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**CITY OF NORTH PORT
CODE ENFORCEMENT HEARING
MINUTES OF HEARING
THURSDAY, FEBRUARY 28, 2019**

Present: Hearing Officer James E. Toale; Trysta Cassell, Lien Specialist, Property Standards Division; and Recording Secretary Goodman.

Inspectors: Property Standards Inspectors Kevin Raducci; Charles Day; Jeffrey Guilbault; and Shawn Powers, Neighborhood Development Services, Property Standards Division.

The February 28, 2019 Code Enforcement Hearing was called to order by Hearing Officer Toale at 9:00 a.m. in City Chambers.

A. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

B. PUBLIC COMMENT

There was no public comment.

C. APPROVAL OF MINUTES: JANUARY 24, 2019

Hearing Officer Toale approved the January 24, 2018 Code Enforcement Hearing Minutes as presented.

D. ANNOUNCEMENT OF NEXT MEETING DATE THURSDAY, MARCH 28, 2019 @9:00 A.M. – CITY CHAMBERS – CITY HALL

Hearing Officer Toale announced that the next Code Enforcement Hearing is scheduled for Thursday, March 28, 2019 at 9:00 a.m. in City Chambers.

E. HEARING OFFICER REVIEW OF HEARING PROCEDURES

After providing an overview of hearing procedures, Hearing Officer Toale requested all parties wishing to provide testimony stand for the administration of the oath.

F. ADMINISTRATION OF OATH

Recording Secretary Goodman, a Notary Public of the State of Florida, swore in all potential witnesses.

G. CODE COMPLIANCES

1. Lien Specialist Cassell, read into the record the cases listed on the Agenda which have achieved compliance and require no further action including:

H.2 (19-251/5814 Sylvania Avenue); **H.3** (19-434/7838 Tarabilla Avenue); **H.4** (19-518/4307 Tollefson Avenue); **I.1** (18-3609/14989 Tamiami Trail); **I.5** (19-1181/6347 Morning Avenue); **I.7** (19-1218/8695 Gaillard Avenue); **I.8** (19-1233/3400 Albenga Lane); **I.10** (19-1264/1644 Franklin Lane); **I.12** (19-1273/4473 Longfellow Lane); **I.13** (19-1278/4351 Worcester Avenue); **I.17** (19-1334/2184 Hopwood Road); **I.19** (19-1374/5798 Kenwood Drive); **I.20** (19-1393/2435 Alesio Avenue).

H. CONTINUANCES:

H.1. Case: 19-247
Owner(s): CHRISTOPHER & NICHOLE MILLER
Property: 4691 MCKIBBEN DR

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Violation(s): Section 53-265(A)(2) Unified Land Development Code – Shipping container (There is a 40-foot shipping container being stored in the rear yard of this property)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/29/19 with receipt returned unable to forward; posted on property 02/13/19 and posted in City Hall 02/15/19.

Property Standards Inspector Guilbault, being duly sworn, provided an overview and testified that the initial inspection occurred on October 10, 2018. There has been no contact with the property owner and as of February 27, 2019 the property was found to be still in violation. Photograph exhibits 1 – 2 were entered into evidence.

Property Owner Nichole Miller, being duly sworn, testified that the container in question was placed under a shed permit. Ms. Miller did not pick up the permit until after the Ordinance regarding shipping containers was changed. Ms. Miller is in the process of having the container removed. This will involve a crane and will be very costly. Ms. Miller requested 2 months to bring the property into compliance. Staff had no objection to a 2-month continuance.

Subsequent to Ms. Miller requesting a previous lien be removed, Lien Specialist Cassell provided the processes for removing an existing lien which are not applicable to this property which has not been sold through a judicially imposed sale and is not a lien which does not have a maximum fine which disqualifies it from the Lien Release and Release program. Lien Specialist Cassell provided that an appeal would have had to be processed within thirty days of the previous hearing which the property owner was present for.

Based on evidence presented, Hearing Officer Toale found Case#19-247/4691 McKibben Drive to be in violation of Section 53-265(A)(2) Unified Land Development Code – Shipping container and to give Respondent until May 15, 2019 to comply or assess a fine of \$25.00 per day thereafter with a maximum fine of \$2,000.00.

