

## 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 APRIL 4, 2024

*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).*

- I. CALL TO ORDER  
**SPECIAL MAGISTRATE MIKE WILSON CALLED THE HEARING TO ORDER AT 9:00 A.M**
- II. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY  
**SUZAN GOWANS ADMINISTERED THE OATH**
- III. NEXT MEETING DATE  
**MAY 1, 2024**
- IV. OLD BUSINESS
- V. CONFLICT CASES

**COD-23-01735**, PROMPT WRECKER SERVICE AND SALES INC., 11040 Pinetrail Rd, Punta Gorda [Sections ~~3-5-91~~, ~~3-9-29(e)~~, ~~3-9-76~~ & ~~3-9-100.3(d)~~; & ~~FBC Sections 105.4 & 110.3~~]

**DISMISSED CODES 3-5-91, 3-9-100.3(d) AND FBC SECTIONS 105.4 & 110.3** JC  
**ORDERED.** The County recommends the Respondent be found in violation of the cited code sections and given 60 days from the date of the Order to bring the property into compliance or thereafter fined \$100 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.

#### **ATTORNEY MICHAEL HAYMAN PRESENT**

**COD-23-01736**, SHARON MURRAY, 11119 or 11129 Tamiami Trail, Punta Gorda [Sections ~~3-5-91~~, ~~3-9-42(e)~~, ~~3-9-76~~ & ~~3-9-100.3(d)~~] JC

**DISMISSED 3-5-91 & 3-9-100.3(d)**  
**ORDERED.** The County recommends the Respondent be found in violation of the cited code sections and given 60 days from the date of the Order to bring the property into compliance or thereafter fined \$100 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-21-02767**, Joseph Casey, 12031 Green Gulf Blvd, Punta Gorda [Section 3-9-5(b); & FBC Section 105.1] RM

**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.**

**COD-24-00104**, Samuel Piazza, 11889 Xavier Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76] ST

**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.**

**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-22-01126**, Marlene Sebasty & Debra Huff, 28374 Pasadena Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 GR
2. **COD-22-01401**, Mirlande Valere & Yves Valere, 3402 Idlewild St, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 PD
3. **COD-22-02091**, Mark Kiel & Donna Schwan, 144 Barre Dr, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 PD
4. **COD-23-00269**, DJC ESTATES LLC, 4492 Ganyard St, Port Charlotte – Third Affidavit of Non-Compliance - \$120.00 **DARRIN SCHUTT PRESENT CONTINUED** PD
5. **COD-23-01368**, TRUST NUMBER 4333 L.D. HOWE TRUSTEE, 4333 Eaglet Rd, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 PD
6. **COD-23-01369**, TRUST NUMBER 4325 L.D. HOWE TRUSTEE, 4325 Eaglet Rd, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 PD
7. **COD-23-02363**, Michael Barrett, 3370 Idlewild St, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
8. **COD-23-02506**, Jean Guillaume, 22545 Utica Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
9. **COD-20-02070**, Austen Hammer, 21405 Midway Blvd, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 JCM
10. **COD-21-01903**, Abdal Rahim Zaben, 2162 Lakeshore Circle, Port Charlotte – Fifth Affidavit of Non-Compliance – \$4,520.00 JCM

