



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes Code Compliance Hearing

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Thursday, June 27, 2024

9:00 AM

City Commission Chambers

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### 1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:00 a.m.

### 2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

### ALSO PRESENT:

Recording Secretary William Kiddy, Police Legal Advisor Katlyn Coughlin, Code Compliance Inspector David Grandt, Code Compliance Inspector Kenneth Schauer, Code Compliance Inspector Nathan Long, Zoning Inspector Henley Burton, Arborist Jeremy Rogus, Arborist Shawn Ruff, Deputy City Attorney Michael Golen, and Code Enforcement Manager Kevin Raducci

### 3. PUBLIC COMMENT

There was no public comment.

### 4. APPROVAL OF MINUTES

- A. [24-0800](#) Approve Minutes for the May 23, 2024 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 Mr. Powell swore in all those wishing to provide testimony.

### 6. COMPLIANT CASES

- A. [Case No 23-4598](#) (KS) Andrew Lawrence Cardinal & Harley Kate Cardinal; 6395 Tropicaire Boulevard  
Section 105.4.1.1, Florida Building Code  
(Expired permits 22-18352 Inter-ReRoof Shingle to Shingle as well as 23-1560 Int-complete system change out)

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

- B. [Case No 23-4713](#) (KS) SIMONE & SHERNETTE &, SHAWNAH D S BRYAN; 7027 DE BRITA RD

Section 105.4.1.1, Florida Building Code- Permit has expired.  
(Expired SFR permit 19-8243.)

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

- C. [Case No 23-5307](#) (DG) JUAN E FORERO; 6354 SCORPIO AVE  
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required  
(No permit on file for the fence located on this property)  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Vehicle being parked in City Right-of-way at this residence)  
59-1 (c)(1), City Code Allowed parking  
(Vehicle parked in front yard of residence, and not on an improved surface)  
*This case was brought into compliance with no further action required.*
- D. [Case No 24-135](#) (NL) IVAN MUCHAYLOVICH BOYCHENKO, NELLYA IVANIVNA BOYCHENKO; 1431 NORA LN  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Camper being parked/stored in the City Right-of-way)  
*This case was brought into compliance with no further action required.*
- E. [Case No 24-255](#) (DG) KATHLEEN T VALLEJO; 2806 CHICKASAW AVE  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.  
(Two (2) vehicles parked in City Right-of-way.)  
59-1 (c)(1), City Code Allowed parking  
(Car and boat parked on property, and not on improved surface. Additionally there is an RV parked on side easement.)  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris next to driveway consisting of miscellaneous car parts.)  
*This case was brought into compliance with no further action required.*
- F. [Case No 24-269](#) (NL) JOHN F & DAWN D KILBRIDE; 3630 PARADE TER  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris in the driveway and on the side of home, consisting of old air handlers and condensing units.)  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.  
(Trailer parked in City Right-of-way which is prohibited per City Code.)  
*This case was brought into compliance with no further action required.*
- G. [Case No 24-499](#) (NL) AARON BARNES; 3499 DUAR TER  
70-21, NPCC  
(Driving through the City Right-of-way, with no Right-of-Way use permit, or culvert installed)  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater

drainage area

(Accumulation of debris in the City Right-of-way consisting of a pile of yard waste)

