



Fort Myers Beach Special Magistrate Hearing

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931
Wednesday, February 5, 2025

Agenda

9:00 AM

ORDER OF BUSINESS

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES
 - A. Special Magistrate Hearings - January 14, 2025
- III. CONTINUED CASES
- IV. VIOLATION CASES
 - A. Case Number 20240743; 190 Bayview Ave., Sullivan Scott B
Construction of a wood deck and/or structure outside the scope of work on permit #236648
 - B. Case Number 20240786; 7864 Buccaneer Dr., Lyons Henry E
Property in disrepair and in need of maintenance.
- V. CERTIFICATION OF LIEN(S) (NON-COMPLIANCE)
- VI. COMPLIANCE CASES (STATUS UPDATE)
- VII. LIEN FORECLOSURE CASES
- VIII. BUILDING OFFICIAL APPEALS
- IX. ADJOURNMENT

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.



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. 239-765-0202



Fort Myers Beach Special Magistrate Hearing

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931
Tuesday, January 14, 2025

Minutes

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

Present: Special Magistrate Monica Schmucker, Town Clerk Amy Baker and Code Enforcement Officer Danielle Batt.

II. APPROVAL OF MINUTES

- A. Special Magistrate Hearings - December 4, 2024
Special Magistrate Schmucker approved the minutes.

III. CONTINUED CASES

No cases.

IV. PARKING ENFORCEMENT

No cases.

V. NEW CASES TO BE HEARD

- A. 32 Fairview Blvd, Celhart Properties LLC

Case Number: 20240680

Subject: For the maintaining and/or of structures on property in need of repair and/or demolition, i.e. but not limited to shuttered windows Indicating broken and/or improperly installed, missing and/or falling sections of fence, diminished tarp on roof indicating damaged and/or improperly installed, etc,

Code Section: Sec. 110.1

Code Officer: D. Batt

Officer Batt stated that all documents described were attached as exhibits and asked that they be entered into the record. Special Magistrate Schmucker entered the exhibits into the record.

On July 23, 2024, Officer Batt observed that the property needed repair or demolition. The shuttered windows were improperly installed and broken, indoor sections of the fence were missing and the tarp on the roof was diminished, indicating damage and or improper installation. Photos taken on

July 23, 2024, accurately represented the condition of the property. A notice of violation was issued on July 24, 2024, and sent by certified mail with a return receipt to the property owner's and registered agent's address of record. The notice was also posted at the town hall, on the town's website and at the property location on July 25, 2024. The respondent was given 30 days to come into compliance, which was August 28, 2024. Officer Batt inspected the property on December 17, 2024, and found the respondent did some work but remained in violation. It has now been six months without full compliance, with no contact from the respondent, so she prepared an affidavit of non-compliance. They were also provided a notice of code enforcement hearing for today's hearing. Officer Batt provided copies of all documents and noted she did another inspection on January 9, 2025, prior to today's hearing. The town requested that an order be issued finding a violation, an order to correct the violation, an administrative fee of \$250.00 and a fine of \$250.00 for each day the violation continued past the date of compliance. She also requested a \$500.00 fine for each day the violation was repeated.

Officer Batt stated that the fence had not been fixed; part of it was falling down, and sections were missing. She noted that the shutters and windows were removed, the tarp on the roof was gone and the grass was mowed.

Special Magistrate Schmucker will issue an order allowing the respondent 21 days to resolve the violation and the fine of \$250.00 per day will start accruing if they do not come into compliance. She imposed a \$250.00 administrative fee regardless.

VI. ADMINISTRATIVE AGENDA

No items.

The meeting was adjourned at 9:13 a.m.

Minutes approved with / without changes, February 5, 2025, by Special Magistrate Schmucker.

Signature: _____

Property Address and Owner:

Hearing Date: February 5, 2025

Construction of a wood deck and/or structure outside the scope of work on permit #236648

Subject:

The construction of a wood deck and/or structure outside the scope of work on permit #236648

Code Section:

LDC Sec. 6-481 - Working outside the scope of the permit

Reference Number:

20240743

Strap Number:

297624W30080C0190

Officer:

D. Batt

Narrative:

Case Number: 20240743

Violation: The construction of a wood deck and/or structure outside the scope of work on permit #236648

Code Section: LDC Sec. 6-481 - Working outside the scope of the permit

Code Officer: D. Batt

Building Permit #236648 may be viewed [HERE](#)

Attachments:

1. Notice of Code Enforcement Hearing with Affidavit of Notice and Hearing
2. Hearing Exhibit A - Evidence of Ownership
3. Hearing Exhibit B - Notice of Violation with Photographs
4. Hearing Exhibit C - Affidavit of Mailing & Posting of Notice of Violation
5. Hearing Exhibit D - Affidavit of Non-Compliance
6. Hearing Exhibit E - Copy of Code Section 6-481
7. Exhibit F - Permit No. 236648
8. Exhibit G - Submitted Site Plan of Existing Deck
9. Hearing Exhibit H - Sullivan Updated Site Plan

Town Recommendations:

The Town of Fort Myers Beach requests that an order be issued finding a violation of LDC Sec. 6-481 - Working outside the scope of the permit, 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, and for such other and further relief as is consistent with the powers of the Special Magistrate.

Town Approvals:

nancy stuparich, Town Attorney

Date: January 31, 2025



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

01/23/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074,
Respondent.

Case Number:	20240743
Certified Mail:	9589071052700636643431
Regular Mail	

SITE ADDRESS: **190 BAYVIEW AVE**
PARCEL STRAP NO: **294624W30080C0190**

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 09:00 on 02/05/2025** 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 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.

Hearing Exhibit A



Property Data

STRAP: 29-46-24-W3-0080C.0190 Folio ID: 10229933

Hurricanes Helene/Milton Tax Roll Value Letter Hurricane Ian Tax Roll Value Letter

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Owner Of Record - Sole Owner

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

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA IL 61074

Site Address

Site Address maintained by E911 Program Addressing

190 BAYVIEW AVE
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

HYDE PARK BLK C PB 7 PG 20 LOTS 19 + 20

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 7 and 20 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	5 / 4.0
Gross Living Area	1,280
1st Year Building on Tax Roll	1981
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	29	0080C	0190
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.43972	-81.9215		

[View Parcel on Google Maps](#)

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



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

[Image of Structure](#)



◀ Photo Date February of 2024 ▶ ☐ View other photos

Last Inspection Date: 02/06/2024

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
2024 / Additional Info	2024 (Final Value)	843,349	660,865	843,349	843,349	0	0	843,349
2023 / Additional Info	2023 (Final Value)	775,881	392,702	775,881	631,981	0	0	631,981
2022 / Additional Info	2022 (Final Value)	800,551	316,900	800,551	574,528	0	0	574,528
2021 / Additional Info	2021 (Final Value)	549,726	231,000	549,726	522,298	0	0	522,298
2020 / Additional Info	2020 (Final Value)	474,816	231,000	474,816	474,816	0	0	474,816
2019 / Additional Info	2019 (Final Value)	462,703	213,600	462,703	462,703	0	0	462,703
2018 / Additional Info	2018 (Final Value)	456,255	213,600	456,255	456,255	0	0	456,255
2017 / Additional Info	2017 (Final Value)	464,300	203,300	464,300	444,665	0	0	444,665
2016	2016 (Final Value)	449,237	203,300	449,237	404,241	0	0	404,241

2015	2015 (Final Value)	386,810	203,300	386,810	367,492	0	0	367,492
2014	2014 (Final Value)	334,084	132,000	334,084	334,084	0	0	334,084
2013	2013 (Final Value)	348,592	149,800	348,592	307,104	0	0	307,104
2012	2012 (Final Value)	279,185	125,000	279,185	279,185	0	0	279,185
2011	2011 (Final Value)	303,175	125,000	303,175	303,175	0	0	303,175
2010	2010 (Final Value)	349,228	170,000	349,228	349,228	0	0	349,228
	2009 (Final Value)	363,700	180,000	363,700	363,700	0	0	363,700
	2008 (Final Value)	474,350	271,130	474,350	474,350	0	0	474,350
	2007 (Final Value)	557,000	351,150	0	557,000	0	0	557,000
	2006 (Final Value)	597,090	296,180	0	597,090	0	0	597,090
	2005 (Final Value)	476,010	210,720	0	476,010	0	0	476,010
	2004 (Final Value)	397,550	210,740	0	397,550	0	0	397,550
	2003 (Final Value)	432,810	161,660	0	432,810	0	0	432,810
	2002 (Final Value)	332,150	101,270	0	332,150	0	0	332,150
	2001 (Final Value)	292,690	101,300	0	292,690	0	0	292,690
	2000 (Final Value)	292,730	101,320	0	292,730	0	0	292,730
	1999 (Final Value)	192,150	60,900	0	136,410	25,000	0	111,410
	1998 (Final Value)	178,120	60,900	0	132,960	25,000	0	107,960
	1997 (Final Value)	177,470	60,900	0	130,740	25,000	0	105,740
	1996 (Final Value)	114,070	60,900	0	114,070	25,000	0	89,070
	1995 (Final Value)	108,260	50,900	0	108,260	0	0	108,260
	1994 (Final Value)	106,690	45,680	0	106,690	0	0	106,690
	1993 (Final Value)	115,650	45,680	0	115,650	0	0	115,650
	1992 (Final Value)	107,290	45,680	0	107,290	0	0	107,290

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 as of 1/22/2025) ?

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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
5	4.0	1981	1997

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,280
FLL - FINISHED LOWER LEVEL	N	1,558
FSP - FINISHED SCREEN PORCH	N	200
PPT - POOL PATIO	N	1,204
STP - STOOP	N	78

Building Features

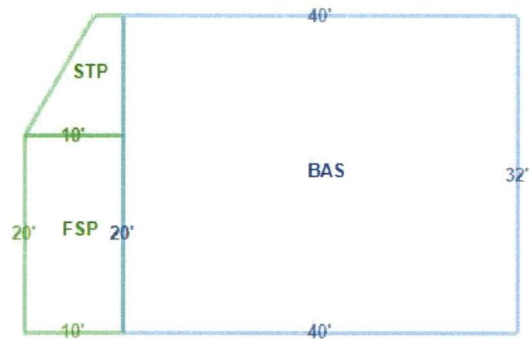
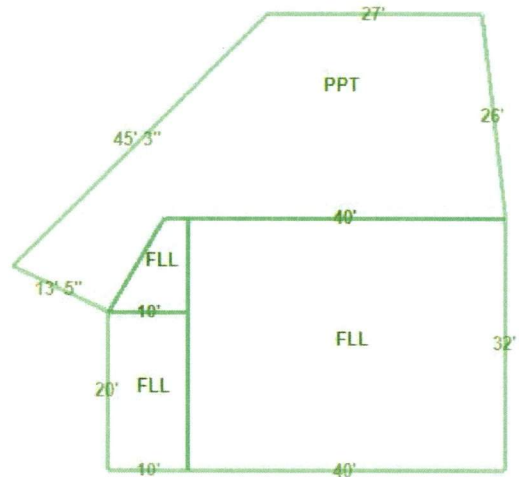
Description	Year Added	Units
A/C-POOL HEATERS	1981	1
XTRA/ADDITIONAL A/C UNITS	1981	2
POOL - RESIDENTIAL	1996	336
JACUZZI - TYPE B	1996	1

Building Front Photo



Photo Date: February of 2024

Building Footprint



Property Details (2024 Tax Roll)



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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

