



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

November 9, 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 Present	Cynthia C Conners Ward 5 Present
Herman Dorsey Ward 2 Present	Shaunte Fulcher Ward 3 Excused	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 Shaunte Fulcher, and Randy Krise.
Interpreter Alejandro Vivez from Tico Translating Interpreting Interpreted the Oath in Spanish	Present and asked audience if anyone would be needing Spanish interpreting, no one required interpreting.
Clerk administers Oath to all parties addressing the board	Administered
Clerk announces all cases to be heard	
AGENDA ITEMS 1-39 LISTED AS NEW BUSINESS	
1.	Request a motion to approve minutes from September 14, 2023.
	It was moved by Ms. Conners, seconded by Ms. Chafatelli, and unanimously carried to approve minutes.



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2.	<p>Case Number: COD-022304-2023 Cited Address: 1280 Allen St. Property Owner: Mateo-Francisco Juan Building Official: Brent Brewster Date Case Initiated: 06-05-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 06-26-23 Ward: 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. Martin, seconded by Ms. Chafatelli, and unanimously carried to find the defendant guilty. It was moved by Mr. Martin, seconded by Ms. Chafatelli, and unanimously carried that all violations must be abated by December 14, 2023, or a fine of \$200.00 per day be imposed starting on December 14, 2023, and capped at \$25,000.00.</p>
3.	<p>Case Number: COD-021068-2023 Cited Address: 1308 Almeria Ave. Property Owner: Dotson Kevin E & Dotson Catherine T Building Official: Brent Brewster Date Case Initiated: 01-09-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 04-15-23 Ward: 4</p>	<p>DISMISSED DUE TO COMPLIANCE 10-30-23</p>
4.	<p>Case Number: COD-020510-2022 Cited Address: 3828 Ballard Rd. Property Owner: Selbee Allison R Building Official: Brent Brewster Date Case Initiated: 12-08-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 05-04-23 Ward: 1</p>	<p>DISMISSED DUE TO COMPLIANCE 10-19-23</p>



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5.	<p>Case Number: COD-021107-2023 Cited Address: 2034 Canal St. 202 Property Owner: Silvercreek Realty Investments Building Official: Brent Brewster Date Case Initiated: 01-10-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 06-26-23 Ward: 4</p>	DISMISSED DUE TO COMPLIANCE 10-30-23
6.	<p>Case Number: COD-023277-2023 Cited Address: 1247 Canterbury Dr. Property Owner: Green Bruce D & Anne H Building Official: Brent Brewster Date Case Initiated: 03-30-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 07-17-23 Ward: 5</p>	DISMISSED DUE TO COMPLIANCE 10-30-23
7.	<p>Case Number: COD-022300-2023 Cited Address: 5218 Cedarbend Dr. 2 Property Owner: Hadzistevic Aleksander & Stanic Natasa Building Official: Brent Brewster Date Case Initiated: 06-05-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 06-27-23 Ward: 5</p>	DISMISSED DUE TO COMPLIANCE 10-30-23
8.	<p>Case Number: COD-021978-2023 Cited Address: 2646 Central Ave. Property Owner: Graves Evan L Building Official: Brent Brewster Date Case Initiated: 02-15-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 05-25-23 Ward: 3</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. 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 December 14, 2023, or a fine of \$200.00 per day be imposed starting on December 14, 2023, and capped at \$25,000.00.



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9.	<p>Case Number: COD-023645-2023 Cited Address: 12168 Corcoran Pl. Property Owner: Georgeton Kimberly Building Official: Brent Brewster Date Case Initiated: 04-10-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 04-17-23 Ward: 6</p>	DISMISSED DUE TO COMPLIANCE 10-30-23
10.	<p>Case Number: COD-021305-2023 Cited Address: 4400 Colonial Blvd. 4420 Property Owner: K & T Real Estate LLC Building Official: Brent Brewster Date Case Initiated: 01-17-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 04-24-23 Ward: 5</p>	Case presented by Building Official Brent Brewster. Mr. Tiefenphaler, Representative, 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 Ms. Connors, and unanimously carried that all violations must be abated by December 14, 2023, or a fine of \$200.00 per day be imposed starting on December 14, 2023, and capped at \$50,000.00.
11.	<p>Case Number: COD-021998-2023 Cited Address: 3524 Dora St. Property Owner: ANZ Holdings LLC Building Official: Brent Brewster Date Case Initiated: 02-16-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 06-01-23 Ward: 2</p>	DISMISSED DUE TO COMPLIANCE 11-09-23



