

# MINUTES

## CHARLOTTE COUNTY CODE ENFORCEMENT BOARD MEETING

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

June 1, 2011, 9:00 a.m.

❖*Cases may not always be heard in the order as they appear on the agenda*❖

### I. CALL TO ORDER

Chairman *Alan LeBeau* called the meeting to order at 9:00 am.

### II. ROLL CALL

#### Members Present:

Alan LeBeau  
Richard Adomatis  
Kathy Damewood  
Joan Hayes  
Charles Lindberg

#### Excused Absence

Suzy Hackett

### III. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY

*Mike Wilson*, Board Attorney, administered oath to those who gave testimony.

### IV. NEXT MEETING DATE

July 6, 2011

### V. APPROVAL OF MINUTES

*Kathy Damewood* moved to approve the minutes of **May 5, 2011**. The motion was seconded by *Joan Hayes* and was passed unanimously

### VI. AGENDA CHANGES

**Case No. 2009-05-0083C**, *Ralph U. Meaney, Alexandra J. Urquhart, & Whittmer & Linehane, 1161 Presque Isle Drive, Port Charlotte - Third Affidavit of Noncompliance - \$7,218.50. – Dismissed due to new owner*

**Case No. COD-11-01005**, *Christopher Morgan & Kimberly Eckman, 10481 St. Paul Drive, Port Charlotte [Sections 3-9-32(d), 3-9-61, & 3-9-82.1; & FBC Section 424.2.17.1 & IPMC Sections 301.2 & 303.2] – Property in compliance case dismissed.*

**VII. 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 a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately. **Each case has been assessed with an additional \$18.50 for the cost of recording the lien.**

❖ Upon the request of the Board, the County, or the Respondent(s) those cases were pulled for discussion.

- A. ❖ **Case No. 2008-898**, Valeri Conger, 22396 Nyack Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$31,318.50.
- B. ❖ **Case No. 2008-961**, Carl Lowe, 3835 Bravo Road, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- C. ❖ **Case No. 2009-193**, Joshua Emil & Deja Emil, 611 Eifel Terrace, Port Charlotte – Third Affidavit of Noncompliance - \$10,218.50.
- D. ❖ **Case No. 2009-308**, Jose Feliciano, Jr. & Ewa Syrociak-Feliciano, 18554 Satsuma Avenue, Port Charlotte – Fourth Affidavit of Noncompliance - \$9,118.50.
- E. ❖ **Case No. 2009-361**, Paul Brooks, 1180 Belmar Avenue, Port Charlotte – Fourth Affidavit of Noncompliance - \$10,318.50.
- F. **Case No. 2009-403**, Frederick Szlachcic, 1409 Yorkshire Street, Port Charlotte – Third Affidavit of Noncompliance - \$7,618.50.
- G. **Case No. 2009-407**, Lynn Geiger & Esterlita Geiger, 943 Red Bay Terrace, Port Charlotte - Affidavit of Noncompliance - \$138.50.
- H. **Case No. 2008-10-0323C**, Edward DeBarr & Colleen DeBarr, 9420 Rum Runner Road, Placida – Affidavit of Noncompliance - \$118.50.

- I.     ❖**Case No. 2009-05-0083C**, Ralph U. Meaney, Alexandra J. Urquhart, & Whittmer & Linehane, 1161 Presque Isle Drive, Port Charlotte - Third Affidavit of Noncompliance - \$7,218.50.
- J.     ❖**Case No. 2009-07-0127C**, Teresa N. Lucree., 254 West Tarpon Boulevard, Port Charlotte – Third Affidavit of Non Compliance - \$16,461.68.
- K.     **Case No. 2009-08-0041C**, Dean Parris, 23200 Fullerton Avenue, Port Charlotte – Affidavit of Non Compliance - \$371.70.
- L.     **Case No. 2009-08-0243C**, Cine Branham, 3300 Acline Road, Punta Gorda – Affidavit of Non Compliance - \$118.50.
- M.     **Case No. 2009-10-0060C**, Peter Kovitch, Jr. & Christina Kovitch, 23217 Troy Avenue, Punta Gorda – Affidavit of Non Compliance - \$118.50.
- N.     **Case No. 2009-10-0167C**, Christopher Clark Minter, Jr., 2387 Alda Lane, Port Charlotte – Second Affidavit of Non Compliance - \$3,218.50.
- O.     **Case No. COD-10-00024**, Alitazh Owens, as Trustee of the 21298 Gladis Avenue Residential Land Trust, 21298 Gladis Avenue, Port Charlotte – Third Affidavit of Non Compliance - \$7,518.50.
- P.     **Case No. COD-10-00064**, John Clemens & Steve Clemens, 254 Salem Avenue, Port Charlotte – Second Affidavit of Non Compliance - \$218.50.
- Q.     **Case No. COD-10-00255**, Jerry L. McWilliams & Pamela J. McWilliams, 22600 Morocco Avenue, Port Charlotte – Affidavit of Non Compliance - \$668.50.
- R.     **Case No. COD-10-00298**, Bobby R. Grainger, 8345 Nolan Drive, Port Charlotte – Affidavit of Non Compliance - \$118.50.
- S.     **Case No. COD-10-00500**, Washington Mutual, James E. Hall and Diana Cotey Hall, 1150 Shore View Drive,

