



**ACTION AGENDA  
CODE ENFORCEMENT BOARD**

May 11, 2023  
1:00 p.m.

<b>ODE ENFORCEMENT BOARD</b>				
Vacant Ward 6	Patty G Chafatelli Vice Chairwoman By Mayor Henderson Present	Donald Overholser Ward 4 Excused	Roger Bosworth Ward 1 Present	Cynthia C Conners Ward 5 Present
Herman Dorsey Ward 2 Present	Vacant Ward 3	Alternate Shaunte Fulcher By Mayor Henderson Excused	Alternate Randy Krise By Mayor Anderson Present	

**CITY COUNCIL CHAMBERS, 2200 SECOND STREET, FORT MYERS, FLORIDA**

<b>Chairman’s Opening Statement</b>	Read
<b>Public Input on Non-Public Hearing Items</b>	None
<b>Pledge of Allegiance to the Flag of the United States of America</b>	Led by Mr. Krise
<b>Roll Call</b>	All present except, Donald Overholser, and Shaunte Fulcher.
<b>Interpreter Alehandro Vivez from Tico Translating Interpreting Interpreted the Oath in Spanish</b>	None
<b>Clerk administers Oath to all parties addressing the board</b>	Administered
<b>Clerk announces all cases to be heard</b>	
<b>AGENDA ITEMS 1-48 LISTED AS NEW BUSINESS</b>	
1.	<p><b>Case Number:</b> COD-018374-2022  <b>Cited Address:</b> 1357 Bradford Rd.  <b>Property Owner:</b> Jesus Miracle LLC.  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-09-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-07-22  <b>Ward:</b></p>
	<b><u>DISMISSED DUE TO COMPLIANCE</u></b> <b><u>05-04-23</u></b>



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2.	<p><b>Case Number:</b> COD-018150-2022  <b>Cited Address:</b> 3319 C St.  <b>Property Owner:</b> Lee County Housing Development  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b>  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 08-02-22  <b>Ward:</b> 2</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.</p>
3.	<p><b>Case Number:</b> COD-018977-2022  <b>Cited Address:</b> 3748 Central Ave.  <b>Property Owner:</b> Palm Vista FM LLC +  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b>  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 09-07-22  <b>Ward:</b> 4</p>	<p>Case presented by Building Official Brent Brewster. Mr. Lucia, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Dorsey, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Mr. Dorsey, seconded by Ms. Conners, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.</p>
4.	<p><b>Case Number:</b> COD-017985-2022  <b>Cited Address:</b> 2809 Cleveland Ave.  <b>Property Owner:</b> Cape Cleaners Inc  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 07-25-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-14-22  <b>Ward:</b> 4</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-25-23</u></b></p>



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5.	<p><b>Case Number:</b> COD-018492-2022  <b>Cited Address:</b> 4805 S Cleveland Ave.  <b>Property Owner:</b> M+J Yang Propertys LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-15-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-21-22  <b>Ward:</b> 5</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-04-23</u></b></p>
6.	<p><b>Case Number:</b> COD-018807-2022  <b>Cited Address:</b> 4650 S Cleveland Ave.  <b>Property Owner:</b> B &amp; B South Plaza Holdings LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-29-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-05-22  <b>Ward:</b> 5</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.</p>
7.	<p><b>Case Number:</b> COD-016534-2022  <b>Cited Address:</b> 1900 Clifford St. 604  <b>Property Owner:</b> Battersby Donna  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 05-24-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 10-17-22  <b>Ward:</b> 4</p>	<p>WITHDRAWN 05-09-23</p>
8.	<p><b>Case Number:</b> COD-018205-2022  <b>Cited Address:</b> 1429 Colonial Blvd.  <b>Property Owner:</b> Midpoint Professional Center  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-03-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-07-22  <b>Ward:</b> 5</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried that</p>



