



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

August 10, 2023
1:00 p.m.

CODE ENFORCEMENT BOARD				
Nathan Shaw Chairman Ward 6 Present	Patty G Chafatelli Vice Chairwoman By Mayor Anderson Present	Donald Overholser Ward 4 Present	Roger Bosworth Ward 1 Excused	Cynthia C Conners Ward 5 Present
Herman Dorsey Ward 2 Present	Shaunte Fulcher Ward 3 Present	Alternate Oliver Martin By Mayor Anderson Present	Alternate Randy Krise By Mayor Anderson Excused	

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

Chairman’s Opening Statement	Read
Public Input on Non-Public Hearing Items	None
Pledge of Allegiance to the Flag of the United States of America	Led by Mr. Overholser
Roll Call	All present except for Mr. Bosworth and Mr. Krise.
Interpreter Alejandro Vivez from Tico Translating Interpreting Interpreted the Oath in Spanish	No one required translation
Clerk administers Oath to all parties addressing the board	Administered
Clerk announces all cases to be heard	
AGENDA ITEMS 1-55 LISTED AS NEW BUSINESS	
1.	<p>Case Number: COD-016384-2022 Cited Address: 2500 Edwards Dr. Property Owner: 2500 Edwards Drive Owner LLC. Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 05-18-22 Violation: 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. Notice of Violation Served On: 05-05-23 Ward: 4</p>
	Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. Rojas, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Conners, seconded by Mr. Overholser, 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 September 14, 2023, or a fine of \$250.00 per day be



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		imposed starting on September 14, 2023, and no cap.
2.	<p>Case Number: COD-022154-2023 Cited Address: 9636 Hemingway Ln Property Owner: Preserve at Colonial Recreation Assn Inc. Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 02-27-23 Violation: FMC 102-81 – Construction Permit Required, IPMC 304.2/304.6 – Protective Treatment/Exterior Walls Notice of Violation Served On: 04-11-23 Ward: 6</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-08-23</u></p>
3.	<p>Unsafe Structure Case Number: COD-025067-2023 Cited Address: 0 Lafayette St (right) Folio ID#: 10591136 Property Owner: Kelly William & Kimberly Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 05-24-23 Violation: Unsafe Structure FMC 54-156 through 54-167. Ward: 3</p>	WITHDRAWN
4.	<p>Unsafe Structure Case Number: COD-025066-2023 Cited Address: 0 Lafayette St (Left) Folio ID#: 10173414 Property Owner: Jackson Willie & Minnie Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 05-24-23 Violation: Unsafe Structure FMC 54-156 through 54-167. Ward: 3</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. Kelly, Mr. Jackson, and Mr. Freeman, Representatives, 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 violations must be abated by February 8, 2024, or a fine of \$250.00 per day be imposed starting on February 8, 2024, no cap, and the City shall abate.</p>



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5.	<p>Unsafe Structure Case Number: COD-025065-2023 Cited Address: 2633 Lafayette St (Center) Folio ID#: 10591135 Property Owner: Jackson Willie James Tr For Ruth Mccutcheon Trust Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 05-24-23 Violation: Unsafe Structure FMC 54-156 through 54-167. Ward: 3</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. Kelly, Mr. Jackson, and Mr. Freeman, Representatives, 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 violations must be abated by February 8, 2024, or a fine of \$250.00 per day be imposed starting on February 8, 2024, no cap, and the City shall abate.</p>
6.	<p>Case Number: COD-024004-2023 Cited Address: 2374 Maple Ave. Property Owner: Willy Jean Erick + Merjuste Marianne Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 04-14-23 Violation: FMC 102-81 – Construction Permit Required, FMC 54-156 Definitions (Major/Minor) 54-157 Enumeration), 90-3 (b) Notice of Violation Served On: 05-15-23 Ward: 3</p>	<p>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 Ms. Fulcher, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Ms. Fulcher, seconded by Ms. Conners, and unanimously carried that all violations must be abated by October 12, 2023, or a fine of \$200.00 per day be imposed starting on October 12, 2023, and capped at \$25,000.00.</p>
7.	<p>Case Number: COD-018352-2022 Cited Address: 2305 Altamont Ave. Property Owner: KLC II Real Estate LLC. Code Officer: Gary Robinson Date Case Initiated: 09-02-22 Violation: FMC 102-81 – Construction Permit Required, IPMC 304.2/304.6 – Protective Treatment/Exterior Walls, IPMC 304.7 - Roofs and Drainage, IPMC 304.8 – Decorative Features, IPMC 305.3 Interior Surfaces Notice of Violation Served On: 01-03-23 Ward: 4</p>	<p>Case presented by Code Enforcement Officer Gary Robinson. A Contractor, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Overholser, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by January 11, 2024, or a fine of \$150.00</p>



