

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

May 2, 2012

❖*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. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present:

Alan LeBeau
Richard Adomatis
Kathy Damewood
Suzy Hackett
Charles Lindberg
Nick Theiss

Excused Absence:

Joan Hayes

IV. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY

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

V. NEXT MEETING DATE

June 6, 2012

VI. APPROVAL OF MINUTES

Suzy Hackett moved to approve the minutes of **April 5, 2012**. The motion was seconded by *Richard Adomatis* and was passed unanimously

VII. AGENDA CHANGES

None

VIII. OLD BUSINESS

Case No. COD-11-01812, Chantal Blanchard, 22395 Peachland Boulevard, Port Charlotte [Sections 3-9-32(d), 3-9-62.1, 3-9-82.1, & 3-9-91]

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

Armand Victor Blanchard was present on behalf of his sister and provided testimony to the Board.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 120 days from the date of this Order to bring the property into compliance with the Charlotte County zoning codes. 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-11-02546, Kenneth Hicks & Alicia Hicks, 476 Blarney Street, Port Charlotte – Affidavit of Noncompliance - \$118.50.

Charlie Bush Certified Code Compliance Officer provided testimony and played an audio segment of the Respondent cleaning his commercial equipment in residential zoned area.

Kenneth and Alicia Hicks were present and provided testimony to the Board.

Shaun Cullinan, Zoning Official explained what was allowed in a residential zoned area.

The County voluntarily withdrew the Affidavit of Noncompliance.

IX. 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.**

- A. **❖ Case No. 2009-361, Paul Brooks, 1180 Belmar Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - \$22,318.50.**

This case was pulled by the Board due to the excessive fine amount.

Lyndon Reinwald Certified Code Compliance Officer provided testimony.

Kathy Damewood moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Richard Adomatis* with two (2) opposing votes *Alan LeBeau* and *Suzy Hackett*.

- B. **Case No. 2008-04-0013C**, Robert Perez & Sharon Perez, 3269 Daytona Drive, Port Charlotte – Second Affidavit of Noncompliance - \$218.50.
- C. **Case No. 2009-10-0057C**, Daniel Parabak, 22191 Oneida Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$3,418.50.
- D. **Case No. 2009-10-0164C**, Gloria Rapley, 2316 Achilles Street, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- E. **Case No. COD-10-00124**, Nicholas P. Mitchell, Rachel. J. Thorpe, & Chase Home Financial, LLC, 972 Roseway Terrace NW, Port Charlotte – Fifth Affidavit of Noncompliance - \$9,218.50.
- F. **❖ Case No. COD-10-00249**, Elizabeth M. Scharmberg, 672 Edgemere Street, Port Charlotte – Fifth Affidavit of Noncompliance - \$9,218.50.

This case was pulled by the Board due to the excessive fine amount.

Lyndon Reinwald Certified Code Compliance Officer provided testimony.

A discussion took place regarding owner/builder permits. *Richard Adomatis* directed Erin Mullen-Travis to bring before the Board of County Commissioners that when owner/builders apply for a permit they will need to prove they can do the work.

Kathy Damewood moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Richard Adomatis* with one (1) opposing vote *Suzy Hackett*.

- G. **Case No. COD-10-01408**, Suzanne McCarthy, 25257 Punta Madryn Avenue, Punta Gorda – Affidavit of Noncompliance - \$118.50.
- H. **Case No. COD-10-01556**, Gary Malicki, 340 Dalton Boulevard, NE, Port Charlotte – Affidavit of Noncompliance - \$68.50.
- I. ❖ **Case No. COD-10-01662**, Cole Edward, Inc. & Glenn Caudill, 3150 Duncan Road, Punta Gorda – Affidavit of Noncompliance - \$13,423.50.

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

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

- J. ❖ **Case No. COD-10-01722**, Ryan Burlew, 2192 Alton Road, Port Charlotte – Third Affidavit of Noncompliance - \$3,518.50.

A representative for the lender was present and provided testimony to the Board.

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

- K. ❖ **Case No. COD-11-00492**, Dominick Fiorello, 18068 Poston Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.

Shannon Houk represented the lender in this matter and provided testimony to the Board.

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

- L. **Case No. COD-11-00864**, Ivan Martinez, 16200 Wildwood Court, Punta Gorda – Affidavit of Noncompliance - \$118.50.

