



Fort Myers Beach Special Magistrate Hearing

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

Agenda

Friday, June 6, 2025

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- A. Special Magistrate Hearings - January 29, 2025
- B. Special Magistrate Hearings - March 5, 2025
- C. Special Magistrate Hearings - April 30, 2025

III. COMPLIANCE CASES (STATUS UPDATE)

IV. VIOLATION CASES

- A. 121 Strandview Ave
FMB Case: 20240721
Property Owner: Anderson Carol A + Welch Stacey A
Property Address: 121 Strandview Ave
Status: Violation
- B. 190 Bayview Avenue
FMB Case: 20240743
Property Owner: Sullivan Scott B
Property Address: 190 Bayview Ave
Status: Violation
- C. 4855 Dolphin Ln
FMB Case: 20240736
Property Owner: Robertson Christopher & Robertson Shannon
Property Address: 4855 Dolphin Ln
Status: Violation
- D. FMB Case: 20250396
FMB Case: 20250396
Property Owner: McCarthy Wendy L + Unknow Heirs
Property Address: 5740 Lauder St
Status: Violation

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.



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

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



Fort Myers Beach Special Magistrate Hearing

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931
Wednesday, January 29, 2025

1:00 PM

Minutes
DRAFT

ORDER OF BUSINESS

I. CALL TO ORDER

Present: Special Magistrate Monica Schmucker, Town Clerk Amy Baker and Operations & Compliance Manager Thomas Yozzo.

II. APPROVAL OF MINUTES

No action.

III. SWEARING IN OF WITNESSES

Special Magistrate Schmucker swore in those providing testimony.

IV. PUBLIC HEARINGS

A. FORECLOSURE AUTHORIZATION AND CORRECTION - 80 AVENUE E **REQUEST TO CORRECT A CLERICAL ERROR AND AUTHORIZATION TO FORECLOSE A RECORDED CODE ENFORCEMENT ORDER IMPOSING LIEN (INSTRUMENT NO. 2019000067137) ENCUMBERING 80 AVENUE E, FORT MYERS, FLORIDA**

An attorney for the town reviewed the narrative as stated on the red sheet in the agenda materials. She cited a clerical error and noted that the lien recorded on March 27, 2019, instrument number 2019-00067137, was the one she was asking to foreclose on today. The incorrect foreclosure of the order was recorded on April 6, 2016, instead of the lien recorded on April 27, 2019. She requested a new order authorizing foreclosure. She noted that White Sands Properties of Fort Myers Beach was the property's current owner. Notice of the hearing was provided to the respondent and a copy of it with attachments was included with the agenda materials. She distributed copies of the amended hearing Exhibit B. The amount owed under the code enforcement lien was \$594,650.00.

Manager Yozzo presented the affidavit of notice and posting, which is included in Exhibits B, C, D and E. He testified that the property was in compliance as of September 28, 2022, due to Hurricane Ian.

The lien was recorded in Lee County Public Records more than three months

ago and the town has met its burden to foreclose on the lien. The lien remains unpaid and the respondent has not presented evidence that the lien was ever released. Copies of a prior order were distributed and all the Exhibits were entered into the record.

The attorney for the defendant stated that the notice of hearing was not an authorization to foreclosure. It said it was a notice of hearing to correct a clerical error in a foreclosure authorization related to a lien encumbering 80 Avenue E. Exhibit I was the order the town asked the Special Magistrate to correct. The problem was that Exhibit I was a final order, and jurisdictionally, final orders could only be corrected within the time for rehearing. According to the town's code, a request for rehearing must be in writing and made within 10 days of the date of the order. The order was entered on February 23, 2024, so the request should be denied. He explained why he thought it was a substantive error instead of a clerical error. He provided copies of the defendant's Exhibit 1 and described the contents. Only one of the three liens listed on the first page of the amended and corrected notice of code enforcement was correct, which was 2019-000160404.

The town's attorney objected to bringing in other code enforcement cases. Special Magistrate Schmucker allowed the defendant's attorney to continue. He stated the town sought relief to foreclose on the April 12, 2016, lien ending in 76125. He referred to Exhibit B2 and noted that was the lien the town requested to foreclose, and the Special Magistrate did exactly what they asked by authorizing foreclosure on the April 12, 2016 lien. He stated that it was not a typo and that if the Special Magistrate changed and corrected the order, she would give the town new substantive relief by authorizing foreclosure on a new lien.

The town's attorney stated they were seeking a new order authorizing foreclosure on the document in Exhibit A. She read the notice of hearing and clarified that the clerical error was that the order they sought to foreclose now was not included in the agenda materials or notice of the previous hearing.

Special Magistrate Schmucker indicated she would have the defendant's attorney proceed with the substance and she would not rule today.

The defendant's attorney described the prior hearing when Mr. Orlandini presented the Special Magistrate with a settlement check and stated she would not be considering whether or not there was a settlement. If she was inclined to maintain that same position, he asked that she make it abundantly clear to the town. Special Magistrate Schmucker told him to present his case and she would decide what to consider.

Jesse Schmidt, property owner, testified that he purchased the property from Mr. Orlandini in March 2020. He explained that the lien on 80 Avenue E encumbered all his properties, including 1560 I St. When White Sands purchased 1560 I St., he was unaware of the other liens until the title search. The former town manager, Roger Hernstadt, made a deal with him to remove the code enforcement fines from 80 Ave. E. and the town council accepted Mr. Schmidt's offer of \$65,000.00 and cashed the check. Mr. Schmidt paid \$50,000.00 and Mr. Orlandini paid \$15,000.00. Mr. Schmidt purchased

another property from Mr. Orlandini, which used to be MoJo's restaurant at 1710 and 1740 Estero Blvd.

The defendant's attorney presented a copy of a check dated December 12, 2019, to resolve the liens at 80 Ave. E and give a partial release of Mr.

Orlandini's fine so he could sell 1560 I St., which did not have a lien.

The defendant's attorney presented a document regarding the partial release of 1560 I St. dated January 10, 2020. A second document was a partial release of a lien for 1710 and 1740 Estero Blvd. dated November 12, 2020, recorded months after Mr. Schmidt closed on the property after the

\$15,000.00 was paid. Mr. Schmidt thought the total amount paid was around \$130,000. The code enforcement case was CE17-0065. The defendant's attorney referred to a lien recorded on March 2, 2021, for 2890 Seaview St., case number CE14-0394. Mr. Schmidt understood that the documents presented resolved the liens based on 80 Ave. E. Mr. Schmidt identified a zoning verification letter dated November 18, 2020, from the town stating there were no active code enforcement cases on the property. He identified another email he sent to the town council to release a lien on 80 Ave. E. Town Council member Karen Woodson responded that she would follow up and they were working hard to clean up the past. Mr. Schmidt commented that he bought other properties on the beach with paid liens that had not been released and the town was trying to clean them up. Mayor Dan Allers wrote an email and thought the issue was resolved years ago. Mr. Schmidt stated it had been resolved years ago.

The town's attorney clarified that Mr. Schmidt did not personally write a check to release the liens on 80 Ave. E. Mr. Schmidt said he went to the town council to get 1560 I St. released. The town's attorney presented minutes from a code enforcement case stating it was a partial release for the property listed herein, 1560 I St. Mr. Schmidt noted that Mr. Orlandini had to pay the

\$15,000.00 to get the others released. The town's attorney asked whether there was a written agreement. Mr. Schmidt said there was, but Mr. Hernstadt refused to give him a copy because he was not the owner.

The defendant's attorney provided an email from Council Member Woodson, attaching the November 18, 2020, email where she circled in red that there were no active code enforcement cases on the property at 80 Ave. E and was sent on May 10, 2024. He reviewed the above information to make his case that the town forgot to file the release for 80 Ave. E.

Manager Yozzo repeated his earlier testimony regarding compliance. Special Magistrate Schmucker received confirmation of the settlement at the town council meeting on December 9, 2019. The defendant's attorney provided a copy of the minutes. Special Magistrate Schmucker entered all the exhibits into the record and stated she would issue an order regarding the threshold issue within the next 15 days. If she finds a jurisdictional issue with the notice, that would end the order and would not be continued. If she determines that the notice was proper, it will be continued to March 5, 2025. The defendant's attorney will submit a brief by February 4, 2025, and the town will respond by February 7, 2025.

V. ADJOURNMENT

Special Magistrate Schmuker adjourned the meeting at 10:16 AM.

DRAFT



Fort Myers Beach Special Magistrate Hearing

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

Minutes

9:00 AM

DRAFT

ORDER OF BUSINESS

I. CALL TO ORDER

Present: Special Magistrate Monica Schmucker, Town Clerk Amy Baker, Town Clerk Administrative Coordinator Lizzette Roman and Officer Batt.

II. APPROVAL OF MINUTES

- A. Special Magistrate Hearings February 5, 2025
On page 2, the correct spelling is Knight Creations.
Special Magistrate Schmucker approved the amended minutes.

III. VIOLATION CASES

- A. 207 Driftwood Ln., Praraz Builders LLC
FMB Case Number: 20241151
Property Owner: 207 Driftwood Ln., Praraz Builders LLC
Code Violation: Boat lift in disrepair and/or dangerous condition, causing a public safety concern. Weeds, plants, and/ or grass in excess of 12" in height.
Officer Batt stated the property was in compliance as of March 4, 2025. She introduced an affidavit, photos and an email into the record and the Special Magistrate entered them as Exhibit E. Exhibits A, B, C, and D were already on file. The town requested a \$250.00 administrative fee to be paid within 30 days and the case will be closed when the fee is paid.
The respondent agreed to pay the fee.
Special Magistrate Schmucker will issue an order of compliance and a \$250.00 administrative fee.

IV. CONTINUED CASES

- A. 7864 Buccaneer Dr. Lyons, Henry E
FMB Case No.: 20240786 (Continued from February 5, 2025, hearing) Property Owner: Lyons, Henry E

Property Address: 7864 Buccaneer Dr.

Code Violation: Property in disrepair and in need of maintenance.

Officer Batt testified that the respondent brought the property into compliance on or before February 18, 2025. She requested that the affidavit of compliance, photos and an email chain be entered into the record. Special Magistrate Schmucker entered the items into the record as Exhibit E.

The town requested a finding of violation and a \$250.00 administrative fee to be paid within 60 days. The case will be closed when the fee is paid.

Special Magistrate Schmucker will issue an order that a violation occurred and has been brought into compliance. A \$250.00 administrative fee is to be paid within 60 days. A status check will be held in two months.

V. CERTIFICATION OF LIEN(S) (NON-COMPLIANCE)

No liens.

VI. COMPLIANCE CASES (STATUS UPDATE)

A. 32 Fairview Blvd., Celhart Properties LLC

Officer Batt reported that the property was in compliance by January 30, 2025. She requested that the affidavit of compliance and photos be entered into the record. Special Magistrate Schmucker entered the items into the record as Exhibit D. Officer Batt requested a finding of violation and the \$250.00 administrative fee be waived.

Special Magistrate Schmucker will issue an order of compliance and will waive the \$250.00 fee.

VII. LIEN FORECLOSURE CASES

No cases.

VIII. BUILDING OFFICIAL APPEALS

No appeals.

IX. ADJOURNMENT

Special Magistrate Schmucker adjourned the meeting at 9:14 AM.



Fort Myers Beach Special Magistrate Hearing

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931
Wednesday, April 30, 2025

Minutes

9:00 AM

DRAFT

ORDER OF BUSINESS

I. CALL TO ORDER

Members present: Special Magistrate Monica Schmucker, Town Clerk Amy Baker, Town Clerk Administrative Coordinator Lizzette Roman, Town Attorney Nancy Stuparich and Emergency Services & Compliance Director Thomas Yozzo.

II. APPROVAL OF MINUTES (NO ITEMS)

III. VIOLATION CASES (NO ITEMS)

IV. CERTIFICATION OF LIEN(S) - NON-COMPLIANCE - (NO ITEMS)

V. COMPLIANCE CASES (STATUS UPDATE)

A. 8124 Estero Blvd., Dennis M. Prock

FMB Case No.: 20230476

Property Owner: Prock, Dennis M

Property Address: 8124 Estero Boulevard

Violation: Lower level enclosure without Permit

Town Attorney Stuparich stated that the town requested an order of compliance with no fines or liens. The town requested \$100.00 in administrative costs and it was paid this morning. She reviewed the history of the case and believed the code enforcement order was improperly imposed. There was no certification of a Lien.

Attorney Noel Davies represented the property owner and agreed with the town attorney. They requested a certified compliance with the previous order and make it clear that no fines were due, mirroring what was in the public records. He asked that the instrument number 2023000213895 be referenced. Town Attorney Stuparich noted that the money escrowed by the title company should be released to the property owner.

Special Magistrate Schmucker will review the order when she receives it from Attorney Davies.

VI. LIEN FORECLOSURE CASES (NO ITEMS)

VII. BUILDING OFFICIAL APPEALS (NO ITEMS)

VIII. ADJOURNMENT

The Meeting was adjourned at 9:10 AM.

Minutes approved with / without changes on June 4, 2025, by Special Magistrate Schmucker.

Signature: _____

Property Address and Owner:

Hearing Date: June 6, 2025

FMB Case: 20240721
Property Owner: Anderson Carol A + Welch Stacey A
Property Address: 121 Strandview Ave
Status: Violation

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

Narrative:

Attachments:

1. 20240721_AMENDED NOTICE OF HEARING (dated 05.07.25) for June 6, 2025 Hearings
2. 20240721_NOTICE OF CODE ENFORCEMENT HEARING
3. 20240721_Hearing Exhibit_A_Notice of Hearing and Affidavit of Posting
4. 20240721_Hearing Exhibit_B_Notice of Violation
5. 20240721_Hearing Exhibit_C_Status of Compliance
6. 20240721_Hearing Exhibit_D_Violated Regulation(s)

Town Recommendations:

Town Approvals:

_____ Thomas Yozzo, Emergency Services Director	Date: May 27, 2025
_____ Traci Kohler, Assistant to the Town Manager	Date: May 27, 2025
_____ Frankie Kropacek, Community Development Director	Date: May 27, 2025
_____ nancy stuparich, Town Attorney	Date: May 27, 2025
_____ Lizzette Roman, Town Clerk Administrative Coordinator	Date: May 27, 2025
_____ Amy Baker, Town Clerk	Date: May 28, 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

05/07/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

Case Number:	20240721
Certified Mail:	
Regular Mail	

vs.

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822,
Respondent.

SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160

AMENDED 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 9:00A.M. on Friday 06/06/2025** 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
NOTICE OF CODE ENFORCEMENT HEARING
2731 Oak Street Fort Myers Beach, FL 33931
Phone: (239) 765-0202 Fax: (239) 765-0909

04/04/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

Case Number:	20240721
Certified Mail:	9589071052700636643197
Regular Mail	

vs.

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822,
Respondent.

SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160

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HEARING

EXHIBIT

A

- Notice of Hearing and Affidavit of Posting



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

04/04/2025

**TOWN OF FORT MYERS BEACH,
Petitioner,**

Case Number:	20240721
Certified Mail:	9589071052700636643197
Regular Mail	

vs.

**ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822,
Respondent.**

**SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160**

NOTICE OF CODE ENFORCEMENT HEARING

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Marcio Chavez

Code Enforcement Officer
Town of Fort Myers Beach

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TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Anderson Carol A + Welch Stacey A
4202 Prairiewest Dr
Champaign, IL 61822

Respondent,

FMB Case Number:	20240721
Certified Mail:	
Regular Mail:	
DOAH Case Number:	

Site Address: 121 Strandview Ave,
Fort Myers Beach, FL 33931
Parcel Strap No.294624W30080F0160

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Marcio Chavez, who is the Code Compliance Manager for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240721 the overgrowth of grass and/or weeds in excess of 12 inches, the maintaining of a green and/or stagnant pool indicating possibly broken filtration system creating it to be unsafe and unsanitary in need of repair and/or removal and no required pool barrier at the property 121 Strandview Ave, Fort Myers Beach, FL 33931.

FORT MYERS BEACH ESTERO ISLAND

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



1. I personally mailed by certified mail and regular mail a copies of the Notice of Hearing scheduled 06/04/2025 to the following:
 - a. Anderson Carol A + Welch Stacey A
4202 Prairiewest Dr
Champaign, IL 61822
Certified Mail No. 9589071052700636643197
(Property Owner)

Copies of the certified mailing receipts are attached as evidence.

2. I posted a copy of the Notice at 121 Strandview Ave, Fort Myers Beach, FL 33931, by which is the subject property. I took a photographs of the Notice I posted on the 24th day of April 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 24th day of April 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 24th day of April 2025. A copy of the posted webpage is attached as Evidence



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 24th day of April, 2025, by Marcio Chavez. He ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]

Signature of Notary Public

Notary Public, State of Florida

Print Name: Danielle Batt

My Commission Expires: July 14 2026



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

04/04/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822,
Respondent.

SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160

Case Number:	20240721
Certified Mail:	9589071052700636643197
Regular Mail	

NOTICE OF CODE ENFORCEMENT HEARING

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NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend the hearing, the Special Magistrate will consider the case, even though you are not present. No further action(s) that may affect your rights. If you believe you have the ability to contact the Code Enforcement Division so that an amicable resolution can be reached.

9589 0710 5270 0636 6431 97

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 \$

Town of Fort Myers Beach

APR 24 2025

MC

Postmark Here

Case # 20240721

121 Strandview Ave

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822

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

Marcio Chavez

Code Enforcement Officer
Town of Fort Myers Beach

WHO NEEDS ANY ACCOMMODATION IN ORDER TO ATTEND, AT NO COST TO YOU, TO THE PROVISION OF A CLERK FOR THE TOWN OF FORT MYERS BEACH, 2525 TELEPHONE NUMBER (239) 765-0202, AT LEAST 72 BUSINESS

MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR OWN EXPENSE FOR THE TAKING AND PREPARATION OF A STATEMENT AND EVIDENCE BY A COURT REPORTER UPON WHICH THE APPEAL IS TO BE BASED.



2525 Estero Boulevard
Fort Myers Beach, FL 33931

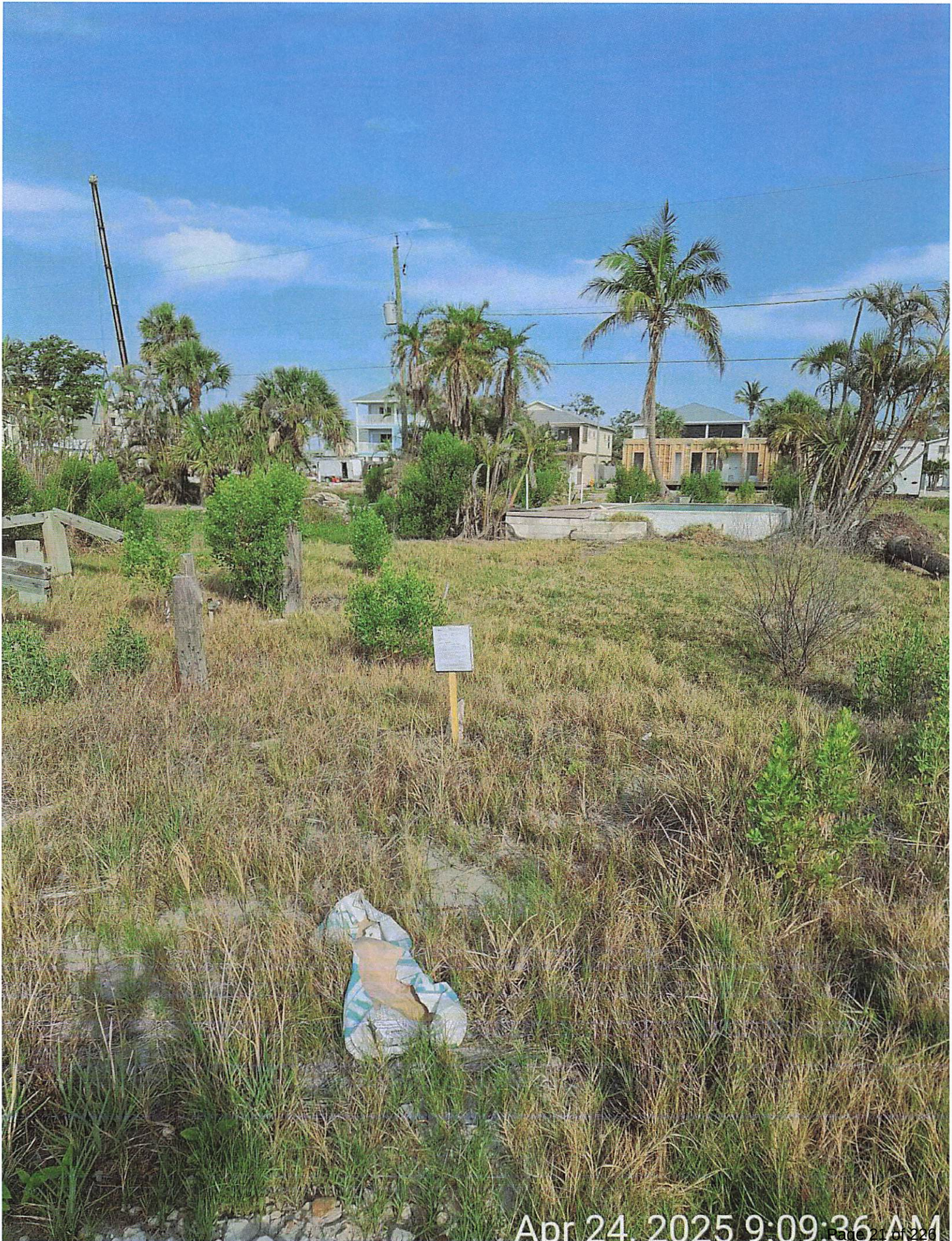
**ANDERSON CAROL A + WELCH
STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822**

FIRST-CLASS



US POSTAGE PAID PITNEY BOWES

ZIP 33931 \$ 000.69⁰
02 7H
0006188942 APR 24 2025



Apr 24, 2025 9:09:36 AM Page 21 of 226



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

04/04/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822,
Respondent.

SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160

Case Number	20240724
Certified Mail	9569071052700638643197
Regular Mail	

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 A.M. on Wednesday 06/04/2025** 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/2019/Meeting/04-06-2025>

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.

Marissa 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, 2225 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 PROCEEDING AND, FOR SUCH PURPOSE, MAY NEED TO INSURE 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.

Staples



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

04/04/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822,
Respondent.

Case Number:	20240721
Certified Mail:	9589071052700636643197
Regular Mail	

SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160

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Marcio Chavez

Code Enforcement Officer
Town of Fort Myers Beach

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Apr 24, 2025 7:55:37 AM



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

04/04/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

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ANDERSON CAROL A + WELCH STACEY A
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Staples



Property Data

STRAP: 29-46-24-W3-0080F.0160 Folio ID: 10229955

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

Generated on 4/4/2025 11:15 AM

Owner Of Record - Joint Tenants

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

ANDERSON CAROL A +
WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN IL 61822

+ Site Address

Site Address maintained by E911 Program Addressing

121 STRANDVIEW AVE
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



HYDE PARK BLK F PB 7 PG 20 LOTS 16 + 17

[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.

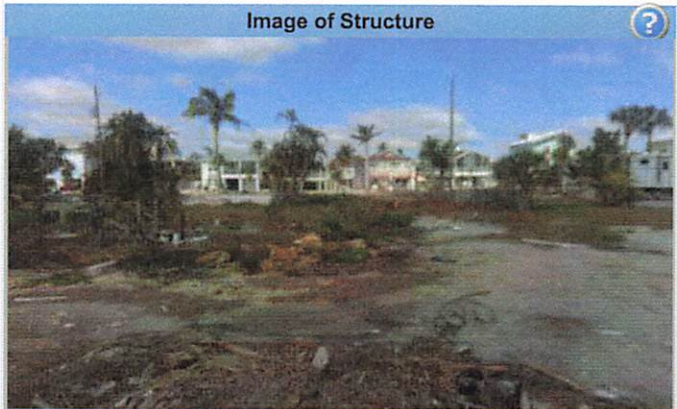
Attributes and Location Details

Total Bedrooms / Bathrooms 0
1st Year Building on Tax Roll N/A
Historic Designation No

Township	Range	Section	Block	Lot
46	24E	29	0080F	0160
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.43794	-81.92161		

[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

Generated on 4/4/2025 11:15 AM

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)	966,967	952,873	966,967	484,734	0	0	484,734
2023 / Additional Info	2023 (Final Value)	483,518	475,462	483,518	440,667	0	0	440,667
2022 / Additional Info	2022 (Final Value)	558,034	361,100	558,034	400,606	0	0	400,606
2021 / Additional Info	2021 (Final Value)	383,579	263,200	383,579	364,187	0	0	364,187
2020 / Additional Info	2020 (Final Value)	331,079	263,200	331,079	331,079	0	0	331,079

2019 / Additional Info	2019 (Final Value)	323,000	243,400	323,000	323,000	0	0	323,000
2018 / Additional Info	2018 (Final Value)	318,959	243,400	318,959	318,959	0	0	318,959
2017 / Additional Info	2017 (Final Value)	319,772	231,800	319,772	319,772	0	0	319,772
2016	2016 (Final Value)	315,313	231,800	315,313	305,890	0	0	305,890
2015	2015 (Final Value)	281,202	231,800	281,202	278,082	0	0	278,082
2014	2014 (Final Value)	252,802	150,480	252,802	252,802	0	0	252,802
2013	2013 (Final Value)	234,195	160,900	234,195	234,195	0	0	234,195
2012	2012 (Final Value)	253,856	180,000	253,856	253,856	0	0	253,856
2011	2011 (Final Value)	263,138	180,000	263,138	247,369	0	0	247,369
2010	2010 (Final Value)	224,881	180,000	224,881	224,881	0	0	224,881
	2009 (Final Value)	242,340	195,000	242,340	242,340	0	0	242,340
	2008 (Final Value)	339,040	271,220	339,040	339,040	0	0	339,040
	2007 (Final Value)	369,040	301,220	0	369,040	0	0	369,040
	2006 (Final Value)	334,400	231,220	0	334,400	0	0	334,400
	2005 (Final Value)	246,090	180,470	0	246,090	0	0	246,090
	2004 (Final Value)	172,100	119,470	0	172,100	0	0	172,100
	2003 (Final Value)	145,830	76,970	0	145,830	0	0	145,830
	2002 (Final Value)	138,580	34,000	0	103,740	25,500	0	78,240
	2001 (Final Value)	102,110	34,000	0	102,110	25,500	0	76,610
	2000 (Final Value)	108,300	52,500	0	101,390	25,500	0	75,890
	1999 (Final Value)	102,300	52,500	0	98,720	25,500	0	73,220
	1998 (Final Value)	114,920	52,500	0	96,170	25,500	0	70,670
	1997 (Final Value)	94,560	52,500	0	94,560	25,500	0	69,060
	1996 (Final Value)	92,320	52,500	0	92,320	25,000	0	67,320
	1995 (Final Value)	94,250	52,500	0	94,250	25,000	0	69,250
	1994 (Final Value)	95,820	52,500	0	95,820	25,000	0	70,820
	1993 (Final Value)	100,770	52,500	0	100,770	25,000	0	75,770
	1992 (Final Value)	94,560	52,500	0	94,560	25,000	0	69,560

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 4/3/2025) ?

