



Special Magistrate Hearing

AGENDA

Board of County Commission Chambers
Collier County Government Center
3299 Tamiami Trail East, 3rd Floor
Naples, FL 34112

May 05, 2023

9:00 AM

NOTE: ANY PERSON WHO DECIDES TO APPEAL A DECISION OF THE SPECIAL MAGISTRATE WILL NEED A RECORD OF THE PROCEEDINGS PERTAINING THERETO, AND THEREFORE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. NEITHER COLLIER COUNTY NOR THE SPECIAL MAGISTRATE SHALL BE RESPONSIBLE FOR PROVIDING THIS RECORD.

I. CALL TO ORDER-SPECIAL MAGISTRATE PATRICK H. NEALE PRESIDING

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

V. MOTIONS

A. MOTION FOR CONTINUANCE

B. MOTION FOR EXTENSION OF TIME

1. CASE NO: **CEPM20220005884**
OWNER: **12555 COLLIER BLVD LLC**
OFFICER: Tony Asaro
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 22, Article VI, Section 22-240(1)(n)(3). Advertising structure (plaza sign) in disrepair.

FOLIO NO: 35832800003
PROPERTY ADDRESS: 12555 Collier Blvd, Naples, FL 34116

2. CASE NO: **CESD20220003605**
OWNER: **Joshua and Elizabeth Erickson**
OFFICER: Tony Asaro
VIOLATIONS: Collier County Land Development Code 04-41 as amended, Sections 10.02.06(B)(1)(a), 10.02.06(B)(1)(e) and 10.02.06(B)(1)(e)(i). Dock has been extended without first obtaining a Collier County Building Permit.

FOLIO NO: 46273080002
PROPERTY ADDRESS: 237 Harbor Pl N, Goodland, FL 34140

C. MOTION FOR RE-HEARING

VI. STIPULATIONS

VII. PUBLIC HEARINGS

A. HEARINGS

1. CASE NO: **CESD20220008538**
OWNER: **RIDGEPORT LIMITED PARTNERSHIP**
OFFICER: Adam Collier
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a), 10.02.06(B)(1)(e) and 10.02.06(B)(1)(e)(i). Shed/storage areas constructed in the rear of the building prior to obtaining the proper permits.

FOLIO NO: 240440006

- PROPERTY ADDRESS: 5323 Airport Rd N, Naples, FL34109
2. CASE NO: **CESD20220010038**
OWNER: **Marc Dornevil and Etilia Dornevil**
OFFICER: Tony Asaro
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a), 10.02.06(B)(1)(e) and 10.02.06(B)(1)(e)(i). Permit # PRFH20221151337 is in reject status for wood patio in the back of the house, replacing walls, roof, tv room, playroom, ripped down screen cage and construction of an addition.

FOLIO NO: 35771800009
PROPERTY ADDRESS: 4142 18th Pl SW, Naples, FL 34116
3. CASE NO: **CES20220010776**
OWNER: **SUTTON PLACE INVESTORS LLC**
OFFICER: Adam Collier
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 5.06.06(A)(3), 5.06.06(A)(8), 5.04.06(A)(2), 5.06.11(A)(1) and 5.06.04(F)(4)(e). Prohibited signage, including but not limited to Window Graphic Signage that covers more than the allowable amount.

FOLIO NO: 66760013025
PROPERTY ADDRESS: 6270 Naples Blvd 1, Naples, FL 34109
4. CASE NO: **CESD20220010606**
OWNER: **GEORGE J KANELOPOULOS JR**
OFFICER: Doug Williams
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a) and 10.02.06(B)(1)(e)(i). Installation of canopy and poles in the front of the building without permits.

FOLIO NO: 63104160003
PROPERTY ADDRESS: 4811 Tamiami Trail East, Naples, FL 34112
5. CASE NO: **CEAU20230000948**
OWNER: **Michael Hallahan, Kristine Hallahan, and Nicholas Hallahan**
OFFICER: Adam Collier
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a), 10.02.06(B)(1)(e) and 10.02.06(B)(1)(e)(i). Unpermitted shed structures in the rear yard.

