



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Code Enforcement Hearing

Thursday, October 24, 2024

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:00 a.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

ALSO PRESENT:

Recording Secretary William Kiddy, Recording Secretary Leslie VanAtti, Chief Building Official David Greenbaum, Arborist Ryan Pieper, Code Enforcement Inspector Kenneth Schauer, Code Enforcement Inspector Nathan Long, Code Enforcement Inspector Joshua Presson, Code Enforcement Inspector Gavyn O'Neil, Assistant City Clerk Matthew Powell, and Board Specialist Melanie Price.

3. PUBLIC COMMENT

Cathy L. Bange: Spoke to ongoing violations relating to Case No. 24-3622.

4. APPROVAL OF MINUTES

- A. [24-1376](#) Approve Minutes for the August 22, 2024 Code Enforcement Hearing Meeting

Hearing Officer Toale approved the Minutes as presented.

5. REVIEW OF PROCEDURES AND ADMINISTRATION OF OATH

Hearing Officer Toale provided an overview of procedures and Mr. Powell swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [Case No 23-2099](#) (GO) GEORGE W III GOODSPEED, LYNNSEE MARIE TAYLOR; 7270 HIAWATHA TER
Section 53-240(A)(3) Unified Land Development Code, Special Structures (Accessory / Lot with Principal Fence/gate on vacant lot with no accessory structure which is un-permitted.)

This case was brought into compliance with no further action required.

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- B.** [Case No 24-398](#) (GO) BURKE GROUP LLC; 1593 HOLLISTER AVE
Section 53-240(A)(3) Unified Land Development Code, Special Structures
(Structure built on this property, as well as a fence, with no principal structure.)
59-1 (c)(1), City Code Allowed parking
(Vehicle parked on this property with no principal structure.)
This case was brought into compliance with no further action required.
- C.** [Case No 24-1414](#) (KS) RYSZARD KRAWIEC, ANNA & KATHERINE KRAWIEC; 8608 LEOPOLD AVE
Chapter 105.1, Florida Building Code - Permit required
(Shed on the rear of this property with no permit. Additionally, there is no permit for the roof and over hang to the residential structure as well.)
This case was brought into compliance with no further action required.
- D.** [Case No 24-1699](#) (JP) YAROSLAV & SVETLANA VOYTUKHOV; 3478 NEKOOSA ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Debris in side yard consisting of a large pile of tree limbs and cut tree trunk)
This case was brought into compliance with no further action required.
- E.** [Case No 24-1756](#) (KS) SAMANTHA M BRANT, DAVID M BUCK; 4423 KENNETT ST
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation)
This case was brought into compliance with no further action required.
- F.** [Case No 24-1827](#) (NL) CHRISTOPHER P BURKE; 5181 JENSLEY AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Debris on this undeveloped lot consisting of a boat which appears to have been dumped here.)
This case was brought into compliance with no further action required.
- G.** [Case No 24-2227](#) (JP) CARPENTER HOMES LLC; 2911 GREENDALE RD
Section 105.4.1.1, Florida Building Code- Permit has expired
(SFR Permit 22-821 is expired)
This case was brought into compliance with no further action required.
- H.** [Case No 24-2282](#) (GO) LINVAL & VADNIE PHILLIPS; 1840 BLUEBIRD AVE
Sec. 42-22B Impinging Growths It shall be unlawful for any owner of any lot to permit impinging growth upon improved City right-of-way, sidewalks and/or streets, or road right-of-way easement except that branches of trees at least eight (8) feet above the surface of a sidewalk or at least fourteen (14) feet above the surface of the portion of the street used for vehicular

traffic, whether planted in the right-of-way area or upon private property, may be permitted with authorization by the City and in accordance with any applicable City Code.

(Tree on left side of the property at the intersection of Zuyder and Bluebird is causing a line of site issue for vehicles at intersection)

This case was brought into compliance with no further action required.

