



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final Code Enforcement Hearing

Thursday, June 23, 2022

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:09 a.m.

Also Present

Assistant City Attorney Michael Golen, Planning and Zoning Division Manager Lori Barnes, Code Enforcement Division Manager Kevin Raducci, Code Enforcement Administrative Service Specialist Terri Hasker, Code Enforcement Recording Secretary Michele Ross, Development Tech I Candice Cummings, Code Enforcement Inspectors Jeffrey Guilbault, Henley Burton, William Kiddy, and Jennifer Ardinger, 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. [22-3070](#) Approval of Minutes for the May 26, 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 22-125](#) (JAG) Christopher John Van Drus, 8535 Dorothy Ave
Chapter 42-23, North Port City Code;
(Accumulation of debris throughout the property consisting of boxes, coolers, bins, pieces of wood, tables, couches, and other miscellaneous items.)
Sec. 59-16(f)(4), North Port City Code
(Parking a black open trailer in City Right-of-way, as well as parking a black closed trailer in City Right-of-way.)

Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way consisting of boxes, pieces of wood, picture frames and other miscellaneous items.)

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

B. [Case No 22-742](#)

(WK) John Goldsmith & LuAnn Michaud, 3086 Oberon Cir
Chapter 42-23, North Port City Code
(Debris consisting of loose trash, camping materials, and household items on this property. (Must go back to natural state))
Sec. 46-148 City of North Port Code
(Camping prohibited on a vacant lot (If this is not anyone you gave permission to please contact North Port PD 941-740-1048 or email: communitypolicing@northportpd.com)
Chapter 70-21, North Port City Code
(Driving through the city right-of-way onto this vacant lot.)
Sec. 59-16(c), North Port City Code
(Parking on a vacant lot a RV trailer and a Red/Tan truck with no principal structure.)

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

C. [Case No 22-777](#)

(JAG) WJHFL LLC, 3158 Alwood St
Chapter 105.1, Florida Building Code
(No building permit in the permit box at this construction site)

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

D. [Case No 22-798](#)

(HLB) Sasha Marita Bissat, 2156 Altitude Ave
Sec. 59-16(d), North Port City Code
(Homeowner has inoperable truck in driveway and not covered with a non-transparent tarp.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris in driveway consisting of parts, tires, trash and boat parts.)

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

E. [Case No 22-846](#)

(HLB) Cape Coral Holdings LLC, 2450 W Price Blvd
Chapter 105.1, Florida Building Code
(Model home has sign in front Distinction homes with no sign permit on file.)

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

F. [Case No 22-897](#)

(JA) Gregory & Kayla Mutty, 4700 Abadan St
Sec. 1-19, Unified Land Development Code
(Property is fenced with no permit on file.)

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

- G. [Case No 22-980](#) (WK) Matthew Cardell, 2769 Dode Ave
Sec. 53-122D, Unified Land Development Code
(Prohibited uses and structures; The operation of a business unless specifically permitted as a home occupation. There shall not be evidence of business activity on the premises, including the parking and storage of commercial vehicles, material storage, inordinate vehicular traffic, outside storage, or advertising signs. (Large Sign above detached garage advertising business. Vehicles being parked on roadway and in front of vacant lots.)
This case was brought into compliance with no further action required.
- H. [Case No 22-1090](#) (JAG) Robert J & Eva Milliard, Alhambra Ave
Chapter 42-23, North Port City Code
(Accumulation of debris on vacant lot consisting of car tires, rims, and two car ports. One of which is encroaching onto the property of 6553 Alhambra Ave)
Sec. 59-16(c), North Port City Code
(White enclosed trailer parked on vacant lot with no principal structure.)
Section 53-240(A)(3) Unified Land Development Code
(Two (2) Carports on this vacant lot with no principal structure. Lot at one time was combined with 6553 Alhambra Ave, however, the vacant lot was separated when the house was sold.)
Section 53-240(5), Unified Land Development Code
(Carport encroaching the property line of 6553 Alhambra Ave)
This case was brought into compliance with no further action required.
- I. [Case No 22-1097](#) (HLB) William & Nancy Nicol, 2475 Carthage St
Sec. 59-16(c), North Port City Code
(RV and Jeep parked on vacant lot to the right of residence. Properties are owned by same owner, but not combined so there is no principal structure.)
Section 53-240(A)(3) Unified Land Development Code
(Metal building on property with electric and water with no permits on file.)
Chapter 105.1, Florida Building Code
(Vacant lot has been cleared, and rock put down with no valid permit on file.)
This case was brought into compliance with no further action required.
- J. [Case No 22-1210](#) (JAG) Bonnie Jean Geddes, Christopher Michael Rayson & Bacilio Geddes-Canton, 8365 Senate Ave
Sec. 1-19, Unified Land Development Code
(No permit on file for the fence that is in the rear yard.)
This case was brought into compliance with no further action required.