Land Features

Description	Year Added	Units
FENCE - ALUM/VINYL - 4 FEET	1998	40

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
5	4.0	1981	1991

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,280
FLL - FINISHED LOWER LEVEL	N	1,558
FSP - FINISHED SCREEN PORCH	N	200
PPT - POOL PATIO	N	1,204
STP - STOOP	N	78

Building Features

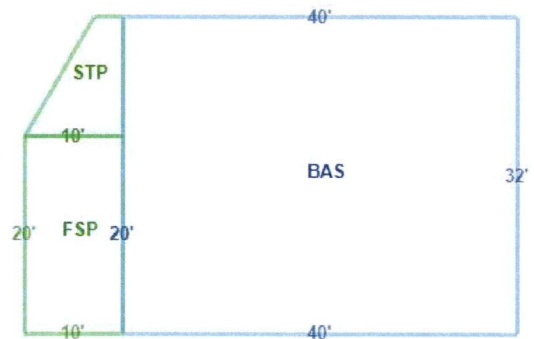
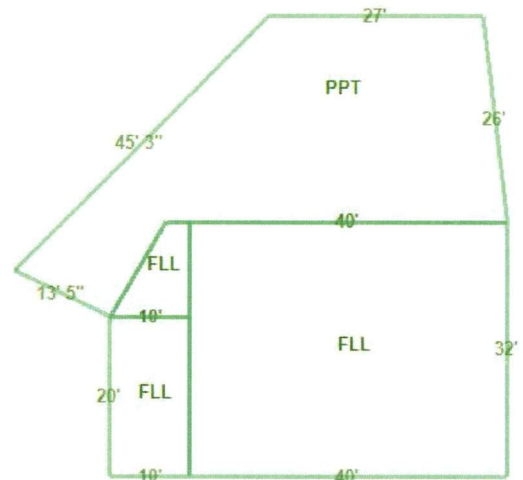
Description	Year Added	Units
A/C-POOL HEATERS	1981	1
XTRA/ADDITIONAL A/C UNITS	1981	2
POOL - RESIDENTIAL	1996	336
PATIO - CONCRETE	1996	1,048
JACUZZI - TYPE B	1996	1
UTILITY - FINISHED	1996	120

Building Front Photo



Photo Date: February of 2024

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
GREEN CORRIDOR PACE / 363	Special District	
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
689,000.00	02/27/2023	2023000090916	01		
0.00	03/16/2016	2019000268097	11		
365,000.00	08/12/1999	3156/2910	06		
140,000.00	10/01/1995	2653/966	06		
150,000.00	02/01/1988	1972/3829	06		

Use the above link to do a search on the Lee County Clerk of Courts website, using **7** and **20** 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
241614	Fence	06/24/2024
236648	Pool & Spa	02/15/2024
234019	Building Remodel / Repair	06/15/2023
232907	Building Remodel / Repair	04/18/2023
233169	Roof	04/13/2023
224191	Electric	11/28/2022
ROF2005-03084	Roof	03/30/2005
FNC199711544	Fence	11/21/1997
RES199603800	Building Remodel / Repair	04/11/1996
RES199603504	Building Addition	04/03/1996
POL199602501	Pool & Spa	03/07/1996
73079	Residential	09/26/1980

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
29-46-24-08-0000C.0190	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	320.38
Collection Days				
Garbage	Recycling	Horticulture		
Thursday	Thursday	Thursday		

Flood and Storm Information

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Community		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

2024 Real Estate Tax Notice

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

Account Number:
29-46-24-W3-0080C.0190
Alternate Key:
2100536024
Millage Code:
032

Site Address/Legal Description:
190 BAYVIEW AVE
190 BAYVIEW AVE
HYDE PARK BLK C PB 7 PG 20 LOTS 19 + 20

Exemptions/Values	
Market Value	843,349
Assessed Value	843,349
Taxable Value	843,349

★ See message below.

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074



SCAN
THIS CODE
to pay online
or visit
LeeTC.com/pay-online

Ad Valorem Taxes Levying Authority	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	843,349	0	843,349	3,172.93
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	843,349	0	843,349	1,895.85
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.0380	843,349	0	843,349	2,562.09
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	843,349	0	843,349	834.92
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	843,349	0	843,349	79.95
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	843,349	0	843,349	27.58
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	843,349	0	843,349	86.53
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.8000	843,349	0	843,349	2,361.38
FORT MYERS BEACH MOSQUITO	239-247-1205	0.1123	843,349	0	843,349	94.71
FORT MYERS BEACH LIBRARY	239-463-9691	0.1612	843,349	0	843,349	135.95
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0200	843,349	0	843,349	16.87
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	843,349	0	843,349	33.23

Non-Ad Valorem Assessments Levying Authority
LEE COUNTY SOLID WASTE ASSESSMENT

Telephone
239-533-8000

Rate

Basis
ACTL LEVY

Amount
320.38

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$11,622.37

2024 Real Estate Tax Notice

PAY ONLY ONE AMOUNT

If Received By:

- ☐ Nov 30, 2024
- ☐ Jan 02, 2025
- ☐ Jan 31, 2025
- ☐ Feb 28, 2025
- ☐ Mar 31, 2025

Amount Due:

\$11,157.48
\$11,273.70
\$11,389.92
\$11,506.15
\$11,622.37

Phone/Email Contact: _____

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

Account: 29-46-24-W3-0080C.0190

Site Address: 190 BAYVIEW AVE

Alternate Key: 2100536024

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

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074

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



1 294624W30080C0190 2024 7



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.



Sales Price - \$689,000.00
Recording Fee - \$44.00
Documentary Stamp Tax - \$4,823.00
This Instrument Prepared By/Return to:
Alaina M. Kendall, on behalf of

Wilkinson Title Agency, Inc.

12651 McGregor Blvd. Suite 5-501,
Fort Myers FL 33919
This document was prepared as a
requirement in the issuance of title insurance
Strap Number: 29-46-24-W3-0080C.0190
File Number: 230025

WARRANTY DEED

This Indenture made, BETWEEN

**Irene Scheel, unremarried Surviving Spouse of Manfred Scheel, deceased and
Martina Scheel and Stefanie Wenzlaw of Beussweg 10, Luneburg 21339 Germany as
Grantor*, and**

Scott B. Sullivan, a Single Person of #1 Valley View Drive, Savanna, IL 61074 as Grantee*

(*Grantor" and "Grantee" are used herein for singular or plural, and any gender shall include all genders as context requires)

WITNESSETH, That the said Grantor, for and in consideration of the sum of TEN Dollars (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has agreed, has granted, bargained and sold unto the Grantee and Grantee's heirs, or successors; and assigns forever the following described land located in the County of Lee, State of Florida, to-wit:

Lots 19 and 20, Block C, Hyde Park Subdivision, according to the Plat thereof, recorded in Plat Book 7, Page(s) 20, of the Public Records of Lee County, Florida.

The Grantor warrants that the above-described property is not the Grantor's homestead as that term is defined pursuant to Article X, Section 4, Constitution of the State of Florida because neither the Grantor nor any dependents of Grantor reside on the above-described real property or upon any real property contiguous thereto.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND LIMITATIONS OF RECORD, IF ANY.

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

TO HAVE AND TO HOLD the same in fee simple forever.

AND the grantor does hereby fully warrant 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 for the current and subsequent years.

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

Two Separate Witnesses Required

Markus Hartwich  02/27/2023
02:14 PM EST

Witness #1 Signature

Markus Hartwich

Witness #1 Printed Name

Alaina Kendall  02/27/2023
02:17 PM EST

Witness #2 Signature

Alaina M. Kendall

Witness #2 Printed Name

County of Lee

State of Florida

The foregoing instrument was acknowledged before me this 27th day of February, 2023 by: **Irene Scheel, Martina Scheel and Stefanie Wenzlaw**, who are each personally known to me and have each produced passports as identification.

☒ Personally known to me

☒ Provided identification as indicated above

☒ Online Notarization

Alaina Kendall  02/27/2023
02:17 PM EST

NOTARY PUBLIC SIGNATURE

Alaina M. Kendall

NOTARY NAME PRINTED-STAMPED

EXPIRATION DATE 03/10/2026

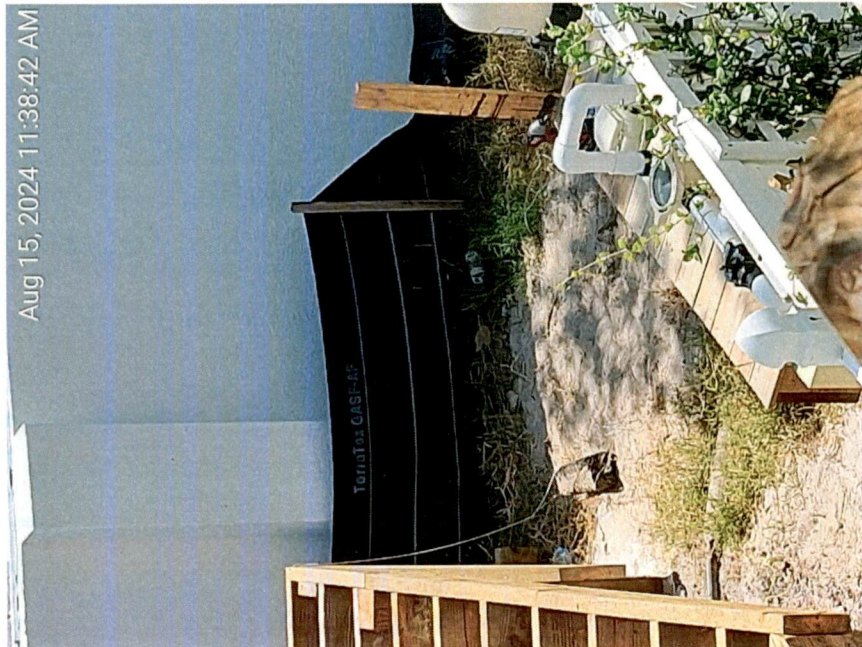
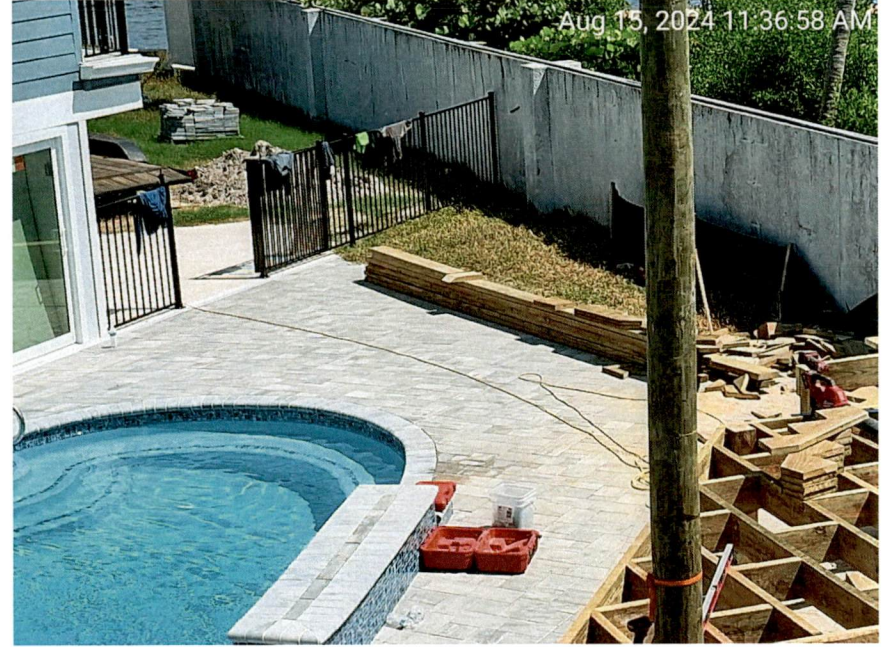
**SERIAL NUMBER
(SEAL)**

File Number: 230025



Online Notary Public. This notarial act involved the use of online audio/video communication technology.

