

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

August 1, 2012

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
Kathy Damewood
Suzy Hackett
Joan Hayes
Charles Lindberg
Nicholas Theiss

Excused:

Richard Adomatis

IV. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY

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

V. NEXT MEETING DATE

September 5, 2012

VI. APPROVAL OF MINUTES

Suzy Hackett moved to approve the minutes of **July 3, 2012**. The motion was seconded by *Joan Hayes* and was passed unanimously

VII. AGENDA CHANGES

Case No. COD-12-00339 – Continued
Case No. COD10-01006- Continued
Case No. COD-12-01382 - Dismissed

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. 2009-07-0355C**, *Henry Richard & Carol Knight, 155 Croop Lane, Port Charlotte – Fifth Affidavit of Noncompliance - \$8,018.50.*
- B. **Case No. 2009-135**, *Estate of Lester W. Wilcox, 22363 Midway Boulevard, Port Charlotte – Fifth Affidavit of Noncompliance - \$1,993.50.*
- C. **Case No. 2009-277**, *Preston Vulgamore, 3485 Sage Street, Port Charlotte – Eighth Affidavit of Noncompliance - \$9,918.50.*
- D. **✦Case No. COD-10-00124**, *Nicholas Mitchell, Rachel Thorpe, & Chase Home Financial, LLC, 972 Roseway Terrace NW, Port Charlotte – Sixth Affidavit of Noncompliance - \$9,618.50.*

Dwayne Dickerson represented the lender in this matter and provided testimony to the Board.

Lyndon Reinwald Certified Code Compliance Officer 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* for discussion. The motion was approved with two (2) opposing votes *Kathy Damewood* and *Alan LeBeau*.

- E. **Case No. COD-10-00249**, *Elizabeth Scharmberg, 672 Edgemere Street, Port Charlotte – Sixth Affidavit of Noncompliance - \$9,618.50.*
- F. **Case No. COD-10-00615**, *Leonard Harding & Clarissa Harding, 21170 Glendale Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - \$4,818.50.*

- G. **Case No. COD-10-00780**, Lajos Szathmari, 3193 Crestwood Drive, Port Charlotte – Seventh Affidavit of Noncompliance - \$247.43.
- H. **Case No. COD-10-00836**, David Allen Crane & Wachovia Bank, National Association, 3381 Maple Terrace, Port Charlotte – Fifth Affidavit of Noncompliance - \$442.00.
- I. **Case No. COD-10-00953**, Steven Blake & Heather Blake, 3397 Croton Terrace, Port Charlotte – Sixth Affidavit of Noncompliance - \$142.00.
- J. **Case No. COD-10-00896**, Hubert Frey, 23008 Jumper Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$149.35.
- K. **Case No. COD-10-00998**, Oqab Abuoqab, 21090 Ionia Avenue, Port Charlotte – Fourth Affidavit of Noncompliance - \$118.50
- L. **Case No. COD-10-01013**, Brian Schebel, Jennifer Walker, & LaSalle Bank National Association, 21354 Percy Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - \$365.50.
- M. **Case No. COD-10-01087**, Joseph Mann, Karla Mann, & BAC Home Loans Servicing, 21540 Olean Boulevard, Port Charlotte – Fourth Affidavit of Noncompliance - \$4,818.50.
- N. **Case No. COD-10-01149**, Paul Vought & Justin Vought, 22024 Felton Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$118.50.

Paul Vought was present and provided testimony to the Board.

Rhonda Leonard Certified Code Compliance Officer provided testimony to the Board.

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.

- O. **Case No. COD-10-01291**, Alfonso Lloyd & Avril Lloyd, 21929 Felton Avenue, Port Charlotte - Fourth Affidavit of Noncompliance - \$3,618.50.