- K. [Case No 22-1223](#) (JA) VM Pronto LLC, 5142 Escalante Dr
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored at the curb outside the time frame permissible by City Code.)
Section 42-24(a)(5) North Port City Code
(Accumulation of debris at curb outside the normal pick-up day consisting of Pallets, boxes, cooler and other miscellaneous debris. Pick up day is Friday, today is Monday)

This case was brought into compliance with no further action required.
- L. [Case No 22-1299](#) (HLB) Pierre E Savain, 3819 N Chamberlain Blvd
Chapter 42-23, North Port City Code; Accumulation of Debris
(Debris on left side of this property consisting of appliances, carpet and other miscellaneous items)
Sec. 59-16(c)(2), North Port City Code Parking and Storing Vehicles on a Residential Lot
(Seven (7) vehicles parked on this driveway; maximum number of vehicles allowed is six (6).)
Sec. 59-16(d), North Port City Code Vehicle Repair, Maintenance, Disassembly
(Three (3) disabled vehicles stored in the driveway with flat tires and uncovered.)

This case was brought into compliance with no further action required.
- M. [Case No 22-1312](#) (HLB) Katydid Holdings LLC, 2345 Sultan Ave
Section 42-24(a)(5) North Port City Code
(Debris consisting of land clearing material in the city right-of-way.)

This case was brought into compliance with no further action required.
- N. [Case No 22-1313](#) (HLB) Anthony Rebkowec, Kellie Rebkowec & Tracy Rebkowec, 2337 Sultan Ave
Section 42-24(a)(5) North Port City Code
(debris in the city right-of-way consisting of land clear debris)

This case was brought into compliance with no further action required.
- O. [Case No 22-1403](#) (HLB) Lor 2 North Port LLC, 14990 Tamiami Trail
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of trash between access road and wall.)
Sec. 37-29(H)(3) Unified Land Development Code
(Property owner has cracks in concrete around the catch basin on access road.)

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

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- P. [Case No 22-1427](#) (HLB) Rodna M DiCicco, 6668 Kenwood Dr
Sec. 1-19, Unified Land Development Code
(No permit on file for relocation of fence, that has been moved since originally permitted in 2021)
This case was brought into compliance with no further action required.
- Q. [Case No 22-1445](#) (HLB) Marie C DeMilio Trust, 3138 Gatun St
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way consisting of loveseat, wood, and stuffed animals.)
This case was brought into compliance with no further action required.
- R. [Case No 22-1461](#) (HLB) Edwin O Torres & Ericka C Ramirez, 5573 Gagnon Ter
Sec. 1-19, Unified Land Development Code
(Wood Privacy fence on property with no permit on file.)
This case was brought into compliance with no further action required.
- S. [Case No 22-1485](#) (WK) William E Lehan, 3480 W Price Blvd
Chapter 42-23, North Port City Code
(Accumulation of debris in front of house consisting of household furniture, in addition there is gym equipment on left side of the fence)
This case was brought into compliance with no further action required.
- T. [Case No 22-1519](#) (JAG) Elijah & Ravelyn Lee, 5442 Ansonia 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 Friday, violation observed on Wednesday 4/13/22 @ 0800.)
This case was brought into compliance with no further action required.
- U. [Case No 22-1542](#) (HLB) Alan F Samuels, 3193 Anador St
Chapter 42-23, North Port City Code
(Accumulation of debris in front yard consisting of yard debris and trash)
This case was brought into compliance with no further action required.
- V. [Case No 22-1562](#) (JAG) Jenna R DuBose, 2316 Cover Ln
Chapter 62-50, North Port City Code
(Solid Waste Containers stored improperly in front of garage door.)
This case was brought into compliance with no further action required.
- W. [Case No 22-1582](#) (HLB) Marie E LeBlanc, 5404 Gabo Rd
Chapter 42-23, North Port City Code
(Accumulation of debris throughout the property.)
Chapter 62-50, North Port City Code
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(Solid Waste Containers improperly stored in the driveway.)

