

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

July 3, 2013 - 9:00 a.m.

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

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY

**V. NEXT MEETING DATE
August 8, 2013**

**VI. APPROVAL OF MINUTES
June 5, 2013**

**VII. AGENDA CHANGES
*To be announced***

**VIII. OLD BUSINESS
*None***

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.

1. **Case No. 2009-277, Preston Vulgamore, 3485 Sage Street, Port Charlotte – Tenth Affidavit of Noncompliance - \$110.00.**

2. **Case No. COD-10-01013, Brian Schebel, Jennifer Walker, & LaSalle Bank N.A., 21354 Percy Avenue, Port Charlotte – Eighth Affidavit of Noncompliance - \$335.00.**

3. **Case No. COD-11-02391**, William Speidell & Karen Speidell, 179 Capatola Street, Port Charlotte – Fifth Affidavit of Noncompliance - \$110.00.
4. **Case No. COD-11-02975**, Terrance Shores & Nina Kemp, 2186 Como Street, Port Charlotte – Second Affidavit of Noncompliance - \$85.00.
5. **Case No. COD-12-00020**, Motilall Kuneram & Bhanmatie Kuneram, 4113 Durant Street, Port Charlotte – Third Affidavit of Noncompliance - \$4,410.00.
6. **Case No. COD-12-00959**, Bank of New York, 4261 Day Street, Port Charlotte – Affidavit of Noncompliance - \$110.00.
7. ✦ **Case No. COD-12-02048**, Joseph Grant, 2363 Lee Terrace, Port Charlotte – Affidavit of Noncompliance - \$60.00.

Rhonda Leonard gave an update on this case...due to the fact that Mr. Grant could not attend the meeting she stated that he is requesting the Board to deny the affidavit.

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.

8. **Case No. COD-12-03293**, Kenneth Kelich, 11098 Cheltenham Avenue, Englewood – Affidavit of Noncompliance - \$360.00.
9. **Case No. COD-13-00142**, Peter Mis & Muriel Mis, 11090 McFadden Avenue, Englewood – Affidavit of Noncompliance - \$110.00.

Suzy Hackett moved to approve the fines as stated in the Affidavits of Noncompliance with the exception of **Case No. COD-12-02048**. The motion was seconded by *Richard Adomatis* and was passed unanimously.

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

XI. NEW BUSINESS

Case No. COD-13-00442, Angela Barone, 3223 Lake View Boulevard, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & IPMC Sections 301.2, 301.3, 302.7, 303.1, 303.2, 304.2, & 304.9]

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

Angela Barone was present and provided testimony. A lengthy discussion took place regarding her financial difficulties and what it would take to bring the property into compliance.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 60 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; 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 *Nicholas Theiss* with one opposing vote *Joan Hayes*.

Case No. COD-11-03127, Bebi Baksh, 361 Waltham Street, Port Charlotte [FBC Sections 105.4 & 109.3]

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

Kathy Damewood 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 \$100.00 per day. The motion was seconded by *Joan Hayes* and was passed unanimously.

Case No. COD-12-01862, Susan Migliaccio, 251 Duxbury Avenue, NE, Port Charlotte [Sections 3-9-32(d), 3-9-61, & 3-9-82.1; & FBC Sections 105.4 & 109.3; & IPMC Sections 108.1.1, 301.3, 302.7, 303.1, & 303.2]

Charlie Bush 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), 3-9-61, and 3-9-82.1. 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 renew the expired permit and obtain final inspections or obtain a demolition permit. 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-12-02207, Federal National Mortgage Association, 3310 Loveland Blvd, Unit 502, Port Charlotte [FBC Sections 105.4 & 109.3]

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

Kathy Damewood 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 \$100.00 per day. The motion was seconded by **Suzy Hackett** and was passed unanimously.

Case No. COD-11-02527, LLL Properties, LLC, 12500 & 12540 Burnt Store Road, Punta Gorda [Sections 1-10-18, 3-9-5(d)(2), 3-9-7(h), & 3-9-95.1.1.10(E)(1-5)]

Rick Dalton Certified Code Compliance Officer provided testimony and presented photographs and documentation.

