CHARLOTTE COUNTY

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

Administration Center, County Commission Meeting Room #119
18500 Murdock Circle, Port Charlotte, Florida 33948-1094

MINUTES OF JULY 1, 2015

I. **CALL TO ORDER**
Special Magistrate Glenn Siegel convened the meeting at 9:00 a.m.

II. **PLEDGE OF ALLEGIANCE**

III. **SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY**
Sandy Williamson administered the swearing in.

IV. **NEXT MEETING DATE**
August 5, 2015

V. **AGENDA CHANGES**
Agenda Item VII(21), Case No. COD-14-02020 was pulled from the agenda prior to being heard at the County's request.

VI. **CITIZEN INPUT – AGENDA ITEMS ONLY**
Agenda Item IX(c), Case No. COD-15-00361. Christopher and Margo Daniels asked for their case to be continued as their attorney could not be present. Special Magistrate Glenn Siegel granted the continuance.

VII. **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. COD-11-01903,** Gina L. Robertson, a/k/a Gina Robertson Smith, 2436 Duke Lane, Port Charlotte – Sixth Affidavit of Noncompliance - $110.00. RL

2. **Case No. COD-12-00072,** Gary Chandler Stewart, 850 Jarvis Street, Port Charlotte – Fourth Affidavit of Noncompliance - $60.00. LR

3. **Case No. COD-12-01765,** Stephen F. Callaghan, 12150 Alumna Avenue, Port Charlotte – Second Affidavit of Noncompliance - $60.00. CB

4. **Case No. COD-12-02688,** Don W. Meissner & Kim Chere McLeod, 21890 Catherine Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - $60.00. RL

5. **Case No. COD-12-03212,** Kesler Bonhomme, 2182 Bragg Court, Port Charlotte – Sixth Affidavit of Noncompliance - $110.00. RL

6. **Case No. COD-13-00201,** Mark Machukas, 2412 Duke Lane, Port Charlotte – Seventh Affidavit of Noncompliance - $2,810.00. RL

7. **Case No. COD-13-01048,** Ivan Cabrera, 2315 Lee Terrace, Port Charlotte – Sixth Affidavit of Noncompliance - $60.00. RL

8. **Case No. COD-13-01693,** Estate of Estill Caudill, 7476 Snow Drive, Englewood – Second Affidavit of Noncompliance - $110.00. DN

9. **Case No. COD-13-02431,** Alejandro M. Dominguez, 18978 McGrath Circle, Port Charlotte – Fourth Affidavit of Noncompliance - $485.00. LR

10. **Case No. COD-13-02697**, Debock and Associates, 501 Sharon Circle, Port Charlotte – Affidavit of Noncompliance - $110.00. AD

11. **Case No. COD-14-00045,** Mark Machukas, 2412 Duke Lane, Port Charlotte – Ninth Affidavit of Noncompliance - $135.00. RL

12. **Case No. COD-14-00229,** Florida First Escrow Company, 2341 Granadeer Street, Port Charlotte – Second Affidavit of Noncompliance - $310.00. LR

13. **Case No. COD-14-00257,** Francis A. Tedesco & Marilyn J. Tedesco, 22191 Augusta Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - $60.00. RL

14. **Case No. COD-14-00655,** GMAC Mortgage, LLC, 700 Columbia Street, Port Charlotte – Affidavit of Noncompliance - $310.00. LR

15. **Case No. COD-14-00862,** Paul C. Schneider & Cristal J. Schneider, 21922 Calvin Lane, Port Charlotte – Affidavit of Noncompliance - $85.00. RL

16. **Case No. COD-14-01066,** Scott Medico, 3112 Easy Street, Port Charlotte – Affidavit of Noncompliance - $60.00. **TELEPHONIC HEARING** RL

    Special Magistrate Siegel pulled this case to hear it separately from the consent agenda. The respondent, Mr. Medico testified telephonically as he is incarcerated and unable to attend the hearing in person. Mr. Medico was sworn in by a notary at his location, and a form signed by the notary to that effect is to be sent to the County. Mr. Medico asked of the County and responded to questions from the Magistrate.

