

CODE ENFORCEMENT BOARD MINUTES
JANUARY 10, 2008

The Code Enforcement Board of the City of Fort Myers, Florida met at City Hall, City Council Chambers, 2200 Second Street, Fort Myers, Florida, its regular meeting place, on Thursday, January 10, 2008 at 1:00 o'clock P.M. Present were Chairman, Jon Martina, Ann Wilke, Terry Hall, David Krupick, and Edward Howell, Code Enforcement Board Members. Also presiding was Mark Moriarty, Assistant City Attorney. Absent was Matthew Belcastro, Code Enforcement Board Member.

Chairman Jon Martina stated that the procedures for the Code Enforcement Board are as follows:

Presiding Officers Opening Statement

The Code Enforcement Board is now in Session. All parties and their representatives will be allowed full opportunity to be heard on matters relevant to their cases. All parties and witnesses will be asked to swear or affirm that the testimony given is the truth to the best of their knowledge. The Clerk will call the name of the alleged violator, and the location of the violation cited. Those pleading guilty will be heard first, and those pleading no contest or not guilty will be heard in the order of their case number on the agenda. As each case is called the Code Violation Officer will present his or her case to the board and answer any questions. When the Code Violation Officer is finished the alleged violator or their representative will have a chance to respond to the charge(s) and answer any of the board's questions.

Patricia Parker, Collections Manager, administered the oath to those presenting testimony.

AGENDA ITEM NO. 1 APPROVAL OF THE MINUTES OF THE REGULAR MEETING HELD ON DECEMBER 13, 2007

It was moved by Ms. Krupick, seconded by Mr. Hall, and unanimously carried to approve the minutes of November 8, 2007.

**AGENDA ITEM NO. 2 CASE NO. 2007-06112 CITY OF FORT MYERS VS. GARY LAVOIE TR FOR JEANNETTE LAVOIE TRUST
CITED ADDRESS: 4561 BALLARD ROAD (GARAGE/SHED)**

Case presented by Officer Richard Scott. Gary Lavoie, property owner of 4561 Ballard Road, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick that all violations must be abated by March 12, 2008 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008 and the city shall abate.

It was moved by Mr. Krupick, seconded by Ms. Wilke, and unanimously carried to find the defendants not guilty due to compliance on Case No. 2007-06819, 2007-03935, and 2007-02464.

It was moved by Mr. Krupick, seconded by Ms. Wilke, and unanimously carried to withdraw Case No. 2007-06787.

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AGENDA ITEM NO. 6 CASE NO. 2007-07528 CITY OF FORT MYERS VS. IDELLA WILLIAMS
CITED ADDRESS: 3224 C STREET

Case presented by Officer Richard Scott. John Tobler, representative and general contractor, presented his case. It was moved by Mr. Hall, seconded by Mr. Howell, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Howell that all permits must be obtained by March 12, 2008, and that all violations must be abated by September 8, 2008 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008 and the city shall abate.

AGENDA ITEM NO. 50 CASE NO. 2006-03532 CITY OF FORT MYERS VS. IDELLA WILLIAMS
CITED ADDRESS: 3224 C STREET/CONDITIONAL RELEASE OF LIEN

Officer Richard Scott stated that this conditional release of lien has been requested in order to obtain the financing to complete the rehab work on the property. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to approve the conditional release of lien if payment of hard costs of \$1,311.55 are received by February 11, 2008 and property is brought into compliance by September 8, 2008. If the sales contract is broken, the lien will revert back to the full original amount and continue to accrue daily as the board did not stop the fine. Further discussion. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that hard costs must be received by May 12, 2008.

AGENDA ITEM NO. 7 CASE NO. 2007-03029 CITY OF FORT MYERS VS. JEAN JACQUES
CITED ADDRESS: 3315 C STREET

Case presented by Officer Maria Pichardo. Jean Jacques, property owner of 3315 C Street, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, that all violations must be abated by April 11, 2008 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008.