Hearing Exhibit B



Hearing Exhibit C



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Sullivan Scott B
1 Valley View Dr
Savanna, IL 61074

Respondent,

FMB Case Number:	20240743
Certified Mail:	
Regular Mail:	
DOAH Case Number:	[Not Applicable]

Site Address: 190 Bayview Ave,
Fort Myers Beach, FL 33931
Parcel Strap No. 294624W30080C0190

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared M. Chavez, who is the Code Enforcement Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240743 for the construction of a wood deck and/or structure outside the scope of work on permit # 236648 for the property 190 Bayview Ave, Fort Myers Beach, FL 33931. Notice of Violation attached.

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



1. I personally mailed by certified mail a copy of the Notice of Violation to the following:

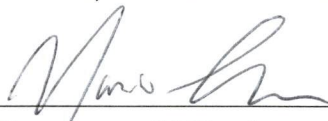
- a. Sullivan Scott B
1 Valley View Dr
Savanna, IL 61074
Certified Mail No. 9589071052700183635362
(Property Owner)

Copies of the certified mailing receipts are attached as evidence.

- 2. I posted a copy of the Notice at 190 Bayview Blvd, Fort Myers Beach, FL 33931, by which is the subject property. I took a photographs of the Notice I posted on the 15th day of August 2024. A true, accurate and unaltered copy of the photographs are attached.
- 3. I posted a copy of the Notice at the primary municipal government office for the Town of Fort Myers Beach, which is Town Hall and located at 2731 Oak Street, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on the 15th day of August 2024 are attached.
- 4. In addition, Officer D. Batt posted a copy of the Notice on the Town's publicly accessible website at <https://www.fortmyersbeachfl.gov/1294/Public-Notices> on the 17th day of August, 2024.

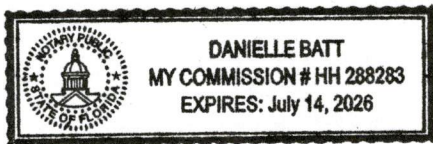


Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

x 
Signature of Affiant

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☒ personal presence or ☐ online notarization this 23rd day of January, 2025, by M. Chavez. She or He ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]


Notary Public, State of Florida
Print Name: Danielle Batt
My Commission Expires: July 14 2026



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

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

08/15/2024

Case Number:	20240743
Certified Mail:	9589071052700183635362
Regular Mail	

**SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074**

SITE ADDRESS: **190 BAYVIEW AVE**
PARCEL STRAP NO: **294624W30080C0190**

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **08/13/2024** by Town of Fort Myers Beach Code Enforcement Officer **D. Batt** indicates that the following items are in violation:

The construction of a wood deck and/or structure outside the scope of work on permit # 236648

These items are a violation of the following Town Codes:

Sec. 6-481- Working outside the scope of the permit. Any development that is not within the scope of the Florida Building Code but regulated by this article, which is: (a) performed without an issued permit, (b) in conflict with an issued permit, or (c) does not fully comply with this article, will be deemed a violation of this article. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this article or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Please contact Permitting at #239-765-0202 to obtain the proper permit(s) and/ or remove structure..

You are hereby directed to bring these violations into compliance within 30 Days.

ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS (HAVE) 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 (are) 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 239-460-7560 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



Town of Fort Myers Beach

CODE COMPLIANCE

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

08/15/2024

CASE NUMBER:	20240743
CERTIFIED MAIL:	9589071052700183635362
REGULAR MAIL:	

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074

SITE ADDRESS: 190 BAYVIEW AVE
PARCEL STRAP NO: 294624W30080C0190

NOTICE OF VIOLATION

Inspection of the above-referenced property on **08/13/2024**
by Enforcement Officer **Marcio Chavez** indicates that the following

work and/or structure outside the scope of work

Town Codes:

Permit. Any development that is not within the scope of the Florida Building Code is: (a) performed without an issued permit, (b) in conflict with this article, will be deemed a violation of this article. A building addition of the lowest floor, other required design certifications, or article or the Florida Building Code is presumed to be a violation of this article.

COMPLIANCE:

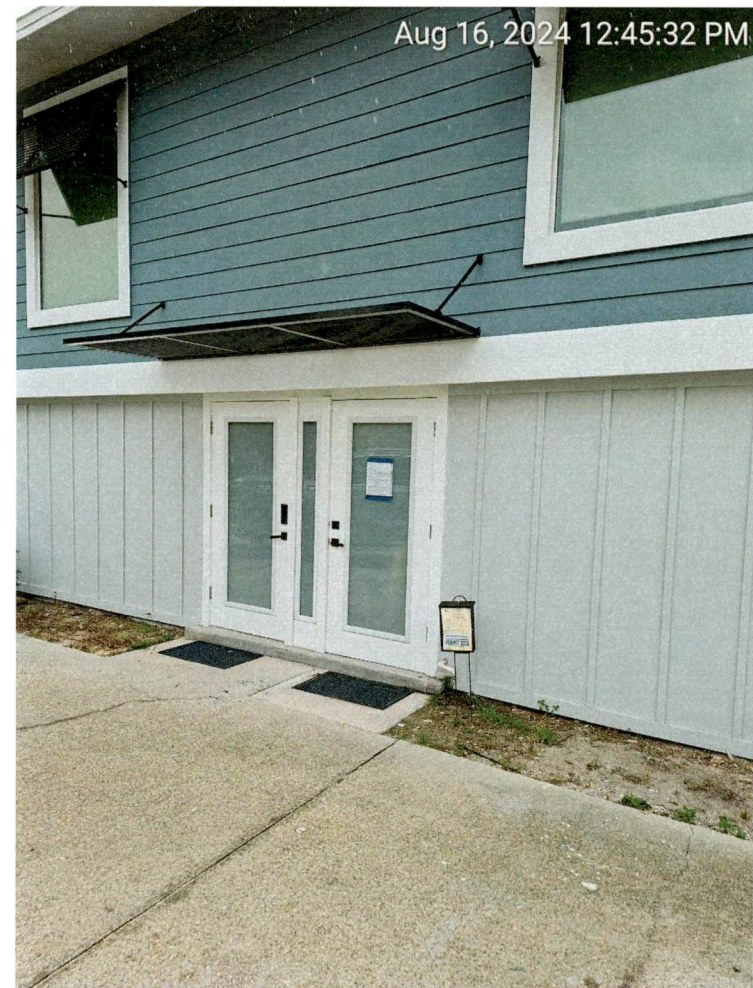
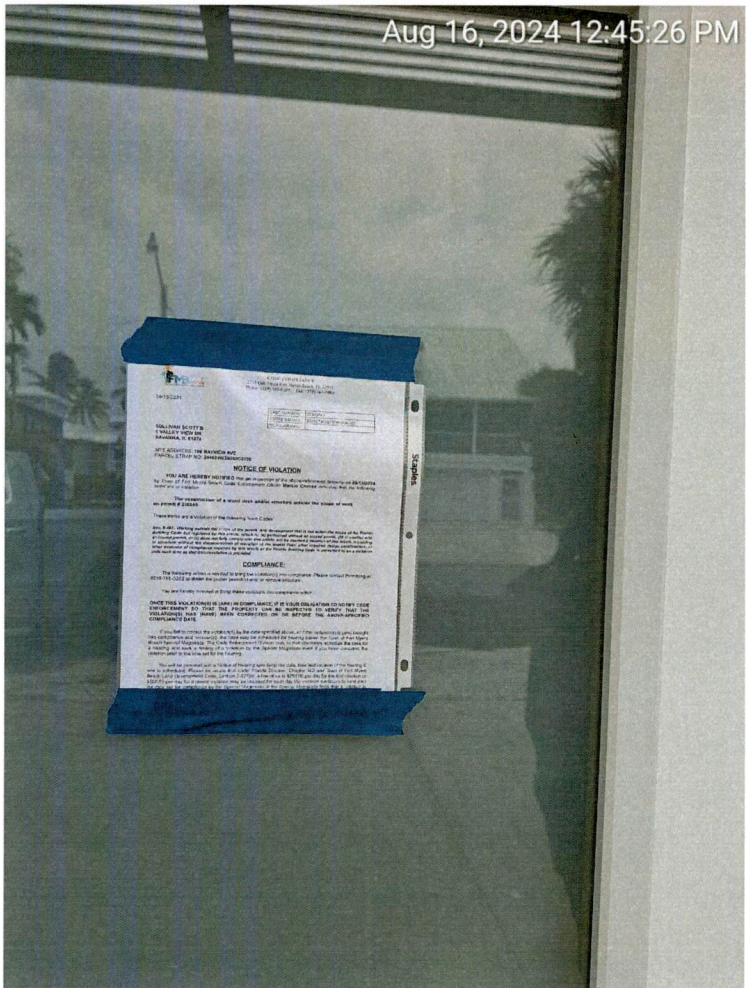
Bring the violation(s) into compliance. Please contact Permitting at (239) 765-0202 to obtain the proper permit(s) and/ or remove structure..

You are hereby directed to bring these violations into compliance within .

ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS (HAVE) 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 (are) 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



08/15/24, 1:05 PM

www.iworq.net/iworq/0_Pages/popupEditLetterPrint.php?sid=SLPQ4WU3FLKPSQQ6BNPT1J9FY6400&id=5384283&k=2279&letterlinkid=...



Town of Fort Myers Beach CODE COMPLIANCE

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

08/15/2024

CASE NUMBER:	20240743
CERTIFIED MAIL:	9589071052700183635362
REGULAR MAIL:	

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074

SITE ADDRESS: 190 BAYVIEW AVE
PARCEL STRAP NO: 294624W30080C0190

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **08/13/2024** by Town of Fort Myers Beach Code Enforcement Officer **Marcio Chavez** indicates that the following items are in violation:

The construction of a wood deck and/or structure outside the scope of work on permit # 236648

These items are a violation of the following Town Codes:

Sec. 6-481- Working outside the scope of the permit. Any development that is not within the scope of the Florida Building Code but regulated by this article, which is: (a) performed without an issued permit, (b) in conflict with an issued permit, or (c) does not fully comply with this article, will be deemed a violation of this article. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this article or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Please contact Permitting at #239-765-0202 to obtain the proper permit(s) and/ or remove structure..

You are hereby directed to bring these violations into compliance within .

ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS (HAVE) 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 (are) 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

Hearing Exhibit D



01/23/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

SULLIVAN SCOTT B

Respondent.

Case Number:	20240743
Certified Mail:	
Regular Mail:	

Site Address: **190 BAYVIEW AVE**
Parcel Strap No.: **294624W30080C0190**

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 08/13/2024, SULLIVAN SCOTT B (property owner) was observed in violation of 6-481 of the Town of Fort Myers Beach Code of Ordinances, The construction of a wood deck and/or structure outside the scope of work on permit # 236648, at the property located at 190 BAYVIEW AVE, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 08/15/2024, and sent certified mail to the address of record, 1 VALLEY VIEW DR, SAVANNA, IL 61074, posted to the violation property located at 190 BAYVIEW AVE, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. SULLIVAN SCOTT B was/were given 30 Days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 09/15/2024.

5. I performed an inspection of the Subject Property on 01/23/2025, 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 190 BAYVIEW AVE, Fort Myers Beach, FL 33931.