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		all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.
9.	<p><b>Case Number:</b> COD-017982-2022  <b>Cited Address:</b> 3321 Dora St.  <b>Property Owner:</b> Rogers Rosa Lee  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 07-25-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-14-22  <b>Ward:</b> 2</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-19-23</u></b></p>
10.	<p><b>Case Number:</b> COD-018362-2022  <b>Cited Address:</b> 2572 First St.  <b>Property Owner:</b> 2572 First Street Holdings LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-09-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-08-22  <b>Ward:</b> 4</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.</p>
11.	<p><b>Case Number:</b> COD-017622-2022  <b>Cited Address:</b> 4300 Ford St. 108  <b>Property Owner:</b> Ford Street Properties LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b>  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 07-11-22  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-10-23</u></b></p>



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12.	<p><b>Case Number:</b> COD-018173-2022  <b>Cited Address:</b> 1624 Hanson St.  <b>Property Owner:</b> Sprehe Daniel  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-02-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-06-22  <b>Ward:</b> 4</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-04-23</u></b></p>
13.	<p><b>Case Number:</b> COD-019274-2022  <b>Cited Address:</b> 2219 Jaylen Watkins St.  <b>Property Owner:</b> Green Regina  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 09-19-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-30-22  <b>Ward:</b> 2</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Dorsey, seconded by Mr. Bosworth, and unanimously carried to find the defendant guilty. It was moved by Mr. Dorsey, seconded by Mr. Bosworth, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.</p>
14.	<p><b>Case Number:</b> COD-017823-2022  <b>Cited Address:</b> 2366 E Mall Dr. 505  <b>Property Owner:</b> Leu Keith  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 07-18-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-28-22  <b>Ward:</b> 4</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-19-23</u></b></p>
15.	<p><b>Case Number:</b> COD-018494-2022  <b>Cited Address:</b> 6172 Markland Ave.  <b>Property Owner:</b> Santana Urberza + Lantigua Lantigua Jose Rafael ET AL  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-15-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-12-22  <b>Ward:</b> 1</p>	<p>Case presented by Building Official Brent Brewster. Mr. Lantrigua, Representative and Property owner, Ms. Santana, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Bosworth, seconded by Mr. Krise, and unanimously carried to find the defendant guilty. It was moved by Mr.</p>



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		Bosworth, seconded by Mr. Krise, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.
16.	<p><b>Case Number:</b> COD-019037-2022  <b>Cited Address:</b> 1817 S Markley Ct.  <b>Property Owner:</b> Cardec-Quiles Hector J &amp; Cardec Tania  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 09-08-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-08-23</u></b></p>
17.	<p><b>Case Number:</b> COD-017821-2022  <b>Cited Address:</b> 4195 Palm Beach Blvd.  <b>Property Owner:</b> Investments S &amp; O LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 07-18-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-27-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-08-23</u></b></p>
18.	<p><b>Case Number:</b> COD-018375-2022  <b>Cited Address:</b> 3066 Palm Ave.  <b>Property Owner:</b> James M Carrigan LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 11-09-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-14-22  <b>Ward:</b> 3</p>	<p>Case presented by Building Official Brent Brewster. Mr. Carrigan, Property Owner, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.</p>



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19.	<p><b>Case Number:</b> COD-018347-2022  <b>Cited Address:</b> 5233 Red Cedar Dr. 23  <b>Property Owner:</b> LNX 1 Properties LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-04-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 01-13-23  <b>Ward:</b> 1</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.</p>
20.	<p><b>Case Number:</b> COD-018343-2022  <b>Cited Address:</b> 5247 Red Cedar Dr 23  <b>Property Owner:</b> LNX 1 Properties LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-09-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-06-22  <b>Ward:</b> 5</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed starting on June 8, 2023, and capped at \$5,000.00.</p>
21.	<p><b>Case Number:</b> COD-018348-2022  <b>Cited Address:</b> 5249 Red Cedar Dr. 24  <b>Property Owner:</b> LNX 1 Properties LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-09-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-12-22  <b>Ward:</b> 5</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Dorsey, seconded by Ms. Chafatelli, and unanimously carried to find the defendant guilty. It was moved by Mr. Dorsey, seconded by Ms. Conners, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per</p>



