



Fort Myers Beach Special Magistrate Hearings

Bay Oaks Recreation Campus
2731 Oak Street
Fort Myers Beach, FL 33931

Agenda

Wednesday, September 3, 2025

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

II. APPROVAL OF MINUTES

A. August 11, 2025

III. COMPLIANCE CASES (STATUS UPDATE)

A. FMB Case No.: 20240736

FMB Case: 20240736

Property Owner: Robertson Christopher & Robertson Shannon

Property Address: 4855 Dolphin Ln

Status: Violation - Working without a permit

B. FMB Case No.: 20240743

FMB Case No.: 20240743

Property Owner: Sullivan Scott B

Property Address: 190 Bayview Ave

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

IV. VIOLATION CASES

A. FMB Case No.: 20250119

FMB Case No.: 20250119

Property Owner: Cummings Mary K & Driscoll Steven S

Property Address: 280 Fairweather Ln

Violation: Property Maintenance

B. FMB Case No.: 20250067

FMB Case No.: 20250067

Property Owner: Starlite Property Investments

Property Address: 132 Andre Mar Dr

Violation: Property Maintenance

C. FMB Case No.: 20250115

FMB Case No.: 20250115

Property Owner: Bayview Life INC

Property Address: 16 Bayview Blvd

Violation: Property Maintenance

- D. FMB Case No.: 20250628
FMB Case No.: 20250628
Property Owner: Reber David A TR for David A Reber Trust
Property Address: 710 Matanzas Ct
Violation: Property Maintenance
- E. FMB Case No.: 20250372
FMB Case No.: 20250372
Property Owner: Dinon Marie S L/E
Property Address: 3111 Shell Mound Blvd
Violation: Property Maintenance
- F. FMB Case No.: 20240691
FMB Case No.: 20240691
Property Owner: Rukavina Andrew J
Property Address: 5560 Avenida Pescadora
Violation: Work without permit
- G. FMB Case No.: 20240936
FMB Case No.: 20240936
Property Owner: Giesey Bryce E & Barbara A
Property Address: 126 Anchorage St
Violation: Work without permit
- V. **CERTIFICATION OF LIEN(S) (NON-COMPLIANCE)**
- VI. **LIEN FORECLOSURE CASES**
- VII. **BUILDING OFFICIAL APPEALS**
- VIII. **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
6231 Estero Boulevard
Fort Myers Beach, FL 33931
Monday, August 11, 2025

Minutes

1:00 PM

ORDER OF BUSINESS

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

No minutes.

III. COMPLIANCE CASES (STATUS UPDATE)

Special Magistrate Schmucker swore in those providing testimony.

A. FMB Case No.: 20240786 - No Action Required

FMB Case No. 20240786

Property Owner: Lyons, Henry E

Property Address: 7864 Buccaneer Dr.

Special Magistrate Schmucker noted that the property owner was in compliance and paid \$250.00 in administrative fees. She will issue an order of compliance if it has not been done.

B. FMB Case Number 20241151 - No Action Required

FMB Case Number: 20241151

Property Owner: 207 Driftwood Ln., Praraz Builders LLC

Special Magistrate Schmucker indicated she would have to review the evidence before issuing an order.

C. FMB Case No. 20240736

FMB Case: 20240736

Property Owner: Robertson Christopher & Robertson Shannon

Property Address: 4855 Dolphin Ln

Status: Violation

Mr. Robertson stated that he received a list of items to repair. He presented evidence that items had been received and would be installed. Special Magistrate Schmucker noted that she would wait to receive a status report or a final permit from the town.

D. FMB Case No. 20240743**FMB Case No.: 20240743****Property Owner: Sullivan Scott B****Property Address: 190 Bayview Ave****Violation: Construction of a wood deck and/or structure outside the scope of work on permit #236648**

Special Magistrate Schmucker continued the case because neither the town's representative nor the property owner attended the hearing.

IV. VIOLATION CASESA. FMB Case # 20250117**FMB Case # 20250117****Property Owner: Gulf Breeze at Fort Myers Beach Condominium Assn Inc****Property Address: 2610 Estero Blvd****Status: Violation: No fencing and stagnant water and debris**

Officer Tim Hoffman noted that all documentation was attached to the agenda as exhibits and asked that all documents be accepted into evidence. Special Magistrate Schmucker entered the documents into the record.

Officer Hoffman indicated the correct address was 5577 Estero Blvd. A notice of hearing was sent on July 22, 2025. An affidavit of notice and posting, a copy of the certified mail receipt and photos of the hearing were posted on site and at town hall on July 22, 2025. A copy of the Lee County Property Appraiser and Sunbiz was included, along with a notice to the property owner. The Notice of Violation was sent on February 10, 2025.

On February 5, 2025, Officer Hoffman observed that the pool at Gulf Breeze was not properly secured and required fencing. The pool contained stagnant water and debris, which caused a safety concern for the public. True and accurate photos were taken on the first site inspection. The notice of violation was sent by certified mail on February 10, 2025. An affidavit of violation and posting, a copy of certified mail received and photos of the notice of violation posting on site and at town hall on February 10, 2025, were provided. An affidavit of compliance and photos were also provided. Officer Hoffman reinspected the site on August 9, 2025, and found the property to be in compliance. The town asked for an administrative fee of \$250.00. Special Magistrate Schmucker accepted all documentation into the record.

Special Magistrate Schmucker entered an order of compliance with a finding of violation and \$250.00 in administrative fees.

B. FMB Case # 20250540**FMB Case # 20250540****Property Owner: Yeaa LLC****Property Address: 1901 Estero Blvd****Status: Unsafe Structure**

Officer Hoffman noted documentation was attached to the agenda and asked

that it be accepted into evidence. Special Magistrate Schmucker entered the documentation into the record.

A notice of hearing was sent on July 22, 2025. An affidavit of notice and posting, a copy of the certified mail receipt, a green card and photos of the hearing posted on site on July 22, 2025, were included. A copy of the Lee County Property Appraiser and the special warranty deed were provided. On May 21, 2025, Officer Hoffman observed that the dwelling was in disrepair and an unsafe condition. True and accurate photos were taken on May 21, 2025. The notice of violation was sent by certified mail on May 21, 2025. An affidavit of notice and violation, posting, a copy of certified mail receipt and photos of the notice of violation posting on site on May 21, 2025, were provided along with an affidavit of non-compliance and photos.

Officer Hoffman reinspected the property on June 18, 2025, and August 9, 2025, and found that violations still existed. The property owner was informed that he had to apply for permits and secure the property on June 4, 2025. As of today, nothing has been done. The property owner was given 30 days to come into compliance, which was on or before June 21, 2025.

Copies of an affidavit of non-compliance and photos were included.

James Ink represented the property owner and reviewed the documentation and it was entered into the record.

The town asked for a finding of violation, an administrative fee of \$250.00, and a fine of \$250.00 per day until the violations are abated.

Mr. Ink stated that they were close to finishing the development order, which would let them start construction. The owner secured part of the building, but the stairs in the back were not secured. The owner hired a contractor who did not complete the task. Mr. Ink was contacted this morning and his contractor will be out there next week to fix the violation. He asked that the town not impose fines for 30 days. He explained how the property would be fixed and noted it was about a two-week process.

Special Magistrate Schmucker accepted all documentation into the record. She issued an order finding a violation and will not impose a fine for 30 days. She set a status report for September 3, 2025, to discuss compliance and the next steps.

C. FMB Case # 20241183

FMB Case # 20241183

Property Owner: Katta Dan IV LLC

Property Address: 5530 Palmetto St

Status: Property in despair

Officer Hoffman noted all documents were included in the agenda packet and asked that they be accepted into the record. Special Magistrate Schmucker accepted them into the record.

The notice of hearing was sent on July 22, 2025. An affidavit of notice and posting, a copy of the certified mail receipt, a green card and photos of the hearing posted on site and at town hall were included. A copy of the Lee County Property Appraiser proved ownership of the property.

Officer Hoffman observed that the property was in disrepair, unsafe and the

lawn was in excess of 12 inches in height on December 9, 2025. True and accurate photos were taken at that time. A notice of violation was sent by certified mail on December 10, 2024. An affidavit of notice of violation and posting, a copy of the certified mail receipt and photos of the notice of violation posted on site and at town hall were provided along with an affidavit of non-compliance and photos.

The property was reinspected on July 9, 2025, and August 9, 2025, and the violation still existed. The property owner was given 30 days to comply, which was January 9, 2025. The property owner cut the lawn and abated one violation. The property remains in disrepair, with unsafe conditions. The town asked for a finding of violation, an administrative fee of \$250.00 and a \$250.00 fine per day until the violation is abated. Special Magistrate Schmucker accepted all documentation into the record.

Special Magistrate Schmucker issued an order finding the property owner in violation and they must bring the property into compliance by August 25, 2025. They will have to notify the town if it is in compliance and it will be on the September 3, 2025, agenda. If the property is not in compliance, fines will be imposed and an administrative fee of \$250.00 will be ordered.

D. FMB Case # 20250312

FMB Case # 20250312

Property Owner: Courtney S Mark & Deborah S TR for Mark & Deborah Courtney Trust

Property Address: 831 Estero Blvd

Status: Pool safety and maintenance

Officer M. Chavez noted the documentation was attached to the agenda and asked that it be entered into the record. A notice of hearing was sent on July 24, 2025, along with an affidavit of notice in posting, proof of certified and regular mail, and photos of the notice of hearing posted on site and at the town hall. A copy of the Lee County Property Appraiser proved ownership. An affidavit of non-compliance with photos and true and accurate photos were provided.

Officer Chavez observed that the pool was not maintained in a clean condition or in good repair on April 3, 2025. A notice of violation and photos of the certified mail and regular mail were sent to the property owner and posted on site at the town hall on April 3, 2025.

Officer Chavez reinspected the property on April 29, 2025, and the property was still in violation. An affidavit of non-compliance and photos of the inspection were provided. The property owner was given 15 days to come into compliance, which was April 18, 2025. Officer Chavez inspected the property on August 5, 2025, and the property is in compliance. An affidavit of compliance and accurate photos were provided. The town asked for an order of compliance and an administrative fee of \$250.00. Special Magistrate Schmucker accepted all documentation into the record.

Special Magistrate Schmucker issued an order of violation and compliance with an administrative fee of \$250.00.

E. FMB Case # 20250344**FMB Case # 20250344****Property Owner: Little Conga LLC****Property Address: 5531 Estero Blvd****Status: Pool safety and maintenance**

Officer Chavez noted the documentation was attached to the agenda and asked that it be entered into the record. Special Magistrate Schmucker entered it into the record. A notice of hearing was sent on July 22, 2025, along with an affidavit of notice in posting, proof of certified and regular mail and photos of the notice of hearing posted on site and at the town hall. A copy of the Lee County Property Appraiser proved ownership. An affidavit of non-compliance with photos and true and accurate photos were provided.

Officer Chavez observed that the pool was not maintained in a clean condition or good repair on April 10, 2025. True and accurate photos of the violation were provided. A notice of violation and photos of the certified mail and regular mail were sent to the property owner and posted on site at the town hall on April 10, 2025.

Officer Chavez reinspected the property on April 29, 2025, and the property was still in violation. An affidavit of non-compliance and photos of the inspection were provided. The property owner was given 10 days to come into compliance, which was April 20, 2025. Officer Chavez inspected the property on August 8, 2025, and the property was not in compliance. An affidavit of non-compliance and accurate photos were provided. The town asked for an order of non-compliance, an administrative fee of \$250.00 and a fine. Special Magistrate Schmucker accepted all documentation into the record.

Special Magistrate Schmucker issued an order of violation and compliance, an administrative fee of \$250.00 and gave them two weeks to come into compliance, which is August 25, 2025. They will have to notify the town, or fines will accrue. An order will be issued at the September 3, 2025, hearing if they are not in compliance.

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

No liens.

VI. COMPLIANCE CASES (STATUS UPDATE)

No cases.

VII. LIEN FORECLOSURE CASES

No cases.

VIII. BUILDING OFFICIAL APPEALS

No appeals.

IX. ADJOURNMENT

Special Magistrate Schmucker adjourned the hearing.

Property Address and Owner:

Hearing Date: September 3, 2025

FMB Case: 20240736

Property Owner: Robertson Christopher & Robertson Shannon

Property Address: 4855 Dolphin Ln

Status: Violation - Working without a permit

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

T. Weich

Narrative:

Attachments:

1. 20240736_Hearing Exhibit_ Code Enforcement Order Signed June 6, 2025
2. 20240736_Hearing Exhibit_Affidavit of Non-Compliance

Town Recommendations:

Town Approvals:

Thomas Yozzo, Emergency Services Director

Date: August 21, 2025



Traci Kohler, Deputy Town Manager

Date: August 22, 2025

nancy stuparich, Town Attorney

Date: August 22, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 25, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

PARCEL #: 284624W40010D0020
This Document Prepared By and Return To:
Town of Fort Myers Beach Code Enforcement Department
2525 Estero Blvd.
Fort Myers Beach, FL 33931

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

TOWN OF FORT MYERS BEACH, FLORIDA,

Petitioner,

vs.

CASE NO. CE 20240736

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

Respondent.

CODE ENFORCEMENT ORDER

THIS CAUSE came on for public hearing on June 6, 2025, before the undersigned Special Magistrate for the Town of Fort Myers Beach, with Respondent, Christopher Robertson and Shannon Robertson appearing before the Special Magistrate in person. Petitioner, Town of Fort Myers Beach, also appeared at the hearing. Having considered the sworn testimony, evidence and arguments presented, the Special Magistrate finds and orders as follows:

A. FINDINGS OF FACT

1. Respondents, Christopher Robertson and Shannon Robertson (“Respondent”), are the owners, lessees, responsible entities or otherwise in charge of or responsible for the subject property located at 4855 Dolphin Lane, Fort Myers Beach, FL, 33931 (“Property”).
2. A Notice of Violation was issued on August 14, 2024, and served on Respondent after a Code Enforcement Officer for the Town of Fort Myers Beach inspected the

Property and observed the following, in violation of 6-441 of the Town of Fort Myers Beach Land Development Code:

**WORK ON PROPERTY WITHOUT PERMITS,
INCLUDING BUT NOT LIMITED TO LOWER
LEVEL ENCLOSURE.**

3. Respondent was given thirty days to come into compliance with the Town's Ordinances, which was to occur by September 16, 2024.
4. On April 24, 2025, a Code Enforcement Officer for the Town of Fort Myers Beach inspected the property and records and observed that the Property remained in violation at that time.
5. Respondent's testimony established that Respondent had been working with a contractor who failed to obtain all the necessary permits for the full scope of work completed, and the contractor has since become unresponsive. Respondent's testimony also established that Respondent has now been working directly with the Town in an effort to obtain the proper permits and bring the Property into compliance.
6. Respondent was properly served with a Notice of Hearing, and this case was properly brought before the Special Magistrate.

B. CONCLUSION OF LAW

1. Respondent, by reason of the foregoing facts, is in violation of Section 6-441 of the Town of Fort Myers Beach Land Development Code.

C. ORDER

It is HEREBY ORDERED:

1. Respondent is hereby found to be in violation of the aforementioned Code Section.
2. Respondent is ordered to work directly with the Town of Fort Myers Beach to take all necessary steps to CORRECT THE VIOLATION by:

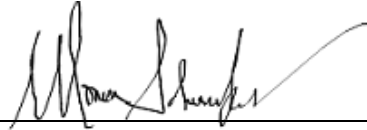
JULY 6, 2025

3. A **status hearing** to assess Respondent's progress and determine the necessity and value of imposing a fine will be held before the Special Magistrate on:
August 11, 2025, at 1:00 p.m.
at Town Hall, 2525 Estero Blvd., Fort Myers Beach, Florida.

If Respondent has not come into compliance or substantial compliance by July 6, 2025, a daily fine of up to \$250.00 per day may be imposed for each day thereafter that the Property remains in violation. A fine may be imposed even if the violation is corrected before the next hearing date if Respondent has not achieved substantial compliance by the July 6, 2025 deadline. Respondent may also be assessed administrative costs and fees to cover the Town's cost for bringing this matter before the Special Magistrate after failure to bring the Property into compliance within the time initially given.

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

ORDERED this 6th day of June, 2025, and executed this 17th day of June, 2025.



Monica Schmucker, Special Magistrate

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

Pursuant to Chapter 162.09 (3), Florida Statutes, A certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon and other real or personal property owned by the violator.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that true and correct copy of the Order was sent by U.S. Mail on the 26th day of June, 2025 to:

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

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

BY: Jason Freeman
Town Clerk and Clerk to the Special Magistrate

Dated: 06/26/25

ORDER_Robertson_4855 Dolphin_Case 20240736

Final Audit Report

2025-06-26

Created:	2025-06-26
By:	Lizzette Roman (Lroman@fmbgov.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAFoLb11IBqRHP09L_zJK-uzGzJfJPkvbA

"ORDER_Robertson_4855 Dolphin_Case 20240736" History

-  Document created by Lizzette Roman (Lroman@fmbgov.com)
2025-06-26 - 8:06:14 PM GMT
-  Document emailed to Jason Freeman (jasonf@fmbgov.com) for signature
2025-06-26 - 8:06:21 PM GMT
-  Email viewed by Jason Freeman (jasonf@fmbgov.com)
2025-06-26 - 8:07:44 PM GMT
-  Document e-signed by Jason Freeman (jasonf@fmbgov.com)
Signature Date: 2025-06-26 - 8:09:32 PM GMT - Time Source: server
-  Agreement completed.
2025-06-26 - 8:09:32 PM GMT


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

08/05/2025

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:

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 6-441 Working without a permit 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 08142024, 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 09162024.

5. I performed an inspection of the Subject Property on 04242025, 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.

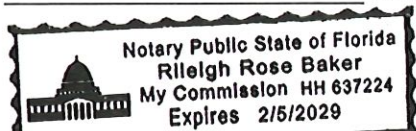
6. I have personal knowledge of all these facts, and each is true to the best of my knowledge and belief.

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 5th day of August, 2025, by Terri Weich, X who is personally known to me OR who has produced as identification.



(SEAL)

Notary Public Signature

My Commission Expires: 02/05/2029

Property Address and Owner:

Hearing Date: September 3, 2025

FMB Case No.: 20240743

Property Owner: Sullivan Scott B

Property Address: 190 Bayview Ave

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

Subject:

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

Code Section:

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

Reference Number:

20240743

Strap Number:

297624W30080C0190

Officer:

T. Weich

Narrative:

Case Number: 20240743

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

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

Building Permit #236648

Attachments:

1. 20240743_Sullivan Scott B_Continuance Order_dated 08.11.25
2. 20240743 Sullivan Scott B 06.03.25 Code Enforcement Order Signed (1) (1)
3. 20240743_Hearing Exhibit_Affidavit of Non-Compliance

Town Recommendations:

The Town of Fort Myers Beach requests that an order be issued finding a violation of LDC Sec. 6-481 - Working outside the scope of the permit, including an order to correct the above listed violation(s) and/or the imposition of an administrative fee of \$250.00 to cover costs in bringing this matter before the Special Magistrate, a fine not to exceed \$250.00 for each day each violation continues past the date for compliance, and for such other and further relief as is consistent with the powers of the Special Magistrate.

Town Approvals:

Date: August 25, 2025

Thomas Yozzo, Emergency Services Director



Traci Kohler, Deputy Town Manager

Date: August 26, 2025

nancy stuparich, Town Attorney

Date: August 26, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 27, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

PARCEL #: 294624W30080C0190
This Document Prepared By and Return To:
Town of Fort Myers Beach Code Enforcement Department
2525 Oak Street
Fort Myers Beach, FL 33931

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

TOWN OF FORT MYERS BEACH, FLORIDA,

Petitioner,

vs.

CASE NO. 20240743

SULLIVAN, SCOTT B

Respondents.

CODE ENFORCEMENT ORDER TO CONTINUE CASE

THIS CAUSE came before the undersigned Special Magistrate for the Town of Fort Myers Beach for a Public Status Conference Hearing to determine Respondent's status of compliance with Code Enforcement Order dated June 6, 2025, previously entered in this case.

NOTICE IS HEREBY GIVEN THAT THE SPECIAL MAGISTRATE CONTINUES THE ABOVE ACTION, WITHOUT ENTERING FINDINGS OF FACT OR CONCLUSIONS OF LAW. FURTHER PROCEEDINGS IN THIS MATTER WILL BE HELD ON: **September 3, 2025 at 9:00am.**

This Status of Compliance Hearing will be held at the Town of Fort Myers Beach Town Hall's temporary location, 2731 Oak Street, Fort Myers Beach, Lee County, Florida, unless notified that the chambers have moved before that time. Both Petitioner and Respondent are urged to be present.

ORDERED the 11th day of August 2025, and executed this 22nd day of August, 2025.



Monica Schmucker, Special Magistrate

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that true and correct copy of the Order was sent by U.S. Mail on the 22nd day of August, 2025 to:

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074

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

BY: 
Amy Baker (Aug 22, 2025 14:12:31 EDT)
Town Clerk and Clerk to the Special Magistrate

Dated: Aug 22, 2025

PARCEL #: 294624W30080C0190
This Document Prepared By and Return To:
Town of Fort Myers Beach Code Enforcement Department
2525 Estero Blvd.
Fort Myers Beach, FL 33931

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

TOWN OF FORT MYERS BEACH, FLORIDA,

Petitioner,

vs.

CASE NO. CE 20240743

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

Respondent.

CODE ENFORCEMENT ORDER

THIS CAUSE came on for public hearing on June 6, 2025, before the undersigned Special Magistrate for the Town of Fort Myers Beach, with Respondent, Scott B. Sullivan, appearing in person. Petitioner, Town of Fort Myers Beach, also appeared at the hearing. Having considered the sworn testimony, evidence and arguments presented, the Special Magistrate finds and orders as follows:

A. FINDINGS OF FACT:

1. Respondent, Sullivan B. Scott (“Respondent”), is the owner, lessee, responsible entity or otherwise in charge of or responsible for the subject property located at 190 Bayview Avenue, Fort Myers Beach, FL, 33931 (“Property”).
2. On August 13, 2024, a Code Enforcement Officer for the Town of Fort Myers Beach observed the following, in violation of 6-481 of the Town of Fort Myers Beach Land Development Code:

**CONSTRUCTION OF WOOD DECK AND/OR
STRUCTURE OUTSIDE THE SCOPE OF WORK ON
PERMIT #236648**

3. Specifically, Respondent, through a contractor, built a raised deck and a tiki structure, both of which must be separately permitted. The raised deck was permitted, but the tiki structure was not.
4. On August 15, 2024, Respondent was served with a Notice of Violation, giving Respondent thirty days to come into compliance with the Town's Ordinances, which was to occur by September 15, 2024.
5. On January 23, 2025, a Code Enforcement Officer for the Town of Fort Myers Beach inspected the property and records and observed that the Property remained in violation at that time.
6. Respondent was properly served with a Notice of Hearing, and this case was properly brought before the Special Magistrate.
7. This matter initially came for hearing before the Special Magistrate on February 5, 2025. The matter was continued to allow Respondent's contractor to work with the Town to bring the Property into compliance and obtain the proper permits.
8. This matter has now come again for hearing, and compliance was not obtained. Respondent's testimony established that the contractor is no longer being responsive and Respondent will be personally working directly with the Town to obtain compliance, which includes obtaining the required permits.

B. CONCLUSION OF LAW

1. Respondent, by reason of the foregoing facts, is in violation of Section 6-481 of the of the Town of Fort Myers Beach Land Development Code.

C. ORDER

It is HEREBY ORDERED:

1. Respondent is hereby found to be in violation of the aforementioned Code Section.
2. Respondent is ordered to work directly with the Town of Fort Myers Beach to take all necessary steps to CORRECT THE VIOLATION by:

JULY 6, 2025

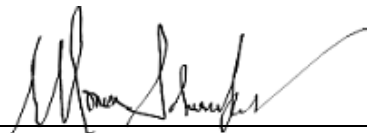
3. A **status hearing** to assess Respondent's progress and determine the necessity and value of imposing a fine will be held before the Special Magistrate on:

**August 11, 2025, at 1:00 p.m.
at Town Hall, 2525 Estero Blvd., Fort Myers Beach, Florida.**

If Respondent has not come into compliance or substantial compliance by July 6, 2025, a daily fine of up to \$250.00 per day may be imposed for each day thereafter that the Property remains in violation. A fine may be imposed even if the violation is corrected before the next hearing date if Respondent has not achieved substantial compliance by the July 6, 2025 deadline. Respondent may also be assessed administrative costs and fees to cover the Town's cost for bringing this matter before the Special Magistrate after failure to bring the Property into compliance within the time initially given.

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

ORDERED this 6th day of June, 2025, and executed this 17th day of June, 2025.



Monica Schmucker, Special Magistrate

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

Pursuant to Chapter 162.09 (3), Florida Statutes, A certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon and other real or personal property owned by the violator.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that true and correct copy of the Order was sent by U.S. Mail on the 26 day of June, 2025 to:

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074

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

BY: Jason Freeman
Town Clerk and Clerk to the Special Magistrate

Dated: 06/26/25

[FMBgov.com](https://www.fmbgov.com)

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

08/05/2025

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 CHAPTER 6-481 WORK OUTSIDE THE SCOPE OF A PERMIT 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 09/28/2024.

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 current condition of the Subject Property I personally observed on

08/05/2025. 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.

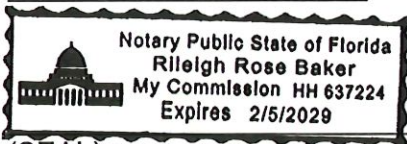
8. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate that and an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) and/or the imposition of an administrative fine not to exceed \$250.00 for each day each 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 5th day of August, 2025, by Terri Weich, X who is personally known to me OR who has produced as identification.



(SEAL)

Notary Public Signature

My Commission Expires: 02/05/2029



August 5, 2025

TOWN OF FORT MYERS BEACH

PETITIONER

VS

SCOTT B SULLIVAN

CODE CASE 20240743

RESPONDENT

HEARING STATUS

NON-COMPLIANT

190 BAYVIEW AVE

FORT MYERS BEACH FL 33931

STRAP NO 294624W30080C0190

CASE NUMBER 20240743

Previous code officer started this case for
working outside the scope of permit #
236648.

This case was brought to a hearing by the previous Code Officer and Again by Code Officer Terri Weich on 06-06-2025. The Magistrate gave Mr. Sullivan 30 days or 07-06-2025 to comply with the violation by obtaining proper permits for the work underway/ completed.

The Town reached out to the property owner on the day of the hearing, stating that the Town would get all the information needed for the owner to apply for or resubmit so the permit/s could be issued. The Town also reached out on 06-10-2025 and gave the property owner all the permitting requirements to correct the violation/s.

To Date the property owner, Mr. Scott B Sullivan has had no further contact with Code Compliance or permitting and permit #236648 has Expired because no activity. No additional permits have been applied for to rectify the code violation in question.

The Town is asking for a daily fine of \$250.00 per day to be imposed for each day after 07-06-2025 because the Property remains in violation.

Respectfully,

Terri Weich

FORT MYERS BEACH ESTERO ISLAND

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

HEARING

EXHIBIT A

Notice of Status Hearing Photos



Aug 5, 2025 2:02:30 PM
Town of Fort Myers Beach



Aug 5, 2025 2:02:21 PM
Town of Fort Myers Beach

Property Address and Owner:

Hearing Date: September 3, 2025

FMB Case No.: 20250119
Property Owner: Cummings Mary K & Driscoll Steven S
Property Address: 280 Fairweather Ln
Violation: Property Maintenance

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

T.Hoffman

Narrative:

Attachments:

1. 20250119_Hearing Exhibit A _Notice of Hearing and Affidavit of Posting
2. 20250119_Hearing Exhibit B _Notice of Violation
3. 20250119_Hearing Exhibit C _Status of Compliance
4. 20250119_Hearing Exhibit D _Violated Regulation(s)

Town Recommendations:

Town Approvals:

Thomas Yozzo, Emergency Services Director

Date: August 25, 2025



Traci Kohler, Deputy Town Manager

Date: August 26, 2025

nancy stuparich, Town Attorney

Date: August 27, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 27, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

HEARING

EXHIBIT

A

- Notice of Hearing and Affidavit of Posting



FMBgov.com

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

8/19/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

CUMMINGS MARY K +
DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

Respondent.

Case Number:	20250119
Certified Mail:	9589071052703142132209
Regular Mail:	Standard 1 st Class

Site Address: 280 Fairweather Ln Fort Myers Beach, FL 33931
Parcel Strap No.: 19-46-24-W3-0110D.0280

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 (another 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 **Wednesday 09/03/2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Unit 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>

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other actions that will 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 carried out to determine compliance.

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 or is repeated. 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(s) has been corrected or abated prior to the hearing.

T Hoffman

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

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 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

02/11/2025

Case Number:	20250119
Certified Mail:	9589071052700636641704
Regular Mail	

CUMMINGS MARY K + DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

SITE ADDRESS: 280 FAIRWEATHER LN
PARCEL STRAP NO: 194624W30110D0280

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on 02/11/2025 by Town of Fort Myers Beach Code Enforcement Officer T. Hoffman indicates that the following items are in violation:

Cha.6-2 (amended), Sec. 302.8 for the vehicle on property (Silver Ford F-150/ Ohio tag KJZ 9425/ Registration expired 1/2025) being Inoperable and/ or In disrepair. Cha 6-1, Sec 303.1 and Cha 6-1, Sec. 303.2 for the pool on property not being properly secured and containing stagnant water causing safety concerns to the general public. LDC Sec, 6-1 Adopting IPMC; Sec 302.10 as amended (Storage) for the chairs, fencing, stucco and other miscellaneous items throughout the property not properly stored per Town Code Requirements. Cha 6-2, Sec. 110.0 for the overall structure on property being In disrepair causing safety concerns to the general public. Example: Missing doors and windows, roof in disrepair, paint peeling off the structure, and miscellaneous materials from the structure loose on property causing a safety concern to the general public.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Cha 6-1, Sec. 303.2: Enclosures Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 64 inches (1627 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

Cha. 6-2 (amended), Sec. 302.8 Motor Vehicles and Boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle or boat shall be parked, kept or stored on any premises, and no vehicle or boat shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles or boats is prohibited unless conducted inside an approved spray booth.

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

LDC Sec. 6-1, Adopting IPMC; Sec 302.10 as amended (Storage) 1. No temporary or permanent storage of materials or equipment is permitted on any vacant parcel, unless in conjunction with an active building permit or where such storage is specifically permitted by Chapter 34 of the Land Development Code. 2. Equipment, materials, and furnishings not designed for use outdoors, such as automotive parts and tires, building materials, and interior furniture, may not be stored outdoors.

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

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Cha. 6-2, Sec. 302.8: Please make the Ford F150 appear operable with aired up tires and current registration tag affixed. Cha. 6-1, Sec. 303.1: treat and clean the pool and make repairs if needed. Cha.6-1, Sec 303.2: Install required pool fencing for safety. Cha. 6-1, Sec. 302.10: Remove and/or store chairs, fencing, stucco and other miscellaneous items throughout the property appropriately. Cha. 6-2, Sec. 110.1: Repair and/or remove structure(s) on property in disrepair which are causing safety concerns to the general public. .

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 239-220-6458 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

T. Hoffman
Code Enforcement Officer
Town of Fort Myers Beach



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

CUMMINGS MARY K+
DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

Respondent,

FMB Case Number:	20250119
Certified Mail:	9589071052703142132209
Regular Mail:	Standard 1st Class
DOAH Case Number:	Not Assigned

Site Address: 280 Fairweather Ln.
Fort Myers Beach, FL 33931
Parcel Strap No.19-46-24-W3-0110D.0280

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared T. Hoffman, who is a Code Enforcement Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250119 that certain Notice Of Special Magistrate Hearing. Presented as Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Hearing to the following:

- a. Cummings Mary K + Driscoll Steven S
1534 W Loveland Av
Loveland, OH 45140
Certified Mail No. 9589071052703142132209
(Leepa/ Lee County Property Appraiser)
- b.
Certified Mail No.
(Listed Registered Agent)

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice at 280 Fairweather Ln , Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 20th day of August 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. 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 6231 Estero Blvd, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on the 20th day of August 2025 are attached in Hearing Exhibit A.



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


Signature of Affiant

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☒ personal presence or ☐ online notarization this 20 day of August, 2025, by T. Hoffman He ☒ is personally known to me or ☐ has produced _____ as identification.




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

9589 0710 5270 3142 1322 09

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee \$ Town of Fort Myers Beach 3390119

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

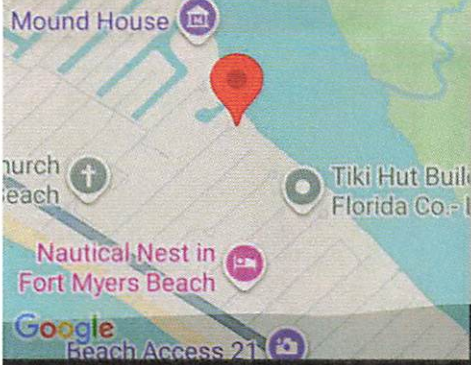
☐ Return Receipt (hardcopy)	\$ <u>AUG 20 2025</u>	Postmark Here
☐ Return Receipt (electronic)	\$	
☐ Certified Mail Restricted Delivery	\$	
☐ Adult Signature Required	\$	
☐ Adult Signature Restricted Delivery	\$	

Postage \$

Total Postage and Fees \$ 280 FAIRWEATHER LN

CUMMINGS MARY K + DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

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



FMBgov.com

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

8/19/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

CUMMINGS MARY K +
DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

Respondent.

Case Number:	20250119
Certified Mail:	9589071052703142132209
Regular Mail:	Standard 1 st Class

Site Address: 280 Fairweather Ln Fort Myers Beach, FL 33931
Parcel Strap No.: 19-46-24-W3-0110D.0280

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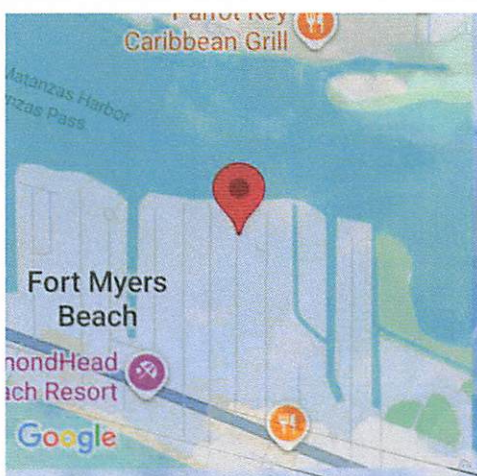
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<http://www.fortmyersbeachfl.gov/209/Meetings-Agendas>

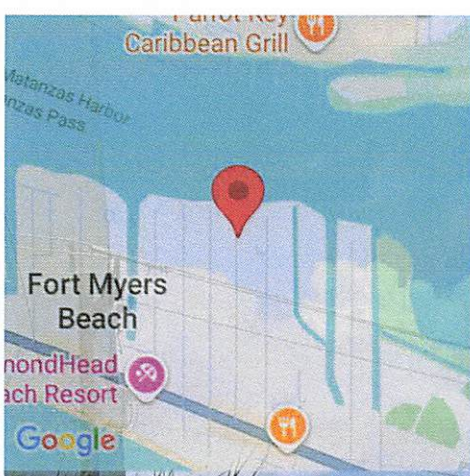
FORT MYERS BEACH, ESTERO ISLAND

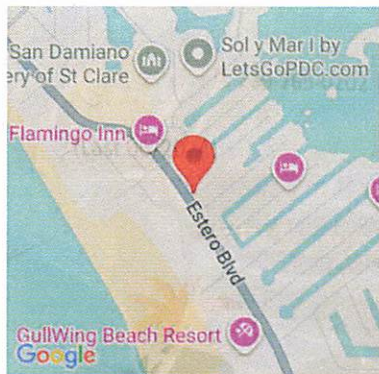
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

Aug 20, 2025 1:08:16 PM



Aug 20, 2025 1:08:08 PM
Fort Myers Beach





FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

Aug 20, 2025 1:22:24 PM
Fort Myers Beach



FMBgov.com

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

8/19/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

CUMMINGS MARY K +
DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

Respondent.

Site Address: 280 Fairweather Ln Fort Myers Beach, FL 33931
Parcel Strap No.: 19-46-24-W3-0110D.0280

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

FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

[Last 06/2024]

Property Data

STRAP: 19-46-24-W3-0110D.0280 Folio ID: 10227685

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

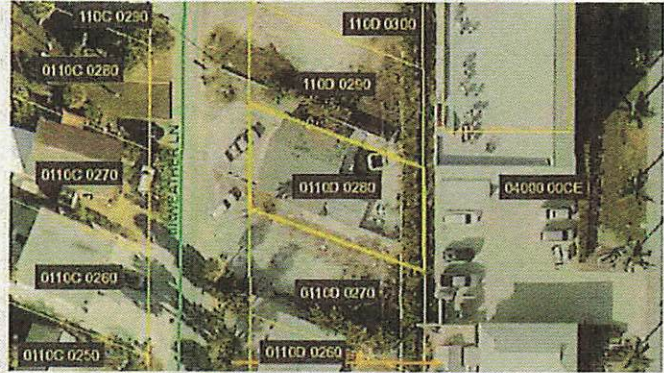
Generated on 2/11/2025 10:46 AM

Owner Of Record - Tenants in Common

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

CUMMINGS MARY K +
DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND OH 45140

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



Site Address

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

280 FAIRWEATHER LN
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

BEACH ESTATES BLK D PB 6 PG 68 LOT 28 LESS WLY 11 FT OR
227 PG 414

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 6 and 68 for the book and page numbers.