6. I have attached Exhibit A, 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 01/23/2025.

These photographs have not been altered in any way.

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

8. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate that and 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 January, 2025, by
Danielle B..., ✓ who is personally known to me OR who has produced
 as identification.



ASHLEY SHEPARD
Commission # HH 253125
Expires April 14, 2026

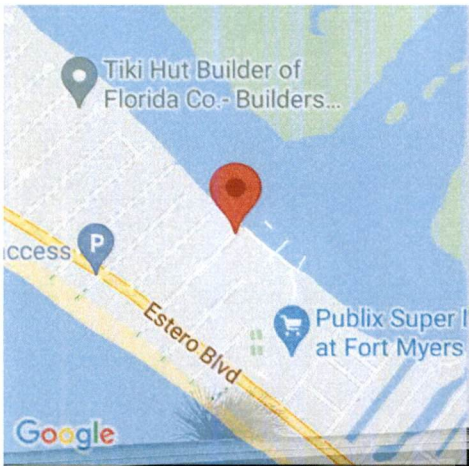
(SEAL)

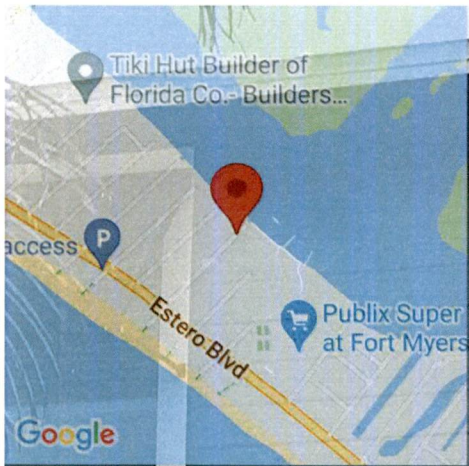


Notary Public Signature

My Commission Expires: April 14, 2026

Jan 23, 2025 9:42:47 AM
Fort Myers Beach





Jan 23, 2025 9:43:12 AM
Fort Myers Beach





Jan 23, 2025 9:43:43 AM
Fort Myers Beach



Hearing Exhibit E

Sec. 6-481. - Violations.

Any development that is not within the scope of the Florida Building Code but regulated by this article, which is: (a) performed without an issued permit, (b) in conflict with an issued permit, or (c) does not fully comply with this article, will be deemed a violation of this article. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this article or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

(Ord. No. 13-06, § 2, 9-3-2013; Ord. No. 16-02, § 2, 8-8-2016)



Residential PERMIT

Permit Number:
236648

To check the status of your permit or schedule inspections go to the website below.
<http://www.fortmyersbeachfl.gov/971/Building-Services>

DATE ISSUED:
02/15/2024
EXPIRES
12/10/2024

Next business day inspections need to be requested before 4 p.m. Requests received after 4 p.m. cannot be scheduled until two business days after the request is received.

If your permit requires any fire inspections please schedule by emailing: prevention@fmbfire.org along with the permit number, site address, inspection type & any notes to the inspector

JOB LOCATION: 190 BAYVIEW AVE		Strap #: 294624W30080C0190
PROPERTY OWNER: SULLIVAN SCOTT B 1 VALLEY VIEW DR SAVANNA IL 61074	CONTRACTOR Quality Pools for Less 3037 SW 11th Place Cape Coral FL 33914	PERMIT TYPE: Residential SUBTYPE: Pool- Below Ground
DESCRIPTION OF WORK: Pool and Deck Renovation		
NOTES		

DATE BY

DATE BY

DATE BY

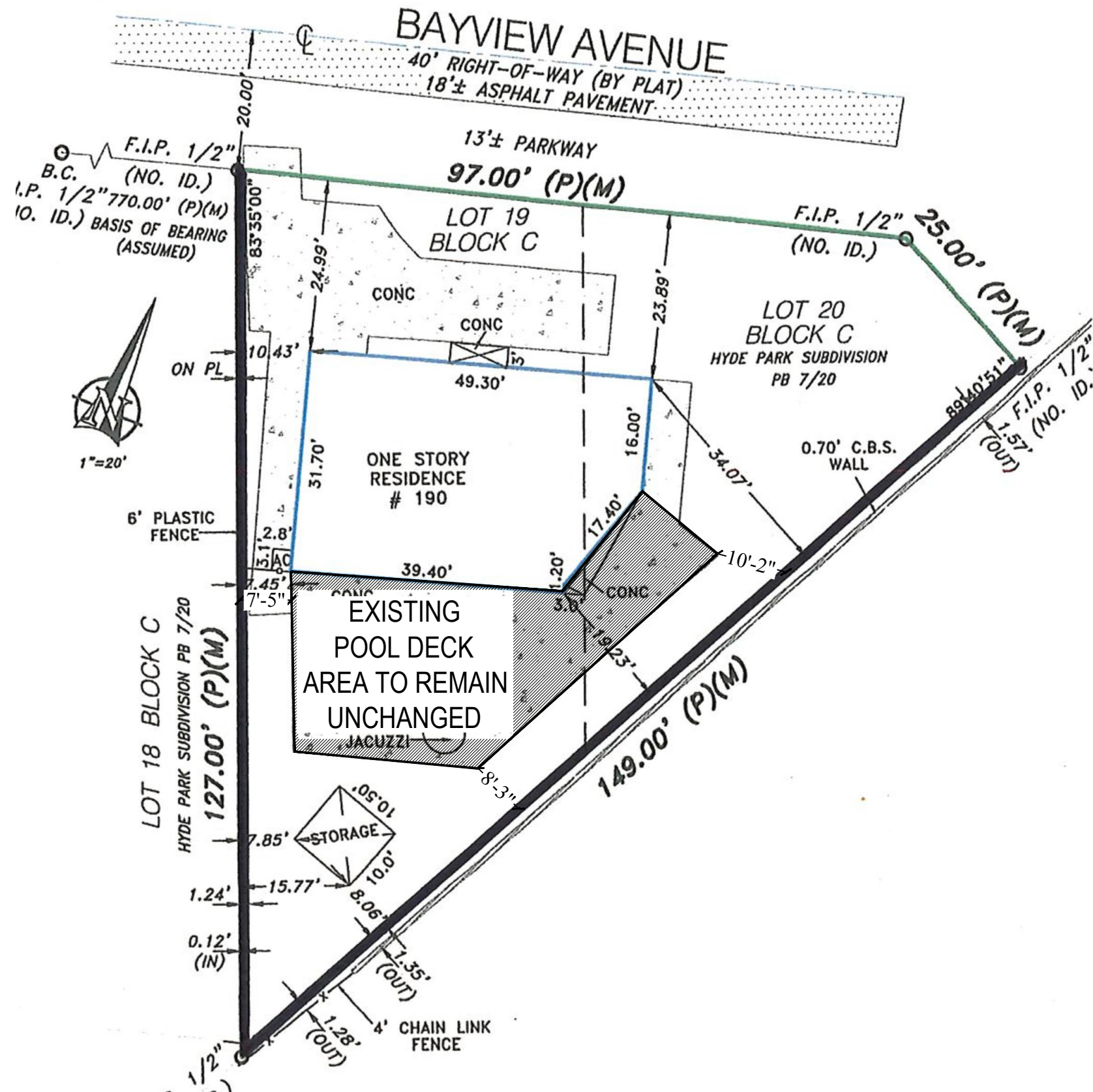
*** As-built Survey
Engineered Drainage Letter**

**POL - 101 Foundation/Stem Wall
POL - 108 Shell Steel
POL - 109 Pool Deck
POL - 119 Final Pool
POL - 142 SWP3 - Silt Fence
POL - 116 Deck Bonding
POL - 118 Shell Bonding
POL - 117 Pool Safety
ELE - 305 Final Electric**

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

THIS CARD MUST BE PLACED ON A BOARD AT EYE LEVEL SO IT CAN BE READ FROM STREET AND BE PROTECTED FROM THE WEATHER.

NOTICE: IN ADDITION TO THE REQUIREMENTS OF THIS PERMIT THERE MAY BE ADDITIONAL RESTRICTIONS APPLICABLE TO THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, AND THERE MAY BE ADDITIONAL PERMITS REQUIRED FROM OTHER GOVERNMENTAL ENTITIES SUCH AS WATER MANAGEMENT DISTRICTS, STATE AGENCIES, OR FEDERAL AGENCIES. THIS PERMIT IS VOID IF THE FIRST INSPECTION IS NOT MADE WITH SIX (6) MONTHS FROM THE DATE ISSUED OR IF NO INSPECTION HAS BEEN MADE FOR A PERIOD OF SIX (6) MONTHS FROM THE MOST RECENT PASSED INSPECTION. BUILDING PLANS MUST BE ON JOB AT TIME OF INSPECTION. REINSPECTION FEE \$50.00.



SITE PLAN
SCALE: N.T.S.

SITE PLAN

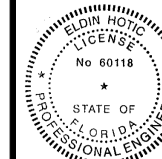
THESE PLANS ARE FOR PERMANENTLY INSTALLED RESIDENTIAL POOLS & SPAS ONLY
AND MAY NOT BE USED FOR THE CONSTRUCTION OF ANY COMMERCIAL WATERBODY

THESE PLANS WERE
PREPARED FOR:

SCOTT SULLIVAN RES.
190 BAYVIEW AVENUE
FORT MYERS BEACH FL 33931

Eldin Hotic, P.E.
FL. LICENSE NO. 60118

AQUA-TERRA ENGINEERING, INC.
CIVIL-AQUATIC ENGINEERING CONSULTATION
PROJECT ADMINISTRATION
CERTIFICATE OF AUTHORIZATION # 28656
4675 ELEVATION WAY SUITE 200 FORT MYERS, FLORIDA 33905
PHONE: (239) 458-8200 FAX: (866) 773-44968



