



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Enforcement Hearing

Thursday, January 23, 2025

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:

City Clerk Heather Faust, Assistant City Attorney Katlyn Coughlin, Code Enforcement Manager Kevin Raducci, Recording Secretary Leslie VanAtti, Code Enforcement Inspectors Louis Cerbone, Joshua Presson, and Gavyn O'Neil

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. [25-1816](#) Approval of the October 24, 2024 Code Enforcement Hearing Minutes

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. Faust swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [Case No 24-2018](#) (JP) SAMUEL T SEPP; 8169 DOROTHY AVE
Chapter 70-56, North Port City Code Assigned numbers
(No visible assigned numbers affixed to residence)
This case was brought into compliance with no further action required.
- B. [Case No 24-3035](#) (NL) TRUST US INVESTMENTS LLC; 7955 JAYMAN RD
Section 105.4.1.1, Florida Building Code- Permit has expired
(SFR permit 22-1953 expired on 10-28-23)
This case was brought into compliance with no further action required.

- C. [Case No 24-3910](#) (GO) HILDA A QUINTANA-MOLINA, 6098 SAN SALVADOR RD
2012 International Property Maintenance Code Section 108.1.1 - Unsafe structures
(Construction site has broken out windows around the entire unfinished property, resulting in glass shards that are scattered throughout on the ground. Additionally, this construction site has not been boarded off allowing access to an unsafe construction site)
This case was brought into compliance with no further action required.
- D. [Case No 24-4031](#) (NL) DONALD & LINDA JOHNSTON, 8231 LOMBRA AVE
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired permit 22-3775 for land clearing (2 oak trees), expired on 3-30-23.)
This case was brought into compliance with no further action required.

7. CONTINUED CASES

- A. [Case No 24-1679](#) (LC) JOHN EDWARD SHCLARR; 1733 KADASHOW AVE
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:
* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
(Abandoned construction site without window or door frames. The abandoned structure causes a possible hazardous for persons entering. There is also no retaining fences or posted warning signage)

Hearing Officer Toale announced the item.

Inspector Cerbone, being duly sworn, provided a presentation including no changes to the property, requested the order imposing the fine be signed, and photograph into evidence, and responded to questions regarding intent of continuation.

John Shclarr, property owner, being duly sworn, spoke to obtaining new permit and status of permit and responded to questions regarding request for permit.

Mr. Toale spoke to options and application history/status.

Mr. Raducci, being duly sworn, questioned the property owner regarding documents submitted with the request for permit and recommended finding the property owner in violation and continue to March.

Mr. Toale recessed this case to allow for additional information to be obtained regarding the permit status.

Mr. Cerbone spoke to status of permit and additional information required regarding drainage.

Based on evidence presented, Hearing Officer Toale found Case No. 24-1679, 1733 Kadashow Ave., to be in violation of Chapter 42-85, North Port City Code, for abandoned construction site without window or door frames and no retaining fences or posted warning signage and continued the case to the February 27, 2025 Code Enforcement Hearing.

8. 1ST HEARING CASES

A. [Case No 24-3342](#)

(GO) SB&G LIMITED HOLDINGS LLC, 4438 HARTSOOK AVE

Chapter 70-56, North Port City Code Assigned numbers must be at least three (3) inches in height, in Arabic numeral form, placed on a contrasting background visible from the street

(No visible assigned numbers affixed to residence)

59-1 (c)(1), City Code Allowed parking - A property owner shall only have a boat, light duty vehicle, oncall/on-duty wrecker, recreational vehicle, or trailer parked on their residential lot when the lot contains a principal structure, and pursuant to the following limitations:

a. Combined maximum parking. The combined maximum number of light duty vehicles and boats allowed to park on a residential lot is determined based on the lot's size, as follows: Residential

Lot Size Total Vehicles and/or Boats

10,999 square feet or smaller 6

11,000 to 20,999 square feet 8

21,000 to 30,999 square feet 9

31,000 to 40,999 square feet 10

41,000 to 50,999 square feet 11

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51,000 square feet and larger 12

b. Boat and trailer parking. A boat on a trailer shall count as one item towards the combined maximum parking allowed on a residential lot.

c. Location limits. No boat, light duty vehicle, recreational vehicle, and/or trailer shall be parked on a residential lot except as follows:

1. Front yard parking. A parked vehicle/boat must rest entirely upon a driveway in the front yard.

2. Side or rear yard parking. A parked vehicle/boat must rest so that no part encroaches into an easement on the side or rear yard. *Driveway. An improved surface located between the public street and a private property that provides ingress and egress of vehicular traffic from the public street to a definite area on the private property, such as a carport, garage, or house.