*Englewood – Affidavit of Non Compliance - \$218.50.*

- T. **Case No. COD-10-00543**, Peter Gilmore, 21515 Beaverton Avenue, Port Charlotte - Affidavit of Non Compliance - \$38.50
- U. **Case No. COD-10-00585**, Craig Spencer, Diana Spencer, & The Bank of New York Mellon, 2304 Dallas Street, Port Charlotte – Second Affidavit of Non Compliance - \$2,438.50
- V. ❖**Case No. COD-10-00630**, Deutsche Bank National Trust Company, 1010 Kensington Street, Port Charlotte – Second Affidavit of Non Compliance - \$12,218.50.
- W. **Case No. COD-10-00639**, P.J.M. Properties, LTD, A United Kingdom Corporation, 27 Medalist Terrace, Rotonda West – Affidavit of Non Compliance - \$218.50.
- X. ❖**Case No. COD-10-00642**, Sharon Zeller & BAC Home Loans Servicing, 21123 Gephart Avenue, Port Charlotte – Affidavit of Non Compliance - \$118.50.
- Y. ❖**Case No. COD-10-00714**, Dennis Cravens & Gwenith Cravens, 27373 Sandrala Drive, Punta Gorda – Affidavit of Non Compliance - \$118.50.
- Z. **Case No. COD-10-00792**, Monica Quintana & US Bank National Association, 3436 Lucerne Terr, Port Charlotte– Affidavit of Non Compliance - \$135.50.
- AA. **Case No. COD-10-00824**, Timothy Jarret & Theres Jarret, 6239 Sturgis Street, Englewood – Affidavit of Non Compliance - \$472.50.
- BB. ❖**Case No. COD-10-00829**, Guy Gerber, 390 Duxbury Avenue, Port Charlotte– Affidavit of Non Compliance - \$18,273.38.
- CC. **Case No. COD-10-00855**, Joseph Cusker & Mary Cusker, 21043 Cascade Avenue, Port Charlotte – Affidavit of Non Compliance - \$141.50.
- DD. **Case No. COD-10-00953**, Steven Blake and Heather Julian, 3397 Croton Terrace, Port Charlotte – Affidavit

of Non Compliance - \$469.75.

- EE. **Case No. COD-10-00955**, John Coffin & Cynthia Coffin, 102 Curtis Terrace, Port Charlotte – Affidavit of Non Compliance - \$118.50.
- FF. **Case No. COD-10-01010**, Joseph A. Gaeta, WM Specialty Mortgage LLC & JPMC Specialty Mortgage LLC, 22241 Beverly Avenue, Port Charlotte – Affidavit of Non Compliance - \$838.50.
- GG. **Case No. COD-10-01023**, Jolanta Matysiak, 24 Binnacle Road, Rotonda – Affidavit of Non Compliance - \$138.50.
- HH. ❖**Case No. COD-10-01060**, Joshua Grine & BAC Home Loans Servicing, 22258 Beverly Avenue, Port Charlotte – Affidavit of Non Compliance - \$118.50.
- II. **Case No. COD-10-01087**, Joseph Mann, Karla Mann, & BAC Home Loans Servicing, 21540 Olean Boulevard, Port Charlotte – Affidavit of Non Compliance - \$118.50.
- JJ. **Case No. COD-10-01120**, James Aldrich & Faye Aldrich, 2411 Ambrose Lane, Port Charlotte – Affidavit of Non Compliance - \$434.56.
- KK. **Case No. COD-10-01121**, U.S. Bank National Association, 2424 Warne Street, Port Charlotte – Affidavit of Non Compliance - \$567.25.
- LL. ❖**Case No. COD-10-01584**, Tiernan Corrigan & Elizabeth Corrigan, 18343 Lingerlon Avenue, Port Charlotte – Affidavit of Non Compliance - \$118.50.
- MM. **Case No. COD-11-00033**, Fannie Mae, a/k/a Federal National Mortgage Assoc., 533 Orange Drive, Port Charlotte – Affidavit of Non Compliance - \$218.50.