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12.	<p>Case Number: COD-021054-2023 Cited Address: 3380 Dr. Martin Luther King Jr. Blvd Property Owner: Angels Restaurant and Jerk Cen Building Official: Brent Brewster Date Case Initiated: 01-09-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 04-17-23 Ward: 2</p>	DISMISSED DUE TO COMPLIANCE 10-30-23
13.	<p>Case Number: COD-022230-2023 Cited Address: 4036 Edison Ave. Property Owner: GTC Holdings 1 LLC Building Official: Brent Brewster Date Case Initiated: 05-30-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 06-27-23 Ward: 2</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. Dorsey, and unanimously carried that all violations must be abated by December 14, 2023, or a fine of \$200.00 per day be imposed starting on December 14, 2023, and capped at \$25,000.00
14.	<p>Case Number: COD-020058-2022 Cited Address: 2947 Evans Ave. Property Owner: Jadestation Holdings LLC. Building Official: Brent Brewster Date Case Initiated: 11-18-22 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 02-24-23 Ward: 3</p>	DISMISSED DUE TO COMPLIANCE 11-08-23
15.	<p>Case Number: COD-021466-2023 Cited Address: 3714 Evans Ave. Property Owner: 3714 Evans LLC Building Official: Brent Brewster Date Case Initiated: 01-25-23 Violation: FMC 102-81 –Construction Permit Required Notice of Violation Served On: 06-26-23 Ward: 4</p>	WITHDRAWN



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16.	<p>Case Number: COD-024700-2023 Cited Address: 4160 Cleveland Ave. Property Owner: Transandina Holdings LLC Compliance Building Inspector: Mark Rodriguez Date Case Initiated: 05-10-23 Violation: FMC 102-81 –Construction Permit Required, FMC 82-198. - Evidence of engaging in business Notice of Violation Served On: 07-12-23 Ward: 5</p>	WITHDRAWN AND RESCHEDULED
17.	<p>Unsafe Structure Case Number: COD-012803-2021 - Fire Cited Address: 2323 Jaylen Watkins St. Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 12-09-21 Property Owner: Matias Calixtro Violation: Unsafe Structure FMC 54-156 through 54-167. Ward: 2</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. Matias, Property owner, presented the case. 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 May 9, 2024, or a fine of \$250.00 per day be imposed starting on May 9, 2024, no cap, and the City shall abate.</p>
18.	<p>Case Number: COD-022491-2023 Cited Address: 00 Watermark C/E Folio ID# 10563711 Property Owner: Watermark Neighborhood Associa Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 03-16-23 Violation: FMC 102-81 –Construction Permit Required FMC 138-43. - Plant material installation and maintenance. Notice of Violation Served On: 07-10-23 Ward: 5</p>	DISMISSED DUE TO COMPLIANCE 11-03-23



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19.	<p>Case Number: COD-025151-2023 Cited Address: 1645 Newport Ct. Property Owner: Henriquez Rayel & Cou Alina Code Officer: Gary Robinson Date Case Initiated: 05-25-23 Violation: FMC 54-246 – Storage, FMC 86-69 – Parking in Residential Areas Notice of Violation Served On: 07-26-23 Ward: 5</p>	DISMISSED DUE TO COMPLIANCE 10-12-23
20.	<p>Case Number: COD-022346-2023 Cited Address: 3959 Maxine St. Property Owner: McDonald Daniel Code Officer: Gary Robinson Date Case Initiated: 03-07-23 Violation: IPMC 302.7 – Accessory Structures Notice of Violation Served On: 04-01-23 Ward: 4</p>	DISMISSED DUE TO COMPLIANCE 11-01-23
21.	<p>Case Number: COD-022767-2023 Cited Address: 3704 Broadway #206 Property Owner: Ranade Vinayak Code Officer: Cynthia Warren Date Case Initiated: 03-22-23 Violation: FMC 102-81 –Construction Permit Required, FMC 134.3.8 Lighting Standards, IPMC 304.12 – Handrails and guards, IPMC 304.2/304.6 – Protective Treatment/Exterior Walls, IPMC 305.3 Interior Surfaces, IPMC 603.1 - Mechanical Appliances, IPMC 605.2 - Electrical Equipment. Receptacles, IPMC 304.10 Stairways, Decks, Porches, and Balconies, IPMC Interior 305.4 Stairs and Walking Surfaces Notice of Violation Served On: 05-05-23 Ward: 4</p>	Case presented by Code Enforcement Officer Cynthia Warren. Mr. Ranade, Property Owner, 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 May 9, 2024, or a fine of \$200.00 per day be imposed starting on May 9, 2024, and capped at \$25,000.00.
22.	<p>Case Number: COD-022489-2023 Cited Address: 2222 Fowler St. Property Owner: Realty Income Properties 29 Ll Code Officer: Cynthia Warren Date Case Initiated: 03-13-23 Violation: FMC 138-42 (d). - Plant material standards., FMC 54-117 – Accumulations,</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 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