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		per day be imposed starting on January 11, 2024, and capped at \$25,000.00.
8.	<p>Case Number: COD-020875-2022 Cited Address: 1464 Barcelona Ave. Property Owner: Giles Steven M Code Officer: Gary Robinson Date Case Initiated: 01-04-23 Violation: FMC 118.2.1.A.1.a.c - Residential Districts., FMC 118.3.5.E.7.d. Temporary uses and structures; Trailers, semi-trailers, boat trailers and RVs Notice of Violation Served On: 01-25-23 Ward: 4</p>	WITHDRAWN AND RESCHEDULED
9.	<p>Case Number: COD-021398-2023 Cited Address: 1340 Braman Ave. Property Owner: Fertil Enterprises Inc. Code Officer: Gary Robinson Date Case Initiated: 01-24-23 Violation: IPMC 302.7 – Accessory Structures, IPMC 303.1 – Swimming Pools, Hot Tubs and Spas Notice of Violation Served On: 02-12-23 Ward: 4</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-07-23</u>
10.	<p>Case Number: COD-021574-2023 Cited Address: 3412 Cleveland Ave. Property Owner: Big Bucket Dev-Fort Myers LLC. Code Officer: Gary Robinson Date Case Initiated: 01-31-23 Violation: FMC 54-117 – Accumulations, IPMC 308.3 Disposal of garbage Notice of Violation Served On: 03-16-23 Ward: 4</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>07-25-23</u>
11.	<p>Case Number: COD-020847-2022 Cited Address: 2249 Euclid Ave. 1 Property Owner: Edison Park Apartments LLC. Code Officer: Gary Robinson Date Case Initiated: 12-30-22 Violation: IPMC 502.1 Plumbing Facilities and Fixture Required Facilities, IPMC 304.13 – Window/Skylight/Door Frames, IPMC 305.3</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-10-23</u>



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	<p>Interior Surfaces, IPMC 501.2 Plumbing Facilities and Fixture Requirements. Responsibility, IPMC 504.1 General - Plumbing, IPMC 701.2 - Fire Safety Responsibility, 702.1 - Means of Egress, 702.3 - Locked Doors, 702.4 - Emergency Escape Openings Notice of Violation Served On: 02-14-23 Ward: 4</p>	
12.	<p>Case Number: COD-020224-2022 Cited Address: 2249 Euclid Ave. 2 Property Owner: Edison Park Apartments LLC. Code Officer: Gary Robinson Date Case Initiated: 11-28-22 Violation: IPMC 305.3 Interior Surfaces, IPMC 505.1 General (Water utilities), IPMC 603.1 - Mechanical Appliances Notice of Violation Served On: 02-14-23 Ward: 4</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-07-23</u>
13.	<p>Case Number: COD-020075-2022 Cited Address: 3707 Hanover St. Property Owner: Ballantine Dean Tr for Dean Ballantine Trust Code Officer: Gary Robinson Date Case Initiated: 11-29-22 Violation: FMC 54-246 - Storage, IPMC 302.7 - Accessory Structures, IPMC 303.2 Swimming pools, spas, and hot tubs. Enclosures, IPMC 304.1 - General; Exterior Structure, IPMC 304.13 -Window/Skylight/Door Frames, IPMC 304.2/304.6 - Protective Treatment/Exterior Walls Notice of Violation Served On: 02-14-23 Ward: 4</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-07-23</u>
14.	<p>Case Number: COD-019231-2022 Cited Address: 1958 Hill Ave. Property Owner: Lupi Jane Murphy + Andrew/Murphy Hayes Rd Trust Et Al Code Officer: Gary Robinson Date Case Initiated: 09-16-22 Violation: FMC 54-119 - Clearance of Lands Required, FMC 54-246 - Storage, IPMC</p>	Case presented by Code Enforcement Officer Gary Robinson. Mr. Sullivan, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City's recommendations. It was moved by Ms. Chafatelli, seconded by Ms. Connors, and unanimously carried to find the defendant guilty. It was moved by Ms. Chafatelli, seconded by Mr.