    ORDER. Fine approved.

17. **Case No. COD-14-01222,** Sandra Paolo Patino, 14331 Barbarossa Lane, Port Charlotte – Affidavit of Noncompliance - $60.00. DN

18. **Case No. COD-14-01355,** William S. Herald, Ruth Ann Herald & Michelle L. Shepard, 768 Baja Viejo, Englewood – Affidavit of Noncompliance - $60.00. DN

19. **Case No. COD-14-01420,** Yefim A. Botvinnik & Yulia Levitski, 22043 Hernando Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - $85.00. RL

20. **Case No. COD-14-01965,** Bank of America, N.A., 21961 Beverly Avenue, Port Charlotte – Second Affidavit of Noncompliance - $6,210.00. RL

21. **Case No. COD-14-02030,** Danielle Inman, 17424 Harris Avenue, Port Charlotte – Second Affidavit of Noncompliance - $4,460.00. **PULLED BEFORE HEARING** LR

22. **Case No. COD-14-02235,** Wendy Dowling, 19411 Lauzon Avenue, Port Charlotte – Affidavit of Noncompliance - $460.00. LR

23. **Case No. COD-14-02290,** Jaime A. Ramirez & Yamileth Ramirez, 18403 Evenglow Avenue, Port Charlotte – Second Affidavit of Noncompliance - $4,410.00. LR

24. **Case No. COD-14-02322,** Zdenek Voves, 2781 Auburn Boulevard, Port Charlotte – Affidavit of Noncompliance - $460.00. LR

25. **Case No. COD-14-02402,** Placido Amendolia, 21551 Kenyon Avenue, Port Charlotte – Second Affidavit of Noncompliance - $110.00. RL

26. **Case No. COD-14-02478,** HSBC Bank USA, NA Trustee, 947 Linnaen Terrace, Port Charlotte – Affidavit of Noncompliance - $510.00. LR

27. **Case No. COD-14-02617,** Advantaira Trust, LLC, FBO Joseph Cupo, Jr., IRA, 893 Riviera Lane, Port Charlotte – Affidavit of Noncompliance - $110.00. LR

28. **Case No. COD-14-02771,** JP Morgan Chase Bank N.S., 672 Edgemere Street, Port Charlotte – Affidavit of Noncompliance - $310.00. LR

29. **Case No. COD-14-02938,** Florence Corsi, as Trustee of the Florence Corsi Revocable Trust dated January 15, 2010, 21545 Gibralter Drive, Port Charlotte – Affidavit of Noncompliance - $60.00. RL

30. **Case No. COD-14-02989,** Anthony C. Lindsey, 21915 Calvin Lane, Port Charlotte – Second Affidavit of Noncompliance - $85.00. RL

ORDER. The Magistrate approved the remainder of the consent agenda.

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

A. **Case No. COD-15-00073**, Douglas Cottam & Lisa Novack, 4249 Kilpatrick Street, Port Charlotte [FBC Section 424.2.17; & IPMC Sections 301.2, 301.3, 302.7, 303.1, 303.2, & 304.1] LR

ORDER. 45 days from the date of this Order to secure the pool in accordance with the Florida Building Code, and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of $50 per day for each day the violation(s) are shown to exist.

B. **Case No. COD-15-00105**, Jonathan E. Broner, 2401 Strawlawn Street, Port Charlotte [Sections 3-9-5(b) & 3-9-76(a); FBC Section 105.1; & IPMC Sections 301.2, 301.3, 304.1, 304.1.1(5), 304.2, 304.4, 304.6, 304.7, 304.9 & 605.1] LR

ORDER. 30 days from the date of this Order to clear the zoning violations, apply for

and obtain all necessary permits, and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of $50 per day for each day the violation(s) are shown to exist & the entry of a 2 year cease and desist order & for the matter be referred to the Board of County Commissioners for the abatement in the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

