

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 JUNE 2, 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

JULY 7, 2021

IV. OLD BUSINESS

UTL-19-00024, Kris Zolnierowicz & Alice Zolnierowicz, 99 Adalia Ter, Port Charlotte – Amended
Second Order of Non-Compliance - \$4,520.00 GR

V. CONFLICT CASES

COD-19-03412, US BANK TRUST, 408 Fletcher St, Port Charlotte – Third Affidavit of Non-
Compliance - \$120.00 JC

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. **UTL-19-00033**, 2019-1 IH BORROWER LP, 1365 Eagle St, Port Charlotte – Third
Affidavit of Non-Compliance - \$120.00 GR

2. **UTL-20-00002**, Arthnel Hastings, 631 Grove Ave, Port Charlotte – Third Affidavit of Non-
Compliance - \$70.00 **ANGELA HASTINGS PRESENT** GR

3. **COD-20-00291**, Joyce Parkes, 3370 Idlewild St, Port Charlotte – Fourth Affidavit of Non-
Compliance - \$70.00 PD

4. **COD-16-00979**, Robert Gregory, 9038 Calumet Blvd, Port Charlotte – Ninth Affidavit of
Non-Compliance - \$70.00 JC

5. **COD-18-01033**, David Dauson, 14050 Slichter Ave, Port Charlotte – Third Affidavit of
Non-Compliance - \$70.00 JC

6. **COD-18-01947**, Marisa Sinclair, 1112 Shearer St, Port Charlotte – Sixth Affidavit of Non-
Compliance - \$70.00 JC

7. **COD-19-00105**, Donald Kelley & Donna Kelley, 398 Border St, Port Charlotte – Fifth
Affidavit of Non-Compliance - \$120.00 JC

8. **COD-19-01854**, Mary Bressi, 4068 Elvington Rd, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 JC
9. **COD-20-01259**, Mollie Eyster, 12435 Perrine Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 JC
10. **COD-20-01411**, David Williams, 14321 Weeksonia Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$4,520.00 JC
11. **COD-19-01252**, Michael Deschenes & Dolores Deschenes, 13213 Rouding Cir, Port Charlotte – Third Affidavit of Non-Compliance - \$70.00 JD
12. **COD-16-02169**- Yefim Botvinnik & Yulia Levitski, 22043 Hernando Ave, Port Charlotte – Twenty Second Affidavit of Non-Compliance - \$210.00 RL
13. **COD-16-02581**, WILLIAM STUART, 3397 Edgehill Terrace, Port Charlotte – Eighth Affidavit of Non-Compliance - \$120.00 RL
14. **COD-17-00148**, Rachael Sanders, 3204 Easy St, Port Charlotte – Seventh Affidavit of Non-Compliance - \$70.00 RL
15. **COD-17-00787**, Daniel Nero & Leigh Nero, 21154 Gladis Ave, Port Charlotte – Fourth Affidavit of Non-compliance - \$70.00 RL
16. **COD-19-01325**, FLORIDA FIRST ESCROW COMPANY, 21147 Glendale Ave, Port Charlotte – Seventh Affidavit of Non-Compliance - \$410.00 RL
17. **COD-19-03617**, FOUR MILE COVE INVESTMENTS, LLC, 21155 Meehan Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 RL
ANNA KOLOBLAVIA PRESENT
18. **COD-20-00372**, FRANCISCO GRUNEIRO, LLC, 2569 Elkcam Blvd, Port Charlotte – Second Affidavit of Non-Compliance - \$9,020.00 RL
19. **COD-20-00614**, Stanley Kowalski & Diane Paluszek, 21939 Catherine Ave, Port Charlotte – Sixth Affidavit of Non-Compliance - \$210.00 RL
20. **COD-20-02157**, Tara Weiss, 21914 Haines Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$210.00 RL
21. **COD-15-01623**, LARRY LEE, 18522 Hottelot Cir, Port Charlotte – Sixth Affidavit of Non-Compliance - \$120.00 SR
22. **COD-20-03260**, Kristin Gabriellini & Marie Gabriellini, 2443 Tamarind St, Port Charlotte – Affidavit of Non-Compliance - \$70.00 SR
23. **COD-16-02661**, Raymond Busbey & Sandra Busbey, 1393 Fireside St, Port Charlotte – Ninth Affidavit of Non-Compliance - \$70.00 TJ
24. **COD-19-03853**, ABRAHAMSON PROPERTIES, LLC, 22095 Laramore Ave, Port Charlotte – Second Affidavit of Non-Compliance - \$120.00 TJ

25. **COD-20-00416**, Maureen Townsend, 2957 Peace Rive Dr, Punta Gorda – Fourth Affidavit of Non-Compliance – \$70.00 TJ
26. **COD-20-03158**, James Ryan & Harriet Ryan, 2157 Pagoda Lane, Punta Gorda– Affidavit of Non-Compliance -\$70.00 TJ
27. **COD-16-03638**, Terry Battiste & Tara Battiste, 2515 Myrtle Ave, Punta Gorda – Fourth Affidavit of Non-Compliance - \$70.00 ST
28. **COD-17-02568**, Michael Wall & Cordelia Wall, 8529 Gewant Blvd, Punta Gorda, Affidavit of Non-Compliance - \$70.00 ST
29. **COD-19-01477**, James Garrard & Shana Garrard, 29392 Maris Dr, Punta Gorda – Affidavit of Non-Compliance - \$70.00 ST
30. **COD-20-00119**, Bucky Ketter Jr., 1519 Persay Dr, Punta Gorda – Second Affidavit of Non-Compliance - \$4,520.00 ST

BUCKY KETTER PRESENT CONTINUED UNTIL JULY

SPECIAL MAGISTRATE DEREK ROONEY APPROVED ALL OTHER ANC'S 9:34AM

VII. NEW BUSINESS

- A. **COD-21-00400**, Scott Mitchell, 18415 Poston Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] SR

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.