Attributes and Location Details

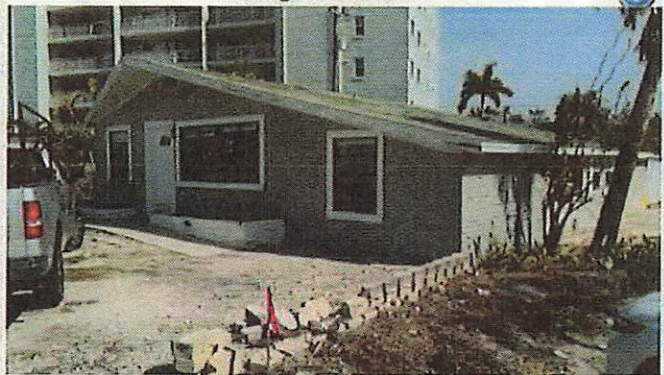
Total Bedrooms / Bathrooms	2 / 1.0
Gross Living Area	768
1st Year Building on Tax Roll	1961
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	19	0110D	0280
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.45316	-81.94465		

[View Parcel on Google Maps](#)

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

Image of Structure



◀ Photo Date February of 2024 ▶ ☐ View other photos

Last Inspection Date: 02/01/2024

Property Values / Exemptions / TRIM Notices

Generated on 2/11/2025 10:46 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)	410,612	410,602	410,612	0	0	0	310,077
2023 / Additional Info	2023 (Final Value)	281,888	281,878	281,888	0	0	0	281,888
2022 / Additional Info	2022 (Final Value)	486,230	213,600	486,230	0	0	0	486,230
2021 / Additional Info	2021 (Final Value)	334,168	213,600	334,168	0	0	0	317,111
2020 / Additional Info	2020 (Final Value)	288,283	213,600	288,283	0	0	0	288,283
2019 / Additional Info	2019 (Final Value)	281,813	231,400	281,813	0	0	0	281,813
2018 / Additional Info	2018 (Final Value)	277,776	218,050	277,776	0	0	0	277,776
2017 / Additional Info	2017 (Final Value)	278,586	142,400	278,586	0	0	0	278,586
2016	2016 (Final Value)	263,464	142,400	263,464	0	0	0	260,226
2015	2015 (Final Value)	238,998	106,667	238,998	0	0	0	236,569

2014	2014 (Final Value)	215,699	106,667	215,699	0	0	0	215,063
2013	2013 (Final Value)	160,899	127,300	160,899	0	0	0	160,899
2012	2012 (Final Value)	131,327	89,000	131,327	0	0	0	131,327
2011	2011 (Final Value)	92,878	62,300	92,878	0	50,000	0	42,878
2010	2010 (Final Value)	106,274	75,650	106,274	0	50,000	0	50,482
	2009 (Final Value)	132,990	89,000	132,990	0	50,000	0	47,840
	2008 (Final Value)	177,490	133,500	177,490	0	50,000	0	47,750
	2007 (Final Value)	249,170	200,250	0	0	25,000	0	69,900
	2006 (Final Value)	246,780	178,000	0	0	25,000	0	67,580
	2005 (Final Value)	213,790	133,500	0	0	25,000	0	64,890
	2004 (Final Value)	142,010	102,350	0	0	25,000	0	62,270
	2003 (Final Value)	132,650	53,400	0	0	25,000	0	60,640
	2002 (Final Value)	101,350	40,050	0	0	25,000	0	58,640
	2001 (Final Value)	96,310	35,600	0	0	25,000	0	57,320
	2000 (Final Value)	79,920	28,930	0	0	25,000	0	54,920
	1999 (Final Value)	70,350	29,010	0	0	0	0	70,350
	1998 (Final Value)	61,230	27,810	0	0	0	0	61,230
	1997 (Final Value)	70,170	26,700	0	0	0	0	70,170
	1996 (Final Value)	62,060	26,700	0	0	0	0	62,060
	1995 (Final Value)	58,240	26,700	0	0	0	0	58,240
	1994 (Final Value)	55,340	26,700	0	0	0	0	55,340
	1993 (Final Value)	61,880	24,480	0	0	0	0	61,880
	1992 (Final Value)	62,420	24,480	0	0	0	0	62,420

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 2/10/2025) 

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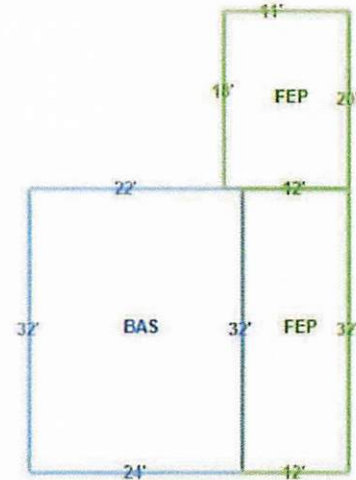
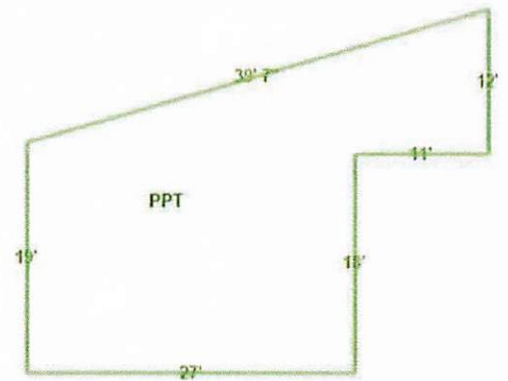
Land				
Land Tracts				
Use Code	Use Code Description	Number of Units	Unit of Measure	
100	Single Family Residential	4450.00	Square Feet	
Land Features				
Description		Year Added	Units	
FENCE - CHAIN LINK - 4 FOOT		1996	30	
FENCE - ALUM/VINYL - 6 FEET		2013	53	
Buildings				
Building 1 of 1				
Building Characteristics				
Improvement Type	Model Type	Stories	Living Units	
99 - Florida Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1	
Bedrooms	Bathrooms	Year Built	Effective Year Built	
2	1.0	1961	1992	
Building Subareas				
Description		Heated / Under Air	Area (Sq Ft)	
BAS - BASE		Y	768	
FEP - FINISHED ENCLOSED PORCH		N	664	
PPT - POOL PATIO		N	733	
Building Features				
Description		Year Added	Units	
POOL - RESIDENTIAL		2013	204	
PATIO - BRICK AND TILE		2013	1,061	
JACUZZI - TYPE B		2013	1	
A/C-POOL HEATERS		2013	1	

Building Front Photo



Photo Date: February of 2024

Building Footprint



Property Details (2024 Tax Roll)

Generated on 2/11/2025 10:46 AM

Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	4450.00	Square Feet

Land Features

Description	Year Added	Units
FENCE - CHAIN LINK - 4 FOOT	1996	30
FENCE - ALUM/VINYL - 6 FEET	2013	53

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
99 - Florida Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
2	1.0	1961	1992

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	768
FEP - FINISHED ENCLOSED PORCH	N	664
PPT - POOL PATIO	N	733

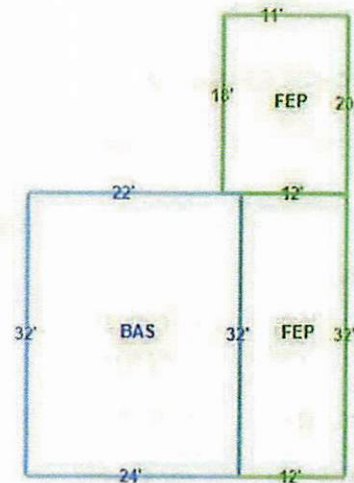
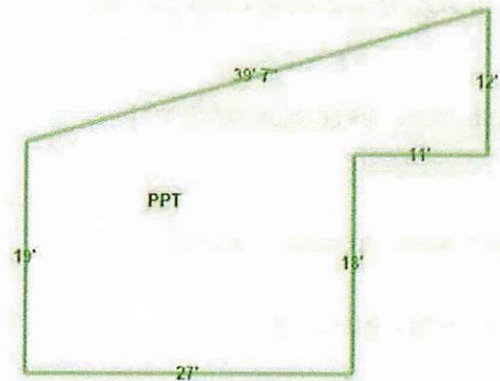
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POOL - RESIDENTIAL		2013	204
PATIO - BRICK AND TILE		2013	1,061
JACUZZI - TYPE B		2013	1
A/C-POOL HEATERS		2013	1

Building Front Photo



Photo Date: February of 2024

Building Footprint



Taxing Authorities

Generated on 2/11/2025 10:46 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 2/11/2025 10:46 AM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
10.00	07/09/2021	2024000149057	11		I
1.00	07/09/2021	2021000238139	11		I
		2012000084520			
230,000.00	04/16/2012	Sales Questionnaire Complete	01		I
141,500.00	10/28/2011	2011000237408	01		I
100.00	12/16/1999	3201/1784	03		I
0.00	12/21/1998	3087/2105	03		I
34,000.00	02/01/1978	1256/492	06		I
31,000.00	04/01/1977	1194/315	06		I

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

Use the above link to do a search on the Lee County Clerk of Courts website, using 6 and 68 for the book and page numbers and Plats Book for the book type.

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

Building / Construction Permit Data

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Permit Number	Permit Type	Date
FNC13-0006	Fence	02/11/2013
POL12-0021	Pool & Spa	09/06/2012
ELE12-0151	Electric	06/11/2012
BLD11-0177	Building Remodel / Repair	01/05/2012
ROF2000-01274	Roof	05/09/2000

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 2/11/2025 10:46 AM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
19-46-24-11-0000D.0280	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

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

Flood and Storm Information

Generated on 2/11/2025 10:46 AM

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

Generated on 2/11/2025 10:46 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:
19-46-24-W3-0110D.0280
Alternate Key:
2100387025
Millage Code:
032

Site Address/Legal Description:
280 FAIRWEATHER LN
BEACH ESTATES BLK D PB 6 PG 68 LOT 28 LESS
WLY 11 FT OR 227 PG 414



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

Exemptions/Values	
Market Value	410,612
Assessed Value	410,612
Taxable Value	310,077

★ See message below.

CUMMINGS MARY K &
DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

Ad Valorem Taxes Levying Authority

LEE COUNTY GENERAL REVENUE
PUBLIC SCHOOL - BY LOCAL BOARD
PUBLIC SCHOOL - BY STATE LAW
TOWN OF FORT MYERS BEACH
SFL WATER MGMT-DISTRICT LEVY
SFL WATER MGMT-EVERGLADE CONST
SFL WATER MGMT-OKEECHOBEE LEVY
FORT MYERS BEACH FIRE CONTROL DISTRICT
FORT MYERS BEACH MOSQUITO
FORT MYERS BEACH LIBRARY
LEE COUNTY HYACINTH CONTROL
WEST COAST INLAND NAVIGATION DISTRICT

Telephone

239-533-2221
239-337-8215
239-337-8215
239-765-0202
561-686-8800
561-686-8800
561-686-8800
239-590-4200
239-247-1205
239-463-9691
239-694-2174
941-485-9402

Mill Rate

3.7623
2.2480
3.0380
0.9900
0.0948
0.0327
0.1026
2.8000
0.1123
0.1612
0.0200
0.0394

Assessed

310.077
410.612
410.612
310.077
310.077
310.077
310.077
310.077
310.077
310.077
310.077
310.077

Exemption

0
0
0
0
0
0
0
0
0
0
0
0

Taxable

310.077
410.612
410.612
310.077
310.077
310.077
310.077
310.077
310.077
310.077
310.077
310.077

Amount

1,166.60
923.06
1,247.44
306.98
29.40
10.14
31.81
868.22
34.82
49.98
6.20
12.22

Non-Ad Valorem Assessments Levying Authority

LEE COUNTY SOLID WASTE ASSESSMENT

Telephone
239-533-8000

Rate

Basis
ACTL LEVY

Amount
320.38

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$5,007.25

2024 Real Estate Tax Notice

PAY ONLY ONE AMOUNT

If Received By:

- ☐ Cert #2510018
- ☐ If Received By
- ☐ Aug 29, 2025
- ☐ Sep 30, 2025
- ☐ Oct 31, 2025

Amount Due:

Bidder #502998
Please Pay
\$5,719.34
\$5,719.34
\$5,719.34

Phone/Email Contact: _____

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

Account: 19-46-24-W3-0110D.0280

Site Address: 280 FAIRWEATHER LN

Alternate Key: 2100387025

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

CUMMINGS MARY K &
DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

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





[Search](#) > Account Summary

Real Estate Account #19-46-24-W3-0110D.0280

Owner:

CUMMINGS MARY K &
DRISCOLL STEVEN S

Situs:

280 FAIRWEATHER LN
FORT MYERS BEACH 33931

[Parcel details](#)

[GIS](#)

[Property Appraiser](#)



[Get bills by email](#)

Amount Due

LEE COUNTY TAX COLLECTOR

Notice of Ad Valorem Taxes and Non-ad Valorem Assessments

BILL	AMOUNT DUE	
2024 Annual Bill	\$5,719.34	Add To Cart Print (PDF)
Total Amount Due: \$5,719.34		

Account History

BILL	AMOUNT DUE		STATUS		ACTION
2024 ⓘ					
2024 Annual Bill	\$5,719.34	Unpaid			Print (PDF)
Certificate #2510018		Issued	05/20/2025	Face \$5,441.04, Rate 3.75%	
2023 ⓘ					
2023 Annual Bill	\$0.00	Paid \$4,384.87	05/24/2024	Receipt #A05-00-02343417	
Tax Deed Application #2024001785		Paid off	05/24/2024		
		Paid \$4,384.87			
2022 ⓘ					
2022 Annual Bill	\$0.00	Paid \$8,172.89	05/24/2024	Receipt #A05-00-02343417	
Tax Deed Application #2024001785		Paid off	05/24/2024		
		Paid \$8,172.89			
2021 ⓘ					
2021 Annual Bill	\$0.00	Paid \$5,681.36	05/24/2024	Receipt #A05-00-02343417	
2021 TDA Fees Bill ⓘ	\$0.00	Paid \$1,040.38	05/24/2024	Receipt #A05-00-02343417	
Tax Deed Application #2024001785		Paid off	05/24/2024		
		Paid \$6,721.74			
2020 Annual Bill ⓘ	\$0.00	Paid \$4,643.63	05/03/2021	Receipt #588132-14	Print (PDF)
2019 ⓘ					
2019 Annual Bill	\$0.00	Paid \$5,017.41	01/24/2022	Receipt #611503-3	Print (PDF)
Certificate #20026541		Redeemed	01/24/2022	Face \$4,772.53, Rate 0.25%	
		Paid \$5,017.41			
2018 ⓘ					
2018 Annual Bill	\$0.00	Paid \$4,889.41	07/08/2021	Receipt #594298-1	Print (PDF)
Certificate #19022391		Redeemed	07/08/2021	Face \$4,650.63, Rate 0.25%	
		Paid \$4,889.41			
2017 Annual Bill ⓘ	\$0.00	Paid \$4,386.29	03/26/2018	Receipt #475015-283	Print (PDF)
2016 Annual Bill ⓘ	\$0.00	Paid \$4,063.84	12/31/2016	Receipt #433820-881	Print (PDF)
2015 Annual Bill ⓘ	\$0.00	Paid \$3,893.03	03/25/2016	Receipt #20341-189	Print (PDF)
2014 Annual Bill ⓘ	\$0.00	Paid \$3,400.40	01/16/2015	Receipt #10670-170	Print (PDF)

2014 Annual Bill 	\$0.00	Paid \$3,436.40	01/10/2015	Receipt #15010-115	 Print (PDF)
2013 Annual Bill 	\$0.00	Paid \$2,753.87	03/24/2014	Receipt #19275-706	 Print (PDF)
2012 Annual Bill 	\$0.00	Paid \$2,201.81	11/19/2012	Receipt #18598-118	 Print (PDF)
Total Amount Due		\$5,719.34			

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

02/11/2025

Case Number:	20250119
Certified Mail:	9589071052700636641704
Regular Mail	

CUMMINGS MARY K + DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

SITE ADDRESS: 280 FAIRWEATHER LN
PARCEL STRAP NO: 194624W30110D0280

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **02/11/2025** by Town of Fort Myers Beach Code Enforcement Officer **T. Hoffman** indicates that the following items are in violation:

Cha.6-2 (amended), Sec. 302.8 for the vehicle on property (Silver Ford F-150/ Ohio tag KJZ 9425/ Registration expired 1/2025) being inoperable and/ or in disrepair. Cha 6-1, Sec 303.1 and Cha 6-1, Sec. 303.2 for the pool on property not being properly secured and containing stagnant water causing safety concerns to the general public. LDC Sec. 6-1 Adopting IPMC; Sec 302.10 as amended (Storage) for the chairs, fencing, stucco and other miscellaneous items throughout the property not properly stored per Town Code Requirements. Cha 6-2, Sec. 110.0 for the overall structure on property being in disrepair causing safety concerns to the general public. Example: Missing doors and windows, roof in disrepair, paint peeling off the structure, and miscellaneous materials from the structure loose on property causing a safety concern to the general public.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Cha 6-1, Sec. 303.2: Enclosures Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

Cha. 6-2 (amended), Sec. 302.8 Motor Vehicles and Boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle or boat shall be parked, kept or stored on any premises, and no vehicle or boat shall at any time be in a state of major disassemble, disrepair, or in the process of being stripped or dismantled. Painting of vehicles or boats is prohibited unless conducted inside an approved spray booth.

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

LDC Sec. 6-1, Adopting IPMC; Sec 302.10 as amended (Storage) 1. No temporary or permanent storage of materials or equipment is permitted on any vacant parcel, unless in conjunction with an active building permit or where such storage is specifically permitted by Chapter 34 of the Land Development Code.2.Equipment, materials, and furnishings not designed for use outdoors, such as automotive parts and tires, building materials, and interior furniture, may not be stored outdoors.

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

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Cha. 6-2, Sec. 302.8: Please make the Ford F150 appear operable with aired up tires and current registration tag affixed. Cha. 6-1, Sec. 303.1: treat and clean the pool and make repairs if needed. Cha.6-1, Sec 303.2: Install required pool fencing for safety. Cha. 6-1, Sec. 302.10: Remove and/or store chairs, fencing, stucco and other miscellaneous items throughout the property appropriately. Cha. 6-2, Sec. 110.1: Repair and/or remove structure(s) on property in disrepair which are causing safety concerns to the general public. .

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 239-220-6458 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

T. Hoffman
Code Enforcement Officer
Town of Fort Myers Beach



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

CUMMINGS MARK K +
DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND OH, 45140

FMB Case Number:	20250119
Certified Mail:	9589071052700636641704
Regular Mail:	
DOAH Case Number:	[Not Applicable]

Respondent,

Site Address: 280 Fairweather Ln.
Fort Myers Beach, FL, 33931
Parcel Strap No. 19-46-24-W3-0110D.0280

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared T. Hoffman 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 #20250119 Cha.6-2 (amended), Sec, 302.8 for the vehicle on property (Silver Ford F-150/ Ohio tag KJZ 9425/ Registration expired 1/2025) being inoperable and/ or in disrepair. Cha 6-1, Sec 303.1 and Cha 6-1, Sec, 303.2 for the pool on property not being properly secured and containing stagnant water causing safety concerns to the general public. LDC Sec, 6-1 Adopting IPMC; Sec 302.10 as amended (Storage) for the

FORT MYERS BEACH ESTERO ISLAND

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



chairs, fencing, stucco and other miscellaneous items throughout the property not properly stored per Town Code Requirements. Cha 6-2, Sec. 110.0 for the overall structure on property being in disrepair causing safety concerns to the general public. Example: Missing doors and windows, roof in disrepair, paint peeling off the structure, and miscellaneous materials from the structure loose on property causing a safety concern to the general public. 280 Fairweather Ln. Fort Myers Beach. FL 33931 attached

1. I personally mailed by certified mail a copy of the Notice of Violation 2/12/2025 to the following:

CUMMINGS MARY K +
DRISCOLL STEVENS S
1534 W LOVELAND AV
LOVELAND, OH 45140

(Property Owner)

Copies of the certified mailing receipts are attached as evidence.

2. I had a copy of the Notice posted at 280 Fairweather Ln, Fort Myers Beach, FL 33931, which is the subject property. I took a photographs of the Notice I posted on the 12th day of February 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 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 12th day of February 2025 are attached.

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
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 20 day of August, 2025, by T. Hoffman. He ☒ is personally known to me or ☐ has produced _____ as identification.



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





Feb 11, 2025 9:38:15 AM
Fort Myers Beach



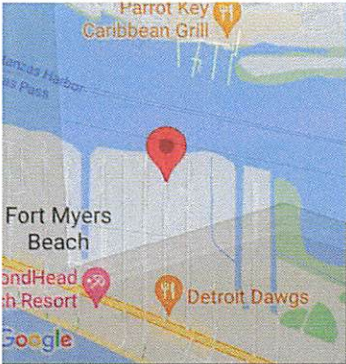










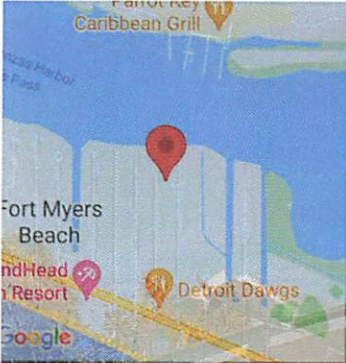


Feb 11, 2025 9:41:28 AM
Fort Myers Beach





Feb 11, 2025 9:37:53 AM
Fort Myers Beach



Feb 12, 2025 1:20:17 PM
Fort Myers Beach



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

02/11/2025

Case Number:	20250119
Certified Mail:	9589071052700636641704
Regular Mail:	

CUMMINGS MARY K + DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

SITE ADDRESS: 280 FAIRWEATHER LN
PARCEL STRAP NO: 194624W30110D0280

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on 02/11/2025 by Town of Fort Myers Beach Code Enforcement Officer T. Hoffman indicates that the following items are in violation:

Cha.6-2 (amended), Sec. 302.8 for the vehicle on property (Silver Ford F-150/ Ohio tag KJZ 9425/ Registration expired 1/2025) being inoperable and/ or in disrepair. Cha 6-1, Sec 303.1 and Cha 6-1, Sec. 303.2 for the pool on property not being properly secured and containing stagnant water causing safety concerns to the general public. LDC Sec. 6-1 Adopting IPMC; Sec 302.10 as amended (Storage) for the chairs, fencing, stucco and other miscellaneous items throughout the property not properly stored per Town Code Requirements. Cha 6-2, Sec. 110.0 for the overall structure on property being in disrepair causing safety concerns to the general public. Example: Missing doors and windows, roof in disrepair, paint peeling off the structure, and miscellaneous materials from the structure loose on property causing a safety concern to the general public.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Cha 6-1, Sec. 303.2: Enclosures Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.
EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

Cha. 6-2 (amended), Sec. 302.8 Motor Vehicles and Boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle or boat shall be parked, kept or stored on any premises, and no vehicle or boat shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles or boats is prohibited unless conducted inside an approved spray booth.

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

LDC Sec. 6-1, Adopting IPMC; Sec 302.10 as amended (Storage) 1. No temporary or permanent storage of materials or equipment is permitted on any vacant parcel, unless in conjunction with an active building permit or where such storage is specifically permitted by Chapter 34 of the Land Development Code.2.Equipment, materials, and furnishings not designed for use outdoors, such as automotive parts and tires, building materials, and interior furniture, may not be stored outdoors.

<https://www.micropdf.com/Pages/PopupEditor/Print.php?doc=MPXSCVPS7RVCV17F7DL120FT4D400111-645645631-7112410101-2121>



9589 0710 5270 0636 6417 04

U.S. Postal Service TM	
CERTIFIED MAIL [®] RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
Certified Mail Fee	\$ 20250119
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 by 280 FORT MYERS BEACH	
CUMMINGS MARY K + DRISCOLL STEVEN S	
1534 W LOVELAND AV	
LOVELAND, OH 45140	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

Town of Fort Myers Beach
FEB 12 2025

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

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:

CUMMINGS MARY K + DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140



9590 9402 8158 3030 7633 03

2. Article Number (Transfer from service label)

9589 0710 5270 0636 6417 04

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

20250119

280 FAIRWEATHER LN

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Mail

Mail Restricted Delivery

Domestic Return Receipt

PS Form 3811, July 2020 PSN 7530-02-000-9300-221



2525 Estero Boulevard
Fort Myers Beach, FL 33931

RETURN RECEIPT REQUESTED

CERTIFIED



9589 0710 5270 0636 6417 04

United States Postal Service
RETURN TO SENDER



KEY RETURN ZIP CODE™ LAG 907

FT MYERS FL 339

12 FEB 2025 PM 2 L

FIRST-CLASS



US POSTAGE PITNEY BOWES

ZIP 33931
02 7H
0006188942

\$ 009.64⁰
FEB 12 2025

CUMMINGS MARY K + DRISCOLL
STEVEN S
1534 W LOVELAND AV

LOVELAND, OH 45140

UNCLAIMED

Town of Fort Myers Beach

MAR 10 2025 LN

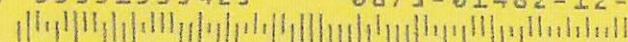
Received by: 2/15

219
220
31

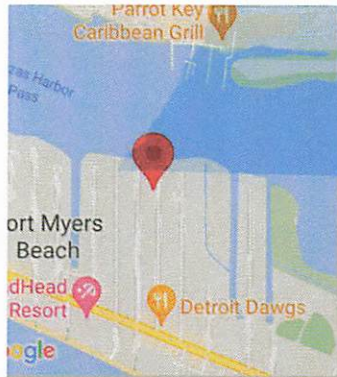
NIXIE 430 1C 1 2203/06/25

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 33931335425 *0875-01462-12-40



Feb 12, 2025 1:05:45 PM
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

02/11/2025

Case Number:	20250119
Certified Mail:	9589071052700636641704
Regular Mail:	

CUMMINGS MARY K + DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

SITE ADDRESS: 280 FAIRWEATHER LN
PARCEL STRAP NO: 194624W30110D0280

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on 02/11/2025 by Town of Fort Myers Beach Code Enforcement Officer T. Hoffman indicates that the following items are in violation:

Cha.6-2 (amended), Sec. 302.8 for the vehicle on property (Silver Ford F-150/ Ohio tag KJZ 9425/ Registration expired 1/2025) being inoperable and/ or in disrepair. Cha 6-1, Sec 303.1 and Cha 6-1, Sec. 303.2 for the pool on property not being properly secured and containing stagnant water causing safety concerns to the general public. LDC Sec. 6-1 Adopting IPMG; Sec 302.10 as amended (Storage) for the chairs, fencing, stucco and other miscellaneous items throughout the property not properly stored per Town Code Requirements. Cha 6-2, Sec. 110.0 for the overall structure on property being in disrepair causing safety concerns to the general public. Example: Missing doors and windows, roof in disrepair, paint peeling off the structure, and miscellaneous materials from the structure loose on property causing a safety concern to the general public.

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EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

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

LDC Sec. 6-1, Adopting IPMG; Sec 302.10 as amended (Storage) 1. No temporary or permanent storage of materials or equipment is permitted on any vacant parcel, unless in conjunction with an active building permit or where such storage is specifically permitted by Chapter 34 of the Land Development Code. Equipment, materials, and furnishings not designed for use outdoors, such as automotive parts and tires, building materials,



Feb 12, 2025 1:20:17 PM
Fort Myers Beach



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

02/11/2025

Case Number:	20250119
Certified Mail:	9589071052700636641704
Regular Mail:	

CUMMINGS MARY K + DRISCOLL STEVEN S
1534 W LOVELAND AV
LOVELAND, OH 45140

SITE ADDRESS: 280 FAIRWEATHER LN
PARCEL STRAP NO: 194624W30110D0280

NOTICE OF VIOLATION

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EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1348 shall be exempt from the provisions of this section.

Cha. 6-2 (amended), Sec. 302.8 Motor Vehicles and Boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle or boat shall be parked, kept or stored on any premises, and no vehicle or boat shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles or boats is prohibited unless conducted inside an approved spray booth.

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https://www.worq.net/worq90_Pages/scopusEditLetterPrint.nhg?id=MPXSCVPSTRVGV17F1GL120F4D3400AN6486456&sk=2112&letterIndex=2120



HEARING

EXHIBIT

C

- Status of Compliance



08/19/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

CUMMINGS MARY K + DRISCOLL STEVEN S

Respondent.

Site Address: 280 FAIRWEATHER LN
Parcel Strap No.: 194624W30110D0280

Case Number: 20250119

Certified Mail:

Regular Mail:

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

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

1. I, T. Hoffman, 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 02/11/2025, CUMMINGS MARY K + DRISCOLL STEVEN S (property owner) was observed in violation of 6-1, Sec 303.1/6-1, Sec 303.2/LDC Sec, 6-1 Sec 302.10/Sec, 110.1 of the Town of Fort Myers Beach Code of Ordinances, Cha.6-2 (amended), Sec, 302.8 for the vehicle on property (Silver Ford F-150/ Ohio tag KJZ 9425/ Registration expired 1/2025) being inoperable and/ or in disrepair. Cha 6-1, Sec 303.1 and Cha 6-1, Sec, 303.2 for the pool on property not being properly secured and containing stagnant water causing safety concerns to the general public. LDC Sec, 6-1 Adopting IPMC; Sec 302.10 as amended (Storage) for the chairs, fencing, stucco and other miscellaneous items throughout the property not properly stored per Town Code Requirements. Cha 6-2, Sec. 110.0 for the overall structure on property being in disrepair causing safety concerns to the general public. Example: Missing doors and windows, roof in disrepair, paint peeling off the structure, and miscellaneous materials from the structure loose on property causing a safety concern to the general public., at the property located at 280 FAIRWEATHER LN, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 02/11/2025, and sent certified mail to the address of record, 1534 W LOVELAND AV, LOVELAND, OH 45140, posted to the violation property located at 280 FAIRWEATHER LN, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. CUMMINGS MARY K + DRISCOLL STEVEN S was/were given 30 Days. to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 03/11/2025.

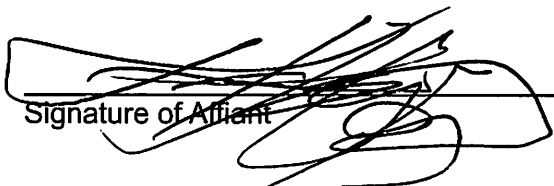
6. I have attached Exhibit A, which are photographs of the Subject Property, which I personally took, and which fairly represent the violation on the Subject Property I personally observed on 04/16/2025. These photographs have not been altered in any way.

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 08/18/2025. 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.

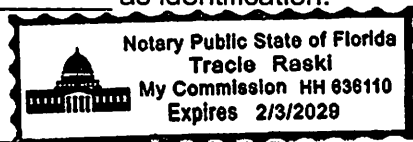


Signature of Affiant

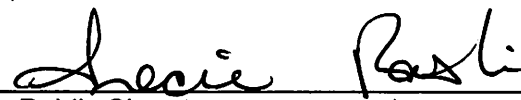
**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence
OR ☐ online notarization, this 19 day of August, 2025 by
T. Hoffman, ☒ who is personally known to me OR ☐ who has produced

as identification.



(SEAL)

