

**MINUTES OF THE REGULAR MEETING OF THE  
CHARLOTTE COUNTY CODE ENFORCEMENT BOARD  
18500 Murdock Circle, Room 119  
Port Charlotte, Florida**

**November 2, 2011**

❖*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  
Edward Callahan  
Kathy Damewood  
Suzy Hackett  
Joan Hayes  
Charles Lindberg

**III. SWEARING IN OF ALL THOSE GIVING TESTIMONY**

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

**IV. NEXT MEETING DATE: December 7, 2011**

**V. APPROVAL OF MINUTES**

*Richard Adomatis* moved to approve the minutes of **October 6, 2011**. The motion was seconded by *Suzy Hackett* and was passed unanimously

**VI. AGENDA CHANGES**

The following Affidavits of Non-Compliance were pulled for discussion:

**Case No. COD-10-00384**

**Case No. COD-10-00579**

**Case No. COD-11-01196**

The following cases under New Business were pulled:

- Case No. COD-11-02299 – Continued**
- Case No. COD-11-01906 – Continued**
- Case No. COD-11-01907 – People present**
- Case No. COD-11-01999 – No Service**
- Case No. COD-11-01975 – People present**
- Case No. COD-11-00406 – No Service**
- Case No. COD-11-01817 – People present**
- Case No. COD-11-02030 – People present**
- Case No. COD-10-00895 – Continued**
- Case No. COD-10-01822 – Continued**

**VII. CONSENT: NONCOMPLIANCE AND NOTICE OF HEARING - 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 or Respondent(s), that item(s) will be removed from the Consent Agenda and considered separately. **Each case will be 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. COD-10-00174, Phillip K. Herndon, Jr. & Marie E. Myers, 290 Spring Lake Boulevard, Port Charlotte – Second Affidavit of Noncompliance - \$13,518.50.**
- B. **Case No. 10-00220, Judy Calkins, 3565 Idlewild Street, Port Charlotte –Affidavit of Noncompliance - \$118.50.**
- C. **◆Case No. COD-10-00384, John F. & Luz M. Samsel, 21508 Edgewater Drive, Port Charlotte – Second Affidavit of Noncompliance - \$7,318.50.**
- D. **◆Case No. COD-10-00579, Mercedes L. Richards & Tracy K. Morency, 3308 Elkcam Boulevard, Port Charlotte – Affidavit of Noncompliance - \$118.50.**

- E. **Case No. COD-11-00613**, Gertrude Duprea, 84 Caddy Road, Rotonda West – Affidavit of Noncompliance - \$118.50.
- F. **Case No. COD-10-00808**, Justin J. Sullivan, 430 Dalton Boulevard, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- G. **Case No. COD-10-00951**, Patricia A. Elliott, 1057 Congress Street, Port Charlotte – Affidavit of Noncompliance - \$138.50.
- H. **◆Case No. COD-10-00955**, John A. Coffin & Cynthia M. Coffin, 102 Curtis Terrace, Port Charlotte – Second Affidavit of Noncompliance - \$10,518.50.
- I. **COD-No. COD-10-00998**, Oqab Abuoqab, 21090 Ionia Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$3,343.50.
- J. **Case No. COD-10-01120**, James Aldrich & Faye Aldrich, 2411 Ambrose Lane, Port Charlotte – Third Affidavit of Noncompliance - \$4,018.50.
- K. **Case No. 10-01216**, Timothy Thompson, 25082 Harborview, Punta Gorda –Affidavit of Noncompliance - \$118.50. CB
- L. **Case No. COD-10-01223**, Jason Reinman, Frank Talerico, & James Pierre Vignes, 362 Reading Street, Port Charlotte – Affidavit of Noncompliance - \$218.50.
- M. **Case No. COD-10-01515**, Eric S. Rajnish, 22448 Hernando Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$8,218.50.
- N. **Case No. COD-11-00473**, Patrick Brill, 72 Golfview Road N., Rotonda West – Affidavit of Noncompliance - \$118.50.