AGENDA ITEM NO. 12 CASE NO. 2006-07951 CITY OF FORT MYERS VS. LINDA KENDZIORRA
CITED ADDRESS: 106 DIANA AVENUE

Case presented by Officer Carlos Fraticelli. Robert Cohen, representative, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, that all violations must be abated by April 11, 2008 or a fine of \$150.00 per day be imposed retroactive to January 10, 2008.

AGENDA ITEM NO. 13 CASE NO. 2007-04914 CITY OF FORT MYERS VS. RALPH CONSTANT
CITED ADDRESS: 2243 DORA STREET

Case presented by Officer Tom Smith. Ralph Constant, property owner of 2243 Dora Street, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Ms. Wilke, that all violations must be abated by July 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

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AGENDA ITEM NO. 18 CASE NO. 2007-01309 CITY OF FORT MYERS VS. RICHARD RAMADON
CITED ADDRESS: 3037 FOWLER STREET

Case presented by Officer Tom Smith. Richard Ramadan, property owner of 3037 Fowler Street, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, that all violations must be abated by March 12, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

AGENDA ITEM NO. 31 CASE NO. 2006-02127 CITY OF FORT MYERS VS. FUTRAL'S FEED STORE, LC
CITED ADDRESS: 3365 PALM BEACH BOULEVARD

Case presented by Officer Ron Giddings. David Moody, representative, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Ms. Wilke, that all permits must be obtained by July 10, 2008 and that violations must be abated by February 1, 2009 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008.

AGENDA ITEM NO. 32 CASE NO. 2006-02124 CITY OF FORT MYERS VS. FUTRAL'S FEED STORE, LC
CITED ADDRESS: 3371 PALM BEACH BOULEVARD

Case presented by Officer Ron Giddings. David Moody, representative, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Ms. Wilke, that all permits must be obtained by July 10, 2008 and that violations must be abated by February 1, 2009 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008.

AGENDA ITEM NO. 37 CASE NO. 2007-06177 CITY OF FORT MYERS VS. EZEQUIEL & AMNERIZ RIVERA
CITED ADDRESS: 3977 SEMINOLE AVENUE

Case presented by Officer Ron Giddings. Ezequiel Rivera, property owner of 3977 Seminole Avenue, presented his case. It was moved by Mr. Hall, seconded by Ms. Wilke, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Ms. Wilke, that all junk, trash, and debris must be abated by March 12, 2008, that all permits must be obtained by March 12, 2008, and that violations must be abated by July 10, 2008 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008.

AGENDA ITEM NO. 19 CASE NO. 2007-06614 CITY OF FORT MYERS VS. NEIL MORRIS TR.
CITED ADDRESS: 1897 FRENCH STREET

Case presented by Officer Maria Pichardo. Larry Simpson/Home Hunters USA, representative, stated that there is incorrect information in the Lee County Property Appraiser's records as to the ownership of this property and further presented his case. Stephen Enbody/Century 21 Sunbelt Realty stated that the current owner of this property is Mr. Varma's wife. It was moved by Ms. Wilke, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Ms. Wilke, seconded by Mr. Krupick, that all violations must be abated by March 13, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

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**AGENDA ITEM NO. 22 CASE NO. 2007-07617 CITY OF FORT MYERS VS. WAYNE WELCH
CITED ADDRESS: 4736 HUNTERS GREEN DRIVE**

Case presented by Officer Richard Scott. Wayne Welch, property owner of 4736 Hunters Green Drive, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick that all permits must be obtained by March 12, 2008, and that all violations must be abated by June 10, 2008 or a fine of \$150.00 per day be imposed retroactive to January 10, 2008 and the city shall abate.