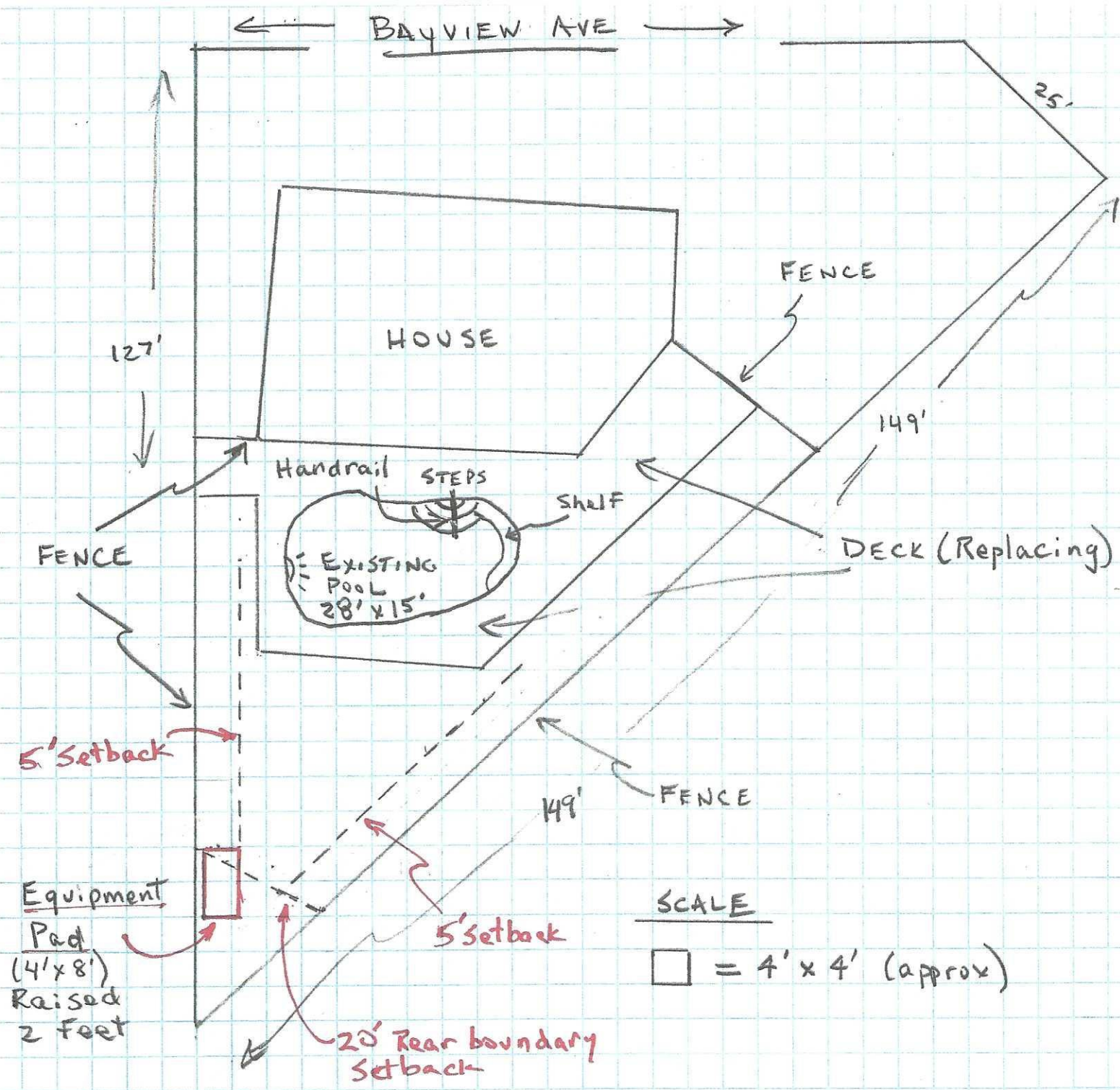
Digitally signed by
Eldin Hotic
DN:
0.9.2342.19200300.1
00.1.1=A01410C000
001879FDC43AD000
099EA, cn=Eldin
Hotic, o=Aqua Terra
Engineering, c=US
Date: 2024.02.14
09:09:46 -05'00'

I hereby certify that Aqua-Terra Engineering, Inc. has designed
this plan under my guidance and approval and is in compliance
with 2023 Florida Building Code, 8th Edition.
Aqua-Terra Engineering, Inc. must be notified in writing of any
variation from these drawings. All construction shall be in
accordance with above listed construction codes as well as any
state and local codes. These plans may not be reproduced or
copied in any way, in whole or in part, without written
permission, from Aqua-Terra Engineering, Inc.

DRAWING DATE:
02/13/24

DRAWING BY:
WC

SHEET:
1 OF 1



SCOTT SULLIVAN
190 BAYVIEW AVE
FT MYERS BEACH, FL 33931

POOL RENOVATION

UPDATED
SITE PLAN

12/21/23

Property Address and Owner:

Hearing Date: February 5, 2025

Property in disrepair and in need of maintenance.

Subject:

Code Section:

LDC Sec. 110.0 - The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgement after review is so deteriorated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction in accordance with the Florida Building Code, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the Building Official.

Reference Number:

20240786

Strap Number:

034724W3001030240

Officer:

M. Chavez

Narrative:

Case Number: 20240786

Code Section: LDC Sec. 110.0 - The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgement after review is so deteriorated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure

Code Officer: M. Chavez

Attachments:

1. Notice of Code Enforcement Hearing - 2.5.25
2. Hearing Exhibit A - Affidavit of Notice of Posting
3. Hearing Exhibit B - Notice of Violation
4. Hearing Exhibit C - Status of Compliance
5. Hearing Exhibit D - Violated Regulations

Town Recommendations:

The Town of Fort Myers Beach requests that an order be issued finding a violation of LDC Sec. 110.0, 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, and for such other and further relief as is consistent with the powers of the Special

Magistrate.

Town Approvals:

nancy stuparich, Town Attorney

Date: January 31, 2025



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

01/23/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

LYONS HENRY E
PO BOX 7112
OVERLAND PARK, KS 66207,
Respondent.

Case Number:	20240786
Certified Mail:	9589071052700636643524
Regular Mail	

SITE ADDRESS: 7864 BUCCANEER DR
PARCEL STRAP NO: 034724W3001030240

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 9:00AM on 02/05/2025** 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 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.

Marcio Chavez

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.



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

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

08/21/2024

Case Number:	20240786
Certified Mail:	9589071052700183637205
Regular Mail	

LYONS HENRY E
PO BOX 7112
OVERLAND PARK, KS 66207

SITE ADDRESS: 7864 BUCCANEER DR
PARCEL STRAP NO: 034724W3001030240

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **08/20/2024** by Town of Fort Myers Beach Code Enforcement Officer **Marcio Chavez** indicates that the following items are in violation:

Property unsafe and in disrepair. Roof in disrepair and debris flying onto neighbors yard. Property is in need of maintenance.

These items are a violation of the following Town Codes:

Sec. 110.1 The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment after review is so deteriorated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction in accordance with the Florida Building Code, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the Building Official.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Please obtain required permit(s) to repair structure. Please pick up and discard of roof debris..

You are hereby directed to bring these violations into compliance within 30 Days.

ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS (HAVE) 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 (are) 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 239-460-7560 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

Marcio Chavez
Code Enforcement Officer
Town of Fort Myers Beach

Hearing Exhibit A

Notice of Hearing Affidavit of Posting



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Lyons Henry E
PO BOX 7112
Overland Park, KS 66207

Respondent,

FMB Case Number:	20240786
Certified Mail:	
Regular Mail:	
DOAH Case Number:	[Not Applicable]

Site Address: 7864 Buccaneer Dr.,
Fort Myers Beach, FL 33931
Parcel Strap No. 034724W3001030240

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared D. Batt, who is the Code Compliance Coordinator for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240786 for the Property unsafe and in disrepair. Roof in disrepair and debris flying onto neighbor's yard. Property is in need of maintenance for the property 7864 Buccaneer Dr, Fort Myers Beach, FL 33931 attached

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



1. I personally mailed by certified mail a copy of the Notice of Hearing scheduled 02/05/2025 to the following:
 - a. Lyons Henry E
PO BOX 7112
Overland Park, KS 66207
Certified Mail No. 9589071052700636643524
(Property Owner)

Copies of the certified mailing receipts are attached as evidence.

2. I posted a copy of the Notice at 7864 Buccaneer Dr, Fort Myers Beach, FL 33931, by which is the subject property. I took a photographs of the Notice I posted on the 27th day of January 2025. A true, accurate and unaltered copy of the photographs are attached.
3. I posted a copy of the Notice at the primary municipal government office for the Town of Fort Myers Beach, which is Town Hall and located at 2731 Oak Street, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on the 27th day of January 2025 are attached.
4. In addition, I posted a copy of the Notice on the Town's publicly accessible website at <https://www.fortmyersbeachfl.gov/1294/Public-Notices> on the 27th day of January 2025.



Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

Signature of Affiant

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☒ personal presence or ☐ online notarization this 27th day of January, 2025, by D. Batt. She ☒ is personally known to me or ☐ has produced _____ as identification.



ASHLEY SHEPARD
Commission # HH 253125
Expires April 14, 2026

[Notary Seal]

Notary Public, State of Florida

Print Name: Ashley ShepardMy Commission Expires: April 14, 2026

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



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

01/23/2025

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D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

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

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

Overland Park, KS 66207

Certified Mail Fee \$4.35
\$
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$10.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$3.71

Total Postage and Fees \$12.66

Sent To

Lyons Henry E
PO BOX 7112
Overland Park, KS 66207

0440
03

Postmark
Here

NH + SM Packet
2/5/25
2024 3778125
7864 Buccaker Dr

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

9589 0710 5270 0636 6435 24



Jan 27, 2025 10:26:28 AM

7864





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

01/23/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

LYONS HENRY E
PO BOX 7112
OVERLAND PARK, KS 66207,
Respondent.

SITE ADDRESS: 7864 BUCCANEER DR
PARCEL STRAP NO: 034724W3001030240

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D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

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Staples

Jan 27, 2025 10:59:49 AM



Notice of Hearings

- [1249 Estero Blvd case #20240919](#) 12/23/2024
- [1035 Estero Blvd case #20240915](#) 12/23/2024
- [406 Estero Blvd case #20240921](#) 12/23/2024
- [4900 Estero Blvd case #20240960](#) 12/23/2024
- [2815 Estero Blvd case #20240994](#) 12/23/2024
- [2450 Estero Blvd case #20240946](#) 12/23/2024
- [1821 Estero Blvd case #20240914](#) 12/23/2024
- [81 Miramar St. case #20240912](#) 12/23/2024
- [2450 Estero Blvd case #20240946 \(rescheduled\)](#) 12/30/2024
- [201 Delmar Ave case #20240647](#) 01/02/2025 (CANCELED)
- [1 Fairview Blvd case #20240850](#) 01/02/2025 (CANCELED)
- [32 Fairview Blvd case #20240680](#) 01/02/2025
- [3127 Estero Blvd case #20240784](#) 01/02/2025 (CANCELED)
- [104 Washington Ave case #20240522](#) 01/02/2025 (CANCELED)
- [80 Avenue E case #CE140394](#) 01/10/2025
- [7864 Buccaneer Dr. case #20240786](#) 01/27/2025
- [190 Bayview Ave case #20240743](#) 01/27/2025
- [32 Fairview Blvd case #20240680](#) 01/27/2025
- [8285 Estero Blvd case #20241106](#) 01/31/2025



Property Data

STRAP: 03-47-24-W3-00103.0240 Folio ID: 10234053

[Hurricanes Helene/Milton Tax Roll Value Letter](#) [Hurricane Ian Tax Roll Value Letter](#)

Generated on 1/23/2025 1:23 PM

Owner Of Record - Sole Owner

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

LYONS HENRY E
PO BOX 7112
OVERLAND PARK KS 66207



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



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

Site Address

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

7864 BUCCANEER DR
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

LAGUNA SHORES UNIT 1 BLK 3 PB 9 PG 29 LOT 24

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 9 and 29 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	3 / 2.0
Gross Living Area	2,119
1st Year Building on Tax Roll	1979
Historic Designation	No

Township	Range	Section	Block	Lot
47	24E	03	00103	0240
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.40595	-81.89356		

[View Parcel on Google Maps](#)



Image of Structure



◀ Photo Date April of 2014 ▶ ☐ View other photos

Last Inspection Date: 05/17/2019

Property Values / Exemptions / TRIM Notices

Generated on 1/23/2025 1:23 PM

No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
2024 / Additional Info	2024 (Final Value)	507,127	507,117	507,127	507,127	0	0	507,127
2023 / Additional Info	2023 (Final Value)	418,210	418,200	418,210	357,325	50,000	0	307,325
2022 / Additional Info	2022 (Final Value)	662,728	280,500	662,728	346,917	50,000	0	296,917
2021 / Additional Info	2021 (Final Value)	455,381	250,400	455,381	336,813	50,000	0	286,813
2020 / Additional Info	2020 (Final Value)	418,280	278,200	418,280	332,163	50,000	0	282,163
2019 / Additional Info	2019 (Final Value)	407,797	264,924	407,797	324,695	50,000	0	274,695
2018 / Additional Info	2018 (Final Value)	412,632	200,700	412,632	318,641	50,000	0	268,641
2017 / Additional Info	2017 (Final Value)	373,055	143,350	373,055	312,087	50,000	0	262,087