- P. **Case No. COD-10-01310**, Bret Lang & Darlene Lang, 21256 Edgewater Drive, Port Charlotte – Third Affidavit of Noncompliance - \$8,518.50.
- Q. **Case No. COD-10-01496**, Mark Williams, 22111 Marshall Avenue, Port Charlotte – Fourth Affidavit of Noncompliance - \$118.50.
- R. **Case No. COD-10-01656**, Robert Gannon, 4386 Sibley Bay Street, Port Charlotte – Fourth Affidavit of Noncompliance - \$8,018.50.
- S. **Case No. COD-11-00473**, Patrick Brill, 72 Golfview Road N., Rotonda West – Third Affidavit of Noncompliance - \$12,218.50.
- T. **Case No. COD-11-00492**, Dominick Fiorello, 18068 Poston Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$9,018.50.

Dominick Fiorello was present and provided testimony to the Board.

Lyndon Reinwald Certified Code Compliance Officer provided testimony to the Board.

Kathy Damewood moved to reduce the fine as stated in the Affidavit of Noncompliance to \$1,018.50. The motion was seconded by *Suzy Hackett* and was passed unanimously.

- U. **Case No. COD-11-00528**, Nicole Flanary & The Bank of New York Mellon, 814 W Tarpon Boulevard, Port Charlotte – Third Affidavit of Noncompliance - \$10,818.50.

Jay Segal represented the lender in this matter and provided testimony to the Board. He stated the owner is deceased.

Rhonda Leonard Certified Code Compliance Officer 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.

- V. **Case No. COD-11-00578**, Joseph McGrath, 2345 Wiley Street, Port Charlotte – Third Affidavit of Noncompliance - \$218.50.
- W. **Case No. COD-11-00685**, Jean Sully & Jessica Sully, 22115 Midway Boulevard, Port Charlotte – Third Affidavit of Noncompliance - \$242.00.
- X. **Case No. COD-11-00724**, Doris Waters, 3284 Easy Street, Port Charlotte – Third Affidavit of Noncompliance - \$265.50.
- Y. **Case No. COD-11-00728**, Frank Talerico, 640 Sharon Circle, Port Charlotte – Third Affidavit of Noncompliance - \$17,018.50.
- Z. **Case No. COD-11-00911**, Mario Escalera & Carleen Escalera, 21387 Meehan Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$453.75.
- AA. **Case No. COD-11-00984**, Martha Nazario, 947 Linnaen Terrace, NW, Port Charlotte – Third Affidavit of Noncompliance - \$8,418.50.
- BB. **Case No. COD-11-00990**, Charles Wendell, Jr. & Donna Wendell, 3453 Westlund Terrace, Port Charlotte – Third Affidavit of Noncompliance - \$342.00.
- CC. **Case No. COD-11-01163**, Carol Bunn, 22084 Felton Avenue, Port Charlotte – Affidavit of Noncompliance - \$921.00.
- DD. **Case No. COD-11-01244**, Placido Amendolia, 21551 Kenyon Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$342.00.
- EE. **Case No. COD-11-01282**, Joyce Caldwell, 192 Deerfield Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$142.00.
- FF. **Case No. COD-11-01786**, Marian M. Kencik, 4185 Flamingo Boulevard, Port Charlotte – Third Affidavit of Noncompliance - \$9,418.50.

- GG. **Case No. COD-11-01933**, Joseph McGarth, Trustee of the J.J.M. Normandy Drive Revocable Trust, 3312 Normandy Drive, Port Charlotte – Second Affidavit of Noncompliance - \$3,518.50.
- HH. **Case No. COD-11-02015**, Otniel Gil & JP Morgan Chase Bank, National Association, 21322 Stillwater Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$9,818.50.
- II. **Case No. COD-11-02252**, William Alvarez & Carolyn Alvarez, 18281 O'Hara Drive, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- JJ. **Case No. COD-11-02296**, Rodolfo Barreneche & Margarita Barreneche, 21275 Glendale Avenue, Port Charlotte – Affidavit of Noncompliance - \$801.00.
- KK. **Case No. COD-11-02315**, Richard Dingee, Jr., 21875 Hernando Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$118.50.
- LL. **Case No. COD-11-02450**, Jonathan Nason, 21688 Gibraltar Drive, Port Charlotte – Second Affidavit of Noncompliance - \$243.98.
- MM. **Case No. COD-11-02456**, Victor DeLeon, 21099 Meehan Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$1,418.50.

Justin Thomas represented the lender in this matter and provided testimony to the Board.