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

- X. [Case No 22-1636](#) (JAG) Susan R Andrews, 2713 Vizza Ln
Chapter 62-50, North Port City Code
(Solid waste containers are being stored in front of the front plane of the home. Please move cans to the side of the House.)
This case was brought into compliance with no further action required.
- Y. [Case No 22-1638](#) (JAG) Roberto & Maria L Aguilera, 2753 Vizza Ln
Chapter 62-50, North Port City Code
(Solid waste containers are being stored in front of the front plane of the home. Please move cans to the side of the House)
This case was brought into compliance with no further action required.
- Z. [Case No 22-1659](#) (HLB) Ronald A Dille, 6102 Fabian Rd
Sec. 29-7K, Unified Land Development Code
(Homeowner has a sign mounted to mailbox saying my neighbor is a jack**.)
Section 42-24(a)(2)(b) North Port City Code
(Tree Planted in City Right-of-way next to mailbox.)
This case was brought into compliance with no further action required.
- AA. [Case No 22-1668](#) (JAG) Alexander Vinnitsky, 1892 S Chamberlain Blvd
Chapter 62-50, North Port City Code
(Solid waste containers improperly stored in front of garage door.)
This case was brought into compliance with no further action required.
- AB. [Case No 22-1743](#) (JA) Linda C & Ronald L Heffern, 1626 Namatka Ave
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)
This case was brought into compliance with no further action required.
- AC. [Case No 22-1744](#) (JA) Hang Family Trust, 1665 Joshua Ave
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)
This case was brought into compliance with no further action required.
- AD. [Case No 22-1753](#) (HLB) Michael P Annunziato Jr, 2308 Clovelon St
Sec. 59-16(c)(2), North Port City Code
(Number of vehicles on this property exceeds the amount permissible by City Code for this property size which is eight (8). The number counted was nine (9) consisting of four (4) trailers, and five (5) vehicles)
Chapter 34-23, North Port City Code

(Business being ran from home with no Business Tax Receipt on file.)

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

AE. [Case No 22-1769](#)

(JA) Jorge O Alvarez Damas, 1642 Namatka Ave
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

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

AF. [Case No 22-1774](#)

(HLB) Osvaldo Perez Dacosta & Norma Dominguez Quintana, 3798 N Biscayne Dr
Section 105.4.1.1, Florida Building Code
(Permit on file for White Vinyl fence on property, is expired (#18-4369), and needs a final inspection. Please call the permitting department, 941-429-7044 option 3.)

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

AG. [Case No 22-1790](#)

(HLB) Vasily Maksimchuk, 8672 Culebra Ave
Sec. 59-16(c)(4), North Port City Code
(White truck with flat tire parked in front yard and not on an improved surface)
Sec. 59-16(d), North Port City Code
(White Truck parked in front yard, with flat tire.)

