

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

**JULY 3, 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  
Joan Hayes  
Nicholas Theiss

**Excused Absence:**

Charles Lindberg

**IV. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY**

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

**V. NEXT MEETING DATE**

**August 1, 2012**

**VI. APPROVAL OF MINUTES**

*Suzy Hackett* moved to approve the minutes of **June 6, 2012**. The motion was seconded by *Richard Adomatis* and was passed unanimously

**VII. AGENDA CHANGES**

*None*

**VIII. OLD BUSINESS**

*None*

**IX. CONSENT - AFFIDAVITS OF NONCOMPLIANCE FINES**

All matters listed under this item are considered 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. 2009-217**, David Chaloupka, 23016 Jumper Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$18,218.50.
- B. **Case No. 2009-247**, Dana Petrarca & Christopher Menard, 21492 Seyburn Terrace, Port Charlotte – Seventh Affidavit of Noncompliance - \$9,468.50.
- C. **Case No. 2009-334**, Irving Holguin, 21059 Exmore Avenue, Port Charlotte – Sixth Affidavit of Noncompliance - \$9,118.50.
- D. **Case No. 2009-415**, Michael Erving & Irene Erving, 4043 Duncan Road, Punta Gorda – Affidavit of Noncompliance - \$218.50.
- E. † **Case No. 2009-09-0213C**, Kevin Cheek & BAC Home Loans Servicing, 3119 Yukon Drive, Port Charlotte - Affidavit of Noncompliance - \$118.50.

*James Goetz* represented the lender in this matter and provided testimony to the Board. He stated the owner of the property is fighting the foreclosure.

*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

- F. **Case No. 2009-09-0319C**, Daysi Berfanza, 9574 Arsipe Circle, Port Charlotte – Third Affidavit of Noncompliance - \$118.50.
- G. **Case No. 2009-10-0118C**, John Cody, 167 Deerfield Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$6,818.50.
- H. **Case No. COD-10-00174**, Phillip Herndon, Jr. & Marie E. Myers, 290 Spring Lake Boulevard, Port Charlotte – Fourth Affidavit of Noncompliance - \$6,818.50.

- I. **Case No. COD-10-00535**, John Sullivan, 149 Barre Drive, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- J. † **Case No. COD-10-00585**, Craig Spencer, Diana Spencer, and the Bank of New York Mellon, 2304 Dallas Street, Port Charlotte – Sixth Affidavit of Noncompliance - \$5,418.50.

*James Goetz* represented the lender in this matter and provided testimony to the Board.

*Rhonda Leonard* Certified Code Compliance Officer provided testimony.

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

- K. **Case No. COD-10-00686**, Marie Hodgdon, 21733 Edgewater Drive, Port Charlotte — Second Affidavit of Noncompliance - \$6,818.50.
- L. **Case No. COD-10-00687**, Mavis Rowe, 22304 Niagara Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$10,818.50.
- M. **Case No. COD-10-00785**, David Keys, 3174 Brooklyn Avenue, Port Charlotte — Second Affidavit of Noncompliance - \$118.50.
- N. **Case No. COD-10-00808**, Justin J. Sullivan, 430 Dalton Boulevard, Port Charlotte — Second Affidavit of Noncompliance - \$118.50.
- O. **Case No. COD-10-00824**, Timothy Jarret & Theresa Jarret, 6239 Sturgis Street, Englewood — Second Affidavit of Noncompliance - \$145.00.
- P. **Case No. 10-00896**, Hubert G. Frey, 23008 Jumper Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- Q. **Case No. COD-10-01232**, Phillip J. Blien, 14437 Newcomb Road, Port Charlotte — Second Affidavit of Noncompliance - \$14,218.50.

- R. **Case No. COD-10-01300**, Dennis Ellis & Grace Ellis, 1142 Yorkshire Street, Port Charlotte – Third Affidavit of Noncompliance - \$6,118.50.
- S. †**Case No. COD-10-01782**, Matthew Berleue & Kristen Berleue, 20407 Spangler Terrace, Port Charlotte – Third Affidavit of Noncompliance - \$6,818.50.

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

*Terri Barnett* Certified Code Compliance Officer provided testimony.

