

**MINUTES
FORT MYERS BEACH
Code Enforcement**

Town Hall
2525 Estero Boulevard
Fort Myers Beach, FL 33931

Wednesday, September 28, 2016

Hearing Examiner - Special Magistrate: Mr. Joe Madden

Mr. Madden swore in those providing testimony.

Property Owner: COLORADO SOUTHERN INC
SUBJECT: LDC Section: 6-111 Adoption of Florida Building Code 105.1
Required
LOCATION: 6241 Estero Blvd.
STRAP NO: 34-46-24-W4-00018.0000
CODE OFFICER: Molly Jacobs
REFERENCE NO: CE16-0327

Ms. Jacobs inspected the property on July 14, 2016 and August 8, 2016. She found work being done without a permit for a fence. To correct the violation, secure the required permit and pass associated inspections. The Respondent applied for a fence permit #FNC 160078 on September 19, 2016 and review comments were sent back on September 20, 2016. ⁴ FNC16-0078

Notice of violation was provided to the property owner and registered agent via certified mail on July 20, 2016 and both were claimed. Notice of hearing was provided to the property owner and registered agent via certified mail on August 6, 2016 and both were claimed.

Ms. Jacobs presented pictures from the Lee County Property Appraiser on June 2005 and pictures she took on July 14, 2016. The pictures accurately reflect the condition of the property. She inspected the property on September 27, 2016 and found the violation still existed.

If the hearing found a violation, the Town requested a finding of fact, obtain a permit and pass all subsequent inspections by October 14, 2016; otherwise, a fine per day pursuant to code with \$175 administrative costs. ^{Bigos}

The registered agent, Ms. Bigos, was unaware the Town responded on September 20, 2016. She will remedy the situation immediately.

Mr. Madden found that a violation existed and ordered administrative costs of \$175. In the event that the violation continues past October 14, 2016, a \$100 per day fine will be imposed.

Property Owner: DDJL INVESTMENTS LLC
SUBJECT: LDC Section: 6-111 Adoption of Florida Building Code 105.1
Required
LOCATION: 7798 Estero Blvd.
STRAP NO: 03-47-24-W4-00016.0000
CODE OFFICER: Molly Jacobs
REFERENCE NO: CE16-0345


Ms. Jacobs inspected the property on July 20, 2016 and August 11, 2016. She found that remodel work was being done without a permit. To correct the violation, secure the required permit and pass associated inspections. Application ~~BLD 16-0185~~
~~BLD 16-0186~~ was submitted on September 22, 2016 for enclosing a carport and windows. It has not made it to plan review or zoning, but has completed flood plain and DEP review.

Notice of violation was provided to the property owner on August 4, 2016 and was claimed. It was provided to the registered agent July 28, 2016 and was claimed. Notice of hearing was provided to the property owner on August 25, 2016 and was claimed. It was provided to the registered agent on August 18, 2016 and was claimed.

Ms. Jacobs presented pictures taken by Mr. Robert Pratt between June and August and pictures she took on July 20, 2016. The pictures accurately reflect the condition of the property. She inspected the property on September 27, 2016 and found the violation still existed.

If the hearing found a violation, the Town requested a finding of fact, obtain a permit and pass all subsequent inspections by October 28, 2016; otherwise, a fine per day pursuant to code with \$175 administrative costs.

Mr. Madden found that a violation existed and ordered the Respondent to pay administrative costs of \$175 by October 28, 2016; otherwise, a \$200 per day fine will be imposed.

 **Property Owner:** NAPPO JOSEPH C + CHRISTINE M
SUBJECT: LDC Section: 6-111 Adoption of Florida Building Code 105.1 Required
LOCATION: ~~21560~~ ²¹⁵⁶² Indian Bayou Dr.
STRAP NO: 33-46-24-W2-01100.0050
CODE OFFICER: Molly Jacobs
REFERENCE NO: CE16-0431


Ms. Jacobs inspected the property on August 4, 2016 and August 25, 2016. She found that remodel work was being done without a permit. To correct the violation, secure the required permit and pass associated inspections. Application ~~BLD 16-0184~~
~~BLD 16-0184~~ was submitted on September 20, 2016 but has not made it through zoning.

Notice of violation was provided to the property owner on August 8, 2016 and was claimed. Notice of hearing was provided to the property owner on August 29, 2016 and was claimed.

Ms. Jacobs presented pictures she took on August 4, 2016. The pictures accurately reflect the condition of the property. She inspected the property on September 27, 2016 and found the violation still existed.

If the hearing found a violation, the Town requested a finding of fact, obtain a permit and pass all subsequent inspections by November 30, 2016; otherwise, a fine per day pursuant to code with \$175 administrative costs.

Mr. Madden found that a violation existed and ordered the Respondent to pay administrative costs of \$175 by November 30, 2016; otherwise, a \$200 per day fine will be imposed.

 **Property Owner:** STINGRAYS RAW BAR INC
SUBJECT: LDC Section: 6-111 Adoption of Florida Building Code 105.1 Required
LOCATION: 250 Old San Carlos Blvd
STRAP NO: 24-46-23-W3-00204.0010

CODE OFFICER: Molly Jacobs
REFERENCE NO: CE16-0417

Ms. Jacobs inspected the property on August 2, 2016 and August 19, 2016. She found the following condition: occupying outdoor seating area without a CO. To correct the violation, secure the required permit and pass associated inspections.


Notice of violation was ~~provided~~^{hand delivered} to the property owner on August 2, 2016 and was claimed. Notice of hearing was provided to the property owner on August 27, 2016 and registered agent on August 29, 2016 and was claimed.

Ms. Jacobs presented pictures posted on the Facebook account of Yucatan Beach Stand on March 4, 2016 and September 5, 2016. The pictures accurately reflect the condition of the property. She inspected the property on September 27, 2016 and found the violation still existed. If the hearing found a violation, the Town requested a finding of fact, obtain a permit and pass all subsequent inspections by October 28, 2016; otherwise a fine per day pursuant to code with \$175 administrative costs.

Mr. Madden found that a violation existed and ordered the Respondent to pay administrative costs of \$175 by October 28, 2016; otherwise, a \$250 per day fine will be imposed.

The following cases were abated: CE16-0546, CE16-0384 and CE16-0425.

Violation of LDC Sec. 6-111 - Dept. of FBC Sec. 105.1

Date: 10/3/16 Signature: 

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