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

AH. [Case No 22-1809](#)

(JAG) Scott C & Peggy A Greene, 2763 Pandora Ter
Sec. 59-16(f)(3), North Port City Code
(White Volkswagen being parked in front of the vacant lot across the street from residence. This vehicle is missing the right front wheel)
Chapter 42-23, North Port City Code
(Accumulation of debris throughout the property consisting of boxes, trash bags, car tires, tools, solid waste containers that are overflowing with trash and other miscellaneous items.)
Section 42-24(a)(5) North Port City Code
(Accumulation of debris in City Right-of-way in front of vacant lot, across the street from residence consisting of car parts, tarps and other miscellaneous items.)
Chapter 62-50, North Port City Code
(Solid Waste Containers stored in front of the front plane of home.)

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

AI. [Case No 22-1810](#)

(JAG) Thomas & Phyllis Leszczynski, 3642 Lapeer Ave
Chapter 66-62 (c), North Port City Code
(Tow (2) Basketball hoops in front of the vacant lot across the street from residence)

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

- AJ. [Case No 22-1825](#) (HLB) Pavel Anuchin & Yelena Anuchin, 5557 Jacaranda Ave
Sec. 59-16(f)(3), North Port City Code
(White enclosed trailer parked in City Right-of-way, in front of a vacant lot to the left of home.)
Sec. 59-16(f)(4), North Port City Code
(White enclosed trailer parked in City Right-of-way, in front of a vacant lot to the left of home)

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

- AK. [Case No 22-2180](#) (JAG) Dorothy L Guess, 4665 Oakley Rd
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

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

7. CONTINUED CASES

- A. [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)

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. 22-488 1538 Scarlett Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit for extension of concrete deck and screen cage and imposed a fine of \$10 a day with a maximum of \$5000 to commence on August 13, 2022.

- B. [Case No 22-546](#) (JA) Harlequin Properties LLC, 1560 Price Creek Way
Chapter 34-23, North Port City Code
(No fully completed Business Tax Receipt on file. Application still needing attachments.)

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

- C. [Case No 22-658](#) (WK) Nicole Armbuster, 2913 Candlelight Rd
Chapter 42-23, North Port City Code
(Debris consisting of loose trash, household items, camping items and materials, property must go back to natural state.)
Sec. 46-148 City of North Port Code
(Camping prohibited, if this is not anyone that you have gave permission to please contact the North Port Police@communitypolice@northportpd.com)
Chapter 70-21, North Port City Code
(Driving through the City right-of-way to access this vacant lot without a Culvert or apron)

Sec. 59-16(c), North Port City Code
(Green car, Red SUV, Grey SUV, White RV and a Silver RV trailer parked on this vacant lot without a principal structure.)

Chapter 105.1, Florida Building Code

(No Permits on file for an accessory structure or work installing rock and a culvert pipe on this vacant lot.)

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.

Ryan Dugan, representing the property owner, being duly sworn, spoke to allowable camping on property, vehicles associated with camping, permit sought for the culvert, survey invoice, property owner's permanent residence, and requested a continuance.

Inspector Kiddy spoke to determining an absence of camping that resets the 30-day clock.

Mr. Golen, being duly sworn, noted camping and/or parking are both in violation without a principal structure.

Mr. Dugan noted that automobile vehicles are actively used.

Based on evidence presented, Hearing Officer Toale found Case No. 22-658 2913 Candlelight Road to be in violation of Chapter 42-23, North Port City Code for loose trash, household items, camping items, materials and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 2, 2022.

Based on evidence presented, Hearing Officer Toale found Case No. 22-658 2913 Candlelight Road to be in compliance with Section 46-148, North Port City Code for camping on property with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 22-658 2913 Candlelight Road to be in violation of Chapter 70-21, North Port City Code for driving through the City right-of-way to access this vacant lot without a Culvert or apron and imposed a fine of \$10 a day with a maximum of \$1000 to commence on October 2, 2022.