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	304.2/304.6 – Protective Treatment/Exterior Walls, IPMC 304.8 – Decorative Features Notice of Violation Served On: 02-14-23 Ward: 4	Overholser, and unanimously carried that all violations must be abated by October 12, 2023, or a fine of \$250.00 per day be imposed starting on October 12, 2023, and capped at \$50,000.00.
15.	Case Number: COD-019291-2022 Cited Address: 4481 Lagg Ave. Property Owner: Durham Kyle & Brehmer Joel Code Officer: Gary Robinson Date Case Initiated: 09-19-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 02-14-23 Ward: 5	<u>DISMISSED DUE TO COMPLIANCE</u> <u>07-25-23</u>
16.	Case Number: COD-021512-2023 Cited Address: 3934 La Palma St. Property Owner: Burke Harald J Code Officer: Gary Robinson Date Case Initiated: 01-26-23 Violation: IPMC 302.7 – Accessory Structures Notice of Violation Served On: 02-22-23 Ward: 4	Case presented by Code Enforcement Officer Gary Robinson. 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 September 14, 2023, or a fine of \$150.00 per day be imposed starting on September 14, 2023, and capped at \$25,000.00.
17.	Case Number: COD-020411-2022 Cited Address: 1892 Oakley Ave. Property Owner: Hatter Geoffrey Tr for Geoffrey Hatter Trust Code Officer: Gary Robinson Date Case Initiated: 12-06-22 Violation: FMC 54-117 – Accumulations, FMC 54-119 - Clearance of Lands Required Notice of Violation Served On: 02-14-23 Ward: 4	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-07-23</u>



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18.	<p>Case Number: COD-020886-2023 Cited Address: 28 Kingsman Cir. Property Owner: Addison Telisha Code Officer: Natalie Castellano Date Case Initiated: 01-04-23 Violation: FMC 102-81 – Construction Permit Required, FMC 54-117 – Accumulations, IPMC 502.1 Plumbing Facilities and Fixture Required Facilities, IPMC 304.2/304.6 – Protective Treatment/Exterior Walls, IPMC 304.3 – Premises Identification, IPMC 501.2 Plumbing Facilities and Fixture Requirements. Responsibility Notice of Violation Served On: 01-20-23 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u></p>
19.	<p>Case Number: COD-021013-2023 Cited Address: 4320 New St. Property Owner: Properties of S + O LLC. Code Officer: Natalie Castellano Date Case Initiated: 01-06-23 Violation: FMC 54-117 – Accumulations, FMC 54-246 – Storage, FMC 86-61 – Parking Commercial Vehicle in Residential District, FMC 86-69 – Parking in Residential Areas Notice of Violation Served On: 02-25-23 Ward: 1</p>	<p>WITHDRAWN</p>
20.	<p>Case Number: COD-021439-2023 Cited Address: 4329 New St. Property Owner: Tonti Otto Tr. for Otto Tonti Trust Code Officer: Natalie Castellano Date Case Initiated: 01-25-23 Violation: FMC 118.3.5.F.4.d Temporary uses and structures; Trailers, semi-trailers, boat trailers and RVs., FMC 86-69 – Parking in Residential Areas Notice of Violation Served On: 03-07-23 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-03-23</u></p>



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21.	<p>Case Number: COD-014062-2022 Cited Address: 819 Nuna Ave. Property Owner: Savage Sterling & Marilyn Code Officer: Natalie Castellano Date Case Initiated: 02-01-22 Violation: FMC 118.3.5.E.7.d. Temporary uses and structures; Trailers, semi-trailers, boat trailers and RVs, FMC 54-246 – Storage Notice of Violation Served On: 04-22-22 Ward: 1</p>	<p>Case presented by Code Enforcement Officer Natalie Castellano. 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. Overholser, and unanimously carried to find the defendant guilty. It was moved by Ms. Connors, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by September 14, 2023, or a fine of \$250.00 per day be imposed starting on September 14, 2023, and capped at \$25,000.00.</p>
22.	<p>Case Number: COD-019932-2022 Cited Address: 4204 Palm Beach Blvd. Property Owner: SBCB Holdings LLC + Goldman Daniel B ET AL Code Officer: Natalie Castellano Date Case Initiated: 11-17-22 Violation: FMC 54-117 – Accumulations Notice of Violation Served On: 01-25-23 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-01-23</u></p>
23.	<p>Case Number: COD-019070-2022 Cited Address: 360 Prospect Ave. Property Owner: Black Theodore C Code Officer: Natalie Castellano Date Case Initiated: 09-12-22 Violation: FMC 54-117 – Accumulations, FMC 54-246 – Storage, FMC 86-69 – Parking in Residential Areas Notice of Violation Served On: 02-23-23 Ward: 1</p>	<p>Case presented by Code Enforcement Officer Natalie Castellano. Mr. Black, Property Owner, presented the case. 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. 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, and capped at \$25,000.00.</p>



