CHARLOTTE COUNTY

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

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

MINUTES OF MAY 4, 2016

I. CALL TO ORDER
Special Magistrate Glenn Siegel called the hearing 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
June 1, 2016

V. AGENDA CHANGES
The following cases were pulled from the Agenda: VII(2), Case No. COD-11-00593; VII(26), Case No. COD-15-01451; IX(B), Case No. DOH-15-00032; .IX(P), Case No. COD-15-03069; IX(T), Case COD-15-01740; IX(U) and Case No. COD-15-02185.

VI. CITIZEN INPUT – AGENDA ITEMS ONLY
(None)

VII. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES

1. **Case No. 2009-277**, Preston A Vulgamore, 3485 Sage St, Port Charlotte – Eighteenth Affidavit of Noncompliance - $110.00 **LR**

2. **Case No. COD-11-00593**, Owen & Desreen Petgrave, 4170 Talheim St, Port Charlotte – Third Affidavit of Noncompliance - $810.00 **LR**
This case was pulled from the agenda and continued to June at the Respondent's request.

3. **Case No. COD-11-02477**, Barbara Mayra Marta, 15369 Visalia Rd, Port Charlotte – Fourth Affidavit of Noncompliance - $110.00 **DN**

4. **Case No. COD-12-00072**, Gary Chandler Stewart, 850 Jarvis St, Port Charlotte – Sixth Affidavit of Noncompliance - $60.00 **LR**

5. **Case No. COD-12-00150**, Cynthia M & John A Coffin, 380 Duxbury Ave, Port Charlotte – Fourth Affidavit of Noncompliance - $60.00 **CL**

6. **Case No. COD-13-00317**, Joh B Meissner, 19146 Waterbury Ct, Port Charlotte – Second Affidavit of Noncompliance - $2,960.00 **LR**

7. **Case No. COD-13-00714**, Thomas A & Michelle A O'Connell, 2435 Lakeview Blvd, Port Charlotte – Fifth Affidavit of Noncompliance - $2,860.00 **LR**

8.	**Case No. COD-14-00643**, Kathleen Mergl & Joe Wright Jr, 21854 Edgewater Dr, Port Charlotte – Fourth Affidavit of Noncompliance - $60.00	**CL**
9.	**Case No. COD-14-00761**, Jack W & Jared W Stahlman, 3097 Newburgh St, Port Charlotte – Third Affidavit of Noncompliance - $60.00	**CL**
10.	**Case No. COD-14-01221**, Lisa Copper Gianfrancisco, 7075 Treadway Rd, Port Charlotte – Affidavit of Noncompliance - $60.00	**CB**
11.	**Case No. COD-14-01497**, Landtrust No. 21923, dated March 31, 2014, Flor Prentt as Trustee, 21923 Hernando Ave, Port Charlotte – Third Affidavit of Noncompliance - $110.00	**RL**
12.	**Case No. COD-14-02079**, Wells Fargo Bank, NA, 4350 Meager Cir, Port Charlotte – Fifth Affidavit of Noncompliance - $110.00	**LR**
13.	**Case No. COD-14-02290**, Jaime A & Yamileth Ramirez, 18403 Evenglow Ave, Port Charlotte – Fifth Affidavit of Noncompliance - $60.00	**LR**
14.	**Case No. COD-14-02456**, Mark L & Christina L Pearce, 4314 Joseph St, Port Charlotte – Affidavit of Noncompliance - $60.00 *This case was pulled from the consent agenda and heard separately.* **ORDER** – Fine approved.	**LR**
15.	**Case No. COD-14-02464**, Marian M Kencik & Piotr Lakomiski, 4185 Flamingo Blvd, Port Charlotte – Third Affidavit of Noncompliance - $60.00	**LR**
16.	**Case No. COD-14-02596**, Fetlar, LLC, 22062 Perkin Terrace, Port Charlotte – Second Affidavit of Noncompliance - $8,310.00	**RL**
17.	**Case No. COD-14-02706**, Brain P Keen, 4203 James St, Port Charlotte - Affidavit of Noncompliance - $110.00	**AD**
18.	**Case No. COD-14-02771**, JP Morgan Chase Bank N.S., 672 Edgemere St, Port Charlotte – Fourth Affidavit of Noncompliance - $110.00	**LR**
19.	**Case No. COD-14-02883**, Grantville, LLC, 340 Dalton Blvd, Port Charlotte – First Affidavit of Noncompliance - $110.00	**CL**
20.	**Case No. COD-14-02938**, Florence Corsi, as Trustee, 21545 Gibralter Dr, Port Charlotte – Third Affidavit of Noncompliance - $4,210.00	**RL**
21.	**Case No. COD-15-00425**, Jonathan B & Arango Moreau, 23340 Jason St, Port Charlotte – Second Affidavit of Noncompliance - $3,010.00	**CL**
22.	**Case No. COD-15-01121**, 21st Mortgage Corporation, 4354 Durant St, Port Charlotte – Affidavit of Noncompliance - $110.00	**LR**
23.	**Case No. COD-15-01237**, Jovica Jovic & Bitjama Negic-Jovic, 242 Beeney Rd, Port Charlotte – First Affidavit of Noncompliance - $60.00	**CL**
24.	**Case No. COD-15-01347**, Francis A Grimm & Anne P Avery, 107 Dunn Dr, Port Charlotte – Second Affidavit of Noncompliance - $3,010.00	**CL**