Generated on 4/4/2025 11:15 AM

Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
0	Vacant Residential	1.00	Units



Property Details (2024 Tax Roll) ?



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Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
0	Vacant Residential	1.00	Units

Taxing Authorities

Generated on 4/4/2025 11:15 AM

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
100.00	09/13/2006	2006000363199	01		I
230,000.00	07/31/2002	3699/1661	06		I
45,000.00	07/01/1980	1441/1312	06		I
17,500.00	08/01/1969	547/60	06		V

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

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

Generated on 4/4/2025 11:15 AM

Permit Number	Permit Type	Date
234854	Demolition	08/02/2023
RES199612280	Building Addition	12/09/1996
703309	Residential	03/12/1987
RES000703309	Residential	03/12/1987

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 4/4/2025 11:15 AM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
29-46-24-08-0000F.0160	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 4/4/2025 11:15 AM

Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	R - Residential Category		0	0.00

Garbage	Collection Days	Horticulture
Thursday	Thursday	Thursday

Flood and Storm Information				
Generated on 4/4/2025 11:15 AM				
Flood Insurance Find my flood zone				
Community	Panel	Version	Date	Evacuation Zone
071C	0558	G	11/17/2022	A

Generated on 4/4/2025 11:15 AM
[Previous Parcel Number](#) [Next Parcel Number](#) [New Query](#) [Search Results](#) [Home](#)

Prepared by:
Janet L. Snyder
American Acquisition Title, Inc.
1500 Colonial Blvd. - Suite 206
Ft. Myers, Florida 33907

File Number: FM-06-1059

General Warranty Deed

Made this A.D. By Carol A. Anderson, asingle woman , whose address is: 4202 Prairie Drive, Champaign IL 61822, hereinafter called the grantor, to Carol A. Anderson, asingle woman and Stacey A. Welch, a single woman as joint tenants with full rights of survivorship, whose post office address is: 4202 Prairie Drive, Champaign IL 61822, 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:

Lots 16 and 17, Block F, HYDE PARK, according to the Map or Plat thereof recorded in Plat Book 7 Page 20, Public Records of Lee County, Florida

Parcel ID Number: 29 46 24 W3 0080F 0160

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, 2006.

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:

Krisa K. Kocher
Witness Printed Name KRISAK K. KOCHER

Carol A. Anderson (Seal)
Carol A. Anderson
Address:

Carol S. Morris
Witness Printed Name CAROL S. MORRIS

Stacey A. Welch (Seal)
Address:

State of ~~Florida~~ ILLINOIS
County of ~~LEE~~ CHAMPAIGN

The foregoing instrument was acknowledged before me this September 13, 2006, by Carol A. Anderson, asingle woman, who is/are personally known to me or who has produced _____ as identification.

Melanie L. Jeffers
Notary Public
Print Name: MELANIE L. JEFFERS
My Commission Expires: OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires 6/20/10

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

08/06/2024

CASE NUMBER:	20240721
CERTIFIED MAIL:	9589071052700183635416
REGULAR MAIL:	

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822

SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160

NOTICE OF VIOLATION

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

The overgrowth of grass and/or weeds in excess of 12 inches, the maintaining of a green and/or stagnant pool indicating possibly broken filtration system creating it to be unsafe and unsanitary in need of repair and/or removal and no required pool barrier.

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.

Sec. 34-1176 (C,1) In-ground Swimming Pools In-ground swimming pools, hot tubs and spas. Every swimming pool, hot tub, spa, or similar facility shall be enclosed by a fence, wall, screen enclosure or other structure, not less than four feet in height, constructed or installed so as to prevent unauthorized access to the pool by persons not residing on the property. For purposes of this subsection, the height of the structure shall be measured from the ground level outside of the area so enclosed. The enclosure may be permitted to contain gates, provided they are self-closing and self-latching.

*Sec. 6-2. - Amendments. (Weeds) (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.*

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Please mow and maintain grass and/or weeds below 12 inches in height. Repair pool filtration system if necessary, clean and maintain appropriately creating a sanitary pool with clean and clear water and/or contact permitting to get necessary permit(s) to remove the pool/structure from property and add required allowable pool barrier if

necessary..

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,

Code Enforcement Officer
Town of Fort Myers Beach

Aug 6, 2024 9:50:54 AM



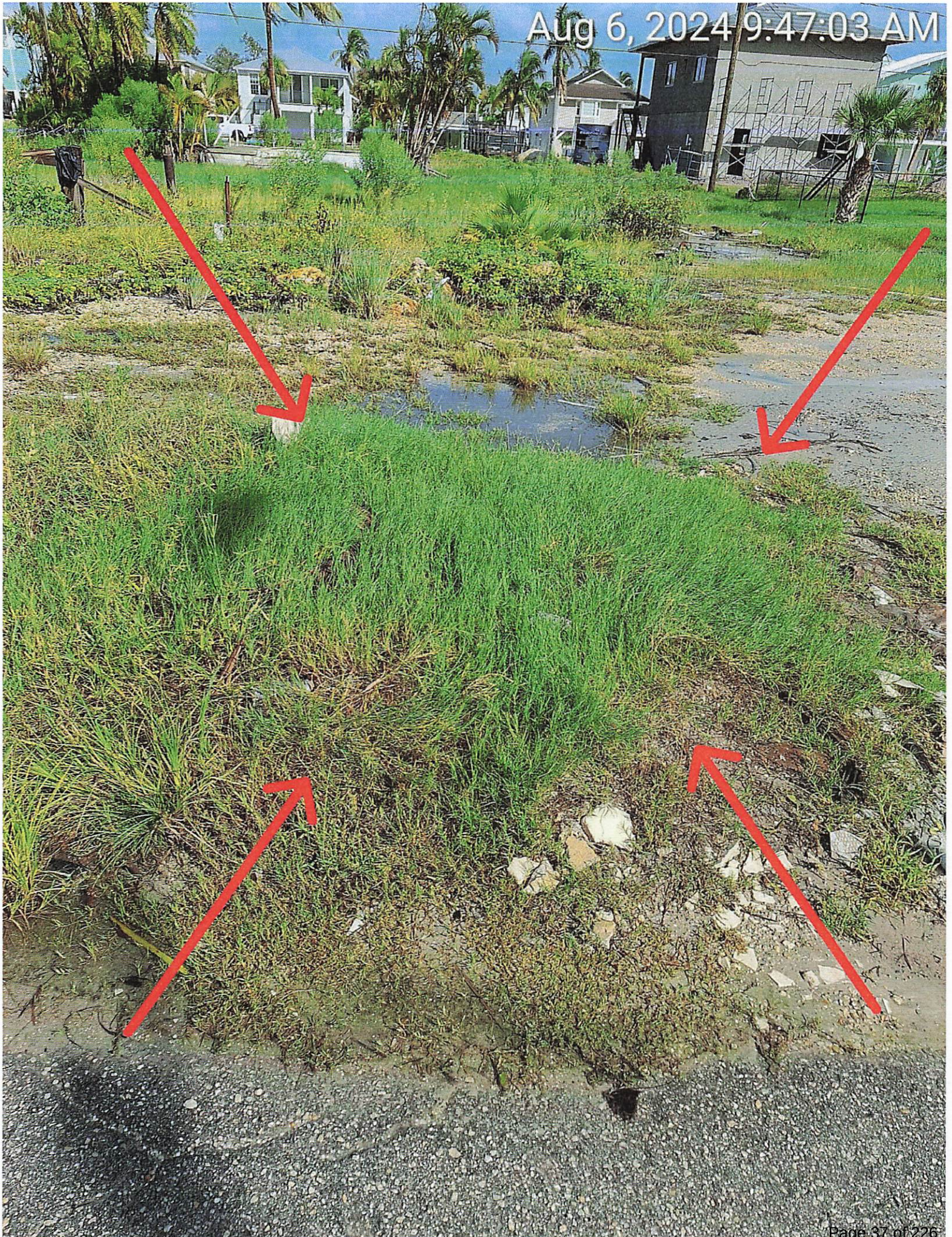
Aug 6, 2024 9:47:29 AM



Aug 6, 2024 9:47:20 AM



Aug 6, 2024 9:47:03 AM





TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

ANDERSON CAROLA +
WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN IL 61822
Respondent,

FMB Case Number:	20240721
Certified Mail:	
Regular Mail:	
DOAH Case Number:	[Not Applicable]

Site Address: 121 Strandview Ave,
Fort Myers Beach, FL 33931
Parcel Strap No. 29-46-24-W3-0080F.0160

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Marcio Chavez, 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 #20240721 for the maintaining of a green and/or stagnant pool indicating possibly broken filtration system creating it to be unsafe and unsanitary in need of repair and/or removal and pool barrier required, for the property 121 Strandview Ave Fort Myers Beach, FL 33931 attached

FORT MYERS BEACH ESTERO ISLAND

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



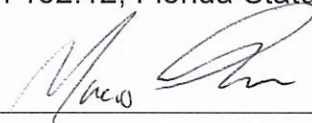
1. I personally mailed by certified mail a copy of the Notice of Violation 04/4/2025 to the following:
 - a. ANDERSON CAROL A +WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN IL 61822
Certified Mail No. 9589071052700183635416
(Property Owner)

Copies of the certified mailing receipts are attached as evidence.

2. I had a copy of the Notice posted at 121 Strandview Ave, Fort Myers Beach, FL 33931, which is the subject property. I took a photographs of the Notice I posted on the 4th day of April 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 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 30th day of January 2025 are attached.
4. In addition, Code Compliance Coordinator Officer Marcio Chavez 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 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 24th day of April, 2025, by Marcio Chavez. 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 14th 2026



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

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

08/06/2024

CASE NUMBER:	20240721
CERTIFIED MAIL:	9589071052700183635416
REGULAR MAIL:	

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822

SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160

NOTICE OF VIOLATION

an inspection of the above-referenced property on by Town of
cer Marcio Chavez indicates that the following items are in

r weeds in excess of 12 inches, the maintaining
ng possibly broken filtration system creating it
of repair and/or removal and no required pool

Town Codes:

ner of any premises upon which is located any structure, which in
deteriorated or has become so out of repair as to be dangerous,
nan habitation or occupancy, and such that it is unreasonable to
uch structure; or if such structure is capable of being made safe by
or to board up and hold for future repair or to demolish and remove
a cessation of normal construction in accordance with the Florida
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.

Sec. 34-1176 (C,1) In-ground Swimming Pools In-ground swimming pools, hot tubs and spas. Every swimming pool, hot tub, spa, or similar facility shall be enclosed by a fence, wall, screen enclosure or other structure, not less than four feet in height, constructed or installed so as to prevent unauthorized access to the pool by persons not residing on the property. For purposes of this subsection, the height of the structure shall be measured from the ground level outside of the area so enclosed. The enclosure may be permitted to contain gates, provided they are self-closing and self-latching.

Sec. 6-2. - Amendments. (Weeds) (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.

COMPLIANCE:

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Anderson Carol A + welch
Stacey A
4202 Prairiewest Dr.
Champaign, IL 61822



9590 9402 8344 3094 9294 81

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

☒ Agent

☐ Addressee

B. Received by (Printed Name)

PAMELA BARTKO

C. Date of Delivery

8/12/24

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☒ No

Case # 20240721 121 Strandview Ave

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery

☐ Priority Mail Express®

☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

☐ Insured Mail Restricted Delivery (over \$500)

9589 0710 5270 0183 6354 16



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

08/06/2024

CASE NUMBER:	20240721
CERTIFIED MAIL:	9589071052700183635416
REGULAR MAIL:	

ANDERSON CAROL A + WELCH STACEY A
4202 PRAIRIEWEST DR
CHAMPAIGN, IL 61822

SITE ADDRESS: 121 STRANDVIEW AVE
PARCEL STRAP NO: 294624W30080F0160

NOTICE OF VIOLATION

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

The overgrowth of grass and/or weeds in excess of 12 inches, the maintaining of a green and/or stagnant pool indicating possibly broken filtration system creating it to be unsafe and unsanitary in need of repair and/or removal and no required pool barrier.

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.

Sec. 34-1176 (C,1) In-ground Swimming Pools In-ground swimming pools, hot tubs and spas. Every swimming pool, hot tub, spa, or similar facility shall be enclosed by a fence, wall, screen enclosure or other structure, not less than four feet in height, constructed or installed so as to prevent unauthorized access to the pool by persons not residing on the property. For purposes of this subsection, the height of the structure shall be measured from the ground level outside of the area so enclosed. The enclosure may be permitted to contain gates, provided they are self-closing and self-latching.

Sec. 6-2. - Amendments. (Weeds) (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.

COMPLIANCE:

HEARING

EXHIBIT

C

- Status of Compliance


FMBgov.com

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

04/04/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

ANDERSON CAROL A + WELCH STACEY A

Respondent.

Site Address: **121 STRANDVIEW AVE**
Parcel Strap No.: **294624W30080F0160**

Case Number:	20240721
Certified Mail:	
Regular Mail:	

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

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

1. I, Marcio Chavez, 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 08/06/2024, ANDERSON CAROL A + WELCH STACEY A (property owner) was observed in violation of 34-1176 (C,1) of the Town of Fort Myers Beach Code of Ordinances, The overgrowth of grass and/or weeds in excess of 12 inches, the maintaining of a green and/or stagnant pool indicating possibly broken filtration system creating it to be unsafe and unsanitary in need of repair and/or removal and no required pool barrier., at the property located at 121 STRANDVIEW AVE, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 08/06/2024, and sent certified mail to the address of record, 4202 PRAIRIEWEST DR, CHAMPAIGN, IL 61822, posted to the violation property located at 121 STRANDVIEW AVE, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. ANDERSON CAROL A + WELCH STACEY A was/were given 30 Days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 09/06/2024.

5. I performed an inspection of the Subject Property on 04/04/2025, 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 121 STRANDVIEW 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 08/29/2024. These photographs have not been altered in any way.

6. I have attached Exhibit A, which are photographs of the Subject Property, which I personally took, and which fairly represent the current condition of the Subject Property I personally observed on 04/04/2025. 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 24th day of April, 2025, by Marcio Chavez, x who is personally known to me OR _____ who has produced _____ as identification.

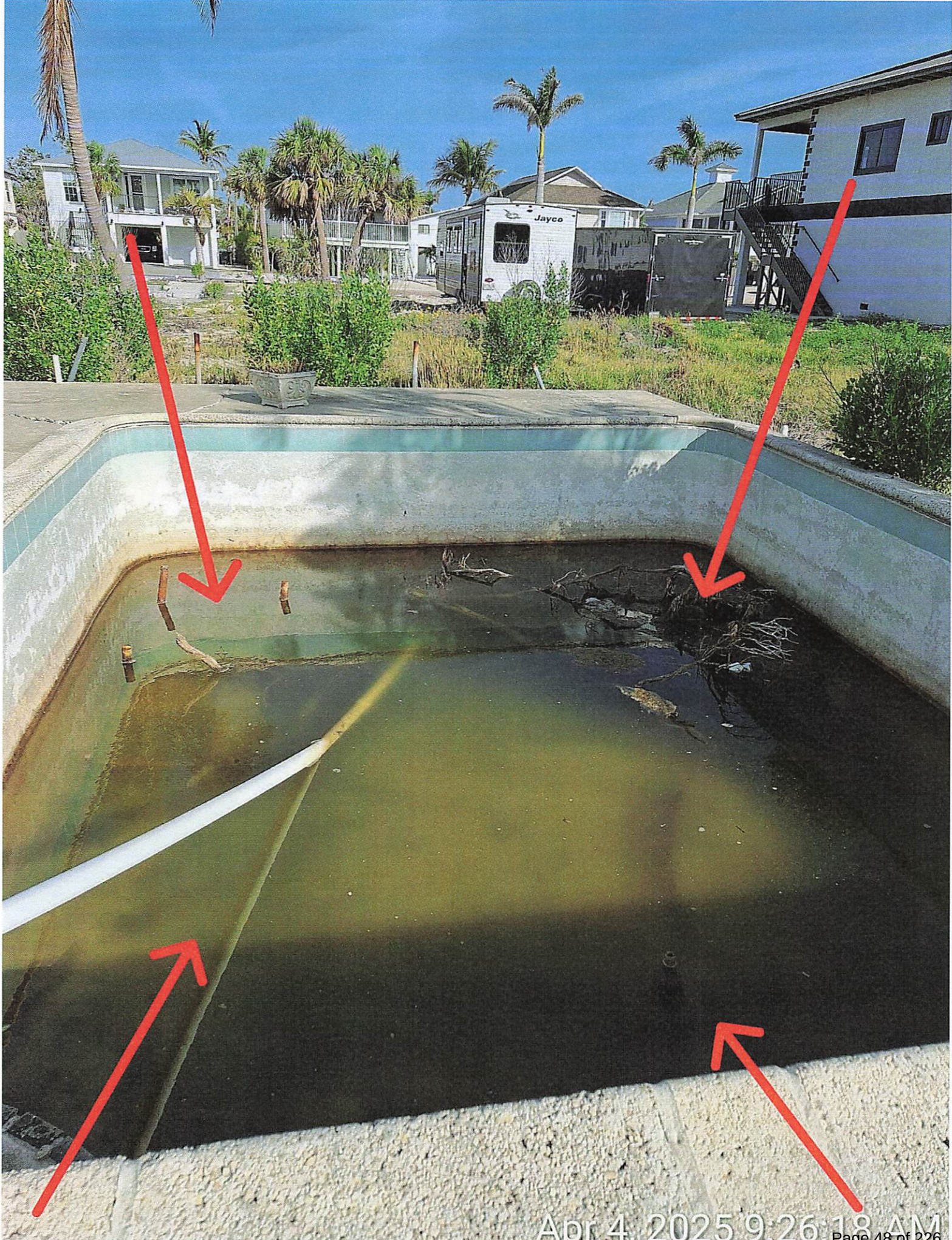


Notary Public Signature

My Commission Expires: July 14 2026



Apr 4, 2025 9:25:54 AM



HEARING

EXHIBIT

D

- Violated Regulation(s)

See relevant highlighted section(s) of
applicable code

Sec. 34-1176 (C,1) In-ground Swimming Pools

In-ground swimming pools, hot tubs and spas. Every swimming pool, hot tub, spa, or similar facility shall be enclosed by a fence, wall, screen enclosure or other structure, not less than four feet in height, constructed or installed so as to prevent unauthorized access to the pool by persons not residing on the property. For purposes of this subsection, the height of the structure shall be measured from the ground level outside of the area so enclosed. The enclosure may be permitted to contain gates, provided they are self-closing and self-latching.

Property Address and Owner:

Hearing Date: June 6, 2025

FMB Case: 20240743
Property Owner: Sullivan Scott B
Property Address: 190 Bayview Ave
Status: Violation

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

Narrative:

Attachments:

1. 20240743_Hearing Exhibit 1_Amended Notice of Code Enforcement Hearing
2. 20240743_Notice of Code Enforcement Hearing
3. 20240743_Hearing Exhibit_F - Affidavit of Notice of 2-5-2025 Hearing
4. 20240743_Hearing Exhibit_A1 - Property Ownership Information
5. 20240743_Hearing Exhibit_B - Photos of Violation
6. 20240743_Hearing Exhibit_C -Affidavit of Notice of Violation
7. 20240743_Hearing Exhibit_D - Affidavit of Non-Compliance
8. 20240743_Hearing Exhibit_E - Copy of Violated Code

Town Recommendations:

Town Approvals:

_____ Thomas Yozzo, Emergency Services Director	Date: May 27, 2025
_____ Traci Kohler, Assistant to the Town Manager	Date: May 27, 2025
_____ nancy stuparich, Town Attorney	Date: May 28, 2025
_____ Lizzette Roman, Town Clerk Administrative Coordinator	Date: May 28, 2025
_____ Amy Baker, Town Clerk	Date: May 28, 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

05/07/2025

**TOWN OF FORT MYERS BEACH,
Petitioner,**

vs.

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

Case Number:	20240743
Certified Mail:	
Regular Mail	

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

AMENDED 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 9:00 A.M. on Friday 06/06/2025** 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.



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.

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Hearing Exhibit F



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 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 #20240743 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 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. Sullivan Scott B
1 Valley View Dr.
Savanna, IL 61074
Certified Mail No. 9589071052700636643431
(Property Owner)

Copies of the certified mailing receipts are attached as evidence.

- 2. I posted a copy of the Notice at 190 Bayview Ave, 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.

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 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]

[Signature]
Notary Public, State of Florida
Print Name: Ashley Shepard
My Commission Expires: April 14, 2026



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

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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:

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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. Batti

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.

9589 0710 5270 0636 6435 31

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Savanna, IL 61074

Certified Mail Fee	\$4.35
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☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$2.87

Total Postage and Fees \$11.82

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Not a SM Packet
01/27/2025
2024 0743
190 Bayview Ave

Sullivan Scott B
1 Valley View Dr.
Savanna, IL 61074

PS Form 3800, January 2023 PSN 7530-02-000-9037 See Reverse for Instructions



Jan 27, 2025 10:47:24 AM



Jan 27, 2025 10:47:15 AM



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.

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

Case Number:	20240743
Certified Mail:	9589071052700636643431
Regular Mail:	

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.

