



CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
4970 City Hall Boulevard – North Port, FL. 34286

CITY OF NORTH PORT, FLORIDA

Petitioner,

vs.

ESTERO DEVELOPMENT PARTNERS LP

Respondent(s)

CASE NO.: 24-4181

ADDRESS OF VIOLATION:

5853 BABIAN RD

North Port, FL

PARCEL ID.: # 0946146815

AFFIDAVIT OF MAILING AND POSTING

STATE OF FLORIDA

:

: ss

COUNTY OF SARASOTA

:

The undersigned, Leslie VanAtti, upon her oath, deposes and says:

On Feb 14, 2025, the Respondent(s) was served with a NOTICE OF MANDATORY HEARING dated November 20, 2024 by posting said Notice at City Hall, 4970 City Hall Boulevard, North Port, FL, and mailing said notice via U.S. Postal Service (Certified Mail) to 5853 BABIAN RD ROCK HILL SC 29732, a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

DATED: Feb 14 2025

Leslie VanAtti, Affiant
Recording Secretary

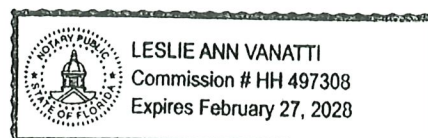
STATE OF FLORIDA

COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 14 day of Feb 2025, by Leslie VanAtti.

Notary Public - State of Florida

X Personally Known OR ___ Produced Identification
Type of Identification Produced _____





CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
DEVELOPMENT SERVICES
CODE ENFORCEMENT DIVISION
4970 City Hall Boulevard – North Port, FL. 34286
(941) 429-7186

CITY OF NORTH PORT, FLORIDA

Petitioner,

vs.

ESTERO DEVELOPMENT PARTNERS LP

Respondent(s)

CASE NO.: 24-4181

ADDRESS OF VIOLATION:

5853 BABIAN RD

NORTH PORT, FL.

PARCEL ID.: 0946146815

STATE OF FLORIDA

:

: ss

COUNTY OF SARASOTA

:

The undersigned, CODE ENFORCEMENT INSPECTOR, upon his/her oath, deposes and says:

AFFIDAVIT OF POSTING

On November 21, 2024 the Respondent(s) was served with a NOTICE OF MANDATORY HEARING by posting said Notice at 5853 BABIAN RD, NORTH PORT, FLORIDA, a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

DATED: November 21 2024



Gavyn O'Neil, Affiant
Development Services

STATE OF FLORIDA

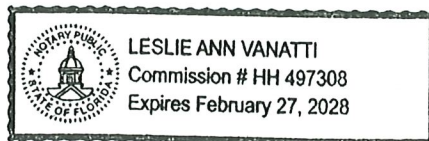
COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 21 day of November 2024 by Gavyn O'Neil.



Notary Public - State of Florida

X Personally Known OR ___ Produced Identification
Type of Identification Produced _____





CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
4970 City Hall Boulevard – North Port, FL. 34286

CODE ENFORCEMENT HEARING

CITY OF NORTH PORT, FLORIDA	}	
Petitioner,	}	
vs.	}	
ESTERO DEVELOPMENT PARTNERS LP	}	
Respondent(s)	}	CASE NO.: 24-4181
	}	CERTIFIED MAIL NO.: 9589071052700422912209
ADDRESS OF VIOLATION:	}	
5853 Babian Rd	}	
North Port, FL	}	
PARCEL ID.: 0946146815	}	

NOTICE OF MANDATORY HEARING

Pursuant to the attached **AFFIDAVIT OF VIOLATION** dated *November 20, 2024*, **YOU ARE HEREBY FORMALLY NOTIFIED** that at **9:00 a.m.**, or as soon thereafter as possible, *on February 27, 2025*, in City Chambers, City Hall, **4970 City Hall Boulevard, North Port, Florida**, there will be a public hearing to determine whether or not you have violated certain CITY OF NORTH PORT, FLORIDA CODES/ORDINANCES with regard to the CODE OF THE CITY OF NORTH PORT, FLORIDA. A **NOTICE OF VIOLATION**, dated *October 30, 2024*, was previously served by **REGULAR MAIL**.