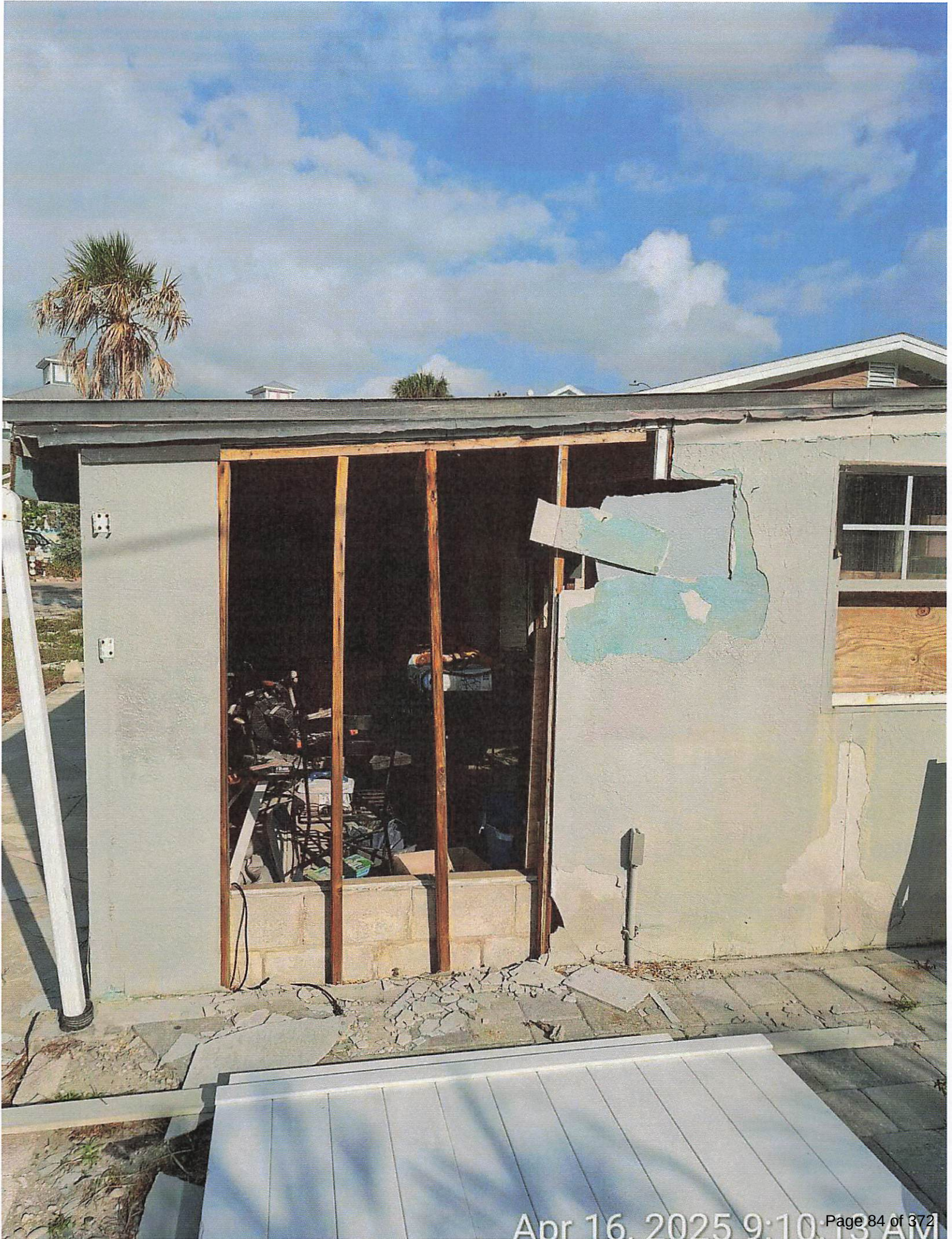


Notary Public Signature

My Commission Expires: 2/3/2029

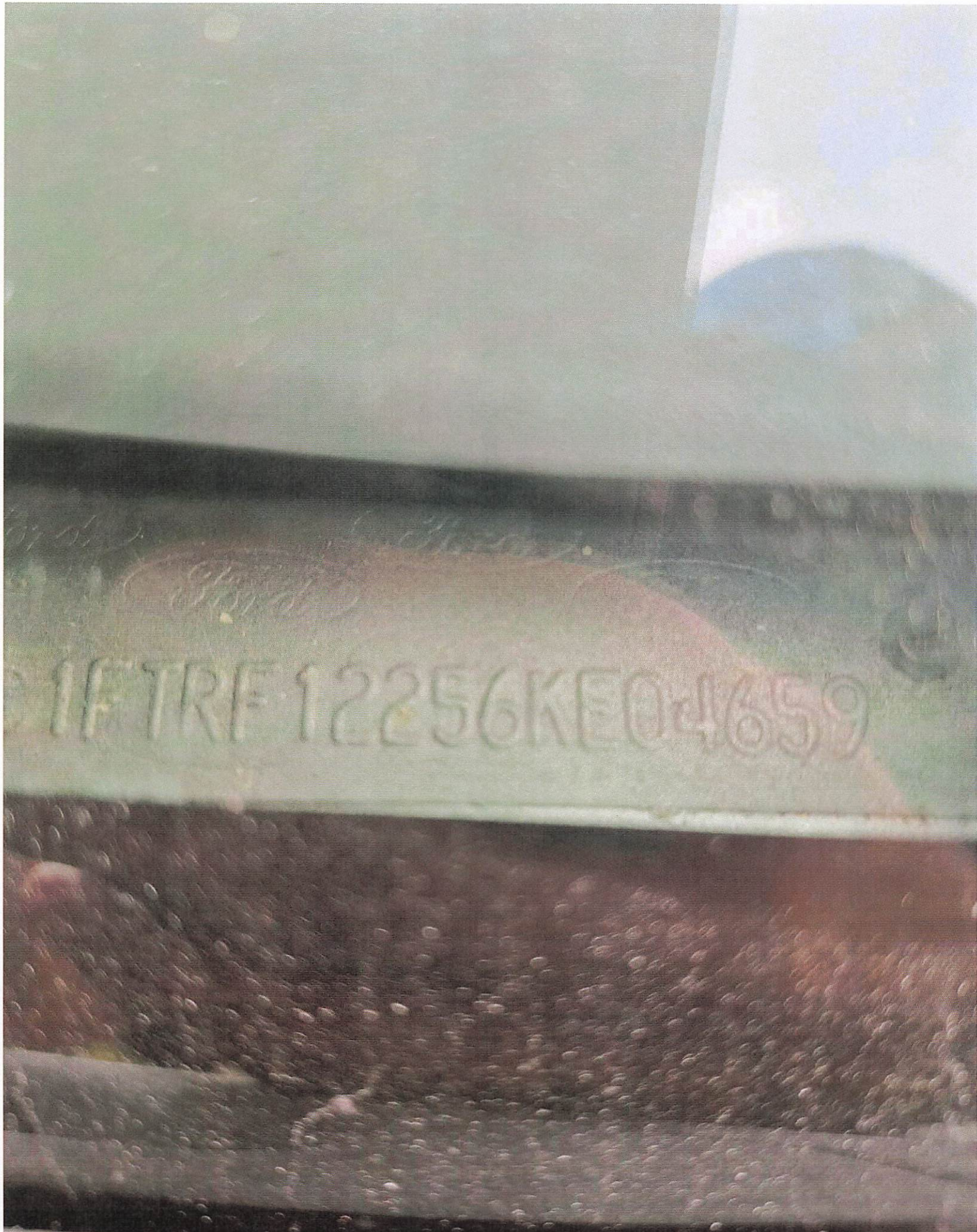




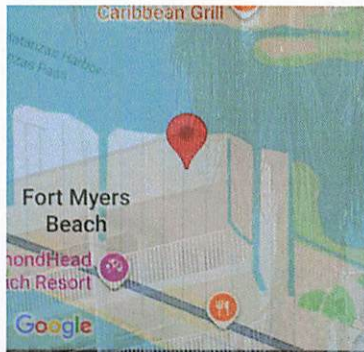




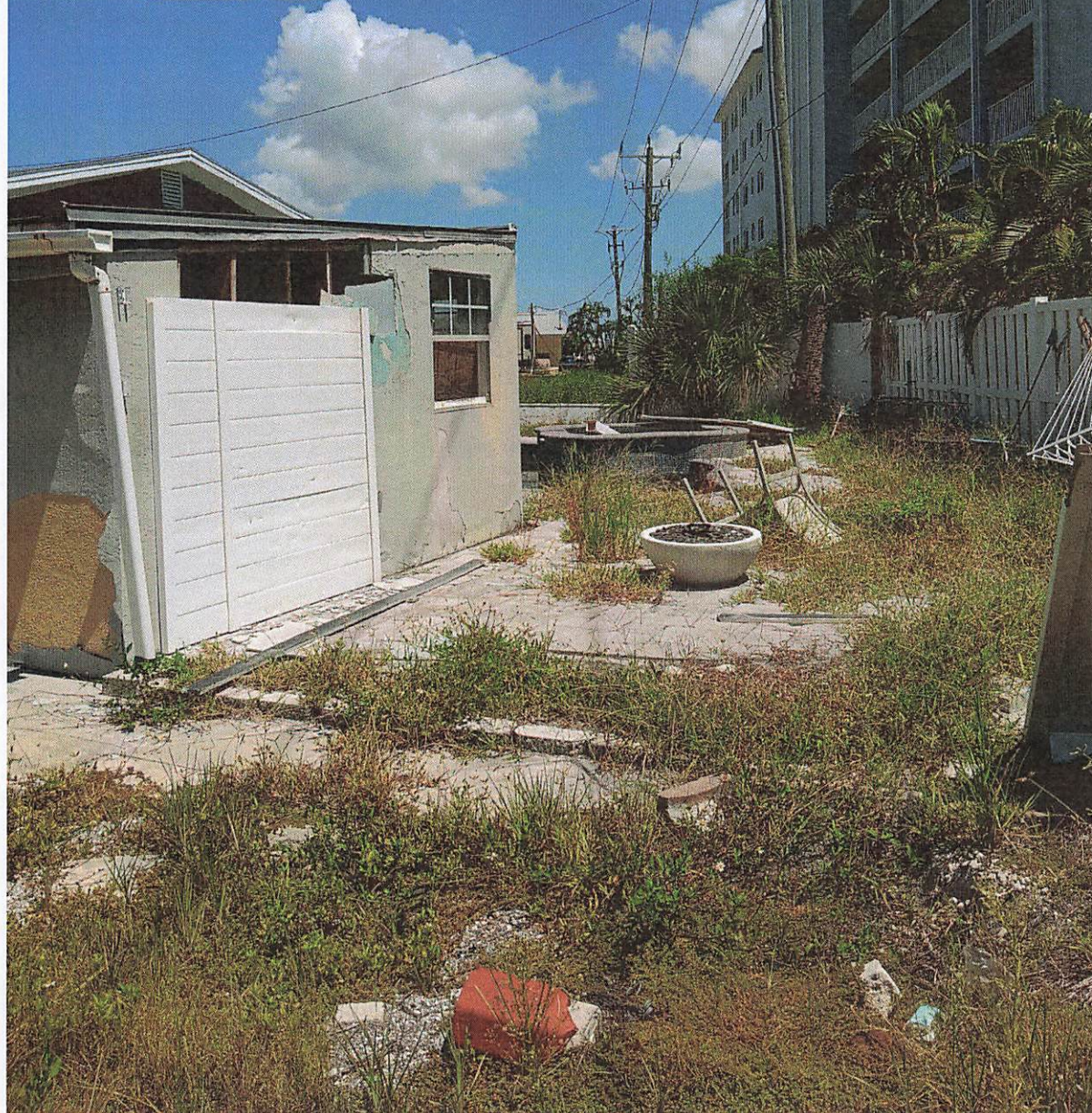
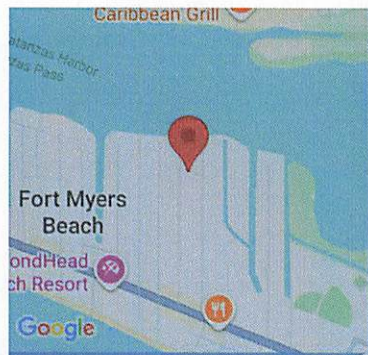




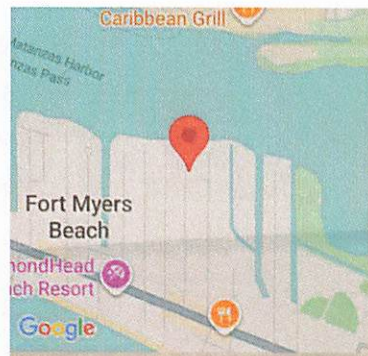
Aug 18, 2025 12:15:48 PM
Fort Myers Beach



Aug 18, 2025 12:16:17 PM
Fort Myers Beach



Aug 18, 2025 12:15:28 PM
Fort Myers Beach



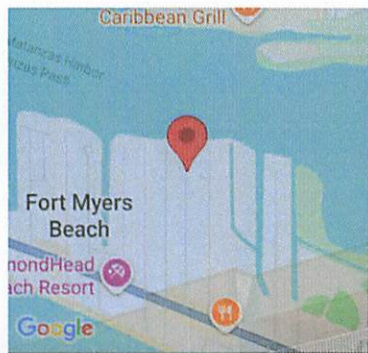




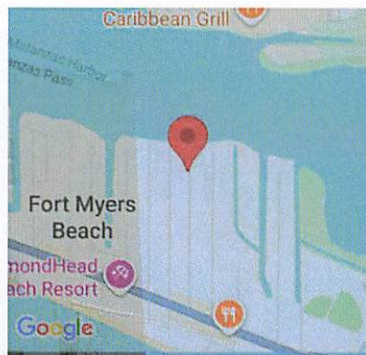
Aug 18, 2025 12:15:17 PM
Fort Myers Beach



Aug 18, 2025 12:15:36 PM
Fort Myers Beach



Aug 18, 2025 12:15:05 PM
Fort Myers Beach



HEARING

EXHIBIT

D

- Violated Regulation(s)

See relevant highlighted section(s) of
applicable code

Cha. 6-2 (amended) Sec. 302.8-Motor Vehicles and Boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle or boat shall be parked, kept or stored on any premises, and no vehicle or boat shall at any time be in a state of major disassemble, disrepair, or in the process of being stripped or dismantled. Painting of vehicles or boats is prohibited unless conducted inside an approved spray booth.

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

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Cha 6-1 Sec. 303.2 Enclosures Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

LDC Sec 6-1 Adopting IPMC; Sec 302.10 as amended (Storage). No temporary or permanent storage of materials or equipment is permitted on any vacant parcel, unless in conjunction with an active building permit or where such storage is specifically permitted by Chapter 34 of the Land Development Code.2.Equipment, materials, and furnishings not designed for use outdoors, such as automotive parts and tires, building materials, and interior furniture, may not be stored outdoors.

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.

Property Address and Owner:

Hearing Date: September 3, 2025

FMB Case No.: 20250067
Property Owner: Starlite Property Investments
Property Address: 132 Andre Mar Dr
Violation: Property Maintenance

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

T. Hoffman

Narrative:

Attachments:

1. 20250067_Hearing Exhibit A_Notice of Hearing and Affidavit of Posting
2. 20250067_Hearing Exhibit B_Notice of Violation
3. 20250067_Hearing Exhibit C_Status of Compliance_001
4. 20250067_Hearing Exhibit D_Violated Regulation(s)

Town Recommendations:

Town Approvals:

Thomas Yozzo, Emergency Services Director

Date: August 25, 2025



Traci Kohler, Deputy Town Manager

Date: August 26, 2025

nancy stuparich, Town Attorney

Date: August 26, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 27, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

HEARING

EXHIBIT

A

- Notice of Hearing and Affidavit of Posting



8/20/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

Case Number:	20250067
Certified Mail:	9589071052703142132179
Regular Mail:	Standard 1 st Class

Respondent.

Site Address: 132 Andre Mar Dr, Fort Myers Beach, FL 33931
Parcel Strap No.: 29-46-24-W2-00152.B120

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 (another 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 **Wednesday 09/03/2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Unit 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>

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other actions that will 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 carried out to determine compliance.

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 or is repeated. 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(s) has been corrected or abated prior to the hearing.

T Hoffman

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

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 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

01/23/2025

Case Number:	20250067
Certified Mail:	9589071052700636643067
Regular Mail	

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 132 ANDRE MAR DR
PARCEL STRAP NO: 294624W200152B120

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 **T. Hoffman** indicates that the following items are in violation:

For the Pool on Property not being properly secured with proper fencing and containing stagnant water causing a safety concern to the General Public.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

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.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Install proper fencing in order to secure the pool on property, drain or discard stagnant water from pool per Town Code Regulations in order to correct unsafe conditions to the General Public. It is recommended that you contact permitting at 239-765-0202 to obtain any required permits. .

You are hereby directed to bring these violations into compliance within 10 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 239-220-6458 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

T. Hoffman
Code Enforcement Officer
Town of Fort Myers Beach



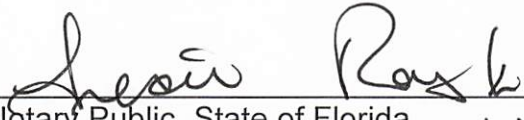
Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

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 20 day of August, 2025, by T. Hoffman He ☒ is personally known to me or ☐ has produced _____ as identification.




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



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

Respondent,

FMB Case Number:	20250067
Certified Mail:	9589071052703142132179
Regular Mail:	Standard 1st Class
DOAH Case Number:	Not Assigned

Site Address: 132 Andre Mar Dr.
Fort Myers Beach, FL 33931
Parcel Strap No.29-46-24-W2-00152.B120

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared T. Hoffman, who is a Code Enforcement Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250067 that certain Notice Of Special Magistrate Hearing. Presented as Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Hearing to the following:

- a. Starlite Property Investments
132 Andre Mar Dr.
Fort Myers Beach, FL 33931
Certified Mail No. 9589071052703142132179
(Leepa/ Lee County Property Appraiser)
- b.
Certified Mail No.
(Listed Registered Agent)

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice at 132 Andre Mar Dr , Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 20th day of August 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. 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 6231 Estero Blvd, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on the 20th day of August 2025 are attached in Hearing Exhibit A.

9589 0710 5270 3142 1321 79

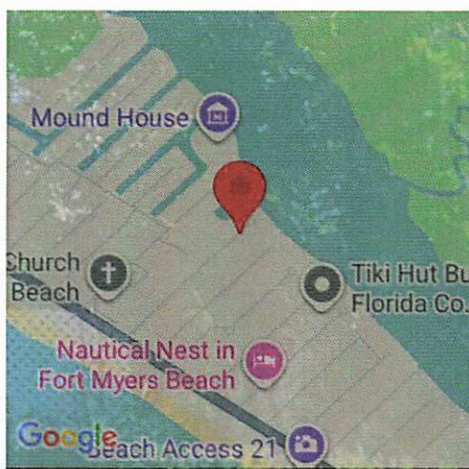
U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	20250067
Extra Services & Fees (check box, add fee if applicable)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage \$	Sent by: 
Total Postage and Fees \$	132 ANDRE MAR
Sent To	
STARLITE PROPERTY INVESTMENTS	
132 ANDRE MAR DR	
FORT MYERS BEACH, FL 33931	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

Town of Fort Myers Beach

AUG 24 2025

Postmark
Here

Aug 20, 2025 12:58:50 PM
Fort Myers Beach



2510125

 **FMB** FMBgov.com
Dan Afers, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

8/20/2025

TOWN OF FORT MYERS BEACH,
Petitioner,
vs.
STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931
Respondent.

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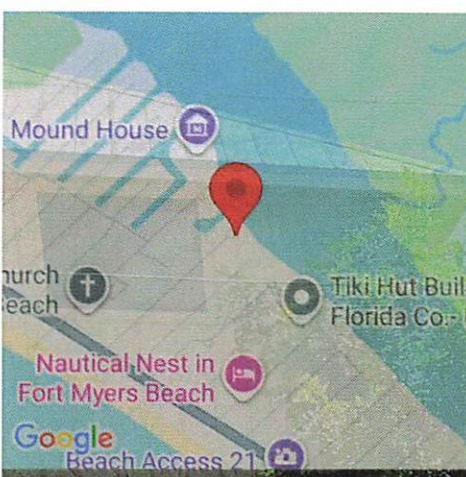
NOTICE OF CODE ENFORCEMENT HEARING

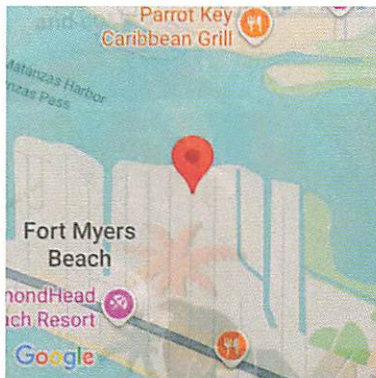
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A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Unit to the Special Magistrate in relation to this hearing can be viewed and accessed in advance of the hearing at the link below:
<http://www.fortmyersbeachfl.gov/2025/Meeting/Agendas>

FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931
(last 05/2024)

Aug 20, 2025 12:59:01 PM
Fort Myers Beach





COMPLAINT
Aug 20, 2025 1:22:17 PM
Fort Myers Beach

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

FMBgov.com

8/20/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

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132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

Respondent.

Site Address: 132 Andre Mar Dr, Fort Myers Beach, FL 33931
Parcel Strap No.: 29-46-24-W2-00152.B120

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FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931
(Last 06/2024)



Dan Allers, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member

FMBgov.com

Dan Allers

TC

Pet

COS



Property Data

STRAP: 29-46-24-W2-00152.B120 Folio ID: 10229620

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

[Hurricane Ian Tax Roll Value Letter](#)

Generated on 1/20/2025 7:00 AM

Owner Of Record - Sole Owner

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



STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH FL 33931

Site Address

Site Address maintained by E911 Program Addressing

132 ANDRE MAR DR
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



CASES SUBD PB 1 PG 58 AKA LT 16 BLK B ANDREMAR

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 1 and 58 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		
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.44434	-81.92685		

[View Parcel on Google Maps](#)

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



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

Image of Structure



Property Values / Exemptions / TRIM Notices

Generated on 1/20/2025 7:00 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)	513,777	483,560	513,777	513,777	0	0	513,777
2023 / Additional Info	2023 (Final Value)	721,204	335,588	721,204	383,873	50,000	0	333,873
2022 / Additional Info	2022 (Final Value)	724,156	231,300	724,156	372,692	50,000	0	322,692
2021 / Additional Info	2021 (Final Value)	497,770	167,600	497,770	361,837	50,000	0	311,837
2020 / Additional Info	2020 (Final Value)	430,394	168,600	430,394	356,841	50,000	0	306,841
2019 / Additional Info	2019 (Final Value)	419,906	162,100	419,906	348,818	50,000	0	298,818
2018 / Additional Info	2018 (Final Value)	399,701	162,100	399,701	342,314	50,000	0	292,314
2017 / Additional Info	2017 (Final Value)	410,207	154,400	410,207	335,273	50,000	0	285,273
2016	2016 (Final Value)	397,566	154,400	397,566	328,377	50,000	0	278,377
2015	2015 (Final Value)	326,094	154,400	326,094	326,094	50,000	0	276,094
2014	2014 (Final Value)	290,295	100,320	290,295	290,295	0	0	290,295
2013	2013 (Final Value)	278,691	137,700	278,691	268,802	0	0	268,802
2012	2012 (Final Value)	244,365	120,000	244,365	244,365	0	0	244,365

2011	2011 (Final Value)	246,533	120,000	246,533	246,533	50,000	0	196,533
2010	2010 (Final Value)	263,999	140,000	263,999	263,999	50,000	0	213,999
	2009 (Final Value)	284,590	155,000	284,590	284,590	50,000	0	234,590
	2008 (Final Value)	364,220	220,000	364,220	364,220	50,000	0	314,220
	2007 (Final Value)	396,710	250,000	0	353,640	25,000	0	328,640
	2006 (Final Value)	424,620	230,000	0	345,020	25,000	0	320,020
	2005 (Final Value)	334,970	165,000	0	334,970	25,000	0	309,970
	2004 (Final Value)	246,160	155,000	0	140,000	25,000	0	115,000
	2003 (Final Value)	241,240	105,000	0	137,390	25,000	0	112,390
	2002 (Final Value)	160,140	45,000	0	134,170	25,000	0	109,170
	2001 (Final Value)	139,200	45,000	0	132,060	25,000	0	107,060
	2000 (Final Value)	138,160	42,500	0	128,210	25,000	0	103,210
	1999 (Final Value)	134,110	42,500	0	124,840	25,000	0	99,840
	1998 (Final Value)	122,870	42,500	0	122,870	25,000	0	97,870
	1997 (Final Value)	121,520	40,500	0	121,440	25,000	0	96,440
	1996 (Final Value)	117,900	40,500	0	117,900	25,000	0	92,900
	1995 (Final Value)	121,550	38,800	0	121,550	25,000	0	96,550
	1994 (Final Value)	126,060	38,800	0	126,060	25,000	0	101,060
	1993 (Final Value)	102,430	36,860	0	102,430	25,000	0	77,430
	1992 (Final Value)	92,600	36,860	0	92,600	25,000	0	67,600

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 1/19/2025) ?

Generated on 1/20/2025 7:00 AM

Land Land Tracts

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



Property Details (2024 Tax Roll)



Generated on 1/20/2025 7:00 AM

Land
Land Tracts

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

<u>Taxing Authorities</u>		
Generated on 1/20/2025 7:00 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 1/20/2025 7:00 AM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
635,000.00	06/16/2023	2023000214395	03		I
10.00	07/14/2016	2016000150105	11		I
299,900.00	08/17/2011	2011000187085	38		I
100.00	01/06/2006	2006000015352	01		I
345,000.00	05/03/2004	4282/3542	06		I
100.00	11/20/2003	4161/4448	01		I
100.00	11/20/2003	4128/4226	01		I

131,900.00	04/01/1994	2495/3141	06	
80,000.00	01/01/1985	1766/1603	06	

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

Use the above link to do a search on the Lee County Clerk of Courts website, using **1** and **58** 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 1/20/2025 7:00 AM

Permit Number	Permit Type	Date
240956	Mobile Home	04/04/2024
235834	Demolition	10/05/2023
234506	Electric	08/21/2023
230931	Electric	01/26/2023
ROF18-0008	Roof	01/09/2018
FNC2007-01259	Fence	06/11/2007
POL2004-01071	Pool & Spa	01/26/2005
ROF2004-02747	Roof	06/09/2004

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 1/20/2025 7:00 AM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
29-46-24-01-00052.B120	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 1/20/2025 7:00 AM

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

Garbage	Collection Days	Recycling	Horticulture
Thursday	Thursday	Thursday	Thursday

Flood and Storm Information

Generated on 1/20/2025 7:00 AM

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

Generated on 1/20/2025 7:00 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-W2-00152.B120
Alternate Key:
2100535717
Millage Code:
032

Site Address/Legal Description:
132 ANDRE MAR DR
CASES SUBD PB 1 PG 58 AKA LT 16 BLK B
ANDREMAR



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

Exemptions/Values

Market Value	513,777
Assessed Value	513,777
Taxable Value	513,777

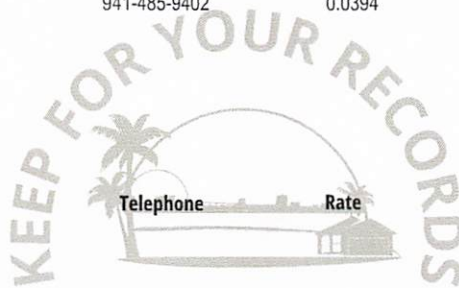
★ See message below.

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	513,777	0	513,777	1,932.98
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	513,777	0	513,777	1,154.97
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.0380	513,777	0	513,777	1,560.85
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	513,777	0	513,777	508.64
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	513,777	0	513,777	48.71
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	513,777	0	513,777	16.80
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	513,777	0	513,777	52.71
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.8000	513,777	0	513,777	1,438.58
FORT MYERS BEACH MOSQUITO	239-247-1205	0.1123	513,777	0	513,777	57.70
FORT MYERS BEACH LIBRARY	239-463-9691	0.1612	513,777	0	513,777	82.82
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0200	513,777	0	513,777	10.28
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	513,777	0	513,777	20.24

Non-Ad Valorem Assessments Levying Authority



	Telephone	Rate	Basis	Amount
--	-----------	------	-------	--------

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$6,885.28

2024 Real Estate Tax Notice

PAY ONLY ONE AMOUNT

If Received By:

- ☐ Cert #2510074
- ☐ If Received By
- ☐ Aug 29, 2025
- ☐ Sep 30, 2025
- ☐ Oct 31, 2025

Amount Due:

Bidder #89583
Please Pay
\$7,851.99
\$7,851.99
\$7,851.99

Phone/Email Contact: _____

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

Account: 29-46-24-W2-00152.B120

Site Address: 132 ANDRE MAR DR

Alternate Key: 2100535717

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

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

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



1 294624W200152B120 2024 0



[Search](#) > Account Summary

Real Estate Account #29-46-24-W2-00152.B120

Owner:
STARLITE PROPERTY INVESTMENTS

Situs:
132 ANDRE MAR DR
FORT MYERS BEACH 33931

[Parcel details](#)
[GIS](#)
[Property Appraiser](#)



[Get bills by email](#)

Amount Due

LEE COUNTY TAX COLLECTOR

Notice of Ad Valorem Taxes and Non-ad Valorem Assessments

BILL	AMOUNT DUE	
2024 Annual Bill	\$7,851.99	Add To Cart Print (PDF)
Total Amount Due: \$7,851.99		

Account History

BILL	AMOUNT DUE		STATUS		ACTION
2024 ⓘ					
2024 Annual Bill	\$7,851.99	Unpaid			Print (PDF)
Certificate #2510074		Issued	05/20/2025	Face \$7,472.13, Rate 0.25%	
2023 Annual Bill ⓘ	\$0.00	Paid \$4,845.80	11/13/2023	Receipt #DP-00-01686695	Print (PDF)
2022 Annual Bill ⓘ	\$0.00	Paid \$4,874.52	12/20/2022	Receipt #DP-00-00752373	Print (PDF)
2021 Annual Bill ⓘ	\$0.00	Paid \$4,889.61	11/30/2021	Receipt #606724-133	Print (PDF)
2020 Annual Bill ⓘ	\$0.00	Paid \$5,079.15	03/26/2021	Receipt #584471-42	Print (PDF)
2019 Annual Bill ⓘ	\$0.00	Paid \$4,884.16	01/10/2020	Receipt #542985-7	Print (PDF)
2018 Annual Bill ⓘ	\$0.00	Paid \$4,674.56	12/26/2018	Receipt #503263-5	Print (PDF)
2017 Annual Bill ⓘ	\$0.00	Paid \$4,614.08	11/20/2017	Receipt #462882-523	Print (PDF)
2016 Annual Bill ⓘ	\$0.00	Paid \$4,628.16	12/30/2016	Receipt #433661-314	Print (PDF)
2015 Annual Bill ⓘ	\$0.00	Paid \$4,676.94	12/31/2015	Receipt #20233-473	Print (PDF)
2014 Annual Bill ⓘ	\$0.00	Paid \$4,562.99	11/14/2014	Receipt #19489-689	Print (PDF)
2013 Annual Bill ⓘ	\$0.00	Paid \$4,516.96	02/05/2014	Receipt #19234-132	Print (PDF)
2012 Annual Bill ⓘ	\$0.00	Paid \$3,956.91	11/15/2012	Receipt #18577-20	Print (PDF)
Total Amount Due	\$7,851.99				

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

01/23/2025

Case Number:	20250067
Certified Mail:	9589071052700636643067
Regular Mail	

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 132 ANDRE MAR DR
PARCEL STRAP NO: 294624W200152B120

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 T. Hoffman indicates that the following items are in violation:

For the Pool on Property not being properly secured with proper fencing and containing stagnant water causing a safety concern to the General Public.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

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.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Install proper fencing in order to secure the pool on property, drain or discard stagnant water from pool per Town Code Regulations in order to correct unsafe conditions to the General Public. It is recommended that you contact permitting at 239-765-0202 to obtain any required permits. .

You are hereby directed to bring these violations into compliance within 10 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 239-220-6458 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

T. Hoffman
Code Enforcement Officer
Town of Fort Myers Beach



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

STARLITE PROPERTY
INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

FMB Case Number:	20250067
Certified Mail:	9589071052700636643067
Regular Mail:	
DOAH Case Number:	[Not Applicable]

Respondent,

Site Address: 132 Andre Mar Dr.
Fort Myers Beach, FL, 33931
Parcel Strap No. 29-46-24-W2-00152.B120

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared T. Hoffman 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 #20250067. For the Pool on Property not being properly secured with proper fencing and containing stagnant water causing a safety concern to the General Public. 132 Andre Mar Dr. Fort Myers Beach. FL 33931 attached

FORT MYERS BEACH ESTERO ISLAND

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



1. I personally mailed by certified mail a copy of the Notice of Violation 1/23/2025 to the following:

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

(Property Owner)

Copies of the certified mailing receipts are attached as evidence.

2. I had a copy of the Notice posted at 132 Andre Mar Dr, Fort Myers Beach, FL 33931, which is the subject property. I took a photographs of the Notice I posted on the 23rd 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 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 23rd day of January 2025 are attached.

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
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 20 day of August, 2025, by T. Hoffman. He ☒ is personally known to me or ☐ has produced _____ as identification.



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





2525 Estero Boulevard
Fort Myers Beach, FL 33931

CERTIFIED MAIL



9589 0710 5270 0636 6430 67

FT MYERS FL 339

24 JAN 2025 PM 1:11

FIRST-CLASS



US POSTAGE PAID PITNEY BOWES

ZIP 33931
02 7H
0006188942

\$ 009.64⁰
JAN 23 2025

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

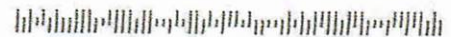
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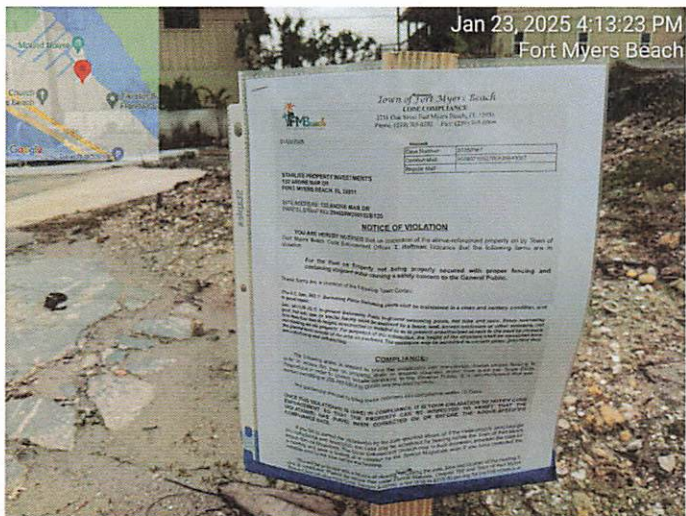
Town of Fort Myers Beach

JAN 27 2025

Received by: _____

33931-384832







Jan 23, 2025 1:08:50 PM

Town of Fort Myers Fort Myers Beach

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

01/23/2025

STARLITE PROPERTY INVESTMENTS
132 ANDRE MAR DR
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 132 ANDRE MAR DR
PARCEL STRAP NO: 294624W200152B120

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 T. Hoffman indicates that the following items are in violation:

For the Pool on Property not being properly secured with proper fencing and containing stagnant water causing a safety concern to the General Public.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

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 by 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.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance: install proper fencing in order to secure the pool on property, drain or discard stagnant water from pool per Town Code Regulations in order to correct unsafe conditions to the General Public. It is recommended that you contact permitting at 239-765-0202 to obtain any required permits.

You are hereby directed to bring these violations into compliance within 10 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

Staples

HEARING

EXHIBIT

C

- Status of Compliance



08/20/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

STARLITE PROPERTY INVESTMENTS

Respondent.

Site Address: 132 ANDRE MAR DR
Parcel Strap No.: 294624W200152B120

Case Number: 20250067

Certified Mail:

Regular Mail:

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

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

1. I, T. Hoffman, 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. ^{08/23/25} ~~08/23/25~~ STARLITE PROPERTY INVESTMENTS (property owner) was observed in violation of Cha 6-1, Sec. 303.1 and Sec. 34-1176 (C,1) of the Town of Fort Myers Beach Code of Ordinances, For the Pool on Property not being properly secured with proper fencing and containing stagnant water causing a safety concern to the General Public., at the property located at 132 ANDRE MAR DR, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 01/23/2025, and sent certified mail to the address of record, 132 ANDRE MAR DR, FORT MYERS BEACH, FL 33931, posted to the violation property located at 132 ANDRE MAR DR, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. STARLITE PROPERTY INVESTMENTS was/were given 10 Days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 02/02/2025.

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 08/18/2025. 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 20 day of August, 2025 by
T. Hallman, who is personally known to me OR who has produced
 as identification.



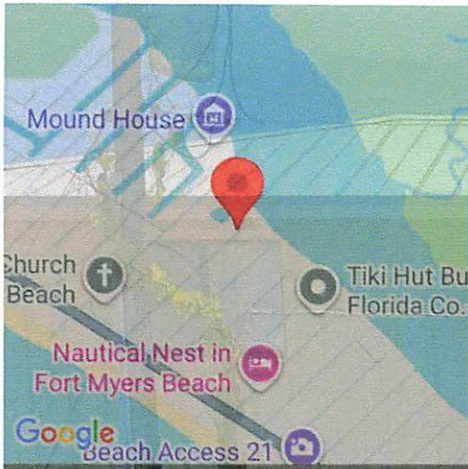
(SEAL)

Notary Public Signature

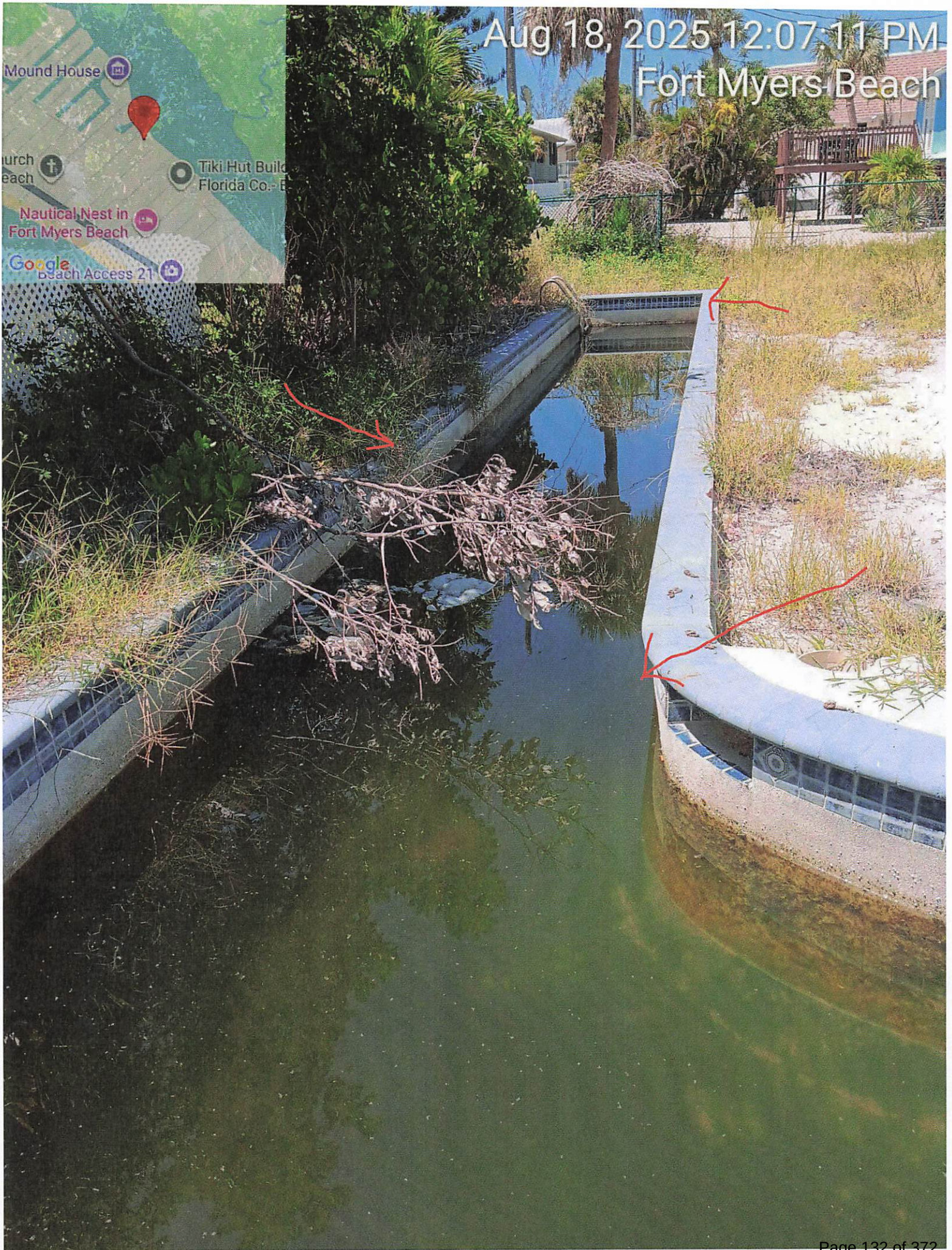
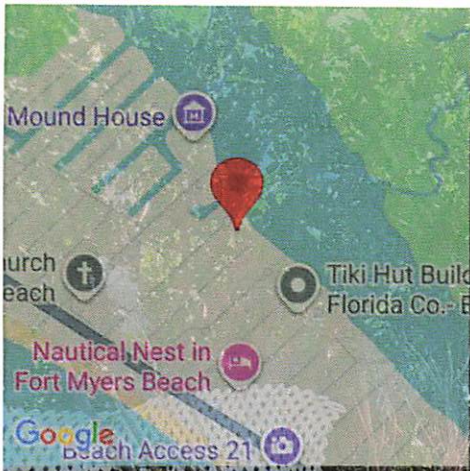
My Commission Expires: 2/3/2029