- I. [Case No 24-2438](#) (JP) ANNA KURNIAWKA; 6270 JORDAN ST
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:
* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects
(Holes in the roof under carport and other areas as well, causing this house to be in a dilapidated state an over all unsafe)
This case was brought into compliance with no further action required.
- J. [Case No 24-2712](#) (GO) ENOC & MARIE TOBY; 2042 S CHAMBERLAIN BLVD
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation)
This case was brought into compliance with no further action required.
- K. [Case No 24-2780](#) (KS) MARTHA TEJEDA, VICTOR PRADRO FERNANDEZ, JOHNMART SOTO; 5536 GREENHOUSE AVE
59-1 (c)(1), City Code Allowed parking
(Two(2) covered, stored, vehicles on this undeveloped Drive by, I observed 2 covered stored vehicles on the vacant parcel #1124105435, approximately 10 and 15 ft. into the lot, of which is not a combined parcel, and not owned by the same property owner.)
Chapter 105.1, Florida Building Code - Permit required
(No permit on file for the newly installed driveway extension on the left side of the driveway)
This case was brought into compliance with no further action required.
- L. [Case No 24-3013](#) (KS) B&L NORTH PORT LLC; 3628 KACHER RD
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning

this violation)

This case was brought into compliance with no further action required.

7. CONTINUED CASES

- A. [Case No 23-4679](#) (NL) BERNADETTE GILCHRIST; 3747 TREE CT
Section 53-240(A)(3) Unified Land Development Code, Special Structures
(Fence and three (3) sheds located on this property, with no permits and no principal structure.)
59-1 (c)(1), City Code Allowed parking
(Camper parked on this property, with no principal structure.)
Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, contact with property owner, and photographs submitted into evidence.

Mr. Greenbaum, being duly sworn, spoke to permit status.

Bernadette Gilchrist, property owner, being duly sworn, spoke to compliance efforts, permit status, health department involvement, building plans, and County application status.

Based on evidence presented, Hearing Officer Toale, found Case No. 23-4679, 3747 Tree Ct., to be in violation of Section 53-240(A)(3), Unified Land Development Code for fence and three sheds on property with no permits and no principal structure and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 23-4679, 3747 Tree Ct., to be in violation of Chapter 59-1(c)(1), North Port City Code for camper parked on property with no principal structure and signed the order imposing the fine.

8. 1ST HEARING CASES

- Q. [Case No 24-3622](#) (KS) JAMES B CARDWELL; 4268 ALFA TER
59-1 (c)(1), City Code Allowed parking
(Utility trailer with unknown tag, parked on the left side of this residence not on an improved surface)
59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way
(Unlicensed Black cargo trailer, stored in the City Right-of-way, in front of the undeveloped lot across the street from residence)
59-2, City Code, Damage to the public right-of-way
(Damage to the city right-of-way with tire ruts leading from the road to the right side of the residence)
Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections, contact with property owner, current compliance, repeat violations, and photographs submitted into evidence.

James Cardwell, property owner, being duly sworn, spoke to compliance status.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-3622, 4268 Alfa Ter., to be in compliance with Section 59-1(c)(1), North Port City Code and dismissed the violation.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-3622, 4268 Alfa Ter., to be in compliance with Section 59-1(b)(1), North Port City Code and dismissed the violation.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-3622, 4268 Alfa Ter., to be in compliance with Section 59-2, North Port City Code and dismissed the violation.

9. 2ND HEARING CASES

- J. [Case No 24-1679](#) (LC) JOHN EDWARD SHCLARR; 1733 KADASHOW AVE
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:
* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
(Abandoned construction site without window or door frames. The abandoned structure causes a possible hazardous for persons entering. There is also no retaining fences or posted warning signage)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and status.

John Shclarr, property owner, being duly sworn, spoke to permit application and structure status.

Mr. Greenbaum, being duly sworn, spoke to permit application and structure usage.

