

## AGENDA

### CHARLOTTE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

Administration Center, County Commission Meeting Room #119  
18500 Murdock Circle, Port Charlotte, Florida 33948-1094

### HEARING MINUTES OF OCTOBER 6, 2021

*Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to [David.Lyles@CharlotteCountyFL.gov](mailto:David.Lyles@CharlotteCountyFL.gov).*

1. CALL TO ORDER  
**SPECIAL MAGISTRATE DEREK ROONEY CALLED THE HEARING TO ORDER AT 9:00 A.M.**
2. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY  
**SUZAN GOWANS ADMINISTERED THE OATH**
3. NEXT MEETING DATE  
**NOVEMBER 3, 2021**

#### IV. OLD BUSINESS

**COD-20-00987**, Jesus Zumbado, 19519 Midway Blvd, Port Charlotte – Second Affidavit of Non-Compliance - \$770.00 SR

**COD-21-01485**, Janet Lippincott Estate, 1521 Dewitt St, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] **Joseph Lippincott Present** **CONTINUED UNTIL NOVEMBER** TJ

**The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.**

#### V. CONFLICT CASES

**COD-19-03412**, US BANK TRUSTEE, 408 Fletcher St, Port Charlotte – Fourth Affidavit of Non-Compliance - \$120.00 ST

**VI. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES**

*All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by the Magistrate that item(s) will be removed from the Consent Agenda and considered separately.*

1. **COD-18-03868**, RETIREMENT REAL ESTATE MANAGEMENT LLC, 2634 or 2636 or 2638 or 2640 or 2642 or 2646 Highlands Rd, Punta Gorda – Sixth Affidavit of Non-Compliance - \$120.00 GW
2. **COD-20-00911**, Mihai Arhire & Mihaela Diamandi, 8179 Walbert St, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 GW
3. **COD-20-01102**, Thomas Plummer & Rachel Galiyas, 1151 Delmore St, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 GW
4. **COD-20-01272**, MEGA TOWERS CONSTRUCTION LLC, 14522 Ingraham Blvd or 9316 Impala Cir, Port Charlotte – Third Affidavit of Non-Compliance - \$120.00 GW
5. **COD-20-02496**, SUNNYBROOK PARTNERS, 6440 Sunnybrook Blvd, Port Charlotte – Affidavit of Non-Compliance - \$120.00 GW
6. **COD-20-02504**, SUNNYBROOK PARTNERS, 4120 S. McCall Rd, Englewood – Affidavit of Non-Compliance – \$120.00 GW
7. **UTL-19-00017**, Rhonda Adams, 23078 Bayshore Rd, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 GR
8. **UTL-20-00015**, Samuel Schmutzler & Toni Schmutzler, 23255 Fullerton Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 GR
9. **COD-17-01909**, Danny Neal & Glenda Neal, 850 Fairfax Ter, Port Charlotte – Seventh Affidavit of Non-Compliance - \$70.00 PD
10. **COD-17-02314**, Brad Mackie, 21248 Edgewater Dr, Port Charlotte – Ninth Affidavit of Non-Compliance - \$70.00 PD
11. **COD-18-03740**, James Remich & Gary Remich, 135 Duxbury Ave, Port Charlotte – Seventh Affidavit of Non-Compliance - \$70.00 PD
12. **COD-18-03914**, Cynthia Mitchell & Christopher Marquis, 3372 Elkcam Blvd, Port Charlotte – Seventh Affidavit of Non-Compliance - \$70.00 PD
13. **COD-20-00176**, Brad Mackie, 21248 Edgewater Dr, Port Charlotte – Fourth Affidavit of Non-Compliance -\$70.00 PD
14. **COD-20-01679**, Eddie Rexroat Trustee, 155 Barre Dr, Port Charlotte – Fourth Affidavit of Non-Compliance - \$270.00 PD