**AGENDA ITEM NO. 29 CASE NO. 2007-02043 CITY OF FORT MYERS VS. GLADYS FULTON
CITED ADDRESS: 3843 MARVAEZ STREET**

Case presented by Officer Ray Ramos. Jeffrey Myers, representative, presented his case. It was moved by Ms. Wilke, seconded by Mr. Howell, to find the defendant guilty. It was further moved by Ms. Wilke, seconded by Mr. Howell that all violations must be abated by February 10, 2008.

**AGENDA ITEM NO. 49 CASE NO. 2006-05049 CITY OF FORT MYERS VS. JESSIE & CHARLIE MANUEL
CITED ADDRESS: 4212 BALLARD ROAD**

It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to mitigate the fine in the amount of \$29,900.00 to \$1,240.97 if paid by June 10, 2008 or the fine will revert back to the original lien amount as ordered.

**AGENDA ITEM NO. 51 CASE NO. 2007-02964 CITY OF FORT MYERS VS. DOCKSIDE FUEL SERVICE OF CHARLOTTE COUNTY, INC.
CITED ADDRESS: 3405 CANAL STREET (CONTINUED FROM 11/8/07 DISCUSSION ITEM ONLY/CERTIORARI IN CIRCUIT COURT)**

Assistant City Attorney Mark Moriarty stated that he has an obligation to inform the board regarding the appeal that was filed in circuit court and also an opportunity for the board to reconsider any arguments, from the other side, that will be taken up by the circuit court. It was moved by Mr. Martina, seconded by Mr. Krupick, and unanimously to reconsider the motion that was made on September 13, 2007. Neale Montgomery, representative, presented her case. Cheryl Riccobono, City of Fort Myers Zoning Manager, presented her case. It was moved by Mr. Krupick, seconded by Mr. Martina, to find the defendant not guilty (also encumbers #2007-02970/3413 Canal St.; 2007-02971/3419 Canal St.; 2007-02980/3421 Canal St.; 2007-02981/3425 Canal St.; 2007-02982/3429 Canal St.).

**AGENDA ITEM NO. 52 CASE NO. 2006-06612 CITY OF FORT MYERS VS. 2418 COLONIAL PARTNERS, LLP
CITED ADDRESS: 2418 COLONIAL BOULEVARD (ORDER TO IMPOSE FINE FROM 3/8/07)**

Case presented by Officer Rob Jenkins. Gregory Jones/President of Sunstate Academy of Hair Design, representative, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to continue the case to May 1, 2008.

**AGENDA ITEM NO. 53 CASE NO. 2006-00156 CITY OF FORT MYERS VS. KAPOK TERRACE CONDO ASSOCIATION
CITED ADDRESS: 4010 DELEON STREET APH A (ORDER TO ABATE)**

Officer Richard Scott stated that the board's motion of May 11, 2006 did not include the abatement order.

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Philip Roman, property owner of 4010 Deleon St. #1A, presented his case. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that the city shall abate and the fine shall continue to accrue.

**AGENDA ITEM NO. 54 CASE NO. 2006-01390 CITY OF FORT MYERS VS. CLIFFORD MCCOLLUM JR. & CAROLINE MCCOLLUM & MALCOLM MCCOLLUM SR. J/T
CITED ADDRESS: 2701-19 DR. MARTIN LUTHER KING JR BOULEVARD (REAR HOUSE A/K/A 1971 CRANFORD AVENUE)**

It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to mitigate the fine in the amount of \$87,000.00 to \$1,240.97 if paid by February 11, 2008 or the fine will revert back to the original lien amount as ordered.

**AGENDA ITEM NO. 55 CASE NO. 2007-05476 CITY OF FORT MYERS VS. DAVID PETERSON
CITED ADDRESS: 2755 DR. MARTIN LUTHER KING JR BOULEVARD**

No one in attendance. No action taken by the board.