The attached **AFFIDAVIT OF VIOLATION** specifying the Code Provisions violated and the facts and circumstances of the CODE VIOLATION have been filed with the CITY OF NORTH PORT, CITY CLERK.

YOU ARE HEREBY ORDERED to appear before the HEARING OFFICER of the CITY OF NORTH PORT, FLORIDA on *February 27, 2025*, to present your case with regard to the violation stated in the attached **AFFIDAVIT OF VIOLATION**.

In exercising their power under CHAPTER 162, FLORIDA STATUTES, and CHAPTER 2, ARTICLE IX, CODE ENFORCEMENT, CITY OF NORTH PORT finds a violation exists, it shall:

- (a) Order the violator to pay administrative fine in amount consistent with Section 2-511, Code of the City of North Port, for each day the violation(s) exists beyond the date set for compliance by the HEARING OFFICER. If the violation(s) is a repeat violation occurring within the last five (5) years, administrative fine(s) may be imposed, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the Property Standard Inspector;
- (b) Order the violator to pay a fine not to exceed \$1,000.00, \$2,000.00, \$5,000.00, or \$25,000 per violation, dependent upon the violation, if the violation was irreparable or irreversible in nature. If it pertains to unsafe abatement as determined by the building Official. There is no maximum fine cap defined in 2-511(b)(1)(d); and
- (c) Issue orders having the force of law to command whatever steps necessary to bring the violation(s) into compliance.

CONSISTENT WITH SECTION 162.09(1) FLORIDA STATUTES, NO OTHER HEARING SHALL BE NECESSARY FOR THE ISSUANCE OF THE ORDER ASSESSING THE ADMINISTRATIVE FINE(S).

In the event that the violator does not pay the administrative fine(s) (if any) prescribed by the CITY OF NORTH PORT, FLORIDA HEARING OFFICER at the hearing, the CITY OF NORTH PORT may establish a lien against the violator's property on which the violation(s) exists and upon any other real or personal property owned by the violator in accordance with Section 162.09(3), Florida Statutes and Section 2, CODE OF THE CITY OF NORTH PORT, FLORIDA. Should it become necessary for the CITY OF NORTH PORT, FLORIDA to foreclose on such a lien, the RESPONDENT(S) could be liable for additional expenses including, but not limited to, reasonable attorney fees, costs, and expenses incurred by the CITY OF NORTH PORT, FLORIDA or its agents and the same may be assessed as cost in the foreclosure action.

Although you may represent yourself, you have the right to an attorney at your own expense to represent you before the HEARING OFFICER. You have the right to record the proceedings of the hearing at your own expense. You also will have the opportunity to present witnesses as well as question the witnesses who may testify against you prior to the HEARING OFFICER making a determination. Please be prepared to present evidence at the hearing why you should not be found in violation of the Code Provision cited in the attached AFFIDAVIT OF VIOLATION and, in the case of a repeat violation, why an administrative fine(s) shall not be assessed.

A copy of the ORDER FOR COMPLIANCE and ORDER ASSESSING ADMINISTRATIVE FINE(S) shall be provided to you by Certified Mail, Return Receipt Requested, within fifteen (15) days following the date the orders are rendered.

THE CITY OF NORTH PORT MAY PROCEED IN THE ABSENCE OF ANY PARTY, THEIR AGENT, OR THEIR ATTORNEY, WHO AFTER DUE NOTICE, FAILS TO BE PRESENT AT THE HEARING.

If you should have any questions or ***compliance has been achieved***, please contact the Code Enforcement Inspector whose name appears on the attached AFFIDAVIT OF VIOLATION, at **(941) 429-7186**, or write to them at 4970 City Hall Boulevard, North Port, FL 34286.
<http://www.northportfl.gov>

PLEASE GOVERN YOURSELF ACCORDINGLY.

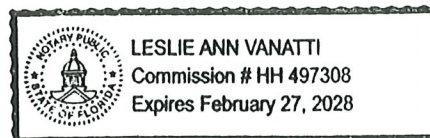
HEATHER FAUST, City Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this NOTICE OF MANDATORY HEARING has been served upon the RESPONDENT(S) by ***Certified Mail/Return Receipt Requested*** at PO BOX 3234 ROCK HILL SC 29732.

