

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 NOVEMBER 3, 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.

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
MARIA DI POMPO ADMINISTERED THE OATH
3. NEXT MEETING DATE
DECEMBER 2, 2021

IV. OLD BUSINESS

COD-18-01022, Cynthia Smith, 16060 Hibiscus Dr, Punta Gorda – Fifth Affidavit of Non-Compliance - \$4,520.00 **CONTINUED TO DECEMBER** TJ

COD-21-01485, Janet Lippincott Estate, 1521 Dewitt St, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] JOSEPH LIPPENCOTT PRESENT TJ

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 120 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.

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

ORDERED. The County recommends 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.

V. CONFLICT CASES

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-10-01656**, Robert Gannon, 4386 Sibley Bay St, Punta Gorda – Thirteenth Affidavit of Non-Compliance - \$120.00 PD
2. **COD-15-02774**, Maria Gabaldon, 3115 Newbury St, Port Charlotte – Tenth Affidavit of Non-Compliance - \$70.00 PD
3. **COD-18-00254**, Robert Gannon, 4386 Sibley Bay St, Port Charlotte – Eighth Affidavit of Non-Compliance - \$70.00 PD
4. **COD-19-01989**, Charles Fagundes III, 157 Barre Dr, Port Charlotte – Sixth Affidavit of Non-Compliance - \$70.00 PD
5. **COD-19-02564**, Brad Mackie, 21248 Edgewater Dr, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 PD
6. **COD-20-00176**, Brad Mackie, 21248 Edgewater Dr, Englewood – Fifth Affidavit of Non-Compliance – \$4,520.00 PD
7. **COD-20-00291**, Joyce Parkes, 3370 Idlewild St, Port Charlotte – Fifth Affidavit of Non-Compliance - \$4,520.00 PD
8. **COD-20-01764**, Jeffery Hill & Surendrani Hill, 3236 Depew Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 **JEFFERY & SURENDRANI HILL PRESENT** PD
9. **COD-20-02158**, Paul Duxbury, 609 Ennis Terrace, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 PD
10. **COD-21-01431**, Cynthia Mitchell & Christopher Marquis, 3372 Elkcam Blvd, Port Charlotte – Affidavit of Non-Compliance - \$120.00 PD
11. **COD-21-01519**, Wayne Goss, 109 Concord Dr, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
12. **COD-21-02158**, C. Kenney & B. Worth, 21826 Edgewater Dr, Port Charlotte – Affidavit of Non-Compliance -\$70.00 PD
13. **COD-20-00076**, Renate Sears, 8326 Osprey Rd, Englewood – Second Affidavit of Non-Compliance - \$7,393.50 JD
14. **COD-14-02464**, Marian Kencik & Piotr Lakomiski, 4185 Flamingo Blvd, Port Charlotte – Twelfth Affidavit of Non-Compliance - \$70.00 **MARIAN KENCIK PRESENT** SR
15. **COD-19-00564**, L.D. Howe Trustee, 18292 Yale Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$820.00 **CONTINUED UNTIL DECEMBER** SR

16. **COD-20-00687**, Stephan Annexstein & Rose Sprinkles, 18520 Grand Ave, Port Charlotte – Affidavit of Non-Compliance - \$ 70.00 SR
17. **COD-20-03276**, Frederic Augustin, 17173 Carleen Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 SR
18. **COD-21-00989**, Patrick Howanitz, 18542 Satsuma Ave, Port Charlotte - Affidavit of Non-Compliance – \$70.00 SR
19. **COD-2008-0884**, William Rusch & Janice Rusch, 2501 Sistina St, Port Charlotte – Eleventh Affidavit of Non-Compliance - \$120.00 TJ
20. **COD-16-03588**, Stephen Kennedy & Deborah Kennedy, 1321 Yorkshire St, Port Charlotte – Sixth Affidavit of Non-Compliance - \$70.00 TJ
21. **COD-17-01771**, John Tomoka & Cindy Parker, 3086 Tarrywood Terrace, Port Charlotte – Seventh Affidavit of Non-Compliance - \$70.00 TJ
22. **COD-19-01523**, Kevin Kupper & Wayne Haberkorn 1067 Riggs St, Port Charlotte – Second Affidavit of Non-Compliance - \$70.00 TJ
23. **COD-19-03283**, Corey Collins, 125 Chickering St, Port Charlotte – Fifth Affidavit of Non-Compliance - \$4,520.00 TJ
24. **COD-20-00057**, Rita Gardner Life Estate, 1467 Sheehan Blvd, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 **JOHN DALE PRESENT** TJ
25. **COD-20-00883**, Angelo Auriemma, Salvatore Auriemma & Julia Auriemma, 23245 Billings Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 TJ
26. ~~**COD-20-02106**, Barret Roadman, 2294 or 2298 Highlands Rd, Punta Gorda – Third Affidavit of Non-Compliance – \$205.00~~ **CONTINUED TO FEBRUARY** TJ
27. **COD-21-00486**, Randall West, 3024 Seafarer Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 TJ
28. **COD-21-00964**, Lahoussine Ouzal, 1492 Birchcrest Blvd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 TJ
29. **COD-18-00632**, WATERVIEW PROPERTY OWNERS ASSOC INC, 16120 Eastern Blvd, Port Charlotte – Eighth Affidavit of Non-Compliance - \$120.00 ST
30. **COD-18-01739**, James White & Dorothy White, 4716 Almar Dr, Punta Gorda – Sixth Affidavit of Non-Compliance - \$70.00 ST
31. **COD-21-00147**, David Potts Jr. L/E, 29186 Marylu Ave, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST
32. **COD-21-01383**, Robert Gregory, 9038 Calumet Blvd, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST