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		day be imposed starting on June 8, 2023, and capped at \$5,000.00.
22.	<p><b>Case Number:</b> COD-017619-2022  <b>Cited Address:</b> 2704 Shriver Dr.  <b>Property Owner:</b> Herbruck Stephen H Tr For Stephen H Herbruck Trust  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 07-11-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-09-22  <b>Ward:</b> 4</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-11-23</u></b></p>
23.	<p><b>Case Number:</b> COD-018684-2022  <b>Cited Address:</b> 2669 St. Charles St.  <b>Property Owner:</b> Carter Mark Anthony Jr Tr For Mark Anthony Carter Trust  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-22-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 01-24-23  <b>Ward:</b> 3</p>	<p>Case presented by Building Official Brent Brewster. Mr. Lee and Mr. Anthony were sworn in and made an additional statement that they have their rights. Clerk, Kimberly LeFebvre, asked the Assistant City Attorney if we should hear the case or give more time for the City Attorney’s Office to review the file. Assistant City Attorney was not aware of the information. At that time, a motion was made by the board.</p> <p>It was moved by Ms. Conners, seconded by Mr. Krise, and unanimously carried to table the item.</p>
24.	<p><b>Case Number:</b> COD-018472-2022  <b>Cited Address:</b> 1709 Sunset Pl.  <b>Property Owner:</b> Distinctive Dwellings LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-15-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-06-22  <b>Ward:</b> 4</p>	<p>Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Bosworth, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be</p>





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		imposed starting on June 8, 2023, and capped at \$5,000.00.
25.	<p><b>Case Number:</b> COD-017512-2022  <b>Cited Address:</b> 2869 Via Piazza Loop  <b>Property Owner:</b> Mackin Richard &amp; Lisa  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-14-22  <b>Ward:</b> 2</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-04-23</u></b></p>
26.	<p><b>Case Number:</b> COD-019271-2022  <b>Cited Address:</b> 1825 Winkler Ave.  <b>Property Owner:</b> Pierre Emile &amp; Joseph Rodline  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 09-19-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-30-22  <b>Ward:</b> 4</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-04-23</u></b></p>
27.	<p><b>Case Number:</b> COD-018860-2022  <b>Cited Address:</b> 3401 Winkler Ave. 111  <b>Property Owner:</b> Tineo Anthony  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-29-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-28-22  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-04-23</u></b></p>
28.	<p><b>Case Number:</b> COD-018804-2022  <b>Cited Address:</b> 4510 Winkler Ave.  <b>Property Owner:</b> 4510 Winkler LLC  <b>City Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 08-29-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 12-08-22  <b>Ward:</b> 5</p>	<p>Case presented by Building Official Brent Brewster. Mr. Duffy, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$200.00 per day be imposed</p>



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		starting on June 8, 2023, and capped at \$5,000.00.
29.	<p><b>Unsafe Structure</b>  <b>Case Number:</b> COD-022149-2023  <b>Cited Address:</b> 1615 Avalon Pl./1604 Evans Ave.  <b>Property Owner:</b> Decanes Equity LLC  <b>Code Enforcement Field Supervisor:</b> Tom Smith  <b>Date Case Initiated:</b> 02-24-23  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 4</p>	Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. Descario, Representative, presented the case. It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by November 9, 2023, or a fine of \$250.00 per day be imposed starting on November 9, 2023, no cap, and the City's shall abate.
30.	<p><b>Unsafe Structure</b>  <b>Case Number:</b> COD-019105-2022  <b>Cited Address:</b> 2745 Broadway  <b>Property Owner:</b> We Belong To Christ LLC  <b>Code Enforcement Field Supervisor:</b> Tom Smith  <b>Date Case Initiated:</b> 09-13-22  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 3</p>	Case presented by Code Enforcement Field Supervisor Tom Smith. No one in attendance representing property owner. It was moved by Mr. Dorsey, seconded by Mr. Bosworth, and unanimously carried to find the defendant guilty. It was moved by Mr. Dorsey, seconded by Mr. Bosworth, and unanimously carried that all violations must be abated by November 9, 2023, or a fine of \$250.00 per day be imposed starting on November 9, 2023, no cap, and the City's shall abate.
31.	<p><b>Case Number:</b> COD-022257-2023  <b>Cited Address:</b> 3065 Cranford Ave.  <b>Property Owner:</b> Carrigan Brothers LLC  <b>Code Officer:</b> Cynthia Warren  <b>Date Case Initiated:</b> 03-02-22  <b>Violation:</b> FMC 82-201 (a)(b) Engaging in business without local business tax receipt or under a local business tax receipt issued upon false statements; penalties.  <b>Notice of Violation Served On:</b> 03-21-23  <b>Ward:</b> 3</p>	Case presented by Code Enforcement Officer Cynthia Warren. Mr. Carrigan, Property Owner, and Mr. Mason Business Owner presented the case. Code Enforcement Field Superior Tom Smith presented the City's recommendations. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8,