*Kathy Damewood* moved to approve the fines as stated in the Affidavits of Noncompliance with the exception of **Case No. 2008-961**, **Case No. COD-10-00642**, **Case No. COD-10-00714**, **Case No. COD-10-01060**, **Case No. COD-10-01060**, and **Case No. COD-10-01584**. The motion was seconded by *Richard Adomatis* and was passed unanimously.

*Richard Adomatis* moved to forward **Case No. 2008-898, Case No. 2009-193, Case No. 2009-308, Case No. 2009-361, Case No. 2009-07-0127C, Case No. COD-10-00630, and Case No. COD-10-00829** to the Board of County Commissioners for further consideration of a foreclosure action or an injunction. The motion was seconded by *Joan Hayes* and was passed unanimously.

❖**Case No. 2008-961**, Carl Lowe, 3835 Bravo Road,  
Port Charlotte – Affidavit of Noncompliance - \$118.50.

*Jeanette Gadsden*, Case Manager, represented Carl Lowe in this matter. She provided testimony to the Board.

*Dan DeValk* Certified Code Compliance Officer provided testimony.

*Kathy Damewood* moved to approve the Affidavit of Noncompliance. The motion was seconded by *Richard Adomatis* and was passed unanimously.

❖**Case No. COD-10-00642**, Sharon Zeller & BAC  
Home Loans Servicing, 21123 Gephart Avenue, Port  
Charlotte – Affidavit of Non Compliance - \$118.50.

Counsel for the lender was present and provided testimony to the Board.

*Rhonda Leonard* Certified Code Compliance Officer provided testimony.

*Kathy Damewood* moved to approve the Affidavit of Noncompliance. The motion was seconded by *Richard Adomatis* and was passed unanimously.

❖**Case No. COD-10-00714**, Dennis Cravens &  
Gwenith Cravens, 27373 Sandra Drive, Punta  
Gorda – Affidavit of Non Compliance - \$118.50.

*Dennis Cravens* provided testimony to the Board.

A discussion took place regard whether or not the property is in compliance.

**Tom Gravagna** Certified Code Compliance Officer provided testimony.

**Kathy Damewood** moved to approve the Affidavit of Noncompliance. The motion was seconded by **Richard Adomatis** and was passed unanimously.

❖**Case No. COD-10-01060, Joshua Grine & BAC**  
*Home Loans Servicing, 22258 Beverly Avenue, Port*  
*Charlotte – Affidavit of Non Compliance - \$118.50.*

Counsel for the lender was present and provided testimony to the Board.

**Rhonda Leonard** Certified Code Compliance Officer provided testimony.

**Charles Lindberg** moved to approve the Affidavit of Noncompliance. The motion was seconded by **Kathy Damewood** and was passed unanimously.

❖**Case No. COD-10-01584, Tiernan Corrigan &**  
*Elizabeth Corrigan, 18343 Lingerlon Avenue, Port*  
*Charlotte – Affidavit of Non Compliance - \$118.50.*

**Tiernan Corrigan** provided testimony to the Board. He stated that he will have the fence completed by the end of June.

**Lyndon Reinwald** Certified Code Compliance Officer provided testimony.

**Richard Adomatis** moved to DENY the Affidavit of Noncompliance. The motion was seconded by **Kathy Damewood** and was passed unanimously.

❖**Case No. COD-10-00064, John Clemens & Steve**  
*Clemens, 254 Salem Avenue, Port Charlotte –*  
*Second Affidavit of Non Compliance - \$218.50.*

**Kathy Damewood** moved to reconsider Affidavit of Non-Compliance COD-10-00064. The motion was seconded by **Joan Hayes** and was passed unanimously.

**John Clemens** provided testimony to the Board and presented photographs.

**Ric Town** Certified Code Compliance Officer provided testimony.

*Kathy Damewood* moved to DENY the Second Affidavit of Noncompliance. The motion was seconded by *Richard Adomatis* and was passed unanimously.

