

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 February 1, 2023

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

MARCH 1, 2023

IV. OLD BUSINESS

COD-20-02249, John Bebon Jr., 3101 Bourbon St, Englewood – Affidavit of Non-Compliance - \$270.00 JD

V. CONFLICT CASES

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-21-02305**, Sergey Prokopets, 9057 or 9065 Avalon Ave, Englewood – Third Affidavit of Non-Compliance - \$9,020.00 GW
2. **COD-21-02687**, Arkadiy Vayner & Yulia Vayner, 103 Opal Dr, Englewood – Third Affidavit of Non-Compliance - \$18,020.00 GW
3. **DOH-16-00274**, Patrick Howanitz, 18542 Satsuma Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 GR
4. **COD-15-01237**, Jovica Jovic & Biljama Negic-Jovic, 242 Beeney Rd, Port Charlotte – Ninth Affidavit of Non-Compliance - \$120.00 PD

5. **COD-20-02158**, Paul Duxbury, 609 Ennis Terrace, Port Charlotte – Seventh Affidavit of Non-Compliance - \$2,357.74 PD
6. **COD-21-01431**, Cynthia Mitchell & Christopher Marquis, 3372 Elkcam Blvd, Port Charlotte – Fourth Affidavit of Non-Compliance \$ 4,554.47 PD
7. **COD-21-01816**, Robert Baust, 21080 Higgs Dr, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 **ROBERT BURST PRESENT CONTINUED UNTIL MARCH** PD
8. **COD-21-02158**, C. Kinney & B. Worth, 21826 Edgewater Dr, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 **CURTIS KINNEY PRESENT** PD
9. **COD-21-02737**, Joann Ehrenberg Trustee, 22257 Yonkers Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
10. **COD-22-00124**, Jose Huerta & Imer Rogel, 105 Martin Dr, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 PD
- ~~11. **COD-22-00874**, Narin Imprasert & Nipapan Imprasert, 757 Crestview Circle, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 **CONTINUED** PD~~
12. **COD-22-01218**, James Verhoeven, 4377 Sibley Bay St or 4380 or 4386 or 4388 Jackson St, Port Charlotte – Affidavit of Non-Compliance - \$5,713.60 PD
13. **COD-22-01256**, James Verhoeven, 4377 Sibley Bay St or 4380 or 4386 or 4388 Jackson St – Affidavit of Non-Compliance - \$120.00 PD
14. **COD-22-01297**, Gerry Wendt & Lorraine Rector, 4545 Melbourne St, Port Charlotte – Affidavit of Non-Compliance - \$322.00 PD
15. **COD-14-02464**, Marian Kencik & Piotr Lakomski, 4185 Flamingo Blvd, Port Charlotte – Fourteenth Affidavit of Non-Compliance - \$70.00 **MARIAN KENCIK PRESENT** SR
16. **COD-20-03260**, Kristin Gabriellini & Marie Gabriellini, 2443 Tamarind St, Port Charlotte – Second Affidavit of Non-compliance - \$5,620.00 SR
17. **COD-21-00708**, Roseann Bertucci, 4259 Kilpatrick St, Port Charlotte – Fifth Affidavit of Non-Compliance - \$4,770.00 SR
18. **COD-21-01390**, Amanda Snyder, 17390 Godwin Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 **AMANDA SNYDER PRESENT CONTINUED UNTIL MAY** SR
19. **COD-22-00719**, Ashley Rich, 4391 Mundella Cir, Port Charlotte – Affidavit of Non-Compliance - \$5,322.14 **ASHLEY RICH PRESENT** SR
20. **COD-20-02157**, Tara Weiss, 21914 Haines Ave, Port Charlotte – Seventh Affidavit of Non-Compliance - \$210.00 RL
21. **COD-21-02019**, Ryan Rudnick, 2781 Starlite Lane, Port Charlotte – Fourth Affidavit of Non-Compliance - \$210.00 RL

