

AGENDA

CHARLOTTE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

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

HEARING MINUTES OF JULY 6, 2022

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

I. CALL TO ORDER

SPECIAL MAGISTRATE DEREK ROONEY CALLED THE HEARING TO ORDER AT 9:00 A.M

II. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY

SUZAN GOWANS ADMINISTERED THE OATH

III. NEXT MEETING DATE

AUGUST 3, 2022

IV. OLD BUSINESS

COD-21-02424, John Heekin & Barbara Heekin, 23270 Stelling Ave, Port Charlotte [Section 3-6-35.8(a)] **JOHN HEEKIN PRESENT** WW

DISMISSED. The County recommends Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

V. CONFLICT CASES

COD-21-02767, Joseph Casey, 12031 Green Gulf Blvd, Punta Gorda [Section 3-9-5(b); & FBC Section 105.1] **CONTINUED UNTIL AUGUST** BB

The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

COD-22-00986, Brian Callahan, 2360 Ednor St, Port Charlotte [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 108.1, 108.1.3, 108.1.5(6)(9), 108.4, 301.2, 304.4, 304.10, 304.13, 304.13.1, 501.2, 504.1, 505.1, 505.4, 506.1, 601.2, 602.1, 602.3, 603.1, 604.1 & 604.3] RL

CONTINUED UNTIL AUGUST

The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

VI. 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. **COD-18-03868**, RETIREMENT REAL ESTATE MANAGEMENT LLC, 2634 or 2636 or 2638 or 2640 or 2642 or 2646 Highlands Rd, Punta Gorda – Seventh Affidavit of Non-Compliance - \$120.00GW
2. **COD-20-03196**, Matthew Jones, 4043 River Bank Way, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 GW
3. **COD-22-00155**, Jessica Randall & Bradley Holt, 22082 Malone Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
4. **COD-22-00517**, Enid Maitland, 22455 New York Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
5. **COD-20-02993**, Drew Collom, 3120 Waterside Dr, Englewood – Affidavit of Non-Compliance - \$70.00 JD
6. **COD-21-00852**, Caren Herman Estate, 2851 Waterside Dr, Englewood – Affidavit of Non-Compliance - \$120.00 JD
7. **COD-15-01623**, Larry Lee, 18522 Hottetlet Cir, Port Charlotte – Eighth Affidavit of Non-Compliance - \$120.00 SR
8. **COD-17-01553**, Gary Alexander & Judith Alexander, 18321 Wolbrette Cir, Port Charlotte – Fourth Affidavit of Non-Compliance - \$120.00 SR
9. **COD-17-03770**, Kristin Gabriellini, 2443 Tamarind St, Port Charlotte – Fifth Affidavit of Non-Compliance - \$4,170.00 SR
10. **COD-19-03510**, Ryan Williams & Rodney Williams, 2078 Tigard St, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 SR
11. **COD-20-00687**, Stephen Annexstein & Rose Sprinkles, 18520 Grand Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$ 70.00 SR
12. **COD-21-00708**, Roseann Bertucci, 4259 Kilpatrick St, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 SR
13. **COD-21-00989**, Patrick Howanitz, 18542 Satsuma Ave, Port Charlotte – Fourth Affidavit of Non-compliance - \$70.00 SR
14. **COD-17-02521**, PALADIN FINANCIAL INC and ASTORIA HOMES, 3420 Croton Terrace, Port Charlotte – Tenth Affidavit of Non-Compliance - \$210.00 RL
15. **COD-20-00365**, 21323 INVESTMENTS, LLC, 21323 Gladis Ave, Port Charlotte – Sixth Affidavit of Non-Compliance - \$120.00 RL

16. **COD-20-01695**, FELTON 21864 LLC, 21864 Felton Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$1,320.00 RL
17. **COD-21-01190**, Carol Deville & Jennifer Jaszek, 22073 Beverly Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 RL
18. **COD-21-02497**, PRO TAX FINANCIAL LLC, 3141 Crestwood Dr, Port Charlotte – Second Affidavit of Non-Compliance - \$410.00 RL
19. **COD-19-02114**, Michael Hawkins, 23272 McCandless Ave, Port Charlotte – Seventh Affidavit of Non-Compliance - \$70.00 TJ
20. **COD-20-02885**, Mauricio Gutierrez & Sheila Escobar, 21439 Carleton Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 TJ
21. **COD-21-00463**, Kevin Roeder & Stacey Roeder, 3497 Discovery Dr., Punta Gorda – Second Affidavit of Non-Compliance - \$1,502.00 **KEVIN ROEDER PRESENT** TJ
22. **COD-21-02175**, Carey Newsome Jr. & Susan Hamm, 1492 Pulaski St, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 TJ
23. **COD-21-02903**, Michael Hawkins, 23272 McCandless Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 TJ
24. **COD-22-00186**, Ronald Perkins, 1227 Sultana St, Port Charlotte – Affidavit of Non-Compliance - \$70.00 TJ
25. **COD-20-01259**, Mollie Eyster, 12435 Perrine Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 ST
26. **COD-20-02875**, Joan Pagnotta & Albert Pagnotta, 381 La Playa Ln, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 ST
27. **COD-21-02876**, James Geanoulis, 18333 or 18341 Dakota Ave, Port Charlotte – Amended Affidavit of Non-Compliance - \$70.00 ST

SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S 9:09 AM

VII. NEW BUSINESS

- A. **COD-22-00808**, Dwayne Murff & Loisteen Murff, 23268 Avacado Ave, Port Charlotte [IPMC Sections 108.1, 108.1.1, 108.1.5, 108.6, 301.2, 303.1 & 303.2] TJ

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- B. **COD-22-00905**, Christopher Trapp & Melissa Trapp, 4150 Enclave Place, Port Charlotte [IPMC Sections 301.2 & 302.7] **CONTINUED UNTIL SEPTEMBER** TJ

The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- C. **COD-21-02927**, Clifton McNealy & Gloria Blanding, 806 or 808 Burland St, Punta Gorda [Sections 3-9-5(b) & 3-9-32(e); & FBC Section 105.1; & IPMC Sections 108.1, 108.1.1, 108.1.2, 108.1.3, 108.6, 110.1, 110.2, 110.3, 110.4, 301.2, 301.3, 302.3, 302.7, 304.1 & 304.1.1] **CONTINUED UNTIL AUGUST** RM

The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist.

