



Fort Myers Beach Special Magistrate Hearing

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931

Agenda

Tuesday, August 6, 2024

1:30 PM

ORDER OF BUSINESS

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- A. Approval of February 2, 2024, Special Magistrate Hearing Minutes

III. NEW CASES TO BE HEARD

- A. 144 Gulf Island Dr., Andrews, David & Mardina

Case Number: 20220371

Subject: Work without Permit - Stairs

**Code Section: LDC Sec. 6-111 - Adoption; amendments
105.1 - Permits required**

Code Officer: D. Batt

- B. 1661 Estero Blvd., Key Estero Shops, LLC

Case Number: 20240249

**Subject: Operation of a shared parking lot to the public for a fee
per vehicle space without first obtaining the required
Use Permit.**

Code Section: LDC Sec. 34-3203 - Illegal buildings, uses and lots.

Code Officer: D. Batt

- C. 5740 Lauder St., McCarthy, Wendy L. + Unknown Heirs of McCarthy, Janet

Case Number: 20240316

**Subject: Maintaining of a property in need of repair and/or
demolition**

**Code Section: LDC Sec. 6-111 - Adoption; amendments
103.5 Unsafe buildings or systems**

Code Officer: D. Batt

IV. ADMINISTRATIVE AGENDA

- A. Case CE20-0239, 215 Flamingo St., Oceanic Blue Retreats, LLC
Public Notice for Order of Compliance Issued

NOTE: THIS MEETING IS STREAMED LIVE ON YOUTUBE.

IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE SPECIAL MAGISTRATE IN ANY MATTER CONSIDERED AT THIS HEARING, SUCH PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.



For special accommodation, please notify the Town Clerk's Office at least 72 hours in advance. (239) 765-0202

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Board's proceedings should contact the Town Clerk's Office not later than three days prior to the proceedings.

Property Address and Owner:

Hearing Date: August 6, 2024

Approval of February 2, 2024, Special Magistrate Hearing Minutes

Subject:

N/A

Code Section:

N/A

Reference Number:

N/A

Strap Number:

N/A

Officer:

N/A

Narrative:

Special Magistrate's approval of the February 2, 2024, hearing minutes

Attachments:

1. Final Draft Special Magistrate Hearings 20240212

Town Recommendations:

Approve minutes

Town Approvals:

Thomas Yozzo, Operations & Compliance Manager

Date: July 08, 2024

nancy stuparich, Town Attorney

Date: July 24, 2024

MINUTES
FORT MYERS BEACH
Special Magistrate Hearings
Bay Oaks Recreational Campus
2731 Oak Street
Fort Myers Beach, FL 33931
Monday, February 12, 2024

Hearing Examiner - Special Magistrate: Monica Schmucker

Magistrate Schmucker swore in those providing testimony.
Town Attorney Nancy Stuparich represented the Town.

CASES TO BE HEARD:

Property Owner: ORTIZ, DANIA CARBALLO & GARCIA DAISY
SUBJECT: Request for Authorization to Foreclose the Lien
LOCATION: 268/270 Nature View Ct.
STRAP NO: 20-46-24-W4-01700.0050
CODE OFFICER: Bill Stout
REFERENCE NO: CE18-0700, CE18-0724, 20-0597

(The recording skipped throughout the testimony.) Officer Stout described the history of the violations against the property owner and copies of all materials were in the agenda packet. The property was not homesteaded.

Property owner Dania Carballo Ortiz explained that she had been working with attorneys and the town's attorney since August of 2022 and she was surprised she had to be there. She filed for an extension this week for reductions in the amount. She requested that the hearing be continued so she could return with an attorney.

Town Attorney Stuparich indicated they were there today to get an order authorizing the foreclosure filing, and the issues raised by Ms. Carballo Ortiz were related to separate issues and separate proceedings.

Magistrate Schmucker stated that the magistrate's orders appear valid. They were recorded, creating liens. The liens have not been paid. All requirements met and procedures followed to proceed with foreclosure.

She recommended that Ms. Carballo contact her attorney to review the documents that will be sent to her in the mail. Magistrate Schmucker authorized proceeding with foreclosure.

Property Owner: WHITE SAND PROPERTIES OF FORT MYERS
BEACH, LLC
SUBJECT: Request for Authorization to Foreclose the Lien
LOCATION: 80 Avenue E
STRAP NO: 19-46-24-W4-0070A.0020
CODE OFFICER: Bill Stout

REFERENCE NO: CE15-0167, CE14-0394, CE17-0065

Officer Stout stated this was a request for the authorization to foreclose. He reviewed the history of the case, copies of all documents were included in the agenda packet and entered into the record. He stated that compliance has not been achieved since the lien was recorded. The town requested that the magistrate authorize the town attorney to foreclose and a draft was prepared for her to review.

Attorney Steven Ramunni represented the property owner and stated the liens were originally due to violations against the predecessors of the property. He provided a copy of a check for \$50,000.00 from his client, dated December 19, 2020, that was cashed by the town. He indicated that the check shows partial release for 1560. He stated that his client contends that the liens have been satisfied per his agreement with the town manager. He noted that there was already a foreclosure pending in Circuit Court, and it looked like the foreclosure case was premature since it had not been before the magistrate.

Town Attorney Stuparich noted that there was no backup information regarding the check. She stated there was a pending foreclosure case and she did not believe that the prior town attorney would move forward if there were documentation that the lien had been released or partially satisfied. Attorney Ramunni requested a continuance for 60 days to investigate whether the town was authorized to seek its first foreclosure. He stated the check was evidence of some settlement and that a second foreclosure should not be brought. He did not have any documentation of any settlement agreement. He contended that although the check had a note stating it was for 1560, there was no lien on that property. He contended that the liens on 80 Avenue East have therefore been fully satisfied.

Town Attorney Stuparich replied that there had been a recorded lien of record for more than three months and the town was authorized to file a foreclosure case. Attorney Ramunni questioned the legitimacy of the lien.

Special Magistrate Schmucker stated they were not there to relitigate the issues and the orders appeared valid. She appreciated the check but noted that it said it was for a partial release for a different address than the properties at issue. She found that the check was insufficient evidence to call into question anything that was before the Special Magistrate. She indicated the liens had not been paid since 2016, and the copy of the check could be for anything. The property was not homesteaded, all requirements and procedures have been met to proceed with foreclosure, and she did not see a reason to deny the request to authorize the town to initiate the proceedings to foreclose the liens. The basis for Special Magistrate's decision is that the check for \$50,000 says it is a partial release, it does not say that it is a full release, it refers to a different address from the address of the properties involved in the subject liens, the checks are not proof that the subject liens have been paid, there is no release or settlement agreement, and there is no evidence to refute the validity of the liens or the other documents submitted. This is a procedure simply to authorize initiation of foreclosure proceedings, and the Special Magistrate's decision is simply that the requirements to proceed with initiating foreclosure proceedings have been met.

Attorney Ramunni stated had some objections to the proposed order provided by the Town Attorney. Specifically that the order should indicate that the respondent is not the alleged violator; it was respondent's predecessor.

Counsel for both parties indicated they can work on an agreed order.

Special Magistrate Schmucker asked that the parties submit any agreed proposed order if they could come to an agreement; if not, the parties could submit competing orders. This was to be submitted within one week. Special Magistrate noted that she may make changes or additions to any proposed orders submitted.

Property Owner: KEY ESTERO SHOPS, LLC
SUBJECT: Request for Authorization to Foreclose the Lien
LOCATION: 1661 Estero Blvd.
STRAP NO: 19-46-24-W4-00402.0010
CODE OFFICER: Bill Stout
REFERENCE NO: CE19-0026

Officer Stout reviewed the history of the case, copies of all documentation were included in the agenda packet and entered into the record. The property was not homesteaded. The town requested that the special magistrate authorize the town attorney to file foreclosure proceedings since three months had passed since the lien was recorded. All notices were in the packet and on the record. Property owner Carmine Naccarato stated that he was told he did not need a permit and had no problems until August 2018. Magistrate Schmucker stated her role was to determine whether the liens were filed. Mr. Naccarato agreed that the orders were entered and filed. He continued to explain that the town told him he had to make improvements to the parking lot before a permit would be issued. He made improvements to the landscape, but the permit was refused. Magistrate Schmucker stated that she could not rehear the cases and if the liens had not been paid in three months, the town could proceed with foreclosure. Mr. Naccarato noted that he was shocked that he was there and expected to go to trial. He accused the town of trying to destroy him. Town Attorney Stuparich stated Mr. Naccarato did not take advantage of his option to appeal within 30 days regarding previous orders. She wanted to move the case forward. Magistrate Schmucker stated the orders were valid and authorized the town to proceed with foreclosure since the liens had not been paid.

Property Owner: WEINMANN, ROLAND & MILLIGAN, BEVERLY ANN
SUBJECT: Request to Magistrate for Order of Compliance
LOCATION: 133 Andre Mar Dr.
STRAP NO: 29-46-24-W2-0150A.0170
CODE OFFICER: Bill Stout
REFERENCE NO: CE20-0538

Officer Stout reviewed the history of the case and stated that the violation had been corrected. The town requested an order of compliance for the record. Magistrate Schmucker entered an order of compliance to be recorded.

Signature: _____
• End of document

Property Address and Owner:

Hearing Date: August 6, 2024

Case Number: 20220371
Subject: Work without Permit - Stairs
Code Section: LDC Sec. 6-111 - Adoption; amendments
105.1 - Permits required
Code Officer: D. Batt

Subject:

Work without Permit - Stairs

Code Section:

LDC Sec. 6-111 - Adoption; amendments, FBC 105.1 - Permits required

Reference Number:

20220371

Strap Number:

29-46-24-W2-0050D.0070

Officer:

D. Batt

Narrative:

Case Number: 20220371
Subject: Work without Permit - Stairs
Code Section: LDC Sec. 6-111 - Adoption; amendments
105.1 - Permits required
Code Officer: D. Batt

Attachments:

1. 144 Gulf Island Dr Case File
2. Exhibit A- Establishment of Ownership
3. Exhibit B- Photos of Initial Site Inspection
4. Exhibit C- Notice of Violation and Service
5. Exhibit D- Affidavit of Non-Compliance
6. Exhibit E- Referenced Town of Fort Myers Beach Code of Ordinances
7. Exhibit F- Notice of Hearing

Town Recommendations:

The Town requests that an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) and/or the imposition of an administrative fee of \$250.00 to cover costs in bringing this matter before the Special Magistrate, a fine not to exceed \$250.00 for each day each violation continues past the date for compliance or \$500.00 for each day each violation was repeated, and for such other and further relief as is consistent with the powers of the Special Magistrate.

Town Approvals:

Date: July 29, 2024

Thomas Yozzo, Operations & Compliance Manager

Date: July 29, 2024

nancy stuparich, Town Attorney



Case #: 20220371

Case Date: 04/19/22

Case Type:

Case Type: Building

Description: Work Without Permit - Stairs

Status: NOH

Contractor Name: David 239-328-3750

Compliance Date of Violation:

Hearing Date:

Completion Date of Site Inspection: 01/24/2022

Time of Site Inspection:

Citation Number:

How to bring violation into Compliance: securing required permit(s) for stairs. Permit will be closely monitored until finalized.

Days to Comply: 15 days

Referred: Self Observed

Case Closed:

Status: NOH

Assigned To: D. Batt

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
294624W20050D0070	144 GULF ISLAND DR	PARL IN GULF ISLAND MANOR BLK D REC IN PB 8 PG 68 DESC IN OR 434 PG 233	ANDREWS DAVID + MARDINA		RS-1

Activities

Date	Activity Type	Description	Employee	Status
04/19/2022	*Site Inspection		James Campbell	*Violation
04/19/2022	Reinspection	(4/18/2022 12:32 PM JC) New stairs are still and no permit has been open.	James Campbell	*Violation
04/19/2022	Reinspection	Spoke with the home owner and the contractor and they advised that the permit should be in by 6/16/2022	James Campbell	Continued
04/19/2022	NOV - Green Card	Intl	Kristin Schumacher	*Claimed

04/19/2022	NOV - Post Town		Kristin Schumacher	Posted
04/19/2022	NOV - Send Certified		Kristin Schumacher	Mailed
04/19/2022	NOV - Post Property	NOV Posted	Bill Stout	Posted
05/26/2022	NOH - Green Card	Intl RE376168582US	Linda Yankey	*Claimed
05/26/2022	NOH - Post Property	Posted to property	John Encarnacao	Posted
05/26/2022	NOH - Post Town		Kristin Schumacher	Posted
05/26/2022	NOH - Send		Kristin Schumacher	Mailed
06/15/2022	Reinspection	Permit paperwork has been submitted	James Campbell	Continued
06/29/2022	Reinspection	Rejection letter was sent out on 6/28/22. Left a message with the contractor, Matt at 239-292-2070. Advised him that a survey of the property is needed and drawing of stairs. Dave, the homeowner, his cell phone is 239-328-3750	James Campbell	Continued
07/22/2022	Note	Permit is in review. Waiting on resubmittal for zoning. Rejection letter went out on 6/27/22. Also spoke with the homeowner and advised him what was going on. He has questions regarding to the zoning part of the permit. Told him that he would need to speak to Eli Lee about that.	James Campbell	Continued
08/02/2022	NOV - Green Card	Pink RE376152110US	Linda Yankey	*Claimed
08/02/2022	NOH - Green Card	Pink RE376152242US	Ishmael Coira	*Unclaimed
08/02/2022	NOH - Post Property		James Campbell	Posted
08/02/2022	NOH - Post Town		Kristin Schumacher	Posted
08/02/2022	NOH - Send		Kristin Schumacher	Mailed
03/06/2023	Reinspection	March 6 Stairs are still in place. Permit needs to completed.	Bill Stout	Continued
03/06/2023	NOH - Send		Kristin Schumacher	Mailed
03/06/2023	NOH - Post Town		Kristin Schumacher	Posted
03/06/2023	NOV - Send Certified		Jessica Silva	Mailed
03/06/2023	NOH - Post Property	Posted	Bill Stout	Posted
		Check permit		
03/06/2023	Reinspection	Spoke with owner and survey is almost complete. Will Call on April 6th 239 328 3750	Bill Stout	Continued
03/13/2023	NOH - Green Card	Pink Card 9234US	Kristin Schumacher	*Claimed
		Call owner about survey 239 328 3750		
03/27/2023	Reinspection	Apr 7 - Survey still not complete May 2 - Survey not complete. Sent email ` about possible June magistrate if not complete by May 20.	Bill Stout	Continued

Chk survey status

05/02/2023	Reinspection	Still no resub of survey.	Bill Stout	Continued
Sched for Aug Mag in July				
Ck permit.				
June 29. Still no update on survey for permit.				
06/16/2023	Reinspection	Jul 20 - Permit is abandoned	Bill Stout	Continued
Scheduled for Oct 19 Hearing				
Schedule for next hearing.				
07/20/2023	NOH - Post Town	Posted	Bill Stout	Posted
David said survey was completed and supposedly sent to perits. He is ckeckinf further on this...				
12/14/2023	Reinspection	Feb 20 - David is calling contractor about resub,	Bill Stout	Continued
Mar 11 - Resub letter for contractor ins				
12/14/2023	NOH - Post Property	Posted	Patrick Morris	Posted
01/08/2024	NOH - Post Property	Cancel Letter Posted	Bill Stout	Posted
Apr 4 -sent email to David about contractor items needed.				
03/18/2024	Reinspection	David is working to complete permit.	Bill Stout	Scheduled
Check with him on status via email or phone				
05/14/2024	*Site Inspection	Onsite reinspection on this date revealed that the violation continues. No contact with anyone while on property. Photos taken for the file.	D. Batt	*Violation
07/08/2024	*Site Inspection	Onsite reinspection on this date revealed that the violation continues. No contact with anyone while on property. Photos taken for the file. Prepared Special Magistrate packet.	D. Batt	*Violation
07/09/2024	*Site Inspection	Created Special Magistrate packet and gave it to K. Schumaker for finish and process. Received back from K. Schumaker for mailing and postings.	D. Batt	*Violation
07/10/2024	*Site Inspection	Copies of Special Magistrate packet and Notice of hearing posted to Town Hall, posted to the violation property, sent to the property owner of record certified mail and uploaded to the town website for publication. Copy of Certified mail receipt and photos of postings in file.	D. Batt	*Violation
07/23/2024	Note	There was a typo on the affidavit of non-compliance. Corrections were made. Sent corrected affidavit of non-compliance to dpandrews01@outlook.com.	Kristin Schumacher	Complete

Attached Letters

Date	Letter	Description
07/09/2024	Notice of Code Enforcement Hearing	
07/09/2024	Affidavit of Compliance/Non-Compliance	
01/08/2024	Notice of Cancellation	
12/14/2023	Notice of Violation and Notice of Code Enforcement Hearing	
12/14/2023	Posting Affidavit for Town Hall	
03/14/2023	Notice of Code Enforcement Hearing	
08/11/2022	Notice of Code Enforcement Hearing	

08/11/2022	Posting Affidavit
08/11/2022	Posting Affidavit for Town Hall
06/06/2022	Notice of Code Enforcement Hearing
04/22/2022	Notice of Violation

Notes

Date	Note	Created By:
2022-04-19	(1/24/2022 1:27 PM JC) LDC Sec 6-111 The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law. FBC 105.1 Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. The violation(s) can be brought into compliance by taking the following actions: Secure required permit(s) for stairs. Permit will be closely monitored until finalized. You are hereby directed bring these violations into compliance within 15 days of receipt of this notice.	Kristin Schumacher
2022-04-19	Transfer case CE22-0011 to iworq case number 20220371.	Kristin Schumacher

Uploaded Files

Date	File Name
07/10/2024	21549881-20220371 Special Magistrate Registered Mail Receipt.pdf
07/10/2024	21549882-20220371 Town Hall Posting Notice of Hearing and SM Packet Photo.pdf
07/10/2024	21549883-20220371 Property Posting Notice of Hearing and SM Packet Photos.pdf
07/10/2024	21539679-20220371 Notice of Hearing and SM Packet.pdf
07/09/2024	21531219-20220371 Reinspection Photos 7-8-24.pdf
05/14/2024	20667023-20220371-Reinspection Photos_DB_20240514.pdf
03/04/2024	18799209-FW_144 Gulf Island Survey and OTHER CASES INFO !!!! Hi David_.msg
01/08/2024	18107278-Case 20220371_144 Gulf Island-NOH Cancel Post Pics-BS_20240108 (1).jpg
01/08/2024	18107279-Case 20220371_144 Gulf Island-NOH Cancel Post Pics-BS_20240108 (2).jpg
12/21/2023	17998419-Case 20220371_144 Gulf Island_NOH Post Property Pics_BS_20231219 (1).jpg
12/21/2023	17998420-Case 20220371_144 Gulf Island_NOH Post Property Pics_BS_20231219 (2).jpg
06/02/2023	15615175-20220371_144 Gulf Island Rd_Amended NOH_Posting Aff_March 14 2023.pdf
05/26/2023	15548678-20220371-144 Gulf Island-ANOH-Pinkcert 9234US Claimed.pdf
04/04/2023	14938937-20220371_144 Gulf Island Dr_NOH_Intl Receipt 9234US.pdf
03/14/2023	14730861-Case 20220371_144 Gulf Island_NOH Post Pics_BS_20230314_133246 (1).jpg
03/14/2023	14730862-Case 20220371_144 Gulf Island_NOH Post Pics_BS_20230314_133246 (2).jpg
03/14/2023	14723681-20220371_144 Gulf Island Dr_Amended NOH_03142023.pdf
09/20/2022	12857411-20220371-144 Gulf Island-ANOH-Pinkcert-UNCLAIMED-091922.pdf
08/15/2022	12542657-20220371-144 Gulf Island-NOH Cert -RES76152242US.pdf
08/12/2022	12535286-20220371 sign aff post TH.pdf
08/12/2022	12534860-20220371_144 Gulf Island Dr_NOH Amended Posting Pic1_08122022_JC.JPG
08/12/2022	12534861-20220371_144 Gulf Island Dr_NOH Amended Posting Pic2_08122022_JC.JPG
08/12/2022	12534791-20220371_144 Gulf Island Dr_NOH Affidavit_08122022_JC.pdf

08/11/2022	12521766-20220371_144 Gulf Island Dr_Amended NOH_Intl_08112022.pdf
08/02/2022	12431886-20220371 - 144 Gulf Island Dr. _pink certified Inter'l mail RE376152110US_08012022.pdf
06/10/2022	11951345-11539807-20220371 - 144 Gulf Island Dr. RE76168582US_Delivered.pdf
06/10/2022	11951294-11539807-20220371 - 144 Gulf Island Dr. RE76168582US_04262022..pdf
06/10/2022	11951201-20220371 - 144 Gulf Island Dr. Int'l cert. mail RE376152110US_06082022.pdf
06/10/2022	11946282-20220371 - 144 Gulf Island Dr. - status not available - 06022022..pdf
06/09/2022	11938596-144 Gulf Island Dr Violations.msg
06/07/2022	11907619-20220371 - 144 Gulf Island - Post to Property NOH 6.7.22 - JAE 1.JPG
06/07/2022	11907620-20220371 - 144 Gulf Island - Post to Property NOH 6.7.22 - JAE2.JPG
04/26/2022	11409623-Case 20220371_144 Gulf Island_NOV Post Pics-BS_20220426 (1).jpg
04/26/2022	11409624-Case 20220371_144 Gulf Island_NOV Post Pics-BS_20220426 (2).jpg
04/22/2022	11375428-20220371_144 Gulf Island Dr_NOV_Intl_04222022.pdf
04/19/2022	11331512-CE22-0011_144 Gulf Island Dr_01242022_JC_Stairs.JPG

EXHIBIT A



Property Data

STRAP: 29-46-24-W2-0050D.0070 Folio ID: 10229730

[Hurricane Ian Tax Roll Value Letter](#) [Tax Refund Status](#)

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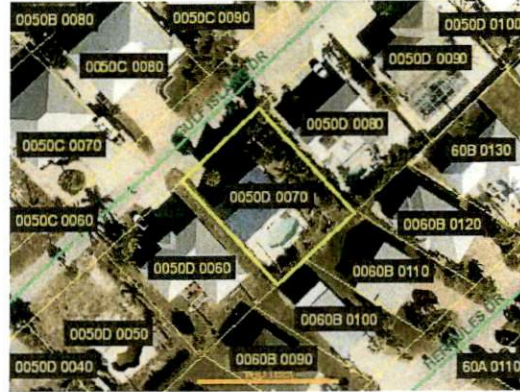
Owner Of Record - Tenants by Entirety

[\[Change Mailing Address\]](#)

ANDREWS DAVID & MARDINA
525 DALE BLVD
WINNIPEG MB R3R 2J8
CANADA



[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)



[\[Pictometry Aerial Viewer\]](#)

Site Address

Site Address maintained by [E911 Program Addressing](#)

144 GULF ISLAND DR
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

PARL IN GULF ISLAND MANOR BLK D REC IN PB 8 PG 68 DESC
IN OR 434 PG 233

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 8 and 68 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	3 / 3.0
Gross Living Area	1,792
1st Year Building on Tax Roll	1995
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	29	0050D	0070
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.44073	-81.9246		

[View Parcel on Google Maps](#)

Image of Structure



◀ Photo Date March of 2012 ▶ ☐ View other photos

Last Inspection Date: 07/01/2022

Property Values / Exemptions / TRIM Notices

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No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
	Current	677,249	620,569	677,249	677,249	0	0	677,249
2023 Values / Additional Info	2023	732,649	379,298	732,649	643,804	0	0	643,804
2022 Values / Additional Info	2022	817,540	231,300	817,540	585,276	0	0	585,276
2021 Values / Additional Info	2021	560,895	167,600	560,895	532,069	0	0	532,069
2020 Values / Additional Info	2020	483,699	168,600	483,699	483,699	0	0	483,699
2019 Values / Additional Info	2019	471,599	162,100	471,599	471,599	0	0	471,599
2018 Values / Additional Info	2018	464,295	162,100	464,295	464,295	0	0	464,295
2017 Values / Additional Info	2017	461,884	154,400	461,884	434,708	0	0	434,708
2016 Values	2016	454,014	154,400	454,014	395,189	0	0	395,189
2015 Values	2015	383,198	154,400	383,198	359,263	0	0	359,263
2014 Values	2014	341,414	100,320	341,414	326,603	0	0	326,603
2013 Values	2013	296,912	146,900	296,912	296,912	0	0	296,912
2012 Values	2012	302,524	120,000	302,524	302,524	0	0	302,524
2011 Values	2011	301,258	120,000	301,258	301,258	0	0	301,258

<u>2010 Values</u>	2010	319,995	140,000	319,995	319,995	0	0	319,995
	2009	364,810	155,000	364,810	364,810	0	0	364,810
	2008	432,430	220,000	432,430	432,430	0	0	432,430
	2007	461,480	250,000	0	461,480	0	0	461,480
	2006	527,230	230,000	0	527,230	0	0	527,230
	2005	407,930	165,000	0	407,930	0	0	407,930
	2004	325,830	155,000	0	325,830	0	0	325,830
	2003	343,720	105,000	0	343,720	0	0	343,720
	2002	222,230	45,000	0	222,230	0	0	222,230
	2001	192,320	45,000	0	192,320	0	0	192,320
	2000	190,590	45,000	0	190,590	0	0	190,590
	1999	184,640	45,000	0	184,640	0	0	184,640
	1998	162,290	42,500	0	162,290	0	0	162,290
	1997	163,010	42,500	0	163,010	0	0	163,010
	1996	156,760	42,500	0	156,760	0	0	156,760
	1995	40,430	40,430	0	40,430	0	0	40,430
	1994	34,910	34,910	0	34,910	0	0	34,910
	1993	33,080	33,080	0	33,080	0	0	33,080
	1992	29,400	29,400	0	29,400	0	0	29,400

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461 \(6\) \(a\)](#)). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current Working Values)

Generated on 7/9/2024 1:37 PM

Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	1.00	Lot

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
106 - Contemporary	1 - SINGLE FAMILY RESIDENTIAL	2.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	3.0	1995	1996

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	840
CFL - CATHEDRAL FLOOR AREA	Y	224
CFL - CATHEDRAL FLOOR AREA	Y	214
FOP - FINISHED OPEN PORCH	N	162
FUS - FINISHED UPPER STORY	Y	514
LCP - LOWER CARPORT / OPEN PORCH	N	1,426
PPT - POOL PATIO	N	924
STP - STOOP	N	316

STP - STOOP

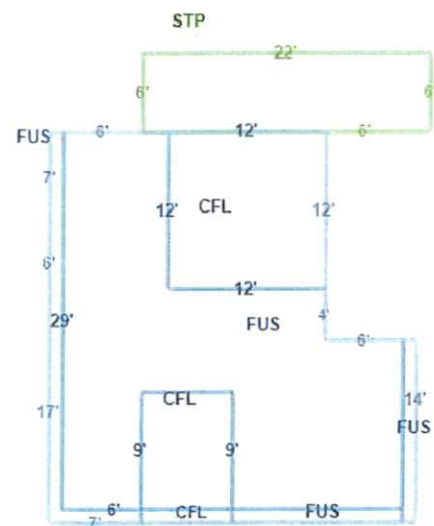
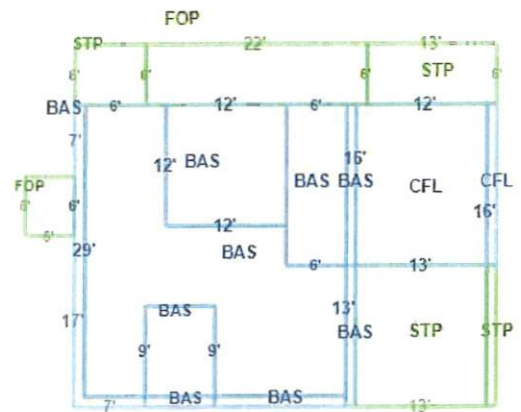
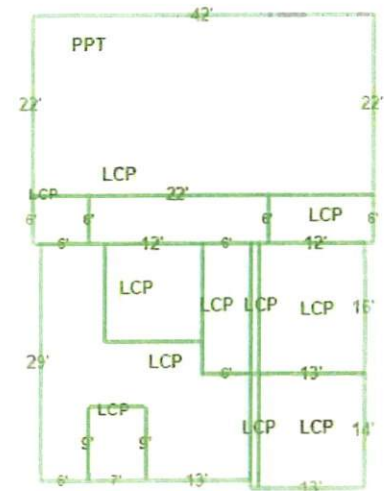
N

132

Building Features

Description	Year Added	Units
POOL - RESIDENTIAL	1995	308
PATIO - CONCRETE	1995	736

Building Footprint



Land				
Land Tracts				
Use Code	Use Code Description	Number of Units	Unit of Measure	
100	Single Family Residential	1.00	Lot	
Buildings				
Building 1 of 1				
Building Characteristics				
Improvement Type	Model Type	Stories	Living Units	
106 - Contemporary	1 - SINGLE FAMILY RESIDENTIAL	2.0	1	
Bedrooms	Bathrooms	Year Built	Effective Year Built	
3	3.0	1995	1996	
Building Subareas				
Description		Heated / Under Air	Area (Sq Ft)	
BAS - BASE		Y	840	
CFL - CATHEDRAL FLOOR AREA		Y	224	
CFL - CATHEDRAL FLOOR AREA		Y	214	
FOP - FINISHED OPEN PORCH		N	162	
FUS - FINISHED UPPER STORY		Y	514	
LCP - LOWER CARPORT / OPEN PORCH		N	1,426	
PPT - POOL PATIO		N	924	
STP - STOOP		N	316	
STP - STOOP		N	132	
Building Features				
Description		Year Added	Units	
POOL - RESIDENTIAL		1995	308	
PATIO - CONCRETE		1995	736	

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931
LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions ⓘ

Generated on 7/9/2024 1:37 PM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
305,300.00	01/23/2012	2012000018125	01		I
55,000.00	01/01/1995	2566/1232	06		V
100.00	12/01/1985	1822/474	01		V

[View Recorded Plat at LeeClerk.org](#)

Use the above link to do a search on the Lee County Clerk of Courts website, using **8** and **68** for the book and page numbers and **Plats Book** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

Generated on 7/9/2024 1:37 PM

Permit Number	Permit Type	Date
241030	Building Remodel / Repair	04/23/2024
241018	AC New / Change out	04/10/2024
233454	Roof	04/27/2023
231175	Electric	03/01/2023
ROF16-0083	Roof	08/08/2016
199502326	Pool & Spa	03/09/1995
199500884	Residential	01/30/1995

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History ⓘ

Generated on 7/9/2024 1:37 PM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
29-46-24-05-0000D.0070	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 7/9/2024 1:37 PM

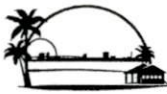
Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	R - Residential Category		1	302.38
		Collection Days		
Garbage		Recycling		Horticulture
Thursday		Thursday		Thursday

Flood and Storm Information

Generated on 7/9/2024 1:37 PM

Community	Flood Insurance Panel	Find my flood zone Version	Date	Evacuation Zone
071C	0558	G	11/17/2022	A

Generated on 7/9/2024 1:37 PM



Lee County Tax Collector

Noelle Branning

2023 Paid Real Estate Tax Notice

Ad Valorem Taxes and Non-ad Valorem Assessments for Lee County, Florida

Account Number:
29-46-24-W2-0050D.0070
Alternate Key:
2100535821
Millage Code:
032

Site Address / Legal Description:
144 GULF ISLAND DR

PARL IN GULF ISLAND MANOR BLK D REC IN
PB 8 PG 68 DESC IN OR 434 PG 233

Exemptions/Values:

Assessed Value 732,649

* See message below

ANDREWS DAVID & MARDINA
525 DALE BLVD
WINNIPEG, MB R3R 2J8
CANADA

Paid 02/23/2024 INT-00-02099345 \$9,576.69

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	643,804	0	643,804	2,422.18
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	732,649	0	732,649	1,646.99
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.1820	732,649	0	732,649	2,331.29
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	643,804	0	643,804	637.37
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	643,804	0	643,804	61.03
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	643,804	0	643,804	21.05
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	643,804	0	643,804	66.05
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.9851	643,804	0	643,804	1,921.82
FORT MYERS BEACH MOSQUITO	239-463-6350	0.1123	643,804	0	643,804	72.30
FORT MYERS BEACH LIBRARY	239-463-9691	0.2355	643,804	0	643,804	151.62
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0217	643,804	0	643,804	13.97
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	643,804	0	643,804	25.37

Non-Ad Valorem Assessments Levying Authority

LEE COUNTY SOLID WASTE ASSESSMENT

Telephone	Rate	Amount
239-533-8000		302.38

2023 Combined Total Ad Valorem and Non-Ad Valorem:

\$9,673.42

2023 Paid Real Estate

Tax Notice

Account: 29-46-24-W2-0050D.0070
Site Address: 144 GULF ISLAND DR,
FORT MYERS BEACH,
33931
Alternate Key: 2100535821

* If the address below is not correct, visit LeePA.org to update your address.
ANDREWS DAVID & MARDINA
525 DALE BLVD
WINNIPEG, MB R3R 2J8
CANADA

Make check payable to:

LEE COUNTY TAX COLLECTOR
PO BOX 1609
FORT MYERS FL 33902-1609

PAY ONLY ONE AMOUNT

If Received By: Feb 29, 2024
Amount Due: \$0.00

Phone/Email Contact: _____

For payment options and instructions, refer to the back of this notice.

