

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 8, 2021

1. CALL TO ORDER

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

2. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY

SUZAN GOWANS ADMINISTERED THE OATH

3. NEXT MEETING DATE

JUNE 2, 2021

IV. OLD BUSINESS

COD-18-01022, Cynthia Smith, 16060 Hibiscus Dr, Punta Gorda – Fifth Affidavit of Non-Compliance - \$4,520.00 **CONTINUED UNTIL AUGUST CYNTHIA SMITH PRESENT TJ**

COD-19-01945, Solange Glockson, 18675 Ashcroft Cir, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 **SR**

UTL-19-00024, Kris Zolnierowica & Alice Zolnierowicz, 99 Adalia Ter, Port Charlotte – Second Order of Non-Compliance - \$4,520.00 **KRIS ZOLNIEROWICA PRESENT CONT TO JUNE GR**

UTL-20-00006, TROPICAL BAY INN MOTEL, INC, 22968 Bayshore Rd, Port Charlotte – Affidavit of Non-Compliance - \$ 120.00 **ALISA PRESENT CONTINUED UNTIL JUNE GR**

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. **DOH-15-00073**, Peter Bashucky, 4263 Albacore Cir, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 **GR**

2. **DOH-16-00024**, Robert Santoro, 2396 Broad Ranch Dr, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 **ROBERT SANTORO PRESENT UPHELD GR**

3. **DOH-20-00004**, Doris Mello, 754 Merrick Ln, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 **DORIS MELLO PRESENT CONT 90 DAYS GR**

4. **UTL-20-00015**, Samuel Schmutzler & Toni Schmutzler, 23255 Fullerton Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 **GR**

5. **COD-19-01342**, Craig McKendry & Christine McKendry, 3140 Conway Blvd, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 PD
6. **COD-19-01792**, Thomas Hamilton & Sherry Hamilton, 127 Rodgers Ave, Port Charlotte – Fourth Affidavit of Non-Compliance - \$120.00 PD
7. **COD-20-01679**, Eddie Rexroat Trustee, 15 Barre Dr, Port Charlotte – Third Affidavit of Non-Compliance - \$270.00 PD
8. **COD-16-01446**, Frederick Rossa, 8171 Robert St, Englewood – Seventh Affidavit of Non-compliance - \$9,020.00 JD
9. **COD-18-04071**, Tracy Bowe, 6775 Placida Rd, Englewood – Third Affidavit of Non-Compliance - \$ 70.00 **TRACY BOWE PRESENT UPHELD** JD
10. **COD-19-03079**, Shirley Nickell, 6438 Mayport St, Englewood – Third Affidavit of Non-Compliance - \$70.00 JD
11. **COD-19-02732**, DK REAL ESTATE MGMT OF DE, LLC, 21622 Augusta Ave, Port Charlotte – Forth Affidavit of Non-Compliance - \$120.00 RL
12. **COD-20-00365**, 21323 INVESTMENTS, LLC, 21323 Gladis Ave, Port Charlotte – Third Affidavit of Non-Compliance - \$120.00 RL
13. **COD-20-02304**, Riyadh Hkleif, 21067 Gephart Ave, Port Charlotte – Affidavit of Non-Compliance - \$70.00 RL
14. **COD-14-02464**, Marian Kencik & Piotr Lakomiski, 4185 Flamingo Blvd, Port Charlotte – Eleventh Affidavit of Non-Compliance - \$70.00 SR
15. **COD-20-00093**, Carlos Marrero & Jennifer Marrero, 2039 Carpetgreen St, Port Charlotte – Second Affidavit of Non-Compliance - \$70.00 SR
16. **COD-20-00987**, Jesus Zumbado, 19519 Midway Blvd, Port Charlotte – Affidavit of Non-Compliance - \$70.00 SR
17. **COD-20-01354**, Dennis Tirado & Maria Tirado, 18149 Lake Worth Blvd, Port Charlotte – Affidavit of Non-Compliance – \$ 0.00 **DENNIS TIRADO PRESENT** SR
18. **COD-20-02115**, Simone Montinat, 1149 Vernon Ave, Port Charlotte– Affidavit of Non-Compliance -\$70.00 SR
19. **COD-20-02934**, David Kalmbach, 2120 Barksdale St, Port Charlotte – Affidavit of Non-Compliance - \$70.00 SR
20. **COD-2008-884**, William Rusch & Janice Rusch, 2504 Sistina St, Port Charlotte – Tenth Affidavit of Non-Compliance - \$120.00 TJ
21. **COD-16-03566**, Stephen Kennedy & Deborah Kennedy, 1321 Yorkshire St, Port Charlotte – Fifth Affidavit of Non-Compliance - \$4,520.00 TJ

