

## 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 5, 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

**AUGUST 2, 2023**

IV. OLD BUSINESS

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-22-01525**, William Fitch, 1140 Aletha Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 SR
2. **COD-19-03297**, Dion Murphy, 3332 Normandy Dr, Port Charlotte – Third Affidavit of Non-Compliance - \$170.00 JCM
3. **COD-20-01106**, Anne Jimerson, 21553 Gibraltar Dr, Port Charlotte – Fifth Affidavit of Non-Compliance - \$ 4,520.00 JCM
4. **COD-21-01903**, Abdal Rahim Zaben, 2162 Lakeshore Circle, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 JCM
5. **COD-21-02117**, Carleta McCain, 21354 Glendale Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$70.00 JCM
6. **COD-21-02761**, Tracy Dunne, 22110 Beverly Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$170.00 JCM

7. **COD-21-02839**, Samantha Otten, Shaylee Harris & Sydnee Harris, 21467 Glendale Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 JCM
8. **COD-22-00990**, Heather Olson Trustee, 21472 Mallory Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 JCM
9. **COD-22-01103**, Stephen Bjork, 2208 Lee Terrace, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 **STEPHEN BJORK PRESENT** JCM
10. **COD-22-01124**, Tara Weiss, 21914 Haines Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 JCM
11. **COD-22-02391**, ICON PALERMO HOLDINGS LLC, 22505 Catherine Ave, Port Charlotte – Affidavit of Non-Compliance - \$120.00 JCM
12. **COD-20-02875**, Joan Pagnotta & Albert Pagnotta, 381 La Playa Lane, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 ST
- ~~13. **COD-20-03145**, Dorcas Gray, 18449 Lincoya Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 DISMISSED ST~~
14. **COD-22-00632**, Pedro Santiago, 4535 Nutsedge Rd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 ST
15. **COD-22-01202**, Deborah Jahn, 9310 Rosebud Circle, Port Charlotte – Affidavit of Non-Compliance - \$70.00 ST
16. **COD-22-01381**, Paul Harrison & Carol Harrison, 21057 Denise Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 ST
17. **COD-22-02377**, Chad McCarthy & Julia McCarthy, 15373 Alsask Circle, Port Charlotte - Affidavit of Non-Compliance - \$70.00 ST
18. **COD-20-02112**, Rosie Rouland, Rosilee Rouland, Thelma Rouland, April Poore & Roy Poore, 6200 Padula St, Punta Gorda – Fourth Affidavit of Non-Compliance - \$70.00 RM
19. **COD-21-02818**, David Soosh, 6213 Padula St, Punta Gorda – Second Affidavit of Non-Compliance - \$70.00 RM
20. **COD-22-00227**, Jim Alexander & Joydell Alexander, 12466 Vista Circle, Punta Gorda – Second Affidavit of Non-Compliance - \$70.00 RM
21. **COD-22-00257**, Christine Watts, 11246 Grapefruit Lane, Punta Gorda – Second Affidavit of Non-Compliance - \$70.00 RM
22. **COD-22-00282**, ANDERSUN MOBILE ESTATES, 15392 Olive Circle, Punta Gorda – Affidavit of Non-Compliance - \$70.00 **KEVIN ANDERSON PRESENT** RM
23. **COD-22-00581**, Colleene Miller, 13176 Mandalay Dr, Punta Gorda -Affidavit of Non-Compliance - \$70.00 **COLLEENE MILLER PRESENT** RM

**SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S AT 9:25AM**

**VII. NEW BUSINESS**

- A. **PUO-23-00003**, Gheorghe Mihailescu & Cristina Mihailescu, 211 Bocilla Dr, Placida  
[Sections 3-8-42(a)(f)] **GHEORGHE MIHAILESCU PRESENT** GR

**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 and pay any associated fees to the Bocilla Utilities Inc; or thereafter be fined \$50 per day for each day a violation exists.**

- B. **PUO-23-00004**, John Suiter & Joyce Suiter, 471 Bocilla Dr, Placida [Sections 3-8-42(a)(f)] 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 and pay any associated fees to the Bocilla Utilities Inc; or thereafter be fined \$50 per day for each day a violation exists.**

- C. ~~**COD-23-00203**, Jon Henry & Marguerite Henry, 1069 Yarmouth St, Port Charlotte  
[Sections 3-9-33(e), 3-9-5(b), 3-9-76 & 3-9-79.1] ST~~

**DISMISSED**

~~**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.**~~

- D. **COD-23-00425**, John Souza, 480 Fletcher St, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] **HEATHER EMORY PRESENT** ST

**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.**

- E. ~~**COD-23-00690**, Patrick Johnson L/E, 7104 Rison St, Port Charlotte [Sections 3-9-33(e) & 3-9-76] ST~~

**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 \$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.**~~

- F. **COD-23-01004**, Sandra Albertini, 433 Warrington Blvd, Port Charlotte [Sections 3-5-91, 3-9-5(b), 3-9-33(e), 3-9-76 & 3-9-79.1] **SANDRA ALBERTINI PRESENT** ST

**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.**

- G. **COD-23-01132**, Nathaniel Conley, 4160 Reynolds Lane, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] **NATHANIEL CONLEY PRESENT** ST