**AGENDA ITEM NO. 56 CASE NO. 2006-03363 CITY OF FORT MYERS VS. JAMES MATERA JR./MATERA AUTO SALES
CITED ADDRESS: 3671 FOWLER STREET**

It was moved by Mr. Krupick, seconded by Mr. Hall, and unanimously carried to mitigate the fine in the amount of \$78,500.00 to \$1,076.97 if paid by March 13, 2008 or the fine will revert back to the original lien amount as ordered.

**AGENDA ITEM NO. 57 CASE NO. 2007-04514 CITY OF FORT MYERS VS. CLA TRANSPORT, LLC
CITED ADDRESS: 3516 KAUNE AVENUE**

It was moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried to mitigate the fine in the amount of \$14,800.00 to \$338.13 if paid by February 11, 2008 or the fine will revert back to the original lien amount as ordered.

**AGENDA ITEM NO. 58 CASE NO. 2007-04516 CITY OF FORT MYERS VS. CLA TRANSPORT, LLC
CITED ADDRESS: 3520 KAUNE AVENUE**

It was moved by Mr. Hall, seconded by Mr. Howell, and unanimously carried to mitigate the fine in the amount of \$14,800.00 to \$338.13 if paid by February 11, 2008 or the fine will revert back to the original lien amount as ordered.

**AGENDA ITEM NO. 59 CASE NO. 2007-04515 CITY OF FORT MYERS VS. CLA TRANSPORT, LLC
CITED ADDRESS: 3524 KAUNE AVENUE**

It was moved by Mr. Hall, seconded by Mr. Howell, and unanimously carried to mitigate the fine in the amount of \$14,800.00 to \$338.13 if paid by February 11, 2008 or the fine will revert back to the original lien amount as ordered.

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**AGENDA ITEM NO. 60 CASE NO. 2005-03466 CITY OF FORT MYERS VS. MARK NESTOR
CITED ADDRESS: 1842 LINHART AVENUE**

Collections Manager Patricia Parker stated that Mr. Nestor had to leave on an emergency and would like this case continued to next month. It was moved by Mr. Hall, seconded by Mr. Howell, and unanimously carried to continue the case to the February 14, 2008 Code Board meeting.

**AGENDA ITEM NO. 61 CASE NO. 2004-03639 CITY OF FORT MYERS VS. ROOSEVELT &
CHERYL UPSHAW JR.
CITED ADDRESS: 1500 MARKLAND AVENUE**

It was moved by Mr. Hall, seconded by Mr. Howell, and unanimously carried to mitigate the fine in the amount of \$73,750.00 to \$331.34 if paid by February 11, 2008 or the fine will revert back to the original lien amount as ordered.

**AGENDA ITEM NO. 62 CASE NO. 2006-05896 CITY OF FORT MYERS VS. NAZIUS &
LEONNIE JEAN
CITED ADDRESS: 2250 ROYAL PALM AVENUE**

It was moved by Mr. Hall, seconded by Mr. Howell, and unanimously carried to mitigate the fine in the amount of \$17,400.00 to \$715.97 if paid by February 11, 2008 or the fine will revert back to the original lien amount as ordered.

**AGENDA ITEM NO. 63 CASE NO. 2007-02034 CITY OF FORT MYERS VS. ROBERT
HALGRIM TR. EST.
CITED ADDRESS: 1452 SANDRA DRIVE**

Robert Halgrim, representative, presented his case. It was moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried to reduce the fine in the amount of \$13,500.00 to \$0.00.

**AGENDA ITEM NO. 64 CASE NO. 2007-02196 CITY OF FORT MYERS VS. ROBERT
HALGRIM TR. EST.
CITED ADDRESS: 1452 SANDRA DRIVE**

Robert Halgrim, representative, presented his case. It was moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried to reduce the fine in the amount of \$8,700.00 to \$0.00.

**AGENDA ITEM NO. 65 CASE NO. 2006-04985 CITY OF FORT MYERS VS. SAMSON
DORCUIS
CITED ADDRESS: 3557 SPRUCE LANE**

No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to deny the mitigation.

