

## 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 MAY 1, 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 DEREK ROONEY 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

**JUNE 5, 2024**

#### IV. OLD BUSINESS

**COD-22-00967**, Jason Warram & Jessica O'Sell, 1488 or 1492 Flarian Dr, Punta Gorda  
[Sections 3-5-9, 3-9-100.3(d) & 3-5-268] **CONTINUED UNTIL JUNE 5, 2024** GW

**The County recommends 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.**

#### 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-18-03868**, RETIREMENT REAL ESTATE MANAGEMENT LLC, 2634 or 2636 or 2638 or 2640 or 2642 or 2646 Highlands Rd, Punta Gorda – Ninth Affidavit of Non-Compliance - \$120.00  
GW
2. **COD-21-02305**, Sergey Prokopets, 9057 or 9065 Avalon Ave, Englewood – Sixth Affidavit of Non-Compliance - \$70.00  
GW
3. **COD-22-01544**, Brock Houser & Erin Houser, 14350 Burnt Store Rd, Punta Gorda – Second Affidavit of Non-Compliance - \$4,520.00  
GW

4. **DOH-23-00017**, Tracy Blackburn, 2268 Collingswood Blvd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 GR
5. **PUO-23-00004**, John Suiter & Joyce Suiter, 471 Bocilla Dr, Placida – Third Affidavit of Non-Compliance - \$70.00 GR
6. **COD-19-01792**, Thomas Hamilton & Sherry Hamilton, 127 Rodgers Ave, Port Charlotte – Eighth Affidavit of Non-Compliance - \$120.00 PD
7. **COD-22-00924**, Charles Fagundes III, 157 Barre Dr, Port Charlotte – Fourth Affidavit of Non-Compliance - \$5,600.59 PD
8. **COD-22-01218**, James Verhoeven, 4377 Sibley Bay St, Port Charlotte – Sixth Affidavit of Non-Compliance - \$1,402.58 PD
9. **COD-23-00269**, DJC ESTATES LLC, 4492 Ganyard St, Port Charlotte – Third Affidavit of Non-Compliance - \$120.00 PD
10. **COD-22-02391**, ICON PALERMO HOLDINGS LLC, 22505 Catherine Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$120.00 JCM
11. **COD-23-01380**, Tara Weiss, 21914 Haines Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$250.00 JCM
12. **COD-23-01484**, BUMFORD NP LLCA, 21622 Augusta Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 JCM
13. **COD-23-02365**, LIMANS 024 LLC, 2144 Harbor Blvd, Port Charlotte – Affidavit of Non-Compliance - \$120.00 JCM
14. **COD-16-03588**, Stephen Kennedy & Deborah Kennedy, 1321 Yorkshire St, Port Charlotte - Eleventh Affidavit of Non-Compliance - \$70.00 TJ
15. **COD-22-02471**, SYNERGY MANAGEMENT GROUP LLC, 27218 Sunnybrook Rd, Unit A or Unit B or 27226 Sunnybrook Rd, Unit A or Unit B, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 TJ
16. **COD-23-00419**, Maliki Wilkinson, 1352 or 1356 or 1360 Danilova Dr or 1373 or 1377 Flodden Dr or 27156 or 27172 Amsterdam Dr, Punta Gorda – Third Affidavit of Non-Compliance - \$70.00 TJ
17. **COD-23-00545**, Isabel Gonzalez & Reidy Gonzalez, 23194 Midway Blvd, Port Charlotte – Third Affidavit of Non-Compliance - \$120.00 TJ
18. **COD-23-01074**, Laurence Allen & Patric Allen, 24247 Riverfront Dr, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 TJ
19. **COD-23-01229**, Michelle Whaley, 3082 Perdue Terrace, Punta Gorda – Second Affidavit of Non-Compliance - \$4,520.00 TJ