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

- H. [Case No 24-512](#) (DG) BECKY FANNING, SAMANTHA MEGAN BELCASTRO; 2662 JAYLENE RD  
59-1 (c)(1), City Code Allowed parking  
(Truck parked on property and not on an improved surface)  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Boat and trailer parked in City Right of-way at this address)  
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.*
- I. [Case No 24-576](#) (NL) LLANQUIHUE INVESTMENT LLC; 1162 OREGON LN  
Section 105.4.1.1, Florida Building Code- Permit has expired.  
(SFR Building permit 22-8261 has expired.)  
*This case was brought into compliance with no further action required.*
- J. [Case No 24-604](#) (NL) JONAS & VERNESSA SEDA; 1767 HAZELTON AVE  
70-21, NPCC  
(Driving through the City Right-of-way to access property with no Right-of-way use permit)  
*This case was brought into compliance with no further action required.*
- K. [Case No 24-743](#) (NL) ROMAN YANYUK, YEVENIYA FLEISHGAUER; 2476 WURTSMITH LN  
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required  
(There is no issued fence permit for the fence that has been installed on this property. Fence permit has to be paid and picked up, in order to close this violation)  
*This case was brought into compliance with no further action required.*
- L. [Case No 24-782](#) (NL) HEXAGON DEVELOPERS LLC; 3224 ZORATOA AVE  
Section 105.4.1.1, Florida Building Code- Permit has expired.  
(SFR Permit #22-11258 is expired.)  
*This case was brought into compliance with no further action required.*
- M. [Case No 24-798](#) (DG) DALE R THOMPSON JR; 1786 KIRKWOOD ST  
Section 45-5A, Unified Land Development Code - Land Clearing  
(Attend the required Code Enforcement Hearing to states facts concerning this violation)  
*This case was brought into compliance with no further action required.*

- N. [Case No 24-912](#) (DG) SZYMON ZEBROSKI; 1809 BRADDOCK AVE  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Two (2) vehicles being parked in the City Right-of-way which is prohibited per City Code)  
*This case was brought into compliance with no further action required.*
- O. [Case No 24-913](#) (KS) DAVID MATTHEW; 6828 KETONA RD  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Unlicensed Silver Buick parked in the City Right-of-way. Additionally, there is a Gray Toyota parked on the sidewalk of this residence impeding thru pedestrian traffic)  
*This case was brought into compliance with no further action required.*
- P. [Case No 24-915](#) (DG) HASSAN, NELSON, & ANNA M FARRA; 2027 WHEELING AVE  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Brown Ford FL Tag PCU J78 parked in the City Right-of-way)  
*This case was brought into compliance with no further action required.*
- Q. [Case No 24-921](#) (DG) FAYE BOGNAR REVOCABLE TRUST; 2034 ROANOKE RD  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area  
(Accumulation of debris in City Right-of-way consisting of plastic buckets, wood, and vegetation)  
*This case was brought into compliance with no further action required.*
- R. [Case No 24-924](#) (KS) BURTON D & DELOS E SEYMOUR; 8130 FAY AVE  
Chapter 105.1, Florida Building Code - Permit required.  
(No permit on file for the New Roof installed on this property.)  
*This case was brought into compliance with no further action required.*
- S. [Case No 24-930](#) (DG) CSMA BLT LLC; 1538 PURDY ST  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Black Dodge Ram Truck FL tag BN13PJ is parked in the City Right-of-way which is prohibited per City Code.)  
*This case was brought into compliance with no further action required.*
- T. [Case No 24-965](#) (KS) RONALD B TREFREY; 8735 CHESEBRO AVE  
59-1 (c)(1), City Code Allowed parking  
(Two (2) cargo trailers stored/parked on the front lawn of the residence, and not on an improved surface which is a violation of City Code)  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of miscellaneous items in the driveway and front yard)  
*This case was brought into compliance with no further action required.*

