section 105.4.1.1, Florida Building Code
(Expired permit on file- permit 19-2346. Please contact Building and Permitting. 941-429-7044 option 3)

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of wood, metal, pvc, tools, construction materials, and another household items/materials on property.)

Chapter 70-21, North Port City Code

(Driving through City Right-of-way onto vacant lot causing damage.)

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

(Commercial mulching trailer, bobcat, which are prohibited on a vacant lot with no principal structure.)

Case No. 22-1484 was heard with Case No. 22-1916.

Inspector Kiddy, being duly sworn, noted both properties were inspected on multiple occasions, violation was under previous Tree Ordinance, submitted photos into evidence, land not bona fide agricultural, and the number of trees removed is undetermined.

Abundant Life Trustee Dmitry Dimov, being duly sworn, submitted photos into evidence, spoke to bona fide certification of property, proper licenses established, investors, areas of operation, and future permits.

Mr. Toale spoke to accuracy of Sarasota County Property Appraiser's website.

Ms. Barnes, being duly sworn, spoke to zoning designations and uses, property appraiser's agriculture exemptions, and fines under previous Tree Ordinance.

Mr. Golen, being duly sworn, spoke to residential vs. commercial tree ordinance fines.

Ms. Barnes spoke to Agricultural Exemption confirmed by Property Appraiser's Office, permit status and requested a continuance.

Mr. Kiddy spoke to permit for culvert.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-1484 5716 North Salford Boulevard to the September 22, 2022 Code Enforcement Hearing.

**D. Case No
22-1916**

(WK) Abundant Life, 5716 N Salford Blvd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Case No. 22-1916 was heard with Case No. 22-1484.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-1916 5716 North Salford Boulevard to the September 22, 2022 Code Enforcement Hearing.

8. 1ST HEARING CASES

**A. Case No
22-550**

(JA) El-Bethel Apostolic Tabernacle, 4814 S Chamberlain Blvd
Sec. 29-10 (6) Monument ground signs, Unified Land Development Code
(New Monument sign on property with no current sign permit. Last sign permit was 2006.)

Inspector Ardinger, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-550 4814 South Chamberlain Boulevard to the September 22, 2022 Code Enforcement Hearing.

**B. Case No
22-1155**

(HLB) Ricardo Cabrera Vargas, 2951 Tropicaire Blvd
Sec. 59-16(h), North Port City Code
(RV trailer on this property that appears to be lived in.)
Section 42-24(a)(1)(b) North Port City Code,
(Entrance to the property has no apron or culvert pipe.)
Chapter 105.1, Florida Building Code
(No Permit on file for an addition in the back of home.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, the RV violation is in compliance, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1155 2951 Tropicaire Boulevard in compliance with Section 59 16(h), North Port City Code for RV trailer on property with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1155 2951 Tropicaire Boulevard to be in violation of Section 42-24(a)(1)(b), North Port City Code for entrance to the property having no apron or culvert pipe and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 20, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1155 2951 Tropicaire Boulevard to be in violation of Chapter 105.1, Florida Building Code for no permit on file for an addition in the back of home and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 20, 2022.

**C. Case No
22-1256**

(JAG) Patricia A Bradley, 7511 Perennial Rd
Section 53-240(A)(3) Unified Land Development Code
(Shed located on an undeveloped parcel without a principal structure.)
Chapter 70-21, North Port City Code
(ATV's riding over the city right-of-way causing damage.)

Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted photos into evidence.

Based in evidence presented, Hearing Officer Toale found Case No. 22-1256 7511 Perennial Road to be in violation of Section 53-240(A)(3), Unified Land Development Code (ULDC) for shed located on an undeveloped parcel without a principal structure and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on September 20, 2022.

Based in evidence presented, Hearing Officer Toale found Case No. 22-1256 7511 Perennial Road to be in violation of Chapter 70-21, North Port City Code for ATV damage to City right-of-way and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 20, 2022.