Based on evidence presented, Hearing Officer Toale dismissed Case No. 22-658 2913 Candlelight Road for Section 59-16(c), North Port City Code for vehicles and an RV trailer parked on this vacant lot without a principal structure with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 22-658 2913 Candlelight Road to be in violation of Chapter 105.1, Florida Building Code for no Permits on file for an accessory structure or work installing rock and a culvert pipe on this vacant lot and imposed a fine of \$50 a day with a maximum of \$5000 to commence on October 2, 2022.

D. [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)

Inspector Guilbault, being duly sworn, noted he had contact with the property owner, and a permit was submitted and is under review.

Based on evidence presented, Hearing Officer Toale found Case No. 22-769 8279 Amendola Avenue to be in violation of Chapter 105.1, Florida Building Code for no permit on file for shed in rear of property and imposed a fine of \$10 a day with a maximum of \$5000 to commence on August 13, 2022.

- E. [Case No 22-1379](#) (WK) Stephen C Crain, 7635 English Cir
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Kiddy, being duly sworn, noted the violation falls under the old Tree Ordinance fines, the property was inspected on multiple occasions, number of trees removed is undetermined, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1379 7635 English Circle 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 \$2500.

8. 1ST 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, 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. 20-5503 2799 Brolly Street to be in violation of Chapter 42-23, North Port City Code for debris on property consisting of burnt down RV and trash throughout property and imposed a fine of \$10 a day with a maximum of \$1000 to commence on August 13, 2022.

- 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, 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. 21-1207 2443 Greenley Road to be in violation of Chapter 42-23, North Port City Code for accumulation of debris on property consisting of a large pile of old tires and imposed a fine of \$10 a day with a maximum of \$1000 to commence on August 13, 2022.

- C. [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.)

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.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-1406 14956 Tamiami Trail to the August 25, 2022 Code Enforcement Hearing.

D. [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.)

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. 22-1413 14920 Tamiami Trail to be in violation of Chapter 42-23, North Port City Code for accumulation of debris between the access road and wall and imposed a fine of \$10 a day with a maximum of \$1000 to commence on July 19, 2022.

E. [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.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-1414 14914 Tamiami Trail to be in violation of Chapter 42-23, North Port City Code for accumulation of debris on vacant lot, on the access road and imposed a fine of \$10 a day with a maximum of \$1000 to commence on July 19, 2022.

F. [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, and submitted one photo into evidence.

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 imposed a fine of \$10 a day with a maximum of \$1000 to commence on July 19, 2022.

G. [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.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-1476 1318 Nebraska Lane to be in violation of Chapter 42-23, North Port City Code for the accumulation of debris consisting of a dilapidated fence falling over onto the property to the rear, and to the right of 1318 Nebraska Lane, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on July 19, 2022.

- H. [Case No 22-1484](#) (WK) 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.)
- Mr. Toale recapped the violation finding for clear cutting the property of Case No. 22-1916 which was heard prior to Case No. 22-1484.
- Abundant Life Trustee Dmitriy Dimov, being duly sworn, requested Case No. 22-1916 be reopened.
- Inspector Kiddy, being duly sworn, noted the violation falls under the new Tree Ordinance fines, it was determined that 10,000 square-feet was affected out of 850,000 square-feet, the property owner's State Bona Fide Agricultural Zoning Designation expired, number of trees removed is undetermined, and submitted photos into evidence.
- Mr. Dimov provided a review of property designations, business licenses for the farm, area's flood plain, no residential construction intended, his website, and claiming agricultural exemption under City Code Section 45-4(C).
- Inspector Kiddy noted there was no proof from State denoting a Bona Fide Exemption.
- Mr. Dimov provided expired State documentation allowing for bees.
- Mr. Golen, being duly sworn, spoke to the agricultural land classification in Florida Statutes 193.46(3)(a).
- Ms. Barnes, being duly sworn, spoke to Mr. Dimov filing Florida Department of Revenue Form DR 482, and providing written communication from the Sarasota County Property Appraiser.
- Based on evidence presented, Hearing Officer Toale continued Case No. 22-1484 5716 North Salford Boulevard to the August 25, 2022 Code Enforcement Hearing with the understanding that proof will be provided from the State proving his Bona Fide Agricultural Exemption.***
- I. [Case No 22-1615](#) (HLB) Quincy M Shehadeh, 6950 Pompey St
Sec. 1-19, Unified Land Development Code
(No permit on file for wooden fence on property)