Aug 18, 2025 12:06:39 PM

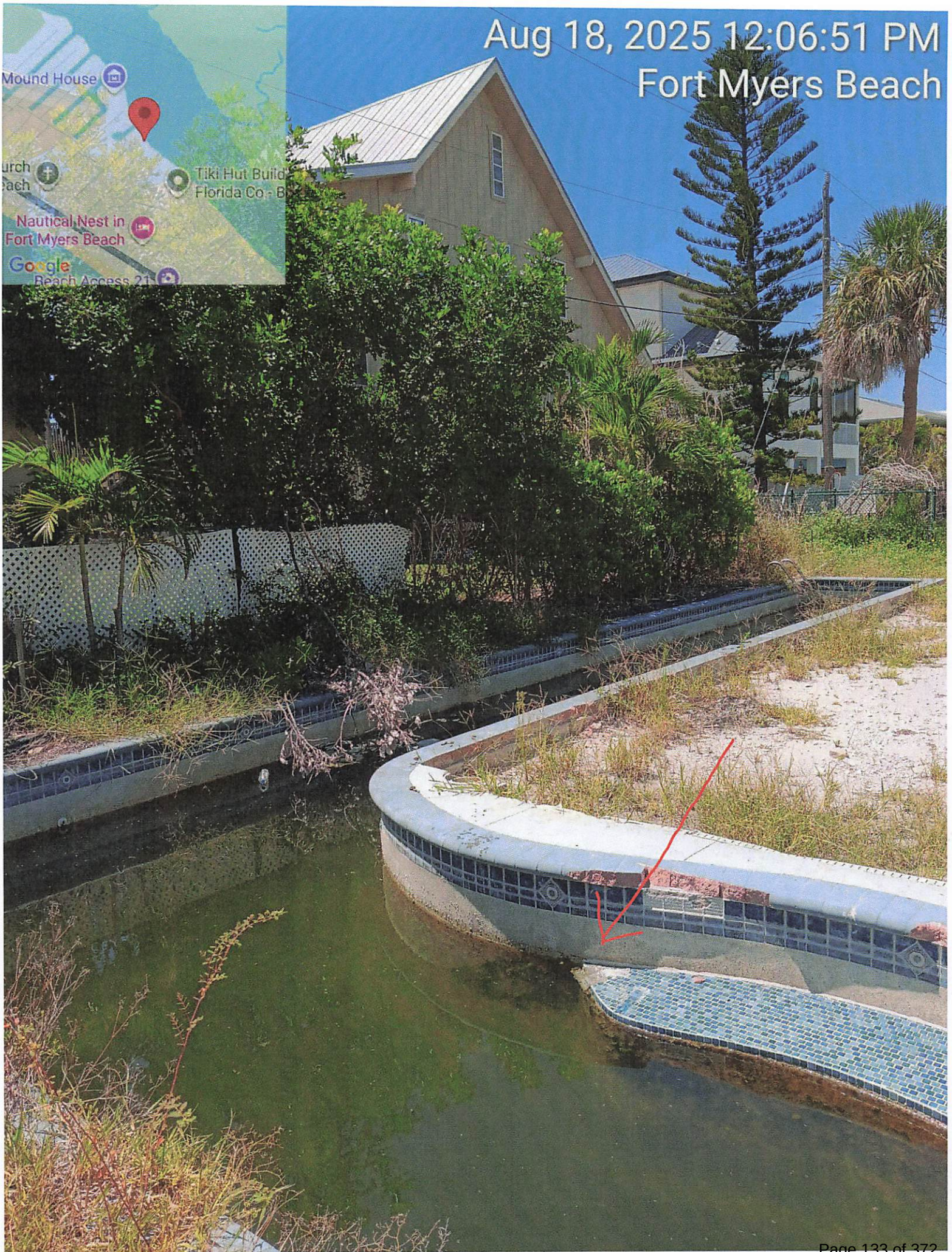
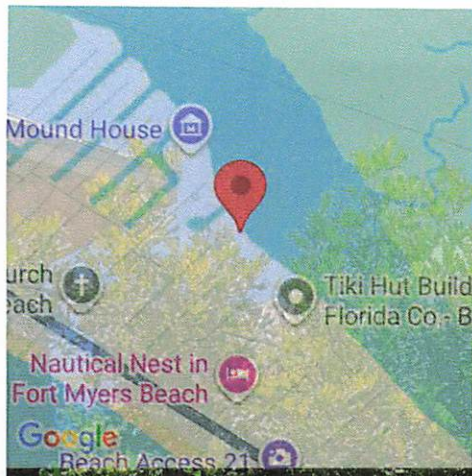
Fort Myers Beach



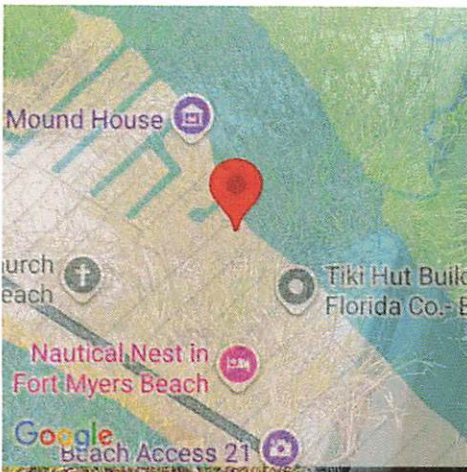
Aug 18, 2025 12:07:11 PM
Fort Myers Beach



Aug 18, 2025 12:06:51 PM
Fort Myers Beach



Aug 18, 2025 12:06:59 PM
Fort Myers Beach



HEARING

EXHIBIT

D

- Violated Regulation(s)

See relevant highlighted section(s) of
applicable code

Cha 6-1, Sec, 303.1 Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Sec, 34-1176 (C,1) 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: September 3, 2025

FMB Case No.: 20250115
Property Owner: Bayview Life INC
Property Address: 16 Bayview Blvd
Violation: Property Maintenance

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

M. Chavez

Narrative:

Attachments:

1. 20250115_Hearing Exhibit A_Notice of Hearing and Affidavit of Posting
2. 20250115_Hearing Exhibit B_Notice of Violation
3. 20250115_Hearing Exhibit C_Status of Compliance
4. 20250115_Hearing Exhibit D_Violated Regulation(s)

Town Recommendations:

Town Approvals:

Thomas Yozzo, Emergency Services Director

Date: August 21, 2025



Traci Kohler, Deputy Town Manager

Date: August 21, 2025

nancy stuparich, Town Attorney

Date: August 22, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 25, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

HEARING

EXHIBIT

A

- Notice of Hearing and Affidavit of Posting



08/20/25

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

**Bayview Life Inc.
1604 Washington Ave
MIAMI BEACH, FL 33139
Respondent.**

Case Number:	20250115
Certified Mail:	9589071052703142132223
Regular Mail:	Standard 1 st Class

Site Address: **16 BAYVIEW BLVD**
Parcel Strap No.: **34-46-24-W4-00800.0170**

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 (another 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 **Wednesday 09/03/2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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

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

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other actions that will affect your rights. If you believe you have

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | **F.** 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



come into compliance, it is your responsibility to contact the Code Enforcement Division so that an inspection can be carried out to determine compliance.

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 or is repeated. 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(s) has been corrected or abated prior to the hearing.

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

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | **F.** 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Bayview Life Inc
1604 Washington Ave
Miami Beach, FL 33139

Respondent,

FMB Case Number:	20250115
Certified Mail:	9589071052703142132216 9589071052703142132223
Regular Mail:	Standard 1st Class
DOAH Case Number:	Not Assigned

Site Address: 16 Bayview Blvd,
Fort Myers Beach, FL 33931
Parcel Strap No. 34-46-24-W4-00800.0170

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Marcio Chavez, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250115 that certain Notice Of Special Magistrate Code Hearing. Presented as Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Hearing to the following:

- a. **Bayview Life Inc**
1604 Washington Ave
Miami Beach, FL 33139
Certified Mail No. **9589071052703142132223**
(Listed Leepa.org Property Owner Address)
- b. **MCR Partners, Inc.**
20533 Biscayne Blvd #1301
Miami Beach, FL 33180
Certified Mail No. **9589071052703142132216**

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice at 16 Bayview Blvd, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 20th day of August 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. 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 6231 Estero Blvd, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on the 20th day of August 2025 are attached in Hearing Exhibit A.



FMBgov.com

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

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



[Notary Seal]

[Signature]
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

9589 0710 5270 3142 1322 16

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 \$ Town of Fort Myers Beach

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

☐ Return Receipt (hardcopy) \$ AUG 22 2025 Postmark Here

☐ Return Receipt (electronic) \$ MC

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Sent by: Case # 20250115

Postage \$ 16 Bayview Blvd

Total Postage and Fees \$

Se
 St
 City

MCR PARTNERS, INC.
20533 BISCAYNE BLVD #1301
MIAMI BEACH, FL 33180

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

9589 0710 5270 3142 1322 23

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Se
 St
 City

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH, FL 33139

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



FMBgov.com

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

08/22/25

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Bayview Life Inc.
1604 Washington Ave
MIAMI BEACH, FL 33139
Respondent.

Case Number:	20250115
Certified Mail:	9589071052703142132223
Regular Mail:	Standard 1 st Class

Site Address: 16 BAYVIEW BLVD
Parcel Strap No.: 34-46-24-W4-00800.0170

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 (another 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 Wednesday 09/03/2025 at 9:00 A.M. in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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

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

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other actions that will affect your rights. If you believe you have

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0102 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

Staples

Aug 20, 2025 12:34:53 PM



Aug 20, 2025 12:35:02 PM



FMBgov.com

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

08/20/25

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Bayview Life Inc.
1604 Washington Ave
MIAMI BEACH, FL 33139
Respondent.

Case Number:	20250115
Certified Mail:	9589071052703142132223
Regular Mail:	Standard 1 st Class

Site Address: 16 BAYVIEW BLVD
Parcel Strap No.: 34-46-24-W4-00800.0170

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FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)

Aug 20, 2025 1:49:43 PM



Property Data

STRAP: 34-46-24-W4-00800.0170 Folio ID: 10231306

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

Generated on 8/19/2025 3:05 PM

Owner Of Record - Sole Owner

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

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH FL 33139

+ Site Address

Site Address maintained by E911 Program Addressing

16 BAYVIEW BLVD
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



FAIRVIEW ISLES UNIT 6 PB 10 PG 126 LOT 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 10 and 126 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	3 / 2.0
Gross Living Area	1,640
1st Year Building on Tax Roll	1978
Historic Designation	No

Township	Range	Section	Block	Lot
16	24E	34	00800	0170
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.4214	-81.89726		

[View Parcel on Google Maps](#)[\[Tax Map Viewer \]](#) [\[View Comparables \]](#)[\[Pictometry Aerial Viewer \]](#)

Image of Structure

[◀ Photo Date November of 2019 ▶](#) ☐ [View other photos](#)

Last Inspection Date: 11/01/2019



Property Values / Exemptions / TRIM Notices

Generated on 8/19/2025 3:05 PM



Property Details (Current as of 8/18/2025)



Generated on 8/19/2025 3:05 PM



Lee County Tax Collector

Noelle Branning

Account Number:
34-46-24-W4-00800.0170
Alternate Key:
2100608197
Millage Code:
032

Site Address/Legal Description:
16 BAYVIEW BLVD
FAIRVIEW ISLES UNIT 6 PB 10 PG 126 LOT 17



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

2024 Real Estate Tax Notice

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

Exemptions/Values	
Market Value	599,553
Assessed Value	599,553
Taxable Value	523,931

★ See message below.

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH, FL 33139

Paid 11/28/2024 INT-00-02936153 \$7,431.83

Ad Valorem Taxes Levying Authority

LEE COUNTY GENERAL REVENUE
PUBLIC SCHOOL - BY LOCAL BOARD
PUBLIC SCHOOL - BY STATE LAW
TOWN OF FORT MYERS BEACH
SFL WATER MGMT-DISTRICT LEVY
SFL WATER MGMT-EVERGLADE CONST
SFL WATER MGMT-OKEECHOBEE LEVY
FORT MYERS BEACH FIRE CONTROL DISTRICT
FORT MYERS BEACH MOSQUITO
FORT MYERS BEACH LIBRARY
LEE COUNTY HYACINTH CONTROL
WEST COAST INLAND NAVIGATION DISTRICT

Telephone

239-533-2221
239-337-8215
239-337-8215
239-765-0202
561-686-8800
561-686-8800
561-686-8800
239-590-4200
239-247-1205
239-463-9691
239-694-2174
941-485-9402

Mill Rate

3.7623
2.2480
3.0380
0.9900
0.0948
0.0327
0.1026
2.8000
0.1123
0.1612
0.0200
0.0394

Assessed

523.931
599,553
599,553
523.931
523.931
523.931
523.931
523.931
523.931
523.931
523.931
523.931

Exemption

0
0
0
0
0
0
0
0
0
0
0
0

Taxable

523.931
599,553
599,553
523.931
523.931
523.931
523.931
523.931
523.931
523.931
523.931
523.931

Amount

1,971.19
1,347.80
1,821.44
518.69
49.67
17.13
53.76
1,467.01
58.84
84.46
10.48
20.64

Non-Ad Valorem Assessments Levying Authority

LEE COUNTY SOLID WASTE ASSESSMENT

Telephone
239-533-8000

Rate

Basis
ACTL LEVY

Amount
320.38

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$7,741.49

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: 34-46-24-W4-00800.0170

Site Address: 16 BAYVIEW BLVD

Alternate Key: 2100608197

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

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH, FL 33139

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



Paid 11/28/2024 INT-00-02936153 \$7,431.83



[Search](#) > Account Summary

Real Estate Account #34-46-24-W4-00800.0170

Owner:

BAYVIEW LIFE INC

Situs:

16 BAYVIEW BLVD
FORT MYERS BEACH 33931

[Parcel details](#)

[GIS](#)

[Property Appraiser](#)



[Get bills by email](#)

Amount Due

Your account is **paid in full**. There is nothing due at this time.

Your most recent payment was made on **11/28/2024** for **\$7,431.83**.

Account History

BILL	AMOUNT DUE	STATUS			ACTION
2024 Annual Bill ⓘ	\$0.00	Paid \$7,431.83	11/28/2024	Receipt #INT-00-02936153	Print (PDF)
2023 Annual Bill ⓘ	\$0.00	Paid \$6,603.26	11/28/2023	Receipt #EEX-00-01819607	Print (PDF)
2022 Annual Bill ⓘ	\$0.00	Paid \$10,844.07	11/29/2022	Receipt #EEX-00-00582682	Print (PDF)
2021 Annual Bill ⓘ	\$0.00	Paid \$9,008.69	11/22/2021	Receipt #606214-1	Print (PDF)
2020 Annual Bill ⓘ	\$0.00	Paid \$8,459.84	11/23/2020	Receipt #571506-1	Print (PDF)
2019 Annual Bill ⓘ	\$0.00	Paid \$7,980.03	12/13/2019	Receipt #540413-37	Print (PDF)
2018 Annual Bill ⓘ	\$0.00	Paid \$7,298.74	11/27/2018	Receipt #500073-106	Print (PDF)
2017 Annual Bill ⓘ	\$0.00	Paid \$7,209.02	11/13/2017	Receipt #462014-49	Print (PDF)
2016 Annual Bill ⓘ	\$0.00	Paid \$6,496.19	11/16/2016	Receipt #429386-79	Print (PDF)
2015 Annual Bill ⓘ	\$0.00	Paid \$7,352.31	11/05/2015	Receipt #19931-380	Print (PDF)
2014 Annual Bill ⓘ	\$0.00	Paid \$6,809.57	11/30/2014	Receipt #19578-756	Print (PDF)
2013 Annual Bill ⓘ	\$0.00	Paid \$6,309.88	12/11/2013	Receipt #19159-545	Print (PDF)
2012 Annual Bill ⓘ	\$0.00	Paid \$5,723.35	11/16/2012	Receipt #18591-138	Print (PDF)
Total Amount Due	\$0.00				

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

03/05/2025

Case Number:	20250115
Certified Mail:	9589071052700636642909
Regular Mail	

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH, FL 33139

SITE ADDRESS: 16 BAYVIEW BLVD
PARCEL STRAP NO: 344624W4008000170

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 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.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools *Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.*

Cha 6-1, Sec. 303.2: Enclosures *Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.*

EXCEPTION: *Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.*

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

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. 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..

You are hereby directed to bring these violations into compliance within 10 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 293-460-7560 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

Marcio Chavez
Code Enforcement Officer
Town of Fort Myers Beach



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

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

03/05/2025

Case Number:	20250115
Certified Mail:	9589071052700636642893
Regular Mail	

MCR PARTNERS, INC.
20533 BISCAYNE BLVD #1301
MIAMI, FL 33180

SITE ADDRESS: 16 BAYVIEW BLVD
PARCEL STRAP NO: 344624W4008000170

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Respectfully,

Marcio Chavez
Code Enforcement Officer
Town of Fort Myers Beach



Feb 28 2025 9:45:05 AM Page 16 of 32



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Bayview Life Inc
16 Bayview Blvd
Fort Myers Beach, FL 33931

Respondent,

FMB Case Number:	20250115
Certified Mail:	9589071052700636642909 9589071052700636642893
Regular Mail:	Standard 1st Class
DOAH Case Number:	Not Assigned

Site Address: 16 Bayview Blvd,
Fort Myers Beach, FL 33931
Parcel Strap No. 34-46-24-W4-00800.0170

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Marcio Chavez, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250115 that certain Notice Of Special Magistrate Code Hearing. Presented as Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Hearing to the following:

- a. **Bayview Life Inc**
16 Bayview Blvd
Miami Beach, FL 33139
Certified Mail No. **9589071052700636642909**
(Listed Leepa.org Property Owner Address)
- b. MCR Partners, Inc.
20533 Biscayne Blvd #1301
Miami, FL 33180
Certified Mail No. 9589071052700636642893

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice at 16 Bayview Blvd, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 6th day of March 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. 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 6th day of March 2025 are attached in Hearing Exhibit A.



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 6 day of March, 2025, by Marcio Chavez. He ☒ 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

9589 0710 5270 0636 6428 93

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
MAR 06 2025 Postmark Here
 Sent by: Case # 2025045
 16 Bayview Blvd

MCR PARTNERS, INC.
20533 BISCAYNE BLVD #1301
MIAMI, FL 33180

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

9589 0710 5270 0636 6429 09

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
MAR 06 2025 Postmark Here
 Sent by: MC Case # 2025045
 16 Bayview Blvd

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH, FL 33139

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



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

03/05/2025

Case Number:	20250115
Certified Mail:	9589071052700636642909
Regular Mail:	

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH, FL 33139

SITE ADDRESS: 16 BAYVIEW BLVD
PARCEL STRAP NO: 344624W4008000170

NOTICE OF VIOLATION

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These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Cha 6-1, Sec. 303.2: Enclosures Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

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

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Repair pool filtration system if necessary, clean and maintain appropriately creating a sanitary pool with clean and clear water and/or contact require

Staples



Mar 6, 2025 8:39:10 AM

03/05/2025

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH, FL 33139

SITE ADDRESS: 16 BAYVIEW BLVD
PARCEL STRAP NO: 344624W4008000170

Case Number:	20250115
Certified Mail:	9589071052700636642909
Regular Mail	

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 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.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Cha 6-1, Sec. 303.2: Enclosures Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.
EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

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

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Repair pool filtration system



Town of Fort Myers Beach CODE COMPLIANCE

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

03/05/2025

Case Number:	20250115
Certified Mail:	9589071052700636642909
Regular Mail	

BAYVIEW LIFE INC
1604 WASHINGTON AVE
MIAMI BEACH, FL 33139

SITE ADDRESS: 16 BAYVIEW BLVD
PARCEL STRAP NO: 344624W4008000170

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 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.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Cha 6-1, Sec. 303.2: Enclosures Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

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

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. 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..

You are hereby directed to bring these violations into compliance within 10 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

HEARING

EXHIBIT

C

- Status of Compliance



8/06/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

Bayview Life Inc
Respondent.

Case Number:	20250115
Certified Mail:	9589071052700636642909 9589071052700636642893
DOAH Case:	

Site Address: 16 Bayview Blvd
Parcel Strap No.: 34-46-24-W4-00800.0170

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)
COUNTY OF LEE)

BEFORE ME, the undersigned authority, 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 02/28/2025, Bayview Life Inc was observed in violation of Cha 6-1, Sec. 301: Swimming Pools, Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. As well as Sec. 303.2 Enclosures and Sec. 110.1 structure is so deteriorated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation.

At the property located at 16 Bayview Blvd, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 03/06/2025, and sent certified mail to the addresses of record to the property owner **BAYVIEW LIFE INC 1604 WASHINGTON AVE MIAMI BEACH, FL 33139** posted to the violation property located at 16 Bayview Blvd, Fort Myers Beach, FL 33931 and posted to Town Hall located at 2731 Oak Street, Fort Myers Beach, FL 33931 both inside (Case Enforcement Case Log Book & Town of Fort Myers Beach website) and outside on the N/W wall at the entrance to Town Hall.

FORT MYERS BEACH ESTERO ISLAND

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



4. 16 Bayview Blvd was/were given 10 days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 03/16/2025.

5. I performed an inspection of the Subject Property on 04/16/2025, 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 16 Bayview Blvd, Fort Myers Beach, FL 33931.

6. Photographs of the Subject Property, which I personally took, and which fairly represent the violation on the Subject Property I personally observed on 04/16/2025. These photographs are a true and accurate representation of my observations on this date.

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 on Wednesday, September 3rd, 2025 and that an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) through a Stipulation 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.

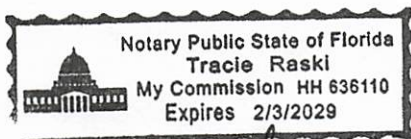
Signature of Affiant

Marcio Chavez

**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 20 day of August 2025, by Marcio Chavez, who is personally known to me OR who has produced as identification.

(SEAL)



Notary Public Signature: Tracie Raskl

My Commission Expires: 2/3/2029



Apr 16, 2025 8:34:52 AM





Aug 6, 2025 12:54:38 PM



Aug 6, 2025 12:54:41 PM



Aug 6, 2025 12:54:49 PM

HEARING

EXHIBIT

D

- Violated Regulation(s)

See relevant highlighted section(s) of
applicable code

Cha 6-1, Sec. 303.1: Swimming Pools

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

Cha 6-1, Sec. 303.2: Enclosures

Private swimming pool, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

EXCEPTION: Spas or hot tubs with a safety cover that complies with the ASTM F1346 shall be exempt from the provisions of this section.

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.

Property Address and Owner:

Hearing Date: September 3, 2025

FMB Case No.: 20250628

Property Owner: Reber David A TR for David A Reber Trust

Property Address: 710 Matanzas Ct

Violation: Property Maintenance

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

M. Chavez

Narrative:

Attachments:

1. 20250628_Hearing Exhibit A_Notice of Hearing and Affidavit of Posting
2. 20250628_Hearing Exhibit B_Notice of Violation
3. 20250628_Hearing Exhibit C_Status of Compliance
4. 20250628_Hearing Exhibit D_Violation Regulation(s)

Town Recommendations:

Town Approvals:

Thomas Yozzo, Emergency Services Director

Date: August 21, 2025



Traci Kohler, Deputy Town Manager

Date: August 21, 2025

nancy stuparich, Town Attorney

Date: August 22, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 25, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

HEARING

EXHIBIT

A

- Notice of Hearing and Affidavit of Posting



08/20/25

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

REBER DAVID A TR FOR DAVID A REBER TRUST
527 SUGARPINE DR
INCLINE VILLAGE, NV 89451
Respondent.

Case Number:	20250628
Certified Mail:	9589071052703142132193
Regular Mail:	Standard 1 st Class

Site Address: **710 Matanzas Ct**
Parcel Strap No.: 24-46-23-W3-0050C.0020

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 (another 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 **Wednesday 09/03/2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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

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

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other actions that will affect your rights. If you believe you have

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | **F.** 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



come into compliance, it is your responsibility to contact the Code Enforcement Division so that an inspection can be carried out to determine compliance.

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 or is repeated. 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(s) has been corrected or abated prior to the hearing.

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

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

FMB Case Number:	20250628
Certified Mail:	9589071052703142132193
Regular Mail:	Standard 1st Class
DOAH Case Number:	Not Assigned

Reber David A TR For David A Reber Trust
527 Sugarpine Dr
Incline Village, NV 89451

Site Address: 710 Matanzas Ct,
Fort Myers Beach, FL 33931
Parcel Strap No. 24-46-23-W3-0050C.0020

Respondent,

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Marcio Chavez, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250628 that certain Notice Of Special Magistrate Code Hearing. Presented as Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Hearing to the following:

- a. **Reber David A TR For David A Reber Trust**
527 Sugarpine Dr
Incline Village, NV 89451
Certified Mail No. **9589071052703142132193**
(Listed Leepa.org Property Owner Address)

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice at 710 Matanzas Dr, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 20th day of August 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. 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 6231 Estero Blvd, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on the 20th day of August 2025 are attached in Hearing Exhibit A.



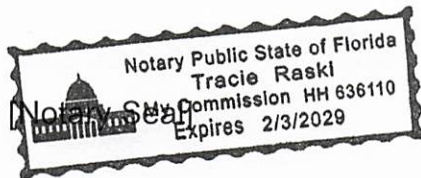
Dan Allers, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

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 20th day of August, 2025, by Marcio Chavez. He ☒ is personally known to me or ☐ has produced _____ as identification.



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

9589 0710 5270 3142 1321 93

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

AUG 20 2025

Postmark
Here

Sent by: [Signature]

me

case #20250628

710 natuzasc

REBER DAVID A TR FOR DAVID A REBER TRUST
527 SUGARPINE DR
INCLINE VILLAGE, NV 89451

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



FMBgov.com

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

08/20/25

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

REBER DAVID A TR FOR DAVID A REBER TRUST
527 SUGARPINE DR
INCLINE VILLAGE, NV 89451
Respondent.

Site Address: 710 Matanzas Ct
Parcel Strap No.: 24-48-23-W3-0050C.0020

NOTICE OF CODE ENFORCEMENT HEARING

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FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)

Staples



Aug 20, 2025 2:49:11 PM



FMBgov.com

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

08/20/25

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

REBER DAVID A TR FOR DAVID A REBER TRUST
527 SUGARPINE DR
INCLINE VILLAGE, NV 89451
Respondent.

Case Number: 20250628

Certified Mail: 9589071052703142132193

Regular Mail: Standard 1st Class

Site Address: 710 Matanzas Ct
Parcel Strap No.: 24-46-23-W3-0050C.0020

NOTICE OF CODE ENFORCEMENT HEARING

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FORT MYERS BEACH-ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)

Beach

FL 33931
765-0909



08/13/2025

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

Aug 20, 2025 2:26:55 PM

Page 186 of 372



Property Data

STRAP: 24-46-23-W3-0050C.0020 Folio ID: 10127401

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

Generated on 8/20/2025 2:23 PM

Owner Of Record - Sole Owner

[Change Mailing Address]



REBER DAVID A TR
FOR DAVID A REBER TRUST
527 SUGARPINE DR
INCLINE VILLAGE NV 89451

+ Site Address

Site Address maintained by E911 Program Addressing

710 MATANZAS CT
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



ISLAND SHORES UNIT 2 BLK C PB 9 PG 25 LOT 2

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 25 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
16	23E	24	0050C	0020
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.45642	-81.95876		

[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: 02/08/2024



Property Values / Exemptions / TRIM Notices

Generated on 8/20/2025 2:23 PM



Property Details (Current as of 8/19/2025)

Generated on 8/20/2025 2:23 PM



Lee County Tax Collector

Noelle Branning

Account Number:
24-46-23-W3-0050C.0020
Alternate Key:
2100454953
Millage Code:
032

Site Address/Legal Description:
710 MATANZAS CT
ISLAND SHORES UNIT 2 BLK C PB 9 PG 25 LOT 2



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

2024 Real Estate Tax Notice

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

Exemptions/Values
Market Value 1,615,356
Assessed Value 1,615,356
Taxable Value 1,615,356

★ See message below.

REBER DAVID A TR
FOR DAVID A REBER TRUST
527 SUGARPINE DR
INCLINE VILLAGE, NV 89451

Paid 11/29/2024 INT-00-02938547 \$20,781.96

Ad Valorem Taxes Levying Authority

LEE COUNTY GENERAL REVENUE
PUBLIC SCHOOL - BY LOCAL BOARD
PUBLIC SCHOOL - BY STATE LAW
TOWN OF FORT MYERS BEACH
SFL WATER MGMT-DISTRICT LEVY
SFL WATER MGMT-EVERGLADE CONST
SFL WATER MGMT-OKEECHOBEE LEVY
FORT MYERS BEACH FIRE CONTROL DISTRICT
FORT MYERS BEACH MOSQUITO
FORT MYERS BEACH LIBRARY
LEE COUNTY HYACINTH CONTROL
WEST COAST INLAND NAVIGATION DISTRICT

Telephone

239-533-2221
239-337-8215
239-337-8215
239-765-0202
561-686-8800
561-686-8800
561-686-8800
239-590-4200
239-247-1205
239-463-9691
239-694-2174
941-485-9402

Mill Rate

3.7623
2.2480
3.0380
0.9900
0.0948
0.0327
0.1026
2.8000
0.1123
0.1612
0.0200
0.0394

Assessed

1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356

Exemption

0
0
0
0
0
0
0
0
0
0
0
0

Taxable

1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356
1,615,356

Amount

6,077.45
3,631.32
4,907.45
1,599.20
153.14
52.82
165.74
4,523.00
181.40
260.40
32.31
63.65

Non-Ad Valorem Assessments Levying Authority

Telephone

Rate

Basis

Amount

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$21,647.88

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: 24-46-23-W3-0050C.0020

Site Address: 710 MATANZAS CT

Alternate Key: 2100454953

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

REBER DAVID A TR
FOR DAVID A REBER TRUST
527 SUGARPINE DR
INCLINE VILLAGE, NV 89451

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



Paid 11/29/2024 INT-00-02938547 \$20,781.96



[Search](#) > Account Summary

Real Estate Account #24-46-23-W3-0050C.0020

Owner:

REBER DAVID A TR
FOR DAVID A REBER TRUST

Situs:

710 MATANZAS CT
FORT MYERS BEACH 33931

[Parcel details](#)

[GIS](#)

[Property Appraiser](#)



[Get bills by email](#)

Amount Due

Your account is **paid in full**. There is nothing due at this time.

Your most recent payment was made on **11/29/2024** for **\$20,781.96**.

Account History

BILL	AMOUNT DUE	STATUS			ACTION
2024 Annual Bill ⓘ	\$0.00	Paid \$20,781.96	11/29/2024	Receipt #INT-00-02938547	Print (PDF)
2023 Annual Bill ⓘ	\$0.00	Paid \$7,589.38	11/29/2023	Receipt #INT-00-01825988	Print (PDF)
2022 Annual Bill ⓘ	\$0.00	Paid \$8,221.80	11/28/2022	Receipt #Y02-00-00568552	Print (PDF)
2021 Annual Bill ⓘ	\$0.00	Paid \$8,197.79	11/30/2021	Receipt #606689-96	Print (PDF)
2020 Annual Bill ⓘ	\$0.00	Paid \$8,272.89	11/18/2020	Receipt #570594-37	Print (PDF)
2019 ⓘ					
2019 Annual Bill	\$0.00	Paid \$9,629.27	06/04/2020	Receipt #554674-110	Print (PDF)
Certificate #20026530		Redeemed	06/04/2020	Face \$9,164.78, Rate 0.25%	
		Paid \$9,629.27			
2018 Annual Bill ⓘ	\$0.00	Paid \$7,894.96	11/20/2018	Receipt #499462-7	Print (PDF)
2017 Annual Bill ⓘ	\$0.00	Paid \$8,174.27	01/31/2018	Receipt #470203-157	Print (PDF)
2016 Annual Bill ⓘ	\$0.00	Paid \$7,963.37	02/13/2017	Receipt #437658-105	Print (PDF)
2015 ⓘ					
2015 Annual Bill	\$0.00	Paid \$8,229.79	08/09/2016	Receipt #419694-46	Print (PDF)
Certificate #16023000		Redeemed	08/09/2016	Face \$7,831.94, Rate 0.25%	
		Paid \$8,229.79			
2014 Annual Bill ⓘ	\$0.00	Paid \$5,771.26	11/21/2014	Receipt #19533-216	Print (PDF)
2013 Annual Bill ⓘ	\$0.00	Paid \$2,842.62	11/22/2013	Receipt #19073-103	Print (PDF)
2012 Annual Bill ⓘ	\$0.00	Paid \$2,810.78	11/27/2012	Receipt #320774-1	Print (PDF)
Total Amount Due	\$0.00				

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

06/18/2025

Case Number:	20250628
Certified Mail:	70222410000084703529
Regular Mail	

REBER DAVID A TR FOR DAVID A REBER
TRUST
527 SUGARPINE DR
INCLINE VILLAGE, NV 89451

SITE ADDRESS: 710 MATANZAS CT
PARCEL STRAP NO: 244623W30050C0020

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. Also 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.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

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. 6-1. - Adoption of International Property Maintenance Code.; 301.3 Vacant structures and land. Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

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. .

