



Town of Fort Myers Beach

CODE COMPLIANCE

2525 Estero Blvd Fort Myers Beach, Florida 33931

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

December 07, 2022

CASE NUMBER:	20221242
CERTIFIED MAIL:	Regular Mail Only

**BIRK JERRY J TR FOR JERRY J + DAWN V BIRK
TRUST
PO BOX 44303
MADISON, WI 53744**

**SITE ADDRESS: 7859 ESTERO BLVD
PARCEL STRAP NO: 034724W4001030060**

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **11/30/2022** by Town of Fort Myers Beach Code Enforcement Officer **John Encarnacao** indicates that the property is in violation of the following Town Code(s):

Demolition Of House Without Permit.

Sec. 6-111, Adopting FBC 105.1 The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law.

FBC 105.1 Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

The Violation(s) can be brought into compliance by obtaining a demolition permit. You are hereby directed to bring these violations into compliance within 30 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS 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 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) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

John Encarnacao

Code Enforcement Officer
Town of Fort Myers Beach