(Trailer parked on property and not on an improved surface)

Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of a trailer that is overflowing with trash and tree branches.)

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, provided a presentation including inspections, no contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3342, 4438 Hartsook Ave., to be in violation of Chapter 70-56, North Port City Code, for no visible assigned numbers affixed to residence and imposed a fine of \$10/day with maximum of \$1000 to start on Feb 18, 2025 if not brought into compliance by February 17, 2025.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3342, 4438 Hartsook Ave., to be in violation of Chapter 59-1, North Port City Code, for trailer parked on property and not on an improved surface and imposed a fine \$10/day with maximum of \$1000 to start on Feb 18, 2025 if not brought into compliance by February 17, 2025.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3342, 4438 Hartsook Ave., to be in violation of Chapter 42-23, North Port City Code, for accumulation of debris consisting of a trailer that is overflowing with trash and tree branches and imposed a fine \$10/day with maximum of \$1000 to start on Feb 18, 2025 if not brought into compliance by February 17, 2025.

**B. [Case No
24-3396](#)**

(GO) ARTHUR FERREIRA ALVES, 3727 COQUINA AVE

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris on this property consisting of a shelf, toys, containers, and other miscellaneous items. Additionally, the patio in the rear of the property is dilapidated and needs to be removed or repaired)

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, stated this case was brought into compliance.

This case has come into compliance with no further action required.

**C. [Case No
24-3667](#)**

(JP) MARZAN CONSTRUCTIONS LLC, 3808 ALBATROS LN

International Property Maintenance Code 302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Noxious weeds shall be prohibited

(Grass and/or weeds on this property are excessive in height, and is in violation of City Code)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections, no contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3667, 3808 Albatros Ln., to be in violation of International Property Maintenance Code 302.4, for grass and/or weeds excessive in height, and in violation of City Code and imposed a fine \$10/day with maximum of \$1000 to start on February 18, 2025 if not

brought into compliance by February 17, 2025.

D. [Case No
24-3798](#)

(LC) ESTERO DEVELOPMENT PARTNERS, 2487 FLAGAMI LN
Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion
(No soil erosion in place which is allowing soil and sand to wash into the roadway.
)

Section 105.4.1.1, Florida Building Code- Permit has expired
(Permit number 21-10347 for a single family residence has expired)
33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris; landscaped berms. The pile of debris shall be completely enclosed on all four (4) sides

(The property grounds are littered with construction materials and debris)
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(The plywood roof is uncovered, and is starting to weather and splinter.)

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, provided a presentation including inspections, contact with property owner, and photographs submitted into evidence.

Mr. Toale spoke to fine procedure.

Reed Schwarzel, property owner, being duly sworn, responded to questions regarding intent for property, and timeline.

Mr. Toale spoke to timeline for compliance.

Mr. Raducci, being duly sworn, recommended finding in violation immediately and actions that could be taken to bring into compliance.

Ms. Coughlin, being duly sworn, spoke to liability to the City.

Mr. Schwarzel requested clarification regarding boarding the structure.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3798, 2487 Flagami Ln., to be in violation of Section 33-7C3, Unified Land Development Code, for no soil erosion in place which is allowing soil and sand to wash into the

roadway and imposed a fine \$25/day with maximum of \$2000 to start on Feb 18, 2025 if not brought into compliance by February 17, 2025.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3798, 2487 Flagami Ln., to be in violation of Section 105.4.1.1, Florida Building Code, for expired single family residence permit and imposed a fine \$50/day with maximum of \$5000 to start on Feb 18, 2025 if not brought into compliance by February 17, 2025.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3798, 2487 Flagami Ln., to be in violation of Chapter 42-85, North Port City Code, for uncovered plywood roof and imposed a fine \$250/day with no maximum o start on Feb 18, 2025 if not brought into compliance by February 17, 2025.

E. [Case No 24-3870](#)

(JP) PALLADIO DEVELOPMENT LLC, 4251 BILLINGHAM LN

Section 105.4.1.1, Florida Building Code- Permit has expired.