Based on evidence presented, Hearing Officer Toale, continued Case No. 24-1679 to the January 23, 2025 Code Enforcement meeting.

1ST HEARING CASES

- O. [Case No 24-3312](#) (KS) ROBINSON DELGADO; 3306 EWEN DR
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections, violations, and photographs submitted into evidence.

Robinson Delgado, property owner, being duly sworn, spoke to intent and next steps.

Mr. Greenbaum, being duly sworn, spoke to application process.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-3312, 3306 Ewen Dr., to be in violation of Section 45-5A, Unified Land Development Code for land clearing and imposed a fine of \$15,000.

E. [Case No 24-2427](#)

(JP) ESTERO DEVELOPMENT PARTNERS LP; 2440 BRONCO LN Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion (Silt fence down on the front of this construction site, as well as partially down on the side. Barrier must be repaired, or replaced)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections, no contact with property owner, and photographs submitted into evidence.

Reich Wisner, Estero Development Partners LP, being duly sworn, spoke to status.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2427, 2440 Bronco Ln., to be in violation of Section 33-7(C)(3), Unified Land Development Code for silt screens not installed properly and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on December 14, 2024.

I. [Case No 24-2546](#)

(NL) ESTERO-RCG DEVELOPMENTS; 5785 TIDWELL ST Section 105.4.1.1, Florida Building Code- Permit has expired (Single Family Residential Permit #21-9978 is expired)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, contact with property owner, and permit status.

Reich Wisner, Estero Development Partners LP, being duly sworn, spoke to contractor status and permit application.

Mr. Kiddy, being duly sworn, spoke to permit renewal process.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2546, 5785 Tidwell St., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on December 14, 2024.

2ND HEARING CASES

B. [Case No 24-221](#)

(DG) ESTERO DEVELOPMENT PARTNERS LP; 3418 JOHANNESBERG RD

33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris

(Accumulation of miscellaneous debris on this construction site, as well as dumpster is overflowing)

Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.

(No silt fence on this construction face)

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, provided a presentation including inspections, no contact with property owner, and photographs submitted into evidence.

Reich Wisner, Estero Development Partners LP, being duly sworn, spoke to status.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-221, 3418 Johannesburg Rd., to be in violation of Section 33-7(D)(1)(C), Unified Land Development Code for accumulation of debris and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-221, 3418 Johannesburg Rd., to be in compliance with Section 33-7C(3), Unified Land Development Code and dismissed the violation.

K. [Case No 24-1683](#)

(KS) ESTERO DEVELOPMENT PARTNERS LP; 2948 DAPHNE RD
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Construction site incomplete, concrete slab walls have no visible supporting elements and incapable of support nominal loads to resist all load effects and there is no supporting roof rafters)

33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris; landscaped berms. The pile of debris shall be completely enclosed on all four (4) sides

(Debris on construction site consisting of deteriorating building materials. Additionally, site remains overgrown.)

Section 105.4.1.1, Florida Building Code- Permit has expired

(SFR permit 21-10582 is expired)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1683, 2948 Daphne Rd., to be in violation of Chapter 42-85, North Port City Code for unsafe conditions and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1683, 2948 Daphne Rd., to be in violation of Section 33-7(D)(1)(C), Unified Land Development Code for accumulation of debris and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1683, 2948 Daphne Rd., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.

R. [Case No 24-2223](#)

(KS) ESTERO DEVELOPMENT PARTNERS LP; 4413 SCOTTISH TER
2012 International Property Maintenance Code Section 108.1.1 - Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(Incomplete, neglected construction site. The structure, slab, block, rafter and plywood roof are unsecured, no windows or doors, no silt fencing and with decaying building materials about the property. The plywood roofing was deteriorating and possibly a hazard to neighboring properties should there be inclement weather.)

