



**ACTION AGENDA  
CODE ENFORCEMENT BOARD**

August 22, 2023  
1:00 p.m.

<b>CODE ENFORCEMENT BOARD</b>				
Nathan Shaw Chairman Ward 6 Present	Patty G Chafatelli Vice Chairwoman By Mayor Anderson Present	Donald Overholser Ward 4 Present	Roger Bosworth Ward 1 Present	Cynthia C Conners Ward 5 Present
Herman Dorsey Ward 2 Present	Shaunte Fulcher Ward 3 Excused	Alternate Oliver Martin By Mayor Anderson 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>		Lead by Mr. Overholser
<b>Roll Call</b>		All present except Ms. Fulcher and Mr. Martin
<b>Clerk administers Oath to all parties addressing the board</b>		Administered
<b>Clerk announces all cases to be heard</b>		
<b>AGENDA ITEMS 1-24 LISTED AS NEW BUSINESS</b>		
1.	<p><b>Case Number:</b> COD-018858-2022  <b>Cited Address:</b> 1453 Alhambra Dr.  <b>Property Owner:</b> Simpson Holloway Carolynn  <b>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> 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. 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 October 12, 2023, or a fine of \$200.00 per day be imposed</p>



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		starting on October 12, 2023, and capped at \$5,000.00.
2.	<p><b>Case Number:</b> COD-018701-2022  <b>Cited Address:</b> 3414 Forum Blvd.  <b>Property Owner:</b> Dazman Forum II LLC  <b>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> 12-01-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>08-14-23</u></b></p>
3.	<p><b>Case Number:</b> COD-017176-2022  <b>Cited Address:</b> 6217 Markland Ave.  <b>Property Owner:</b> Thomas Angelo &amp; Rita Y  <b>Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 06-21-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 11-07-22  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>08-14-23</u></b></p>
4.	<p><b>Case Number:</b> COD-018857-2022  <b>Cited Address:</b> 1452 Park Shore Cir. 1  <b>Property Owner:</b> Ruiz Jan Carlos  <b>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> 12-02-22  <b>Ward:</b> 5</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>08-14-23</u></b></p>
5.	<p><b>Case Number:</b> COD-017082-2022  <b>Cited Address:</b> 3917 E River Dr.  <b>Property Owner:</b> Schwartz Philip J &amp; Schwartz Barbara K  <b>Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 06-14-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 11-07-22  <b>Ward:</b> 1</p>	<p>Case presented by Building Official Brent Brewster. Mr. Schwartz, Property Owner, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Dorsey, seconded by Ms. Connors, 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 \$200.00 per day be imposed starting on</p>



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		October 12, 2023, and capped at \$5,000.00.
6.	<p><b>Case Number:</b> COD-016450-2022  <b>Cited Address:</b> 35 Skipton Cir.  <b>Property Owner:</b> Baten Marcelino Ramos  <b>Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 05-20-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 11-04-22  <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. Bosworth, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, 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 \$5,000.00.</p>
7.	<p><b>Case Number:</b> COD-016023-2022  <b>Cited Address:</b> 9660 SR 82  <b>Property Owner:</b> Fort Myers Petroleum LLC  <b>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> 11-04-22  <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. 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 October 12, 2023, or a fine of \$200.00 per day be imposed starting on October 12, 2023, and capped at \$5,000.00.</p>



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8.	<p><b>Case Number:</b> COD-016481-2022  <b>Cited Address:</b> 10561 Veneto Dr.  <b>Property Owner:</b> Pelican Preserve Community Ass  <b>Building Official:</b> Brent Brewster  <b>Date Case Initiated:</b> 05-20-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 08-25-22  <b>Ward:</b> 6</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. Overholser, and passed by majority to find the defendant guilty. It was moved by Mr. Krise, seconded by Ms. Conners, and passed by majority 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 \$5,000.00.</p>
9.	<p><b>Unsafe Structure</b>  <b>Case Number:</b> COD-026184-2023 FIRE  <b>Cited Address:</b> 4705 Deleon St. Units 173L, 174L, 2743L, 274L  <b>Code Enforcement Field Supervisor:</b> Tom Smith  <b>Date Case Initiated:</b> 07-11-23  <b>Property Owner:</b> Park Place Apartments Owner LL  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 5</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. St. Martin, Representative, presented the case. It was moved by Ms. Chafatelli, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Ms. Chafatelli, seconded by Ms. Conners, and unanimously carried that all violations must be abated by March 14, 2024, or a fine of \$250.00 per day be imposed starting on March 14, 2024, no cap and no abate.</p>
10.	<p><b>Unsafe Structure</b>  <b>Case Number:</b> COD-010699-2021 FIRE  <b>Cited Address:</b> 2305 Henderson Ave.  <b>Code Enforcement Field Supervisor:</b> Tom Smith  <b>Date Case Initiated:</b> 08-30-21  <b>Property Owner:</b> LD FM Development LLC  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 2</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith and Code Enforcement Manager Mark Campbell. Ms. Bronvitch, Representative, presented the case. 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 November 9, 2023, or a fine of \$250.00 per day be imposed starting on November 9, 2023, no cap and the City shall abate.</p>



