CHARLOTTE COUNTY

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

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

MINUTES OF NOVEMBER 4, 2015

I. CALL TO ORDER
Special Magistrate Michael Wilson called the meeting to order at 9:00 a.m.

II. PLEDGE OF ALLEGIANCE

III. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY
Jill Graves administered the swearing in.

IV. NEXT MEETING DATE
December 2, 2015

V. AGENDA CHANGES

VI. CITIZEN INPUT – AGENDA ITEMS ONLY
(None)

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 the Magistrate that item(s) will be removed from the Consent Agenda and considered separately.

1. **Case No. COD-11-00234,** Chetan Patel, 3101 Port Charlotte Blvd, Port Charlotte, Sixth Affidavit of Noncompliance- $60.00 LR

2. **Case No. COD-12-00072,** Gary C Stewart, 850 Jarvis St, Port Charlotte- Fifth Affidavit of Noncompliance-$60.00 LR

3. **Case No. COD-13-01475,** Brian J Schebel & Jennifer M Walker, 21354 Percy Ave, Port Charlotte, Fourteenth Affidavit of Noncompliance- $260.00 RL

4. **Case No. COD-13-01528,** Chris W & Leola Ehlers and Angelita P Ricewick, 21162 Bersell Ave, Port Charlotte, Fourteenth Affidavit of Noncompliance- $110 RL

5. **Case No. COD-14-00286,** Melanie A Gerard, 1142 Dorchester St, Port Charlotte- Second Affidavit of Noncompliance- $4,910.00 CB

6. **Case No. COD-14-00643,** Kathleen Mergl & Joe Wright Jr, 21854 Edgewater Dr, Port Charlotte, Second Affidavit of Noncompliance -$9860.00 AD

7. **Case No. COD-14-00862,** Paul C & Cristal J Schneider, 21922 Calvin Ln, Fifth Affidavit of Noncompliance -$110.00 RL

8. **Case No. COD-14-00870,** Oquab Abuoqab, 21090 Ionia Ave, Port Charlotte, Eighth Affidavit of Noncompliance -$210.00 RL

9. **Case No. COD-14-00954,** Albert Wilson, 3420 Normandy Dr, Port Charlotte, Affidavit of Noncompliance- $60.00

10. **Case No. COD-14-02079,** Wells Fargo Bank, 4350 Maeger Cir, Port Charlotte-Third Affidavit of Noncompliance- $110.00 LR

11. **Case No. COD-14-002290,** Jamie A & Yamileth Ramirez, 18403 Evenflow Ave, Port Charlotte - Third Affidavit of Noncompliance -$60.00 LR

12. **Case No. COD-14-02402,** Placido Amendolia, 21551 Kenyon Ave, Port Charlotte, Fourth Affidavit of Noncompliance - $110.00 RL

13. **Case No. COD-14-02546,** Wells Fargo Bank NA, 731 Merrick Ln, Port Charlotte-Third Affidavit of Noncompliance-$110.00 LR
This case was pulled from the consent agenda and heard separately.
ORDER – Fine approved.

14. **Case No. COD-14-02617,** Advantaira Trust, LLC & FBO Joseph Cupo JR. IRA, 893 Riveria Ln, Port Charlotte- Second Affidavit of Noncompliance-$110.00 LR

15. **Case No. COD-14-02657,** James Natherson, 13156 Dodds Ct, Port Charlotte-Second Affidavit of Noncompliance-$4,510.00 CB

16. **Case No. COD-14-02833,** Nicholas Bangor, 5430 Hoffman St, Port Charlotte- Affidavit of Noncompliance-$60.00 CB

17. **Case No. COD-14-02943,** Richard J Callahan, 2360 Ednor Street, Port Charlotte- Affidavit of Noncompliance-$ 110.00 RL

18. **Case No. COD-14-02989,** Anthony C Lindsey, 21915 Calvin Ln, Port Charlotte, Sixth Affidavit of Noncompliance-$110.00 RL

19. **Case No. COD-14-03018,** Yvon & Berthy Gedeon, 2529 Warne St, Port Charlotte – Fourth Affidavit of Noncompliance- $110.00 RL

20. **Case No. COD-15-01386,** Lynda Smith, 2270 Hayworth Road, Port Charlotte- Affidavit of Noncompliance- $110.00 RL

21. **Case No. COD-15-01440,** Suntrust Mortgage, 21875 Hernando Ave, Port Charlotte- Affidavit of Noncompliance- $160.00 RL
This case was pulled from the consent agenda and heard separately.
ORDER – Fine approved.