FOLIO NO: 65571560001
PROPERTY ADDRESS: 88 Shores Ave, Naples, FL 34110

6. CASE NO: **CEV20230001656**
OWNER: **Wanda L Floyd**
OFFICER: Thomas Pitura
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 130, Article III, Section 130-97(4). Commercial vehicle stored in rear yard without proper screening.

FOLIO NO: 77412080007
PROPERTY ADDRESS: 1324 Trail Terrace Dr, Naples, FL 34103
7. CASE NO: **CEOCC20220009810**
OWNER: **SHIRLEY TAYLOR LLC**
OFFICER: Adam Collier
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 126, Article IV, Section 126-111(b). Several businesses at this location have failed to obtain or maintain their Collier County Business Tax Receipt.

FOLIO NO: 242400002
PROPERTY ADDRESS: 5585 Shirley St, Naples, FL 34109
8. CASE NO: **CENA20230000507**
OWNER: **JVM DEVELOPMENT CORP**
OFFICER: Tony Asaro
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 54, Article VI, Section 54-179, 54-180 and 54-181 and Collier County Land Development Code 04-41, as amended, Section 2.02.03. Litter and debris not limited to wood, metal, and plastic on the property. Also, prohibited outside storage of items on the property.

FOLIO NO: 35745480002
PROPERTY ADDRESS: 2103 46th Ter SW, Naples, FL 34116
9. CASE NO: **CESD20220010237**
OWNER: **Maureen Wurtz and John A Wurtz**
OFFICER: Adam Collier
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a), 10.02.06(B)(1)(e) and 10.02.06(B)(1)(e)(i). Unpermitted interior re-model including but not limited to plumbing, electrical, and drywall.

FOLIO NO: 77779000306
PROPERTY ADDRESS: 6057 Ashford Ln Unit 403, Naples, FL 34110
10. CASE NO: **CEN20230001343**
OWNER: **STRAND AT NAPLES LLC**
OFFICER: Jonathan Musse

VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 54, Article IV, Section 54-92(b)(1). Readings from a calibrated sound level; meter exceeded the allowable decibel level of 72dB(c) for the affected Residentially Zoned property set in Table 1, Section 54-92, Article VI, Noise, of the reading came out to 73dB(c).

FOLIO NO: 66679713694
PROPERTY ADDRESS: 5840 Strand Blvd, Naples, FL 34110

- 11. CASE NO:** **CENA20220010151**
OWNER: **Omar W Ventura and Esther Melgar**
OFFICER: Rickey Migal
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Section 2.02.03 and Collier County Code of Laws and Ordinances, Chapter 54, Article VI, Sections 54-179 and 54-181. Observed litter and/or prohibited outdoor storage of items including but not limited to multiple piles of stacked wood and metal debris, cement blocks and bags of cement, metal piping, stacked fallen branches, stacked boxes possibly containing construction material, discarded chairs, multiple ladders, an open bed frame and black cabinets and furniture located on front driveway of the home.

FOLIO NO: 36432680004
PROPERTY ADDRESS: 5455 31st Pl SW, Naples, FL 34116

- 12. CASE NO:** **CEPM20230001149**
OWNER: **Mark A Clegg**
OFFICER: Jonathan Musse
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 22, Article VI, Sections 22-228(1) and 22-231(11). Dwelling without electricity due to fire damage.

FOLIO NO: 36436800000
PROPERTY ADDRESS: 5031 32nd Ave SW, Naples, FL 34116

- 13. CASE NO:** **CEAU20220011080**
OWNER: **Nancy C Bunney**
OFFICER: Jason Packard
VIOLATIONS: Florida Building Code 7th Edition (2020) Chapter 1, Section 105.1. Wooden fence installed on North and West side of property without appropriate Collier County Permit.

FOLIO NO: 61780600002
PROPERTY ADDRESS: 3140 Caledonia Ave, Naples, FL 34112

- 14. CASE NO:** **CEPM20230000441**
OWNER: **Emilie M Clark**
OFFICER: Jonathan Musse

VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 22, Article VI, Sections 22-228(1) and 22-231(12)(1). Missing or ripped screen panels on the pool enclosure and a damaged garage door unable to close.