**AGENDA ITEM NO. 66 CASE NO. 23050043 CITY OF FORT MYERS VS. SUSIE WILLIAMS
(NEW OWNER)
CITED ADDRESS: 2032 WRIGHT STREET**

It was moved by Mr. Hall, seconded by Mr. Howell, and unanimously carried to mitigate the fine in the amount of \$34,350.00 to \$759.60 if paid by February 11, 2008 or the fine will revert back to the original lien amount as ordered.

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**AGENDA ITEM NO. 67 CASE NO. 2007-03538 CITY OF FORT MYERS VS. STERLING & MARILYN SAVAGE
CITED ADDRESS: 1519 MARSH AVENUE (LOT MOW DISPUTE INVOICE #0336-07)**

Sterling Savage, property owner of 1519 Marsh Avenue, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to deny the lot mow dispute.

**AGENDA ITEM NO. 68 CASE NO. 2007-06865 CITY OF FORT MYERS VS. STERLING & MARILYN SAVAGE
CITED ADDRESS: 1519 MARSH AVENUE (LOT MOW DISPUTE INVOICE #0738-07)**

Sterling Savage, property owner of 1519 Marsh Avenue, presented his case. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to deny the lot mow dispute.

**AGENDA ITEM NO. 69 CASE NO. 2005-07416 CITY OF FORT MYERS VS. LAMONT L. KNOWLES
CITED ADDRESS: 3720 MADISON AVENUE (UNSAFE DISCUSSION ITEM)**

Chief Code Enforcement Manager Michael Titmuss stated that this case is being brought before the board for an update on the condition of the property. No action taken by the board.

**AGENDA ITEM NO. 70 CASE NO. 98010130 & 2005-01279 CITY OF FORT MYERS VS. HOPE ELAINE JACKSON
CITED ADDRESS: 670 PROSPECT AVENUE (UNSAFE DISCUSSION ITEM)**

Chief Code Enforcement Manager Michael Titmuss stated that this case is being brought before the board for an update on the condition of the property. No action taken by the board.

**AGENDA ITEM NO. 24 CASE NO. 2007-09186 CITY OF FORT MYERS VS. CARL McCAMBRIDGE
CITED ADDRESS: 2302 LANE AVENUE (REPEAT OFFENDER)**

Case presented by Officer Ray Ramos. Jim Peterzack, neighbor, presented his case. It was moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried to find the defendant guilty as a repeat offender. It was further moved by Mr. Hall, seconded by Mr. Howell, and unanimously carried that all violations must be abated by February 11, 2008 or a fine of \$500.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 30 CASE NO. 2007-05862 CITY OF FORT MYERS VS. REYNA CASTANEDA & ALVARO CONTRERAS
CITED ADDRESS: 4323 NEW YORK AVENUE**

Case presented by Officer Carlos Fraticelli. It was moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried that all violations must be abated by February 11, 2008 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008.

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**AGENDA ITEM NO. 3 CASE NO. 2007-04898 CITY OF FORT MYERS VS. ERIK RODRIGUEZ
CITED ADDRESS: 3924 BELMONT STREET**

Case presented by Officer Carlos Fraticelli. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 4 CASE NO. 2007-01261 CITY OF FORT MYERS VS. JOHN MORGAN
TR FOR BARBOUR-BRUSSESI TRUST
CITED ADDRESS: 1439 BERT DRIVE**

Officer Maria Pichardo stated that a stipulation was signed. It was moved by Mr. Martina, seconded by Mr. Hall, and unanimously carried to find the defendant guilty and accept the signed stipulation.