Paid 02/23/2024 INT-00-02099345 \$9,576.69

Return with payment



IMPORTANT INSTRUCTIONS AND INFORMATION - PLEASE READ

Ad Valorem Taxes cover the period January 1 through December 31 of the tax year indicated on the front of this notice. Tax notices are mailed on or about November 1 and become delinquent April 1. Failure to receive a tax notice does not extend discounts or excuse taxpayers' responsibilities to pay taxes and applicable penalties for late payments. Installment tax notices are mailed in June, September, December and March. Installment payment discounts are: June (6%), September (4.5%) and December (3%).

Governmental Office Responsibilities



Lee County Tax Collector

The Tax Collector prints, mails, and collects payments based on the tax rolls certified by the Property Appraiser and Levying Authorities.

Contact the Tax Collector to:

- Pay your current or delinquent property taxes
- Learn about Partial Payment, Installment Payment, and Homestead Tax Deferral plans
- Print your tax bills and receipts

Phone: 239-533-6000 • Website: LeeTC.com



Lee County Property Appraiser

The Property Appraiser values properties and prepares and certifies the tax roll which includes assessed values, exemptions, legal description, assessed owner(s) name and mailing address.

Contact the Property Appraiser to:

- Ask questions about the assessed value or exemption of your property
- Change your mailing address
- File or check on Homestead and other exemptions

Phone: 239-533-6100 • Website: LeePA.org



Lee County Levying Authorities

Lee County Levying Authorities establish millage rates and assessments based on revenue needed for operating expenses.

Call your Levying Authority with direct questions regarding services provided or rates charged.

A list of Levying Authorities and phone numbers may appear on the front of this notice or can be found on your property tax bill.

Visit LeeTC.com/property-taxes for instructions on viewing your bill.

Discounts

The amounts indicated on the front of this notice represent the total taxes and assessments due (if applicable) less discounts allowed for early payment. When the discount period ends on a weekend or holiday, the discount is extended to the next business day. Taxes are due by March 31 of each year.

4% if paid in **NOVEMBER**

3% if paid in **DECEMBER**

2% if paid in **JANUARY**

1% if paid in **FEBRUARY**

Delinquent Taxes

Payment of delinquent taxes must be made in certified U.S. funds drawn on a U.S. bank. The amount due is determined by the date payment is received. Failure to pay delinquent taxes could result in the loss of your property. On April 1 the following charges are imposed by Florida Law:

Real Estate: 3% minimum interest and advertising costs. A tax certificate sale is held on or before June 1 resulting in additional charges.

Tangible Personal Property: 18% interest annually, cost of advertising, and fees. Tax warrants will be issued on all unpaid personal property taxes on or about June 1.

Property Sold: forward this notice to the new owner(s).

Payment Options



Visit LeeTC.com

Other ways to pay:

Mail: Check or money order.

Phone: 239.533.6000.

In Person: Cash, check, money order, debit card (PIN required), and all major credit cards.

Note: A convenience fee is charged when using a credit or debit card and is subject to service provider rates which may vary. No portion of this fee is retained by the Tax Collector's office.

Note: If using your bank's online bill pay, make sure you allow for processing time so payment arrives by the received date listed on the front of this notice.

Confirm Payment

Confirm receipt of your payment online at our official website LeeTC.com. Your taxes are not considered paid until your payment clears our bank and is applied to your tax account.

Have you met Edison?

Edison is our automated chatbot that can answer many of your questions relating to property taxes and much more. Available 24/7, you can find Edison at the bottom of our website, LeeTC.com.



NOTICE: Pursuant to Florida Statute 590.125(5), be advised that the Florida Forest Service may be performing prescribed burning and/or other treatments in a project area that includes your property in Lee County, Florida. These efforts are to reduce fuel loads and threat of wildfires. These projects are planned to occur from the date of this notice until the same date the following year. This service is provided at no cost to the affected landowner(s). Contact the Florida Forest Service if you have questions regarding this service at: 10941 Palm Beach Blvd., Fort Myers, FL 33905, or 239.690.8001.

Our Mission: Deliver 5-Star service quickly and efficiently through an organizational culture that values customers, team, and community.

This Instrument Prepared by:
Stormy Wilder
BEST Title Solutions, Inc.
1205 Cape Coral Parkway
Cape Coral, FL 33904
Property Appraiser Parcel Number(s):
29-46-24-W2-0050D.0070

File No: 12-1014

CORPORATE WARRANTY DEED

This Deed Made and executed the 23 day of January, 2012, by Flamingo Holiday Homes, Inc., a Florida Corporation whose address is: 11700 Shelly Lane, Cape Coral, FL 33991, grantor, to David Andrews and Mardina Andrews, husband and wife, grantee, whose post office address is: 525 Dale Blvd. Winnipeg MB, Canada R3R 2J8.

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Lee County, Florida, to wit:

Lot 7, Block D, Gulf Island Manor, as recorded in Plat Book 8, Page 68, in the Public Records of Lee County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to, reservations, restrictions and easements of record, if any.
(Wherever used herein the terms "grantor" and grantee" included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation)

12-1014

IN WITNESS WHEREOF, the grantor has caused these presents to be executed in its name, by its proper officer thereunto duly authorized, the day and year first above written.

TWO SEPARATE WITNESSES REQUIRED

Flamingo Holiday Homes, Inc., a Florida Corporation

Witness Signature: Esther L. Teeter (1)

BY

Tatjana Plattner
Vice PresidentPrint Witness Name: Esther L. Teeter (1)Witness Signature: LAURA PASCHALL (2)Print Witness Name: LAURA PASCHALL (2)STATE OF FLORIDACOUNTY OF LEE

The foregoing instrument was acknowledged before me this 23rd day of JANUARY, 2012 by Tatjana Plattner as Vice President of Flamingo Holiday Homes, Inc., a Florida Corporation. Who is personally known to me or has produced KC as identification.

The undersigned is a Notary for the State and County aforesaid

Esther L. Teeter
Signature of Notary Public
I am a Notary of the State of FLORIDA
My Commission Expires Sept. 10, 2014

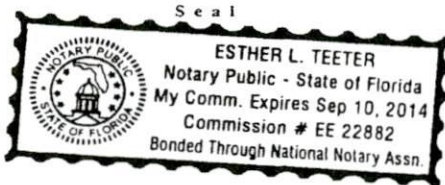


EXHIBIT B



EXHIBIT C



Town of Fort Myers Beach

CODE COMPLIANCE

2525 Estero Blvd Fort Myers Beach, Florida 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

April 22, 2022

CASE NUMBER:	20220371
CERTIFIED MAIL:	CANADA

ANDREWS DAVID + MARDINA
525 DALE BLVD
WINNIPEG, MB R3R 2J8

SITE ADDRESS: **144 GULF ISLAND DR**
PARCEL STRAP NO: **294624W20050D0070**

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **01/24/2022** by Town of Fort Myers Beach Code Enforcement Officer **James Campbell** indicates that the property is in violation of the following Town Code(s):

Work Without Permit - Stairs

The Violation(s) can be brought into compliance by securing required permit(s) for stairs. Permit will be closely monitored until finalized. You are hereby directed to bring these violations into compliance within 15 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at (239) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

James Campbell

Code Enforcement Officer
Town of Fort Myers Beach

Registered No. E376168582US

Date Stamp

04+0
07

Postage \$ 1.30

Extra Services & Fees

Extra Services & Fees, 15

Signature Confirmation

☐ Registered Mail \$

\$

☐ Return Receipt
(hardcopy) \$☐ Signature Confirmation
Restricted Delivery \$☐ Return Receipt
(electronic) \$☐ Signature Confirmation
Restricted Delivery \$☐ Restricted Delivery \$☐ Signature Confirmation
Restricted Delivery \$Customer Must Declare
Full Value

Received by

\$

Domestic Insurance up to \$50,000
is included based upon the
declared value. International
Indemnity is limited. (See Reverse)

OFFICIAL USE

Town of Fort Myers Beach

Code Enforcement

2525 Estero Boulevard

Fort Myers Beach, FL 33931

Andrews David + Mardina

525 Dale Blvd

Winnipeg, MB R3R 2R8

Canada

PS Form 3806, Registered Mail Receipt

Copy 2 - Post Office

April 2015, PSN 7530-02-000-9051

144 Gulf Island Dr
To Be Completed
By Post Office20220371
To Be Completed By Customer
(Please Print)
All Entries Must Be in Ballpoint or Typed

FROM

TO

Track Another Package +

Tracking Number: RE376168582US

Remove X

Your item was delivered in CANADA at 10:42 am on May 16, 2022.

 **Delivered**

May 16, 2022 at 10:42 am
CANADA

Feedback

Text & Email Updates

▼

Tracking History

▲

May 16, 2022, 10:42 am

Delivered
CANADA

Your item was delivered in CANADA at 10:42 am on May 16, 2022.

May 16, 2022, 6:31 am

Arrival at Post Office
CANADA

May 16, 2022, 12:20 am

Arrived at Facility
CANADA

May 10, 2022, 8:56 am

Customs Clearance

CANADA

May 10, 2022, 8:56 am

Processed Through Facility

CANADA

May 3, 2022, 8:45 am

Processed Through Regional Facility

JAMAICA NY INTERNATIONAL DISTRIBUTION CENTER

May 3, 2022, 8:44 am

Arrived at USPS Regional Facility

JAMAICA NY INTERNATIONAL DISTRIBUTION CENTER

May 3, 2022, 8:44 am

Arrived at Regional Facility

JAMAICA NY INTERNATIONAL DISTRIBUTION CENTER

April 28, 2022, 12:32 am

Arrived at USPS Facility

TAMPA, FL 33630

April 26, 2022, 10:03 pm

Departed USPS Facility

FORT MYERS, FL 33913

April 26, 2022, 10:00 pm

Arrived at USPS Facility

FORT MYERS, FL 33913

April 26, 2022, 12:50 pm

USPS in possession of item

FORT MYERS BEACH, FL 33931

Feedback

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback



Town of Fort Myers Beach
CODE COMPLIANCE
2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: (239) 765-0202 Fax: (239) 765-0909

April 22, 2022

CASE NUMBER:	20220371
CERTIFIED MAIL:	CANADA

ANDREWS DAVID + MARDINA
525 DALE BLVD
WINNIPEG, MB R3R 2J8

SITE ADDRESS: **144 GULF ISLAND DR**
PARCEL STRAP NO: **294624W20050D0070**

NOTICE OF VIOLATION

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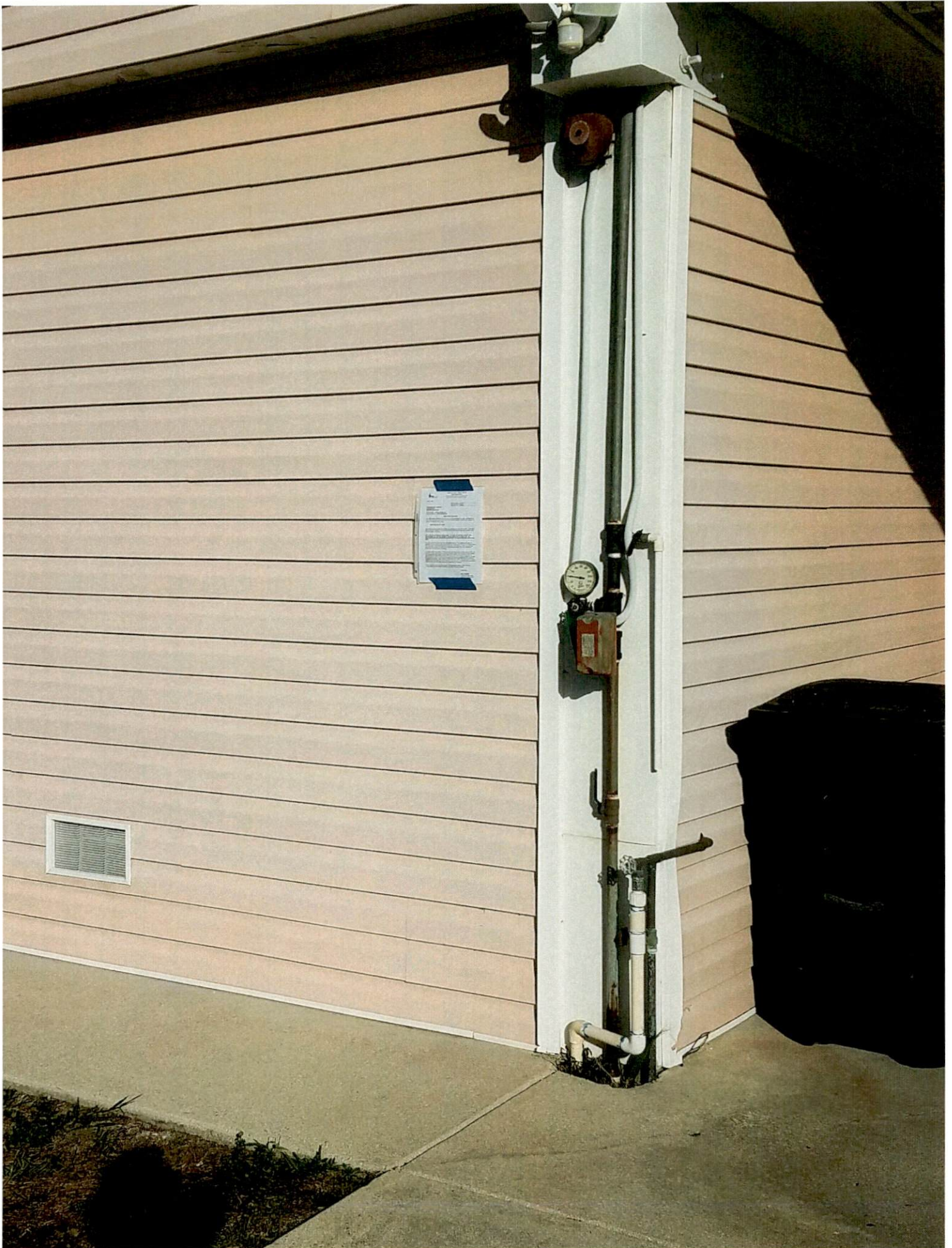
If you fail to correct the violation(s) by the date specified above, or if the violation(s) is brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at (239) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

James Campbell
Code Enforcement Officer
Town of Fort Myers Beach





Town of Fort Myers Beach

POSTING AFFIDAVIT FOR TOWN HALL
2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 Fax: 239-765-0591

Code Enforcement Case #: 20220371

Respondent: David and Mardina Andrews

Violation Address: 144 Gulf Island Dr.

STRAP #: 29-46-24-W2-0050D.0070

I, Kristin Schumacher, hereby state that the Notice of Violation was posted at
Town Hall Fort Myers Beach, FL on the 22nd day of March, 2022.

Kristin Schumacher
Signature

STATE OF FLORIDA COUNTY OF LEE

The foregoing instrument was certified and subscribed before me by means of X physical
presence OR online notarization, this 9th day of July, 2024, by
Kristin Schumacher, X who is personally known to me OR who has produced
 as identification.



ASHLEY SHEPARD
Commission # HH 253125
Expires April 14, 2026

Ashley Shepard
(SEAL) Notary Public Signature

My Commission Expires: April 14, 2026

EXHIBIT D



FMBgov.com

Dan Allers, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

07/23/2024

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

ANDREWS DAVID + MARDINA

Respondent.

Case Number: 20220371

Certified Mail: International Registered Mail

Regular Mail:

Site Address: 144 GULF ISLAND DR

Parcel Strap No.: 294624W20050D0070

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

BEFORE ME, the undersigned authority, personally appeared Officer D. Batt, Code Enforcement Officer for the Town of Fort Myers Beach, FL, who after being duly sworn, deposes and says:

1. I, D. Batt, am a person authorized by law to inspect violations of the Town of Fort Myers Beach Code contained herein and the statements set forth herein are based upon personal knowledge.

2. On 01/24/2022, former Code Officer, James Campbell, observed ANDREWS DAVID + MARDINA (property owner) in violation of Sec 6-111, FBC 105.1 of the Town of Fort Myers Beach Code of Ordinances, Work Without Permit -Stairs, at the property located at 144 GULF ISLAND DR, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued by James Campbell on 04/22/2022, and sent certified mail to the address of record, 525 DALE BLVD, WINNIPEG, MB R3R 2J8, posted to the violation property located at 144 GULF ISLAND DR, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. Exhibit A which is attached to this affidavit includes:

- A copy of the Lee County Appraiser Property Data
- A copy of the current Lee County Tax Collector bill
- A copy of the Notice of Violation issued on 04/22/2022
- Pictures of the violation as observed on 01/24/2022
- Copy of USPS Tracking for Notice of Violation
- Corporate Warranty Deed
- Photos of reinspection on 07/08/2024

5. ANDREWS DAVID + MARDINA was/were given 15 days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 05/09/2022.

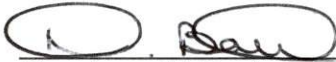
6. I, D. Batt, performed an inspection of the Subject Property on 07/08/2024, and the Subject Property remains in violation with the Town of Fort Myers Beach Ordinance. There does not appear to be any progress made towards compliance at 144 GULF ISLAND DR, Fort Myers Beach, FL 33931.

7. I have attached Exhibit B, which are photographs of the Subject Property, which I personally took, and which fairly represent the violation on the Subject Property I personally observed on 07/08/2024. These photographs have not been altered in any way.

8. I have personal knowledge of all these facts, and each is true to the best of my knowledge and belief.

9. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate and that an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) and/or the imposition of an administrative fine not to exceed \$250.00 for each day each violation continues past the date for compliance or \$500.00 for each day each violation was repeated, and for such other and further relief as is consistent with the powers of the Special Magistrate.

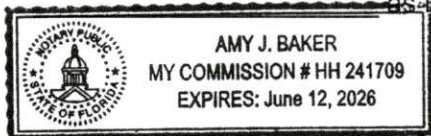
FURTHER AFFIANT SAYETH NAUGHT.



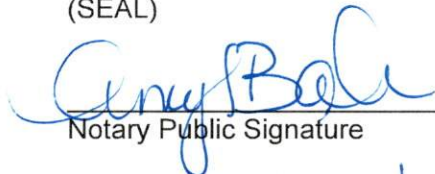
Signature of Affiant

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence OR ☐ online notarization, this 23rd day of July, 2024, by D. Batt, ☒ who is personally known to me OR ☐ who has produced as identification.



(SEAL)



Notary Public Signature

My Commission Expires: June 12 2026



Property Data

STRAP: 29-46-24-W2-0050D.0070 Folio ID: 10229730

[Hurricane Ian Tax Roll Value Letter](#) [Tax Refund Status](#)

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Owner Of Record - Tenants by Entirety

[\[Change Mailing Address\]](#)

ANDREWS DAVID & MARDINA
525 DALE BLVD
WINNIPEG MB R3R 2J8
CANADA



Site Address

Site Address maintained by E911 Program Addressing

144 GULF ISLAND DR
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

PARL IN GULF ISLAND MANOR BLK D REC IN PB 8 PG 68 DESC
IN OR 434 PG 233

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 8 and 68 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms 3 / 3.0
Gross Living Area 1,792
1st Year Building on Tax Roll 1995
Historic Designation No

Township	Range	Section	Block	Lot
46	24E	29	0050D	0070
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.44073	-81.9246		

[View Parcel on Google Maps](#)

[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)



[\[Pictometry Aerial Viewer\]](#)

Image of Structure



◀ Photo Date March of 2012 ▶ ☐ View other photos

Last Inspection Date: 07/01/2022

Property Values / Exemptions / TRIM Notices

Generated on 7/9/2024 1:37 PM

No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
	Current	677,249	620,569	677,249	677,249	0	0	677,249
2023 Values / Additional Info	2023	732,649	379,298	732,649	643,804	0	0	643,804
2022 Values / Additional Info	2022	817,540	231,300	817,540	585,276	0	0	585,276
2021 Values / Additional Info	2021	560,895	167,600	560,895	532,069	0	0	532,069
2020 Values / Additional Info	2020	483,699	168,600	483,699	483,699	0	0	483,699
2019 Values / Additional Info	2019	471,599	162,100	471,599	471,599	0	0	471,599
2018 Values / Additional Info	2018	464,295	162,100	464,295	464,295	0	0	464,295
2017 Values / Additional Info	2017	461,884	154,400	461,884	434,708	0	0	434,708
2016 Values	2016	454,014	154,400	454,014	395,189	0	0	395,189
2015 Values	2015	383,198	154,400	383,198	359,263	0	0	359,263
2014 Values	2014	341,414	100,320	341,414	326,603	0	0	326,603
2013 Values	2013	296,912	146,900	296,912	296,912	0	0	296,912
2012 Values	2012	302,524	120,000	302,524	302,524	0	0	302,524
2011 Values	2011	301,258	120,000	301,258	301,258	0	0	301,258

2010 Values	2010	319,995	140,000	319,995	319,995	0	0	319,995
	2009	364,810	155,000	364,810	364,810	0	0	364,810
	2008	432,430	220,000	432,430	432,430	0	0	432,430
	2007	461,480	250,000	0	461,480	0	0	461,480
	2006	527,230	230,000	0	527,230	0	0	527,230
	2005	407,930	165,000	0	407,930	0	0	407,930
	2004	325,830	155,000	0	325,830	0	0	325,830
	2003	343,720	105,000	0	343,720	0	0	343,720
	2002	222,230	45,000	0	222,230	0	0	222,230
	2001	192,320	45,000	0	192,320	0	0	192,320
	2000	190,590	45,000	0	190,590	0	0	190,590
	1999	184,640	45,000	0	184,640	0	0	184,640
	1998	162,290	42,500	0	162,290	0	0	162,290
	1997	163,010	42,500	0	163,010	0	0	163,010
	1996	156,760	42,500	0	156,760	0	0	156,760
	1995	40,430	40,430	0	40,430	0	0	40,430
	1994	34,910	34,910	0	34,910	0	0	34,910
	1993	33,080	33,080	0	33,080	0	0	33,080
	1992	29,400	29,400	0	29,400	0	0	29,400

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461\(6\)\(a\)](#)). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current Working Values)

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Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	1.00	Lot

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
106 - Contemporary	1 - SINGLE FAMILY RESIDENTIAL	2.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	3.0	1995	1996

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	840
CFL - CATHEDRAL FLOOR AREA	Y	224
CFL - CATHEDRAL FLOOR AREA	Y	214
FOP - FINISHED OPEN PORCH	N	162
FUS - FINISHED UPPER STORY	Y	514
LCP - LOWER CARPORT / OPEN PORCH	N	1,426
PPT - POOL PATIO	N	924
STP - STOOP	N	316

STP - STOOP

N

132

Building Features

Description

Year Added

Units

POOL - RESIDENTIAL

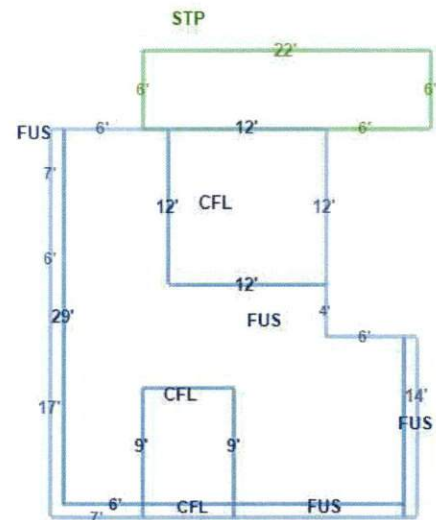
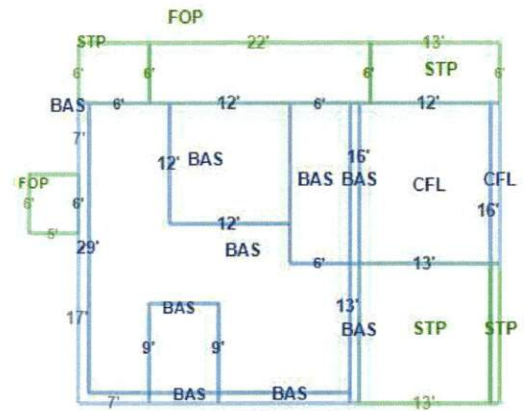
1995

308

PATIO - CONCRETE

1995

736

[illegible]

Land
Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	1.00	Lot

Buildings

Building 1 of 1

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PPT - POOL PATIO	N	924
STP - STOOP	N	316
STP - STOOP	N	132

Building Features

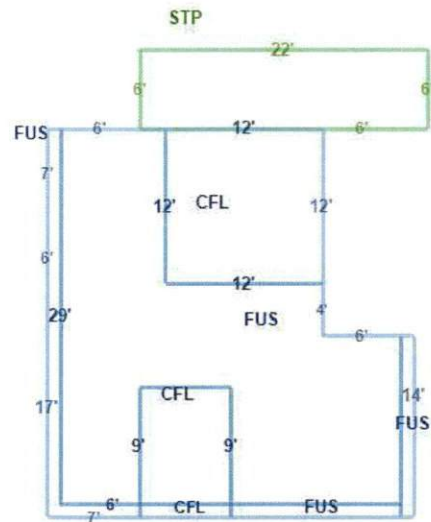
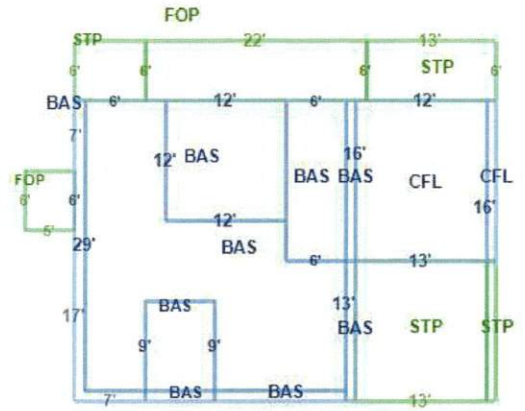
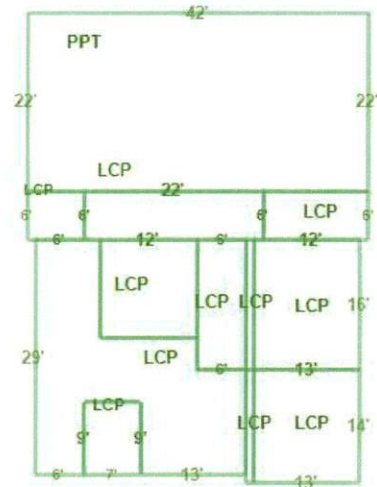
Description	Year Added	Units
POOL - RESIDENTIAL	1995	308
PATIO - CONCRETE	1995	736

Building Front Photo



Photo Date: March of 2012

Building Footprint



Taxing Authorities

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TOWN OF FT MYERS BEACH / 032

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931
LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions

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Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
305,300.00	01/23/2012	2012000018125	01		I
55,000.00	01/01/1995	2566/1232	06		V
100.00	12/01/1985	1822/474	01		V

[View Recorded Plat at LeeClerk.org](#)

Use the above link to do a search on the Lee County Clerk of Courts website, using **8** and **68** for the book and page numbers and **Plats Book** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

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Permit Number	Permit Type	Date
241030	Building Remodel / Repair	04/23/2024
241018	AC New / Change out	04/10/2024
233454	Roof	04/27/2023
231175	Electric	03/01/2023
ROF16-0083	Roof	08/08/2016
199502326	Pool & Spa	03/09/1995
199500884	Residential	01/30/1995

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History

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Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
29-46-24-05-0000D.0070	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

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Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	R - Residential Category		1	302.38
Collection Days Garbage Thursday Recycling Thursday Horticulture Thursday				

Flood and Storm Information

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Flood Insurance Find my flood zone					Evacuation Zone
Community	Panel	Version	Date		
071C	0558	G	11/17/2022		A

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Lee County Tax Collector

Noelle Branning

2023 Paid Real Estate Tax Notice

Ad Valorem Taxes and Non-ad Valorem Assessments for Lee County, Florida

Account Number:
29-46-24-W2-0050D.0070
Alternate Key:
2100535821
Millage Code:
032

Site Address / Legal Description:
144 GULF ISLAND DR

PARL IN GULF ISLAND MANOR BLK D REC IN
PB 8 PG 68 DESC IN OR 434 PG 233

Exemptions/Values:

Assessed Value 732,649

* See message below

ANDREWS DAVID & MARDINA
525 DALE BLVD
WINNIPEG, MB R3R 2J8
CANADA

Paid 02/23/2024 INT-00-02099345 \$9,576.69

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	643.804	0	643.804	2,422.18
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	732,649	0	732,649	1,646.99
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.1820	732,649	0	732,649	2,331.29
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	643.804	0	643.804	637.37
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	643.804	0	643.804	61.03
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	643.804	0	643.804	21.05
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	643.804	0	643.804	66.05
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.9851	643.804	0	643.804	1,921.82
FORT MYERS BEACH MOSQUITO	239-463-6350	0.1123	643.804	0	643.804	72.30
FORT MYERS BEACH LIBRARY	239-463-9691	0.2355	643.804	0	643.804	151.62
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0217	643.804	0	643.804	13.97
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	643.804	0	643.804	25.37

Non-Ad Valorem Assessments Levying Authority

	Telephone	Rate	Amount
LEE COUNTY SOLID WASTE ASSESSMENT	239-533-8000		302.38

2023 Combined Total Ad Valorem and Non-Ad Valorem:

\$9,673.42

2023 Paid Real Estate

Tax Notice

Account: 29-46-24-W2-0050D.0070
Site Address: 144 GULF ISLAND DR,
FORT MYERS BEACH,
33931
Alternate Key: 2100535821

* If the address below is not correct, visit LeePA.org to update your address.
ANDREWS DAVID & MARDINA
525 DALE BLVD
WINNIPEG, MB R3R 2J8
CANADA

Make check payable to:

LEE COUNTY TAX COLLECTOR
PO BOX 1609
FORT MYERS FL 33902-1609

Return with payment

PAY ONLY ONE AMOUNT

If Received By: Feb 29, 2024
Amount Due: \$0.00

Phone/Email Contact: _____

For payment options and instructions, refer to the back of this notice.

