



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Draft Code Enforcement Hearing

Thursday, April 27, 2023

9:00 AM

City Commission Chambers

1. CALL TO ORDER

Hearing Officer Toale called the meeting to order at 9:03 a.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Hearing Officer Toale.

Also Present

Assistant City Attorney Katlyn Coughlin, Code Enforcement Division Manager Kevin Raducci, Code Enforcement Administrative Services Specialist Michele Ross, Code Enforcement Recording Secretary William Kiddy, Code Enforcement Inspectors Henley Burton, Jeffrey Guilbault, Jennifer Ardinger and Dave Grandt, and Recording Secretary Susan Hale.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

- A. [23-0682](#) Approval of Minutes for the March 23, 2023 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 Ms. Hale swore in all those wishing to provide testimony.

6. COMPLIANT CASES

- A. [Case No 22-5519](#) (JAG) NICHOLAS & TARRA ANN ADAIR, 2334 W PRICE BLVD
Sec. 1-19, Unified Land Development Code
(No permit on file for Six (6) foot wooden fence located on the property.)

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

- B. [Case No 22-5924](#) (JA) JOHN M BROGAN, 8074 BOCA GRANDE AVE
Sec. 59-16(c)(2), North Port City Code Parking and Storing Vehicles on a Residential Lot

(Number of vehicles on this property exceed what is permissible by City Ordinance. Seven (7) vehicles on this property consisting of a maroon Cadillac in the rear yard, Black F 150 in the front yard, White Cadillac in the front yard, Gray F 150 in the front yard, White RV in the front yard, Maroon GMC van in the front yard, and a maroon Cadillac underneath the awning right side of the property. Only six (6) vehicles permitted for this property size.)

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

C. [Case No 22-5939](#)

(JA) 5166 WILTON CT LAND TRUST, 5166 WILTON CT
Chapter 105.1, Florida Building Code - Permit required.
(Roof being replaced with no permit on file.)

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

D. [Case No 23-100](#)

(JAG) THOMAS & JUDITH A JOSEPH, 3345 DAYTONA ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout the property consisting of car tires, washer, dryer, tarps, aluminum, buckets, carpets, rugs, and other miscellaneous debris and trash items.)

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

E. [Case No 23-115](#)

(JA) 1955 REMBERT RD LAND TRUST, 6858 DENNISON AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of cabinets, blinds, buckets, woods, and other miscellaneous items.)

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

F. [Case No 23-132](#)

(HLB) GOOD SAMARITANS PROPERTY MAINTENANCE; 5185 SUNNYVALE RD
Chapter 1, Administrative Code - City of North Port, Sec. 110 - Inspections Site Debris
(Accumulation of debris on construction site consisting of trash, water bottles, cans, wood, buckets and tire(s).)

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

G. [Case No 23-179](#)

(JAG) HPA II BORROWER 2019-1 LLC; 3089 TISHMAN AVE
Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.
(Pop up camper being parked in City Right-of-way.)

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

H. [Case No 23-233](#)

(HLB) FRANK & ANGELA KIEFER; 4717 LARAMIE CIR
Chapter 105.1, Florida Building Code - Permit required.

(No permit on file for water heater replaced in 2021.)