- U. [Case No 24-970](#) (KS) HAROLD J LACKLAND; 3511 MATADOR RD  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris on this undeveloped parcel consisting of miscellaneous trash items as a result of a homeless camp that encompassed this property.)  
*This case was brought into compliance with no further action required.*
- V. [Case No 24-971](#) (KS) CSMA FT LLC; 8679 LA BOCA AVE  
59-1 (c)(1), City Code Allowed parking  
(1 Black utility trailer with unknown tag full of debris in the stored on the front lawn, right side of the driveway. There is also 1 dark blue Chevy Tahoe with an unknown tag parked on the front lawn left side of the driveway, and a white Mazda SUV parked in the driveway with what appeared to be a greasy substance on the concrete underneath. None of these vehicles are parked on an improved surface which is required per City Code.)  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris on the right front corner property of residence, consisting of plastic containers, furniture, metal objects, and other miscellaneous items)  
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required  
(Fence permit is in pick up status, but has not been issued and paid for which needed to be done prior to fence installation)  
*This case was brought into compliance with no further action required.*
- W. [Case No 24-978](#) (KS) VINH LE FRANCK; 1660 FLORALA ST  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Parking a trailer in City Right-of-way.)  
*This case was brought into compliance with no further action required.*
- X. [Case No 24-993](#) (KS) DENNIS M DI BONA, RUTH A DI BONA; 6433 MYRTLEWOOD RD  
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required  
(No permit on file for the privacy fence being installed to the rear of this property)  
*This case was brought into compliance with no further action required.*
- Y. [Case No 24-996](#) (DG) RICHARD T LAVANCE, CHRISTINE L HIGBEE; 1047 N SAN MATEO DR  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris in City Right-of-way consisting of cut down bamboo)  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way

(Trailer with Fla Tag PKX L95, parked in City Right-of-way.)

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

- Z.** [Case No 24-1010](#) (DG) RUDY S & GEORGE S DAHBURA; 1386 DELMONTE ST  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Two (2) vehicles in City Right-of-way, a White Hyundai with FL tag 67B ELR and a Comcast Chevy Truck FL fleet tag GEH 976)  
*This case was brought into compliance with no further action required.*
- AA.** [Case No 24-1015](#) (NL) ROBERT E MILLER JR; 3720 HORACE AVE  
59-1 (c)(1), City Code Allowed parking  
(Box truck parked on property of which has no buffer, nor does the property size meet the requirements of 30,000 ft to have this type of vehicle. Additionally, there is a trailer parked in front of the house, not on an improved surface.)  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of miscellaneous piping laying in the yard)  
*This case was brought into compliance with no further action required.*
- AB.** [Case No 24-1056](#) (KS) 5400 GROUP LLC, C/O SVN COMMERCIAL ASHLEY BLOOM;  
5400 PAN AMERICAN BLVD  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris on this undeveloped lot consisting of miscellaneous items that were left over from a homeless encampment.)  
*This case was brought into compliance with no further action required.*
- AC.** [Case No 24-1110](#) (DG) LIN ZHI JUN; 1788 HAINSWORTH AVE  
Chapter 70-56, North Port City Code Assigned numbers  
(Assigned numbers affixed to residence missing 1 or more digits.  
Address reading 178\_)  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Blue Toyota Van FL Tag GJV V06 parked in the City Right-of-way)  
*This case was brought into compliance with no further action required.*
- AD.** [Case No 24-1121](#) (KS) WILLIAM D & JANICE L WILNER, REVOC LIV TRUST; 3491  
MATADOR RD  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of miscellaneous trash items as a result of the homeless camp that encompassed this property)  
*This case was brought into compliance with no further action required.*
- AE.** [Case No 24-1180](#) (DG) MARK F WILK; 2990 BLOCTON RD  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Vehicle(s) parked in City Right-of-way which is prohibited per City

Code. Vehicles consisting of, White van FL./33AIAP, Red chev FL/VHO9M, Tan Dodge FL/QNGIC)

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

**AF.** [Case No 24-1183](#)

(NL) LARRY SHUMWAY; 4248 BIRNAM TER  
59-1 (c)(1), City Code Allowed parking  
(Camper parked in front yard of residence, not on an improved surface)

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

**AG.** [Case No 24-1199](#)

(DG) B&L NORTH PORT LLC; 4557 ADDLEY AVE  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Red Jeep Parked in City Right-of-Way, with FL tag QWW I26)

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

**AH.** [Case No 24-1221](#)

(DG) PAUL, LILIYA & DAVID CHUYASHOV; 2400 MODERN CT  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Vehicles parked in CROW to include an unlicensed Silver Car, an unlicensed Red Car, and a Boat on a trailer with Tag FL 6652LU)

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

**AI.** [Case No 24-1226](#)

(KS) ZBIGNIEW MICHALSKI; 1601 LOGSDON ST  
Chapter 105.1, Florida Building Code - Permit required.  
(No permit on file for the above ground pool located on this property.)  
59-1 (c)(1), City Code Allowed parking  
(Utility trailer with debris on it parked on side of property and not on an improved surface)  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area  
(Accumulation of debris in city right-of-way and onto property consisting o a sofa, wood cabinets, and other miscellaneous items.)

