

### **CITY OF NORTH PORT**

## SARASOTA COUNTY, FLORIDA DEVELOPMENT SERVICES

### **CODE ENFORCEMENT DIVISION**

4970 City Hall Boulevard - North Port, FL. 34286

| CITY OF NORTH PORT, FLORIDA   | }                 |  |
|---|-------------------|--|
| Petitioner,   | }                 |  |
| VS.   | }                 |  |
| DOMINGUEZ LAZARO,FABRE FLORA  | }                 |  |
| Respondent(s)   | }                 | CASE NO.: CECASE-25-01548  |
| ADDRESS OF VIOLATION:   | }                 |  |
| 1665 MILAN ST NORTH PORT, FL, 34286-4286                                      | }                 |  |
| Parcel ID.: 0982042714  | }                 |  |
| STATE OF FLORIDA : : ss   |                   |  |
| COUNTY OF SARASOTA :  |                   |  |
| The undersigned, CODE ENFORC  | EMENT INSI        | PECTOR, upon his/her oath, deposes and says:   |
|   | NOTICE OF         | F POSTING  F MANDATORY HEARING Affidavit of Violation by posting 6, a copy of which is attached. |
| FURTHER AFFIANT SAYETH NAUGHT.  |                   |  |
| <b>DATED:</b> 09/23/2025  |                   |  |
|   |                   | authory & Recher   |
|   |                   | Tony Brehon, Affiant   |
| STATE OF FLORIDA<br>COUNTY OF SARASOTA  |                   | Development Services   |
| Sworn to (or affirmed) and subscribed before me by 09/23/2025 by Tony Brehon  | means of <b>E</b> | physical presence or $\square$ online notarization, this <u>23rd</u> day of                      |
|   |                   | LuptoLynn Casell   |
|   |                   | Notary public - State of Florida   |
| X Personally Known OR Produced Identification Type of Identification Produced | on                | TRYSTALYNN CASSELL Commission # HH 709360 Expires August 12, 2029                                |



### 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.                         | } |                                |
|                             | } |                                |
| FLORA FABRE                 | } |                                |
| LAZARO DOMINGUEZ            | } |                                |
| 1665 MILAN ST               | } |                                |
| NORTH PORT, FL 34286-6105   | ) |                                |
|                             | ) | CASE NO.: CECASE-25-01548      |
| Respondent(s)               | } | CERTIFIED MAIL NO.: 09/19/2025 |
|                             | } |                                |
| ADDRESS OF VIOLATION:       | } |                                |
| 1665 Milan St               | } |                                |
| North Port, FL 34286        | ) |                                |
| PARCEL ID.: 0982042714      |   |                                |

#### **NOTICE OF MANDATORY HEARING**

Pursuant to the attached Affidavit of Violation dated 07/15/2025, **YOU ARE HEREBY FORMALLY NOTIFIED** that at **9:00 a.m.**, or as soon thereafter as possible, on October 23, 2025, 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 06/26/2025, 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 October 23, 2025, 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 Code Enforcement 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. <a href="http://www.northportfl.gov">http://www.northportfl.gov</a>

PLEASE GOVERN YOURSELF ACCORDINGLY.

Matthew Powell City Clerk

Mulleren Mundell

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the ORDER ASSESSING ADMINISTRATIVE FINE has been furnished to Respondent(s) by Certified Mail/Return Receipt Requested, at 1665 MILAN ST, NORTH PORT, FL 34286-6105.

**DATED:** September <u>19th</u>, 2025.

Trysta Cassell – CITY OF NORTH PORT

Lupta Lynn Cassell



### 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.                         | } |                           |
|                             | } |                           |
| FLORA FABRE                 | } |                           |
| LAZARO DOMINGUEZ            | } |                           |
| 1665 MILAN ST               | } |                           |
| NORTH PORT, FL 34286-6105   | } | CASE NO.: CECASE-25-01548 |
|                             | } |                           |
|                             | } |                           |
| Respondent(s)               | } |                           |
|                             | } |                           |
| ADDRESS OF VIOLATION:       | } |                           |
| 1665 Milan St               | } |                           |
| North Port, FL 34286        | } |                           |
| PARCEL ID.: 0982042714      |   |                           |
|                             |   |                           |

**AFFIDAVIT OF VIOLATION** 

STATE OF FLORIDA:

: SS

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 7/1/2025, by first class mail, a copy of which is attached.