22. **Case No. COD-15-01778,** Tarpon IV, LLC, 21107 Bersell Ave, Port Charlotte, Affidavit of Noncompliance- $160.00 RL

23. **Case No. COD-15-01896,** Betty A Dauda, 21920 Beverly Ave, Port Charlotte - Affidavit of Noncompliance-$110.00 RL

ORDER. Magistrate Wilson approved the remainder of the Consent Agenda.

VIII. OLD BUSINESS

A. **Case No. COD-11-02527,** LLL Properties LLC,12500 & 12540 Burnt Store Rd, Punta Gorda- Third Affidavit of Noncompliance-$110.00 DS

ORDER. At the request of Charlotte County, Magistrate Wilson continued this case to December 2, 2015 and directed that staff would not have to bring the case back to hearing if the issue is resolved.

IX. NEW BUSINESS

A. **Case No. COD-15-02181,** Deutsche Bank National Trust Co, A Trustee, 4404 Larkspur Ct, Port Charlotte [IPMC Sections 301.2, 301.3, 302.1, 302.7, 303.1 and 304.9] LR

ORDER. 30 days from the date of this order to bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of $100.00 per day for each day the violation(s) are shown to exist.

B. **Case No. COD-14-02762**, Williams Enterprises, LLC, 4300 James St, Port Charlotte, [Sections 3-9-43(e), 3-9-62.1 and 3-9-76] AD

This case was pulled from the agenda at the request of Code Compliance.

C. **Case No. COD-14-02883,** Grantville, LLC, 340 Dalton Blvd, Port Charlotte [IPMC sections 108.1, 108.1.3, 301.2, 304.7, 304.13, 304.13.1, 304.13.2, 505.1, 505.3, and 601.2] AD

ORDER. 15 days from the date of this Order to cease and desist using the residence for living purposes until water and electric services are reinstated, and 30 days from the date of this order to apply for and obtain all necessary permits, pass all inspections, 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.

D. **Case No. COD-15-00425,** Jonathan Moreau & Ramiro Arango, 23340 Jason St, Port Charlotte [FBC Sections 105.4 and 110.3] AD

ORDER. 30 days from the date of this Order to renew the expired permit and pass all inspections in accordance with the Florida Building Code, or thereafter face a fine of $50.00 dollars per day for each day the violation(s) is shown to exist.

E. **Case No. COD-15-00557,** US Bank National Assoc, 159 Godfrey Ave, Port Charlotte [Sections 3-9-5 (b) and FBC section 105.1] AD

ORDER. 90 days from the date of this Order to apply for and obtain all necessary permits and pass all inspections in accordance with the Florida Building Code, or obtain a demolition permit to restore the property to its original condition or thereafter face a fine of $100.00 dollars per day for each day the violation(s) is shown to exist.

F. **Case No. COD-15-00960,** Richard S Roome, 133 Colonial St, SE, Port Charlotte, [FBC Section 424.2.17 IPMC sections 301.2, 301.3, 302.7, 303.1 and 303.2] AD

ORDER. 15 days from the date of this order to secure the pool, and 30 days from the date of this Order to bring the property into compliance with the Florida Building Code and the International Property Maintenance Code, or thereafter face a fine of $50 per day for each day the violation(s) are shown to exist.

G. **Case No. COD-15-00964,** Ralph Alber, 191 Rodgers Ave, Port Charlotte, [IMPC Sections 301.2 and 302.7] AD

ORDER. 30 days from the date of this order to apply for and obtain all necessary permits, pass all inspections and bring the property into compliance with the International Property Maintenance Code, or obtain a demolition permit, and restore the property to its original condition or thereafter face a fine of $50.00 per day for each day the violation(s) is shown to exist.

H. **Case No. COD-15-01347,** Francis A Grimm & Anne P Avery, 107 Dunn Dr NE, Port Charlotte [Sections 3-9-33 (e) and 3-9-76, FBC Sections 105.4, 110.3 and 424.2.17 and IMPC sections 301.2, 301.3, 302.7, 303.1, 303.2, 304.13 and 304.15] AD

ORDER. 15 days from the date of this Order to clear the zoning violations, and secure the pool, and 30 days from the date of this order to renew the expired permit, apply for and obtain all necessary permits, pass all inspections 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 for the zoning violations, and for the matter to 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.

I. **Case No. COD-15-01721,** Jane B. Robinson Revocable Trust, 25264 Padre Ln, Punta Gorda [Sections 3-9-33 (e), 3-9-76 & 3-9-91 and IPMC sections 301.2 & 303.1] AD

This case was pulled from the agenda at the request of Code Compliance.