Paid 02/23/2024 INT-00-02099345 \$9,576.69



IMPORTANT INSTRUCTIONS AND INFORMATION - PLEASE READ

Ad Valorem Taxes cover the period January 1 through December 31 of the tax year indicated on the front of this notice. Tax notices are mailed on or about November 1 and become delinquent April 1. Failure to receive a tax notice does not extend discounts or excuse taxpayers' responsibilities to pay taxes and applicable penalties for late payments. Installment tax notices are mailed in June, September, December and March. Installment payment discounts are: June (6%), September (4.5%) and December (3%).

Governmental Office Responsibilities



Lee County Tax Collector

The Tax Collector prints, mails, and collects payments based on the tax rolls certified by the Property Appraiser and Levying Authorities.

Contact the Tax Collector to:

- Pay your current or delinquent property taxes
- Learn about Partial Payment, Installment Payment, and Homestead Tax Deferral plans
- Print your tax bills and receipts

Phone: 239-533-6000 • Website: LeeTC.com



Lee County Property Appraiser

The Property Appraiser values properties and prepares and certifies the tax roll which includes assessed values, exemptions, legal description, assessed owner(s) name and mailing address.

Contact the Property Appraiser to:

- Ask questions about the assessed value or exemption of your property
- Change your mailing address
- File or check on Homestead and other exemptions

Phone: 239-533-6100 • Website: LeePA.org



Lee County Levying Authorities

Lee County Levying Authorities establish millage rates and assessments based on revenue needed for operating expenses.

Call your Levying Authority with direct questions regarding services provided or rates charged.

A list of Levying Authorities and phone numbers may appear on the front of this notice or can be found on your property tax bill.

Visit LeeTC.com/property-taxes for instructions on viewing your bill.

Discounts

The amounts indicated on the front of this notice represent the total taxes and assessments due (if applicable) less discounts allowed for early payment. When the discount period ends on a weekend or holiday, the discount is extended to the next business day. Taxes are due by March 31 of each year.

4% if paid in **NOVEMBER**

3% if paid in **DECEMBER**

2% if paid in **JANUARY**

1% if paid in **FEBRUARY**

Delinquent Taxes

Payment of delinquent taxes must be made in certified U.S. funds drawn on a U.S. bank. The amount due is determined by the date payment is received. Failure to pay delinquent taxes could result in the loss of your property. On April 1 the following charges are imposed by Florida Law:

Real Estate: 3% minimum interest and advertising costs. A tax certificate sale is held on or before June 1 resulting in additional charges.

Tangible Personal Property: 18% interest annually, cost of advertising, and fees. Tax warrants will be issued on all unpaid personal property taxes on or about June 1.

Property Sold: forward this notice to the new owner(s).

Payment Options

PAY ONLINE



Visit LeeTC.com

Other ways to pay:

Mail: Check or money order.

Phone: 239.533.6000.

In Person: Cash, check, money order, debit card (PIN required), and all major credit cards.

Note: A convenience fee is charged when using a credit or debit card and is subject to service provider rates which may vary. No portion of this fee is retained by the Tax Collector's office.

Note: If using your bank's online bill pay, make sure you allow for processing time so payment arrives by the received date listed on the front of this notice.

Confirm Payment

Confirm receipt of your payment online at our official website LeeTC.com. Your taxes are not considered paid until your payment clears our bank and is applied to your tax account.

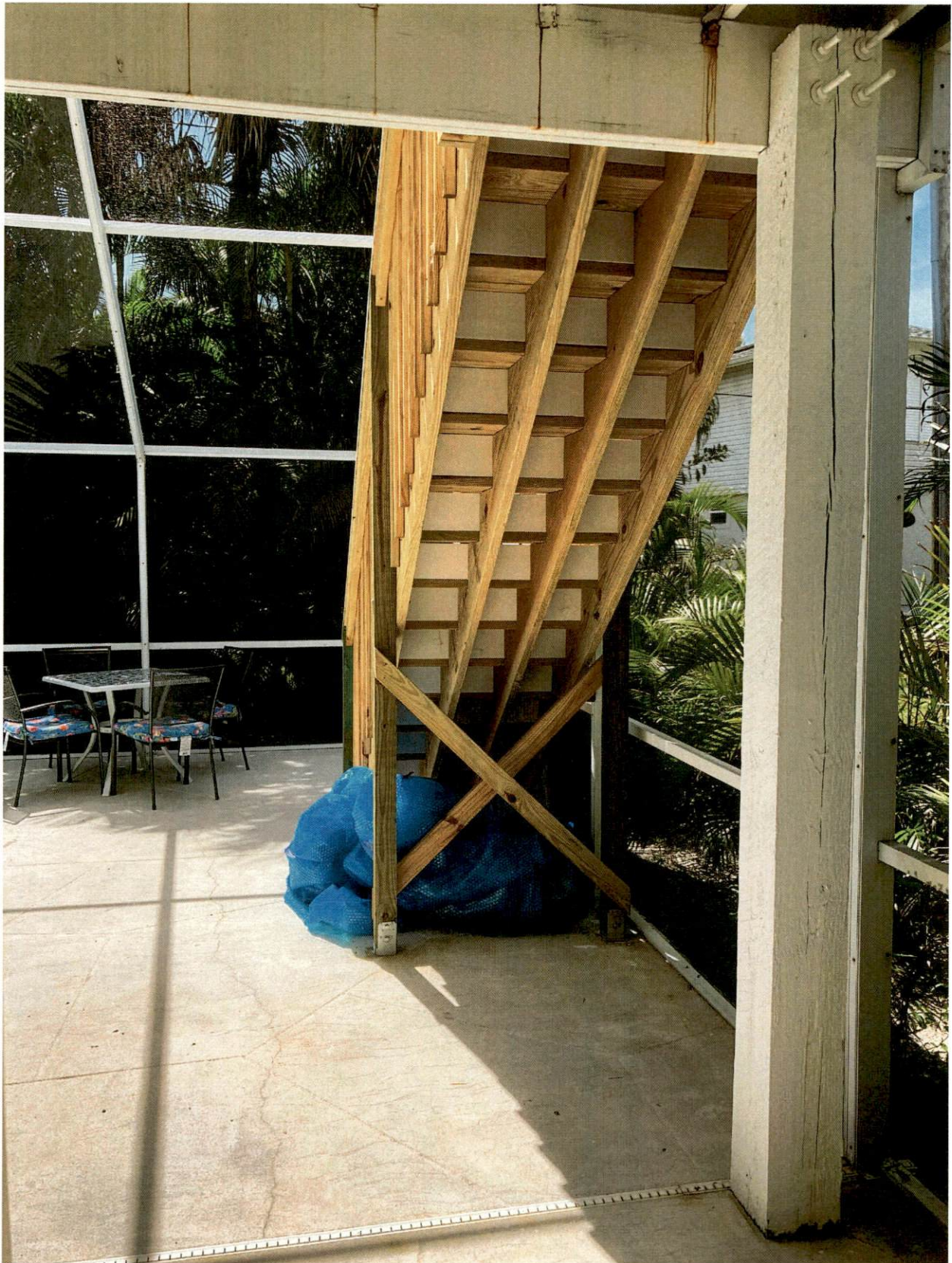
Have you met Edison?

Edison is our automated chatbot that can answer many of your questions relating to property taxes and much more. Available 24/7, you can find Edison at the bottom of our website, LeeTC.com.



NOTICE: Pursuant to Florida Statute 590.125(5), be advised that the Florida Forest Service may be performing prescribed burning and/or other treatments in a project area that includes your property in Lee County, Florida. These efforts are to reduce fuel loads and threat of wildfires. These projects are planned to occur from the date of this notice until the same date the following year. This service is provided at no cost to the affected landowner(s). Contact the Florida Forest Service if you have questions regarding this service at: 10941 Palm Beach Blvd., Fort Myers, FL 33905, or 239.690.8001.

Our Mission: Deliver 5-Star service quickly and efficiently through an organizational culture that values customers, team, and community.





Town of Fort Myers Beach

CODE COMPLIANCE

2525 Estero Blvd Fort Myers Beach, Florida 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

April 22, 2022

CASE NUMBER:	20220371
CERTIFIED MAIL:	CANADA

ANDREWS DAVID + MARDINA
525 DALE BLVD
WINNIPEG, MB R3R 2J8

SITE ADDRESS: **144 GULF ISLAND DR**
PARCEL STRAP NO: **294624W20050D0070**

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **01/24/2022** by Town of Fort Myers Beach Code Enforcement Officer **James Campbell** indicates that the property is in violation of the following Town Code(s):

Work Without Permit - Stairs

The Violation(s) can be brought into compliance by securing required permit(s) for stairs. Permit will be closely monitored until finalized. You are hereby directed to bring these violations into compliance within 15 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at (239) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

James Campbell

Code Enforcement Officer
Town of Fort Myers Beach

Track Another Package +

Tracking Number: RE376168582US

Remove X

Your item was delivered in CANADA at 10:42 am on May 16, 2022.

 **Delivered**

May 16, 2022 at 10:42 am
CANADA

Feedback

Text & Email Updates		▼
Tracking History		▲
May 16, 2022, 10:42 am Delivered CANADA Your item was delivered in CANADA at 10:42 am on May 16, 2022.		
May 16, 2022, 6:31 am Arrival at Post Office CANADA		
May 16, 2022, 12:20 am Arrived at Facility CANADA		

May 10, 2022, 8:56 am

Customs Clearance
CANADA

May 10, 2022, 8:56 am

Processed Through Facility
CANADA

May 3, 2022, 8:45 am

Processed Through Regional Facility
JAMAICA NY INTERNATIONAL DISTRIBUTION CENTER

May 3, 2022, 8:44 am

Arrived at USPS Regional Facility
JAMAICA NY INTERNATIONAL DISTRIBUTION CENTER

May 3, 2022, 8:44 am

Arrived at Regional Facility
JAMAICA NY INTERNATIONAL DISTRIBUTION CENTER

April 28, 2022, 12:32 am

Arrived at USPS Facility
TAMPA, FL 33630

April 26, 2022, 10:03 pm

Departed USPS Facility
FORT MYERS, FL 33913

April 26, 2022, 10:00 pm

Arrived at USPS Facility
FORT MYERS, FL 33913

April 26, 2022, 12:50 pm

USPS in possession of item
FORT MYERS BEACH, FL 33931

Feedback

Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback

This Instrument Prepared by:
Stormy Wilder
BEST Title Solutions, Inc.
1205 Cape Coral Parkway
Cape Coral, FL 33904
Property Appraiser Parcel Number(s):
29-46-24-W2-0050D.0070

File No: 12-1014

CORPORATE WARRANTY DEED

This Deed Made and executed the 23 day of January, 2012, by Flamingo Holiday Homes, Inc., a Florida Corporation whose address is: 11700 Shelly Lane, Cape Coral, FL 33991, grantor, to David Andrews and Mardina Andrews, husband and wife, grantee, whose post office address is: 525 Dale Blvd. Winnipeg MB, Canada R3R 2J8.

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Lee County, Florida, to wit:

Lot 7, Block D, Gulf Island Manor, as recorded in Plat Book 8, Page 68, in the Public Records of Lee County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to, reservations, restrictions and easements of record, if any.

(Wherever used herein the terms "grantor" and "grantee" included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation)

12-1014

IN WITNESS WHEREOF, the grantor has caused these presents to be executed in its name, by its proper officer thereunto duly authorized, the day and year first above written.

TWO SEPARATE WITNESSES REQUIRED

Flamingo Holiday Homes, Inc., a Florida Corporation

Witness Signature: Esther L. Teeter (1)

BY

Tatjana Plattner
Vice President

Print Witness Name: Esther L. Teeter (1)

Witness Signature: LAURA PASCHALL (2)

Print Witness Name: LAURA PASCHALL (2)

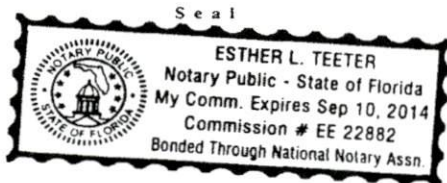
STATE OF FLORIDA

COUNTY OF LSE

The foregoing instrument was acknowledged before me this 23rd day of January, 2012 by Tatjana Plattner as Vice President of Flamingo Holiday Homes, Inc., a Florida Corporation. Who is personally known to me or has produced KC as identification.

The undersigned is a Notary for the State and County aforesaid

Esther L. Teeter
Signature of Notary Public
I am a Notary of the State of FLORIDA
My Commission Expires Sept. 10, 2014





Jul 8, 2024 at 9:54:40 AM
Town of Fort Myers Beach



Jul 8, 2024 at 9:55:07 AM
Town of Fort Myers Beach



Jul 8, 2024 at 9:54:29 AM
Town of Fort Myers Beach



Jul 8, 2024 at 9:54:50 AM
Town of Fort Myers Beach

EXHIBIT E

PART 2—ADMINISTRATION AND ENFORCEMENT

**SECTION 103
DEPARTMENT OF BUILDING SAFETY
RESERVED**

**SECTION 104
DUTIES AND POWERS OF BUILDING OFFICIAL**

[A] 104.1 General. Reserved.

[A] 104.2 Applications and permits. Reserved.

[A] 104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. Reserved.

[A] 104.3 Notices and orders. Reserved.

[A] 104.4 Inspections. Reserved.

[A] 104.5 Identification. Reserved.

[A] 104.6 Right of entry. Reserved.

[A] 104.7 Department records. Reserved.

[A] 104.8 Liability. Reserved.

[A] 104.8.1 Legal defense. Reserved.

[A] 104.9 Approved materials and equipment. Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

[A] 104.9.1 Used materials and equipment. The use of used materials that meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by the *building official*.

[A] 104.10 Modifications. Reserved.

[A] 104.10.1 Flood hazard areas. Reserved.

[A] 104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed alternative meets all of the following:

1. The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code.
2. The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code as it pertains to the following:
 - 2.1. Quality.
 - 2.2. Strength.
 - 2.3. Effectiveness.
 - 2.4. Fire resistance.

2.5. Durability.

2.6. Safety.

Where the alternative material, design or method of construction is not approved, the *building official* shall respond in writing, stating the reasons why the alternative was not approved.

[A] 104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] 104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *building official* shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

**SECTION 105
PERMITS**

[A] 105.1 Required. Any *owner* or *owner's* authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*.

[A] 105.1.1 Annual facility permit. In lieu of an individual *permit* for each *alteration* to an existing electrical, gas, mechanical, plumbing or interior nonstructural office system(s), the *building official* is authorized to issue an annual *permit* for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The building official shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

[A] 105.1.2 Annual permit records. The person to whom an annual *permit* is issued shall keep a detailed record of *alterations* made under such annual *permit*. The *building*

Sec. 6-111. - Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

Chapter 1, Administration.

Sections 103.1 through 103.6 relating to powers and duties of the building official are added as follows:

103.1 General. The building official is hereby authorized and directed to enforce the provisions of this code and building codes adopted by the state of Florida. The building official has the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures must be in compliance with the intent and purpose of this code, and may not have the effect of waiving requirements specifically provided for in this code.

103.2 Right of entry.

103.2.1 Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, premises, electrical, gas, mechanical, or plumbing systems unsafe, dangerous, or hazardous, the building official may enter such building, structure, or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official by this code. If such building or premises are occupied, he must first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he must first make a reasonable effort to locate the owner or other persons having charge or control of such and request entry. If entry is refused, the building official has recourse to every remedy provided by law to secure entry.

103.2.2 When the building official has obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care, or control of any building, structure, or premises may fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

103.3 Stop work orders. Upon notice from the building official, work on any building, structure, electrical, gas, mechanical, or plumbing system that is being done contrary to the provisions of this code, or in a dangerous or unsafe manner, must immediately cease. Such notice must be in writing and posted on the permit board, stating the reasons for the order. Work may only resume after lifting of the stop work order by the building official.

103.4 Revocation of permits. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any provision of any code of the Town of Fort Myers Beach.

103.4.1 Misrepresentation of application. The building official may revoke a permit or approval issued under the provisions of this code if there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

103.4.2 Violation of code provisions. The building official may revoke a permit upon determination by the building official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical, or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

103.5 Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical, or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and must be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Unsafe Building Abatement Code (see article I of this chapter).

103.6 Requirements not covered by code. Any requirements necessary for the strength, stability, or proper operation of an existing or proposed building, structure, electrical, gas, mechanical, or plumbing system, or for the public safety, health, and general welfare, not specifically covered by this or the other technical codes, will be determined by the building official.

Section 104.1.4 is amended to read as follows:

104.1.4. Minor repairs.

Ordinary minor repairs, routine maintenance, or incidental work of a nonstructural nature may be made without a permit, provided that such repair shall not violate any of the provisions of the technical codes. For purposes of this section, "ordinary minor repairs" include the replacement of damaged or worn materials by similar new materials and any other repairs defined as such by the building official. Ordinary minor repairs under this section may not involve the cutting of any structural beam or supporting member or include any alterations that would increase habitable floor area, change the use of any portion of the building, remove or change any required means of egress or exit access, or affect the structural integrity or fire rating of the building.

Section 104.1.6, relating to time limitations, is amended to add the following:

104.1.6.1 A permit issued shall be construed to be a license to proceed with the work but shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this code, nor shall such issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans or in construction or of violations of this code. Although a permit issued to an owner is transferable to another owner, actual notice of the transfer of permit shall be given to the building official prior to the transfer. Building permits shall be issued following the approval of site and construction plans. Building permits on multifamily projects shall be issued on each individual building or structure. Multitenant occupancies, including but not limited to shopping malls, may be permitted on an individual building or structure (shell); however, individual permits shall be used separately for tenant spaces.

104.1.6.2 The first inspection required by the permit must be successfully completed within a six-month period of issuance or the permit shall be deemed invalid. All subsequent inspections shall be made within a six-month period of the most recent inspection until completion of work or the permit shall become invalid. For purposes of this section, the foundation inspection will be considered the first inspection.

104.1.6.3 The entire foundation must be completed within the first six months from the issuance of the permit. Partial inspections due to complexity of the foundation may be made with building inspector's approval, and job site plans shall be initialed by the inspector only on that portion of the plans that is inspected, and these inspections are for compliance to plans and specifications and are in no way to be construed as the first inspection. Subsequent inspections may be made until the entire foundation is completed. At that time, the foundation will be signed off as the first inspection. One or more extensions of the building permit for good cause may be granted by the building official on a project for a period not exceeding 90 days each. The request shall be made by written notice to the building official at least 30 days prior to expiration of the building permit. The building official may require compliance with any revised building code, mechanical code, plumbing code, electrical code, gas code, swimming pool code or fire code requirements in effect at the time of granting any extension to the building permit. Any extension request denied may be appealed to the town council by the applicant on a form provided by the building official. The council shall grant or deny the extension upon a finding of good cause or lack thereof. If granted, the extension or extensions shall not exceed a period of 90 days each.

Section 106.1.4 relating to new or changed land uses is added as follows:

106.1.4 New or changed land use. A certificate of occupancy will only be granted for a new or changed use of land if that use is allowable under ch. 34 of this code.

107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.

117 VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to F.S. § 553.73(5), the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the Florida Building Code, Building or, as applicable, the provisions of R322 of the Florida Building Code, Residential. This section shall not apply to Section 3109 of the Florida Building Code, Building.

Florida Building Code, Building, Section 1612.2.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the costs of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Florida Building Code, Existing Building, Chapter 2.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has

sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Florida Building Code, Residential, Section R322.

R322.1.11 Enclosed areas below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be permitted to enclose up to 100 percent of the area below an elevated building and shall not extend beyond the perimeter of the building.
2. Have the interior portion of any enclosed area:
 - a. Partitioned only to separate parking areas from building access or storage areas;
 - b. The minimum number of interior doors necessary for access to the stairway or elevator to the elevated buildings from areas used for parking or storage;
 - c. Not temperature-controlled.
3. Have access to enclosed areas intended for building access or storage by no more than one standard 36-inch exterior door, or one windowless 72-inch double exterior door, in any exterior wall.
4. Have construction documents include an agreement, signed by the owner, acknowledging the limitations on allowable uses of the enclosed areas and the conditions of the building permit, using a form provided by the Floodplain Administrator. This agreement shall be recorded in the official record books in the office of the clerk of the circuit court to provide additional notice of these limitations to future purchasers.

R322.1.12 Accessory structures. Accessory structures used for parking and storage shall be permitted below the base flood if designed and constructed in compliance with Section R322 and the total cost of an accessory structure does not exceed 10% of the market value of the building or \$17,500 per dwelling unit, whichever is greater. The dollar amount specified may be increased each year beginning in 2014 by the percentage increase of the Consumer Price Index - All Urban Consumers (CUP-U), All Items, U.S. City Average maintained by the federal Bureau of Labor Statistics.

Chapter 33, Site Work, Demolition and Construction.

Section 3311.5 is added, to read as follows:

3311.5 Trash containers.

It shall be unlawful to bury construction debris on the construction site or on any other public or private property not specifically approved for such use. A suitable trash container and adequate collection service shall be provided for each construction site. For purposes of this requirement, a suitable container is any structure, device, receptacle, designated location or combination thereof which holds construction debris on the construction site in a central location long enough for it to be removed from the site by means of whatever collection service the contractor chooses to use or may be required to use pursuant to other applicable laws before such debris is: (1) washed or blown off-site, (2) contaminates subsurface elements, (3) becomes volatile or malodorous, (4) makes an attractive nuisance, or (5) otherwise becomes a threat to the public health, safety and welfare.

Chapter 34, Existing Buildings.

Section 3401.1, relating to scope, is modified to read as follows:

3401.1 Scope. Provisions of this chapter and of division 4 of this article shall govern the application of this code to existing buildings. In interpreting this code, the building official may be guided by the Nationally Applicable Recommended Rehabilitation Provisions, published in 1997 by the U.S. Department of Housing and Urban Development.

Exception: Buildings and structures located within the High Velocity Hurricane Zone shall comply with the provisions of sections 3401.5, 3401.8, and 3401.2.2.1.

Section 3401.2.2.1, relating to change of occupancy, is deleted, and replaced with a new section 3401.2.2.1, to read as follows:

3401.2.2.1 If the occupancy classification or any occupancy subclassifications of any existing building or structure is changed to a more hazardous occupancy, the building, electrical, gas, mechanical, and plumbing systems shall be made to conform to the intent of the technical codes as required by the building official.

Section 3401.5, relating to special historic buildings, is deleted, and replaced with a new section 3401.5, to read as follows:

3401.5 Special historic buildings.

3401.5.1 The provisions of the technical codes relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for an existing building or structure identified and classified by the federal, state, county, or town government as a historic structure, or as a contributing structure in a historic district, when such

building or structure is judged by the building official to be safe and in the public interest of health, safety, and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving.

3401.5.2 If it is proposed that a historic building that is undergoing repair, renovation, alternation, reconstruction, or change of occupancy not comply literally with certain technical standards of this code, the building official may require the building to be investigated and evaluated by a registered design professional. Such evaluation shall identify each required feature of the building not in technical compliance and shall demonstrate how the intent of these provisions is to be complied with in providing an equivalent level of safety.

(Ord. No. 13-06, § 3, 9-3-2013; Ord. No. 17-09, § 2, 6-19-2017; Ord. No. 21-01, § 2(Exh. A), 3-15-2021)

Sec. 2-429. - Notices.

- (a) All notices required by this article will be provided to the alleged violator by: (i) certified mail, return receipt requested, subject to the provisions of subsection (b) below; or (ii) by hand delivery by the sheriff or other law enforcement officer, code enforcement officer, or other person designated by the director; or (iii) by leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or (iv) in the case of commercial premises, leaving the notice with the manager or other person in charge.
- (b) If notice is sent via certified mail, return receipt requested, to the owner of the property in question at the address listed in the Lee County Tax Collector's Office for tax notices, and at any other address provided to the town by such owner, and is returned as unclaimed or refused, notice may be provided by posting as described in subsections (c)(1) and (2) below, and by first class mail directed to the addresses furnished to the town, with a properly executed proof of mailing or affidavit confirming the first class mailing.
- (c) In addition to provision of notice as set forth in subsection (a), notice may also be served by publication or posting, as follows:
 - (1) Such notice will be published once during each week for four consecutive weeks (four publications being sufficient) in a Lee County newspaper of general circulation. The newspaper must meet the requirements prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication must be made in accordance with F.S. §§ 50.041 and 50.051.
 - (2) In lieu of publication as described in subsection (c)(1) above, such notice may be posted for at least ten days prior to the hearing or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which must be the property upon which the violation is alleged to exist and the other must be at Town Hall for the Town of Fort Myers Beach. Proof of posting must be by affidavit of the person posting the notice. The affidavit must include a copy of the notice posted and the date and places of its posting.
 - (3) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a) above.
- (d) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsections (a) and (b), together with proof of publication or posting as provided in subsection (c), will be sufficient to show the notice requirements of this article have been met, without regard to whether or not the alleged violator actually received such notice.

EXHIBIT F



Town of Fort Myers Beach
NOTICE OF CODE ENFORCEMENT HEARING
 2731 Oak Street Fort Myers Beach, FL 33931
 Phone: (239) 765-0202 Fax: (239) 765-0909

07/09/2024

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

ANDREWS DAVID + MARDINA
525 DALE BLVD
WINNIPEG, MB R3R 2J8,
Respondent.

Case Number:	20220371
Certified Mail:	International Registered Mail
Regular Mail:	

SITE ADDRESS: **144 GULF ISLAND DR**
 PARCEL STRAP NO: **294624W20050D0070**

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article V of the Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer has documented that (an) uncorrected violation(s) of one or more codes of the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, previously provided to you (a copy of which is enclosed herewith), exists on the above-described property. A hearing before the Town's Code Enforcement Special Magistrate concerning the violation(s) has, therefore, been scheduled for **at 08/06/2024 at 1:30 P.M.** in the Council Chambers at Town Hall, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town to the Special Magistrate in relation to this hearing can be viewed and accessed in advance of the hearing at the link below:

<http://www.fortmyersbeachfl.gov/209/Meetings-Agendas>

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other any other action(s) that may affect your rights. If you believe you have come into compliance, it is your responsibility to contact the Code Enforcement Division so that an inspection can be performed to determine compliance.

D. Batt

Code Enforcement Officer
 Town of Fort Myers Beach

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE NOTIFY THE TOWN CLERK FOR THE TOWN OF FORT MYERS BEACH, 2525 ESTERO BLVD. FORT MYERS BEACH, FL 33931; TELEPHONE NUMBER (239) 765-0202, AT LEAST 72 BUSINESS HOURS BEFORE THE HEARING DATE.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE MAY NEED TO ENSURE AT THEIR OWN EXPENSE FOR THE TAKING AND PREPARATION OF A

Property Address and Owner:

Hearing Date: August 6, 2024

Case Number: 20240249

Subject: Operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit.

Code Section: LDC Sec. 34-3203 - Illegal buildings, uses and lots.

Code Officer: D. Batt

Subject:

Operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit.

Code Section:

LDC Sec. 34-3203 - Illegal buildings, uses and lots.

Reference Number:

20240249

Strap Number:

19-46-24-W4-00402.0010

Officer:

D. Batt

Narrative:

Case Number: 20240249

Subject: Operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit.

Code Section: LDC Sec. 34-3203 - Illegal buildings, uses and lots.

Code Officer: D. Batt

Attachments:

1. 1661 Estero Blvd Case File
2. Exhibit A- Establishment of Ownership
3. Exhibit B- Photos of Initial Site Inspection
4. Exhibit C- Notice of Violation and Service
5. Exhibit D- Affidavit of Non Compliance
6. Exhibit E- Referenced Town of Fort Myers Beach Code of Ordinances
7. Exhibit F- Notice of Hearing
8. 19000228-CE19-0026_1661 Estero Blvd_ Release of Lien Recorded _ DB_20240320
9. Affidavit of Compliance 1661 Estero, Key Estero Shops LLC
10. CE19-0026_1661 Estero Blvd_Recorded Order to Lien_09092020
11. CE19-0026_1661 Estero Blvd_NOV_8365_01312019

Town Recommendations:

The Town requests that an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) and/or the imposition of an administrative fee of \$250.00 to cover costs in bringing this matter before the Special Magistrate, a fine not to exceed \$250.00

for each day each violation continues past the date for compliance or \$500.00 for each day each violation was repeated, and for such other and further relief as is consistent with the powers of the Special Magistrate.

