

# **CITY OF NORTH PORT**

SARASOTA COUNTY, FLORIDA 4970 City Hall Boulevard – North Port, FL. 34286

# **CODE ENFORCEMENT HEARING**

}
}
}

} }

}
}
}

CITY OF NORTH PORT, FLORIDA
Petitioner,
VS.
IRADI NUESI
Respondent(s)
ADDRESS OF VIOLATION:
4849 Abernant Ave
North Port, FL
PARCEL ID.: 0978269002

CASE NO.: 23-596 CERTIFIED MAIL NO.: 70222410000235448842

# **NOTICE OF MANDATORY HEARING**

Pursuant to the attached AFFIDAVIT OF VIOLATION dated *March 08, 2023, YOU ARE HEREBY FORMALLY NOTIFIED* that at *9:00 a.m.,* or as soon thereafter as possible, *on May 25, 2023,* in City Chambers, City Hall, *4970 City Hall Boulevard, North Port, Florida,* there will be a public hearing to determine whether or not you have violated certain CITY OF NORTH PORT, FLORIDA CODES/ORDINANCES with regard to the CODE OF THE CITY OF NORTH PORT, FLORIDA. A NOTICE OF VIOLATION, dated *February 15, 2023,* was previously served by *REGULAR MAIL.* 

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

**YOU ARE HEREBY ORDERED** to appear before the HEARING OFFICER of the CITY OF NORTH PORT, FLORIDA on *May 25, 2023,* to present your case with regard to the violation stated in the attached AFFIDAVIT OF VIOLATION.

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

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

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

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

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

HEATHER FAUST, City Clerk

#### **CERTIFICATE OF SERVICE**

*I HEREBY CERTIFY* that a true and correct copy of this NOTICE OF MANDATORY HEARING has been served upon the RESPONDENT(S) by *Certified Mail/Return Receipt Requested* at 4849 ABERNANT AVE NORTH PORT FL 34287-7332.

**DATED:** March <u></u>, 2023

SERVER – CITY OF NORTH PORT





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

CITY OF NORTH PORT, FLORIDA	}		
Petitioner,	}		
VS.	}		
IRADI NUESI	}		
Respondent(s)	}	CASE NO.:	23-596
	}		
ADDRESS OF VIOLATION:	}		
4849 ABERNANT AVE	}		
NORTH PORT, FL	}		
PARCEL ID.: 0978269002	}		

#### AFFIDAVIT OF VIOLATION

#### STATE OF FLORIDA

#### : ss COUNTY OF SARASOTA :

:

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

Respondent(s) has been served with a Notice of Violation and Order to Correct Violation, dated February 15, 2023, by first class mail, a copy of which is attached.

(1) The following complaint was received in the Property Standards Division:

2/8/2023, 2:46:54 PM MROSS Today 2/7/2023 Boat parked in right of way across from his residence, been there two weeks, along with two cars. Two dump trailers parked in right of way in front of his empty lot, been there two weeks, full of garbage. Two cars parked in right of way in front of his empty lot, this is a continuing issue as he has his workers showing up at his house every morning and parking their cars in the right of way. Another boat parked on the empty lot, along with a loader (construction vehicle) that has been parked there for over a month and at least three other cars. An RV parked in the driveway along with another car and one car parked on his drain field. A variety and assortment of construction materials used in his business strewn all over the empty lot, holding who knows what kind of material, starting to border on the ridiculous. Did he get a permit to build the shed he attached to the side of his house? His pool permit is expired. He still has not attached the second lot that he is clearing Q: What is your first name? A: HUBBARD Q: What is your phone number? A: 2399804355 Q: What is your email address? A: hubbtruck@gmail.com Q: Please provide a brief description of the issue. A: SEE ABOVE

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

#### **Violation Description**

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

#### Violation Text

Accumulation of debris consisting of miscellaneous construction materials on the undeveloped lot to the right of property, which is also owned by same owner.