- D. **COD-21-02162**, Rudy Castro & Patricia Castro, 22019 Catherine Ave, Port Charlotte [IPMC Sections 108.1, 108.1.1, 108.1.2, 108.1.3, 108.1.5(3)(4)(5)(6), 108.6, 110.1, 301.2, 301.3, 304.1, 304.1.1(5)(7)(8), 304.4, 304.5, 304.6, 304.7, 304.13, 304.15, 305.1, 305.1.1(2), 305.2, 305.3, 305.4, 501.2, 504.1, 504.3, 505.1, 601.2, 603.1 & 604.3] RL

RUDY CASTRO & PATRICIA CASTRO PRESENT

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- E. **COD-22-00394**, Maria Wagstaff & Joan Wagstaff, 2629 Starlite Lane, Port Charlotte [IPMC Sections 301.2 & 304.7] RL

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- F. **COD-22-00510**, Jessie Day & Amber Day, 2403 Linton Lane, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] RL

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- G. **COD-22-00742**, Robert Avery, 21074 Ionia Ave, Port Charlotte [Section 3-9-5(b)] RL

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$100 for each day the violation continues to exist.

- H. **COD-22-00775**, Gladys Perez, 21938 Hernando Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76; & FBC Section 105.1] RL

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$250 per day for each day the violation continues to exist. The issuance of a 5-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- I. **COD-22-00986**, Brian Callahan, 2360 Ednor St, Port Charlotte [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 108.1, 108.1.3, 108.1.5(6)(9), 108.4, 301.2, 304.4, 304.10, 304.13, 304.13.1, 501.2, 504.1, 505.1, 505.4, 506.1, 601.2, 602.1, 602.3, 603.1, 604.1 & 604.3] **CONTINUED UNTIL AUGUST** RL

The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- J. **COD-21-02914**, Roland Ziegler & Maria Ziegler, 731 Rio Villa Dr, Punta Gorda [Sections 3-9-37(e) & 3-9-79.1] **ROLAND ZIEGLER & MARIA ZIEGLER PRESENT** BB
CONTINUED UNTIL AUGUST

The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- K. **COD-22-00746**, Pauline Grossnickle L/E, 12159 Minnesota Ave, Puta Gorda [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] BB

PAULINE GROSSNICKLE & MR GROSSNICKLE PRESENT

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 60 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- L. **COD-22-00288**, Erik Konald & Jennifer Konold, 98 Statler St, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-5(b); & FBC Section 105.1] ST

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- M. **COD-22-00844**, Daniel Simijoski, 7632 St. Regis Circle, Port Charlotte [Section 3-6-24 & 3-9-5(b); & FBC Section 105.1] **DANIEL SIMIJOSKI PRESENT** ST

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 120 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- N. **COD-22-00740**, Gary Stewart & Katherine Stewart, 4393 or 4399 Sturkie Ave, Port Charlotte [Section 3-6-24(a)] WW

ORDERED. The County recommends Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- O. **COD-21-02795**, Jeffery Hill & Surendrani Hill, 3236 Depew Ave, Port Charlotte [Sections 3-9-33(e), 3-9-33(d)(7), 3-9-69 & 3-9-5(b); & FBC Sections 105.1 & 110.3] PD
JEFFERY HILL & SURENDRANI HILL PRESENT

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 36 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for any repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- P. **COD-22-01042**, Daniel Valenti & April Valenti, 322 Aylesbury Lane, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] PD

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

- Q. **COD-22-00317**, Russel Harris III & Dawn Harris, 906 Linnaen Terrace [FBC Sections 105.4 & 110.3] SR

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- R. **COD-22-00442**, Gladys Perez & Israel Colon II, 2160 Barksdale St, Port Charlotte [FBC Sections 105.4 & 110.3] SR

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 30 days from the date of the Order to bring the property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- S. **COD-22-00543**, Emory Oleson, 4367 Albacore Circle, Port Charlotte [Sections 3-9-33(e) & 3-9-76] SR

JAY OLESON PRESENT

CONTINUED UNTIL AUGUST

The County recommends the Respondent be found in violation of the cited code sections and given 15 days from the date of the Order to bring the property into compliance or thereafter fined \$50 per day for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations and abatement in the event of non-compliance with costs of abatement to be added to the fines and costs.

XII ADJOURNMENT

SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 10:47 AM

MINUTES APPROVAL CERTIFICATION

I, Suzan Gowans, Senior Administrative Assistant for Charlotte County, hereby approve and certify these minutes to be true and accurate account of the Code Enforcement Special Magistrate Hearing held on June 2nd, 2022.

Suzan Gowans
Suzan Gowans

07/07/2022
Date Approved

NEXT MEETING DATE

August 3, 2022

XII ADJOURNMENT

If any person desires to appeal any decision with respect to any matter considered at these meetings, such person may need a record of the proceedings; for this purpose, such person may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based.