- B. **COD-21-00467**, Joseph Ogden & Julie Ogden, 3451 Sage St, Port Charlotte [Sections 3-9-5(b) & 3-9-33(e)] 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.

- C. **COD-21-00708**, Roseann Bertucci, 4259 Kilpatrick St, Port Charlotte [Sections 3-2-214, 3-9-33(e), 3-9-76 & 3-9-79.1] SR

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.

- D. **COD-21-00801**, Troy McCol & Lisa McCol, 4390 Wischamper St, Port Charlotte [Sections 3-9-33(e), 3-9-76 & 3-9-79.1] SR

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 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-21-00989**, Patrick Howanitz, 18542 Satsuma Ave, Port Charlotte [FBC Section 3-2-214; & IPMC Sections 301.2, 304.1, 304.6, 304.8, 304.13.1, 304.13.2, 604.1 & 604.3] 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.

- F. **COD-21-00991**, Michael Abernathy & Wende Abernathy, 18512 Satsuma Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] **MICHAEL ABERNATHY PRESENT** SR

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.

- G. **COD-21-01028**, Diane Barklow, 4034 Yucatan Cir, Port Charlotte [Sections 3-9-5(b), 3-9-33(e), 3-9-76 & 3-9-79.1] **DIANE BARKLOW PRESENT** 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.

- H. **COD-19-03232**, Michael D'Angelo & Patti D'Angelo, 9394 Melody Cir, 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.

- I. **COD-20-02875**, Albert Pagnotta & Joan Pagnotta, 381 La Playa Ln, Port Charlotte
[Sections 3-9-33(e) & 3-9-76] JC

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.

- J. **COD-21-00007**, MOORES/SAMANEGO, LLC, 2200 Broadpoint Dr, Punta Gorda
[Sections 3-9-34(e), 3-9-76 & 3-9-5(b); & FBC Sections 105.1; & IPMC Sections 108.1, 108.1.1, 108.1.2, 108.1.5, 301.1, 301.2, 304.1, 304.1.1, 304.2, 304.3, 304.5, 304.6, 304.10, 304.12, 304.13, 304.13.1, 304.13.2, 304.14, 304.15, 307.1, 701.1 & 702.1]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 \$250 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-21-00486**, Randall West, 3024 Seafarer Dr, Punta Gorda [Sections 3-6-21, 3-9-5(b), 3-9-33(e), 3-9-76, 3-9-77 & 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.

- L. **COD-21-00964**, Lahoussine Ouzal, 1492 Birchcrest Blvd, Port Charlotte [Sections 3-9-33(e) & 3-9-76] 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 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-21-01067**, Dionys Nadler & Amia Nadler, 59 San Matias Ave, Punta Gorda
[Sections 3-9-33(e) & 3-9-76] 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 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-21-01184**, Lukasz Kaminski, 23419 Superior Ave, Port Charlotte [Sections 3-9-33(e) & 3-9-79.1] **LUKASZ KAMINSKI 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 \$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.

- O. **COD-21-01189**, NORMANDY INVERNESS MIDWAY, LLC, 22240 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 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-20-00051**, Travis McGee, Danielle Gross & Joseph Roush, 27226 Dubonet Dr, Punta Gorda [Section 3-9-5(b); & FBC Section 105.1; & IPMC Sections 301.2, 304.13 & 304.13.1] **TRAVIS MCGEE PRESENT** ST

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 for each day the violation continues to exist.

- Q. **COD-21-00272**, Stanley Traczuk, 8241 Strasse Blvd, Punta Gorda [Sections 3-9-30(e), 3-9-5(b) & 3-9-79.1; & FBC Section 105.1] **STANLEY TRACZUK & DAVE CALEY PRESENT CONTINUED UNTIL AUGUST** ST

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-21-00656**, Lilija Bespalaja, 3972 Conway Blvd, Port Charlotte [FBC Sections 105.4 & 110.3] 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.

- s. **COD-21-01307**, Reinaldo Reina & Carmen Reina, 4439 Melbourne St, 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 \$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-21-01330**, Narin Imprasert, Nipapan Imprasert & Naris Imprasert, 144 Revere St, 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 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-20-01392**, TRUST NUMBER 162731 L.D. HOWE TRUSTEE, 1631 or 1627 or 1629 or 1633 Shadow Lane, 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] 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 \$100 for each day the violation continues to exist.

- v. **COD-19-02965**, Michael Paes, 3124 Easy St, Port Charlotte [Sections 3-9-5(b) & 3-9-100.3(d)(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 \$50 for each day the violation continues to exist.

- w. **COD-21-00627**, Lucas Faria, Paul Faria & Kathleen Faria, 21545 Augusta Ave, Port Charlotte [Sections 2-5-72, 3-9-33(e) & 3-9-76] **LUCAS FARIA 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-21-00753**, Curtis Lundahl & Pamala Lundahl, 2367 Easy St, Port Charlotte [Sections 3-9-33(e) & 3-9-76] 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.

- y. **COD-19-00312**, Yufu Lu & Bao Ling, 7068 Legion St, Port Charlotte [FBC Sections 105.4 & 110.3] WW

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.

XII ADJOURNMENT

SPECIAL MAGISTRATE DEREK ROONEY ADJOURNED THE HEARING AT 11:35 AM

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 June 2nd, 2021.


Suzan Gowans


Date Approved