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

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

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

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

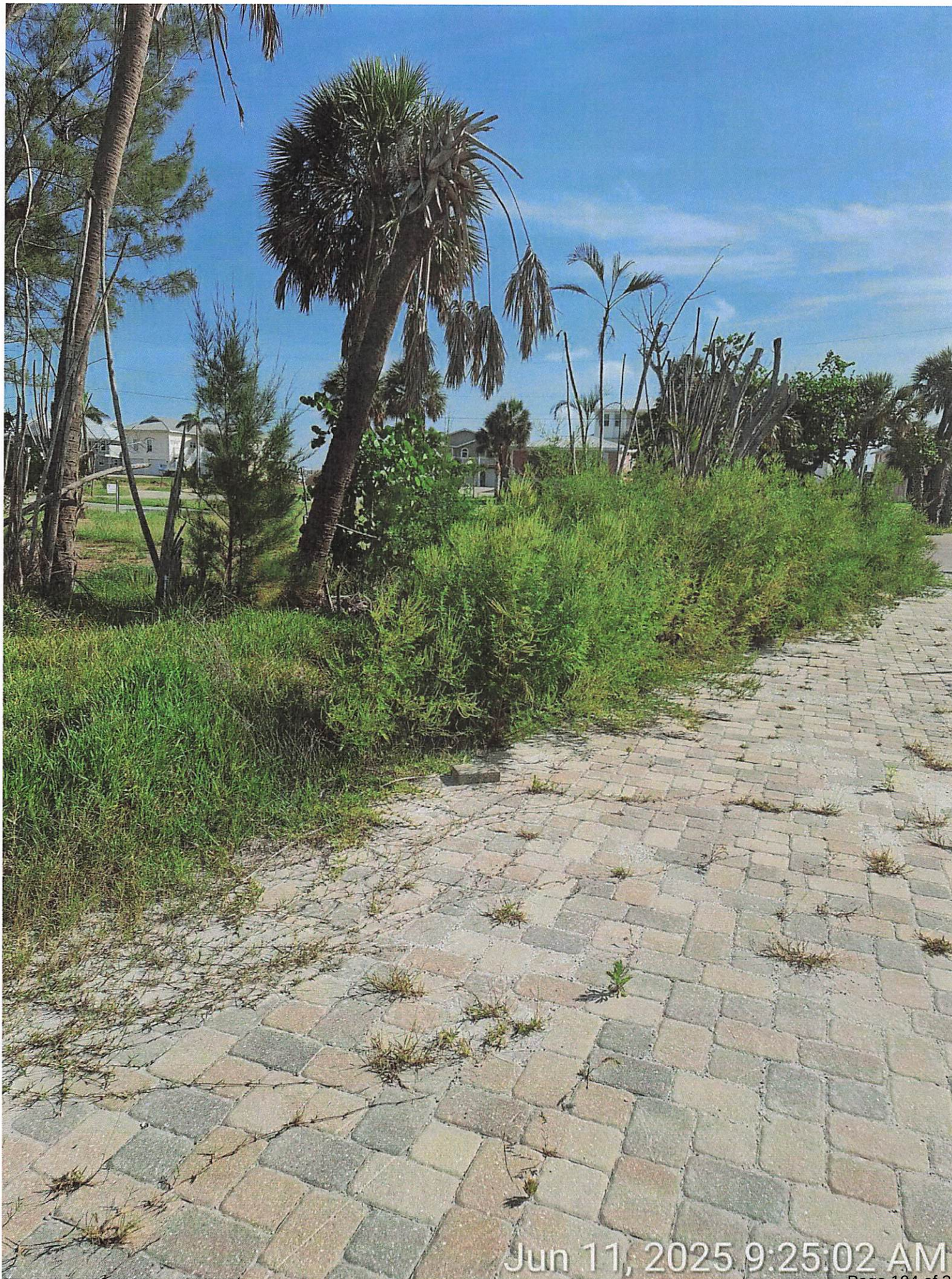
Please contact the Town of Fort Myers Beach Code Enforcement Division at 239-460-7560 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

Marcio Chavez
Code Enforcement Officer
Town of Fort Myers Beach



Jun 11, 2025 9:24:58 AM



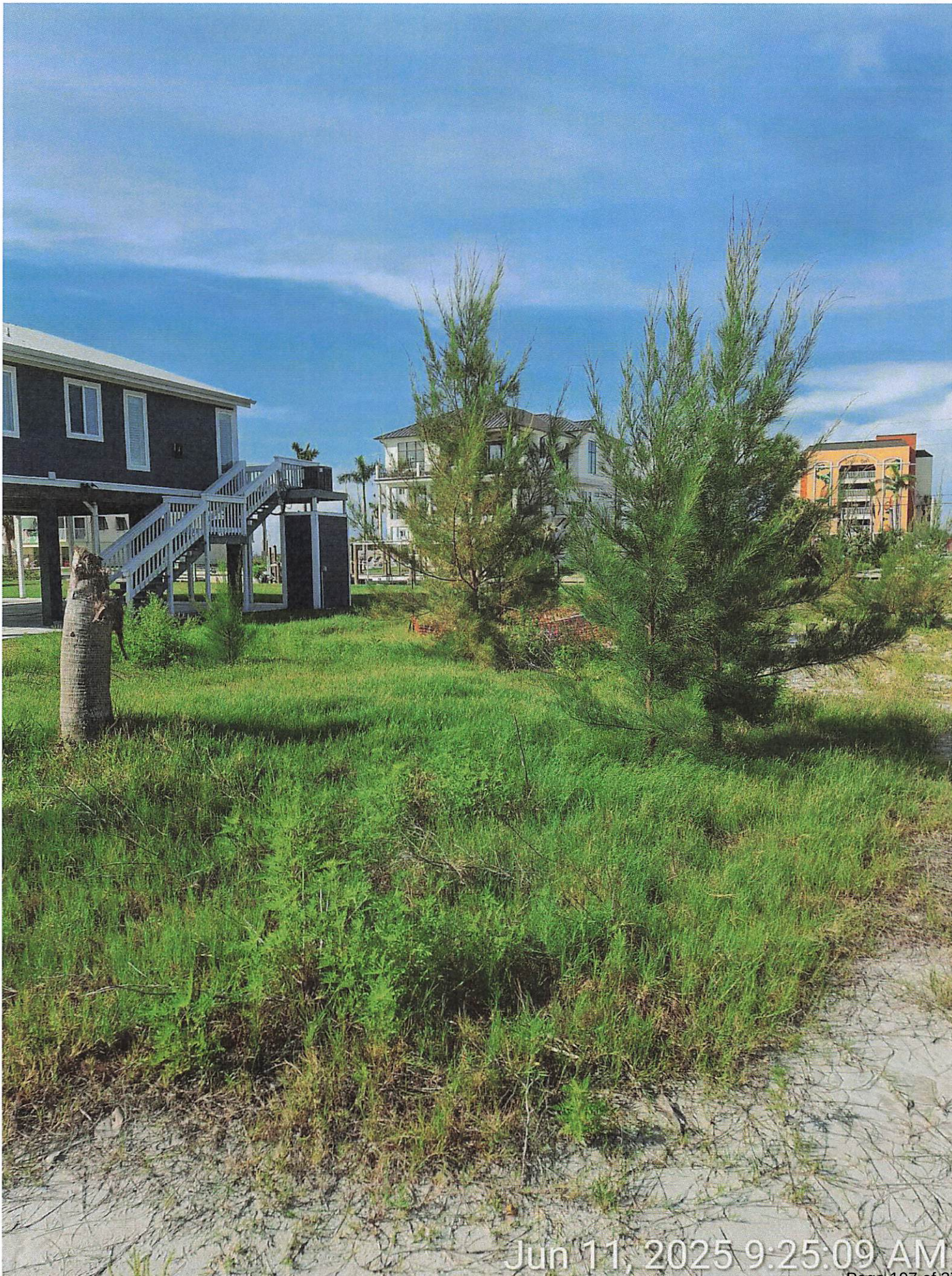
Jun 11, 2025 9:25:02 AM



Jun 11, 2025 9:25:05 AM



Jun 11, 2025 9:25:07 AM



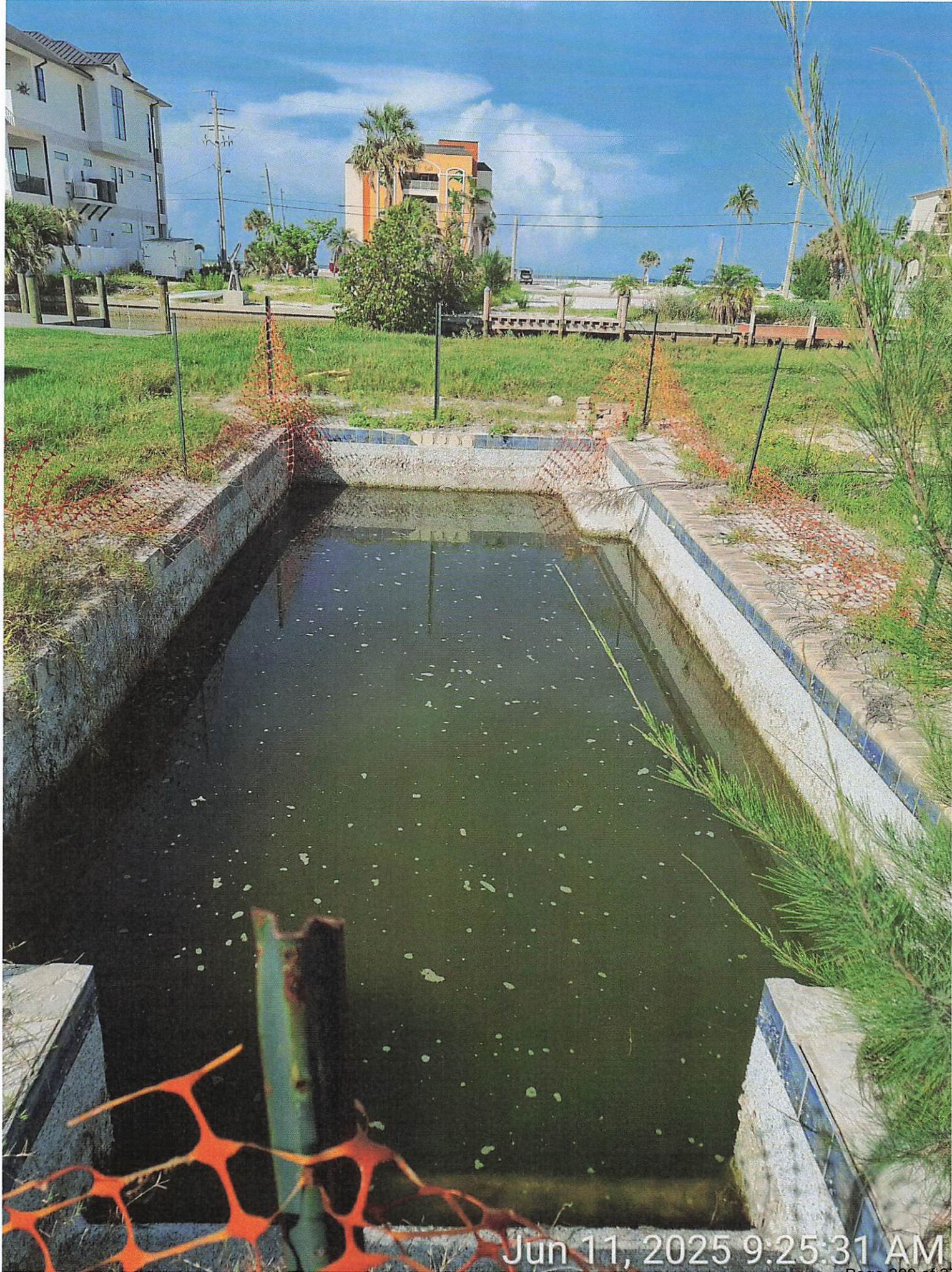
Jun 11, 2025 9:25:09 AM



Jun 11, 2025 9:25:16 AM



Jun 11, 2025 9:25:23 AM



Jun 11, 2025 9:25:31 AM



Jun 11, 2025 9:26:02 AM



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Reber David A TR For David A Reber Trust
527 Sugarpine Dr
Incline Village, NV 89451

Respondent,

FMB Case Number:	20250628
Certified Mail:	70222410000084703529
Regular Mail:	Standard 1st Class
DOAH Case Number:	Not Assigned

Site Address: 710 Matanzas Ct,
Fort Myers Beach, FL 33931
Parcel Strap No. 24-46-23-W3-0050C.0020

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Marcio Chavez, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250628 that certain Notice Of Special Magistrate Code Hearing. Presented as Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Hearing to the following:

- a. **Reber David A TR For David A Reber Trust**
527 Sugarpine Dr
Incline Village, NV 89451
Certified Mail No. 70222410000084703529
(Listed Leepa.org Property Owner Address)

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice at 710 Matanzas Dr, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 1st day of July 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. 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 6231 Estero Blvd, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on the 1st day of July 2025 are attached in Hearing Exhibit A.



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

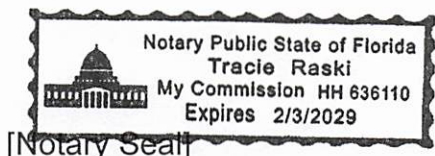
Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

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 1 day of July, 2025, by Marcio Chavez. He ☒ 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

6255 0248 0000 8470 3529

OFFICIAL USE

469

as appropriate) 8 2025

☐ Adult Signature Restricted Delivery \$

\$

47

MC Postmark Here

Case # 20250628
710 Martinzas Ct

See Reverse for Instructions



Case Number:	20250628
Certified Mail:	762241000064703528
Regular Mail:	

SITE ADDRESS: 710 MATANZAS CT
PARCEL STRAP NO. 244623W30050C0020

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

These terms are a violation of the following Board Codes:

Sec. 34-317E (2) in ground swimming pools is 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 to be enclosed. The enclosure may be permeable to certain gases, provided they are not flammable and self-heating.

Fig. 4.4. *Artemia* sp. (larva) 100x. The head is rounded, the body is elongated, the tail is pointed.

[illegible][illegible]

When you call, please refer to the number of your account. This information will be used to identify you.

Page 206 of 372



Jul 1, 2025 2:08:38 PM

if you fail to correct the violation(s) by the date specified above, or if the violation(s) re-occurs, the case may be scheduled for hearing before the Town of Fort Myers



Town of Fort Myers Beach
CODE COMPLIANCE

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

06/18/2025

Case Number:	20250628
Certified Mail:	70222410000084703529
Regular Mail	

**REBER DAVID A TR FOR DAVID A REBER
TRUST
527 SUGARPINE DR
INCLINE VILLAGE, NV 89451**

**SITE ADDRESS: 710 MATANZAS CT
PARCEL STRAP NO: 244623W30050C0020**

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. Also 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.

These items are a violation of the following Town Codes:

Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

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. 6-1. - Adoption of International Property Maintenance Code.; 301.3 Vacant structures and land. Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

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. .

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

Town of Fort Myers Beach
CODE COMPLIANCE
2731 Oak Street Fort Myers Beach, FL 33931

Jul 24, 2025 3:38:07 PM

Staples.

HEARING

EXHIBIT

C

- Status of Compliance



8/06/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

REBER DAVID A TR FOR DAVID A REBER TRUST
Respondent.

Case Number:	20250628
Certified Mail:	
DOAH Case:	

Site Address: 710 Matanzas Ct
Parcel Strap No.: 24-46-23-W3-0050C.0020

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)
COUNTY OF LEE)

BEFORE ME, the undersigned authority, 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 06/11/2025, **REBER DAVID A TR FOR DAVID A REBER TRUST** was observed in violation of Cha 6-1, Sec. 301: Swimming Pools, Swimming pools shall be maintained in a clean and sanitary condition, and in good repair. As well as Sec. 34-1176 (C,1) In ground swimming pools, Sec. 6-1 vacant structures and land and sec. 6-2 weeds. At the property located at 710 Matanzas, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 06/20/2025, and sent certified mail to the addresses of record to the property owner **REBER DAVID A TR FOR DAVID A REBER TRUST 527 SUGARPINE DR INCLINE VILLAGE, NV 89451** posted to the violation property located at 710 Matanzas Ct Fort Myers Beach, FL 33931 and posted to Town Hall located at 6231 Estero Blvd, Fort Myers Beach, FL 33931 both inside (Case Enforcement Case Log Book & Town of Fort Myers Beach website) and outside on the N/W wall at the entrance to Town Hall.

FORT MYERS BEACH ESTERO ISLAND

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



4. 710 Matanzas Ct Blvd was/were given 30 days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 07/20/2025.

5. I performed an inspection of the Subject Property on 08/20/2025, 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 16 Bayview Blvd, Fort Myers Beach, FL 33931.

6. Photographs of the Subject Property, which I personally took, and which fairly represent the violation on the Subject Property I personally observed on 08/20/2025. These photographs are a true and accurate representation of my observations on this date.

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 on Wednesday, September 3rd, 2025 and that an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) through a Stipulation 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.

FORT MYERS BEACH ESTERO ISLAND

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



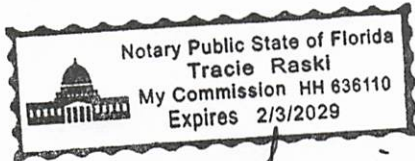
Signature of Affiant

[Signature]

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was certified and subscribed before me by means of ✓ physical presence OR online notarization, this 20 day of August 2025, by M. Chavez ✓ who is personally known to me OR who has produced as identification.

(SEAL)

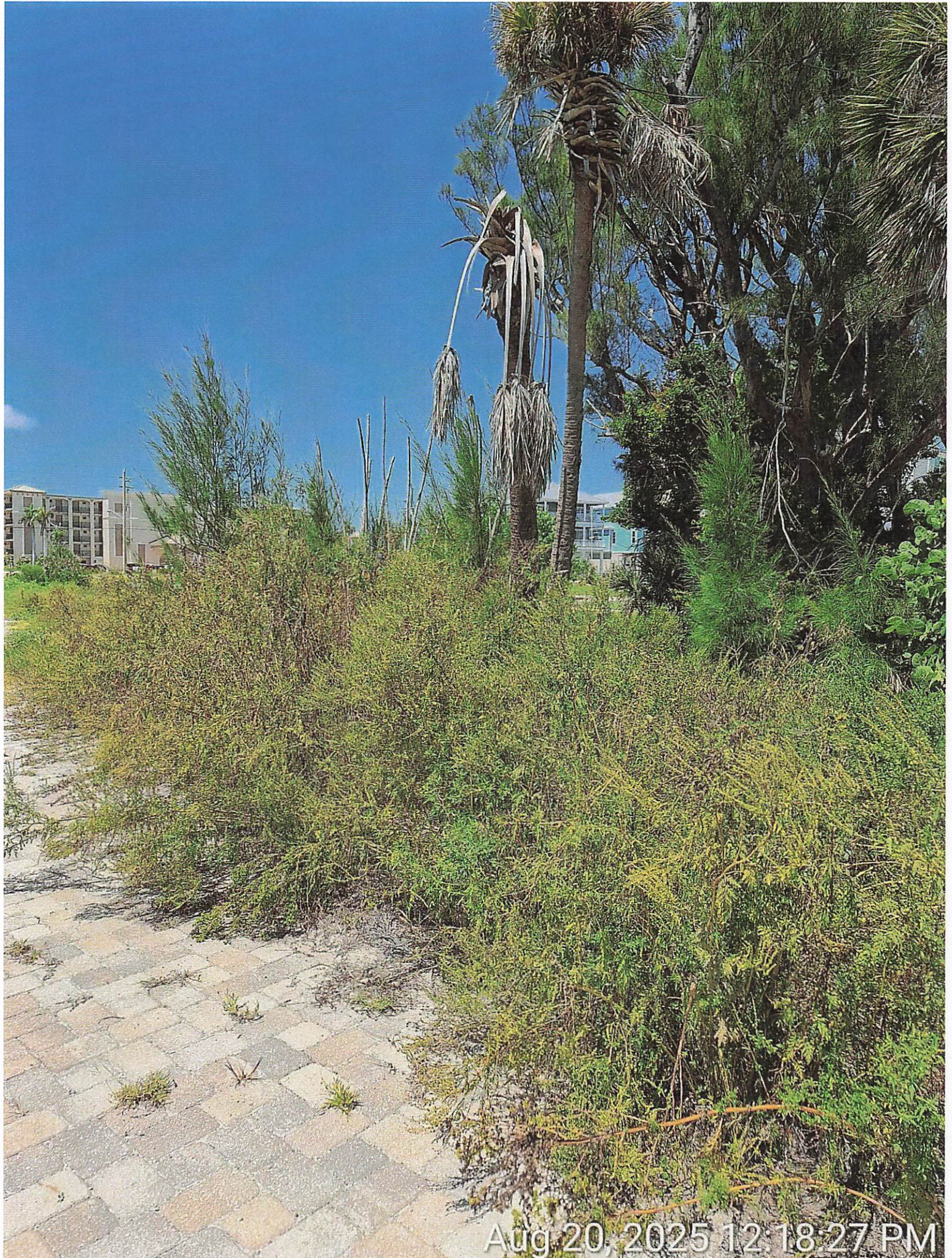


Notary Public Signature: Tracie Raski

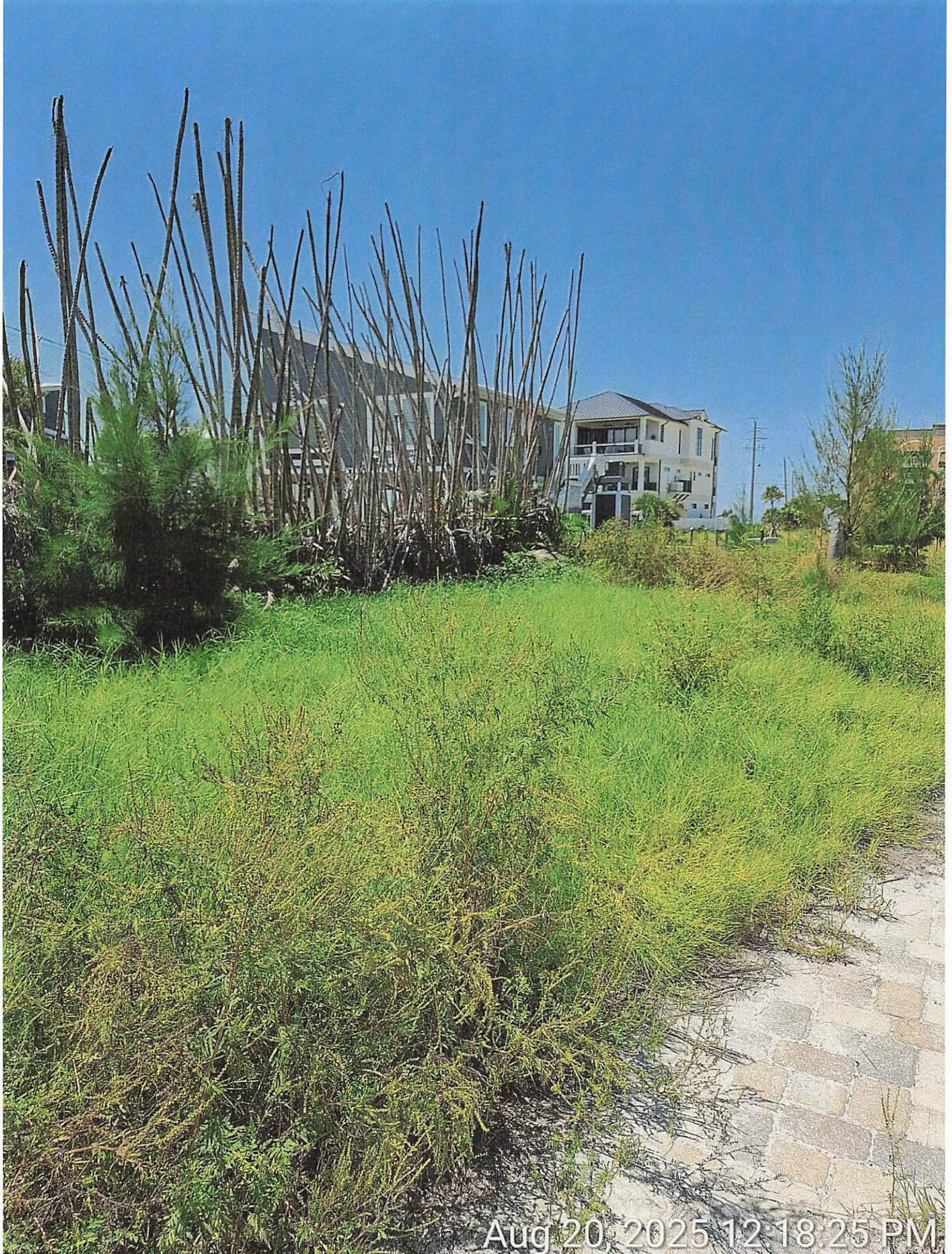
My Commission Expires: 2/3/2029



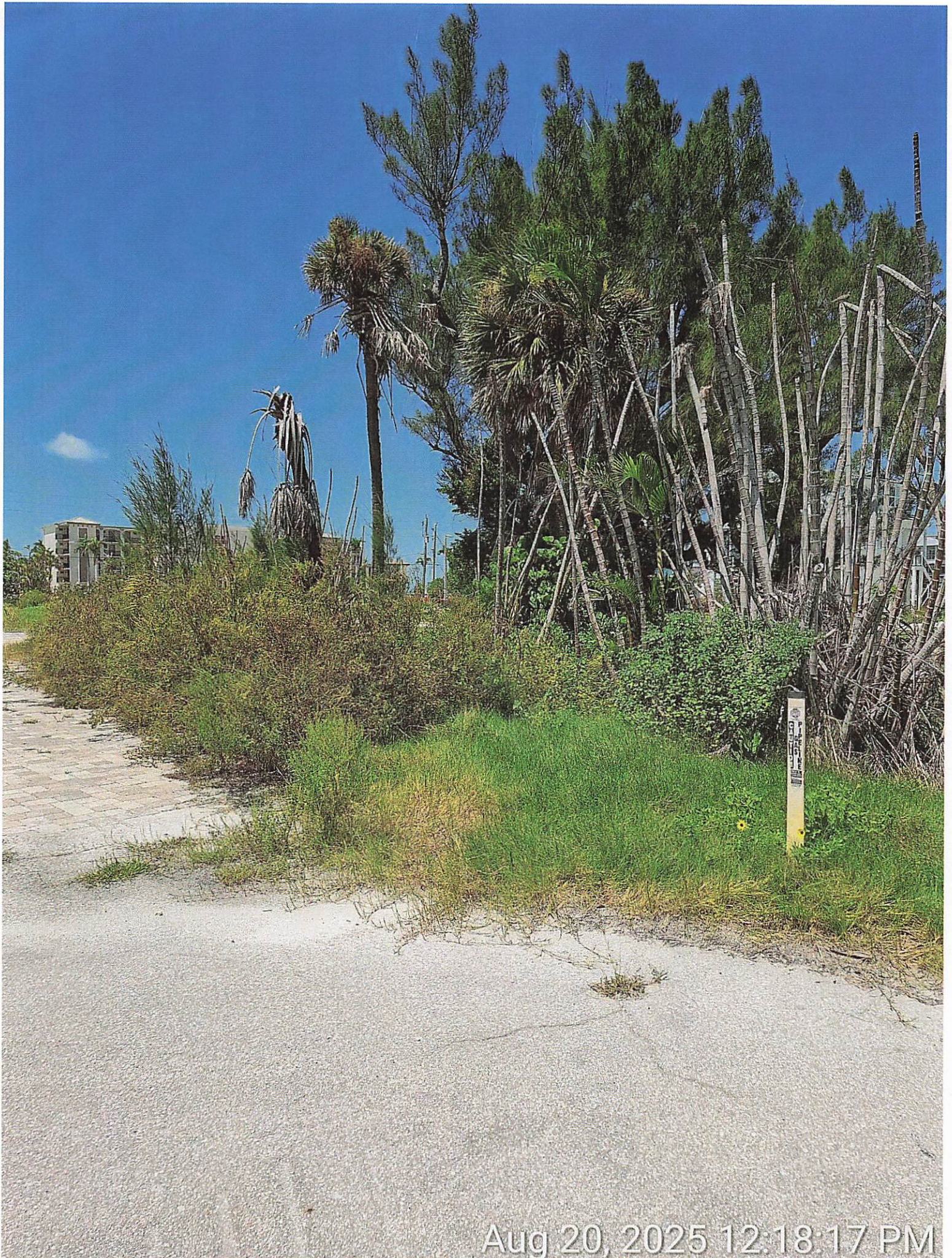
Aug 20, 2025 12:18:15 PM



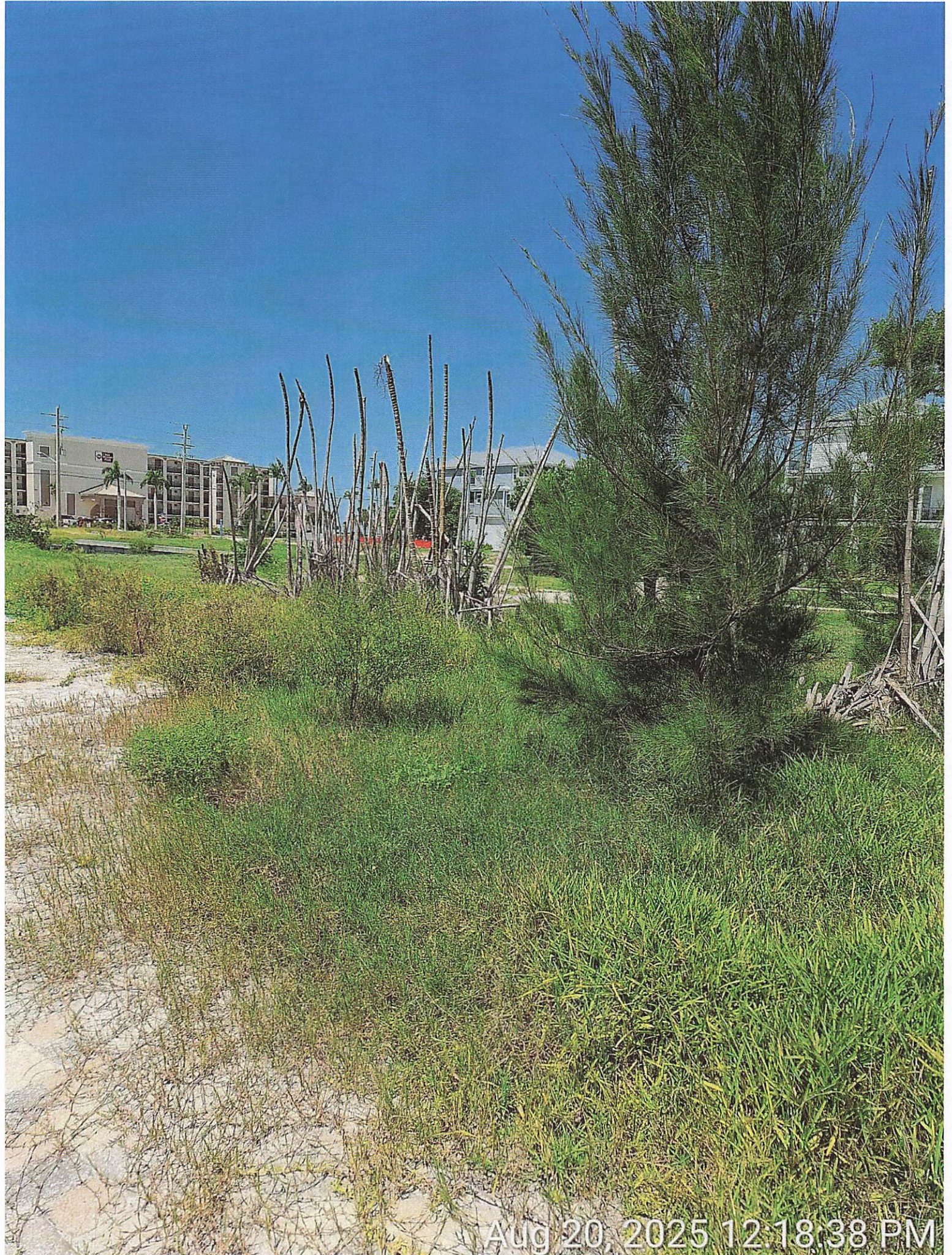
Aug 20, 2025 12:18:27 PM



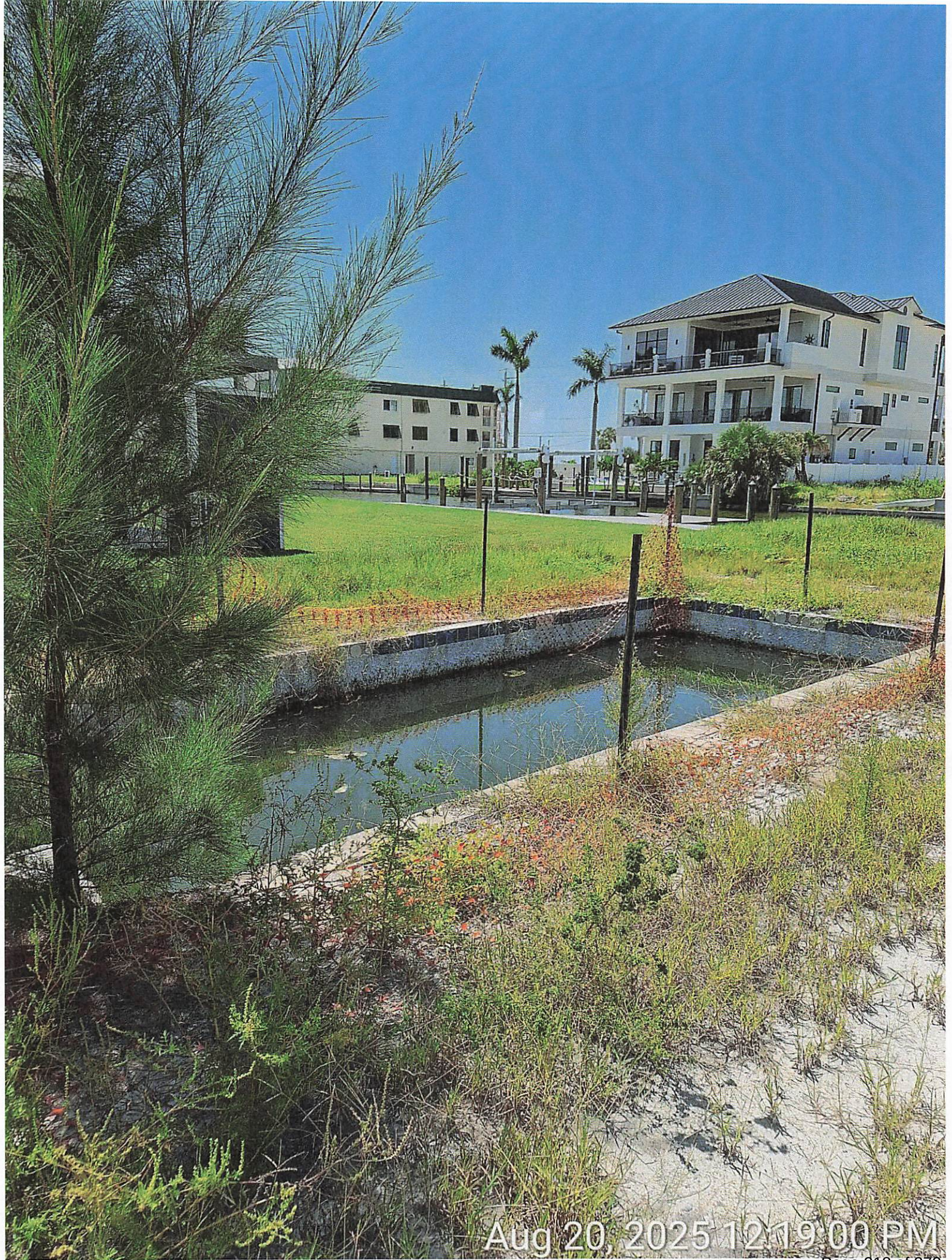
Aug 20, 2025 12:18:25 PM



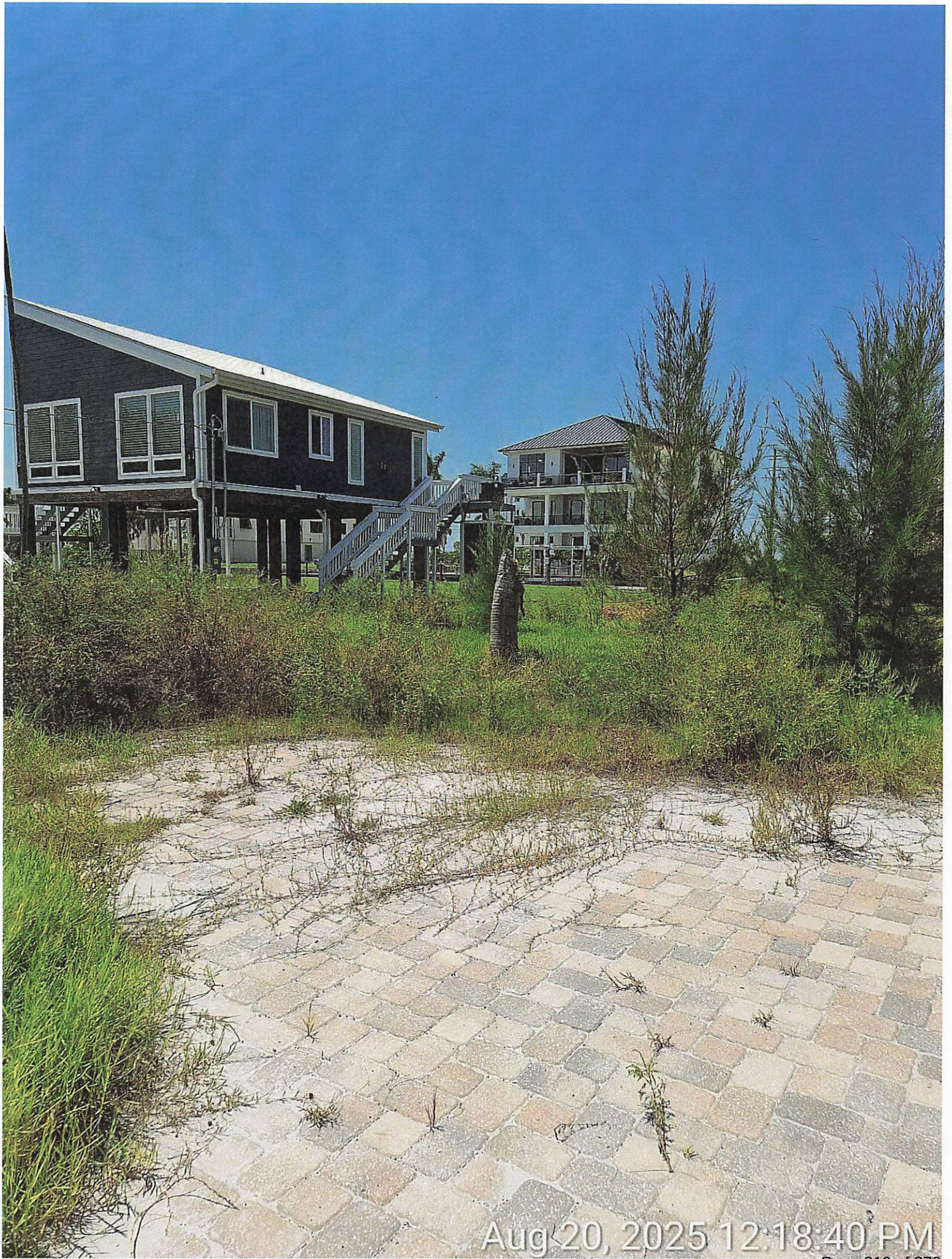
Aug 20, 2025 12:18:17 PM



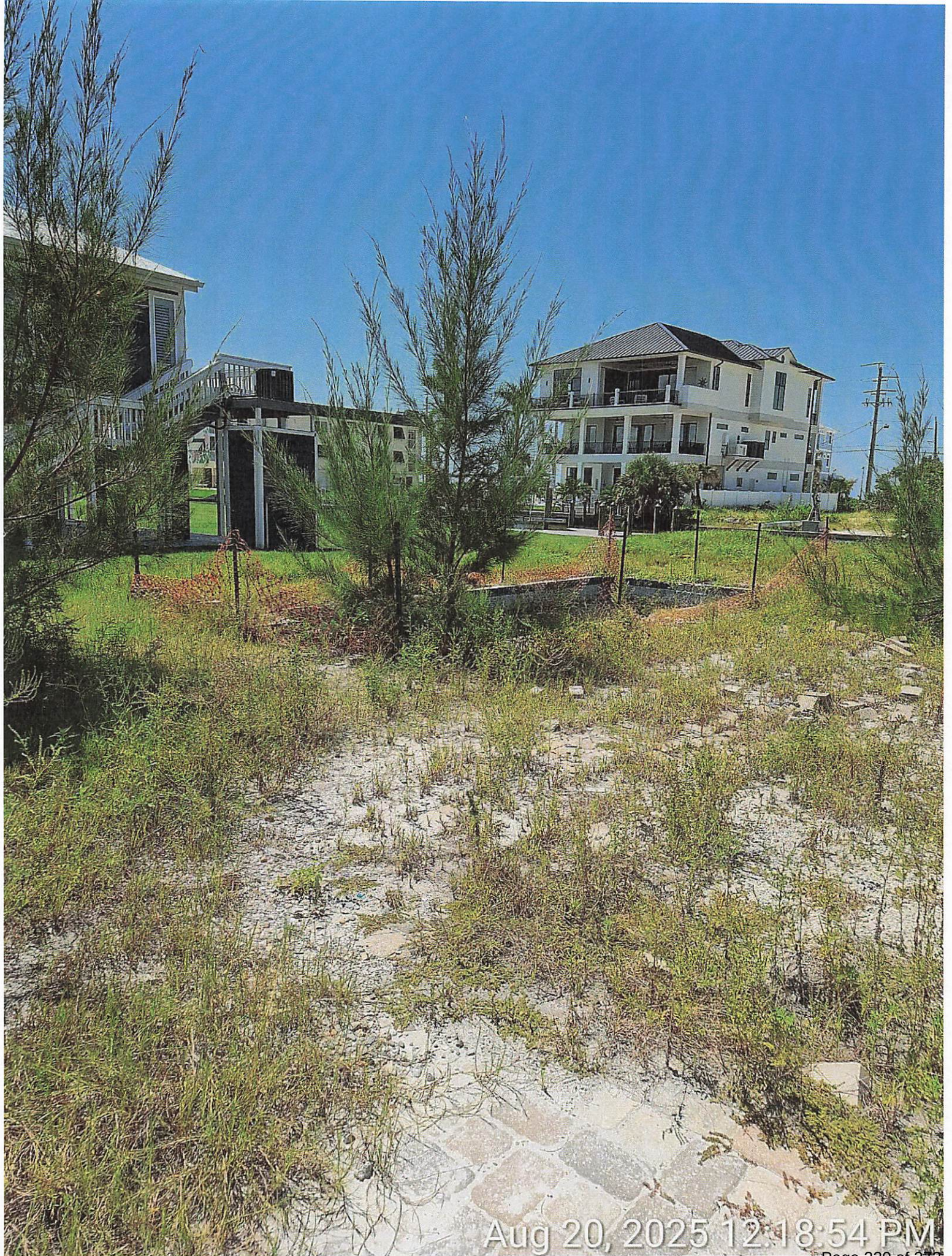
Aug 20, 2025 12:18:38 PM



Aug 20, 2025 12:19:00 PM



Aug 20, 2025 12:18:40 PM



Aug 20, 2025 12:18:54 PM



Aug 20, 2025 12:18:51 PM

HEARING

EXHIBIT

D

- Violated Regulation(s)

See relevant highlighted section(s) of
applicable code

Cha 6-1, Sec. 303.1: Swimming Pools

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

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. 6-1. - Adoption of International Property Maintenance Code.; 301.3 Vacant structures and land.

Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

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.

Property Address and Owner:

Hearing Date: September 3, 2025

FMB Case No.: 20250372
Property Owner: Dinon Marie S L/E
Property Address: 3111 Shell Mound Blvd
Violation: Property Maintenance

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

T. Weich

Narrative:

Attachments:

1. 20250372_Hearing Exhibit A_Notice of Hearing and Affidavit of Posting
2. 20250372_Hearing Exhibit C_Status of Compliance
3. 20250372_Hearing Exhibit B_Notice of Violation
4. 20250372_Hearing Exhibit D_Violated Regulation(s)

Town Recommendations:

Town Approvals:

Thomas Yozzo, Emergency Services Director

Date: August 25, 2025



Traci Kohler, Deputy Town Manager

Date: August 26, 2025

nancy stuparich, Town Attorney

Date: August 27, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 27, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

HEARING

EXHIBIT

A

- Notice of Hearing and Affidavit of Posting



07-23-2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS FL 33931

STEPHEN DINON
1700 GAVIN STREET
ORLANDO FL 32803

Respondent.

Case Number:	20250372
Certified Mail:	7022 2410 0000 8470 1952
Regular Mail:	Standard 1 st Class

Site Address: 3111Shell Mound Blvd Fort Myers Beach, FL 33931
Parcel Strap No.: 294624W10120B0230

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 (another 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 **Wednesday 09/03/2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Unit 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>

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | **F.** 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931



NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other actions that will 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 carried out to determine compliance.

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 or is repeated. 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(s) has been corrected or abated prior to the hearing.

T 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

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | **F.** 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931



Jul 23, 2025 5:18:17 PM
Town of Fort Myers Beach



Jul 23, 2025 5:17:32 PM
Town of Fort Myers Beach



Jul 23, 2025 5:17:25 PM
Town of Fort Myers Beach



Jul 23, 2025 5:18:40 PM

Town of Fort Myers Beach







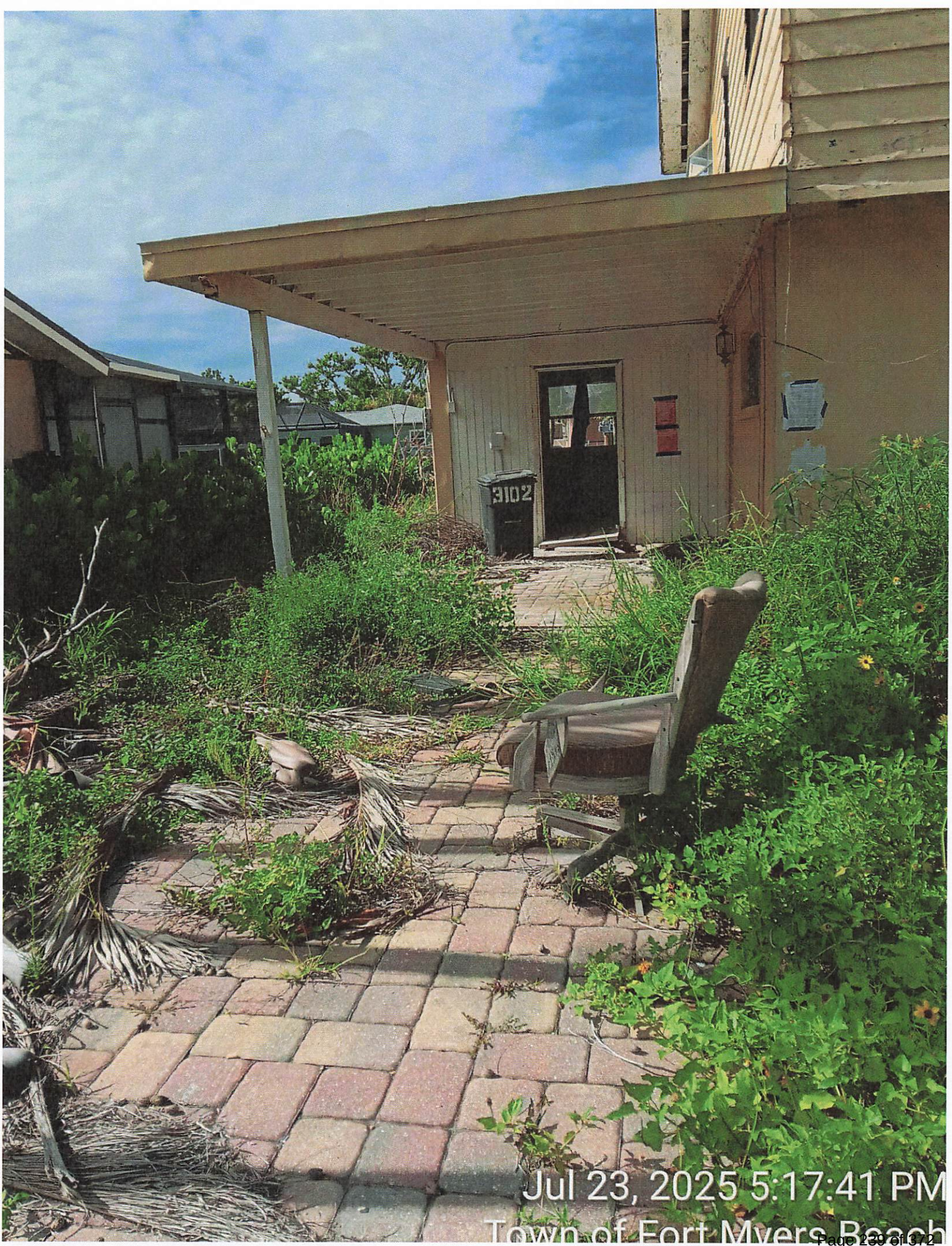
Jul 23, 2025 5:17:30 PM
Town of Fort Myers Beach





Jul 23, 2025 5:17:37 PM
Town of Fort Myers Beach





Jul 23, 2025 5:17:41 PM
Town of Fort Myers Beach





TOWN OF FORT MYERS BEACH,

Petitioner

vs.

Dinon Marie S L/E
3111 Shell Mound Blvd
Fort Myers Beach FL 33931

FMB Case Number:	20250372
Certified Mail:	
Regular Mail:	N/A
DOAH Case Number:	

Site Address: 3111Mound Street
Fort Myers Beach, FL 33931
Parcel Strap No. 24-46-23-W1-0080D.0370

Respondent

AFFIDAVIT OF NOTICE OF HEARING AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Terri Weich, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath,

deposes and says the following regarding case #20250372 that certain Notice Of Special Magistrate Code Hearing. Presented as Notice of Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Hearing to the following:

- a. Dinon Marie S L/E
3111 Shell Mound Blvd
Fort Myers Beach FL 33931
Certified Mail No. 7022 2410 0000 8470 1952
(Listed Leepa.org Property Owner Address)
- b. Dinon Stephen
1700 Gavin Street
Orlando FL 32803
First Class Mail
(Son address on Orange County Property)

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice at 3111 Shell Mound Blvd, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 23 day of July 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. 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 6231 Estero Blvd, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on the 24 day of July 2025 are attached in Hearing Exhibit A.
3. In addition, I posted a copy of the Notice on the Town's publicly accessible website 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 23 day of July, 2025, by T. Weich. She ☒ is personally known to me or ☐ has produced _____ as identification.



Tracie Raski

Notary Public, State of Florida

Print Name: Tracie Raski

My Commission Expires: 2/3/2029



FMBgov.com

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

7/23/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS FL 33931

STEPHEN DINON
1700 GAVIN STREET
ORLANDO FL 32803

Respondent.

Case Number:	20250372
Certified Mail:	7022 2410 0000 8470 1952
Regular Mail:	Standard 1 st Class

Site Address: 3111Shell Mound Blvd Fort Myers Beach, FL 33931
294624W10120B0230

ODE ENFORCEMENT HEARING

ursuant to Chapter 162, Florida Statutes and Chapter 2, Article
velopment Code, the undersigned Code Enforcement Officer
ation(s) of one or more codes of the Town of Fort Myers Beach,
, previously provided to you (another copy of which is enclosed
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as, therefore, been scheduled for **Wednesday 09/03/2025** at
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e and all materials provided by the Town Code Enforcement Unit
his hearing can be viewed and accessed in advance of the hearing

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

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



terro Boulevard
3 Beach, FL 33931

STEPHEN DINON
1700 GAVIN ST
ORLANDO FL 32803



ro Boulevard
each, FL 33931

MARIE DINON L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH FL 33931

CERTIFIED MAIL



7022 2410 0000 8470 1952



Boulevard
ach, FL 33931

MARIE DINON L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH FL 33931

25 JUL 2025 AM 4 L



Town of Fort Myers Beach

AUG 6 2025

Received by: _____

JPC

FIRST-CLASS



US POSTAGE IMPITNEY BOWES



ZIP 33931
02 7H
0006188942

\$ 001.03⁰

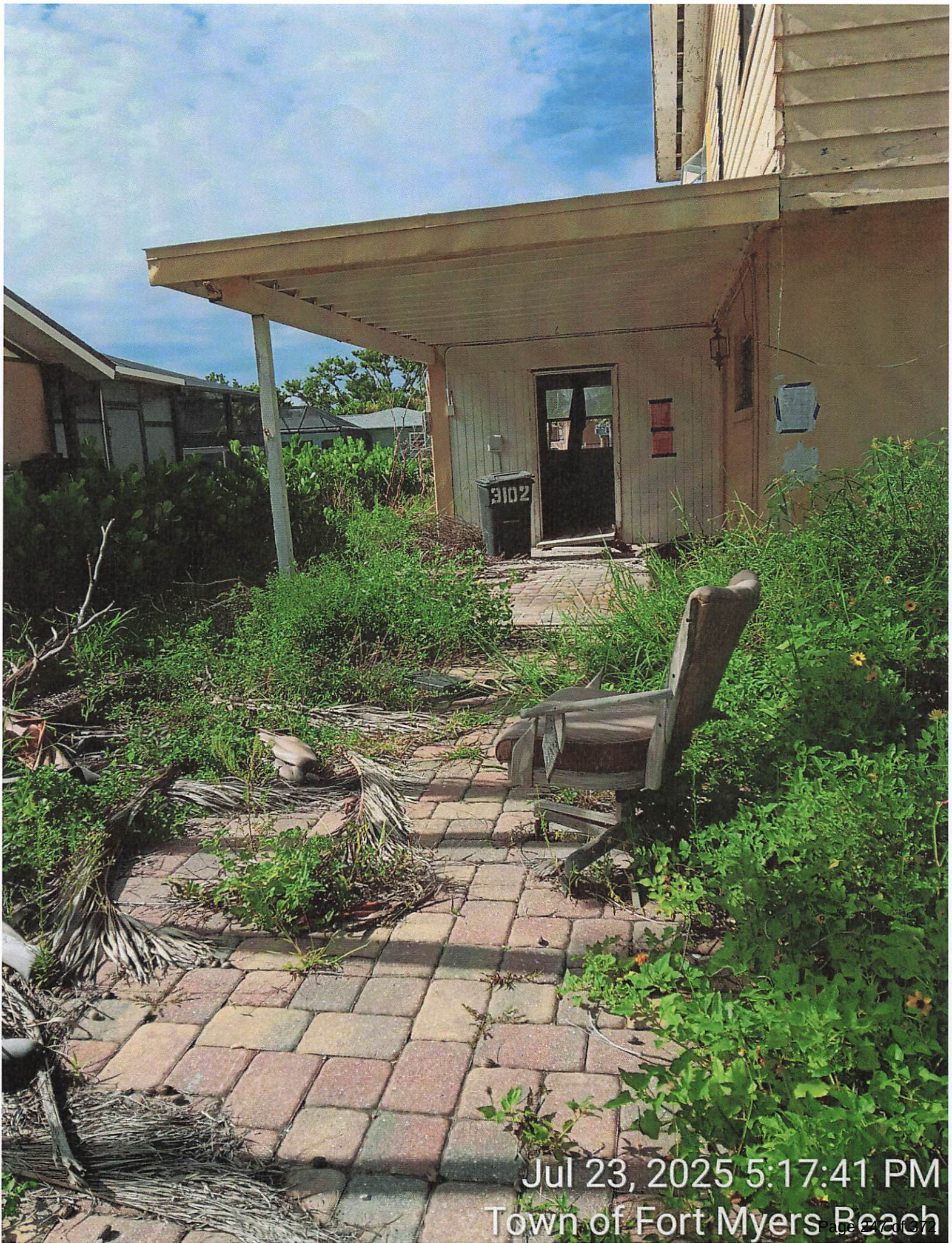
JUL 24 2025

MARIE DINON L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH FL 33931

1: 93243961473036

VAC
56998>9599

NIXIE 339 DE 1 0008/03/25
RETURN TO SENDER
VACANT
UNABLE TO FORWARD
BC: 53931355425 *0975-04214-25-21



Jul 23, 2025 5:17:41 PM
Town of Fort Myers Beach



FMBgov.com

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

3/2025

TOWN OF FORT MYERS BEACH,

itioner,

Case Number:	20250372
Certified Mail:	7022 2410 0000 8470 1952
Regular Mail:	Standard 1 st Class

vs.

ON MARIE S L/E
SHELL MOUND BLVD
T MYERS FL 33931

STEPHEN DINON
1700 GAVIN STREET
ORLANDO FL 32803

endent.

Address: 3111 Shell Mound Blvd Fort Myers Beach, FL 33931
Strap No.: 294624W10120B0230

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article
e Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer
umented violation(s) of one or more codes of the Town of Fort Myers Beach,
ON previously provided to you (attached to this notice) and you have not
Page 248 of 372

Jul 23, 2025 5:18:03 PM
Town of Fort Myers Beach

ENFORCEMENT HEARING

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 (another 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 **Wednesday 08/08/2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

Meetings-Agendas

BEACH, ESTERO ISLAND
2731 Oak Street, Fort Myers Beach, FL 33931

FMBgov
Member: Scott Safford, Council Member | Karen Woodson, Council Member

7/22/2025
Regular Mail Standard 1st Class

Fort Myers Beach, FL 33931
OCE

ENFORCEMENT HEARING

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 (another 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 **Monday 08/11/25 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

Meetings-Agendas

BEACH, ESTERO ISLAND
2731 Oak Street, Fort Myers Beach, FL 33931

FMBgov.com
Case Number: 20250372
Certified Mail: 7822 2410 0000 8470 1952
Regular Mail: Standard 1st Class

You are hereby directed to bring these violations to the attention of the Town of Fort Myers Beach Code Enforcement Unit by the date specified above, or if the violation(s) is (are) brought to the attention of the Town of Fort Myers Beach Code Enforcement Unit before the date specified above, the violation(s) shall be considered to have been corrected on or before the above-specified COMPLIANCE DATE.



FMBgov.com

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

7/23/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

VS.

DINGN MARIE S. L...
3111 SHELL MOUND BLVD
FORT MYERS BEACH, FL 33931

STEPHEN DIXON
4700 GAVIN STREET
ORLANDO FL 32803

Respondent.

Site Address: 3111 Shell Mound Blvd Fort Myers Beach, FL 33931
Parcel Strap No: 29-1624-010120B0230

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 (another 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 **Wednesday 08/08/2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931
(Last 06/2024)



NOTICE OF VIOLATION

YOU ARE HEREBY NOTICED that you are in violation of the environmental property use by Town of Fort Myers Beach Ordinance No. 2014-01, which is located at 10000 Highway 1, Fort Myers Beach, FL 33931.

For the Public to Property use being properly secured with proper fencing and signage.

The Town of Fort Myers Beach is a coastal town and is subject to the Florida Coastal Management Act, which is designed to protect the coastal environment and the public health, safety and general welfare of the community.

YOU ARE HEREBY NOTICED that you are in violation of the environmental property use by Town of Fort Myers Beach Ordinance No. 2014-01, which is located at 10000 Highway 1, Fort Myers Beach, FL 33931.

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The Town of Fort Myers Beach is a coastal town and is subject to the Florida Coastal Management Act, which is designed to protect the coastal environment and the public health, safety and general welfare of the community.

CONDEMNATION

The property owner is hereby notified that the property is subject to condemnation by the Town of Fort Myers Beach for public use. The property is located at 10000 Highway 1, Fort Myers Beach, FL 33931.

YOU ARE HEREBY NOTICED that you are in violation of the environmental property use by Town of Fort Myers Beach Ordinance No. 2014-01, which is located at 10000 Highway 1, Fort Myers Beach, FL 33931.

For the Public to Property use being properly secured with proper fencing and signage.

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Property Data

STRAP: 29-46-24-W1-0120B.0230 Folio ID: 10229499

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

Generated on 4/16/2025 10:42 AM

Owner Of Record - Life Estate

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



DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH FL 33931

Site Address

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

3111 SHELL MOUND BLVD
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



ZIMMERS ADD SHELL MOUND PK BLK B PB 11 PG 54 LOT 23

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 11 and 54 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms 4 / 1.5
Gross Living Area 1,792
1st Year Building on Tax Roll 1963
Historic Designation No

Township	Range	Section	Block	Lot
46	24E	29	0120B	0230
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.44644	-81.93283		

[View Parcel on Google Maps](#)

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



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

Image of Structure



◀ Photo Date January of 2024 ▶ ☐ View other photos

Last Inspection Date: 05/23/2019

Property Values / Exemptions / TRIM Notices

Generated on 4/16/2025 10:42 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)	409,824	409,814	409,824	194,641	50,000	0	144,641
2023 / Additional Info	2023 (Final Value)	395,341	395,331	395,341	188,972	50,000	0	138,972
2022 / Additional Info	2022 (Final Value)	638,490	298,775	638,490	183,468	50,000	0	133,468
2021 / Additional Info	2021 (Final Value)	433,540	240,975	433,540	178,124	50,000	0	128,124



Lee County Tax Collector

Noelle Branning

Account Number:

29-46-24-W1-0120B.0230

Alternate Key:

2100535529

Millage Code:

032

Site Address/Legal Description:

3111 SHELL MOUND BLVD

ZIMMERS ADD SHELL MOUND PK BLK B PB 11 PG

54 LOT 23



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

2024 Real Estate Tax Notice

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

Exemptions/Values

Market Value	409,824
Assessed Value	194,641
Taxable Value	194,641
Homestead Exemption	25,000
Additional Homestead Exemption	25,000

★ See message below.

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH, FL 33931

Paid 12/30/2024 P08-00-03072639 \$2,319.16

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	194,641	50,000	144,641	544.18
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	194,641	25,000	169,641	381.35
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.0380	194,641	25,000	169,641	515.37
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	194,641	50,000	144,641	143.19
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	194,641	50,000	144,641	13.71
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	194,641	50,000	144,641	4.73
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	194,641	50,000	144,641	14.84
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.8000	194,641	50,000	144,641	404.99
FORT MYERS BEACH MOSQUITO	239-247-1205	0.1123	194,641	50,000	144,641	16.24
FORT MYERS BEACH LIBRARY	239-463-9691	0.1612	194,641	50,000	144,641	23.32
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0200	194,641	50,000	144,641	2.89
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	194,641	50,000	144,641	5.70

Non-Ad Valorem Assessments Levying Authority

LEE COUNTY SOLID WASTE ASSESSMENT

Telephone

239-533-8000

Rate

Basis

ACTL LEVY

Amount

320.38

2024 Combined Total Ad Valorem and Non-Ad Valorem:

\$2,390.89

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: 29-46-24-W1-0120B.0230

Site Address: 3111 SHELL MOUND BLVD

Alternate Key: 2100535529

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

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH, FL 33931

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



Paid 12/30/2024 P08-00-03072639 \$2,319.16

1700 Garvin St 19-22-30-7786-00-010**Name(s):**DINON STEPHEN
REYNOLDS MARGARET**Physical Street Address:**

1700 Garvin St

Property Use:

0104 - Single Fam Class IV

Mailing Address On File:1700 Garvin St
Orlando, FL 32803-3346**Postal City and Zip:**

Orlando, FL 32803

Municipality:

Orlando



302219778600010 12/15/2006

[Upload Photos ■](#)[View 2024 Property Record Card](#)[PROPERTY FEATURES](#)[VALUES, EXEMPTIONS AND TAXES](#)[SALES](#)[MARKET STATS](#)[LOCATION](#)**Historical Value and Tax Benefits ■**

Has Homestead in 2025

Tax Year Values	Land	Building(s)	Feature(s)	Market Value	%	Assessed Value	%
2024	\$175,000	\$274,944	\$1,000	\$450,944	4.8%	\$209,591	3.0%
2023	\$175,000	\$254,393	\$1,000	\$430,393	24.5%	\$203,486	3.0%
2022	\$150,000	\$194,749	\$1,000	\$345,749	14.6%	\$197,559	3.0%
2021	\$130,000	\$170,763	\$1,000	\$301,763	N/A	\$191,805	N/A

Tax Year Benefits	Original Homestead	Additional Hx	Other Exemptions	SOH CAP	Tax Savings
2024	\$25,000	\$25,000	\$0	\$241,353	\$5,113
2023	\$25,000	\$25,000	\$0	\$226,907	\$4,840
2022	\$25,000	\$25,000	\$0	\$148,190	\$3,429
2021	\$25,000	\$25,000	\$0	\$109,958	\$2,777

2024 Taxable Value and Certified Taxes ■**Tax Year**

2024	2023	2022	2021
------	------	------	------

Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	%	Taxes	Tax Breakdown
Public Schools: By State Law (Rle)	\$209,591	\$25,000	\$184,591	3.2160	1.4%	\$593.64	19%
Public Schools: By Local Board	\$209,591	\$25,000	\$184,591	3.2480	0.0%	\$599.55	20%
General County	\$209,591	\$50,000	\$159,591	4.4347	0.0%	\$707.74	23%
City Of Orlando	\$209,591	\$50,000	\$159,591	6.6500	0.0%	\$1,061.28	35%
Library - Operating Budget	\$209,591	\$50,000	\$159,591	0.3748	0.0%	\$59.81	2%
St Johns Water Management District	\$209,591	\$50,000	\$159,591	0.1793	0.0%	\$28.61	1%
Totals				18.1028		\$3,050.63	

Non-Ad Valorem Assessments**2024 Non-Ad Valorem Assessments**

Levying Authority	Assessment Description	Units	Rates	Assessment
CITY OF ORLANDO	ORLANDO STORM - ORLSTM - (407)246-2370	125.02	1.00	\$125.02
				\$125.02

2024 Gross Tax Total: \$3,175.65

2024 Tax Savings Tax Savings

Your taxes without exemptions would be: \$8,163.35

Your ad-valorem tax with exemptions is: - \$3,050.63

Providing You A Savings Of: = \$5,112.72

1700 Garvin St 19-22-30-7786-00-010

Name(s):
DINON STEPHEN
REYNOLDS MARGARET

Physical Street Address:
1700 Garvin St

Property Use:
0104 - Single Fam Class IV

Mailing Address On File:
1700 Garvin St
Orlando, FL 32803-3346
[Incorrect Mailing Address?](#)

Postal City and Zip:
Orlando, FL 32803

Municipality:
Orlando



302219778600010 12/15/2006

[Upload Photos](#)[View 2024 Property Record Card](#)■ **PROPERTY FEATURES**■ **VALUES, EXEMPTIONS AND TAXES**■ **SALES**■ **MARKET STATS**■ **LOCATION****Historical Value and Tax Benefits**

Has Homestead in 2025

Tax Year Values	Land	Building(s)	Feature(s)	Market Value	%	Assessed Value	%
2024	\$175,000	\$274,944	\$1,000	\$450,944	4.8%	\$209,591	3.0%
2023	\$175,000	\$254,393	\$1,000	\$430,393	24.5%	\$203,486	3.0%
2022	\$150,000	\$194,749	\$1,000	\$345,749	14.6%	\$197,559	3.0%
2021	\$130,000	\$170,763	\$1,000	\$301,763	N/A	\$191,805	N/A

Tax Year Benefits	Original Homestead	Additional Hx	Other Exemptions	SOH CAP	Tax Savings
2024	\$25,000	\$25,000	\$0	\$241,353	\$5,113
2023	\$25,000	\$25,000	\$0	\$226,907	\$4,840
2022	\$25,000	\$25,000	\$0	\$148,190	\$3,429
2021	\$25,000	\$25,000	\$0	\$109,958	\$2,777

2024 Taxable Value and Certified Taxes

Tax Year

2024	2023	2022	2021
------	------	------	------

Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	%	Taxes	Tax Breakdown
Public Schools: By State Law (Rle)	\$209,591	\$25,000	\$184,591	3.2160	1.4%	\$593.64	19%
Public Schools: By Local Board	\$209,591	\$25,000	\$184,591	3.2480	0.0%	\$599.55	20%
General County	\$209,591	\$50,000	\$159,591	4.4347	0.0%	\$707.74	23%
City Of Orlando	\$209,591	\$50,000	\$159,591	6.6500	0.0%	\$1,061.28	35%
Library - Operating Budget	\$209,591	\$50,000	\$159,591	0.3748	0.0%	\$59.81	2%
St Johns Water Management District	\$209,591	\$50,000	\$159,591	0.1793	0.0%	\$28.61	1%
Totals				18.1028		\$3,050.63	

Non-Ad Valorem Assessments**2024 Non-Ad Valorem Assessments**

Levying Authority	Assessment Description	Units	Rates	Assessment
CITY OF ORLANDO	ORLANDO STORM - ORLSTM - (407)246-2370	125.02	1.00	\$125.02
				\$125.02

2024 Gross Tax Total: \$3,175.65

2024 Tax Savings Tax Savings

Your taxes without exemptions would be: \$8,163.35

Your ad-valorem tax with exemptions is: - \$3,050.63

Providing You A Savings Of: = \$5,112.72

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

08/15/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

DINON MARIE S L/E

Respondent.

Case Number:	20250372
Certified Mail:	
Regular Mail:	

Site Address: **3111 SHELL MOUND BLVD**

Parcel Strap No.: **294624W10120B0230**

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 , DINON MARIE S L/E (property owner) was observed in violation of Art 1 Property Maint. sec 6-2 Sec 110.3(R). Sec 6-2 Weeds of the Town of Fort Myers Beach Code of Ordinances, YOUR PROPERTY IS IN DISREPAIR, INCLUDING BUT NOT LIMITED TO OVERGROWN VEGETATION, MISSING WINDOWS AND DOORS, DEBRIS, FALLEN FENCING, at the property located at 3111 SHELL MOUND BLVD, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 04/18/2025, and sent certified mail to the address of record, 3111 SHELL MOUND BLVD, FORT MYERS BEACH, FL 33931, posted to the violation property located at 3111 SHELL MOUND BLVD, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. DINON MARIE S L/E was/were given 30 DAYS to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 05/19/2025.

5. I performed an inspection of the Subject Property on 04/16/2025, 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 3111 SHELL MOUND BLVD, 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 07/23/2025. 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 15 day of August, 2025 by T. Werch, ☒ who is personally known to me OR ☐ who has produced _____ as identification.



(SEAL)



Notary Public Signature

My Commission Expires: 2/3/2029



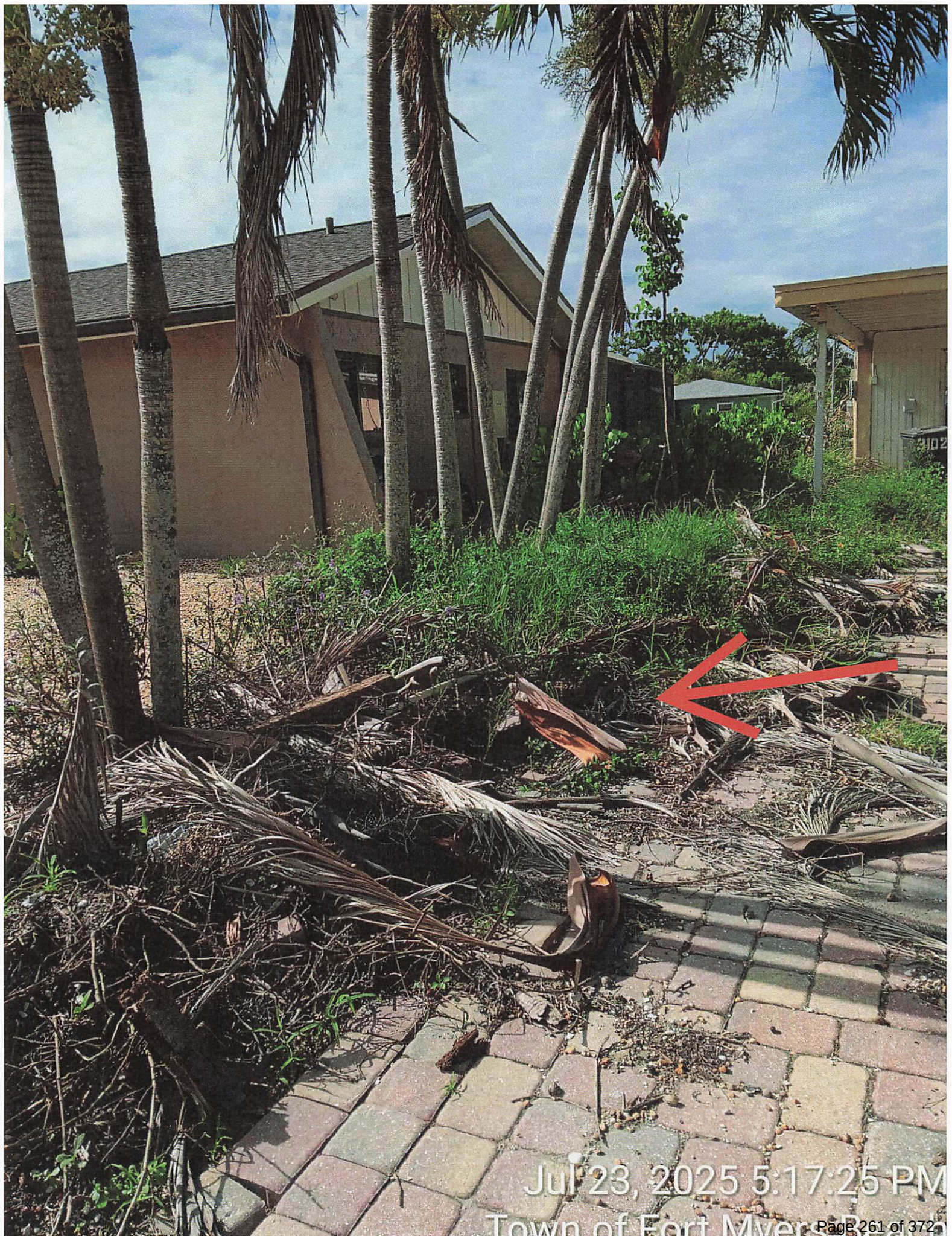
Jul 23, 2025 5:18:17 PM





Jul 23, 2025 5:18:40 PM

Town of Fort Myers Beach Page 260 of 372





Jul 23, 2025 5:17:29 PM

Town of Fort Myers Beach Page 262 of 372



Jul 23, 2025 5:17:30 PM



Jul 23, 2025 5:17:32 PM
Town of Fort Myers Beach





Jul 23, 2025 5:17:37 PM
Town of Fort Myers Branch



Jul 23, 2025 5:17:39 PM
Town of Fort Myers Beach

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

04/18/2025

Case Number:	20250372
Certified Mail:	9589 0710 5270 0636 6424 28
Regular Mail	

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 3111 SHELL MOUND BLVD
PARCEL STRAP NO: 294624W10120B0230

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:

YOUR PROPERTY IS IN DISREPAIR, INCLUDING BUT NOT LIMITED TO OVERGROWN VEGETATION, MISSING WINDOWS AND DOORS, DEBRIS, FALLEN FENCING

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.

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. SECURE THE HOME. APPLY FOR AND RECEIVE ALL PERMITS REQUIRED TO BRING THE HOME INTO COMPLIANCE. CLEAN AND CLEAR THE PROPERTY OF GARBAGE, DEBRIS, HAZARDS, AND MAINTAIN WEEDS/GRASS BELOW 12" HEIGHT.

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

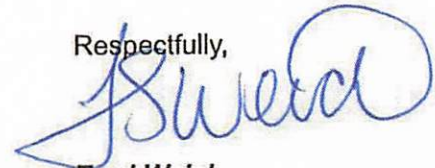
ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS (HAVE) BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.

