

**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 MAY 3, 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](mailto: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**

**JUNE 7, 2023**

**IV. OLD BUSINESS**

**COD-21-01390**, Amanda Snyder, 17390 Godwin Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 SR

**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-22-00841**, RM ORGANIZATION, 3262 or 3270 Leechburg St, Port Charlotte – Affidavit of Non-Compliance - \$120.00 GW
2. **COD-22-00941**, MF2 PARTNERS LLC, 21495 Dranson Ave, Port Charlotte – Affidavit of Non-Compliance - \$120.00 GW
3. **COD-18-00254**, Robert Gannon, 4386 Sibley Bay St, Port Charlotte – Eleventh Affidavit of Non-Compliance - \$70.00 PD
4. ~~**COD-21-02796**, Jeffery Hill & Surendrani Hill, 3244 Depew Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD~~ **DISMISSED**
5. **COD-22-01256**, James Verhoeven, 4380 Jackson St, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 PD

6. **COD-22-01482**, Jovica Jovic & Biljama Negic-Jovic, 242 Beeney Rd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
7. **COD-22-02403**, Thomas Pennella Life Estate, 1060 Sea Crest Drive Rd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
8. **COD-22-02472**, Paul Duxbury, 609 Ennis Terrace, Port Charlotte – Affidavit of Non-Compliance - \$9,000.81 PD
9. **COD-22-00775**, Gladys Maria Perez, 21938 Hernando Ave, Port Charlotte – Affidavit of Non-Compliance - \$270.00 RL
10. **COD-16-03588**, Stephen Kennedy & Deborah Kennedy, 1321 Yorkshire St, Port Charlotte – Ninth Affidavit of Non-Compliance - \$70.00 TJ
11. **COD-21-00770**, Robert Menje Jr & Joseph Menje, 3207 Daytona Dr, Punta Gorda – Second Affidavit of Non-Compliance - \$4,520.00 **ROBERT MENJE JR PRESENT** TJ
12. **COD-21-02148**, THE BUYING COMPANY, LLC, 1269 Dorchester St, Port Charlotte – Fifth Affidavit of Non-Compliance - \$9,020.00 TJ
13. **COD-22-00186**, Ronald Perkins, 1227 Sultana St, Port Charlotte – Third Affidavit of Non-Compliance - \$4,520.00 TJ
14. **COD-22-01343**, Maureen Townsend, 2957 Peace River Dr, Punta Gorda – Affidavit of Non-compliance - \$120.00 TJ
15. **COD-22-02516**, Clifton Mignott & Carmelena Mignott, 22491 Provance Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 TJ
16. **COD-20-03121**, Mark Schmitt, 11406 or 11410 Second Ave, Punta Gorda – Third Affidavit of Non-Compliance - \$120.00 **MARK SCHMITT PRESENT** RM
17. **COD-22-00227**, Jim Alexander & Joydell Alexander, 12466 Vista Circle, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
- ~~18. **COD-22-00610**, Cynthia Smith, 16060 Hibiscus Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 **DISMISSED** RM~~
19. **COD-20-02249**, John Bebon Jr, 3101 Bourbon St, Englewood – Second Affidavit of Non-Compliance – 22,913.26 JD
20. **COD-21-00628**, Laurie Yacono, 3170 Smith St, Englewood – Second Affidavit of Non-Compliance - \$8,143.06 JD
21. **COD-21-02454**, David Pelletier, 3245 Cindy Lane, Englewood – Affidavit of Non-Compliance - \$31,635.21 **DAVID PELLETIER PRESENT** JD
22. **COD-22-00164**, Carol Ann Martin & Pamela Sexton Donlan, 7500 Park Pointe Dr, Unit 5, 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-22-00798**, NUWAVE DEVELOPMENT INC, 13055 or 13059 or 13063 or 13067 or 13071 or 13075 Green Gulf Blvd, Punta Gorda [Sections 3-5-91, 3-9-100.3(d), 3-6-24 & 3-6-26] **JUSTIN WOLCOTT PRESENT** GW

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 45 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. **DOH-22-00017**, Yvon Joseph & Marie Joseph, 18579 Grand Ave, Port Charlotte [Section 3-8-256 (c)(1), (c)(2) & (c)(3)] GR

**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 including payment of any associated fees to the Department of Health or thereafter fined \$50 for each day the violation continues to exist.**

- C. **DOH-22-00027**, Ryan O'Malley, John O'Malley & Sandra O'Malley, 2302 Summit St, Port Charlotte [Section 3-8-256(c)(1), (c)(2) & (c)(3)] GR

**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 including payment of any associated fees to the Department of Health or thereafter fined \$50 for each day the violation continues to exist.**

- D. **DOH-22-00029**, BUYING COMPANY LLC, 1184 Barbour Ave, Port Charlotte [Section 3-8-256(c)(1), (c)(2) & (c)(3)] GR

**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 including payment of any associated fees to the Department of Health or thereafter fined \$100 for each day the violation continues to exist.**

- E. **COD-23-00269**, DJC ESTATES LLC, 4492 Ganyard St, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] **DANIEL CLARKSTON PRESENT** PD

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 90 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.**

F. ~~COD-23-00282, A&C REAL ESTATE SOLUTIONS EMPLOYEE PROFIT SHARING PLAN, 3499 Dream St, Port Charlotte [Sections 3-9-33(e) & 3-9-76]~~ PD

**DISMISSED**

~~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 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-23-00629, Raymond Keigley, 21718 Edgewater Dr, Port Charlotte [Sections 3-9-33(e) & 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.