11. ~~COD-21-02839~~, Samantha Otten, Shaylee Harris & Sydnee Harris, 21467 Glendale Ave, Port Charlotte – Fourth Affidavit of Non-Compliance – \$70.00 ~~DISMISSED~~ JCM
12. ~~COD-22-02192~~, Caelee Beatty Trustee, 21219 Meehan Ave, Port Charlotte – Second Affidavit of Non-Compliance – \$4,520.00 ~~DISMISSED~~ JCM
13. **COD-18-04132**, James Garland, 1815 Banana St, Port Charlotte – Ninth Affidavit of Non-Compliance - \$70.00 TJ
14. **COD-20-02885**, Mauricio Gutierrez & Sheila Escobar, 21439 Carlton Ave, Port Charlotte – Fifth Affidavit of Non-Compliance - \$4,520.00 TJ
15. **COD-22-00421**, Mauricio Gutierrez & Sheila Escobar, 21439 Carlton Ave, Port Charlotte – Fifth Affidavit of Non-Compliance - \$4,520.00 TJ
16. **COD-22-00847**, James Garland, 1815 Banana St, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 TJ
17. **COD-22-01343**, Maureen Townsend, 2957 Peace River Dr, Punta Gorda -Fourth Affidavit of Non-Compliance - \$120.00 TJ
18. **COD-23-00995**, Mauricio Gutierrez & Sheila Escobar, 21439 Carlton Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 TJ
19. **COD-23-01396**, UNIQUE PAINTING INVESTMENTS LLC, 3360 Peace River Dr, Punta Gorda – Second Affidavit of Non-Compliance - \$9,020.00 TJ
20. **COD-23-01885**, Jaime Baldizon, 23013 Alabaster Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 TJ
21. **COD-22-00164**, Carol Martin & Pamela Donlan, 7500 Park Pointe Dr, Unit 5, Englewood – Fourth Affidavit of Non-Compliance - \$4,520.00 JD
22. **COD-23-00415**, Michelle Saunders, 1279 Flamingo Dr, Englewood – Affidavit of Non-Compliance - \$70.00 **MICHELLE SAUNDERS PRESENT** JD
23. **COD-23-00554**, Carolyn Herman, 6300 Bunting Lane, Englewood – Affidavit of Non-Compliance - \$70.00 JD
24. **COD-23-01490**, Arleen Bryant, Olin Garren, Bruce Porter & Terry Porter, 761 Baja Viejo, Englewood – Affidavit of Non-Compliance - \$70.00 **BRUCE PORTER PRESENT** JD
25. **COD-23-01710**, Andrey Gladkov, 10348 Kidron Ave, Englewood – Affidavit of Non-Compliance - \$70.00 JD
26. **COD-14-02464**, Marian Kencik & Piotr Lakomiski, 4185 Flamingo Blvd, Port Charlotte – Sixteenth Affidavit of Non-Compliance - \$70.00 DF

- 27. **COD-22-01374**, Gary Alexander & Judith Alexander, 18321 Wolbrette Circle, Port Charlotte – Fourth Affidavit of Non-Compliance - \$120.00 **GARY ALEXANDER PRESENT** DF
- 28. **COD-22-01525**, William Fitch, 1140 Aletha Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 DF
- 29. **COD-23-01986**, Peter Ruggeri, 3447 Yukon Dr, Port Charlotte – Second Affidavit of Non-Compliance - \$ 4,520.00 DF
- 30. **COD-23-00348**, Chi Kim Le, 29137 Orva Dr, Punta Gorda – Second Affidavit of Non-Compliance - \$4,520.00 RH
- 31. **COD-23-00887**, Neida Lopez, 29290 Clara Dr or 8268 Gewant Blvd, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RH
- 32. **COD-23-02007**, Karl Brown Jr., 4349 Riverside Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RH
- 33. **COD-22-00406**, R.P. HUGHES & COMPANY LLC, 102 Harness or 13 Freeboard Rd, Placida – Third Affidavit of Non-Compliance - \$120.00 **RADER HUGHES PRESENT**  
JC

**SPECIAL MAGISTRATE MIKE WILSON APPROVED ALL OTHER ANC'S AT 9:37AM**

**VII. NEW BUSINESS**

- A. **COD-22-00967**, Jason Warram & Jessica O'Sell, 1488 or 1492 Flarian Dr, Punta Gorda [Sections 3-5-91, 3-9-100.3(d) & 3-5-268] **JASON WARRAM PRESENT** GW  
**CONTINUED UNTIL MAY**  
**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-23-02317**, John Res, 1551 or 1555 Belasco Ct, Punta Gorda [Sections 3-5-91, 3-9-100.3(d) & 3-5-268] 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 bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.**
- C. **COD-23-02597**, Migdalia Velazquez, 28384 Seal Court, Punta Gorda [Section 3-9-76] 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 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-23-02024**, Alan Partee, 1243 Casper St, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] **TAMARA & JOSHUA GARDNER PRESENT** ST

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 60 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-23-02682**, Tamara Gardner & Joshua Gardner, 1233 Casper St, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] ST

**TAMARA & JOSHUA GARDNER PRESENT**

**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-23-02764**, Sheila Foley, 5384 Burgner St, Port Charlotte [FBC Section 454.2.17; & IPMC Sections 301.2, 302.7, 303.1 & 303.2] 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 per day for each day the violation continues to exist.**