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

Respectfully,



Terri Weich

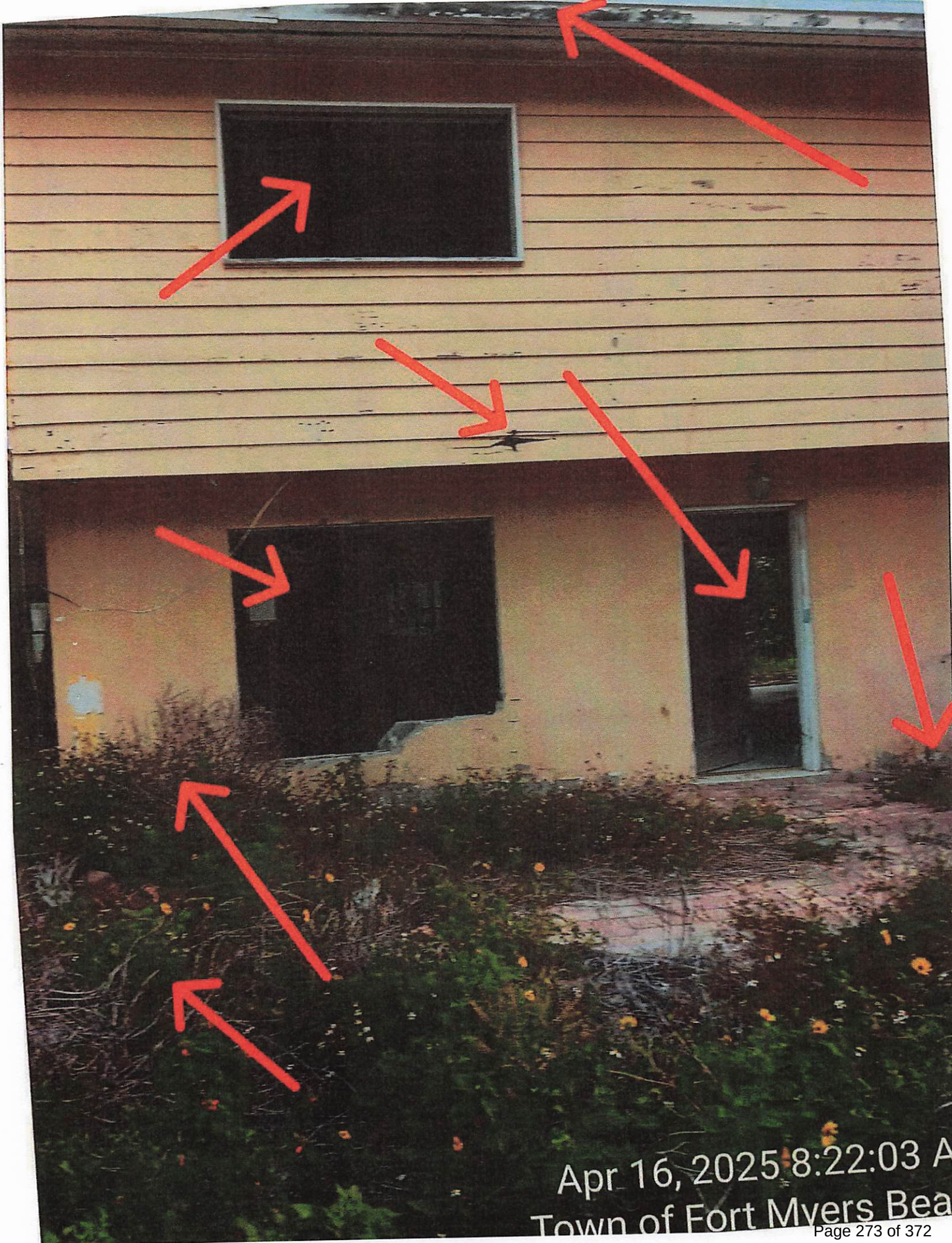
Code Enforcement Officer
Town of Fort Myers Beach



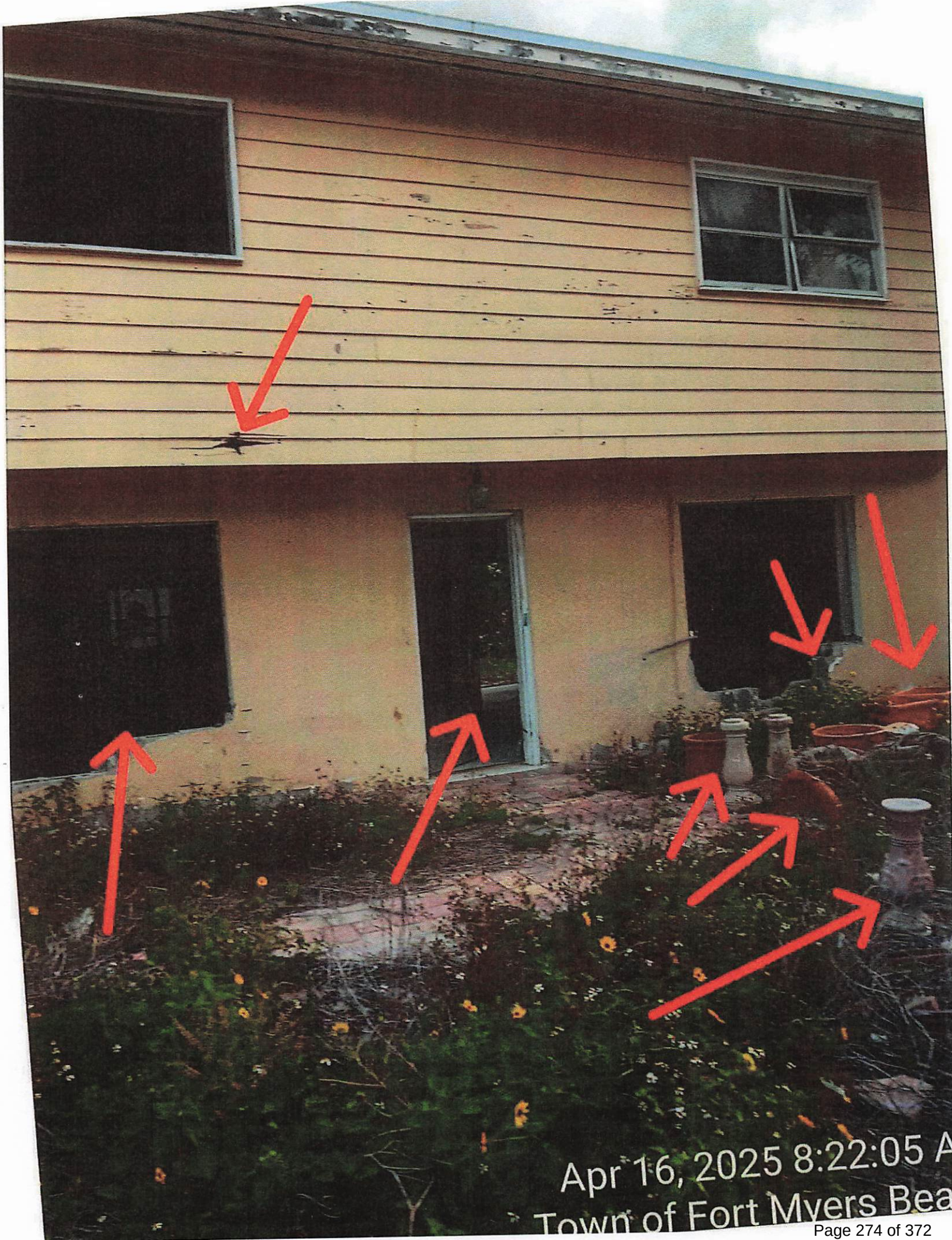
Apr 16, 2025 8:22:23 A
Town of Fort Myers Bea



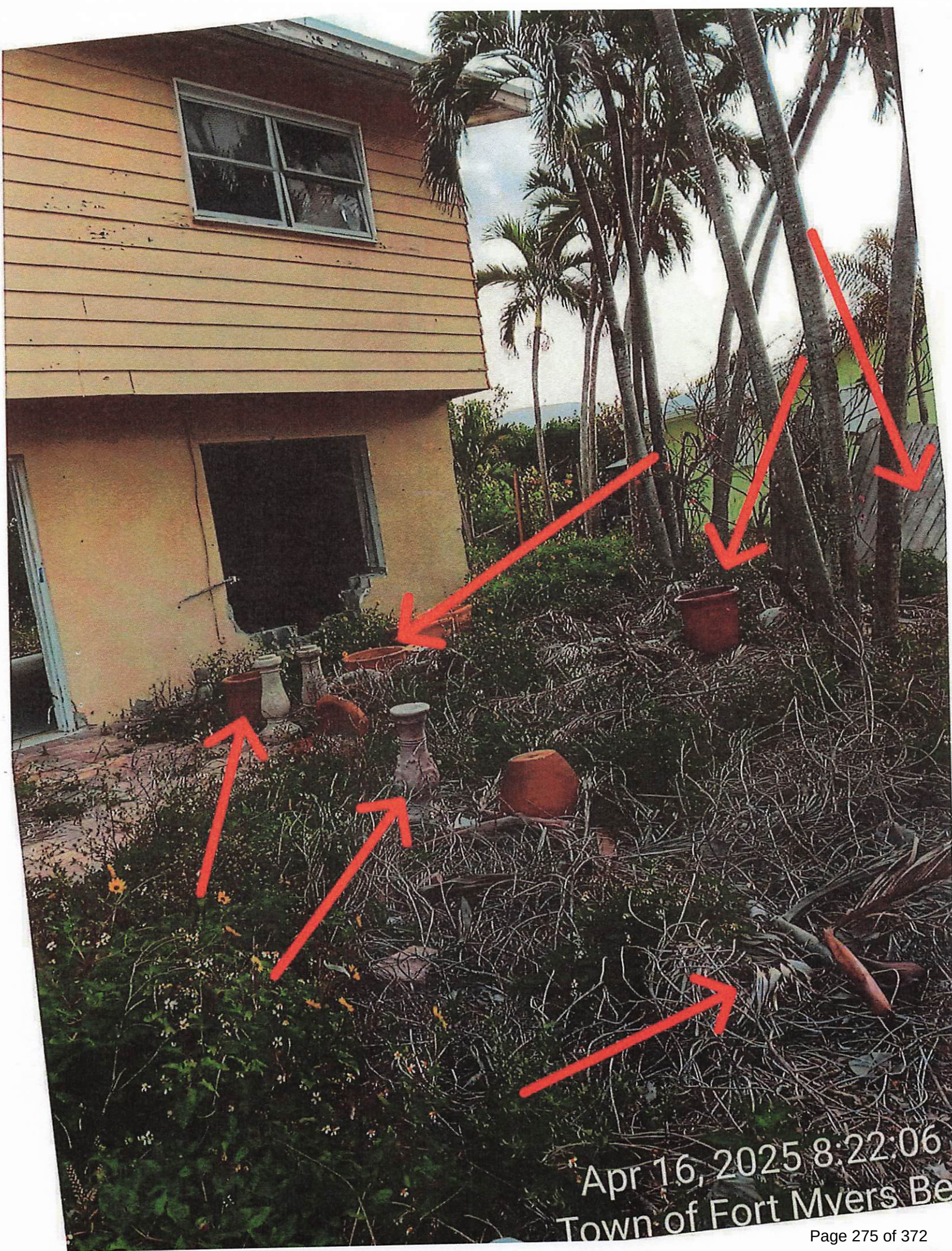
Apr 16, 2025 8:22:12 AM
Town of Fort Myers Beach



Apr 16, 2025 8:22:03 AM
Town of Fort Myers Beach



Apr 16, 2025 8:22:05 A
Town of Fort Myers Bea



Apr 16, 2025 8:22:06
Town of Fort Myers Be







Apr 16, 2025 8:21:34 AM
Town of Fort Myers Beach



Apr 16, 2025 8:21:12 AM
Town of Fort Myers Beach



Apr 16, 2025 8:21:45 AM
Town of Fort Myers Beach



TOWN OF FORT MYERS BEACH,

Petitioner

vs.

Dinon Marie S L/E
3111 Shell Mound Blvd
Fort Myers Beach FL 33931

FMB Case Number:	20250372
Certified Mail:	
Regular Mail:	N/A
DOAH Case Number:	

Site Address: 3111Mound Street
Fort Myers Beach, FL 33931
Parcel Strap No. 24-46-23-W1-0080D.0370

Respondent

AFFIDAVIT OF NOTICE OF VIOLATION AND POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Terri Weich, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20250372 that certain Notice Of Special Magistrate Code Hearing. Presented as Notice of Hearing Exhibit B (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Violation to the following:

- a. Dinon Marie S L/E
3111 Shell Mound Blvd
Fort Myers Beach FL 33931
Certified Mail No. 9589 0710 5270 0636 6424 28
(Listed Leepa.org Property Owner Address)

Copies of the certified mailing receipts are attached in Hearing Exhibit B.

1. I posted a copy of the Notice at 3111 Shell Mound Blvd, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 22 day of April 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit B.
2. 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 22 day of April 2025 are attached in Hearing Exhibit B.
3. In addition, I posted a copy of the Notice on the Town's publicly accessible website at <https://www.fortmyersbeachfl.gov/1294/Public-Notices>.

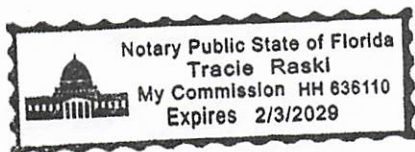


Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

x Balech
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 22 day of April, 2025, by 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



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

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

04/18/2025

Case Number:	20250372
Certified Mail:	9589 0710 5270 0636 6424 28
Regular Mail	

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 3111 SHELL MOUND BLVD
PARCEL STRAP NO: 294624W10120B0230

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:

YOUR PROPERTY IS IN DISREPAIR, INCLUDING BUT NOT LIMITED TO OVERGROWN VEGETATION, MISSING WINDOWS AND DOORS, DEBRIS, FALLEN FENCING

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

amended as follows:

...a demolition order within the time prescribed, the Town shall cause ed, either through an available public agency or by contract or st of such demolition and removal shall be charged against the real d shall be a lien upon such real estate for said costs. In the event the tion and removal fails and refuses to pay or reimburse the Town for accordance with the law applicable to the foreclosure of such liens reasonable attorney's fees and costs incurred in such foreclosure

102.4 Weeds, is hereby amended to read as follows:

...maintained free from weeds or plant growth in excess of 12 inches. ual plants and vegetation, other than trees or shrubs, provided, flowers and gardens and native beach vegetation such as sea oats. rge of a property to cut and destroy weeds after service of a notice le time to cut and destroy the weeds, any duly authorized employee shall be authorized to enter upon the property in violation and cut l the costs of such removal shall be paid by the owner or agent ed by the Town to cut and destroy the weeds shall be a lien upon l be superior to all other liens and encumbrances, including prior rior 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.

U.S. Postal ServiceTM CERTIFIED MAIL[®] RECEIPT Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee		Postmark Here
\$		
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		
3111 Shellmound		
25-0372		
Street and Apt. No., or PO Box No.		
City, State, ZIP+4 [®]		
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions		



Apr 22, 2025 10:41:31 AM
Town of Fort Myers Beach

4/18/25, 8:12 AM



04/18/2025

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

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH, FL 33931

Case Number:	20250372
Certified Mail:	9589 0710 5270 0636 6424 28
Regular Mail:	

SITE ADDRESS: 3111 SHELL MOUND BLVD
PARCEL STRAP NO: 294624W10120B0230

NOTICE OF VIOLATION

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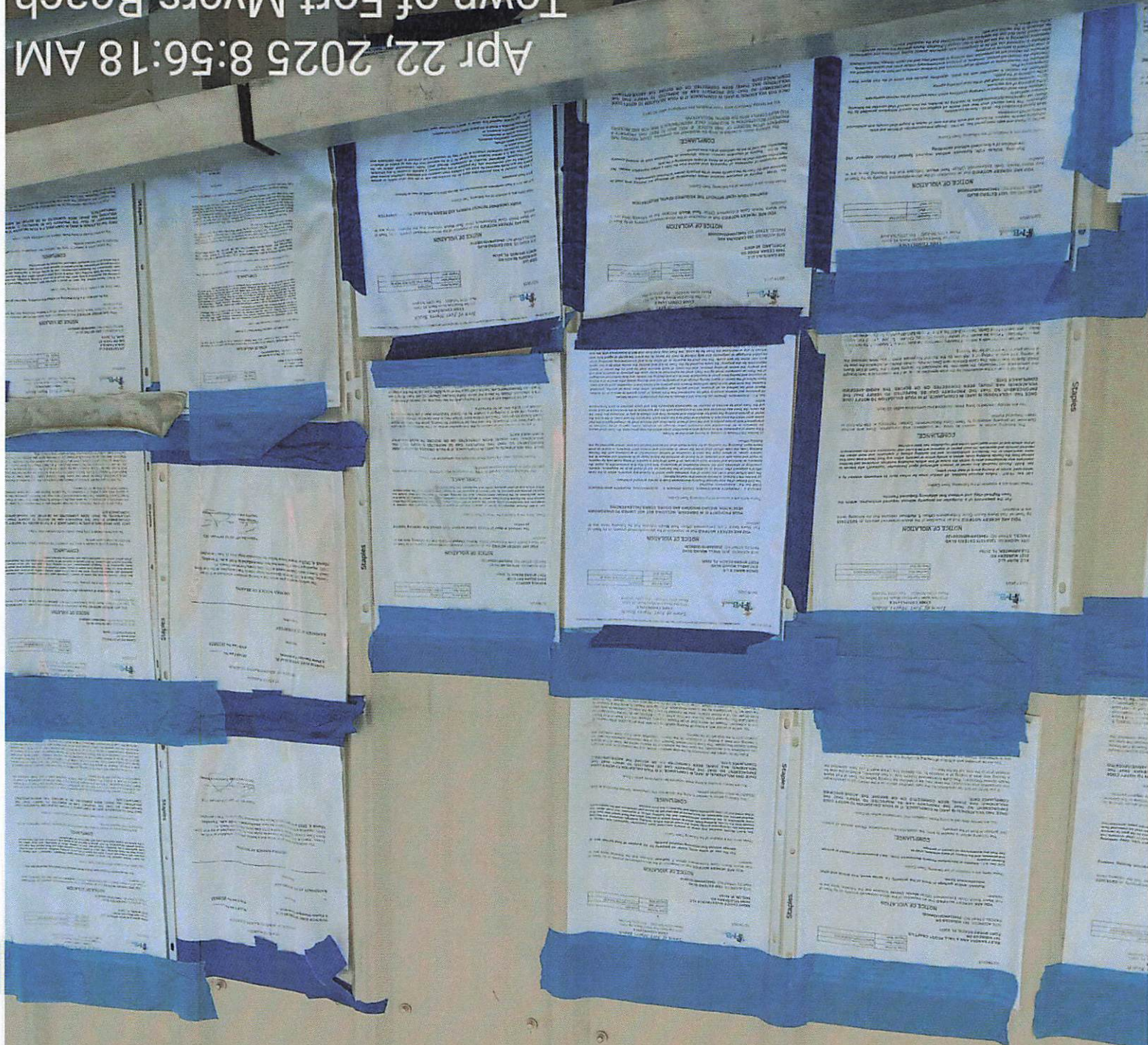
(r) Section 110.3 Failure to comply, is hereby amended as follows:

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.

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<https://www.iworq.net>

Apr 22, 2025 10:37:08 AM
Town of Fort Myers Beach



4/18/25, 8:12 AM

iworq.net/iworq/0_Pages/popupEditLetterPrint.php?sid=8KYJNYX9HYBJ7WRWF3WDVN2GCL400&id=6615304&k=3909&letterlink...



Town of Fort Myers Beach

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

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

04/18/2025

Case Number:	20250372
Certified Mail:	9589 0710 5270 0636 6424 28
Regular Mail	

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 3111 SHELL MOUND BLVD
PARCEL STRAP NO: 294624W10120B0230

NOTICE OF VIOLATION

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Sec. 6-2. - Amendments. (Weeds) (w) Section 302.4 Weeds, is hereby amended to read as follows:

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Apr 22, 2025 8:56:14 AM
Town of Fort Myers Beach

4/18/25, 8:12 AM

lworq.net/lworq/0_Pages/popupEditLetterPrint.php?sid=8KYJNYX9HYBJ



Town of Fort M
CODE COMP
2731 Oak Street Fort Myc
Phone: (239) 765-0202

04/18/2025

Case Number
Certified Mail
Regular Mail

DINON MARIE S L/E
3111 SHELL MOUND BLVD
FORT MYERS BEACH, FL 33931

SITE ADDRESS: 3111 SHELL MOUND BLVD
PARCEL STRAP NO: 294624W10120B0230

NOTICE OF VIOLA

YOU ARE HEREBY NOTIFIED that an inspection of the
Fort Myers Beach Code Enforcement Officer Terri Weich
violation:

**YOUR PROPERTY IS IN DISREPAIR, INCLUDING
VEGETATION, MISSING WINDOWS AND DOOR**

These items are a violation of the following Town Codes:

ARTICLE I. - PROPERTY MAINTENANCE CODES DIVISION 1.
CODE Sec. 6-2. - Amendments
The 2018 Edition of the International Property Maintenance Code
Section 410.1 General, is hereby amended

Apr 22, 2025 8:50:57 AM
Town of Fort Myers Beach

HEARING

EXHIBIT

D

- Violated Regulation(s)

See relevant highlighted section(s) of
applicable code

ARTICLE 1. - 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.

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.

Property Address and Owner:

Hearing Date: September 3, 2025

FMB Case No.: 20240691
Property Owner: Rukavina Andrew J
Property Address: 5560 Avenida Pescadora
Violation: Work without permit

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

T. Weich

Narrative:

Attachments:

1. 20240691_Hearing Exhibit A_Notice of Hearing and Affidavit of Posting
2. 20240691_Hearing Exhibit B_Notice of Violation
3. 20240691_Hearing Exhibit C_Status of Compliance
4. 20240691_Hearing Exhibit D_Violated Regulation(s)

Town Recommendations:

Town Approvals:

Thomas Yozzo, Emergency Services Director

Date: August 25, 2025



Traci Kohler, Deputy Town Manager

Date: August 26, 2025

nancy stuparich, Town Attorney

Date: August 26, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 27, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

HEARING

EXHIBIT

A

- Notice of Hearing and Affidavit of Posting



8/13/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

Respondent.

Case Number:	20240691
Certified Mail:	7022 2410 0000 8470 1945
Regular Mail:	Standard 1 st Class

Site Address: 5560 AVENIDA PESCADORA Fort Myers Beach, FL 33931
Parcel Strap No.: 334624W20090D0050

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 (another 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 **WEDNESDAY 09-03-2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Unit 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>

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other actions that will 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 carried out to determine compliance.

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 or is repeated. 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(s) has been corrected or abated prior to the hearing.

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

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

Myers Beach, FL 33931

Respondent,

FMB Case Number:	20240691
Certified Mail:	
Regular Mail:	N/A
DOAH Case Number:	

Site Address: **5560 AVENIDA PESCADORA Fort**

Fort Myers Beach, FL 33931

Parcel Strap No. **334624W20090D0050**

AFFIDAVIT OF NOTICE AND POSTING OF NOTICE OF HEARING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared TERRI WEICH, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240691 that certain Notice of Special Magistrate Code Hearing. Presented as Notice of Hearing Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first-class service a copy of the NOTICE OF HEARING to the following:

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060
(Listed Leepa.org Property Owner Address)

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice at 5560 AVENIDA PESCADORA, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on JULY 30, 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. I posted a copy of the Notice at the primary municipal government office for the Town of Fort Myers Beach, which is Town Hall located 6231 Estero Blvd, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on JULY 30, 2025 are attached in Hearing Exhibit A.
3. In addition, I posted a copy of the Notice on the Town's publicly accessible website 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

FORT MYERS BEACH ESTERO ISLAND

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



of the Town Land Development Code and Section 162.12, Florida Statutes.

Signature of Affiant

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



FMBgov.com

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

TOWN OF FORT MYERS BEACH,
petitioner,

Case Number:	20240691
Certified Mail:	2410 0000 8470 1945
Regular Mail:	Standard 1 st Class

VS.

RUKAVINA ANDREW J
28643 N SKY CREST DR MUNDELEIN, IL
60060

Respondent.

Site Address: 5560 AVENIDA PESCADORA Fort Myers Beach, FL 33931 Parcel Strap
No.: 334624W20090D0050

NOTICE OF CODE ENFORCEMENT HEARING

V of the Town of Fort M

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee \$

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

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

Postage \$

Total Postage and Fees \$

Sent To *Rukavina*

Street and Apt. No., or PO Box No. *24-0691*

City, State, ZIP+4[®] *5560avenida*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article Development Code, the undersigned Code Enforcement Officer lation(s) of one or more codes of the Town of Fort Myers Beach, , previously provided to you (another copy of which is enclosed operty. A hearing before the Town's Code Enforcement Special , therefore, been scheduled for WEDNESDAY 09-03-2025 at

Oaks Recreation Center, located at 2731 Oak St., Fort Myers

Id all materials provided by the Town Code Enforcement Unit earing can be viewed and accessed in advance of the hearing

(Meetings-Agendas



STERO BLVD.

Beach, FL 33931



7022 2410 0000 8470 1.945

RIJKAVINA ANDREW J 28643
N SKY CREST DR
MUNDELEIN, IL
60060

ESTERO ISLAND
Boulevard
ch, FL 33931

RUKAVINA ANDREW J
5560 AVENIDA PESCADORA
FORT MYERS BEACH FL 33931

MB
ESTERO ISLAND
Boulevard
h, FL 33931

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

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.

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060



9590 9402 9466 5069 6067 46

2. Article Number (Transfer from service label)

7022 2410 0000 8470 1945

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Town of Fort Myers Beach

Address different from item 1? ☐ Yes
 delivery address below: ☐ No

AUG 12 2025

Received by: _____

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

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Restricted Delivery

Domestic Return Receipt

NOH



Jul 30, 2025 10:11:40 AM
Town of Fort Myers Beach



FMBgov.com

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

7/24/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

Respondent.

Case Number:	20240691
Certified Mail:	7022 2410 0000 8470 1945
Regular Mail:	Standard 1 st Class

Site Address: 5560 AVENIDA PESCADORA Fort Myers Beach, FL 33931
Parcel Strap No.: 334624W20090D0050

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 (another 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 **WEDNESDAY 09-03-2025 at 9:00 A.M. in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.**

A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Unit 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>

FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)

Jul 30, 2025 10:11:35 AM
Town of Fort Myers Beach

5753 HWY 95 N #4487
CRESTVIEW, FL 32536

SITE ADDRESS: 521 ESTERO BLVD
PARCEL STRAP NO: 244623W10070E006A

NOTICE OF VIOLATION

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

tall grass and weeds over 12"

These items are a violation of the following Town Codes

Sec. 6-2 - Amendments. (Weeds) (iv) Section 202.4 Weeds, is hereby amended to read: All premises and exterior property shall be maintained free from weeds or plant growth that shall be defined as all grasses, annual plants and vegetation, other than those in flower, that shall not include cultivated flowers and gardens and native plants. Upon failure of the owner or agent having charge of a property to cut and destroy weeds, or of the Town or contractor hired by the Town to cut and destroy the weeds, the Town may cause the weeds growing thereon, and the costs of such removal shall be all such real estate for sale costs. The Town shall be authorized to enter upon the lot and destroy the weeds growing thereon, and the costs of such removal shall be all such real estate for sale costs. The Town may foreclose said lien and apply to the foreclosure of such lien and the Town shall be entitled to recover its costs and costs incurred in such foreclosure action.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance, move the grass/weeds under 12"

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

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



Dan Allen, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member

7/22/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

BRAZDAU ALIN ADRIAN & BRAZDAU MIHAELA BURNEA
11373 Willow Wood Ln
Plymouth, MI 48170

Respondent.

Site Address: 277 Ibis St, Fort Myers Beach, FL 33931
Parcel Strap No: 34-46-24-W4-00300.0360

State of Florida Division of Administrative Hearings

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 (another 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 Tuesday 08/11/2025 at 9:00 A.M., before the Honorable John G Van Lingham in the Mound House Learning Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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

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

FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931



Dan Allen, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member

7/22/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

COSTANTINI EDMOND D JR & COSTANTINI PATRICIA A
12 Sunny Way
Newton Square, PA 19073

Respondent.

Site Address: 8587 Estero Blvd, Fort Myers Beach, FL 33931
Parcel Strap No: 03-47-24-W3-00293.0000

State of Florida Division of Administrative Hearings

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 (another 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 Tuesday 08/19/2025 at 9:00 A.M., before the Honorable John G Van Lingham in the Mound House Learning Center, located at 2731 Oak Street, Fort Myers Beach, Florida.

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

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

FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

7/22/2025

BEACH ACCOUNTING & TAX SERVICE, INC.
17274 SAN CARLOS BLVD., #202
FT. MYERS BEACH, FL 33931

SITE ADDRESS: 1051 FIFTH ST
PARCEL STRAP NO: 244623W3002050060

NOTICE OF VIOLATION

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

Pool deemed unsafe and building operating with no CO.

These items are a violation of the following Town Codes

INTERNATIONAL PROPERTY MAINTENANCE- AMENDMENT 103.2 (2) Section 303.2 Enforcement, is amended to read as follows:
Public swimming pools, hot tubs and spas shall include all safety features specified by F.S. § 316.0315, and any subsequent amendments thereto. Residential swimming pools shall be maintained in compliance with the State Residential Swimming Pool Safety Act, as contained in F.S. ch. 515.
Sec 6-111 adopting FHC 110.6 Approval required, 110.6 Approval required.
Work shall not be done beyond the point indicated in each successive inspection without first obtaining approval of the building official. The building official, upon notification, shall make the requested inspection and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permittee or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Please contact permit 239-765-0202 to obtain the required permit(s).

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



Town of Fort Myers Beach

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

07/29/2025

WITTER DARLENE L TR FOR DARLENE L
WITTER TRUST
4525 ROUTE 60
WAKEMAN, OH 44889

SITE ADDRESS: 226 CONNECTICUT ST
PARCEL STRAP NO: 234624W2001510050

NOTICE OF VIOLATION

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

TALL GRASS AND WEEDS, VERMIN HABITAT

These items are a violation of the following Town Codes:

All premises and exterior property shall be kept free from rodents.



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

7/24/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

Respondent.

Site Address: 5560 AVENIDA PESCADORA Fort Myers Beach, FL 33931
Parcel Strap No: 334624W2009000050

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 (another 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 Wednesday 08/20/2025 at 9:00 A.M., in the Community room at Ray Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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

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

FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)

Case Number: 20250774
Certified Mail: 7022241000084714112
Regular Mail:

Mayor | John R. King, Council Member | Scott Safford, Council Member

FORT MYERS BEACH,

Case Number: 20250774
Certified Mail: 7022241000084714112
Regular Mail: Standard 1st Class

FORT MYERS BEACH
INS INC

FL 33931

5577 Estero Blvd, Fort Myers Beach, FL 33931
33-46-24-W1-03700.00CE

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 (another 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 Monday 08/11/2025 at 9:00 A.M., in the Community room at Ray Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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

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

FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931



Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

FORT MYERS BEACH,

Case Number: 20241183
Certified Mail: 7022241000084714112
Regular Mail: Standard 1st Class

LLC
HWY 8308
7

5530 Palmetto St, Fort Myers Beach, FL 33931
33-46-24-W1-00204.0090

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 (another 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 Monday 08/11/2025 at 9:00 A.M., in the Community room at Ray Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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

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

FORT MYERS BEACH, ESTERO ISLAND
P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931



Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

FORT MYERS BEACH,

Case Number: 20250340
Certified Mail: 7022241000084714112
Regular Mail: Standard 1st Class

CHES, FL 33330

1901 Estero Blvd Fort Myers Beach, FL 33931
19-46-24-W4-00000.0000

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 (another 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 Monday 08/11/2025 at 9:00 A.M., in the Community room at Ray Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

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

7/24/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

Respondent.

Site Address: 5560 AVENIDA PESCADORA Fort Myers Beach, FL 33931
Parcel Strap No.: 334624W20090D0050

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, 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 as described in the **NOTICE OF VIOLATION**, previously provided to you (another copy of which is enclosed herewith), exists on the above described property. A hearing before the Town's Code Enforcement Magistrate concerning the violation(s) has, therefore, been scheduled for **WEDNESDAY 09-03-21 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak Street, Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Officer 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>

FORT MYERS BEACH, FL 33931

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)

Jul 30, 2025 9:11:18 AM
Town of Fort Myers Beach



Lee County Property Appraiser

Tax Year

2023

[Previous Parcel Number](#) [Next Parcel Number](#) [Tax Estimator](#) [Tax Bills](#) [Print](#)



Property Data

STRAP: 33-46-24-W2-0090D.0050 Folio ID: 10230544

Hurricane Ian Tax Roll Value Letter **Tax Refund Status**

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



RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN IL 60060



Site Address

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

5560 AVENIDA PESCADORA
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



EL SOL BLK.B.C.D.UNREC BLK.D OR 85 PG 603 LOT 5 + 5 FT STRIP

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 85 and 603 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	4 / 3.0
Gross Living Area	1,292
1st Year Building on Tax Roll	1974
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	33	0090D	0050
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.43303	-81.91123		

[View Parcel on Google Maps](#)

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



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

[Image of Structure](#)



[Photo Date February of 2011](#) [View other photos](#)

Last Inspection Date: 07/01/2022

[+ Property Values / Exemptions / TRIM Notices](#)

[+ Property Details \(Current Working Values\)](#)

[+ !\[\]\(4b7a79268f6ba26c1471d4232fffa85a_img.jpg\) Property Details \(2023 Tax Roll\) !\[\]\(87d978583253c9bde1db2d6dfafe8de0_img.jpg\)](#)

[+ Taxing Authorities](#)

[+ Sales / Transactions !\[\]\(b4eeff342f60cc7bcd67d869b4fedca2_img.jpg\)](#)

[+ Building / Construction Permit Data](#)

Real Estate Account #33-46-24-W2-0090D.0050

Owner:

RUKAVINA ANDREW J

Situs:

5560 AVENIDA PESCADORA
FORT MYERS BEACH 33931

[Parcel details](#)

[GIS](#)

[Property Appraiser](#)



[Get bills by email](#)

2024 Annual Bill

LEE COUNTY TAX COLLECTOR

Notice of Ad Valorem Taxes and Non-ad Valorem Assessments

BILL	ALTERNATE KEY	ESCROW CODE	MILLAGE CODE	AMOUNT DUE	
2024 Annual Bill	2100593853	CL-0012492	032	\$0.00	PAID  Print (PDF)

If paid by: Nov 30, 2024
Please pay: \$0.00

Combined taxes and assessments: \$8,674.64

PAYMENTS MUST BE MADE IN US FUNDS.

Ad Valorem Taxes

TAXING AUTHORITY	MILLAGE	ASSESSED	EXEMPTION	TAXABLE	TAX
LEE COUNTY GENERAL REVENUE	3.7623	\$540,472.00	\$0.00	\$540,472.00	\$2,033.42
PUBLIC SCHOOL - BY LOCAL BOARD	2.2480	\$750,694.00	\$0.00	\$750,694.00	\$1,687.56
PUBLIC SCHOOL - BY STATE LAW	3.0380	\$750,694.00	\$0.00	\$750,694.00	\$2,280.61
TOWN OF FORT MYERS BEACH	0.9900	\$540,472.00	\$0.00	\$540,472.00	\$535.07
SFL WATER MGMT-DISTRICT LEVY	0.0948	\$540,472.00	\$0.00	\$540,472.00	\$51.24
SFL WATER MGMT-EVERGLADE CONST	0.0327	\$540,472.00	\$0.00	\$540,472.00	\$17.67
SFL WATER MGMT-OKEECHOBEE LEVY	0.1026	\$540,472.00	\$0.00	\$540,472.00	\$55.45
FORT MYERS BEACH FIRE CONTROL DISTRICT	2.8000	\$540,472.00	\$0.00	\$540,472.00	\$1,513.32
FORT MYERS BEACH MOSQUITO	0.1123	\$540,472.00	\$0.00	\$540,472.00	\$60.70
FORT MYERS BEACH LIBRARY	0.1612	\$540,472.00	\$0.00	\$540,472.00	\$87.12
LEE COUNTY HYACINTH CONTROL	0.0200	\$540,472.00	\$0.00	\$540,472.00	\$10.81
WEST COAST INLAND NAVIGATION DISTRICT	0.0394	\$540,472.00	\$0.00	\$540,472.00	\$21.29
Total Ad Valorem Taxes	13.4013				\$8,354.26

Non-Ad Valorem Assessments

LEVYING AUTHORITY	RATE	AMOUNT
LEE COUNTY SOLID WASTE ASSESSMENT		\$320.38
Total Non-Ad Valorem Assessments		\$320.38

Parcel Details

Owner:	RUKAVINA ANDREW J	Account	33-46-24-W2- 0090D.0050	Assessed value:	\$540,472
Situs:	5560 AVENIDA PESCADORA FORT MYERS BEACH 33931	Alternate Key	2100593853	School assessed value:	\$750,694
		Millage code	032 - TOWN OF FT MYERS BEACH		
		Millage rate	13.4013		
		Escrow company:	AD MORTGAGE LLC (CL-0012492) 899 W CYPRESS CREEK RD FORT LAUDERDALE, FL 33309		

2024 TAX AMOUNTS		LEGAL DESCRIPTION	LOCATION	
Ad valorem:	\$8,354.26	EL SOL BLK.B.C.D.UNREC BLK.D OR 85 PG 603 LOT 5 + 5 FT STRIP	Range:	24
Non-ad valorem:	\$320.38		Township:	46
Total Discountable:	\$8,674.64		Section:	33
Total tax:	\$8,674.64		Neighborhood:	W2
			Block:	0090D
			Lot:	0050
			Use code:	01

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

05/30/2025

Case Number:	20240691
Certified Mail:	7022 2410 0000 8470 3420
Regular Mail	

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

SITE ADDRESS: 5560 AVENIDA PESCADORA
PARCEL STRAP NO: 334624W20090D0050

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 DONE WITHOUT PERMITS, INCLUDING BUT NOT LIMITED TO INSTALLING 2 STRUCTURES ON EITHER SIDE OF DRIVEWAY WITH LIGHTING. PAVERED DRIVEWAY, AND DRIVEWAY GATE. ALL WORK WAS DONE WITH OUT PERMITTING

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 ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of the ordinance and all other applicable codes and regulations has been satisfied. No person may undertake a series of any improvements, additions, and/or demolitions that connect two or more existing structures in a manner that evades the requirements of this ordinance and the Florida Building Code.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. APPLY FOR AND RECEIVE ALL THE REQUIRED PERMITS FOR THE WORK COMPLETED OR UNDERWAY. IF PERMITS CANNOT BE ISSUED REMOVE ALL VIOLATIONS MENTIONED. CONTACT PERMITTING AT 239-765-0202 FOR QUESTIONS..

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.

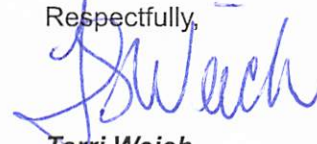
If you fail to correct the violation(s) by the date specified above, or if the violation(s) is (are) brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the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



May 30, 2025 9:03:20 AM
Town of Fort Myers Beach



May 30, 2025 9:03:14 AM
Town of Fort Myers Beach



May 30, 2023 9:03:16 AM
Town of Fort Myers Beach



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

Respondent,

FMB Case Number:	20240691
Certified Mail:	
Regular Mail:	N/A
DOAH Case Number:	

Site Address: 5560 AVENIDA PESCADORA
Fort Myers Beach, FL 33931
Parcel Strap No. 334624W20090D0050

AFFIDAVIT OF NOTICE AND POSTING OF NOTICE OF VIOLATION

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared TERRI WEICH, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240691 that certain Notice of Special Magistrate Code Hearing. Presented as NOTICE OF VIOLATION exhibit B (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first-class service a copy of the NOTICE OF VIOLATION to the following:

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060
(Listed Leepa.org Property Owner Address)

Copies of the certified mailing receipts are attached in Hearing Exhibit B.

1. I posted a copy of the Notice of Violation at 5560 AVENIDA PESCADORA, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on JUNE 3, 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit B.
2. I posted a copy of the Notice of Violation at the primary municipal government office for the Town of Fort Myers Beach, which is located at 6231 Estero Blvd, Fort Myers Beach, FL 33931. True, accurate and unaltered copies of photographs I took of the Notice posted on MAY 30, 2025 are attached in Hearing Exhibit B.
3. In addition, I posted a copy of the Notice on the Town's publicly accessible website 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



FMBgov.com

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

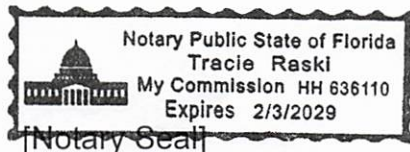
of the Town Land Development Code and Section 162.12, Florida Statutes.

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 3rd day of June, 2025, by T. Weich. She ☒ is personally known to me or ☐ has produced _____ as identification.