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Jan 27, 2025 11:00:00 AM



Permit #: 236648

Permit Date: 12/06/23

Permit Type:

Permit Type: Residential

Sub Type: Pool- Below Ground

Type of Construction: N/A

Type of Occupancy / Use: Residential

Contractor Business Name/Applicant: Quality Pools For Less

Contact Name: John W Vanderschaaf

Contractor/Applicant Email: john@qualitypoolsforless.com

Contractor/Applicant Phone #: 239-237-6250

Property Owner's Email: sulss4js@gmail.com

Current Use: R

Proposed Use: R

Scope of Work: Pool and Deck Renovation

Project Cost: 60280

Square Feet: 1500

Issued Date: 02/15/2024

Expiration Date: 12/10/2024

Finaled Date:

Closed Date:

Repair Damage Due To: IN REVIEW

Storm Damage:

Status: ISSUED

Assigned To:

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
294624W30080C0190	190 BAYVIEW AVE	HYDE PARK BLK C PB 7 PG 20 LOTS 19 + 20	SULLIVAN SCOTT B		RS-1

Contractors

Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #
------------	-----------------	-------	---------	-----------------	---------	-----------

Quality Pools for Less	John W. Vanderschaaf	239-237-6250	3037 SW 11th Place	Certified Pool	WC	TWC4382401
Quality Pools for Less	John W. Vanderschaaf	239-237-6250	3037 SW 11th Place	Certified Pool	Liability	NN1592250
JTE Electric Inc	Larry J. Edwards	239-368-9511	204 Waldo Ave. N. Lehigh Acres FL 33971	Certified Electrical	General Liability Ins.	GL100008482600
Quality Pools for Less	John W. Vanderschaaf	239-237-6250	3037 SW 11th Place	Certified Pool	Certified Pool	CPC1459817
JTE Electric Inc	Larry J. Edwards	239-368-9511	204 Waldo Ave. N. Lehigh Acres FL 33971	Certified Electrical	Workman's Comp Ins.	052060304
JTE Electric Inc	Larry J. Edwards	239-368-9511	204 Waldo Ave. N. Lehigh Acres FL 33971	Certified Electrical	Electrical Contractor License	EC13002460

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
06/21/2024	Pool - 119 Final Pool		06/24/2024		Peter Haigis	Pass
06/14/2024	Pool - 119 Final Pool	Pool not finished or equipment not running. Rescheduled after 6/13 inspection was canceled.	06/17/2024		Peter Haigis	Fail
06/12/2024	Pool - 119 Final Pool		06/13/2024	06/13/2024	Joe Specht	Cancelled
06/11/2024	Pool - 117 Pool Safety		06/10/2024	06/10/2024	Joe Specht	Pass
06/07/2024	Pool - 119 Final Pool		06/10/2024	06/10/2024	Joe Specht	Cancelled
03/25/2024	Pool - 116 Deck Bonding		03/26/2024	03/26/2024	Joe Specht	Pass
03/21/2024	Pool - 108 Shell Steel	CONCRETE SHOOT WIHTOUT INSPECTION	03/22/2024	03/22/2024	Ron Cohowcz	Fail
03/21/2024	Pool - 108 Shell Steel	Need recorded NOC before scheduling inspections	03/22/2024		Ashley Shepard	Cancelled
03/21/2024	Pool - 118 Shell Bonding	CONCRETE SHOOT WIHTOUT INSPECTION	03/22/2024	03/22/2024	Ron Cohowcz	Fail
03/21/2024	Pool - 142 Silt Fence		03/22/2024	03/22/2024	Ron Cohowcz	Pass
03/21/2024	NOC		03/21/2024	03/21/2024	Misty Alexander	Pass
07/01/2024	As-Built Survey Inspection					Open

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
12/06/2023	Notice of Commencement		Misty Alexander	DONE
12/06/2023	Reviews completed-Notification sent		*	

12/06/2023	Review Flood		Kenneth Jacobsen	RESUBMITTAL REQUIRED
12/06/2023	Review Res. Plan review		Kenneth Jacobsen	RESUBMITTAL REQUIRED
12/06/2023	Review Zoning		Jason Smalley	RESUBMITTAL REQUIRED
12/06/2023	Review Stormwater		Eli Lee	REVIEWED W/CONDITIONS
12/06/2023	Review Environmental		Chadd Chustz	REVIEWED W/CONDITIONS
12/06/2023	Review FMB Application		Tracie Raski	DONE
12/06/2023	Elec. Sub Permit Req.	JTE Electric Inc EC13002460	Misty Alexander	DONE
12/08/2023	Rejection Letter Sent	1st Zoning review rejection Letter has been uploaded to the permit portal and available to view	Korey Lastinger	DONE
12/21/2023	Resubmitted (Zoning Review)	Resub 1 uploaded 12/21/23	Jason Smalley	REVIEWED FOR COMPLIANCE
01/08/2024	Rejection Letter Sent	1st Plan and Flood review rejection Letter has been uploaded to the permit portal and available to view	Korey Lastinger	DONE
02/14/2024	Resubmitted (Flood Review)		Joe Specht	REVIEWED FOR COMPLIANCE
02/14/2024	Resubmitted (Plan Review)		Joe Specht	REVIEWED FOR COMPLIANCE

Fees

Fee	Description	Notes	Amount
	Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review		
POL – Pools (Above Ground, Below Ground, Spas) (2024)			\$850.00
* MISC- DBPR & DCA Admin Fees			\$21.25
		Total	\$871.25

Attached Letters

Date	Letter	Description
02/15/2024	Building Permit	

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
12/06/2023	John Vanderschaaf	Invoice: 758912			\$871.25
				Outstanding Balance	\$0.00

Uploaded Files

Date	File Name
04/09/2024	19615126-236648_Photos_DB_20240409.pdf
03/21/2024	19032568-Sullivan NOC Recorded.pdf
02/15/2024	18565107-JOBSITE COPY 236648.pdf

02/14/2024	<u>18544787-SULLIVAN Plans 2.pdf</u>
02/14/2024	<u>18544785-SULLIVAN PLANS 1.pdf</u>
02/14/2024	<u>18544786-SULLIVAN Plans 1 A.pdf</u>
01/08/2024	<u>18106083-1st Plan and Flood Review Rejection Letter 236648.pdf</u>
12/29/2023	<u>18042762-Building value from Property appraiser.pdf</u>
12/28/2023	<u>18030046-Sullivan Sub Contr Confirmation.pdf</u>
12/21/2023	<u>17996647-Sullivan Updated Site Plan.pdf</u>
12/13/2023	<u>17744884-2023-12-12 Permit 236648 - 190 BAYVIEW AVE - NOC and Preapplication Request Form.pdf</u>
12/08/2023	<u>17713455-1st Zoning Review rejection Letter 236648.pdf</u>
12/04/2023	<u>f94a90687733ad8fca9d2e499943c716_sullivan_survey.pdf</u>
12/04/2023	<u>4c286fc43f533485baf2a32f82f5d5fc_sullivan_impervious_worksheet.pdf</u>
12/04/2023	<u>d1c4e73aa219492616a4d5fb31f426f7_sullivan_permit_application.pdf</u>



Permit #: 243180

Permit Date: 12/09/24

Permit Type:

Permit Type: Residential

Sub Type: Accessory Structure

Type of Construction:

Type of Occupancy / Use: Residential

Contractor Business Name/Applicant: Inspiramar Construction

Contact Name: Ramon Garcia

Contractor/Applicant Email: js.knightscreationsllc@gmail.com

Contractor/Applicant Phone #: 2397704930

Property Owner's Email:

Current Use: r

Proposed Use: r

Scope of Work: Tiki Hut

Project Cost: 26244

Square Feet: 120

Issued Date:

Expiration Date:

Finaled Date:

Closed Date:

Repair Damage Due To:

Storm Damage:

Status: IN REVIEW

Assigned To:

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
294624W30080C0190	190 BAYVIEW AVE	HYDE PARK BLK C PB 7 PG 20 LOTS 19 + 20	SULLIVAN SCOTT B		RS-1

Contractors

Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #
------------	-----------------	-------	---------	-----------------	---------	-----------

STRUXTURES ENGINEER	JAMES HOWARD	3011 41ST W	Private Provider	Workers Comp Exempt	991548730
STRUXTURES ENGINEER	JAMES HOWARD	3011 41ST W	Private Provider	Private Provider	PE76356
STRUXTURES ENGINEER	JAMES HOWARD	3011 41ST W	Private Provider	PROFESSIONAL LIABILITY	821693

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
01/06/2025	NOC					Open

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
12/12/2024	Review FMB Application		Marilyn Silva	DONE
12/12/2024	Review Flood		*	
12/12/2024	Notice of Commencement		*	REQUIRED
01/30/2025	Review Zoning		Kendra Rosa	RESUBMITTAL REQUIRED
12/12/2024	Review Environmental		*	
12/12/2024	Review Stormwater		*	
12/12/2024	Review Res. Plan review		*	

Fees

Fee	Description	Notes	Amount
	* Also Radio/TV Antenna, Freestanding Signs, Mobile Home/RV Setup		
STRUC – Commercial or Residential Sheds, Decks, Screen Enclosure/Pool Enclosure, Dumpster Enclosure, Etc. (2024)	Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review		\$175.00
* MISC- DBPR & DCA Admin Fees			\$0.00
* MISC- DBPR & DCA Admin Fees			\$4.38
		Total	\$179.38

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
01/30/2025	je	1137526			\$179.38
				Outstanding Balance	\$0.00

Notes

Date	Note	Created By:
12/09/2024	Chickee Hut Application is missing strap #, PG. 1 of application, estimated cost value, estimated SQFT, CONTRACTOR NEEDS TO	Marilyn Silva

REGISTER. Please fill out these missing forms and send them to permit # 243180
buildingpermits@fmbgov.com

12/09/2024	CONTRACTOR INSPIRAMAR CONSTRUCTION LLC CGC057734 NEEDS TO REGISTER.	Marilyn Silva
12/09/2024	NBTO NEEDS BOTH SIDES SIGNATURE.	Marilyn Silva

Uploaded Files

Date	File Name
12/12/2024	<u>23474166-Revised Cost Form.pdf</u>
12/12/2024	<u>23474087-Sullivan tiki and NTBO signed 121024.pdf</u>
11/27/2024	<u>6fe3880f6b98f40ffac0e0d63533c071_sullivan_tiki_ntbo_112724.pdf</u>
11/27/2024	<u>aa58c8147448c02a08438dc60b607ce0_sullivan_tiki_howard_pe_license_112724.pdf</u>
11/27/2024	<u>ca362bf0c47a9fa7dfb97c19ed95175f_sullivan_tiki_coi_howard_112724.pdf</u>
11/27/2024	<u>38ffc380a66bb973a0a581225aba0516_sullivan_tiki_qualifier_acknowledge_112724.pdf</u>
11/27/2024	<u>57b4840ad7b1df96d20dc9df50bd26e9_sullivan_tiki_owner_acknowledgement_112724.pdf</u>
11/27/2024	<u>96a402bb58b4805206db759d61d1d13_sullivan_tiki_statement_of_compliance_112724.pdf</u>
11/27/2024	<u>db94aa33dbeae193e17d0f820373610b_sullivan_tiki_app_and_site_plans_submittal_112724.pdf</u>

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)

Generated on 1/23/2025 8:35 AM

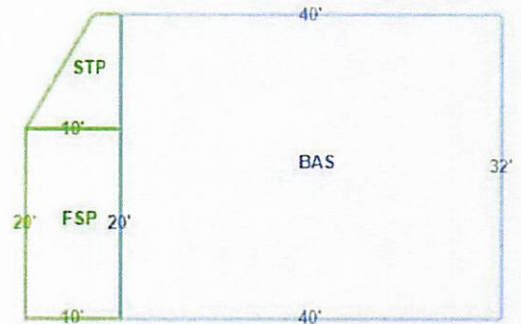
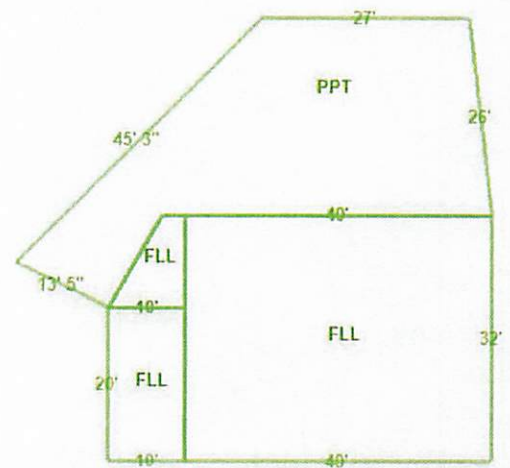
Land			
Land Tracts			
Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	1.00	Units
Buildings			
Building 1 of 1			
Building Characteristics			
Improvement Type	Model Type	Stories	Living Units
103 - Split Entry/Raised Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
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

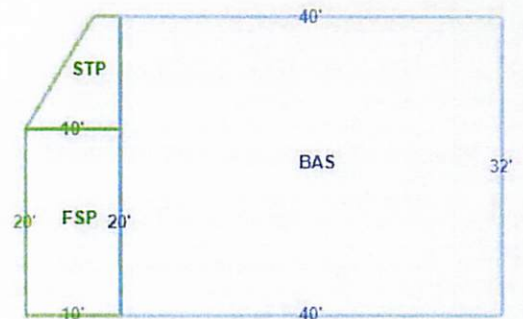
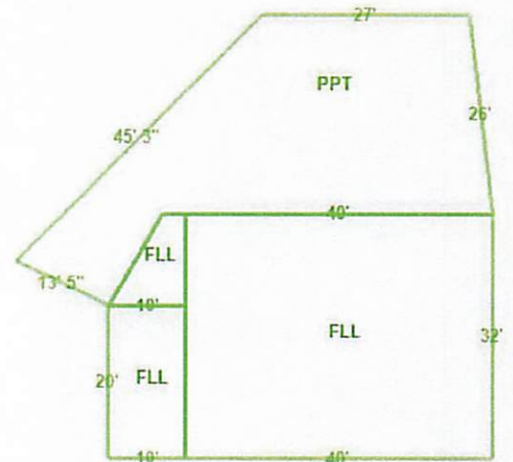
Description	Year Added	Units
A/C-POOL HEATERS	1981	1
XTRA/ADDITIONAL A/C UNITS	1981	2
POOL - RESIDENTIAL	1996	336
PATIO - CONCRETE	1996	1,048
JACUZZI - TYPE B	1996	1
UTILITY - FINISHED	1996	120

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

Generated on 1/23/2025 8:35 AM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
689,000.00	02/27/2023	2023000090916	01		I
0.00	03/16/2016	2019000268097	11		I
365,000.00	08/12/1999	3156/2910	06		I
140,000.00	10/01/1995	2653/966	06		I
150,000.00	02/01/1988	1972/3829	06		I

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

Generated on 1/23/2025 8:35 AM

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

Generated on 1/23/2025 8:35 AM

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

Generated on 1/23/2025 8:35 AM

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 8:35 AM

Flood Insurance [Find my flood zone](#)

Community	Panel	Version	Date	Evacuation Zone
071C	0558	G	11/17/2022	A

Generated on 1/23/2025 8:35 AM



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	Rate	Basis	Amount
239-533-8000		ACTL LEVY	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, unmarried 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

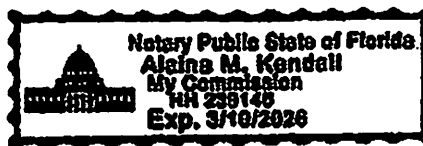
EXPIRATION DATE 03/10/2026

Alaina M. Kendall

NOTARY NAME PRINTED-STAMPED

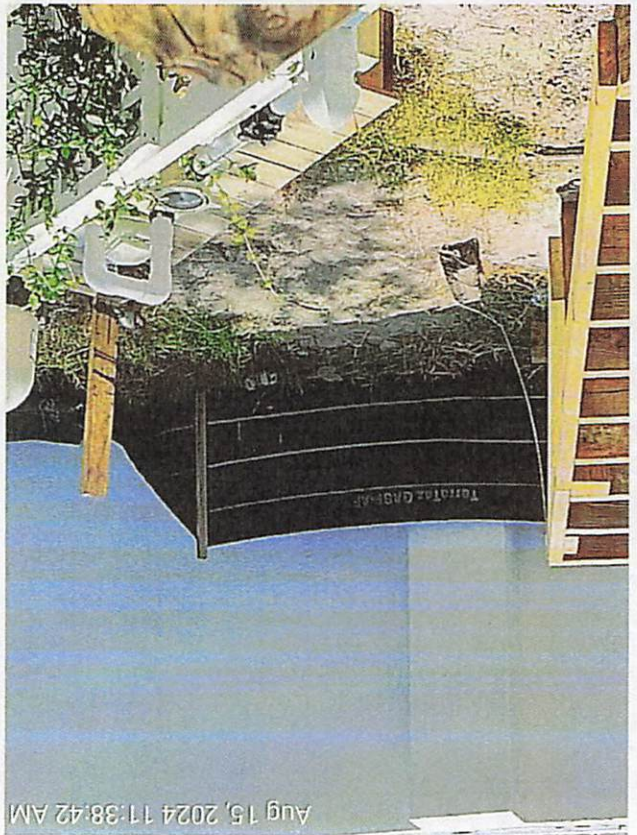
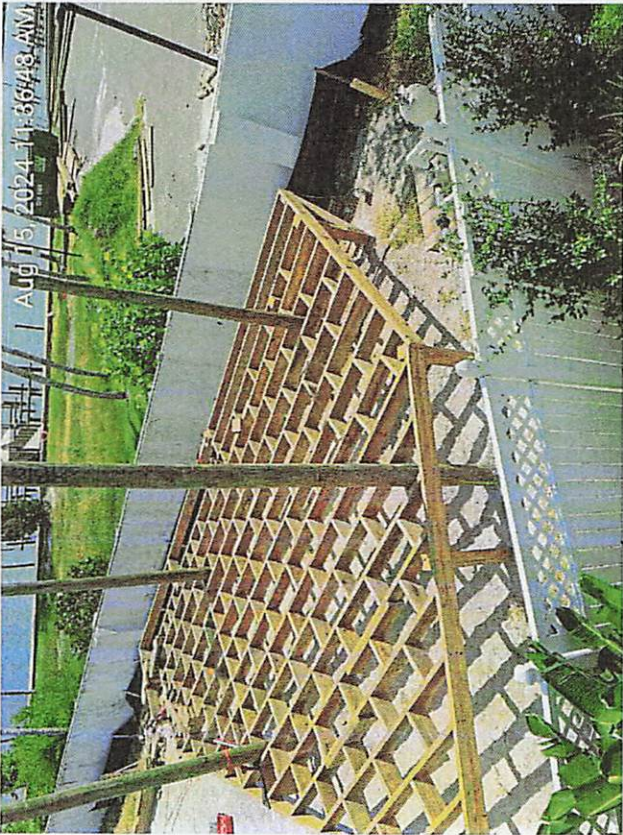
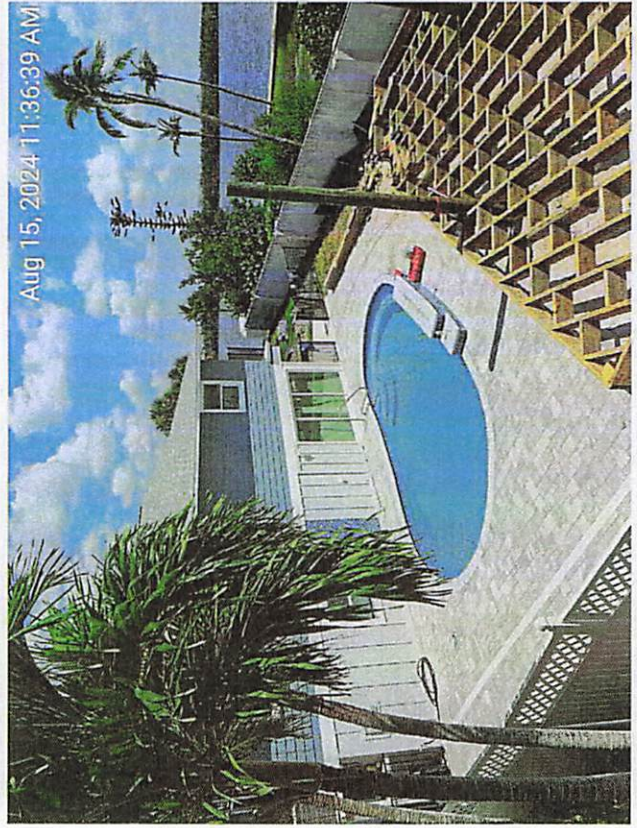
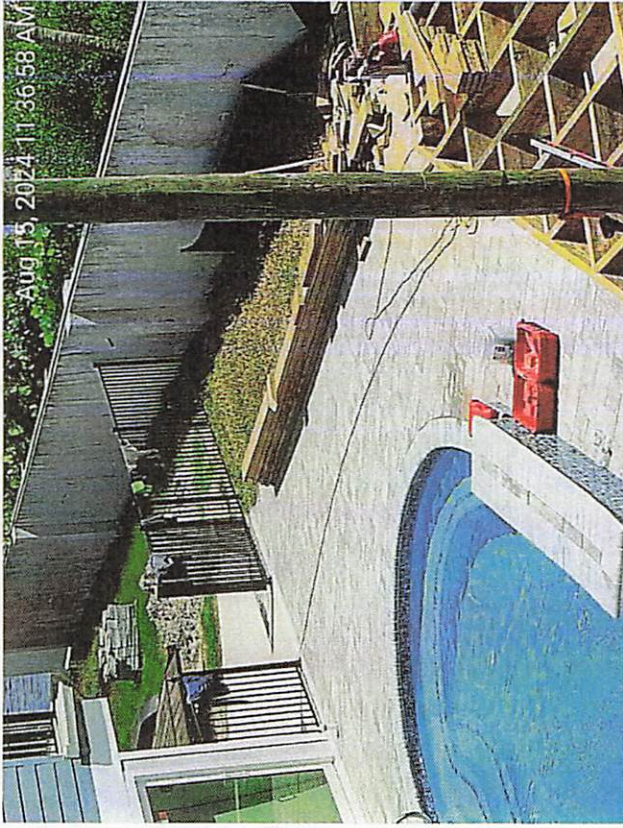
**SERIAL NUMBER
(SEAL)**

File Number: 230026



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:

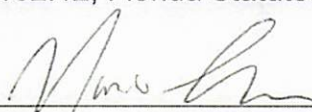
- a. Sullivan Scott B
1 Valley View Dr
Savanna, IL 61074
Certified Mail No. 9589071052700183635362
(Property Owner)

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 Code 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 other structure or the Florida Building Code is presumed to be a violation of this article.

COMPLIANCE:

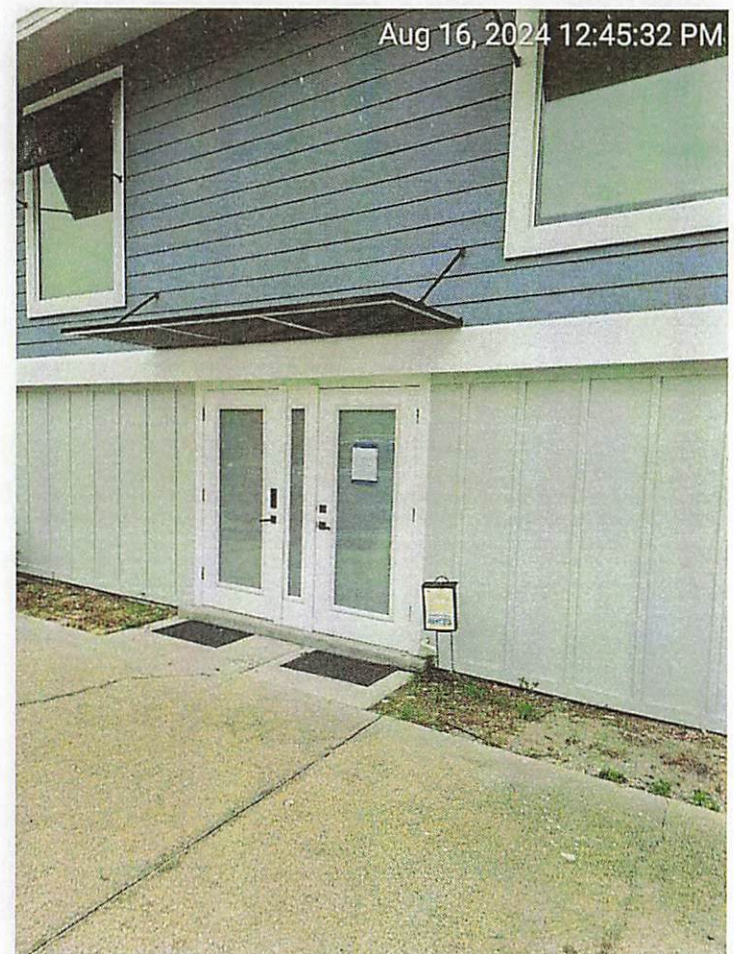
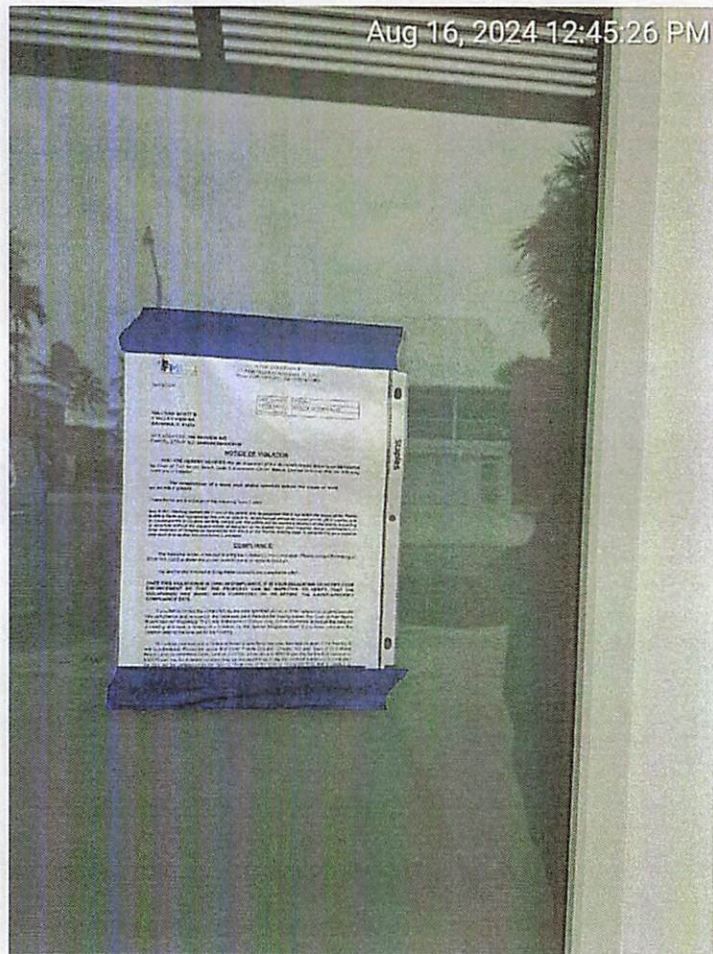
Bring the violation(s) into compliance. Please contact Permitting at (239) 765-0202 to obtain the proper permit(s) and/or remove structure..

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



08/15/2024, 1:06 PM https://www.iworq.net/iworq_0_Pages/popupEditLetterPrint.php?sid=SLPQ4W03FLKPSQQ6BNPT1J9FY6400&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

Staples

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 Bazz, ✓ who is personally known to me OR who has produced
 as identification.