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

- I. [Case No 23-239](#) (JA) CORY HUTCHINSON, COURTNEY LAPE; 3217 GATUN ST
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired permit 21-3765 / Exp. 10-20-21)
This case was brought into compliance with no further action required.
- J. [Case No 23-244](#) (HLB) ADRIA ALMENGO; 2650 DELWOOD CT
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired permit 21-3943 6 ft wood fence permit / Exp. 10-01-2)
This case was brought into compliance with no further action required.
- K. [Case No 23-251](#) (HLB) EDUARDO VILLA AYALA; 1339 N CHAMBERLAIN BLVD
Sec. 1-19, Unified Land Development Code Local, state and Federal permits required.
(Fence Permit 22-3112 required and has never been issued or inspected.)
This case was brought into compliance with no further action required.
- L. [Case No 23-259](#) (JA) ORTIZ/MAJORCA PARTNERS LLC; 12649 S TAMIAMI TRL
Sec. 46-148 City of North Port Code (a) Camping is prohibited
(Two tents set up on this property near fence of Catty Carts Property.
Camping prohibited on this property.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of tents, tarps, camping supplies, cardboard, coolers, totes, tires, and other miscellaneous debris.)
This case was brought into compliance with no further action required.
- M. [Case No 23-318](#) (JA) STEFAN CENTERI; 4622 BULLARD ST
Chapter 70-56, North Port City Code Assigned numbers
(No visible assigned numbers affixed to residence.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of a bike, totes, cement blocks, exercise equipment, buckets, pallets, and other miscellaneous debris.)
This case was brought into compliance with no further action required.
- N. [Case No 23-436](#) (JA) ALEKSANDR & LARISA KHOROSHENKO; 3713 BASKET ST
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on property consisting of glass green house that is falling apart, debris from home that was damaged in fire, storing building materials, lawn equipment, chicken coops, bins, metal, pots, wire fencing, and other miscellaneous debris. All debris must be removed from property.)
Sec. 104.13 -FBC All buildings, structures, electrical, gas, mechanical or

plumbing systems which are unsafe, unsanitary
(No valid permit for demo of this property, this property is also not properly secured.)

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

O. [Case No 23-496](#)

(HLB) NIKOLAY BOGDANOV, 3081 YACOLT AVE
Chapter 58-104, North Port City Code Occupancy of any building is prohibited until the type of occupancy has been established and said building is in compliance.

(Home is being lived in with no certificate of occupancy, and underlying inspections required per Florida Building Code.)

Sec. 59-16(F)(1), North Port City Code, Parking Off Public Roadway
(Unlicensed vehicle parked in City Right-of-way.)

Sec. 59-16(f)(2), North Port City Code, Parking Off Public Roadway
(Vehicle parked in City Right-of-way, in front of residence, is parked in the incorrect direction of traffic.)

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

7. CONTINUED CASES

A. [Case No 23-444](#)

(HLB) LOUIS JULNER TELCY, MARIE CLAUDIE TELCY, 7865 ORIOLE ST

Section 45-5A, Unified Land Development Code - Land Clearing

(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he walked the property with property owner, and determined the number of trees removed.

Property owner Julner Telcy, being duly sworn, agreed with Staff's estimate of trees removed, and requested the fine be reduced.

Mr. Burton spoke to tree removal being irreversible damage.

Property owner Marie Telcy, being duly sworn, advocated replacing the trees.

Ms. Coughlin, being duly sworn, spoke to a lien being placed on the property if the violation is not resolved.

Mr. Kiddy spoke to mitigation options that accompany an active building permit.

Mr. Raducci, being duly sworn, addressed life span of liens and future building after tree removal.

Based on evidence presented, Hearing Officer Toale found Case No. 23-444 7865 Oriole Street to be in violation of Section 45-5(A), Unified Land Development Code (ULDC) for land clearing and imposed a fine of \$15,000.

8. 1ST HEARING CASES

- A. [Case No 22-827](#) (JAG) GEORGE W GOODSPEED III / LYNNSEE MARIE TAYLOR, 7270 HIAWATHA TER
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris consisting of miscellaneous items. Please remove debris from lot returning it back to its natural state.)
- Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, and submitted photos into evidence.
- Property owner Lynnsee Taylor, being duly sworn, spoke to trespassers, installation of fence and cameras, posting no trespassing, and keeping property groomed.
- Mr. Kiddy spoke to the case being reassigned, fencing vacant lots, and pursuing a variance request for the fence.
- Based on evidence presented, Hearing Officer Toale continued Case No. 22-827 7270 Hiawatha Terrace for the fence violation of Section 53-240(A)(3) Unified Land Development Code (ULDC) to the August 24, 2023 Code Enforcement Hearing and to assign a new case number.***
- Based on evidence presented, Hearing Officer Toale found Case No. 22-827 7270 Hiawatha Terrace 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 May 23, 2023.***
- B. [Case No 22-5742](#) (DG) RPM MANAGEMENT GROUP LLC, 3546 OASIS AVE
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris on property consisting of miscellaneous trash items, and a shopping cart. In addition, there is tree debris on rear of property.)
- Case No. 22-5742 was heard with Case No. 23-751.
- Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owners, and submitted photos into evidence.
- Property manager Steve Marcel, being duly sworn, spoke to cleaning up from previous owners.
- Based on evidence presented, Hearing Officer Toale found Case No. 22-5742 3546 Oasis Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris, miscellaneous trash items, shopping cart, tree debris on rear of property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023.***
- C. [Case No 22-5942](#) (JAG) JCU ALL IN ENTERPRISES LLC, 14530 TAMIAMI TRL
Chapter 105.1, Florida Building Code - Permit required.
(Per Building Inspector Tom Prindiville There is no permit on file for a commercial renovation at this unit)
- Inspector Guilbault, being duly sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 22-5942 14530 Tamiami Trail to the May 25, 2023 Code Enforcement Hearing.

