



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

NOTICE OF VIOLATION
AND
ORDER OF CORRECT

JASON MICARE
KIMBERLY A CARNEY
1500 S HABERLAND BLVD
NORTH PORT, FL 34288-8177

DATE: May 13, 2025

CASE NO.: CECASE-25-00804
REAL PROPERTY ADDRESS: 1500 S Haberland Blvd, North Port, FL 34288
LOT 27 BLK 1598 32ND ADD TO PO
PARCEL ID: 1122159827
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, § 87-54) 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, § 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

Damage to city right of way.

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**

59-1 (b)(1) NPCC, Prohibited parking - Right-of-way. No light or heavy duty vehicle shall be parked on the public right-of-way except during a short-term delivery, pick-up, or service activity, provided that: a. The vehicle is parked in the direction of traffic; b. The vehicle does not obstruct a sidewalk or create a hazard due to blocking visibility of traffic and/or pedestrians; c. The vehicle can be parked and moved without causing damage to the public right-of-way; and d. The parked vehicle does not block the view of a principal structure's front door or address numbers.

Violation Text

Prohibited parking - Right-of-way. No light or heavy duty vehicle.

Violation Corrective Action(s)

Vehicle(s) must be removed from the public right-of-way immediately. * Public right-of-way. The lands covered or dedicated to the public for use as a public street, alley, walkway, drainage facility, along with associated infrastructure, and/or facilities designed for other public purposes, including but not limited to street pavement, sidewalks, walkways, multipurpose/multiuse paths, drainage inlets and structures, swales, and unimproved areas within the platted public right-of-way.

Violation Description

59-1 (c)(1) NPCC, 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

Parking on unimproved surfaces.

Violation Corrective Action(s)

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

**Violation Description**

59-2 NPCC, Damage to the public right-of-way, abatement by city - (a) Property owner responsibility. A property owner is responsible for any damage caused to the public right-of-way abutting their property that is caused by a vehicle moving over or parked on the public right-of-way. Damage to the public right-of-way includes but is not limited to any damage to public curbing, drainage facility, drainage inlet or structure, swale, street, or sidewalk. When damage to the public right-of-way occurs the responsible property owner must ensure all damage to the affected area is repaired in accordance with this Code and any other standards required by the city.

(b) Abatement by city. If a property owner fails to repair the damage to public right-of-way, is found in violation following a hearing, and the hearing officer orders the city to abate the violation at its discretion, the city is authorized to cause the damage to be repaired in whole or part at the property owner's expense. The city manager is authorized to expend city funds as may be reasonably necessary and available to carry out the abatement, the expenditure of such funds being found a proper municipal purpose. The city shall not be responsible for any damage to other property or vegetation that is in the vicinity of such abatement activity.

Violation Text

Damage to the public right-of-way,

Violation Corrective Action(s)

Ensure all damage to the affected area is repaired in accordance with this Code and any other standards required by the city. Compliance must be accomplished 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:

Louis Cerbone
Inspector
Neighborhood Development Services
e-mail: lcerbone@northportfl.gov