ASHLEY SHEPARD
Commission # HH 253125
Expires April 14, 2026

(SEAL)



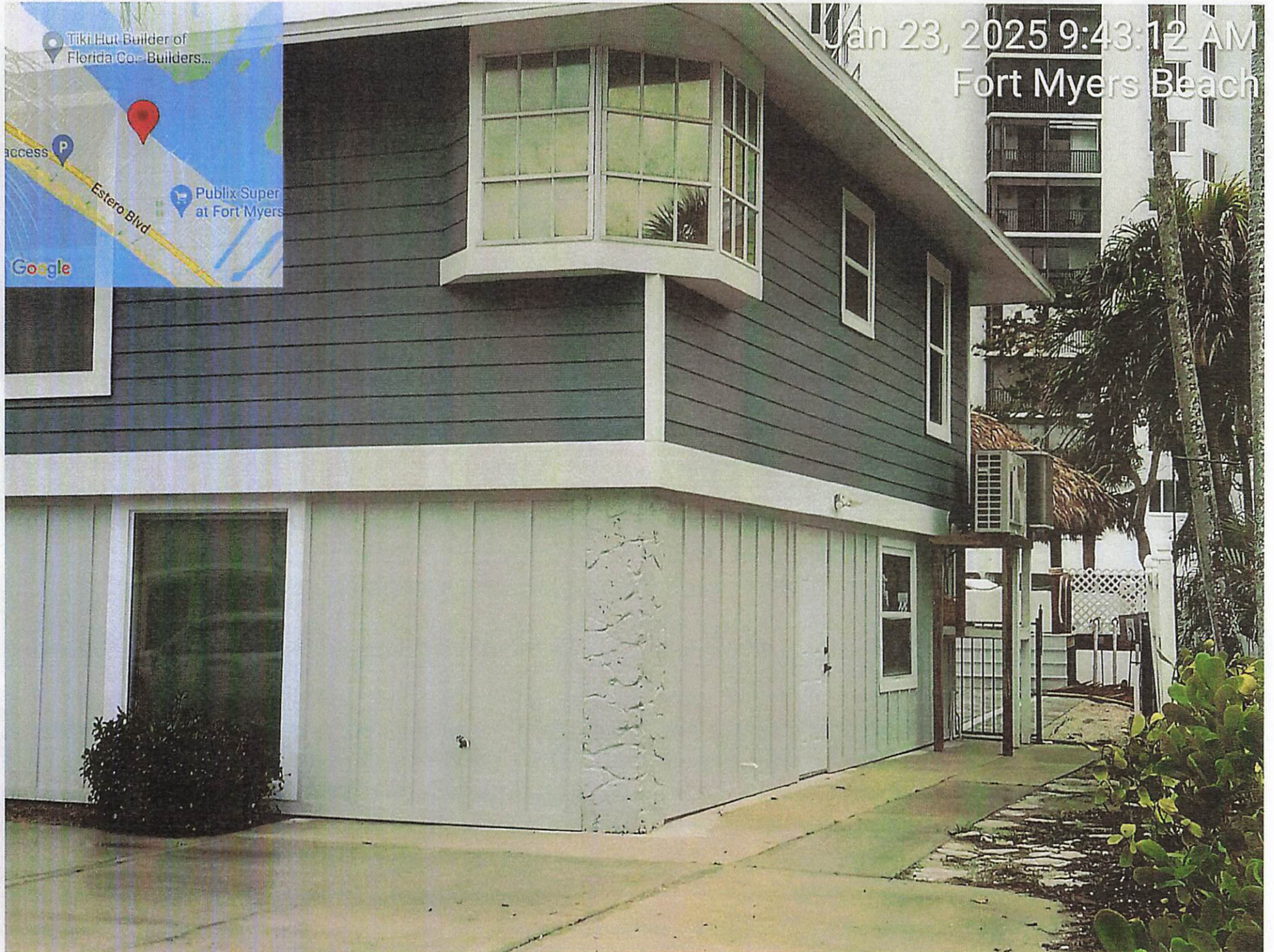
Notary Public Signature

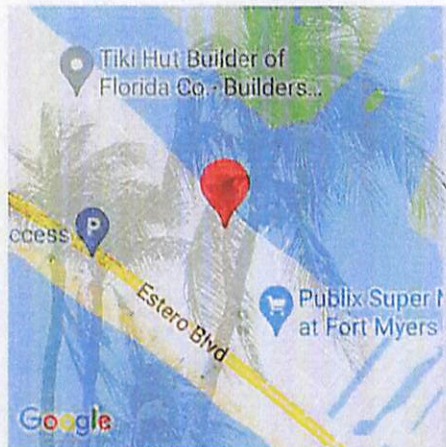
My Commission Expires: April 14, 2026





Jan 23, 2025 9:43:12 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)

Property Address and Owner:

Hearing Date: June 6, 2025

FMB Case: 20240736
Property Owner: Robertson Christopher & Robertson Shannon
Property Address: 4855 Dolphin Ln
Status: Violation

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

Narrative:

Attachments:

1. 20240736_ NOTICE OF CODE ENFORCEMENT HEARING
2. 20240736_ HEARING EXHIBIT_A_ Notice of Hearing and Affidavit of Posting
3. 20240736_ HEARING EXHIBIT_B_ Notice of Violation
4. 05122025_ HEARING EXHIBIT_C_ Status of Compliance
5. 20240736_ HEARING EXHIBIT_D_ Violated Regulation(s)

Town Recommendations:

Town Approvals:

_____	Date: May 27, 2025
Thomas Yozzo, Emergency Services Director	
_____	Date: May 27, 2025
Traci Kohler, Assistant to the Town Manager	
_____	Date: May 28, 2025
nancy stuparich, Town Attorney	
_____	Date: May 28, 2025
Lizzette Roman, Town Clerk Administrative Coordinator	
_____	Date: May 28, 2025
Amy Baker, Town Clerk	



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

04/25/2025

**TOWN OF FORT MYERS BEACH,
Petitioner,**

Case Number:	20240736
Certified Mail:	9589 0710 5270 0636 6431 59
Regular Mail	

vs.

**ROBERTSON CHRISTOPHER & ROBERTSON
SHANNON
4855 DOLPHIN LN
FORT MYERS BEACH, FL 33931,
Respondent.**

SITE ADDRESS: 4855 DOLPHIN LN
PARCEL STRAP NO: 284624W40010D0020

NOTICE OF CODE ENFORCEMENT HEARING

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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>

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Terri Weich

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

- Notice of Hearing and Affidavit of Posting



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

04/25/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

ROBERTSON CHRISTOPHER & ROBERTSON
SHANNON
4855 DOLPHIN LN
FORT MYERS BEACH, FL 33931,
Respondent.

Case Number:	20240736
Certified Mail:	9589 0710 5270 0636 6431 59
Regular Mail	

SITE ADDRESS: **4855 DOLPHIN LN**
PARCEL STRAP NO: **284624W40010D0020**

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Terri Weich

Code Enforcement Officer
Town of Fort Myers Beach

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TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

FMB Case Number:	20240736
Certified Mail:	
Regular Mail:	
DOAH Case Number:	[Not Applicable]

ROBERTSON CHRISTOPHER& ROBERTSON SHANNON
4855 DOLPHIN LANE
FORT MYERS BEACH FL 33931

Site Address: 4855 DOLPHIN LANE
Fort Myers Beach, FL 33931
Parcel Strap No. 284624W40010D0020

Respondent,

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared T. Weich, who is the Code

Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240736 FOR DOING WORK ON THE RESIDENCE WITHOUT THE REQUIRED PERMITS, INCLUDING BUT NOT LIMITED TO ENCLOSING LOWER LEVEL AND NEW WINDOWS, AND SIDING.

FORT MYERS BEACH ESTERO ISLAND

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



At property 4855 DOLPHIN LANE., Fort Myers Beach, FL 33931

1. I personally mailed by certified mail a copy of the NOTICE OF HEARING MAY 7, 2025 to the following:

ROBERTSON CHRISTOPHER & ROBERTSON SHANNON
4855 DOLPHIN LANE
FORT MYERS BEACH FL 33931

Certified Mail No. 9589 0710 5270 0636 6431 59

Copies of the certified mailing receipts are attached as evidence.

2. I had a copy of the Notice posted at 4855 DOLPHIN LANE, Fort Myers Beach, FL 33931, which is the subject property. I took a photograph of the Notice I posted on the MAY 7, 2025. A true, accurate and unaltered copy of the photograph is 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 MAY 7, 2025 are attached.
4. In addition, Code Compliance Officer T. Weich 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

T. Weich

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 8th day of May, 2025, by T. Weich. She ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]

Danielle Batt

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

04/25/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

**ROBERTSON CHRISTOPHER & ROBERTSON
SHANNON
4855 DOLPHIN LN
FORT MYERS BEACH, FL 33931,
Respondent.**

Case Number:	20240736
Certified Mail:	9589 0710 5270 0636 6431 59
Regular Mail	

SITE ADDRESS: **4855 DOLPHIN LN**
PARCEL STRAP NO: **284624W40010D0020**

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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

24-736

Robinson
4855 Dolphin

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

[/Meetings-Agendas](#)

THE HEARING WILL BE PROVIDED TO YOU. fail to attend Special Magistrate will consider the case, even though you are not any other action(s) that may affect your rights. If you believe you responsibility to contact the Code Enforcement Division so that an compliance.

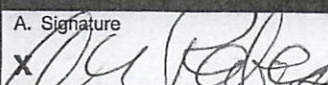
Terri Weich

Code Enforcement Officer
Town of Fort Myers Beach

CITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE
NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE.
TOWN OF FORT MYERS BEACH, 2525 ESTERO BLVD. FORT MYERS
765-0202, AT LEAST 72 BUSINESS HOURS BEFORE THE HEARING

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NOH Receipt

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature  B. Received by (Printed Name) <u>Christopher & Shannon Robertson</u> C. Date of Delivery <u>5/11/25</u> ☐ Agent ☐ Addressee	
1. A. ROBERTSON CHRISTOPHER & ROBERTSON SHANNON 4855 DOLPHIN LN FORT MYERS BEACH, FL 33931		Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No Town of Fort Myers Beach	
 9590 9402 8158 3030 7687 59		Received by <u>Christopher & Shannon Robertson</u> Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Mail ☐ Mail Restricted Delivery ☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery	
2. Article Number (Transfer from service label) 9589 0710 5270 0636 6431 59			
PS Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	



5/7/25, 8:17 AM

lworq.net/lworq/0_Pages/popupEditLetterPrint.php?id=DNDTYDNLIDU6YRYKHXYTCMNS6A6U22-10725-126-1-226262626



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

04/25/2025

Case Number:	20240736
Certified Mail:	9589 0710 5270 0636 6431 59
Regular Mail	

TOWN OF FORT MYERS BEACH,
Petitioner

vs.

ROBERTSON CHRISTOPHER & ROBERTSON
ANNON
DOLPHIN LN
FORT MYERS BEACH, FL 33931,
Respondent.

SITE ADDRESS:
PARCEL STRAP NO:

4855 DOLPHIN LN
284624W40010D0020

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Toni Welch
Code Enforcement Officer
Town of Fort Myers Beach

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IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED BY THE HEARING, SUCH PERSON WILL BE A RESPONSIBLE PARTY FOR THE TOWNSHIP AND PRESENTATION OF EVIDENCE. SUCH PERSON WILL BE RESPONSIBLE FOR THE TOWNSHIP AND PRESENTATION OF EVIDENCE. SUCH PERSON WILL BE RESPONSIBLE FOR THE TOWNSHIP AND PRESENTATION OF EVIDENCE. SUCH PERSON WILL BE RESPONSIBLE FOR THE TOWNSHIP AND PRESENTATION OF EVIDENCE.

May 7, 2025 12:20:21 PM
Town of Fort Myers Beach



May 7, 2025 9:21:33 AM
Town of Fort Myers Beach

5/7/25, 8-



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

04/25/2025

Case Number:	20240736
Certified Mail:	9589 0710 5270 0636 6431 59
Regular Mail	

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

ROBERTSON CHRISTOPHER & ROBERTSON
SHANNON
4855 DOLPHIN LN
FORT MYERS BEACH, FL 33931,
Respondent.

SITE ADDRESS: 4855 DOLPHIN LN
PARCEL STRAP NO: 284624W40010D0020

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Terri Weich

Code Enforcement Officer
Town of Fort Myers Beach

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May 7, 2025 9:21:30 AM

Town of Fort Myers Beach

5/7/25, 8:17 AM

iworq.net/iworq/0_Pages/popupEditLetterPrint.php?sid=DNDTYDVLDOV9YRYKHXY



Town of Fort Myers
NOTICE OF CODE ENFORCEME
2731 Oak Street Fort Myers Beach
Phone: (239) 765-0202 Fax: (2

04/25/2025

Case Number:

Certified Mail:

Regular Mail

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

ROBERTSON CHRISTOPHER & ROBERTSON
SHANNON
4855 DOLPHIN LN
FORT MYERS BEACH, FL 33931,
Respondent.

SITE ADDRESS:
PARCEL STRAP NO:

4855 DOLPHIN LN
284624W40010D0020

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Article V of the Town of Fort Myers Beach Land Development Code,
the Town Engineer has documented that (an) uncorrected violation(s) of
the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, p
is enclosed herewith), exists on the above-described property.
Enforcement Special Magistrate concerning the violation(s) h
JUNE 6 2025 in the Council Chambers at Town Hall, located

A copy of the evidentiary case file and all materials prepared
in relation to this hearing can be viewed and accessed in ad

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

May 7, 2025 8:59:18 AM

NO ADDITIONAL NOTICE OF THE HEARING

this hearing, the Town of Fort Myers Beach



Property Data

STRAP: 28-46-24-W4-0010D.0020 Folio ID: 10228689

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

Generated on 4/29/2025 11:43 AM

Owner Of Record - Tenants by Entirety

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



ROBERTSON CHRISTOPHER &
ROBERTSON SHANNON
4855 DOLPHIN LN
FORT MYERS BEACH FL 33931

Site Address

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

4855 DOLPHIN LN
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



HOLIDAY SHORES BLK D PB 9 PG 33 LOT 2 LESS PAR 2-A

[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 33 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	3 / 2.0
Gross Living Area	1,118
1st Year Building on Tax Roll	1974
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	28	0010D	0020
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.4374	-81.91839		

[View Parcel on Google Maps](#)

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



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

Image of Structure



◀ Photo Date November of 2018 ▶ ☐ View other photos

Last Inspection Date: 11/15/2018

Property Values / Exemptions / TRIM Notices

Generated on 4/29/2025 11:43 AM

Exemption

Amount

Homestead Exemption	25,000.00
Additional Homestead Exemption	25,000.00

[2025 Homestead Exemption Renewal Card](#)

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
2024 / Additional Info	2024 (Final Value)	1,629,912	1,629,902	1,629,912	1,376,170	50,000	0	1,326,170
2023 / Additional Info	2023 (Final Value)	1,595,022	1,296,072	1,595,022	1,336,087	50,000	0	1,286,087
2022 / Additional Info	2022 (Final Value)	1,297,172	917,900	1,297,172	1,297,172	50,000	0	1,247,172
2021 / Additional Info	2021 (Final Value)	889,067	603,900	889,067	842,967	0	0	842,967

2020 / Additional Info	2020 (Final Value)	766,334	603,900	766,334	766,334	0	0	766,334
2019 / Additional Info	2019 (Final Value)	745,321	603,900	745,321	745,321	0	0	745,321
2018 / Additional Info	2018 (Final Value)	743,507	603,900	743,507	654,643	0	0	654,643
2017 / Additional Info	2017 (Final Value)	595,130	370,500	595,130	595,130	0	0	595,130
2016	2016 (Final Value)	579,177	370,500	579,177	547,149	0	0	547,149
2015	2015 (Final Value)	497,408	370,500	497,408	497,408	0	0	497,408
2014	2014 (Final Value)	488,502	370,500	488,502	428,137	50,500	0	377,637
2013	2013 (Final Value)	421,810	313,600	421,810	421,810	50,500	0	371,310
2012	2012 (Final Value)	498,390	390,000	498,390	498,390	0	0	498,390
2011	2011 (Final Value)	557,602	465,000	557,602	557,602	0	0	557,602
2010	2010 (Final Value)	582,221	465,000	582,221	582,221	0	0	582,221
	2009 (Final Value)	628,240	540,000	628,240	628,240	0	0	628,240
	2008 (Final Value)	753,780	655,780	753,780	753,780	0	0	753,780
	2007 (Final Value)	755,210	655,780	0	755,210	0	0	755,210
	2006 (Final Value)	781,930	626,410	0	781,930	0	0	781,930
	2005 (Final Value)	686,000	621,370	0	686,000	0	0	686,000
	2004 (Final Value)	665,880	591,370	0	665,880	0	0	665,880
	2003 (Final Value)	535,170	475,610	0	535,170	0	0	535,170
	2002 (Final Value)	308,370	244,170	0	308,370	0	0	308,370
	2001 (Final Value)	284,700	204,170	0	284,700	0	0	284,700
	2000 (Final Value)	235,130	154,170	0	235,130	0	0	235,130
	1999 (Final Value)	214,150	144,170	0	214,150	0	0	214,150
	1998 (Final Value)	211,050	142,250	0	211,050	0	0	211,050
	1997 (Final Value)	206,920	137,250	0	206,920	0	0	206,920
	1996 (Final Value)	210,770	137,250	0	210,770	0	0	210,770
	1995 (Final Value)	214,190	123,750	0	214,190	0	0	214,190
	1994 (Final Value)	214,690	121,500	0	214,690	0	0	214,690
	1993 (Final Value)	215,840	121,500	0	215,840	0	0	215,840
	1992 (Final Value)	199,640	121,500	0	199,640	0	0	199,640

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 4/28/2025) ?

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Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
121	Single Family Residential, Bay, Sound, Harbor, Pass	3792.00	Square Feet
100	Single Family Residential	7800.00	Square Feet

Land Features

Description	Year Added	Units
SEAWALL - CONCRETE	1974	77
BOAT LIFT	1974	1

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
103 - Split Entry/Raised Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	2.0	1974	1988

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,118
FLL - FINISHED LOWER LEVEL	N	572
JAZ - JACUZZI	N	24
LCP - LOWER CARPORT / OPEN PORCH	N	1,032
PLR - POOL RESIDENTIAL	N	580
PPT - POOL PATIO	N	862
STP - STOOP	N	550

Building Features

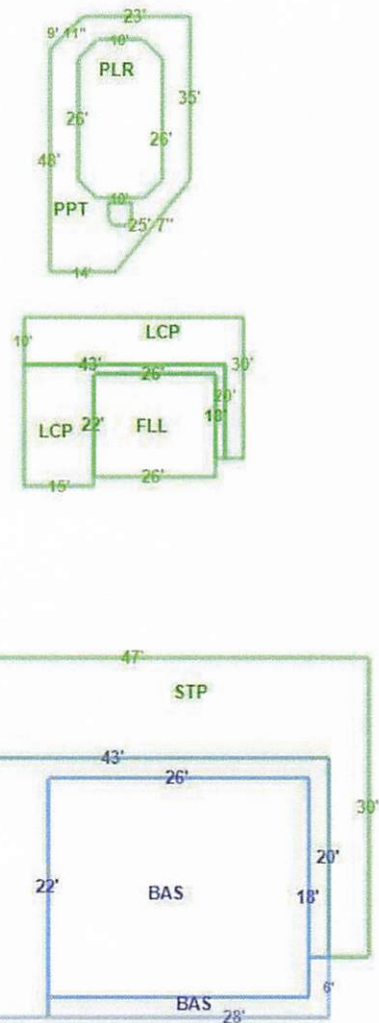
Description	Year Added	Units
BOAT HOUSE - OPEN	1974	312
POOL - RESIDENTIAL	2018	580
PATIO - BRICK AND TILE	2018	862
JACUZZI - TYPE B	2018	1
A/C-POOL HEATERS	2018	1

Building Front Photo



Photo Date: November of 2018

Building Footprint



Property Details (2024 Tax Roll)

Generated on 4/29/2025 11:43 AM

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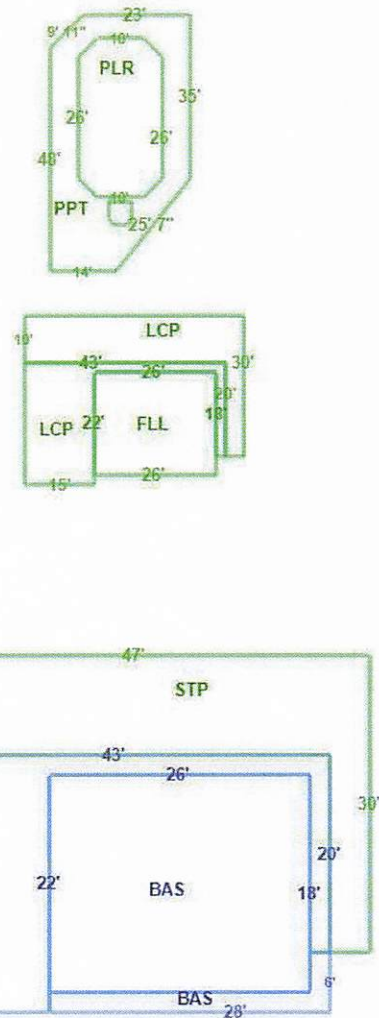
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A/C-POOL HEATERS	2018	1

Building Front Photo



Photo Date: November of 2018

Building Footprint



Taxing Authorities

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 4/29/2025 11:43 AM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
10.00	10/08/2021	2021000333856	11		I
100.00	10/12/2012	2012000237178	11		I
		2012000078501			
400,000.00	04/02/2012	Sales Questionnaire Complete	37		I
0.00	04/02/2012	2012000078499	11		I
0.00	03/23/2012	2012000078500	11		I
0.00	10/31/2008	2012000078498	11		I
0.00	05/28/2007	2012000078497	11		I
100.00	02/06/2006	2006000099131	01		I

100.00	02/01/1991	2205/3490	01	
115,000.00	04/01/1980	1421/1836	06	

[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 **33** 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 4/29/2025 11:43 AM

Permit Number	Permit Type	Date
236288	Building Remodel / Repair	02/20/2024
FNC16-0103	Fence	03/27/2017
ELE15-0371	Electric	12/08/2015
POL15-0061	Pool & Spa	12/01/2015
SOL15-0002	Building Miscellaneous	03/24/2015
BLD13-0011	Building Window / Door Replacement	01/24/2013
ROF2006-01227	Roof	02/07/2006
DSH2006-00013	Boathouse, Dock & Shoreline	01/12/2006

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 4/29/2025 11:43 AM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
28-46-24-01-0000D.0020	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 4/29/2025 11:43 AM

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 4/29/2025 11:43 AM

Community	Flood Insurance Panel	Find my flood zone Version	Date	Evacuation Zone
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Generated on 4/29/2025 11:43 AM

Linda Doggett, Lee County Clerk of Circuit Court

INSTR. # 2021000333856, Doc Type D, Pages 2, Recorded 10/11/2021 at 2:27 PM, Deputy Clerk WMILLER ERECORD

Rec Fees: \$18.50 Deed Doc: \$0.70

Prepared by and Return Recorded Original to:

Charles R. Meador, Jr., Attorney at Law
2085 Estero Boulevard
Fort Myers Beach, FL 33931
Telephone: (239) 463-6619
Facsimile: (239) 463-6454

Property Appraiser Parcel I.D. No. 28-46-24-W4-0010D.0020

Grantee Taxpayer I.D. No. _____

Documentary Stamp Tax on Transfer: \$00.70

Reserved For Recorder

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 8 day of October, 2021, between **Glinda J. Robertson, an unmarried person**, whose post office address is 4855 Dolphin Lane, Fort Myers Beach, FL 33931, hereinafter called Grantor, and **Christopher Lee Robertson and Shannon Jean Robertson, Husband and wife, as tenants by the entirety**, whose post office address is 4855 Dolphin Lane, Fort Myers Beach, FL 33931, hereinafter called Grantee.

W I T N E S S E T H, That said Grantor, for and in consideration of the sum of TEN AND NO/100'S 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 granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida, to wit:

Lot 2, Block D, Holiday Shores, according to the map or plat thereof on file and recorded in Plat Book 9, at Page 33, in the Public Records of Lee County, Florida, less and except the following described property:

Starting at the Southeasterly corner of Lot 2, Block D, Holiday Shores Subdivision, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 9, Page 33, thence Northeasterly along the Southeasterly line of Lot 2, a distance of 201.28 feet more or less (215 feet more or less according to the recorded plat) to the waters of Estero Bay and the Northeast corner of said Lot 2; thence Northwesterly along the water of said bay a distance of 41 feet more or less to the place of beginning; thence continue Northwesterly along the water of said bay a distance of 41 feet more or less to the Northwesterly corner of said Lot 2; thence Southwesterly along the Northwesterly line of said Lot 2 a distance of 79.28 feet more or less; thence continue Southeasterly along a line parallel to the Northeasterly side of Dolphin Lane, a distance of 41 feet more or less; thence continue Northeasterly along a line parallel to the Southeasterly line of said Lot 2, to the waters of Estero Bay a distance of 91.48 feet more or less.

Description of Right-of-way Easement:

A Right-of-way Easement for purposes of ingress and egress only more particularly described as follows:

INSTR. # 2021000333856 Page Number: 2 of 2

Starting at the Southeasterly corner of Lot 2, Block D of Holiday Shores Subdivision according to the map or plat thereof on file and recorded in the Office of the Clerk of the Circuit Court of Lee County, Florida. in Plat Book 9, Page 33; thence Northwesterly along the Southwesterly line of aforesaid Lot 2 and the Northeasterly line of Dolphin Lane (25.00 feet wide) a distance of 62.00 feet to a point and the principal place of beginning; thence continuing along the Northeasterly line of Dolphin Lane a distance of 15.00 feet; thence Northeasterly parallel to the Southeasterly line of aforesaid Lot 2 a distance of 97.40 feet; thence Southeasterly parallel to the Northeasterly line of Dolphin Lane a distance of 15.00 feet; thence Southwesterly parallel to the Southeasterly line of afore-said Lot 2 a distance of 97.40 to the place of beginning.

SUBJECT TO existing easements, restrictions and reservations of record and taxes for the current and subsequent years.

and said Grantor does hereby covenant that the premises are free from all encumbrances made by Grantor and does hereby warrant the title to said land, and will defend the same against lawful claims and demands of all persons claiming by, through or under Grantor, but against none other.

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

Signed in the presence of:

x Kerry B. Holz
KERRY BUCHHOLZ
 (Wit. 1 name typed/printed)

Glinda J. Robertson (SEAL)
 Glinda J. Robertson

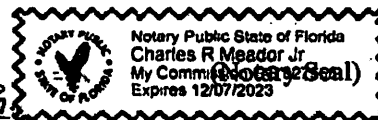
Charles R. Meador Jr.
 (Wit. 2 name typed/printed)

STATE OF FLORIDA

COUNTY OF LEE

EXECUTION OF the foregoing instrument was acknowledged before me, by means of
 [x] physical presence or [] online notarization, this 8 day of
October, 2021, by Glinda J. Robertson, who is (CHECK ONE OF THE
 FOLLOWING AS APPLICABLE) [] personally known to me, or [x] who has produced
 (Florida Driver License) as identification.

NOTARY PUBLIC - SIGNATURE ABOVE
 NOTARY NAME - Charles R. Meador Jr.
 COMMISSION NO. -
 COMMISSION EXP. DATE -
 (Notary Name/Commission No./Exp. Date - typed or printed)



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

08/14/2024

CASE NUMBER:	20240736
CERTIFIED MAIL:	7022 2410 0000 8469 1215
REGULAR MAIL:	

**ROBERTSON CHRISTOPHER & ROBERTSON
SHANNON
4855 DOLPHIN LN
FORT MYERS BEACH, FL 33931**

SITE ADDRESS: 4855 DOLPHIN LN
PARCEL STRAP NO: 284624W40010D0020

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED That an inspection of the above-referenced property on by Town of Fort Myers Beach Code Enforcement Officer **Terri Weich** indicates that the following items are in violation:

Work on property without permits, including but not limited to Lower Level enclosure.