D. [Case No 23-77](#)

(JA) LEOPOLD O WAGNER (LIFE EST) JANEY S JACOBS, DEBORAH WAGNER, 5004 KINGSLEY RD

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris consisting of yard waste and tree debris throughout the property.)

Sec. 59-16(d), North Port City Code Vehicle Repair, Maintenance, Disassembly

(Two (2) vehicles in disrepair, also appear to be abandoned, in driveway.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, she had no contact with the property owner, and submitted photos into evidence.

Mr. Kiddy spoke to this being a recurring violation reported by neighbors.

Based on evidence presented, Hearing Officer Toale found Case No. 23-77 5004 Kingsley Road to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of yard waste and tree debris throughout the property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-77 5004 Kingsley Road to be in violation of Section 59-16(d), North Port City Code for vehicle repair, disassembled vehicles in disrepair appearing to be abandoned and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on 23, 2023.

E. [Case No 23-104](#)

(JAG) ANNETTA L AGARRATT, 2423 MISTLETO LN

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

(Accumulation of debris in the City Right-of-way consisting of car tires, television, and other miscellaneous items.)

Inspector Guilbault, being duly sworn, noted two violations being corrected, the property was inspected on multiple occasions, he had contact with the property owner, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-104 2423 Mistleto Lane to be in violation of Section 42-24(a)(5), North Port City Code for failing to maintain stormwater drainage area, accumulation of debris in the City right-of-way consisting of car tires, television, and other miscellaneous items and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-104 2423 Mistleto Lane to be in compliance with Chapter 70-56, North Port City Code with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 23-104 2423 Mistleto Lane to be in compliance with Chapter 62-50, North Port City Code with no further action required.

- F. [Case No 23-128](#) (HLB) VIKTOR KLYMETS, ANNA GAZENKO; 5694 GILROY AVE
Chapter 70-21, North Port City Code It shall be unlawful
(Driving through City Right-of-way to access property, with no Right-of-way use permit.)
Sec. 59-16(f)(3), North Port City Code No motor vehicle
(Damage to Swale Area, from driving through to access property.)
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of debris throughout the rear of property.)
Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.
(Trailer parked in City Right-of-way.)

Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, tenants occupying property, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-128 5694 Gilroy Avenue to be in violation of Chapter 70-21, North Port City Code for driving through City right-of-way to access property with no right-of-way use permit and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-128 5694 Gilroy Avenue to be in violation of Section 59-16(f)(3), North Port City Code for damage to swale by driving through to access property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-128 5694 Gilroy Avenue to be in violation of Chapter 42-23, North Port City Code for accumulation of debris throughout the rear of property and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-128 5694 Gilroy Avenue to be in violation of Section 59-16(f)(4), North Port City Code for trucks, buses, truck tractors, trailers, boats and recreational vehicles parked on the berm, shoulder and/or swale of the City right-of-way and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023.

- G. [Case No 23-134](#) (HLB) PATRICIA A LEGER TRUST, PATRICIA A LEGER; 1118 ENSLEY CT
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of miscellaneous debris throughout the property)
Chapter 62-50, North Port City Code Refuse container(s)
(Solid waste containers improperly stored in front yard, and must be stored behind the front plane of the home.)

Inspector Burton, being dully sworn, requested a continuance.