#### Violation Corrective Action

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

#### (3) Field Inspection Notes:

2/9/2023, 9:03:18 AM DGRANDT Boat and trailer parked across the street from residence in city right of way. 2 dump trailers parked in city right of way. Pool permit is expired. No permit of file for tree removal for lot to the left of the property. Miscellaneous construction debris scattered among the lot to the left of the property. POP 3/1/2023, 9:04:59 AM DGRANDT Vehicles have been moved. Still construction debris scattered on property.

DATED: March 08, 2023

DAVE GRANDT Inspector Neighborhood Development Services City of North Port 4970 City Hall Boulevard North Port, Florida 34286

STATE OF FLORIDA COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of  $\square$  physical presence or  $\square$  online notarization, this  $\_\underbrace{\mathcal{S}}_{}$  day of March 2023, by <u>DAVE GRANDT</u>.



Notary Public - State of Florida

<u>X</u> Personally Known OR <u>Produced Identification</u> Type of Identification Produced <u>Produced</u>





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

# NOTICE OF VIOLATION AND ORDER TO CORRECT

IRADI NUESI 4849 ABERNANT AVE NORTH PORT, FL 34287-7332

DATE: February 15, 2023

PSI CASE NO.: 23-596 REAL PROPERTY ADDRESS: 4849 ABERNANT AVE, NORTH PORT, FL LOTS 2 & 3, BLK 2690, 52ND ADD TO PORT CHARLOTTE PARCEL ID #: 0978269002 SERVED BY: FIRST CLASS MAIL

#### NOTICE OF VIOLATION

Pursuant to the CODE OF THE CITY OF NORTH PORT, FLORIDA, YOU ARE NOTIFIED that a violation exists on the above-described real property:

# Violation Description

Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.

#### Violation Text

Boat and trailer parked in City Right-of-way, across the street from residence. In addition, there are Two (2) dump trailers parked in City Right-of-way/

#### **Violation Corrective Action**

Vehicle(s) must be removed from right-of-way area within ten (10) days from the date of this Notice.

#### Violation Description

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

# Violation Text

Accumulation of debris consisting of miscellaneous construction materials on the undeveloped lot to the right of property, which is also owned by same owner.

### **Violation Corrective Action**

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

#### FINES SHALL BE ASSESSED:

FAILURE TO CORRECT THE DEFICIENCIES on the date specified above will result in an AFFIDAVIT OF VIOLATION to be filed with the Hearing Officer, charging you with the violation(s) set out above. A HEARING WILL BE HELD AT WHICH YOU SHALL ATTEND. If the Hearing Officer finds a violation exists, administrative fine(s) shall be assessed for each day the violation exists beyond the date for compliance as determined by the Hearing Officer.

The fines which may be imposed include:	
Violation of North Port City Code:	Daily Fine Shall Not Exceed - \$10.00 per day Maximum Cumulative Fine - \$1,000.00
Violation of Unified Land Development Code:	Daily Fine Shall Not Exceed - \$25.00 per day Maximum Cumulative Fine - \$2,000.00
Violation of Florida Building Code:	Daily Fine Shall Not Exceed - \$50.00 per day Maximum Cumulative Fine - \$5,000.00
Violation of Florida Building Code as it pertains to unsafe building abatement as determined	
by the Building Official:	Daily Fine Shall Not Exceed - \$250.00 per day There Is No Maximum Cumulative Fine Cap
For any repeat Violations:	Maximum Cumulative Fine \$25,000.00

A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance, and such compliance is confirmed in accordance with  $\S2-511(C)$ , or until the Maximum Cumulative Fine has been reach, as defined in  $\S2-511(b)(5)$ .

#### LIEN(S) MAY BE PLACED:

A certified copy of an order assessing an administrative fine may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. No lien shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction.