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

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

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

05/30/2025

Case Number:	20240691
Certified Mail:	7022 2410 0000 8470 3420
Regular Mail	

RUKAVINA ANDREW J

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
 Domestic Mail Only

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

OFFICIAL USE

20240691

RUKAVINA ANDREW J
 28643 N SKY CREST DR
 MUNDELEIN, IL 60060

Postmark Here

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ORA
 50

ICE OF VIOLATION

an inspection of the above-referenced property on by Town of
 officer Terri Weich indicates that the following items are in

**PERMITS, INCLUDING BUT NOT LIMITED TO INSTALLING 2
 DE OF DRIVEWAY WITH LIGHTING. PAVERED DRIVEWAY,
 WORK WAS DONE WITH OUT PERMITTING**

Town Codes:

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. APPLY FOR AND RECEIVE ALL THE REQUIRED PERMITS FOR THE WORK COMPLETED OR UNDERWAY. IF PERMITS CANNOT BE ISSUED REMOVE ALL VIOLATIONS MENTIONED. CONTACT PERMITTING AT 239-765-0202 FOR QUESTIONS..

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.



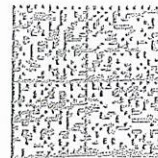
ACH • ESTERO ISLAND

ro Boulevard
each, FL 33931



7022 2410 0000 8470 3420

FIRST-CLASS



US POSTAGE



ZIP 33931

02 7H

0006188942

\$ 009.92

MAY 30 202

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060



FORT MYERS BEACH • ESTERO ISLAND

2525 Estero Boulevard
Fort Myers Beach, FL 33931

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

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.

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060



9590 9402 8518 3186 4589 60

2 Article Number (Transfer from service label)

7022 2410 0000 8470 3420

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

6-9-25

Is delivery address different from item 1? ☐ Yes
 Is delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Town of Fort Myers Beach

JUN 18 2025

Received by

Domestic Return Receipt

USPS TRACKING #



9590 9402 8518 3186 4589 60

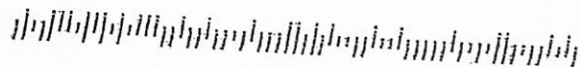
United States
Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

* Sender: Please print your name, address, and ZIP+4® in this box*

TOWN OF FORT MYERS BEACH
2731 OAK STREET
FORT MYERS FL 33931

24-691
5560
avenue
Pecador





Jun 3, 2025 7:01:54 AM
Town of Fort Myers Beach



Jun 3, 2025 7:02:07 AM
Town of Fort Myers Beach

TOWN OF FORT MYERS BEACH
CODE COMPLIANCE
5731 Oak Street Fort Myers, FL 33901
Phone: (813) 963-0102 Fax: (813) 963-1881

DATE: 11/11/11

CASE NUMBER	VIOLATION
11193 7431 (222) 6470 3491	

RUKAVINA ANDREW J
28043 N BAY CREST DR
MUNDELIN, IL 60060

SITE ADDRESS: 3560 AVENIDA PESCADORA
PARCEL ID: 334624W2000000000

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above referenced property on 11/11/11 by Fort Myers Beach Code Enforcement Officer Terri Welch indicates that the following items are in violation:

WORK DONE WITHOUT PERMITS, INCLUDING BUT NOT LIMITED TO INSTALLING 2 STRUCTURES ON EITHER SIDE OF DRIVEWAY WITH LIGHTING, PAVED DRIVEWAY, AND DRIVEWAY GATE. ALL WORK WAS DONE WITHOUT PERMITTING

These items are a violation of the following Town Codes:

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. **APPLY FOR AND RECEIVE ALL THE REQUIRED PERMITS FOR THE WORK COMPLETED OR UNDERWAY. IF PERMITS CANNOT BE ISSUED REMOVE ALL VIOLATIONS MENTIONED. CONTACT PERMITTING AT 239-765-0202 FOR QUESTIONS.**

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.

12

11:23 AM

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

hkid...



Town of Fort Myers Beach CODE COMPLIANCE

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

05/30/2025

Case Number:	20240691
Certified Mail:	7022 2410 0000 8470 3420
Regular Mail	

RUKAVINA ANDREW J
28643 N SKY CREST DR
MUNDELEIN, IL 60060

SITE ADDRESS: 5560 AVENIDA PESCADORA
PARCEL STRAP NO: 334624W20090D0050

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 DONE WITHOUT PERMITS, INCLUDING BUT NOT LIMITED TO INSTALLING 2 STRUCTURES ON EITHER SIDE OF DRIVEWAY WITH LIGHTING, PAVED DRIVEWAY, AND DRIVEWAY GATE. ALL WORK WAS DONE WITH OUT PERMITTING

These items are a violation of the following Town Codes:

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. APPLY FOR AND RECEIVE ALL THE REQUIRED PERMITS FOR THE WORK COMPLETED OR UNDERWAY. IF PERMITS CANNOT BE ISSUED REMOVE ALL VIOLATIONS MENTIONED. CONTACT PERMITTING AT 239-765-0202 FOR QUESTIONS..

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You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if scheduled. Please be aware that under Florida Statutes, Chapter 102 and Town of Fort Myers Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for subsequent violations will be assessed for each day the violation continues to exist past the hearing date.

May 30 2025 11:53:22 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

08/13/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

RUKAVINA ANDREW J

Respondent.

Case Number:	20240691
Certified Mail:	
Regular Mail:	

Site Address: **5560 AVENIDA PESCADORA**

Parcel Strap No.: **334624W20090D0050**

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 , RUKAVINA ANDREW J (property owner) was observed in violation of 6-441 PERMIT REQUIRED of the Town of Fort Myers Beach Code of Ordinances, WORK DONE WITHOUT PERMITS, INCLUDING BUT NOT LIMITED TO INSTALLING 2 STRUCTURES ON EITHER SIDE OF DRIVEWAY WITH LIGHTING. PAVERED DRIVEWAY, AND DRIVEWAY GATE. ALL WORK WAS DONE WITH OUT PERMITTING, at the property located at 5560 AVENIDA PESCADORA, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 05/30/2025, and sent certified mail to the address of record, 28643 N SKY CREST DR, MUNDELEIN, IL 60060, posted to the violation property located at 5560 AVENIDA PESCADORA, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. RUKAVINA ANDREW J was/were given 30 DAYS to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 06/30/2025.

5. I performed an inspection of the Subject Property on 06/03/2025, 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 5560 AVENIDA PESCADORA, 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 07/30/2025. 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.

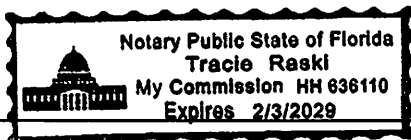
FURTHER AFFIANT SAYETH NAUGHT.

T. Weich

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 30 day of July, 2025 by T. Weich, X who is personally known to me OR who has produced as identification.

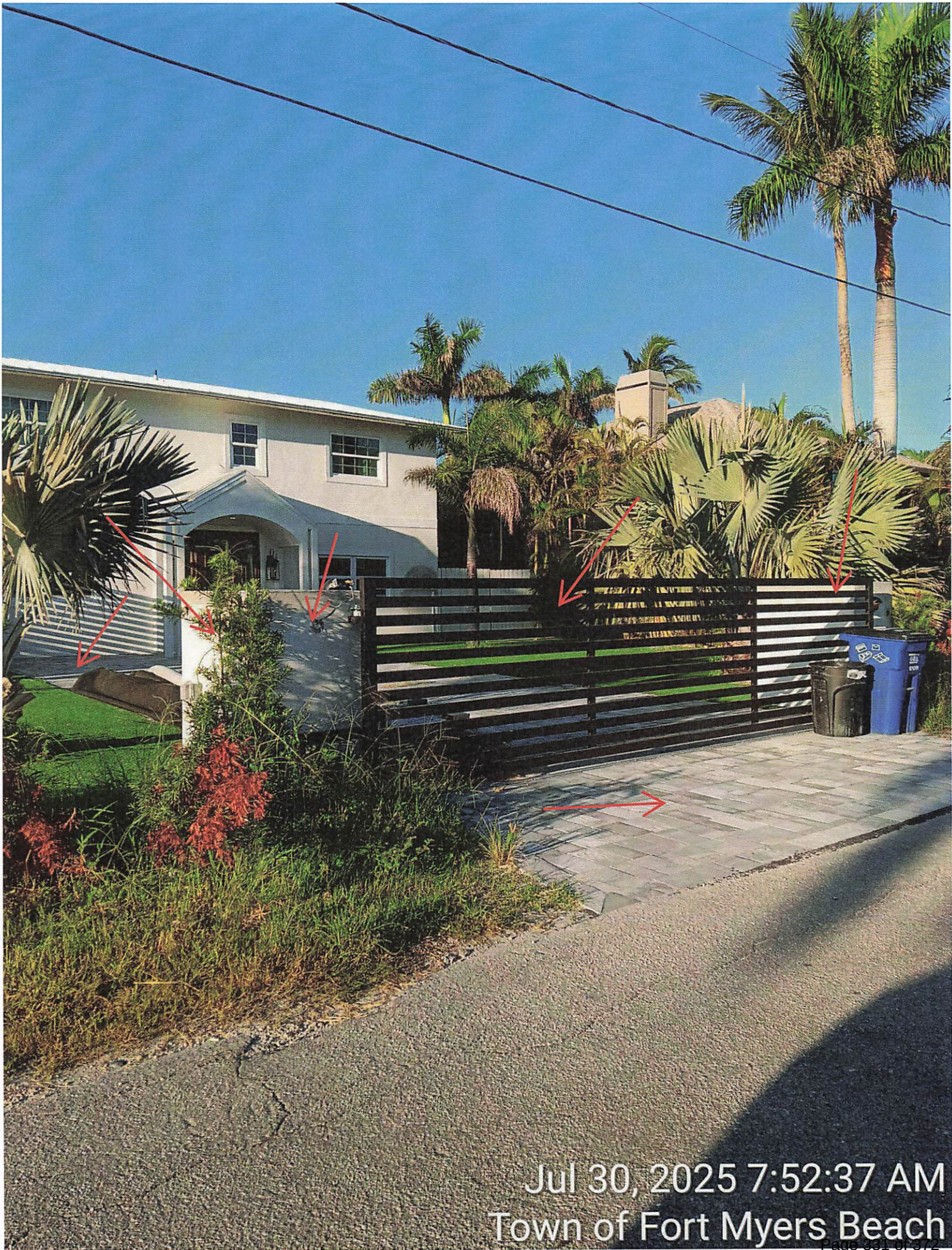


(SEAL)

Tracie Raski

Notary Public Signature

My Commission Expires: 2/3/2029



Jul 30, 2025 7:52:37 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 ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of the ordinance and all other applicable codes and regulations has been satisfied. No person may undertake a series of any improvements, additions, and/or demolitions that connect two or more existing structures in a manner that evades the requirements of this ordinance and the Florida Building Code.

Property Address and Owner:

Hearing Date: September 3, 2025

FMB Case No.: 20240936
Property Owner: Giesey Bryce E & Barbara A
Property Address: 126 Anchorage St
Violation: Work without permit

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

T. Weich

Narrative:

Attachments:

1. 20240936_Hearing Exhibit A_Notice of Hearing and Affidavit of Posting
2. 20240936_Hearing Exhibit B_Notice of Violation
3. 20240936_Hearing Exhibit C_Status of Compliance
4. 20240936_Hearing Exhibit D_Violated Regulation(s)

Town Recommendations:

Town Approvals:

Thomas Yozzo, Emergency Services Director

Date: August 25, 2025



Traci Kohler, Deputy Town Manager

Date: August 26, 2025

nancy stuparich, Town Attorney

Date: August 26, 2025



Lizzette Roman, Town Clerk Administrative Coordinator

Date: August 27, 2025

Amy Baker, Town Clerk

Date: August 27, 2025

HEARING

EXHIBIT

A

- Notice of Hearing and Affidavit of Posting



07/31/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537
Respondent.

Case Number:	20240936
Certified Mail:	7022 2410 0000 8470 1921
Regular Mail:	Standard 1 st Class

Site Address: 126 ANCHORAGE ST Fort Myers Beach, FL 33931
Parcel Strap No.: 294624W2001530020

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 (another 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 **WEDNESDAY 09-03-2025 at 9:00 A.M.** in the community room at Bay Oaks Recreation Center, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Unit 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>

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take other actions that will 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 carried out to determine compliance.

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 or is repeated. 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(s) has been corrected or abated prior to the hearing.

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

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537

FMB Case Number:	20240936
Certified Mail:	
Regular Mail:	N/A
DOAH Case Number:	

Site Address: 126 ANCHORAGE ST,
Fort Myers Beach, FL 33931
Parcel Strap No. 294624W2001530020

Respondent,

AFFIDAVIT OF NOTICE OF HEARING POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Terri Weich, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240936 that certain Notice Of Special Magistrate Code Hearing. Presented as Notice of Hearing Exhibit A (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Hearing to the following:

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537
(Listed Leepa.org Property Owner Address)

Copies of the certified mailing receipts are attached in Hearing Exhibit A.

1. I posted a copy of the Notice of Hearing at 126 Anchorage, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 1st day of August 2025. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit A.
2. 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 1st day of August 2025 are attached in Hearing Exhibit A.
3. In addition, I posted a copy of the Notice on the Town's publicly accessible website 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

FORT MYERS BEACH ESTERO ISLAND

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



FMBgov.com

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

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



[Signature]

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

Page 3 | 3



FMBgov.com

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

7/31/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537
Respondent.

Case Number:	20240936
Certified Mail:	7022 2410 0000 8470 1921
Regular Mail:	Standard 1 st Class

Site Address: 126 ANCHORAGE ST Fort Myers Beach, FL 33931
Parcel Strap No.: 294624W2001530020

NOTICE OF CODE ENFORCEMENT HEARING

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$	Postmark Here
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	

ursuant to Chapter 162, Florida Statutes and Chapter 2, Article
development Code, the undersigned Code Enforcement Officer
ation(s) of one or more codes of the Town of Fort Myers Beach,
, previously provided to you (another copy of which is enclosed
roperty. A hearing before the Town's Code Enforcement Special
s, therefore, been scheduled for **WEDNESDAY 09-03-2025** at
Oaks Recreation Center, located at 2731 Oak St., Fort Myers

and all materials provided by the Town Code Enforcement Unit
hearing can be viewed and accessed in advance of the hearing

09/Meetings-Agendas

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)



FORT MYERS BEACH • ESTERO ISLAND

6231 Estero Boulevard
Fort Myers Beach, FL 33931

NOH

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537

CERTIFIED MAIL



7022 2410 0000 8470 1921



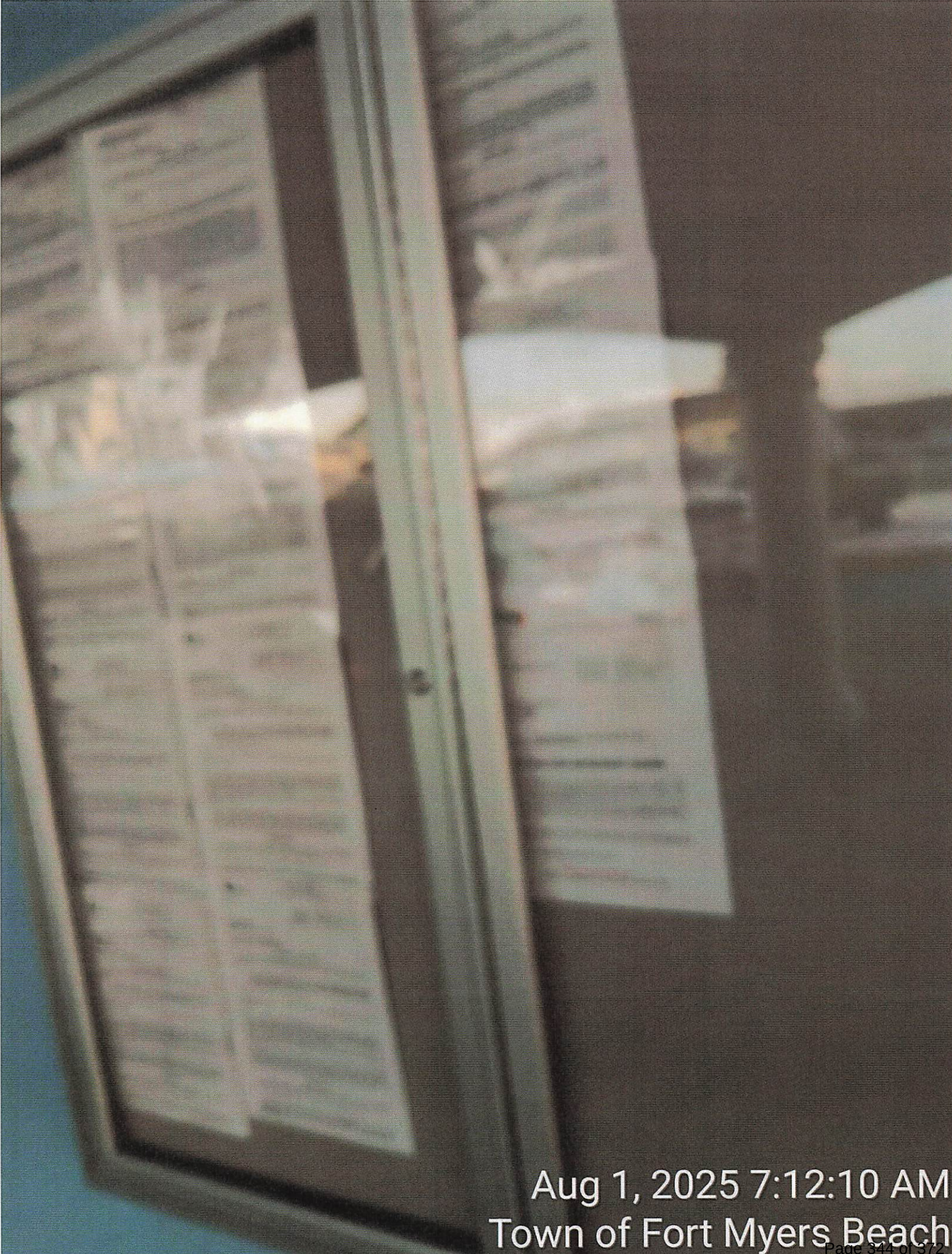
FORT MYERS BEACH • ESTERO ISLAND

6231 Estero Boulevard
Fort Myers Beach, FL 33931

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537



Aug 1, 2025 9:25:28 AM
Town of Fort Myers Beach



Aug 1, 2025 7:12:10 AM
Town of Fort Myers Beach

25

Case Number:	20
Certified Mail:	70
Regular Mail:	St

FORT MYERS BEACH,

One,

VS.

BY BRYCE E & BARBARA A
MOUNTAIN IRIS CT
LAND, CO 80537
ndent.

Address: 126 ANCHORAGE ST Fort Myers Beach, FL
I Strap No.: 294624W2001530020

NOTICE OF CODE ENFORCEMENT H

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statute, Town of Fort Myers Beach Land Development Code, the undersigned C
that (an) uncorrected violation(s) of one or more codes of the T
the **NOTICE OF VIOLATION**, previously provided to you (another
on the above described property. A hearing before the Town C
concerning the violation(s) has, the date, been scheduled for
community room at Bay Oaks Recreation Center, 1711 Page 345 of 372

Aug 1, 2025 7:12:07 AM
Town of Fort Myers Beach



FMBgov.com

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

7/31/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537
Respondent.

Case Number:	20240936
Certified Mail:	7022 2410 0000 8470 1921
Regular Mail:	Standard 1 st Class

Site Address: 126 ANCHORAGE ST Fort Myers Beach, FL 33931
Parcel Strap No.: 294624W2001530020

NOTICE OF CODE ENFORCEMENT HEARING

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A copy of the evidentiary case file and all materials provided by the Town Code Enforcement Unit 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>

FORT MYERS BEACH, ESTERO ISLAND

P. 239-765-0202 | F. 239-765-0909 | 2731 Oak Street, Fort Myers Beach, FL 33931

(Last 06/2024)

Aug 1, 2025 9:24:18 AM
Town of Fort Myers Beach



Property Data

STRAP: 29-46-24-W2-00153.0020 Folio ID: 10229624

Hurricane Ian Tax Roll Value Letter Tax Refund Status

Generated on 9/26/2024 11:59 AM

Owner Of Record - Tenants by Entirety [\[Change Mailing Address\]](#)

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND CO 80537

Site Address

Site Address maintained by E911 Program Addressing

126 ANCHORAGE ST
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!

LOT 3 + PT LT 2 BLK B ANCHORAGE ESTATES SUB U/R DESC DB
235/535 + DB 250/157 BEING A RESUB LOT 53 CASES SUBD

[View Recorded Plat at LeeClerk.org](#) - Use this link to view recorded plat information on the Lee County Clerk of Courts website.

Attributes and Location Details

Total Bedrooms / Bathrooms 2 / 2.0
Gross Living Area 980
1st Year Building on Tax Roll 1952
Historic Designation No

Township	Range	Section	Block	Lot
46	24E	29		
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.44201	-81.92854		

[View Parcel on Google Maps](#)

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



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

Image of Structure



◀ Photo Date January of 2021 ▶ ☐ View other photos

Last Inspection Date: 01/04/2021

Property Values / Exemptions / TRIM Notices

Generated on 9/26/2024 11:59 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 (TRIM)	741,660	741,650	741,660	483,394	0	0	483,394
2023 / Additional Info	2023 (Final Value)	439,449	439,439	439,449	439,449	0	0	439,449
2022 / Additional Info	2022 (Final Value)	582,796	204,100	582,796	430,533	0	0	430,533
2021 / Additional Info	2021 (Final Value)	400,318	170,100	400,318	391,394	0	0	391,394
2020 / Additional Info	2020 (Final Value)	309,267	170,100	309,267	309,267	0	0	309,267
2019 / Additional Info	2019 (Final Value)	293,927	170,100	293,927	293,927	0	0	293,927
2018 / Additional Info	2018 (Final Value)	290,701	170,100	290,701	290,701	0	0	290,701
2017 / Additional Info	2017 (Final Value)	294,733	126,000	294,733	285,443	0	0	285,443
2016	2016 (Final Value)	294,235	126,000	294,235	259,494	0	0	259,494
2015	2015 (Final Value)	235,904	126,000	235,904	235,904	0	0	235,904
2014	2014 (Final Value)	215,899	120,000	215,899	215,899	0	0	215,899
2013	2013 (Final Value)	205,297	155,300	205,297	205,297	0	0	205,297
2012	2012 (Final Value)	187,082	120,000	187,082	187,082	0	0	187,082
2011	2011 (Final Value)	172,775	120,000	172,775	172,775	0	0	172,775
2010	2010 (Final Value)	172,775	120,000	172,775	172,775	0	0	172,775



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-W2-00153.0020
Alternate Key:
2100535721
Millage Code:
032

Site Address/Legal Description:
126 ANCHORAGE ST
LOT 3 + PT LT 2 BLK B ANCHORAGE ESTATES
SUB U/R DESC DB 235/535 + DB 250/157 BEING A
RESUB LOT 53 CASES SUBD



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

Exemptions/Values	
Market Value	741,660
Assessed Value	741,660
Taxable Value	483,394

★ See message below.

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537

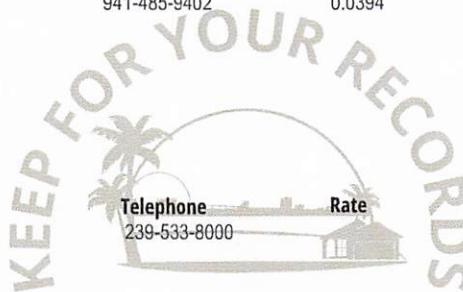
Paid 11/18/2024 INT-00-02833524 \$7,837.14

Ad Valorem Taxes Levying Authority

	Telephone	Mill Rate	Assessed	Exemption	Taxable	Amount
LEE COUNTY GENERAL REVENUE	239-533-2221	3.7623	483.394	0	483.394	1,818.67
PUBLIC SCHOOL - BY LOCAL BOARD	239-337-8215	2.2480	741.660	0	741.660	1,667.25
PUBLIC SCHOOL - BY STATE LAW	239-337-8215	3.0380	741.660	0	741.660	2,253.16
TOWN OF FORT MYERS BEACH	239-765-0202	0.9900	483.394	0	483.394	478.56
SFL WATER MGMT-DISTRICT LEVY	561-686-8800	0.0948	483.394	0	483.394	45.83
SFL WATER MGMT-EVERGLADE CONST	561-686-8800	0.0327	483.394	0	483.394	15.81
SFL WATER MGMT-OKEECHOBEE LEVY	561-686-8800	0.1026	483.394	0	483.394	49.60
FORT MYERS BEACH FIRE CONTROL DISTRICT	239-590-4200	2.8000	483.394	0	483.394	1,353.50
FORT MYERS BEACH MOSQUITO	239-247-1205	0.1123	483.394	0	483.394	54.29
FORT MYERS BEACH LIBRARY	239-463-9691	0.1612	483.394	0	483.394	77.92
LEE COUNTY HYACINTH CONTROL	239-694-2174	0.0200	483.394	0	483.394	9.67
WEST COAST INLAND NAVIGATION DISTRICT	941-485-9402	0.0394	483.394	0	483.394	19.05

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:

\$8,163.69

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: 29-46-24-W2-00153.0020

Site Address: 126 ANCHORAGE ST

Alternate Key: 2100535721

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

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537

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



Paid 11/18/2024 INT-00-02833524 \$7,837.14

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

11/14/2024

Case Number:	20240936
Certified Mail:	9589 0710 5270 0636 6476 52
Regular Mail	

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537

SITE ADDRESS: 126 ANCHORAGE ST
PARCEL STRAP NO: 294624W2001530020

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 WITHOUT PERMITTING, INCLUDING BUT NOT LIMITED TO WINDOW INSTALLATION, LOWER LEVEL IMPROVEMENTS, AND EXTERIOR IMPROVEMENTS., LOWER LEVEL

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. **CONTACT PERMITTING AT 239-765-0202 AND APPLY FOR ALL THE REQUIRED PERMITS 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 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



Nov 8, 2024 10:15:15 AM
Town of Fort Myers Beach



Nov 8, 2024 10:15:19 AM
Town of Fort Myers Beach



Nov 8, 2024 10:15:21 AM
Town of Fort Myers Beach



Nov 8, 2024 10:11:31 AM
Town of Fort Myers Beach





TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537

Respondent,

FMB Case Number:	20240936
Certified Mail:	
Regular Mail:	N/A
DOAH Case Number:	

Site Address: 126 ANCHORAGE ST,
Fort Myers Beach, FL 33931
Parcel Strap No. **294624W2001530020**

AFFIDAVIT OF NOTICE OF VIOLATION POSTING

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared Terri Weich, who is a Code Compliance Officer for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding case #20240936 that certain Notice Of Special Magistrate Code Violation. Presented as Notice of Violation Exhibit B (" The Notice")

FORT MYERS BEACH ESTERO ISLAND

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



I personally mailed by certified mail & first class service a copy of the Notice of Violation to the following:

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537
(Listed Leepa.org Property Owner Address)

Copies of the certified mailing receipts are attached in Hearing Exhibit B.

1. I posted a copy of the Notice of Violation at 126 Anchorage, Fort Myers Beach, FL 33931, which is the subject property. I took photographs of the Notice I posted on the 15th day of November 2024. A true, accurate and unaltered copy of the photographs are attached in Hearing Exhibit B.
2. 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 14th day of November 2024 are attached in Hearing Exhibit B.
3. In addition, I posted a copy of the Notice on the Town's publicly accessible website 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

FORT MYERS BEACH ESTERO ISLAND

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

Page 2 | 3



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 14th day of Nov, 2024, by She. She ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]

[Signature]
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

CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931

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

11/14/2024

Case Number:	20240936
Certified Mail:	9589 0710 5270 0636 6476 52
Regular Mail	

GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537

SITE ADDRESS: 126 ANCHORAGE ST
PARCEL STRAP NO: 294624W2001530020

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 WITHOUT PERMITTING, INCLUDING BUT NOT LIMITED TO WINDOW INSTALLATION, LOWER LEVEL IMPROVEMENTS, AND EXTERIOR IMPROVEMENTS., LOWER LEVEL

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. CONTACT PERMITTING AT 239-765-0202 AND APPLY FOR ALL THE REQUIRED PERMITS FOR THE WORK COMPLETED AND UNDERWAY..

se violations into compliance within 30 DAYS.

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

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

Hearing specifying the date, time and location of the hearing if,
 under Florida Statutes, Chapter 162 and Town of Fort Myers
 2-427(b), a fine of up to \$250.00 per day for the first violation or
 y be imposed for each day the violation continues to exist past
 al Magistrate. If the Special Magistrate finds that a violation is

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Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	126 Anchorage
Street and Apt. No., or PO Box No.	240936
City, State, ZIP+4®	

Postmark Here

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



FORT MYERS BEACH • ESTERO ISLAND

2525 Estero Boulevard
Fort Myers Beach, FL 33931

CERTIFIED MAIL®



9589 0710 5270 0636 6476 52

FT MYERS FL 339

15 NOV 2024 PM 4 L

FIRST CLASS



US POSTAGE IMPPITNEY BOWES



ZIP 33931
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\$ 009.64⁰

NOV 15 2024

*attempted
11-21*

Town of Fort Myers Beach

DEC 27 2024

Received by: _____

**GIESEY BRYCE E & BARBARAA
BRYCE
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537**

*11-26
Ret 12-6-27*

00567-24055000
33931Y33354

NIKIS 808 DE 1 0012/17/24
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
EC: 33021333425 *8075 06077 15 40



Nov 15, 2024 9:10:36 AM
Town of Fort Myers Beach



Nov 15, 2024 9:10:22 AM
Town of Fort Myers Beach

11/14/24, 1:46 PM

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11/14/2024

Town of Fort Myers Beach

CODE COMPLIANCE

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

Case Number:	20240936
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GIESEY BRYCE E & BARBARA A
5658 MOUNTAIN IRIS CT
LOVELAND, CO 80537

SITE ADDRESS: 126 ANCHORAGE ST
PARCEL STRAP NO: 294624W2001530020

NOTICE OF VIOLATION

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

WORK WITHOUT PERMITTING, INCLUDING BUT NOT LIMITED
INSTALLATION, LOWER LEVEL IMPROVEMENTS, AND EXTERIOR IMP
LOWER LEVEL

These items are a violation of the following Town Codes:

Sec. 6-441- Permits required. Any owner or owner's authorized agent (hereinafter "applicant") undertake any development activity within the scope of this article, including buildings, structures, and other improvements, shall first make application to the floodplain administrator, and the building official, if applicable, and required permits and approvals. No such permit or approval will be issued until compliance with 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. CONTACT AT 239-765-0202 AND APPLY FOR ALL THE REQUIRED PERMITS FOR THE WORK AND UNDERWAY.

You are hereby directed to bring these violations into compliance with the Town of Fort Myers Beach Code of Ordinances.

ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, THIS YOU OBTAIN A
ENFORCEMENT SO THAT THE PROPERTY
VIOLATION(S) HAS

Nov 14, 2024 4:15:13 PM

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

08/14/2025

TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

GIESEY BRYCE E & BARBARA A

Respondent.

Site Address: **126 ANCHORAGE ST**
Parcel Strap No.: **294624W2001530020**

Case Number:	20240936
Certified Mail:	
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 , GIESEY BRYCE E & BARBARA A (property owner) was observed in violation of CODE SECTION 6-441 PERMITS REQUIRED of the Town of Fort Myers Beach Code of Ordinances, WORK WITHOUT PERMITTING, INCLUDING BUT NOT LIMITED TO WINDOW INSTALLATION, LOWER LEVEL IMPROVEMENTS, AND EXTERIOR IMPROVEMENTS., LOWER LEVEL, at the property located at 126 ANCHORAGE ST, Fort Myers Beach, FL 33931 ("Subject Property").

3. A Notice of Violation was issued on 11/14/2024, and sent certified mail to the address of record, 5658 MOUNTAIN IRIS CT, LOVELAND, CO 80537, posted to the violation property located at 126 ANCHORAGE ST, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. GIESEY BRYCE E & BARBARA A was/were given 30 DAYS to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 12/15/2024.

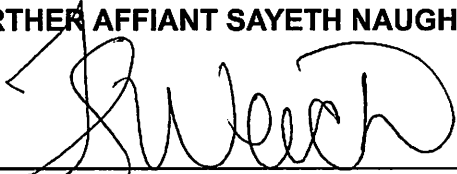
5. I performed an inspection of the Subject Property on 07/31/2025, and the Subject Property remains in violation with the Town of Fort Myers Beach Ordinance. There does not appear to be any progress made towards compliance at 126 ANCHORAGE ST, Fort Myers Beach, FL 33931.

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 08/01/2025. 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.

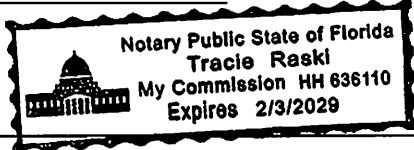
FURTHER AFFIANT SAYETH NAUGHT.



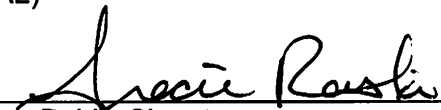
Signature of Affiant

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence OR ☐ online notarization, this 31st day of July, 2025, by T. Weich, ☒ who is personally known to me OR ☐ who has produced _____ as identification.



(SEAL)



Notary Public Signature

My Commission Expires: 2/3/2029



Jul 31, 2025 3:03:46 PM
Town of Fort Myers Beach



Jul 31, 2025 3:03:35 PM
Town of Fort Myers Beach Page 366 of 372

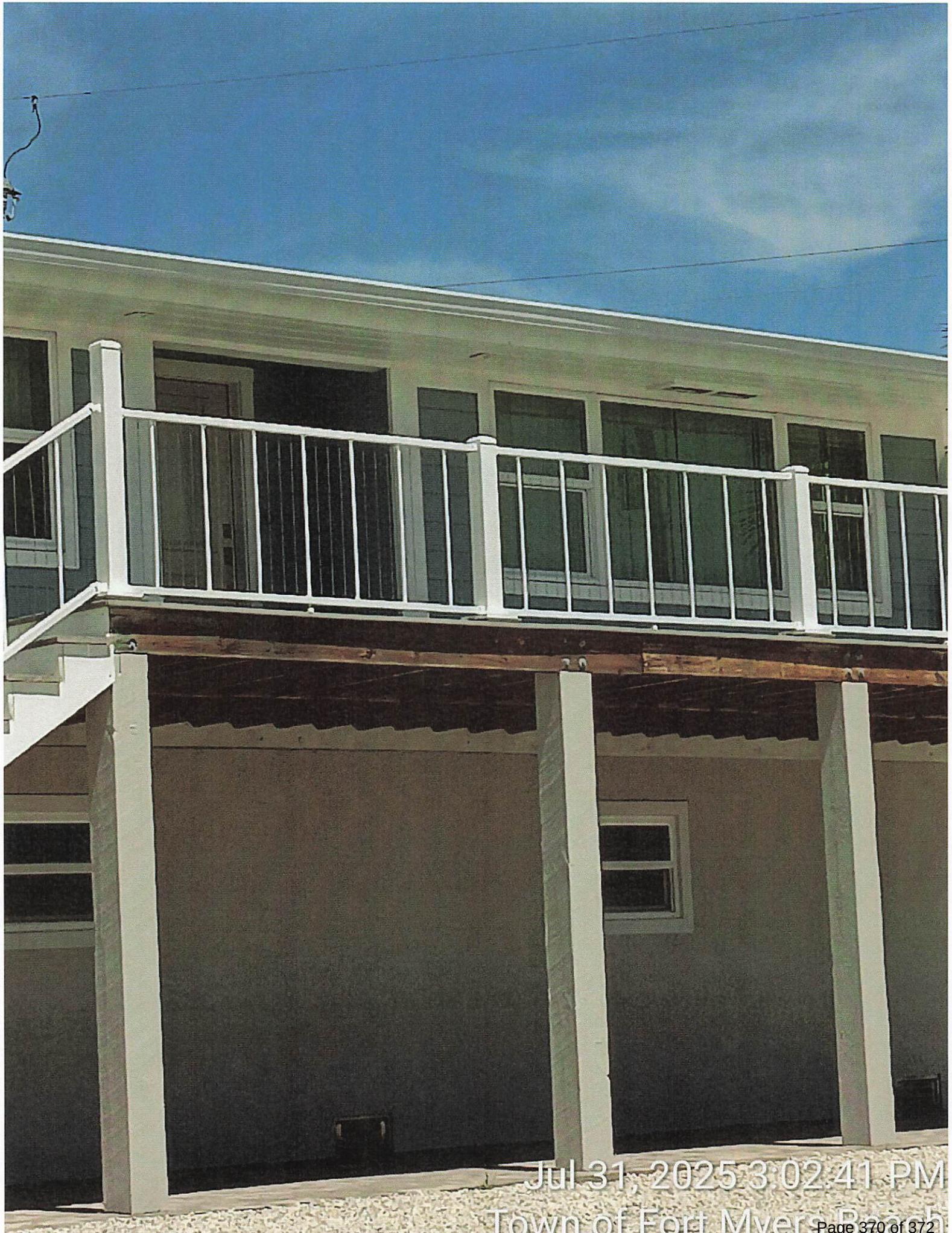


Jul 31, 2025 3:02:08 PM
Town of Fort Myers Beach



Jul 31, 2025 3:02:22 PM
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.