Town Approvals:

Thomas Yozzo, Operations & Compliance Manager

Date: July 22, 2024

nancy stuparich, Town Attorney

Date: July 24, 2024



Case #: 20240249

Case Date: 03/18/24

Case Type:

Case Type: Work without Permit

Description: For the operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit.

Status: NOH

Contractor Name:

Compliance Date of Violation: 04/25/2024

Hearing Date:

Completion Date of Site Inspection: 03/18/2024

Time of Site Inspection:

Citation Number:

How to bring violation into Compliance: 04/27/2024. Please contact Permitting Dept. and acquire the required Use permit. #(239)220-6955

Days to Comply: 30

Referred:

Case Closed:

Status: NOH

Assigned To: D. Batt

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
194624W4004020010	1661 ESTERO BLVD	HILLS T P SUBD PB 3 PG 84 PT LT 11 DESC OR 1468 PG 1697 LESS N 275 FT	KEY ESTERO SHOPS LLC		DOWNTOWN

Activities

Date	Activity Type	Description	Employee	Status
03/18/2024	*Site Inspection	Onsite inspection on this date revealed Zoning violation 34-3203 for the operation of a shared parking lot to the public for a fee without first obtaining the required Use Permit. While across from the property prior to attempting to make contact a male wearing a yellow vest yelled something and flicked off the camera posing. Opted for	D. Batt	*Violation

		safety precautions to not approach. Photos taken for the file. NOV's prepared for certified mailing to the property owner to all the addresses of record.		
07/08/2024	*Site Inspection	Onsite reinspection on this date revealed that the violation continues. No contact with anyone while on property. Photos taken for the file. Created Special Magistrate packet to move forward with enforcement.	D. Batt	*Violation
07/09/2024	*Site Inspection	Created Special Magistrate packet and gave it to K. Schumaker for finish and process. Received back from K. Schumaker for mailing and postings.	D. Batt	*Violation
		Copies of Special Magistrate packet and Notice of hearing posted to Town Hall, posted to the violation property, sent to certified mail to the addresses and people listed below and uploaded to the town website for publication. Copy of Certified mail receipt and photos of postings in file.		
07/10/2024	*Site Inspection	Certified Mailed to: * Key Estero Shops LLC at 1661 Estero Blvd, Fort Myers Beach, FL 33931 #70222410000084691925 * Registered Agent: Lora Naccarato at 3220 Pine Cone Ct, Milford, MI 48381 #70222410000084691918 * Key Estero Shops LLC at 3220 Pine Cone Ct, Milford, MI 48381 #70222410000084691901	D. Batt	*Violation
07/15/2024	*Site Inspection	Onsite reinspection with T. Yozzo due to new complaint revealed work being done to the property. Spoke with a few workers onsite to stated they were redoing the concrete. Photos taken for the file.	D. Batt	*Violation

Violations

Date	Violation	Description	Notes	Status
		"If a building, use, or lot was not lawful when created and cannot be lawfully modified to comply with this code, it shall not be considered nonconforming but shall be deemed an illegal building, use, or lot and thus not afforded the protection provided by this article to nonconforming buildings, uses or lots.		
03/19/2024	Sec. 34-3203. - Illegal buildings, uses and lots.	(1) Illegal buildings or uses must be lawfully modified to comply with this code or must be removed in accordance with § 34-1(c) of this chapter. (2) Illegal lots must be lawfully combined with adjoining land so as to conform with this code, or must remain vacant but still be maintained in accordance with the property maintenance code in division 1, article I, ch. 6 of this code and other town regulations. "		Open

Attached Letters

Date	Letter	Description
07/09/2024	Notice of Code Enforcement Hearing	Key Estero Shops (property) Cert #70222410000084691925
07/09/2024	Notice of Code Enforcement Hearing	Lora Naccarato Cert #70222410000084691918
07/09/2024	Notice of Code Enforcement Hearing	Key Estero Shops LLC Cert #70222410000084691901
07/09/2024	Affidavit of Compliance/Non-Compliance	Certified Mail #70222410000084691901, #70222410000084691918 and #70222410000084691925#
03/21/2024	Notice of Violation	NOV prepared for certified mail to Registered Owner
03/21/2024	Notice of Violation	NOV prepared for certified mail to Property Owner

03/21/2024	Notice of Violation	NOV prepared for certified mail to Property Address
03/21/2024	Notice of Violation	NOV prepared for posting to Property Address
03/19/2024	Notice of Violation	NOV Created and prepared for mailing

Notes

Date	Note	Created By:
2024-05-08	Received Certified Mail returned unable to deliver. Copy in file.	D. Batt
2024-03-19	Had a phone conference with both FMB Attorney N. Stuparich, S. Propst with Planning and defendants attorney S. Spector. After Planning advised of what was able to be done on the property and that they would require a Use Permit she asked what the plan for the property ultimately is. S. Spector advised us she was not sure and would find out what the ultimate goal for the property is, so we can address the property appropriately. After the phone conference I spoke with Code Compliance manager T. Yozzo and we decided not to send the NOV originally created and to meet regarding the property and decide to go over all Ordinances associated and clarify with planning as well.	D. Batt

Uploaded Files

Date	File Name
07/15/2024	21599186-20240249 Reinspection 7-15-24.pdf
07/10/2024	21550479-20240249 Property Posting Notices of Hearing and SM Packet Photos.pdf
07/10/2024	21550478-20240249 Town Hall Posting Notices of Hearing and SM Packet Photo.pdf
07/10/2024	21550477-20240249 Special Magistrate Certified Mail Receipt.pdf
07/10/2024	21541470-20240316 Reinspection Photos 7-8-24.pdf
07/10/2024	21541469-20240316 Notice of Hearing and SM Packet.pdf
07/09/2024	21531516-20240249 Reinspection Photos 7-8-24.pdf
05/23/2024	20791268-20240249_1661 Estero Blvd NOV_20240321.pdf
05/08/2024	20610149-20240249_Certified mail returned undeliverable_DB_20240508.pdf
03/25/2024	19432922-20240249_Certified mail receipts_DB_20240321.pdf
03/21/2024	19035441-20240249_1661 Estero Blvd NOV Posting Photos_DB_20240321.pdf
03/21/2024	19032063-20240249_1661Estero Blvd NOV Certified Mail Registered Agent_DB_20240321.pdf
03/21/2024	19032016-20240249_1661Estero Blvd NOV Certified Mail Property_DB_20240321.pdf
03/21/2024	19031900-20240249_1661Estero Blvd NOV Certified Mail Property Owner_DB_20240321.pdf
03/18/2024	18969178-20240249 1661 Estero Blvd.pdf

EXHIBIT A

Property Data

STRAP: 19-46-24-W4-00402.0010 Folio ID: 10227974

[Hurricane Ian Tax Roll Value Letter](#) [Tax Refund Status](#)

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Owner Of Record - Sole Owner [\[Change Mailing Address\]](#)

[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD MI 48381

Site Address

Site Address maintained by E911 Program Addressing

1661 ESTERO BLVD
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

HILLS T P SUBD PB 3 PG 84 PT LT 11 DESC OR 1468 PG 1697
LESS N 275 FT

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 3 and 84 for the book and page numbers.

Attributes and Location Details

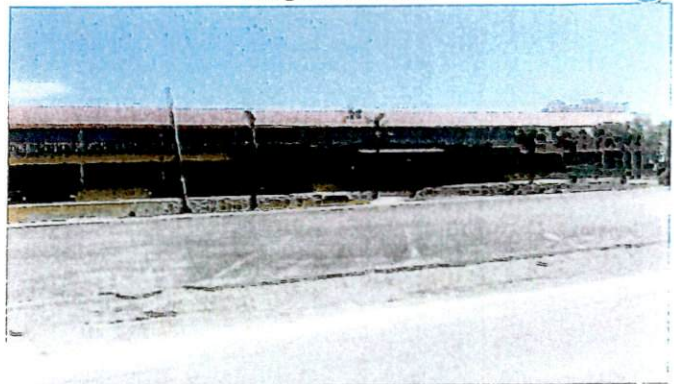
Total Bedrooms / Fixtures	0 / 78
Gross Building Area	33,438
1st Year Building on Tax Roll	1976
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	19	00402	0010
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.45151	-81.94921		



[\[Pictometry Aerial Viewer\]](#)

Image of Structure



◀ Photo Date January of 2024 ▶ ☐ View other photos

Last Inspection Date: 01/31/2024

[View Parcel on Google Maps](#)

Property Values / Exemptions / TRIM Notices

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No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
	Current	5,514,752	5,514,742	5,514,752	4,830,683	0	0	4,830,683
2023 Values / Additional Info	2023	5,514,752	5,514,742	5,514,752	4,391,530	0	0	4,391,530
2022 Values / Additional Info	2022	9,025,407	5,853,910	9,025,407	3,992,300	0	0	3,992,300
2021 Values / Additional Info	2021	7,220,518	4,754,724	7,220,518	3,629,364	0	0	3,629,364
2020 Values / Additional Info	2020	3,299,422	1,874,576	3,299,422	3,299,422	0	0	3,299,422
2019 Values / Additional Info	2019	3,327,826	1,743,505	3,327,826	3,327,826	0	0	3,327,826
2018 Values / Additional Info	2018	3,970,743	2,150,031	3,970,743	3,970,743	0	0	3,970,743
2017 Values / Additional Info	2017	3,655,163	1,938,941	3,655,163	2,720,489	0	0	2,720,489
2016 Values	2016	3,654,679	1,949,760	3,654,679	2,468,012	0	0	2,468,012
2015 Values	2015	3,437,515	2,188,704	3,437,515	2,248,797	0	0	2,248,797
2014 Values	2014	2,888,382	1,640,319	2,888,382	2,044,361	0	0	2,044,361
2013 Values	2013	1,858,510	1,726,470	1,858,510	1,858,510	0	0	1,858,510
2012 Values	2012	1,902,111	1,726,470	1,902,111	1,902,111	0	0	1,902,111
2011 Values	2011	1,774,261	1,007,634	1,774,261	1,774,261	0	0	1,774,261

<u>2010 Values</u>	2010	1,920,805	1,318,828	1,920,805	1,920,805	0	0	1,920,805
	2009	2,879,030	2,092,200	2,879,030	2,879,030	0	0	2,879,030
	2008	4,060,640	3,382,010	4,060,640	4,060,640	0	0	4,060,640
	2007	3,670,580	3,057,160	0	3,670,580	0	0	3,670,580
	2006	1,933,060	1,614,280	0	1,933,060	0	0	1,933,060
	2005	1,924,510	1,539,100	0	1,924,510	0	0	1,924,510
	2004	1,916,040	1,412,580	0	1,916,040	0	0	1,916,040
	2003	1,808,830	1,333,560	0	1,808,830	0	0	1,808,830
	2002	1,755,600	1,203,670	0	1,755,600	0	0	1,755,600
	2001	1,749,460	1,203,670	0	1,749,460	0	0	1,749,460
	2000	1,647,950	1,202,070	0	1,647,950	0	0	1,647,950
	1999	1,645,080	1,202,070	0	1,645,080	0	0	1,645,080
	1998	1,448,790	1,202,070	0	1,448,790	0	0	1,448,790
	1997	1,453,860	1,202,070	0	1,453,860	0	0	1,453,860
	1996	1,452,590	1,203,780	0	1,452,590	0	0	1,452,590
	1995	1,404,540	1,205,480	0	1,404,540	0	0	1,404,540
	1994	1,377,310	1,207,180	0	1,377,310	0	0	1,377,310
	1993	1,343,830	1,208,890	0	1,343,830	0	0	1,343,830
	1992	1,289,000	1,210,590	0	1,289,000	0	0	1,289,000

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461 \(6\)\(a\)](#)). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*. (i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes. (i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current Working Values)

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Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
1600	Shopping Center, Community	108987.00	Square Feet

Land Features

Description	Year Added	Units
BLACK TOP - IMPROVED	1976	56,770
FENCE - CHAIN LINK - 6 FOOT	2016	420

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
38 - Shopping Center - Neighborhood	4 - COMMERCIAL	2.0	0
Bedrooms	Fixtures	Year Built	Effective Year Built
0	0.0	1976	1985

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	11,363
FOP - FINISHED OPEN PORCH	N	3,038
FOP - FINISHED OPEN PORCH	N	2,330
FST - FINISHED UTILITY	N	282

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
38 - Shopping Center - Neighborhood	4 - COMMERCIAL	2.0	0
Bedrooms	Fixtures	Year Built	Effective Year Built
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Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	11,363
FOP - FINISHED OPEN PORCH	N	3,038
FOP - FINISHED OPEN PORCH	N	2,330
FST - FINISHED UTILITY	N	282
FST - FINISHED UTILITY	N	282
FUS - FINISHED UPPER STORY	Y	16,875
RSA - RESTAURANT - AVERAGE	Y	5,200
STP - STOOP	N	1,244
UOP - UNFINISHED OPEN PORCH	N	395

Building Features

Description	Year Added	Units
ELEVATOR - PASSENGER	1976	2

Building Front Photo

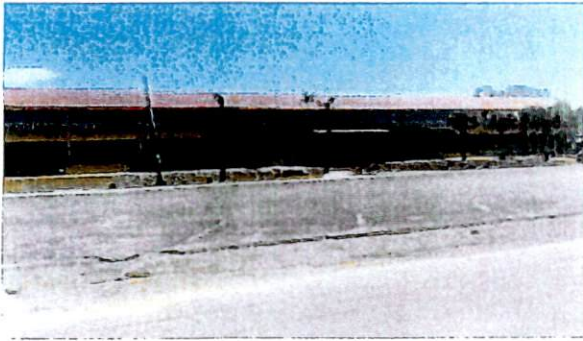
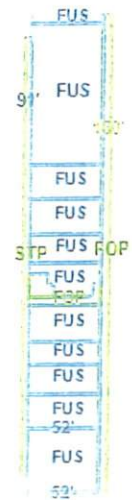


Photo Date: January of 2024

Building Footprint



Taxing Authorities

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TOWN OF FM BCH / FM BCH DOWNTOWN REDEV / 277

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931
LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971

WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions

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Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
3,990,000.00	03/01/2017	2017000045126	01		
0.00	11/01/1986	1885/2396	01		
1,529,000.00	11/01/1980	1468/1697	06		

[View Recorded Plat at LeeClerk.org](#)

Use the above link to do a search on the Lee County Clerk of Courts website, using **3** and **84** for the book and page numbers and **Plats Book** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

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Permit Number	Permit Type	Date
241099	Electric	04/26/2024
240525	Plumbing	02/28/2024
234288	Building Remodel / Repair	10/11/2023
232764	Building Window / Door Replacement	04/24/2023
221098	Roof / Sheds	07/26/2022
211840	Electric	11/16/2021
210752	Site Development - Driveway / Sidewalks	05/25/2021
SGN18-0013	Building Miscellaneous	07/11/2018
MEC18-0239	AC New / Change out	06/06/2018

ELE18-0169	Electric	06/05/2018
PLB18-0110	Plumbing	06/05/2018
COM18-0129	Building Remodel / Repair	05/22/2018
ROF18-0061	Roof	02/22/2018
ELE17-0374	Electric	11/17/2017
PLB17-0239	Plumbing	10/24/2017
COM17-0033	Roof	07/31/2017
FNC16-0033	Fence	05/13/2016
MEC15-0034	AC New / Change out	02/12/2015
SGN14-0017	Building Miscellaneous	01/12/2015
MEC14-0171	AC New / Change out	06/17/2014
MEC14-0172	AC New / Change out	06/17/2014
MEC14-0128	AC New / Change out	05/27/2014
MEC13-0376	AC New / Change out	12/23/2013
PRK12-0011	Building Miscellaneous	12/21/2012
MEC12-0245	AC New / Change out	12/04/2012
ELE11-0170	Electric	10/10/2012
SGN 12-0036	Building Miscellaneous	08/10/2012
SGN12-0030	Building Miscellaneous	07/24/2012
ROF11-0070	Roof	09/20/2011
ROF11-0038	Roof	06/01/2011
COM10-0239	Building Remodel / Repair	12/20/2010
MEC10-0077	AC New / Change out	05/19/2010
FIR10-0008	Fire	03/26/2010
COM09-0190	Building Remodel / Repair	02/09/2010
ELE10-0006	Electric	01/12/2010
MEC09-0122	AC New / Change out	10/12/2009
COM09-0030	Building Remodel / Repair	05/20/2009
FNC09-0009	Fence	04/23/2009
COM09-0014	Building Remodel / Repair	02/24/2009
COM08-0008	Commercial	08/26/2008
DEM2005-00514	Demolition	11/04/2005
FNC2004-01068	Fence	06/30/2004
COM2001-01644	Commercial	11/21/2001
COM2001-00118	Building Remodel / Repair	03/15/2001
FNC2000-00097	Fence	04/12/2000
COM2000-00342	Commercial	03/08/2000
FNC199910262	Fence	09/30/1999
COM199606312	Building Addition	06/19/1996
COM199506061	Commercial	06/29/1995
199409089	Commercial	09/27/1994
COM199301891	Building Miscellaneous	03/01/1993
115019	Commercial	09/21/1992
199009701	Commercial	09/24/1990
COM199009480	Building Miscellaneous	09/17/1990
199002859	Commercial	03/07/1990
811497	Commercial	10/12/1988
715117	Commercial	12/16/1987
611839	Commercial	11/19/1986
112799	Commercial	10/18/1986
77499	Residential	03/20/1981

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History ⓘ

Generated on 7/9/2024 7:41 AM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
19-46-24-04-00002.0010	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 7/9/2024 7:41 AM

Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	C - Commercial Category	C	36054	1,039.10
Collection Days				
Garbage	Recycling	Horticulture		
Thursday	Thursday	Thursday		

Flood and Storm Information

Generated on 7/9/2024 7:41 AM

Community	Flood Insurance Panel	Find my flood zone Version	Date	Evacuation Zone
071C	0554	G	11/17/2022	A

Generated on 7/9/2024 7:41 AM

After Recording Return To:
Mandy Schutt FRP
Schutt Law Firm, P.A.
12601 New brittany Blvd.
Fort Myers, FL 33907

This Instrument Prepared by:
Mandy Schutt FRP
Schutt Law Firm, P.A.
12601 New Brittany Blvd.
Fort Myers, FL 33907

as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
19-46-24-W4-00402.0010
File No.: 1610020

WARRANTY DEED

This Warranty Deed, made the 1st day of March, 2017, by **Beate Rotermund, Inc., a Florida Corporation**, hereinafter called the grantor, whose post office address is: 3333 Renaissance Blvd., Suite 213, Bonita Springs, FL 34134, to **Key Estero Shops, LLC, a Michigan Limited Liability Company**, whose post office address is: 3220 Pine Cone Court, Milford, MI 48381, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$3,990,000.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida, to wit:

A tract or parcel of land lying in Lot 11, T.P. HILL'S SUBDIVISION, as recorded in Plat Book 3 at page 84, of the Public Records of Lee County, Florida, described as follows:

BEGIN at a concrete monument marking the Southeast corner of said Lot 11; thence run N 68° 52' 30" W. along the Northerly R/W of Estero Boulevard, a distance of 274.39' to the Easterly R/W of Carolina Ave.; thence run N 1° 00' E. along said Easterly R/W, a distance of 652.21'; thence run S 89° 16' E., a distance of 254.16' to the Easterly line of said Lot 11, thence run S 0° 44' W., a distance of 747.81' to the Point of Beginning.

LESS AND EXCEPT the North 275 feet as described in Official Record Book 1781 at Page 3018.

The property is not the homestead of the Grantor(s).

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2016, reservations, restrictions and easements of record, if any.

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: [Signature]
Printed Name: DARIN L. SCHUTT

Witness Signature: [Signature]
Printed Name: Gronne H. Lucas

BEATE ROTERMUND, INC.

[Signature]
Ulrich Rotermund
President

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 1st day of March, 2017 by Ulrich Rotermund as President of Beate Rotermund, Inc., a Florida Corporation on behalf of said entity. He is personally known to me or has produced German Passport as identification.

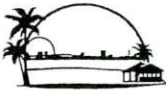
My Commission Expires: [Signature]

Notary Public Signature

Printed Name: Nichole L. Grimes

Serial Number [Blank]





Lee County Tax Collector

Noelle Branning

2023 Paid Real Estate Tax Notice

Ad Valorem Taxes and Non-ad Valorem Assessments for Lee County, Florida

Account Number:
19-46-24-W4-00402.0010
Alternate Key:
2100387332
Millage Code:
277

Site Address / Legal Description:
1661 ESTERO BLVD
HILLS T P SUBD PB 3 PG 84 PT LT 11 DESC
OR 1468 PG 1697 LESS N 275 FT

Exemptions/Values:
Assessed Value 5,514,752

* See message below

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD, MI 48381

Paid 11/21/2023 DP-00-01758352 \$65,058.64

Ad Valorem Taxes Levying Authority	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	4,391,530	0	4,391,530	16,522.25
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	5,514,752	0	5,514,752	12,397.16
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.1820	5,514,752	0	5,514,752	17,547.94
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	4,391,530	0	4,391,530	4,347.61
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	4,391,530	0	4,391,530	416.32
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	4,391,530	0	4,391,530	143.60
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	4,391,530	0	4,391,530	450.57
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.9851	4,391,530	0	4,391,530	13,109.16
FORT MYERS BEACH MOSQUITO	239-463-6350	0.1123	4,391,530	0	4,391,530	493.17
FORT MYERS BEACH LIBRARY	239-463-9691	0.2355	4,391,530	0	4,391,530	1,034.21
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0217	4,391,530	0	4,391,530	95.30
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	4,391,530	0	4,391,530	173.03

Non-Ad Valorem Assessments Levying Authority	Telephone	Rate	Amount
LEE COUNTY SOLID WASTE ASSESSMENT	239-533-8000		1,039.10

2023 Combined Total Ad Valorem and Non-Ad Valorem: \$67,769.42

2023 Paid Real Estate

Tax Notice

Account: 19-46-24-W4-00402.0010
Site Address: 1661 ESTERO BLVD,
FORT MYERS BEACH,
33931
Alternate Key: 2100387332

PAY ONLY ONE AMOUNT

If Received By: Amount Due:
Nov 30, 2023 \$0.00

Phone/Email Contact: _____

For payment options and instructions, refer to the back of this notice.

* If the address below is not correct, visit LeePA.org to update your address.
KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD, MI 48381

Make check payable to:
LEE COUNTY TAX COLLECTOR
PO BOX 1609
FORT MYERS FL 33902-1609

Paid 11/21/2023 DP-00-01758352 \$65,058.64

Return with payment



IMPORTANT INSTRUCTIONS AND INFORMATION - PLEASE READ

Ad Valorem Taxes cover the period January 1 through December 31 of the tax year indicated on the front of this notice. Tax notices are mailed on or about November 1 and become delinquent April 1. Failure to receive a tax notice does not extend discounts or excuse taxpayers' responsibilities to pay taxes and applicable penalties for late payments. Installment tax notices are mailed in June, September, December and March. Installment payment discounts are: June (6%), September (4.5%) and December (3%).

Governmental Office Responsibilities



Lee County Tax Collector

The Tax Collector prints, mails, and collects payments based on the tax rolls certified by the Property Appraiser and Levying Authorities.

Contact the Tax Collector to:

- Pay your current or delinquent property taxes
- Learn about Partial Payment, Installment Payment, and Homestead Tax Deferral plans
- Print your tax bills and receipts

Phone: 239-533-6000 • Website: LeeTC.com



Lee County Property Appraiser

The Property Appraiser values properties and prepares and certifies the tax roll which includes assessed values, exemptions, legal description, assessed owner(s) name and mailing address.

Contact the Property Appraiser to:

- Ask questions about the assessed value or exemption of your property
- Change your mailing address
- File or check on Homestead and other exemptions

Phone: 239-533-6100 • Website: LeePA.org



Lee County Levying Authorities

Lee County Levying Authorities establish millage rates and assessments based on revenue needed for operating expenses.

Call your Levying Authority with direct questions regarding services provided or rates charged.

A list of Levying Authorities and phone numbers may appear on the front of this notice or can be found on your property tax bill.

Visit LeeTC.com/property-taxes for instructions on viewing your bill.

Discounts

The amounts indicated on the front of this notice represent the total taxes and assessments due (if applicable) less discounts allowed for early payment. When the discount period ends on a weekend or holiday, the discount is extended to the next business day. Taxes are due by March 31 of each year.

4% if paid in **NOVEMBER**

3% if paid in **DECEMBER**

2% if paid in **JANUARY**

1% if paid in **FEBRUARY**

Payment Options



Visit LeeTC.com

Other ways to pay:

Mail: Check or money order.

Phone: 239.533.6000.

In Person: Cash, check, money order, debit card (PIN required), and all major credit cards.

Note: A convenience fee is charged when using a credit or debit card and is subject to service provider rates which may vary. No portion of this fee is retained by the Tax Collector's office.

Note: If using your bank's online bill pay, make sure you allow for processing time so payment arrives by the received date listed on the front of this notice.

Delinquent Taxes

Payment of delinquent taxes must be made in certified U.S. funds drawn on a U.S. bank. The amount due is determined by the date payment is received. Failure to pay delinquent taxes could result in the loss of your property. On April 1 the following charges are imposed by Florida Law:

Real Estate: 3% minimum interest and advertising costs. A tax certificate sale is held on or before June 1 resulting in additional charges.

Tangible Personal Property: 18% interest annually, cost of advertising, and fees. Tax warrants will be issued on all unpaid personal property taxes on or about June 1.

Confirm Payment

Confirm receipt of your payment online at our official website LeeTC.com. Your taxes are not considered paid until your payment clears our bank and is applied to your tax account.

Have you met Edison?

Edison is our automated chatbot that can answer many of your questions relating to property taxes and much more. Available 24/7, you can find Edison at the bottom of our website, LeeTC.com.



Property Sold: forward this notice to the new owner(s).

NOTICE: Pursuant to Florida Statute 590.125(5), be advised that the Florida Forest Service may be performing prescribed burning and/or other treatments in a project area that includes your property in Lee County, Florida. These efforts are to reduce fuel loads and threat of wildfires. These projects are planned to occur from the date of this notice until the same date the following year. This service is provided at no cost to the affected landowner(s). Contact the Florida Forest Service if you have questions regarding this service at: 10941 Palm Beach Blvd., Fort Myers, FL 33905, or 239.690.8001.

Our Mission: Deliver 5-Star service quickly and efficiently through an organizational culture that values customers, team, and community.

LARA Corporations Online Filing System

Department of Licensing and Regulatory Affairs

ID Number: 802064001[Request certificate](#)[Return to Results](#)[New search](#)**Summary for:** KEY ESTERO SHOPS, LLC**The name of the DOMESTIC LIMITED LIABILITY COMPANY:** KEY ESTERO SHOPS, LLC**Entity type:** DOMESTIC LIMITED LIABILITY COMPANY**Identification Number:** 802064001 **Old ID Number:** F0906R**Date of Organization in Michigan:** 01/18/2017**Purpose:** All Purpose Clause**Term:** Perpetual**The name and address of the Resident Agent:**

Resident Agent Name: LORA NACCARATO

Street Address: 3220 PINE CONE CT

Apt/Suite/Other:

City: MILFORD

State: MI

Zip Code: 48381

Registered Office Mailing address:

P.O. Box or Street Address:

Apt/Suite/Other:

City:

State:

Zip Code:

Act Formed Under: 023-1993 Michigan Limited Liability Company Act**Managed By:**

Members

View filings for this business entity:

ALL FILINGS
ANNUAL REPORT/ANNUAL STATEMENTS
CERTIFICATE OF CORRECTION
CERTIFICATE OF CHANGE OF REGISTERED OFFICE AND/OR RESIDENT AGENT
RESIGNATION OF RESIDENT AGENT
CERTIFICATE OF ASSUMED NAME

[View filings](#)**Comments or notes associated with this business entity:**

[LARA FOIA Process](#) [Transparency](#) [State Web Sites](#)

[Michigan.gov Home](#) [ADA](#) [Michigan News](#) [Policies](#)

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EXHIBIT B

Mar 18, 2024 at 3:12:15 PM
Town of Fort Myers Beach



Mar 18, 2024 at 3:13:10 PM
Town of Fort Myers Beach



Mar 18, 2024 at 3:13:28 PM
Town of Fort Myers Beach



Mar 18, 2024 at 3:13:03 PM
Town of Fort Myers Beach



EXHIBIT C



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

March 21, 2024

CASE NUMBER:	20240249
CERTIFIED MAIL:	9589071052700183636796

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD, MI 48381

SITE ADDRESS: 1661 ESTERO BLVD
PARCEL STRAP NO: 194624W4004020010

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **03/18/2024** by Town of Fort Myers Beach Code Enforcement Officer **D. Batt** indicates that the property is in violation of the following Town Code(s):

34-3203: For the operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit.

Sec. 34-3203. - Illegal buildings, uses and lots. "If a building, use, or lot was not lawful when created and cannot be lawfully modified to comply with this code, it shall not be considered nonconforming but shall be deemed an illegal building, use, or lot and thus not afforded the protection provided by this article to nonconforming buildings, uses or lots.

(1) Illegal buildings or uses must be lawfully modified to comply with this code or must be removed in accordance with § 34-1(c) of this chapter.

(2) Illegal lots must be lawfully combined with adjoining land so as to conform with this code, or must remain vacant but still be maintained in accordance with the property maintenance code in division 1, article I, ch. 6 of this code and other town regulations.

The Violation(s) can be brought into compliance by 04/27/2024. Please contact Permitting Dept. and acquire the required Use permit. #(239)220-6955 You are hereby directed to bring these violations into compliance within 30 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special

Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at (239) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



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U.S. Postal Service
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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	
\$	
Total Postage and Fees	
\$	

Postmark
Here

Sent To
Key Estero Shop LLC
Street and Apt. No., or PO Box No.
3220 Pine Cone Ct
City, State, ZIP+4®
Milford, MI 48381

20240249
1661 Estero

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Key Estero Shops LLC
3220 Pine Cone Ct
Milford, MI 48381



9590 9402 8344 3094 9299 00

2. Article Number (Transfer from service label)

9589 0710 5270 0183 6367 96

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature	
X	☐ Agent ☐ Addressee
B. Received by (Printed Name)	C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

20240249 **1661 Estero Blvd**

3. Service Type	
☐ Adult Signature	☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery	☐ Registered Mail™
☐ Certified Mail®	☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™
☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery
☐ Collect on Delivery Restricted Delivery	
☐ Insured Mail	
☐ Registered Mail Restricted Delivery (over \$500)	

Domestic Return Receipt



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

March 21, 2024

CASE NUMBER:	20240249
CERTIFIED MAIL:	9589071052700183636789

Other responsible party:
Registered agent: Lora Naccarato
3220 Pine Cone Ct
Milford, MI 49381

SITE ADDRESS: 1661 ESTERO BLVD
PARCEL STRAP NO: 194624W4004020010

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **03/18/2024** by Town of Fort Myers Beach Code Enforcement Officer **D. Batt** indicates that the property is in violation of the following Town Code(s):

34-3203: For the operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit.