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

J. [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)

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. 22-1640 6243 Talbot Street to be in violation of Chapter 105.1, Florida Building Code for no permit on file for reroof completed on home and imposed a fine of \$50 a day with a maximum of \$5000 to commence on August 13, 2022.

K. [Case No 22-1691](#)

(HLB) Javier E & Karla X Martinez, 6323 S Biscayne Dr
Section 105.4.1.1, Florida Building Code
(Expired permit number 21-9799 for a new culvert. This culvert was installed and appears to be finished, new culvert is along the road to the rear of this property.)

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

L. [Case No 22-1694](#)

(JAG) Jennifer L Caron, 2654 Ashland Ln
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.

M. [Case No 22-1745](#)

(WK) Charles A Riddle, 2337 Cherokee St
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Kiddy, being duly sworn, noted the violation falls under the new Tree Ordinance fines, the property was inspected on multiple occasions, number of trees removed is undetermined, gopher tortoise nesting disturbed, and submitted photos into evidence.

Property owners Charles Riddle and Renae Riddle, being duly sworn, cited Tree Clearing Ordinance No. 2021-46.

Mr. Golen, being duly sworn, reviewed the legislation and spoke to permit not being required for this property and recommended to dismiss the case,

Based on evidence presented, Hearing Officer Toale dismissed Case No. 22-1745 2337 Cherokee Street for Section 45-5A, Unified Land Development Code (ULDC) for no permit on file for land clearing with no further action required.

N. [Case No 22-1806](#)

(WK) Ronald & Cheryl A Reber, 2523 Belvidere St
Sec. 59-16(f)(3), North Port City Code
(Parking dark color SUV and open trailer in City Right-of-way in front of vacant lot.)
Sec. 59-16(f)(4), North Port City Code
(Open trailer parked on City Right-of-way.)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-1806 2523 Belvidere Street to be in violation of Section 59-16(f)(3), North Port City Code for parking SUV and open trailer in City right-of-way and imposed a fine of \$500.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1806 2523 Belvidere Street to be in violation of Section 59-16(f)(4), North Port City Code for an open trailer parked on City right-of-way and imposed a fine of \$500.

O. [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)

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. 22-1812 3761 Lapeer Avenue to be in violation of Chapter 66-62 (c), North Port City Code for portable basketball hoop in the City right-of-way and imposed a fine of \$10 a day with a maximum of \$1000 to commence on July 19, 2022.

P. [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).

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. 1816 4732 Prime Terrace to be in violation of Section 42-24(a)(5), North Port City Code for accumulation of debris in the City right-of-way and imposed a fine of \$10 a day with a maximum of \$1000 to commence on August 13, 2022.

Q. [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.)

Inspector Kiddy, being duly sworn, noted the violation falls under the new Tree Ordinance fines, the property was inspected on multiple occasions, the property owner's State Bona Fide Agricultural Zoning Designation and fishery exemption expired, number of trees removed is undetermined, and submitted photos into evidence.

Ms. Barnes, being duly sworn, addressed permitting of agricultural-zoned property.

Inspector Kiddy addressed the probable number of trees removed on square-footage of land, and State exemptions for agricultural property superseding City regulations.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-1916

5716 North Salford Boulevard to the August 25, 2022 Code Enforcement Hearing.

- R. [Case no 22-2105](#) (WK) Grant A Curtan & Colleen M Quinn, 3621 Narcissus Ter
Section 45-5A, Unified Land Development Code
(No permit on file for land clearing.)

