

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 APRIL 6, 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
MAY 3, 2023
- IV. OLD BUSINESS
- V. CONFLICT CASES

COD-22-02199, Jan Musil, 3437 Edgehill Terrace, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] **JAN MUSIL 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 \$100 for each day the violation continues to exist.

- 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-20-00911**, Mihai Arhire & Mihaela Diamandi, 8179 Walbert St, Port Charlotte – Sixth Affidavit of Non-Compliance - \$70.00 GW
2. **COD-20-01272**, MEGA TOWERS CONSTRUCTION LLC, 14522 Ingraham Blvd or 9316 Impala Circle, Port Charlotte – Sixth Affidavit of Non-Compliance - \$120.00 GW
3. **COD-20-03196**, Matthew Jones, 4043 River Bank Way, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 GW

4. **COD-22-00144**, GULF COAST WAREHOUSING LLC, 7630 Sawyer Circle, Port Charlotte – Affidavit of Non-Compliance - \$270.00 GW
5. **COD-22-00156**, David Orel, 25566 or 25576 Marion Ave, Punta Gorda – Second Affidavit of Non-Compliance \$ 4,520.00 GW
6. **COD-22-00413**, Milbert Jorge De La Cruz Gomez, 49331 Bermont Rd, Punta Gorda – Affidavit of Non-Compliance - \$70.00 GW
7. **COD-15-02774**, Maria Gabaldon, 3115 Newbury St, Port Charlotte – Thirteenth Affidavit of Non-Compliance - \$70.00 PD
8. **COD-21-02796**, Jeffery Hill & Surendrani Hill, 3244 Depew Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 PD
9. **COD-22-00124**, Jose Huerta & Imer Rogel, 105 Martin Drive, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 PD
10. **COD-22-00924**, Charles Fagundes III, 157 Barre Dr, Port Charlotte – Second Affidavit of Non-Compliance - \$5,501.22 PD
11. **COD-21-00708**, Roseann Bertucci, 4259 Kilpatrick St, Port Charlotte – Sixth Affidavit of Non-Compliance - \$70.00 SR
12. **COD-21-01891**, Marc Gonsalves & Maria Gonsalves, 17550 Ohara Dr, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 SR
13. **COD-22-01067**, Michael Rosiejka Jr., 3512 Ogden St, Port Charlotte – Affidavit of Non-Compliance - \$70.00 SR
14. **COD-18-03432**, Christine Marfut, 21219 Glendale Ave, Port Charlotte – Ninth Affidavit of Non-compliance - \$270.00 RL
15. **COD-20-01106**, Anne Jimerson, 21553 Gibraltar Dr, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 RL
16. **COD-20-02070**, Austen Hammer, 21405 Midway Blvd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 RL
17. **COD-21-01903**, Abdal Rahim Zaben, 2162 Lakeshore Circle, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 RL
18. **COD-21-02761**, Tracy Dunne, 22110 Beverly Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$170.00 RL
19. **COD-21-02839**, Samantha Otten, Shaylee Harris & Sydnee Harris, 21467 Glendale Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 RL
20. **COD-22-00125**, Jonathan Morgan, 21888 Felton Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 RL

21. **COD-22-00990**, Heather Olson Trustee, 21472 Mallory Ave, Port Charlotte – Affidavit of Non-Compliance - \$170.00 RL
22. **COD-22-01103**, Stephen Bjork, 2208 Lee Terrace, Port Charlotte – Affidavit of Non-Compliance - \$70.00 RL
23. **COD-22-01124**, Tara Weiss, 21914 Haines Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 RL
24. **COD-2008-884**, William Rusch & Janice Rusch, 2501 Sistina St, Port Charlotte – Thirteenth Affidavit of Non-Compliance - \$120.00 TJ
25. **COD-16-02661**, Raymond Busbey & Sandra Busbey, 1393 Fireside St, Port Charlotte – Twelfth Affidavit of Non-Compliance - \$70.00 TJ
26. **COD-22-01627**, Corey Collins, 125 Chickering St, Port Charlotte – Affidavit of Non-Compliance - \$13,834.09 TJ
27. **COD-14-01221**, Lisa Copper Gianfrancisco, 7075 Treadway Rd, Port Charlotte – Thirteenth Affidavit of Non-Compliance - \$70.00 ST
28. **COD-19-00093**, Samuel Grillo & Mary Grillo, 7491 St. Regis Circle, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 ST
29. **COD-21-00718**, Semisi Moala & Lokwm Moala, 12070 Gordon Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 ST
30. **COD-21-01383**, Robert Gregory, 9038 Calumet Blvd, Port Charlotte – Third Affidavit of Non-Compliance - \$120.00 ST
31. **COD-21-02769**, Maria Martins L/E, 20317 Peachland Blvd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 ST
32. **COD-22-00101**, Edward Feehan Jr & Kimberly Feehan, 12197 Cochran Ave, Port Charlotte – Affidavit on Non-Compliance - \$70.00 ST
33. **COD-22-00580**, Samuel Grillo, 7501 St. Regis Circle, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 ST
34. **COD-22-00844**, Daniel Simijoski, 7632 St. Regis Circle, Port Charlotte – Affidavit of Non-Compliance - \$70.00 ST
35. **COD-20-01464**, Christopher Slattery & Alicia May, 43014 Wireglass Lane, Punta Gorda -Third Affidavit of Non-Compliance - \$4,520.00 RM
36. **COD-21-02927**, Clifton McNealy & Gloria Blanding, 806 or 808 Burland St, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RM
37. **COD-22-02284**, JAXSON FISCHER LLC, 17150 Burnt Store Rd, Punta Gorda – Affidavit of Non-Compliance - \$270.00 RM