15. **COD-20-01679**, Eddie Rexroat Trustee, 155 Barre Dr, Port Charlotte – Fifth Affidavit of Non-Compliance - \$22,520.00 PD
16. **COD-20-02192**, FEDERAL NATIONAL MORTGAGE ASSOCIATION, 181 West Tarpon Blvd, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 PD  
**ATTY MARILYN DIRKS PRESENT CONTINUED UNTIL FEB 2022**
17. **COD-20-02285**, David White, 3164 Depew Ave, Port Charlotte – Affidavit of Non-Compliance - \$ 70.00 PD
18. **COD-14-01221**, Lisa Copper Gianfrancisco, 7075 Treadway Rd, Port Charlotte – Eleventh Affidavit of Non-Compliance - \$70.00 JC
19. **COD-20-02118**, Ronald Fisher, 19972 Kenilworth Blvd, Port Charlotte – Second Affidavit of Non-Compliance – \$70.00 JC
20. **COD-20-02838**, Randy Twombly, 4060 Elvington Rd, Port Charlotte - First Affidavit of Non-Compliance - \$70.00 JC
21. **COD-20-02839**, Randy Twombly, 4052 Elvington Rd, Port Charlotte – First Affidavit of Non-Compliance - \$70.00 JC
22. **COD-21-00002**, Douglas Partin, 400 Kensington St, Port Charlotte – Amended First Affidavit of Non-Compliance - \$70.00 JC
23. **COD-20-02444**, Robert Melvin IV & Adriene Melvin, 320 Capstan Sr, Placida – Second Affidavit of Non-Compliance - \$4,520.00 JD
24. **COD-20-02784**, Daniel Neff & Tammy Neff, 8419 Roosevelt St, Englewood – Affidavit of Non-Compliance - \$70.00 JD
25. **COD-20-02964**, Clinton Berger II, Lawrence Miller & Jerry Miller Jr, 8390 Roosevelt St, Englewood – Affidavit of Non-Compliance - \$70.00 JD
26. **COD-19-01902**, John Bates & Deborah Bates, 1208 Fleetwood Dr NW, Port Charlotte – Third Affidavit of Non-Compliance - \$22,520.00 **JOHN BATES PRESENT** SR
27. **COD-19-03510**, Ryan Williams & Rodney Williams, 2078 Tigard St, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 SR
28. **COD-20-03276**, Augustin Frederic, 17173 Carleen Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 SR
29. **COD-21-00708**, Roseann Bertucci, 4259 Kilpatrick St, Port Charlotte – Affidavit of Non-Compliance - \$70.00 SR
30. **COD-18-04132**, James Garland, 1815 Banana St, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 TJ
31. **COD-20-01658**, Juanito Alcaide & Esther Alcaide, 2045 Loveland Blvd, Port Charlotte – Fourth Affidavit of Non-Compliance - \$285.46 TJ

32. **COD-20-02013**, Kenneth Kendall, 1451 Salyers St, Port Charlotte – Affidavit of Non-Compliance - \$70.00 TJ
33. **COD-20-02106**, Barret Roadman, 2294 Highlands Rd or 2298 Highlands Rd, Punta Gorda – Second Affidavit of Non-Compliance - \$4,655.00 TJ
34. **COD-20-02315**, Barrette Guilmette, 23476 Quasar Blvd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 **BARRETTE GUILMETTE PRESENT** TJ
35. **COD-21-00504**, Richard Graham, 27249 Whitman Ave, Punta Gorda – Affidavit of Non-Compliance - \$70.00 TJ
36. **COD-19-01686**, Sarah Facey Trustee, 20570 Tappan Zee Dr, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 ST
37. **COD-20-01543**, Bernard Vonkarstedt Life Estate, 7457 Strasse Blvd, Punta Gorda – Second Affidavit of Non-Compliance - \$4,520.00 ST
38. **COD-20-01601**, Chris Hamlet, 12194 Le Jeune Dr, Punta Gorda – Second Affidavit of Non-Compliance - \$4,520.00 ST
39. **COD-20-03046**, Wayne Thibodeau & Russell Thibodeau, 5400 Swaying Palm Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST
40. **COD-21-00014**, Thomas Milazzo Jr., 2600 Jerry Ave or 501 Oliphant Ln, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST
41. **COD-21-00350**, Michelle Miguel & Mariana Colon, 331 Howard St, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST
42. **COD-21-00764**, Mark Salinardi, 3601 Sleepy Hollow Ln, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST
43. **COD-20-02293**, Clinton Williams, 398 Rio Vista Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
44. **COD-20-02385**, Charlotte Krider EST, 15524 Lime Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
45. **COD-20-02831**, Thomas Tester, 9283 Boots St, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
46. **COD-19-02220**, PRO TAX FINANCIAL LLC, 3141 Crestwood Dr, Port Charlotte – Fifth Affidavit of Non-Compliance - \$210.00 RL
47. **COD-20-00365**, 21323 INVESTMENTS LLC, 21323 Gladis Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$120.00 RL
48. **COD-20-00614**, Stanley Kowalski & Diane Paluszek, 21939 Catherine Ave, Port Charlotte – Seventh Affidavit of Non-Compliance - \$210.00 RL