(1) The following complaint was received in the Code Enforcement Division:

We had the culvert located in front of this residence inspected by North Port Utilities using their camera system. The inspection revealed evidence of structural failure. To restore proper drainage to this segment of the swale, the property owner will be required to obtain a right-of-way use and culvert replacement permits to replace the entire length of culvert along their frontage.

In addition there is a large hole in city right-of-way at their property line that has become a safety issue and Public Works is not able to fill / restore the area due to the property owners failed infrastructure.

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

### **Violation Description**

70-19, NPCC - Legislative intent. (a)The city commission hereby declares its intent and purpose in adopting this article to regulate and protect the city road system, rights-of-way, drainage facilities and utilities from damages caused by construction equipment, vehicles, objects, contrivances or devices and to ensure that the person or persons causing such damage or the person or persons responsible for the activity causing such damage restore the areas affected to their original condition or better prior to the construction activity.(b)The city commission further declares this article to be and shall be construed and considered an integral part of Ordinance No. 87-220, known and cited as the 'Building and Construction Code' in and for the City of North Port administrative and procedural provisions contained therein shall be applicable to this article. (Code 1990, 287-54) Sec. 70-20. - Definitions and word usage. For the purposes of this article, terms, phrases, words and their derivations and abbreviations shall have the meanings given herein: City roads. All roads, streets, alley ways and highways within the corporate limits of this municipality which have been accepted for maintenance, whether paved or not; the limits of the right-of-way upon which the road is situated and all utilities or drainage structures situated thereon or utilities or drainage facilities, whether within the right-of-way or not. Land development. Land clearing, land development, construction of improvements upon real estate, real estate development, construction of buildings or structures, utilities, roads, recreational areas, earthmoving and any other activity that utilizes vehicles of any kind, whether authorized by law for use upon public roads or not. (Code 1990, 2 87-56) Sec. 70-21. - Damages. 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. Sec. 70-22. - Remedial action. (a) Any person causing damage to city roads shall be obligated to repair such damage in accordance with city specifications or restore the same to the condition that existed immediately prior to the time the damage occurred within ten days after the damage or sooner if directed by the director of the road and drainage division or his designee. It is the intent hereof that all damages shall be repaired expeditiously. Failure to make such repairs shall constitute a violation...

#### **Violation Text**

Hole created in the city right of way next to the culvert.

### **Violation Corrective Action(s)**

Obtain required Sidewalk / Right of Way Permit within ten (10) days from the date of this Notice. Cease all activity immediately and repair damage to City right-of-way. Damaged property will need to be restored to the satisfaction of the director of the road and drainage division. Payment to the city of the estimated cost of repairs and/or restoration of such damages, plus all administrative fees and costs.

### **Violation Description**

42-24(a)(1)(a) NPCC - Maintenance of stormwater drainage area. (a) Every lot owner is responsible for maintenance of the stormwater drainage systems within the city's road rights-of-way located adjacent to their lot, unless excused from this responsibility as further provided by this section. These maintenance responsibilities are limited to the following areas: (1) Open swale drainage (without sidewalk) From the edge of the pavement to the owner's unencumbered lot line (see exhibit A). a. Maintain and replace as necessary the lot owner's culvert pipe beneath any driveway crossing the swale. If culvert replacement is a result of a drainage improvement or modification initiated by the city, or damaged by the public's use of right-of-way, the city will be responsible for the replacement.

### **Violation Text**

Public works said culvert has structural failure and needs to be replaced.

### **Violation Corrective Action(s)**

Maintain or replace the culvert as advised above within ten (10) days of the date of this notice.

(3) Field Inspection Notes:

property does not seem to be applying for the replacement permits

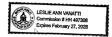
DATED: 7/15/2025

Gavyn ONeil 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  $\blacksquare$  physical presence or  $\square$  online notarization, this  $\underline{29}$  day of JULY 2025, by Gavyn ONeil.