2016	2016 (Final Value)	374,883	143,350	374,883	305,668	50,000	0	255,668
2015	2015 (Final Value)	375,609	114,680	375,609	303,543	50,000	0	253,543
2014	2014 (Final Value)	349,913	114,680	349,913	301,134	50,000	0	251,134
2013	2013 (Final Value)	295,587	93,200	295,587	295,587	50,000	0	245,587
2012	2012 (Final Value)	309,655	155,000	309,655	207,423	50,500	0	156,923
2011	2011 (Final Value)	303,601	155,000	303,601	201,382	50,500	0	150,882
2010	2010 (Final Value)	315,563	160,000	315,563	198,406	50,500	0	147,906
	2009 (Final Value)	304,090	180,000	304,090	193,190	50,000	0	143,190
	2008 (Final Value)	413,380	250,000	413,380	193,000	50,000	0	143,000
	2007 (Final Value)	478,110	285,000	0	187,370	25,000	0	162,370
	2006 (Final Value)	497,950	240,000	0	182,800	25,000	0	157,800
	2005 (Final Value)	339,430	170,250	0	177,480	25,000	0	152,480
	2004 (Final Value)	302,990	170,250	0	172,310	25,000	0	147,310
	2003 (Final Value)	248,930	140,250	0	169,100	25,000	0	144,100
	2002 (Final Value)	294,790	99,880	0	165,140	25,000	0	140,140
	2001 (Final Value)	177,720	61,000	0	162,530	25,000	0	137,530
	2000 (Final Value)	157,800	45,000	0	157,800	25,000	0	132,800
	1999 (Final Value)	177,290	45,000	0	155,020	25,000	0	130,020
	1998 (Final Value)	167,630	43,500	0	152,580	25,000	0	127,580
	1997 (Final Value)	156,540	43,500	0	150,030	25,000	0	125,030
	1996 (Final Value)	148,800	40,000	0	145,660	25,000	0	120,660
	1995 (Final Value)	142,110	36,500	0	142,110	25,000	0	117,110
	1994 (Final Value)	139,730	44,000	0	139,730	25,000	0	114,730
	1993 (Final Value)	124,500	44,600	0	124,500	25,000	0	99,500
	1992 (Final Value)	141,640	44,600	0	141,640	25,000	0	116,640

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 as of 1/22/2025)

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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

Land Features

Description	Year Added	Units
IRRIGATION SYSTEM LAWN	1979	1
FENCE - CHAIN LINK - 4 FOOT	2005	54

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
102 - Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	2.0	1979	1989

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	2,119
FGR - FINISHED GARAGE	N	609
FOP - FINISHED OPEN PORCH	N	422
FSP - FINISHED SCREEN PORCH	N	154
PPT - POOL PATIO	N	912
PTO - PATIO	N	285

Building Features

Description	Year Added	Units
OUTDOOR SHOWER	1979	1
POOL - RESIDENTIAL	1993	392
PATIO - CONCRETE	1993	528
XTRA/ADDITIONAL A/C UNITS	2002	1

Building Front Photo

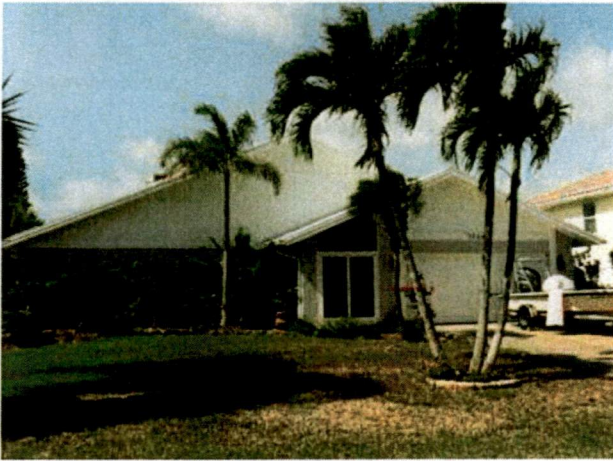
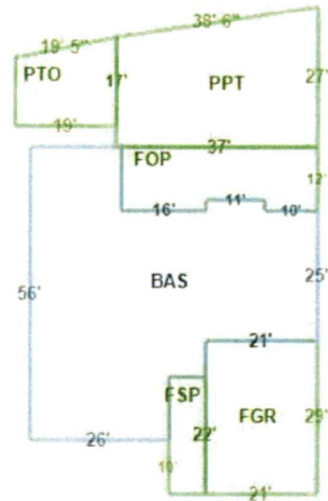


Photo Date: April of 2014

Building Footprint



Property Details (2024 Tax Roll)

Generated on 1/23/2025 1:23 PM

Land

Land Tracts

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

Land Features

Description	Year Added	Units
IRRIGATION SYSTEM LAWN	1979	1
FENCE - CHAIN LINK - 4 FOOT	2005	54

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
102 - Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	2.0	1979	1989

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	2,119
FGR - FINISHED GARAGE	N	609
FOP - FINISHED OPEN PORCH	N	422
FSP - FINISHED SCREEN PORCH	N	154
PPT - POOL PATIO	N	912
PTO - PATIO	N	285

Building Features

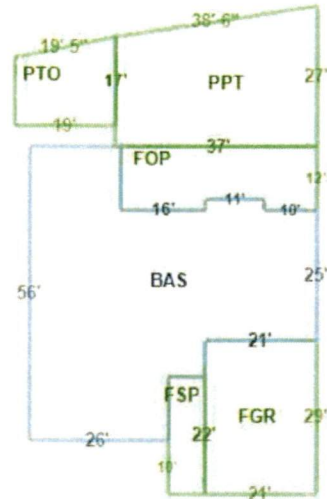
Description	Year Added	Units
OUTDOOR SHOWER	1979	1
POOL - RESIDENTIAL	1993	392
PATIO - CONCRETE	1993	528
XTRA/ADDITIONAL A/C UNITS	2002	1

Building Front Photo



Photo Date: April of 2014

Building Footprint



Taxing Authorities

Generated on 1/23/2025 1:23 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
GREEN CORRIDOR PACE / 363	Special District	

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 1/23/2025 1:23 PM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
600,000.00	04/21/2023	2023000143534	01		I
10.00	02/02/2017	2017000030720	11		I
		2012000192344			
390,000.00	08/30/2012	Sales Questionnaire Complete	01		I
100.00	05/14/2009	2009000133698	15	There are 4 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W3-00102.0010 12-46-24-04-07020.00D0 12-46-24-09-00012.00C0 34-47-25-B3-03300.0010	I
100.00	05/14/2009	2009000133697	15	There are 4 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W3-00102.0010 12-46-24-04-07020.00D0 12-46-24-09-00012.00C0 34-47-25-B3-03300.0010	I
145,000.00	01/01/1989	2042/3306	06		I
115,000.00	02/01/1986	1834/3289	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 **9** and **29** 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 1/23/2025 1:23 PM

Permit Number	Permit Type	Date
MEC15-0245	AC New / Change out	07/29/2015
ELE12-0278	Electric	10/19/2012
PLB12-0077	Plumbing	10/17/2012
BLD12-0164	Building Remodel / Repair	10/10/2012
199403063	Pool & Spa	03/28/1994
199305705	Pool & Spa	06/21/1993
706872	Residential	05/18/1987

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 1/23/2025 1:23 PM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
03-47-24-01-00003.0240	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 1/23/2025 1:23 PM

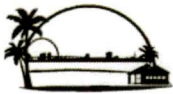
Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	R - Residential Category		1	320.38
	Collection Days			
Garbage	Recycling			Horticulture
Thursday	Thursday			Thursday

Flood and Storm Information

Generated on 1/23/2025 1:23 PM

Community	Flood Insurance	Find my flood zone	Panel	Version	Date	Evacuation Zone
071C			0569	G	11/17/2022	A

Generated on 1/23/2025 1:23 PM



Lee County Tax Collector

Noelle Branning

Account Number:
03-47-24-W3-00103.0240
Alternate Key:
2100154428
Millage Code:
032

Site Address/Legal Description:
7864 BUCCANEER DR
7864 BUCCANEER DR
LAGUNA SHORES UNIT 1 BLK 3 PB 9 PG 29 LOT
24

2024 Real Estate Tax Notice

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

Exemptions/Values	
Market Value	507,127
Assessed Value	507,127
Taxable Value	507,127

★ See message below.

LYONS HENRY E
PO BOX 7112
OVERLAND PARK, KS 66207



SCAN
THIS CODE
to pay online
or visit
LeeTC.com/pay-online

Paid 11/25/2024 DP-00-02898146 \$6,831.88

Ad Valorem Taxes Levying Authority	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	507,127	0	507,127	1,907.96
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	507,127	0	507,127	1,140.02
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.0380	507,127	0	507,127	1,540.65
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	507,127	0	507,127	502.06
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	507,127	0	507,127	48.08
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	507,127	0	507,127	16.58
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	507,127	0	507,127	52.03
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.8000	507,127	0	507,127	1,419.96
FORT MYERS BEACH MOSQUITO	239-247-1205	0.1123	507,127	0	507,127	56.95
FORT MYERS BEACH LIBRARY	239-463-9691	0.1612	507,127	0	507,127	81.75
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0200	507,127	0	507,127	10.14
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	507,127	0	507,127	19.98

Non-Ad Valorem Assessments Levying Authority

Telephone	Rate	Basis	Amount
239-533-8000		ACTL LEVY	320.38

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$7,116.54

2024 Real Estate Tax Notice

PAY ONLY ONE AMOUNT

If Received By:

- ☐ Nov 30, 2024
- ☐
- ☐
- ☐
- ☐

Amount Due:

\$0.00

Phone/Email Contact: _____

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

Account: 03-47-24-W3-00103.0240

Site Address: 7864 BUCCANEER DR

Alternate Key: 2100154428

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

LYONS HENRY E
PO BOX 7112
OVERLAND PARK, KS 66207

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



Paid 11/25/2024 DP-00-02898146 \$6,831.88

Prepared by:

Accent Title Insurance Agency, Inc.

17693 Summerlin Road

Fort Myers, Florida 33908

File Number: 23-7296

Recorded at Official Records Instrument
_____, In the
Public Records of Lee County, Florida
on ____/____/____ at ____:____, via E-file

Rec 18.50
Doc 41200.00
\$ 41218.50

General Warranty Deed

Made this April 21, 2023 A.D., By **ANITA ELIZABETH BOONE f/k/a ANITA ELIZABETH BOONE-MERRIWETHER**, an unmarried woman, whose post office address is: 968 Greenwood Court South, Sanibel, Florida 33957, hereinafter called the grantor, to **HENRY E. LYONS**, an unmarried man, whose post office address is: P.O. Box 7112, Overland Park, Kansas 66207, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) 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, viz:

Lot 24, Block 3, Unit No.1 Laguna Shores, according to the Plat thereof, recorded in Plat Book 9, Page(s) 29 and 30, of the Public Records of Lee County, Florida.

Said property is not the homestead of the Grantor under the laws and constitution of the State of Florida in that neither Grantor nor any members of the household of Grantor reside thereon.

Parcel ID Number: 03-47-24-W3-00103.0240

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 December 31, 2022.