*Suzy Hackett* moved to continue this affidavit to the September 5, 2012. The motion was seconded by *Kathy Damewood* and was passed unanimously

- T. **Case No. COD-11-00406**, Estate of Charlotte Enfield & Enfield Family Trust, 18742 Countryman Avenue, Port Charlotte – Affidavit of Noncompliance - \$749.00.
- U. **Case No. COD-11-00708**, Dean Holterman & Peter Benedetti, 18023 Lake Worth Blvd., Port Charlotte – Affidavit of Noncompliance - \$881.00.
- V. **Case No. COD-11-00960**, John Cella, 2297 Montpelier Road, Punta Gorda – Third Affidavit of Noncompliance - \$10,618.50.
- W. **Case No. COD-11-01138**, Estate of Joseph C. Caprarella, Sr. & Lise Caprarella, 21259 or 21263 Coulton Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$2,318.50.
- X. †**Case No. COD-11-01159**, Michael J. & Shirley A. Minogue, 409 Hyacinth Street, Port Charlotte – Affidavit of Noncompliance - \$6,018.50.

A representative for the lender was present and provided testimony to the Board. *Terri Barnett* Certified Code Compliance Officer and *James Evetts* provided testimony.

*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.

- Y. † **Case No. COD-11-01189**, *Christine E. Marfut*, 21219  
Glendale Avenue, Port Charlotte – Third Affidavit of  
Noncompliance - \$718.50.

*Christine Marfut* was present and provided testimony to the Board.

*Rhonda Leonard* 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 *Suzy Hackett* and was passed unanimously.

- Z. **Case No. COD-11-01225**, *David Prouty*, 2231 Claude Court,  
Port Charlotte – Affidavit of Noncompliance - \$964.50.
- AA. **Case No. COD-11-01415**, *Mary F. Pantelis-Alessio* 4062  
Gardner Drive, Port Charlotte – Second Affidavit of  
Noncompliance - \$8,118.50.
- BB. **Case No. COD-11-01424**, *Mark Robinson*, 1655 Cardinal  
Lane, Englewood – Second Affidavit of Noncompliance -  
\$718.50.
- CC. **Case No. COD-11-01697**, *John Rupert & Donna Rupert*,  
667 Erroll Street, Port Charlotte – Second Affidavit of  
Noncompliance - \$7,118.50.
- DD. † **Case No. COD-11-01772**, *Jeff Hertzberg & Ruth David*,  
21181 Midway Boulevard, Port Charlotte – Second Affidavit  
of Noncompliance - \$7,418.50.

*James Goetz* represented the lender in this matter and provided testimony to the Board.

*Rhonda Leonard* 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* and was passed unanimously.

- EE. **Case No. COD-11-01976**, *Harbour High Yield Fund, LLC*,  
22192 Beverly Avenue, Port Charlotte – Second Affidavit of  
Noncompliance - \$8,018.50.

- FF. **Case No. COD-11-02304**, Hajra S. Bholat, 250 Mark Twain Lane, Rotonda West – Affidavit of Noncompliance - \$4,795.18.
- GG. **Case No. COD-11-02450**, Jonathan J. Nason, 21688 Gibraltar Drive, Port Charlotte – Affidavit of Noncompliance - \$142.00.
- HH. †**Case No. COD-11-02456**, Victor T. De Leon, 21099 Meehan Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.

*James Goetz* represented the lender in this matter and provided testimony to the Board.

*Rhonda Leonard* 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 *Joan Hayes* and was passed unanimously.

- II. **Case No. COD-11-02494**, Louis Vonevans & Hyacinth Vonevans, 14361 Chancellor Blvd., Port Charlotte – Affidavit of Noncompliance - \$118.50.
- JJ. **Case No. COD-11-02522**, Equity Trust Co. as Custodian, Karl B Helbig, IRA & Angelo Ingorvaia, 4475 Conway Boulevard, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- KK. †**Case No. COD-11-02534**, Steve Mucciarone, Inc., as Trustee of the 22210 Hernando Avenue Trust, & JP Morgan Chase Bank National Association, 22210 Hernando Avenue, Port Charlotte – Affidavit of Noncompliance - \$218.50.