20. **COD-23-01290**, Christopher Beers, 370 Blarney St, Port Charlotte – Affidavit of Non-Compliance - \$120.00 TJ
21. **COD-23-01584**, Patsy Crews, 2134 Alaric St, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 TJ
22. **COD-23-01721**, IT'S WHERE IN THE SKY LLC, 27101 Sunnybrook Rd, Punta Gorda – Second Affidavit of Non-Compliance - \$9,020.00 TJ
23. **COD-23-01817**, JASPER STONES INVESTMENTS LLC, 2334 Dorsey Dr, Punta Gorda – Second Affidavit of Non-Compliance - \$9,020.00 TJ
24. **COD-23-01933**, Jose Ramos-Mercado & Yamila Jimenez, 370 Hyacinth St, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 TJ
25. **COD-23-02240**, Dennis Martin & Donna Martin, 2315 Beacon Dr, Port Charlotte – Affidavit of Non-Compliance - \$70.00 TJ
26. **COD-21-01572**, Susan O'Connor, 1295 Blue Heron Dr, Englewood – Fifth Affidavit of Non-Compliance - \$ 70.00 JD
27. **COD-22-00153**, Darryl Blech & Helen Rae Blech Trustees, 274 Long Meadow Lane, Rotonda West – Second Affidavit of Non-Compliance - \$4,520.00 JD
28. **COD-22-01383**, Millicent Campbell, 4225 Rose Arbor Circle, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 DF
29. **COD-23-01672**, SDJ MANAGEMENT INC, 17090 Edgewater Dr, Port Charlotte – Affidavit of Non-Compliance - \$20.00 DF
30. **COD-23-02008**, William Wood & Cynthia Dunn, 19374 Abhenry Circle, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 DF
31. **COD-23-02143**, Dionisio Montes, 17413 Sabrina Circle, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 DF
32. **COD-20-01464**, Christopher Slattery & Alicia May, 43014 Wiregrass Lane, Punta Gorda – Fourth Affidavit of Non-Compliance - \$70.00 RH
33. **COD-23-00553**, Corey Till & Crissy Cardone, 28442 Coco Palm Dr, Punta Gorda – Affidavit of Non-Compliance - \$20.00 RH
34. **COD-23-01514**, Troy Hayes, 8084 Austrian Blvd, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RH
35. **COD-23-02193**, Mark Schmitt, 11406 or 11410 Second Ave, Punta Gorda, Affidavit of Non-Compliance - \$70.00 RH
36. **COD-23-02992**, Benjamin Todd Trustee, 27054 San Pablo Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RH

- 37. **COD-23-01738**, Karla Pina, 2635 Placida Rd, Englewood – Affidavit of Non-Compliance - \$120.00  
JC
- 38. **COD-22-01842**, Kim Fenderson & Marcia Wood, 6034 Quince St, Punta Gorda – Second Affidavit of Non-Compliance - \$4,891.32  
RM

**SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S AT 10:14AM**

**VII. NEW BUSINESS**

- A. **COD-23-02510**, Robert Walker, 223 Summerset Dr, Punta Gorda [Sections 3-9-5(b), 3-5-91, 3-9-100.3(d), 3-9-33(e), 3-9-76, 3-9-79.1; & FBC Section 105.1] GW

**ROBERT WALKER 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 \$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.**

- B. **COD-23-02971**, Freyre Mendez, 16070 Goldenrod Dr, Punta Gorda [Sections 3-5-91, 3-9-100.3(d), 3-9-30(e), 3-9-79.1 & 3-9-76] **FREYRE MENDEZ PRESENT** GW

**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.**

- C. **COD-23-02885**, Jason Thomsen, 15460 Gregus Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e), 3-9-76, 3-9-79.1 & 3-9-100.3(d)] 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 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-24-00005**, LMD GROUP INVESTMENTS CORP, 21668 Edgewater Dr, Port Charlotte [IPMC Sections 303.1 & 303.2] 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 \$100 per day for each day the violation continues to exist.**

E. **COD-24-00555**, Alan Leitschuh, 834 Conreid Dr, Port Charlotte [Sections 3-9-33(e), 3-9-76]  
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 \$100 per day 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.**

F. **COD-23-02011**, Eric Dillman & Paula Dillman, 26541 Valparaiso Dr, Punta Gorda [IPMC Sections 301.2 & 303.2]  
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.**

G. **COD-24-00375**, Alexis Cabrera & Onaisy Exposito, 1301 Hinton St, 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 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.**

H. **COD-24-00486**, IGS HOMES LLC, 27121 or 27127 Ann Arbor Ave, 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 15 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.**

I. **COD-24-00604**, Rocco Pennella, 27378 Bayway Court, Punta Gorda [Sections 3-9-33(e) & 3-9-79.1]  
**ROCCO PENNELLA PRESENT**  
TJ

**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.**

J. **COD-23-03067**, Paul Poorbaugh, 7208 Alan Blvd, Punta Gorda [Sections 3-9-5(b) & 3-9-30(e); & FBC Sections 105.1, 105.4.1 & 110.3] RH