Based on evidence presented, Hearing Officer Toale continued Case No. 23-134 1118 Ensley Court to the May 25, 2023 Code Enforcement Hearing.

- H. [Case No 23-234](#) (HLB) JULIE W HAYS; 3491 MATADOR RD
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit for SFR #21-3095)
- Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had contact with the property owner, and submitted photos into evidence.
- Property owner Julie Hays, being duly sworn, spoke to submitting a new permit and difficulty finding a contractor.
- Based on evidence presented, Hearing Officer Toale found Case No. 23-234 3491 Matador Road for the violation of Section 105.4.1.1, Florida Building Code for an expired permit and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on June 17, 2023.**
- I. [Case No 23-277](#) (JAG) JULIE A NOLAN; 2354 MCMINN ST
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 21-4001; for replacement of concrete driveway. Exp. 10/16/2021)
- Inspector Guilbault, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and permit remains expired.
- Based on evidence presented, Hearing Officer Toale found Case No. 23-277 2354 McMinn Street to be in violation of Section 105.4.1.1, Florida Building Code for expired permit and imposed a fine of \$10 a day with a maximum of \$5,000 to commence on May 23, 2023.**
- J. [Case No 23-294](#) (JA) ELENA TOBEI; 6229 MORNING AVE
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 21-4464; for Residential Remodel Exp. 10/18/2022)
- Inspector Ardinger, being duly sworn, requested a continuance.
- Based on evidence presented, Hearing Officer Toale continued Case No. 23-294 6229 Morning Avenue to the May 25, 2023 Code Enforcement Hearing.**
- K. [Case No 23-304](#) (HLB) JOHN WEBSTER JR: 3763 FIREGLOW CIR
Section 53-240(A)(3) Unified Land Development Code, Special Structures
(Shed on Vacant lot, as well as Fence on Vacant lot, both of which are not permittable on a lot with no principal structure.)
Sec. 46-148 City of North Port Code (a) Camping is prohibited
(Camping on Vacant lot. Camping prohibited on this property.)
Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.
(Inhabited RV being stored on this vacant lot.)
Sec. 59-16(f)(3), North Port City Code No motor vehicle
(Damage to City Right-of-way, with no Right-of-way use permit on file.)
- Inspector Burton, being duly sworn, noted the property was inspected on multiple occasions, he had no contact with the property owner, and submitted photos into evidence.
- Based on evidence presented, Hearing Officer Toale found Case No. 23-304 3763**

Fireglow Circle to be in violation of Section 53-240(A)(3), Unified Land Development Code for shed on vacant lot, fence on vacant lot with no principal structure and imposed a fine of \$25 a day with a maximum of \$2,000 to commence on May 23, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-304 3763 Fireglow Circle to be in violation of Section 46-148, North Port City Code for camping on vacant lot where prohibited and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-304 3763 Fireglow Circle to be in violation of Section 59-16(c), North Port City Code for parking and storing vehicles on a residential lot including an inhabited recreational vehicle and imposed a fine of \$10 with a maximum of \$1,000 to commence on May 23, 2023.

Based on evidence presented, Hearing Officer Toale found Case No. 23-304 3763 Fireglow Circle to be in violation of Section 59-16(f)(3), North Port City Code for motor vehicle damage to City right-of-way, with no right-of-way use permit on file and imposed a fine of \$10 a day with a maximum of \$1,000 to commence on May 23, 2023

L. [Case No 23-376](#)

(JA) DARRYL W & CLARA J HENRY; 5111 RICHMOND TER
Section 105.4.1.1, Florida Building Code- Permit has expired.
(Expired Permit 21-8504; for Water Heater. Exp. 01/08/22)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions and she had no contact with the property owner.

Based on evidence presented, Hearing Officer Toale found Case No. 23-376 5111 Richmond Terrace to be in violation of Section 105.4.1.1, Florida Building Code for expired water heater permit and imposed a fine of \$50 a day with a maximum of \$5,000 to commence on May 23, 2023.

M. [Case No 23-751](#)

(DG) RPM MANAGEMENT GROUP LLC; 3546 OASIS AVE
Chapter 105.1, Florida Building Code - Permit required.
(Re-roof completed with no permit on file.)

