



CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
4970 City Hall Boulevard – North Port, FL. 34286

CODE COMPLIANCE HEARING

| | | |
|-----------------------------|---|--|
| CITY OF NORTH PORT, FLORIDA | } | |
| Petitioner, | } | |
| vs. | } | |
| BERTHA & TIMOTEO ACOSTA | } | |
| Respondent(s) | } | CASE NO.: 24-60 |
| | } | CERTIFIED MAIL NO.: 9589071052700187026005 |
| ADDRESS OF VIOLATION: | } | |
| 2732 Dongola St | } | |
| North Port, FL | } | |
| PARCEL ID.: 0968057010 | } | |

NOTICE OF MANDATORY HEARING

Pursuant to the attached **AFFIDAVIT OF VIOLATION** dated *January 24, 2024*, **YOU ARE HEREBY FORMALLY NOTIFIED** that at **9:00 a.m.**, or as soon thereafter as possible, **on March 28, 2024**, 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 *January 11, 2024*, 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 **March 28, 2024**, 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 Property Standard 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 Compliance 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.

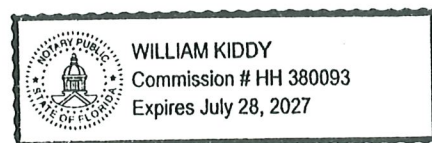

HEATHER FAUST, City Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this NOTICE OF MANDATORY HEARING has been served upon the RESPONDENT(S) by **Certified Mail/Return Receipt Requested** at 2732 DONGOLA ST NORTH PORT FL 34291.

DATED: January 26, 2024


SERVER – CITY OF NORTH PORT



Violation Corrective Action

Vehicle(s) under repair must be covered with a non-transparent tarp that is in good repair and free of tattering. A vehicle that has remained in a state of disassembly, active repair, or is badly damaged or destroyed for a period of more than 21 consecutive days shall be considered inoperable. Which then must be removed from the property or within an enclosed structure, or in compliance with the allowed parking standards. Compliance must be accomplished within ten (10) days of the date of this notice

* Inoperable vehicle. A vehicle that cannot be driven upon a public street for reasons including but not limited to being unlicensed/unregistered, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

Violation Description

59-1 (b)(1), North Port City Code, Prohibited parking - Right-of-way. No light or heavy duty vehicle shall be parked on the public right-of-way except during a short-term delivery, pick-up, or service activity, provided that:

- a. The vehicle is parked in the direction of traffic;
- b. The vehicle does not obstruct a sidewalk or create a hazard due to blocking visibility of traffic and/or pedestrians;
- c. The vehicle can be parked and moved without causing damage to the public right-of-way; and
- d. The parked vehicle does not block the view of a principal structure's front door or address numbers.

Violation Text

Unlicensed Blue Honda Civic truck parked in the City Right-of-way with plate 47788QQ

Violation Corrective Action

Vehicle(s) must be removed from the public right-of-way immediately.

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

(3) Field Inspection Notes:

1/3/2024, 1:11:56 PM MKUYKENDAL There's a red truck in the driveway that is in complete disrepair flat tires. The hood is open and it looks like there's an oil pan underneath the truck itself. There is also a vehicle on the right of way a blue Honda Civic 47788QQ that red truck that's disabled has no plates on it and there's also a black Ford mustang GT with a license plate of CNUU91 with an expiration date of one of 2022 you cannot have more than one unregistered vehicle on a property 1/3/2024, 1:12:17 PM MKUYKENDAL There's a red truck in the driveway that is in complete disrepair flat tires. The hood is open and it looks like there's an oil pan underneath the truck itself. There is also a vehicle on the right of way a blue Honda Civic 47788QQ that red truck that's disabled has no plates on it and there's also a black Ford mustang GT with a license plate of CNUU91 with an expiration date of one of 2022 you cannot have more than one unregistered vehicle on a property 1/10/2024, 8:40:17 AM KSCHAUER Violation remains, only the red pickup truck in disrepair remains at this time. Update photo attached. 1/22/2024, 8:58:55 AM MKUYKENDAL Still in violation with debris all over the yard around the truck, which includes a mattress, power, washer, buckets, metal poles hoses, lawnmower, brooms the red truck has no front tire and two tires are flat flat, which is making it in operable and being repaired on the driveway with nobody Around

DATED: January 24, 2024

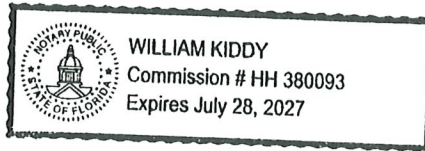
Michael Centeno-Kuykendal
Inspector
Development Services
City of North Port
4970 City Hall Boulevard
North Port, Florida 34286

STATE OF FLORIDA
COUNTY OF SARASOTA

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 24 day of Jan 2024, by Michael Centeno-Kuykendal.