*James Goetz* represented the lender in this matter and provided testimony to the Board.

*Rhonda Leonard* 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 *Suzy Hackett* and was passed unanimously.

- LL. **Case No. COD-11-02644**, Farrukh Zaidi & Shehla Zaidi, 6 Brig Circle E, Placida – Affidavit of Noncompliance - \$4,834.74.
- MM. **Case No. COD-11-02718**, Michael A. Carnovale, 21306 Cottonwood Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$5,118.50.
- NN. **Case No. COD-11-02753**, Jason Guthrie & Leslie Guthrie, 21516 Webbwood Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- OO. **Case No. COD-11-02793**, Felix Navedo Valle & Ana Navedo, 3340 Edgehill Terrace, Port Charlotte – Affidavit of Noncompliance - \$792.00.
- PP. **Case No. COD-11-02822**, Eric S. Rajnish, 22448 Hernando Avenue, Port Charlotte – Affidavit of Noncompliance - \$1,217.00.
- QQ. **Case No. COD-11-02982**, Gary Simpson & Dora Simpson, 21284 Pemberton, Port Charlotte – Affidavit of Noncompliance –\$118.50.
- RR. †**Case No. COD-11-02983**, Michael Elwood, 21201 Bassett Avenue, Port Charlotte – Affidavit of Noncompliance – \$118.50.

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

*Suzy Hackett* moved to continue this case to August 1, 2012. The motion was seconded by *Kathy Damewood* and was passed unanimously.

*Suzy Hackett* moved to approve the fines as stated in the Affidavits of Noncompliance with the exception of **Case Nos. 2009-09-0213C, COD-10-00585, COD-10-01782, COD-11-01159, COD-11-01189, COD11-01772, COD-11-02456, COD11-02534, and COD-11-02983**. The motion was seconded by *Kathy Damewood* and was passed unanimously.

X. **LIENS - APPROVAL TO SEND TO BCC FOR FURTHER CONSIDERATION**  
*None*

**XI. NEW BUSINESS**

**Case No. COD-11-02736**, *William C. Hayter & Rebecca Hayter, 3469 Lucerne Terrace, Port Charlotte [Sections 3-2-214, 3-2-215, & 3-9-5(b); FBC Section 105.1; & IPMC Sections 301.2, 304.2, 304.6, 304.7, & 304.13.2]*

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

*William Hayter* was present and provided testimony to the Board. Due to his financial matter, he asked the Board to grant him a continuance.

*Suzy Hackett* moved to continued this case until the October 3, 2012, meeting. The motion was seconded by *Richard Adomatis* with two (2) opposing votes *Kathy Damewood* and *Alan LeBeau*.

**Case No. COD-12-00421**, *Estate of Charlotte Kitzmiller, 2209 Ednor Street, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & IPMC Sections 301.2, 302.7, 304.1, 304.2 & 304.6:]*  
**NOT SERVED**

*James Goetz* represented the Estate in this matter and provided testimony and due to the fact that this case was not served it was continued.

**Case No. COD-12-00592**, *Justino Silvestre, M.D., P.A., 3570 Tamiami Trail, Port Charlotte [Sections 2-5-72, 3-9-43(d), & 3-9-82.1; & IPMC Sections 301.2, 301.3, 302.1, 302.3, 302.7, 304.1, 304.9, 304.13, 304.13.1, 304.15, 305.1, 305.3, 604.1, & 604.3]*

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

*Justino Silvestre* was present and provided testimony in this matter.

*Kathy Damewood* moved the Respondent is in violation as charged. Respondent has days 30 days from the date of this Order to clear the zoning violations and 90 days to apply for and obtain any necessary permits to bring the property into compliance with the International Property Maintenance 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 *Nick Theiss* with two (2) opposing votes *Suzy Hackett* and *Richard Adomatis*.

**Case No. COD-12-01259**, *Catherine Ann Albano, 7178 Deegan Street, Englewood [Sections 3-9-32(d) & 3-9-82.1]*

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

A representative for the lender was present and provided testimony in this matter.