22. **COD-21-02465**, Yefim Botvinnik & Yulia Levitski, 22043 Hernando Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$410.00 RL
23. **COD-22-00004**, Kenneth Strelchun, 22095 Marshall Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$9,135.34 RL
24. **COD-22-00986**, Brian Callahan, 2360 Ednor St, Port Charlotte – Affidavit of Non-Compliance - \$70.00 RL
25. **COD-22-01270**, Marcus Clark, 21290 Glendale Ave, Port Charlotte – Affidavit of Non-Compliance - \$210.00 RL
26. **COD-16-03588**, Stephen Kennedy & Deborah Kennedy, 1321 Yorkshire St, Port Charlotte – Eighth Affidavit of Non-Compliance - \$70.00 TJ
27. **COD-20-00883**, Angelo Auriemma, Salvatore Auriemma & Julia Auriemma, 23245 Billings Ave, Port Charlotte – Sixth Affidavit of Non-Compliance - \$70.00 TJ
28. **COD-20-02885**, Mauricio Gutierrez & Sheila Escobar, 21439 Carleton Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 TJ
29. **COD-20-02900**, Oscar Johnson, 20261 Astoria Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 TJ
30. **COD-21-01425**, William Conrad, 21448 Bryn Mawr Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 TJ
31. **COD-22-00335**, Jean Romulus, 21516 Dollard Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 **JEAN ROMULUS PRESENT** TJ
- ~~32. **COD-22-00591**, PEACE RIVER CAPITAL LLC, 3301 or 3305 Peace River Dr, Punta Gorda – Affidavit of Non-Compliance - \$120.00 **DISMISSED** TJ~~
33. **COD-21-00125**, Ronny St. Louis & Juli St. Louis, 14435 Woodstock Rd, Port Charlotte – Second Affidavit of Non-Compliance - \$14,883.92 ST
34. **COD-21-02876**, James Geanoulis, 18333 or 18341 Dakota Ave, Port Charlotte – Second Affidavit on Non-Compliance - \$5,304.42 ST
35. **COD-19-01038**, Rosemarie Kluever, 3201 Amanda St, Punta Gorda – Seventh Affidavit of Non-Compliance - \$70.00 RM
36. **COD-20-01759**, Estate of Mary Helms, 16050 Hibiscus Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
37. **COD-20-02605**, Wayne Hendryx & Vonda Hendryx, 11186 Grapefruit Ln, Punta Gorda – Second Affidavit of Non-Compliance - \$7,925.96 RM
38. **COD-21-02818**, David Soosh, 6213 Padula St, Punta Gorda – Affidavit of Non-Compliance - \$25,527.83 RM

- 39. **COD-21-02997**, Virgil Thomas, 28128 Senator Dr or 12493 Mizell Ave, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
- 40. **COD-21-03039**, Dalia Gonzalez., 50166 Bermont Rd, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
- 41. **COD-22-01454**, Alan Indermuehle, 15521 Sunkist Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
- 42. **COD-19-03079**, Shirley Nickell, 6438 Mayport St, Unit A & B, Englewood – Fourth Affidavit of Non-Compliance - \$4,520.00 **SHIRLEY NICKELL PRESENT** JD
- 43. **COD-21-01572**, Susan O'Connor, 1295 Blue Heron Dr, Englewood – Second Affidavit of Non-Compliance - \$4,520.00 JD

SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S AT 10:01AM

VII. NEW BUSINESS

- A. **COD-22-00841**, R M ORGANIZATION, 3262 or 3270 Leechburg St, Port Charlotte [Sections 3-5-91 & 3-9-100.3(d)(4)] GW

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 \$100 for each day the violation continues to exist.

- B. **COD-22-00941**, MF2 PARTNERS LLC, 21495 Dranson Ave, Port Charlotte [Section 3-9-100.3 (d)(4)] GW

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 \$100 for each day the violation continues to exist.

- C. **COD-22-02242**, ADVOCATE INSURANCE AND RETIREMENT SOLUTIONS INC, 2288 Harbor Blvd, Port Charlotte [Sections 3-9-5(b); & FBC Section 105.1] RL

MARCUS GALAN 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 \$100 for each day the violation continues to exist.

- D. **COD-22-00635**, James Bontjes & Wanda Bontjes, 14274 Edsel Dr, Port Charlotte [FBC Sections 105.4 & 110.3] 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 for each day the violation continues to exist. property into compliance or thereafter fined \$50 for each day the violation continues to exist.

- E. **COD-22-01482** Jovica Jovic & Biljama Negic-Jovic, 242 Beeney Rd, Port Charlotte [IPMC Sections 301.2, 301.3 & 302.7] PD

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-22-02472**, Paul Duxbury, 609 Ennis Terrace, Port Charlotte [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 501.2, 505.1 & 604.3] PD

CLAUDIA LARKIN, CYNDIE TALANCO & PATRICIA NEWELL PRESENT

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 \$500 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.

- G. **COD-22-01592**, Neil Abrahamson & Janice Abrahamson, 5522 Papaya Dr, Punta Gorda [Sections 3-9-33(e) & 3-9-76] **MARGO DUNN PRESENT** RM

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.

- H. **COD-22-02284**, JAXON FISCHER LLC, 17150 Burnt Store Rd, Punta Gorda [Sections 3-9-30(e) & 3-9-76] RM

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 \$250 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.

- I. **COD-21-02250**, Glenn Flood, 2115 Midnight St, Port Charlotte [Section 3-6-30] WW

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 for each day the violation continues to exist and issuance of a 2-year cease and desist order for repeat zoning violations.

XII **ADJOURNMENT**

SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 11:02AM.

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 February 1, 2023.

Suzan Gowans
Suzan Gowans

02/03/2023
Date Approved

NEXT MEETING DATE

March 1, 2023

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.