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24.	<p>Case Number: COD-020644-2022 Cited Address: 4101 Residence Dr. Property Owner: Residence Condominium Owners Assn Inc. Code Officer: Natalie Castellano Date Case Initiated: 12-14-22 Violation: IPMC 302.3 – Sidewalks and Driveways Notice of Violation Served On: 01-24-23 Ward: 4</p>	<p>Case presented by Code Enforcement Officer Natalie Castellano. Mr. Adams, Representative, presented the case. Mr. Barlow, property owner of condo unit, spoke for public input. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Fulcher, seconded by Ms. Chafatelli, and unanimously carried to find the defendant guilty. It was moved by Ms. Fulcher, seconded by Ms. Chafatelli, and unanimously carried that all violations must be abated by October 12, 2023, or a fine of \$250.00 per day be imposed starting on October 12, 2023, and capped at \$25,000.00.</p>
25.	<p>Case Number: COD-022707-2023 Cited Address: 3707 Broadway Property Owner: Assembly Of God Bethlehem Ministry Inc Code Officer: Cynthia Warren Date Case Initiated: 03-17-23 Violation: FMC 54-117 – Accumulations, FMC 54-444. - Public nuisance Notice of Violation Served On: 04-22-23 Ward: 4</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Mr. Raphael, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by September 14, 2023, or a fine of \$250.00 per day be imposed starting on September 14, 2023, and capped at \$50,000.00.</p>
26.	<p>Case Number: COD-020573-2022 Cited Address: 2280 2290 Fowler St. Property Owner: Vitesse Automotive Group LLC. Code Officer: Cynthia Warren Date Case Initiated: 12-09-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 12-28-22 Ward: 3</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u></p>



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27.	<p>Case Number: COD-018949-2022 Cited Address: 3258 Fowler St. Property Owner: FILWAN46 LLC Code Officer: Cynthia Warren Date Case Initiated: 09-06-22 Violation: FMC 102-81 – Construction Permit Required, FMC 134.3.4 Surface Material/Construction and Design Standards, FMC 86-66. - Prohibited in specified places., IPMC 302.3 – Sidewalks and Driveways Notice of Violation Served On: 01-26-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Mr. Pisa, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Chafatelli, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Ms. Chafatelli, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by October 12, 2023, or a fine of \$200.00 per day be imposed starting on October 12, 2023, and capped at \$50,000.00.</p>
28.	<p>Case Number: COD-019049-2022 Cited Address: 2249 Franklin St. Property Owner: De Oliveira Fabio L Code Officer: Cynthia Warren Date Case Initiated: 09-09-22 Violation: FMC 54-117 – Accumulations, FMC 86-66. - Prohibited in specified places., IPMC 302.3 – Sidewalks and Driveways, IPMC 304.2/304.6 – Protective Treatment/Exterior Walls Notice of Violation Served On: 02-09-23 Ward: 3</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u></p>
29.	<p>Case Number: COD-019033-2022 Cited Address: 2165 Hanson St. Property Owner: Hippolyte Ones & Hippolyte Pierre Julourde Code Officer: Cynthia Warren Date Case Initiated: 09-08-22 Violation: IPMC 302.7 – Accessory Structures Notice of Violation Served On: 02-14-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Mr. Hippolyte, Property Owner, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Martin, seconded by Mr. Shaw, 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 9, 2023, or a fine of \$100.00 per day be imposed starting on November 9, 2023, and capped at \$25,000.00.</p>



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30.	<p>Case Number: COD-019075-2022 Cited Address: 2123 Hoople St. Property Owner: Hoople Street Ventures LLC. Code Officer: Cynthia Warren Date Case Initiated: 09-12-22 Violation: FMC 54-117 – Accumulations, IPMC 304.7 - Roofs and Drainage Notice of Violation Served On: 01-30-23 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u></p>
31.	<p>Case Number: COD-019907-2022 Cited Address: 2919 Jackson St. #5 Property Owner: ARYX LLC Code Officer: Cynthia Warren Date Case Initiated: 11-17-22 Violation: IPMC 304.13 – Window/Skylight/Door Frames, IPMC 305.3 Interior Surfaces, IPMC 305.6 Interior Doors, IPMC 603.1 - Mechanical Appliances, IPMC 605.2 - Electrical Equipment. Receptacles, IPMC 605.3 - Electrical Equipment. Luminaries. IPMC 701.2 - Fire Safety Responsibility, 702.1 - Means of Egress, 702.3 - Locked Doors, 702.4 - Emergency Escape Openings Notice of Violation Served On: 12-27-22 Ward: 3</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-01-23</u></p>
32.	<p>Case Number: COD-018947-2022 Cited Address: Miracle Plaza Condo C/E Property Owner: Miracle Plaza Condo Assn Inc. Code Officer: Cynthia Warren Date Case Initiated: 09-06-22 Violation: FMC 102-81 – Construction Permit Required, FMC 134.3.4 Surface Material/Construction and Design Standards, FMC 54-117 – Accumulations, FMC 54-119 Clearance of Lands Required, IPMC 302.3 – Sidewalks and Driveways, IPMC 304.2/304.6 – Protective Treatment/Exterior Walls, IPMC 304.8 – Decorative Features Notice of Violation Served On: 12-19-22 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Mr. Alverado, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Connors, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Ms. Connors, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by October 12, 2023, or a fine of \$200.00 per day be imposed starting on October 12, 2023, and capped at \$50,00.00.</p>



