

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

**September 4, 2013**

❖*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**

**Members Present:**

Alan LeBeau  
Richard Adomatis  
Kathy Damewood  
Suzy Hackett  
Charles Lindberg

**Members Excused Absence:**

Nicholas Theiss

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

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

**V. NEXT MEETING DATE**

**October 2, 2013**

**VI. APPROVAL OF MINUTES**

*Suzy Hackett* moved to approve the minutes of **August 8, 2013**. The motion was seconded by *Charles Lindberg* 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 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 \$10.00 for the cost of recording the lien.**

**✦People present at hearing.**

1. **✦Case No. COD-2009-09-0095C**, Douglas Poole & Diana Poole, 760 Conreid Drive, Port Charlotte – Affidavit of Noncompliance - \$210.00.

*Douglas Poole* was present in this matter and 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 *Suzy Hackett* and *Alan LeBeau*.

2. **Case No. COD-11-00030**, Allen Batlle, 22470 Aster Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$5,560.00.
3. **Case No. COD-11-00545**, Paladin Financial, Inc. & Astoria Homes, 3420 Croton Terrace, Port Charlotte – Sixth Affidavit of Noncompliance - \$235.00.
4. **Case No. COD-11-00545**, Paladin Financial, Inc. & Astoria Homes, 3420 Croton Terrace, Port Charlotte – Seventh Affidavit of Noncompliance - \$260.00.
5. **Case No. COD-11-00670**, Lloyd Lee, 22139 Hernando Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - \$135.00.
6. **Case No. COD-11-00911**, Mario Escalera & Carleen Escalera, 21387 Meehan Avenue, Port Charlotte – Seventh Affidavit of Noncompliance - \$133.50.
7. **Case No. COD-11-01163**, Carol Bunn, 22084 Felton Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - \$110.00.
8. **Case No. COD-11-01189**, Christine E. Marfut, 21219 Glendale Avenue, Port Charlotte – Seventh Affidavit of Noncompliance - \$5,410.00.

9. **Case No. COD-11-01216**, Michael Casey, 21474 Meehan Avenue, Port Charlotte, – Affidavit of Noncompliance - \$274.00.
10. **Case No. COD-11-01225**, David Prouty, 2231 Claude Court, Port Charlotte – Fifth Affidavit of Noncompliance - \$585.00.
11. **Case No. COD-11-01855**, Vijaykumar Patel, 643 Hartford Drive, Port Charlotte Port Charlotte – Fourth Affidavit of Noncompliance - \$160.00.
12. **Case No. COD-11-02015**, Otniel Gil, 21322 Stillwater Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - \$210.00.
13. **Case No. COD-11-02296**, Rodolfo Barreneche & Margarita Barreneche, 21275 Glendale Ave., Port Charlotte – Sixth Affidavit of Noncompliance - \$135.00.
14. **Case No. COD-11-02296**, Rodolfo Barreneche & Margarita Barreneche, 21275 Glendale Avenue, Port Charlotte – Seventh Affidavit of Noncompliance - \$160.00.
15. **Case No. COD-11-02653**, Zdenka Rozsypalkova, 21123 Glendale Avenue, Port Charlotte – Eighth Affidavit of Noncompliance - \$160.00.
16. **Case No COD 11-02761**, Donald Evertsen, 21928 Felton Avenue, Port Charlotte – Sixth Affidavit of Noncompliance - \$135.00.
17. **Case No COD-11-02761**, Donald Evertsen, 21928 Felton Avenue, Port Charlotte – Seventh Affidavit of Noncompliance - \$160.00.
18. **Case No. COD-11-02822**, Eric Rajnish, 22448 Hernando Avenue, Port Charlotte – Eighth Affidavit of Noncompliance - \$460.00.
19. **Case No. COD-11-03019**, Donald G. Muse & Rebecca Parker, 12479 Maryland Avenue, Punta Gorda – Affidavit of Noncompliance - \$110.00.

20. **Case No. COD-12-00049**, Evan Flores & Olga Flores, 22506 Troy Avenue, Port Charlotte – Fourth Affidavit of Noncompliance - \$60.00.
21. **Case No. COD-12-00060**, Luis Garcia, 21562 Augusta Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$3,160.00.
22. ✦ **Case No. COD-12-00216**, Brian McGlone, 21283 or 21287 Coulton Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$3,260.00.

