



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

CODE COMPLIANCE HEARING

CITY OF NORTH PORT, FLORIDA }
Petitioner, }
vs. }
LARRY SHUMWAY }
Respondent(s) }
ADDRESS OF VIOLATION: }
4248 Birnam Ter }
North Port, FL }
PARCEL ID.: 1003018937 }

CASE NO.: 24-1183
CERTIFIED MAIL NO.: 9589071052700187029907

NOTICE OF MANDATORY HEARING

Pursuant to the attached **AFFIDAVIT OF VIOLATION** dated *April 12, 2024*, **YOU ARE HEREBY FORMALLY NOTIFIED** that at **9:00 a.m.**, or as soon thereafter as possible, **on June 27, 2024**, 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 *April 01, 2024*, was previously served by **REGULAR MAIL**.

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

YOU ARE HEREBY ORDERED to appear before the HEARING OFFICER of the CITY OF NORTH PORT, FLORIDA on **June 27, 2024**, 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 Compliance Inspector whose name appears on the attached AFFIDAVIT OF VIOLATION, at **(941) 429-7186**, or write to them at 4970 City Hall Boulevard, North Port, FL 34286.
<http://www.northportfl.gov>

PLEASE GOVERN YOURSELF ACCORDINGLY.

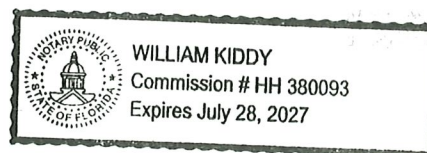

HEATHER FAUST, City Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this NOTICE OF MANDATORY HEARING has been served upon the RESPONDENT(S) by ***Certified Mail/Return Receipt Requested*** at 1364 W HILLSBOROUGH BLVD NORTH PORT FL 34288.

DATED: April 16, 2024


SERVER – CITY OF NORTH PORT



*Driveway. An improved surface located between the public street and a private property that provides ingress and egress of vehicular traffic from the public street to a definite area on the private property, such as a carport, garage, or house.

Violation Text

Camper parked in front yard of residence, not on an improved surface.

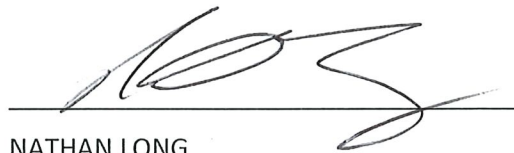
Violation Corrective Action

Vehicle(s) must be removed from the property, or contained within an enclosed structure, or meet allowed parking requirements within ten (10) days of the date of this notice.

(3) Field Inspection Notes:

3/21/2024, 12:55:42 PM NLONG Camper parked in the front yard not on an improved surface.
3/28/2024, 12:19:11 PM NLONG Still in violation. 4/12/2024, 8:58:40 AM NLONG Still in violation.

DATED: April 12, 2024



NATHAN LONG
Inspector
Development Services
City of North Port
4970 City Hall Boulevard
North Port, Florida 34286

STATE OF FLORIDA
COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 12 day of Apr 2024, by NATHAN LONG.



Notary Public - State of Florida

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





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

**NOTICE OF VIOLATION
AND
ORDER TO CORRECT**

LARRY SHUMWAY
1364 W HILLSBOROUGH BLVD
NORTH PORT, FL 34288

DATE: April 1, 2024

PSI CASE NO.: 24-1183
REAL PROPERTY ADDRESS: 4248 BIRNAM TER, NORTH PORT, FL
LOT 37 BLK 189 5TH ADD TO PORT CHARLOTTE PARCEL ID #: 1003018937
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

59-1 (c)(1), City Code Allowed parking - A property owner shall only have a boat, light duty vehicle, on-call/on-duty wrecker, recreational vehicle, or trailer parked on their residential lot when the lot contains a principal structure, and pursuant to the following limitations: a. Combined maximum parking. The combined maximum number of light duty vehicles and boats allowed to park on a residential lot is determined based on the lot's size, as follows:

Residential

Lot Size Total Vehicles and/or Boats

10,999 square feet or smaller	6
11,000 to 20,999 square feet	8
21,000 to 30,999 square feet	9
31,000 to 40,999 square feet	10
41,000 to 50,999 square feet	11
51,000 square feet and larger	12

b. Boat and trailer parking. A boat on a trailer shall count as one item towards the combined maximum parking allowed on a residential lot. c. Location limits. No boat, light duty vehicle, recreational vehicle, and/or trailer shall be parked on a residential lot except as follows: 1. Front yard parking. A parked vehicle/boat must rest entirely upon a driveway in the front yard. 2. Side or rear yard parking. A parked vehicle/boat must rest so that no part encroaches into an easement on the side or rear yard.

*Driveway. An improved surface located between the public street and a private property that provides ingress and egress of vehicular traffic from the public street to a definite area on the private property, such as a carport, garage, or house.

Violation Text

Camper parked in front yard of residence, not on an improved surface.

Violation Corrective Action

Vehicle(s) must be removed from the property, or contained within an enclosed structure, or meet allowed parking requirements within ten (10) days of 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 §2-511(C), or until the Maximum Cumulative Fine has been reach, as defined in §2-511(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:

NATHAN LONG
Inspector
Development Services
e-mail: nlong@northportfl.gov

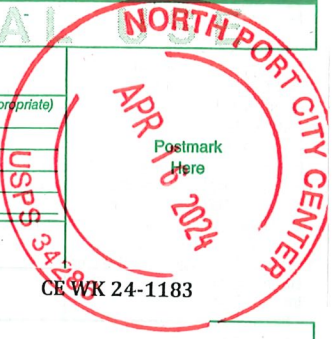
9589 0710 5270 0187 0299 07

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT ND
Domestic Mail Only

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

OFFICIAL RECEIPT

Certified Mail Fee \$
Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
 Certified Mail Restricted Delivery \$
 Adult Signature Required \$
 Adult Signature Restricted Delivery \$



Postage \$
Total \$

CE WK 24-1183
LARRY SHUMWAY
1364 W HILLSBOROUGH BLVD
NORTH PORT FL 34288

PS Form 3811, January 2020 PSN 7530-02-000-9053 Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
CE WK 24-1183
LARRY SHUMWAY
1364 W HILLSBOROUGH BLVD
NORTH PORT FL 34288



9590 9402 8272 3094 0127 29

2. Article Number (Transfer from service label)

9589 0710 5270 0187 0299 07

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
B. Received by (Printed Name)
C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

Mail Restricted Delivery (0)

Domestic Return Receipt



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

CITY OF NORTH PORT, FLORIDA	}	
Petitioner,	}	
vs.	}	
LARRY SHUMWAY	}	
Respondent(s)	}	CASE NO.: 24-1183
	}	
ADDRESS OF VIOLATION:	}	
4248 BIRNAM TER	}	
NORTH PORT, FL.	}	
PARCEL ID.: 1003018937	}	

STATE OF FLORIDA :
 : ss
 COUNTY OF SARASOTA :

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

AFFIDAVIT OF POSTING

On Apr 17, 2024 the Respondent(s) was served with a NOTICE OF MANDATORY HEARING by posting said Notice at 4248 BIRNAM TER, NORTH PORT, FLORIDA, a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

DATED: Apr 17 2024



 NATHAN LONG, Affiant
 Development Services

STATE OF FLORIDA
 COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 17 day of Apr 2024 by NATHAN LONG.