- M. **Case No. COD-11-01069**, PG Bayshore, LLC, 22987 Bayshore Road, Port Charlotte – Affidavit of Noncompliance - \$218.50.
- N. **Case No. COD-11-01679**, Kerry Hoffman & Mikelyn Hoffman, 1170 Taffy Drive, Punta Gorda – Affidavit of Noncompliance - \$737.70.
- O. **Case No. COD-11-01845**, Christine Koronski, 3573 Port Charlotte Boulevard, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- P. **Case No. COD-11-02144**, Frank Talerico, 640 Sharon Circle, Port Charlotte – Affidavit of Noncompliance - \$942.00.
- Q. **Case No. COD-11-02551**, Ferdinand Dezwart & Vivien Dezwart, 23391 Fullerton Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.

Kathy Damewood moved to approve the remaining fines as stated in the Affidavits of Noncompliance with the exception of **Case Nos. 2009-361, COD-10-00249, COD-10-01662, COD-10-01722, and COD-11-00492**. The motion was seconded by *Richard Adomatis* and was passed unanimously.

X. **LIENS TO BE SENT TO BCC FOR FURTHER CONSIDERATION**

None

XI. **NEW BUSINESS**

Case No. COD-10-01130, Placida Professional Centers, LLC, 2851, 2861, & 2881 Placida Road, Englewood [Section 2-5-72 & FBC Sections 105.4 & 109.3]

Sherry Edwards requested a continuance in this case.

Suzy Hackett moved to continue this to the August 1, 2012, Code Enforcement Board hearing. The motion was seconded by *Kathy Damewood* and was passed unanimously.

Case No. COD-11-02951, Shawn Ruff, 1296 Sheehan Boulevard,
Port Charlotte [Sections 2-5-72, 3-2-115, 3-9-32(d), & 3-9-82.1; &
IPMC Section 304.13.1]

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

A representative for the lender was present and provided testimony to the Board.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the date of this Order to comply with the zoning violations; and to fix, repair, or replace the International Property Maintenance Code violations. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$50.00 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-11-02693, Erich Kielb, 526 Azalea Avenue, Port
Charlotte [Section 3-9-5(b) & FBC Section 105.1]

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

Erich Kielb was present and provided testimony.

Shaun Cullinan, Zoning Official provided testimony to the Board.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the date of this Order to apply for and obtain 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 restore the property back to its original condition. 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 \$50.00 per day. The motion was seconded by *Kathy Damewood* and was passed unanimously.

Case No. COD-11-02860, Debra Safran & Candace Champion,
14131 Keystone Boulevard, Port Charlotte [Sections 3-9-32(d), 3-9-
82.1, & 3-9-91]

Darcie Nicolosi 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 the date 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 \$50.00 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-12-00336, Virginia Blomberg, 175 Rotonda Circle,
Rotonda West [IPMC Sections 301.2, 301.3, 303.1, 303.2, 304.7,
304.13, & 304.14]

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

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the date of this Order to fix, repair, or replace the International Property Maintenance Code violations and if necessary obtain all required permits to bring the property into compliance 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 \$50.00 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 **Charles Lindberg** and was passed unanimously.

Case No. COD-11-02606, *Ralph Castaldo, Jr., 337 McDill Drive, Port Charlotte [FBC Sections 105.4 & 109.3]*

Dan DeValk 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 date 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. 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-11-02668, *Ronny St. Louis & Juli St. Louis, 14435 Woodstock Road, Port Charlotte [FBC Sections 105.4 & 109.3]*

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

A discussion took place in regards to if the home is considered a mobile home or a manufactured home.

Suzy Hackett moved the Respondents are in violation as charged. The Respondents have 30 days from the date 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 \$50.00 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 *Richard Adomatis* with one (1) opposing vote *Alan LeBeau*.

Case No. COD-11-03089, Bank of America, 6020 Taylor Road,
Punta Gorda [Section 3-9-5(b) & FBC Sections 105.4 & 109.3]

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

Kathy Damewood moved the Respondent is in violation as charged with the exception of Section 3-9-5(b). The Respondent has 30 days from the date 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. 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-12-00007, Jeffrey Bowser & Susan Bowser, 27354
Aloha Drive, Punta Gorda [Sections 3-9-5(b), 3-9-32(d) & (f), 3-9-
61, & 3-9-82.1; & FBC Section 105.1]

Tom Gravagna 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 date of this Order to clear the zoning violations and to apply for and obtain a demolition permit to 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 \$50.00 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-12-00107, Bank of America, 26265 Glaspell Road,
Punta Gorda [Section 3-9-5(b) & FBC Sections 105.4 & 109.3]

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

Suzy Hackett moved the Respondent is in violation as charged with the exception of Section 3-9-5(b). The Respondent has 30 days from the date 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. 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-10-00672, Robert Bennett & Donna Bennett, 20275
Gentry Avenue, Port Charlotte [FBC Sections 105.4 & 109.3]

Rick Towne 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 date 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 \$50.00 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 *Charles Lindberg* and was passed unanimously.