**D. Case No
22-1543**

(HLB) Larissa Ann Lackatas, 8281 Lombra Ave
Sec. 1-19, Unified Land Development Code
(New Wood Fence installed on property with no permit on file.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions and submitted photos into evidence.

During the meeting, the property owner obtained the required permit.

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

**E. Case No
22-1801**

(WK) Clearfield Trust II, 3671 Clearfield St.

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of loose trash, and cardboard in front of house and on driveway, and on left side of house mattress and other household items)

Chapter 62-50, North Port City Code

(Solid Waste Containers improperly stored at the street outside the time frame permissible by City Code. There is also Solid Waste Containers being stored in front of house by garage)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1801 3671 Clearfield Street 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 September 20, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1801 3671 Clearfield Street to be in violation of Chapter 62-50, 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 to commence on September 20, 2022.

**F. Case No
22-1808**

(WK) Lewis R Tucker & Rosalind J Buckton-Tucker, 4491 LaFrance Ave

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of loose trash, cardboard, plastic, wood, and other miscellaneous household items in front of house, garage, and left side of driveway. Clean up is needed.)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted one photo into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1808 4491 LaFrance Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 20, 2022.

**G. Case No
22-1863**

(WK) Yarlo J Lara Pena, 1552 Rice Ter

Chapter 105.1, Florida Building Code

(Expired roofing permit #19-196. Please contact permitting department, 941-429-7044 option 3)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple

occasions, he had no contact with the property owner and submitted photos into evidence.

Property Owner Yarlo Pena, being duly sworn, spoke to being was unaware a permit was required, contractor failing to obtain permit, and submitted a letter into evidence.

Mr. Kiddy requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-1863 1552 Rice Terrace to the September 22, 2022 Code Enforcement Hearing.

**H. Case No
22-1866**

(WK) Glendale Trust II, 1372 Rice 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 Tuesday, violation observed on a Thursday)

Chapter 42-23, North Port City Code

(Accumulation of debris on property and going into vacant lot to the left of home. There are also several used tires stacked up on left side of home)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-1866 1372 Rice Terrace to be in violation of Chapter 62-50, 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 to commence on September 20, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1866 1372 Rice Terrace to be in violation of Chapter 42-23, North Port City Code for accumulation of debris on property, on adjacent vacant lot, and several used tires stacked up on side of home and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 20, 2022.

**I. Case No
22-1872**

(JAG) Michael D Lowe, 4830 Londer Ave.

Section 105.4.1.1, Florida Building Code

(Expired single family residence Permit)

Inspector Guilbault, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-1872 4830 Londer Avenue to the September 22, 2022 Code Enforcement Hearing.

**J. Case No
22-1876**

(JAG) Good Smaritans Property Maintenance Inc, 5164 Sunnyvale Rd.

Section 105.4.1.1, Florida Building Code

(Expired Single Family Residence Permit)

Inspector Guilbault, being duly sworn, noted the violation is in compliance.

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

**L. Case No
22-1929**

(HLB) Robert L & Janice M Noel, 6118 Loffreda Ave.

Section 45-5A, Unified Land Development Code

(No permit on file for land clearing.)

Case No. 22-1929 was heard with Case No. 22-1930.

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, number of trees removed is undetermined, and submitted photos into evidence.

Property Owner Robert Noel, being duly sworn, submitted photos into evidence, and spoke regarding removal of trees.

Mr. Guilbault spoke to diameter of removed tree.

Based on evidence presented, Hearing Officer Toale dismissed the violation of Case No. 22-1929 6118 Loffreda Avenue regarding Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing due to nothing over 4 inches being removed.

**M. Case No
22-1930**

(HLB) Robert L & Janice M Noel, 4576 Laratonda Rd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Case No. 22-1930 was heard with Case No. 22-1929.

Based on evidence presented, Hearing Officer Toale dismissed Case No. 22-1930 4576 Loffreda Avenue in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing due to nothing over 4 inches in diameter being removed.