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		2023, or a fine of \$250.00 per day be imposed starting on June 8, 2023, and no cap.
32.	<p><b>Case Number:</b> COD-017503-2022  <b>Cited Address:</b> 3604 Seminole Ave. A101  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 309.1 - Infestation  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-25-23</u></b></p>
33.	<p><b>Case Number:</b> COD-017504-2022  <b>Cited Address:</b> 3604 Seminole Ave. A106  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.6 Interior Doors  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-25-23</u></b></p>
34.	<p><b>Case Number:</b> COD-017499-2022  <b>Cited Address:</b> 3604 Seminole Ave. A202  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces, IPMC 309.1 – Infestation, IPMC Interior 305.4 Stairs and Walking Surfaces  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p>Case presented by Code Enforcement Officer Jean Paul Ibanez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Krise, seconded by Ms. Connors, and unanimously carried to find the defendant guilty. It was moved by Mr. Krise, seconded by Ms. Connors, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$250.00 per day be imposed starting on June 8, 2023, and no cap.</p>
35.	<p><b>Case Number:</b> COD-017510-2022  <b>Cited Address:</b> 3604 Seminole Ave. A204  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces, IPMC Interior 305.4 Stairs and Walking Surfaces  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b></p>	<p>Case presented by Code Enforcement Officer Jean Paul Ibanez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Connors, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved</p>



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		by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$250.00 per day be imposed starting on June 8, 2023, and no cap.
36.	<p><b>Case Number:</b> COD-017477-2022  <b>Cited Address:</b> 3606 Seminole Ave. B100  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-6-22  <b>Violation:</b> IPMC 304.13 – Window/Skylight/Door Frames, IPMC 305.3 Interior Surfaces, IPMC 309.1 - Infestation  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	Case presented by Code Enforcement Officer Jean Paul Ibanez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Dorsey, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Mr. Dorsey, seconded by Mr. Krise, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$250.00 per day be imposed starting on June 8, 2023, and no cap.
37.	<p><b>Case Number:</b> COD-017481-2022  <b>Cited Address:</b> 3606 Seminole Ave. B102  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces, IPMC 309.1 - Infestation  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	Case presented by Code Enforcement Officer Jean Paul Ibanez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$250.00 per day be imposed starting on June 8, 2023, and no cap.



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38.	<p><b>Case Number:</b> COD-017483-2022  <b>Cited Address:</b> 3606 Seminole Ave. B104  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 304.3 - Premises Identification, IPMC 305.3 Interior Surfaces, IPMC 309.1 - Infestation  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-10-23</u></b></p>
39.	<p><b>Case Number:</b> COD-017485-2022  <b>Cited Address:</b> 3606 Seminole Ave. B107  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-25-23</u></b></p>
40.	<p><b>Case Number:</b> COD-017486-2022  <b>Cited Address:</b> 3606 Seminole Ave. B200  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces, IPMC 309.1 - Infestation, IPMC Interior 305.4 Stairs and Walking Surfaces  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p>Case presented by Code Enforcement Officer Jean Paul Ibanez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City's recommendations. It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$250.00 per day be imposed starting on June 8, 2023, and capped at \$100,000.00.</p>
41.	<p><b>Case Number:</b> COD-017480-2022  <b>Cited Address:</b> 3606 Seminole Ave. B201  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces, IPMC 309.1 - Infestation  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p>Case presented by Code Enforcement Officer Jean Paul Ibanez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City's recommendations. It was moved by Ms. Connors, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Ms. Connors, seconded by Mr.</p>