These items are a violation of the following Town Codes:

Sec. 6-441- Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area must first make application to the floodplain administrator, and the building official, if applicable, and must obtain the required permits and approvals. No such permit or approval will be issued until compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. **APPLY FOR AND RECEIVE ALL PERMITS REQUIRED FOR THE WORK COMPLETED AND UNDERWAY.**

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.

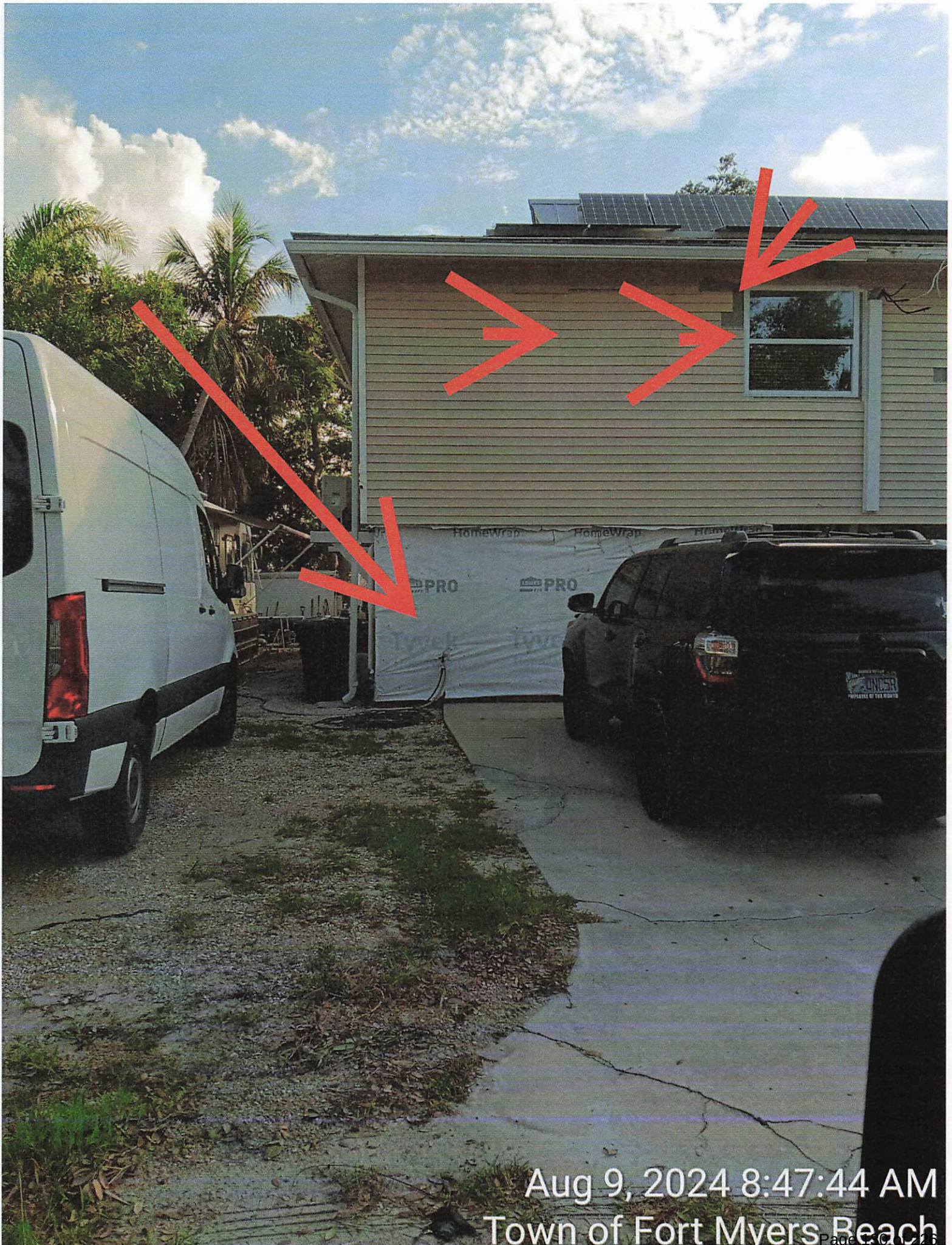
Please contact the Town of Fort Myers Beach Code Enforcement Division at 239-284-0030 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,



Terri Weich

Code Enforcement Officer
Town of Fort Myers Beach



Aug 9, 2024 8:47:44 AM
Town of Fort Myers Beach



Aug 9, 2024 8:48:25 AM
Town of Fort Myers Beach



Aug 9, 2024 8:48:13 AM
Town of Fort Myers Beach



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

FMB Case Number:	20240736
Certified Mail:	
Regular Mail:	
DOAH Case Number:	[Not Applicable]

ROBERTSON CHRISTOPHER& ROBERTSON SHANNON
4855 DOLPHIN LANE
FORT MYERS BEACH FL 33931

Site Address: 4855 DOLPHIN LANE
Fort Myers Beach, FL 33931
Parcel Strap No. 284624W40010D0020

Respondent,

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared T. Weich, who is the Code

Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240736 FOR DOING WORK ON THE RESIDENCE WITHOUT THE REQUIRED PERMITS, INCLUDING BUT NOT LIMITED TO ENCLOSING LOWER LEVEL AND NEW WINDOWS, AND SIDING.

FORT MYERS BEACH ESTERO ISLAND

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



At property 271 IBIS STREET., Fort Myers Beach, FL 33931

1. I personally mailed by certified mail a copy of the Notice of Violation 08-14-2024 to the following:

ROBERTSON CHRISTOPHER& ROBERTSON SHANNON
4855 DOLPHIN LANE
FORT MYERS BEACH FL 33931

Certified Mail No. 7022 2410 0000 8469 1215

Copies of the certified mailing receipts are attached as evidence.

2. I had a copy of the Notice posted at 4855 DOLPHIN LANE, Fort Myers Beach, FL 33931, which is the subject property. I took a photographs of the Notice I posted on the AUGUST 15, 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 AUGUST 15, 2024 are attached.
4. In addition, Code Compliance Officer T. Weich 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 *T. Weich*
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 8th day of May, 2025, by T. Weich. She ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]

Danielle Batt
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

08/14/2024

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U.S. Postal ServiceTM CERTIFIED MAIL[®] RECEIPT

Domestic[®] OnlyFor 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

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

City, State, ZIP+4[®]

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Postmark
Here

COMPLIANCE:

he violation(s) into compliance. APPLY FOR AND RECEIVE COMPLETED AND UNDERWAY.

violations into compliance within 30-days.

**COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE
RTY CAN BE INSPECTED TO VERIFY THAT THE
RECTED ON OR BEFORE THE ABOVE-SPECIFIED**

the date specified above, or if the violation(s) is (are) brought by be scheduled for hearing before the Town of Fort Myers ment Division may, in their discretion, schedule the case for by the Special Magistrate even if you have corrected the

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



NOTICE OF VIOLATION

YOU ARE HEREBY NOTICED that an inspection of your property was conducted on 08/15/2024 at 10:02:10 AM by the following personnel:

NAME: [REDACTED] TITLE: [REDACTED]

Work on property within 30 days, including 15 days to correct any violations.

A violation was observed: [REDACTED]

See: 441.08, Florida Statute, Any owner of a building who fails to maintain the building in accordance with the Florida Building Code, which is hereby adopted by ordinance, and who fails to maintain the building in accordance with the Florida Building Code, shall be liable for the cost of the building and the cost of the building and the cost of the building and the cost of the building.

COMPLIANCE:

The following action is required to bring the building into compliance: [REDACTED]

ALL VIOLATIONS MUST BE CORRECTED WITHIN 30 DAYS.

YOU ARE HEREBY ADVISED that failure to bring the building into compliance within 30 days will result in the building being placed in a state of non-compliance and the building will be subject to the provisions of the Florida Building Code, which is hereby adopted by ordinance, and the building will be subject to the provisions of the Florida Building Code, which is hereby adopted by ordinance.

IF YOU FAIL TO CORRECT THE VIOLATION BY THE DATE SPECIFIED ABOVE, THE VIOLATION WILL BE REOPENED AND THE BUILDING WILL BE SUBJECT TO THE PROVISIONS OF THE FLORIDA BUILDING CODE, WHICH IS HEREBY ADOPTED BY ORDINANCE, AND THE BUILDING WILL BE SUBJECT TO THE PROVISIONS OF THE FLORIDA BUILDING CODE, WHICH IS HEREBY ADOPTED BY ORDINANCE.

YOU WILL BE PROVIDED WITH A NOTICE OF VIOLATION BY THE DATE SPECIFIED ABOVE, AND YOU WILL BE REQUIRED TO CORRECT THE VIOLATION WITHIN 30 DAYS. IF YOU FAIL TO CORRECT THE VIOLATION BY THE DATE SPECIFIED ABOVE, THE VIOLATION WILL BE REOPENED AND THE BUILDING WILL BE SUBJECT TO THE PROVISIONS OF THE FLORIDA BUILDING CODE, WHICH IS HEREBY ADOPTED BY ORDINANCE, AND THE BUILDING WILL BE SUBJECT TO THE PROVISIONS OF THE FLORIDA BUILDING CODE, WHICH IS HEREBY ADOPTED BY ORDINANCE.

4855

Hello Summer



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

08/14/2024

CASE NUMBER:	20240736
CERTIFIED MAIL:	7022 2410 0000 8469 1215
REGULAR MAIL:	

ROBERTSON CHRISTOPHER & ROBERTSON
SHANNON
4855 DOLPHIN LN
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 4855 DOLPHIN LN
PARCEL STRAP NO: 284624W40010D0020

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on by Town of Fort Myers Beach Code Enforcement Officer **Terri Weich** indicates that the following items are violation:

Work on property without permits, including but not limited to Lower Level enclosure.

These items are a violation of the following Town Codes:

Sec. 6-441- Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intend undertake any development activity within the scope of this article, including buildings, structures and faci exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area must make application to the floodplain administrator, and the building official, if applicable, and must obtain required permits and approvals. No such permit or approval will be issued until compliance with the requirement of this article and all other applicable codes and regulations has been satisfied.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. **APPLY FOR AND RE ALL PERMITS REQUIRED FOR THE WORK COMPLETED AND UNDERWAY.**

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 ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT VIOLATION(S) HAS (HAVE) BEEN CORRECTED ON OR BEFORE THE ABOVE-SPE COMPLIANCE DATE.

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is (are) 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 a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected violation prior to the time set for the hearing.

Aug 15, 2024 9:08:20 AM

Town of Fort Myers Beach

HEARING

EXHIBIT

C

- Status of Compliance


FMBgov.com

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

04/29/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

**ROBERTSON CHRISTOPHER & ROBERTSON
SHANNON**

Respondent.

Site Address: **4855 DOLPHIN LN**
Parcel Strap No.: **284624W40010D0020**

Case Number:	20240736
Certified Mail:	9589 0710 5270 0636 6431 59
Regular Mail:	

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

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

1. I, Terri Weich, 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 , ROBERTSON CHRISTOPHER & ROBERTSON SHANNON (property owner) was observed in violation of section 6-441 of the Town of Fort Myers Beach Code of Ordinances, Work on property without permits, including but not limited to Lower Level enclosure., at the property located at 4855 DOLPHIN LN, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 08/14/2024, and sent certified mail to the address of record, 4855 DOLPHIN LN, FORT MYERS BEACH, FL 33931, posted to the violation property located at 4855 DOLPHIN LN, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. ROBERTSON CHRISTOPHER & ROBERTSON SHANNON was/were given 30-days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 09/16/2024.

5. I performed an inspection of the Subject Property on 04/24/2025, 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 4855 DOLPHIN LN, 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 08/09/2024. 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.

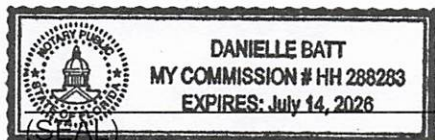
8. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate that and an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) and/or the imposition of an administrative fine not to exceed \$250.00 for each day each 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

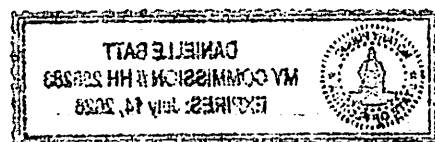
**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was certified and subscribed before me by means of X physical presence OR _____ online notarization, this 8th day of May, 2025, by Terri Weich, X who is personally known to me OR _____ who has produced _____ as identification.



Notary Public Signature

My Commission Expires: July 14 2026





Apr 24, 2025 10:12:54 AM
Town of Fort Myers Beach
Page 143 of 226



Apr 24, 2025 10:12:30 AM
Town of Fort Myers Beach



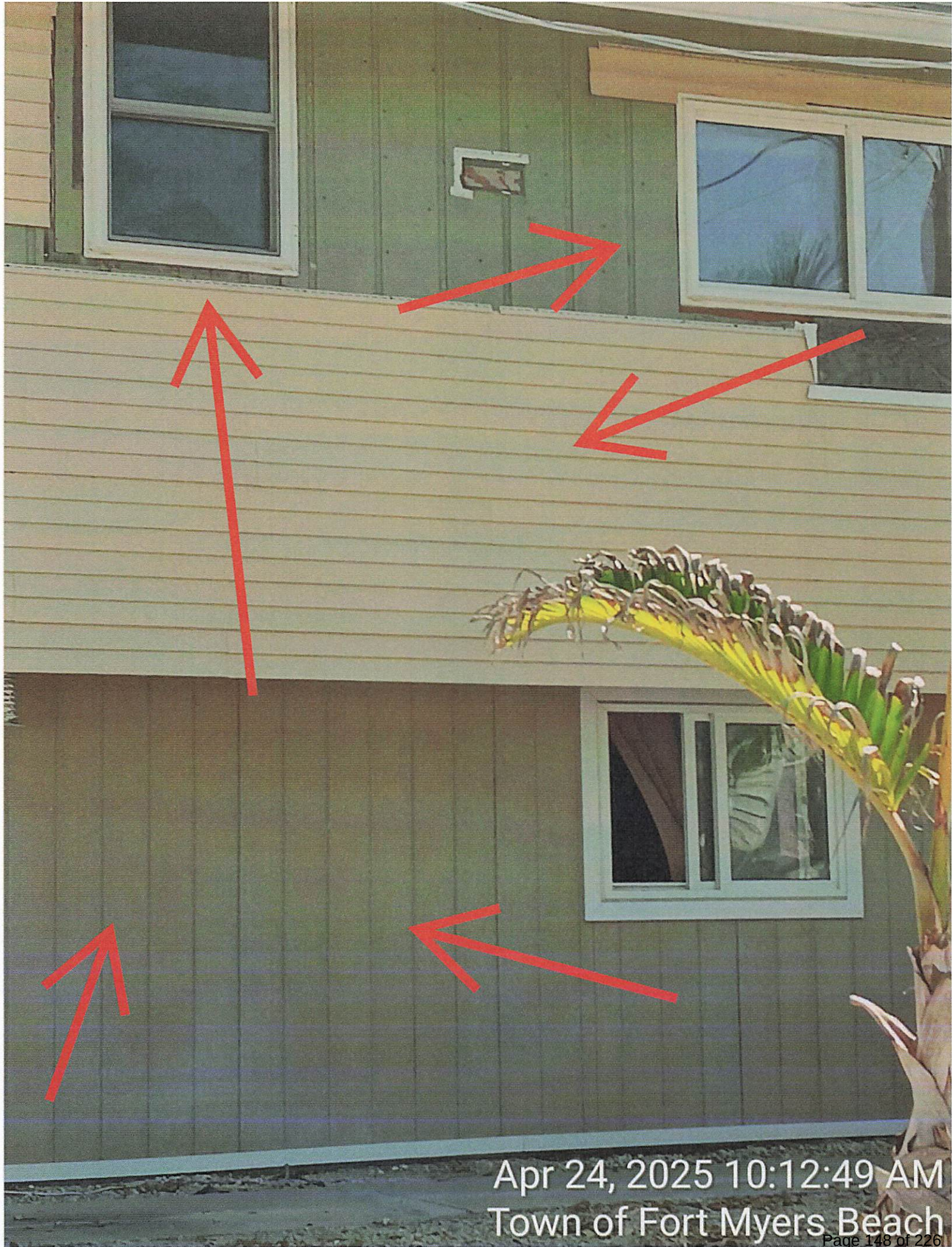
Apr 24, 2025 10:12:36 AM
Town of Fort Myers Beach



Apr 24, 2025 10:12:41 AM
Town of Fort Myers Beach



Apr 24, 2025 10:12:46 AM
Town of Fort Myers Beach



Apr 24, 2025 10:12:49 AM
Town of Fort Myers Beach

HEARING

EXHIBIT

D

- Violated Regulation(s)

See relevant highlighted section(s) of
applicable code

Sec. 6-441. - Permits required.

Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area must first make application to the floodplain administrator, and the building official, if applicable, and must obtain the required permits and approvals. No such permit or approval will be issued until compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.

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

Property Address and Owner:

Hearing Date: June 6, 2025

FMB Case: 20250396
Property Owner: McCarthy Wendy L + Unknow Heirs
Property Address: 5740 Lauder St
Status: Violation

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

Officer Weich

Narrative:

Attachments:

1. 20250396_NOTICE OF CODE ENFORCEMENT HEARING
2. 20250396_HEARING EXHIBIT_A_Notice of Hearing and Affidavit of Posting
3. 20250396_HEARING EXHIBIT_B_Notice of Violation
4. 20250936_HEARING EXHIBIT_C_Status of Compliance
5. 20250396_HEARING EXHIBIT_D_Violation Regulation(s)

Town Recommendations:

Town Approvals:

_____ Thomas Yozzo, Emergency Services Director	Date: May 21, 2025
_____ Traci Kohler, Assistant to the Town Manager	Date: May 21, 2025
_____ Frankie Kropacek, Community Development Director	Date: May 22, 2025
_____ nancy stuparich, Town Attorney	Date: May 26, 2025
_____ Lizzette Roman, Town Clerk Administrative Coordinator	Date: May 27, 2025
_____ Amy Baker, Town Clerk	Date: May 28, 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

04/30/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931,
Respondent.

Case Number:	20250396
Certified Mail:	7022 2410 0000 8470 3475
Regular Mail	

William McCarthy the Registered Agent for
MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
641 Travelers Ave
Fort Myers, FL 33919 CM 7022 2410 0000 8470
3451,

Respondent.

SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article V of the Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer has documented that (an) uncorrected violation(s) of one or more codes of the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, previously provided to you (a copy of which is enclosed herewith), exists on the above-described property. A hearing before the Town's Code Enforcement Special Magistrate concerning the violation(s) has, therefore, been scheduled for at **9 A.M. JUNE 6, 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.

Terri Weich

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

- Notice of Hearing and Affidavit of Posting



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

04/30/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

Case Number:	20250396
Certified Mail:	7022 2410 0000 8470 3475
Regular Mail	

vs.

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931,
Respondent.

William McCarthy the Registered Agent for
MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
641 Travelers Ave
Fort Myers, FL 33919 CM 7022 2410 0000 8470
3451,

Respondent.

SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050

NOTICE OF CODE ENFORCEMENT HEARING

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Terri Weich

Code Enforcement Officer
 Town of Fort Myers Beach

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



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

FMB Case Number:	20250396
Certified Mail:	
Regular Mail:	
DOAH Case Number:	[Not Applicable]

WENDY L MCCARTHY + UNKNOWN
HEIRS OF JANET E MCCARTHY
5740 LAUDER STREET
FORT MYERS BEACH FL 33931

WILLIAM MCCARTHY
WENDY L MCCARTHY +
UNKNOWN
HEIRS OF JANET E MCCARTHY
641 TRAVERS AVE
FORT MYERS FL 33919
Respondent,

Site Address: 5740 LAUDER STREET
Fort Myers Beach, FL 33931
Parcel Strap No. 334624W20030D0050

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared T. Weich, who is the Code

Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250396 FOR KEEPING A PROPERTY THAT IS IN NEED OF REPAIR OR DEMOLITION, INCLUDING BUT NOT LIMITED TO TALL GRASS/WEEDS IN EXCESS OF 12". MISSING AND HANGING SIDING. MISSING HAND/GUARDRAILS. MISSING/DAMAGED DOORS.

FORT MYERS BEACH ESTERO ISLAND

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



MISSING GARAGE DOORS. MISSING WALLS. DRY ROTTED WOOD. STAIRS
DAMAGED AND PULLING AWAY FROM THE BUILDING WITH MISSING RAILINGS.
VARMIN AND HABITAT IN AND AROUND THE HOME. MISCELLANEOUS
DEBRIS, GARBAGE, AND HOUSEHOLD ITEMS UNDER AND AROUND THE
HOME. HOME APPEARS TO BE LEANING.

At property 5740 LAUDER STREET., Fort Myers Beach, FL 33931

1. I personally mailed by certified mail a copy of the Notice of Hearing 05-14-2025 to the following:

WENDY L MCCARTHY + UNKNOWN
HEIRS OF JANET E MCCARTHY
5740 LAUDER STREET
FORT MYERS BEACH FL 33931

WILLIAM MCCARTHY
641 TRAVERS AVE
FORT MYERS FL 33919

Certified Mail No. 7022 2410 0000 8470 3475

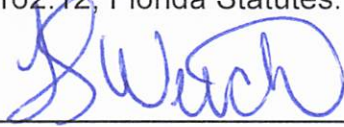
Certified Mail No.7022 2410 0000 8470

Copies of the certified mailing receipts are attached as evidence.

2. I had a copy of the Notice posted at 5740 LAUDER STREET, Fort Myers Beach, FL 33931, which is the subject property. I took a photographs of the Notice I posted on the MAY 14, 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 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 MAY 14, 2025 are attached.
4. In addition, Code Compliance Officer T. Weich 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.

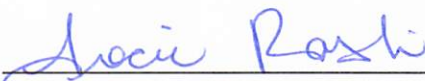
X 
Signature of Affiant

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 15 day of May, 2025, by T. Weich. She ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]


Notary Public, State of Florida
Print Name: Tracie Raski
My Commission Expires: 2/3/2029

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

04/30/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST

William McCarthy the Registered Agent for
MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E

Case Number:	20250396
Certified Mail:	7022 2410 0000 8470 3475
Regular Mail	



NOH

FIRST-CLASS



US POSTAGE IMPITNEY BOWI

 ZIP 33931 \$ 000.69
 02 7H
 0006188942 MAY 14 2025



FIRST-CLASS



US POSTAGE IMPITNEY BOWES

 ZIP 33931 \$ 000.69⁰
 02 7H
 0006188942 MAY 14 2025

**CERTIFIED MAIL®**

7022 2410 0000 8470 3475

FIRST-CLASS



US POSTAGE IMPITNEY BOWES

 ZIP 33931 \$ 009.64⁰
 02 7H
 0006188942 MAY 14 2025

**CERTIFIED MAIL®**

7022 2410 0000 8470 3451

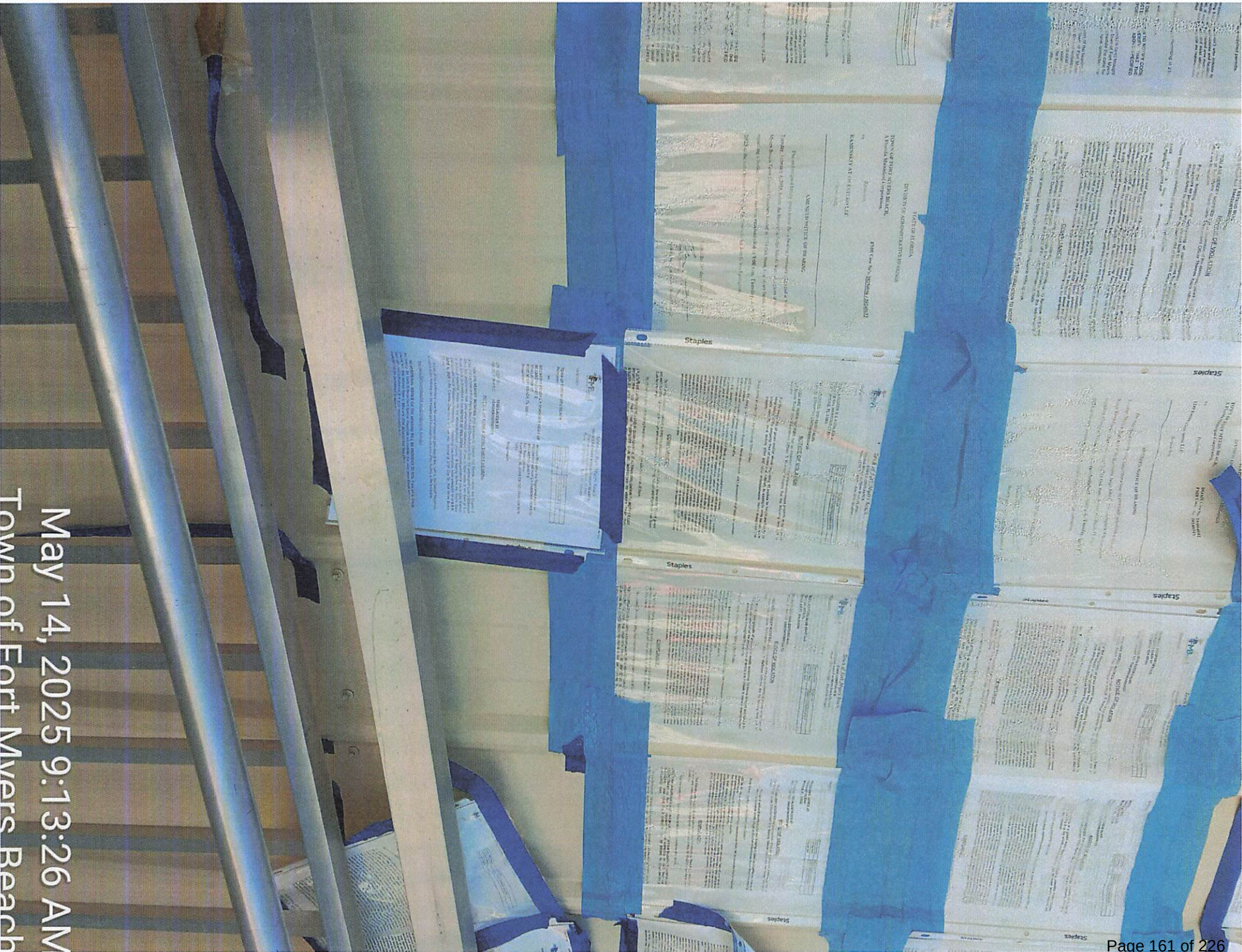
FIRST-CLASS



US POSTAGE IMPITNEY BOWES

 ZIP 33931 \$ 009.64⁰
 02 7H
 0006188942 MAY 14 2025

WENDY MCCARTHY + UNKNOWN HEIRS
OF JANET MCCARTHY
641 TRAVELERS AVE
FORT MYERS FL 33919



May 14, 2025 9:13:26 AM
Town of Fort Myers Beach

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

IF 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.