- 38. **COD-20-00101**, Jeanine Colley, 1980 Wisconsin Ave, Englewood – Affidavit of Non-Compliance - \$70.00 JD
- 39. **COD-20-01392**, TRUST NUMBER 162731 L.D. HOWE TRUSTEE, 1631 Shadow Lane, Englewood – Third Affidavit of Non-Compliance - \$120.00 JD
- 40. **COD-20-02444**, Robert Melvin IV & Adriene Melvin, 320 Capstan Dr, Placida – Fifth Affidavit of Non-Compliance - \$70.00 JD
- 41. **COD-20-02993**, Drew Collom, 3120 Waterside Dr, Englewood – Second Affidavit of Non-Compliance - \$4,520.00 JD
- 42. **COD-20-03108**, Charles Isaac Trustee, 1961 Mississippi Ave, Englewood – Third Affidavit of Non-Compliance - \$70.00 JD
- 43. **COD-21-02929**, Thomas Long & Patricia Long, 7329 Mamouth St, Englewood – Affidavit of Non-Compliance - \$70.00 JD
- 44. **COD-19-03129**, James Lilley, 233 Sunset Blvd E, Punta Gorda – Sixth Affidavit of Non-Compliance - \$70.00 RH
- 45. **COD-21-03060**, Carlton Marvin Trust, 5718 or 5724 Swaying Palm Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 RH

SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S AT 10:02AM

VII. NEW BUSINESS

- A. **COD-22-01544**, Brock Houser & Erin Houser, 14350 Burnt Store Rd, Punta Gorda [Sections 3-5-91, 3-9-100.3(d)(4) & 3-5-478] **BROCK HOUSER PRESENT** GW

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 180 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-22-02480**, Sharon Tamplin, 175 Maple Lane, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1]~~ **CONTINUED UNTIL JUNE** 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-23-00039**, Khang Le, 23106 Ambassador Ave, Port Charlotte [Sections 3-9-33(e), 3-9-76] **FREDERICK LOPEZ, GEORGE SHEPARD & CARL JOHNSON 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 \$150 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.

- d. **COD-23-00407**, Barrett Guilmette, 23476 Quasar Blvd, Port Charlotte [Sections 3-9-5(b), 3-9-33(e) & 3-9-76 & 3-9-79.1; & FBC Section 105.1] TJ
BARRETT GUILMETTE PRESENT

ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 180 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 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-22-00961**, PRATHER HOLDINGS LLC, 22315 Hernando Ave, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 302.7, 304.2, 304.4, 304.6, 304.7, 304.13, 304.15 & 604.3] 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.

- f. **COD-22-01274**, INTEGRITY INVESTORS LLC, 21195 Gladis 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 \$250 for each day the violation continues to exist.

- g. **COD-22-02192**, Caelee Beatty Trustee, 21219 Meehan Ave, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] **DAN BORKOWSKI 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 \$100 for each day the violation continues to exist.

- h. **COD-22-02344**, CSMA FT LLC, 3405 Edgehill Terrace, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] **KYLE MYCETT 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 \$100 for each day the violation continues to exist.

- I. **COD-22-02391**, ICON PALERMO HOLDINGS LLC, 22505 Catherine 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.

- J. **COD-22-02405**, Vincent Koener Jr., 21290 Percy Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **VINCENT KOENER JR 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 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-22-02428**, WEST BABYLON RENTALS LLC, 2270 Aaron St, Port Charlotte [Sections 3-9-5(b), 3-9-34(e) & 3-9-79.1; & 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. 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.

- L. **COD-22-02436**, C. Lee Huff & Barbara Huff Trustees, 22054 Gatewood Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e), 3-9-76 & 3-9-79.1; & FBC Section 105.1] RL
OLIVER HUFF & RAY TIPPINS 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 \$100 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.

- M. **COD-23-00300**, Lisa Sugar, 22064 Belinda Ave, Port Charlotte [Section 2-5-72] 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 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.

- N. **COD-23-00450**, Leeroy Stelter & Ann Stelter Trustees, 2193 Ednor St, 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 \$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.

- O. **COD-22-02091**, Mark Kiel & Donna Schwan, 144 Barre Dr, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **MARK KIEL PRESENT** PD

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 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.

- P. **COD-22-00031**, Pauline Weber & Rachel Green, 19385 Midway Blvd, Port Charlotte [Sections 3-9-5(b) & 3-9-33(e); & 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. 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-22-01525**, William Fitch, 1140 Aletha Ave, Port Charlotte [IPMC Sections 108.1.5, 108.2, 108.6, 301.2, 301.3, 302.7, 303.1, 304.1, 304.2, 304.6, 304.13 & 304.13.1] 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-22-01737**, Warren Gibbons, 19170 Punta Gorda Ct, Port Charlotte [FBC Sections 105.1, 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-22-02340**, Patricia Perkins, 21185 Winside Ave, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] **PATRICIA PERKINS PRESENT** ST

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 \$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.

- t. **COD-22-02377**, Chad McCarthy & Julia McCarthy, 15373 Alsask Circle, Port Charlotte [Sections 3-9-33(e), 3-9-5(b) & 3-9-79.1; & 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.

- u. **COD-22-02484**, James Smith & Nancy Sliney, 15034 Appleton Blvd, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 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 \$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-23-00337**, James Lilley, 233 Sunset Blvd E, Punta Gorda [Sections 3-9-33(e) & 3-9-76] RH

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.

XII ADJOURNMENT

SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 11:51AM.

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 April 6, 2023.

Suzan Gowans
Suzan Gowans

04/10/23
Date Approved

NEXT MEETING DATE

May 3, 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.