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	<p>FMC 78-1. - Findings; obstruction of public street, road and highway rights-of-way. Notice of Violation Served On: 06-27-23 Ward: 3</p>	<p>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, and capped at \$50,000.00.</p>
<p>23.</p>	<p>Case Number: COD-024932-2023 Cited Address: 2933 Jackson St. Property Owner: Goodlife Holdings Inc. Code Officer: Cynthia Warren Date Case Initiated: 05-26-23 Violation: FMC 102-81 – Construction Permit Required, FMC 134.3.8 Lighting Standards, FMC 54-117 – Accumulations, FMC 54-246 – Storage, FMC 86-69 – Parking in Residential Areas, IPMC [P] 506.2 - Sanitary Drainage System. Maintenance., IPMC 304.3 – Premises Identification, IPMC 304.7 - Roofs and Drainage, IPMC 304.8 – Decorative Features, IPMC 504.1 General – Plumbing, IPMC 506.1 – General; Sanitary Drainage System, IPMC 605.1 - Electrical Equipment. Installation, IPMC 605.4 - Electrical Equipment. Wiring., 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: 06-27-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren, Code Manager Mark Campbell, and Building Official Brent Brewster. Mr. Richards, Representative, presented the case. 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 May 9, 2024, or a fine of \$250.00 per day be imposed starting on May 9, 2024, and capped at \$25,000.00.</p>
<p>24.</p>	<p>Case Number: COD-023674-2023 Cited Address: 2235 Stella St. Property Owner: Delatorre Manuel & Maria A Code Officer: Cynthia Warren Date Case Initiated: 04-11-23 Violation: FMC 118.3.7 B 1 Outside Storage, FMC 54-117 – Accumulations, FMC 54-246 – Storage, IPMC 304.15 Doors, IPMC 304.8 – Decorative Features, IPMC 304.10 Stairways, Decks, Porches, and Balconies Notice of Violation Served On: 06-27-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Ms. Delatorre, Property Owner, 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 Ms. Connors, and unanimously carried that all violations must be abated by February 8, 2024, or a fine of \$250.00 per day be imposed starting on February 8, 2024, and capped at \$25,000.00.</p>



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25.	<p>Case Number: COD-024269-2023 Cited Address: 2341 Willard St. Property Owner: Eden S D A Church Code Officer: Cynthia Warren Date Case Initiated: 04-28-23 Violation: FMC 118.3.7 B 1 Outside Storage, FMC 134.3.8 Lighting Standards, FMC 54-117 – Accumulations, FMC 54-246 – Storage, Notice of Violation Served On: 06-26-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Mr. Demiz, Representative, presented the case. 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 January 11, 2024, or a fine of \$250.00 per day be imposed starting on January 11, 2024, and capped at \$50,000.00.</p>
26.	<p>Case Number: COD-024554-2023 Cited Address: 3066 Cranford Ave. Property Owner: A + D Scrap Materials Inc. Code Officer: Brian Wicka Date Case Initiated: 05-05-23 Violation: FMC 102-81 – Construction Permit Required, FMC 54-117 – Accumulations, IPMC 302.7 – Accessory Structures Notice of Violation Served On: 05-19-23 Ward: 3</p>	<p>WITHDRAWN OWNERSHIP CHANGE</p>
27.	<p>Case Number: COD-016300-2022 Cited Address: 2748 Evans Ave. Property Owner: Jacobsen Sidney A Tr. Code Officer: Brian Wicka Date Case Initiated: 05-18-23 Violation: FMC 82-183 Required Notice of Violation Served On: 08-15-23 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Adam Dees. Mr. Jacobsen & Mr. Hill, 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. Dorsey, and unanimously carried that all violations must be abated by April 11, 2024, or a fine of \$200.00 per day be imposed starting on April 11, 2024, and capped at \$50,000.00.</p>