Town of Fort Myers Beach
NOTICE OF CODE ENFORCEMENT HEARING
2731 Oak Street Fort Myers Beach, FL 33911
Phone: (239) 765-0202 Fax: (239) 765-0509

04/30/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

**MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E**
5740 LAUDER ST
FORT MYERS BEACH, FL 33931,
Respondent.

Case Number:	20250396
Certified Mail:	7022 2410 0000 8470 3475
Regular Mail:	

William McCarthy the Registered Agent for
**MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E**
641 Travelers Ave
Fort Myers, FL 33919 CM 7022 2410 0000 8470
3451,
Respondent.

SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article V of the Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer has documented that (an) uncorrected violation(s) of one or more codes of the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, previously provided to you (a copy of which is enclosed herewith), exists on the above-described property. A hearing before the Town's Code Enforcement Special Magistrate concerning the violation(s) has, therefore, been scheduled for at 9 A.M. **JUNE 6, 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:

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Town of Fort Myers Beach
Code Enforcement Officer
Town of Fort Myers Beach

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION TO PARTICIPATE IN THIS HEARING, YOU ARE ENTITLED AT NO COST TO REQUEST ONE. PLEASE NOTIFY THE TOWN OF FORT MYERS BEACH AT (239) 765-0202.



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

04/30/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931,
Respondent.

Case Number:	20250396
Certified Mail:	7022 2410 0000 8410 3473
Regular Mail	

William McCarthy the Registered Agent for
MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
641 Travelers Ave
Fort Myers, FL 33919 CM 7022 2410 000
3451,

Respondent.

SITE ADDRESS:

5740 LAUDER ST

PARCEL STRAP NO:

334624W20030D0050

NOTICE OF CODE ENFORCEMENT HEARING

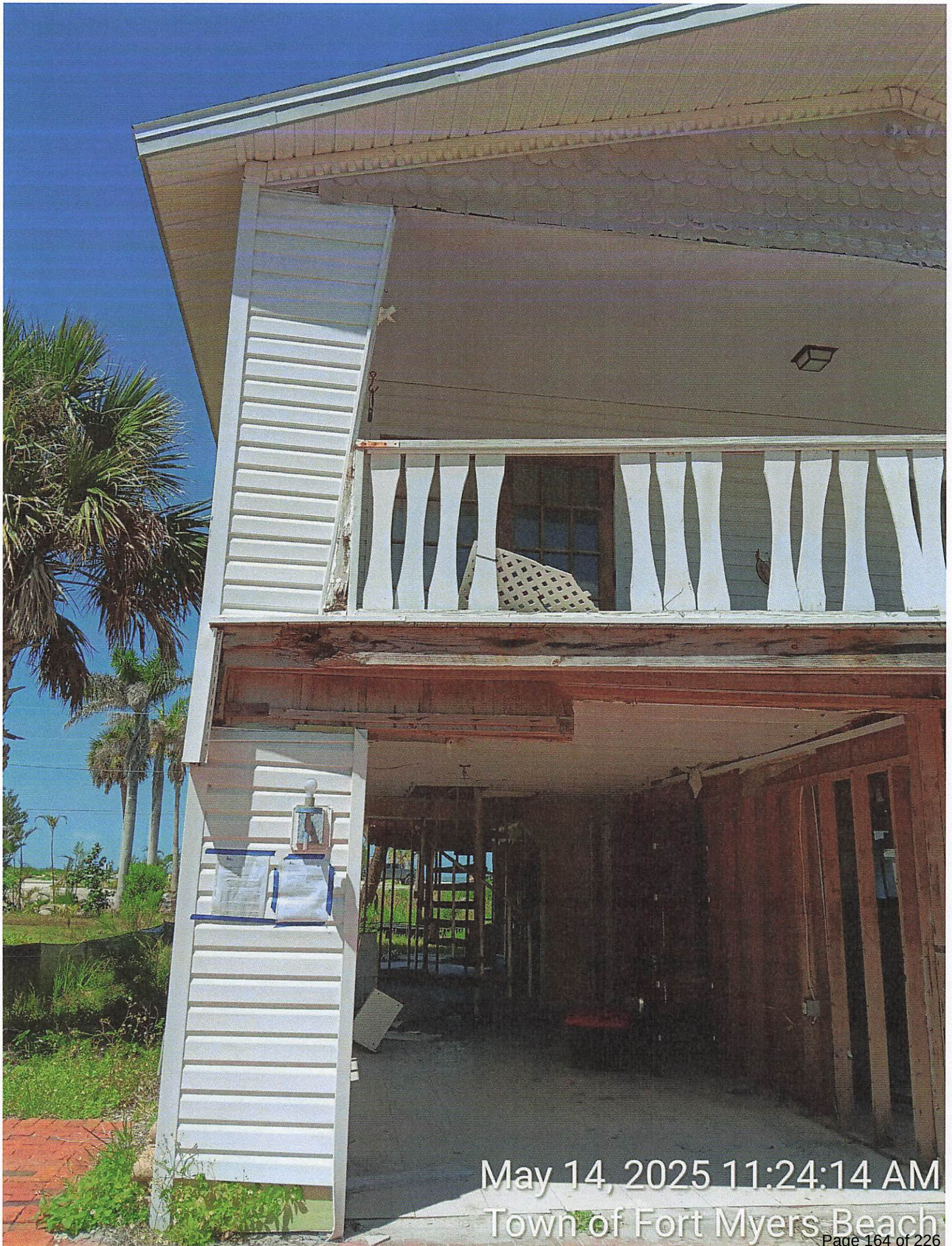
YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Article V of the Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer has documented that (an) uncorrected violation(s) of one or more codes of the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, previously provided to you (which is enclosed herewith), exists on the above-described property. A hearing before the Code Enforcement Special Magistrate concerning the violation(s) has, therefore, been scheduled for **JUNE 6, 2025** in the Council Chambers at Town Hall, located at 2731 Oak St., Fort Myers, Florida.

A copy of the evidentiary case file and all materials provided by the Town to the Code Enforcement Officer in relation to this hearing can be viewed and accessed in advance of the hearing at the following website:

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

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU in relation to this hearing. The Code Enforcement Special Magistrate will consider the case, even if you do not appear. You may assess fines or take any other action(s) that may affect your right to contact the Code Enforcement Officer.

May 14, 2025 9:10:11 AM
 Town of Fort Myers Beach



May 14, 2025 11:24:14 AM
Town of Fort Myers Beach

Fort Myers Beach
JANICE
Fort Myers Beach, FL 33919
Phone: (239) 765-0909

20250396

re-referenced property on by Town of
that the following items are in

OR DEMOLITION, INCLUDING BUT
OF 12", MISSING AND HANGING
DAMAGED DOORS, MISSING
WOOD, STAIRS DAMAGED AND
LINGS, VARMIN AND HABITAT IN
IBAGE, AND HOUSEHOLD ITEMS
D BE LEANING.

NATIONAL PROPERTY MAINTENANCE

attended as follows:

ciated any structure, which in the code
t of repair as to be dangerous, unsafe,
uch that it is unreasonable to repair the
capable of being made safe by repairs,
repair or to demolish and remove at the
struction in accordance with the Florida
remove such structure, or board up until
eyond one year, unless approved by the

the time prescribed, the Town shall cause
available public agency or by contract or
removal shall be charged against the real
estate for said costs. In the event the
d refuses to pay or reimburse the Town for
e applicable to the incurrence of such dis-
ses and costs incurred in such foreclosure

structure shall be maintained in good repair,
sufficient safety and well-being.
ity shall be kept free from rodent harborage
terminated by approved processes that will
conditions that be taken to eliminate rodent



04/30/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931,
Respondent.

Case Number	20250396
Certified Mail	7022 2410 0000 8470 3475
Regular Mail	

William McCarthy the Registered Agent for
MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
641 Travelers Ave
Fort Myers, FL 33919 CM 7022 2410 0000 8470
3451,
Respondent.

SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W2003000050

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) unremediated 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 A.M. JUNE 6, 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/208/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.

Terri Weich

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) 765-0922, AT LEAST 72 BUSINESS HOURS BEFORE THE HEARING DATE.



Property Data

STRAP: 33-46-24-W2-0030D.0050 Folio ID: 10230378

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

Generated on 4/30/2025 9:12 AM

Owner Of Record - Tenants in Common
[Change Mailing Address]

MCCARTHY WENDY L +
UNKNOWN HEIRS OF MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH FL 33931

Site Address

Site Address maintained by E911 Program Addressing

5740 LAUDER ST
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



MCPHIE PARK UNIT 1 BLK D PB 8 PG 52 LOT 5

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 8 and 52 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	3 / 3.0
Gross Living Area	1,008
1st Year Building on Tax Roll	1973
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	33	0030D	0050
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.42914	-81.91094		

[View Parcel on Google Maps](#)

[Tax Map Viewer] [View Comparables]



[Pictometry Aerial Viewer]

Image of Structure

◀ Photo Date May of 2003 ▶ ☐ View other photos

Last Inspection Date: 07/01/2022

Property Values / Exemptions / TRIM Notices

Generated on 4/30/2025 9:12 AM

Exemption	Amount
Homestead, Partial Interest	25,000.00
Additional Homestead Exemption	25,000.00

[2025 Homestead Exemption Renewal Card](#)

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
2024 / Additional Info	2024 (Final Value)	529,661	529,651	529,661	279,617	50,000	0	229,617
2023 / Additional Info	2023 (Final Value)	361,514	361,504	361,514	259,188	50,000	0	209,188

2022 / Additional Info	2022 (Final Value)	554,479	180,250	554,479	273,031	50,000	0	223,031
2021 / Additional Info	2021 (Final Value)	376,490	175,000	376,490	252,914	48,929	0	203,985
2020 / Additional Info	2020 (Final Value)	325,428	175,000	325,428	235,622	47,908	0	187,714
2019 / Additional Info	2019 (Final Value)	317,350	169,400	317,350	229,944	46,269	0	183,675
2018 / Additional Info	2018 (Final Value)	314,116	154,000	314,116	216,177	44,940	0	171,237
2017 / Additional Info	2017 (Final Value)	321,378	124,200	321,378	201,444	43,501	0	157,943
2016	2016 (Final Value)	308,405	124,200	308,405	187,949	42,092	0	145,857
2015	2015 (Final Value)	263,395	124,200	263,395	176,496	41,626	0	134,870
2014	2014 (Final Value)	232,096	108,000	232,096	165,979	41,097	0	124,882
2013	2013 (Final Value)	227,493	101,400	227,493	155,922	40,120	0	115,802
2012	2012 (Final Value)	165,094	90,000	165,094	146,578	39,031	0	107,547
2011	2011 (Final Value)	185,599	90,000	185,599	124,327	50,500	0	73,827
2010	2010 (Final Value)	168,621	90,000	168,621	122,490	50,500	0	71,990
	2009 (Final Value)	209,630	92,000	209,630	119,270	50,500	0	68,770
	2008 (Final Value)	357,710	225,000	357,710	119,150	50,000	0	69,150
	2007 (Final Value)	384,720	250,000	0	115,680	25,000	0	90,680
	2006 (Final Value)	275,920	180,000	0	112,860	25,000	0	87,860
	2005 (Final Value)	219,200	142,500	0	109,570	25,000	0	84,570
	2004 (Final Value)	204,190	131,250	0	106,380	25,000	0	81,380
	2003 (Final Value)	236,590	78,750	0	104,400	25,000	0	79,400
	2002 (Final Value)	179,300	39,750	0	101,950	25,000	0	76,950
	2001 (Final Value)	169,070	39,750	0	100,340	25,000	0	75,340
	2000 (Final Value)	149,420	33,750	0	97,420	25,000	0	72,420
	1999 (Final Value)	140,840	31,880	0	94,860	25,000	0	69,860
	1998 (Final Value)	121,530	31,880	0	93,370	25,000	0	68,370
	1997 (Final Value)	91,810	31,880	0	91,810	25,000	0	66,810
	1996 (Final Value)	89,230	31,880	0	89,230	25,000	0	64,230
	1995 (Final Value)	91,430	30,000	0	91,430	25,000	0	66,430
	1994 (Final Value)	94,860	30,000	0	94,860	25,000	0	69,860
	1993 (Final Value)	96,360	22,500	0	96,360	25,000	0	71,360
	1992 (Final Value)	105,440	22,500	0	105,440	25,000	0	80,440

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

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

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

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

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

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

Property Details (Current as of 4/29/2025) ?

Generated on 4/30/2025 9:12 AM

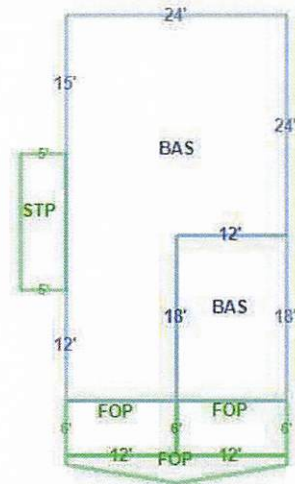
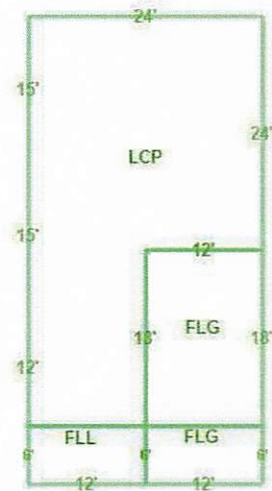
Land				
Land Tracts				
Use Code	Use Code Description	Number of Units	Unit of Measure	
100	Single Family Residential	1.00	Units	
Buildings				
Building 1 of 1				
Building Characteristics				
Improvement Type	Model Type	Stories	Living Units	
103 - Split Entry/Raised Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1	
Bedrooms	Bathrooms	Year Built	Effective Year Built	
3	3.0	1973	1988	
Building Subareas				
Description		Heated / Under Air	Area (Sq Ft)	
BAS - BASE		Y	1,008	
FLG - FINISHED LOWER GARAGE		N	288	
FLL - FINISHED LOWER LEVEL		N	72	
FOP - FINISHED OPEN PORCH		N	192	
LCP - LOWER CARPORT / OPEN PORCH		N	792	
STP - STOOP		N	75	

Building Front Photo



Photo Date: May of 2003

Building Footprint



Property Details (2024 Tax Roll)



Generated on 4/30/2025 9:12 AM

Land

Land Tracts

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

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
103 - Split Entry/Raised Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	3.0	1973	1988

Building Subareas

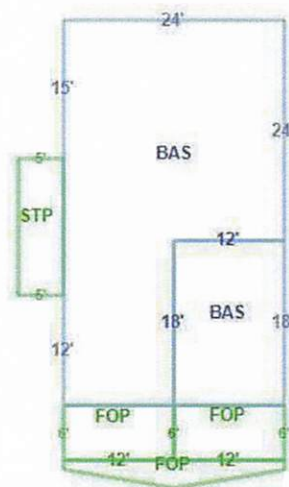
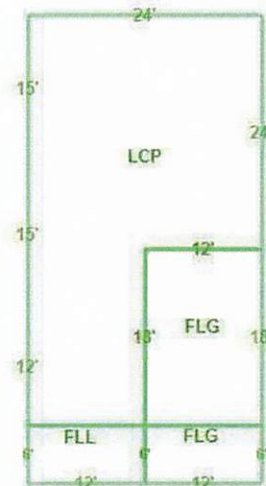
Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,008
FLG - FINISHED LOWER GARAGE	N	288
FLL - FINISHED LOWER LEVEL	N	72
FOP - FINISHED OPEN PORCH	N	192

Building Front Photo



Photo Date: May of 2003

Building Footprint



Taxing Authorities

Generated on 4/30/2025 9:12 AM

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 4/30/2025 9:12 AM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
0.00	09/12/2013	2013000210327	11	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	
0.00	09/10/2013	2013000213483	11	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	
10.00	10/19/2012	2013000027195	11		
0.00	12/20/2011	2013000213484	XX	There are 1 additional parcel(s) with this document (may have been split after the transaction date)... 03-47-24-W2-04800.0124	
45,000.00	08/05/2008	2008000219395	08		
100.00	02/13/2007	2007000059268	03		
0.00	02/07/2007	2007000059267	03		
44,000.00	04/01/1976	1137/341	06		

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

Use the above link to do a search on the Lee County Clerk of Courts website, using **8** and **52** for the book and page numbers and **Plats Book** for the book type.

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

Building / Construction Permit Data

Generated on 4/30/2025 9:12 AM

Permit Number	Permit Type	Date
ROF2005-01363	Roof	02/07/2005

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

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

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

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

Parcel Numbering History ⓘ

Generated on 4/30/2025 9:12 AM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
33-46-24-03-0000D.0050	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 4/30/2025 9:12 AM

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 4/30/2025 9:12 AM

Community	Flood Insurance	Find my flood zone	Date	Evacuation Zone
	Panel	Version		
071C	0566	G	11/17/2022	A

Generated on 4/30/2025 9:12 AM

[Previous Parcel Number](#) [Next Parcel Number](#) [New Query](#) [Search Results](#) [Home](#)



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:
33-46-24-W2-0030D.0050
Alternate Key:
2100593690
Millage Code:
032

Site Address/Legal Description:
5740 LAUDER ST
MCPHIE PARK UNIT 1 BLK D PB 8 PG 52 LOT 5



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

Exemptions/Values	
Market Value	529,661
Assessed Value	345,614
Taxable Value	279,617
Homestead Exemption	25,000
Additional Homestead Exemption	25,000

★ See message below.

MCCARTHY WENDY L &
UNKNOWN HEIRS OF MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

Paid 12/20/2024 INT-00-03043472 \$3,762.21

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	279.617	50.000	229.617	863.89
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	345.614	25.000	320.614	720.74
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.0380	345.614	25.000	320.614	974.03
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	279.617	50.000	229.617	227.32
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	279.617	50.000	229.617	21.77
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	279.617	50.000	229.617	7.51
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	279.617	50.000	229.617	23.56
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.8000	279.617	50.000	229.617	642.93
FORT MYERS BEACH MOSQUITO	239-247-1205	0.1123	279.617	50.000	229.617	25.79
FORT MYERS BEACH LIBRARY	239-463-9691	0.1612	279.617	50.000	229.617	37.01
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0200	279.617	50.000	229.617	4.59
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	279.617	50.000	229.617	9.05

Non-Ad Valorem Assessments Levying Authority

	Telephone	Rate	Basis	Amount
LEE COUNTY SOLID WASTE ASSESSMENT	239-533-8000		ACTL LEVY	320.38

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$3,878.57

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

Site Address: 5740 LAUDER ST

Alternate Key: 2100593690

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

MCCARTHY WENDY L &
UNKNOWN HEIRS OF MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

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



Paid 12/20/2024 INT-00-03043472 \$3,762.21

Kevin C. Karnes, Lee County Clerk of the Circuit Court & Comptroller
 INSTR# 2024000141524, DocType SAT, Pages 1, Recorded 5/17/2024 at 3:53 PM, DeputyClerk AESCOBARMOORE
 Rec Fees: \$10.00 ERECORD

Recording Requested By:
 M&T Bank

When Recorded Return To:

Lien Release Dept
 M&T Bank
 4th Floor - Lien Release Dept.
 PO BOX 5178
 Buffalo, NY 14240

RELEASE OF MORTGAGE

M&T Bank#: 0105020945 "MCCARTHY," R20/780 0200611823 0500334289 Lee, Florida

MIN #:100029500026033120 SIS #: 1-888-679-6377

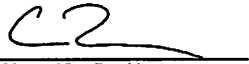
KNOW ALL MEN BY THESE PRESENTS that LAKEVIEW LOAN SERVICING, LLC BY M&T BANK AS ATTORNEY-IN-FACT whose address is M and T BANK, 1 FOUNTAIN PLAZA - 4TH FLOOR, BUFFALO, NY 14203, the present Mortgagee of a certain Mortgage, whose parties, dates and recording information are below, does hereby cancel and discharge said Mortgage.

Original Mortgagor: JANET E. MCCARTHY, A SINGLE PERSON AND WENDY L. MCCARTHY, A SINGLE PERSON
 Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS MORTGAGEE, AS NOMINEE FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP., ITS SUCCESSORS AND ASSIGNS
 Dated: 08-05-2008 Recorded: 08-15-2008 as Instrument No. 2008000219398, Book/Reel/Liber N/A, Page/Folio N/A in the County of Lee State of Florida

Property Address: 5740 LAUDER STREET, FORT MYERS BEACH, FL 33931

IN WITNESS WHEREOF, LAKEVIEW LOAN SERVICING, LLC BY M&T BANK AS ATTORNEY-IN-FACT by the officers duly authorized, has duly executed the foregoing instrument.

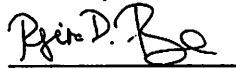
LAKEVIEW LOAN SERVICING, LLC BY M&T BANK AS ATTORNEY-IN-FACT
 POA: 5/3/2017 in Instrument No.: 2017000096225
 On May 17th, 2024

By: 
 Alan Myers, Vice President

STATE OF New York
 COUNTY OF Erie

On the 17th day of May in the year 2024 before me, the undersigned, personally appeared Alan Myers, Vice President of LAKEVIEW LOAN SERVICING, LLC BY M&T BANK AS ATTORNEY-IN-FACT, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

WITNESS my hand and official seal,



Regina D. Brundage
 Notary Public State of New York
 Notary Expires: 4/15/2025 #01BR6279617
 Qualified in Erie County

REGINA D BRUNDAGE
 NOTARY PUBLIC-STATE OF NEW YORK
 No. 01BR6279617
 Qualified in Erie County
 My Commission Expires 04-15-2025

Prepared By: Gloria J. Dishman, M&T Bank 1 Fountain Plaza, 4th Floor Buffalo, NY, 14203 (800) 724-2224

5/17/2024 10:34:40 AM-140717*-140857*306*FLSTATE_MORT_REL

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

04/25/2025

Case Number:	20250396
Certified Mail:	9589 0710 5270 0636 6431 42
Regular Mail	

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on by Town of Fort Myers Beach Code Enforcement Officer Terri Welch indicates that the following items are in violation:

MAINTAININ OF A PROPERTY IN NEED OF REPAIR OR DEMOLITION. INCLUDING BUT NOT LIMITED TO TALL GRASS/WEEDS IN EXCESS OF 12". MISSING AND HANGING SIDING. MISSING HAND/GUARDRAILS, MISSING/DAMAGED DOORS. MISSING GARAGE DOORS. MISSING WALLS. DRY ROTTED WOOD. STAIRS DAMAGED AND PULLING AWAY FROM BUILDING WITH MISSING RAILINGS. VARMIN AND HABITAT IN AND AROUND HOME. MISCELLANEOUS DEBRIS, GARBAGE, AND HOUSEHOLD ITEMS UNDER AND AROUND THE HOME. HOME APPEARS TO BE LEANING.

These items are a violation of the following Town Codes:

ARTICLE I. - PROPERTY MAINTENANCE CODES DIVISION 1. - INTERNATIONAL PROPERTY MAINTENANCE CODE Sec. 6-2. - Amendments. modified

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

(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.

Cha. 6-, Sec. 304.1: Exterior of Structure The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so not to pose a threat to the public health, safety and welfare.

Cha. 6-1, Sec. 302.5: Rodent Harborage Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

Cha. 6-1, Sec. 304.2 Protective treatment Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights, shall be maintained with weather resistant and watertight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. surfaces designed for stabilization by oxidation are exempt from this requirement.

Cha. 6-1, Sec. 304.5: Foundations Walls Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

LDC Sec. 6-1. - Adoption of International Property Maintenance Code.; 308.1 Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

LDC Sec. 6-1. - Adoption of International Property Maintenance Code.; 308.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

Sec. 18-35. - Sanitation. (a) Pollution of waters. No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, marsh, swamp, stream, bay, gulf or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid.

(b) Refuse and trash. No person shall bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash. No such materials shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds' thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such materials shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

Sec. 26-45 - Permits required.

(a) A permit is required prior to starting any work addressed by this article, except where explicitly stated otherwise.

(b) Permit applications must be submitted to the director on an appropriate form containing the following:

(1) The names, addresses and telephone numbers of the property owner(s);

(2) The name, address and telephone number of the property owner's agent, if applicable;

(3) Written authorization from the property owner to the agent, if applicable;

(4) The property street address;

(5) The property STRAP number;

(6) A site plan, showing the following:

a. The proposed location of the work relative to riparian property lines; and

b. Dimensions and side setbacks of all proposed structures or work.

(7) Copies of all necessary state and federal agency approvals; and

(8) The appropriate fee.

(c) Work relating to commercial or multi-slip docks may require a development order in accordance with ch. 10 of this LDC and construction drawings sealed by a professional engineer or registered architect. All development order applications will be reviewed for compliance with this article.