Inspector Kiddy, being duly sworn, noted the violation falls under the new Tree Ordinance fines, the property was inspected on multiple occasions, number of trees removed is undetermined, land completely cleared of trees, and submitted photos into evidence.

LGI Homes Representative Carla Sikes, being duly sworn, noted her company incorrectly cleared the wrong lot and are purchasing the lot from property owner.

Property Owner Grant Curtan, being duly sworn, was present but had nothing to add.

Mr. Toale spoke to the new Tree Ordinance, mitigation component, and penalty aspect.

Based on evidence presented, Hearing Officer Toale found Case No. 22-2105 3621 Narcissus Terrace 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 \$15,000.

9. 2ND HEARING CASES

- A. [Case No 21-4015](#) (WK) Barbarba Pierkowski, 7873 McPhail Ave
Chapter 105.1, Florida Building Code
(Wood fence that was never permitted on property and more than 5 feet into neighboring property under development which has been surveyed.)
Sec. 59-16(d), North Port City Code
(Vehicle with tarp in disrepair on driveway no wheels up on blocks with trash and debris underneath and shall not be stored more than 21 days other than in a completely enclosed structure.)
Chapter 62-50, North Port City Code
(Solid Waste Containers improperly stored in front of house, in driveway.)
Chapter 42-23, North Port City Code
(Accumulation of debris consisting of loose trash leading up to front door, wood, A/C window units, cardboard boxes and spoiled food with foul stench.)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, and requested the Order be signed assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4015 7873 McPhail Avenue to be in violation of Chapter 105.1, Florida Building Code for non-permitted wood fence on property and on neighboring property under development and signed the Order assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4015 7873 McPhail Avenue to be in violation of Section 59-16(d), North Port City Code for vehicle with tarp in disrepair on driveway, no wheels, up on blocks with trash, debris underneath, and stored more than 21 days and signed the Order assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4015 7873

McPhail Avenue to be in violation of Chapter 62-50, North Port City Code for solid waste containers improperly stored in front of house and on driveway and signed the Order assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4015 7873 McPhail Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash leading up to front door, wood, A/C window units, cardboard boxes and spoiled food with foul stench and signed the Order assessing the fine.

B. [Case No 21-4539](#)

(WK) Millard W Eheart, 4047 Suburban Ln

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of Loose trash in front sides and rear of house, piles of metal on driveway, wood, plastic and other household items that need to be removed or stored enclosure, also Motor cart in disrepair on driveway.)

Section 105.4.1.1, Florida Building Code

(Expired permit 17-6437/ INT-COMPLETE CHANGE OUT)

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

(Disabled vehicle on driveway; RV with flat tires and parts on driveway)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, there have been no changes in the violation and requested the Order be signed assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4539 4047 Suburban Lane to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of loose trash in front, sides and rear of house, piles of metal on driveway, wood, plastic and other household items that need to be removed or stored enclosure, and motor cart in disrepair on driveway and signed the Order assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4539 4047 Suburban Lane to be in violation of Section 105.4.1.1, Florida Building Code for expired permit 17-6437/ INT-COMPLETE CHANGE OUT and signed the Order assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4539 4047 Suburban Lane to be in violation of Section 59-16(d), North Port City Code for disabled vehicle on driveway, RV with flat tires and parts on driveway and signed the Order assessing the fine.

C. [Case No 21-4602](#)

(WK) Chad & Jaymi Brousseau, 2666 Calabash Ln

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

(Damage to Swale from Tire Ruts)

Chapter 70-21, North Port City Code

(Driving through City Right-of-way, causing damage.)

Sec. 53-239(l)(12), Home Occupations/Special Circumstances

(Outside storage of construction materials, pavers, and equipment.)