DATED: November 20, 2024

SERVER – CITY OF NORTH PORT





**CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
CODE ENFORCEMENT DIVISION
4970 City Hall Boulevard – North Port, FL. 34286**

CITY OF NORTH PORT, FLORIDA	}	
Petitioner,	}	
vs.	}	
ESTERO DEVELOPMENT PARTNERS LP	}	
Respondent(s)	}	CASE NO.: 24-4181
	}	
ADDRESS OF VIOLATION:	}	
5853 BABIAN RD	}	
NORTH PORT, FL	}	
PARCEL ID.: 0946146815	}	

AFFIDAVIT OF VIOLATION

STATE OF FLORIDA :
: ss
COUNTY OF SARASOTA :

The undersigned CODE ENFORCEMENT INSPECTOR, upon his/her oath, deposes and says:

Respondent(s) has been served with a Notice of Violation and Order to Correct Violation, dated October 30, 2024, by first class mail, a copy of which is attached.

(1) The following complaint was received in the Code Enforcement Division:

10/28/2024, 9:13:19 AM GONEIL Expired SRF permit. 21-6659 Expired 7-24 Debris on property consisting of dilapidated drywall and sink. No silt fence on property 10/28/2024, 9:15:20 AM GONEIL 10/30/2024, 10:07:48 AM TCASSELL Advised to leave ULDC violation off this case until new system is up/running.

(2) The following Ordinance Provision(s) Violation still exists:

Violation Description

Chapter 42-23, North Port City Code; Accumulation of Debris - It shall be unlawful for any owner of any lot to accumulate or permit the accumulation of including, but not limited to, unusable household items, trash, lumber or any other building materials or equipment for which immediate use cannot be established, tires, parts of vehicles or any other items which create a fire and/or health hazard or creates an unnatural breeding place for snakes, rats, mosquitoes or any vermin, emit noxious odors, or other unsanitary or unsafe conditions and in general appearance and condition, creates a slum appearance which tends to have a decreasing value effect on the neighboring property and premises.

Violation Text

Debris on the property consisting of dilapidated drywall and a sink.

Violation Corrective Action

Remove, or cause to be removed, any and all debris on said property within ten (10) days from the date of this Notice.

Violation Description

Section 105.4.1.1, Florida Building Code- Permit has expired.

Violation Text

Single-family residence permit number 21-6659 is expired.

Violation Corrective Action

Apply for the proper permit(s) or reactivate permit(s) and schedule required inspection(s) within ten (10) days of the date on this Notice. If the action for which the original permit was applied for was not initiated, or partially completed. Please contact Building and Permitting at, 941-429-7044, option 3. For additional information, go to: <http://cityofnorthport.com/index.aspx?page=121>

(3) Field Inspection Notes:

11/12/2024, 9:06:23 AM GONEIL Property still in violation.

DATED: November 20, 2024



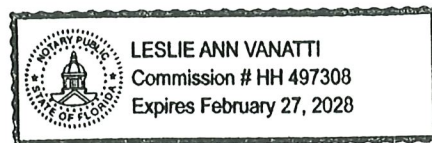
Gavyn O'Neil
Inspector
Development Services
City of North Port
4970 City Hall Boulevard
North Port, Florida 34286

STATE OF FLORIDA
COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 20 day of November 2024, by Gavyn O'Neil.


Notary Public - State of Florida

X Personally Known OR ___ Produced Identification
Type of Identification Produced _____



9589 0710 5270 0422 9122 09

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

ND

For delivery information, visit our website at www.usps.com.