**N. Case No
22-1931**

(HLB) Robert L & Janice M Noel, 4576 Laratonda Rd
Chapter 105.1, Florida Building Code
(Dirt Driveway installed w/culvert in City Right-of-way, with no permit on file.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, submitted photos into evidence, and requested a continuance.

Property Owner John Noel, being duly sworn, agreed to the continuance.

Based on evidence presented, Hearing Officer Toale continued Case No.22-1931 4576 Laratonda Road to the September 22, 2022 Code Enforcement Hearing.

**O. Case No
22-1952**

(JAG) Jason L Crawford & Lacey Holland, 4053 Pinstar Ter
Sec. 59-16(f)(4), North Port City Code
(Boat parked in City Right-of-way.)

Inspector Guilbault, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-1952 4053 Pinstar Terrace to the September 22, 2022 Code Enforcement Hearing.

**P. Case No
22-1980**

(HLB) David Woodbury, 5220 Hurdle Rd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, violation was under previous Tree Ordinance, and submitted photos into evidence.

Property Owner David Woodbury, being duly sworn, spoke to work done, action being unintentional, removal of 12 trees, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1980 5220 Hurdle Road, to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing under previous Tree Ordinance and imposed a fine of \$3,000.

**Q. Case No
22-1995**

(HLB) John D Cronk, 2869 Sarletto St
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Case No. 22-1995 was heard with Case No. 22-1996.

Inspector Burton, being duly sworn, noted the violation is under the current Tree Ordinance, number of trees removed is undetermined and submitted photos into evidence.

Property Owner John Cronk, being duly sworn, submitted photos into evidence, purchased property recently, and removed one Palm Tree.

Mr. Burton spoke to Pepper Trees removed.

Based on evidence presented, Hearing Officer Toale dismissed Case No. 22-1995 2869 Sarletto Street.

**R. Case No
22-1996**

(HLB) John D Cronk, 2845 Sarletto St
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Case No. 22-1996 was heard with Case No. 22-1995.

Inspector Burton, being duly sworn, spoke to one Palm Tree removed.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1996 2845 Sarletto Street, to be in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for cutting the Palm Tree and imposed a fine of \$1,000.

**S. Case No
22-2019**

(JAG) Bryan Family Revocable Trust, 3991 Pepper Ln
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of a dead palm that has fallen down and is laying to the right of driveway. Tree has been there for several weeks.)

Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted photos into evidence.

Property Trustee Robert Bryan, being duly sworn, stated dead tree fell over.

Mr. Guilbault spoke to bulk pick up of yard debris.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2019 3991

Pepper 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 September 20, 2022.

**T. Case No
22-2025**

(HLB) Florida Opportunity Real Estate Investment LLC, 8650 Dorothy Ave
Chapter 42-23, North Port City Code

(Accumulation of debris in backyard consisting of yard waste, doors, broken lawn mower, toilet, tarps, buckets, boxes, and other miscellaneous items.)

Section 105.4.1.1, Florida Building Code

(Expired permit on file #18-3556. Please call the permitting department 941-429-7044 option #3.)

Inspector Burton, being duly sworn, noted that the debris violation has been corrected, addressed the air conditioning unit violation, noted the property was inspected on multiple occasions, and he had contact with the property owner.

Tenant Martha Burnes, being duly sworn, spoke to air conditioning change out.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2025 8650 Dorothy Avenue regarding Chapter 42 23, North Port City Code for accumulation of debris in backyard to be corrected with no fine issued.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2025 8650 Dorothy Avenue to be in violation of Section 105.4.1.1, Florida Building Code for expired permit on file for AC change-out and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on September 20, 2022,

**U. Case No
22-2073**

(HLB) Dulat Akan, 2345 Sultan Ave

Section 45-5A, Unified Land Development Code

(No permit on file for land clearing.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, number of trees removed is undetermined, and submitted photos into evidence.

Property Owner Dulat Akan, being duly sworn, spoke to contractor's mistake, being unaware a permit was required, and one tree removed.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2073 2345 Sultan Avenue in violation of Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing and imposed a fine of \$15,000.