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33.	<p>Case Number: COD-022558-2023 Cited Address: 2215 Stella St. Property Owner: Carbone Paul Michael Code Officer: Cynthia Warren Date Case Initiated: 03-14-23 Violation: FMC 102-81 – Construction Permit Required, FMC 118.3.5.F.4.d Temporary uses and structures; Trailers, semi-trailers, boat trailers and RVs., FMC 118.3.7 B 1 Outside Storage, FMC 54-117 – Accumulations, FMC 54-246 – Storage, FMC 86-66. - Prohibited in specified places., FMC 86-69 – Parking in Residential Areas, IPMC 302.3 – Sidewalks and Driveways Notice of Violation Served On: 05-25-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Mr. Carbon, Property Owner, presented the case. 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. Dorsey, seconded by Ms. Connors, and unanimously carried that all violations must be abated by August 20, 2023, or a fine of \$250.00 per day be imposed starting on August 20, 2023, and no cap.</p>
34.	<p>Case Number: COD-020715-2022 Cited Address: 2235 Winkler Ave. Property Owner: Edison Park Plaza Center LLC. Code Officer: Cynthia Warren Date Case Initiated: 12-16-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 02-10-23 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u></p>
35.	<p>Case Number: COD-020018-2022 Cited Address: 4298 Dutchess Park Rd. Property Owner: Butler Charles & Marybeth Code Officer: Brian Wicka Date Case Initiated: 12-06-22 Violation: FMC 54-156 Definitions (Major/Minor) 54-157 Enumeration), 90-3 (b), FMC 90-3 (b) Violations/Penalties Notice of Violation Served On: 01-31-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Brian Wicka. Mr. Butler, Property Owner, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Fulcher, seconded by Ms. Chafatelli, and unanimously carried to find the defendant guilty. It was moved by Ms. Fulcher, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by September 14, 2023, or a fine of \$250.00 per day be imposed starting on September 14, 2023, and no cap.</p>



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36.	<p>Case Number: COD-016300-2022 Cited Address: 2748 Evans Ave. Property Owner: Jacobsen Sidney A Tr For Sidney A Jacobsen Trust Code Officer: Brian Wicka Date Case Initiated: 05-18-22 Violation: FMC 82-183 Required Notice of Violation Served On: 07-02-22 Ward: 3</p>	WITHDRAWN 08-09-23
37.	<p>Case Number: COD-019214-2022 Cited Address: 2559 Hanson St. Property Owner: Singh Kampton & Surujnee Code Officer: Brian Wicka Date Case Initiated: 09-15-22 Violation: FMC 118.3.7 B 1 Outside Storage, FMC 54-117 – Accumulations, FMC 54-119 - Clearance of Lands Required, FMC 54-246 – Storage, FMC 54-5 Keeping Certain Animals and Fowl In Residential District, FMC 70-49 (a) - Collection., FMC 86-69 – Parking in Residential Areas, IPMC 302.7 – Accessory Structures Notice of Violation Served On: 01-24-22 Ward: 3</p>	WITHDRAWN 08-07-23
38.	<p>Case Number: COD-020342-2022 Cited Address: 3763 Highland Ave. Property Owner: Fleming Bettie J Code Officer: Brian Wicka Date Case Initiated: 11-30-22 Violation: FMC 118.3.7 B 1 Outside Storage, FMC 54-117 – Accumulations, FMC 54-246 – Storage, FMC 86-69 – Parking in Residential Areas Notice of Violation Served On: 12-29-22 Ward: 3</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-08-23</u>
39.	<p>Case Number: COD-019783-2022 Cited Address: 2560 Kennesaw St. Property Owner: Fabre Joseph G & Fabre Lucilia Bone Code Officer: Brian Wicka Date Case Initiated: 10-31-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 11-21-22 Ward: 3</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>07-28-23</u>