H. COD-21-02804, Clement Smith & Yanick Smith, 18377 Winsome Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1; & FBC Sections 105.4 & 110.3] SR

**CLEMENT SMITH PRESENT**

**ORDERED.** The County recommends the Respondent be found in violation of the cited code sections and given 90 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.

I. ~~COD-23-00290, Dorothy Reed, 17352 Robinson Ave, Port Charlotte [Sections 3-6-24, 3-6-26, 3-9-5(b), 3-9-33(e) & 3-9-76; & FBC Section 105.1]~~ SR

**CONTINUED UNTIL JUNE**

~~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 any 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-23-00301**, Viridiana Delafuente & Rigberto Guittierez, 17173 Hillsborough Blvd, Port Charlotte [Sections 3-5-91, 3-9-33(e) & 3-9-79.1] 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.**

- K. **COD-23-00185**, COLONY MOBILE HOME PARK L.P., TROPICAL-DULL LLC, 17100 Tamiami Trail, Lot 187, Punta Gorda [Section 3-9-5(b); & FBC Sections 105.1 & 110.1] **DOUG BOOKER & STAN MARTIN PRESENT CONT** RH

**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.**

- L. **COD-23-00513**, Mark Lenart, 7073 Alan Blvd, Punta Gorda [Sections 3-9-30(e), 3-9-76 & 3-9-79.1] **MARK LENART PRESENT** RH

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 90 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.**

- M. **COD-23-00209**, Hamilton Staples, 25 Medalist Way, Rotonda West [Sections 3-9-33(e) & 3-9-76] **HAMILTON STAPLES PRESENT CONT** JD

**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 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.**

- N. **COD-23-00128**, VN ASSOCIATION LLC, JENNY NGUYEN-DINH, 22517 Elmira Blvd or 3420 Beacon Rd, Port Charlotte [Sections 3-6-26, 3-6-35.8, 3-6-35.3 & 3-9-100.3(d)] 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 \$100 for each day the violation continues to exist.**

- O. ~~COD-23-00261, Michael Ott, Teresa Ott, Keith Sheridan, David Lutz, Dana Lutz, Paul Moran & Maryanne Moran Trustees, 2210, 2220 & 2230 Brookwood Dr, Englewood [Sections 3-5-388(h), 3-6-31 & 3-6-35.10(d)]~~ **CONTINUED** WW

~~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.~~

- P. **COD-22-02471**, SYNERGY MANAGEMENT GROUP, LLC, 27218 Sunnybrook Rd, Unit A or Unit B or 27226 Sunnybrook Rd, Unit A or Unit B, Punta Gorda [IPMC Sections 301.2, 304.1, 304.2, 304.6, 304.7, 304.13, 304.13.1, 304.13.2, 304.14 & 304.15] 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 \$100 for each day the violation continues to exist.**

- Q. **COD-22-02500**, Michael Moritz Estate & Theodora Moritz Estate, 27345 or 27349 Neptune Dr [Sections 3-9-5(b), 3-5-268, 3-9-33(e), 3-9-76 & 3-9-79.1] 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. 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.**

- R. **COD-23-00271**, PEACE FOX LLC, 3301 or 3305 Peace River Dr, Punta Gorda [IPMC Sections 301.2 & 302.7] 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 \$100 for each day the violation continues to exist.**

- S. **COD-23-00545**, Isabel Gonzalez & Reidy Gonzalez, 23194 Midway Blvd, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] TJ

**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 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.**



- T. **COD-23-00594**, Edwin Jean & Delia Jean, 1017 Marcus St, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] TJ

**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 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.**

- U. **COD-23-00595**, DEEDGRABBERCOM, INC, 1025 Marcus St, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] TJ

**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 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.**

- V. **COD-23-00632**, Diego Stacey & Maria Stacey, 1258 Tift St, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **DIEGO STACEY PRESENT** TJ

**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.**

- W. **COD-22-00694**, Maria Luzon, 21506 Glendale Ave, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] **MARIA LUZON PRESENT CONT** 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 for each day the violation continues to exist.**

- X. **COD-22-01892**, Angela Larson, 21670 Augusta Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e), 3-9-72 & 3-9-79.1] 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 \$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.**

Y. **COD-22-01913**, Werner Plate, 2504 Warne St, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] **WERNER PLATE PRESENT** RL

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 90 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.**

~~Z. **COD-22-01915**, Zakary Jones, 21082 Ionia Ave, Port Charlotte [Section 3-5-9(b); & FBC Section 105.1] **CONTINUED UNTIL NOVEMBER** 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 for each day the violation continues to exist.**~~

AA. **COD-23-00026**, Luis Fernandez, 21026 Bersell Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76; & FBC Section 105.1] **LUIS FERNANDEZ PRESENT** 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.**

BB. **COD-23-00113**, Israel Colon II, Gladys Perez & Doris Hayes, 21211 Glendale Ave, Port Charlotte [Section 3-9-5(b); & 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 \$100 for each day the violation continues to exist.**

CC. **COD-23-00748**, Anthony Bruno & Michael Bruno, 2203 Lakeshore Circle, Port Charlotte [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 108.1.5(7), 301.2, 302.7, 303.1 & 303.2] 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. The issuance of a 5-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.**

DD. **COD-23-00781**, Blanca Metza & Joseph Metza, 21459 Gibraltar Dr, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **BLANCA METZA PRESENT** 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.**



**XII ADJOURNMENT**

**SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 12:22PM.**

**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 May 3, 2023.

Suzan Gowans  
Suzan Gowans

05/04/2023  
Date Approved

**NEXT MEETING DATE**

June 7, 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.