CERTIFIED MAIL

NOV 22 2024
Postmark Here

NORTH PORT CITY CENTER

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

\$

☐ Return Receipt (electronic)

\$

☐ Certified Mail Restricted Delivery

\$

☐ Adult Signature Required

\$

☐ Adult Signature Restricted Delivery

\$

Postage

\$

ESTERO DEVELOPMENT PARTNERS LP

PO BOX 3234

ROCK HILL, SC 29732

CP LV 24-4181

SEE REVERSE FOR INSTRUCTIONS



Bill Furst
SARASOTA COUNTY
PROPERTY APPRAISER

Property Record Information for 0946146815

Ownership:	Land Area:
ESTERO DEVELOPMENT PARTNERS LP	10,254 Sq.Ft.
PO BOX 3234, ROCK HILL, SC, 29732-5234	Municipality:
Situs Address:	City of North Port
5853 BABIAN RD NORTH PORT, FL, 34291	Subdivision:
	1584 - PORT CHARLOTTE SUB 30
	Property Use:
	0001 - Res-New Construction Not Substantially Complete
	Status:
	OPEN
	Sec/Twp/Rge:
	05-39S-21E
	Census:
	121150027442
	Zoning:
	RSF2 - RESIDENTIAL, SINGLE FAMILY
	Total Living Units:
	0
	Parcel Description:
	LOT 15 BLK 1468 30TH ADD TO PORT CHARLOTTE

Buildings

Vacant Land

Extra Features

There are no extra features associated with this parcel

Values

Year	Land	Building	Extra Feature	Just	Assessed	Exemptions	Taxable	Cap.
2024	\$14,500	\$0	\$0	\$14,500	\$6,123	\$0	\$6,123	\$8,377
2023	\$15,900	\$0	\$0	\$15,900	\$5,566	\$0	\$5,566	\$10,334
2022	\$16,100	\$0	\$0	\$16,100	\$5,060	\$0	\$5,060	\$11,040
2021	\$4,600	\$0	\$0	\$4,600	\$4,600	\$0	\$4,600	\$0
2020	\$4,500	\$0	\$0	\$4,500	\$4,477	\$0	\$4,477	\$23
2019	\$4,600	\$0	\$0	\$4,600	\$4,070	\$0	\$4,070	\$530
2018	\$3,700	\$0	\$0	\$3,700	\$3,700	\$0	\$3,700	\$0
2017	\$4,400	\$0	\$0	\$4,400	\$4,070	\$0	\$4,070	\$330
2016	\$3,700	\$0	\$0	\$3,700	\$3,700	\$0	\$3,700	\$0
2015	\$2,900	\$0	\$0	\$2,900	\$2,900	\$0	\$2,900	\$0

Property taxes may be affected with change in ownership. When buying real estate, you should not assume that property taxes will remain the same. Use our [tax estimator](#) to estimate your new taxes.

Current Exemptions

Homestead Property: No

There are no exemptions associated with this parcel.

Sales & Transfers

Transfer Date	Recorded Consideration	Instrument Number	Qualification Code	Grantor/Seller	Instrument Type
2/6/2020	\$27,500	2020026796	05	AMERICAN ESTATE AND TRUST	WD
12/9/2015	\$10,300	2015156161	37	IVYVEST PROPERTIES LLC	WD
6/23/2015	\$6,100	2015085351	37	TARPON PROPERTIES LLC	WD
6/19/2015	\$4,000	2015085347	37	DEL QUAGLIO SALVATORE	WD
11/1/1982	\$3,700	1557/295	01		NA

Associated Tangible Accounts

There are no associated tangible accounts for this parcel

Property record information last updated on: 11/18/2024

FEMA Flood Zone Information provided by Sarasota County Government

1 Different portions of a property can be in different flood zones. Click to view the [Flood Zone Map](#).

FIRM Panel	Floodway	SFHA ***	Flood Zone **	Community	Base Flood Elevation (ft)	CFHA *
0376F	OUT	OUT	X	120279		OUT
0376F	OUT	OUT	X500	120279		OUT

* If your property is in a SFHA or CFHA, use the [Flood Zone Map](#) to determine if the building footprint is within the flood area.
** For more information on flood and flood related issues specific to this property, call (941) 240-8050
*** Federal law requires flood insurance for all properties in SFHAs with federally backed mortgages.
FEMA Flood Zone Data provided by Sarasota County Government as of 6/25/2024
For general questions regarding the flood map, call (941) 861-5000.