Case No. COD-11-01434, Timothy Baker, 3648 Easy Street, Port
Charlotte [Sections 3-9-32(d) & 3-9-82.1; & FBC Sections 105.4 &
109.3; & IPMC Sections 304.13.2 & 702.4]

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

Charles Lindberg moved the Respondent is in violation as charged with the exception of Sections 3-9-32(d) and 3-9-82.1 and International Property Maintenance Code Sections 304.13.2 and 702.4. The Respondent has 30 days from the date 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 \$50.00 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 *Richard Adomatis* and was passed unanimously.

Case No. COD-11-02867, *Mary Hawkshead, 111 Rodgers Avenue, NE, Port Charlotte [Section 3-9-5(b) & FBC Section 105.1]*

Rick Towne 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 date of this Order to obtain 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 restore the property back to its original condition. 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 \$50.00 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 *Richard Adomatis* and was passed unanimously.

Case No. COD-12-00150, *Cynthia Coffin & John Coffin, 380 Duxbury Avenue, Port Charlotte [Section 3-9-5(b); FBC Section 105.1; & IPMC Sections 301.2, 304.6, 304.9, 304.14, 304.15, 501.2, 504.1, 505.3, 601.2, 604.1, & 605.1]*

Rick 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 date of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; 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 \$50.00 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 *Richard Adomatis* and was passed unanimously.

Case No. COD-12-00178, *Mark Paradise & Maria Paradise, 811 Conreid Drive, Port Charlotte [Section 3-9-5(b) & FBC Section 105.1]*

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

Kathy Damewood moved to dismiss the case. The motion was seconded by *Suzy Hackett* and was passed unanimously.

Case No. COD-12-00328, *Joyce Castro, 371 Waltham Street, Port Charlotte [Sections 3-2-115, 3-9-32(d), & 3-9-82.1; & IPMC Sections 301.2, 302.7, 304.13, 304.13.1, & 304.13.2]*

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

Richard Adomatis moved the Respondent is in violation as charged with the exception of Section 3-2-115. The Respondent has 30 days from the date of this Order to clear the zoning violations and to fix, repair, or replace the International Property Maintenance Code violations to bring the property in compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$50.00 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-12-00348, Estate of Rickey Cressy, Sr., 108
Dartmouth Drive, NW, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1
& IPMC Sections 301.2, 304.13, 304.13.1, & 304.13.2]

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 date of this Order to clear the zoning violations and to fix, repair, or replace the International Property Maintenance Code violations to bring the property in compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$50.00 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-12-00606, Mary Fuller, 186 Cypress Avenue, 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 date 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 \$50.00 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. 2009-05-0078C, *Geraldine Madsen & David Engelmann*,
2400 & 2408 Auburn Boulevard, Port Charlotte [Sections 3-9-32(d),
3-9-61, & 3-9-82.1; & FBC Sections 105.4 & 109.3]

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

Kathy Damewood moved the Respondents are in violation as charged with the exception of Sections 3-9-32(d), 3-9-61, & 3-9-82.1. The Respondents have 30 days from the date of this to take the necessary steps to renew the expired permit or remove the accessory structure; and all final inspections obtained in accordance with the Florida Building. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$50.00 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 *Richard Adomatis* and was passed unanimously.

Case No. COD-11-02145, *Carlos Torres & Jennifer Ortiz*, 18452
Myer Avenue, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-
82.1; & IPMC Sections 301.3, 302.7, & 303.1]

Lyndon Reinwald 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 date of this Order to clear the zoning violations and to fix, repair, or replace the International Property Maintenance Code 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 \$50.00 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-11-02716, Federal National Mortgage, 4519 Belfountain Street, Port Charlotte [Section 3-9-5(b); & FBC Sections 105.1, 105.4, & 109.3; & IPMC Sections 301.2, 301.3, 302.7, 303.1, 304.7, & 304.9]

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

Charles Lindberg moved the Respondent is in violation as charged with the exception of International Property Maintenance Code Sections 301.3 and 304.7. The Respondent has 30 days from the date of this Order to fix, repair, or replace the International Property Maintenance Code violations; take the necessary steps to renew the expired permit; 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. 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-11-02748, Bank of America, 18510 Arapahoe Circle, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1; & IPMC Sections 302.7, 304.2, 304.6, 304.7, & 604.3]

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

Suzy Hackett moved the Respondent is in violation as charged with the exception of International Property Maintenance Code Sections 304.2, 304.6, 304.7, and 604.3. The Respondent has 30 days from the date of this Order to fix, repair, or replace the International Property Maintenance Code violation 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. 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 *Richard Adomatis* and was passed unanimously.