- O. **Case No. COD-11-00507**, Phillip Sorenson & Lois B. Sorenson, 1618 Harbor Boulevard, Port Charlotte – Affidavit of Noncompliance - \$463.50.
- P. **Case No. COD-11-00528**, Nicole Flanary & The Bank of New York Mellon, f/k/a The Bank of New York, Trustee for CWABS, Inc., Asset-Backed Certificates Series 2006-26, 814 W. Tarpon Boulevard, Port Charlotte – Affidavit of Noncompliance - \$168.50.
- Q. **Case No. COD-11-00530**, Walter Behrmann, 21923 Hernando Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- R. **Case No. COD-11-00659**, Deutsche Bank National Trust Company as Trustee for GSAA Home Equity Trust 2006-8, 21979 Hernando Avenue, Port Charlotte – Affidavit of Noncompliance - \$218.50.
- S. **Case No. COD-11-00685**, Jean Sully & Jessica F. Sully, 22115 Midway Boulevard, Port Charlotte – Affidavit of Noncompliance - \$138.50.
- T. **Case No. COD-11-00728**, Frank Talerico, 640 Sharon Circle, Port Charlotte - Affidavit of Noncompliance - \$218.50.
- U. **Case No. COD-11-01196**, Florida First Escrow Company as Trustee for the Boys 49 Fraternal Trust, 49 Oakland Hills Court, Rotonda West – Affidavit of Noncompliance - \$118.50.
- V. **Case No. COD-11-01246**, Thomas Dessoye & Brenda Dessoye, 265 Rotonda Boulevard W, Rotonda – Affidavit of Noncompliance - \$118.50.

*Suzy Hackett* moved to approve the fines as stated in the Affidavits of Noncompliance with the exception of **Case No. COD-10-00384**, **Case No. COD-10-00579**, and **Case No. COD-11-1196**. The motion was seconded by *Richard Adomatis* and was passed unanimously.

*Kathy Damewood* moved to approve the fines as stated in the Affidavits of Noncompliance on **Case No. COD-10-00174** and **Case No. COD-10-00955**. The motion was seconded by *Joan Hayes* and was passed unanimously.

*Suzy Hackett* moved to forward **Case No. COD-10-00174** and **Case No. COD-10-00955** 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.

*Kira Honse*, Assistant County Attorney, stated, per the Florida Statute, the Affidavits of Noncompliance that have a motion to forward to the Board of Commissioners for further consideration will need to have the liens recorded for three (3) months with the Clerk's office before the Board can make a motion to forward these cases to the Commissioners. Her suggestion was to wait for three (3) months then bring these cases back to the Board.

◆**Case No. COD-10-00384**, *John F. Samsel & Luz M. Samsel, 21508 Edgewater Drive, Port Charlotte – Second Affidavit of Noncompliance - \$7,318.50.*

*Shawn Whaley* represented the lender in this matter. He provided testimony to the Board.

*Suzy Hackett* moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Kathy Damewood* and was passed unanimously.

◆**Case No. COD-10-00579**, *Mercedes L. Richards & Tracy K. Morency, 3308 Elkcam Boulevard, Port Charlotte – Affidavit of Noncompliance - \$118.50.*

*Tracey Morency* was present and provided testimony to the Board. The application for the permit was submitted on June 10, 2011, and they have not received notification that the permit was rejected or ready for pick up

*Kathy Damewood* moved to continue this case. The motion was seconded by

*Suzy Hackett* and was passed unanimously.

◆**Case No. COD-11-01196**, *Florida First Escrow Company as Trustee for the Boys 49 Fraternal Trust, 49 Oakland Hills Court, Rotonda West – Affidavit of Noncompliance - \$118.50.*

*Kristin Shusko* represented the lender in this matter.

*Kathy Damewood* moved to continue this case to the next hearing. The motion was seconded by *Richard Adomatis* and was passed unanimously.