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		Dorsey, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$250.00 per day be imposed starting on June 8, 2023, and capped at \$100,000.00.
42.	<p><b>Case Number:</b> COD-017496-2022  <b>Cited Address:</b> 3606 Seminole Ave. B203  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces, IPMC 309.1 - Infestation  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>05-10-23</u></b></p>
43.	<p><b>Case Number:</b> COD-018291-2022  <b>Cited Address:</b> 3606 Seminole Ave. B207  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 08-08-22  <b>Violation:</b> IPMC Interior 305.4 Stairs and Walking Surfaces  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-25-23</u></b></p>
44.	<p><b>Case Number:</b> COD-017478-2022  <b>Cited Address:</b> 3608 Seminole Ave.  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required, IPMC 304.10 Stairways, Decks, Porches, and Balconies  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p>Case presented by Code Enforcement Officer Jean Paul Ibanez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Dorsey, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Mr. Dorsey, seconded by Ms. Conners, and unanimously carried that all violations must be abated by June 8, 2023, or a fine of \$250.00 per day be imposed starting on June 8, 2023, and no cap.</p>



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45.	<p><b>Case Number:</b> COD-017479-2022  <b>Cited Address:</b> 3608 Seminole Ave. C105  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Jean Paul Ibanez  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces, IPMC 309.1 – Infestation, IPMC 501.2 Plumbing Facilities and Fixture Requirements. Responsibility  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-25-23</u></b></p>
46.	<p><b>Case Number:</b> COD-018290-2022  <b>Cited Address:</b> 3608 Seminole Ave. C106  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Sean Diaz  <b>Date Case Initiated:</b> 08-08-22  <b>Violation:</b> IPMC 305.3 Interior Surfaces, IPMC 309.1 - Infestation  <b>Notice of Violation Served On:</b> 09-09-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-25-23</u></b></p>
47.	<p><b>Case Number:</b> COD-017482-2022  <b>Cited Address:</b> 3608 Seminole Ave. C204  <b>Property Owner:</b> Cypress Court LLC  <b>Code Officer:</b> Sean Diaz  <b>Date Case Initiated:</b> 07-06-22  <b>Violation:</b> IPMC 309.1 - Infestation  <b>Notice of Violation Served On:</b> 09-08-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>04-25-23</u></b></p>
48.	<p><b>ORDER OF LIEN Number:</b> 2023-0511</p>	<p>It was moved by Ms. Connors, seconded by Mr. Dorsey, and unanimously carried that order of lien 2023-0511 be approved.</p>
<p><b>AGENDA ITEMS 49-55 LISTED AS OLD BUSINESS</b></p>		