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40.	<p>Case Number: COD-018110-2022 Cited Address: 4747 McGregor Blvd. Property Owner: Boston Hedge SFR LLC Code Officer: Brian Wicka Date Case Initiated: 08-05-22 Violation: FMC 102-81 – Construction Permit Required, Notice of Violation Served On: 08-27-22 Ward: 5</p>	<p>Case presented by Code Enforcement Officer Brian Wicka. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Overholser, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Mr. Overholser, seconded by Ms. Conners, and unanimously carried that all violations must be abated by October 12, 2023, or a fine of \$250.00 per day be imposed starting on October 12, 2023, and capped at \$50,000.00.</p>
41.	<p>Case Number: COD-021492-2023 Cited Address: 3780 Metro Pkwy Property Owner: SPT WAH Westchase LLC Code Officer: Brian Wicka Date Case Initiated: 01-25-23 Violation: IPMC 304.10 Stairways, Decks, Porches, and Balconies Notice of Violation Served On: 01-30-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Brian Wicka. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Chafatelli, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Ms. Chafatelli, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by October 12, 2023, or a fine of \$250.00 per day be imposed starting on October 12, 2023, and no cap.</p>
42.	<p>Case Number: COD-021842-2023 Cited Address: 2561 Parkway St. Property Owner: Meme Josias + Honore Venel ET AL Code Officer: Brian Wicka Date Case Initiated: 02-14-23 Violation: FMC 54-117 – Accumulations, FMC 54-424 - Property owner obligations., IPMC 304.15 Doors, IPMC 305.3 Interior Surfaces, IPMC 704.1 – General; Fire</p>	<p>Case presented by Code Enforcement Officer Brian Wicka. Mr. Meme, Representative, presented the case. 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</p>



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	Protection, 704.2-704.2.2 – Smoke Alarms, 704.2.3-704.2.4 – Smoke Alarm Power Source Notice of Violation Served On: 06-01-23 Ward: 3	September 14, 2023, or a fine of \$250.00 per day be imposed starting on September 14, 2023, and no cap.
43.	Case Number: COD-021472-2023 Cited Address: 2680 Park Windsor Dr. Property Owner: Evanston Park Condo Ph 2 Code Officer: Brian Wicka Date Case Initiated: 01-25-23 Violation: FMC 54-117 – Accumulations Notice of Violation Served On: 02-24-23 Ward: 3	<u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u>
44.	Case Number: COD-020365-2022 Cited Address: 3390 Palm Ave. Property Owner: Young Gerald Wayne Jr Tr For Gerald Wayne Young Jr Trust Code Officer: Brian Wicka Date Case Initiated: 12-01-22 Violation: FMC 134.3.4 Surface Material/Construction and Design Standards, FMC 54-117 – Accumulations, FMC 54-246 – Storage, IPMC 304.2/304.6 – Protective Treatment/Exterior Walls, IPMC 304.7 - Roofs And Drainage, IPMC 304.9 Overhang Extensions Notice of Violation Served On: 02-08-23 Ward: 3	<u>DISMISSED DUE TO COMPLIANCE</u> 08-08-23
45.	Case Number: COD-020868-2022 Cited Address: 2326 Clifford St. A Property Owner: JVM Investing LLC Code Officer: Adam Dees Date Case Initiated: 12-29-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 02-28-23 Ward: 4	Case presented by Code Enforcement Officer Adam Dees. Mr. Mayhen, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Conners, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Ms. Conners, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by September 14, 2023, or a fine of \$150.00 per day be imposed retroactive to September 14, 2023, and capped at \$25,000.00.



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46.	<p>Case Number: COD-021446-2023 Cited Address: 2124 Davis Ct. Property Owner: Gurbanov Elshan Code Officer: Adam Dees Date Case Initiated: 01-25-23 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 02-14-23 Ward: 2</p>	<p>Case presented by Code Enforcement Officer Adam Dees. 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. Dorsey, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by October 12, 2023, or a fine of \$150.00 per day be imposed starting on October 12, 2023, and capped at \$25,000.00.</p>
47.	<p>Case Number: COD-021427-2023 Cited Address: 2500 Edwards Dr. Property Owner: 2500 Edwards Drive Owner LLC. Code Officer: Sean Diaz Date Case Initiated: 01-24-23 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 03-16-23 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-03-23</u></p>
48.	<p>Case Number: COD-021254-2023 Cited Address: 3350 Highland Ave. Property Owner: Gearhart Stephen A & Gearhart Carol J Code Officer: Sean Diaz Date Case Initiated: 01-17-23 Violation: FMC 90.33 Tampering With Waterworks Equipment and Water Meters Notice of Violation Served On: 03-09-23 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> 08-08-23</p>