33. **COD-17-02521**, PALADIN FINANCIAL INC & ASTORIA HOMES, 3420 Croton Terrace, Port Charlotte – Ninth Affidavit of Non-Compliance - \$210.00 RL
34. **COD-17-03211**, TARPON IV, LLC, 21107 Bersell Ave, Port Charlotte – Fifteenth Affidavit of Non-Compliance - \$210.00 RL
35. **COD-18-03432**, Christine Marfut, 21219 Glendale Ave, Port Charlotte – Seventh Affidavit of Non-Compliance - \$270.00 RL
36. **COD-19-02645**, Oliver Mueller, 22018 Hernando Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 RL
37. **COD-20-01106**, Anne Jimerson, 21553 Gibraltar, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 **ROBERT JIMERSON PRESENT** RL
38. **COD-20-02157**, Tara Weiss, 21914 Haines Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$210.00 RL
39. **COD-21-00037**, Chester Brinson, 2619 Lakeshore Circle, Port Charlotte – Affidavit of Non-Compliance - \$210.00 RL
40. **COD-21-00282**, Roberta Grant, 21243 Austin Ave, Port Charlotte – Affidavit of Non-Compliance - \$120.00 RL
41. **COD-21-02018**, Ronald Rudnick L/E, 2788 Starlite Lane, Port Charlotte – Affidavit of Non-Compliance - \$210.00 RL
42. **COD-20-02112**, Rosie Rouland, Rosilee Rouland, Thelma Rouland, April Poore & Roy Poore, 6200 Padula St, Punta Gorda – Second Affidavit of Non-Compliance - \$4,520.00 BB
43. **COD-17-02922**, Sandra Mashburn, 521 Pompano Terrace, Punta Gorda – Eighth Affidavit of Non-Compliance - \$70.00 GG
44. **COD-17-02677**, Barry Corbett Trustee, 350 Severin Rd, Port Charlotte - Second Affidavit of Non-Compliance - \$4,520.00 **BARRY CORBETT PRESENT CONTINUED UNTIL FEBRUARY** WW
45. **COD-17-03679**, John Scanlon Jr, 22202 Belinda Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 WW
46. **COD-19-02061**, John Scanlon Jr, 22202 Belinda Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 WW
47. **COD-19-02425**, Oleg Gura & Lyubov Gura, 6116 Oarsman St, Port Charlotte – Affidavit of Non-Compliance - \$0.00 **OLEG GURA PRESENT** WW

SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S 10:17AM

NEW BUSINESS

- A. **COD-20-02900**, Oscar Johnson, 20261 Astoria Ave, 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; & ~~IPMC Sections 301.1, 301.2, 304.1 & 304.2~~] **DISMISS IPMC CODES** 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.

- B. **COD-21-02244**, Christopher Trapp & Melissa Trapp, 4150 Enclave Place, Port Charlotte [Section 2-5-72] **CHRISTOPHER TRAPP PRESENT** 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.

- C. **COD-21-01567**, Jean-Yves Hudon, 15044 Elwood Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-5(b); & FBC Section 105.1] ST

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.

- D. **COD-21-00582**, Alexis Garder & Jeremy Sears, 22135 Riverhead Ave, Port Charlotte [FBC Sections 105.4 & 110.3] 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.

- E. **COD-21-01235**, Erica Austin, 660 Floral Lane, Port Charlotte [Sections 3-9-33(e), 3-9-33(d)(7) & 3-9-69] PD

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.

