

**CITY OF PUNTA GORDA, FLORIDA
CODE ENFORCEMENT BOARD MEETING MINUTES
DECEMBER 14, 2021, 9:00 A.M.**

MEMBERS PRESENT: Bauman, Chair
Comeaux, Ericsson, Giardina, Higgins, Rich, Sacilotto

OTHERS PRESENT: City Attorney David Levin; Lisa Hannon, Zoning Official; David McCarty, Code Compliance Supervisor; Nick Falkner, Code Compliance Officer; Allen McDaniel, Code Compliance Officer; Ashley Omelanski-Carney, Executive Assistant; Christopher Chase

CALL TO ORDER

Mr. Bauman called the meeting to order at 9:00 a.m.

1) APPROVAL OF MINUTES

1.A November 16, 2021 Minutes

Exhibits:

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[11-16-2021 Minutes](#)

Mr. Sacilotto **MOVED** approval of the November 16, 2021, minutes, **SECONDED** by Mr. Rich. **MOTION UNANIMOUSLY CARRIED.**

Recording Secretary Pues swore in all participants.

2) NEW BUSINESS

2.A 21-80701- CODE COMPLIANCE OFFICER- ALLEN MCDANIEL

Respondent: Denis L. Raymond

Address of Violation: 3948 La Costa Island Ct.

Violation of Chapter 26, Section 8.11 (b) Structure in Disrepair

Exhibits:

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[21-80701 3948 La Costa Island Court](#)

Mr. Allen McDaniel, Code Compliance Officer, verified the property was in compliance and requested dismissal of the case.

Mr. Ericsson **MOVED** to dismiss the case, **SECONDED** by Mr. Comeaux. **MOTION UNANIMOUSLY CARRIED.**

2.B 21-80874 - CODE COMPLIANCE OFFICER- ALLEN MCDANIEL

Respondents: Larry & Sharon Couch

Address of Violation: 3866 Turtle Dove Blvd.

Violation of Chapter 9, Section 9-2 (a),

Violation of Chapter 26, Section 8.14 (b) Outdoor Storage; and

Violation of Chapter 26, Section 12.4 (8) (a) Rubberized Ground Cover

Exhibits:

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[21-80874 3866 Turtle Dove Boulevard](#)

Mr. McDaniel verified the property was in compliance and requested dismissal of the case.

Mr. Sacilotto **MOVED** to dismiss the case, **SECONDED** by Ms. Giardina. **MOTION UNANIMOUSLY CARRIED.**

3) UNFINISHED BUSINESS

3.A Hearing Imposing Penalty

21-79789 - CODE COMPLIANCE OFFICER- NICK FALKNER

Respondent: Christopher S. Chase

Address of Violation: 415 Cooper St.

Violation of Chapter 26, Section 3.8 (d) (1) Prohibited Use; and

Violation of Chapter 26, Section 8.5 (b) (2) f Fence in disrepair

Exhibits:

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[21-79789 415 Cooper -Imposing Penalty](#)

Mr. Nick Falkner, Code Compliance Officer, provided a brief history of the Compliance Order issued to the respondent on July 28, 2021, stating a November 15, 2021, inspection found corrective action ordered by the Board had not been taken in that vehicles and vehicle trailers remained stored on the property and the fence was in a state of disrepair. He then displayed photographs of the subject property, located within City limits, and reviewed the City's efforts to bring the property into compliance, noting an inspection on December 13, 2021, found the fence was repaired; however, the vehicles and trailers remained. He concluded the property had been in noncompliance for 29 days, submitting an invoice for case costs incurred in the amount of \$12.50.

Mr. Christopher Chase, respondent, stated the semi-trailer was moved to a storage facility and contained items from his house, explaining the trailer was brought to his property when items were needed from it. He indicated most of the items photographed had been removed, noting only a few trailers remained.

Mr. Falkner stated there were photographs taken on December 13, 2021, which showed the number of trailers at the property exceeded the amount permitted.

Mr. Chase stated he was unaware smaller trailers could not be stored at the property, adding surrounding neighbors had not raised concerns regarding same.

Mr. Bauman stated waivers could not be granted and the property was expected to be in compliance, recalling Mr. Chase was given 90 days to bring the property into compliance. He questioned whether Mr. Chase still intended to sell the property or request a zoning variance to operate a business.

Mr. Chase responded the property was still for sale.

Ms. Lisa Hannon, Zoning Official, indicated staff met with Mr. Chase and informed him of what was permitted at the property, explaining a special exception or variance could not be granted since the subject parcel was zoned as Neighborhood Center.

Discussion ensued regarding what was prohibited at the property as well as the actions Mr. Chase could take to bring the property into compliance.

Mr. Ericsson **MOVED** to find the respondent in violation of the Compliance Order, to impose a fine of \$2,900, representing \$100 per day for 29 days, plus applicable interest, with the fine continuing to run until the respondent came into compliance, and to require payment of total case costs incurred in the amount of \$12.50, **SECONDED** by Mr. Sacilotto.

VOTING AYE: Bauman, Comeaux, Ericsson, Giardina, Rich, Sacilotto.

VOTING NAY: Higgins.

MOTION CARRIED.

Mr. Sacilotto indicated Mr. Chase could return to the Board to request a fine reduction once the property was in compliance.

Ms. Higgins questioned whether the trailers were the only items which caused the property to remain in violation.

Mr. Falkner responded the three trailers and multi-axle trailer were prohibited.

Mr. Chase indicated he would work on bringing the property into compliance this week.

Ms. Higgins requested Mr. Falkner provide Mr. Chase with a definitive list of the violations so that he could resolve same.

Mr. Falkner agreed.

3.B Hearing Imposing Penalty
21-80288 - CODE COMPLIANCE OFFICER- NICK FALKNER

Respondent: Brenda Berkemeier

Address of Violation: 7212 N. Blue Sage

Violation of Chapter 26, Section 8.11 (b); and

Violation of Chapter 9, Section 9-12 (e) Torn/Missing Pool Cage Screening

Exhibits:

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[21-80288 7212 North Blue Sage - Imposing Penalty](#)

Mr. Bauman verified the City was requesting dismissal of the case.

Mr. Falkner confirmed the property was in compliance.

Mr. Rich **MOVED** to dismiss the case, **SECONDED** by Mr. Sacilotto. **MOTION UNANIMOUSLY CARRIED.**

4) STAFF COMMENTS

4.A 2022 Meeting Dates

Exhibits:

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[Code Board Date Calendar for 2022](#)

Mr. Bauman pointed out the meeting dates for 2022 denoted in the agenda material.

5) MEMBER COMMENTS

None.

ADJOURNMENT

The meeting was adjourned at 9:28 a.m.

Chair

Recording Secretary