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49.	Case Number: COD-018008-2022 Cited Address: 2534 Thompson St. Property Owner: Smart Eamon F Code Officer: Sean Diaz Date Case Initiated: 07-26-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 02-01-23 Ward: 4	<u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u>
50.	Case Number: COD-021332-2023 Cited Address: 2572 First St. Property Owner: 2572 First Street Holdings LLC. Code Officer: Sean Diaz Date Case Initiated: 01-18-23 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 03-02-23 Ward: 4	<u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u>
51.	Case Number: COD-022338-2023 Cited Address: 3218 Marion St. Property Owner: CICO of Florida LLC. Code Officer: Sean Diaz Date Case Initiated: 03-07-23 Violation: FMC 54-117 – Accumulations, FMC 54-119 - Clearance of Lands Required Notice of Violation Served On: 03-31-23 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-03-23</u>
52.	Case Number: COD-021370-2023 Cited Address: 910 Veronica S Shoemaker Blvd. Property Owner: Boys LLC. Code Officer: Sean Diaz Date Case Initiated: 01-20-23 Violation: FMC 118.3.7 - Outdoor Storage and Display. Notice of Violation Served On: 03-22-23 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u>



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53.	<p>Case Number: COD-021202-2023 Cited Address: 1518 Veronica S Shoemaker Blvd. Property Owner: Pauco Ludevit Code Officer: Sean Diaz Date Case Initiated: 01-11-23 Violation: FMC 102-81 – Construction Permit Required, FMC 90.33 Tampering With Waterworks Equipment And Water Meters Notice of Violation Served On: 02-02-23 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>07-19-23</u></p>
54	<p>Case Number: COD-013819-2022 Cited Address: 3854 Pearl St. Property Owner: Sandora George Code Officer: Jean Paul Ibanez Date Case Initiated: 01-20-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 04-0922 Ward: 1</p>	<p>WITHDRAWN BY CITY</p>
55.	<p>ORDER OF LIEN Number: 2023-0810</p>	<p>It was moved by Mr. Overholser, seconded by Mr. Shaw, and unanimously carried that order of lien 2023-10 be approved.</p>
<p>AGENDA ITEMS 56-61 LISTED AS OLD BUSINESS</p>		
56.	<p>Mitigation: Case Number: COD2016-00235 Cited Address: 1508 Brookhill Dr. Property Owner: Bates Delta L Current Lien Amount: \$107,600.00 Lien Cap Amount: \$5,000.00 Hard Costs: \$1,401.70 Lien Imposed: 07-14-16 Lien Recorded: 02-14-17 Case Complied: 06-24-19 Owner Purchased on: 03-01-87 by Warranty Deed for \$36,500.00 CEB Order: Code Enforcement Manager Michael Titmuss presented the City recommendations. Attorney Wess Matthews presented his case. It was moved by Mr. Overholser, seconded by Mr. Cornet, and</p>	<p>Motion for 56, 57, and 58 It was moved by Mr. Overholser, seconded by Mr. Martin, and passed by majority to reduce all liens COD2016-00235, COD2016-04705 and, COD2019-02391 of \$38,736.00 to \$13,737.00 if payment of \$5,000.00 is received and a 36-month payment plan in place by September 14, 2023, and consultative monthly payments made, or the fine will revert back to the original lien amount as ordered.</p>



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	<p>unanimously carried to reduce all liens of \$38,736.70 to \$13,736.70 by means of a payment plan in place by December 12, 2019, or the fine will revert back to the original lien amount as ordered.</p>	
<p>57.</p>	<p>Mitigation: Case Number: COD2016-04705 Cited Address: 1508 Brookhill Dr. Property Owner: Bates Delta L Current Lien Amount: \$219,250.00 Lien Cap Amount: \$20,000.00 Hard Costs: \$838.80 Lien Imposed: 01-12-17 Lien Recorded: 01-26-17 Case Complied: 06-07-19 Owner Purchased on: 03-01-87 by Warranty Deed for \$36,500.00 CEB Order: Code Enforcement Manager Michael Titmuss presented the City recommendations. Attorney Wess Matthews presented his case. It was moved by Mr. Overholser, seconded by Mr. Cornet, and unanimously carried to reduce all liens of \$38,736.70 to \$13,736.70 by means of a payment plan in place by December 12, 2019, or the fine will revert back to the original lien amount as ordered.</p>	<p>Motion for 56, 57, and 58 It was moved by Mr. Overholser, seconded by Mr. Martin, and passed by majority to reduce all liens COD2016-00235, COD2016-04705 and, COD2019-02391 of \$38,736.00 to \$13,737.00 if payment of \$5,000.00 is received and a 36-month payment plan in place by September 14, 2023, and consultative monthly payments made, or the fine will revert back to the original lien amount as ordered.</p>
<p>58.</p>	<p>Mitigation 1 Demolition Liened Invoices: Cited Address: 1508 Brookhill Dr. Property Owner: Bates Delta L Total Liened Invoice: \$13,737.00 Owner Purchased on: 03-01-87 by Warranty Deed for \$36,500.00 CEB Order: Code Enforcement Manager Michael Titmuss presented the City recommendations. Attorney Wess Matthews presented his case. It was moved by Mr. Overholser, seconded by Mr. Cornet, and unanimously carried to reduce all liens of \$38,736.70 to \$13,736.70 by means of a payment plan in place by December 12, 2019,</p>	<p>Motion for 56, 57, and 58 It was moved by Mr. Overholser, seconded by Mr. Martin, and passed by majority to reduce all liens COD2016-00235, COD2016-04705 and, COD2019-02391 of \$38,736.00 to \$13,737.00 if payment of \$5,000.00 is received and a 36-month payment plan in place by September 14, 2023, and consultative monthly payments made, or the fine will revert back to the original lien amount as ordered.</p>