#### VIII. OLD BUSINESS

**Case No. 2009-074**, *Zoraida Ortiz, 104 Broadmoor Lane, Rotonda West – Second Affidavit of Non Compliance - \$9,018.50.*

*Jacquelyn Mack* represented the Respondent in this matter and provided testimony to the Board. She stated that her office had filed a Motion for Relief from Enforcement Proceeding, any Lien and Other Relief Including Continuance of the June 1, 2011, Proceedings.

A lengthy discussion took place as to whether or not to grant the continuance.

*Joan Hayes* moved to DENY the Motion for Relief from Enforcement Proceeding, any Lien and Other Relief Including Continuance of the June 1, 2011, Proceedings. The motion was seconded by *Richard Adomatis* with one (1) opposing vote *Kathy Damewood*.

*Darcie Nicolosi* Certified Code Compliance Officer provided testimony.

*Richard Adomatis* moved to approve the Affidavit of Noncompliance. The motion was seconded by *Joan Hayes* and was passed unanimously.

#### IX. NEW BUSINESS

**Case No. COD-11-00578**, *Joseph McGrath, 2345 Wiley Street, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; IPMC Sections 301.2, 301.3, 302.1, 302.7, 304.1, 304.2, 304.6, 304.13, & 304.13.1]*

*Rhonda Leonard* Certified Code Compliance Officer provided testimony and presented photographs.

Counsel for the lender was present and provided testimony to the Board.

*Kathy Damewood* moved the Respondent is in violation as charged. The Respondent has 60 days from the rendition of this Order to clear the zoning violations and to fix, repair, or replace the IPMC violations to bring the property

into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Joan Hayes* and was passed unanimously.

**Case No. COD-11-00514**, Carl Lowe, 5252 Lampbright Circle, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1; & IPMC Sections 302.7, 302.9, 304.15, 304.18.1, 308.1, & 309.1]

*Jeanette Gadsden*, Case Manager, represented Carl Lowe in this matter. She provided testimony to the Board.

*Kathy Damewood* moved to continue this case to July 6, 2011. The motion was seconded by *Joan Hayes* and was passed unanimously.

**Case No. COD-10-01662**, Cole Edward, Inc. & Glenn Caudill, 3150 Duncan Road, Punta Gorda [Sections 1-10-18, 2-5-72, 3-9-42(d), & 3-9-61]

*Tom Gravagna* Certified Code Compliance Officer provided testimony and presented photographs.

*Roger Miller* represented the lender in this matter and provided testimony to the Board.

*Richard Adomatis* moved the Respondents are in violation as charged. The Respondents have 15 days from the rendition of this Order to clear the zoning violations. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Kathy Damewood* and was passed unanimously.

**Case No. 2009-10-0037C**, Daniel Putman & Linda Adelson, 3171 Beacon Drive, Port Charlotte [Section 3-9-32(d), 3-9-61, & 3-9-82.1; & FBC Sections 105.4 & 109.3]

**Charlie Bush** Certified Code Compliance Officer provided testimony and presented photographs.

**Joan Haynes** moved the Respondents are in violation as charged with the exception of FBC Sections 105.4 and 109.3. The Respondents have 30 days from the rendition of this Order to clear the zoning violations. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

**Case No. COD-10-00154**, Edward Hwass, 23492 Harper Avenue, Port Charlotte [Section 3-2-214, 3-2-215, 3-9-5, 3-9-32(d), 3-9-61, & 3-9-82.1; & FBC Section 105.1]

**Charlie Bush** Certified Code Compliance Officer provided testimony and presented photographs.

**Richard Adomatis** moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations and to apply for and obtain any necessary permits to bring the property into compliance. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Charles Lindberg** and was passed unanimously.

**Case No. COD-10-01131**, Lemon Bay Resort, 8251 & 8255 Esther Street, Englewood [Section 2-5-72, FBC Sections 105.4, & 109.3]

**Darcie Nicolosi** Certified Code Compliance Officer provided testimony and

presented photographs.

**Richard Adomatis** moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violation and to take the necessary steps to renew the expired permit. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Joan Hayes** with one (1) opposing vote **Alan LeBeau**.