H.2. Case: 19-251
Owner(s): KENNETH & LINDA MOSSER
Property: 5814 SYLVANIA AVE
Violation(s): Chapter 42-24, North Port City Code – Maintenance of right-of-way (Driveway pipe is failing and per code this need to be addressed, failed pipe is causing the swale to back up)

Agenda Item H.2 (19-251/5814 Sylvania Avenue) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

H.3. Case: 19-434
Owner(s): HPA BORROWER 2016-2 LLC
Property: 7838 TARABILLA AVE
Violation(s): Section 105.4.1.1, Florida Building Code – Period of validity (Permit number 17-3618 for a non-structural fence has expired)

Agenda Item H.3 (19-434/7838 Tarabilla Avenue) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

H.4. Case: 19-518
Owner(s): CLAUDE A RIDINGS
Property: 4307 TOLLEFSON AVE
Violation(s): Chapter 105.1, Florida Building Code – Permit required (No permit on file for the fence ~~or replacement of the hot water heater~~)

Agenda Item H.4 (19-518/4307 Tollefson Avenue) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

I. CODE VIOLATIONS (1ST Hearing):

I.1. Case: 18-3609
Owner(s): NORTH PORT OMV II LLC

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Property: 14989 TAMIAMI TRL
Violation(s): Chapter 62-48 (f), North Port City Code – Commercial Solid Waste (No commercial garbage account for this location)

Agenda Item I.1 (18-3609/14989 Tamiami Trail) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

I.2. Case: 19-788
Owner(s): ROBERT & HELEN HUGHES
Property: 2384 HONEY LN
Violation(s): Chapter 42-22C, North Port City Code – Impinging growth (Impinging growth of pepper trees and palm trees to the left of 2366 Honey Ln.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/23/19 with receipt returned signed 02/07/19 and posted in City Hall 02/15/19.

Property Standards Inspector Guilbault, being duly sworn, provided an overview and testified that there has been no contact with the property owner and as of February 27, 2019 the property was found to be still in violation. Photograph exhibits 1 – 2 were entered into evidence.

Property owner Robert Hughes, being duly sworn, read into the record a Florida Case from 1987 addressing impinging growth on a neighboring property.

Hearing Officer Toale clarified that, as read into the record, the Florida Case is a Common Law Case. Florida Municipalities have the right to pass Ordinances which are contrary to common law. The City of North Port has passed an Ordinance which addresses impinging growth and requires the property owner to maintain the property in such a way that the growth will not impinge on neighboring properties.

Based on evidence presented, Hearing Officer Toale found Case#19-788/2348 Honey Lane to be in violation of Chapter 42-22C, North Port City Code – Impinging growth and to give Respondent until May 15, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$1,000.00.

I.3. Case: 19-932
Owner(s): RONALD & CHERYL REBER
Property: 2523 BELVIDERE ST
Violation(s): Sec. 59-16(f)(3), North Port City Code – Parking off public roadway (Open trailer parked across the street from this address in the City right-of-way in front of a vacant lot.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/31/19 with receipt returned signed 02/02/19 and posted in City Hall 02/15/19.

Property Standards Inspector Powers, being duly sworn, provided an overview and testified that the initial inspection occurred on November 13, 2018. There has been no contact with the property owner and as of February 26, 2019 the property was found to be still in violation. Inspector Powers has been at the property several times in which the pickup truck parked in the driveway of the residence has been hooked up to the trailer in question leading the inspector to believe that the trailer is the property of the property owner. Photograph exhibit 1 was entered into evidence.

Based on evidence presented, Hearing Officer Toale found Case#19-932/2523 Belvidere Street to be in violation of Sec. 59-16(f)(3), North Port City Code – Parking off public roadway and to give Respondent until March 25, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$1,000.00.

I.4. Case: 19-994
Owner(s): DANIEL CHORLY
Property: 6156 DUNDEE AVE
Violation(s): Section 53-265(A)(2) Unified Land Development Code – Shipping container (Shipping container across the street from this property, due to this being a repeat violation this will go before a hearing officer.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/23/19 with receipt returned unable to forward; posted on property 02/14/19 and posted in City Hall 02/15/19.

Property Standards Inspector Powers, being duly sworn, provided an overview and testified that the initial inspection occurred on November 19, 2018. Photograph exhibit 1 was entered into evidence. It was noted that after the photograph was taken, Inspector Powers inspected the property several times and found the shipping container had been removed. This is a repeat violation and staff is requesting that the Hearing Officer provide the property owner with information regarding the ramifications of being found guilty of a repeat violation if the violation occurs in the future.