Leslie Vanatti - Notary Public - State of Florida



| <u>X</u> | Personally Known OR       | Produced Identification |
|----------|---------------------------|-------------------------|
| Тур      | e of Identification Produ | ced                     |



# CITY OF NORTH PORT SARASOTA COUNTY, FLORIDA Code Enforcement Division 4970 City Hall Boulevard - North Port, FL 34286

## AND ORDER OF CORRECT

FLORA FABRE LAZARO DOMINGUEZ 1665 MILAN ST NORTH PORT, FL 34286-6105

**DATE:** June 26, 2025

CASE NO.: CECASE-25-01548

REAL PROPERTY ADDRESS: 1665 Milan St, North Port, FL 34286

LOT 14, BLK 427, 9TH ADD TO PO

PARCEL ID: 0982042714 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**

70-19, NPCC - Legislative intent. (a) The city commission hereby declares its intent and purpose in adopting this article to regulate and protect the city road system, rights-of-way, drainage facilities and utilities from damages caused by construction equipment, vehicles, objects, contrivances or devices and to ensure that the person or persons causing such damage or the person or persons responsible for the activity causing such damage restore the areas affected to their original condition or better prior to the construction activity.(b)The city commission further declares this article to be and shall be construed and considered an integral part of Ordinance No. 87-220, known and cited as the 'Building and Construction Code' in and for the City of North Port administrative and procedural provisions contained therein shall be applicable to this article. (Code 1990, 287-54) Sec. 70-20. -Definitions and word usage. For the purposes of this article, terms, phrases, words and their derivations and abbreviations shall have the meanings given herein: City roads. All roads, streets, alley ways and highways within the corporate limits of this municipality which have been accepted for maintenance, whether paved or not; the limits of the right-of-way upon which the road is situated and all utilities or drainage structures situated thereon or utilities or drainage facilities, whether within the right-of-way or not. Land development. Land clearing, land development, construction of improvements upon real estate, real estate development, construction of buildings or structures, utilities, roads, recreational areas, earthmoving and any other activity that utilizes vehicles of any kind, whether authorized by law for use upon public roads or not. (Code 1990, 2 87-56) Sec. 70-21. - Damages. 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. Sec. 70-22. - Remedial action. (a) Any person causing damage to city roads shall be obligated to repair such damage in accordance with city specifications or restore the same to the condition that existed immediately prior to the time the damage occurred within ten days after the damage or sooner if directed by the director of the road and drainage division or his designee. It is the intent hereof that all damages shall be repaired expeditiously. Failure to make such repairs shall constitute a violation...

#### **Violation Text**

Hole created in the city right of way next to the culvert.

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### **Violation Description**

42-24(a)(1)(a) NPCC - Maintenance of stormwater drainage area. (a) Every lot owner is responsible for maintenance of the stormwater drainage systems within the city's road rights-of-way located adjacent to their lot, unless excused from this responsibility as further provided by this section. These maintenance responsibilities are limited to the following areas: (1) Open swale drainage (without sidewalk) From the edge of the pavement to the owner's unencumbered lot line (see exhibit A). a. Maintain and replace as necessary the lot owner's culvert pipe beneath any driveway crossing the swale. If culvert replacement is a result of a drainage improvement or modification initiated by the city, or damaged by the public's use of right-of-way, the city will be responsible for the replacement.

### **Violation Text**

Public works said culvert has structural failure and needs to be replaced.

### **Violation Corrective Action(s)**

Maintain or replace the culvert as advised above within ten (10) days of the date of this notice.

Gavyn ONeil Inspector Neighborhood Development Services e-mail:goneil@northportfl.gov



## PROOF OF ACCEPTANCE (ELECTRONIC)

PRODUCED DATE: 06/27/2025

CITY OF NORTH PORT:

The following is information for Certified Mail™/RRE item number: 9214 8901 9403 8321 0331 61

Our records indicate that this item was accepted by the USPS at:

SHIPMENT RECEIVED ACCEPTANCE PENDING NORTH PORT,FL 34286 06/27/2025 14:08

**ORIGINAL INTENDED RECIPIENT:** 

FLORA FABRE
LAZARO DOMINGUEZ
1665 MILAN ST
NORTH PORT FL 34286-6105

Case Number: CECASE-25-01548

Parcel ID: 0982042714

The above information represents information provided by the United States Postal Service.



Mailer: City of North Port

Date Produced: 07/02/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8321 0331 61. Our records indicate that this item was delivered on 07/01/2025 at 11:52 a.m. in NORTH PORT, FL 34286. The scanned image of the recipient information is provided below.

