

# 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 6, 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

August 4, 2016 (Thursday)

#### 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-12-01118**, Tyona E Vallejo, 1473 Yorkshire St, Port Charlotte – **JD**  
Second Affidavit of Noncompliance - \$8,316
2. **Case No. COD-13-00201**, Mark Machukas, 2412 Duke Lane, Port Charlotte – **RL**  
Ninth Affidavit of Noncompliance- \$470
3. **Case No. COD-13-01475**, Brian J Schebel & Jennifer M Walker, 21354 Percy Ave, **RL**  
Port Charlotte - Eighteenth Affidavit of Noncompliance - \$267
4. **Case No. COD-13-01693**, Estate of Estill Caudill, 7476 Snow Dr, Englewood – **DN**  
Third Affidavit of Noncompliance - \$110
5. **Case No. COD-14-00870**, Oquab Abuogab, 21090 Ionia Ave, Port Charlotte – **RL**  
Twelfth Affidavit of Noncompliance- \$217
6. **Case No. COD-14-01420**, Yefim A Botvinnik & Yulia Levitski, 22043 Hernando **RL**  
Ave, Port Charlotte – Thirteenth Affidavit of Noncompliance - \$117
7. **Case No. COD-14-01477**, Hager & Vicki Barnthouse, 15651 Ruston Cir, Port **DN**  
Charlotte – Second Affidavit of Noncompliance - \$60
8. **Case No. COD-14-01965**, Bank of America, N.A, 21961 Beverly Ave, Port **RL**  
Charlotte – Fourth Affidavit of Noncompliance - \$210
9. **Case No. COD-14-02377**, David Prouty, 2231 Claude Ct, Port Charlotte – Fifth **RL**  
Affidavit of Noncompliance – 88.50

10. **Case No. COD-14-02394**, Martin J & Ann F Redovan, 1978 Georgia Ave, Englewood – Third Affidavit of Noncompliance -\$60 **DN**
11. **Case No. COD-14-02457**, Tenny I. & Anastasia Fragiadakis, 21431 Midway Blvd, Port Charlotte – Third Affidavit of Noncompliance -\$110.00 **RL**
12. **Case No. COD-14-02489**, Mitchell A & Ruth E Kauffman, 242 Taylor Lane, Port Charlotte - Second Affidavit of Noncompliance - \$60 **RL**
13. **Case No. COD-14-03018**, Yvon & Berthy Gedeon, 2529 Warne St, Port Charlotte Seventh Affidavit of Noncompliance- \$117 **RL**
14. **Case No. COD-15-00291**, Matthew Ernest McAdams, 22008 Beverly Adams, Port Charlotte – Third Affidavit of Noncompliance -\$117 **RL**
15. **Case No. COD-15-00306**, Secret Homes LLC, 2368 Starlite Lane, Port Charlotte –Seventh Affidavit of Noncompliance- \$117 **RL**
16. **Case No. COD-15-00307**, Stanley Kowalski & Diane Paluszek, 21939 Catherine Ave, Port Charlotte – Seventh Affidavit of Noncompliance - \$117 **RL**
17. **Case No. COD-15-01386**, Lynda Smith, 2270 Hayworth Rd, Port Charlotte, Sixth Affidavit of Noncompliance - \$117 **RL**
18. **Case No. COD-15-01748**, Michael A Cortman, 76 Oakland Hills Ct. Rotonda West – Second Affidavit of Noncompliance - \$7, 010 **DN**
19. **Case No. COD-15-01895**, Federal National Mortgage Assoc, 2280 Starlite Ln, Port Charlotte – Second Affidavit of Noncompliance - \$7,610 **RL**
20. **Case No. COD-15-01963**, Stephen Roche, 2280 N Beach Rd, Englewood – Affidavit of Noncompliance - \$110 **DN**  
*This cased was pulled from the consent agenda and heard separately.*  
**ORDER – Fine approved.**
21. **Case No. COD-15-02124**, Steven J Ostrowski, 111 Orange St, Port Charlotte - Affidavit of Noncompliance - \$60 **CL**
22. **Case No. COD-15-02157**, Laura Watkins, 3429 Croton Terr, Port Charlotte – Third Affidavit of Noncompliance - \$88.50 **RL**
23. **Case No. COD-15-02482**, Pierre Scavuzzo & Robert Guthrie, 426 Bonita Ave, Port Charlotte - Affidavit of Noncompliance - \$60 **CL**
24. **Case No. COD-15-02557**, Maurice Isabel, Trustee, 21970 Haines Ave, Port Charlotte - Affidavit of Noncompliance - \$110 **RL**  
*This cased was pulled from the consent agenda and heard separately.*  
**ORDER – Fine approved.**
25. **Case No. COD-15-02614**, Calvin T Geeham, 3282 Crestwood Dr, Port Charlotte – Third Affidavit of Noncompliance -\$ 119.20 **RL**