Case No. 23-751 was heard with Case No. 22-5742.

Inspector Grandt, being duly sworn, noted the permit has been obtained.

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

N. [Case No 23-1117](#)

(JA) MF2 PARTNERS LLC; 1589 BOSWELL ST
Section 45-5A, Unified Land Development Code - Land Clearing
(Attend the required Code Enforcement Hearing to states facts concerning this violation.)

Inspector Ardinger, being duly sworn, noted the property was inspected on multiple occasions, wrong lot was cleared, the number of trees removed is undetermined, and submitted photos into evidence.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1117 1589 Boswell Street to be in violation of Section 45-5A, Unified Land Development Code

(ULDC) for land clearing and imposed a fine of \$15,000.

O. [Case No
23-1190](#)

(DG) CHAD & JAYMI BROUSSEAU; 2666 CALABASH LN

REPEAT VIOLATIONS *

Chapter 70-21, North Port City Code 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

(-REPEAT VIOLATION-Driving through City Right-of-way causing Damage to swale. This is a repeat violation concerning the same violation from case 21-4602 – Inspector Kiddy-10/18/2021.)

Sec. 59-16(f)(3), North Port City Code No motor vehicle as defined in section (a) shall be parked on the berm, shoulder or swale right-of-way area adjacent to any residential lot where the owner of the vehicle is not also lawfully residing at the property

(-REPEAT VIOLATION-Damage to Swale Area, from stone put down to drive through Right-of-way. This is a repeat violation concerning the same violation from case 21-4602 - Inspector Kiddy10/18/2021.)

Chapter 105.1, Florida Building Code - Permit required.

(-REPEAT VIOLATION-No permit on file for shed on property. This is a repeat violation concerning the same violation from case 21-4602 - Inspector Kiddy-10/18/2021.)

Inspector Grandt, being duly sworn, noted the property was inspected on multiple occasions, two violations were corrected, he had no contact with property owner, and this is a repeat violation.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1190 2666 Calabash Lane to be in compliance with Chapter 70-21, North Port City Code with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1190 2666 Calabash Lane to be in compliance with Section 59-16(f)(3), North Port City Code with no further action required.

Based on evidence presented, Hearing Officer Toale found Case No. 23-1190 2666 Calabash Lane to be in violation of Chapter 105.1, Florida Building Code for no permit on file for shed on property and imposed a fine of \$50 a day with a maximum of \$25,000 to commence on April 28, 2023.

9. 2ND HEARING CASES

A. [Case No
22-5592](#)

(HLB) OFFERTICO LLC, 5064 ALAMETOS TER

Chapter 105.1, Florida Building Code - Permit required.

(Interior remodel done on residence with no permit on file.)

Inspector Burton, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5592 5064 Alametos Terrace to be in violation of Chapter 105.1, Florida Building Code for no permit on file for interior remodeling of residence and signed the Order imposing the fine.

B. [Case No
22-5729](#)

(DG) CAYLA LYNNE MARIE MCKENZIE, CODY J MCKENZIE, 2244 PENGUIN LN

Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.

(Trailers being parked on vacant lot down the road from residence, that has a different owner.)

Chapter 34-23, North Port City Code Any person who engages in any business, occupation or profession who does not pay the required business tax within 150 days after the notice that the tax is due and who does not obtain the required local business tax receipt is subject to civil actions and penalties, including court costs, reasonable attorney fees, additional administrative costs incurred as a result of collection efforts and a penalty of up to \$250.00 in addition to cost of business tax.

(Expired business tax receipt for business being operated from this residence.)

Sec. 59-16(f)(3), North Port City Code No motor vehicle as defined in section (a) shall be parked on the berm, shoulder or swale right-of-way area adjacent to any residential lot where the owner of the vehicle is not also lawfully residing at the property, or without receiving the express permission of the property owner; except to be in compliance with the lawful direction of a law enforcement officer. In no instance shall parking be permitted where doing so may cause damage to the drainage swale.

(Damage to City Right-of-way/swale area in front of this property.)