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

**AJ.** [Case No 24-1227](#)

(DG) LATITUD NORTH PORT LLC; 1659 JAKWAY RD  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(White Ford w/FL tag PAK D68, parked in City Right-of-way.)

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

**AK.** [Case No 24-1233](#)

(DG) BORIS GEMBOM & DINA DRUBICH; 2964 EDGAR AVE  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(Boat and trailer parked in City Right-of-way.)

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

**AL.** [Case No 24-1277](#)

(DG) FKH SFR PROPCO H LP; 2685 CALADIUM RD  
Chapter 62-50, North Port City Code Refuse container(s)  
(Solid waste containers improperly stored. Containers must be stored

behind the front plane of the home.)

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

**AM.** [Case No  
24-1280](#)

(JP) KELVIN NAM ZHANG; 5470 GAITOR TER  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(53' semi trailer with Maine Tag number 8035176, parked in the City  
Right-of-way)

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

**AN.** [Case No  
24-1282](#)

(JP) MICHAEL & KATHY KING MANFREDI; 5390 GAGNON TER  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.  
(Unlicensed Boat Trailer parked in City Right-of-way in front of this  
undeveloped lot)

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

**AO.** [Case No  
24-1285](#)

(JP) WJHFL LLC; 5639 GANYARD AVE  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater  
drainage area  
(Accumulation of debris in the City right-of-way, in front of this  
undeveloped lot consisting of a Black riding mower, cardboard box, a  
garden hose, as well as a satellite dish)

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

**AP.** [Case No  
24-1416](#)

(JP) ELPIDIO L BECERRA, MARGARITA BECERRA; 5132 JEMING RD  
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater  
drainage area  
(Four (4) tires left in the City Right-of-way. Please contact North Port  
Solid Waste to arrange for a bulk pick up)

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

**AQ.** [Case No  
24-1440](#)

(JP) RONALD C & JUDITH H YORK; 7325 SWARTBURG RD  
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way  
(5th wheel RV FL Tags FL/CG2OCD parked in City Right-of-way)

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

## **2ND HEARING CASES**

**C.** [Case No  
24-398](#)

(DG) BURKE GROUP LLC; 1593 HOLLISTER AVE  
Section 53-240(A)(3) Unified Land Development Code, Special  
Structures  
(Structure built on this property, as well as a fence, with no principal  
structure.)

59-1 (c)(1), City Code Allowed parking  
(Vehicle parked on this property with no principal structure.)

Hearing Officer Toale announced the item.



Inspector Grandt, being duly sworn, provided a presentation including inspections and changes with property.

Roberto Balsa, property owner, being duly sworn, spoke to property changes and timeline.

Ms. Coughlin, being duly sworn, spoke to code changes.

Mr. Raducci, being duly sworn, spoke to recommendations.

**Based on evidence presented, Hearing Officer Toale, continued Case No. 24-398, 1593 Hollister Ave., to the September 26, 2024 Code Compliance Hearing.**

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-398, 1593 Hollister Ave., to be in compliance of Chapter 59-1(c)(1), North Port City Code for vehicle parked on property with no principal structure and dismissed the violation.**

## 1ST HEARING CASES

- A. [Case No 24-221](#) (DG) ESTERO DEVELOPMENT PARTNERS LP; 3418 JOHANNESBERG RD  
33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris  
(Accumulation of miscellaneous debris on this construction site, as well as dumpster is overflowing)  
Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.  
(No silt fence on this construction face)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections and photographs submitted into evidence.