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28.	<p>Case Number: COD-024095-2023 Cited Address: 3621 Winkler Ave. Property Owner: CH Rrealty IX/MF Fort Myers RE Code Officer: Brian Wicka Date Case Initiated: 04-25-23 Violation: FMC 134.3.4 Surface Material/Construction and Design Standards Notice of Violation Served On: 05-11-23 Ward: 3</p>	WITHDRAWN
29.	<p>Case Number: COD-021586-2023 Cited Address: 3517 Canal St. Property Owner: Intex Homes Properties LLC Code Officer: Adam Dees Date Case Initiated: 01-31-23 Violation: IPMC 302.7 – Accessory Structures Notice of Violation Served On: 08-04-23 Ward: 2</p>	WITHDRAWN & RESCHEDULED
30.	<p>Case Number: COD-025459-2023 Cited Address: 4770 Colonial Blvd. Property Owner: Wal-Mart Stores East LP Code Officer: Adam Dees Date Case Initiated: 06-07-23 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: 07-06-23 Ward: 2</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>10-19-23</u>
31.	<p>Case Number: COD-023614-2023 Cited Address: 4125 Cleveland Ave., 1235 Property Owner: Mall Ground Portfolio LLC. Code Officer: Natalie Castellano Date Case Initiated: 04-11-23 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: 07-06-23 Ward: 5</p>	<u>DISMISSED DUE TO COMPLIANCE</u> <u>10-18-23</u>



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32.	<p>Case Number: COD-022131-2023 Cited Address: 1609 Red Cedar Dr. #6 Property Owner: LNX 1 Properties LLC Code Officer: Natalie Castellano Date Case Initiated: 02-22-23 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 08-21-23 Ward: 5</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. Connors, seconded by Mr. Shaw, and unanimously carried to find the defendant guilty. It was moved by Ms. Connors, seconded by Mr. Dorsey, and unanimously carried that all violations must be abated by January 11, 2024, or a fine of \$250.00 per day be imposed starting on January 11, 2024, and capped at \$50,000.00.</p>
33.	<p>Case Number: COD-020366-2022 Cited Address: 1617 Red Cedar Dr. #21 Property Owner: LNX 1 Properties LLC Code Officer: Natalie Castellano Date Case Initiated: 12-01-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 02-27-23 Ward: 5</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 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 January 11, 2024, or a fine of \$250.00 per day be imposed starting on January 11, 2024, and capped at \$50,000.00.</p>
34.	<p>Case Number: COD-020846-2022 Cited Address: 5235 Red Cedar Dr. #1 Property Owner: LNX 1 Properties LLC Code Officer: Natalie Castellano Date Case Initiated: 12-27-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 03-03-23 Ward: 5</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 Mr. Bosworth, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, seconded by</p>



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		<p>Mr. Overholser, and unanimously carried that all violations must be abated by January 11, 2024, or a fine of \$250.00 per day be imposed starting on January 11, 2024, and capped at \$50,000.00.</p>
<p>35.</p>	<p>Case Number: COD-024739-2023 Cited Address: 3831 Ballard Rd. Property Owner: Faith Christian Ctr of Ft Myer Code Officer: Jean Paul Ibanez Date Case Initiated: 05-10-23 Violation: FMC 54-117 – Accumulations, FMC 54-119 - Clearance of Lands Required Notice of Violation Served On: 08-07-23 Ward: 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. Overholser, seconded by Mr. Dorsey, 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 December 14, 2023, or a fine of \$200.00 per day be imposed starting on December 14, 2023, no cap and the City shall abate.</p>
<p>36.</p>	<p>Case Number: COD-025168-2023 Cited Address: 705 Oleander Ave. Property Owner: Doherty Michael Code Officer: Jean Paul Ibanez Date Case Initiated: 05-26-23 Violation: FMC 54-117 – Accumulations, FMC 54-119 - Clearance of Lands Required Notice of Violation Served On: 07-03-23 Ward: 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. Chafatelli, seconded by Ms. Conners, and unanimously carried to find the defendant guilty. It was moved by Ms. Chafatelli, seconded by Mr. Dorsey, 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>