*Blake Trueblood* represented the bank in this matter and 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.

23. **Case No. COD-12-00632**, Brian Hays & Agnes Hays, 22134 Gandy Avenue, Port Charlotte – Fourth Affidavit of Noncompliance - \$1,785.00.
24. ✦ **Case No. COD-12-01088**, Victoria Zielinski & Bank of New York Mellon, 19984 Midway Boulevard, Port Charlotte – Affidavit of Noncompliance - \$410.00.

*Esmond Lewis* represented the bank in this matter and 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.

25. **Case No. COD-12-01604**, Estate of Lester Wilcox, 22363 Midway Boulevard, Port Charlotte – Fourth Affidavit of Noncompliance - \$85.00.
26. **Case No. COD-12-01755**, Alice Ladyko, 3357 Lucerne Terrace, Port Charlotte – Second Affidavit of Noncompliance - \$2,410.00.
27. **Case No. COD-12-01805**, Yvon Gedeon & Berthy Gedeon, 2529 Warne Street, Port Charlotte – Third Affidavit of Noncompliance - \$1,835.00.

28. **Case No. COD-12-01805**, Yvon Gedeon & Berthy Gedeon, 2529 Warne Street, Port Charlotte – Fourth Affidavit of Noncompliance - \$1,510.00.
29. **Case No. COD-12-01899**, Anthony Lindsey, 21915 Calvin Lane, Port Charlotte – Third Affidavit of Noncompliance - \$3,435.00.
30. **Case No. COD-12-01899**, Anthony Lindsey, 21915 Calvin Lane, Port Charlotte – Fourth Affidavit of Noncompliance - \$3,060.00.
31. **Case No. COD-12-01993**, Zdenka Rozsypalkova, 21123 Glendale Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$1,360.00.
32. **Case No. COD-12-02003**, Paul Cruz, 21945 Felton Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$142.99.
33. **Case No. COD-12-02085**, John Schuitema & Marilyn Schuitema, 2142 Gerard Court, Port Charlotte – Second Affidavit of Noncompliance - \$6,510.00.
34. **Case No. COD-12-02235**, Alfonso Lloyd & Avril Lloyd, 21929 Felton Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$110.00.
35. ✦ **Case No. COD-12-02262**, Estate of Ralph Stanick, 21906 Hernando Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$2,560.00.

*Rubina Shaldjian* represented the bank in this matter and provided testimony.

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

36. ✦ **Case No. COD-12-02341**, Paul Weinrich & Staci Weinrich, 3380 Normandy Drive, Port Charlotte – Second Affidavit of Noncompliance - \$2,410.00.

*Gene Streble* represented the bank in this matter and provided testimony.

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

37.    ✦ **Case No. COD-12-02415**, *Sandra Patch, 2714 Lake View Boulevard, Port Charlotte – Affidavit of Noncompliance - \$410.00.*

*Rubina Shaldjian* represented the bank in this matter and 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.

38.    **Case No. COD-12-02687**, *EJ Joint Ventures, LLC, 3108 Whiting Lane, Port Charlotte – Affidavit of Noncompliance - \$110.00.*
39.    **Case No. COD-12-02726**, *Estate of John Kane, 141 Singapore Road, Punta Gorda – Second Affidavit of Noncompliance - \$110.00.*
40.    **Case No. COD-12-02780**, *Secret Homes, 2368 Starlite Lane, Port Charlotte – Second Affidavit of Noncompliance - \$163.57.*
41.    **Case No. COD-12-02838**, *Marisol Guzman, 21244 Burkhart Drive, Port Charlotte – Second Affidavit of Noncompliance - \$3,610.00.*
42.    **Case No. COD-12-02966**, *Harry Beatty & Angela Beatty, 23103 Donalda Avenue, Port Charlotte – Affidavit of Noncompliance - \$60.00.*
43.    **Case No. COD-12-02979**, *Michael Daman & Alice Glatt, 21298 Percy Avenue, Port Charlotte – Affidavit of Noncompliance - \$60.00.*
44.    **Case No. COD-12-02996**, *Kea Fidu, Inc., 2312 Picnic Street, Port Charlotte – Affidavit of Noncompliance - \$160.00.*