FOLIO NO: 67940240002
PROPERTY ADDRESS: 2365 Pine Wood Cir, Naples, FL 34105

15. CASE NO: **CEEX20230003362-DASV23-015844**
OWNER: **Adolfima David**
OFFICER: Olivia Martinez
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 14, Article II, Section 14-36(10). Tethering violation 3rd Offense, animal "LT" unsupervised and entangled with the trampoline, Entanglement or Safety Hazard.

FOLIO NO:
PROPERTY ADDRESS: 3412 Seagrape Ave, Naples, FL 34104

16. CASE NO: **CEEX20230003360-DASV23-016209**
OWNER: **Fabiola Miguel**
OFFICER: Connie Hunt
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 14, Article II, Section 14-35(1)(B). Running at large, fourth offense animal "Yoyi".

FOLIO NO:
PROPERTY ADDRESS: 5960 Seagrass, Naples, FL 34116

17. CASE NO: **CEEX20230003355-DASV23-015299**
OWNER: **Cory Cooper**
OFFICER: Emmanuel Valdes
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 14, Article II, Section 14-35(1)(E). Damage to property first offense, running at large and killing a turkey, animal named "Clyde".

FOLIO NO:
PROPERTY ADDRESS: 3970 12th Ave SE, Naples, FL 34117

18. CASE NO: **CEEX20230003364-DASV23-015673**
OWNER: **Robin Johnson**
OFFICER: Connie Hunt
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 14, Article II, Section 14-39(9). Failure to purchase and renew Breeders permit. Advertising puppies for sale on the website Cougartownkennels.com, 2nd offense.

FOLIO NO:
PROPERTY ADDRESS: 61 35th Ave NE, Naples, FL 34120

B. EMERGENCY CASES

VIII. NEW BUSINESS

A. MOTION FOR REDUCTION/ABATEMENT OF FINES

B. MOTION FOR IMPOSITION OF FINES AND LIENS

- 1.** CASE NO: **CEPM20220010440**
OWNER: **Emilie Mae Clark**
OFFICER: Jonathan Musse
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 22, Article VI, Section 22-231(20), 22-231(12)(o), 22-231(19). Missing smoke detectors, damaged interior doors, sanitary issues to include animal droppings and pest infestation as noted by Harrison Pest Control, and microbial growth later identified by Inspector Lab as an elevated presence of mold.

FOLIO NO: 68300007907
PROPERTY ADDRESS: 12936 Violino Ln, Unit 304, Naples, FL 34105
- 2.** CASE NO: **CEAU20210004410**
OWNER: **Camilo and Teresa Leon**
OFFICER: Sherry Patterson
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Section 10.02.06(B)(1)(a) and Florida Building Code, 7th Edition (2020), Chapter 1, Section 105.1. Expired fence permit PRBD20200310510 and Rejected Building Permit PRBD20210520341.

FOLIO NO: 38966560009
PROPERTY ADDRESS: 2740 50th Ave NW, Naples, FL 34113
- 3.** CASE NO: **CEPM20220001249**
OWNER: **Mark A Clegg**
OFFICER: Jonathan Musse
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 22, Article VI, Sections 22-231(12)(b) and 22-231(12)(c). Fire damaged dwelling, roof/soffit/exterior walls with fire and smoke damage.

FOLIO NO: 36436800000
PROPERTY ADDRESS: 5031 32nd Ave SW, Naples, FL 34116
- 4.** CASE NO: **CESD20220000229**
OWNER: **Eradio E Abreu Uz and Vivette Diaz Aguila**
OFFICER: John Delia
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a) and 10.02.06(B)(1)(e). Unpermitted

structure.
FOLIO NO: 39599880003
PROPERTY ADDRESS: 4273 14th St NE, Naples, FL 34120

5. CASE NO: **CESD20210005124**
OWNER: **500 La Peninsula Condominium Association, Inc.**
OFFICER: Thomas Pitura
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a) and 10.02.06(B)(1)(e)(i). Stucco repair done to building 5 without the required permits.