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37.	<p>Case Number: COD-024991-2023 Cited Address: 4165 Palm Beach Blvd. Property Owner: Investments S & O LLC Code Officer: Jean Paul Ibanez Date Case Initiated: 05-17-23 Violation: FMC 118.3.5.F.4.d Temporary uses and structures; Trailers, semi-trailers, boat trailers and RVs. Notice of Violation Served On: 06-30-23 Ward: 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. 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 December 14, 2023, or a fine of \$250.00 per day be imposed starting on December 14, 2023, no cap.</p>
38.	<p>Case Number: COD-024234-2023 Cited Address: 4140 Washington Ave. Property Owner: DL Rental Holding LLC Code Officer: Jean Paul Ibanez Date Case Initiated: 04-27-23 Violation: FMC 102-81 – Construction Permit Required, FMC 54-117 – Accumulations, IPMC 302.3 – Sidewalks and Driveways, IPMC 304.2/304.6 – Protective Treatment/Exterior Walls, IPMC 304.3 – Premises Identification, IPMC 304.7 - Roofs and Drainage, IPMC 304.8 – Decorative Features Notice of Violation Served On: 06-03-23 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>10-31-23</u></p>
39.	<p>ORDER OF LIEN Number: 2023-1109</p>	<p>It was moved by Ms. Connors, seconded by Mr. Overholser, and unanimously carried that order of lien 2023-1109 be approved.</p>
<p>AGENDA ITEMS 40-53 LISTED AS OLD BUSINESS</p>		



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40.	<p>Request more time: Case Number: COD-019463-2022 Cited Address: 3576 Veronica S Shoemaker Blvd. Property Owner: Industrial Development CORP LL Code Officer: Brian Wicka Date Case Initiated: 12-12-22 Violation: FMC 102-81 – Construction Permit Required Notice of Violation Served On: 02-03-23 Ward: 3 CEB Order: 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. Dorsey, seconded by Ms. Connors, 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 \$200.00 per day be imposed starting on November 9, 2023, and capped at \$50,000.00.</p>	WITHDRAWN
41.	<p>Mitigation Case Number: COD-009118-2021 Cited Address: 3521 Central Ave. Property Owner: Smith Reynel + Smith Clavensky Current Lien Amount: \$6,900.00 Lien Cap Amount: \$2,500.00 Hard Costs: \$727.10 Lien Imposed: 06-28-22 Lien Recorded: 07-14-22 Case Complied: 08-12-22 CEB Order: Case presented by Building Official Brent Brewster. No one in attendance representing property owner. Code Enforcement Field Supervisor Tom Smith presented the city’s recommendations. The Special Magistrate Robert D. Pritt found the defendant guilty. It was ordered that all violations must be abated by June 28, 2022, or</p>	WITHDRAWN SCHEDULE WITH SPECIAL MAGISTRATE



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	<p>a fine of \$150.00 per day be imposed starting on June 28, 2022 and capped at \$2,500.00. Owner Purchased on: 04-17-20 by general Warranty Deed for \$155,000.00</p>	
<p>42.</p>	<p>Mitigation Case Number: COD-000174-2020 Cited Address: 3747 Cleveland Ave. Property Owner: Stroub Stephen F Tr For Stephen F Stroub Trust Current Lien Amount: \$85,050.00 Lien Cap Amount: \$5,000.00 Hard Costs: \$1,627.10 Lien Imposed: 10-14-21 Lien Recorded: 12-21-21 Case Complied: 05-03-23 CEB Order: Case presented by Code Enforcement Officer John Sellers and Building Official Brent Brewster. Mr. Martin, Representative, presented the case. 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 Mr. Overholser, and unanimously carried that all violations must be abated by December 9, 2021, or a fine of \$150.00 per day be imposed retroactive to October 14, 2021, and capped at \$5,000.00. Owner Purchased on: 04-13-21 by Special Warranty Deed for \$1,815,000.00</p>	<p>WITHDRAWN</p>
<p>43.</p>	<p>Mitigation Case Number: COD-017547-2022 Cited Address: 2251 Grand Ave. Property Owner: 2251 Grand Ave. LLC Current Lien Amount: \$5,550.00 Lien Cap Amount: \$50,000.00 Hard Costs: \$1,032.24 Lien Imposed: 08-10-23 Lien Recorded: 08-31-23 Case Complied: 09-15-23 CEB Order: Case presented by Code Enforcement Officer Cynthia Warren and</p>	<p>Code Enforcement Board Clerk Kimberly Lefebvre, and Code Enforcement Manager Mark Campbell presented the City’s recommendations. Mr. Soto, Property owner, presented the case. It was moved by Ms. Connors, seconded by Mr. Martin, and unanimously carried to mitigate the fine in the amount of \$5,550.00 to \$1,032.23, if paid by January 11,</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

November 9, 2023

1:00 p.m.