- G. **COD-23-02890**, Daniel Covelli, 17347 Wellsley Ave, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] **DANIEL COVELLI PRESENT** 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 per day for each day the violation continues to exist.**

- H. **COD-23-02950**, Vanessa Franklin, 350 Salisbury St, Port Charlotte [Sections 3-9-5(b), 3-9-76 & 3-9-79.1; & FBC Section 105.1] **VANESSA FRANKLIN PRESENT** ST

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 60 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-23-02954**, Jason Cotte & Joan Kuntsman, 4134 Hollis Ave, Port Charlotte [Sections 3-9-5(b), 3-9-76 & 3-9-79.1; & FBC Section 105.1] ST

**JASON COTTE PRESENT**

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 10 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.**

- J. **COD-24-00072**, Albert Pagnotta L/E, 381 La Playa Lane, Port Charlotte [Sections 3-9-33(e) & 3-9-76] ST

**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.**

- K. **COD-24-00250**, Christopher Morgan & Julie Brown, 10481 St. Paul Dr, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] **JULIE BROWN PRESENT** 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. The issuance of a 2-year cease and desist order for any repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.**

- L. **COD-23-02668**, Donald McGeachy & Eugenie McGeachy, 1051 Venture Court, Punta Gorda [Section 3-9-5(b); & FBC Section 105.1] 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.**

- M. **COD-23-02138**, Donald Vaughn Jr. & Kelly Vaughn, 5680 Sabal Palm Lane, Punta Gorda [Sections 3-9-32(e) & 3-9-76] **DONALD VAUGHN JR PRESENT** RH

**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.**

- N. **COD-23-02605**, Kristie Lavigne, 12267 Borax Ave, Punta Gorda [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] **KRISTIE LEVIGNE PRESENT** RH

**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.**

- O. **COD-23-02739**, Sonya Unger, 15531 Mango Dr, Punta Gorda [Section 3-9-37(e) & 3-9-76 & 3-9-79.1] **SONYA UNGER PRESENT** RH

**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.**

- P. **COD-23-02297**, Victoria Caraway, 22095 Marshall Ave, Port Charlotte [Sections 3-9-33(e), 3-9-79.1 & 3-9-76] JCM

**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.**

- Q. **COD-23-02516**, JJMC REAL ESTATE LLC, 22024 Felton Ave, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] **CONTINUED UNTIL MAY** JCM

**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 per day for each day the violation continues to exist.**

- R. **COD-23-02917**, THE BUYING COMPANY LLC, 3132 Crestwood Dr, Port Charlotte [Sections 3-9-5(b); & FBC Section 105.1; & IPMC Sections 301.2, 302.7, 304.1, 304.1.1, 304.2, 304.6, 304.13 & 304.13.1] JCM

**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 per day for each day the violation continues to exist.**

- s. **COD-22-02349**, Umar Farooq, 28498 Silver Palm Dr, Punta Gorda [Sections 3-6-24, 3-9-5(b) & 3-9-33(e); & FBC Section 105.1] RM

**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.**

- t. **COD-24-00314**, Virgil Thomas, 28128 Senator Dr or 12493 Mizell Ave, Punta Gorda [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] RM

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 5 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.**

- u. **COD-23-01106**, Thomas Moore & Catherine Moore, 1475 Flamingo Dr, Lot 302, Englewood [Section 3-9-5(b); & FBC Section 105.1] JD

**CHUCK MINOR PRESENT**

**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.**

- v. **COD-23-01351**, Anthony Caputo L/E, 1 Clubhouse Rd, Rotonda West [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 301.2, 302.7, 303.1, 304.1, 304.2, 304.6 & 304.7] 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 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.**

- w. **COD-24-00081**, Compton Griffith & Andrea Griffith, 4366 Pates St, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] DF

**ANDREA & COMPTON GRIFFITH PRESENT**

**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.**



XII ADJOURNMENT

**SPECIAL MAGISTRATE MIKE WILSON ADJOURNED THE HEARING AT 12:03PM.**

**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 April 4, 2024.

Suzan Gowans  
Suzan Gowans

04/05/2024  
Date Approved

**NEXT MEETING DATE**

May 1, 2024

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.