



## Notice: Declaration of Dangerous and Unsafe Building

FROM THE OFFICE OF THE BUILDING OFFICIAL OF TOWN OF FORT MYERS BEACH, FLORIDA. THE BUILDING OFFICIAL IS GRANTED AUTHORITY UNDER CHAPTER 468 AND 553, FLA. STAT. AND CHAPTER 8 OF THE FORT MYERS BEACH CODE TO ENFORCE THE FLORIDA BUILDING CODE.

Location: 831 Lagoon St., Fort Myers Beach, Lee County, Florida

Legal description: Lot 37, Block A, Island Shores Unit No. 2, according to the map or plat thereof as recorded in Plat Book 9, Page 25, Public Records of Lee County, Florida. The Fort Myers Beach Code authorizes the Building Official to inspect, or cause to be inspected, any building, structure, or portion thereof which may be unsafe for the protection of the health, safety and general welfare of the business owners, residents and visitors of the Town. Based upon personal inspection, the Building Official has determined that the damage to single family home structure at 831 Lagoon St., and as further described in the legal description above, has caused the existing building at this location to become unsafe and the abatement of the unsafe condition by repair, vacation or demolition, or a combination thereof, is required.

The single-family home structure located at 831 Lagoon St., was inspected by the Town of Fort Myers Beach Building Official for the purposes of determining if the subject building meets the definition of "dangerous and unsafe building". In accordance with the Florida Building Code, any building or structure or any individual member with any of the structural conditions or defects described below shall be deemed dangerous and unsafe:

1. The building or structure has collapsed, partially collapsed, has moved off its foundation, or lacks the necessary support of the ground.
2. There exists significant risk of collapse, detachment, or dislodgement of any portion, member, appurtenance or ornamentation of the building or structure under service loads.
3. Buildings, structures or equipment that are unsanitary, or that are deficient due to light and ventilation, or that constitutes a fire hazard, or which the structure or individual structural members meet the definition of "Dangerous", or that are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance shall be deemed unsafe. A vacant structure that is not secured against entry shall be deemed unsafe.

The field inspection revealed the current state of the building satisfied the three conditions noted above and the single-family home structure at 831 Lagoon St. has caused the building to become unsafe. Based on the inspection and report findings the structure was found to be dangerous and unsafe. Immediate demolition is required. This shall include protecting the general public from the structure as required by the Florida Building Code.

You are hereby notified that the above dangerous conditions must be remedied. Due to the emergency conditions and exigent circumstances caused by Hurricane Ian all necessary permits must be secured, and the work commenced and completed within ten (10) days from the date of this notice. Time is of the essence. Be advised that if you fail or refuse to respond to the direction of this order, the Building Official may cause the work to be done to remedy the dangerous condition and the cost of demolition may constitute a lien on the property and shall be collected in a manner provided by law. All required permits for the demolition work shall be secured by the owner prior to the start of work. The Building Official may grant an extension for such time as determined reasonable for the completion of all required

FORT MYERS BEACH ESTERO ISLAND



[FMBgov.com](http://FMBgov.com)

Raymond P. Murphy, Mayor | Rexann Hosafros, Vice Mayor | Dan Allers, Council Member | Jim Atterholt, Council Member | Bill Veach, Council Member

work in compliance with Town of Fort Myers Beach Code. You are further notified that any person having legal interest in the property may appeal the notice by the Building Official to the Board of Appeals, and such appeal shall be in writing in the form specified in the Town of Fort Myers Beach Code. Failure to appeal in the time specified will constitute a waiver of all rights to an administrative hearing.

If you have any questions or need any further information regarding this letter, please contact my office at 239-284-0446.

Sincerely,

Stephen Poposki

FORT MYERS BEACH ESTERO ISLAND

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