*Kathy Damewood* moved the Respondent is in violation as charged. Respondent has days 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. COD-12-00868**, *Robert Reeves, Mary Reeves, & Wells Fargo Home, Inc., 21923 Calvin Lane, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1; & IPMC Sections 108.1.3, 108.1.5(9), 108.6, 301.2, 301.3, 302.5, 302.7, 304.1, 304.2, 304.6, 304.13, 304.13.1 & .2, 304.15, 305.1, 305.3, 305.6, 309.1, 309.2, 501.2, 505.1, 505.3, & 604.3]*

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

*Marlo Fox* represented the lender in this matter and provided testimony.

*Suzy Hackett* moved the Respondents are in violation as charged. The Respondents have days 30 days from the date of this Order bring the property

into compliance with the International Property Maintenance Code violations; and to apply for and obtain all necessary permits. 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-12-00317, James Boeckman & Mary Boeckman, 4434 Melbourne Street, Port Charlotte [Section 3-9-5(b) & FBC Section 105.1]**

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

*Mary Boeckman* was present and provided testimony to the Board.

*Suzy Hackett* moved the Respondents are in violation as charged. Respondents have days 90 days from the date of this Order to apply and obtain all 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. 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 two (2) opposing votes *Joan Hayes* and *Kathy Damewood*.

**Case No. COD-10-00833, Michael V. Zarro, 19228 Palmdale Court, Port Charlotte [FBC Sections 105.4 & 109.3]**

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

*Michael Zarro* 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 take the necessary steps to renew the expired permit and obtain final inspections. 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 *Joan Hayes* and was passed unanimously.

**Case No. COD-12-00216, Brian McGlone, 21283 or 21287  
Coulton Avenue, Port Charlotte [Sections 3-9-5(b), 3-9-33(d),  
& 3-9-82.1; & FBC Sections 105.1, 105.4, & 109.3; & IPMC  
Sections 301.2, 304.6, 304.13, 304.13.1, & 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 date of this Order to clear the zoning violations and to bring the property into compliance with the International Property Maintenance Code; take the necessary steps to renew the expired permit; obtain final inspections; and to apply for and obtain all necessary permits. 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. COD-12-00318, Matthew Cason & Layne Cason,  
21472 Holdern Avenue, Port Charlotte [Sections 3-2-214, 3-  
2-215, 3-9-5(b), 3-9-32(d), 3-9-77, & 3-9-82.1; & FBC  
Section 105.1; & IPMC Sections 301.2, 301.3, 302.1, 302.7,  
304.1, 304.7, 304.13, 304.13.1, 305.1, 305.3, 309.1, &  
604.3]**

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

*Kathy Damewood* moved the Respondents are in violation as charged with the exception of Sections 3-2-214 and 3-2-215. The Respondents have 30 days from the date of this Order to clear the zoning violations; and bring the property into compliance with the International Property Maintenance Code, and to apply for and obtain all necessary permits. 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. COD-12-00632, Brian K. Hays & Agnes M. Hays, 22134 Gandy Avenue, 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, 302.7, 304.1, 304.2, 304.7, 601.2, 604.1, & 604.3]**

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

*Suzy Hackett* moved the Respondents are in violation as charged. The Respondent have 30 days from the date of this Order to clear the zoning violations; bring the property into compliance with the International Property Maintenance Code violations; and to apply for and obtain all necessary permits. 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-12-00693, Rod Khleif, 21139 Gladis Avenue, Port Charlotte [Sections 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 302.1, 302.7, 304.6, 304.7, 304.13, 304.13.1, 304.15, 305.1, 305.3, & 604.3]**

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

*Richard Adomatis* moved the Respondent is in violation as charged. Respondent has 30 days from the date of this Order to clear the zoning violations; bring the property into compliance with the International Property Maintenance Codes; and to apply for and obtain all necessary permits. 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-12-00890**, *Florida First Escrow Company*,  
2376 Picnic Street, Port Charlotte [Sections 3-9-32(d) & 3-9-  
82.1]

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

*Suzy Hackett* moved the Respondent is in violation as charged. 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 \$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-11-02985**, *Chris Minter & Khatijas Bholat*,  
23304 Abrade Avenue, Port Charlotte [Section 2-5-72; &  
FBC Sections 105.4 & 109.3]