**V. Case No
22-2077**

(WK) Aimee Dietz, 3069 Tishman Ave

Section 105.4.1.1, Florida Building Code

(Expired permits on file for HVAC 19-267, and Windows 20-4637)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-2077 3069 Tishman Avenue to be in violation of Section 105.4.1.1, Florida Building Code for expired permits on file for HVAC unit and windows installation and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 20, 2022.

- W. Case No 22-2101** (JAG) Kenneth J Wahl, 2661 Yamada Ln
Chapter 62-50, North Port City Code
(Solid waste containers improperly stored in front of the garage door.)
- Inspector Guilbault, being duly sworn, noted that the property was inspected on multiple occasions, he had no contact with the property owner, and submitted one photo into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-2101 2661 Yamada Lane to be in violation of Chapter 62-50, North Port City Code for solid waste containers improperly stored in front of the garage door and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on September 20, 2022.***
- X. Case No 22-2151** (JAG) 2019 IH Borrower LP, 3142 Parade Ter
Section 105.4.1.1, Florida Building Code
(Expired permit # 14-3503, for a complete mechanical change out, which has outstanding inspections.)
- Inspector Guilbault, being duly sworn, noted that the property was inspected on multiple occasions, he had no contact with the property owner, and submitted one photo into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-2151 3142 Parade Terrace to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for a complete mechanical change out and outstanding inspections and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 20, 2022.***
- Y. Case No 22-2152** (JAG) 20191 IH Borrower LP, 1308 Elmore Ter
Section 105.4.1.1, Florida Building Code
(Permit #14-3502 for a complete mechanical change out has expired with outstanding inspections.)
- Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted one photo into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-2152 1308 Elmore Terrace to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for mechanical change out with outstanding inspections and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 20, 2022.***
- Z. Case No 22-2154** (HLB) SWH 2017-1 Borrower LP, 7804 Jayman Rd
Section 105.4.1.1, Florida Building Code
(Permit 14-3157 for an INT-complete mechanical change out has expired and has outstanding inspections)
- Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted one photo into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-2154 7804 Jayman Road to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for mechanical change out and outstanding inspections and***

imposed a fine of \$50 a day with a maximum of \$5,000 to commence on September 20, 2022.

**AA. Case No
22-2155**

(HLB) ARVM 5 LLC, 6100 Deer Run Rd
Sec. 1-19, Unified Land Development Code
(No permit on file for chain link fence around rear property.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2155 6100 Deer Run Road to be in violation of Section 1-19, Unified Land Development Code (ULDC) for no permit on file for chain link fence around rear property and imposed a fine of \$10 a day with a maximum of \$2,000 to commence on September 20, 2022,

**AB. Case No
22-2179**

(JAG) Christina & Martin Poschner Jr, 1183 Wise Dr
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, number of trees removed is undetermined, and submitted photos into evidence.

Attorney Peter Pike, representing property owners, being duly sworn, agreed lot was cleared without permission.

Mike Wilde, representing Holiday Builders, being duly sworn, spoke to improperly cleared land.

Mr. Golen, being duly sworn, stated City can only address the property owner.

Mr. Wilde spoke to verbal promises not being met, difficulty resolving the issue, and Holiday Builders accepting responsibility.

Mr. Pike accepted responsibility for the fine.

Based on evidence received, Hearing Officer Toale continued Case No. 22-2179 1183 Wise Drive to the October 27, 2022 Code Enforcement Hearing.

**AC. Case No
22-2207**

(HLB) James E & Nancy J Bremer, 2899 Egret Ct
Section 105.4.1.1, Florida Building Code
(In ground pool on property with expired pool permit. Please contact City of North Port permitting department; 941-429-7044 option 3)

Inspector Burton, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-2207 2899 Egret Court to the October 27, 2022 Code Enforcement Hearing.