Signature of Recipient:

crilo

Address of Recipient:

1665 MILAN ST

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely, United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

FLORA FABRE LAZARO DOMINGUEZ 1665 MILAN ST NORTH PORT, FL 34286-6105

Customer Reference Number:

C6005889.36499799



### Return address:

CITY OF NORTH PORT 4970 CITY HALL BLVD NORTH PORT FL 34286

MAILING DATE: 06/27/2025 DELIVERY DATE: 07/01/2025

### Recipient address:

FLORA FABRE LAZARO DOMINGUEZ 1665 MILAN ST NORTH PORT, FL 34286-6105

**USPS CERTIFIED MAIL** 



9214 8901 9403 8321 0331 61

USPS Tracking Label Number: 9214 8901 9403 8321 0331 61

| story Location                        |  |
|---------------------------------------|--|
| NORTH PORT,FL 34286                   | 06/27/2025 06:22   |
| NORTH PORT,FL 34286                   | 06/27/2025 14:08   |
| NORTH PORT,FL 34286                   | 06/28/2025 19:16   |
| TAMPA,FL 33630                        | 06/28/2025 20:31   |
| SARASOTA FL DISTRIBUTION CENTER 34260 | 06/30/2025 04:31   |
| NORTH PORT,FL 34286                   | 07/01/2025 11:52   |
|                                       | NORTH PORT,FL 34286  NORTH PORT,FL 34286  NORTH PORT,FL 34286  TAMPA,FL 33630  SARASOTA FL DISTRIBUTION CENTER 34260 |

CASE NUMBER: CECASE-25-01548

PARCEL ID: 0982042714



## PROOF OF ACCEPTANCE (ELECTRONIC)

PRODUCED DATE: 09/19/2025

CITY OF NORTH PORT:

The following is information for Certified Mail™/RRE item number: 9214 8901 9403 8334 0104 94

Our records indicate that this item was accepted by the USPS at:

SHIPMENT RECEIVED ACCEPTANCE PENDING NORTH PORT,FL 34286 09/19/2025 14:13

ORIGINAL INTENDED RECIPIENT:

DOMINGUEZ LAZARO FABRE FLORA

1665 MILAN ST

NORTH PORT FL 34286-6105

Case Number: CECASE-25-01548

Parcel ID: 0982042714



Mailer: City of North Port

Date Produced: 09/24/2025

ConnectSuite Inc.:

The following is the delivery information for Certified Mail<sup>TM</sup>/RRE item number 9214 8901 9403 8334 0104 94. Our records indicate that this item was delivered on 09/23/2025 at 10:34 a.m. in NORTH PORT,

FL 34286. The scanned image of the recipient information is provided below.

Signature of Recipient:

Domitice

Address of Recipient:

1665 MILM ST

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely, United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

DOMINGUEZ LAZARO,FABRE FLORA 1665 MILAN ST NORTH PORT, FL 34286-6105

Customer Reference Number:

C6215984.37843277



### Return address:

CITY OF NORTH PORT 4970 CITY HALL BLVD NORTH PORT FL 34286

MAILING DATE: 09/19/2025 DELIVERY DATE: 09/23/2025

### Recipient address:

DOMINGUEZ LAZARO, FABRE FLORA 1665 MILAN ST NORTH PORT, FL 34286-6105

**USPS CERTIFIED MAIL** 



9214 8901 9403 8334 0104 94

USPS Tracking Label Number: 9214 8901 9403 8334 0104 94

| Location                              | Date / Time   |
|---------------------------------------|---|
| NORTH PORT,FL 34286                   | 09/19/2025 06:13  |
| NORTH PORT,FL 34286                   | 09/19/2025 14:13  |
| NORTH PORT,FL 34286                   | 09/21/2025 19:56  |
| SARASOTA FL DISTRIBUTION CENTER 34260 | 09/21/2025 21:11  |
| SARASOTA FL DISTRIBUTION CENTER 34260 | 09/22/2025 02:41  |
| NORTH PORT,FL 34286                   | 09/23/2025 10:34  |
|                                       | NORTH PORT,FL 34286  NORTH PORT,FL 34286  NORTH PORT,FL 34286  SARASOTA FL DISTRIBUTION CENTER 34260  SARASOTA FL DISTRIBUTION CENTER 34260 |

CASE NUMBER: CECASE-25-01548

PARCEL ID: 0982042714