Sec. 53-122 - Prohibited Uses and Structures, ULDC D. The operation of a business unless specifically permitted as a home occupation. There shall not be evidence of business activity on the premises, including the parking and storage of commercial vehicles, material storage, inordinate vehicular traffic, outside storage, or advertising signs.

(Evidence of business being ran from this residence. Construction supplies being stored on this property, blocking the road with heavy duty trailers and deliveries of cement and other materials.)

Inspector Grandt, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5729 2244 Penguin Lane to be in violation of Section 59-16(c), North Port City Code for storing vehicles on a residential lot, trailers being parked on vacant lot down the road from residence and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5729 2244 Penguin Lane to be in violation of Chapter 34-23, North Port City Code for expired business tax receipt for business being operated from this residence and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5729 2244 Penguin Lane to be in violation of Section 59-16(f)(3), North Port City Code for motor vehicle damage to City right-of-way/swale area in front of this property and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5729 2244 Penguin Lane to be in violation of Section 53-122, Unified Land Development Code (ULDC) for evidence of business being ran from the residence, construction supplies being stored on the property, blocking the road with heavy duty trailers, deliveries of cement and other materials and signed the Order imposing the fine.

C. [Case No 22-5765](#)

(JAG) JACQUELINE E THOMAS, 1501 DEXTER RD

Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.

(Three (3) trucks and trailers parked on the vacant lot to the right of this residence with no principle structure and not owned by same owner.)

Inspector Guilbault, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5765 1501 Dexter Road to be in violation of Section 59-16(c), North Port City Code for parking and storing vehicles on a vacant residential lot to the right of this residence not owned by same owner with no principle structure and signed the Order imposing the fine.

D. [Case No 22-5838](#)

(HLB) KENNETH ALFRED BECKOM, 6739 PUNTING CIR

Sec. 59-16(f)(4), North Port City Code - Trucks, buses, truck tractors, trailers, boats and recreational vehicles are prohibited from parking on the berm, shoulder and/or swale right-of-way area.

(Trailer parked in City Right-of-way.)

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

(Accumulation of debris in City Right-of-way consisting of lumber.)

Sec. 59-16(c), North Port City Code Parking and storing vehicles on a residential lot.

(RV and other vehicles being stored on a vacant lot with no principal structure.)

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris throughout the property consisting of camping material, trash, chairs, pallets, and other miscellaneous items.)

Chapter 70-21, North Port City Code 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 City Right-of-way to access property with no Right-of-way use permit on file.)

Inspector Burton, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5838 6739

Punting Circle to be in violation of Section 59-16(f)(4), North Port City Code for trucks, buses, truck tractors, trailers, boats and recreational vehicles parked in City right-of-way and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5838 6739 Punting Circle to be in violation of Section 42-24(a)(5), North Port City Code for accumulation of debris in City right-of-way and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5838 6739 Punting Circle to be in violation of Section 59-16(c), North Port City Code for parking and storing vehicles on a residential vacant lot with no principal structure and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5838 6739 Punting Circle to be in violation of Chapter 42-23, North Port City Code for accumulation of debris consisting of camping material, trash, chairs, pallets, and other miscellaneous items and signed the Order imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5838 6739 Punting Circle to be in violation of Chapter 70-21, North Port City Code for driving through City right-of-way to access property with no right-of-way use permit on file and signed the Order imposing the fine.

E. [Case No 22-5921](#)

(JA) TURMUTUS M COX, 5975 SPEARMAN CIR
Chapter 42-23, North Port City Code; Accumulation of Debris
(Accumulation of vegetative debris throughout this property.)

Inspector Ardinger, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5921 5975 Spearman Circle to be in violation of Chapter 42-23, North Port City Code for accumulation of vegetative debris throughout this property and signed the Order imposing the fine.

F. [Case No 22-5953](#)

(JAG) SUMTER SQUARE LLC, Parcel ID:1002160121
Sec. 37-29(H)(5) Unified Land Development Code, Roadway Design and Construction Standards
(Missing and damaged stop signs throughout this parcel (This is a private road))

Inspector Guilbault, being duly sworn, noted no changes in the property, City receiving daily complaint calls from neighbors, and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5953 Parcel ID:1002160121 to be in violation of Section 37-29(H)(5), Unified Land Development Code (ULDC) for missing and damaged stop signs throughout this parcel and signed the Order imposing the fine.