Sec. 34-3203. - Illegal buildings, uses and lots. "If a building, use, or lot was not lawful when created and cannot be lawfully modified to comply with this code, it shall not be considered nonconforming but shall be deemed an illegal building, use, or lot and thus not afforded the protection provided by this article to nonconforming buildings, uses or lots.

(1) Illegal buildings or uses must be lawfully modified to comply with this code or must be removed in accordance with § 34-1(c) of this chapter.

(2) Illegal lots must be lawfully combined with adjoining land so as to conform with this code, or must remain vacant but still be maintained in accordance with the property maintenance code in division 1, article I, ch. 6 of this code and other town regulations.

"

The Violation(s) can be brought into compliance by 04/27/2024. Please contact Permitting Dept. and acquire the required Use permit. #(239)220-6955 You are hereby directed to bring these violations into compliance within 30 days of receipt of this notice.

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You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special

Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

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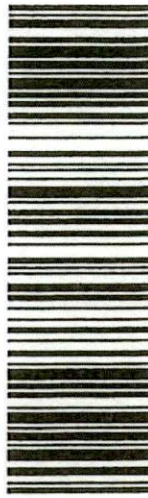
Respectfully,

D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



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U.S. Postal Service
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Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage	
\$	
Total Postage and Fees	
\$	4.00

Postmark
Here

Sent To		20240249
Lora Naccarato		
Street and Apt. No., or PO Box No.		
3320 Pine Cone Ct		1641 Esko
City, State, ZIP+4®		
Milford, MI 49381		NOV Agt

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Lora Naccarato
3320 Pine Cone Ct
Milford, MI 49381



9590 9402 8344 3094 9298 94

2. Article Number (Transfer from service label)

9589 0710 5270 0183 6367 89

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1?** ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☒ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Collect on Delivery Restricted Delivery | |
| ☐ Insured Mail | |
| ☐ Insured Mail Restricted Delivery (over \$500) | |

1641 Esko 20240249 NOV Agt

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931
Phone: (239) 765-0202 Fax: (239) 765-0909

March 21, 2024

CASE NUMBER:	20240249
CERTIFIED MAIL:	9589071052700183636772

Key Estero Shops LLC
1661 Estero Blvd
Fort Myers Beach, FL 33931

SITE ADDRESS: 1661 ESTERO BLVD
PARCEL STRAP NO: 194624W4004020010

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Respectfully,

D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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9589 0710 5270 0183 6367 72

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Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	
\$	
Total Postage and Fees	
\$	Key Estero S

Postmark
Here

Sent To Key Estero Shops 1661 Ester
Street and Apt. No., or PO Box No. 1661 Estero Blvd 20240249
City, State, ZIP+4® Ft Myers Beach, FL 33931 Nov Prep
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Key Estero Shops LLC
1661 Estero Blvd
Ft Myers Beach, FL 33931



9590 9402 8344 3094 9298 87

2. Article Number (Transfer from service label)

9589 0710 5270 0183 6367 72

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature		☐ Agent
X		☐ Addressee
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from item 1? ☐ Yes		
If YES, enter delivery address below: ☐ No		

3. Service Type		☐ Priority Mail Express®
☐ Adult Signature		☐ Registered Mail™
☐ Adult Signature Restricted Delivery		☐ Registered Mail Restricted Delivery
☐ Certified Mail®		☐ Signature Confirmation™
☐ Certified Mail Restricted Delivery		☐ Signature Confirmation Restricted Delivery
☐ Collect on Delivery		
☐ Collect on Delivery Restricted Delivery		
☐ Insured Mail		
☐ Registered Mail Restricted Delivery (over \$500)		

Domestic Return Receipt

9589 0710 5270 0183 6367 89

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Milford, MI 48381

OFFICIAL USE

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.92

Total Postage and Fees \$5.32

Sent To
Lora Naccarato 20240249
Street and Apt. No., or PO Box No.
3220 Pine Cone Ct 1661 Estero
City, State, ZIP+4®
Milford, MI 48381 Nov Agent

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0183 6367 96

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Milford, MI 48381

OFFICIAL USE

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.92

Total Postage and Fees \$5.32

Sent To
Key Estero Shop LLC
Street and Apt. No., or PO Box No.
3220 Pine Cone Ct 1661 Estero
City, State, ZIP+4®
Milford, MI 48381

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0183 6367 72

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Fort Myers Beach, FL 33931

OFFICIAL USE

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.92

Total Postage and Fees \$5.32

Sent To
Key Estero Shops 1661 Estero
Street and Apt. No., or PO Box No.
1661 Estero Blvd 20240249
City, State, ZIP+4®
Fort Myers Beach, FL 33931 Nov Agent

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



CERTIFIED MAIL



9589 0710 5270 0183 6367 72

Retail



RDC 99



33931

U.S. POSTAGE PAID
FCM LETTER
FORT MYERS BEACH
FL 33931
MAR 21, 2024

\$8.97

R2308M153989-03

Town of Fort Myers Beach

MAY 8 2024

Received by: _____

Key Estero Shops LLC

11661 Estero Blvd

Fort Myers Beach FL 33931

NIXIE

339 DE 1

0005/03/24

RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD

33931335425

BC: 33931335425

*0701-03206-21-42



Mar 21, 2024 at 2:59:45 P
Town of Fort Myers Bea



March 21, 2024

Key Estero Slope LLC
1641 Estero Blvd
Fort Myers Beach, FL 33931

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on 03/19/2024 by the Town of Fort Myers Beach Code Enforcement Officer D. Butt indicates that the property is in violation of the following Town Code(s):

34-2203: For the operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit.

Sec. 34-2203 - Shared buildings, yards and lots: "If a building, yard, or lot was not lawfully occupied and cannot be lawfully occupied, it shall be deemed to be in violation of this code and shall be subject to removal as follows: (1) Shared buildings or yards must be lawfully occupied or comply with this code or must be removed in accordance with § 34-2203 of this chapter. (2) Shared lots must be lawfully occupied with existing land use or must be removed in accordance with this code and other local regulations.

The Violation(s) can be brought into compliance by 04/27/2024. Please contact Planning Dept. and acquire the required Use Permit: 803/912-20-6665. You are hereby directed to bring these violations into compliance within 30 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS BEEN CORRECTED ON OR BEFORE THE ABOVE SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is brought into compliance and reoccurs, the town may be scheduled for hearing before the Town of Fort Myers Beach Ordinance Enforcement Committee. The Ordinance Enforcement Committee may, in its discretion, schedule the hearing and issue a finding of a violation by the Ordinance Enforcement Committee. If you have contacted the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing. It will be scheduled. Please be aware that under Florida Statutes, Chapter 222 and 223, the Town of Fort Myers Beach is authorized to impose a fine of up to \$1,000 per day for each day the violation continues after the date set for compliance. The Town of Fort Myers Beach may also impose a fine of up to \$1,000 per day for each day the violation continues after the date set for compliance. If the Ordinance Enforcement Committee finds that the violation is not corrected by the date set for compliance, a fine of up to \$1,000 per day may be imposed for each day the violation continues after the date set for compliance.



Town of Fort Myers Beach

POSTING AFFIDAVIT FOR TOWN HALL
2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: 239-765-0202 Fax: 239-765-0591

Code Enforcement Case #: 20240249

Respondent: Key Estero Shops, LLC

Violation Address: 1661 Estero Blvd.

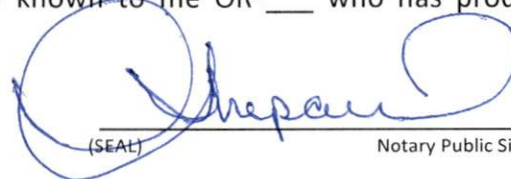
STRAP #: 19-46-24-W4-00402.0010

I, Officer D. Batt, hereby state that the Notice of Violation was posted at Town Hall Fort Myers Beach, FL on the 21st day of March, 2024.


Signature

STATE OF FLORIDA COUNTY OF LEE

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence OR ☐ online notarization, this 9th day of July, 2024, by D. Batt, ☒ who is personally known to me OR ☐ who has produced _____ as identification.


(SEAL) Notary Public Signature

My Commission Expires:

April 14, 2026



ASHLEY SHEPARD
Commission # HH 253125
Expires April 14, 2026

EXHIBIT D


FMBgov.com

Dan Allers, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

07/09/2024

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

KEY ESTERO SHOPS LLC

Respondent.

Case Number:	20240249
Certified Mail:	70222410000084691901
Regular Mail:	

Site Address: **1661 ESTERO BLVD**
 Parcel Strap No.: **194624W4004020010**

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

BEFORE ME, the undersigned authority, personally appeared Officer D. Batt, Code Enforcement Officer for the Town of Fort Myers Beach, FL, who after being duly sworn, deposes and says:

1. I, D. Batt, am a person authorized by law to inspect violations of the Town of Fort Myers Beach Code contained herein and the statements set forth herein are based upon personal knowledge.

2. On 03/18/2024, KEY ESTERO SHOPS LLC (property owner) was observed in violation of 34-3203 of the Town of Fort Myers Beach Code of Ordinances, For the operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit. , at the property located at 1661 ESTERO BLVD, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 03/21/2024, and sent certified mail to the address of record, 3220 PINE CONE CT, MILFORD, MI 48381, posted to the violation property located at 1661 ESTERO BLVD, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. Exhibit A which is attached to this affidavit includes:

- A copy of the Lee County Appraiser Property Data
- A copy of the current Lee County Tax Collector bill
- A copy of the Notice of Violation issued on 03/21/2024
- A copy of the Domestic Return Receipt for the certified mail received on 03/21/2024 by the Town of Fort Myers Beach
- Pictures of the violation as observed on 03/18/2024
- Property Warranty Deed recorded 03/02/2017
- Pictures of the violation as observed on 07/08/2024

5. KEY ESTERO SHOPS LLC was/were given 30 to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 04/27/2024.

6. I performed an inspection of the Subject Property on 07/08/2024, and the Subject Property remains in violation with the Town of Fort Myers Beach Ordinance. There does not appear to be any progress made towards compliance at 1661 ESTERO BLVD, Fort Myers Beach, FL 33931.

7. I have attached Exhibit B, which are photographs of the Subject Property, which I personally took, and which fairly represent the violation on the Subject Property I personally observed on 07/08/2024. These photographs have not been altered in any way.

8. I have personal knowledge of all these facts, and each is true to the best of my knowledge and belief.

9. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate and that an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) and/or the imposition of an administrative fine not to exceed \$250.00 for each day each violation continues past the date for compliance or \$500.00 for each day each violation was repeated, and for such other and further relief as is consistent with the powers of the Special Magistrate.

FURTHER AFFIANT SAYETH NAUGHT.

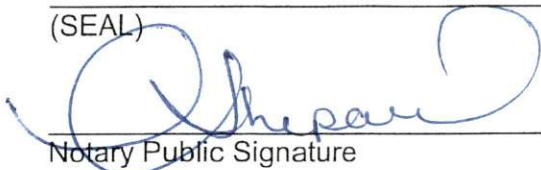


Signature of Affiant

STATE OF FLORIDA COUNTY OF LEE

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence OR ☐ online notarization, this 8th day of July, 2024, by D. Batt, ☒ who is personally known to me OR ☐ who has produced _____ as identification.

(SEAL)



Notary Public Signature



ASHLEY SHEPARD
Commission # HH 253125
Expires April 14, 2026

My Commission Expires: April 14, 2026



Property Data

STRAP: 19-46-24-W4-00402.0010 Folio ID: 10227974

[Hurricane Ian Tax Roll Value Letter](#)

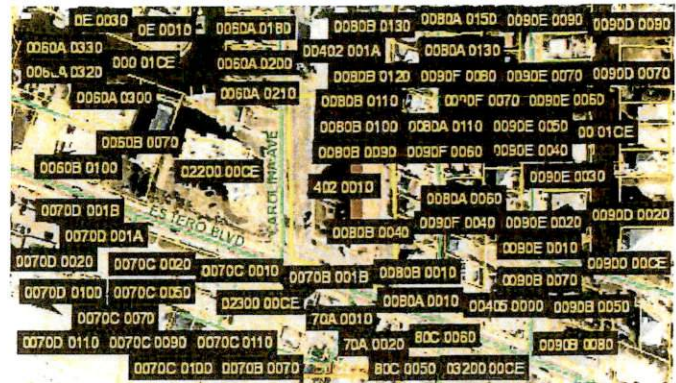
[Tax Refund Status](#)

Generated on 7/9/2024 7:41 AM

Owner Of Record - Sole Owner [\[Change Mailing Address\]](#)

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD MI 48381

[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)



Site Address

Site Address maintained by E911 Program Addressing

1661 ESTERO BLVD
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

HILLS T P SUBD PB 3 PG 84 PT LT 11 DESC OR 1468 PG 1697
LESS N 275 FT

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 3 and 84 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Fixtures	0 / 78
Gross Building Area	33,438
1st Year Building on Tax Roll	1976
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	19	00402	0010
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.45151	-81.94921		

[\[Pictometry Aerial Viewer\]](#)

Image of Structure



◀ Photo Date January of 2024 ▶ ☐ View other photos

[View Parcel on Google Maps](#)

Last Inspection Date: 01/31/2024

Property Values / Exemptions / TRIM Notices

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No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
	Current	5,514,752	5,514,742	5,514,752	4,830,683	0	0	4,830,683
2023 Values / Additional Info	2023	5,514,752	5,514,742	5,514,752	4,391,530	0	0	4,391,530
2022 Values / Additional Info	2022	9,025,407	5,853,910	9,025,407	3,992,300	0	0	3,992,300
2021 Values / Additional Info	2021	7,220,518	4,754,724	7,220,518	3,629,364	0	0	3,629,364
2020 Values / Additional Info	2020	3,299,422	1,874,576	3,299,422	3,299,422	0	0	3,299,422
2019 Values / Additional Info	2019	3,327,826	1,743,505	3,327,826	3,327,826	0	0	3,327,826
2018 Values / Additional Info	2018	3,970,743	2,150,031	3,970,743	3,970,743	0	0	3,970,743
2017 Values / Additional Info	2017	3,655,163	1,938,941	3,655,163	2,720,489	0	0	2,720,489
2016 Values	2016	3,654,679	1,949,760	3,654,679	2,468,012	0	0	2,468,012
2015 Values	2015	3,437,515	2,188,704	3,437,515	2,248,797	0	0	2,248,797
2014 Values	2014	2,888,382	1,640,319	2,888,382	2,044,361	0	0	2,044,361
2013 Values	2013	1,858,510	1,726,470	1,858,510	1,858,510	0	0	1,858,510
2012 Values	2012	1,902,111	1,726,470	1,902,111	1,902,111	0	0	1,902,111
2011 Values	2011	1,774,261	1,007,634	1,774,261	1,774,261	0	0	1,774,261

2010 Values	2010	1,920,805	1,318,828	1,920,805	1,920,805	0	0	1,920,805
	2009	2,879,030	2,092,200	2,879,030	2,879,030	0	0	2,879,030
	2008	4,060,640	3,382,010	4,060,640	4,060,640	0	0	4,060,640
	2007	3,670,580	3,057,160	0	3,670,580	0	0	3,670,580
	2006	1,933,060	1,614,280	0	1,933,060	0	0	1,933,060
	2005	1,924,510	1,539,100	0	1,924,510	0	0	1,924,510
	2004	1,916,040	1,412,580	0	1,916,040	0	0	1,916,040
	2003	1,808,830	1,333,560	0	1,808,830	0	0	1,808,830
	2002	1,755,600	1,203,670	0	1,755,600	0	0	1,755,600
	2001	1,749,460	1,203,670	0	1,749,460	0	0	1,749,460
	2000	1,647,950	1,202,070	0	1,647,950	0	0	1,647,950
	1999	1,645,080	1,202,070	0	1,645,080	0	0	1,645,080
	1998	1,448,790	1,202,070	0	1,448,790	0	0	1,448,790
	1997	1,453,860	1,202,070	0	1,453,860	0	0	1,453,860
	1996	1,452,590	1,203,780	0	1,452,590	0	0	1,452,590
	1995	1,404,540	1,205,480	0	1,404,540	0	0	1,404,540
	1994	1,377,310	1,207,180	0	1,377,310	0	0	1,377,310
	1993	1,343,830	1,208,890	0	1,343,830	0	0	1,343,830
	1992	1,289,000	1,210,590	0	1,289,000	0	0	1,289,000

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461\(6\)\(a\)](#)). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current Working Values)

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Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
1600	Shopping Center, Community	108987.00	Square Feet

Land Features

Description	Year Added	Units
BLACK TOP - IMPROVED	1976	56,770
FENCE - CHAIN LINK - 6 FOOT	2016	420

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
38 - Shopping Center - Neighborhood	4 - COMMERCIAL	2.0	0
Bedrooms	Fixtures	Year Built	Effective Year Built
0	0.0	1976	1985

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	11,363
FOP - FINISHED OPEN PORCH	N	3,038
FOP - FINISHED OPEN PORCH	N	2,330
FST - FINISHED UTILITY	N	282

FST - FINISHED UTILITY
 FUS - FINISHED UPPER STORY
 RSA - RESTAURANT - AVERAGE
 STP - STOOP
 UOP - UNFINISHED OPEN PORCH

N	282
Y	16,875
Y	5,200
N	1,244
N	395

Building Features

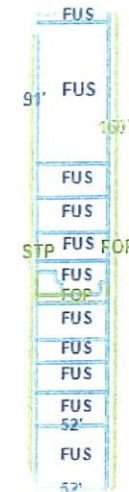
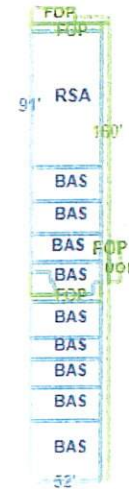
Description	Year Added	Units
ELEVATOR - PASSENGER	1976	2

Building Front Photo



Photo Date: January of 2024

Building Footprint



Property Details (2023 Tax Roll)

Generated on 7/9/2024 7:41 AM

Land

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Use Code	Use Code Description	Number of Units	Unit of Measure
1600	Shopping Center, Community	108987.00	Square Feet

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FST - FINISHED UTILITY	N	282
FUS - FINISHED UPPER STORY	Y	16,875
RSA - RESTAURANT - AVERAGE	Y	5,200
STP - STOOP	N	1,244
UOP - UNFINISHED OPEN PORCH	N	395

Building Features

Description	Year Added	Units
ELEVATOR - PASSENGER	1976	2

Building Front Photo

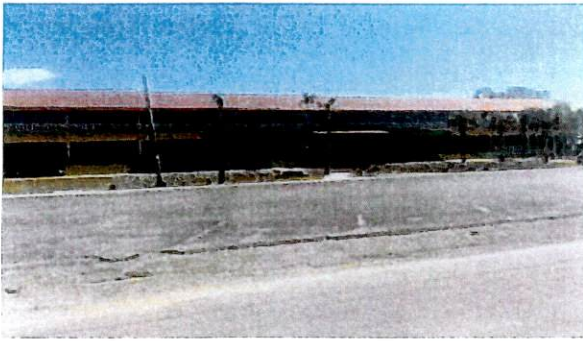
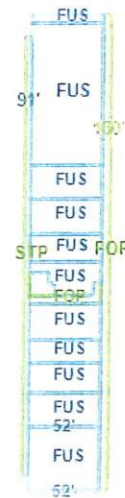


Photo Date: January of 2024

Building Footprint



Taxing Authorities

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TOWN OF FM BCH / FM BCH DOWNTOWN REDEV / 277

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931
LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971

WEST COAST INLAND NAVIGATION DIST / 098

Independent District

WEST COAST INLAND NAVIGATION DIST
200 MIAMI AVE E
VENICE FL 34285-2408

TOWN OF FORT MYERS BEACH FLORIDA / 118

Municipal

TOWN OF FORT MYERS BEACH
2523 ESTERO BLVD
FORT MYERS BEACH FL 33931

PUBLIC SCHOOL - BY LOCAL BOARD / 012

Public Schools

LEE COUNTY SCHOOL BOARD
BUDGET DEPARTMENT
2855 COLONIAL BLVD
FORT MYERS FL 33966

PUBLIC SCHOOL - BY STATE LAW / 013

Public Schools

LEE COUNTY SCHOOL BOARD
BUDGET DEPARTMENT
2855 COLONIAL BLVD
FORT MYERS FL 33966

SFWMD-DISTRICT-WIDE / 110

Water District

SFWMD
3301 GUN CLUB RD
WEST PALM BEACH FL 33406

SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084

Water District

SFWMD
3301 GUN CLUB RD
WEST PALM BEACH FL 33406

SFWMD-OKEECHOBEE BASIN / 308

Water District

SFWMD
3301 GUN CLUB RD
WEST PALM BEACH FL 33406

Sales / Transactions

Generated on 7/9/2024 7:41 AM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
3,990,000.00	03/01/2017	2017000045126	01		I
0.00	11/01/1986	1885/2396	01		I
1,529,000.00	11/01/1980	1468/1697	06		I

[View Recorded Plat at LeeClerk.org](#)

Use the above link to do a search on the Lee County Clerk of Courts website, using **3** and **84** for the book and page numbers and **Plats Book** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

Generated on 7/9/2024 7:41 AM

Permit Number	Permit Type	Date
241099	Electric	04/26/2024
240525	Plumbing	02/28/2024
234288	Building Remodel / Repair	10/11/2023
232764	Building Window / Door Replacement	04/24/2023
221098	Roof / Sheds	07/26/2022
211840	Electric	11/16/2021
210752	Site Development - Driveway / Sidewalks	05/25/2021
SGN18-0013	Building Miscellaneous	07/11/2018
MEC18-0239	AC New / Change out	06/06/2018

ELE18-0169	Electric	06/05/2018
PLB18-0110	Plumbing	06/05/2018
COM18-0129	Building Remodel / Repair	05/22/2018
ROF18-0061	Roof	02/22/2018
ELE17-0374	Electric	11/17/2017
PLB17-0239	Plumbing	10/24/2017
COM17-0033	Roof	07/31/2017
FNC16-0033	Fence	05/13/2016
MEC15-0034	AC New / Change out	02/12/2015
SGN14-0017	Building Miscellaneous	01/12/2015
MEC14-0171	AC New / Change out	06/17/2014
MEC14-0172	AC New / Change out	06/17/2014
MEC14-0128	AC New / Change out	05/27/2014
MEC13-0376	AC New / Change out	12/23/2013
PRK12-0011	Building Miscellaneous	12/21/2012
MEC12-0245	AC New / Change out	12/04/2012
ELE11-0170	Electric	10/10/2012
SGN 12-0036	Building Miscellaneous	08/10/2012
SGN12-0030	Building Miscellaneous	07/24/2012
ROF11-0070	Roof	09/20/2011
ROF11-0038	Roof	06/01/2011
COM10-0239	Building Remodel / Repair	12/20/2010
MEC10-0077	AC New / Change out	05/19/2010
FIR10-0008	Fire	03/26/2010
COM09-0190	Building Remodel / Repair	02/09/2010
ELE10-0006	Electric	01/12/2010
MEC09-0122	AC New / Change out	10/12/2009
COM09-0030	Building Remodel / Repair	05/20/2009
FNC09-0009	Fence	04/23/2009
COM09-0014	Building Remodel / Repair	02/24/2009
COM08-0008	Commercial	08/26/2008
DEM2005-00514	Demolition	11/04/2005
FNC2004-01068	Fence	06/30/2004
COM2001-01644	Commercial	11/21/2001
COM2001-00118	Building Remodel / Repair	03/15/2001
FNC2000-00097	Fence	04/12/2000
COM2000-00342	Commercial	03/08/2000
FNC199910262	Fence	09/30/1999
COM199606312	Building Addition	06/19/1996
COM199506061	Commercial	06/29/1995
199409089	Commercial	09/27/1994
COM199301891	Building Miscellaneous	03/01/1993
115019	Commercial	09/21/1992
199009701	Commercial	09/24/1990
COM199009480	Building Miscellaneous	09/17/1990
199002859	Commercial	03/07/1990
811497	Commercial	10/12/1988
715117	Commercial	12/16/1987
611839	Commercial	11/19/1986
112799	Commercial	10/18/1986
77499	Residential	03/20/1981

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History ⓘ

Generated on 7/9/2024 7:41 AM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
19-46-24-04-00002.0010	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 7/9/2024 7:41 AM

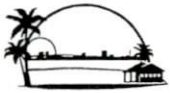
Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	C - Commercial Category	C	36054	1,039.10
	Collection Days			
Garbage	Recycling		Horticulture	
Thursday	Thursday		Thursday	

Flood and Storm Information

Generated on 7/9/2024 7:41 AM

Community	Flood Insurance Panel	Find my flood zone Version	Date	Evacuation Zone
071C	0554	G	11/17/2022	A

Generated on 7/9/2024 7:41 AM



Lee County Tax Collector

Noelle Branning

2023 Paid Real Estate Tax Notice

Ad Valorem Taxes and Non-ad Valorem Assessments for Lee County, Florida

Account Number:
19-46-24-W4-00402.0010
Alternate Key:
2100387332
Millage Code:
277

Site Address / Legal Description:
1661 ESTERO BLVD
HILLS T P SUBD PB 3 PG 84 PT LT 11 DESC
OR 1468 PG 1697 LESS N 275 FT

Exemptions/Values:
Assessed Value 5,514,752

* See message below

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD, MI 48381

Paid 11/21/2023 DP-00-01758352 \$65,058.64

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	4,391,530	0	4,391,530	16,522.25
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	5,514,752	0	5,514,752	12,397.16
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.1820	5,514,752	0	5,514,752	17,547.94
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	4,391,530	0	4,391,530	4,347.61
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	4,391,530	0	4,391,530	416.32
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	4,391,530	0	4,391,530	143.60
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	4,391,530	0	4,391,530	450.57
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.9851	4,391,530	0	4,391,530	13,109.16
FORT MYERS BEACH MOSQUITO	239-463-6350	0.1123	4,391,530	0	4,391,530	493.17
FORT MYERS BEACH LIBRARY	239-463-9691	0.2355	4,391,530	0	4,391,530	1,034.21
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0217	4,391,530	0	4,391,530	95.30
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	4,391,530	0	4,391,530	173.03

Non-Ad Valorem Assessments Levying Authority

	Telephone	Rate	Amount
LEE COUNTY SOLID WASTE ASSESSMENT	239-533-8000		1,039.10

2023 Combined Total Ad Valorem and Non-Ad Valorem:

\$67,769.42

2023 Paid Real Estate

Tax Notice

Account: 19-46-24-W4-00402.0010
Site Address: 1661 ESTERO BLVD,
FORT MYERS BEACH,
33931
Alternate Key: 2100387332

PAY ONLY ONE AMOUNT

If Received By: Amount Due:
Nov 30, 2023 \$0.00

Phone/Email Contact: _____

For payment options and instructions, refer to the back of this notice.

* If the address below is not correct, visit LeePA.org to update your address.

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD, MI 48381

Make check payable to:

LEE COUNTY TAX COLLECTOR
PO BOX 1609
FORT MYERS FL 33902-1609

Paid 11/21/2023 DP-00-01758352 \$65,058.64

Return with payment



IMPORTANT INSTRUCTIONS AND INFORMATION - PLEASE READ

Ad Valorem Taxes cover the period January 1 through December 31 of the tax year indicated on the front of this notice. Tax notices are mailed on or about November 1 and become delinquent April 1. Failure to receive a tax notice does not extend discounts or excuse taxpayers' responsibilities to pay taxes and applicable penalties for late payments. Installment tax notices are mailed in June, September, December and March. Installment payment discounts are: June (6%), September (4.5%) and December (3%).

Governmental Office Responsibilities



Lee County Tax Collector

The Tax Collector prints, mails, and collects payments based on the tax rolls certified by the Property Appraiser and Levying Authorities.

Contact the Tax Collector to:

- Pay your current or delinquent property taxes
- Learn about Partial Payment, Installment Payment, and Homestead Tax Deferral plans
- Print your tax bills and receipts

Phone: 239-533-6000 • Website: LeeTC.com



Lee County Property Appraiser

The Property Appraiser values properties and prepares and certifies the tax roll which includes assessed values, exemptions, legal description, assessed owner(s) name and mailing address.

Contact the Property Appraiser to:

- Ask questions about the assessed value or exemption of your property
- Change your mailing address
- File or check on Homestead and other exemptions

Phone: 239-533-6100 • Website: LeePA.org



Lee County Levying Authorities

Lee County Levying Authorities establish millage rates and assessments based on revenue needed for operating expenses.

Call your Levying Authority with direct questions regarding services provided or rates charged.

A list of Levying Authorities and phone numbers may appear on the front of this notice or can be found on your property tax bill.

Visit LeeTC.com/property-taxes for instructions on viewing your bill.

Discounts

The amounts indicated on the front of this notice represent the total taxes and assessments due (if applicable) less discounts allowed for early payment. When the discount period ends on a weekend or holiday, the discount is extended to the next business day. Taxes are due by March 31 of each year.

4% if paid in **NOVEMBER**

3% if paid in **DECEMBER**

2% if paid in **JANUARY**

1% if paid in **FEBRUARY**

Payment Options

PAY ONLINE



Visit LeeTC.com

Other ways to pay:

Mail: Check or money order.

Phone: 239.533.6000.

In Person: Cash, check, money order, debit card (PIN required), and all major credit cards.

Note: A convenience fee is charged when using a credit or debit card and is subject to service provider rates which may vary. No portion of this fee is retained by the Tax Collector's office.

Note: If using your bank's online bill pay, make sure you allow for processing time so payment arrives by the received date listed on the front of this notice.

Delinquent Taxes

Payment of delinquent taxes must be made in certified U.S. funds drawn on a U.S. bank. The amount due is determined by the date payment is received. Failure to pay delinquent taxes could result in the loss of your property. On April 1 the following charges are imposed by Florida Law:

Real Estate: 3% minimum interest and advertising costs.

A tax certificate sale is held on or before June 1 resulting in additional charges.