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	or the fine will revert back to the original lien amount as ordered.	
59.	<p>Mitigation Case Number: COD2012-06591 Cited Address: 2215 Royal Palm Ave. Property Owner: Seawright James & Gwendolyn Current Lien Amount: \$97,300.00 Lien Cap Amount: \$3,000.00 Hard Costs: \$1,986.69 Lien Imposed: 08-08-13 Lien Recorded: 08-28-13 Case Complied: 04-06-16 CEB Order: Case presented by Code Enforcement Officer Tom Smith. James Seawright, Property owner, presented the case. It was moved by Mr. Krupick, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was moved by Mr. Krupick, seconded by Mr. Howell, and unanimously carried that all violations must be abated by August 8, 2013, or a fine of \$100.00 per day be imposed retroactive to March 14, 2013, and capped at \$3,000.00. Owner Purchased on: 04-01-96 by Warranty Deed for \$100.00</p>	<p>Motion for 59, 60, and 61 It was moved by Mr. Overholser, seconded by Mr. Martin, and passed by majority to reduce all liens COD2012-06591, COD2012-06601, and COD2015-01414 of \$25,000.00 to \$5,000.00 if payment of \$2,500.00 is received and a payment plan in place by September 14, 2023, and consultative monthly payments made, or the fine will revert back to the original lien amount as ordered.</p>
60.	<p>Mitigation – Repeat Offender Case Number: COD2012-06601 Cited Address: 2215 Royal Palm Ave. Property Owner: Seawright James & Gwendolyn Current Lien Amount: \$1,476,000.00 Lien Cap Amount: \$20,000.00 Hard Costs: \$4,334.00 Lien Imposed: 01-10-13 Lien Recorded: 03-19-13 Case Complied: 02-08-21 CEB Order: Case presented by Code Enforcement Officer Tom Smith. James Seawright, Property owner, presented the case. It was moved by Mr. Martina, seconded by Ms. Wilke, and unanimously carried to find the defendant guilty as a repeat offender. It was</p>	<p>Motion for 59, 60, and 61 It was moved by Mr. Overholser, seconded by Mr. Martin, and passed by majority to reduce all liens COD2012-06591, COD2012-06601, and COD2015-01414 of \$25,000.00 to \$5,000.00 if payment of \$2,500.00 is received and a payment plan in place by September 14, 2023, and consultative monthly payments made, or the fine will revert back to the original lien amount as ordered.</p>



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	<p>moved by Mr. Martina, seconded by Ms. Wilke, and unanimously carried that all violations must be abated by February 14, 2013, or a fine of \$500.00 per day be imposed retroactive to January 10, 2013, and capped at \$20,000.00. Owner Purchased on: 04-01-96 by Warranty Deed for \$100.00</p>	
<p>61.</p>	<p>Mitigation Case Number: COD2015-01414 Cited Address: 2215 Royal Palm Ave. Property Owner: Seawright James & Gwendolyn Current Lien Amount: \$23,100.00 Lien Cap Amount: \$2,000.00 Hard Costs: \$651.80 Lien Imposed: 08-13-15 Lien Recorded: 12-02-15 Case Complied: 03-30-16 CEB Order: Case presented by Code Enforcement Officer Richard Scott. Emanuel Seawright, Representative presented the case. It was moved by Mr. Krupick, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was moved by Mr. Krupick, seconded by Mr. Howell, and unanimously carried that all permits must be obtained by November 12, 2015, and that all violations must be abated by November 12, 2015, or a fine of \$100.00 per day be imposed retroactive to August 13, 2015, and capped at \$2,000.00, and the City shall abate. Owner Purchased on: 04-01-96 by Warranty Deed for \$100.00</p>	<p>Motion for 59, 60, and 61 It was moved by Mr. Overholser, seconded by Mr. Martin, and passed by majority to reduce all liens COD2012-06591, COD2012-06601, and COD2015-01414 of \$25,000.00 to \$5,000.00 if payment of \$2,500.00 is received and a payment plan in place by September 14, 2023, and consultative monthly payments made, or the fine will revert back to the original lien amount as ordered.</p>



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Adjourn

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.