**VIII. OLD BUSINESS:**  
***NONE***

**IX. NEW BUSINESS**

**Case No. COD-11-01907**, *Cheerful Taverns, Inc. & The Bank of New York Mellon, 21306 Glendale Avenue, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1; & FBC Sections 105.4 & 109.3; & IPMC Sections 301.2, 301.3, 304.13, & 304.13.1]*

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

*Susan Bodden* represented the lender in this matter.

*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; to take the necessary steps to renew the expired permit; and to fix, repair, or replace the International Property Maintenance Code violations; and 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 \$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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-11-01975**, David Floyd & Heidi Floyd,  
251 Fields Terrace, Port Charlotte [IPMC Sections  
301.2 & 302.7]

**Ric Town** Certified Code Compliance Officer provided testimony, supporting documents, and presented photographs.

A discussion took place regarding seawalls and maintenance.

**James Geotz** represented the lender in this matter. He provided testimony to the Board.

**Kathy Damewood** moved to dismiss the case against the Respondents. The motion was seconded by **Suzy Hackett** with two (2) opposing votes **Richard Adomatis** and **Ed Callahan**.

**James Geotz** asked for a few moments to address the Board. He explained that Bank of America is offering homeowners a cash buy-out to do a short sell on their homes.

**Case No. COD-11-01817**, Hazel Chance, Vivian  
Chance, & James Chance, 518 Chamber Street, NW,  
Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & FBC  
Sections 105.4 & 109.3]

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

**James Chance** was present and provided testimony to the Board. He stated he hired Seers to install the unit.

**Suzy Hackett** moved to continue this case to the February 2012, meeting. The motion was seconded by **Richard Adomatis** and was passed unanimously.

**Case No. COD-11-02030, Shawn Richard, 5168  
Chaves Circle, Port Charlotte [Sections 3-9-5(b), 3-9-  
32(d), 3-9-61, 3-9-82.1, & 3-9-91; & FBC Sections  
105.4 & 109.3]**

**Lyndon Reinwald** Certified Code Compliance Officer provided testimony and presented photographs and a copy of the expired permit.

**Shawn Richard** was present and provided testimony to the Board. He objected to the photographs which were submitted as Exhibits. He stated they do not accurately depict the condition of his property.

**Richard Adomatis** moved the Respondent is in violation as charged. The Respondent has 45 days from the rendition of this Order to clear the zoning violations 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 \$100.00 per day. A cease and desist order is issued for 5 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 **Suzy Hackett** and was passed unanimously.

**Case No. COD-11-01247, RFS Family Holdings,  
LLLP, 20200 Veterans Boulevard, Port Charlotte  
[Sections 2-5-72 & 3-5-399]**

**Gloria Walberg** Certified Code Compliance Officer provided testimony and presented photographs.

**Suzy Hackett** moved the Respondent is in violation as charged with the exception of Section 2-5-72. 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 \$200.00 per day. The motion was seconded by **Richard Adomatis** and was passed unanimously.

**Case No. COD-10-00483, Felix Soto, 8274  
Matecumbe Road, Port Charlotte [Sections 3-9-32(d)  
& 3-9-82.1; & FBC Sections 105.4 & 109.3; & IPMC  
Sections 109.2, 109.4, 109.5, 301.2, 301.3, 304.1, &  
304.1.1(6)]**

**Darcie Nicolosi** Certified Code Compliance Officer provided testimony, presented documents and 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; to fix, repair, or replace the International Property Maintenance Code violations; to take the necessary steps to renew the expired permit or remove any improvement from the property; and 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 \$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-11-01700, Karen Martin, 1120 Martha  
Place, Englewood [Sections 3-9-32(d), 3-9-61, 3-9-  
82.1, & 3-9-91]**

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

**Richard Adomatis** moved the Respondent is in violation as charged with the exception of Section 3-9-82.1. A cease and desist order is issued for 2 years. The Respondent has 15 days from rendition of this Order 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. 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 **Suzy Hackett** and was passed unanimously.