Subsequent to Hearing Officer Toale clarifying the process for a repeat violation, Property Owner Daniel Chorly, being duly sworn, testified through his daughter that he is not the owner of the shipping container in question. He has contacted the owner to remove the container and explained that the container cannot be parked in the right-of-way in the future. Mr. Chorly has been assured this will not happen again.

Based on evidence presented, Hearing Officer Toale found Case#19-994/6156 Dundee Avenue to be in compliance with no further action required.

- I.5. Case:** 19-1181
Owner(s): DONNA L CZUPRYNA
Property: 6347 MORNING AVE
Violation(s): **Chapter 42-23, North Port City Code – Accumulation of debris** (Debris in the City right-of-way consisting of three (3) large piles of tree trimmings and fence panels.)
Chapter 105.1, Florida Building Code – Permit required (No permit on file for the fence that has been installed on this property.)

Agenda Item I.5 (19-1181/6347 Morning Avenue) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

- I.6. Case:** 19-1191
Owner(s): TRACY L PASQUALE
Property: 3143 NEWMARK ST
Violation(s): **Chapter 70-56, North Port City Code – Assigned numbers** (No visible assigned house numbers affixed to the residence can be seen from the street.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/23/19 with receipt returned unable to forward; posted on property 02/14/19 and posted in City Hall 02/15/19.

Property Standards Inspector Powers, being duly sworn, provided an overview and testified that the initial inspection occurred on December 4, 2018. There has been no contact with the property owner and as of February 27, 2019 the property was found to be still in violation. Photograph exhibits 1 – 2 were entered into evidence.

Based on evidence presented, Hearing Officer Toale found Case#19-1191/3143 Newmark Street to be in violation of Chapter 70-56, North Port City Code – Assigned numbers and to give Respondent until March 25, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$1,000.00.

- I.7. Case:** 19-1218
Owner(s): WILLIAM M SANDERS
Property: 8695 GAILLARD AVE
Violation(s): **Chapter 70-56, North Port City Code – Assigned numbers** (No visible assigned house numbers affixed to the residence can be seen from the street.)

Agenda Item I.7 (19-1218/8695 Gaillard Avenue) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

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- I.8. Case:** 19-1233
Owner(s): GREGORY & MAURITZA BECK
Property: 3400 ALBENGA LN
Violation(s): **Section 105.4.1.1, Florida Building Code – Period of validity**
(Permit number 16-5361 for residential land clearing expired due to no activity.)

Agenda Item I.8 (19-1233/3400 Albenga Lane) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

- I.9. Case:** 19-1245
Owner(s): WALGREEN CO
Property: 15180 TAMIAMI TRL
Violation(s): **Section 105.4.1.1, Florida Building Code – Period of validity**
(Permit number 16-1146 for residential land clearing expired due to no activity.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/23/19 with receipt returned signed 01/28/19 and posted in City Hall 02/15/19.

Property Standards Inspector Guilbault, being duly sworn, provided an overview and testified that he has had no contact with the property owner and as of February 28, 2019 the property was found to be still in violation for expired permit number 16-1146.

Based on evidence presented, Hearing Officer Toale found Case#19-1245/15180 Tamiami Trail to be in violation of Section 105.4.1.1, Florida Building Code – Period of validity and to give Respondent until March 25, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$5,000.00.

- I.10. Case:** 19-1264
Owner(s): PILIP & SVIATIANA DZIAMIDCHYK
Property: 1644 FRANKLIN LN
Violation(s): **Section 105.4.1.1, Florida Building Code – Period of validity**
(Permit number 16-6462 for residential land clearing expired due to no activity.)

Agenda Item I.10 (19-1264/1644 Franklin Lane) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

- I.11. Case:** 19-1267
Owner(s): DAVID J CONKLIN
Property: 4465 MIDLAND ST
Violation(s): **Section 105.4.1.1, Florida Building Code – Period of validity**
(Permit number 17-464 for residential land clearing expired due to no activity.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/23/19 with return receipt not received; posted on property 02/13/19 and posted in City Hall 02/15/19.