	<p>Building Official Brent Brewster. Mr. Mendoza, Representative, presented the case. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Ms. Chafatelli, seconded by Mr. Dorsey, and unanimously carried to find the defendant guilty. It was moved by Ms. Chafatelli, seconded by Ms. Connors, and unanimously carried that all violations must be abated by August 10, 2023, or a fine of \$150.00 per day be imposed starting on August 10, 2023, and capped at \$50,000.00. Owner Purchased on: 01-16-14 by Quit Claim Deed for \$10.00</p>	<p>2024, or the fine will revert back to the original lien amount as ordered.</p>
<p>44.</p>	<p>Mitigation Case Number: COD2016-01443 Cited Address: 2144 Illinois Ave #3 Property Owner: Blue River Capital LLC Current Lien Amount: \$628,250.00 Lien Cap Amount: \$100,000.00 Hard Costs: \$3,375.06 Lien Imposed: 11-10-16 Lien Recorded: 01-14-17 Case Complied: 09-27-23 CEB Order: Case presented by Code Enforcement Officer Maria Morales. No one in attendance representing property owner. It was moved by Mr. Krupick, seconded by Mr. Cornet, and unanimously carried to find the defendant guilty. It was moved by Mr. Krupick, seconded by Mr. Bailey, and unanimously carried that all violations must be abated by January 12, 2017, or a fine of \$250.00 per day be imposed retroactive to November 10, 2016, and capped at \$100,000.00. Owner Purchased on: 10-22-14 by Warranty Deed for \$342,500.00</p>	<p>Motion is for Agenda Items 44, 45, 46, 47, 48, 49, 50, 51 Code Enforcement Board Clerk Kimberly Lefebvre presented the City’s recommendations. Mr. Hank, Representative, presented the case. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and passed by majority to mitigate the fine in the amount of \$705,000.00 to \$40,000.00 if paid by January 11, 2024, or the fine will revert back to the original lien amount as ordered.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

November 9, 2023

1:00 p.m.

<p>45.</p>	<p>Mitigation Case Number: COD2016-04075 Cited Address: 2144 Illinois Ave #2 Property Owner: Blue River Capital LLC Current Lien Amount: \$121,100.00 Lien Cap Amount: \$100,000.00 Hard Costs: \$2,841.30 Lien Imposed: 02-09-17 Lien Recorded: 02-15-18 Case Complied: 09-27-23 CEB Order: Case presented by Code Enforcement Officer Maria Morales. Colleen Blunthi, Property Owner, presented the case. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried that all violations must be abated by January 11, 2018, or a fine of \$50.00 per day be imposed retroactive to February 9, 2017, and capped at \$100,000.00. Owner Purchased on: 10-22-14 by Warranty Deed for \$342,500.00</p>	<p>Motion is for Agenda Items 44, 45, 46, 47, 48, 49, 50, 51 Code Enforcement Board Clerk Kimberly Lefebvre presented the City’s recommendations. Mr. Hank, Representative, presented the case. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and passed by majority to mitigate the fine in the amount of \$705,000.00 to \$40,000.00 if paid by January 11, 2024, or the fine will revert back to the original lien amount as ordered.</p>
<p>46.</p>	<p>Mitigation Case Number: COD2016-04233 Cited Address: 2144 Illinois Ave #5 Property Owner: Blue River Capital LLC Current Lien Amount: \$121,100.00 Lien Cap Amount: \$100,000.00 Hard Costs: \$2,766.30 Lien Imposed: 02-09-17 Lien Recorded: 02-15-18 Case Complied: 09-27-23 CEB Order: Case presented by Code Enforcement Officer Maria Morales. Colleen Blunthi, Property Owner, presented the case. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried that all violations must be abated by January 11, 2018, or a fine of \$50.00 per day be imposed retroactive to February 9, 2017, and capped at \$100,000.00.</p>	<p>Motion is for Agenda Items 44, 45, 46, 47, 48, 49, 50, 51 Code Enforcement Board Clerk Kimberly Lefebvre presented the City’s recommendations. Mr. Hank, Representative, presented the case. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and passed by majority to mitigate the fine in the amount of \$705,000.00 to \$40,000.00 if paid by January 11, 2024, or the fine will revert back to the original lien amount as ordered.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

November 9, 2023

1:00 p.m.