**Case No. COD-10-01563, Atlas FL I SPE, LLC, 11701  
Anglers Club Drive, Placida [FBC Sections 105.4 & 109.3]**

**Darcie Nicolosi** Certified Code Compliance Officer provided testimony and presented photographs.

**James Williams** provided testimony to the Board.

**Richard Adomatis** moved the Respondent is in violation as charged. The Respondent has 30 days from rendition of this Order to take the necessary steps to renew the expired permit. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. The motion was seconded by **Charles Lindberg** and was passed unanimously

**Case No. COD-10-00251, Gregory Garcia, 2297  
Ednor Street, Port Charlotte [Sections 3-9-32(d) & 3-  
9-82.1; & FBC Sections 105.4 & 109.3; & SHC  
Sections 101.6, 304, & 305.3.2]**

**Rhonda Leonard** Certified Code Compliance Officer provided testimony and presented photographs.

**Richard Adomatis** moved the Respondent is in violation as charged with the exception of FBC Section 105.4 and 109.3 and SHC Sections 101.6, 304, and 305.3.2. The Respondent has 15 days from the rendition of this Order to clear the zoning violations. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist

order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Charles Lindberg** and was passed unanimously.

**Case No. COD-10-00814, Home Savers Restoration, 21642 Gibraltar Drive, Port Charlotte [Sections 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & SHC Sections 101.6, 103.2, 305.7, 305.11, & 305.12]**

**Rhonda Leonard** Certified Code Compliance Officer provided testimony and presented photographs.

**Joan Hayes** moved the Respondent is in violation as charged. The Respondent has 15 days from the rendition of this Order to clear the zoning violations and to resubmit plans for the permit or obtain a demolition permit to remove structure. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

**Case No. COD-11-00436, Matthew MacDonald, 3301 Normandy Drive, Port Charlotte [Sections 2-5-72, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 304.2, 304.6, & 304.7]**

**Rhonda Leonard** Certified Code Compliance Officer provided testimony and presented photographs.

**Joan Hayes** moved the Respondent is in violation as charged with the exception of Section 2-5-72. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; to fix, repair, or replace the IPMC violations to bring the property into compliance; and to apply for and obtain any necessary permits to bring the property into compliance. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection and all final inspections must be obtained in accordance with the Florida Building Code.

Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Charles Lindberg** and was passed unanimously.

**Case No. COD-11-00507, Philip Sorenson & Lois Sorenson, 1618 Harbor Boulevard, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1]**

**Rhonda Leonard** Certified Code Compliance Officer provided testimony and presented photographs.

**Kathy Damewood** moved the Respondents are in violation as charged. The Respondents have 15 days from the rendition of this Order to clear the zoning violations. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Joan Hayes** and was passed unanimously.

**Case No. COD-11-00584, Europa Financial Investment Group, 22072 Beverly Avenue, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; IPMC Sections 301.2, 301.3, 304.2, 304.6, 304.7, 304.13, 304.13.1, 304.15, & 604.3]**

**Rhonda Leonard** Certified Code Compliance Officer provided testimony and presented photographs.

**Joan Hayes** moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations and to fix, repair, or replace the IPMC violations to bring the property into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed

unanimously.

**Case No. COD-11-00585**, *Eric Bachar & Carol Bachar, 22083 Beverly Avenue, Port Charlotte [Section 2-5-72 & IPMC Sections 301.2, 301.3, 304.1, 304.8, & 304.13.1]*

**Rhonda Leonard** Certified Code Compliance Officer provided testimony and presented photographs.

**Joan Hayes** moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to clear the zoning violations and to fix, repair, or replace the IPMC violations to bring the property into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

**Case No. COD-11-00685**, *Jean Sully & Jessica Sully, 22115 Midway Boulevard, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1; IPMC Sections 301.2, 301.3, 304.13, 304.13.1, 304.15, & 604.3]*

**Rhonda Leonard** Certified Code Compliance Officer provided testimony and presented photographs.

**Kathy Damewood** moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to clear the zoning violations and to fix, repair, or replace the IPMC violations to bring the property into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Charles Lindberg** and was passed unanimously.

**Case No. COD-10-01003**, Robert Smith, Debra Smith, & Countywide Home Loans, 20392 Calder Avenue, Port Charlotte [FBC Section 424.2.17.1 & IPMC Section 303]

**Dan DeValk** Certified Code Compliance Officer provided testimony and presented photographs.

**Joan Hayes** moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to secure the pool in accordance with the Florida Building Code 424.2.17.1 and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. The motion was seconded by **Kathy Damewood** and was passed unanimously.