Ralph Wisner, Estero Development Partners, being duly sworn, spoke to compliance requirements and timeline.

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-221, 3418 Johannesburg Rd., to be in violation of Section 33-7(d)(1)(c), Unified Land Development Code for piling and storage of debris, and imposed a fine of \$25 a day with a maximum of \$2000 to commence on August 17, 2024.**

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-221, 3418 Johannesburg Rd., to be in violation of Section 33-7(c)(3), Unified Land Development Code for silt fence not installed properly, and imposed a fine of \$25 a day with a maximum of \$2000 to commence on August 17, 2024.**

- C. [Case No 24-844](#) (DG) ARBOBELLA TREE SERVICE LLC; 3063 BRIARCLIFF AVE  
Section 53-240(A)(3) Unified Land Development Code, Special Structures  
(Fence installed on this property with no permit or principal structure, additionally there is a storage/shipping container which does not have a permit either)

59-1 (c)(1), City Code Allowed parking  
(Vehicles parked on this property with no principal structure)  
Section 53-265(A)(2) Unified Land Development Code  
(Shipping container on this property with no permit)

Hearing Officer Toale announced the item.

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

Florida Hernandez, Arbobella Tree Service, being duly sworn, spoke to effort to gain compliance and timeline.

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-844, 3063 Briarcliff Ave., to be in violation of Section 53-240(a)(3), Unified Land Development Code for fence installed with no permit or principal structure and storage container with no permit, and imposed a fine of \$25 a day with a maximum of \$2000 to commence on August 17, 2024.**

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-844, 3063 Briarcliff Ave., to be in violation of Chapter 59-1(c)(1), North Port City Code for vehicles parked on property with no principal structure, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on August 17, 2024.**

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-844, 3063 Briarcliff Ave., to be in violation of Section 53-265(a)(2), Unified Land Development Code for shipping container on property with no permit, and imposed a fine of \$25 a day with a maximum of \$2000 to commence on August 17, 2024.**

## 2ND HEARING CASES

- D. [Case No. 24-489](#) (DG) ASHLEY E ERICKSON; 5246 CILLETTE AVE  
Section 105.4.1.1, Florida Building Code- Permit has expired.  
(Expired permit 22-7140 for Non Structural Fence, as well as 20-11395 for Non Structural Fence.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, spoke to no property changes.

Ashley Erickson, property owner, being duly sworn, spoke to notification, compliance requirements, inspection, permit status, and compliance notification submitted into evidence.

Mr. Raducci, being duly sworn, spoke to permit renewal process.

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-489, 5246 Cillette Ave., to be in compliance of Section 105.4.1.1, Florida Building Code for expired permits and dismissed the violation.**

## 1ST HEARING CASES

- B. [Case No. 24-812](#) (NL) RANDHIR MARRERO RAMROOP, KAMINI RAMROOP; 4189 ACLINE AVE  
Sec. 1-19, Unified Land Development Code Local, state and Federal

permits required  
(No permit on file for fence located on the property)

Hearing Officer Toale announced the item.

Inspector Long, 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. 24-812, 4189 Acline Ave., to be in violation of Section 1-19, Unified Land Development Code for no permit for fence, and imposed a fine of \$25 a day with a maximum of \$2000 to commence on July 23, 2024.**

F. [Case No 24-1411](#)

(KS) DWELL WELL INC; 8690 BUMFORD AVE  
59-1 (c)(1), City Code Allowed parking

(Camper with unknown registration stored on right side of residence, not on an improved surface; White Motor Home FL Tag ID1-22A stored on left side of residence, not on an improved surface, as well as a utility trailer FL tag 86C-CRJ stored on left side of residence of which is not on an improved surface either)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and photographs submitted into evidence.