25. **Case No. COD-15-01437**, JP Morgan Chase Bank, National Assoc, 965 Spring View Ave, Port Charlotte – Amended Second Affidavit of Noncompliance - $9,738.50 **LR**

26. **Case No. COD-15-01451**, Magnolia TC 2 SA, LLC, 3453 Westlund Ter, Port Charlotte – Third Affidavit of Noncompliance - $5,210.00 **RL**
This case pulled from the agenda at the County's request.

27. **Case No. COD-15-01689**, Patricia Anne Eskew, 3552 Middletown St, Port Charlotte – First Affidavit of Noncompliance - $60.00 **CL**

28. **Case No. COD-15-01701**, Federal National Mortgage Assoc, 135 Godfrey Ave, Port Charlotte – First Affidavit of Noncompliance - $60.00 **CL**

29. **Case No. COD-15-01917**, Maria Teresa Duke, 640 Rose Apple Cir, Port Charlotte – Affidavit of Noncompliance - $110.00 **CB**

30. **Case No. COD-15-01943**, Robert C & Patricia Langford (TRS), 501 Spruce St, Port Charlotte – First Affidavit of Noncompliance - $60.00 **CL**

31. **Case No. COD-15-02104**, Boyce J Maxwell, 6150 Golf Course Blvd, Punta Gorda – Affidavit of Noncompliance - $60.00 **SB**

32. **Case No. COD-15-02105**, Gayle Boyle, 18434 Limberlos Ave, Port Charlotte – Affidavit of Noncompliance - $60.00 **LR**

33. **Case No. COD-15-02356**, Robert Bonefeld, 21882 Cellini Ave, Port Charlotte – Affidavit of Noncompliance - $7,415.14 **RL**

34. **Case No. COD-15-02410**, Michael Mooney, 2901 Bayberry Ave, Punta Gorda – Affidavit of Noncompliance - $60.00 **SB**

35. **Case No. COD-15-02614**, Calvin T Geeham, 3282 Crestwood Dr, Port Charlotte – Second Affidavit of Noncompliance - $89.60 **RL**

36. **Case No. COD-15-02647**, Chris W & Leola Ehlers & Angelita P Ricewick, 21162 Bersell Ave, Port Charlotte – Second Affidavit of Noncompliance - $102.75 **RL**

37. **Case No. COD-15-03098**, Princeton Commercial MW Holdings LLC, 2169 Willoughby St, Port Charlotte – Affidavit of Noncompliance - $60.00 **JD**

38. **Case No. COD-15-03164**, Billie Joe Medlin, 73 Golfview Rd N, Rotonda West – Affidavit of Noncompliance - $60.00 **DN**

39. **Case No. COD-15-03475**, Gregory J & Monique Hibbard & Brook Alice Bingham, 2905 Bourbon St, Englewood – Affidavit of Noncompliance - $60.00 **DN**

ORDER – Magistrate Siegel approved the remainder of the Consent Agenda – Affidavits of Noncompliance.

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

A. **Case No. DOH-15-00030**, Steven J Anderson, 2011 Midnight St, Port Charlotte [Sections 3-8-256(g)(1) & (g)(2)] **SB**

ORDER - 30 days from the date of this Order to have the septic tank pumped and inspected in accordance with Charlotte County Code, or thereafter face a fine of $50 per day for each day the violation exists.