FOLIO NO: 1050082006
PROPERTY ADDRESS: 500 La Peninsula Blvd, Naples, FL 34113
6. CASE NO: **CENA20180012429**
OWNER: **Angelo Lucarelli and Gail Lucarelli**
OFFICER: Adam Collier
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 54, Article VI, Section 54-185(d). Prohibited exotic vegetation including, but not limited to, Brazilian Pepper and Melaleuca trees on an unimproved parcel not zoned Estates or Agricultural within 200 feet of unimproved property.

FOLIO NO: 163080006
PROPERTY ADDRESS: NO SITE ADDRESS
7. CASE NO: **CESD20210008774**
OWNER: **Thomas A and Debra L Donahue**
OFFICER: Donald Joseph
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Section 10.02.06(B)(1)(a). Expired permit PRBD20200310994 for wood pilings and to re-furbish seawall.

FOLIO NO: 46372680002
PROPERTY ADDRESS: 715 Palm Point Dr, Goodland, FL 34140
8. CASE NO: **CESD20210007667**
OWNER: **Barbaro Management Inc.**
OFFICER: Thomas Pitura
VIOLATIONS: Collier County Land Development Code 04-41, as amended, Sections 10.02.06(B)(1)(a), 10.02.06(B)(1)(e) and 10.02.06(B)(1)(e)(i). Unpermitted demolition.

FOLIO NO: 60080160007
PROPERTY ADDRESS: 337 Airport Rd N, Naples, FL 34104
9. CASE NO: **CEPM20220008389**
OWNER: **1725 W Vogel LLC**

OFFICER: Jonathan Musse
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 22, Article VI, Sections 22-231(1), 22-231(5), 22-231(12)(p) and 22-231(13). Violation of the minimum occupancy standard in that the unit is only 81 sq ft according to the sketches provided on the Collier Appraiser's website and not the recommended minimum of 250 sq ft. The unit contains a stove without burners and has damaged interior walls and ceiling.
FOLIO NO: 61483000006
PROPERTY ADDRESS: 2996 Francis Ave, Unit #11, Naples, FL 34112

10. CASE NO: **CEROW20220000044**
OWNER: **Juana Gonzalez**
OFFICER: Doug Williams
VIOLATIONS: Collier County Code of Laws and Ordinances, Chapter 110, Article II, Section 110-31(a). Installing a second driveway without a Collier County permit.
FOLIO NO: 62152520007
PROPERTY ADDRESS: 5260 Floridan Ave, Naples, FL 34113

11. CASE NO: **CELU20220000539**
OWNER: **Massimo Maffei**
OFFICER: Charles Marinos
VIOLATIONS: Collier County Land Development Code 04-41 as amended, Sections 1.04.01(A) and 2.02.03. Illegal outside storage of commercial materials and equipment, not associated with an approved use on an Estates zoned property.
FOLIO NO: 38336640009
PROPERTY ADDRESS: 5960 Green Blvd, Naples, FL 34110

IX. OLD BUSINESS

- A. MOTION TO AMEND PREVIOUSLY ISSUED ORDER
- B. MOTION TO RESCIND PREVIOUSLY ISSUED ORDER

X. CONSENT AGENDA

- A. REQUEST FOR SPECIAL MAGISTRATE TO IMPOSE NUISANCE ABATEMENT LIENS ON CASES REFERENCED IN SUBMITTED EXECUTIVE SUMMARY.
- B. REQUEST TO FORWARD CASES TO COUNTY ATTORNEY'S OFFICE AS REFERENCED IN SUBMITTED EXECUTIVE SUMMARY.

1.

**C. REQUEST FOR SPECIAL MAGISTRATE TO IMPOSE DAS CITATION LIENS ON CASES
REFERENCED IN SUBMITTED EXECUTIVE SUMMARY.**

XI. REPORTS

XII. NEXT MEETING DATE- FRIDAY - JUNE 2, 2023 AT 9:00 A.M.

XIII. ADJOURN