Chapter 105.1, Florida Building Code

(No permit on file for two accessory structures and deck on right side of property. Permit also required for City Right-of-way work performed, and

two pipes installed, as well of rocks throughout. None of which is to code)

Chapter 42-23, North Port City Code

(Accumulation of debris consisting of loose trash, wood pallets, household items, plastic buckets, tires, and other miscellaneous items that should be stored within enclosed structure)

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

Based on evidence presented, Hearing Officer Toale found Case No. 22-4206 2666 Calabash Lane to be in violation of Section 59-16(f)(3), North Port City Code for damage to swale from tire ruts and signed the Order assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4206 2666 Calabash Lane to be in violation of Chapter 70-21, North Port City Code for driving through City right-of-way and signed the Order assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4206 2666 Calabash Lane to be in compliance with Section 53-239(l)(12) with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4206 2666 Calabash Lane to be in violation of Chapter 105.1, Florida Building Code for no permit on file for two accessory structures and deck and signed the Order assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4206 2666 Calabash Lane to be in compliance with Chapter 42-23, North Port City Code with no further action required.

D. [Case No 21-4986](#)

(WK) Domka & Alena Tarasenko, 5498 Densaw Rd

Section 105.4.1.1, Florida Building Code

(Permit 18-4791 is expired for six (6) windows, and slider impact, needs to be reactivated or revoked. Contact permitting for solution.)

Inspector Kiddy, being duly sworn, noted the property was inspected on multiple occasions, there have been no changes to the property, and requested the Order be signed assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-4986 5498 Densaw Road to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the Order assessing the fine.

E. [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, there have been no changes to the property, and no permit submitted.

Property owner Steven Seed, being duly sworn, stated he is waiting for a survey and was unaware a permit was needed for a pond.

Mr. Raducci, being duly sworn, proposed continuing the case to next meeting with homeowner having a permit or a survey invoice in hand by next meeting.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-65 6315 Beedla Street to the August 25, 2022 Code Enforcement Hearing.

F. [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.)

Inspector Guilbault, being duly sworn, noted permit expired and requested the Order be signed imposing the fine.

Property owner Alexander Skulitz, being duly sworn, stated it's a rental property and he received no notification regarding a final inspection.

Inspector Guilbault stated he agreed with a continuance but must prove permit is reactivated by the next meeting.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-830 7599 Parrish Street to the August 25, 2022 Code Enforcement Hearing.

G. [Case No 22-911](#)

(HLB) William & Charlene Guillem, 2099 Snover Ave
Sec. 1-19, Unified Land Development Code
(No permit on file for chain link fence on property surrounding the backyard.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, there have been no changes to the property, and requested the Order be signed assessing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-911 2099 Snover Avenue to be in violation of Section 1-19, Unified Land Development Code (ULDC) for no permit on file for chain link fence on property surrounding the backyard and signed the Order assessing the fine.

H. [Case No 22-1375](#)

(JA) 2017-2 IH Borrower LP, 2519 E Price Blvd
Sec. 1-19, Unified Land Development Code
(Original Chain Link Fence (permit pulled in 99) has been replaced with a wood fence with no permit on file.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, there have been no changes to the property, and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-1375 2519 East Price Boulevard to be in violation of Section 1-19, Unified Land Development Code (ULDC) for chain link fence replaced with a wood fence with no permit on file and signed the Order imposing the fine.

10. GENERAL BUSINESS

- A. [22-2987](#) Case No. 22-025180 Trespass Appeal -- Dale A. Binns -- 6207 West Price Boulevard, North Port, Florida, 33987 (Morgan Family Community Center)

Hearing Officer Toale presided.

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

Dale Bins, being duly sworn, provided a brief background of the altercation, communication between two parties involved, and officer failing to sign Trespass Warning at the scene.

Police Officer Michael Witkowski, being duly sworn, provided testimony of the altercation and the subsequent Order of Trespass.

Parent of Trespasser Nicole Helman, being duly sworn, spoke to the situation being misinterpreted, violation given to wrong individual, and her son not being the aggressor.

Based on evidence presented, Hearing Officer Toale granted the appeal to Trespass Warning Case No. 22-2987.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 12:05 p.m.

James E. Toale, Hearing Officer

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