45. **Case No. COD-12-03045**, Robert W. Horrigan & Margaret Horrigan, 7423 Castleberry Terrace, Englewood – Affidavit of Noncompliance - \$60.00.
46. **Case No. COD-12-03069**, Philip Sexton, 2372 Ambrose Lane, Port Charlotte – Affidavit of Noncompliance - \$5,368.89.
47. **Case No. COD-12-03150**, Indrio Associates, 4127 James Street #13 & #15, Port Charlotte – Affidavit of Noncompliance - \$110.00.
48. ✦ **Case No. COD-12-03163**, Linda Davis & Maus Myra, 219 S Waterway Drive, Port Charlotte – Second Affidavit of Noncompliance - \$3,210.00.

*Rubina Shaldjian* represented the bank in this matter and provided testimony.

*Richard Adomatis* moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Suzy Hackett* with one opposing vote *Alan LeBeau*.

49. **Case No. COD-12-03204**, Kathy Tourangeau, 25156 Derringer Road, Punta Gorda – Affidavit of Noncompliance - \$60.00.
50. ✦ **Case No. COD-12-03212**, Kesler Bonhomme, 2182 Bragg Court, Port Charlotte – Affidavit of Noncompliance - \$1,010.00.

*Michael Haymans* represented the bank in this matter and 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.

51. **Case No. COD-12-03249**, Cassandra Durham, 105 Martin Drive, Port Charlotte – Affidavit of Noncompliance - \$60.00.
52. **Case No. COD-13-00079**, Stacy Anderson, 2375 Briarwood Street, Port Charlotte – Third Affidavit of Noncompliance - \$160.00.

53. **Case No. COD-13-00231**, *Indrio Associates, Inc., 6478 San Casa Drive, 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 numbers **2009-09-0095C, COD-12-00216, COD12-00632, COD-12-01088, COD-12-02262, COD-12-02341, COD-12-02415, COD-12-03163, and COD-12-03212.** The motion was seconded by *Kathy Damewood* and was passed unanimously.

**X. NEW BUSINESS**

**Case No. COD-13-00506**, *GMAC Mortgage, LLC, 714 Lomond Drive, Port Charlotte [Sections 2-5-72 & 3-5-96; & IPMC Sections 301.2, 302.7, & 303.1]*

*James Goetz* represented the lender and requested a continuance in this matter.

*Suzy Hackett* moved to continue this case to October 2, 2013 hearing. The motion was seconded by *Richard Adomatis* and was passed unanimously.

**Case No. COD-12-03091**, *2370 Harbor Boulevard, LLC, 2370 Harbor Boulevard, Port Charlotte [Sections 3-9-5(b) & 3-9-95.1.1.3(C)(1) & FBC Section 105.1]*

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

*Thomas Fries* was present in this matter and provided testimony.

*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 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. The motion was seconded by *Richard Adomatis* and was passed unanimously.

**Case No. COD-13-01201**, *Richard Smulders, Anastasia Smulders, & Gary Smulders, 2288 Picnic Street, Port*

*Charlotte [Sections 2-5-72, 3-9-32(d), 3-9-61, & 3-9-82.1]*

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

***Gary Smulders*** was present and provided testimony to the Board.

***Richard Adomatis*** 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 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-13-00795, Lynn Carr & Dorothy Carr, Trustees of the Lynn Carr and Dorothy Carr Revocable Living Trust Agreement Dated September 2, 1997, 8394 Little Gasparilla Island, Placida [Section 3-9-5(b) & FBC Section 105.1]***

***Darcie Nicolosi*** Certified Code Compliance Officer and ***Chip Hague*** Plans Examiner provided testimony and presented photographs.

***Dudley Carr*** Successor Co-Trustee was present and provided testimony to the Board.

A lengthy discussion took place regarding the trust.

***Suzy Hackett*** moved the Respondents are in violation as charged. The Respondents have 60 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 \$50.00 per day. The motion was seconded by ***Richard Adomatis*** and was passed unanimously.

***Case No. COD-11-01065, Richard J. Canfield, 2488 Elkcam Boulevard, Port Charlotte [FBC Sections 105.4 & 109.3]***

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

**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. The motion was seconded by **Kathy Damewood** and was passed unanimously.