Rhonda Leonard Certified Code Compliance Officer provided testimony to the Board.

Kathy Damewood moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Joan Hayes* with one opposing vote *Suzy Hackett*.

- NN. **Case No. COD-11-02475**, John Courtney Dookie, 21075 Gladis Avenue, Port Charlotte – Affidavit of Noncompliance - \$979.50.

OO. **Case No. COD-11-02632**, Mertella Delchon, 2449 Starlite Lane, Port Charlotte – Affidavit of Noncompliance - \$118.50.

PP. **Case No. COD-11-02653**, Zdenka Rozsypalkova, 21123 Glendale Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$142.00.

QQ. **Case No. COD-11-02674**, Alfonso Deleon, 22144 Laramore Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.

Alfonso Deleon was present and *Julia Galofre* was translating for Mr. Deleon. He provided testimony to the Board through his translator.

Charlie Bush Certified Code Compliance Officer provided testimony to the Board.

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

RR. **Case No. COD-11-02761**, Donald Evertsen, 21928 Felton Avenue, Port Charlotte – Affidavit of Noncompliance - \$617.00.

SS. **Case No. COD-11-02822**, Eric Rajnish, 22448 Hernando Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$442.00.

TT. **Case No. COD-11-02890**, Amanda Singh & Countrywide Home Loans, Inc., 3348 Normandy Drive, Port Charlotte – Affidavit of Noncompliance - \$118.50.

UU. **Case No. COD-11-02934**, Daniel Frederick Thompson & Kristi Thompson, 163 Australian Drive, Rotonda – Affidavit of Noncompliance - \$118.50.

VV. **Case No. COD-11-02883**, Michael Elwood, 21201 Bassett Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.

Jimmy Edwards represented the lender in this matter and provided testimony to the Board.

Terri Barnett Certified Code Compliance Officer provided testimony to the Board.

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.

Kathy Damewood moved to approve the fines as stated in the Affidavits of Noncompliance with the exception of the following cases **Case No. COD-10-00124, Case No. COD-10-01149, Case No. COD-11-00492, Case No. COD-11-00528, Case No. COD-11-02456, Case No. COD-11-02674, and Case No. COD-11-02883.** The motion was seconded by *Suzy Hackett* and was passed unanimously.

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

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

XI. **NEW BUSINESS**

Case No. COD-12-01379, Royal Crown Bancorp & Citibank, 2185 Easy Street, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & IPMC Sections 108.1, 108.1.5(9), 301.2, 301.3, 302.5, 304.1, 304.2, 304.6, 304.7, 304.9, 304.13, 304.13.1, 305.1, 305.3, 309.1, & 604.3]

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

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

Kathy Damewood moved the Respondents are in violation as charged. The Respondents have 30 days from the date of this Order clear the zoning violations and 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 *Joan Hayes* and was passed unanimously.

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 Edward was present and provided testimony to the Board. She asked for a 30 day continuance.

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

Suzy Hackett moved to continue this case to the December 5, 2012, Code Enforcement Board hearing. The motion was seconded by *Nicholas Theiss* with one opposing vote *Joan Hayes*.

Case No. COD-11-03006, *Michael Fitzgerald, 21921 Felton Ave, Port Charlotte [Sections 3-6-21, 3-9-5(b), & 3-9-32(d) & (f); & FBC Section 105.1]*

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

Michael Fitzgerald was present and provided testimony to the Board.

A lengthy discussion took place regarding an electrical permit.

Suzy Hackett moved to dismiss the case against the Respondent. The motion was seconded by *Charles Lindberg* and was passed unanimously.

Case No. COD-12-0131, *Dionnoe Jones & Cynthia Guilfoyle, 21250 Gladis Avenue Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & IPMC Sections 301.2, 302.7, 304.1, 304.6, & 304.7]*

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

Cynthia Guilfoyle was present and provided testimony to the Board. She requested a continuance in this matter.

Suzy Hackett moved to continue this case to the November 7, 2012, Code Enforcement Board hearing. The motion was seconded by *Joan Hayes* and was passed unanimously.