(Expired SFR Building Permit #22-9026, expired on 7-17-24.)

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

(Overall unkempt appearance of this construction site- with debris scattered throughout. Debris is overflowing from dumpster, and blowing throughout the property and in to the City Right-of-way)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections, contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3870, 4251 Billingham Ln., to be in violation of Section 105.4.1.1, Florida Building Code, for expired single family residence permit and imposed a fine \$50/day with maximum of \$5000 to start on February 18, 2025 if not brought into compliance by February 17, 2025.

Based on evidence presented, Hearing Officer Toale found Case No. 24 3870, 4251 Billingham Ln., to be in violation of Section 33-7(D)(1)(C), Unified Land Development Code, for unkept appearance of construction site and accumulation of construction material and debris and imposed a fine \$25/day with maximum of \$2000 to start on February 18, 2025 if not brought into compliance by February 17, 2025.

F. [Case No 24-3963](#)

(GO) NATALYA & NICK TUR, 5121 GAGHAGEN ST

59-1 (c)(1), City Code Allowed parking - A property owner shall only have a boat, light duty vehicle, oncall/on-duty wrecker, recreational vehicle, or trailer parked on their residential lot when the lot contains a principal structure, and pursuant to the following limitations:

a. Combined maximum parking. The combined maximum number of light duty vehicles and boats allowed to park on a residential lot is determined based on the lot's size, as follows:

Residential

Lot Size Total Vehicles and/or Boats

10,999 square feet or smaller 6

11,000 to 20,999 square feet 8

21,000 to 30,999 square feet 9

31,000 to 40,999 square feet 10

41,000 to 50,999 square feet 11

51,000 square feet and larger 12

b. Boat and trailer parking. A boat on a trailer shall count as one item towards the combined maximum parking allowed on a residential lot.

c. Location limits. No boat, light duty vehicle, recreational vehicle, and/or trailer shall be parked on a residential lot except as follows:

1. Front yard parking. A parked vehicle/boat must rest entirely upon a driveway in the front yard.

2. Side or rear yard parking. A parked vehicle/boat must rest so that no part encroaches into an easement on the side or rear yard. *Driveway. An improved surface located between the public street and a private property that provides ingress and egress of vehicular traffic from the public street to a definite area on the private property, such as a carport, garage, or house.

(A Truck and Two (2) trailers parked/stored on unimproved surface in the front of this construction site. being stored on unimproved surface in front 2 trailers parked on unimproved surface in front of property. No dumpster on site Damaged silt fence)

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

(There is no dumpster or other garbage containment on this construction site, of which is required per Code. Additionally, the porta john on this construction site is tipped over and should be stood back up.)

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

(Damaged silt fence on this construction site. Silt fence should be repaired or replaced.)

This case has come into compliance with no further action required.

G. [Case No 24-4004](#)

(LC) VASILY & LYUDMILA & SERGEY KORDONSKIY, 4418 SHRIMP LN 59-2, City Code, Damage to the public right-of-way

(The underground culvert pipe has been uprooted along the Madagascar side of the property which is interrupting storm water flow. It appears that this damage was caused by vehicles and trailers with boat driving through the right-of-way without a concrete slab. Culvert and Right-of-way permit must be filed, and culvert must be repaired or replaced.)

Hearing Officer Toale announced the item.

Inspector Cerbone, being duly sworn, provided a presentation including inspections, no contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 24 4004, 4418 Shrimp Ln., to be in violation of Chapter 59-2, North Port City Code, for uprooted underground culvert pipe and imposed a fine \$10/day with maximum of \$1000 to start on February 18, 2025 if not brought into compliance by February 17, 2025.

H. [Case No
24-4117](#)

(LC) VLADIMIR PASHCHUK, 5302 BAYBERRY ST
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation)

Hearing Officer Toale announced the item.

Inspector Cerbone, being duly sworn, provided a presentation including inspections, contact with property owner, and photographs submitted into evidence and responded to questions regarding number of trees cleared, and contact with property owner.

Vladimir Pashchuk, property owner, being duly sworn, spoke to lot purchase, no knowledge of permit requirements, photographs submitted into evidence, and trees and grass planted and responded to questions regarding location of house, discussion regarding number of trees removed and tree status.

Mr. Toale reviewed criteria for determining number of trees removed and fines.

Mr. Pashchuk stated only one tree was removed due to damage and denied removal of tree stumps and responded to questions regarding sod installation.