J. **Case No. COD-15-02124,** Steve J Ostrowski, 111 Orange St, Port Charlotte [Sections 3-9-5 (b), 3-9-33 (e) and 3-9-76, FBC section 105.1] AD

ORDER. Dismiss Section 3-9-5(b) and FBC Section 105.1. 15 days from the date of this Order to clear the zoning violations, 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 zoning violations, 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 an such abatement to be added to the fines and costs associated with this case.

K. **Case No. COD-15-00220,** Lisa C Davis & Sally R Nickeson, 3686 Dunreath Rd, Port Charlotte, [Sections 2-5-72, 3-9-76, 3-9-37 and FBC Sections 105.4 and 110.3, IPMC sections 110.1 & 110.3] CB

ORDER. 15 days from the date of this Order to clear the zoning violations, and 30 days from the date of this order to renew the expired demolition permit, and pass all inspections 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, and for the entry of a 2 year cease and desist order for the zoning violations and for the matter to 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.

L. **Case No. COD-15-01423**, Ronald & Alane M Hill, 20408 Calder Ave, Port Charlotte [Sections 3-9-76, 3-9-33(e)& 3-9-62.1(b) CB

ORDER. 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of $50 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 to 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.

M. **Case No. COD-15-01929,** Provident Trust Group LLC, 5188 Anderson Rd, Port Charlotte [FBC sections 105.4 & 110.3] CB

ORDER. 30 days from the date of this Order to renew the expired permit, apply for and obtain all necessary permits and pass all inspections in accordance with the Florida Building Code, or obtain a demolition permit and restore the property to its original condition, or thereafter face a fine of $100.00 dollars per day for each day the violation(s) are shown to exist.

N. **Case No. COD-14-01423,** Terry & Rebecca Merriman, 6115 Safford St, Punta Gorda [Section 3-9-5(b) and FBC Sections 105.1, 105.4, and 110.3] DS

ORDER. Dismiss FBC Sections 105.4 and 110.3. 30 days from the date of this Order to apply for and obtain all necessary permits and pass all inspections in accordance with Florida Building Code, or obtain a demolition permit to return property to its original condition, or thereafter face a fine of $50 per day for each day the violation(s) are shown to exist.

O. **Case No. COD-15-01530,** Fabio Freitas, 21171 Meehan Ave, Port Charlotte, [sections 3-9-5 (b), 3-9-33 (e) and 3-9-76, FBC section 105.1 & IPMC sections 301.2, 302.7, 304.2 and 304.4] RL

This case was pulled from the agenda at the request of Code Compliance.

P. **Case No, COD-15-01762,** Gregory J Garcia, 2297 Ednor St, Port Charlotte [sections 3-9-5 (b), 3-9-33 (e) & 3-9-76, FBC section 105.1 & IPMC sections 301.2, 302.7, 304.2, 304.6 and 304.13] RL

ORDER. Dismiss IPMC Sections 301.2, 302.7, 304.2, 304.6 and 304.13. 15 days from the date of this Order to clear the zoning violations, and 30 days from the date of this order to apply for and obtain all necessary permits, pass all inspections in accordance with the Florida Building 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 zoning violations, and for the matter to 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.

Q. **Case No. COD-15-01895,** Federal National Mortgage Assoc, 2280 Starlite Ln, Port Charlotte [sections 2-5-72, 3-9-5 (b), 3-9-33 (e) and 3-9-76, FBC section 105.1 and IPMC sections 108.1.5(7), 108.2,108.6, 109.2, 109.4, 109.5, 301.2, 301.3, 304.2, 304.6, 304.13, 304.13.1, 304.15, A101, A102 and A103] RL

ORDER. 15 days from the date of this Order to clear the zoning violations, and 30 days from the date of this order to apply for and obtain all necessary permits pass all inspections in accordance with the Florida Building Code, 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, the entry of a 2 year cease and desist order for the zoning violation, and for the matter to 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.

R. **Case No. COD-15-01931,** Banakwame College Fund, LLC, 3193 Crestwood Dr, Port Charlotte [Sections 3-9-5(b), 3-9-33 (e) and 3-9-76, FBC section 105.1, and IPMC sections 301.2, 301.3, 302.7, 304.2, 304.13, 304.13.1 and 304.15] RL

This case was continued to due to lack of service.

S. **Case No. COD-15-02157,** Laura Watkins, 3429 Croton Terrace, Port Charlotte [Section 2-5-72] RL

ORDER. 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of $50 per day for each day the violation(s) is shown to exist, the entry of a 5 year cease and desist order, and for the matter to 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.

T. **Case No. COD-15-02350,** Emigdio Cabrera, 3172 Normandy Dr, Port Charlotte [Section 2-5-72] RL

ORDER. 15 days from the date of this Order to clear the zoning violations, or thereafter face a fine of $50 per day for each day the violation(s) is shown to exist, the entry of a 5 year cease and desist order, and for the matter to 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.