Property Standards Inspector Raducci, being duly sworn, provided an overview and testified that the permit in question is permit number 17-464 which expired on July 30, 2017 and as of February 27, 2019 the property was found to be still in violation. Inspector Raducci and City Arborist Pieper were sent to inspect the property. Upon arriving at the property, it was noted that the original land clear permit was for a brush clear permit and several trees had been removed which were not in the original permit application. The permit and the property have issues which need to be addressed. Inspector Raducci left information for the property owner to contact him or City Arborist Pieper. It was noted that the City could bring an action against the property owner for the removal of the trees without a tree clearing permit. This violation could be rectified by planting trees to comply with the required tree canopy. Staff had no objections to giving the property owner 50 days to come into compliance.

Based on evidence presented, Hearing Officer Toale found Case#19-1267/4465 Medland Street to be in violation of Section 105.4.1.1, Florida Building Code – Period of validity and to give Respondent until April 19, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$5,000.00.

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- I.12. Case:** 19-1273
Owner(s): MELODY L WRIGHT
Property: 4473 LONGFELLOW LN
Violation(s): **Section 105.4.1.1, Florida Building Code – Period of validity**
(Permit number 16-2963 for residential land clearing expired due to no activity.)

Agenda Item I.12 (19-1273/4473 Longfellow Lane) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

- I.13. Case:** 19-1278
Owner(s): EDDIE SAJATOVICH
Property: 4351 WORCESTER AVE
Violation(s): **Section 105.4.1.1, Florida Building Code – Period of validity**
(Permit number 08-3483 for commercial land clearing expired due to no activity.)

Agenda Item I.13 (19-1278/4351 Worcester Avenue) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

- I.14. Case:** 19-1293
Owner(s): J N SWFL LLC
Property: 5870 SPEARMAN CIR
Violation(s): **Chapter 70-56, North Port City Code – Assigned numbers** (No visible assigned house numbers affixed to the residence can be seen from the street.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/31/19 with receipt returned unable to forward; posted on property 02/13/19 and posted in City Hall 02/15/19.

Property Standards Inspector Guilbault, being duly sworn, provided an overview and testified that the initial inspection occurred on December 7, 2018. There has been no contact with the property owner and as of February 27, 2019, the property was found to be still in violation. Photograph exhibit 1 was entered into evidence.

Based on evidence presented, Hearing Officer Toale found Case#19-1293/5870 Spearman Circle to be in violation of Chapter 70-56, North Port City Code – Assigned numbers and to give Respondent until March 25, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$1,000.00.

- I.15. Case:** 19-1296
Owner(s): TURMUTUS M COX
Property: 5975 SPEARMAN CIR
Violation(s): **Chapter 70-56, North Port City Code – Assigned numbers** use numbers affixed to residence are not visible due to overgrowth of vegetation. Please trim back the vegetation or move the assigned numbers to a location where they are visible from the street.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/31/19 with return receipt not received; posted on property 02/13/19 and posted in City Hall 02/15/19.

Property Standards Inspector Guilbault, being duly sworn, provided an overview and testified that the initial inspection occurred on December 7, 2018. As of February 27, 2019, the property was found to be still in violation. Photograph exhibits 1 – 3 were entered into evidence.

Based on evidence presented, Hearing Officer Toale found Case#19-1296/5975 Spearman Circle to be in violation of Chapter 70-56, North Port City Code – Assigned numbers and to give Respondent until March 25, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$1,000.00.

- I.16. Case:** 19-1300
Owner(s): JAMES VINCENT PETER JANKOWSKI

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Property: SHELBY LYNN JANKOWSKI
7809 GRAFTON RD
Violation(s): Chapter 42-23, North Port City Code – Accumulation of debris (Debris consisting of wood and other building materials stored in an open trailer.)
Sec. 59-16(c), North Port City Code – Parking and storing vehicles on a residential lot (Open trailer and a boat parked on the vacant lot to the right with no principle structure.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/31/19 with receipt returned unable to forward; posted on property 02/14/19 and posted in City Hall 02/15/19.

Property Standards Inspector Powers, being duly sworn, provided an overview and testified that the initial inspection occurred on December 7, 2018. There has been no contact with the property owner and as of February 27, 2019 the property was found to be still in violation. Photographs 1 – 4 were entered into evidence.

It was clarified that the new Ordinance regarding parking of vehicles states that if there is a vehicle on a lot it has to have a principle structure. The boat in question is parked on the vacant lot which is not combined with the 7809 Grafton Road address and is not stored in a principle structure. There is a path from the address in question and the vacant lot where the boat is parked. The only way to get to the boat is through the 7809 Grafton Road address. Hearing Officer Toale requested that evidence be provided connecting the boat to the 7809 Grafton Road property. It was noted that North Port Police can verify vehicle registration.

