

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

**Wednesday, October 28, 2015**

**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.:** 70904595

TOWN OF FORT MYERS BEACH, FLORIDA

Petitioner,

vs.

Rai Simonson

Respondent.

Ambassador Rediske stated that while patrolling on September 26, 2015 at 3:04 p.m. he approached a silver Dodge and issued a parking citation under Ordinance 03-056A for an overtime meter. The original fine was \$25.00 but was now \$60.00.

Ms. Simonson responded that she attempted to put bills in the meter twice but the machine would not accept the bills. She stated that she used a credit card but the machine requested a permit number and she did not have a permit number. She made a reasonable effort to comply but she eventually gave up. Ms. Simonson felt that she was being financially penalized for requesting the hearing.

Mr. Madden found that the violation occurred and Ms. Simonson was ordered to pay \$25.00 within 14 days of receipt of the order.

**Hearing Examiner - Special Magistrate:** Mr. Joe Madden

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

**CASES TO BE HEARD:**

<b>PROPERTY OWNER:</b>	Beachfront Escapes LLC
<b>SUBJECT:</b>	LDC Section 6-11 Adoptions Adoption of Florida Building Code 105.1 Required
<b>LOCATION:</b>	1710 Estero Blvd
<b>STRAP NO.:</b>	19-46-24-W4-0070A-0010
<b>CODE OFFICER:</b>	Molly Jacobs
<b>REFERENCE NO.:</b>	CE15-0260

Ms. Jacobs reviewed violations and history of the case. She stated that a permit was pulled for a roof repair but they were putting structure on the windows. Ms. Jacobs revealed that the owner applied for a permit for the structure in July, but it was denied and the owner had not resubmitted the application. She requested that the owner be given five (5) working days to obtain an after the fact permit, otherwise a \$250/day fine until the permit is obtained and all subsequent inspections passed.

Joe Orlandini, respondent, preferred to be given 10 days to obtain a permit due to issues with his structural engineer.

Mr. Madden found that the violation had occurred and gave the respondent 10 days to obtain the requisite permits and follow through with inspections. In the event the permits and inspection are not issued within 10 days from the date of order, a fine of \$250/day will go into place. Mr. Madden stated that if Mr. Orlandini could not get the permit obtained or the inspection completed, Mr. Orlandini was to contact Code Enforcement so they could let his office know and possibly adjust the time frame.

**Hearing Examiner - Special Magistrate:** Mr. Joe Madden

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

**CASES TO BE HEARD:**

**PROPERTY OWNER:** Beachfront Escapes LLC  
**SUBJECT:** LDC Section 6-11 Adoptions  
Adoption of Florida Building Code 105.1 Required  
**LOCATION:** 1740 Estero Blvd  
**STRAP NO.:** 19-46-24-W4-0070A-0010  
**CODE OFFICER:** Molly Jacobs  
**REFERENCE NO.:** CE15-0385

Ms. Jacobs reviewed violations and history of the case. She stated there was a remodel permit submitted, which was in the review process with rejections. The remodel permit was for siding replacement, but that did not require a permit. Ms. Jacobs reported that the building was covered with a blue tarp while work was being done and she had not been allowed access into the inside of the upstairs. She could see that the railing had been taken down and replaced; which does require a permit.

Mr. Orlandini stated that he submitted the application for the permit and was waiting for comments. Ms. Jacobs stated that Mr. Orlandini should expect a rejection letter by Friday. She asked for 15 working days to obtain an after the fact permit and pass subsequent inspections, otherwise a \$250/day fine until that was achieved. Mr. Madden found that a violation had occurred and gave the respondent 30 days to come into compliance and ordered that there be no occupancy in the upstairs unit until it passed inspection. In the event that it was not done in 30 days, a \$250/day fine will go into place.

**Hearing Examiner - Special Magistrate:** Mr. Joe Madden

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

**CASES TO BE HEARD:**

**PROPERTY OWNER:** Estero Bay Hotel Company  
**SUBJECT:** LDC Section 6-11 Adoptions  
Adoption of Florida Building Code 105.1 Required  
**LOCATION:** 414/416 Crescent Street  
**STRAP NO.:** 19-46-24-W4-0150E.0210  
**CODE OFFICER:** Molly Jacobs  
**REFERENCE NO.:** CE15-0383

Ms. Jacobs reviewed violations and history of the case. She reported that they installed a tiki hut without a permit. The respondent was aware of the violation and he agreed to a 30 day compliance time frame, otherwise a \$250/day fine would be in place until compliance. Mr. Madden entered an order to that effect.

**Hearing Examiner - Special Magistrate:** Mr. Joe Madden

**Code Enforcement Officer:** Ambassador Nello Cernoia

**CASE TO BE HEARD:**      **VIOLATION NO.:** 72003901

TOWN OF FORT MYERS BEACH, FLORIDA

Petitioner,

vs.

Danielle Efird

Respondent.

The respondent was not in attendance. Ambassador Cernoia stated there was a parking violation at 9:00 a.m. for parking in an illegal parking space. He asked for the balance due of \$75.00 plus \$50.00 in court costs and administrative fees. Mr. Madden found that a violation did exist and entered an order to that effect.

Vote: \_\_\_\_\_ Signature: \_\_\_\_\_

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