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-1411, 8690 Bumford Ave., to be in violation of Chapter 59-1(c)(1), North Port City Code for vehicle parked on property and not on improved surface, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on August 17, 2024.**

## 2ND HEARING CASES

A. [Case No 24-164](#)

(NL) COREY MITCHELL REEDER, MARISSA ANN REEDER; 3341 TONKIN DR

Chapter 105.1, Florida Building Code - Permit required.

(Right-of-way work being done with no permit on file.)

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

(Accumulation of debris through the consisting of miscellaneous items throughout the property.)

70-21, NPCC - It shall be unlawful for any person to move or cause to be moved, drive or operate in, upon or across or depart from or enter upon any City road in any vehicle, contrivance or device in such a manner as to cause damage to any City road, right-of-way, drainage or utility structure and/or facility. The possession of a vehicle weight permit by such a person shall not constitute a defense herein.

(Driving through City Right-of-way with no Right-of-way use permit.)

59-2, City Code, Damage to the public right-of-way, abatement by city -

(a)Property owner responsibility.

(Damage to the City Right-of-way from driving through it)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections and no

changes to property.

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-164, 3341 Tonkin Dr., to be in violation of Chapter 105.1, Florida Building Code for no permit for right-of-way work and signed the order imposing the fine.**

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-164, 3341 Tonkin Dr., to be in violation of Chapter 42-23, North Port City Code for accumulation of debris and signed the order imposing the fine.**

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-164, 3341 Tonkin Dr., to be in violation of Chapter 70-21, North Port City Code for driving through City right-of-way with no use permit and signed the order imposing the fine.**

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-164, 3341 Tonkin Dr., to be in violation of Chapter 59-2, North Port City Code for damage to City right-of-way and signed the order imposing the fine.**

### CONTINUED CASES

- C. [Case No 23-5065](#) (DG) GULF COAST ASSEMBLY OF GOD INC; 2800 PAN AMERICAN BLVD

Chapter 105.1, Florida Building Code - Permit required.

(No permit on file for commercial remodel/lanai enclosure done on this residence.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections and no changes to property.

**Based on evidence presented, Hearing Officer Toale, found Case No. 23-5065, 2800 Pan American Blvd., to be in violation of Chapter 105.1, Florida Building Code for expired permit, and signed the order imposing the fine.**

### 1ST HEARING CASES

- E. [Case No 24-1190](#) (DG) MT LAND VENTURES LLC; 2829 BREADNUT ST  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Storage of Materials and miscellaneous Debris on this undeveloped lot)  
59-1 (c)(1), City Code Allowed parking  
(Multiple Cars and RV's parked on this lot with no principle structure)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections and photographs submitted into evidence.

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-1190, 2829 Breadnut St., to be in violation of Chapter 42-23, North Port City Code for accumulation of debris, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on July 23, 2024.**

**Based on evidence presented, Hearing Officer Toale, found Case No. 24-1190, 2829 Breadnut St., to be in violation of Chapter 59-1(c)(1), North Port City Code**

*for vehicles parked on property with no principal structure, and imposed a fine of \$10 a day with a maximum of \$1000 to commence on July 23, 2024.*

## 9. 2ND HEARING CASES

**B.** [Case No 24-197](#)

(NL) JACQUELINE E THOMAS; 1501 DEXTER RD

Chapter 34-23, North Port City Code Any person who engages in any business, occupation or profession who does not pay the required business tax within 150 days after the notice that the tax is due and who does not obtain the required local business tax receipt is subject to civil actions and penalties, including court costs, reasonable attorney fees, additional administrative costs incurred as a result of collection efforts and a penalty of up to \$250.00 (in addition to cost of business tax).

(No Active Business Tax Receipt on file for Fine Design Lawn Car Inc.)

59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way.

(Multiple vehicles parked in City Right-of-way of which is prohibited per City Code.)

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

(Accumulation of debris consisting of miscellaneous consisting of trash and many business related items/supplies on the lot next to property.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including violations and no changes to property.