Case No. COD-11-02854, Wells Fargo Bank, 4289 Yucatan Circle,
Port Charlotte [FBC Sections 105.4 & 109.3; & IPMC Sections
301.3, 302.7, 304.2, 304.6, 304.7, 304.8, 304.9, & 604.3]

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

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the date of this Order to fix, repair, or replace the International Property Maintenance Code violations and 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. 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-12-00081, Estate of Stanley Crew, 21524
Webbwood Avenue, Port Charlotte [Sections 3-2-214, 3-2-215, 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.

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 date of this Order to clear the zoning violations and to take the necessary steps to renew the expired permit or remove the accessory structure; and 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 \$50.00 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 *Charles Lindberg* and was passed unanimously.

Case No. COD-12-00093, *David Oates & Donald Oates, 1239 Flamingo Drive, Englewood [Sections 3-9-36(d) & 3-9-82.1]*

Terri Barnett 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 the date 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 \$50.00 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-11-02014, *Estate of Arnel D. Baker, 23216 Aberdeen Avenue, Port Charlotte [Sections 2-5-72, 3-2-115, 3-9-32(d), & 3-9-61, & 3-9-82.1]*

Charles Bush Certified Code Compliance Officer provided testimony and presented photographs.

Kathy Damewood moved the Respondent is in violation as charged. The Respondent has 15 days from the date of this Order to clear the zoning violations and to comply with Section 3-2-115. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$50.00 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-11-03068, *Danielle Moses & Richard Moses, 1192 Orlando Boulevard, Port Charlotte [Sections 2-5-72, 3-2-115, 3-9-32(d), 3-9-61, & 3-9-82.1; & FBC Sections 105.4 & 109.3; & IPMC Section 304.13.1]*

Charles Bush Certified Code Compliance Officer provided testimony and presented photographs.

Richard Adomatis moved the Respondents are in violation as charged with the exception of Section 3-9-61. The Respondents have 30 days from the date of this Order to comply with Section 3-2-115; to clear the zoning violations; to fix, repair, or replace the International Property Maintenance Code violations; take the necessary steps to renew the expired permit; and to apply for and obtain any necessary permits 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 \$50.00 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-11-03104, *Lauren Maxwell, 1444 Rommel Street, Port Charlotte [FBC Sections 105.4, 105.4.1.2, & 109.3]*

Charles Bush Certified Code Compliance Officer provided testimony and presented photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the date of this Order to take the necessary steps to renew the expired permit or remove the accessory structure; and 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 \$50.00 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 *Charles Lindberg* and was passed unanimously.

Case No. COD-12-00070, *Perry Hoff, 23516 Lark Avenue, Port Charlotte [FBC Sections 105.4, 105.4.1.2, & 109.3]*

Charles Bush Certified Code Compliance Officer provided testimony and presented photographs.

Charles Lindberg moved the Respondent is in violation as charged. The Respondent has 30 days from the date of this Order to take the necessary steps to renew the expired permit or remove all improvements from the property 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 \$50.00 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 *Richard Adomatis* and was passed unanimously.

XII STAFF/BOARD MEMBER COMMENTS:

Erin Mullen-Travis informed the Board about the upcoming workshop that the Building department will be hosting.

Shaun Cullinan Zoning Official informed the Board about the re-organization changes taking place in Code Compliance and Licensing.

Kathy Damewood wanted to know if the Building Department could do a courtesy inspection on some of the expired permits which are brought before the Board.

Alan LeBeau asked if there was a general code under the International Property Maintenance Code that the County could use instead of citing numerous code sections, an example is: peeling and blistering paint.

XIII. ADJOURNMENT

Suzy Hackett moved to adjourn the meeting. Motion was seconded by *Richard Adomatis* and was passed unanimously. The meeting adjourned at 1:05 pm.

**CODE ENFORCEMENT BOARD MINUTES FOR MAY 2, 2012
READ AND APPROVED ON JUNE 6, 2012**

CODE ENFORCEMENT BOARD OF
CHARLOTTE COUNTY, FLORIDA



Alan L. LeBeau, Chairman

ATTEST:



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.