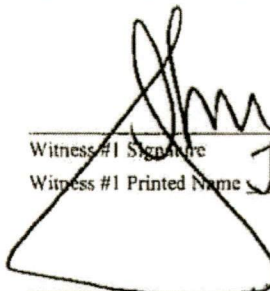
Prepared by:

Accent Title Insurance Agency, Inc.
17693 Summerlin Road
Fort Myers, Florida 33908

File Number: 23-7296

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

*Signed, sealed and delivered in our presence
as to all Grantors:*

Witness #1 Signature 
Witness #1 Printed Name Jocelyne Muffalli

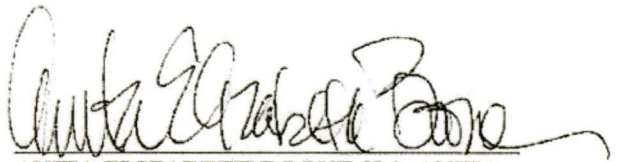
Witness #2 Signature 
Witness #2 Printed Name ISABELLE WELLS

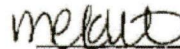
State of Florida
County of Lee

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 17 day of April, 2023, by **ANITA ELIZABETH BOONE f/k/a ANITA ELIZABETH BOONE-MERRIWETHER**, an unmarried woman, who is/are personally known to me or who has produced FL Drivers license as identification.

(seal)




ANITA ELIZABETH BOONE f/k/a ANITA ELIZABETH BOONE-MERRIWETHER


Signature of Notary Public
Print Name: Melanie Hess
My Commission Expires: 10-13-23
Commission Number: 60921589

Hearing Exhibit B

Notice of Violation



Town of Fort Myers Beach

CODE COMPLIANCE

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

08/21/2024

Case Number:	20240786
Certified Mail:	9589071052700183637205
Regular Mail	

LYONS HENRY E
PO BOX 7112
OVERLAND PARK, KS 66207

SITE ADDRESS: 7864 BUCCANEER DR
PARCEL STRAP NO: 034724W3001030240

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **08/20/2024** by Town of Fort Myers Beach Code Enforcement Officer **Marcio Chavez** indicates that the following items are in violation:

Property unsafe and in disrepair. Roof in disrepair and debris flying onto neighbors yard. Property is in need of maintenance.

These items are a violation of the following Town Codes:

Sec. 110.1 The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment after review is so deteriorated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction in accordance with the Florida Building Code, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the Building Official.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Please obtain required permit(s) to repair structure. Please pick up and discard of roof debris..

You are hereby directed to bring these violations into compliance within 30 Days.

ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS (HAVE) 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 (are) 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 239-460-7560 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

Marcio Chavez
Code Enforcement Officer
Town of Fort Myers Beach





TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Lyons Henry E
PO BOX 7112
Overland Park, KS 66207

Respondent,

FMB Case Number:	20240786
Certified Mail:	
Regular Mail:	
DOAH Case Number:	[Not Applicable]

Site Address: 7864 Buccaneer Dr.,
Fort Myers Beach, FL 33931
Parcel Strap No. 034724W3001030240

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared M. Chavez, who is the Code Enforcement Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240786 for Property unsafe and in disrepair. Roof in disrepair and debris flying onto neighbor's yard. Property is in need of maintenance for the property 7864 Buccaneer Dr., Fort Myers Beach, FL 33931. True, accurate and unaltered copy of the Notice of Violation attached.

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



1. I personally mailed by certified mail a copy of the Notice of Violation to the following:
 - a. Lyons Henry E
PO BOX 7112
Overland Park, KS 66207
Certified Mail No. 9589071052700183637205
(Property Owner)

Copies of the certified mailing receipts are attached as evidence.

2. I had a copy of the Notice posted at 7864 Buccaneer Dr., Fort Myers Beach, FL 33931, which is the subject property. I took a photographs of the Notice I posted on the 21st day of August 2024. A true, accurate and unaltered copy of the photographs are attached.
3. I posted a copy of the Notice at the primary municipal government office for the Town of Fort Myers Beach, which is Town Hall and located at 2731 Oak Street, Fort Myers Beach, FL 33931 in the book and to a window for availability to view 24 hours a day and 7 days a week. True, accurate and unaltered copies of photographs I took of the Notice posted on the 21st day of August 2024 are attached.
4. In addition, Code Compliance Coordinator Officer D. Batt posted a copy of the Notice of Violation to the Town Website for publication which is available 24 hours a day 7 days a week at <https://www.fortmyersbeachfl.gov/1294/Public-Notices>.

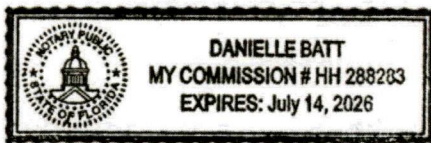


Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

x [Signature]
Signature of Affiant

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☒ personal presence or ☐ online notarization this 23rd day of January, 2025, by M. Chavez. She or He ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]

[Signature]
Notary Public, State of Florida
Print Name: Danielle Batt
My Commission Expires: July 14 2026

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



Town of Fort Myers Beach

CODE COMPLIANCE

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

08/21/2024

CASE NUMBER:	20240786
CERTIFIED MAIL:	9589071052700183637205
REGULAR MAIL:	

LYONS HENRY E
PO BOX 7112
OVERLAND PARK, KS 66207

SITE ADDRESS: 7864 BUCCANEER DR
PARCEL STRAP NO: 034724W3001030240

9589 0710 5270 0183 6372 05

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT 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

\$

Sent To

Lyons Henry E

Street and Apt. No., or PO Box No.

P.O. Box 7112

City, State, ZIP+4®

Overland Park, KS 66207

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

Town of Fort Myers Beach

Postmark
Here

AUG 21 2024

Sent by:

Case # 20240786

7864 Buccaneer Dr

STATE OF VIOLATION

Inspection of the above-referenced property on 08/20/2024
 Enforcement Officer **Marcio Chavez** indicates that the following

air. Roof in disrepair and debris flying onto
 maintenance.

own Codes:

or of any premises upon which is located any structure, which in
 deteriorated or has become so out of repair as to be dangerous,
 in habitation or occupancy, and such that it is unreasonable to
 structure; or if such structure is capable of being made safe by
 to board up and hold for future repair or to demolish and remove
 cessation of normal construction in accordance with the Florida
 owner to demolish and remove such structure, or board up until
 repair shall not extend beyond one year, unless approved by the

COMPLIANCE:

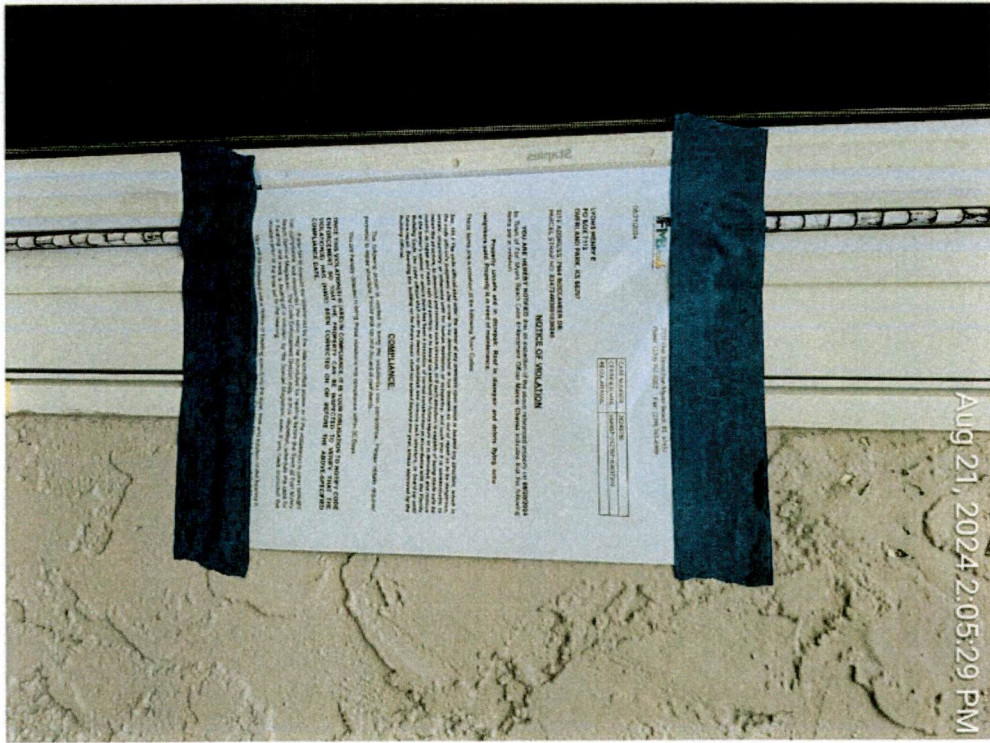
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If you fail to correct the violation(s) by the date specified above, or if the violation(s) is (are) brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement 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



8/21/24, 9:43 AM



Town of Fort Myers Beach CODE COMPLIANCE

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

08/21/2024

CASE NUMBER:	20240786
CERTIFIED MAIL:	9589071052700183637205
REGULAR MAIL:	

LYONS HENRY E
PO BOX 7112
OVERLAND PARK, KS 66207

SITE ADDRESS: 7864 BUCCANEER DR
PARCEL STRAP NO: 034724W3001030240

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on 08/20/2024 by Town of Fort Myers Beach Code Enforcement Officer Marcio Chavez indicates that the following items are in violation:

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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

Hearing Exhibit C

Status of Compliance



01/23/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

LYONS HENRY E

Respondent.

Site Address: 7864 BUCCANEER DR
Parcel Strap No.: 034724W3001030240

Case Number: 20240786

Certified Mail:

Regular Mail:

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 08/20/2024, LYONS HENRY E (property owner) was observed in violation of Chapter 6-2, Section 110.1 of the Town of Fort Myers Beach Code of Ordinances, Property unsafe and in disrepair. Roof in disrepair and debris flying onto neighbors yard. Property is in need of maintenance., at the property located at 7864 BUCCANEER DR, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 08/21/2024, and sent certified mail to the address of record, PO BOX 7112, OVERLAND PARK, KS 66207, posted to the violation property located at 7864 BUCCANEER DR, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. LYONS HENRY E was/were given 30 Days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 09/21/2024.

5. I performed an inspection of the Subject Property on 01/23/2025, 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 7864 BUCCANEER DR, Fort Myers Beach, FL 33931.

6. I have attached Exhibit A, 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 01/23/2025.

These photographs have not been altered in any way.

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

8. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate that and 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

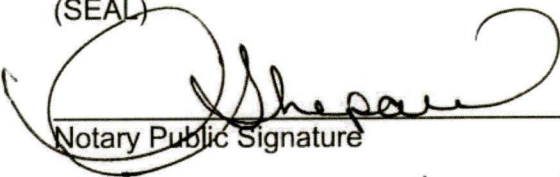
**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was certified and subscribed before me by means of X physical presence OR online notarization, this 23rd day of January, 2025, by D. Batt, X 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



Jan 23, 2025 12:46:37 PM



Jan 23, 2025 12:47:08 PM



Jan 23, 2025 12:47:18 PM



Jan 23, 2025 12:47:46 PM



Jan 23, 2025 12:47:40 PM



Jan 23, 2025 12:48:03 PM



Jan 23, 2025 12:48:05 PM





Jan 23, 2025 12:48:24 PM

Hearing Exhibit D

Violated Regulations

Sec. 6-2. - Amendments.