**Case No. COD-10-1232**, Phillip Blien, 14437 Newcomb Road, Port Charlotte [Section 2-5-72; FBC Sections 105.4 & 109.3; & IPMC Sections 304.6, 304.7, & 304.13]

**Dan DeValk** Certified Code Compliance Officer provided testimony and presented photographs.

**Joan Hayes** moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to clear the zoning violation; to fix, repair, or replace the IPMC violations to bring the property into compliance; and to take the necessary steps to renew the expired permit and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

**Case No. COD-11-00864**, Ivan Martinez, 16200 Wildwood Court, Punta Gorda [FBC Section 105.1 & IPMC Sections 304.1, 304.7, 304.15, 305.1, 305.3, & 604.3]

**Tom Gravagna** Certified Code Compliance Officer provided testimony and

presented photographs.

***Kathy Damewood*** moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to fix, repair, or replace the IPMC violations and to apply for and obtain the all necessary permits to bring the property into compliance. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection or remove any improvements from the property. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. The motion was seconded by ***Joan Hayes*** and was passed unanimously.

**Case No. COD-11-00904**, David Gollner, 13201 Path Avenue, Punta Gorda [Sections 3-9-32(d) & 3-9-82.1; FBC 105.4 & 109.3; & IPMC Sections 301.3 & 304.1]

***Tom Gravagna*** Certified Code Compliance Officer provided testimony and presented photographs.

***Kathy Damewood*** moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; to fix, repair, or replace the IPMC violations; and to take the necessary steps to renew the expired permit or removed all improvements from the property. All final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by ***Richard Adomatis*** and was passed unanimously.

**Case No. COD-10-00540**, Michael Trovato, 17468 Quincy Avenue, Port Charlotte [FBC Sections 105.1; 105.4, & 109.3]

***Lyndon Reinwald*** Certified Code Compliance Officer provided testimony and presented photographs.

***Richard Adomatis*** moved the Respondent is in violation as charged with the exception of FBC Section 105.1. The Respondent has 30 days from the rendition of this Order to take the necessary steps to renew the expired permits and all

final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. The motion was seconded by ***Kathy Damewood*** and was passed unanimously.

**Case No. COD-10-01754**, *Mollie McCarthy, a/k/a Mollie Degiovine, 950 Mensh Terrace, NW, Port Charlotte [Sections 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1]*

***Lyndon Reinwald*** Certified Code Compliance Officer provided testimony and presented photographs.

***Richard Adomatis*** moved the Respondent is in violation as charged with the exception of Sections 3-9-32(d) and 3-9-82.1. The Respondent has 30 days from the rendition of this Order to apply for and obtain any necessary permits to bring the property into compliance. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. The motion was seconded by ***Kathy Damewood*** and was passed unanimously.

**Case No. COD-10-01223**, *Jason Reiman, Frank Talerico, & James Vignes, 362 Reading Street, Port Charlotte [FBC Sections 105.4 & 109.3]*

***Rick Towne*** Certified Code Compliance Officer provided testimony and presented photographs.

***Richard Adomatis*** moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to take the necessary steps to renew the expired permit, and if necessary obtain all final inspections in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. The motion was seconded by ***Joan Hayes*** and was passed unanimously.

**Case No. COD-11-00728, Frank Talerico, 640 Sharon Circle, Port Charlotte [FBC Sections 105.4 & 109.3]**

**Rick Towne** Certified Code Compliance Officer provided testimony and presented photographs.

**Richard Adomatis** moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to take the necessary steps to renew the expired permit, and if necessary obtain all final inspections in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. The motion was seconded by **Kathy Damewood** and was passed unanimously.

**Case No. COD-11-00730, Dawn Morris, 4419 Conway Boulevard, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1]**

**Rick Towne** Certified Code Compliance Officer provided testimony and presented photographs.

**Richard Adomatis** moved the Respondent is in violation as charged. The Respondent has 15 days from the rendition of this Order to clear the zoning violations. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Joan Hayes** and was passed unanimously.

**X. STAFF AND BOARD MEMBER COMMENTS**

**None**

**XI. ADJOURNMENT**

**Charles Lindberg** moved to adjourn the meeting. Motion was seconded by **Kathy Damewood** and was passed unanimously. The meeting adjourned at 12:03 pm.

**CODE ENFORCEMENT BOARD MINUTES FOR JUNE 1, 2011  
READ AND APPROVED ON AUGUST 3, 2011**

CODE ENFORCEMENT BOARD OF  
CHARLOTTE COUNTY, FLORIDA

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Alan LeBeau, Chairman

ATTEST:

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Sandra Williamson  
Administrative Assistant I

***Complete files of all cases, as well as taped recordings of all proceedings of this meeting, are kept in the Community Development Department and are available to the public.***