Case No. COD-12-00594, Vicki Tarr, 21451 Meehan Avenue, Port Charlotte [Section 3-9-5(b); & FBC Sections 105.1 & 424.2.17]

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

Vicki Tarr was present and provided testimony to the Board in this matter.

Suzy Hackett moved to continue this case until the November 7, 2012, Code Enforcement Board hearing. The motion was seconded by *Kathy Damewood* and was passed unanimously.

Case No. COD-12-01429, Betty K. Alston, 6835 Placida Road, Englewood [Sections 3-9-30(d), 3-9-61, & 3-9-82.1]

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

Betty Alston requested a continuance in this case.

Suzy Hackett moved to continue this case to the October 3, 2012, Code Enforcement Board hearing. The motion was seconded by *Kathy Damewood* and was passed unanimously.

Case No. COD-10-00710, James C. Darling, 731 Dobell Terrace, NW, Port Charlotte [FBC Sections 105.4 & 109.3]

Lyndon Reinwald 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 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-10-01294, *Gulf Coast Marine Center, Inc. & George Stoeckert, 4238 El Jobean Road, El Jobean [Sections 3-9-5(b) & 3-9-95(i), (j), (k); & FBC Section 105.1]*

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 Sections 3-9-5(b) & 3-9-95(i), (j), & (k). The Respondent has 30 days from the date of this Order to for apply 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. The motion was seconded by *Joan Hayes* and was passed unanimously.

Case No. COD-12-00312, *Edisleydis Martinez, 4354 Durant St, Port Charlotte [Sections 3-9-5(b), 3-9-32(d), & 3-9-82.1; & IPMC Section 304.9]*

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 clear the zoning violations and bring the property into compliance with the International Property Maintenance 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 *Charles Lindberg* and was passed unanimously.

**Case No. COD-12-01118, Tyona E. Vallejo, 1473
Yorkshire Street, Port Charlotte [Section 2-5-72; &
FBC Section 105.4, 105.4.1.2, & 109.3]**

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

Kathy Damewood moved the Respondents are in violation as charged. The Respondents have 30 days from the date of this order to clear the zoning violation and to take the necessary steps to renew the expired permit, or remove any improvements from the property, 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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-11-02634, P&B Property
Investments, LLC, 21443 Gibraltar Drive, Port
Charlotte [Section 3-9-5(b) & FBC Section 105.1]**

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

Kathy Damewood moved the Respondents are in violation as charged. The Respondents have 30 days from the date of this order 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. The motion was seconded by *Suzy Hackett* and was passed unanimously.

**Case No. COD-12-00339, Salem Corporation & Pet
Direct, LLC, 2686 Tamiami Trail, Port Charlotte
[Sections 1-12-113, 1-12-118, & 3-9-42(d)] **Not
Served****

This case was continued at the Board hearing.

Case No. COD-12-00696, Nancy Harris, 22362
Hernando Avenue, Port Charlotte [Section 3-9-5(b), &
FBC Sections 105.1, 105.4, & 109.3]

Rhonda Leonard 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 and 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. 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-12-00769, Robert Bartlett & Frances
Bartlett, 21435 Meehan Avenue, Port Charlotte
[Sections 2-5-72, 3-9-32(d), & 3-9-82.1; & IPMC
Sections 301.2, 302.1, 304.13, 304.13.1, & 304.15]

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

Kathy Damewood moved the Respondents are in violation as charged. The Respondents have 30 days from the date of this order clear the zoning violations and 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 \$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-12-01230, BLT of SW Florida, LLC,
21453 Holdern Ave, Port Charlotte [Sections 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.

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 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 *Suzy Hackett* and was passed unanimously.

**Case No. COD-12-01633, Lisa Caprarella, 21259
Coulton Avenue, Port Charlotte [Sections 3-9-33(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. 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 *Joan Hayes* and was passed unanimously.

**Case No. COD-12-01667, Rafaela Deleon, 22091
Hernando Avenue, Port Charlotte [Sections 3-2-214,
3-2-215, 3-9-32(d), 3-9-61, & 3-9-82.1]**

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

Nicholas Theiss 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 *Charles Lindberg* and was passed unanimously.