If you have any questions concerning this notice or to schedule a reinspection, please contact the following inspector:

DAVE GRANDT Inspector Neighborhood Development Services e-mail: <u>dgrandt@northportfl.gov</u>



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

CITY OF NORTH PORT, FLORIDA Petitioner,	]
VS.	}
IRADI NUESI	}
Respondent(s)	} }
ADDRESS OF VIOLATION:	}
4849 ABERNANT AVE	}
North Port, FL	}
PARCEL ID.: # 0978269002	}

CASE NO.: 23-596

# AFFIDAVIT OF MAILING AND POSTING

STATE OF FLORIDA	:
	:ss
COUNTY OF SARASOTA	:

The undersigned, William Kiddy, upon his oath, deposes and says:

On May 12, 2023, the Respondent(s) was served with a NOTICE OF MANDATORY HEARING dated March 08, 2023 by posting said Notice at City Hall, 4970 City Hall Boulevard, North Port, FL, and mailing said notice via U.S. Postal Service (Certified Mail) to 4849 ABERNANT AVE NORTH PORT FL 34287-7332, a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

**DATED:** May <u>/</u>2023

William Kiddy, Affiant Recording Secretary

STATE OF FLORIDA COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of  $\mathbb{Z}$  physical presence or  $\Box$  online notarization, this  $\underline{I_{\mathcal{A}}}^{\neq n}$  day of May 2023, by William Kiddy.

michele Ross

Notary Public - State of Florida

<u>X</u> Personally Known OR <u>Produced Identification</u> Type of Identification Produced <u>Produced</u>

MICHELE ROSS Commission # HH 153404 Expires July 13, 2025 Bonded Thru Troy Fain Insurance 800-385-7019



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

CITY OF NORTH PORT, FLO		}		
Petitioner	r,	}		
VS.		}		
IRADI NUESI		}		
Respondent	t(s)	}	CASE NO.:	23-596
		}		
ADDRESS OF VIOLATION:		}		
4849 ABERNANT AVE		}		
NORTH PORT, FL.		}		
PARCEL ID.: 0978269002		}		
STATE OF FLORIDA	:			
	: ss			
COUNTY OF SARASOTA				

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

# AFFIDAVIT OF POSTING

On May 3, 2023 the Respondent(s) was served with a NOTICE OF MANDATORY HEARING by posting said Notice at 4849 ABERNANT AVE, NORTH PORT, FLORIDA, a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

**DATED:** May <u></u>2023

DAVE GRANDT, Affiant Neighborhood Development Services

STATE OF FLORIDA COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of  $\square$  physical presence or  $\square$  online notarization, this  $\underline{\mathcal{S}}_{\_}$  day of May 2023 by <u>DAVE GRANDT</u>.

Notary Public - State of Florida

X Personally Known OR Produced Identification Type of Identification Produced WILLIAM ALLEN KIDDY Commission # GG 359537 Expires July 28, 2023 Bondod Thru Troy Fain Insurance 800-385-7019



and a little is	
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse</li> </ul>	A. Signature
so that we can return the card to you.	X Addressee
Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Delivery 3-11-23
1. Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
CE WK 23-596	
IRADI NUESI	
4849 ABERNANT AVE	
NORTH PORT FL 34287-7332	
9590 9402 8002 2305 9027 15	3. Service Type       □ Priority Mail Express®         □ Adult Signature       □ Registered Mail™         □ Adult Signature Restricted Delivery       □ Registered Mail Restricted Delivery         □ Certified Mail®       □ Signature Confirmation™         □ Collect on Delivery       □ Signature Confirmation         □ Collect on Delivery       □ Signature Confirmation         □ Collect on Delivery       □ Restricted Delivery
7022 2410 0002 3544 884	Aail Aail Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt



#### Property Record Information for 0978269002

Ownership:	Land Area:	20,088 Sq.Ft.
NUESI IRADI	Municipality:	City of North Port
4849 ABERNANT AVE, NORTH PORT, FL, 34287-7332	Subdivision:	1804 - PORT CHARLOTTE SUB 52
Situs Address:	Property Use:	0100 - Single Family Detached
4849 ABERNANT AVE NORTH PORT, FL, 34287	Status	OPEN - CURRENT ROLL PENDING
	Sec/Twp/Rge:	21-39S-21E
	Census:	121150027371
	Zoning:	RSF2 - RESIDENTIAL, SINGLE FAMILY
	Total Living Units:	1
		LOTS 2 & 3, BLK 2690, 52ND ADD TO PORT CHARLOTTE, ITLE PER ORI 2022057975, BEING SAME LANDS AS DESC IN I 2022052912