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

*Suzy Hackett* moved the Respondents are in violation as charged. Respondents have 30 days from the date of this Order to clear the zoning violation and to take the necessary steps to renew the expired permit and obtain final inspections. 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-12-00547, Sunnydell Plaza, LLC, 26201  
Explorer Road, Punta Gorda [FBC Sections 105.4 & 109.3]**

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

*Richard Adomatis* moved the Respondent is in violation as charged. Respondent has 30 days from the date of this and to take the necessary steps to renew the expired permit and obtain final inspections. 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 *Joan Hayes* and was passed unanimously.

**Case No. COD-12-00895, Michael D. Starkey, 1346 Algiers  
Street, Port Charlotte [Section 2-5-72; & FBC Sections 105.4  
& 109.3]**

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

*Suzy Hackett* moved the Respondent is in violation as charged. Respondent has 30 days from the date of this Order to clear the zoning violation and to take the necessary steps to renew the expired permit and obtain final inspections. 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-11-02547, Hesam Mirani & Leslie Mirani,  
10000 Gasparilla Pass Boulevard, Boca Grande [FBC  
Sections 105.4 & 109.3]**

This case was continued at the hearing.

**Case No. COD-12-00629**, *Amanda Hawkins, Denise Hawkins, & Timothy Garland, 9310 Casa Grande Avenue, Englewood [FBC Sections 105.4 & 109.3]*

This case was continued at the hearing.

**Case No. COD-12-01144**, *Eric Wade & Laura Wade, 7473 Jennifer Drive, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1]*

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

*Richard Adomatis* moved the Respondents are in violation as charged. 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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-12-01404**, *Danis Franco & National City Mortgage, 8240 Dafoe Street, Port Charlotte [FBC Sections 105.4, 105.4.1.2, & 109.3; & IPMC Sections 301.2 & 301.3]*

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

*Richard Adomatis* moved the Respondents are in violation as charged. Respondents have 15 days from the date of this Order to bring the property into compliance with the International Property Maintenance Codes and to take the necessary steps to renew the expired permit and obtain final inspections or remove any improvements from the property. 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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-11-00433**, Anthony R. Larotonda & Anna Castellano, 106 Leland Street SE, Port Charlotte [FBC Sections 105.4 & 109.3]

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

*Richard Adomatis* moved the Respondents are in violation as charged. Respondents have 30 days from the date of this and to take the necessary steps to renew the expired permit and obtain final inspections. 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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-11-02966**, Hertenlehner Corporation, 4135 Tamiami Trail, Port Charlotte [Sections 3-6-4, 3-9-5(b), 3-9-50.4(c), & 3-9-90(f); & FBC Section 105.1]

This case was continued at the hearing.

**Case No. COD-12-00974**, Jose Lopez, 3380 Port Charlotte Boulevard, Port Charlotte [Sections 3-9-5(b), 3-9-61, & 3-9-91; & FBC Section 105.1]

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

*Richard Adomatis* moved the Respondent is in violation as charged. Respondent has 30 days from the date of this Order to clear the zoning violations and to apply for and obtain all necessary permits. 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 *Joan Hayes* and was passed unanimously.

**Case No. COD-12-01027, Thuy Nguyen, 23112 Central Avenue, Port Charlotte [Sections 3-2-115, 3-9-5(b), 3-9-50.5(b)(2), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 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 3-2-115. The Respondent has 30 days from the date of this Order to clear the zoning violations; bring the property into compliance with the International Property Maintenance Code violations; and to apply for and obtain all necessary permits. 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 *Joan Hayes* and was passed unanimously.

**XII. STAFF AND BOARD MEMBER COMMENTS**

*Richard Adomatis* suggested that the County might was to furnish more information to the public in regards to the codes.

**XIII. ADJOURNMENT**

*Suzy Hackett* moved to adjourn the meeting. Motion was seconded by *Joan Hayes* and was passed unanimously. The meeting adjourned at 12:04 pm.

**CODE ENFORCEMENT BOARD MINUTES FOR JULY 3, 2012  
READ AND APPROVED ON AUGUST 1, 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.***