C. **Case No. COD-15-00361**, Christopher B. Daniels & Margo S. Daniels, 4329 Boggs St., Port Charlotte [Sections 3-9-5(b); 3-4-1, 3-4-2, 3-4-4(a) & (b), 3-9-33(b), 3-9-33(e), 3-9-85 & 3-9-91; FBC Sections 105.1, 108.1, 108.4 & 424.4.17; & IPMC Sections 108.1.1, 108.1.3, 108.1.5(3), 301.2, 302.7, 303.1, 303.2, 304.1, 304.2, 304.6, 304.7, 304.8, 304.9, 304.13, 304.13.1, 304.13.2, 304.14, 304.15, 304.18, 304.18.1, 304.18.2, ~~304.18.3~~, 305.1, 305.3, 305.6, 401.2, 501.2, 502.1, 504.1, 504.3, 505.1, 505.3, 505.4, 506.2, 601.2, 604.1, 604.3, 604.3.1.1, 604.3.2, 604.3.2.1, 605.1 & 607.1] LR

ORDER. Case to be continued as respondent's attorney could not be present.

D. **Case No. COD-15-01074**, Mary Ann Heckman, 669 Gaines Street, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76(a); FBC Sections 105.1 & 424.2.17; & IPMC Sections 301.2, 302.7, 303.1, 304.6 & 605.1] LR

ORDER. 30 days from the date of this Order to clear the zoning violations, secure the pool and apply for and obtain all necessary permits in accordance with the Florida Building Code, and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of $50 per day for each day the violation(s) are shown to exist & the entry of a 2 year cease and desist order and for the matter be referred to the Board of County Commissioners for the abatement In the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

E. **Case No. COD-14-02043**, Reyanh D. Phung, 22282 Westchester Boulevard, Port Charlotte [Sections 3-9-5(b), 3-9-33 & 3-9-76; FBC 105.1; & IPMC Sections 301.2, 301.3, 304.1, 304.6, 304.13.2, 304.14, 502.1, 601.2 & 605.1] AD

ORDER. 30 days from the date of this Order to clear the zoning violations, apply for and obtain all necessary permits in accordance with the FBC Code, and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of $100 per day for each day the violation(s) are shown to exist.

F. **Case No. COD-14-02120,** Brad Mackie, 21248 Edgewater Drive, Port Charlotte [Section 3-9-5(b), 3-9-33 & 3-9-76; FBC 105.1; & IPMC Sections 301.2, 302.7, 304.1, 304.13 & 304.13.1] AD

ORDER. 30 days from the date of this Order to clear the zoning violations, apply for and obtain all necessary permits in accordance with the FBC Code, and bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of $50 per day for each day the violation(s) are shown to exist & the entry of a 2 year cease and desist order and for the matter be referred to the Board of County Commissioners for the abatement In the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

G. **Case No. COD-14-02635**, Carmen Yolanda Ransel, 810 Palmetto Drive, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] AD

ORDER. 30 days from the date of this Order to apply for and obtain all necessary permits and pass all inspections to bring the property into compliance with the FBC Code, or thereafter face a fine of $50 per day for each day the violation(s) is shown to exist.

H. **Case No. COD-14-02943**, Richard Joseph Callahan, 2360 Ednor Street, Port Charlotte [Sections 3-9-33(e) & 3-9-76] RL

ORDER. 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of $100 per day for each day the violation(s) is shown to exist & the entry of a 2 year cease and desist order and for the matter be referred to the Board of County Commissioners for the abatement In the event of non-compliance and for the costs of any such abatement to be added to the fines and costs associated with this case.

X. STAFF AND CITIZEN INPUT – ANY SUBJECT

(None)

XI. ADJOURNMENT

The meeting adjourned at 9:57 a.m.

MINUTES CERTIFICATION

I, Jill A. Graves, Administrative Assistant I for Charlotte County, hereby certify these minutes to be a true and accurate account of the Code Enforcement Special Magistrate Hearing held on July 1, 2015.

Jill A. Graves
Administrative Assistant I Date 2/2/2016

MINUTES APPROVAL

Glenn Siegel
Code Enforcement Special Magistrate Date 2/3/16