G. [Case No 22-5954](#)

(JAG) SUMTER SQUARE LLC, Parcel ID:1002170011
Sec. 37-29(H)(5) Unified Land Development Code, Roadway Design and Construction Standards
(Missing and damaged stop signs throughout this parcel. This is a private

road.)

Inspector Guilbault, being duly sworn, noted no changes in the property, City receiving daily complaint calls from neighbors, and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5954 Parcel ID:1002170011 to be in violation of Section 37-29(H)(5), Unified Land Development Code (ULDC) for missing and damaged stop signs throughout this parcel and signed the Order imposing the fine.

H. [Case No 22-5955](#)

(JAG) NORTH PORT GATEWAY EAST ASSOCIATION INC, C/O N DWAYNE GRAY JR ESQ, Parcel ID:1002180121

Sec. 37-29(H)(5) Unified Land Development Code, Roadway Design and Construction Standards

(Missing and damaged signs throughout this parcel.)

Inspector Guilbault, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5955 Parcel ID:1002180121 to be in violation of Section 37-29(H)(5), Unified Land Development Code (ULDC) for missing and damaged signs throughout this parcel and signed the Order imposing the fine.

I. [Case No 22-5959](#)

(JA) TURMUTUS M COX, 5975 SPEARMAN CIR

Sec. 104.13 -FBC All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or which do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are to be considered unsafe building or service systems. All such unsafe buildings, structures, or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of Section 115 of this Chapter, the International Property Maintenance Code (2012) Section 108 as revised or other applicable local ordinance,

(Building deemed unsafe per Building Official Derek Applegate.)

Inspector Ardinger, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 22-5959 5975 Spearman Circle to be in violation of Section 104.13, Florida Building Code for unsafe buildings, structures, electrical, gas, mechanical or plumbing systems, inadequate egress, a fire hazard dangerous to human life which constitutes a hazard to safety or health, unsafe buildings, structures or service systems are declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of Section 115 of this Chapter, the International Property Maintenance Code (2012) Section 108 as revised or other applicable local ordinance and signed the Order imposing the fine.

J. [Case No 23-21](#)

(JA) SEAN MURPHY, JESSICA COFFEE, 6349 SAN SALVADOR RD

Chapter 70-56, North Port City Code Assigned numbers must be at least

three (3) inches in height, in Arabic numeral form, placed on a contrasting background visible from the street.

(No visible assigned numbers affixed to residence.)

Inspector Ardinger, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-21 6349 San Salvador Road to be in violation of Chapter 70-56, North Port City Code for no visible assigned numbers affixed to residence and signed the Order imposing the fine.

K. [Case No 23-71](#)

(JA) DARRYL W & CLARA J HENRY, 5111 RICHMOND TER

Chapter 42-23, North Port City Code; Accumulation of Debris

(Accumulation of debris in rear yard consisting of a ladder, antenna, as well as possible clothes line in tree. In addition dead trees/bushes in rear yard need to be removed.)

Inspector Ardinger, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale Found Case No. 23-71 5111 Richmond Terrace to be in violation of Chapter 42-23, North Port City Code for accumulation of debris in rear yard consisting of a ladder, antenna, as well as possible clothesline in tree, dead trees/bushes in rear yard and signed the Order imposing the fine.

L. [Case No 23-119](#)

(HLB) CAMERON ROSS HAYES, BRITTANY ALISE HAYES, 4000 BARBARY LN

Section 105.4.1.1, Florida Building Code- Permit has expired.

(Expired Permit 21-2974 NON-STRUCTURAL FENCE.)

Inspector Burton, being duly sworn, noted no changes in the property and requested the Order be signed imposing the fine.

Based on evidence presented, Hearing Officer Toale found Case No. 23-119 4000 Barbary Lane to be in violation of Section 105.4.1.1, Florida Building Code for expired permit for a non-structural fence 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 10:33 a.m.

James E. Toale, Hearing Officer

Minutes were approved on the ___ day of _____, 2023.