U. **Case No. COD-15-02356,** Robert Bonefeld, 21882 Cellini Ave, Port Charlotte, [sections 2-5-72, 3-9-5(b), 3-9-33 (e) and 3-9-76, FBC Sections 105.1, 105.4 and 110.3 and IPMC sections 108.1, 108.1.1, 108.1.2, 108.1.3, 108.1.5(3),(4),(5),(6),(7),(9), 108.2, 108.6, 110.1, 110.3, 301.2, 301.3, 302.5, 304.1, 304.1.1(2),(5),(7),(8),(12), 304.2, 304.4, 304.6, 304.7, 304.9, 304.13, 304.13.1, 304.15, 305.1, 305.2, 305.3, 306.1, 306.1.1(6), 309.1, 601.2, 604.1, 604.3, 604.3.1.1, A101, A102 and A103] RL

ORDER. 30 days from the date of this Order to clear the zoning violations, renew the expired permit, apply for and obtain all necessary permits and pass all inspections in accordance with the Florida Building Code, bring the property into compliance with the International Property Maintenance Code or obtain a permit for demolition and restore the property to its original condition or thereafter face a fine of $50 per day for each day the violation(s) are shown to exist, the entry of a 5 year cease and desist order for the zoning violations, and for the matter to 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.

V. **Case No. COD-13-00018,** Thomas James Young, 37 Oakland Hills Court, Rotonda West [FBC sections 105.4 & 109.3] DN

ORDER. 30 days from the date of this Order to renew the expired permit, apply for and obtain all necessary permits and pass all inspections in accordance with the Florida Building Code, or obtain a demolition permit to restore the property to its original condition or thereafter face a fine of $50.00 dollars per day for each day the violation(s) are shown to exist.

W. **Case No. COD-14-00509,** Kevin P & Celeste A Kuo, 15494 Margo Cr, Port Charlotte [FBC Sections 105.4 and 110.3] DN

This case was continued at the request of Code Compliance.

X. **Case No. COD-15-01748,** Michael A Cortman, 76 Oakland Hills Court, Rotonda West [section 3-9-5 (b), FBC section 105.1 and IPMC sections 301.2, 301.3, 302.7, 304.6, 304.7 and 304.14] DN

ORDER. 30 days from the date of this Order to apply for and obtain all necessary permits, pass all inspections in accordance with the Florida Building Code, and bring the property into compliance with the International Property Maintenance Code, or obtain a demolition permit to restore the property to its original condition, or thereafter face a fine of $50 per day for each day the violation(s) are shown to exist, and for the entry of a 2 year cease and desist order.

Y. **Case No. COD-15-01901,** Sun Coast Holdings LLC, 1945 Mississippi Ave [Sections 3-9-33 (e), 3-9-62.1 (c)(1) and 3-9-76] DN

This case was continued to due to lack of service.

Z. **Case No. COD-15-02116,** KeKare, Inc, 145 Rotonda Cr, Rotonda West, [sections 2-5-72, 3-9-33 (e) and 3-9-76, IPMC sections 301.2 and 301.3] DN

ORDER. Dismiss Charlotte County Code Section 2-5-72. 15 days from the date of this Order to clear the zoning violations, and 30 days from date of this order to apply for and obtain all necessary permits, pass all inspections to 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, the entry of a 2 year cease and desist order for the zoning violations, and for the matter to 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.

AA. **Case No. COD-15-01742,** Eileen J Carter, 1642 Adrian St, Port Charlotte [sections 3-9-33 (e) and 3-9-76, FBC Sections 424.2.17, 424.2.17.1.2 and IPMC sections 108.1.3, 301.2, 301.2, 305.1, 305.3, 501.2, 505.1 and 505.3] JD

ORDER. Dismiss IPMC Sections 305.1 and 305.3. 15 days from the date of this Order to clear the zoning violations, cease using the residence for living purposes until water service is reinstated, and secure the pool, and 30 days from date of order to renew the permit, apply for and obtain all necessary permits, pass all inspections 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 5 year cease and desist order for zoning violations, and for the matter to 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.

During the new business portion of the hearing, Magistrate Siegel called a break from 10:13 to 11:32 a.m.

X. STAFF AND CITIZEN INPUT – ANY SUBJECT

(None)

XI. ADJOURNMENT

Magistrate Wilson adjourned the hearing at 11:01 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 November 4, 2015.

Jill A. Graves
Administrative Assistant I

Date 12/14/2015

MINUTES APPROVAL

Michael Wilson
Code Enforcement Special Magistrate

Date 12/14/2015