Suzy Hackett moved the Respondent is in violation as charged with the exception of Sections 1-10-18 and 3-9-7(d). The Respondent has 15 days from the date of this Order to clear all zoning violations 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 5 years for the zoning violations. The motion was seconded by ***Kathy Damewood*** and was passed unanimously.

Case No. COD-12-03058, Aljenbaus, LLC, 3769 Acline Road, Building - A, Unit A-1, Punta Gorda [Sections 1-10-18 & 3-9-5(b)(d)(2); & FBC Section 105.1] NOT SERVED

This case was continued due to lack of service.

Case No. COD-13-00254, Michael A. Basilotto, 424 Camino Real, Englewood [Sections 3-9-5(b), 3-9-36(d), & 3-9-82.1; FBC Section 105.1; & IPMC Sections 301.2, 301.3, 302.7, 303.1, & 303.2]

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 bring the property into compliance with the International Property Maintenance Codes and to renew the expired permit and obtain final inspections or obtain a demolition permit. 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-13-00639, Roch Oshilaja, 66 Broadmoor Lane, Rotonda West [IPMC Sections 301.2, 301.3, 302.7, 303.1, & 303.2]

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 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. 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-13-00201, Mark Machukas, 2412 Duke Lane, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 302.7, 304.2, 304.7, 304.13, 304.13.1, 305.3, & 604.3] **NOT SERVED**

This case was continued due to lack of service.

Case No. COD-13-00737, Steven Blake & Heather Julian, 3397 Croton Terrace, Port Charlotte [Section 2-5-72; & IPMC Sections 301.2, 301.3, 302.7, 304.2, & 304.13]

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

Richard Adomatis moved the Respondents are in violation as charged. The Respondents have 10 days from the date of this Order to clear the zoning violation and 30 days 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 5 years for the zoning violations. Upon failure to comply, the Clerk shall

notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Suzy Hackett** and was passed unanimously.

Case No. COD-13-00279, *Odell Nationwide, LLC, 23024 Cezane Avenue, Port Charlotte [FBC Sections 105.4, 105.4.1.2, & 109.3; & IPMC Sections 108.1, 108.1.1, 108.1.5(3)(7), & 301.3]*

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

Charles Lindberg 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; renew the expired permit and apply for and obtain all necessary permits or obtain a demolition permit. 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-12-02733, *Bank of America, N.A., 17441 Billiar Avenue, Port Charlotte [Section 3-9-5(b); & FBC Sections 105.4 & 109.3, & IPMC Sections 301.3, 304.2, & 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 bring the property into compliance with the International Property Maintenance Codes and 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. The motion was seconded by **Joan Hayes** and was passed unanimously.

Case No. COD-13-00606, *Timothy Roncaglione, 5072 Chaves Circle, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & FBC Sections 105.4 & 109.3]*

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

Suzy Hackett moved the Respondent is violation as charged. The Respondent has 30 days from the date of this Order to clear the zoning violations and 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 *Charles Lindberg* and was passed unanimously.

**Case No. COD-13-00749, PHH Mortgage Corporation, 4383
Mundella Circle, Port Charlotte [Sections 3-9-5(b) & 2-5-72;
& FBC Section 105.1; & IPMC 301.3, 304.2, 304.6, 304.7,
304.9, & 605.1]**

Lyndon Reinwald 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 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 *Suzy Hackett* and was passed unanimously.

XII. STAFF AND BOARD MEMBER COMMENTS

Chairman LeBeau presented *Joan Hayes* with a Certificate of Appreciation for the years she has served on the Code Enforcement Board.

A discussion took place regarding different topics that were discussed at the Florida Association of Code Enforcement conference.

XIII. ADJOURNMENT

Suzy Hackett moved to adjourn the meeting. Motion was seconded by *Joan Hayes*

and was passed unanimously. The meeting adjourned at 10:48 am.

**CODE ENFORCEMENT BOARD MINUTES FOR JULY 3, 2013
READ AND APPROVED ON AUGUST 8, 2013**

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.