26. **Case No. COD-15-02647**, Chris W & Leola Ehlers & Angelita P Ricewick, 21162 Bersell Ave, Port Charlotte – Third Affidavit of Noncompliance -\$117 **RL**
27. **Case No. COD-15-02657**, Linda Maestri, 1160 Pine St, Englewood – Affidavit of Noncompliance - \$60 **DN**  
*This cased was pulled from the consent agenda and heard separately.*  
**ORDER – Fine approved.**
28. **Case No. COD-15-02875**, Martha Shore, 21875 Beverly Ave, Port Charlotte – Third Affidavit of Noncompliance- \$117 **RL**
29. **Case No. COD-15-02939**, Nancy Rose Eickstedt, 7446 San Casa Dr, Englewood – Affidavit of Noncompliance - \$1,402.20 **DN**
30. **Case No. COD-15-03164**, Billie Joe Medlin, 73 Golfview Rd, Rotonda West – Second Affidavit of Noncompliance - \$2,210 **DN**
31. **Case No. COD-15-03298**, Dale Shank, 2512 Elkcam Blvd, Port Charlotte - Affidavit of Noncompliance -\$110 **RL**
32. **Case No. COD-15-03467**, Thomas Markoski, 1967 Wyoming Ave, Englewood, Affidavit of Noncompliance - \$120 **DN**
33. **Case No. COD-16-00002**, Marie Stanishewski, 2115 Massachusetts Ave, Englewood – Affidavit of Noncompliance - \$60 **DN**
34. **Case No. COD-16-00018**, BSSJ Ventures, LLC. 12443 or 12449 or 12459 Tamiami Trail, Punta Gorda – Second Affidavit of Noncompliance - \$110 **AD**
35. **Case No. COD-16-00047**, Leigh Taylor, 3375 Ginsing Lane, Englewood – Affidavit of Noncompliance - \$60 **DN**
36. **Case No. COD-16-00312**, John C Haynes & Paul A Graziano, 2428 Ambrose Lane, Port Charlotte - Affidavit of Noncompliance - \$110 **RL**
37. **Case No. COD-16-00394**, Mark Machukas, 2412 Duke Ln, Port Charlotte, Second Affidavit of Noncompliance - \$117 **RL**
38. **Case No. COD-16-00501**, Salvatore Falzone & Babara Kowalska, 2676 Starlite Lane, Port Charlotte – Second Affidavit of Noncompliance -\$117 **RL**
39. **Case No. COD-16-00628**, Deen & Corinne Keeven, 22075 Delton Ave, Port Charlotte, - Affidavit of Noncompliance - \$110. **RL**  
*This cased was pulled from the consent agenda and heard separately.*  
**ORDER – Fine approved.**
40. **Case No. COD-16-00654**, Joseph A Gaeta, 21434 Gladis Ave, Port Charlotte - Affidavit of Noncompliance - \$117 **RL**

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

VIII. OLD BUSINESS

None

IX. NEW BUSINESS

- A. Case No. COD-16-01421, Michele M & James Forgit, 21339 Percy Ave, Port Charlotte [ Sections 2-5-72, 3-9-33(e) & 3-9-76 ] RL

**ORDER** – From the date of this Order, a 2 year cease and desist order for any future zoning violations, and 15 days to clear the zoning violations, or thereafter face a fine of \$50 per day for each day a violation exists, abatement in the event of non-compliance, and costs of abatement to be added to the fines and costs.

- B. Case No. COD-16-00938, Arthur F Taylor, 6126 Berkeley St, Englewood [ Sections 3-9-33(e) & 3-9-76 & IPMC Sections 301.2 & 303.1 ] DN

**ORDER** – From the date of this Order, a 2 year cease and desist order for any future zoning violations, 15 days to clear the zoning violations, and bring the property into compliance with the International Property Maintenance code, or thereafter face a fine of \$50 per day for each day a violation exists, abatement in the event of non-compliance, and costs of abatement to be added to the fines and costs.

- C. Case No. COD-16-01446, Frederick V Rossa, 8171 Robert St, Englewood [ FBC Sections 105.4 & 110.3 ] DN

After hearing testimony from both parties and the County's recommendation, Magistrate Siegel stated he would take this case under advisement and issue a ruling later today. The ruling he issued is stated below.

**ORDER** – From the date of this Order, 30 days to renew the expired permit and pass all inspections in accordance with the Florida Building Code, or obtain a demolition permit to remove the improvements, or thereafter face a fine of \$100 per day for each day a violation exists.

- D. Case No. DOH-15-00145, Holger R Brown, 4366 McCullough St, Port Charlotte [ Sections 3-8-256(g)(1) & (g)(2) ] SB

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

- E. Case No. DOH-15-00172, Felicia Cobham, 4386 Boggs St, Port Charlotte [ Sections 3-8-256(g)(1) & (g)(2) ] SB

**ORDER** – From the date of this Order, 30 days 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 a violation exists.

