

**CODE ENFORCEMENT ORDER  
TOWN OF SEWALL'S POINT, FLORIDA**

TOWN OF SEWALL'S POINT, FLORIDA,

Case No.: B24-0017

Petitioner,

vs.

MARK AND TIFFANY MITTAL,

Respondent(s).

**ORDER FINDING VIOLATION AND ASSESSING FINE AND CLAIM OF LIEN**

Property Address: 36 Rio Vista Drive, Sewall's Point, Florida 34996  
Parcel Control Number: 12-38-41-002-000-00860-6

Re: Violation of Code Section(s): Section 50-101 – Non-Compliance Violation – Work without a permit (Review & Determination) and Florida Building Code (FBC) Section 105.1.

The Special Magistrate appointed by the Town of Sewall's Point to hear code enforcement cases for the Town, in accordance with Chapter 18, Article II, Division 1 of the Town of Sewall's Point's Code of Ordinances, has heard testimony at the Code Enforcement hearing held on the 10<sup>th</sup> day of July 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

**FINDINGS OF FACT**

1. The Respondent, Mark and Tiffany Mittal, was present at the hearing and was provided an opportunity to present evidence and testimony.
2. The Respondent was properly notified of the violation and the hearing, which notice included posting the property and mailing notice to the property owner pursuant to Section 18-207 of the Town of Sewall's Point Code of Ordinances.
3. The Town Building Official, John "Jack" Reisinger, presented competent substantial evidence which included testimony, photographs and other documentation to establish that the Respondent was in violation of the above cited section(s) of the Town of Sewall's Point Code of Ordinances.
4. The Respondent presented testimony and evidence.
5. All testimony was given under oath and all evidence presented was admitted without objection.
6. Testimony and evidence established that a violation of the above cited section(s) of the Town of Sewall's Point Code of Ordinances existed on the subject property and continued to exist as of the date of the hearing.

**CONCLUSIONS OF LAW**

7. Pursuant to Section 18-102 of the Town of Sewall's Point Code of Ordinances, the Building Official is a code enforcement officer.

8. The Respondent is in violation of the above-listed code section(s) of the Town of Sewall's Point Code of Ordinances, specifically for constructing improvements without obtaining a permit in violation of Section 50-101 of the Town of Sewall's Point Code of Ordinances and Section 105.1, FBC.

**ORDER**

9. The Respondent is hereby ordered to comply with Section 50-101 of the Town of Sewall's Point Code of Ordinances and Section 105.1, FBC by obtaining a building permit and having all final inspections performed and approved, or removing the unpermitted structure, within thirty (30) days of the date of this Order. Should the Respondent fail to complete such work prior to the date set forth herein, a daily fine of Fifty Dollars (\$50.00) per day shall be imposed for each day thereafter the violation continues to exist. Said violation shall continue until the Town issues an Affidavit of Compliance and it shall be the responsibility of the Respondent to notify Town staff when the subject property is in compliance.

10. Should the Respondent violate the same Section or Sections of the Town of Sewall's Point Code of Ordinances again, Respondent may be subject to a fine of up to Five Hundred Dollars (\$500.00) per day for such repeat violation. Should the violations be deemed to be irreparable and irreversible, Respondent may be subject to a fine of up to \$5,000.00 for each violation. Additionally, the code enforcement officer is not required to give a reasonable time to correct a repeat violation or an irreparable/irreversible violation and the case may be presented to the Special Magistrate even if the repeat violation has been corrected or the irreparable/irreversible violation has stopped prior to the Special Magistrate hearing.

DONE AND ORDERED this 10<sup>th</sup> day of July 2024.

TOWN OF SEWALL'S POINT SPECIAL  
MAGISTRATE

BY: 

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TYSON WATERS, ESQ.

Copies of this Order were provided to the following:

Respondent  
Town Manager

**CODE ENFORCEMENT ORDER  
TOWN OF SEWALL'S POINT, FLORIDA**

TOWN OF SEWALL'S POINT, FLORIDA,

Case No.: B24-0048

Petitioner,

vs.