**Case No. COD--12-03025, Jeremiah's International Trading Company, Inc., 3196 Normandy Drive, Port Charlotte [Sections 2-5-72, 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, 304.6, 304.13, 304.14, 304.15, & 604.3]**

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

**Richard Adomatis** moved the Respondent is in violation as charged with the exception of Sections 3-9-5(b), 3-9-32(d), & 3-9-82.1; Florida Building Code Section 105; and International Property Maintenance Code Section 604.3. 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 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.

**Case No. COD-13-00804, 21115 Gephart Land Trust, Shantel Holdings, Inc., 21115 Gephart Avenue, Port Charlotte [IPMC Sections 301.2, 301.3, 303.2, 304.2, 304.6, 304.8, 304.13, 305.3, 309.1, & 604.3]**

**Rhonda Leonard** 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 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. 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-13-00846**, *Russell Howard, III, 21455  
Kenyon Avenue, Port Charlotte [Sections 3-9-32(d) & 3-9-  
82.1; & FBC Sections 105.4 & 109.3]*

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

***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 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-13-00947**, *Estate of April Bergstrom, 21503  
Olean Boulevard, Port Charlotte [Sections 3-9-32(d), 3-9-61,  
3-9-82.1, & 3-9-91]*

***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 ***Charles Lindberg*** and was passed unanimously.

**Case No. COD-13-01047, Emigdio Cabrera, 3172 Normandy Drive, Port Charlotte [Sections 2-5-72, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 107.4, 108.1, 108.1.1, 108.1.2, 108.1.3, 108.1.5, 108.1.5(3)(6)(7)(9), 301.2, 301.3, 302.1, 302.7, 304.1, 304.2, 304.6, 304.13, 304.13.1, 304.13.2, 304.15, 305.1, 305.1.1(2), 305.2, 305.3, 305.4, 309.1, 504.1, 504.3, 603.1, 604.1, 604.3, 605.1, 607.1, 702.1, 702.3, & 702.4]**

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

**Suzy Hackett** moved the Respondent is in violation as charged with the exception of International Property Maintenance Code Section 504.1. The Respondent has 15 days from the date of this Order to clear the zoning violations and to apply for and obtain all necessary permits or obtain a demolition permit to remove the structure; and 30 days 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 **Richard Adomatis** and was passed unanimously.

**Case No. COD-13-01054, Estate of Dennis Hoefle, 21157 Midway Boulevard, Port Charlotte [Sections 2-5-72, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Sections 105.1, 105.4, & 109.3; & IPMC Sections 301.2, 301.3, 304.2, 304.6, 501.2, 505.1, 505.2, 505.3, & 506.1]**

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

**Charles Lindberg** moved the Respondent is in violation as charged with the exception of International Property Maintenance Code 505.3. The Respondent has 15 days from the date of this Order to clear the zoning violations; 30 days to renew the expired permit and obtain finals inspection; to bring the property into compliance with the International Property Maintenance Codes; 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 \$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-13-01289**, Philip Sexton & Angela Sexton, 2372 Ambrose Lane Port Charlotte [Sections 2-5-72 & 3-2-115, & IPMC Sections 301.2, 301.3, 302.5, 304.2, 304.6, 304.13, 304.13.1, 304.14, 305.1, 309.1, 501.1, 505.1, 505.3, & 604.3]

*Rhonda Leonard* 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; 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 \$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-13-1331**, Nicole Figel, 21488 Mallory Avenue, Port Charlotte, [Sections 2-5-72, 3-9-32(d), & 3-9-82.1; & IPMC Sections 301.2 & 302.7]

This case was continued due to lack of proper service

**Case No. COD-13-01368**, Fidel Gonzalez-Perez & Lourdes Quinones-Silva, 22291 Hernando Avenue, Port Charlotte

[Sections 3-2-115, 3-9-32(d); & 3-9-82.1, & IPMC Sections 301.2 & 304.6]

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

**Case No. COD-13-01475, Brian Schebel & Jennifer Walker, 21354 Percy Avenue, Port Charlotte [Section 2-5-72]**

**Rhonda Leonard** 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 \$200.00 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 **Richard Adomatis** and was passed unanimously.