	<p>Owner Purchased on: 10-22-14 by Warranty Deed for \$342,500.00</p>	
<p>47.</p>	<p>Mitigation Case Number: COD2016-04235 Cited Address: 2144 Illinois Ave #6 Property Owner: Blue River Capital LLC Current Lien Amount: \$121,100.00 Lien Cap Amount: \$100,000.00 Hard Costs: \$2,841.30 Lien Imposed: 02-09-17 Lien Recorded: 02-15-18 Case Complied: 09-27-23 CEB Order: Case presented by Code Enforcement Officer Maria Morales. Colleen Blunthi, Property Owner, presented the case. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried that all violations must be abated by January 11, 2018, or a fine of \$50.00 per day be imposed retroactive to February 9, 2017, and capped at \$100,000.00. Owner Purchased on: 10-22-14 by Warranty Deed for \$342,500.00</p>	<p>Motion is for Agenda Items 44, 45, 46, 47, 48, 49, 50, 51 Code Enforcement Board Clerk Kimberly Lefebvre presented the City's recommendations. Mr. Hank, Representative, presented the case. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and passed by majority to mitigate the fine in the amount of \$705,000.00 to \$40,000.00 if paid by January 11, 2024, or the fine will revert back to the original lien amount as ordered.</p>
<p>48.</p>	<p>Mitigation Case Number: COD2016-04242 Cited Address: 2144 Illinois Ave #8 Property Owner: Blue River Capital LLC Current Lien Amount: \$121,100.00 Lien Cap Amount: \$100,000.00 Hard Costs: \$2,766.30 Lien Imposed: 02-09-17 Lien Recorded: 02-15-18 Case Complied: 09-27-23 CEB Order: Case presented by Code Enforcement Officer Maria Morales. Colleen Blunthi, Property Owner, presented the case. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried that all violations must be abated by</p>	<p>Motion is for Agenda Items 44, 45, 46, 47, 48, 49, 50, 51 Code Enforcement Board Clerk Kimberly Lefebvre presented the City's recommendations. Mr. Hank, Representative, presented the case. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and passed by majority to mitigate the fine in the amount of \$705,000.00 to \$40,000.00 if paid by January 11, 2024, or the fine will revert back to the original lien amount as ordered.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

November 9, 2023

1:00 p.m.

	<p>January 11, 2018, or a fine of \$50.00 per day be imposed retroactive to February 9, 2017, and capped at \$100,000.00. Owner Purchased on: 10-22-14 by Warranty Deed for \$342,500.00</p>	
<p>49.</p>	<p>Mitigation Case Number: COD2016-04243 Cited Address: 2144 Illinois Ave #7 Property Owner: Blue River Capital LLC Current Lien Amount: \$121,100.00 Lien Cap Amount: \$100,000.00 Hard Costs: \$2,691.30 Lien Imposed: 02-09-17 Lien Recorded: 02-15-18 Case Complied: 09-27-23 CEB Order: Case presented by Code Enforcement Officer Maria Morales. Colleen Blunthi, Property Owner, presented the case. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried that all violations must be abated by January 11, 2018, or a fine of \$50.00 per day be imposed retroactive to February 9, 2017, and capped at \$100,000.00. Owner Purchased on: 10-22-14 by Warranty Deed for \$342,500.00</p>	<p>Motion is for Agenda Items 44, 45, 46, 47, 48, 49, 50, 51 Code Enforcement Board Clerk Kimberly Lefebvre presented the City's recommendations. Mr. Hank, Representative, presented the case. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and passed by majority to mitigate the fine in the amount of \$705,000.00 to \$40,000.00 if paid by January 11, 2024, or the fine will revert back to the original lien amount as ordered.</p>
<p>50.</p>	<p>Mitigation Case Number: COD2016-04300 Cited Address: 2144 Illinois Ave #4 Property Owner: Blue River Capital LLC Current Lien Amount: \$121,100.00 Lien Cap Amount: \$100,000.00 Hard Costs: \$2,691.30 Lien Imposed: 02-09-17 Lien Recorded: 02-15-18 Case Complied: 09-27-23 CEB Order: Case presented by Code Enforcement Officer Maria Morales. Colleen Blunthi, Property Owner, presented the case. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried to find the</p>	<p>Motion is for Agenda Items 44, 45, 46, 47, 48, 49, 50, 51 Code Enforcement Board Clerk Kimberly Lefebvre presented the City's recommendations. Mr. Hank, Representative, presented the case. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and passed by majority to mitigate the fine in the amount of \$705,000.00 to \$40,000.00 if paid by January 11, 2024, or the fine will revert back to the original lien amount as ordered.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