BARTON SWANK AND PAMELA PINDER,

Respondent(s).

**ORDER FINDING VIOLATION AND ASSESSING FINE AND CLAIM OF LIEN**

Property Address: 115 N. Sewall's Point Road, Sewall's Point, Florida 34996

Parcel Control Number: 35-37-41-007-000-00070-0

Re: Violation of Code Section(s): Section 50-101 – Non-Compliance Violation – Work without a permit (Review & Determination) and Florida Building Code (FBC) Section 105.1.

The Special Magistrate appointed by the Town of Sewall's Point to hear code enforcement cases for the Town, in accordance with Chapter 18, Article II, Division 1 of the Town of Sewall's Point's Code of Ordinances, has heard testimony at the Code Enforcement hearing held on the 10<sup>th</sup> day of July 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

**FINDINGS OF FACT**

1. The Respondent, Barton Swank and Pamela Pinder, was not present at the hearing, nor was any representative of Respondent present at the hearing.
2. The Respondent was properly notified of the violation and the hearing, which notice included mailing notice to the property owner pursuant to Section 18-207 of the Town of Sewall's Point Code of Ordinances.
3. The Town Building Official, John "Jack" Reisinger, presented competent substantial evidence which included testimony, photographs and other documentation to establish that the Respondent was in violation of the above cited section(s) of the Town of Sewall's Point Code of Ordinances.
4. All evidence presented by the Town was admitted without objection.
5. Testimony and evidence established that a violation of the above cited section(s) of the Town of Sewall's Point Code of Ordinances existed on the subject property and continued to exist as of the date of the hearing.
6. As of the date of the hearing, Respondent has cured the violation.

**CONCLUSIONS OF LAW**

7. Pursuant to Section 18-102 of the Town of Sewall's Point Code of Ordinances, the Building Official is a code enforcement officer.



8. The Respondent violated the above-listed code section(s) of the Town of Sewall's Point Code of Ordinances, specifically for constructing improvements without obtaining a permit in violation of Section 50-101 of the Town of Sewall's Point Code of Ordinances and Section 105.1, FBC.

**ORDER**

9. The Respondent is hereby ordered to comply, and remain in compliance, with Section 50-101 of the Town of Sewall's Point Code of Ordinances and Section 105.1, FBC.

10. Should the Respondent violate the same Section or Sections of the Town of Sewall's Point Code of Ordinances again, Respondent may be subject to a fine of up to Five Hundred Dollars (\$500.00) per day for such repeat violation. Should the violations be deemed to be irreparable and irreversible, Respondent may be subject to a fine of up to \$5,000.00 for each violation. Additionally, the code enforcement officer is not required to give a reasonable time to correct a repeat violation or an irreparable/irreversible violation and the case may be presented to the Special Magistrate even if the repeat violation has been corrected or the irreparable/irreversible violation has stopped prior to the Special Magistrate hearing.

DONE AND ORDERED this 10<sup>th</sup> day of July 2024.

TOWN OF SEWALL'S POINT SPECIAL  
MAGISTRATE

BY: 

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TYSON WATERS, ESQ.

Copies of this Order were provided to the following:

Respondent  
Town Manager

**CODE ENFORCEMENT ORDER  
TOWN OF SEWALL'S POINT, FLORIDA**

TOWN OF SEWALL'S POINT, FLORIDA,

Case No.: B24-0049

Petitioner,

vs.

NAOMI CASTNER,

Respondent(s).

**ORDER FINDING VIOLATION AND ASSESSING FINE AND CLAIM OF LIEN**

Property Address: 23 Simara Street, Sewall's Point, Florida 34996

Parcel Control Number: 13-38-41-001-000-00400-2

Re: Violation of Code Section(s): Section 50-101 – Non-Compliance Violation – Work without a permit (Review & Determination) and Florida Building Code (FBC) Section 105.1.