**AGENDA ITEM NO. 10 CASE NO. 2007-05586 CITY OF FORT MYERS VS. JIMMY
CARRILLO
CITED ADDRESS: 3446 DALE STREET**

Case presented by Officer Maria Pichardo. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 11 CASE NO. 2007-05562 CITY OF FORT MYERS VS. ALBERTA DAVIS
EST.
CITED ADDRESS: 2132 DAVIS STREET**

Case presented by Officer Jermaine Jones. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 14 CASE NO. 2007-06393 CITY OF FORT MYERS VS. S&G
INVESTMENTS, LLC
CITED ADDRESS: 4202 EDGEWOOD AVENUE**

Case presented by Officer Ron Giddings. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 16 CASE NO. 2007-05981 CITY OF FORT MYERS VS. ERIK
RODRIGUEZ & NATISHA OLAVARRIA
CITED ADDRESS: 1364 FLORAL DRIVE**

Case presented by Officer Carlos Fraticelli. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

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**AGENDA ITEM NO. 17 CASE NO. 2007-08253 CITY OF FORT MYERS VS. TARA SWEET
CITED ADDRESS: 1403 FLORAL DRIVE (REAR ADDITION)**

Case presented by Officer Richard Scott. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008 and the city shall abate.

**AGENDA ITEM NO. 20 CASE NO. 2007-08350 CITY OF FORT MYERS VS. ALLEN HUNTER
CITED ADDRESS: 2198 HALE STREET**

Officer Richard Scott stated that the owner has decided to demolish the property; in the process of signing the Unsafe Structure Abatement Waiver for the city to take it down. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008 and the city shall abate. Motion amended. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that if the Unsafe Structure Abatement Waiver is received by February 10, 2008 the fine will not be imposed.

**AGENDA ITEM NO. 21 CASE NO. 2007-02709 CITY OF FORT MYERS VS. EAMON SMART
CITED ADDRESS: 1923 HOUGH STREET**

Case presented by Officer Ron Giddings. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 23 CASE NO. 2007-08829 CITY OF FORT MYERS VS. JPDF
INVESTMENT CORP.
CITED ADDRESS: 4848 HUNTERS GREEN DRIVE (REPEAT OFFENDER)**

Case presented by Officer Maria Pichardo. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty as a repeat offender. It was further moved by Mr. Hall, seconded by Mr. Howell, and unanimously carried that a one-time fine of \$1,000.00 be imposed and that all violations must be abated by January 10, 2008 or a fine of \$250.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 25 CASE NO. 2007-03968 CITY OF FORT MYERS VS. JESSICA ALLEN
TR FOR 3759 LORA ST TRUST
CITED ADDRESS: 3759 LORA STREET**

Case presented by Officer Carlos Fraticelli. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

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AGENDA ITEM NO. 27 CASE NO. 2007-07723 CITY OF FORT MYERS VS. KRESZENTIA STANGL
CITED ADDRESS: 3028 MANGO STREET

Case presented by Officer Maria Pichardo. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty as a repeat offender. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

AGENDA ITEM NO. 28 CASE NO. 2007-05312 CITY OF FORT MYERS VS. CHESTER LUBELCZYK
CITED ADDRESS: 2407 MAPLE AVENUE

Officer Tom Smith stated that a stipulation was signed. It was moved by Mr. Martina, seconded by Mr. Hall, and unanimously carried to find the defendant guilty and accept the signed stipulation.

AGENDA ITEM NO. 33 CASE NO. 2007-08668 CITY OF FORT MYERS VS. ERIC STANSBERY
CITED ADDRESS: 729 PINE STREET (GARAGE APT. ONLY)

Case presented by Officer Richard Scott. No one in attendance. It was moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008 and the city shall abate.

AGENDA ITEM NO. 34 CASE NO. 2007-08543 CITY OF FORT MYERS VS. ERIC STANSBERY
CITED ADDRESS: 735 PINE STREET (REAR STRUCTURE ONLY)

Case presented by Officer Richard Scott. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008 and the city shall abate.