The 2018 Edition of the International Property Maintenance Code is hereby amended as follows:

- (a) Wherever the term "code official" appears in the International Property Maintenance Code, that term shall be interpreted to mean the Director of the Department or Community Development or his or her designee. Wherever the term "department" appears in this code, it shall be interpreted to mean the Department of Community Development. Wherever the terms "International Building Code" or "International Existing Building Code" appear in this code, the term "Florida Building Code" shall be substituted for such terms.
- (b) Section 101.1 Title, is amended to read as follows:

These regulations shall be known as the Property Maintenance Code of the Town of Fort Myers Beach, Florida, hereinafter referred to as "this code."
- (c) *Section 102.3 Application of other codes*, is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of occupancy shall be done in accordance with the procedures and provisions of the Florida Building Code, as amended.
- (d) *Section 102.6 Historic Buildings*, is amended to read as follows:

The provisions of this code shall not be mandatory for existing buildings or structures formally or officially designated as historic buildings by either the federal government, the state, or the Town, provided such buildings or structures are judged by the Building Official to be safe and in the public interest of health, safety and welfare.
- (e) *Section 102.7 Referenced codes and standards*, is amended to read as follows:

The codes and standards referenced in this code shall be the Florida Building Code, the Florida Fire Prevention Code, the Life Safety Code and any other code or standard contained in Articles II, III and IV in Chapter 6 of the Land Development Code. Where there are differences between provisions of this code, the Florida Building Code and any other code or standard contained in Articles II, III and IV in

Chapter 6 of the Land Development Code, the Florida Building Code, the Florida Fire Prevention Code, the Life Safety Code, and any other code or standard contained in Articles II, III, and IV in Chapter 6 of the Land Development Code shall prevail.

(f) *Section 103 Department of Property Maintenance Inspection* is hereby deleted in its entirety.

(g) *Section 104.4 Right of Entry* is hereby deleted in its entirety.

(h) *Section 106.3 Prosecution of Violation*, is hereby amended to read as follows:

Any person who fails to comply with a notice of violation or order served in accordance with Section 107 shall be adjudicated in accordance with the provisions of Chapter 162 of the Florida Statutes or any other method allowed by Florida law, or as provided in the codes and ordinances of the Town of Fort Myers.

(i) *Section 107.2 Form*, is hereby amended to read as follows:

The notice prescribed in Section 107.1 shall comply with the requirements of F.S. ch. 162.

(j) *Section 107.3 Method of Service*, is hereby amended to read as follows:

All notices shall be deemed to have been properly served if the service requirements contained in F.S. ch. 162 have been met.

(k) *Section 107.5 Penalties*, is hereby amended to read as follows:

Penalties for noncompliance with orders and notices shall be as set forth in F.S. ch. 162, and the codes and ordinances of the Town of Fort Myers Beach.

(l) *Section 107.6 Transfer of Ownership*, is hereby amended to read as follows:

If the owner of property that is subject to a code enforcement proceeding before the special magistrate, or court transfers ownership of such property between the time the notice of violation was served and the time of the hearing, such owner shall:

(1) Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.

(2) Deliver to the prospective transferee a copy of the pleadings, notices, and other materials relating to the code enforcement proceeding received by the transferor.

- (3) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.
- (4) File a notice with the code official of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within 5 days after the date of the transfer.
- (5) A failure to make the disclosures described in paragraphs (1), (2), and (3) before the transfer creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is held.

(m) *Section 108.2 Closing of vacant structures*, is hereby amended to read as follows:

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate for said costs. The lien shall be superior to all other liens and encumbrances, including prior recorded mortgage or judgments and only inferior to liens for taxes. In the event the owner or person creating the need for closing or securing the premises fails and refuses to pay or reimburse the Town for the costs, the Town may foreclose said lien in accordance with the law applicable to the foreclosure of such liens and the Town shall be entitled to recover its reasonable attorney's fees and costs incurred in such foreclosure action.

(n) *Section 108.7 Record*, is hereby amended to read as follows:

The code official shall prepare a report on an unsafe condition. In addition, a written notice of the unsafe condition shall be recorded in the public records for Lee County. The notice shall state the occupancy of the structure and the nature of the unsafe condition.

- (o) *Section 109.5 Costs of emergency repairs*, is hereby amended to read as follows:

Costs incurred in the performance of emergency work shall be paid by the Town. All costs incurred by the Town in the performance of emergency work shall be a lien upon such real estate for said costs. The lien shall be superior to all other liens and encumbrances, including prior recorded mortgage or judgments and only inferior to liens for taxes. In the event the owner or person creating the need for emergency repairs fails and refuses to pay or reimburse the Town for the costs, the Town may foreclose said lien in accordance with the law applicable to the foreclosure of such liens and the Town shall be entitled to recover its reasonable attorney's fees and costs incurred in such foreclosure action.

- (p) *Section 109.6 Hearing*, is hereby amended to read as follows:

Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon appeal to the Town Council, be afforded a hearing as described in this code.

- (q) *Section 110.1 General*, is hereby amended to read as follows:

The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment after review is so deteriorated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction in accordance with the Florida Building Code, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the Building Official.

- (r) *Section 110.3 Failure to comply*, is hereby amended as follows:

If the owner of a premises fails to comply with a demolition order within the time prescribed, the Town shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged

against the real estate upon which the structure is located and shall be a lien upon such real estate for said costs. In the event the owner or person creating the need for demolition and removal fails and refuses to pay or reimburse the Town for the costs, the Town may foreclose said lien in accordance with the law applicable to the foreclosure of such liens and the Town shall be entitled to recover its reasonable attorney's fees and costs incurred in such foreclosure action.

- (s) *Section 111.1 Application for appeal*, is hereby amended to read as follows:

Any person directly affected by a decision of the code official or a notice or order issued pursuant to this code shall have the right to appeal to the Town Council, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served on the affected person or from the date of posting on the property. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. This section shall not apply to orders issued by the Town special magistrate in connection with a code enforcement special magistrate hearing.

- (t) *Sections 111.2 through Section 111.8* are hereby deleted in their entirety.

- (u) *Section 112.4 Failure to comply*, is hereby amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a code violation and shall be subject to a fine as determined by the Town special magistrate.

- (v) *Section 302.3 Sidewalks and driveways*, is hereby amended to read as follows:

Section 302.3. Sidewalks, driveways and rights-of-way. All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Trees and shrubs shall be maintained to provide for horizontal clearance of at least three (3) feet from and vertical clearance of at least eight (8) feet above any sidewalk, bike path, or street right-of-way. Unpaved areas shall be regularly mowed or otherwise maintained in a neat and attractive condition.

(w) *Section 302.4 Weeds*, is hereby amended to read as follows:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided, however, this term shall not include cultivated flowers and gardens and native beach vegetation such as sea oats. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation and having been given a reasonable time to cut and destroy the weeds, any duly authorized employee of the Town or contractor hired by the Town shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property. All costs incurred by the Town to cut and destroy the weeds shall be a lien upon such real estate for said costs. The lien shall be superior to all other liens and encumbrances, including prior recorded mortgage or judgments and only inferior to liens for taxes. In the event the owner or agent fails and refuses to pay or reimburse the Town for its costs, the Town may foreclose said lien in accordance with the law applicable to the foreclosure of such liens and the Town shall be entitled to recover its reasonable attorney's fees and costs incurred in such foreclosure action.

(x) *Section 302.8 Motor Vehicles*, is hereby amended to read as follows:

Section 302.8 Motor Vehicles and Boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle or boat shall be parked, kept or stored on any premises, and no vehicle or boat shall at any time be in a state of major disassemble, disrepair, or in the process of being stripped or dismantled. Painting of vehicles or boats is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle or boat of any type is permitted to undergo major overhaul, including body or hull work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

(y) A new *Section 302.10* is hereby added as follows:

Section 302.10 Exterior Storage.

1.

No temporary or permanent storage of materials or equipment is permitted on any vacant parcel, unless in conjunction with an active building permit or where such storage is specifically permitted by Chapter 34 of the Land Development Code.

2. Equipment, materials, and furnishings not designed for use outdoors, such as automotive parts and tires, building materials, and interior furniture, may not be stored outdoors.

(z) *Section 303.2 Enclosures*, is hereby amended to read as follows:

Public swimming pools, hot tubs and spas shall include all safety features specified by F.S. § 514.0315, including any subsequent amendments thereto. Residential swimming pools shall be maintained in compliance with the State Residential Swimming Pool Safety Act, as contained in F.S. ch. 515.

(aa) A new *Section 303.3* is hereby added as follows:

Section 303.3 Disposal of swimming pool water. Prior to disposing of any swimming pool water, chlorine and bromine levels must be reduced by not adding chlorine or bromine for a least five (5) days or until levels are below 0.1 mg per liter. One of the following methods of disposal shall be utilized:

1. Discharge of the water into roadside swales to allow for percolation of the water into the ground without any runoff to canals, beaches, wetlands, other tidal waters, or onto adjoining properties. This shall be the preferred method of disposal.
2. Discharge of the water into the sanitary sewer system operated by Lee County Utilities is also permitted, but is not the preferred method.

Under no circumstances shall any swimming pool water be discharged either directly or indirectly onto the beach, or into canals, wetlands, or any other tidal waters.

(bb) *Section 304.3 Premises Identification*, is hereby amended to read as follows:

All buildings shall have address numbers that have been assigned by Lee County placed in a position to be plainly legible and visible by emergency personnel from the street or road fronting the property. All address numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters.

Numbers shall be a minimum of 3 inches high. Numbers on all commercial, institutional, or multifamily buildings that are set back more than 50 feet from the street shall be at least eight inches high.

(cc) *Section 304.14 Insect screens*, is hereby amended to read as follows:

Every window in a residential structure that is capable of being opened and every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition. Screens shall not, however, be required where other approved means, such as air curtains or insect repellent fans, are employed.

(dd) A new *Section 308.4* is hereby added as follows:

308.4 Additional Regulations for Rubbish and Garbage Containers.

1. Rubbish and Garbage containers shall not be moved to the street more than 24 hours prior to scheduled curbside collection, nor remain there more than 24 hours after scheduled collection.
2. Each refuse container that is not movable shall be opaquely screened from view from streets and adjoining properties and such screening shall be of sufficient height to entirely screen the container. Screening may be achieved by landscaping, wall, or opaque fencing provided the wall or fence does not exceed the maximum height permitted for the property.
3. Any rubbish or garbage container not located within a roofed enclosure must have a cover or lid that renders the interior of the container inaccessible to animals.

(ee) *Section 402.2 Common halls and stairways*, is hereby amended to read as follows:

Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9,144 mm). In other than residential occupancies, means of egress, including

exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 footcandle (11 lux) at floors, landings and treads, provided, however, that during Sea turtle nesting season (May 1 through October 31), the provisions of Chapter 14, Article II of the Fort Myers Beach Land Development Code shall supersede the foregoing requirements.

(ff) *Section 507 Storm Drainage*, is hereby amended to read as follows:

Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance. Point sources of stormwater discharge from private property directly onto the beach are prohibited. This prohibition includes drainage collected from parking lots or other paved surfaces and stormwater from roofs of buildings.

(gg) A new *Section 602.7* is hereby added as follows:

Section 602.7 Screening of Mechanical Equipment. Any new mechanical equipment placed on a roof shall be screened from view from ground level of adjoining properties and public rights-of-way. When mechanical equipment is being replaced on a roof of a building that is not undergoing structural alterations, such equipment shall be screened to the same standard using non-structural materials such as ornamental latticework.

(hh) *Section 701.1 Scope*, is hereby amended to read as follows:

The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided. All references to the "International Fire Code" in this Chapter 7 shall be replaced with the "Florida Fire Prevention Code."

(Ord. No. 13-01, § 2, 1-22-2013; Ord. No. 21-01, § 2(Exh. A), 3-15-2021)