The Special Magistrate appointed by the Town of Sewall's Point to hear code enforcement cases for the Town, in accordance with Chapter 18, Article II, Division 1 of the Town of Sewall's Point's Code of Ordinances, has heard testimony at the Code Enforcement hearing held on the 10<sup>th</sup> day of July 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

**FINDINGS OF FACT**

1. The Respondent, Naomi Castner, was represented by counsel who was present at the hearing and was provided an opportunity to present evidence and testimony.
2. The Respondent was properly notified of the violation and the hearing, which notice included posting the property and mailing notice to the property owner pursuant to Section 18-207 of the Town of Sewall's Point Code of Ordinances.
3. The Town Building Official, John "Jack" Reisinger, presented competent substantial evidence which included testimony, photographs and other documentation to establish that the Respondent was in violation of the above cited section(s) of the Town of Sewall's Point Code of Ordinances.
4. The Respondent, by and through Respondent's counsel, presented testimony and evidence.
5. All testimony was given under oath and all evidence presented was admitted without objection.
6. Testimony and evidence established that a violation of the above cited section(s) of the Town of Sewall's Point Code of Ordinances existed on the subject property and continued to exist as of the date of the hearing.

**CONCLUSIONS OF LAW**

7. Pursuant to Section 18-102 of the Town of Sewall's Point Code of Ordinances, the Building Official is a code enforcement officer.

8. The Respondent is in violation of the above-listed code section(s) of the Town of Sewall's Point Code of Ordinances, specifically for constructing improvements without obtaining a permit in violation of Section 50-101 of the Town of Sewall's Point Code of Ordinances and Section 105.1, FBC.

**ORDER**

9. The Respondent is hereby ordered to comply with Section 50-101 of the Town of Sewall's Point Code of Ordinances and Section 105.1, FBC by obtaining a building and electrical permit for the gate and electrical service to same, and having all final inspections performed and approved, or removing the unpermitted structure, within thirty (30) days of the date of this Order. Should the Respondent fail to complete such work prior to the date set forth herein, a daily fine of One Hundred Dollars (\$100.00) per day shall be imposed for each day thereafter the violation continues to exist. Said violation shall continue until the Town issues an Affidavit of Compliance and it shall be the responsibility of the Respondent to notify Town staff when the subject property is in compliance.

10. The Respondent is further ordered to pay administrative costs in the amount of One Hundred Seventy Dollars (\$170.00) incurred by the Town for the enforcement and prosecution of this violation, which amount shall be due and paid in full immediately.

11. Should the Respondent violate the same Section or Sections of the Town of Sewall's Point Code of Ordinances again, Respondent may be subject to a fine of up to Five Hundred Dollars (\$500.00) per day for such repeat violation. Should the violations be deemed to be irreparable and irreversible, Respondent may be subject to a fine of up to \$5,000.00 for each violation. Additionally, the code enforcement officer is not required to give a reasonable time to correct a repeat violation or an irreparable/irreversible violation and the case may be presented to the Special Magistrate even if the repeat violation has been corrected or the irreparable/irreversible violation has stopped prior to the Special Magistrate hearing.

DONE AND ORDERED this 10<sup>th</sup> day of July 2024.

TOWN OF SEWALL'S POINT SPECIAL  
MAGISTRATE

BY: 

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TYSON WATERS, ESQ.

Copies of this Order were provided to the following:

Respondent

Town Manager



**CODE ENFORCEMENT ORDER  
TOWN OF SEWALL'S POINT, FLORIDA**

TOWN OF SEWALL'S POINT, FLORIDA,

Case No.: B24-0053

Petitioner,

vs.

74 Sewalls Point Owner, LLC,

Respondent(s).

