

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

Wednesday, November 18, 2015

Hearing Examiner - Special Magistrate: Mr. Joe Madden

CASES TO BE HEARD:

PROPERTY OWNER: Rece Properties LLC
SUBJECT: LDC Section: 34-631(c)(2)

LOCATION: 207 Palermo Circle
STRAP NO.: 19-46-24-W4-0060F.0190
CODE OFFICER: Molly Jacobs
REFERENCE NO.: CE15-0006

Ms. Jacobs stated that she was unable to view the inside of the property; however, she was able to access online advertisements that described the house as containing six bedrooms and six bathrooms. The approved building plans indicated there were five bedrooms and four and a half bathrooms. Ms. Jacobs noted that, per code, the lower level was to be used only for parking and limited storage. The action necessary to correct the violation would be to revert the ground floor to storage as approved in the building plan BLD13-0123. A notice of violation was sent to the property owner and registered agent via certified mail. Ms. Jacobs received a signed receipt of the notice of violation from the property owner on 7-6-15 and a receipt signed by registered agents on 6-15-15. It was posted on the property on 6-11-15 and a notice of hearing was provided to the property owner and registered agent by certified mail. The property owner returned the signed receipt on 11-9-15 and the signed receipt from the registered agent on 10-19-15. Ms. Jacobs provided pictures of the property. She indicated that they made steps to get into compliance, but they were not in compliance at the time of the hearing.

Mr. Madden found that the violation did exist and the bottom floor of the property was unlawfully converted. He gave the respondent until 12-4-15 to complete revision. In the event of noncompliance, a fine of \$250/day will go into place. Administrative costs were waived.

Hearing Examiner - Special Magistrate: Mr. Joe Madden

PROPERTY OWNER: Palms on Palermo LLC
SUBJECT: LDC Sections: 34-631(c)(2) and 34-1173

LOCATION: 414 Palermo Circle
STRAP NO.: 19-46-24-W4-0060F.0140
CODE OFFICER: Molly Jacobs
REFERENCE NO.: CE15-0005

Ms. Jacobs stated that she was unable to view the inside of the property; however, she accessed online advertisements that indicated the house contained seven bedrooms and six bathrooms. The approved building plans indicated there were four bedrooms and three and a half bathrooms. Ms. Jacobs noted that the lower level was to be used only for parking and limited storage. The action necessary to correct the violation would be to revert the ground floor to storage as approved in the building plan. A notice of violation was sent to the property owner and registered agent via certified mail and returned signed on 6-22-15 and 6-15-15. The notice of hearing was sent to the property owner and registered mail via certified mail and returned signed on 11-16-15 and 10-19-15. Ms. Jacobs provided pictures of the property. She stated she spoke to the owner of the property on several occasions.

Mr. Madden found that a violation existed and he gave the respondent until 12-4-15 to abate consistent with the notice. In the event of noncompliance, a \$250/day fine will go into place. Administrative costs were waived.

Hearing Examiner - Special Magistrate: Mr. Joe Madden

PROPERTY OWNER: Paul Meyers

SUBJECT: FMB Property Maintenance Codes: 304.2 - 304.4 - 304.6 - 304.8

LOCATION: 143 Driftwood Lane

STRAP NO.: 34-46-24-W4-0010C-0070

CODE OFFICER: David Crook

REFERENCE NO.: CE15-0378

Mr. Cook inspected the property on 9-4-15, 9-18-15 and 10-8-15. He reviewed the pertinent maintenance codes. The action necessary to comply was to repair all the visible elements and bring it back to a state of good repair. Mr. Cook provided photographs. A notice of violation was sent via certified mail and returned signed on 9-18-15. A notice of hearing was sent via certified mail and returned signed on 11-5-15. He spoke to a relative of the property and their intent was to demolish the building. Mr. Cook informed the relative that they would have to apply for a demolition permit. He has not had further contact.

Mr. Madden found that a violation did exist and he gave the respondent 30 days from the date of the order to abate the violation consistent with the actions necessary, otherwise a \$250/day fine would be in place until compliance. Mr. Madden waived administrative costs.

Hearing Examiner - Special Magistrate: Mr. Joe Madden

PROPERTY OWNER: Asset Acquisition & Holdings

SUBJECT: FMB Property Maintenance Codes: 304.2 - 304.3 - 304.7 - 304.9
304.10 - 304.14 - 302.4

LOCATION: 3725/3729 Estero Blvd.

STRAP NO.: 29-46-24-W1-00152-B010

CODE OFFICER: David Crook

REFERENCE NO.: CE15-0332

Mr. Crook indicated that he did not have contact with the company. He questioned the ownership of the property. Mr. Madden discovered that the notice of violation was sent to the wrong address. He continued the matter until it was properly noticed.

Vote: _____ Signature: _____

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