



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.

}

LANDIVAR MARCELO, LANDIVAR PEGGY

}

Respondent(s)

}

CASE NO.: CECASE-25-01433

ADDRESS OF VIOLATION:

}

2324 BRIANT ST NORTH PORT, FL, 34287-4287

}

Parcel ID.:

}

STATE OF FLORIDA

:

: ss

COUNTY OF SARASOTA

:

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

AFFIDAVIT OF POSTING

On 09/22/2025 the Respondent(s) was served with a NOTICE OF MANDATORY HEARING Affidavit of Violation by posting said Notice at 2324 BRIANT ST NORTH PORT, FL, 34287-4287, a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

DATED: 09/23/2025

Anthony F. Brehon

Tony Brehon, 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 23rd day of 09/23/2025 by Tony Brehon

Trysta Lynn Cassell

Notary public - State of Florida

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





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.

MARCELO LANDIVAR

PEGGY LANDIVAR

2324 BRIANT ST

NORTH PORT, FL 34287-3937

Respondent(s)

ADDRESS OF VIOLATION:

2324 Briant St

North Port, FL 34287

PARCEL ID.:

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CASE NO.: CECASE-25-01433

CERTIFIED MAIL NO.: 09/19/2025

NOTICE OF MANDATORY HEARING

Pursuant to the attached Affidavit of Violation dated 07/03/2025, ***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 06/13/2025, 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.

<http://www.northportfl.gov>

PLEASE GOVERN YOURSELF ACCORDINGLY.



Matthew Powell
City Clerk

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 2324 BRIANT ST , NORTH PORT, FL 34287-3937.

DATED: September 19th, 2025.

A handwritten signature in dark ink, reading "Trysta Lynn Cassell". The signature is written in a cursive style with a horizontal line underneath.

Trysta Cassell – 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.

MARCELO LANDIVAR

PEGGY LANDIVAR

2324 BRIANT ST

NORTH PORT, FL 34287-3937

Respondent(s)

ADDRESS OF VIOLATION:

2324 Briant St

North Port, FL 34287

PARCEL ID.:

CASE NO.: CECASE-25-01433

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 6/18/2025, by first class mail, a copy of which is attached.

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

Pool unsecured

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

Violation Description

IPMC 2021, 302.7 Accessory structures. Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

Violation Text

Pool cage in disrepair allowing access to anyone who does not belong there.

Violation Corrective Action(s)

Make necessary repair(s) and maintenance to accessory structures. *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.

(3) Field Inspection Notes:

property is still in violation

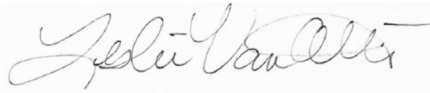
DATED: 7/3/2025



Gavyn O'Neil
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 ☒ physical presence or ☐ online
notarization, this 29 day of JULY 2025, by Gavyn O'Neil.



Leslie Vanatti - *Notary Public - State of Florida*



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



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

MARCELO LANDIVAR
PEGGY LANDIVAR
2324 BRIANT ST
NORTH PORT, FL 34287-3937

DATE: June 13, 2025

CASE NO.: CECASE-25-01433
REAL PROPERTY ADDRESS: 2324 Briant St, North Port, FL 34287

PARCEL ID:
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

IPMC 2021, 302.7 Accessory structures. Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

Violation Text

Pool cage in disrepair allowing access to anyone who does not belong there.

Violation Corrective Action(s)

Make necessary repair(s) and maintenance to accessory structures. *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:

Gavyn O'Neil
Inspector
Neighborhood Development Services
e-mail: goneil@northportfl.gov

Tracking History



Tracking #: 9214890194038334010456

Services: Certified Mail, Electronic Return Receipt

Recipient: LANDIVAR MARCELO LANDIVAR PEGGY
2324 BRIANT ST
NORTH PORT FL 34287-3937

Date & Time	Event Type	Event	Event Location
09/19/2025 06:13		PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	NORTH PORT,FL, 34286
09/19/2025 14:13		SHIPMENT RECEIVED ACCEPTANCE PENDING	NORTH PORT,FL, 34286
09/21/2025 01:21		ORIGIN ACCEPTANCE	NORTH PORT,FL, 34286
09/21/2025 02:36		PROCESSED THROUGH USPS FACILITY	SARASOTA FL DISTRIBUTION CENTER, 34260
09/23/2025 12:56		PROCESSED THROUGH USPS FACILITY	FORT MYERS FL DISTRIBUTION CENT, 33913
09/24/2025 03:31		PROCESSED THROUGH USPS FACILITY	SARASOTA FL DISTRIBUTION CENTER, 34260
09/25/2025 10:24		DELIVERED LEFT WITH INDIVIDUAL	NORTH PORT,FL, 34286

Close