Based on evidence presented, Hearing Officer Toale continued Case#19-1300/7809 Grafton Road to the March 28, 2019 Code Enforcement Hearing.

I.17. Case: 19-1334
Owner(s): IRINA, STEPHAN & OKSANA DANILO
Property: 2184 HOPWOOD RD
Violation(s): Sec. 59-16(c), North Port City Code – Parking and storing vehicles on a residential lot (A green trailer is being parked on the vacant lot to the right and a white van is parked on the vacant lot to the left of this property without a principle structure.)

Agenda Item I.17 (19-1334/2184 Hopwood Road) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

I.18. Case: 19-1361
Owner(s): NACHIKETH POTLAPALLY
JUNU SHRESTHA
Property: 3082 SIKESTON AVE
Violation(s): Chapter 42-23, North Port City Code – Accumulation of debris (Debris consisting of boards, buckets, a wheel barrel and cardboard on the left side of the house.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/31/19 with return receipt not received; posted on property 02/14/19 and posted in City Hall 02/15/19.

Property Standards Inspector Powers, being duly sworn, provided an overview and testified that the initial inspection occurred on December 11, 2018. There has been no contact with the property owner and as of February 27, 2019 the property was found to be still in violation. Photograph exhibits 1 – 3 were entered into evidence.

Based on evidence presented, Hearing Officer Toale found Case#19-1361/33082 Sikeston Avenue to be in violation of Chapter 42-23, North Port City Code – Accumulation of debris and to give Respondent until March 25, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$1,000.00.

I.19. Case: 19-1374
Owner(s): KENNETH BARRETT

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Property: 5798 KENWOOD DR
Violation(s): Chapter 70-56, North Port City Code – Assigned numbers (No visible assigned house numbers affixed to the residence can be seen from the street.)

Agenda Item I.19 (19-1374/5798 Kenwood Drive) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

I.20. Case: 19-1393
Owner(s): ALESIO DEVELOPMENT LLC
Property: 2435 ALESIO AVE
Violation(s): Chapter 70-56, North Port City Code – Assigned numbers (No visible assigned house numbers affixed to the residence can be seen from the street.)

Agenda Item I.20 (19-1393/2435 Alesio Avenue) achieved compliance as listed per Agenda Item G, Code Compliances, with no further action required.

I.21. Case: 19-1425
Owner(s): STEVEN WAGNER
Property: 8116 EDMISTON AVE
Violation(s): Chapter 42-23, North Port City Code – Accumulation of debris (Debris consisting of wood pallets in the driveway)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/31/19 with receipt returned signed 02/02/19 and posted in City Hall 02/15/19.

Property Standards Inspector Powers, being duly sworn, provided an overview and testified that the initial inspection occurred on December 13, 2018. There has been no contact with the property owner and as of February 27, 2019 the property was found to be still in violation. Photograph exhibits 1 – 4 were entered into evidence.

Based on evidence presented, Hearing Officer Toale found Case#19-1425/8116 Edmiston Avenue to be in violation of Chapter 42-23, North Port City Code – Accumulation of debris and to give Respondent until March 25, 2019 to comply or assess a fine of \$10.00 per day thereafter with a maximum fine of \$1,000.00.

I.22. Case: 19-1838
Owner(s): MADELINE H LOWELL
Property: 6262 OTIS RD
Violation(s): Chapter 42-22C, North Port City Code – Impinging growth (Impinging growth of a very large tree on the right side of 6292 Otis Rd.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/23/19 with receipt returned unable to forward; posted on property 02/13/19 and posted in City Hall 02/15/19.

Property Standards Inspector Day, being duly sworn, provided an overview and testified that the property owner is experiencing health issues and requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case#19-1838/6262 Otis Road to the March 28, 2019 Code Enforcement Hearing.

J. STATUS OF CODE VIOLATIONS (2nd Hearing):

J.1. Case: 18-3642
Owner(s): PAMELA A CONN
Property: 6778 KETONA RD
Violation(s): Chapter 42-24, North Port City Code – Maintenance of right-of-way (Plastic liner in the swale is not installed correctly, causing drainage issue)

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Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/29/19 with receipt returned signed 01/31/19 and posted in City Hall 02/15/19.

Property Standards Inspector Day, being duly sworn, provided an overview and testified that as of February 27, 2019 the property was found to be still in violation.