**Case No. COD-13-00090, Wybeka Gulsby, 11261 Third Avenue, Punta Gorda [FBC Sections 105.4, 105.4.1.2, & 109.3]**

**Andre Deusches** Certified Code Compliance Officer provided testimony and presented photographs and documentation.

**Suzy Hackett** moved to vacate the prior motion issued by the Board on the above case. The motion was seconded by **Richard Adomatis** and was passed

unanimously.

**Suzy Hackett** moved the Respondent is in violation as charged. The Respondent has 30 days from the date of this Order 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 **Richard Adomatis** with one (1) opposing vote **Kathy Damewood**.

**Case No. COD-13-00989, Michelle Cobham, 6636 Thorman Road, Port Charlotte [Section 3-9-61]**

**Andre Deschenes** 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 **Richard Adomatis** and was passed unanimously

**Case No. COD-13-01246, Estate of Doris Ackerley & Kenneth Newman, 24130 Vincent Avenue, Punta Gorda [IPMC Sections 301.2, 301.3, & 303.1]**

This case was dismissed

**Case No. COD-13-00260, Peter Mahrle & Wells Fargo Bank, 630 Edgemere Street, Port Charlotte [Sections 3-9-**

*5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 301.3 & 302.7]*

The County voluntarily dismissed the case against Pete Mahrle, the bank has ownership.

**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; 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 **Kathy Damewood** and was passed unanimously.

**Case No. COD-11-01659, Robert Motzer & Bunny Motzer, 143 Rodgers Avenue, Port Charlotte [Sections 3-9-61, 3-9-82.1, & 3-9-91; & FBC Sections 105.1, 105.4 & 109.3]**

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

**Charles Lindberg** moved the Respondents are in violation as charged with the exception of Section 3-9-91. The Respondents have 30 days from the date of this Order to clear the zoning violations and 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. 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-13-00141, Kenneth Harvey, 3524 Port Charlotte Boulevard, Port Charlotte [FBC Sections 105.4 &**

109.3]

This case was continued

**Case No. COD-13-00488**, *Freeland Moore, Inc.*, 4329  
*Tamiami Trail, Port Charlotte [Section 3-9-50.4(b) & FBC  
Section 105.1]*

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

**Suzy Hackett** moved the Respondent is in violation as charged. The Respondent has 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 **Kathy Damewood** and was passed unanimously.

**Case No. COD-13-00849**, *Billy Goff*, 21339 Cottonwood  
*Avenue, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-  
82.1; & FBC Section 424.2.17; & IPMC 301.2, 301.3, 303.1,  
303.2, 304.1, 304.2, 304.13, 304.13.1, & 309.1]*

**Rick Dalton** 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. 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-13-00732**, *Stephen Roche*, 1030 Schooner  
*Lane, Englewood [Section 3-9-5(b) & FBC Section 105.1]*

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

**Case No. COD-13-0935, Federal National Mortgage Association, 10523 Carnegie Avenue, Englewood [FBC Sections 105.4 & 109.3]**

This case was continued.

**Case No. COD-13-01001, Estate of Theresa Dodds, 2720 12<sup>th</sup> Street, Englewood [Sections 2-5-72, 3-9-32(d), & 3-9-82.1]**

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

**Case No. COD-13-01224, Clayton Grant Bruce & Karen Bruce, 173 Sportsman Road, Rotonda West [Sections 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. The Respondents are 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 *Kathy Damewood* and was passed unanimously.

**XII. STAFF AND BOARD MEMBER COMMENTS**

*Josh Moye* will check into seeing if the trustee for a trust can pull a permit as an owner builder.

A discussion took place regarding the abatement fund that the County uses to demolish structures.

**XIII. ADJOURNMENT**

*Richard Adomatis* moved to adjourn the meeting. Motion was seconded by *Kathy Damewood* and was passed unanimously. The meeting adjourned at 12:18 pm.

**CODE ENFORCEMENT BOARD MINUTES FOR SEPTEMBER 4, 2013  
READ AND APPROVED ON October 3, 2013**

CODE ENFORCEMENT BOARD OF  
CHARLOTTE COUNTY, FLORIDA

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Alan L. LeBeau, Chairman

ATTEST:

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Sandra Williamson  
Administrative Assistant