#### Buildings

Situs - click address for building details 0	Bldg #	Beds	<b>Baths</b>	Half Baths	Year Built	Eff Yr Built	Gross Area	Living Area	<b>Stories</b>
4849 ABERNANT AVE NORTH PORT, FL, 34287	1	3	2	0	2002	2012	3,748	2,040	1

#### **Extra Features**

<u>line †</u> 1	ŧ.	<u>Building Number</u> 1	Descripti Shed all w		<u>Units</u> 192	<u>Unit Ty</u> SF	<u>pe</u>	<u>Year</u> 2008
Values								
Year	Land	Building	Extra Feature	Just	Assessed	Exemptions	Taxable	Cap_0
2022	\$21,600	\$329,000	\$1,500	\$352,100	\$145,500	\$50,000	\$95,500	\$206,600
2021	\$10,400	\$237,400	\$1,500	\$249,300	\$141,262	\$50,000	\$91,262	\$108,038
2020	\$11,100	\$212,200	\$1,500	\$224,800	\$133,394	\$50,000	\$83,394	\$91,406
2019	\$9,100	\$196,000	\$1,400	\$206,500	\$130,395	\$50,000	\$80,395	\$76,105
2018	\$9,100	\$188,600	\$1,000	\$198,700	\$127,964	\$50,000	\$77,964	\$70,736
2017	\$7,500	\$186,200	\$1,000	\$194,700	\$125,332	\$50,000	\$75,332	\$69,368
2016	\$6,500	\$174,000	\$900	\$181,400	\$122,754	\$50,000	\$72,754	\$58,646
2015	\$3,900	\$151,600	\$900	\$156,400	\$121,901	\$50,000	\$71,901	\$34,499
2014	\$3,900	\$134,100	\$800	\$138,800	\$111,484	\$50,000	\$61,484	\$27,316
2013	\$3,800	\$109,000	\$1,100	\$113,900	\$109,836	\$50,000	\$59,836	\$4,064

#### **Current Exemptions**

Grant Year 🛈	Value
2003	\$25,000.00
2003	\$25,000.00

#### Sales & Transfers

Transfer Date	<b>Recorded Consideration</b>	Instrument Number	Qualification Code	Grantor/Seller	Instrument Type
9/18/2002	\$121,100	2002154511	01	HOLIDAY BUILDERS INC	WD
2/28/2002	\$4,500	2002046090	01	GRANATO LAWRENCE L & BONNIE L,	WD
11/24/1997	\$5,000	3039/1986	X2	BERMAN HERBERT L	WD
9/17/1996	\$900	2892/2591	11	WOOD IDA A	TD
2/1/1988	\$3,100	2015/911	11		NA

#### **Associated Tangible Accounts**

There are no associated tangible accounts for this parcel

Property record information last updated on: 3/5/2023

FEMA Flood Zone (Data provided by Sarasota County Government as of 3/6/2023) Different portions of a property can be in different flood zones. Please click on MAP link below to see the flood zones.						
FIRM Panel 0379F 0379F	<u>Floodway</u> OUT OUT	<u>SFHA ***</u> IN OUT	Flood Zone ** AE X	<u>Community</u> 120279 120279	<u>Base Flood Elevation (ft)</u>	CFHA * OUT OUT
* If your property is in a SFHA or CFHA, use the map to determine if the building footprint is within the flood area.     ** For more information on flood and flood related issues specific to this property, call (941) 240-8050     *** Federal law requires flood insurance for all properties in SFHAs with federally backed mortgages.     For general questions regarding the flood map, call (941) 861-5000.						