Mr. Cerbone responded to questions regarding determination of number of trees, GIS aerial of lot,

Mr. Raducci, being duly sworn, spoke to removed tree in regard to tree size/dimensions.

Mr. Toale spoke to process for obtaining permits for removal of diseased trees and prior owner removal of trees.

Mr. Raducci spoke to process for removing trees.

Based on evidence presented, Hearing Officer Toale found Case No. 24 4117, 5302 Bayberry St., to be in violation of Section 45-5A, Unified Land Development Code, for land clearing and imposed a fine of \$800 for the removal of one tree with approximate diameter of 8 inches.

9. 2ND HEARING CASES

A. [Case No
24-1184](#)

(NL) ALAN & KATHLEEN QUACKENBUSH; 3326 TUSKET AVE
Chapter 105.1, Florida Building Code - Permit required
(No permit on file for the storage containers on property)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including no changes to order and request to sign the order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 24 1184, 3326 Tuskett Ave., to be in violation of Chapter 105.1, Florida Building Code, for storage containers on property with no permit on file and signed the order imposing the

fine.

B. [Case No 24-2427](#)

(JP) ESTERO DEVELOPMENT PARTNERS LP; 2440 BRONCO LN
Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion
(Silt fence down on the front of this construction site, as well as partially down on the side. Barrier must be repaired, or replaced)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections, no changes to property, photographs submitted into evidence, and requested the order be signed imposing the fine.

Reed Schwarzel property owner, being duly sworn, stated the information provided is correct.

Based on evidence presented, Hearing Officer Toale found Case No. 24 2427, 2440 Bronco Ln., to be in violation of Section 33-7C(3), Unified Land Development Code, for damaged silt fence on construction site and signed the order imposing the fine.

C. [Case No 24-2469](#)

(KS) SIERRA LANE CAPITAL, C/O ACQURA LOAN SERVICES; 2690 NAGENGAST ST
2012 International Property Maintenance Code Section 108.1.3 - Structure Unfit for Human Occupancy
(Mold, mildew, bug, and rodent infestation are present on this property)
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Broken glass about the premises and grounds. All doors and windows have been broken out allowing persons access to the interior which has been severely vandalized. All interior walls, doors, and appliances, including electrical components have been damaged. This property poses a health, safety, and welfare issue to the public)

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, provided a presentation including no changes to order and request to sign the order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 24 2469, 2690 Nagengast St., to be in violation of Section 108.1.3, International Property

Maintenance Code, for mold, mildew, bug, and rodent infestation on property and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 24 2469, 2690 Nagengast St., to be in violation of Chapter 42.85, North Port City Code, for broken glass about the premises and grounds, broken doors and windows, and all damaged interior walls, doors, and appliances, including electrical components and signed the order imposing the fine.

D. [Case No 24-2513](#)

(NL) MATTHEW WHITE; 2210 MCTAGUE ST

Chapter 62-50, North Port City Code Refuse container(s)

(Solid waste containers improperly stored at the street outside the time frame permissible per City Code)

R4501.17, Florida Building Code Pursuant to Sections R4501.17.1 through R4501.17.3 of the Florida Building Code, this pool has been inspected and deemed to be unsafe, creating a life/safety issue

(No Swimming barrier around this pool which is required per City Code)

Hearing Officer Toale announced the item.

Inspector Cerbone, being duly sworn, provided a presentation including no changes to order and request to sign the order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 24 2513, 2210 Mctague St., to be in violation of Chapter 62.50, North Port City Code, for improper storage of solid waste containers and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 24 2513, 2210 Mctague St., to be in violation of Sections R4501.17.1 through R4501.17.3, Florida Building Code, for missing swimming barrier around pool and signed the order imposing the fine.

F. [Case No 24-2722](#)

(JP) DWELL WELL INC; 6145 DEMING AVE

42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Roof is in a dilapidated state with visible signs of deterioration)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including no changes to order and request to sign the order imposing the fine.

10. GENERAL BUSINESS

- A. [25-1815](#) Discussion and Possible Action Regarding Approval of the 2025 Code Enforcement Hearing Schedule

Hearing Officer Toale announced the item.

Hearing Officer Toale approved the 2025 Code Enforcement Hearing Schedule as presented.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 10:09 a.m.

James E. Toale, Hearing Officer