

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

Wednesday, January 27, 2016

Hearing Examiner - Special Magistrate: Mr. Joe Madden

Code Enforcement Officer: Ambassador James Rediske

Mr. Madden swore in those providing testimony.

CASE TO BE HEARD: **VIOLATION NO.:** 70907255

TOWN OF FORT MYERS BEACH, FLORIDA

Petitioner,

vs.

Respondent.

Ambassador Rediske stated that while patrolling in the area on December 28, 2015 at 7:05 he approached a black Ford pickup truck, license plate T793DK, that was parked on the sidewalk in space 57 on Old San Carlos Blvd. He issued citation 70907255 under Ordinance 03-053(a)2(b) for parking on the sidewalk. Ambassador Rediske provided photos.

Respondent apologized and stated he backed in and two tires were on the curb.

Mr. Madden found that the violation occurred and Respondent was ordered to pay \$50.00 within 7 days of receipt of the order.

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

PROPERTY OWNER: Alger, Joan & Hunt, Jennifer
SUBJECT: LDC Section 6-111
Adoption of Florida Building Code 105.1
LOCATION: 2915 Estero Blvd
STRAP NO.: 30-46-24-W2-003N-00120
CODE OFFICER: Molly Jacobs
REFERENCE NO.: CE14-0442

Ms. Jacobs inspected the property on December 18, 2014 and December 27, 2014. The railing was removed and was being replaced without a permit, which violated Land Development Code Section 6-111 and Adopting Florida Building Code 105.1. The action necessary to correct the violation would be to obtain a permit to replace the railing and pass all subsequent inspections. The notice of violation and notice of hearing were claimed. Ms. Jacobs re-inspected the property on January 26, 2016 and found the violation still existed. If the hearing found a violation, the Town requested a finding of fact, obtain a permit, complete the work and pass subsequent inspections by February 12, 2016. Ms. Jacobs would like administrative costs waived. Mr.

Madden found that a violation existed and gave the respondent until February 12, 2016 to obtain a permit and replace the railing, otherwise a fine of \$100/per day will be imposed with administrative costs waived.

Madden

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

PROPERTY OWNER: Estero Island Beach Club
SUBJECT: Property Maintenance Code Section 507.1
LOCATION: 1836 Estero Blvd
STRAP NO.: ?
CODE OFFICER: Molly Jacobs
REFERENCE NO.: CE15-0283

Ms. Jacobs inspected the property on July 7, 2015 and October 30, 2015 and she found the roof was draining on the beach via installed drain pipe, which violated the Town of Fort Myers Beach Property Maintenance Code Section 507.1. Actions necessary to correct: obtain an LDO, any required permits, pass subsequent inspections, remove drain pipe leading to beach and maintain all water discharge on property. The registered agent claimed the notice of violation on July 13, 2015 and the notice of hearing was claimed on December 30, 2015. Ms. Jacobs inspected the property on January 26, 2016 and found the violation still existed. Ms. Jacobs requested a finding of fact, obtain a permit, complete the work and pass all inspections by February 26, 2016; otherwise a fine per day pursuant to Code with administrative costs waived.

The respondent, John Shaw, stated that they did cut off the pipes to the beach and he obtained a permit; however, he had to bid out the project and present three proposals to the Board of Directors. Mr. Shaw required an additional 30 days to March 25, 2016. Mr. Madden found that the pipe was disconnected and he gave the respondent until March 25, 2016 to come into compliance, or a fine of \$200/per day will be charged. Administrative charges were waived.

Madden

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

PROPERTY OWNER: Asset Acquisitions and Holdings Trust
SUBJECT: Property Maintenance Codes 304.2, 304.3, 304.7, 304.9, 304.10, 304.14 and 302.4
Overgrown yard, property maintenance, repairs needed
LOCATION: 3725/29 Estero Blvd.
STRAP NO.: ?
CODE OFFICER: Molly Jacobs
REFERENCE NO.: CE15-0332

Ms. Jacobs inspected the property on November 4, 2014 and found the property in violation. Action needed to come in compliance include mowing the lot, replace missing or torn window screens, replace damaged or missing soffits, remove rust from metal roof, inspect all components of deck, framing, hand rails and stairs. The notice of violation and notice of hearing were claimed. Ms. Jacobs provided photos. She inspected the property on January 26, 2016 and found the violation still existed. If the hearing found a violation, she requested a finding of fact, obtain necessary permits, pass all inspections by February 5, 2016; otherwise a fine per day pursuant to code and waive administrative costs.

Mr. Madden found violations of the Code and gave the respondent until February 5, 2016 to come into compliance; otherwise a \$250/per day fine with administrative fees waived.

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

Reference No.: CE15-0344

Ms. Jacobs requested a continuance. Mr. Madden continued CE15-0344.

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

PROPERTY OWNER: Sandarac One
SUBJECT: LDC Section 6-111
Adoption of Florida Building Code 105.1
LOCATION: 6666 Estero Blvd.
STRAP NO.: ?
CODE OFFICER: Molly Jacobs
REFERENCE NO.: CE15-0413

The property was inspected on October 20, 2015 and November 10, 2015 and work was done without a permit. Respondent to apply for and obtain a permit to come into compliance. Notice of violation and notice of hearing were claimed. Ms. Jacobs provided photos. She re-inspected the property on January 26, 2016 and the violation still existed. If the hearing finds a violation, she requested a finding of fact, obtain permits and pass subsequent inspections by February 26, 2016; otherwise a fine pursuant to code and administrative fees waived.

The respondent, Gordy Moore, provided a packet of information and he explained the history of work permitted. He stated there was confusion with the required drawings and they haven't been able to apply for the permit, but they were working on the engineered drawings. He did not think they could be completed by February 26, 2016 and he asked for an additional 30 days to come into compliance.

Mr. Madden found that a violation occurred and he gave the respondent until March 25, 2016 to come into compliance; otherwise a \$250/per day fine with administrative fees waived.

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

PROPERTY OWNER: First Baptist Church of Fort Myers Beach
SUBJECT: Ordinance 12-04 Special Events
LOCATION: 130/138 Connecticut Street
STRAP NO.: ?
CODE OFFICER: Molly Jacobs
REFERENCE NO.: CE15-0464

Ms. Jacobs stated the action to correct the violation was to cease all farmer's market activities and obtain a special event permit. The notice of violation was signed by Shawn Critser on December 16, 2015 and the notice of hearing was signed on January 16, 2016. Ms. Jacobs provided pictures. She inspected the property on December 23, 2015 and found the violation still existed. If the hearing finds a violation, she requested finding of fact and waive administrative costs. Mr. Madden found that the violation occurred and had been abated after the time given. He fined them \$100 per day if it occurred again.

Vote: _____

Signature: _____

Douglas E. Snolley
M. J. Ho

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