Section 105.4.1.1, Florida Building Code- Permit has expired

(The SFR permit to Blacktip construction, # 21-10000 issued 8/13/21 has expired on April 13, 2024)

Section 33-7C(3), Unified Land Development Code Silt screens are not installed properly, site is at risk of potential erosion.

(Erosion control fencing is down around this construction site)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections, no contact with property owner, and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2223, 4413 Scottish Ter., to be in violation of Section 108.1.1, 2012 International Property Maintenance Code for unsafe structure and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2223, 4413 Scottish Ter., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2223, 4413 Scottish Ter., to be in violation of Section 33-7C(3), Unified Land Development Code for silt screens are not installed properly and signed the order imposing the

fine.

1ST HEARING CASES

N. [Case No
24-3068](#)

(GO) WEST SHORE TOLEDO LLC; 3605 ISLAND CLUB DR A
Chapter 105.1, Florida Building Code - Permit required
(No permit on file for the A/C change out for this unit)

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, provided a presentation including inspections, contact with property owner, and permit status.

David Thomas, West Shore Toledo LLC, being duly sworn, spoke to permit application.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-3068, 3605 Island Club Dr., to be in violation of Chapter 105.1, Florida Building Code for no permit on file for A/C change out and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on December 14, 2024.

D. [Case No
24-2064](#)

(NL) RONALD D ALEXANDER; 5665 N BISCAYNE DR
Chapter 105.1, Florida Building Code - Permit required
(Dredge and fill without a permit as well as Right-of-way work done and culvert installed with no permit)

70-21, NPCC - 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.

(Driving through the city right of way with no Right-of-way use permit)

Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area

(Debris in City Right-of-way)

59-1(b)(2), North Port City Code, Prohibited parking – Heavy duty vehicle parking, except in compliance with section 59-1(c)(3)

(Tractor/Backhoe parked on residential lot)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, contact with property owner, violations, permit status, and photographs submitted into evidence.

Ronald Alexander, property owner, being duly sworn, spoke to prior violations, applicability of Florida Building Code, permit requirements, lot combination, unity of title, and application changes.

Mr. Greenbaum, being duly sworn, spoke to permit requirements, development versus landscaping, and unity of title.

Mr. Kiddy, being duly sworn, spoke to City code definitions and violation applicability.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2064, 5665 N Biscayne Dr., to be in compliance with Chapter 105.1, Florida Building Code and dismissed the violation.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2064, 5665 N Biscayne Dr., to be in compliance with Chapter 70-21, North Port City Code and dismissed the violation.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2064, 5665 N Biscayne Dr., to be in compliance with Chapter 42-24(a)(5), North Port City Code and dismissed the violation.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2064, 5665 N Biscayne Dr., to be in compliance with Chapter 59-1(b)(2), North Port City Code and dismissed the violation.

B. [Case No 24-1746](#)

(NL) EDWARD RODRIGUEZ; 4393 LAURINA ST
59-1 (c)(1), City Code Allowed parking
(Large boat to the left side of the driveway is not on an improved service)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, no contact with property owner, and photographs submitted into evidence.

Edward Rodriguez, property owner, being duly sworn, spoke to compliance efforts, intent, and unimproved surface.

Mr. Kiddy, being duly sworn, spoke to City Code, definitions, and permit requirements.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1746, 4393 Laurina St., to be in violation of Chapter 59-1(c)(1), North Port City Code for boat parked on unimproved surface and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on December 14, 2024.

P. [Case No 24-3460](#)

(JP) DEIVIS ESPINOZA GONZALEZ; 2739 ORCHARD CIR
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections, no contact with property owner, permit status, trees removed, waterway status, and photographs submitted into evidence.

Mr. Pieper, being duly sworn, spoke to tree size, fine amount, and permit requirements.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-3460, 2739 Orchard Cir., to be in violation of Section 45-5A, Unified Land Development Code for land clearing, and imposed a fine of \$5,600.