 Notary Public - State of Florida

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





Bill Furst
SARASOTA COUNTY
PROPERTY APPRAISER

Property Record Information for 1003018937

Ownership: SHUMWAY LARRY 1364 W HILLSBOROUGH BLVD, NORTH PORT, FL, 34288 Situs Address: 4248 BIRNAM TER NORTH PORT, FL, 34286	Land Area: 10,000 Sq.Ft. Municipality: City of North Port Subdivision: 1504 - PORT CHARLOTTE SUB 05 Property Use: 0100 - Single Family Detached Status: OPEN Sec/Twp/Rge: 34-39S-21E Census: 121150027432 Zoning: RSF2 - RESIDENTIAL, SINGLE FAMILY Total Living Units: 1 Parcel Description: LOT 37 BLK 189 5TH ADD TO PORT CHARLOTTE
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Buildings

<u>Situs - click address for building details</u>	<u>Bldg #</u>	<u>Beds</u>	<u>Baths</u>	<u>Half Baths</u>	<u>Year Built</u>	<u>Eff Yr Built</u>	<u>Gross Area</u>	<u>Living Area</u>	<u>Stories</u>
4248 BIRNAM TER NORTH PORT, FL, 34286	1	2	2	0	1990	2000	2,012	1,144	1

Extra Features

There are no extra features associated with this parcel

Values

<u>Year</u>	<u>Land</u>	<u>Building</u>	<u>Extra Feature</u>	<u>Just</u>	<u>Assessed</u>	<u>Exemptions</u>	<u>Taxable</u>	<u>Cap.</u>
2023	\$21,700	\$184,400	\$0	\$206,100	\$206,100	\$0	\$206,100	\$0
2022	\$30,000	\$149,300	\$0	\$179,300	\$122,089	\$0	\$122,089	\$57,211
2021	\$14,700	\$107,900	\$0	\$122,600	\$110,990	\$0	\$110,990	\$11,610
2020	\$13,400	\$87,500	\$0	\$100,900	\$100,900	\$0	\$100,900	\$0
2019	\$11,200	\$86,500	\$0	\$97,700	\$97,700	\$0	\$97,700	\$0
2018	\$10,700	\$88,800	\$0	\$99,500	\$93,630	\$0	\$93,630	\$5,870
2017	\$8,400	\$90,700	\$0	\$99,100	\$85,118	\$0	\$85,118	\$13,982
2016	\$10,200	\$85,200	\$0	\$95,400	\$77,380	\$0	\$77,380	\$18,020
2015	\$7,300	\$70,500	\$0	\$77,800	\$70,345	\$0	\$70,345	\$7,455
2014	\$5,900	\$64,600	\$0	\$70,500	\$63,950	\$0	\$63,950	\$6,550

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

Current Exemptions

There are no exemptions associated with this parcel. File for Homestead Exemption

Sales & Transfers

<u>Transfer Date</u>	<u>Recorded Consideration</u>	<u>Instrument Number</u>	<u>Qualification Code</u>	<u>Grantor/Seller</u>	<u>Instrument Type</u>
5/31/2022	\$275,000	2022098170	01	ROBERTSON LAURIE	WD
3/12/2021	\$100	2021059834	11	ROBERTSON DENNIS	QC
4/27/2011	\$37,500	2011049334	12	FANNIE MAE,	WD
11/24/2010	\$100	2010147697	11	WERNICKE,THOMAS M	CT
3/7/2001	\$100	2001036094	11	WERNICKE,THOMAS M	WD
12/16/1999	\$62,500	1999168085	01	GENOVESE KAREN,	WD
10/13/1989	\$4,500	2160/1272	X3	GRIMALDI JEAN J-GRIMALDI A	WD
2/1/1978	\$3,200	1292/1971	01		NA

Associated Tangible Accounts

There are no associated tangible accounts for this parcel

Property record information last updated on: 4/11/2024

FEMA Flood Zone (Data provided by Sarasota County Government as of 4/8/2024)

Different portions of a property can be in different flood zones. Please click on MAP link below to see the flood zones.

<u>FIRM Panel</u>	<u>Floodway</u>	<u>SFHA ***</u>	<u>Flood Zone **</u>	<u>Community</u>	<u>Base Flood Elevation (ft)</u>	<u>CFHA *</u>
0387G	OUT	OUT	X	120279		OUT
0387G	OUT	OUT	X	120279		OUT
0387G	OUT	IN	AE	120279	11.7	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.