Tangible Personal Property: 18% interest annually, cost of advertising, and fees. Tax warrants will be issued on all unpaid personal property taxes on or about June 1.

Confirm Payment

Confirm receipt of your payment online at our official website LeeTC.com. Your taxes are not considered paid until your payment clears our bank and is applied to your tax account.

Have you met Edison?

Edison is our automated chatbot that can answer many of your questions relating to property taxes and much more. Available 24/7, you can find Edison at the bottom of our website, LeeTC.com.



Property Sold: forward this notice to the new owner(s).

NOTICE: Pursuant to Florida Statute 590.125(5), be advised that the Florida Forest Service may be performing prescribed burning and/or other treatments in a project area that includes your property in Lee County, Florida. These efforts are to reduce fuel loads and threat of wildfires. These projects are planned to occur from the date of this notice until the same date the following year. This service is provided at no cost to the affected landowner(s). Contact the Florida Forest Service if you have questions regarding this service at: 10941 Palm Beach Blvd., Fort Myers, FL 33905, or 239.690.8001.

Our Mission: Deliver 5-Star service quickly and efficiently through an organizational culture that values customers, team, and community.



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

March 21, 2024

CASE NUMBER:	20240249
CERTIFIED MAIL:	9589071052700183636772

Key Estero Shops LLC
1661 Estero Blvd
Fort Myers Beach, FL 33931

SITE ADDRESS: 1661 ESTERO BLVD
PARCEL STRAP NO: 194624W4004020010

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **03/18/2024** by Town of Fort Myers Beach Code Enforcement Officer **D. Batt** indicates that the property is in violation of the following Town Code(s):

34-3203: For the operation of a shared parking lot to the public for a fee per vehicle space without first obtaining the required Use Permit.

Sec. 34-3203. - Illegal buildings, uses and lots. "If a building, use, or lot was not lawful when created and cannot be lawfully modified to comply with this code, it shall not be considered nonconforming but shall be deemed an illegal building, use, or lot and thus not afforded the protection provided by this article to nonconforming buildings, uses or lots.

(1) Illegal buildings or uses must be lawfully modified to comply with this code or must be removed in accordance with § 34-1(c) of this chapter.

(2) Illegal lots must be lawfully combined with adjoining land so as to conform with this code, or must remain vacant but still be maintained in accordance with the property maintenance code in division 1, article I, ch. 6 of this code and other town regulations.

The Violation(s) can be brought into compliance by 04/27/2024. Please contact Permitting Dept. and acquire the required Use permit. #(239)220-6955 You are hereby directed to bring these violations into compliance within 30 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special

Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at (239) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

9589 0710 5270 0183 6367 89

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Milford, MI 48381

OFFICIAL USE

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.92

Total Postage and Fees \$5.32

Sent To Lora Naccarato 20240249

Street and Apt. No., or PO Box No. 3220 Pine Cone Ct 1661 Estero

City, State, ZIP+4® Milford, MI 48381 Nov Agent

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0183 6367 96

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Milford, MI 48381

OFFICIAL USE

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

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☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.92

Total Postage and Fees \$5.32

Sent To Key Estero Shop LLC 20240249

Street and Apt. No., or PO Box No. 3220 Pine Cone Ct 1661 Estero

City, State, ZIP+4® Milford, MI 48381

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0183 6367 72

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Fort Myers Beach, FL 33931

OFFICIAL USE

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.92

Total Postage and Fees \$5.32

Sent To Key Estero Shops 1661 Estero

Street and Apt. No., or PO Box No. 1661 Estero Blvd 20240249

City, State, ZIP+4® Ft Myers Beach, FL 33931 Nov Prop

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Mar 18, 2024 at 3:12:15 PM
Town of Fort Myers Beach



Exhibit A

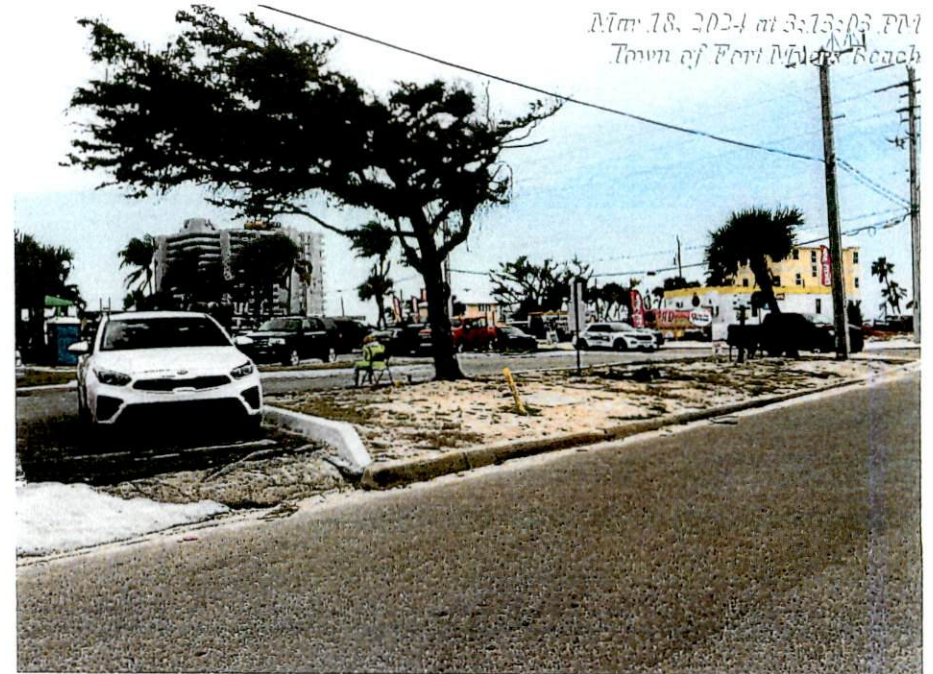
Mar 18, 2024 at 3:13:10 PM
Town of Fort Myers Beach



Mar 18, 2024 at 3:13:28 PM
Town of Fort Myers Beach



Mar 18, 2024 at 3:13:03 PM
Town of Fort Myers Beach



After Recording Return To:
Mandy Schutt FRP
Schutt Law Firm, P.A.
12601 New brittany Blvd.
Fort Myers, FL 33907

This Instrument Prepared by:
Mandy Schutt FRP
Schutt Law Firm, P.A.
12601 New Brittany Blvd.
Fort Myers, FL 33907
as a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s):
19-46-24-W4-00402.0010
File No.: 1610020

WARRANTY DEED

This Warranty Deed, made the 1st day of March, 2017, by **Beate Rotermund, Inc., a Florida Corporation**, hereinafter called the grantor, whose post office address is: 3333 Renaissance Blvd., Suite 213, Bonita Springs, FL 34134, to **Key Estero Shops, LLC, a Michigan Limited Liability Company**, whose post office address is: 3220 Pine Cone Court, Milford, MI 48381, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$3,990,000.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida, to wit:

A tract or parcel of land lying in Lot 11, T.P. HILL'S SUBDIVISION, as recorded in Plat Book 3 at page 84, of the Public Records of Lee County, Florida, described as follows:

BEGIN at a concrete monument marking the Southeast corner of said Lot 11; thence run N 68° 52' 30" W. along the Northerly R/W of Estero Boulevard, a distance of 274.39' to the Easterly R/W of Carolina Ave.; thence run N 1° 00' E. along said Easterly R/W, a distance of 652.21'; thence run S 89° 16' E., a distance of 254.16' to the Easterly line of said Lot 11, thence run S 0° 44' W., a distance of 747.81' to the Point of Beginning.

LESS AND EXCEPT the North 275 feet as described in Official Record Book 1781 at Page 3018.

The property is not the homestead of the Grantor(s).

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 2016, reservations, restrictions and easements of record, if any.

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES
TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: [Signature]
Printed Name: Darwin L. Scott

Witness Signature: [Signature]
Printed Name: Vronne M. Lucas

BEATE ROTERMUND, INC.
[Signature]
Ulrich Rotermund
President

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 1st day of March, 2017 by Ulrich Rotermund as President of Beate Rotermund, Inc., a Florida Corporation on behalf of said entity. He is personally known to me or has produced German Passport as identification.

My Commission Expires: _____
[Signature]
Notary Public Signature
Printed Name: _____
Serial Number Nichole L. Grimes





EXHIBIT E

Sec. 34-3203. - Illegal buildings, uses and lots.

If a building, use, or lot was not lawful when created and cannot be lawfully modified to comply with this code, it shall not be considered nonconforming but shall be deemed an illegal building, use, or lot and thus not afforded the protection provided by this article to nonconforming buildings, uses or lots.

- (1) Illegal buildings or uses must be lawfully modified to comply with this code or must be removed in accordance with § 34-1(c) of this chapter.
- (2) Illegal lots must be lawfully combined with adjoining land so as to conform with this code, or must remain vacant but still be maintained in accordance with the property maintenance code in division 1, article I, ch. 6 of this code and other town regulations.

Sec. 2-429. - Notices.

- (a) All notices required by this article will be provided to the alleged violator by: (i) certified mail, return receipt requested, subject to the provisions of subsection (b) below; or (ii) by hand delivery by the sheriff or other law enforcement officer, code enforcement officer, or other person designated by the director; or (iii) by leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or (iv) in the case of commercial premises, leaving the notice with the manager or other person in charge.
- (b) If notice is sent via certified mail, return receipt requested, to the owner of the property in question at the address listed in the Lee County Tax Collector's Office for tax notices, and at any other address provided to the town by such owner, and is returned as unclaimed or refused, notice may be provided by posting as described in subsections (c)(1) and (2) below, and by first class mail directed to the addresses furnished to the town, with a properly executed proof of mailing or affidavit confirming the first class mailing.
- (c) In addition to provision of notice as set forth in subsection (a), notice may also be served by publication or posting, as follows:
 - (1) Such notice will be published once during each week for four consecutive weeks (four publications being sufficient) in a Lee County newspaper of general circulation. The newspaper must meet the requirements prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication must be made in accordance with F.S. §§ 50.041 and 50.051.
 - (2) In lieu of publication as described in subsection (c)(1) above, such notice may be posted for at least ten days prior to the hearing or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which must be the property upon which the violation is alleged to exist and the other must be at Town Hall for the Town of Fort Myers Beach. Proof of posting must be by affidavit of the person posting the notice. The affidavit must include a copy of the notice posted and the date and places of its posting.
 - (3) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a) above.
- (d) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsections (a) and (b), together with proof of publication or posting as provided in subsection (c), will be sufficient to show the notice requirements of this article have been met, without regard to whether or not the alleged violator actually received such notice.

EXHIBIT F



Town of Fort Myers Beach
NOTICE OF CODE ENFORCEMENT HEARING
 2731 Oak Street Fort Myers Beach, FL 33931
 Phone: (239) 765-0202 Fax: (239) 765-0909

07/09/2024

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD, MI 48381,
Respondent.

Case Number:	20240249
Certified Mail:	70222410000084691901
Regular Mail:	

SITE ADDRESS: **1661 ESTERO BLVD**
 PARCEL STRAP NO: **194624W4004020010**

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article V of the Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer has documented that (an) uncorrected violation(s) of one or more codes of the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, previously provided to you (a copy of which is enclosed herewith), exists on the above-described property. A hearing before the Town's Code Enforcement Special Magistrate concerning the violation(s) has, therefore, been scheduled for **at 08/06/2024 at 1:30 P.M.** in the Council Chambers at Town Hall, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town to the Special Magistrate in relation to this hearing can be viewed and accessed in advance of the hearing at the link below:

<http://www.fortmyersbeachfl.gov/209/Meetings-Agendas>

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other any other action(s) that may affect your rights. If you believe you have come into compliance, it is your responsibility to contact the Code Enforcement Division so that an inspection can be performed to determine compliance.

D. Batt

Code Enforcement Officer
 Town of Fort Myers Beach

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE NOTIFY THE TOWN CLERK FOR THE TOWN OF FORT MYERS BEACH, 2525 ESTERO BLVD. FORT MYERS BEACH, FL 33931; TELEPHONE NUMBER (239) 765-0202, AT LEAST 72 BUSINESS HOURS BEFORE THE HEARING DATE.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE MAY NEED TO ENSURE AT THEIR OWN EXPENSE FOR THE TAKING AND PREPARATION OF A



Town of Fort Myers Beach
NOTICE OF CODE ENFORCEMENT HEARING
 2731 Oak Street Fort Myers Beach, FL 33931
 Phone: (239) 765-0202 Fax: (239) 765-0909

07/09/2024

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

Lora Naccarato Registered Agent for
KEY ESTERO SHOPS LLC
3220 Pine Cone Ct
Milford, MI 48381,

Respondent.

SITE ADDRESS: 1661 ESTERO BLVD
PARCEL STRAP NO: 194624W4004020010

Case Number:	20240249
Certified Mail:	70222410000084691918
Regular Mail:	

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D. Batt

Code Enforcement Officer
 Town of Fort Myers Beach

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IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY

MATTER CONSIDERED AT HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE MAY NEED TO ENSURE AT THEIR OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE BY A COURT REPORTER UPON WHICH THE APPEAL IS TO BE BASED.



Town of Fort Myers Beach
NOTICE OF CODE ENFORCEMENT HEARING
 2731 Oak Street Fort Myers Beach, FL 33931
 Phone: (239) 765-0202 Fax: (239) 765-0909

07/09/2024

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

Key Estero Shops Registered Agent for
KEY ESTERO SHOPS LLC
1661 Estero Blvd
Fort Myers Beach, FL 33931,

Respondent.

Case Number:	20240249
Certified Mail:	70222410000084691925
Regular Mail:	

SITE ADDRESS: **1661 ESTERO BLVD**
 PARCEL STRAP NO: **194624W4004020010**

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article V of the Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer has documented that (an) uncorrected violation(s) of one or more codes of the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, previously provided to you (a copy of which is enclosed herewith), exists on the above-described property. A hearing before the Town's Code Enforcement Special Magistrate concerning the violation(s) has, therefore, been scheduled for **at 08/06/2024 at 1:30 P.M.** in the Council Chambers at Town Hall, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town to the Special Magistrate in relation to this hearing can be viewed and accessed in advance of the hearing at the link below:

<http://www.fortmyersbeachfl.gov/209/Meetings-Agendas>

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other any other action(s) that may affect your rights. If you believe you have come into compliance, it is your responsibility to contact the Code Enforcement Division so that an inspection can be performed to determine compliance.

D. Batt

Code Enforcement Officer
 Town of Fort Myers Beach

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE NOTIFY THE TOWN CLERK FOR THE TOWN OF FORT MYERS BEACH, 2525 ESTERO BLVD. FORT MYERS BEACH, FL 33931; TELEPHONE NUMBER (239) 765-0202, AT LEAST 72 BUSINESS HOURS BEFORE THE HEARING DATE.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY

MATTER CONSIDERED AT HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE MAY NEED TO ENSURE AT THEIR OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE BY A COURT REPORTER UPON WHICH THE APPEAL IS TO BE BASED.



FMBgov.com

Dan Allers, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

Prepared by:

Thomas Yozzo
Code Compliance Manager
The Town of Fort Myers Beach
2731 Oak Street
Fort Myers Beach, FL 33931

SATISFACTION AND RELEASE OF CODE ENFORCEMENT LIEN

Property Owner: Key Estero Shops LLC

Strap/Parcel: #19-46-24-W4-00402.0010

Property Address: 1661 Estero Blvd, Fort Myers Beach, FL33931

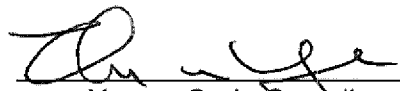
KNOW ALL BY THESE PRESENTS that the Town of Fort Myers Beach, a Florida municipal government, having an address of 2731 Oak St., Fort Myers Beach, Lee, Florida 33931, having heretofore filed a **Claim of Lien for Code Compliance Civil Violation** as authorized by Town Code, under **Code Compliance Case**.

That as of the date hereof, the Town of Fort Myers Beach does hereby release all the liens associated with Code Compliance case CE19-0026; said Release of Lien related to the following described real property located in Fort Myers Beach, Florida, under instrument #2020000215556 and recorded on 009/11/2020: Wit.

Property Description:

HILLS T P SUBD PB 3 PG 84 PT LT 11 DESC OR 1468 PG 1697 LESS N 275 FT

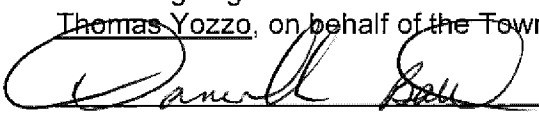
This Satisfaction and Release of Lien is being recorded in the Public Records of Lee County, Florida, to give notice to all persons that the Property noted above has satisfied the requirements set forth in the Claim of Lien, and the Town of Fort Myers Beach no longer claims a lien against the Property for this code compliance case.

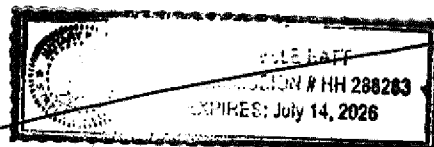
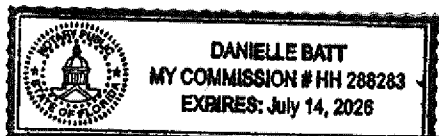
By: 
Thomas Yozzo, Code Compliance Manager
For the Town of Fort Myers Beach, Florida

03/19/2024
Date

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 19th day of March, 2024, by Thomas Yozzo, on behalf of the Town of Fort Myers Beach, who is personally known to me.
(Seal below)


Notary Public, State of Florida



FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2525 Estero Boulevard, Fort Myers Beach, FL 33931

**Instrument Prepared by and Return to:
Fort Myers Beach Code Enforcement
2525 Estero Blvd.
Fort Myers Beach, Florida 33931**

**TOWN OF FORT MYERS BEACH, FLORIDA
CODE ENFORCEMENT**

AFFIDAVIT OF COMPLIANCE

**STATE OF FLORIDA)
COUNTY OF LEE)**

BEFORE ME, the undersigned authority, personally appeared Bill Stout, Code Enforcement Officer for the Town of Fort Myers Beach, FL, who after being duly sworn, deposes and says:

1. On the 30th day of January, 2020, Key Estero Shops, LLC ("Property Owner") was found in violation of Section 34-3203 of the Town of Fort Myers Beach Land Development Code- "Illegal Buildings, Uses and Lots", for operating an illegal parking lot at the property located at 1661 Estero Blvd., Fort Myers Beach, FL ("Subject Property") by virtue of a Code Enforcement Order by the Special Magistrate in CE Case No. CE19-0026.
2. The Order was recorded as Instrument No. 2020000042745 on the 18th day of February 2020, in the public records of Lee County, Florida.
3. The Property Owner was given 30 days to come into compliance with the Special Magistrate's Order, which was to occur on or before the 29th day of February 2020.

4. On the 2nd day of March 2020, according to available records in possession of the Town of Fort Myers Beach, an inspection was completed by a Code Enforcement Officer, who found the Subject Property was still in violation of Town Code.
5. On the 20th day of August 2020, a Hearing to Impose Lien was held before the Special Magistrate, who certified the fines, and ordered the fines to continue to accrue at a rate of \$200.00 per day until compliance was achieved.
6. The Order Imposing Lien was recorded as Instrument No. 2020000215556 on the 11th day of September 2020, in the public records of Lee County, Florida.
7. On September 28, 2022, the Town was under a State of Emergency due to Hurricane Ian, a Category V storm, which required evacuation and upon landfall severely destroyed the residences and businesses as well as the Town's infrastructure. Access to the Town was closed for several weeks. There was an impossibility of a continued violation to exist as of September 28, 2022. Therefore, the Subject Property was found in compliance as of September 28, 2022.
8. In summary, the Subject Property was not in compliance for 942 days with a fine that accrued at \$200.00 per day for a total fine of \$188,400.00, plus \$75.00 in administrative fees for a total amount of \$188,475.00 due to the Town to satisfy the lien.
9. Once the lien is paid and satisfied, the Enforcement Case No. CE19-0026 will be closed and a copy of the Satisfaction/Release will be recorded in the Official Records of Lee County, Florida.
10. I have personal knowledge of all these facts based on my review of records in possession of the Town of Fort Myers Beach, Florida.

FURTHER AFFIANT SAYETH NOT.

Signed on this 23 day of FEBRUARY, 2024.

Bill Stout

Print Name: Bill Stout
Code Enforcement Officer

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23 day of February, 2024 by Bill Stout, as Code Officer, who is personally known to me or has produced _____ as identification.



Kristin Schumacher
Signature of Notary

Kristin Schumacher
(Name typed, printed or stamped)

My Commission expires: April 5, 2028

PARCEL #: 19-46-24-W4-00402.0010
This Document Prepared By and Return To:
Town of Fort Myers Beach Code Enforcement Department
2525 Estero Blvd.
Fort Myers Beach, FL 33931

**CODE COMPLIANCE SPECIAL MAGISTRATE
FOR
THE TOWN OF FORT MYERS BEACH, FLORIDA**

TOWN OF FORT MYERS BEACH, FLORIDA,

Petitioner,

vs.

CASE NO. CE19-0026

KEY ESTERO SHOPS, LLC,

Respondent.

CODE ENFORCEMENT ORDER IMPOSING LIEN

THIS CAUSE came on for public hearing on August 20, 2020, before the undersigned Special Magistrate for the Town of Fort Myers Beach, with the Respondent, Key Estero Shops, LLC appearing by and through its designated representative, Robert Burandt, Esq. Having considered the sworn testimony, evidence and arguments presented, the Special Magistrate finds and orders as follows:

A. FINDINGS OF FACT:

1. The Respondent, Key Estero Shops, LLC ("Respondent"), is the owner, lessee, responsible entity or otherwise in charge of or responsible for the subject property located at 1661 Estero Blvd., Fort Myers Beach, FL 33931 ("Property"), legally described as:

A tract or parcel of land lying in Lot 11, T.P. HILL'S SUBDIVISION, as recorded in Plat Book 3 at Page 84, of the Public Records of Lee County, Florida, described as follows:

Begin at a concrete monument marking the Southeast corner of said Lot 11; thence run N 68°52'30"W. along the Northerly R/W of Estero Boulevard, a distance of 274.39' to the Easterly R/W of Carolina Ave.; thence run N 1°00'E along said Easterly R/W, a distance

of 652.21'; thence run S 89°16'E., a distance of 254.16' to the Easterly line of said Lot 11, thence run S 0°44'W., a distance of 747.81' to the Point of Beginning.

LESS AND EXCEPT the North 275 feet as described in Official Record Book 1781 at Page 3018.

2. The Respondent was served with a Notice of Violation ("NOV") alleging the existence of a violation of the Town of Fort Myers Beach Code of Ordinances ("Town Code") on the Property.
3. The NOV specified that Respondent was required to correct the violation by a time certain, but Respondent failed to do so.
4. The Respondent was served with a Notice of Hearing as a result of non-compliance with the NOV, and on January 30, 2020, a hearing took place at which competent substantial evidence was entered into the record. Accordingly, the Town of Fort Myers Beach Special Magistrate ("Special Magistrate") entered an Order of Enforcement finding the Respondent in violation of Section 34-3203 of the Town Code.
5. The Respondent has not complied with the Order of Enforcement, not paid the accrued fine in the amount of \$34,400.00, which began to accrue on March 1, 2020 and continues to accrue in the amount of \$200.00 per day, nor paid the administrative fee/cost of prosecution in the amount of \$75.00.
6. Due to noncompliance with the Order of Enforcement, a Notice of Hearing was served on the Respondent stating a hearing to impose lien would take place on August 20, 2020.

B. CONCLUSION OF LAW:

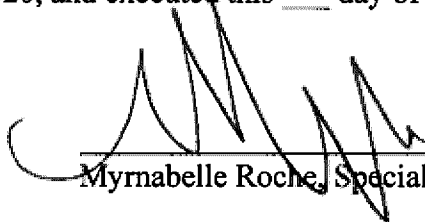
1. Respondent, by reason of the foregoing facts, is in violation of Town Code and has not complied with the Order of Enforcement.

C. ORDER/IMPOSITION OF LIEN:

1. The Special Magistrate certifies that a fine in the amount of \$34,475.00, has accrued as of the date of this hearing and continues to accrue in the amount of \$200.00 per day for every day that Respondent is in non-compliance with the Order of Enforcement previously entered in this case.
2. This Order may be recorded in the public records of Lee County, Florida or in any other county in the State of Florida where Respondent owns property and if so recorded shall constitute a lien against the Property and any other real or personal property that Respondent owns in Lee County or other county in the State of Florida.

3. **The Respondent is ordered to contact the Town of Fort Myers Beach Code Enforcement Department to re-inspect the property to verify compliance. A COMPLIANCE RE-INSPECTION WILL NOT be conducted unless the Respondent contacts the Town of Fort Myers Beach Code Enforcement Department.**

ORDERED this 20th day of August, 2020, and executed this 2 day of Sept., 2020.


Myrabelle Roche, Special Magistrate

APPEAL: An aggrieved party may appeal an Order of the Special Magistrate of the Town of Fort Myers Beach to the Lee County Circuit Court. The appeal shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

PAYMENT OF ADMINISTRATIVE COSTS AND FINES: Checks should be made payable to "Town of Fort Myers Beach," include the case number and mailed to:

Town of Fort Myers Beach
Attention: Code Enforcement
2525 Estero Boulevard
Fort Myers Beach, FL 33931

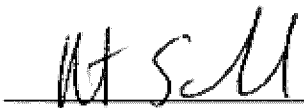
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the Order was sent by U.S. Mail on the 9 day of September, 2020 to:

Key Estero Shops, LLC
3220 Pine Cone Ct.
Milford, MI 48381

Lora Naccarato, Registered Agent for:
Key Estero Shops, LLC
3220 Pine Cone Ct.
Milford, MI 48381

Robert R. Burandt, Esq.
Burandt, Adamski, Feichthaler, & Sanchez, PLLC
1714 Cape Coral Parkway East
Cape Coral, Florida 33904


Code Compliance Coordinator

I certify this document to a be true and correct copy of the original on file in Town Hall, Fort Myers Beach, State of Florida, County of Lee.

BY:

At Sell

Dated

9/9/2020



Town of Fort Myers Beach

CODE COMPLIANCE

2523 Estero Blvd Fort Myers Beach, Florida 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

1/31/2019

**KEY ESTERO SHOPS LLC
3220 PINE CONE CT
MILFORD, MI 48381**

CASE NUMBER:	CE19-0026
CERTIFIED MAIL:	7018 2290 0001 4413 8365

**SITE ADDRESS: 1661 ESTERO BLVD
PARCEL STRAP NO: 194624W4004020010**

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **1/31/2019** by Town of Fort Myers Beach Code Enforcement Officer **JOE KONTOMANOLIS** indicates that the following items are a violation:

Operating Parking Lot w/out a USE Permit

These items are a violation of the following Town Codes:

LDC Sec. 34-3203. - Illegal buildings, uses and lots.

If a building, use, or lot was not lawful when created and cannot be lawfully modified to comply with this code, it shall not be considered nonconforming but shall be deemed an illegal building, use, or lot and thus not afforded the protection provided by this article to nonconforming buildings, uses or lots.

(1) Illegal buildings or uses must be lawfully modified to comply with this code or must be removed in accordance with § 34-1(c) of this chapter.

(2) Illegal lots must be lawfully combined with adjoining land so as to conform with this code, or must remain vacant but still be maintained in accordance with the property maintenance code in division 1, article I, ch. 6 of this code and other town regulations.

You are hereby directed to abate or remedy these violations within **30 days** of receipt of this notice.

***The violation(s) can be abated or corrected by:
Obtain a permit and pass all subsequent inspections***



Town of Fort Myers Beach

CODE COMPLIANCE

2523 Estero Blvd Fort Myers Beach, Florida 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

ONCE YOU HAVE ABATED OR CORRECTED THE VIOLATIONS, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED BY A CODE OFFICER TO VERIFY THAT THE VIOLATION(S) HAVE BEEN ABATED OR CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is (are) abated and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at (239) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

JOE KONTOMANOLIS

Code Enforcement Officer

Town of Fort Myers Beach

Received By: _____ Date: _____

Property Address and Owner:

Hearing Date: August 6, 2024

Case Number: 20240316
Subject: Maintaining of a property in need of repair and/or
demolition
Code Section: LDC Sec. 6-111 - Adoption; amendments
103.5 Unsafe buildings or systems
Code Officer: D. Batt

Subject:

The maintaining of a property with structure(s) in need of repair and/or demolition.

Code Section:

LDC Sec. 6-111 - Adoption; amendments
103.5 Unsafe buildings or systems

Reference Number:

20240316

Strap Number:

33-46-24-W2-0030D.0050

Officer:

D. Batt

Narrative:

Case Number: 20240316
Subject: Maintaining of a property in need of repair and/or
demolition
Code Section: LDC Sec. 6-111 - Adoption; amendments
103.5 Unsafe buildings or systems
Code Officer: D. Batt

Attachments:

1. 5740 Lauder St Case File
2. Exhibit A- Establishment of Ownership
3. Exhibit B- Photos of Initial Site Inspection
4. Exhibit C- Notice of Violation and Service
5. Exhibit D- Affidavit of Non-Compliance
6. Exhibit E- Referenced Town of Fort Myes Beach Code of Ordinances
7. Exhibit F- Notice of Hearing

Town Recommendations:

The Town requests that an order be issued affording the appropriate relief, including but not limited to an order to correct the above-listed violation(s) and/or the imposition of an administrative fee of \$250.00 to cover costs in bringing this matter before the Special Magistrate, a fine not to exceed \$250.00 for each day each violation continues past the date for compliance or \$500.00 for each day each violation was repeated, and for such other and further relief as is consistent with the powers of the Special Magistrate. The matter has been referred to the Building Official for review for possible demolition under the Unsafe Building Ordinance.

Town Approvals:

Date: July 29, 2024

Thomas Yozzo, Operations & Compliance Manager

Date: July 29, 2024

nancy stuparich, Town Attorney



Case #: 20240316

Case Date: 04/02/24

Case Type:

Case Type: Property Maintenance

Description: The maintaining of a property with structure(s) in need of repair and/or demolition.

Status: NOH

Contractor Name:

Compliance Date of Violation:

Hearing Date:

Completion Date of Site Inspection: 04/02/2024

Time of Site Inspection:

Citation Number:

How to bring violation into Compliance: 05/08/2024. Please Contact permitting #239-765-0202 to acquire necessary permit(s) and bring property into full compliance by either repair or demolition.