K. [Case No 24-2793](#)

(NL) SECOND CHANCE CLERICAL LLC; 5279 GADBOYS AVE
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning

this violation)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, permit status, unknown number of trees removed, and photographs submitted into evidence.

Mr. Pieper, being duly sworn, spoke to number of trees removed, tree size, and fine amount.

Mohammd Aboalshamat, Second Chance Clerical representative, being duly sworn, agreed to the settlement as provided.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2793, 5279 Gadboys Ave., to be in violation of Section 45-5A, Unified Land Development Code for land clearing and continued the case to the January 23, 2025 Code Enforcement meeting.

A. [Case No 24-1633](#)

(GO) JUANITA & ROBERT FULTON SR; 1076 SAVIA ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Debris on this property consisting of a blue tattered tarp)

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, provided a presentation including inspections, no contact with property owner, compliance requirements, and photographs submitted into evidence.

Robert Fulton, property owner, being duly sworn, spoke to insurance claim status, hurricane damages, and compliance efforts.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1633, 1076 Savia St., to be in violation of Chapter 42-23, North Port City Code for accumulation of debris and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on December 14, 2024.

CONTINUED CASES

B. [Case No 24-1184](#)

(NL) ALAN & KATHLEEN QUACKENBUSH; 3326 TUSKET AVE
Chapter 105.1, Florida Building Code - Permit required
(No permit on file for the storage containers on property)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, contact with property owner, continuance status, and photograph submitted into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1184, 3326 Tuskett Ave., to be in violation of Chapter 105.1, Florida Building Code for no permit on file for storage containers and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on November 19, 2024.

1ST HEARING CASES

- C. [Case No 24-2018](#) (JP) SAMUEL T SEPP; 8169 DOROTHY AVE
Chapter 70-56, North Port City Code Assigned numbers
(No visible assigned numbers affixed to residence)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections, contact with property owner, and photograph submitted into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2018, 8169 Dorothy Ave., to be in violation of Chapter 70-56, North Port City Code for assigned numbers not visible and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on November 19, 2024.
- F. [Case No 24-2469](#) (KS) SIERRA LANE CAPITAL, C/O ACQURA LOAN SERVICES; 2690 NAGENGAST ST
2012 International Property Maintenance Code Section 108.1.3 - Structure Unfit for Human Occupancy
(Mold, mildew, bug, and rodent infestation are present on this property)
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:
* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
(Broken glass about the premises and grounds. All doors and windows have been broken out allowing persons access to the interior which has been severely vandalized. All interior walls, doors, and appliances, including electrical components have been damaged. This property poses a health, safety, and welfare issue to the public)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections, contact with property owner, and photograph submitted into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2469, 2690 Nagengast St., to be in violation of Chapter 42-85, North Port City Code for structure unfit for human occupancy and imposed a fine of \$250 a day with no maximum to commence on November 19, 2024.
- G. [Case No 24-2513](#) (NL) MATTHEW WHITE; 2210 MCTAGUE ST
Chapter 62-50, North Port City Code Refuse container(s)
(Solid waste containers improperly stored at the street outside the time frame permissible per City Code)

R4501.17, Florida Building Code Pursuant to Sections R4501.17.1 through R4501.17.3 of the Florida Building Code, this pool has been inspected and deemed to be unsafe, creating a life/safety issue (No Swimming barrier around this pool which is required per City Code)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, no contact with property owner, and photograph submitted into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2513, 2210 McTague St., to be in compliance with Chapter 62-50, North Port City Code and dismissed the violation.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2513, 2210 McTague St., to be in violation of Section R4501.17, Florida Building Code for no barrier around pool and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on November 19, 2024.

H. [Case No 24-2539](#)

(GO) JOHN & DENISE CANNON; 4408 ASTERIA TER
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation)

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, provided a presentation including inspections, unknown number of trees removed, contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2539, 4408 Asteria Ter., to be in violation of Section 45-5A, Unified Land Development Code for land clearing with unknown number of trees removed and imposed a fine of \$15,000.