November 9, 2023

1:00 p.m.

	<p>defendant guilty. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried that all violations must be abated by January 11, 2018, or a fine of \$50.00 per day be imposed retroactive to February 9, 2017, and capped at \$100,000.00. Owner Purchased on: 10-22-14 by Warranty Deed for \$342,500.00</p>	
<p>51.</p>	<p>Mitigation Case Number: COD2018-01640 Cited Address: 2144 Illinois Ave Property Owner: Blue River Capital LLC Current Lien Amount: \$319,000.00 Lien Cap Amount: \$5,000.00 Hard Costs: \$817.40 Lien Imposed: 07-12-18 Lien Recorded: 01-31-19 Case Complied: 01-07-22 CEB Order: Case presented by Code Enforcement Officer Jeffrey Gonzales. Collen Valentine, and Steven from American Contractors, Representative presented the case. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was moved by Mr. Cornet, seconded by Mr. Howell, and unanimously carried that all violations must be abated by January 10, 2019, or a fine of \$250.00 per day be imposed retroactive to July 12, 2018, capped at \$5,000.00 and the City shall abate. Owner Purchased on: 10-22-14 by Warranty Deed for \$342,500.00</p>	<p>Motion is for Agenda Items 44, 45, 46, 47, 48, 49, 50, 51 Code Enforcement Board Clerk Kimberly Lefebvre presented the City's recommendations. Mr. Hank, Representative, presented the case. It was moved by Mr. Overholser, seconded by Mr. Dorsey, and passed by majority to mitigate the fine in the amount of \$705,000.00 to \$40,000.00 if paid by January 11, 2024, or the fine will revert back to the original lien amount as ordered.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

November 9, 2023

1:00 p.m.

<p>52.</p>	<p>Non-Compliance Case Number: COD2019-03258 Cited Address: 3805 Ballard Rd. Property Owner: Gilmore Rodney Arius Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 08-02-19 Violation: Unsafe Structure FMC 54-156 through 54-167. Lien Imposed: 11-14-19 Lien Recorded: 09-17-20 Code Board Order: 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. CEB Non-Compliance Order 10-14-21 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. Ownership changed 11-04-21 CEB Order 09-14-23: Case presented by Code Enforcement Field Supervisor Tom Smith, Code Enforcement Manager Mark Campbell, and Building Official Brent Brewster. Mr. Tobler, Representative, presented the case. It was moved by Mr. Bosworth, seconded by Mr. Martin to table the item for two months, November 9, 2023.</p>	<p>WITHDRAWN</p>
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**ACTION AGENDA
CODE ENFORCEMENT BOARD**

November 9, 2023

1:00 p.m.

<p>53.</p>	<p>Non-Compliance Case Number: COD2013-06111 Cited Address: 2645 Michigan Ave. Property Owner: Wilbourne Alexander C Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 10-25-13 Violation: Unsafe Structure FMC 54-156 through 54-167. Lien Imposed: 10-08-20 Lien Recorded: 03-02-21 Code Board Order: Case presented by Code Enforcement Field Supervisor Jeffrey Gonzales and Building Official Brent Brewster. No one in attendance representing property owner. It was moved by Mr. Bosworth, seconded by Mr. Cornet, and unanimously carried to find the defendant guilty. It was moved by Mr. Bosworth, seconded by Mr. Cornet, and unanimously carried that all permits must be obtained by December 10, 2020, and that all violations must be abated by January 14, 2021, or a fine of \$250.00 per day be imposed retroactive to October 8, 2020, capped at \$25,000.00, and the City shall abate. Non-Compliance Order: 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 property in noncompliance and the City shall abate by any means necessary.</p>	<p>WITHDRAWN AND RESCHEDULED</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.