Notary Public - State of Florida

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





**CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
CODE COMPLIANCE DIVISION
4970 City Hall Boulevard – North Port, FL. 34286**

**NOTICE OF VIOLATION
AND
ORDER TO CORRECT**

BERTHA ACOSTA
TIMOTEO ACOSTA
2732 DONGOLA ST
NORTH PORT, FL 34291

DATE: January 11, 2024

PSI CASE NO.: 24-60
REAL PROPERTY ADDRESS: 2732 DONGOLA ST, NORTH PORT, FL
LOT 10, BLK 570, 18TH ADD TO PORT CHARLOTTE PARCEL ID #: 0968057010
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

59-1(d), City Code, Vehicles under repair – Normal light-duty vehicle maintenance and repair is allowed on residential lots. No visible evidence of such maintenance or repair shall be left on the residential lot when vehicle maintenance or repair is not actively occurring. No more than one vehicle at a time may be in a badly damaged or destroyed state, major disassembly, or inoperable. A vehicle in a badly damaged or destroyed state or major disassembly must be covered with a non-transparent tarp that is in good repair and free of tattering. A vehicle that has remained in a state of disassembly, active repair, or is badly damaged or destroyed for a period of more than 21 consecutive days shall be considered inoperable.

Violation Text

Red Truck in driveway that is in complete disrepair with flat tires, the hood is open, and a pan of some sort underneath.

Violation Corrective Action

Vehicle(s) under repair must be covered with a non-transparent tarp that is in good repair and free of tattering. A vehicle that has remained in a state of disassembly, active repair, or is badly damaged or destroyed for a period of more than 21 consecutive days shall be considered inoperable. Which then must be removed from the property or within an enclosed structure, or in compliance with the allowed parking standards. Compliance must be accomplished within ten (10) days of the date of this notice * Inoperable vehicle. A vehicle that cannot be driven upon a public street for reasons including but not limited to being unlicensed/unregistered, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

Violation Description

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

Violation Text

Unlicensed Blue Honda Civic truck parked in the City Right-of-way with plate 47788QQ

Violation Corrective Action

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

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:

Michael Centeno-Kuykendal
Inspector
Development Services
e-mail: mkuykendall@northportfl.gov

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

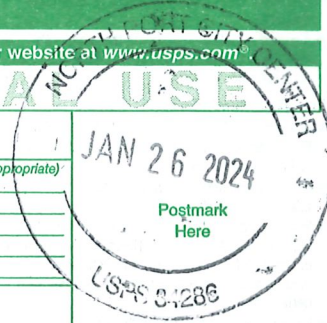
- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

\$

CE WK 24-60

BERTHA & TIMOTEO ACOSTA
2732 DONGOLA ST
NORTH PORT FL 34291



9589 0710 5270 0187 0260 05



CITY OF NORTH PORT
SARASOTA COUNTY, FLORIDA
DEVELOPMENT SERVICES
CODE COMPLIANCE DIVISION
4970 City Hall Boulevard – North Port, FL. 34286
(941) 429-7186

CITY OF NORTH PORT, FLORIDA }
Petitioner, }
vs. }
BERTHA & TIMOTEO ACOSTA }
Respondent(s) } CASE NO.: 24-60
ADDRESS OF VIOLATION: }
2732 DONGOLA ST }
NORTH PORT, FL. }
PARCEL ID.: 0968057010 }

STATE OF FLORIDA :
: SS
COUNTY OF SARASOTA :

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

AFFIDAVIT OF POSTING

On Jan 24, 2024 the Respondent(s) was served with a NOTICE OF MANDATORY HEARING by posting said Notice at 2732 DONGOLA ST, NORTH PORT, FLORIDA, a copy of which is attached.

FURTHER AFFIANT SAYETH NAUGHT.

DATED: Jan 26 2024

Michael Centeno-Kuykendal, 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 26 day of Jan 2024 by Michael Centeno-Kuykendal .