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11.	<p><b>Unsafe Structure</b>  <b>Case Number:</b> COD-016952-2022 FIRE  <b>Cited Address:</b> 3623 Highland Ave.  <b>Code Enforcement Field Supervisor:</b> Tom Smith  <b>Date Case Initiated:</b> 06-14-23  <b>Property Owner:</b> Peterson Beverly + Cason Stella Et Al  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 3</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith. Ms. Peterson and Ms. Cason, Representatives, presented the case. It was moved by Mr. Dorsey, seconded by Ms. Connors, 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 June 13, 2024, or a fine of \$250.00 per day be imposed starting on June 13, 2024, no cap and the City shall abate.</p>
12.	<p><b>Unsafe Structure</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> Villarroel Luis Enrique  <b>Violation:</b> Unsafe Structure FMC 54-156 through 54-167.  <b>Ward:</b> 2</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith and Building Official Brent Brewster. Mr. Villarroel, Property Owner, presented the case. It was moved by Mr. Bosworth, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by December 14, 2023, or a fine of \$250.00 per day be imposed starting on December 14, 2023, no cap and the City shall abate.</p>
13.	<p><b>Case Number:</b> COD-020795-2022  <b>Cited Address:</b> 3547 Royal Palm Ave.  <b>Property Owner:</b> Lavertta Miller Aprn LLC.  <b>Code Officer:</b> Cynthia Warren  <b>Date Case Initiated:</b> 12-21-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 02-13-23  <b>Ward:</b> 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Mr. Moore, 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 November 9, 2023, or a fine of \$250.00 per day be imposed starting on</p>



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		November 9, 2023, and capped at \$25,000.00.
14.	<p><b>Case Number:</b> COD-022076-2023  <b>Cited Address:</b> 3136 Dunbar Ave.  <b>Property Owner:</b> Cheeseborough Eric + Cheeseborough Latoya  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 02-16-23  <b>Violation:</b> FMC 86-61 – Parking Commercial Vehicle in Residential District  <b>Notice of Violation Served On:</b> 03-17-23  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>07-27-23</u></b></p>
15.	<p><b>Case Number:</b> COD-020381-2022  <b>Cited Address:</b> 2219 Fowler St.  <b>Property Owner:</b> Midtown Business Center LLC.  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 12-05-22  <b>Violation:</b> IPMC [P] 507.1 - Storm Drainage, IPMC 504.1 General – Plumbing, IPMC 506.1 – General; Sanitary Drainage System  <b>Notice of Violation Served On:</b> 01-24-23  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>07-27-23</u></b></p>
16.	<p><b>Case Number:</b> COD-020387-2022  <b>Cited Address:</b> 2247 Fowler St.  <b>Property Owner:</b> Midtown Business Center LLC.  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 12-05-22  <b>Violation:</b> IPMC [P] 507.1 - Storm Drainage, IPMC 603.1 - Mechanical Appliances  <b>Notice of Violation Served On:</b> 01-24-23  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>07-27-23</u></b></p>
17.	<p><b>Case Number:</b> COD-020353-2022  <b>Cited Address:</b> 2333 Fowler St.  <b>Property Owner:</b> Best Deals Cars Inc.  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 12-01-22  <b>Violation:</b> FMC 102-81 – Construction Permit Required  <b>Notice of Violation Served On:</b> 01-26-23  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>07-27-23</u></b></p>