22. **COD-19-01469**, Steve Annexstein & Rose Sprinkles, 27285 Sunnybrook Rd or 27289 Sunnybrook Rd, Punta Gorda – Fifth Affidavit of Non-Compliance - \$4,520.00 TJ
23. **COD-19-03283**, Corey Collins, 125 Chickering St, Port Charlotte – Fourth Affidavit of Non-Compliance - \$70.00 TJ
24. **COD-20-00883**, Angelo Auriemma, Salvatore Auriemma & Julia Auriemma, 23245 Billings Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 TJ
25. **COD-20-02502**, Wesley Mayhew, 27051 Cougar Place, Punta Gorda – Second Affidavit of Non-Compliance - \$9,020.00 TJ
26. **COD-20-01800**, Carl Carino & Calvin Blount Estate, 12093 Tribune Blvd, Punta Gorda – Affidavit of Non-Compliance - \$318.00 RM
27. **COD-20-02605**, Wayne Hendryx & Vonda Hendryx, 11186 Grapefruit Ln, Punta Gorda – Affidavit of Non-Compliance - \$ 0.00 **VONDA HENDRYX PRESENT** RM
28. **COD-18-03551**, Virgil Thomas, 28128 Senator Dr or 12493 Mizell Ave, Punta Gorda – Fifth Affidavit of Non-Compliance - \$4,520.00 ST
29. **COD-19-02959**, Christopher Law & Shelby Law, 28229 Jacinto Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST
30. **COD-20-00045**, Rosemarie Kluever, 3201 Amanda St, Punta Gorda – Affidavit of Non-Compliance - \$ 0.00 **ROSEMARIE KLUEVER PRESENT** ST
31. **COD-20-02003**, Michelle Staples-Godwin, 2133 Dixie Ave, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST

SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S 11:05AM

VII. NEW BUSINESS

- A. **COD-20-02504**, SUNNYBROOK PARTNERS, 4120 S. McCall Rd, Englewood [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 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.

- B. **COD-21-00267**, Scott Lundblad & Lorraine Lundblad, 2410 Tamarind St, Port Charlotte [Sections 3-6-21 & 3-9-33(e)] **CONTINUED UNTIL JULY** SR

~~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-21-00340**, Ronald McGowan, 18350 Kerrville Cir, Port Charlotte [Sections 3-6-21, 3-9-33(e) & 3-9-5(b); & FBC Section 105.1] **LARRY WASIK PRESENT** SR

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.

- d. **COD-20-03145**, Dorcas Gray, 18449 Lincoya Ave, Port Charlotte [FBC Sections 105.4 & 110.3] JC

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.

- e. **COD-21-00002**, Douglas Partin, 400 Kensington St, Port Charlotte [Sections 3-9-33(e), 3-9-5(b) & 3-9-76; & FBC Section 105.1] JC

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.

- f. **COD-20-02155**, John McManus & Margaret McManus, 26485 Rampart Blvd, Building A Unit A25, Punta Gorda [FBC Sections 105.4, 105.4.1, 105.4.1.1, 105.4.1.2, 105.4.1.3, 105.4.1.4 & 110.3] 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 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-21-00385**, Diana Rondeau & Robert Rondeau, 1347 Abalom St, Port Charlotte [Section 3-9-5(a)(4)c] **DIANA RONDEAU PRESENT** TJ

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.

- H. **COD-21-00463**, Kevin Roeder & Stacey Roeder, 3497 Discovery Dr, Punta Gorda [Sections 3-9-5(b), 3-5-91 & 3-9-33(e); & FBC Section 105.1] TJ

KEVIN ROEDER 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 \$50 for each day the violation continues to exist.