AGENDA ITEM NO. 35 CASE NO. 2007-04017 CITY OF FORT MYERS VS. BRIAN & LEAH FENSTER
CITED ADDRESS: 2723 SECOND STREET

Case presented by Officer Maria Pichardo. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by March 12, 2008 or a fine of \$100.00 per day be imposed retroactive to January 10, 2008.

AGENDA ITEM NO. 36 CASE NO. 2007-05755 CITY OF FORT MYERS VS. GRISELLE LOPEZ
CITED ADDRESS: 3340 SEMINOLE AVENUE

Case presented by Officer Ron Giddings. No one in attendance. It was moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried to find the defendant guilty as a repeat offender. It was further moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$150.00 per day be imposed retroactive to January 10, 2008.

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**AGENDA ITEM NO. 38 CASE NO. 2007-05516 CITY OF FORT MYERS VS. RAFAEL CARRASQUILLO
CITED ADDRESS: 2348 SOUTH STREET**

Case presented by Office Tom Smith. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 39 CASE NO. 2007-03421 CITY OF FORT MYERS VS. CHRISTINE REUTER EST.
CITED ADDRESS: 3537 SOUTH STREET**

Case presented by Officer Jermaine Jones. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 40 CASE NO. 2006-04316 CITY OF FORT MYERS VS. COUNTRYWIDE HOME LOANS, INC. (NEW OWNER)
CITED ADDRESS: 3770 WASHINGTON AVENUE**

Case presented by Officer Carlos Fraticelli. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 41 CASE NO. 2006-09162 CITY OF FORT MYERS VS. COUNTRYWIDE HOME LOANS, INC. (NEW OWNER)
CITED ADDRESS: 3770 WASHINGTON AVENUE**

Case presented by Officer Carlos Fraticelli. No one in attendance. It was moved by Mr. Hall, seconded by Ms. Wilke, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 42 CASE NO. 2007-06610 CITY OF FORT MYERS VS. JONAS JANVIER
CITED ADDRESS: 2355 WILLARD STREET**

Case presented by Office Tom Smith. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$250.00 per day be imposed retroactive to January 10, 2008.

**AGENDA ITEM NO. 45 CASE NO. 2007-6188 CITY OF FORT MYERS VS. JOSE ESTRELLA EST.
CITED ADDRESS: 1928 WRIGHT STREET**

Case presented by Office Maria Pichardo. No one in attendance. It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried to find the defendant guilty. It was further moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that all violations must be abated by January 10, 2008 or a fine of \$200.00 per day be imposed retroactive to January 10, 2008.

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AGENDA ITEM NO. 48 SIGNED STIPULATIONS

It was moved by Mr. Hall, seconded by Mr. Krupick, and unanimously carried that the stipulations presented on the addresses above (Case No. 2007-05732, 2007-05733, and 2007-01299) be approved.

AGENDA ITEM NO. 46 APPROVAL OF ORDER OF LIEN NO. 08-223

It was moved by Mr. Krupick, seconded by Ms. Wilke, and unanimously carried that the Order of Lien No.08-223 be approved.

AGENDA ITEM NO. 47 APPROVAL OF ORDER OF LIEN NO. 08-225

It was moved by Mr. Krupick, seconded by Ms. Wilke, and unanimously carried that the Order of Lien No.08-225 be approved.

**** REMINDER: CODE BOARD WORKSHOP 3/27/08 11:00AM-1:00PM**

DISCUSSION:

Mr. Martina inquired as to how long a temporary banner/sign can be on a building. Chief Code Enforcement Manager Michael Titmuss explained the city code. Mr. Hall inquired as to how long a building could be boarded up. Chief Code Enforcement Manager stated that there is nothing in the code that addresses this but the interpretation has always been that a board-up is meant to be a temporary situation (approximately six months). Mr. Titmuss stated that unsafe structures remain boarded up until they are demolished.

Chief Code Enforcement Manager Michael Titmuss introduced Shane Hidle, Code Field Officer III replacing David Crook.

Meeting adjourned.