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18.	<p><b>Case Number:</b> COD-019968-2022  <b>Cited Address:</b> 2904 Market St.  <b>Property Owner:</b> Sibert Louis W  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 11-22-22  <b>Violation:</b> FMC 54-156 Definitions (Major/Minor) 54-157 Enumeration, 90-3 (b), FMC 90-3 (b) Violations/Penalties  <b>Notice of Violation Served On:</b> 01-07-23  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>07-27-23</u></b></p>
19.	<p><b>Case Number:</b> COD-020727-2022  <b>Cited Address:</b> 2904 Market St.  <b>Property Owner:</b> Sibert Louis W  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 12-19-22  <b>Violation:</b> FMC 70-49 (a) - Collection.  <b>Notice of Violation Served On:</b> 02-02-23  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>07-27-23</u></b></p>
20.	<p><b>Case Number:</b> COD-020403-2022  <b>Cited Address:</b> 2235 Palm Ave.  <b>Property Owner:</b> Carrigan Brothers LLC.  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 12-06-22  <b>Violation:</b> FMC 54-117 – Accumulations  <b>Notice of Violation Served On:</b> 02-10-23  <b>Ward:</b> 3</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>08-14-23</u></b></p>
21.	<p><b>Case Number:</b> COD-022077-2023  <b>Cited Address:</b> 3305 South St.  <b>Property Owner:</b> Fulcher Demetrias  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 02-16-23  <b>Violation:</b> FMC 102-81 – Construction Permit Required, IPMC 302.7 – Accessory Structures  <b>Notice of Violation Served On:</b> 04-11-23  <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>08-21-23</u></b></p>
22.	<p><b>Case Number:</b> COD-021065-2023  <b>Cited Address:</b> 3440 Stella St.  <b>Property Owner:</b> Gurbanov Elshan  <b>Code Officer:</b> Adam Dees  <b>Date Case Initiated:</b> 01-10-23  <b>Violation:</b> FMC 102-81 – Construction Permit Required, IPMC 304.13 – Window/Skylight/Door Frames, IPMC 304.7 - Roofs and Drainage, IPMC 305.6 Interior</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b>  <b><u>07-27-23</u></b></p>



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	<p>Doors, IPMC 309.1 – Infestation, IPMC 605.1 - Electrical Equipment. Installation, IPMC 605.2 - Electrical Equipment. Receptacles, IPMC 701.2 - Fire Safety Responsibility, 702.1 - Means of Egress, 702.3 - Locked Doors, 702.4 - Emergency Escape Openings, IPMC Interior 305.4 Stairs and Walking Surfaces, IPMC Sec. 404 – Occupancy Limitations, 404.2 – Minimum Room Widths, 404.4.1 – Area for Sleeping Purposes, 404.4.2 – Access for Bedrooms, 404.4.4 – Prohibited Occupancy <b>Notice of Violation Served On:</b> 01-30-23 <b>Ward:</b> 2</p>	
<p>23.</p>	<p><b>Case Number:</b> COD-021401-2023 <b>Cited Address:</b> 3252 Willin St. <b>Property Owner:</b> Wheeler Teresa Ann <b>Code Officer:</b> Adam Dees <b>Date Case Initiated:</b> 01-24-23 <b>Violation:</b> FMC 54-117 – Accumulations, FMC 54-246 – Storage, IPMC 701.2 - Fire Safety Responsibility, 702.1 - Means of Egress, 702.3 - Locked Doors, 702.4 - Emergency Escape Openings <b>Notice of Violation Served On:</b> 02-18-23 <b>Ward:</b> 2</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. 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 Ms. Conners, 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 capped at \$25,000.00.</p>
<p>24.</p>	<p><b>Case Number:</b> COD-020406-2022 <b>Cited Address:</b> 4134 Woodside Ave. <b>Property Owner:</b> Gurbanov Elshan <b>Code Officer:</b> Jean Paul Ibenez <b>Date Case Initiated:</b> 12-06-22 <b>Violation:</b> FMC 102-81 – Construction Permit Required, FMC 54-246 – Storage, IPMC 304.12 – Handrails and guards, IPMC 304.13 – Window/Skylight/Door Frames, IPMC 304.7 - Roofs and Drainage, IPMC 305.3 Interior Surfaces, IPMC 309.1 – Infestation, IPMC 605.4 - Electrical Equipment. Wiring. <b>Notice of Violation Served On:</b> 05-11-23 <b>Ward:</b> 1</p>	<p><b><u>DISMISSED DUE TO COMPLIANCE</u></b> <b><u>08-07-23</u></b></p>





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	<b>AGENDA ITEMS 00-00 LISTED AS OLD BUSINESS</b>	
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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.