**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-23-00184**, Sayeed Ali & Raven Ali, 6104 Sweden Blvd, Punta Gorda [Sections 3-9-30(e)(g), 3-9-5(b), 3-9-76 & 3-9-79.1; & FBC Section 105.1] 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 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-23-00634**, Joseph Lushine, 28030 Argyle Dr, Punta Gorda [Sections 3-9-33(e), 3-9-76, 3-9-77 & 3-9-79.1] RM

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 5 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-23-00639**, LABRADOR LAND COMPANY LLC, 13270 Avalon Dr, Punta Gorda [Sections 3-9-33(e) & 3-9-76] RM

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 5 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.**

- K. **COD-23-00676**, Daniel Kachmar, 2611 Larkspur Dr, Punta Gorda [Sections 3-9-5(b), 3-9-33(e), 3-9-76 & 3-9-79.1; & FBC Section 105.1] 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 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-23-00992**, Wayne Thibodeau & Russell Thibodeau, 5400 Swaying Palm Dr, Punta Gorda [Sections 3-9-37(e), 3-9-76 & 3-9-79.1] 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 \$250 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.**

- M. **COD-23-01322**, Clinton Green, 27474 Corinthian Dr, Punta Gorda [Sections 3-9-33(e), 3-9-76, 3-9-77 & 3-9-79.1] 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 \$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.**

- N. **COD-23-01359**, Colleene Miller, 13176 Mandalay Dr, Punta Gorda [Sections 3-6-24, 3-9-33(e), 3-9-5(b), 3-9-76 & 3-9-79.1] **COLLEENE MILLER PRESENT** RM

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 5 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.**

- O. **COD-23-01151**, SUPREME BUILDERS OF FL LLC, Mayrelis Prieto, 111 Poinsettia Circle, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1] PD

**MAYRELIS PRIETO 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.**

P. ~~COD-23-01189, NATIONS DIRECT MORTGAGE LLC, 3372 Elkeam Blvd, Port Charlotte [Sections 3-9-33(e) & 3-9-76]~~ ~~DISMISSED~~ PD

~~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.~~

Q. COD-23-01283, Daniel Parabak, 22175 Oneida Ave, 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 \$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.

R. COD-23-01284, Daniel Parabak, 22191 Oneida Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76] 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 \$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.

S. COD-22-01383, Millicent Campbell, 4225 Rose Arbor Circle, Port Charlotte [IPMC Sections 301.2, 301.3, 601.2 & 604.3.1.1] 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.

T. COD-22-02142, James Kolpack & Stephanie Kolpack, 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] JCM

**JAMES KOLPACK & STEPHANIE KOLPACK 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 for each day the violation continues to exist.

- u. **COD-23-00456**, US 17 PUNTA GORDA SWWS 4827 DUNCAN RD TRUST, 4827 Duncan Rd, Punta Gorda [Sections 3-9-37(e), 3-9-76 & 3-9-79.1] 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 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-23-00612**, Stephanie Incitti, 12067 or 12071 Gladiola Sr, Punta Gorda [Sections 3-5-91, 3-6-24, 3-9-33(e), 3-9-76, 3-9-79.1 & 3-9-100.3(d)] RH

**ORDERED. The County recommends the Respondent be found in violation of the cited code sections and given 5 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.**

- w. ~~**COD-23-01005**, Joseph McGrew & Todd McGrew, 6073 or 6083 Alan Blvd, Punta Gorda [Sections 3-9-30(e), 3-9-76 & 3-9-77]~~ **DISMISSED** RH

~~**The County recommends the Respondent be found in violation of the cited code sections and given 5 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.**~~

- x. **COD-23-00093**, BREAD OF LIFE MISSION INC, 6454 Scott St, Punta Gorda [Sections 3-9-39(e) & 3-9-76; & FBC Sections 406.1, 406.2.4, 421.5.2, 504.6 & 706.1.1; & 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, 302.7, 304.1, 304.1.1, 304.6, 304.7, 304.10, 304.13, 305.1.1, 308.1, 308.2, 308.2.1, 308.2.2, 308.3, 309.1, 601.1, 601.2, 604.3, 605.2 & 605.4; & NEC Sections 210.52, 230.28 & 352.30] DS

**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.**

- Y. **COD-21-01084**, Logan Tetreault & Meaghan Tetreault, 9209 Fruitland Ave, Englewood [Sections 3-9-5(b) & 3-9-76; & FBC Section 105.1] **CONTINUED** JD

~~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.~~

- Z. **COD-22-00153**, Darryl Blech & Helen Blech Trustees, 274 Long Meadow Ln S., Rotonda [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 108.6, 301.2, 302.7, 303.1 & 304.1] JD

**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.

- AA. **COD-22-01059**, Loren Gene Nichols, 303 Calle Liana, Englewood [IPMC Sections 301.2, 304.1 & 304.7] JD

**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-23-00198**, Phyllis Hoffman & Teresa Chamberlein, 2044 Willow Ave, Englewood [Sections 3-9-37(e) & 3-9-76; & 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, 302.7, 304.1, 304.1.1, 304.6 & 304.7] JD

**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. 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.



cc. **COD-23-00554**, Carolyn Herman, 6300 Bunting Lane, Englewood [Sections 3-9-37(e) & 3-9-76; & 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] JD

**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.**

**XII ADJOURNMENT**

**SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 10:58PM.**

**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 July 5, 2023.

Suzan Gowans  
Suzan Gowans

07/06/2023  
Date Approved

**NEXT MEETING DATE**

August 2, 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.