(d) The director has the discretion to require construction drawings sealed by a professional engineer or registered architect and a sealed boundary or record survey identifying the property boundary or riparian extensions into the waterbody in relation to construction or work. The director also has the discretion to require submission of a sealed post-construction as-built survey certified to the town prior to issuance of a certificate of completion for any permit under this section.

(e) The director may conduct on-site inspections to determine if the proposed work or structure meets the required minimum standards.

(f) A permit is required to replace an existing structure; however, ordinary minor repairs may be made without a permit to the extent allowed by § 6-111 of this code.

(g) The director can authorize minor design alterations necessary to comply with the Americans with Disabilities Act.

(h) Permit approvals granted under this section will be based upon the information submitted by the applicant. An approval under this section does not constitute a legal opinion regarding the riparian rights boundaries of the subject property or adjacent property and may not be used to substantiate a claim of right to encroach into another property owner's riparian rights area.

Sec. 6-2. - Amendments. (Weeds) (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.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. APPLY, RECEIVE, AND PAY FOR ALL PERMITS REQUIRED TO DEMOLISH THE HOME OR REPAIR THE HOME SO IT IS HABITABLE INCLUDING REMOVAL OF ALL LOOSE SIDING OR ANYTHING THAT COULD BECOME A PROJECTILE IN HIGH WINDS. MAINTAIN THE GRASS/WEEDS UNDER 12". REMOVE ALL JUNK, DEBRIS, AND HOUSEHOLD ITEMS FROM THE SITE..

You are hereby directed to bring these violations into compliance within 15 DAYS FROM RECEIPT/POSTING.

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 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

Terri Welch
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

04/25/2025

Case Number:	20250396
Certified Mail:	9589 0710 5270 0836 6431 42
Regular Mail:	

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
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WILLIAM MCCARTHY
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SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050

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

Respectfully,



Terri Weich

Code Enforcement Officer
Town of Fort Myers Beach



Apr 25, 2025 10:08:10 AM
Town of Fort Myers Beach



Apr 25, 2025 10:10:56 AM
Town of Fort Myers Beach



Apr. 25, 2025 10:11:00 AM
Town of Fort Myers Beach



Apr 25, 2025 10:05:53 AM
Town of Fort Myers Beach



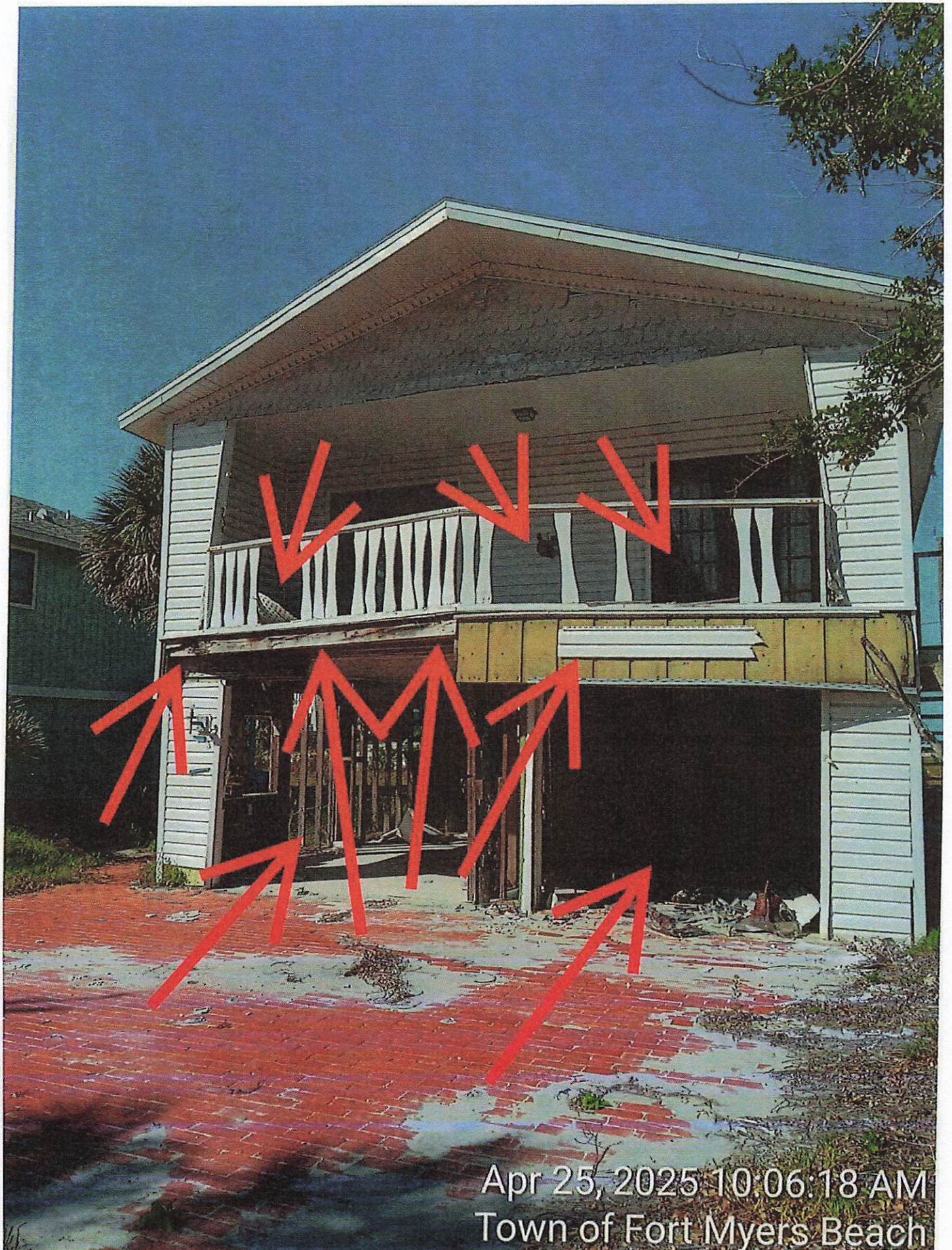
Apr 25, 2025 10:05:55 AM
Town of Fort Myers Beach



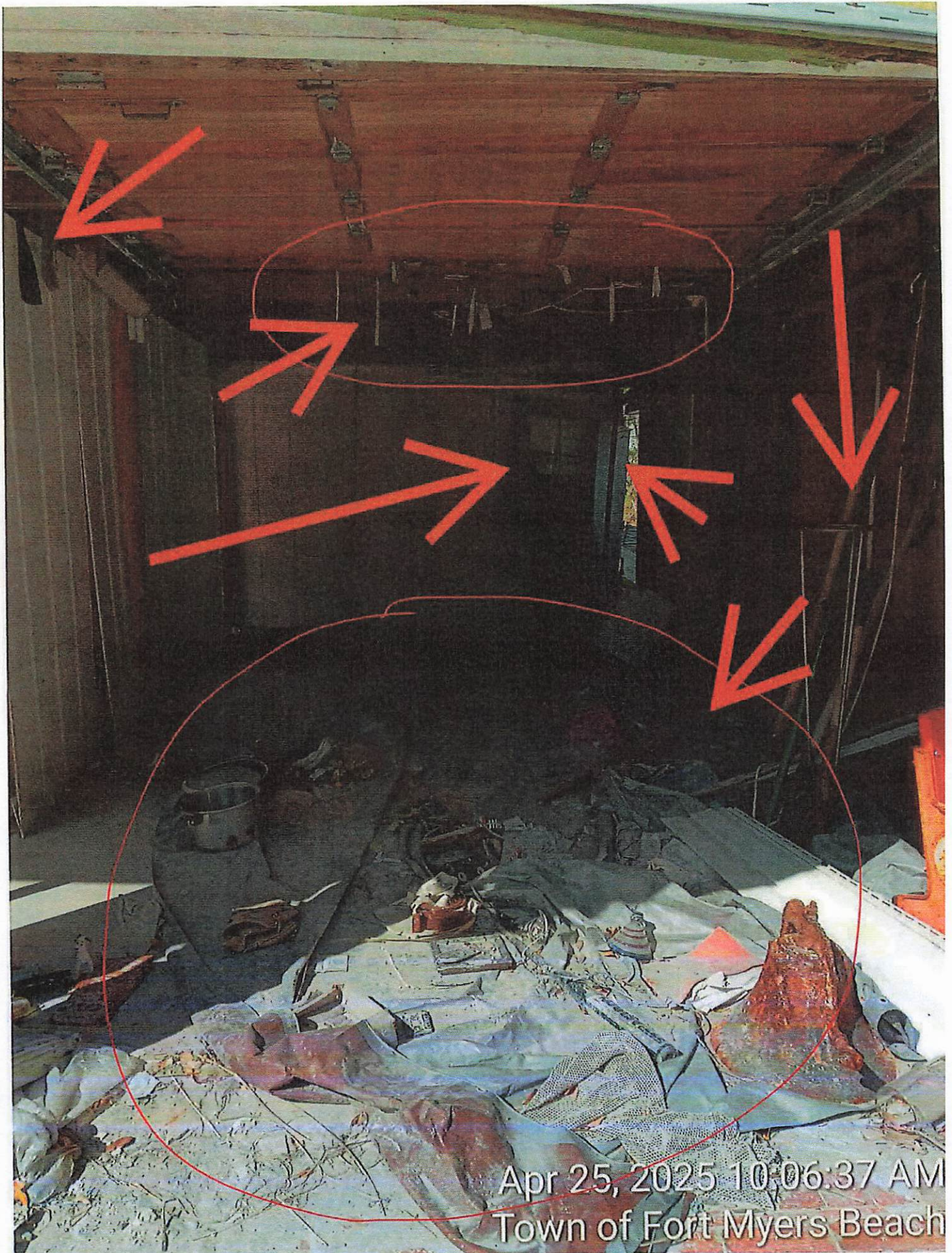
Apr 25, 2025 10:06:09 AM
Town of Fort Myers Beach



Apr 25, 2025 10:06:16 AM
Town of Fort Myers Beach



Apr 25, 2025 10:06:18 AM
Town of Fort Myers Beach



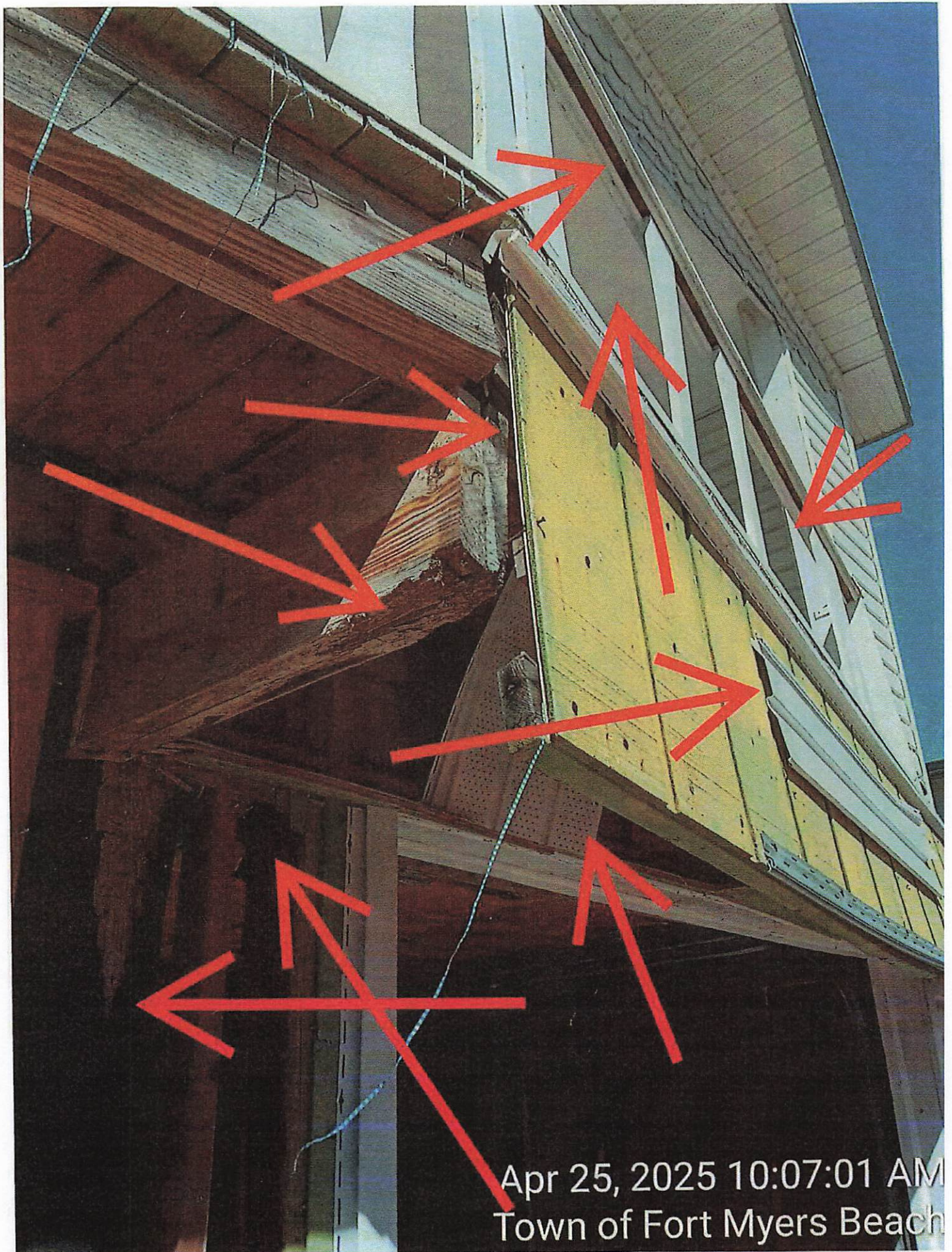
Apr 25, 2025 10:06:37 AM
Town of Fort Myers Beach



Apr 25, 2025 10:06:41 AM
Town of Fort Myers Beach



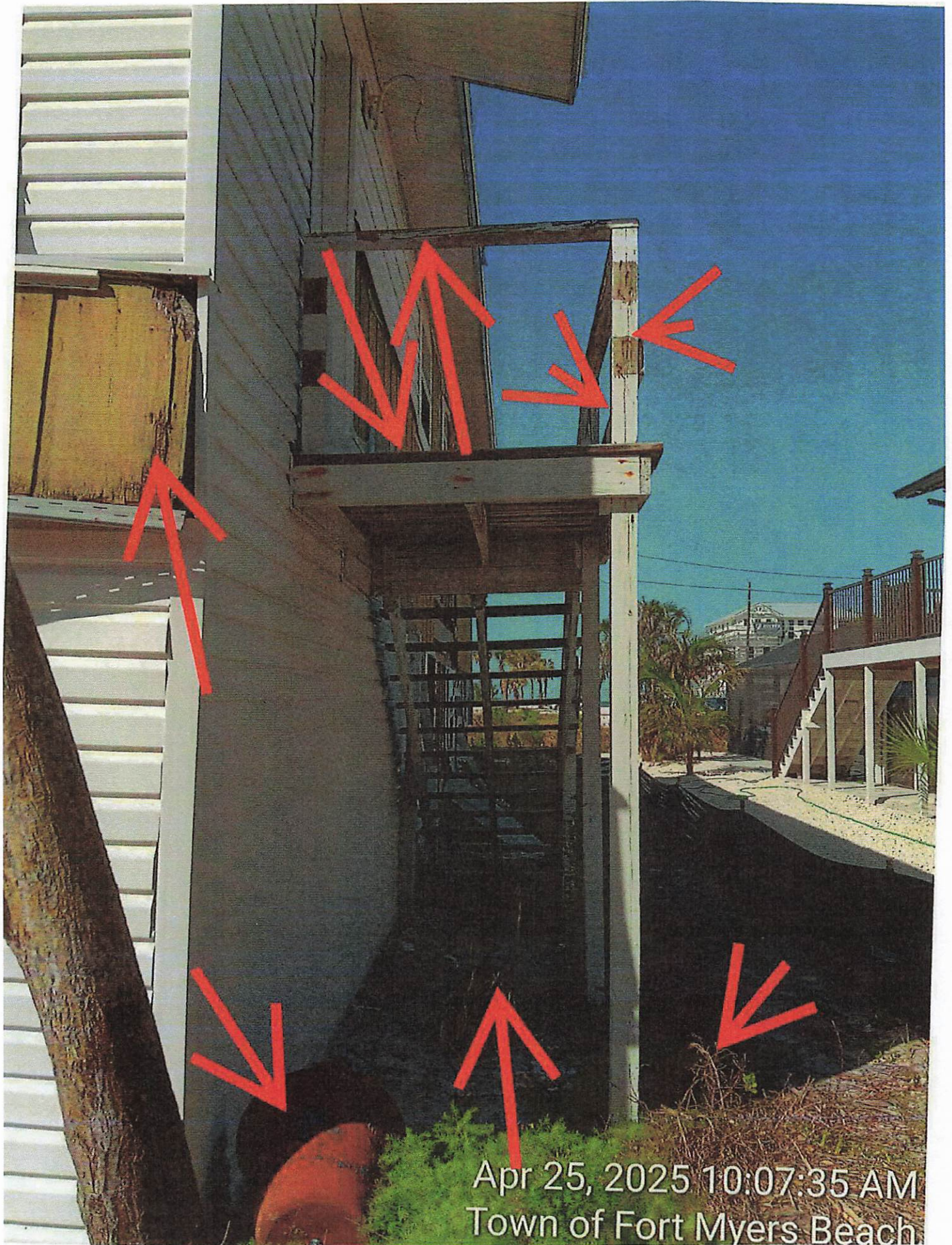
Apr 25, 2025 10:06:52 AM
Town of Fort Myers Beach

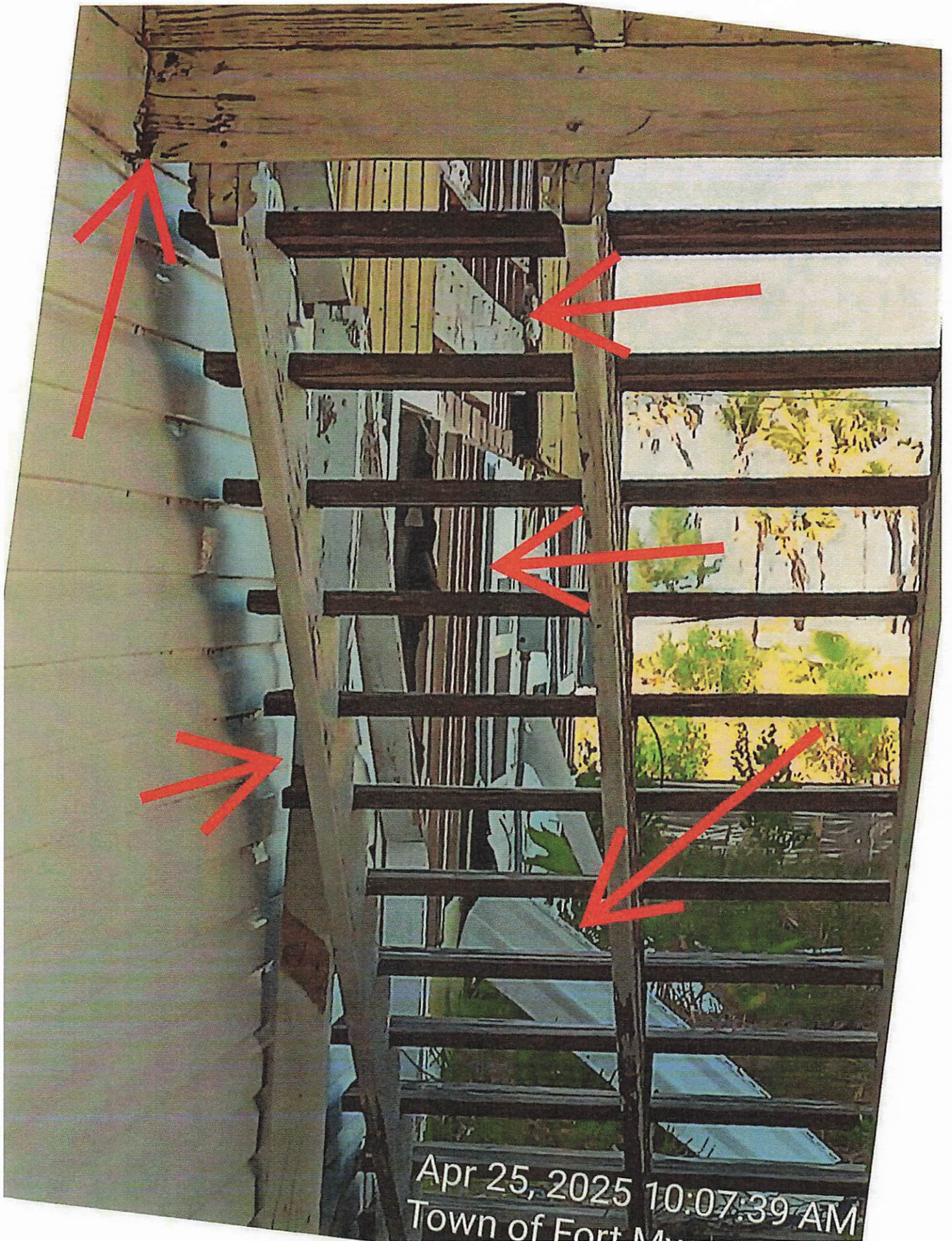




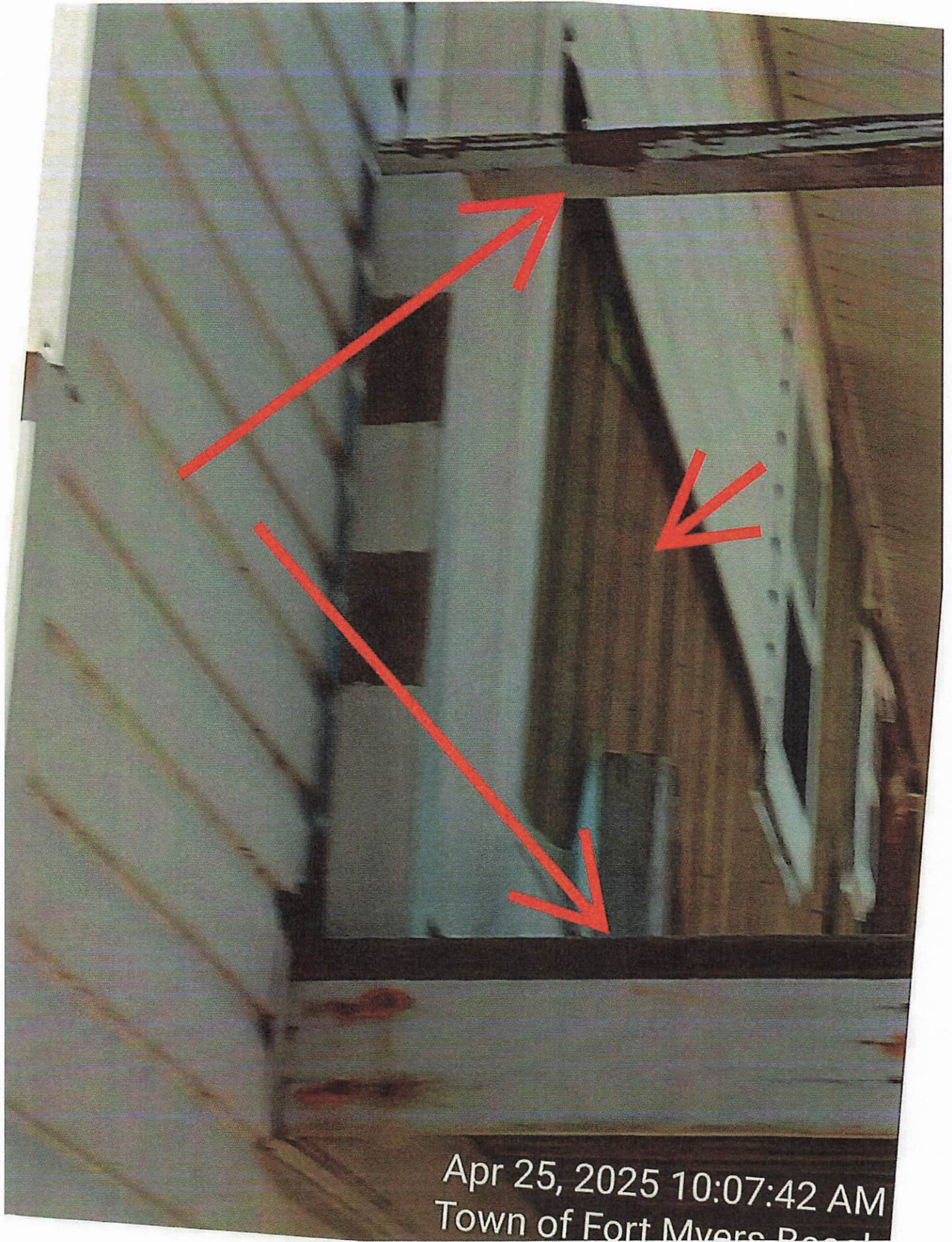


Apr 25, 2025 10:07:17 A
Town of Fort Myers Bea





Apr 25, 2025 10:07:39 AM
Town of Fort M...





Apr 25, 2025 10:07:53 AM
Town of Fort Myers Beach



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

FMB Case Number:	20250396
Certified Mail:	
Regular Mail:	
DOAH Case Number:	[Not Applicable]

WENDY L MCCARTHY + UNKNOWN
HEIRS OF JANET E MCCARTHY
5740 LAUDER STREET
FORT MYERS BEACH FL 33931

WILLIAM MCCARTHY

641 TRAVERS AVE
FORT MYERS FL 33919

Site Address: 5740 LAUDER STREET
Fort Myers Beach, FL 33931
Parcel Strap No. 334624W20030D0050

Respondent,

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared T. Weich, who is the Code

Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250396 FOR KEEPING A PROPERTY THAT IS IN NEED OF REPAIR OR DEMOLITION, INCLUDING BUT NOT LIMITED TO TALL GRASS/WEEDS IN EXCESS OF 12". MISSING AND HANGING SIDING. MISSING HAND/GUARDRAILS. MISSING/DAMAGED DOORS. MISSING GARAGE DOORS. MISSING WALLS. DRY ROTTED WOOD. STAIRS DAMAGED AND PULLING AWAY FROM THE BUILDING WITH MISSING RAILINGS. VARMIN AND HABITAT IN AND AROUND THE HOME. MISCELLANEOUS DEBRIS, GARBAGE, AND HOUSEHOLD ITEMS UNDER AND AROUND THE HOME. HOME APPEARS TO BE LEANING.