***Based on evidence presented, Hearing Officer Toale, found Case No. 24-197, 1501 Dexter Rd., to be in violation of Chapter 34-23, North Port City Code for no active business tax receipt for Fine Design Lawn Car Inc., and signed the order imposing the fine.***

***Based on evidence presented, Hearing Officer Toale, found Case No. 24-197, 1501 Dexter Rd., to be in compliance of Chapter 42-23, North Port City Code for accumulation of debris, and dismissed the violation.***

***Based on evidence presented, Hearing Officer Toale, found Case No. 24-197, 1501 Dexter Rd., to be in compliance of Chapter 59-1(b)(1), North Port City Code for multiple vehicles parked in City right-of-way and dismissed the violation.***

**E.** [Case No 24-566](#)

(NL) FKH SFR PROPCO D LP; 3615 MADAGASCAR AVE

Sec. 53-240(M)(5)(b) Unified Land Development Code, Special structures. Fences. Except as otherwise provided in Subsection (6) below, all fences must comply with the following regulations. (5) Design requirements. (b) Posts and supports. All exposed fence posts and supports must face in the direction of the fence owner's property.

(Fence installed incorrectly after the hurricane. Fence posts are on the outside of the fence instead of the inside.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections and no changes to property.

***Based on evidence presented, Hearing Officer Toale, found Case No. 24-566, 3615***

*Madagascar Ave., to be in violation of Section 53-240(m)(5)(b), Unified Land Development Code for fence installed incorrectly and signed the order imposing the fine.*

- F. [Case No 24-609](#) (NL) CHRISTOPHER & LORI BERIAU; 2443 GREENLEY RD  
Chapter 42-23, North Port City Code; Accumulation of Debris  
(Accumulation of debris consisting of loveseat, cardboard boxes, miscellaneous boards, tires, and many other items.)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections and no changes to property.

*Based on evidence presented, Hearing Officer Toale, found Case No. 24-609, 2443 Greenley Rd., to be in violation of Chapter 42-23, North Port City Code, for accumulation of debris and signed the order imposing the fine.*

- G. [Case No 24-618](#) (KS) VADIM OLIMPIYUK; 2537 MCTAGUE ST  
Section 53-240(A)(3) Unified Land Development Code, Special Structures - A. Accessory uses and structures. Permitted accessory uses and structures in all zoning districts shall be as follows: (3) Are located on the same lot as the permitted or permissible principal use or structure.

(Shed on this property of which has no principal structure. The lot behind with residence is owned by same owner but properties are not combined.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and no changes to property.

*Based on evidence presented, Hearing Officer Toale, found Case No. 24-618, 2537 McTague St., to be in violation of Section 53-240(A)(3), Unified Land Development Code for shed on property with no principal structure and signed the order imposing the fine.*

## **7. CONTINUED CASES**

- A. [Case No 23-538](#) (DG) MARTY & TINA WOLF; 1634 RONALD ST  
Section 53-265(A)(2) Unified Land Development Code - Exemption from temporary use and special event permits.  
(Illegal shipping container on property since January and is prohibited per City Code.)

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

- D. [Case No 24-987](#) (NL) LAURA SCHADEWALDT, BARROW FLEETWOOD; 3595 ELDRON AVE  
Section 45-5A, Unified Land Development Code - Land Clearing  
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

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

## **8. 1ST HEARING CASES**

- D. [Case No 24-1070](#) (DG) LEYLA SMIRNOVA, NIKOLAY ORESHIN; 3199 RUFUS RD 59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way (Car hauler / trailer w/ Florida tag QA1 5JQ parked in City Right-of-way)

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

Recess was taken from 9:46 a.m. to 10:30 a.m.

## **NEW BUSINESS**

Hearing Officer Toale announced Case No. 23-1823 and 23-1824 are set for rehearing and spoke to rehearing status and process.

Mr. Powell swore in those wishing to provide testimony.