Based on evidence presented, Hearing Officer Toale found Case#18-3642/6778 Ketona Road to be in violation of Chapter 42-24, North Port City Code – Maintenance of right-of-way and to impose the previously assessed fine of \$10.00 per day with a maximum fine of \$1,000.00 beginning February 19, 2019.

J.2. Case: 19-320
Owner(s): LISA LEVY & ABRAHAM WOLFINGER
Property: 3480 GARCIA ST
Violation(s): Chapter 70-56, North Port City Code – Assigned numbers (House numbers affixed to residence are not visible due to overgrowth of vegetation. Please trim back the vegetation or move the assigned numbers to a location where they are visible from the street.)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/29/19 with return receipt not received; posted on property 02/14/19 and posted in City Hall 02/15/19.

Property Standards Inspector Powers, being duly sworn, provided an overview and testified that as of February 27, 2019 the property was found to be still in violation.

Based on evidence presented, Hearing Officer Toale found Case#19-320/3480 Garcia Street to be in violation of Chapter 70-56, North Port City Code – Assigned numbers and to impose the previously assessed fine of \$10.00 per day with a maximum fine of \$1,000.00 beginning February 19, 2019.

J.3. Case: 19-431
Owner(s): ROMAN MELNICHUK
Property: 3637 CLIMBING TER
Violation(s): Chapter 42-23, North Port City Code – Accumulation of debris (Debris on this vacant lot consisting of camping items, tarps and miscellaneous household goods)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/29/19 with receipt returned signed 01/31/19 and posted in City Hall 02/15/19.

Property Standards Inspector Raducci, being duly sworn, provided an overview and testified that as of February 27, 2019 the property was found to be still in violation.

Based on evidence presented, Hearing Officer Toale found Case#19-431/3637 Climbing Terrace to be in violation of Chapter 42-23, North Port City Code – Accumulation of debris and to impose the previously assessed fine of \$10.00 per day with a maximum fine of \$1,000.00 beginning February 19, 2019.

J.4. Case: 19-435
Owner(s): KATHERINE KRAMER
Property: 7197 HAAGE CT
Violation(s): Chapter 42-23, North Port City Code – Accumulation of debris (Debris throughout lot consisting of household items, miscellaneous items and litter)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/29/19 with receipt returned signed 02/02/19 and posted in City Hall 02/15/19.

Property Standards Inspector Raducci, being duly sworn, provided an overview and testified that he has had contact with the property owner who resides in California. The property owner has had some health issues and is enlisting the help of a relative to bring the property into compliance. Staff is requesting this case be continued.

Based on evidence presented, Hearing Officer Toale continued Case#19-435/7197 Haage Court to the March 28, 2019 Code Enforcement Hearing.

J.5. Case: 19-651
Owner(s): ALEKSANDR & LARISA KHOROSHENKO
Property: 3713 BASKET ST
Violation(s): Section 53-121(H)(1) Unified Land Development Code – Number of chickens & prohibited roosters (More than four (4) Chicken and roosters on this property roaming freely, foul smell present)

Lien Specialist Cassell, stated for the record that the Notice of Mandatory Hearing was sent certified mail on 01/29/19 with receipt returned signed 02/07/19 and posted in City Hall 02/15/19.

Property Standards Inspector Raducci, being duly sworn, provided an overview and testified, due to no trespassing signs on the property, he has been unable to inspect the property to confirm if the property is in compliance or is still in violation. Subsequent to discussing with Hearing Officer Toale ways to inspect the property without going onto the property, staff requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case#19-651/3713 Basket Street to the March 28, 2019 Code Enforcement Hearing.

K. GENERAL BUSINESS

Lien Specialist Cassell noted that, starting in March 2019, the Code Enforcement Hearings will be live streamed in “Legistar”, the program used by the City of North Port to live stream Commission meetings. An example of how the Agenda will be generated was provided.

Discussion ensued regarding verifying vehicle registrations. North Port Police will verify vehicle registrations if there is a questionable code violation involving a vehicle to confirm that the vehicle in question is the property of the property owner where the violation has occurred.

L. PUBLIC COMMENT

There was no public comment.

M. ADJOURNMENT

Hearing Officer Toale adjourned the January 24, 2019 Code Enforcement Hearing at 10:09 a.m.

James E. Toale, Hearing Officer

Minutes were approved at the Code Enforcement Hearing this 28th day of March, 2019.