J. [Case No 24-2722](#)

(JP) DWELL WELL INC; 6145 DEMING AVE
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Roof is in a dilapidated state with visible signs of deterioration)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections,

contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2722, 6145 Deming Ave., to be in violation of Chapter 42-85, North Port City Code for unsafe structure and imposed a fine of \$250 a day with no maximum to commence on November 19, 2024.

- L. [Case No 24-2833](#) (GO) SVIATOSLAV PYLYPIAK, JULIA PYLPIAK; 3743 WAFFLE TER
Section 105.4.1.1, Florida Building Code- Permit has expired
(Expired Permit: 22-9365 SWIMMING (POOL,SPA,ETC.))

Hearing Officer Toale announced the item.

Inspector O'Neil, being duly sworn, provided a presentation including inspections, contact with property owner, and compliance status.

Based on evidence presented, Hearing Officer Toale, continued Case No. 24-2833 to the January 23, 2025 Code Enforcement meeting.

- M. [Case No 24-3035](#) (NL) TRUST US INVESTMENTS LLC; 7955 JAYMAN RD
Section 105.4.1.1, Florida Building Code- Permit has expired
(SFR permit 22-1953 expired on 10-28-23)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, contact with property owner, and photographs submitted into evidence.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-3035, 7955 Jayman Rd., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on November 19, 2024.

2ND HEARING CASES

- A. [Case No 24-147](#) (KS) BARBARBA PIERKOWSKI; 7873 MCPHAIL AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Debris consisting of miscellaneous items and trash scattered throughout the front of residence and in driveway.)
59-1 (c)(1), City Code Allowed parking
(Purple, unlicensed, inoperable vehicle on blocks)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-147, 7873 McPhail Ave., to be in violation of Chapter 42-23, North Port City Code for accumulation of debris and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-147, 7873 McPhail Ave., to be in violation of Chapter 59-1(c)(1), North Port City Code for inoperable vehicle on blocks and signed the order imposing the fine.

- C. [Case No 24-1450](#) (NL) NINE SUNSHINE INVESTMENT LLC; 3586 W PRICE BLVD
Section 42-24(a)(5) North Port City Code - Maintenance of stormwater drainage area
(Debris in the City Right-of-way consisting of a mattress, box spring, and small kids pool.)
Hearing Officer Toale announced the item.
Inspector Long, being duly sworn, provided a presentation including inspections and no changes to property.
Based on evidence presented, Hearing Officer Toale, found Case No. 24-1450, 3586 W. Price Blvd., to be in violation of Chapter 42-24(a)(5), North Port City Code for debris in right-of-way and signed the order imposing the fine.
- D. [Case No 24-1522](#) (GO) HEXAGON DEVELOPERS LLC; 2153 MISTLETO LN
Section 105.4.1.1, Florida Building Code- Permit has expired
(Expired SFR Permit 22-11488)
Hearing Officer Toale announced the item.
Inspector O'Neil, being duly sworn, provided a presentation including inspections and no changes to property.
Based on evidence presented, Hearing Officer Toale, found Case No. 24-1522, 2153 Mistleto Ln., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.
- E. [Case No 24-1532](#) (KS) JASON & JAMIE FOSTER; 2582 HOBBLEBRUSH DR
Section 105.4.1.1, Florida Building Code- Permit has expired
(A/C Permit #20-10696 has expired)
Hearing Officer Toale announced the item.
Inspector Schauer, being duly sworn, provided a presentation including inspections, contact with property owner, and no changes to property.
Based on evidence presented, Hearing Officer Toale, found Case No. 24-1532, 2582 Hobblebrush Dr., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.
- F. [Case No 24-1557](#) (GO) LEOPOLD O WAGNER (LIFE EST), JANEY S JACOBS & DEBORAH L WAGNER; 5004 KINGSLEY RD
Chapter 70-56, North Port City Code Assigned numbers
(House numbers affixed to residence are not visible due to overgrowth of vegetation. Please trim back vegetation or move assigned numbers to a location where they are visible from the street)
Hearing Officer Toale announced the item.
Inspector O'Neil, being duly sworn, provided a presentation including inspections and no changes to property.
Based on evidence presented, Hearing Officer Toale, found Case No. 24-1557, 5004 Kingsley Rd., to be in violation of Chapter 70-56, North Port City Code for assigned

numbers not visible and signed the order imposing the fine.