Days to Comply: 30

Referred:

Case Closed:

Status: NOH

Assigned To: D. Batt

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
334624W20030D0050	5740 LAUDER ST	MCPHIE PARK UNIT 1 BLK D PB 8 PG 52 LOT 5	MCCARTHY WENDY L + UNKNOWN HEIRS OF MCCARTHY JANET E		RS-1

Activities

Date	Activity Type	Description	Employee	Status
04/02/2024	*Site Inspection	Onsite inspection on this date revealed violation 6-111 section 103.5 for the maintaining of a property with structure(s) in need of repair and/or demolition. No contact with anyone while on property. Photos	D. Batt	*Violation

		taken for the file. NOV prepared for certified mailing to the property owner on record and a copy prepared for posting to the property.		
04/04/2024	*Site Inspection	Onsite posted property with Copy of NOV. No contact with anyone while on property. Photos taken for the file. Sent Certified Mail copy of NOV and copy of receipt in file.	Randy Sobel	*Violation
05/13/2024	*Site Inspection	Onsite reinspection on this date revealed that the violation continues and no progress has been made. No contact with anyone connected to the property, but the complainant and neighbor Charles Turner came out and spoke with me. I advised him I would be moving the case for further enforcement and starting the Special Magistrate process. Photos taken for the file.	D. Batt	*Violation
07/08/2024	*Site Inspection	Onsite reinspection on this date revealed that the violation continues. No contact with anyone while on property. Photos taken for the file. Prepared Special Magistrate packet.	D. Batt	*Violation
07/09/2024	*Site Inspection	Created Special Magistrate packet and gave it to K. Schumaker for finish and process. Received back from K. Schumaker for mailing and postings.	D. Batt	*Violation
07/10/2024	*Site Inspection	Copies of Special Magistrate packet and Notice of hearing posted to Town Hall, posted to the violation property, sent to the property owner of record certified mail and uploaded to the town website for publication. Copy of Certified mail receipt and photos of postings in file.	D. Batt	*Violation

Violations

Date	Violation	Description	Notes	Status
04/03/2024	Unsafe buildings Chapter 6-111 adopting the Florida Building Code as amended Sec.103.5:	Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical, or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and must be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Unsafe Building Abatement Code (see article I of this chapter).		Open

Attached Letters

Date	Letter	Description
07/09/2024	Notice of Code Enforcement Hearing	
07/09/2024	Affidavit of Compliance/Non-Compliance	
04/03/2024	Notice of Violation	

Notes

Date	Note	Created By:
2024-05-11	Received a voicemail from the complainant Charlie Turner #239-826-7507 requesting a call back with an update. I called with negative results leaving a voicemail.	D. Batt
2024-05-11	Received a call back from Charlie Turner who I updated as to the case information and advising our next step could and most likely would be starting the Special Magistrate process.	D. Batt
2024-04-11	Signed certified mail receipt returned and copy in documents.	D. Batt

Uploaded Files

Date	File Name
------	-----------

07/10/2024	21549823-20240316 Property Posting Notice of Hearing and SM Packet Photos.pdf
07/10/2024	21549822-20240316 Town Hall Posting of Notice of Hearing and SM Packet Photo.pdf
07/10/2024	21549821-20240316 Special Magistrate Certified Mail Receipt.pdf
07/10/2024	21539882-20240316 Notice of Hearing and SM Packet.pdf
07/09/2024	21532546-20240316 Reinspection Photos 7-8-24.pdf
05/20/2024	20732835-20240316 Tax Collector DB 20240520.pdf
05/13/2024	20648173-20240316 Reinspection Photos DB 20240513.pdf
04/11/2024	19653807-20240316 Certified Mail Return Receipt DB 20240411.pdf
04/04/2024	19572071-20240316 NOV Posting Photo DB 20240404.pdf
04/04/2024	19571631-20240316 Certified Mail Signed Receipt DB 20240404.pdf
04/03/2024	19541600-20240316 Property Appraiser DB 20240403.pdf
04/03/2024	19541599-20240316 NOV DB 20240402.pdf
04/03/2024	19541598-20240316 Initial Inspection Photos DB 20240402.pdf
04/03/2024	19541597-20240316 Certified Mail Receipt DB 20240402.pdf

EXHIBIT A

2015 Values	2015	263,395	124,200	263,395	176,496	41,626	0	134,870
2014 Values	2014	232,096	108,000	232,096	165,979	41,097	0	124,882
2013 Values	2013	227,493	101,400	227,493	155,922	40,120	0	115,802
2012 Values	2012	165,094	90,000	165,094	146,578	39,031	0	107,547
2011 Values	2011	185,599	90,000	185,599	124,327	50,500	0	73,827
2010 Values	2010	168,621	90,000	168,621	122,490	50,500	0	71,990
	2009	209,630	92,000	209,630	119,270	50,500	0	68,770
	2008	357,710	225,000	357,710	119,150	50,000	0	69,150
	2007	384,720	250,000	0	115,680	25,000	0	90,680
	2006	275,920	180,000	0	112,860	25,000	0	87,860
	2005	219,200	142,500	0	109,570	25,000	0	84,570
	2004	204,190	131,250	0	106,380	25,000	0	81,380
	2003	236,590	78,750	0	104,400	25,000	0	79,400
	2002	179,300	39,750	0	101,950	25,000	0	76,950
	2001	169,070	39,750	0	100,340	25,000	0	75,340
	2000	149,420	33,750	0	97,420	25,000	0	72,420
	1999	140,840	31,880	0	94,860	25,000	0	69,860
	1998	121,530	31,880	0	93,370	25,000	0	68,370
	1997	91,810	31,880	0	91,810	25,000	0	66,810
	1996	89,230	31,880	0	89,230	25,000	0	64,230
	1995	91,430	30,000	0	91,430	25,000	0	66,430
	1994	94,860	30,000	0	94,860	25,000	0	69,860
	1993	96,360	22,500	0	96,360	25,000	0	71,360
	1992	105,440	22,500	0	105,440	25,000	0	80,440

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461 \(6\)\(a\)](#)). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current Working Values)

Generated on 7/9/2024 2:26 PM

Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	1.00	Units

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
103 - Split Entry/Raised Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	3.0	1973	1986

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,008
FLG - FINISHED LOWER GARAGE	N	288
FLL - FINISHED LOWER LEVEL	N	864
FOP - FINISHED OPEN PORCH	N	192

FLL - FINISHED LOWER LEVEL
 FOP - FINISHED OPEN PORCH
 STP - STOOP

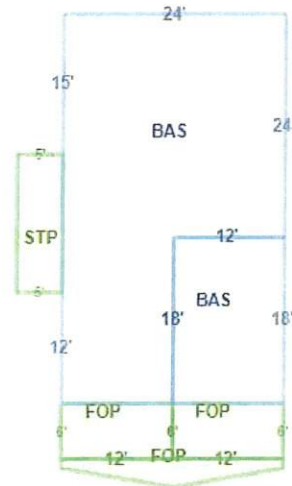
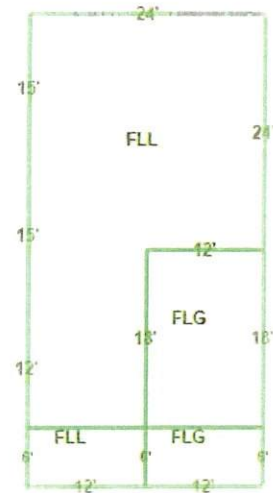
N 864
 N 192
 N 75

Building Front Photo



Photo Date: May of 2003

Building Footprint



Taxing Authorities

Generated on 7/9/2024 2:26 PM

TOWN OF FT MYERS BEACH / 032

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931

LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions

Generated on 7/9/2024 2:26 PM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
0.00	09/12/2013	2013000210327	11	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	
0.00	09/10/2013	2013000213483	11	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	
10.00	10/19/2012	2013000027195	11		
0.00	12/20/2011	2013000213484	XX	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	
45,000.00	08/05/2008	2008000219395	08		
100.00	02/13/2007	2007000059268	03		
0.00	02/07/2007	2007000059267	03		
44,000.00	04/01/1976	1137/341	06		

[View Recorded Plat at LeeClerk.org](#)

Use the above link to do a search on the Lee County Clerk of Courts website, using **8** and **52** for the book and page numbers and **Plats Book** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

Generated on 7/9/2024 2:26 PM

Permit Number	Permit Type	Date
ROF2005-01363	Roof	02/07/2005

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History ⓘ

Generated on 7/9/2024 2:26 PM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
33-46-24-03-0000D.0050	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 7/9/2024 2:26 PM

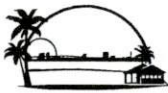
Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	R - Residential Category		1	302.38
Garbage	Collection Days			
Thursday	Recycling			
	Thursday	Horticulture		
		Thursday		

Flood and Storm Information

Generated on 7/9/2024 2:26 PM

Community	Flood Insurance	Find my flood zone	Date	Evacuation Zone
071C	Panel	Version		
	0566	G	11/17/2022	A

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Lee County Tax Collector

Noelle Branning

2023 Paid Real Estate Tax Notice

Ad Valorem Taxes and Non-ad Valorem Assessments for Lee County, Florida

Account Number:
33-46-24-W2-0030D.0050
Alternate Key:
2100593690
Millage Code:
032

Site Address / Legal Description:
5740 LAUDER ST

MCPHIE PARK UNIT 1 BLK D PB 8 PG 52 LOT
5

Exemptions/Values:

Assessed Value 259,188
Homestead Exemption 25,000
Additional Homestead Exemption 25,000

* See message below

MCCARTHY WENDY L &
UNKNOWN HEIRS OF MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

Paid 11/28/2023 EEX-00-01819197 \$3,193.21

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	259,188	50,000	209,188	787.03
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	259,188	25,000	234,188	526.45
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.1820	259,188	25,000	234,188	745.19
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	259,188	50,000	209,188	207.10
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	259,188	50,000	209,188	19.83
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	259,188	50,000	209,188	6.84
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	259,188	50,000	209,188	21.46
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.9851	259,188	50,000	209,188	624.45
FORT MYERS BEACH MOSQUITO	239-463-6350	0.1123	259,188	50,000	209,188	23.49
FORT MYERS BEACH LIBRARY	239-463-9691	0.2355	259,188	50,000	209,188	49.26
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0217	259,188	50,000	209,188	4.54
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	259,188	50,000	209,188	8.24

Non-Ad Valorem Assessments Levying Authority

	Telephone	Rate	Amount
LEE COUNTY SOLID WASTE ASSESSMENT	239-533-8000		302.38

2023 Combined Total Ad Valorem and Non-Ad Valorem:

\$3,326.26

2023 Paid Real Estate

Tax Notice

Account: 33-46-24-W2-0030D.0050
Site Address: 5740 LAUDER ST,
FORT MYERS BEACH,
33931
Alternate Key: 2100593690

PAY ONLY ONE AMOUNT

If Received By: Amount Due:
Nov 30, 2023 \$0.00

Phone/Email Contact: _____

For payment options and instructions, refer to the back of this notice.

* If the address below is not correct, visit LeePA.org to update your address.
MCCARTHY WENDY L &
UNKNOWN HEIRS OF MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

Make check payable to:

LEE COUNTY TAX COLLECTOR
PO BOX 1609
FORT MYERS FL 33902-1609

Paid 11/28/2023 EEX-00-01819197 \$3,193.21



IMPORTANT INSTRUCTIONS AND INFORMATION - PLEASE READ

Ad Valorem Taxes cover the period January 1 through December 31 of the tax year indicated on the front of this notice. Tax notices are mailed on or about November 1 and become delinquent April 1. Failure to receive a tax notice does not extend discounts or excuse taxpayers' responsibilities to pay taxes and applicable penalties for late payments. Installment tax notices are mailed in June, September, December and March. Installment payment discounts are: June (6%), September (4.5%) and December (3%).

Governmental Office Responsibilities



Lee County Tax Collector

The Tax Collector prints, mails, and collects payments based on the tax rolls certified by the Property Appraiser and Levying Authorities.

Contact the Tax Collector to:

- Pay your current or delinquent property taxes
- Learn about Partial Payment, Installment Payment, and Homestead Tax Deferral plans
- Print your tax bills and receipts

Phone: 239-533-6000 • Website: LeeTC.com



Lee County Property Appraiser

The Property Appraiser values properties and prepares and certifies the tax roll which includes assessed values, exemptions, legal description, assessed owner(s) name and mailing address.

Contact the Property Appraiser to:

- Ask questions about the assessed value or exemption of your property
- Change your mailing address
- File or check on Homestead and other exemptions

Phone: 239-533-6100 • Website: LeePA.org



Lee County Levying Authorities

Lee County Levying Authorities establish millage rates and assessments based on revenue needed for operating expenses.

Call your Levying Authority with direct questions regarding services provided or rates charged.

A list of Levying Authorities and phone numbers may appear on the front of this notice or can be found on your property tax bill.

Visit LeeTC.com/property-taxes for instructions on viewing your bill.

Discounts

The amounts indicated on the front of this notice represent the total taxes and assessments due (if applicable) less discounts allowed for early payment. When the discount period ends on a weekend or holiday, the discount is extended to the next business day. Taxes are due by March 31 of each year.

4% if paid in **NOVEMBER**

3% if paid in **DECEMBER**

2% if paid in **JANUARY**

1% if paid in **FEBRUARY**

Payment Options

PAY ONLINE



Visit LeeTC.com

Other ways to pay:

Mail: Check or money order.

Phone: 239.533.6000.

In Person: Cash, check, money order, debit card (PIN required), and all major credit cards.

Note: A convenience fee is charged when using a credit or debit card and is subject to service provider rates which may vary. No portion of this fee is retained by the Tax Collector's office.

Note: If using your bank's online bill pay, make sure you allow for processing time so payment arrives by the received date listed on the front of this notice.

Delinquent Taxes

Payment of delinquent taxes must be made in certified U.S. funds drawn on a U.S. bank. The amount due is determined by the date payment is received. Failure to pay delinquent taxes could result in the loss of your property. On April 1 the following charges are imposed by Florida Law:

Real Estate: 3% minimum interest and advertising costs. A tax certificate sale is held on or before June 1 resulting in additional charges.

Tangible Personal Property: 18% interest annually, cost of advertising, and fees. Tax warrants will be issued on all unpaid personal property taxes on or about June 1.

Confirm Payment

Confirm receipt of your payment online at our official website LeeTC.com. Your taxes are not considered paid until your payment clears our bank and is applied to your tax account.

Have you met Edison?

Edison is our automated chatbot that can answer many of your questions relating to property taxes and much more. Available 24/7, you can find Edison at the bottom of our website, LeeTC.com.



Property Sold: forward this notice to the new owner(s).

NOTICE: Pursuant to Florida Statute 590.125(5), be advised that the Florida Forest Service may be performing prescribed burning and/or other treatments in a project area that includes your property in Lee County, Florida. These efforts are to reduce fuel loads and threat of wildfires. These projects are planned to occur from the date of this notice until the same date the following year. This service is provided at no cost to the affected landowner(s). Contact the Florida Forest Service if you have questions regarding this service at: 10941 Palm Beach Blvd., Fort Myers, FL 33905, or 239.690.8001.

Our Mission: Deliver 5-Star service quickly and efficiently through an organizational culture that values customers, team, and community.

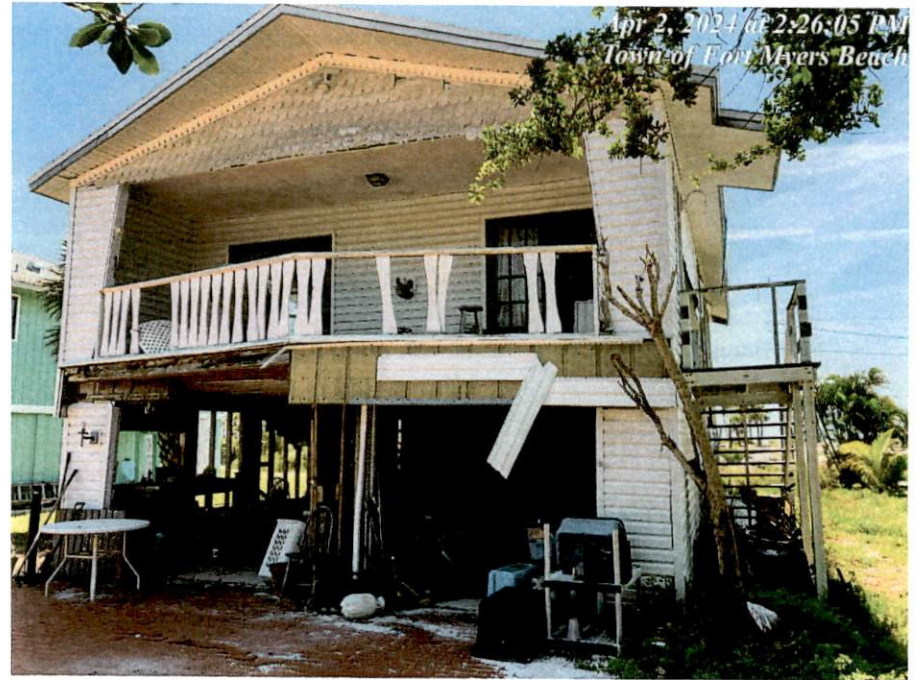
EXHIBIT B



Apr 2, 2024 at 2:25:49 PM
Town of Fort Myers Beach



Apr 2, 2024 at 2:25:33 PM
Town of Fort Myers Beach



Apr 2, 2024 at 2:26:05 PM
Town of Fort Myers Beach

EXHIBIT C



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

April 03, 2024

CASE NUMBER:	20240316
CERTIFIED MAIL:	9589071052700183636628

**MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931**

**SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050**

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **04/02/2024** by Town of Fort Myers Beach Code Enforcement Officer **D. Batt** indicates that the property is in violation of the following Town Code(s):

The maintaining of a property with structure(s) in need of repair and/or demolition.

Unsafe buildings Chapter 6-111 adopting the Florida Building Code as amended sec 103.5 103.5 Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical, or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and must be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Unsafe Building Abatement Code (see article I of this chapter).

The Violation(s) can be brought into compliance by 05/08/2024. Please Contact permitting #239-765-0202 to acquire necessary permit(s) and bring property into full compliance by either repair or demolition. You are hereby directed to bring these violations into compliance within 30 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at (239) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

Font Myers Beach, FL 33931

PS Form 3800, January 2023 PSN 7530-02-000-9017 See Reverse for Instructions

04/04/2024

20240316
5740 Land

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McCarthy Wendy L + Unknown Heirs
of McCarthy Janet E

5740 Lauder St
Fort Myers Beach, FL 33931



9590 9402 8344 3094 9297 33

2. Article Number (Transfer from service label)

9589 0710 5270 0183 6366 28

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

4/5/79

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

20240316 5740 Lauder St

3. Service Type

- | | |
|---|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☐ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Collect on Delivery Restricted Delivery | |
| ☐ Registered Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt



EXHIBIT D



FMBgov.com

Dan Allers, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

07/09/2024

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E

Respondent.

Case Number:	20240316
Certified Mail:	70222410000084691932
Regular Mail:	

Site Address: 5740 LAUDER ST
Parcel Strap No.: 334624W20030D0050

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

BEFORE ME, the undersigned authority, personally appeared Officer D. Batt, Code Enforcement Officer for the Town of Fort Myers Beach, FL, who after being duly sworn, deposes and says:

1. I, D. Batt, am a person authorized by law to inspect violations of the Town of Fort Myers Beach Code contained herein and the statements set forth herein are based upon personal knowledge.

2. On 04/02/2024, MCCARTHY WENDY L + UNKNOWN HEIRS OF MCCARTHY JANET E (property owner) was observed in violation of Chapter 6-111 sec. 103.5 of the Town of Fort Myers Beach Code of Ordinances, The maintaining of a property with structure(s) in need of repair and/or demolition., at the property located at 5740 LAUDER ST, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 04/03/2024, and sent certified mail to the address of record, 5740 LAUDER ST, FORT MYERS BEACH, FL 33931, posted to the violation property located at 5740 LAUDER ST, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. Exhibit A which is attached to this affidavit includes:

- A copy of the Lee County Appraiser Property Data
- A copy of the current Lee County Tax Collector bill
- A copy of the Notice of Violation issued on 04/03/2024
- A copy of the Domestic Return Receipt for the certified mail received on 04/11/2024 by the Town of Fort Myers Beach
- Pictures of the violation as observed on 07/08/2024

5. MCCARTHY WENDY L + UNKNOWN HEIRS OF MCCARTHY JANET E was/were given 30 to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before .

6. I performed an inspection of the Subject Property on 07/08/2024, and the Subject Property remains in violation with the Town of Fort Myers Beach Ordinance. There does not appear to be any progress made towards compliance at 5740 LAUDER ST, Fort Myers Beach, FL 33931.

7. I have attached Exhibit B, which are photographs of the Subject Property, which I personally took, and which fairly represent the violation on the Subject Property I personally observed on 07/08/2024. These photographs have not been altered in any way.

8. I have personal knowledge of all these facts, and each is true to the best of my knowledge and belief.

9. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate and that an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) and/or the imposition of an administrative fine not to exceed \$250.00 for each day each violation continues past the date for compliance or \$500.00 for each day each violation was repeated, and for such other and further relief as is consistent with the powers of the Special Magistrate.

FURTHER AFFIANT SAYETH NAUGHT.



Signature of Affiant

STATE OF FLORIDA COUNTY OF LEE

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence OR ☐ online notarization, this 9th day of July, 2024, by D. Batt, ☒ who is personally known to me OR ☐ who has produced _____ as identification.



ASHLEY SHEPARD
Commission # HH 253125
Expires April 14, 2026

(SEAL)



Notary Public Signature

My Commission Expires: April 14, 2026



Property Data

STRAP: 33-46-24-W2-0030D.0050 Folio ID: 10230378

[Hurricane Ian Tax Roll Value Letter](#) [Tax Refund Status](#)

Generated on 7/9/2024 2:26 PM

Owner Of Record - Tenants in Common

[\[Change Mailing Address\]](#)

MCCARTHY WENDY L +
UNKNOWN HEIRS OF MCCARTHY
JANET E
5740 LAUDER ST
FORT MYERS BEACH FL 33931

Site Address

Site Address maintained by [E911 Program Addressing](#)

5740 LAUDER ST
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

MCPHIE PARK UNIT 1 BLK D PB 8 PG 52 LOT 5

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 8 and 52 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	3 / 3.0
Gross Living Area	1,008
1st Year Building on Tax Roll	1973
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	33	0030D	0050
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.42914	-81.91094		

[View Parcel on Google Maps](#)

[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)



[\[Pictometry Aerial Viewer\]](#)

Image of Structure



◀ Photo Date May of 2003 ▶ ☐ View other photos

Last Inspection Date: 07/01/2022

Property Values / Exemptions / TRIM Notices

Generated on 7/9/2024 2:26 PM

Exemption	Amount
Homestead, Partial Interest	25,000.00
Additional Homestead Exemption	25,000.00

[2024 Homestead Exemption Renewal Card](#)

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
	Current	529,661	529,651	529,661	279,617	50,000	0	229,617
2023 Values / Additional Info	2023	361,514	361,504	361,514	259,188	50,000	0	209,188
2022 Values / Additional Info	2022	554,479	180,250	554,479	273,031	50,000	0	223,031
2021 Values / Additional Info	2021	376,490	175,000	376,490	252,914	48,929	0	203,985
2020 Values / Additional Info	2020	325,428	175,000	325,428	235,622	47,908	0	187,714
2019 Values / Additional Info	2019	317,350	169,400	317,350	229,944	46,269	0	183,675
2018 Values / Additional Info	2018	314,116	154,000	314,116	216,177	44,940	0	171,237
2017 Values / Additional Info	2017	321,378	124,200	321,378	201,444	43,501	0	157,943
2016 Values	2016	308,405	124,200	308,405	187,949	42,092	0	145,857

2015 Values	2015	263,395	124,200	263,395	176,496	41,626	0	134,870
2014 Values	2014	232,096	108,000	232,096	165,979	41,097	0	124,882
2013 Values	2013	227,493	101,400	227,493	155,922	40,120	0	115,802
2012 Values	2012	165,094	90,000	165,094	146,578	39,031	0	107,547
2011 Values	2011	185,599	90,000	185,599	124,327	50,500	0	73,827
2010 Values	2010	168,621	90,000	168,621	122,490	50,500	0	71,990
	2009	209,630	92,000	209,630	119,270	50,500	0	68,770
	2008	357,710	225,000	357,710	119,150	50,000	0	69,150
	2007	384,720	250,000	0	115,680	25,000	0	90,680
	2006	275,920	180,000	0	112,860	25,000	0	87,860
	2005	219,200	142,500	0	109,570	25,000	0	84,570
	2004	204,190	131,250	0	106,380	25,000	0	81,380
	2003	236,590	78,750	0	104,400	25,000	0	79,400
	2002	179,300	39,750	0	101,950	25,000	0	76,950
	2001	169,070	39,750	0	100,340	25,000	0	75,340
	2000	149,420	33,750	0	97,420	25,000	0	72,420
	1999	140,840	31,880	0	94,860	25,000	0	69,860
	1998	121,530	31,880	0	93,370	25,000	0	68,370
	1997	91,810	31,880	0	91,810	25,000	0	66,810
	1996	89,230	31,880	0	89,230	25,000	0	64,230
	1995	91,430	30,000	0	91,430	25,000	0	66,430
	1994	94,860	30,000	0	94,860	25,000	0	69,860
	1993	96,360	22,500	0	96,360	25,000	0	71,360
	1992	105,440	22,500	0	105,440	25,000	0	80,440

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461 \(6\)\(a\)](#)). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current Working Values)

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Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	1.00	Units

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
103 - Split Entry/Raised Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	3.0	1973	1986

Building Subareas

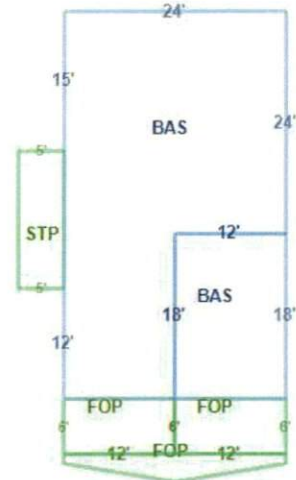
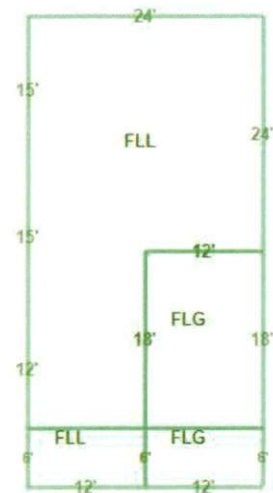
Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,008
FLG - FINISHED LOWER GARAGE	N	288
FLL - FINISHED LOWER LEVEL	N	864
FOP - FINISHED OPEN PORCH	N	192

Building Front Photo



Photo Date: May of 2003

Building Footprint

**Property Details (2023 Tax Roll)**

Generated on 7/9/2024 2:26 PM

Land**Land Tracts**

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	1.00	Units

Buildings**Building 1 of 1****Building Characteristics**

Improvement Type	Model Type	Stories	Living Units
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Building Subareas

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FLL - FINISHED LOWER LEVEL
FOP - FINISHED OPEN PORCH
STP - STOOP

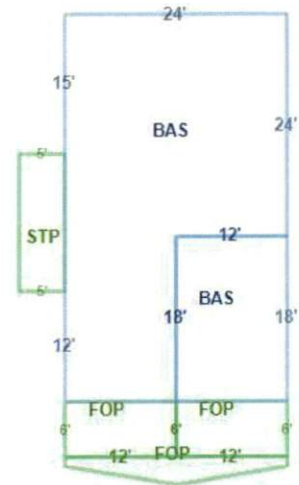
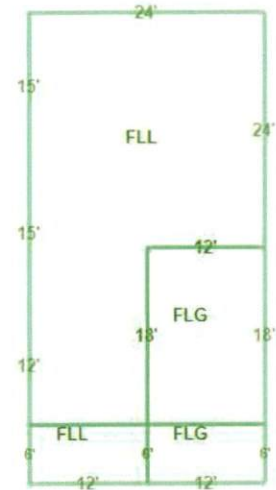
N 864
N 192
N 75

Building Front Photo



Photo Date: May of 2003

Building Footprint



Taxing Authorities

Generated on 7/9/2024 2:26 PM

TOWN OF FT MYERS BEACH / 032

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931

LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions

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Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
0.00	09/12/2013	2013000210327	11	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	I
0.00	09/10/2013	2013000213483	11	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	I
10.00	10/19/2012	2013000027195	11		I
0.00	12/20/2011	2013000213484	XX	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	I
45,000.00	08/05/2008	2008000219395	08		I
100.00	02/13/2007	2007000059268	03		I
0.00	02/07/2007	2007000059267	03		I
44,000.00	04/01/1976	1137/341	06		I

[View Recorded Plat at LeeClerk.org](#)

Use the above link to do a search on the Lee County Clerk of Courts website, using **8** and **52** for the book and page numbers and **Plats Book** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

Generated on 7/9/2024 2:26 PM

Permit Number	Permit Type	Date
ROF2005-01363	Roof	02/07/2005

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History

Generated on 7/9/2024 2:26 PM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
33-46-24-03-0000D.0050	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 7/9/2024 2:26 PM

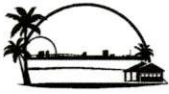
Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	R - Residential Category		1	302.38
		Collection Days		
Garbage	Recycling			Horticulture
Thursday	Thursday			Thursday

Flood and Storm Information

Generated on 7/9/2024 2:26 PM

Community	Flood Insurance	Find my flood zone	Panel	Version	Date	Evacuation Zone
071C			0566	G	11/17/2022	A

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Lee County Tax Collector

Noelle Branning

2023 Paid Real Estate Tax Notice

Ad Valorem Taxes and Non-ad Valorem Assessments for Lee County, Florida

Account Number:
33-46-24-W2-0030D.0050
Alternate Key:
2100593690
Millage Code:
032

Site Address / Legal Description:
5740 LAUDER ST

MCPHIE PARK UNIT 1 BLK D PB 8 PG 52 LOT
5

Exemptions/Values:

Assessed Value 259,188
Homestead Exemption 25,000
Additional Homestead Exemption 25,000

* See message below

MCCARTHY WENDY L &
UNKNOWN HEIRS OF MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

Paid 11/28/2023 EEX-00-01819197 \$3,193.21

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	259,188	50,000	209,188	787.03
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	259,188	25,000	234,188	526.45
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.1820	259,188	25,000	234,188	745.19
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	259,188	50,000	209,188	207.10
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	259,188	50,000	209,188	19.83
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	259,188	50,000	209,188	6.84
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	259,188	50,000	209,188	21.46
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.9851	259,188	50,000	209,188	624.45
FORT MYERS BEACH MOSQUITO	239-463-6350	0.1123	259,188	50,000	209,188	23.49
FORT MYERS BEACH LIBRARY	239-463-9691	0.2355	259,188	50,000	209,188	49.26
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0217	259,188	50,000	209,188	4.54
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	259,188	50,000	209,188	8.24

Non-Ad Valorem Assessments Levying Authority

	Telephone	Rate	Amount
LEE COUNTY SOLID WASTE ASSESSMENT	239-533-8000		302.38

2023 Combined Total Ad Valorem and Non-Ad Valorem:

\$3,326.26

2023 Paid Real Estate

Tax Notice

Account: 33-46-24-W2-0030D.0050
Site Address: 5740 LAUDER ST,
FORT MYERS BEACH,
33931
Alternate Key: 2100593690

* If the address below is not correct, visit LeePA.org to update your address.
MCCARTHY WENDY L &
UNKNOWN HEIRS OF MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

Make check payable to:

LEE COUNTY TAX COLLECTOR
PO BOX 1609
FORT MYERS FL 33902-1609

PAY ONLY ONE AMOUNT

If Received By: Amount Due:
Nov 30, 2023 \$0.00

Phone/Email Contact: _____

For payment options and instructions, refer to the back of this notice.