**ORDER FINDING VIOLATION AND ASSESSING FINE AND CLAIM OF LIEN**

Property Address: 74 N. Sewall's Point Road, Sewall's Point, Florida 34996

Parcel Control Number: 35-37-41-000-000-00261-6

Re: Violation of Code Section(s): Section 50-101 – Non-Compliance Violation – Work without a permit (Review & Determination), Florida Building Code (FBC) Section 105.1 and Section 70-22 – Permit Required for Tree Removal

The Special Magistrate appointed by the Town of Sewall's Point to hear code enforcement cases for the Town, in accordance with Chapter 18, Article II, Division 1 of the Town of Sewall's Point's Code of Ordinances, has heard testimony at the Code Enforcement hearing held on the 10<sup>th</sup> day of July 2024, and based on the evidence and testimony presented, the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER are hereby entered:

**FINDINGS OF FACT**

1. The Respondent, 74 Sewalls Point Owner LLC, was not present at the hearing, nor was a represent of Respondent present.
2. The Respondent was properly notified of the violation and the hearing, which notice included posting the property and mailing notice to the property owner pursuant to Section 18-207 of the Town of Sewall's Point Code of Ordinances.
3. The Town Building Official, John "Jack" Reisinger, presented competent substantial evidence which included testimony, photographs and other documentation to establish that the Respondent was in violation of the above cited section(s) of the Town of Sewall's Point Code of Ordinances.
4. All testimony was given under oath and all evidence presented was admitted without objection.
5. Testimony and evidence established that a violation of the above cited section(s) of the Town of Sewall's Point Code of Ordinances existed on the subject property and continued to exist as of the date of the hearing.

**CONCLUSIONS OF LAW**

6. Pursuant to Section 18-102 of the Town of Sewall's Point Code of Ordinances, the Building Official is a code enforcement officer.
7. The Respondent is in violation of the above-listed code section(s) of the Town of Sewall's Point Code of Ordinances, specifically for constructing improvements without obtaining a

permit in violation of Section 50-101 of the Town of Sewall's Point Code of Ordinances and Section 105.1, FBC and for the removal of trees without a permit in violation of Section 70-22 of the Town of Sewall's Point Code of Ordinances .

**ORDER**

8. The Respondent is hereby ordered to comply with Section 50-101 of the Town of Sewall's Point Code of Ordinances and Section 105.1, FBC by obtaining a building and electrical permit for the grill installed on the property, for all accessory structures on the property (including complying with all setback requirements, and having all final inspections performed and approved, or removing the unpermitted structure, within thirty (30) days of the date of this Order. Should the Respondent fail to complete such work prior to the date set forth herein, a daily fine of One Hundred Dollars (\$100.00) per day shall be imposed for each day thereafter the violation continues to exist. Said violation shall continue until the Town issues an Affidavit of Compliance and it shall be the responsibility of the Respondent to notify Town staff when the subject property is in compliance.

9. Further, the Respondent is hereby ordered to pay a fine of \$8,000 for the violations of Section 70-22 found herein, specifically the removal of two (2) palm trees of a size between 11" to 15" in diameter and a gumbo limbo tree of a size between 11 to 15" in diameter, the payment of which shall be due within thirty (30) days of this Order.

10. The Respondent is further ordered to pay administrative costs in the amount of Eight Hundred Thirty Dollars (\$830.00) incurred by the Town for the enforcement and prosecution of this violation, which amount shall be due and paid in full immediately.

11. Should the Respondent violate the same Section or Sections of the Town of Sewall's Point Code of Ordinances again, Respondent may be subject to a fine of up to Five Hundred Dollars (\$500.00) per day for such repeat violation. Should the violations be deemed to be irreparable and irreversible, Respondent may be subject to a fine of up to \$5,000.00 for each violation. Additionally, the code enforcement officer is not required to give a reasonable time to correct a repeat violation or an irreparable/irreversible violation and the case may be presented to the Special Magistrate even if the repeat violation has been corrected or the irreparable/irreversible violation has stopped prior to the Special Magistrate hearing.

DONE AND ORDERED this 10<sup>th</sup> day of July 2024.

TOWN OF SEWALL'S POINT SPECIAL  
MAGISTRATE

BY:   
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TYSON WATERS, ESQ.

Copies of this Order were provided to the following:

- Respondent
- Town Manager