G. [Case No 24-1561](#)

(JP) ALEKSEY & NATALIYA GROSHEV; 4213 GROBE ST

59-1 (c)(1), City Code Allowed parking

(Black Chevrolet truck FL/IJ2981 parked in front yard on an unimproved surface unimproved surface. Additionally, there is a White sedan, unknown make/model/ registration parked in side yard covered in tarps, on an unimproved surface.)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1561, 4213 Grobe St., to be in violation of Chapter 59-1(c)(1), North Port City Code for vehicle parked on unimproved surface and signed the order imposing the fine.

H. [Case No 24-1581](#)

(KS) CAPRI INTERNATIONAL CONSTRUCTION INC; 2690 INLAND AVE

42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Neglected, incomplete, construction site. Concrete slab with exposed rebar, PVC piping, overgrowth, construction debris, and piles of concrete blocked stacked on slab. This is in violation of IPMC 304.1 unsafe structure and safety and welfare hazard.)

Section 105.4.1.1, Florida Building Code- Permit has expired

(Expired permit SFR 22-14217)

33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris; landscaped berms. The pile of debris shall be completely enclosed on all four (4) sides

(debris throughout construction site, with no dumpster or other garbage containment on site.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1581, 2690 Inland Ave., to be in violation of Chapter 42-85, North Port City Code for unsafe structure and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1581, 2690 Inland Ave., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1581, 2690 Inland Ave., to be in violation of Section 33-7(D)(1)(C), Unified Land Development Code for accumulation of debris and signed the order imposing the fine.

- I. [Case No 24-1599](#) (JP) JASON L MEAD, BONNIE J SCATES; 6328 PAN AMERICAN BLVD
59-1 (c)(1), City Code Allowed parking
(Tan Cadillac parked in front yard not on an improved surface)
Chapter 70-56, North Port City Code Assigned numbers
(No visible assigned numbers affixed to residence)

Hearing Officer Toale announced the item.

Inspector Presson, being duly sworn, provided a presentation including inspections and changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1599, 6328 Pan American Blvd., to be in violation of Chapter 59-1(c)(1), North Port City Code for vehicle parked on unimproved surface and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1599, 6328 Pan American Blvd., to be in compliance with Chapter 70-56, North Port City Code for assigned numbers not visible and dismissed the violation.

- L. [Case No 24-1740](#) (NL) CARPENTER HOMES LLC; 7650 W PRICE BLVD
Section 105.4.1.1, Florida Building Code- Permit has expired
(Expired Permit #22 00013251 IRRIGATION as well as permit #21 00012839 SINGLE FAMILY RESIDENCE DETACHED / NEW)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1740, 7650 W. Price Blvd., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.

- M. [Case No 24-1747](#) (KS) DELAND DEVELOPERS 2 LLC; 3332 FERGUS ST
Section 105.4.1.1, Florida Building Code- Permit has expired
(Permit # 22-00005146 for SFR has expired)
42-85 North Port City Code - Adoption of standards by reference.
International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Construction site appears to be neglected and unsafe. Property overgrown, with concrete block construction materials stacked in the City Right-of-way. The concrete slab is exposed and has rebar sticking up all around.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1747, 3332 Fergus St., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1747, 3332 Fergus St., to be in violation of Chapter 42-85, North Port City Code for unsafe structure and signed the order imposing the fine.