**Case No. COD-11-01607, Brian Rumisek, 22086  
Marshall Avenue, Port Charlotte [Sections 3-2-214, 3-  
2-215, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section  
105.1]**

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

**Suzy Hackett** 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 clear the zoning violation and to apply for and obtain all necessary permits to bring the property into compliance. If the application for the permit is rejected, it 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. 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-11-01613, Daniel Smith & Deborah  
Smith, 22116 Beverly Ave, Port Charlotte [Sections 3-  
2-214, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section  
105.1; & IMPC Sections 301.2, 301.3, 304.2, & 304.6]**

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

**Richard Adomatis** moved the Respondents are in violation as charged with the exception of Section 3-2-214. The Respondents have 30 days from the rendition of this Order to clear the zoning violation; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, it 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. 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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-10-01858, Patrick Farino, 21130 Ionia Avenue, Port Charlotte [Section 3-9-5(b), 3-9-32(d), 3-9-82.1; & FBC Section 105.1; & IMPC Sections 301.2, 304.2, & 304.6]**

*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 IPMC Section 304.2. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, it 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 \$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 *Charles Lindberg* and was passed unanimously.

**Case No. COD-11-01932, Federal National Mortgage Association, 21299 Percy Avenue, Port Charlotte [FBC Sections 105.4 & 109.3]**

*Rhonda Leonard* Certified Code Compliance Officer provided testimony, presented supporting documents, and 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 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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-11-01933**, *Joseph McGarth, Trustee of the J.J.M. Normandy Drive Revocable Trust, 3312 Normandy Drive, Port Charlotte [Sections 2-5-72, 3-2-214, 3-2-215, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 302.1, 302.9, 304.1, 304.2, & 604.3]*

*Rhonda Leonard* 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; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, it 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. 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-11-01976**, *Harbour High Yield Fund, LLC, 22192 Beverly Avenue, Port Charlotte [Section 3-9-5(b), & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 302.7, 304.2, 304.7, 304.13, 304.13.1, 304.15, & 305.3]*

*Rhonda Leonard* 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 fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, it 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 \$200.00 per day. 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. COD-11-02015, Otniel Gil & JP Morgan Chase Bank, National Association, 21322 Stillwater Avenue, Port Charlotte [Sections 2-5-72, 3-9-33(d), & 3-9-82.1; & IPMC Sections 301.2, 301.3, 302.1, 302.5, 304.1, 304.7, 304.13, 304.13.1, 304.15, 304.18, 305.1, 305.3, 305.4, 308.1, 309.1, 309.2, 309.4, 404.4.4, 404.7, 501.1, 501.2, 502.1, 504.1, 504.3, 505.4, 505.1, 506.1, 601.2, 602.1, 602.2, 602.3, 603.1, & 604.3]**

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

**Suzy Hackett** moved the Respondent is in violation as charged. A cease and desist order is issued for 2 years. The Respondent has 30 days from the rendition of this Order to clear the zoning violation; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance 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. 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. 2009-03-0186C**, *Brian Hays, Agnes Hays, & Chase Home Finance, 110 Tobias Street, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & FBC Sections 105.4 & 109.3]*

**Terri Barnett** Certified Code Compliance Officer provided testimony and presented photographs.

**Richard Adomatis** 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 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 \$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 **Suzy Hackett** and was passed unanimously.

**Case No. COD-11-01684**, *Anthony John Vogel, 1570 Scotten Street, Port Charlotte [Sections 3-9-32(d), 3-9-61, & 3-9-82.1; & IPMC Sections 301.2, 304.6, 304.7, 304.9, 304.13, 304.13.1, 304.13.2, 501.2, 502.1, & 504.1]*

**Terri Barnett** 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 violation; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance 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 \$100.00 per day. A cease and desist order is issued for 2 years. 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. 2009-04-0013C**, Wybeka Gulsby, 11261  
Third Avenue, Punta Gorda [Sections 3-9-5(b), 3-9-  
32(d), & 3-9-82.1; & FBC Section 105.1]

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

**Richard Adomatis** moved the Respondent is in violation as charged with the exception of Sections 3-9-5(b) and FBC Section 105.1. The Respondent has 15 days from rendition of this Order 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 **Suzy Hackett** and was passed unanimously

**Case No. COD-11-01999**, Terry Cox & Judy Cox, 374  
Hiram Street, Punta Gorda [Section 3-9-5(b); & FBC  
Sections 105.4 & 109.3] **Not Served** TAG

Continued due to lack of service.