**PAUL POORBAUGH PRESENT**

**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.**

K. **COD-24-00055**, Nichole Tindall, 6452 Austrian Blvd, Punta Gorda [Sections 3-5-91, 3-9-30(e), 3-9-76 & 3-9-100.3(d)] 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.**

L. **COD-22-02248**, Susan Parsons Trust, 2353 Wiley St, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] 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 \$50 for each day the violation continues to exist.**

M. **COD-23-01077**, Joseph Obey, 30 Oakland Hills Ct, Englewood [Sections 3-9-5(b), 3-9-33(e) & 3-9-76; & FBC Section 105.1; & IPMC Sections 301.2, 302.7, 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 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.**

N. **COD-23-02838**, Julie Ann Holmes, 1966 Florida Ave, Englewood [Sections 2-5-72, 3-9-37(e) & 3-9-76; & IPMC Sections 108.1, 108.1.1, 108.1.2, 108.1.3, 108.6, 110.1, 110.2, 110.3, 110.4, 301.2, 301.3, 302.3, 302.7, 304.1 & 304.1.1] JD

**JULIE ANN HOLMES 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 \$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.**

- O. **COD-22-01447**, Carlos Marrero Jr. & Jennifer Marrero, 2039 Carpetgreen St, Port Charlotte [Section 3-9-5(b); & FBC Sections 105.1, 105.4 & 110.3] DF

**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.**

- P. **COD-23-02969**, Karl Anderson Sr. Trustee, 18334 Arapahoe Circle, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] DF

**DISMISSED  
BARBARA ANDERSON PRESENT**

**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-24-00453**, Simone Montinat, 1149 Vernon Ave, Port Charlotte [Sections 3-6-24, 3-6-33(e), 3-9-76 & 3-9-79.1] DF

**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 \$100 per day 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-24-00480**, Robert Miller Jr. & Gabriella Miller, 2001 Cannolot Blvd, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] DF

**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 \$100 per day 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.**

- S. **COD-23-02713**, Dennis Simmons & Mary Lou Simmons, 14355 Jamison Way, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1; & IPMC Sections 108.1, 108.1.1, 108.1.2, 108.1.3, 108.1.5, 108.2, 108.2.1, 108.3, 108.6, 110.1, 301.2, 301.3, 304.1, 304.1.1, 304.2, 304.6, 304.7, 304.9, 305.1 & 305.1.1] 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 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.**

T. **COD-23-03015**, James Godwin & Rita Godwin, 4273 Nettle Rd, Port Charlotte [Sections 3-9-37(e) & 3-9-76] 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.**

U. **COD-23-03017**, David Kimbel, 4164 Nettle Rd, Port Charlotte [Sections 3-9-37(e) & 3-9-76] **DAVID KIMBEL PRESENT** ST

**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 and 120 days to obtain a permit 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.**

V. **COD-24-00155**, Evelyn Bustinera A.K.A. Evelyn Lindsey & Orlando Rondon, 20348 Quesada Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76] ST

**EVELYN BUSTINERA PRESENT**

**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 \$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-24-00338**, PORT CHARLOTTE FREEDOM INVESTMENTS LLC, 8373 or 8375 Agate St, Port Charlotte [Sections 3-9-34(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 \$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.**

X. **COD-23-02235**, BEACHCOMBER BAYFRONT OF MANISOTA KEY LLC, 165 Stanford Dr, Units A & B, Englewood [Sections 3-5-478 & 3-9-50] WW

**PETER AND CAROL HAGEMANN 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 per day for each day the violation continues to exist. CODE 3-5-478 DISMISSED**



Y. **COD-23-02856**, Lancelot O'Connor, 7427 Sea Mist Dr, Port Charlotte [Section 3-6-24(a)1]  
WW

**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.**

Z. **COD-24-00260**, Juan Miguel Gonzalez, 5993 Sabalwood Dr, Punta Gorda [Sections 3-6-26 & 3-6-24]  
WW

**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.**

AA. **COD-24-00523**, Bruce Mathews Jr & Valerie Miller, 1613 Hickory Ave, Punta Gorda [IPMC Sections 301.2, 302.7, 304.6 & 604.3]  
MG

**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.**

## XII ADJOURNMENT

**SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 12:15PM.**

### 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 May 1, 2024.

Suzan Gowans  
Suzan Gowans

05/02/24  
Date Approved

### NEXT MEETING DATE

JUNE 5, 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.