**ACTION AGENDA  
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May 11, 2023  
1:00 p.m.

<p>49.</p>	<p><b>Non-Compliance</b>  <b>Case Number:</b> COD2019-03258  <b>Cited Address:</b> 3805 Ballard Rd.  <b>Property Owner:</b> Gilmore Rodney Arius  <b>Code Enforcement Field Supervisor:</b>  Tom Smith  <b>Date Case Initiated:</b> 08-02-19  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Lien Imposed:</b> 11-14-19  <b>Lien Recorded:</b> 09-17-20  <b>Code Board Order:</b> Case presented by Code Enforcement Field Supervisor Jeffrey Gonzales. Mr. Williams, Property owner, presented the case. It was moved by Mr. Overholser, seconded by Mr. Bosworth, and unanimously carried to find the defendant guilty. It was moved by Mr. Overholser, seconded by Mr. Bosworth, and unanimously carried that all permits must be obtained by May 14, 2020, and that all violations must be abated by August 13, 2020, or a fine of \$250.00 per day be imposed retroactive to November 14, 2019, and capped at \$10,000.00, and the City shall abate.  <b>CEB Non-Compliance Order 10-14-21</b>  Case presented by Code Enforcement Field Supervisor Tom Smith. No one in attendance representing property owner. It was moved by Ms. Connors seconded by Mr. Overholser and unanimously carried to find the property in noncompliance and the City shall abate by any means necessary.  <b>Ownership changed 11-04-21</b></p>	<p>WITHDRAWN BY CITY RESCHEDULED</p>
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May 11, 2023  
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<p>50.</p>	<p><b>Non-Compliance</b>  <b>Case Number:</b> COD-012212-2021 FIRE  <b>Cited Address:</b> 2135 Central Ave. Bldg 6 of 7  <b>Code Enforcement Field Supervisor:</b>  Tom Smith  <b>Date Case Initiated:</b> 11-02-11  <b>Property Owner:</b> 2150 Fowler Rams Plaza LLC  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 4  <b>CEB Order:</b> Case presented by Code Enforcement Field Supervisor Tom Smith. No one in attendance representing property owner. It was moved by Mr. Dorsey, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr. Dorsey, seconded by Mr. Overholser, and unanimously carried that all permits must be obtained by May 12, 2022, and that all violations must be abated by July 14, 2022, or a fine of \$150.00 per day be imposed retroactive to January 13, 2022, capped at \$5,000.00, and the City's shall abate.</p>	<p>WITHDRAWN BY CITY</p>
<p>51.</p>	<p><b>Non-Compliance</b>  <b>Case Number:</b> COD-015170-2022  <b>Cited Address:</b> 2306 Central Ter.  <b>Code Enforcement Field Supervisor:</b>  Tom Smith  <b>Date Case Initiated:</b> 03-31-22  <b>Property Owner:</b> Noack Herbert  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 3  <b>CEB Order:</b> Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. Herbert, Property owner, presented the case. It was moved by Mr. Dorsey, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr. Dorsey, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by February 9, 2023, or a fine of \$250.00 per day be imposed starting on</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. Noack, Property Owner, and Mr. Alder Builder presented the case. It was moved by Mr. Dorsey seconded by Ms. Connors and unanimously carried to find the property in noncompliance.</p> <p>It was moved by Mr. Dorsey seconded by Ms. Connors and unanimously carried to change the compliance date of the original order from February 9, 2023, to November 9, 2023.</p> <p>New motion reads: It was moved by Mr. Dorsey, seconded by Ms. Connors, and unanimously carried that all violations must be abated by November 9, 2023, or a fine of \$250.00 per day be imposed starting on November 9, 2023, no cap, and the City's shall abate.</p>



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	<p>February 9, 2023, no cap, and the City's shall abate.</p>	
<p>52.</p>	<p><b>Non-Compliance</b>  <b>Case Number:</b> COD-012803-2021 - Fire  <b>Cited Address:</b> 2323 Jaylen Watkins St.  <b>Code Enforcement Field Supervisor:</b>  Tom Smith  <b>Date Case Initiated:</b> 12-09-21  <b>Property Owner:</b> Eguez Gabriel  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 2  <b>CEB Order:</b> Case presented by Code Enforcement Field Supervisor Tom Smith. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City's recommendations. It was moved by Mr. Martin, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr. Martin, seconded by Mr. Overholser, and that all violations must be abated by February 9, 2023, or a fine of \$250.00 per day be imposed starting on February 9, 2023, no cap and the City's shall abate.</p>	<p>WITHDRAWN</p>
<p>53.</p>	<p><b>Mitigation – Repeat Violator</b>  <b>Case Number:</b> COD-013746-2022  <b>Cited Address:</b> 824 Alderman St.  <b>Property Owner:</b> Banyan Tree of Ft Myers Condo  <b>Current Lien Amount:</b> \$64,250.00  <b>Lien Cap Amount:</b> \$10,000.00  <b>Hard Costs:</b> \$727.10  <b>Lien Imposed:</b> 07-14-22  <b>Lien Recorded:</b> 08-24-22  <b>Case Complied:</b> 03-27-22  <b>CEB Order:</b> Case presented by Code Enforcement Officer Mark Rodriguez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City's recommendations. It was moved by Mr. Dorsey, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr.</p>	<p>Code Enforcement Field Supervisor Tom Smith presented the City's recommendations. Code Enforcement Officer Jean Paul Ibanez presented the case. Mr. Savoni, Representative, presented the case It was moved by Mr. Krise, seconded by Mr. Dorsey, and unanimously carried to mitigate the fine in the amount of \$10,000.00 to \$2,000.00, if paid by July 13, 2023, 2020, or the fine will revert back to the original lien amount as ordered.</p>