FORT MYERS BEACH ESTERO ISLAND

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



At property 5740 LAUDER STREET., Fort Myers Beach, FL 33931

1. I personally mailed by certified mail a copy of the Notice of Violation 04-25-2025 to the following:

WENDY L MCCARTHY + UNKNOWN	WILLIAM MCCARTHY
HEIRS OF JANET E MCCARTHY	641 TRAVERS AVE
5740 LAUDER STREET	FORT MYERS FL 33919
FORT MYERS BEACH FL 33931	
Certified Mail No. 9589 0710 5270 0636 6431 42 FIRST CLASS MAIL	

Copies of the certified mailing receipts are attached as evidence.

2. I had a copy of the Notice posted at 5740 LAUDER STREET, Fort Myers Beach, FL 33931, which is the subject property. I took a photographs of the Notice I posted on the APRIL 25, 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 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 APRIL 25, 2025 are attached.
4. In addition, Code Compliance Officer T. Weich 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>.

FORT MYERS BEACH ESTERO ISLAND

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



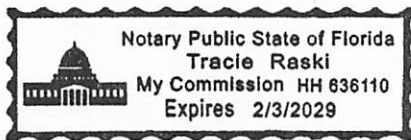
Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

X

Subich
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 15 day of May, 2025, by T. Weich. She ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]

Tracie Raski

Notary Public, State of Florida

Print Name: Tracie Raski

My Commission Expires: 2/3/2029

FORT MYERS BEACH ESTERO ISLAND

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

CERTIFIED MAIL®



9589 0710 5270 0636 6431 42

FIRST-CLASS



US POSTAGE PITNEY BOWES

ZIP 33031 \$ 011.54⁰
02 7H
000618842 APR 25 2025

MCCARTHY WENDY L + UNKNOWN
HEIRS OF MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

FORT MYERS BEACH
STREET
ERS BEACH FL 33931

FIRST-CLASS

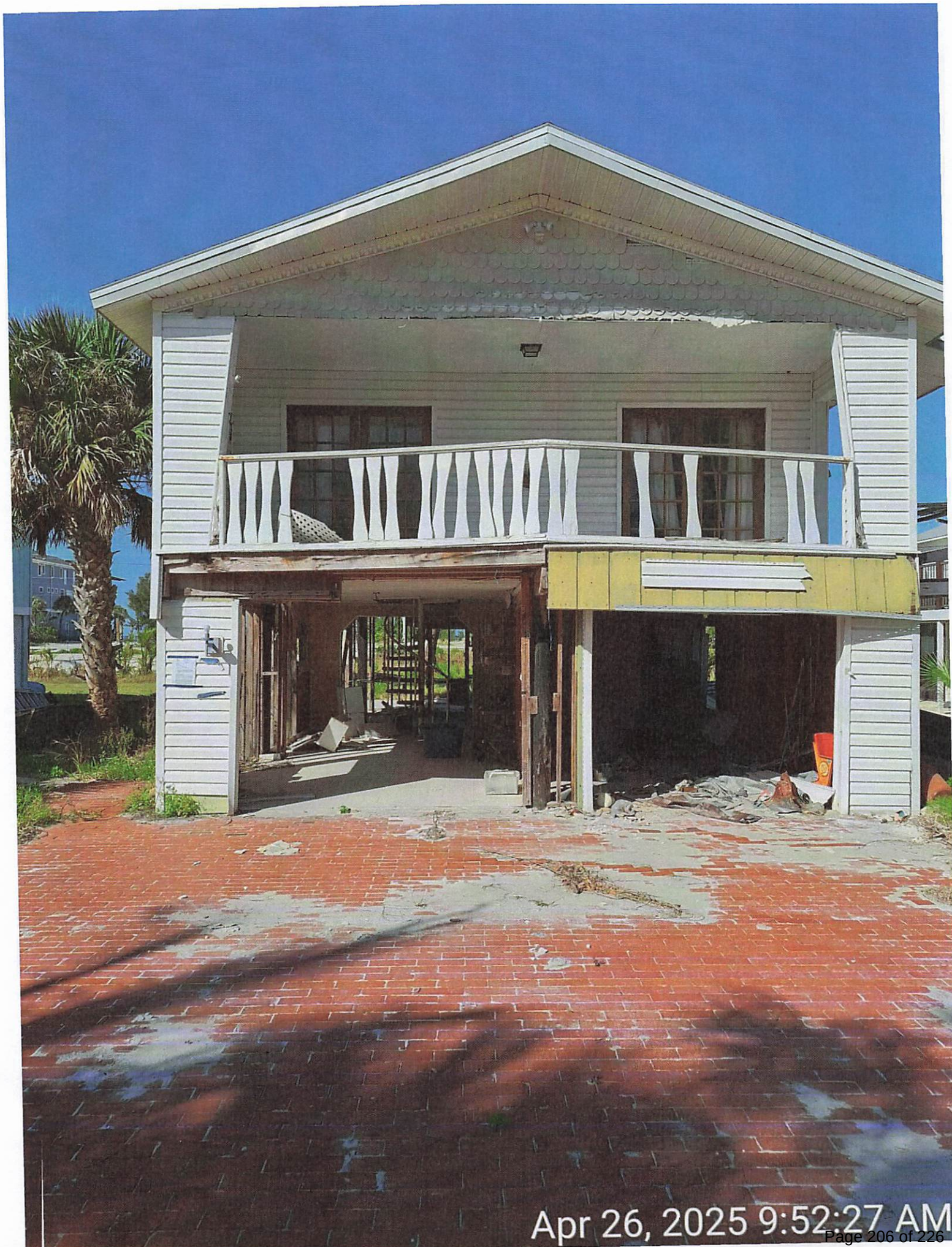


US POSTAGE IMPITNEY BONES

ZIP 32931 \$ 002.59⁰
02 7H
0006 88942 APR 29 2025

*DW
Case 20250396
5740 Boulder*

WILLIAM MCCARTHY
641 TRAVERS AVE
FORT MYERS FL 33919



Apr 26, 2025 9:52:27 AM



Town of Fort Myers Beach
CODE COMPLIANCE

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

04/25/2025

Case Number:	20250396
Certified Mail:	
Regular Mail	

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on by Town of Fort Myers Beach Code Enforcement Officer Terri Weich indicates that the following items are in violation:

MAINTAININ OF A PROPERTY IN NEED OF REPAIR OR DEMOLITION. INCLUDING BUT NOT LIMITED TO TALL GRASS/WEEDS IN EXCESS OF 12". MISSING AND HANGING SIDING. MISSING HAND/GUARDRAILS, MISSING/DAMAGED DOORS. MISSING GARAGE DOORS. MISSING WALLS. DRY ROTTED WOOD. STAIRS DAMAGED AND PULLING AWAY FROM BUILDING WITH MISSING RAILINGS. VARMIN AND HABITAT IN AND AROUND HOME. MISCELLANEOUS DEBRIS, GARBAGE, AND HOUSEHOLD ITEMS UNDER AND AROUND THE HOME. HOME APPEARS TO BE LEANING.

These items are a violation of the following Town Codes:

ARTICLE I. - PROPERTY MAINTENANCE CODES DIVISION 1. - INTERNATIONAL PROPERTY MAINTENANCE CODE Sec. 6-2. - Amendments. modified

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

(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.

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Cha. 6-, Sec. 304.1: Exterior of Structure The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so not to pose a threat to the public health, safety and welfare.

Cha. 6-1, Sec. 302.5: Rodent Harborage Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.



Thomas Yozzo,

Security and Code Compliance Manager

4/25/25, 2:54 PM



Town of Fort Myers Beach
CODE COMPLIANCE

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

04/25/2025

Case Number:	20250396
Certified Mail:	9589 0710 5270 0636 6431 42
Regular Mail	

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050

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<https://www.>

Apr 25, 2025 3:18:13 PM
Town of Fort Myers Beach

4/25/25, 2:54 PM

iworq.net/iworq/0_Pages/popupEditLetterPrint.php?sid=924NKF4V



Town of Fort
CODE CO
2731 Oak Street Fort
Phone: (239) 765-020

04/25/2025

Case Nu
Certified
Regular

MCCARTHY WENDY L + UNKNOWN HEIRS OF
MCCARTHY JANET E
5740 LAUDER ST
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 5740 LAUDER ST
PARCEL STRAP NO: 334624W20030D0050

NOTICE OF VIO

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Fort Myers Beach Code Enforcement Officer Terri W
violation:

MAINTAININ OF A PROPERTY IN NEED OF
NOT LIMITED TO TALL GRASS/WEEDS IN
SIDING. MISSING HAND/GUARDRAILS
GARAGE DOORS. MISSING WALLS. DR
PULLING AWAY FROM BUILDING WITH M
AND AROUND HOME. MISCELLANEOUS
UNDER AND AROUND THE HOME. HOME

These items are a violation of the Town of Fort Myers Beach Code

ARTICLE I. - PROPERTY MAINTENANCE CODES DIVISION

Apr 25, 2025 3:16:26 PM
Town of Fort Myers Beach

HEARING

EXHIBIT

C

- Status of Compliance



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

04/01/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

Case Number:	20250396
Certified Mail:	
Regular Mail:	

McCarthy, Wendy L. + Unknown Heirs of McCarthy, Janet E.
Respondent.

Site Address: **5740 Lauder St**
Parcel Strap No.: **334624W20030D0050**

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)
COUNTY OF LEE)

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

1. I, D. Batt, am a person authorized by law to inspect violations of the Town of Fort Myers Beach Code contained herein and the statements set forth herein are based upon personal knowledge.
2. On 04/25/2025, McCarthy, Wendy L. + Unknown Heirs of McCarthy, Janet E. (property owner) was observed in violation of Chapter 6-1 Sections 304.1, 302.5, 304.5, 308.1, and 308.2, Section 18-35, 26-45 and Chapter 6-2 the Town of Fort Myers Beach Code of Ordinances, for the maintaining of a property in need of repair or demolition. Including but not limited to tall grass/weeds in excess of 12 inches, missing and hanging siding, missing hand/guardrails, missing/damaged doors, missing garage doors, missing walls, dry rotted wood, stairs damaged and pulling away from building with missing railings, vermin and habitat in and around home, miscellaneous debris, garbage, and household items under and around the home, and home appears to be leaning at the property located at 5740 Lauder St, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 04/25/2025, sent regular and certified mail to the address of record, 5740 Lauder St, Fort Myers Beach, FL 33931, posted to the violation property located at 5740 Lauder St, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.
4. McCarthy, Wendy L. + Unknown Heirs of McCarthy, Janet E. was/were given 15 days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 05/09/2025.
5. I performed an inspection of the Subject Property on 05/12/2025, and the Subject Property was observed to be non-compliant with the Town of Fort Myers Beach Ordinance.
6. I have attached photographs of the Subject Property, which I personally took, and which fairly represent the current condition of the Subject Property I personally observed on 05/12/2025. 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.

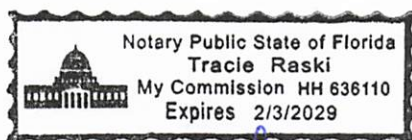
FURTHER AFFIANT SAYETH NAUGHT.

Signature of Affiant: D. B. B.

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence OR ☐ online notarization, this 12 day of May, 2025, by Danielle B. B., ☒ who is personally known to me OR ☐ who has produced _____ as identification.

(SEAL)



Notary Public Signature: Tracie Raski

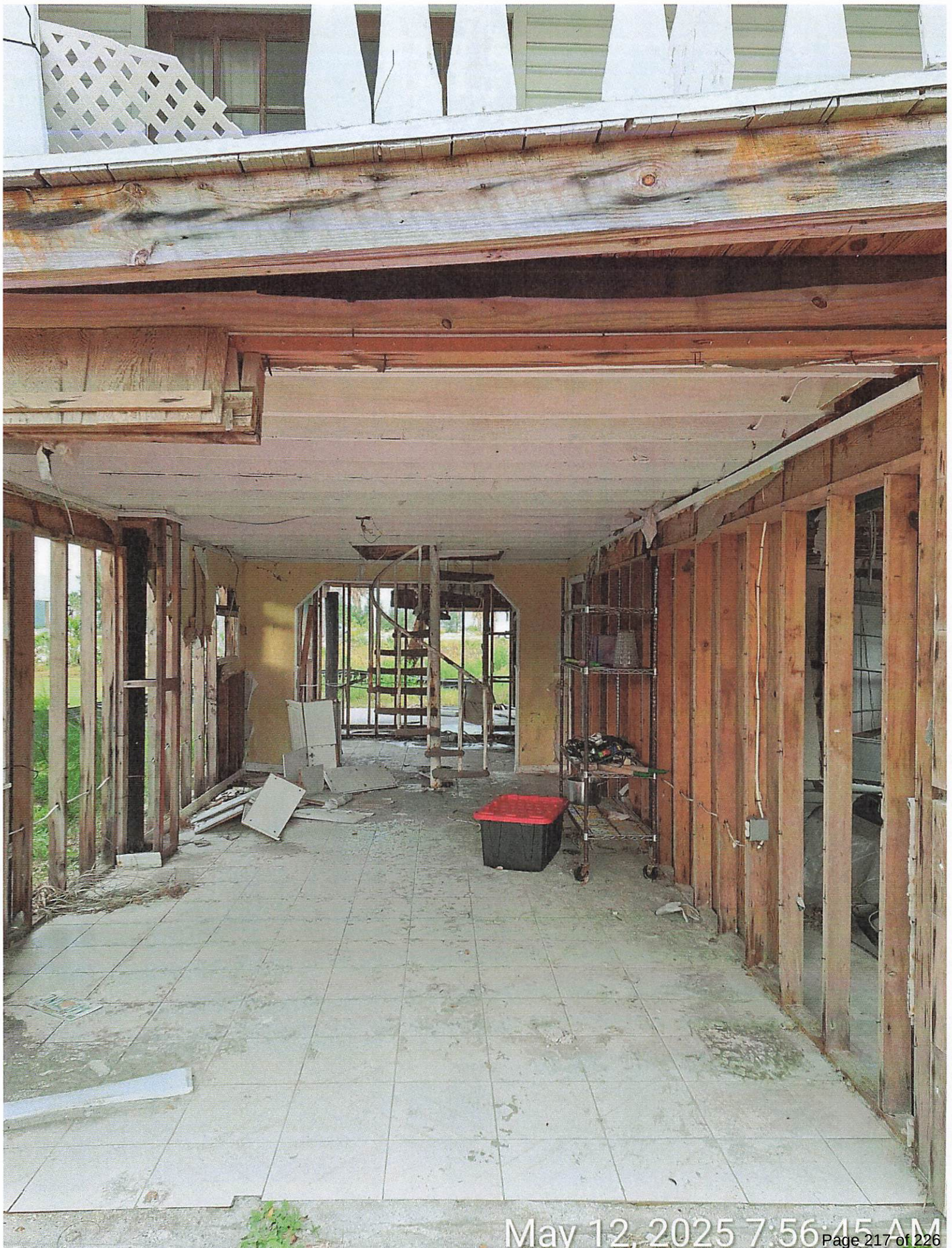


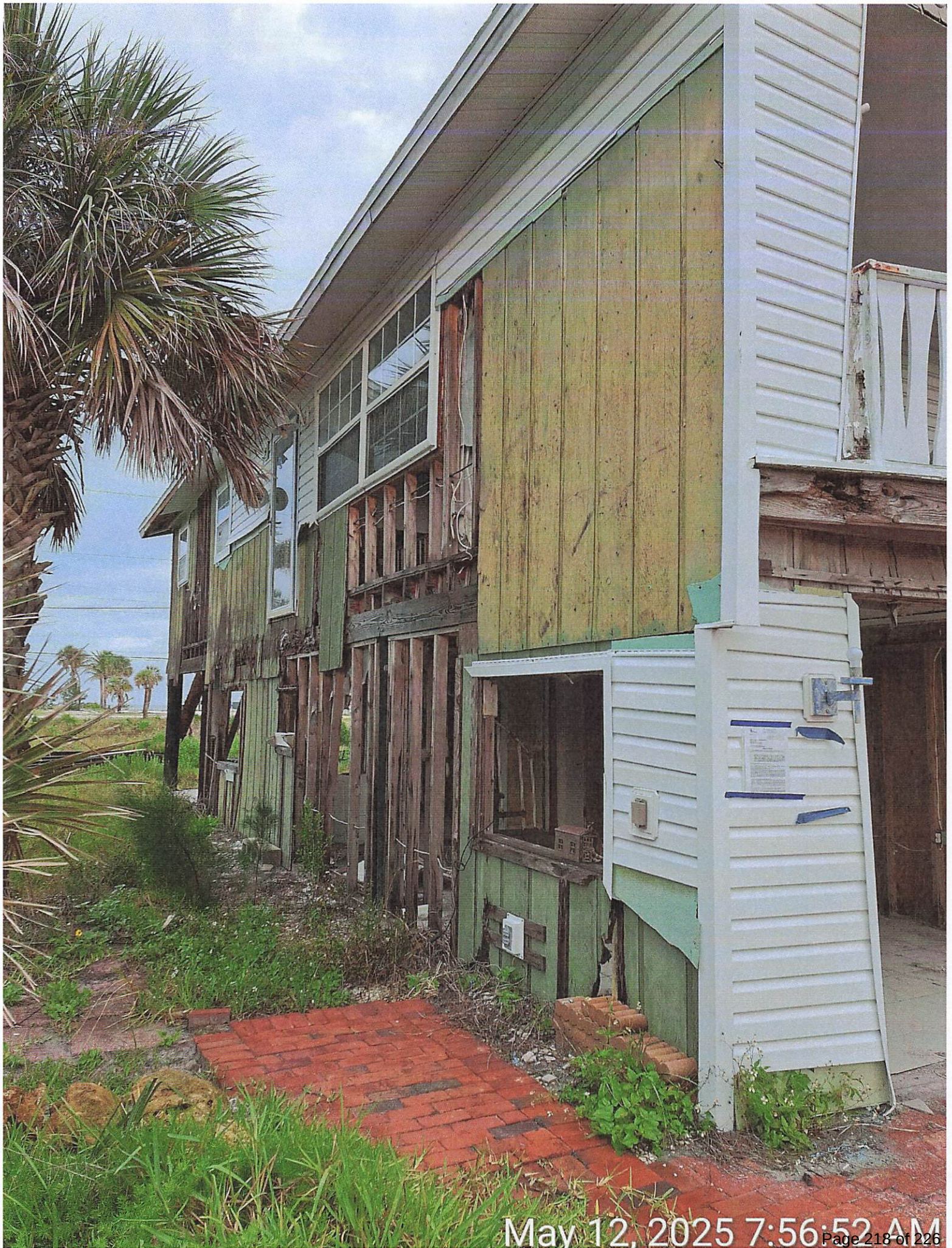
May 12, 2025 7:56:24 AM



May 12, 2025 7:56:32 AM





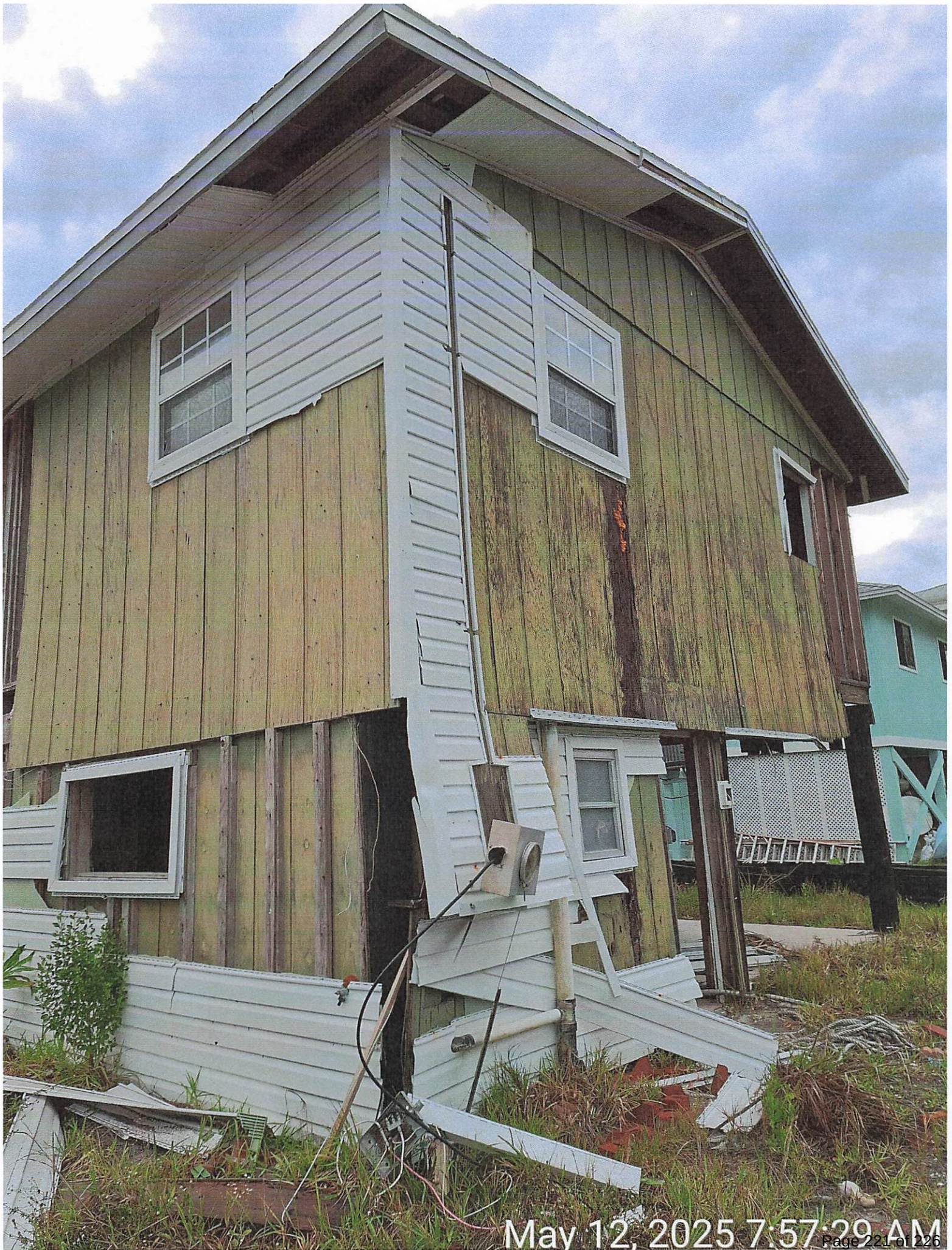




May 12, 2025 7:57:05 AM



May 12, 2025 7:57:15 AM



May 12, 2025 7:57:29 AM

HEARING

EXHIBIT

D

- Violated Regulation(s)

See relevant highlighted section(s) of
applicable code

**ARTICLE I. - PROPERTY MAINTENANCE CODES DIVISION 1. - INTERNATIONAL
PROPERTY MAINTENANCE CODE Sec. 6-2. - Amendments. modified**

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Cha. 6-1, Sec. 304.2 Protective treatment Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights, shall be maintained with weather resistant and watertight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. surfaces designed for stabilization by oxidation are exempt from this requirement.

Cha. 6-1, Sec. 304.5: Foundations Walls Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

LDC Sec. 6-1. - Adoption of International Property Maintenance Code.; 308.1 Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

LDC Sec. 6-1. - Adoption of International Property Maintenance Code.; 308.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

Sec. 18-35. - Sanitation. (a) Pollution of waters. No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, marsh, swamp, stream, bay, gulf or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid.

(b) Refuse and trash. No person shall bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash. No such materials shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds' thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such materials shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

Sec. 26-45 - Permits required.

(a) A permit is required prior to starting any work addressed by this article, except where explicitly stated otherwise.

(b) Permit applications must be submitted to the director on an appropriate form containing the following:

(1) The names, addresses and telephone numbers of the property owner(s);

(2) The name, address and telephone number of the property owner's agent, if applicable;

(3) Written authorization from the property owner to the agent, if applicable;

(4) The property street address;

(5) The property STRAP number;

(6) A site plan, showing the following:

a. The proposed location of the work relative to riparian property lines; and

b. Dimensions and side setbacks of all proposed structures or work.

(7) Copies of all necessary state and federal agency approvals; and

(8) The appropriate fee.

(c) Work relating to commercial or multi-slip docks may require a development order in accordance with ch. 10 of this LDC and construction drawings sealed by a professional engineer or registered architect. All development order applications will be reviewed for compliance with this article.

(d) The director has the discretion to require construction drawings sealed by a professional engineer or registered architect and a sealed boundary or record survey identifying the property boundary or riparian extensions into the waterbody in relation to construction or work. The director also has the discretion to require submission of a sealed post-construction as-built survey certified to the town prior to issuance of a certificate of completion for any permit under this section.

(e) The director may conduct on-site inspections to determine if the proposed work or structure meets the required minimum standards.

(f) A permit is required to replace an existing structure; however, ordinary minor repairs may be made without a permit to the extent allowed by § 6-111 of this code.

(g) The director can authorize minor design alterations necessary to comply with the Americans with Disabilities Act.

(h) Permit approvals granted under this section will be based upon the information submitted by the applicant. An approval under this section does not constitute a legal opinion regarding the riparian rights boundaries of the subject property or adjacent property and may not be used to substantiate a claim of right to encroach into another property owner's riparian rights area.

Sec. 6-2. - Amendments. (Weeds) (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.