Notary Public - State of Florida

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





Bill Furst
SARASOTA COUNTY
PROPERTY APPRAISER

Property Record Information for 0968057010

| | |
|---|--|
| Ownership: ACOSTA BERTHA ACOSTA TIMOTEO 2732 DONGOLA ST, NORTH PORT , FL, 34291 Situs Address: 2732 DONGOLA ST NORTH PORT, FL, 34291 | Land Area: 10,000 Sq.Ft. Municipality: City of North Port Subdivision: 1562 - PORT CHARLOTTE SUB 18 Property Use: 0100 - Single Family Detached Status: OPEN Sec/Twp/Rge: 16-39S-21E Census: 121150027401 Zoning: RSF2 - RESIDENTIAL, SINGLE FAMILY Total Living Units: 1 Parcel Description: LOT 10, BLK 570, 18TH ADD TO PORT CHARLOTTE |
|---|--|

Buildings

| Situs - click address for building details | Bldg # | Beds | Baths | Half Baths | Year Built | Eff Yr Built | Gross Area | Living Area | Stories |
|--|------------------------|----------------------|-----------------------|----------------------------|----------------------------|------------------------------|----------------------------|-----------------------------|-------------------------|
| 2732 DONGOLA ST NORTH PORT, FL, 34291 | 1 | 3 | 2 | 0 | 2006 | 2008 | 2,874 | 2,082 | 1 |

Extra Features

There are no extra features associated with this parcel

Values

| Year | Land | Building | Extra Feature | Just | Assessed | Exemptions | Taxable | Cap. |
|------|----------|-----------|---------------|-----------|-----------|------------|-----------|----------|
| 2023 | \$18,100 | \$322,300 | \$0 | \$340,400 | \$255,310 | \$0 | \$255,310 | \$85,090 |
| 2022 | \$19,400 | \$247,600 | \$0 | \$267,000 | \$232,100 | \$0 | \$232,100 | \$34,900 |
| 2021 | \$8,100 | \$202,900 | \$0 | \$211,000 | \$211,000 | \$0 | \$211,000 | \$0 |
| 2020 | \$7,800 | \$192,300 | \$0 | \$200,100 | \$200,100 | \$0 | \$200,100 | \$0 |
| 2019 | \$7,000 | \$192,800 | \$0 | \$199,800 | \$199,800 | \$0 | \$199,800 | \$0 |
| 2018 | \$6,200 | \$177,000 | \$0 | \$183,200 | \$183,200 | \$0 | \$183,200 | \$0 |
| 2017 | \$4,800 | \$169,200 | \$0 | \$174,000 | \$174,000 | \$0 | \$174,000 | \$0 |
| 2016 | \$5,000 | \$171,300 | \$0 | \$176,300 | \$176,300 | \$0 | \$176,300 | \$0 |
| 2015 | \$3,600 | \$143,000 | \$0 | \$146,600 | \$129,773 | \$0 | \$129,773 | \$16,827 |
| 2014 | \$3,500 | \$133,100 | \$0 | \$136,600 | \$117,975 | \$0 | \$117,975 | \$18,625 |

Property taxes may be affected with change in ownership. When buying real estate, you should not assume that property taxes will remain the same. Use our tax estimator to estimate your new taxes.

Current Exemptions

There are no exemptions associated with this parcel. File for Homestead Exemption

Sales & Transfers

| Transfer Date | Recorded Consideration | Instrument Number | Qualification Code | Grantor/Seller | Instrument Type |
|---------------|------------------------|-------------------|--------------------|-----------------------------------|-----------------|
| 7/28/2015 | \$120,000 | 2015098796 | 40 | ALEXANDER LIVSHIN REVOCABLE TRUST | WD |
| 9/15/2010 | \$80,000 | 2010115009 | 12 | CNLBANK, | WD |
| 8/16/2010 | \$78,600 | 2010105012 | 12 | MITCHELL,MICHAEL P | CT |
| 5/9/2005 | \$36,000 | 2005102862 | 01 | ROGERS,WILLIAM | WD |
| 12/17/2004 | \$112,800 | 2005006935 | X2 | DEMERCHANT CHESTER E, | WD |

Associated Tangible Accounts

There are no associated tangible accounts for this parcel

Property record information last updated on: 1/23/2024

FEMA Flood Zone (Data provided by Sarasota County Government as of 1/22/2024)
 Different portions of a property can be in different flood zones. Please click on MAP link below to see the flood zones.

| FIRM Panel | Floodway | SFHA *** | Flood Zone ** | Community | Base Flood Elevation (ft) | CFHA * |
|------------|----------|----------|---------------|-----------|---------------------------|--------|
| 0379F | OUT | OUT | X | 120279 | | OUT |

* If your property is in a SFHA or CFHA, use the map to determine if the building footprint is within the flood area.
 ** For more information on flood and flood related issues specific to this property, call (941) 240-8050
 *** Federal law requires flood insurance for all properties in SFHAs with federally backed mortgages.
 For general questions regarding the flood map, call (941) 861-5000.