**Case No. COD-11-02006**, Henry Lefler, Diane Lefler,  
Carl Ritter, & Ada Ritter, 426 Tabor Street, Punta  
Gorda [Sections 3-9-33(d) & 3-9-61]

The County voluntarily dismissed Carl Ritter and Ada Ritter.

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

**Suzy Hackett** moved the Respondents are in violation as charged. The Respondents have 15 days from rendition of this Order 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-10-00686, Marie Hodgdon, 21733  
Edgewater Drive, Port Charlotte [FBC Sections 105.4  
& 109.3]**

**Ric Towne** Certified Code Compliance Officer provided testimony, presented supporting documents, and photographs.

**Joan Hayes** 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 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 **Suzy Hackett** and was passed unanimously.

**Case No. COD-11-01697, John Rupert & Donna  
Rupert, 667 Errol Street, Port Charlotte [Section 3-9-  
5(b); & FBC Sections 105.1, 105.4, & 109.3]**

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

**Suzy Hackett** moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to take the necessary steps to renew the expired permit and to apply for and obtain all necessary permits. If the application for the permit is rejected, it 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 **Richard Adomatis** with one (1) opposing vote **Kathy Damewood**.

**Case No. COD-11-01855, Vijaykumar Patel, 643  
Hartford Drive, Port Charlotte [Sections 2-5-72, 3-9-  
32(d), & 3-9-82.1]**

*Ric 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 rendition of this Order 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 *Kathy Damewood* and was passed unanimously

**Case No. COD-11-01871, Jovica Jovic & Biljama  
Negic-Jovic, 242 Beeney Road, Port Charlotte [FBC  
Sections 105.4 & 109.3; & IMPC Sections 108.1.1,  
301.2, 302.7, & 304.1]**

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

*Charles Lindberg* moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to take the necessary steps to renew the expired permit and to fix, repair, or replace the International Property Maintenance Code violations 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. 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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-11-02144, Frank Talerico, 640 Sharon Circle, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1]**

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

**Richard Adomatis** moved the Respondent is in violation as charged. The Respondents have 15 days from rendition of this Order 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 **Suzy Hackett** and was passed unanimously

**Case No. COD-10-01729, Christine Sprague, 271 Malpelo Avenue, Punta Gorda [FBC Sections 105.4 & 109.3]**

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

**Suzy Hackett** 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 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 **Richard Adomatis** and was passed unanimously.

**Case No. COD-11-01701, Ivan Quant, 1279 Sheehan Boulevard, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1]**

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

*Suzy Hackett* moved the Respondent is in violation as charged. The Respondents have 15 days from rendition of this Order 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* with one (1) opposing vote *Alan LeBeau*

**Case No. COD-11-02444, Mary Deangelis, 23508  
Dunstan Avenue, Port Charlotte [Section 2-5-72]**

This case was dismissed by the County.

**IX. STAFF/BOARD MEMBER COMMENTS:**

*Alan LeBeau* asked if there is a statute of limitations on expired building permits. *Jim Evetts* stated the State of Florida has no statute of limitation on expired permits.

**X. ADJOURNMENT**

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

**CODE ENFORCEMENT BOARD MINUTES FOR NOVEMBER 2, 2011  
READ AND APPROVED ON DECEMBER 7, 2011**

CODE ENFORCEMENT BOARD OF  
CHARLOTTE COUNTY, FLORIDA

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Alan L. 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.***