- F. Case No. COD-16-00757, Willie R Quave, 22273 Niagara Ave, Port Charlotte [ IPMC Sections 303.1 & 303.2 ] CL

**ORDER** – From the date of this Order, 15 days to secure the pool, and 30 days to bring the property into compliance with the International Property Maintenance Code, or thereafter face a fine of \$50 per day for each day a violation exists.

- G. **Case No. COD-16-00794**, Robert C Unger, 3333 Port Charlotte Blvd, Port Charlotte [ Sections 3-9-33(e) & 3-9-76 ] **CL**

**ORDER** – From the date of this Order, a 2 year cease and desist order for any future zoning violations, and 15 days to clear the zoning violations, or thereafter face a fine of \$50 per day for each day a violation exists, abatement in the event of non-compliance, and costs of abatement to be added to the fines and costs.

- H. **Case No. COD-14-00716**, Ivan V Goodwin, 22095 Lasalle Rd, Port Charlotte [ FBC Section 105.4 and 110.3 ] **GR**

**ORDER** – From the date of this Order, 30 days 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 a violation exists, abatement in the event of non-compliance, and costs of abatement to be added to the fines and costs.

- I. **Case No. COD- 15-02787**, Hunt Development Partners LLC. 1570 Sharpe St, Port Charlotte [ Section 3-9-5(b) & FBC Section 105.1 ] **GR**

**ORDER** – From the date of this Order, 30 days 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 a violation exists.

- J. **Case No. COD-16-00099**, Alexander J & Anita K Cook, 23205 Billings Ave, Port Charlotte [ FBC Sections 105.4 & 110.3 ] **GR**

**ORDER** – From the date of this Order, 30 days 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 a violation exists, abatement in the event of non-compliance.

- K. **Case No. COD-16-00185**, Irene Williams, 23014 Foote Ave, Port Charlotte [Sections 3-2-212, 3-9-33(e) & 3-9-76 & IPMC Sections 304.1, 304.2. & 304.3 ] **GR**  
*This case was pulled from the agenda at the County's request and continued to August.*

- L. **Case No. COD-16-00194**, Ricardo & Marie Josee Verdiner, 21169 Quesada Ave, Port Charlotte [ Sections 3-9-33(e) & 3-9-76, FBC Sections 105.4 & 110.3, & IPMC Sections 108.1.3, 108.1.5(6), 108.1.5(7), 108.6, 109.2, 110.1, 302.5, 304.13, 305.1, 305.3 ] **GR**

**ORDER** – From the date of this Order, a 2 year cease and desist order for any future zoning violations, 15 days to clear the zoning violations, and 30 days 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 \$100 per day for each day a violation exists, abatement in the event of non-compliance, and costs of abatement to be added to the fines and costs.

- M. Case No. COD-16-00804, Frederick D White, 22353 Alcorn Ave, Port Charlotte GR  
[ Sections 3-9-33(e) & 3-9-76 and IPMC Sections 302.7 & 304.2 ]

**ORDER** – From the date of this Order, a 2 year cease and desist order for any future zoning violations, 15 days to clear the zoning violations, and 30 days 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 a violation exists, abatement in the event of non-compliance, and costs of abatement to be added to the fines and costs.

- N. Motion to Vacate & Rehear Case No. COD-15-03101, Fenard Properties, LLC, AJ  
21447 Carleton Ave, Port Charlotte [ FBC Sections 105.4 & 110.3 ]

**MOTION GRANTED** –The Findings of Fact, Conclusions of Law, and Order dated February 3, 2016 is vacated, and the case will be reheard on August 4, 2016.

- O. Motion to Vacate & Rehear Case No. COD-15-03098, Princeton Commercial AJ  
MW Holdings, LLC, 2169 Willoughby St, Port Charlotte [ FBC Sections 105.4 & 110.3]

**MOTION GRANTED** – The Findings of Fact, Conclusions of Law, and Order dated February 3, 2016 is vacated, and the case will be reheard on August 4, 2016.

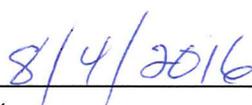
X. STAFF AND CITIZEN INPUT – ANY SUBJECT  
(None)

XI. ADJOURNMENT  
Magistrate Siegel adjourned the hearing at 10:21 a.m.

MINUTES CERTIFICATION

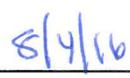
I, Jill A. Graves, Administrative Assistant I for Charlotte County, hereby certify these minutes to be a true and accurate account of the Code Enforcement Special Magistrate Hearing held on July 6, 2016.

  
\_\_\_\_\_  
Jill A. Graves  
Administrative Assistant I

  
\_\_\_\_\_  
Date

MINUTES APPROVAL

  
\_\_\_\_\_  
Glenn Siegel  
Code Enforcement Special Magistrate

  
\_\_\_\_\_  
Date