B. **Case No. DOH-15-00032**, Kathleen A Anderson, 968 Dobell Ter, Port Charlotte [Sections 3-8-256(g)(1) & (g)(2)] **SB**

This case was pulled from the agenda and continued to June at the County's request.

C. **Case No. COD-15-00545**, Jeffrey J Russell, 2152 Basin St, Port Charlotte [Sections 3-9-5, 3-9-33(e), 3-9-76 & 3-9-79.1, FBC Section 105.1] **RM**

ORDER - Dismiss FBC Section 105.1. The entry of a 2 year cease and desist Order for any future zoning violations, and 30 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) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

D. **Case No. COD-15-02188**, Dor Ling Cooper Dec of Trust, 571 Woodstock Ln, Punta Gorda [IPMC Sections 301.2, 301.3 & 303.1] **RM**

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

E. **Case No. COD-15-02368**, David W. Holder, 30550 Orange Blossom Blvd, Punta Gorda [Sections 3-9-33(e) & 3-9-76, and IPMC Sections 108.1.1, 108.1.2, 108.1.3, 110.1, 110.2, 110.3, 110.4, 301.3, 304.1 & 304.1.1] **RM**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, 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 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 per day for each day the violation(s) exist, for abatement in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

F. **Case No. COD-15-02779**, William E Lowe, 1231 Hickory Ave, Punta Gorda [Sections 3-9-37(e) & 3-9-76] **RM**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, and 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) exist, for abatement of the zoning violations in the event of non-compliance, and for the

costs of such abatement to be added to the fines and costs associated with this case.

G. **Case No. COD-15-03261**, James & Lisa Pedigo, 30430 Alder Rd, Punta Gorda [Section 3-9-5(b) & FBC Sections 105.1, 105.4 & 110.3] **RM**

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 thereafter face a fine of $50 per day for each day the violation(s) are shown to exist.

H. **Case No. COD-16-00034**, Jeremiah & Z Hendryx, 11186 Grapefruit Ln, Punta Gorda [Sections 3-9-37(e), 3-9-76 & 3-9-79.1] **RM**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, and 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) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

I. **Case No. COD-15-03387**, Hector L & Carol Lopez, 174 Oldenburgh Ct, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **CL**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, and 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) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

J. **Case No. COD-15-03432**, Lorie Beth Brooks, 3421 Port Charlotte Blvd [Sections 3-9-33(e) & 3-9-76 & IPMC Sections 301.2, 302.1, 302.7, 303.1, 303.2, 304.1, 304.7, 304.13, 304.13.1, 304.14, 305.1, 305.3 & 605.1] **CL**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, 30 days from the date of this Order to secure the pool and clear the zoning violations, and 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 International Property Maintenance Code, or thereafter face a fine of $50 per day for each day the violations(s) exist, for abatement of the zoning violations 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.

K. **Case No. COD-13-02764**, Carol & Jack M Forward, 2352 Harbour Dr, Punta Gorda [FBC Sections 105.4, 109.3 & 424.2.17 & IPMC Section 303.2] **GR**

ORDER - Dismiss FBC Section 424.2.17 & IPMC Section 303.2. 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 thereafter face a fine of $50 per day for each day the violation(s) are shown to exist.

L. **Case No. COD-14-02415**, Estate of Dorothy Parris, 1357 Arrow St, Port Charlotte [Sections 2-5-72 & 3-2-115 and IPMC Sections 301.2 & 304.13.1] **GR**

ORDER - The entry of a 2 year cease and desist Order for any future zoning violations, 15 days from the date of this Order to register the property as vacant and abandoned and clear the zoning violations, and 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 International Property Maintenance Code, or thereafter face a fine of $50 per day for each day the violation(s) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

M. **Case No. COD-15-01254**, William J & Joan K Stachnik, 26530 Trujillo Dr, Port Charlotte [FBC Sections 105.4 & 110.3] **GR**

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 per day for each day the violation(s) are shown to exist.

N. **Case No. COD-15-01722**, Mabel Lamas, 662 Chevy Chase St, Port Charlotte [IPMC Sections 301.2, 301.3, 302.7, 304.2 & 304.6] **LR**

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 thereafter face a fine of $50 per day for each day the violation(s) are shown to exist.