**Case No. COD-12-01771, Timothy Kellar, 21662
Augusta Avenue, Port Charlotte [Section 2-5-72]**

This case was continued due to lack of service.

**Case No. COD-12-01777, Linda A. Elder, 2215
Harriet Street, Port Charlotte [Section 2-5-72]**

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

Charles Lindberg 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. COD-12-01793, Alitzah Owens as Trustee
of the 21298 Gladis Avenue Residential Land Trust,
21298 Gladis Avenue, Port Charlotte [Section 3-9-
5(b); FBC Section 105.1; & IPMC Sections 301.2,
301.3, 304.1, 304.2, 304.4, 304.6, 304.7, 304.13,
304.13.1, 304.15, 305.1, 305.3, 309.1, & 604.3]**

Rhonda Leonard 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 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 \$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-10-01214, Joseph Francois, 23321
Avacado Avenue, Port Charlotte [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. 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-12-00697, Eric Briner, 3057
Lockwood Street, Port Charlotte [Sections 2-5-72 &
3-9-82.1; & IPMC Sections 108.1.3, 303.1, 303.2,
505.1, & 604.1]**

Charlie 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 clear the zoning violations and 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 \$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* with two (2) opposing votes *Alan LeBeau* and *Nicholas Theiss*.

**Case No. COD-12-01222, Scott Cameron & Melanie
Cameron, 8333 Burwell Circle, Port Charlotte [FBC
Sections 105.4 & 109.3] NOT SERVED**

This case was continued due to lack of service.

**Case No. COD-12-01488, Orysa Alexandra
Fedoryshyn, 10509 Willmington Boulevard,
Englewood [Sections 3-9-32(d) & 3-9-91)**

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

Suzy Hackett 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 *Nicholas Theiss* and was passed unanimously.

**Case No. COD-12-01804, Algie Pruett IV, 1975
Illinois Avenue, Englewood [Sections 3-9-32(d), 3-9-
82.1, 3-9-91, & 2-5-72]**

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

Suzy Hackett 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 *Joan Hayes* and was passed unanimously.

**Case No. COD-12-01874, Victor Fernandes &
Jennifer Fernandes, 14166 Saul Lane, Port Charlotte
[Sections 3-9-32(d) & 3-9-82.1; FBC Sections 105.4,
105.4.1.2, & 109.3; & IMPC Sections 301.2 & 301.3]
NOT SERVED**

This case was continued due to lack of service

Case No. COD-10-01006, Jerry Hartman, 168 Barre Drive, Port Charlotte [Sections 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Sections 105.1, 105.4, & 109.3]

This case was continued at the Board hearing.

Case No. COD-11-00234, Chetan Patel, 3101 Port Charlotte Boulevard, Port Charlotte [FBC Sections 105.4 & 109.3]

Rick Towne 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 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-11-02060, Loretta Gooding, 186 Chelsea Court, Port Charlotte [FBC Sections 105.4 & 109.3]

Rick Towne 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 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 *Charles Lindberg* and was passed unanimously.

Case No. COD-12-01139, Hony LaFortune & Melanie A. Tatarcyk, 201 Park Street, Port Charlotte [FBC Sections 105.4 & 109.3; & IPMC Sections 108.1.1, 301.3, & 304.15]

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

Suzy Hackett moved the Respondents are in violation as charged with the exception of the International Property Maintenance Code Sections 108.1.1, 301.3, & 304.15. The Respondents have 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 *Charles Lindberg* and was passed unanimously.

Case No. COD-12-01382, Robert H. Carr Jr., & Barbara A. Carr, 589 NW Reading Street, Port Charlotte [Sections 3-9-61 & 3-9-91]

This case was pulled at the Board hearing.

XII. STAFF AND BOARD MEMBER COMMENTS

James Evetts, Building Official, explained why the expired permits are important to bring before the Board.

XIII. ADJOURNMENT

Charles Lindberg moved to adjourn the meeting. Motion was seconded by *Kathy Damewood* and was passed unanimously. The meeting adjourned at 1:00 pm.

**CODE ENFORCEMENT BOARD MINUTES FOR August 1, 2012
READ AND APPROVED ON SEPTEMBER 5, 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.