Ms. Coughlin and Mr. Burton, both being duly sworn, spoke to rehearing status, zoning designation, square footage, location, inspections, unknown number of trees removed, property address, stop work order timeline, contact with property owner, affidavit of posting, arborist presence, tree removal requirements, lot clearing timeline, permit requirements, environmental and wildlife impacts, heritage trees, and photographs submitted into evidence.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke to assessed property value.

Ms. Coughlin and Mr. Rogus, both being duly sworn, spoke to inspection, unknown number of trees, tree measurements, and heritage trees.

Mr. Boone spoke to unknown number of trees, intent, and gopher tortoises.

Ms. Coughlin spoke to intent and gopher tortoises.

Mr. Boone spoke to average number of trees and heritage trees.

Ms. Coughlin and Mr. Ruff, both being duly sworn, spoke to intent and permitting process.

Mr. Boone spoke to heritage tree damage from hurricanes, permitting process, and mitigation credit.

Mr. Boone and Mr. Burton spoke to fee study, staff recommendation for fine, and square footage versus fine amount.

Ms. Coughlin spoke to role as arborist.

George Herman, property owner, and Mr. Boone, both being duly sworn, spoke to role as arborist, code enforcement regulations, maximum fine reduction, hurricane damages, violation history, and contact with staff.

Ms. Coughlin spoke to property value, notice received, contact with staff, fines, and property purchase.

Mr. Boone spoke to tree removal permits, aerial view of properties, permit fees,

property permit chart submitted into evidence, and construction damages to trees.

Mr. Herman spoke to property purchase timeline, evidence of tree damages, and tree types.

Ms. Coughlin spoke to tree expert status.

Mr. Boone spoke to prior meetings with staff and negotiation process.

Ms. Coughlin spoke to mitigation.

Mr. Boone spoke to settlement process, examples, and Hearing Officer role.

Ms. Coughlin spoke to fine amount, recommendations, mitigation, tree damages, Hearing Officer role, and intent.

Anne Boone, Boone Law Firm, being duly sworn, spoke to applicable law, violations, Ordinance interpretation, Hearing Officer role, and recommendations.

Mr. Boone spoke to fine determination, Ordinance interpretation, staff role, settlement attempt, property owner compliance, Hearing Officer role, and recommendations.

Ms. Coughlin spoke to excessive fines.

Mr. Boone spoke to property owner compliance.

***Based on evidence presented, Hearing Officer Toale found Case No. 23-1823, 2695 Commerce Parkway to be in violation of Section 45-5A, Unified Land Development Code for land clearing and imposed a fine of \$43,000.***

***Based on evidence presented, Hearing Officer Toale found Case No. 23-1824, 2645 Commerce Parkway to be in violation of Section 45-5A, Unified Land Development Code for land clearing and imposed a fine of \$42,000.***

## **CONTINUED CASES**

### **B. [Case No 23-2099](#)**

(DG) GEORGE W III GOODSPEED, LYNNSEE MARIE TAYLOR; 7270 HIAWATHA TER

Section 53-240(A)(3) Unified Land Development Code, Special Structures

( Accessory / Lot with Principal Fence/gate on vacant lot with no accessory structure which is un-permitted.)

Hearing Officer Toale announced the item.

Inspector Grandt, being duly sworn, provided a presentation including inspections and no changes to property.

George Goodspeed, property owner, being duly sworn, spoke to conversation with Commission and document submitted into evidence.

Ms. Coughlin, being duly sworn, spoke to Unified Land Development Code (ULDC) rewrite timeline.

Mr. Golen, being duly sworn, spoke to ULDC rewrite timeline.

***Based on evidence presented, Hearing Officer Toale, continued Case No.***



*23-2099, 7270 Hiawatha Ter., to the September 26, 2024 Code Compliance Hearing.*

**10. PUBLIC COMMENT**

There was no public comment.

**11. ADJOURNMENT**

Hearing Officer Toale adjourned the meeting at 1:24 p.m.

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James E. Toale, Hearing Officer