O. **Case No. COD-15-02795**, Robert V & Ann M Buchholz, 18502 Van Nuys Circle, Port Charlotte [Sections 3-9-33(e), 3-9-76(a) & 3-9-79.1; FBC Sections 105.4 & 110.3; & IPMC Sections 301.2 & 302.7] **LR**

ORDER - Dismiss FBC Sections 105.4 & 110.3. The entry of a 2 year cease and desist order for any future zoning violations, 15 days from the date of this Order to clear the zoning violations, and 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 $50 per day for each day the violation(s) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

P. **Case No. COD-15-03069**, Jeffrey A Ward as Trustee, 18454 Kerrville Cir, Port Charlotte [Sections 3-9-33(e), 3-9-76(a) & 3-9-79.1] **LR**

This case was pulled from the agenda and continued to June at the County's request.

Q. **Case No. COD-16-00930**, Michael V Zarro, 19228 Palmdale Ct, Port Charlotte [FBC Sections 105.4 & 110.3] **LR**

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 per day for each day the violation(s) are shown to exist.

R. **Case No. COD-15-00407**, Scott R Zurbrigen, 21233 Chatburn Ave, Port Charlotte [FBC Sections 105.4 & 110.3 & IPMC Section 108.2] **CB**

ORDER - Dismiss IPMC Section 108.2. 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 per day for each day the violation(s) are shown to exist.

S. **Case No. COD-15-02406**, Emmanuel Tovar, 1090 Bristol St, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **CB**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, 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) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

T. **Case No. COD-15-01740**, James Crum & Lucinda Parsons Crum, 3340 Maple Ter, Port Charlotte [Sections 3-9-33(e) & 3-9-76 & IPMC Sections 301.2, 301.3, 304.2, 304.6, 304.14, 305.1, 305.3, 305.4 & 309.1] **RL**

This case was pulled from the agenda and continued at the County's request.

U. **Case No. COD-15-02185**, Bank of America, N.A., 2159 Gerard Ct, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76, FBC Section 105.1 and IPMC Sections 301.2, 301.3, 302.7, 304.2, 304.6, 304.7, 305.1, 305.4 and 604.3] **RL**

This case was pulled from the agenda and continued to June due to lack of service.

V. **Case No. COD-15-02846**, Grigory & Victoria Koramblyum, 21472 Holdern Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) and 3-9-76, FBC Section 105.1 & IPMC Sections 108.1, 108.1.3, 108.1.5(6),(9), 301.2, 301.3, 302.5, 304.1, 304.1.1(4),(5),(7), 304.2, 304.6, 304.13, 304.13.1, 305.1, 305.3, 305.6, 309.1 & 604.3] **RL**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, 30 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, 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) exist, for abatement in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

W. **Case No. COD-16-00312**, John C Haynes & Paul A Graziano, 2428 Ambrose Ln, Port Charlotte [Sections 2-5-72, 3-9-33(e) & 3-9-76] **RL**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, and 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) exist, for abatement of the zoning violations in the event of non-compliance, and for the

costs of such abatement to be added to the fines and costs associated with this case.

X. **Case No. COD-16-00495**, Maria Silvestre, 3405 Normandy Dr, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76] **RL**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, 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 a permit for the canopy installation and pass all inspections, or remove the canopy from the property, or thereafter face a fine of $100 per day for each day the violation(s) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

Y. **Case No. COD-16-00628**, Dean & Corinne Keeven, 22075 Felton Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **RL**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, and 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) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

Z. **Case No. COD-16-00654**, Joseph A Gaeta, 21434 Gladis Ave, Port Charlotte [Section 2-5-72] **RL**

ORDER - The entry of a 5 year cease and desist Order for any future zoning violations, and 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) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

AA. **Case No. COD-15-03255**, Ko Kai & Steve Roche, trustee, 5040 N Beach Rd, Englewood [Sections 3-9-5(b), 3-9-53(g)(6) & 3-9-76 and FBC 105.1] **DN**

ORDER - The entry of a 2 year cease and desist order for any future zoning violations, 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 and pass all inspections in accordance with the Florida Building Code, or thereafter face a fine of $100 per day for each day the violation(s) exist, for abatement of the zoning violations in the event of non-compliance, and for the costs of such abatement to be added to the fines and costs associated with this case.

X. STAFF AND CITIZEN INPUT – ANY SUBJECT

(None)

XI. ADJOURNMENT

Magistrate Siegel adjourned the hearing at 11:09 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 May 4, 2016.

Jill A Graves

Jill A. Graves
Administrative Assistant I

Date 5/9/2016

MINUTES APPROVAL

Glenn Siegel
Code Enforcement Special Magistrate

Date 6/1/2016