**AD. Case No
22-2300**

(JAG) Iradi Nuesi, 4805 Abernant Ave
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Guibault, being duly sworn, noted the property was inspected on multiple

occasions, number of trees removed was two, and submitted photos into evidence.

Property Owner's Daughter Anderli Gago, being duly sworn, spoke to Unity of Title obtained, misunderstanding regarding tree removal permit, and land clearing permit obtained.

Mr. Burton spoke to underbrush permits and lot clearing permits.

Property Owner Iradi Nuesi, being duly sworn, spoke to contractor's clearing mistake, being unaware a clear cut permit was needed, and removal of one tree.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2300 4805 Aberrant Avenue 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 \$5,000.

9. 2ND HEARING CASES

- A. Case No 20-5503** (HLB) Lubomira Michael & Milan Kuruc, 2799 Brolly St
Chapter 42-23, North Port City Code
(Property has debris consisting of burnt down RV and trash throughout property)

Inspector Burton, being duly sworn, requested the order be signed assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 20-5503 2799 Brolly Street to be in violation of Chapter 42-23, North Port City Code for property debris consisting of burnt down RV and trash and signed the order assessing the fine.

- B. Case No 21-1207** (HLB) Christopher & Lori Beriau, 2443 Greenley Rd
Chapter 42-23, North Port City Code
(Accumulation of debris on property consisting of a large pile of old tires)

Inspector Burton, being duly sworn, requested the order be signed assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 21-1207 2443 Greenley Road to be in violation of Chapter 42-23, North Port City Code for accumulation of debris on property and signed the order assessing the fine.

- C. Case No 22-389** (WK) Ivan & Nellya Boychenko, 3134 Whiptree Cir
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of loose trash, vehicle parts, and tires on property.)
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way consisting of Vehicle parts and Tires)
Sec. 59-16(c), North Port City Code
(Multiple vehicles, semi-trailers, cars, trucks, and construction equipment with no principal structure.)
Sec. 59-16(d), North Port City Code
(Vehicle repair, maintenance, disassembled parts scattered all around property and into neighboring vacant lot. Vehicle being left in state of

wreckage or disrepair state not allowed on vacant land.)

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

(Prohibited parking on roadway, semi and tractor trailer.)

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

(Prohibited parking in front of a vacant lot.)

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

(Prohibited parking and storage of prohibited vehicles. Truck Tractor, Construction equipment, Heavy equipment, tractor, and semi-trailer.)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, submitted photos into evidence, and requested a continuance

Based on evidence presented, Hearing Officer Toale continued Case No. 22-3879 3134 Whiptree Circle to the September 22, 2022 Code Enforcement Hearing.

**D. Case No
22-1458**

(WK) HP Florida I LLC, 2006 Macaris Ave

Chapter 70-56, North Port City Code

(No visible assigned numbers affixed to residence.)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, no changes regarding the violation and requested the order be signed assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1458 2006 Macaris Avenue to be in violation of Chapter 70-56, North Port City Code for no visible assigned numbers affixed to residence and signed the order assessing the fine.

10. GENERAL BUSINESS

A. [22-3336](#)

Case No. 22017820 Trespass Appeal -- David Winston/Omar Branch -- 6207 West Price Boulevard, North Port FL 34287 (Morgan Family Community Center)

Hearing Officer Toale presided and noted that the Appellants were not present.

Ms. Hale swore in all those wishing to provide testimony.

Assistant City Attorney Katlyn Coughlin, being duly sworn, stated trespass warning was properly noticed.

Officer Ramirez, being duly sworn, presented a brief overview of the altercation, staff identified parties involved, and trespass warnings issued.

Witness Berry Dudgeon, being duly sworn, spoke to the disturbance and individuals warned of trespass.

Based on evidence presented, Hearing Officer Toale found Case No. 22-3336 Trespass Appeal, that the trespass warning was issued properly and appeal is denied for both parties.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 12:39 p.m.

James E. Toale, Hearing Officer

Minutes were approved on the ____ day of _____, 2022.