N. [Case No 24-1798](#)

(NL) HEXAGON DEVELOPERS LLC; 3086 POINT ST
Section 105.4.1.1, Florida Building Code- Permit has expired
(Expired Permit 22 11386 SINGLE FAMILY RESIDENCE DETACHED / NEW)

Hearing Officer Toale announced the item.

Inspector Long, being duly sworn, provided a presentation including inspections, contact with property owner, and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1798, 3086 Point St., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.

O. [Case No 24-1830](#)

(KS) HEXAGON DEVELOPERS LLC; 1228 KIRKWOOD ST
42-85 North Port City Code - Adoption of standards by reference. International Property Maintenance Code, 304 Exterior Structure - 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Neglected construction site of which is grossly overgrown with rotting building materials and other debris strewn about. Structure is unsecured,

no windows or doors, and overall unsafe. This unsafe, incomplete structure is a hazard to public health, safety, and welfare of the neighboring residences.)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1830, 1228 Kirkwood St., to be in violation of Chapter 42-85, North Port City Code for unsafe structure and signed the order imposing the fine.

P. [Case No 24-1979](#)

(KS) CORAL BLUE HOMES LLC; 3458 WHITMAN ST

Section 105.4.1.1, Florida Building Code- Permit has expired

(SFR permit issued #22-1576 July 2022 and expired December 25,2023)

42-85 North Port City Code - Adoption of standards by reference.

International Property Maintenance Code, 304 Exterior Structure - 304.1

General. The exterior of a structure shall be maintained in good repair,

structurally sound and sanitary so as not to pose a threat to the public

health, safety or welfare. 304.1.1 Unsafe conditions. The following

conditions shall be determined as unsafe and shall be repaired or replaced

to comply with the International Building Code or the International Existing

Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Construction site is incomplete, concrete slab foundation, block walls,

windows and roof installed. No doors and structure and is not secure.

Rotting building materials are on the grounds. Violation of IPMC 304.1 as

structure is a hazard to pose a threat to public health, safety and welfare)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1979, 3458 Whitman St., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-1979, 3458 Whitman St., to be in violation of Chapter 42-85, North Port City Code for unsafe structure and signed the order imposing the fine.

Q. [Case No 24-2004](#)

(KS) MARZAN CONSTRUCTIONS LLC; 3808 ALBATROS LN

42-85 North Port City Code - Adoption of standards by reference.

International Property Maintenance Code, 304 Exterior Structure - 304.1

General. The exterior of a structure shall be maintained in good repair,

structurally sound and sanitary so as not to pose a threat to the public

health, safety or welfare. 304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

* 7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

(Incomplete structure, concrete block walls are not supported with rafters, rebar exposed, site overgrown, and building materials scattered about.)

Section 105.4.1.1, Florida Building Code- Permit has expired

(SFR permit #22-10656 is expired)

33-7(D)(1)(C) Unified Land Development Code - Piling and storage of debris; landscaped berms. The pile of debris shall be completely enclosed on all four (4) sides

(debris on this site consisting of construction materials of which are scattered throughout the property)

Hearing Officer Toale announced the item.

Inspector Schauer, being duly sworn, provided a presentation including inspections and no changes to property.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2004, 3808 Albatros Ln., to be in violation of Chapter 42-85, North Port City Code for unsafe structure and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2004, 3808 Albatros Ln., to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and signed the order imposing the fine.

Based on evidence presented, Hearing Officer Toale, found Case No. 24-2004, 3808 Albatros Ln., to be in violation of Section 33-7(D)(1)(C), Unified Land Development Code for accumulation of debris and signed the order imposing the fine.

10. GENERAL BUSINESS

There was no general business.

11. PUBLIC COMMENT

There was no public comment.

12. ADJOURNMENT

Hearing Officer Toale adjourned the meeting at 11:27 AM

James E. Toale, Hearing Officer