- 49. **COD-20-00614**, Stanley Kowalski & Diane Paluszek, 21939 Catherine Ave, Port Charlotte – Eighth Affidavit of Non-Compliance - \$210.00 RL
- 50. **COD-20-02797**, Adam Tener, 21370 Percy Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 RL
- 51. **COD-21-00364**, Ryan Stansbury & Taylor Stansbury, 22041 Felton Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 RL
- 52. **COD-21-00483**, Emily Sherfey, 21027 Ionia Ave, Port Charlotte – Affidavit of Non-Compliance - \$120.00 RL

**SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S 9:48AM**

**NEW BUSINESS**

- A. **COD-20-03196**, Matthew Jones, 4043 River Bank Way, Port Charlotte [Sections 3-9-100(f)(15) & 3-9-100(g)] **CONTINUED UNTIL NOVEMBER** GW

**The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.**

- B. **COD-21-01118**, L VITO PROPERTIES LLC, 12721 Gulfstream Blvd, Port Charlotte [Sections 3-5-91, 3-9-100.3(d)(4) & 3-6-24] **Vitali Dirkachek Present** GW

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to apply for a clearing and ROW permit and 240 days to remove or permit the fill or thereafter fined \$100 for each day the violation continues to exist.**

- C. **COD-21-00770**, Robert Menje Jr & Joseph Menje, 3191 or 3195 or 3199 or 3203 Daytona Dr, Punta Gorda [Sections 3-9-5(b), 3-9-33(e), 3-9-76 & 3-9-79.1; & FBC Section 105.1] **ROBERT MENJE PRESENT** TJ

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 180 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.**

- D. **COD-21-00886**, Larry Schwerin & Daine Schwerin, 2456 Triton Ter, Punta Gorda [Sections 2-5-72, 3-9-33(e), 3-9-76 & 3-9-79.1; & IPMC Sections 301.2, 302.7 & 303.2] **DISMISS CODES 2-5-72, 3-9-76 & 3-9-79.1** TJ

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.**

- E. **COD-21-00917**, The Joseph & Rose Deleo Family Limited Partnership, 22204 Olean Blvd, Port Charlotte [Sections **2-5-72, 3-2-214, 3-2-215, 3-9-33(e) & 3-9-76**; & IPMC Sections 301.2, 302.7, 303.1, 303.2 & 304.14] **CONTINUED UNTIL NOVEMBER** TJ

**DISMISS CODES 2-5-72, 3-2-214, 3-2-215, 3-9-33(e) & 3-9-76**

**The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist.**

- F. **COD-21-02148**, THE BUYING COMPANY LLC, 1269 Dorchester St, Port Charlotte [Sections **2-5-72**; & IPMC Sections 301.2 & 302.7] **DISMISS CODE 2-5-72** TJ

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist.**

- G. **COD-21-02175**, Carey Newsome Jr & Susan Hamm, 1492 Pulaski St, Port Charlotte [FBC Sections 105.4, 105.4.1, 105.4.1.1, 105.4.1.2, 105.4.1.3, 105.4.1.4 & 110.3]TJ

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.**

- H. **COD-21-02225**, Casey Claycomb, 21236 Burkhardt Dr, Port Charlotte [Sections 3-6-26, 3-9-33(e), 3-9-76 & 3-9-79.1] TJ

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.**

- I. **COD-21-02341**, Deidre Hanna, Paul Hanna & George Shaw Jr, 20314 Navajo Lane, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] TJ

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.**

- J. **COD-20-02879**, MACLEAN INVESTMENT GROUP LLC, 30080 Bermont Rd, Punta Gorda [Sections 3-9-30(e), 3-9-5(b), 3-5-91; & FBC Section 105.1] ST

**Jeff MacLean Present**

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 90 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.**

- K. **COD-21-01889**, Peter Wickersty & Magali Wickersty, 21081 Edgewater Dr, Port Charlotte [IPMC Section 302.7] PD

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.**

- L. **COD-21-01610**, Juniace Etienne & Hilda Cenecharles, 757 Essex Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76] SR

**Ordered. The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.**

**XII ADJOURNMENT**

**SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 11:01 AM**

**MINUTES APPROVAL CERTIFICATION**

I, Suzan Gowans, Senior Administrative Assistant for Charlotte County, hereby approve and certify these minutes to be true and accurate account of the Code Enforcement Special Magistrate Hearing held on October 6th, 2021.

Suzan Gowans  
Suzan Gowans

October 8, 2021  
Date Approved