- F. **COD- 20-03108**, Charles Isaac Trustee, 1961 Mississippi Ave, Englewood [Section 3-9-5(b); & FBC Section 105.1] JD

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.

- G. **COD-21-00884**, Matthew Morel & Kiah Morel, 1341 Jefferson Dr, Englewood [Section 3-9-5(b); & FBC Section 105.1] **MATHEW & KIAH MOREL PRESENT** JD

DISMISSED. 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-21-01572**, Susan O'Connor, 1295 Blue Heron Dr, Englewood [Section 3-9-37(e); & IPMC Sections 108.1.1, 108.1.5, 301.2, 302.7, 304.1, 304.1.1(3) & (8), 304.2, 304.4, 304.6, 304.7 & 304.10] JD

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 be fined \$50 for each day a violation exists.

- I. **COD-21-01548**, Tonya Marx, 18049 Cochran Blvd, Port Charlotte [Sections 3-9-5(b), 3-6-21(4), ~~3-9-33(e), 3-9-76 & 3-9-79.1~~] **DISMISS 3-9-33(e), 3-9-76 & 3-9-79.1** SR

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.

- J. **UTL-20-00009**, Carla Kauffman, 1357 Eagle St, Port Charlotte [Section 3-8-41(a)(c)(d)(e)] GR

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 and pay any associated fees to the Charlotte County Utilities; or thereafter be fined \$50 per day for each day a violation exists.

- K. **UTL-21-00006**, FKH SFR PROPCO B-HLD LP, 2582 Lake View Blvd, Port Charlotte [Section 3-8-41(a)(c)(d)(e)] GR

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 and pay any associated fees to the Charlotte County Utilities; or thereafter be fined \$100 per day for each day a violation exists.

- L. **UTL-21-00009**, Grigory Koramblyum & Victoria Koramblyum, 4311 Mills St, Port Charlotte [Section 3-8-41(a)(c)(d)(e)] **VICTORIA KORAMBLYUM PRESENT** GR

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 and pay any associated fees to the Charlotte County Utilities; or thereafter be fined \$50 per day for each day a violation exists.

- M. **COD-20-01756**, ANTHONY'S TOUCH OF CLASS COLLISION CENTER & NANCY BERTUCCI, 18435 Paulson Dr, Port Charlotte [Sections 3-9-100(e)(4&5), 3-9-100(f)(15) & 3-9-100(g)] GW

ORDERED. The County recommends 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.

- N. **COD-21-00939**, Carlos Rosario, 22024 Felton Ave, Port Charlotte [Sections 2-5-72, 3-9-5(b), 3-9-33(e) & 3-9-76; & FBC Section 105.1; & IPMC Sections 108.1, 108.1.5(3), 108.6, 301.2, 301.3, 302.7, 304.1, 304.1.1 (5)(8), 304.2, 304.4, 304.6, 304.7, 304.9, 304.13, 304.15, 305.1, 305.3 & 604.3] RL

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. 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.

- O. **COD-21-01820**, Cecilia Garcia, 2297 Ednor St, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76; & FBC Section 105.1] RL

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.

- P. **COD-21-02465**, Yefim Botvinnik & Yulia Levitski, 22043 Hernando Ave, Port Charlotte [Section 2-5-72] RL

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 \$250 for each day the violation continues to exist. The issuance of a 5-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.

- Q. **COD-21-02497**, PRO TAX FINANICAL LLC, 3141 Crestwood Dr, Port Charlotte [Section 2-5-72] RL

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 \$250 for each day the violation continues to exist. The issuance of a 5-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

- R. **COD-21-02524**, Graydon Young & Stephanie Young, 21330 or 21334 Coulton Ave, Port Charlotte [Sections 2-5-72, 3-9-34(e) & 3-9-76] **STEPHANIE YOUNG PRESENT** RL

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 45 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.

- S. **COD-21-02170**, Tim Denardis & Cassandre Denardis, 4211 Kings Highway, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] JC

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.

- T. **COD-21-01575**, George Nies, 6526 Jack St, Punta Gorda [Sections 3-9-37(e), 3-9-76 & ~~3-9-79.1~~] **DISMISS CODE 3-9-79.1** BB

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.

XII ADJOURNMENT

**SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT
11:18 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 November 3rd, 2021.

Suzan Gowans
Suzan Gowans

November 9, 2021
Date Approved

X NEXT MEETING DATE

December 2, 2021

XII ADJOURNMENT

If any person desires to appeal any decision with respect to any matter considered at these meetings, such person may need a record of the proceedings; for this purpose, such person may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based.