

MINUTES
FORT MYERS BEACH
Code Enforcement - Parking
Town Hall
2525 Estero Boulevard
Fort Myers Beach, FL 33931

Wednesday, February 24, 2016

Hearing Examiner - Special Magistrate: Mr. Joe Madden

Code Enforcement Officer: Ambassador Sheila Conroy

Mr. Madden swore in those providing testimony.

CASE TO BE HEARD: VIOLATION NO.: 72116402

TOWN OF FORT MYERS BEACH, FLORIDA

Petitioner,

vs.

Respondent.

Ambassador Conroy stated that while patrolling in the area on January 15, 2016 at 3:52 p.m. she approached a white Ford parked on Old San Carlos. She issued citation 72116402 under Ordinance 3-053A24 for parking in a loading zone. She provided photos of the scene.

Mr. Madden found that the violation occurred and Respondent was ordered to pay \$50.00 plus \$100.00 administrative fees.

CASE TO BE HEARD: VIOLATION NO.: 71908233

Code Enforcement Officer: Ambassador Kevin Przybyszewski

TOWN OF FORT MYERS BEACH, FLORIDA

Petitioner,

vs.

Mary Buckley

While patrolling on February 8, 2016 at 4:21 Ambassador Przybyszewski observed a Yamaha scooter with license plate 2155 RU parked in a handicapped spot on Lenard Street. He issued citation 71908233 under Ordinance 03053A2E.

Mary Buckley approached the bench and presented pictures of where she parked and explained why (inaudible). Mr. Madden requested the section of code referring to handicapped parking spaces.

Mr. Madden dismissed the citation based on evidence presented and the space was not prominently outlined.

CASE TO BE HEARD: VIOLATION NO.: 70908821

Code Enforcement Officer: Ambassador Jim Rediske

TOWN OF FORT MYERS BEACH, FLORIDA

Petitioner,

vs.

Respondent

While patrolling the downtown area on January 23, 2016 at 7:48, Ambassador Rediske approached a gold Toyota with license plate SHERI J that was parked overtime at space 3 on Fifth Street. He issued citation 70908821 under Ordinance 03-056A for overtime meter. The Town recommended a fine of \$60.00 with an administrative fee of \$100.00.

The Respondent paid for an hour of time with quarters. She used her credit card for more time, but the meter kept saying it was processing. Ambassador Rediske reported that the meter did not have previous problems. Respondent stated that there were no charges on her credit card.

Mr. Madden found that a violation occurred and a \$60.00 fine was imposed with payment due within 30 days.

Code Enforcement Officer for Fort Myers Beach: Ms. Molly Jacobs

PROPERTY OWNER: Absolute Best Rate Rentals LLC
SUBJECT: LDC Section: 6-111
Adoption of Florida Building Code 105.1 Required
LOCATION: 80 Ave E - BLDG B
STRAP NO: 194624W40070A0020
CODE OFFICER: Molly Jacobs
REFERENCE NO: CE15-0167

Ms. Jacobs inspected the property on April 16, 2015 and May 29, 2015. She found the property was occupied with no permit for the replacement of the main ingress/egress. Action necessary to correct the violation: premises must be vacated, obtain a permit for work done and replacement of stairs/deck. Notice of the violation was provided to the property owner by certified mail on July 15, 2015 and was claimed. Notice of the hearing was provided to the property owner and registered agent on January 19, 2016 and claimed by both. Ms. Jacobs provided pictures. She inspected the property on February 22, 2016 and found the violation still existed. She could not verify whether the property was occupied. Upon finding of fact, she requested they obtain required permits and pass all subsequent inspections by March 25, 2016; otherwise a fine per day pursuant to Code with \$150.00 administrative costs.

Mr. Madden found that a violation existed and gave the respondent until March 25, 2016 to obtain permits and pass all subsequent inspections; otherwise a fine of \$250 per day will be imposed with \$150.00 administrative costs.

Code Enforcement Officer for Fort Myers Beach: Ms. Molly Jacobs

PROPERTY OWNER: Absolute Best Rate Rentals LLC
SUBJECT: LDC Section: 6-111
Adoption of Florida Building Code 105.1 Required

LOCATION: 80 Ave E - BLDG A
STRAP NO: 194624W40070A0020
CODE OFFICER: Molly Jacobs
REFERENCE NO: CE14-0394

Ms. Jacobs inspected the property on November 3, 2015 and December 16, 2015. She found that it was remodeled without a permit and the stairwell demolished and built without a permit. The action necessary to correct the violation is to obtain a permit for all work done and pass all subsequent inspections. Notice of the violation was sent by certified mail on November 25, 2015 and claimed. The Notice of hearing was sent by certified mail on January 16, 2016 and claimed. Ms. Jacobs presented pictures and, upon inspection on February 22, 2016, the violation still existed. Mr. Madden found a violation occurred and still existed. He ordered that a permit be obtained for all work done and all subsequent inspections passed by March 25, 2016; otherwise a fine of \$250.00 per day plus \$150.00 administrative costs will be imposed.

Cases CE14-0362 and CE15-0404 were withdrawn.

Vote: _____ Signature: Douglas E. Spolley

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Molly Jacobs