- I. **DOH-15-00549**, Garry Miller Estate c/o Diana Fry, 18480 Yarbrough Ave, Port Charlotte [Section 3-8-256(c)(1), (c)(2) & (c)(3)] **DIANA FRY PRESENT** GR

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

- ~~J. **COD-19-01337**, Elisabeth Wieland, 7208 Sweden Blvd, Punta Gorda [Section 3-9-5(b); & FBC Section 105.1] **CONTINUED UNTIL JULY** ST~~

~~**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.**~~

- K. **COD-21-00231**, Ida Lewis & Eileen Lewis, 39841 Little Farm Rd, Punta Gorda [Sections 3-9-37(e), 3-9-76 & 3-9-79.1] **EILEEN LEWIS PRESENT** ST

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 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-21-00764**, Mark Salinardi, 3601 Sleepy Hollow Ln, Punta Gorda [Sections 3-9-33(e) & 3-9-76] 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 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-20-02576**, Michael Ellis & Renata Ellis, 286 Fields Terrace SE, Port Charlotte [Sections 3-9-33(e) & 3-9-74] **MICHAEL ELLIS PRESENT** 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 \$250 for each day the violation continues to exist. The issuance of a 2-year cease and desist order for repeat zoning violations.

- N. **COD-21-00425**, Huseyin Sahin & Emine Sahin, 21806 Edgewater Dr, Port Charlotte [Sections 3-6-21 & 3-9-33(e)] **EMININE SAHIN PRESENT** PD

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.

- O. **COD-21-00854**, Yen Tran, 3442 Vessels Rd, 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 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.

- P. ~~**COD-20-01392**, TRUST NUMBER 162731 L.D. HOWE TRUSTEE, 1631, or 1627, or 1629, or 1633 Shadow Ln, Englewood [Section 3-9-34(e); & IPMC Sections 301.2, 302.7, 304.1, 304.14, 304.6, 304.7, 304.2, 304.15 & 604.3]~~ **CONT TO JULY** 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 \$100 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-20-01809**, Elvira Walkowiak, 3024 Magnolia Way, Punta Gorda [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 301.2 & 302.7] **ELVIRA WALKOWIAK PRESENT** RM

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. 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.

- R. **COD-20-02385**, Charlotte Krider EST, 15524 Lime Dr, Punta Gorda [Sections 2-5-72, 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 & 3041.1] 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.

- s. **COD-21-00382**, Robert Goudreau & Cynthia Goudreau, 15449 Orchid Dr, Punta Gorda [Sections 3-9-37(e) & 3-9-76] **ROBERT GOUDREAU 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 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-19-03622**, Deneth Roque, 21243 Midway Blvd, Port Charlotte [Sections **3-9-5(a)(4)(c)**, 3-9-33(e), **3-9-72** & 3-9-100.3(d)] **RL**
DISMISS CODES 3-9-5(a)(4)(c) & 3-9-72

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.

- u. **COD-20-02797**, Adam Tener, 21370 Percy Ave, Port Charlotte [FBC Sections 105.4 & 110.3; & IPMC Sections 301.2, 304.13 & 304.13.1] **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 for each day the violation continues to exist.

- v. **COD-20-02932**, Dale Carlson & Patricia Carlson, 21661 Augusta Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e), 3-9-76 & 3-9-77; & FBC Section 105.1] **RL**

ROSE DOLLMAN 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 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-20-03152**, 100 ACRE PROPERTY, LLC, 3133 Crestwood Dr, Port Charlotte [Sections 3-9-33(e) & 3-9-76] **CHANEL WHITESELL 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 \$100 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-21-00364**, Ryan Stansbury & Taylor Stansbury, 22041 Felton Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e), (g) & 3-9-76; & FBC Sections 105.1, 105.4 & 110.3] 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 \$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.

- y. **COD-21-00445**, Yadira Mustelier, 21050 Gephart Ave, Port Charlotte [Sections 3-9-5(b), 3-9-33(e), 3-9-76 & 3-9-100.3(d); & FBC Section 105.1; & IPMC Sections 301.2, 304.13, 304.13.1, 304.13.2, 501.2, 505.4 & 604.3] **RAYMOND BUCK 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 \$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.

- z. **COD-21-00483**, Emily Sherfey, 21027 Ionia Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-76; & IPMC Sections 301.2, 304.2 & 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. 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 XII **ADJOURNMENT**
SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 1:18 PM

MINUTES APPROVAL CERTIFICATION

I, Suzan Gowans, 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 5th, 2021.

Suzan Gowans
Suzan Gowans

05/07/21
Date Approved