**ACTION AGENDA  
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1:00 p.m.

	<p>Dorsey, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by August 11, 2022, or a fine of \$250.00 per day be imposed starting on July 14, 2022, and capped at \$10,000.00.</p>	
<p>54.</p>	<p><b>Mitigation</b>  <b>Case Number:</b> COD-014733-2022  <b>Cited Address:</b> 824 Alderman St.  <b>Property Owner:</b> Banyan Tree of Ft Myers Condo  <b>Current Lien Amount:</b> \$33,000.00  <b>Lien Cap Amount:</b> \$10,000.00  <b>Hard Costs:</b> \$727.10  <b>Lien Imposed:</b> 11-10-22  <b>Lien Recorded:</b> 11-21-22  <b>Case Complied:</b> 03-21-23  <b>CEB Order:</b> Case presented by Code Enforcement Officer Mark Rodriguez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City's recommendations. It was moved by Mr. Martin, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr. Martin, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by November 10, 2022, or a fine of \$250.00 per day be imposed starting on November 10, 2022, and capped at \$10,000.00.</p>	<p>Code Enforcement Field Supervisor Tom Smith presented the City's recommendations. Code Enforcement Officer Jean Paul Ibanez presented the case. Mr. Savoni, Representative, presented the case It was moved by Ms. Conners, seconded by Mr. Bosworth, and unanimously carried to mitigate the fine in the amount of \$10,000.00 to \$2,000.00, if paid by July 13, 2023, 2020, or the fine will revert back to the original lien amount as ordered.</p>
<p>55.</p>	<p><b>Mitigation</b>  <b>Case Number:</b> COD2020-00043  <b>Cited Address:</b> 824 Alderman St.  <b>Property Owner:</b> Banyan Tree of Ft Myers Condo  <b>Current Lien Amount:</b> \$74,900.00  <b>Lien Cap Amount:</b> \$10,000.00  <b>Hard Costs:</b> \$2,009.50  <b>Lien Imposed:</b> 09-10-22  <b>Lien Recorded:</b> 12-03-22  <b>Case Complied:</b> 09-28-22  <b>CEB Order:</b> Case presented by Building Official Brent Brewster. No one in attendance representing property owner. It was moved by</p>	<p>Code Enforcement Field Supervisor Tom Smith presented the City's recommendations. Code Enforcement Officer Jean Paul Ibanez presented the case. Mr. Savoni, Representative, presented the case It was moved by Mr. Bosworth, seconded by Mr. Dorsey, and unanimously carried to mitigate the fine in the amount of \$10,000.00 to \$2,009.50, if paid by July 13, 2023, 2020, or the fine will revert back to the original lien amount as ordered.</p>



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	<p>Mr. Martin, seconded by Mr. Shaw, and unanimously carried to find the defendant guilty. It was moved by Mr. Martin, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by November 12, 2020, or a fine of \$100.00 per day be imposed retroactive to September 10, 2020, and capped at \$10,000.00.</p>	
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**Adjourn 2:44**

If a person decides to appeal any decision made by the Code Enforcement Board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Special Requirements: If you require special aid or services as addressed in the Americans with Disabilities Act, please contact the City Clerk's Office at (239) 321-7035 or for the hearing impaired, TDD telephone number (239) 332-2541.