Paid 11/28/2023 EEX-00-01819197 \$3,193.21

Return with payment



IMPORTANT INSTRUCTIONS AND INFORMATION - PLEASE READ

Ad Valorem Taxes cover the period January 1 through December 31 of the tax year indicated on the front of this notice. Tax notices are mailed on or about November 1 and become delinquent April 1. Failure to receive a tax notice does not extend discounts or excuse taxpayers' responsibilities to pay taxes and applicable penalties for late payments. Installment tax notices are mailed in June, September, December and March. Installment payment discounts are: June (6%), September (4.5%) and December (3%).

Governmental Office Responsibilities



Lee County Tax Collector

The Tax Collector prints, mails, and collects payments based on the tax rolls certified by the Property Appraiser and Levying Authorities.

Contact the Tax Collector to:

- Pay your current or delinquent property taxes
- Learn about Partial Payment, Installment Payment, and Homestead Tax Deferral plans
- Print your tax bills and receipts

Phone: 239-533-6000 • Website: LeeTC.com



Lee County Property Appraiser

The Property Appraiser values properties and prepares and certifies the tax roll which includes assessed values, exemptions, legal description, assessed owner(s) name and mailing address.

Contact the Property Appraiser to:

- Ask questions about the assessed value or exemption of your property
- Change your mailing address
- File or check on Homestead and other exemptions

Phone: 239-533-6100 • Website: LeePA.org



Lee County Levying Authorities

Lee County Levying Authorities establish millage rates and assessments based on revenue needed for operating expenses.

Call your Levying Authority with direct questions regarding services provided or rates charged.

A list of Levying Authorities and phone numbers may appear on the front of this notice or can be found on your property tax bill.

Visit LeeTC.com/property-taxes for instructions on viewing your bill.

Discounts

The amounts indicated on the front of this notice represent the total taxes and assessments due (if applicable) less discounts allowed for early payment. When the discount period ends on a weekend or holiday, the discount is extended to the next business day. Taxes are due by March 31 of each year.

4% if paid in **NOVEMBER**

3% if paid in **DECEMBER**

2% if paid in **JANUARY**

1% if paid in **FEBRUARY**

Delinquent Taxes

Payment of delinquent taxes must be made in certified U.S. funds drawn on a U.S. bank. The amount due is determined by the date payment is received. Failure to pay delinquent taxes could result in the loss of your property. On April 1 the following charges are imposed by Florida Law:

Real Estate: 3% minimum interest and advertising costs.

A tax certificate sale is held on or before June 1 resulting in additional charges.

Tangible Personal Property: 18% interest annually, cost of advertising, and fees. Tax warrants will be issued on all unpaid personal property taxes on or about June 1.

Property Sold: forward this notice to the new owner(s).

Payment Options

PAY ONLINE



Visit LeeTC.com

Other ways to pay:

Mail: Check or money order.

Phone: 239.533.6000.

In Person: Cash, check, money order, debit card (PIN required), and all major credit cards.

Note: A convenience fee is charged when using a credit or debit card and is subject to service provider rates which may vary. No portion of this fee is retained by the Tax Collector's office.

Note: If using your bank's online bill pay, make sure you allow for processing time so payment arrives by the received date listed on the front of this notice.

Confirm Payment

Confirm receipt of your payment online at our official website LeeTC.com. Your taxes are not considered paid until your payment clears our bank and is applied to your tax account.

Have you met Edison?

Edison is our automated chatbot that can answer many of your questions relating to property taxes and much more. Available 24/7, you can find Edison at the bottom of our website, LeeTC.com.



NOTICE: Pursuant to Florida Statute 590.125(5), be advised that the Florida Forest Service may be performing prescribed burning and/or other treatments in a project area that includes your property in Lee County, Florida. These efforts are to reduce fuel loads and threat of wildfires. These projects are planned to occur from the date of this notice until the same date the following year. This service is provided at no cost to the affected landowner(s). Contact the Florida Forest Service if you have questions regarding this service at: 10941 Palm Beach Blvd., Fort Myers, FL 33905, or 239.690.8001.

Our Mission: Deliver 5-Star service quickly and efficiently through an organizational culture that values customers, team, and community.



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

April 03, 2024

CASE NUMBER:	20240316
CERTIFIED MAIL:	9589071052700183636628

**MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931**

**SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050**

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **04/02/2024** by Town of Fort Myers Beach Code Enforcement Officer **D. Batt** indicates that the property is in violation of the following Town Code(s):

The maintaining of a property with structure(s) in need of repair and/or demolition.

Unsafe buildings Chapter 6-111 adopting the Florida Building Code as amended sec 103.5 103.5 Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical, or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and must be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Unsafe Building Abatement Code (see article I of this chapter).

The Violation(s) can be brought into compliance by 05/08/2024. Please Contact permitting #239-765-0202 to acquire necessary permit(s) and bring property into full compliance by either repair or demolition. You are hereby directed to bring these violations into compliance within 30 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at (239) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McCarthy Wendy L + Unknown Heirs
of McCarthy Janet E

5740 Lauder St
Fort Myers Beach, FL 33931



9590 9402 8344 3094 9297 33

2. Article Number (Transfer from service label)

9589 0710 5270 0183 6366 28

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY
A. Signature

X *[Signature]*

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)
C. Date of Delivery

4/5/24

- D. Is delivery address different from item 1?** ☐ Yes
If YES, enter delivery address below: ☐ No

20240316 5740 Lauder St

3. Service Type

- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☐ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Collect on Delivery Restricted Delivery | |
- ured Mail
ured Mail Restricted Delivery
er \$500)

Domestic Return Receipt



Apr 2, 2024 at 2:25:49 PM
Town of Fort Myers Beach



Apr 2, 2024 at 2:25:33 PM
Town of Fort Myers Beach



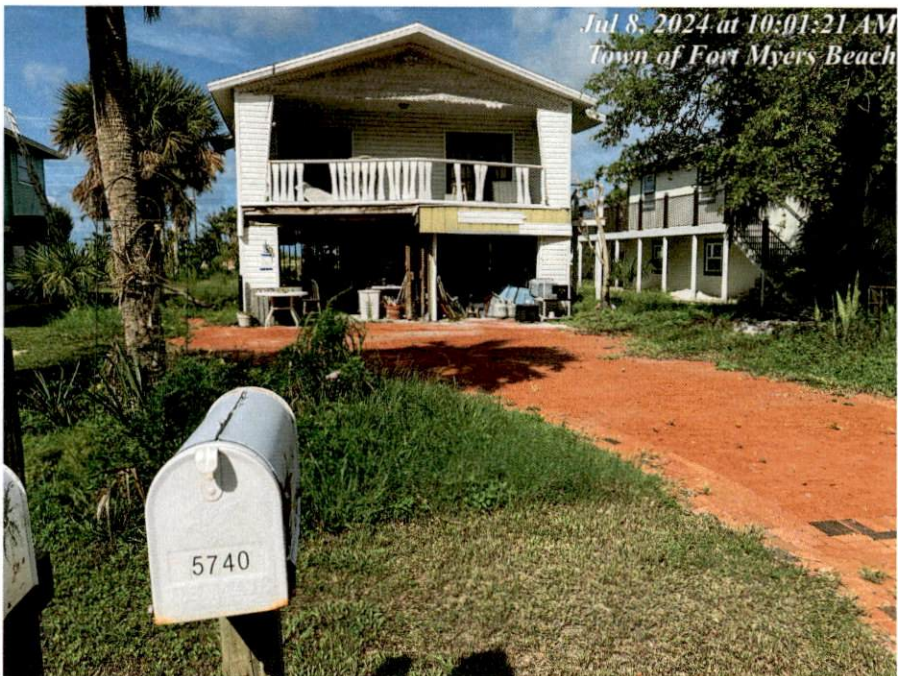
Apr 2, 2024 at 2:26:05 PM
Town of Fort Myers Beach



Jul 8, 2024 at 10:01:30 AM
Town of Fort Myers Beach



Jul 8, 2024 at 10:01:49 AM
Town of Fort Myers Beach



Jul 8, 2024 at 10:01:21 AM
Town of Fort Myers Beach



Jul 8, 2024 at 10:01:35 AM
Town of Fort Myers Beach

EXHIBIT E

Sec. 2-429. - Notices.

- (a) All notices required by this article will be provided to the alleged violator by: (i) certified mail, return receipt requested, subject to the provisions of subsection (b) below; or (ii) by hand delivery by the sheriff or other law enforcement officer, code enforcement officer, or other person designated by the director; or (iii) by leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or (iv) in the case of commercial premises, leaving the notice with the manager or other person in charge.
- (b) If notice is sent via certified mail, return receipt requested, to the owner of the property in question at the address listed in the Lee County Tax Collector's Office for tax notices, and at any other address provided to the town by such owner, and is returned as unclaimed or refused, notice may be provided by posting as described in subsections (c)(1) and (2) below, and by first class mail directed to the addresses furnished to the town, with a properly executed proof of mailing or affidavit confirming the first class mailing.
- (c) In addition to provision of notice as set forth in subsection (a), notice may also be served by publication or posting, as follows:
 - (1) Such notice will be published once during each week for four consecutive weeks (four publications being sufficient) in a Lee County newspaper of general circulation. The newspaper must meet the requirements prescribed under F.S. ch. 50 for legal and official advertisements. Proof of publication must be made in accordance with F.S. §§ 50.041 and 50.051.
 - (2) In lieu of publication as described in subsection (c)(1) above, such notice may be posted for at least ten days prior to the hearing or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which must be the property upon which the violation is alleged to exist and the other must be at Town Hall for the Town of Fort Myers Beach. Proof of posting must be by affidavit of the person posting the notice. The affidavit must include a copy of the notice posted and the date and places of its posting.
 - (3) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a) above.
- (d) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsections (a) and (b), together with proof of publication or posting as provided in subsection (c), will be sufficient to show the notice requirements of this article have been met, without regard to whether or not the alleged violator actually received such notice.

Sec. 6-111. - Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

Chapter 1, Administration.

Sections 103.1 through 103.6 relating to powers and duties of the building official are added as follows:

103.1 General. The building official is hereby authorized and directed to enforce the provisions of this code and building codes adopted by the state of Florida. The building official has the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures must be in compliance with the intent and purpose of this code, and may not have the effect of waiving requirements specifically provided for in this code.

103.2 Right of entry.

103.2.1 Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building, structure, premises, electrical, gas, mechanical, or plumbing systems unsafe, dangerous, or hazardous, the building official may enter such building, structure, or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official by this code. If such building or premises are occupied, he must first present proper credentials and request entry. If such building, structure, or premises are unoccupied, he must first make a reasonable effort to locate the owner or other persons having charge or control of such and request entry. If entry is refused, the building official has recourse to every remedy provided by law to secure entry.

103.2.2 When the building official has obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care, or control of any building, structure, or premises may fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to this code.

103.3 Stop work orders. Upon notice from the building official, work on any building, structure, electrical, gas, mechanical, or plumbing system that is being done contrary to the provisions of this code, or in a dangerous or unsafe manner, must immediately cease. Such notice must be in writing and posted on the permit board, stating the reasons for the order. Work may only resume after lifting of the stop work order by the building official.

103.4 Revocation of permits. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any provision of any code of the Town of Fort Myers Beach.

103.4.1 Misrepresentation of application. The building official may revoke a permit or approval issued under the provisions of this code if there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

103.4.2 Violation of code provisions. The building official may revoke a permit upon determination by the building official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical, or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

103.5 Unsafe buildings or systems. All buildings, structures, electrical, gas, mechanical, or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and must be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Unsafe Building Abatement Code (see article I of this chapter).

103.6 Requirements not covered by code. Any requirements necessary for the strength, stability, or proper operation of an existing or proposed building, structure, electrical, gas, mechanical, or plumbing system, or for the public safety, health, and general welfare, not specifically covered by this or the other technical codes, will be determined by the building official.

Section 104.1.4 is amended to read as follows:

104.1.4. Minor repairs.

Ordinary minor repairs, routine maintenance, or incidental work of a nonstructural nature may be made without a permit, provided that such repair shall not violate any of the provisions of the technical codes. For purposes of this section, "ordinary minor repairs" include the replacement of damaged or worn materials by similar new materials and any other repairs defined as such by the building official. Ordinary minor repairs under this section may not involve the cutting of any structural beam or supporting member or include any alterations that would increase habitable floor area, change the use of any portion of the building, remove or change any required means of egress or exit access, or affect the structural integrity or fire rating of the building.

Section 104.1.6, relating to time limitations, is amended to add the following:

104.1.6.1 A permit issued shall be construed to be a license to proceed with the work but shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this code, nor shall such issuance of a permit prevent the building official from thereafter requiring a correction of errors in plans or in construction or of violations of this code. Although a permit issued to an owner is transferable to another owner, actual notice of the transfer of permit shall be given to the building official prior to the transfer. Building permits shall be issued following the approval of site and construction plans. Building permits on multifamily projects shall be issued on each individual building or structure. Multitenant occupancies, including but not limited to shopping malls, may be permitted on an individual building or structure (shell); however, individual permits shall be used separately for tenant spaces.

104.1.6.2 The first inspection required by the permit must be successfully completed within a six-month period of issuance or the permit shall be deemed invalid. All subsequent inspections shall be made within a six-month period of the most recent inspection until completion of work or the permit shall become invalid. For purposes of this section, the foundation inspection will be considered the first inspection.

104.1.6.3 The entire foundation must be completed within the first six months from the issuance of the permit. Partial inspections due to complexity of the foundation may be made with building inspector's approval, and job site plans shall be initialed by the inspector only on that portion of the plans that is inspected, and these inspections are for compliance to plans and specifications and are in no way to be construed as the first inspection. Subsequent inspections may be made until the entire foundation is completed. At that time, the foundation will be signed off as the first inspection. One or more extensions of the building permit for good cause may be granted by the building official on a project for a period not exceeding 90 days each. The request shall be made by written notice to the building official at least 30 days prior to expiration of the building permit. The building official may require compliance with any revised building code, mechanical code, plumbing code, electrical code, gas code, swimming pool code or fire code requirements in effect at the time of granting any extension to the building permit. Any extension request denied may be appealed to the town council by the applicant on a form provided by the building official. The council shall grant or deny the extension upon a finding of good cause or lack thereof. If granted, the extension or extensions shall not exceed a period of 90 days each.

Section 106.1.4 relating to new or changed land uses is added as follows:

106.1.4 New or changed land use. A certificate of occupancy will only be granted for a new or changed use of land if that use is allowable under ch. 34 of this code.

107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.

117 VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to F.S. § 553.73(5), the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the Florida Building Code, Building or, as applicable, the provisions of R322 of the Florida Building Code, Residential. This section shall not apply to Section 3109 of the Florida Building Code, Building.

Florida Building Code, Building, Section 1612.2.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the costs of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Florida Building Code, Existing Building, Chapter 2.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has

sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Florida Building Code, Residential, Section R322.

R322.1.11 Enclosed areas below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be permitted to enclose up to 100 percent of the area below an elevated building and shall not extend beyond the perimeter of the building.
2. Have the interior portion of any enclosed area:
 - a. Partitioned only to separate parking areas from building access or storage areas;
 - b. The minimum number of interior doors necessary for access to the stairway or elevator to the elevated buildings from areas used for parking or storage;
 - c. Not temperature-controlled.
3. Have access to enclosed areas intended for building access or storage by no more than one standard 36-inch exterior door, or one windowless 72-inch double exterior door, in any exterior wall.
4. Have construction documents include an agreement, signed by the owner, acknowledging the limitations on allowable uses of the enclosed areas and the conditions of the building permit, using a form provided by the Floodplain Administrator. This agreement shall be recorded in the official record books in the office of the clerk of the circuit court to provide additional notice of these limitations to future purchasers.

R322.1.12 Accessory structures. Accessory structures used for parking and storage shall be permitted below the base flood if designed and constructed in compliance with Section R322 and the total cost of an accessory structure does not exceed 10% of the market value of the building or \$17,500 per dwelling unit, whichever is greater. The dollar amount specified may be increased each year beginning in 2014 by the percentage increase of the Consumer Price Index - All Urban Consumers (CUP-U), All Items, U.S. City Average maintained by the federal Bureau of Labor Statistics.

Chapter 33, Site Work, Demolition and Construction.

Section 3311.5 is added, to read as follows:

3311.5 Trash containers.

It shall be unlawful to bury construction debris on the construction site or on any other public or private property not specifically approved for such use. A suitable trash container and adequate collection service shall be provided for each construction site. For purposes of this requirement, a suitable container is any structure, device, receptacle, designated location or combination thereof which holds construction debris on the construction site in a central location long enough for it to be removed from the site by means of whatever collection service the contractor chooses to use or may be required to use pursuant to other applicable laws before such debris is: (1) washed or blown off-site, (2) contaminates subsurface elements, (3) becomes volatile or malodorous, (4) makes an attractive nuisance, or (5) otherwise becomes a threat to the public health, safety and welfare.

Chapter 34, Existing Buildings.

Section 3401.1, relating to scope, is modified to read as follows:

3401.1 Scope. Provisions of this chapter and of division 4 of this article shall govern the application of this code to existing buildings. In interpreting this code, the building official may be guided by the Nationally Applicable Recommended Rehabilitation Provisions, published in 1997 by the U.S. Department of Housing and Urban Development.

Exception: Buildings and structures located within the High Velocity Hurricane Zone shall comply with the provisions of sections 3401.5, 3401.8, and 3401.2.2.1.

Section 3401.2.2.1, relating to change of occupancy, is deleted, and replaced with a new section 3401.2.2.1, to read as follows:

3401.2.2.1 If the occupancy classification or any occupancy subclassifications of any existing building or structure is changed to a more hazardous occupancy, the building, electrical, gas, mechanical, and plumbing systems shall be made to conform to the intent of the technical codes as required by the building official.

Section 3401.5, relating to special historic buildings, is deleted, and replaced with a new section 3401.5, to read as follows:

3401.5 Special historic buildings.

3401.5.1 The provisions of the technical codes relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for an existing building or structure identified and classified by the federal, state, county, or town government as a historic structure, or as a contributing structure in a historic district, when such

building or structure is judged by the building official to be safe and in the public interest of health, safety, and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving.

3401.5.2 If it is proposed that a historic building that is undergoing repair, renovation, alternation, reconstruction, or change of occupancy not comply literally with certain technical standards of this code, the building official may require the building to be investigated and evaluated by a registered design professional. Such evaluation shall identify each required feature of the building not in technical compliance and shall demonstrate how the intent of these provisions is to be complied with in providing an equivalent level of safety.

(Ord. No. 13-06, § 3, 9-3-2013; Ord. No. 17-09, § 2, 6-19-2017; Ord. No. 21-01, § 2(Exh. A), 3-15-2021)

EXHIBIT F



Town of Fort Myers Beach
NOTICE OF CODE ENFORCEMENT HEARING
 2731 Oak Street Fort Myers Beach, FL 33931
 Phone: (239) 765-0202 Fax: (239) 765-0909

07/09/2024

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931,
Respondent.

Case Number:	20240316
Certified Mail:	70222410000084691932
Regular Mail:	

SITE ADDRESS: **5740 LAUDER ST**
 PARCEL STRAP NO: **334624W20030D0050**

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article V of the Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer has documented that (an) uncorrected violation(s) of one or more codes of the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, previously provided to you (a copy of which is enclosed herewith), exists on the above-described property. A hearing before the Town's Code Enforcement Special Magistrate concerning the violation(s) has, therefore, been scheduled for **at 08/06/2024 at 1:30 P.M.** in the Council Chambers at Town Hall, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town to the Special Magistrate in relation to this hearing can be viewed and accessed in advance of the hearing at the link below:

<http://www.fortmyersbeachfl.gov/209/Meetings-Agendas>

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other any other action(s) that may affect your rights. If you believe you have come into compliance, it is your responsibility to contact the Code Enforcement Division so that an inspection can be performed to determine compliance.

D. Batt

Code Enforcement Officer
 Town of Fort Myers Beach

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE NOTIFY THE TOWN CLERK FOR THE TOWN OF FORT MYERS BEACH, 2525 ESTERO BLVD. FORT MYERS BEACH, FL 33931; TELEPHONE NUMBER (239) 765-0202, AT LEAST 72 BUSINESS HOURS BEFORE THE HEARING DATE.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR

SUCH PURPOSE MAY NEED TO ENSURE AT THEIR OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE BY A COURT REPORTER UPON WHICH THE APPEAL IS TO BE BASED.

Property Address and Owner:

Hearing Date: August 6, 2024

Public Notice for Order of Compliance Issued

Subject:

Multiple weekly rentals in a one month period.

Code Section:

LDC Sec. 34-2391

Reference Number:

CE20-0239

Strap Number:

34-46-24-W4-00701.0060

Officer:

N/A

Narrative:

An order of compliance was issued by the Special Magistrate for Case CE20-0239 located at 215 Flamingo St. A hearing is not required to issue an order acknowledging compliance.

Attachments:

1. CE20-0239_215 Flamingo St_Order of Compliance Recorded

Town Recommendations:

N/A

Town Approvals:

Thomas Yozzo, Operations & Compliance Manager

Date: July 22, 2024

nancy stuparich, Town Attorney

Date: July 22, 2024

This Document Prepared By and Return To:
Town of Fort Myers Beach Code Enforcement
2731 Oak Street
Fort Myers Beach, FL 33931

**CODE COMPLIANCE SPECIAL MAGISTRATE
FOR
THE TOWN OF FORT MYERS BEACH, FLORIDA**

TOWN OF FORT MYERS BEACH, FLORIDA,

Petitioner,

vs.

CASE NO. CE20-0239

OCEANIC BLUE RETREATS, LLC,

Respondent.

ORDER OF COMPLIANCE

THIS CAUSE came before the Special Magistrate on June 4, 2024, upon the Town's Request to enter an Order of Compliance related to the Code Enforcement Order that was recorded in the Official Records Book as Instrument Number 2020000215370. Additional evidence was submitted on June 18, 2024. Having considered the evidence presented, the Special Magistrate finds and orders as follows:

A. FINDINGS OF FACT

1. Respondent, Oceanic Blue Retreats, LLC ("Respondent"), is the owner, lessee, responsible entity, or otherwise in charge of or responsible for the subject property located at 215 Flamingo Street, Fort Myers Beach, Florida 33931 ("Property"), legally described as:

A lot or parcel of land lying in Government Lot 4, Section 33, and Government Lot 1 of Section 34, Township 46 South, Range 24 East, which lot or parcel is described as follows:

From a point on the North Line of Mound Road as shown on the plat of Unit No.2, McPhie Park, according to the plat thereof on file and recorded in the office of the Clerk

of the Circuit Court of Lee County, Florida in Plat Book 8, Page 59, which point is 10 feet East of the corner common to Lots 6 and 7 Block "H" of said Unit No.2 of McPhie Park, run Southeasterly at an angle of 57°27'00" East to Southeast, with said North line for 164.81 feet, thence run Northeasterly along the North line of that certain strip of land conveyed to Lee County for Public road purposes by deed recorded in Deed Book 233, Page 211 of said Public Records and parallel to the Northwestern boundary of Flamingo Park, according to a plat thereof recorded in Plat Book 9, Page 66 of said Public Records for 330 feet to the point of beginning of land herein described.

From said point of beginning continue Northeasterly on the same course for 65 feet; thence run Northwesterly perpendicular to said Northwesterly boundary of Flaming Park for 105 feet to a point on the Southerly line of a boat canal; thence run Southwesterly along said boat canal and parallel to said Northwesterly boundary of Flamingo Park for 65 feet; thence run Southeasterly perpendicular to said boundary for 105 feet to the point of beginning. (Known as Lot 6, Dorondo Huffner Unrecorded Subdivision)

2. Respondent was previously found in violation of the Town of Fort Myers Beach Land Development Code Section 34-2391. Respondent was ordered to correct the violation and was assessed a fine and administrative costs and fees under Code Enforcement Case No. CE20-0239.
3. The Code Enforcement Order was entered on September 2, 2020, and recorded on September 11, 2020, in the Official Records Book as Instrument Number 2020000215370, pursuant to Section 2-425(e) of the Fort Myers Beach Land Development Code.
4. The owner of the Property paid the fine and the administrative costs and fees that were ordered.
5. A Code Enforcement Officer performed a desk inspection of the Property on May 30, 2024, and found the property to be in compliance with the Town Code.
6. The Town of Fort Myers Beach took no further action and intends to close Code Enforcement Case No.: CE20-0239.
7. Respondent is hereby found to have complied with the recorded Code Enforcement Order by the specified date as required.

B. CONCLUSIONS OF LAW

1. Section 2-425(e) of the Fort Myers Beach Land Development Code states that if a recorded Code Enforcement Order under that section is complied with, the Special Magistrate is to issue an Order acknowledging compliance, to be recorded in public records.
2. The legal prerequisites for issuing and recording an Order of Compliance have been met.

C. ORDER

1. Based on the foregoing Findings of Facts and Conclusions of Law, the Special Magistrate hereby issues this Order acknowledging compliance with the Code Enforcement Order entered on September 2, 2020, and recorded on September 11, 2020, in the Official Record Book as Instrument Number 2020000215370.

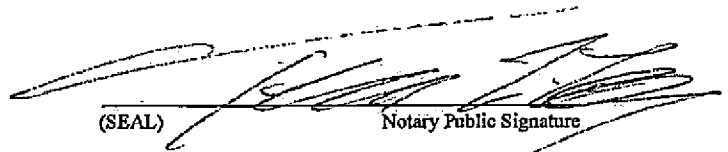
ORDERED this 18th day of June, 2024.


Special Magistrate

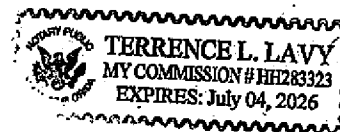
APPEAL: An aggrieved party may appeal an Order of the Special Magistrate of the Town of Fort Myers Beach to the Lee County Circuit Court. The appeal shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was certified and subscribed before me by means of X physical presence OR online notarization, this 18th day of June, 2024, by Monica Schmucker, X who is personally known to me OR who has produced a identification.


(SEAL) Notary Public Signature

My Commission Expires:



CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that true and correct copy of the Order was sent by U.S. Mail on the 20th day of June, 2024 to:

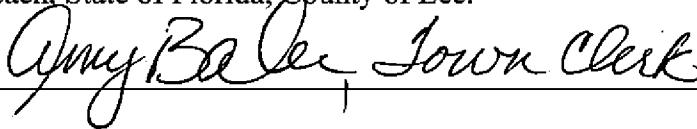
Oceanic Blue Retreats, LLC
3431 Pine Ridge Rd.
Suite 101
Naples, Florida 34109

Jon D. Parrish, Esq. Registered Agent For:
Oceanic Blue Retreats, LLC
3431 Pine Ridge Rd.
Suite 101
Naples, Florida 34109


Code Compliance

I certify this document to a be true and correct copy of the original on file in Town Hall, Fort Myers Beach, State of Florida, County of Lee.

BY:
Dated


Town Clerk

Instrument Prepared by and Return to:
Town of Fort Myers Beach Code Enforcement
2731 Oak Street
Fort Myers Beach, Florida 33931

TOWN OF FORT MYERS BEACH, FLORIDA
CODE ENFORCEMENT

AFFIDAVIT OF COMPLIANCE

STATE OF FLORIDA)
COUNTY OF LEE)

BEFORE ME, the undersigned authority, personally appeared Officer D. Batt, Code Enforcement Officer for the Town of Fort Myers Beach, FL, who after being duly sworn, deposes and says:

1. On the 20th day of August, 2020, OCEANIC BLUE RETREATS, LLC. (property owners) was found in violation of the Town of Fort Myers Beach LDC Sec. 34-2391, multiple weekly rentals in a one month period at the property located at 215 Flamingo St, Fort Myers Beach, FL 33931 ("Subject Property") by virtue of a Code Enforcement Order by the Special Magistrate in Case No. CE20-0239, which was adjudicated on the 2nd day of September, 2020.
2. The Order was recorded as Instrument No. 2020000215370 on the 11th day of September, 2020 in the public records of Lee County, Florida.
3. OCEANIC BLUE RETREATS, LLC. was fined \$500.00 for the violation and if the violation was occur again, a fine of \$500 was to be imposed each time the violation occurred. The property owner was also assessed in \$75 administrative costs and fees.

4. According to available records in possession of the Town of Fort Myers Beach, a desk inspection of the Subject Property was performed by Officer D. Batt on the 30th day of May, 2024 and the Subject Property was found in compliance with Town Code.
5. The fine of \$500, plus assessed admin fee of \$75 was paid by the property owner.
6. No further action has been taken by the Town of Fort Myers Beach regarding this violation, which was corrected as stated above.
7. Code Enforcement Case No. CE20-0239 will be closed upon the release of the order.
8. I have personal knowledge of all these facts based on my review of records in possession of the Town of Fort Myers Beach, Florida.

FURTHER AFFIANT SAYETH NOT.

Signed on this 18th day of June, 2024.

D. Batt

Print Name

[Signature]

Signature

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18th day of June, 2024 by D. Batt, as Code Officer, who is personally known to me or has produced _____ as identification.

Kristin Schumacher
Signature of Notary

Kristin Schumacher
(Name typed, printed or stamped)

My Commission expires: 4/5/28

