



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

CODE ENFORCEMENT BOARD				
Nathan Shaw Chairman Ward 6 Present	Patty G Chafatelli Vice Chairwoman By Mayor Henderson Excused	Donald Overholser Ward 4 Present	Roger Bosworth Ward 1 Excused	Cynthia C Conners Ward 5 Present
Herman Dorsey Ward 2 Present	Oliver E Martin Ward 3 Present		Alternate Pieter Cornet Excused	Alternate Shaunte Fulcher By Mayor Henderson 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, Ms. Chafatelli, Mr. Cornet, Mr. Bosworth, and Ms. Fulcher.
Interpreter Beatrice Vietri from Tico Translating Interpreting Interpreted the Oath in Spanish		No Spanish interpreting required.
Clerk administers Oath to all parties addressing the board		Administered
Clerk announces all cases to be heard		Announced
AGENDA ITEMS 1-51 LISTED AS NEW BUSINESS		
1.	Request a motion to approve minutes from August 11, 2022	It was moved by Ms. Conners, seconded by Mr. Dorsey, and unanimously carried to approve minutes.



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

2.	<p>Case Number: COD-015573-2022 Cited Address: 2446 Cortez Blvd. Property Owner: Maliszewski Beth A Code Officer: Gary Robinson Date Case Initiated: 04-20-22 Violations: FMC 54-156 Definitions (Major/Minor) 54-157 Enumeration), 90-3 (b) FMC 90.33 Tampering with Waterworks Equipment and Water Meters Notice of Violation Served On: 05-16-22 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>09-08-22</u></p>
3.	<p>Case Number: COD-015006-2022 Cited Address: 3753 Hanover St. Property Owner: Haberman Kourtney Code Officer: Gary Robinson Date Case Initiated: 03-14-22 Notice of Violation Served On: 03-30-22 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-19-22</u></p>
4.	<p>Case Number: COD-015441-2022 Cited Address: 3918 La Palma St. Property Owner: Unknown Heirs of Arline Streimer Code Officer: Gary Robinson Date Case Initiated: 04-01-22 Violation: FMC 102.81 – Construction Permit Required Notice of Violation Served On: 06-08-22 Ward: 4</p>	<p>Case presented by Code Enforcement Officer Gary Robinson. Mr. McMullan, 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 November 10, 2022, or a fine of \$150.00 per day be imposed starting on November 10, 2022, and capped at \$5,000.00.</p>
5.	<p>Case Number: COD-016220-2022 Cited Address: 1830 Maravilla Ave. 503 Property Owner: Gri LLC Tr. for 1830 Maravilla Ave Unit 503 Trust Code Officer: Gary Robinson Date Case Initiated: 05-13-22 Notice of Violation Served On: 06-16-22 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>09-01-22</u></p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

6.	<p>Case Number: COD-015038-2022 Cited Address: 3949 Maxine St. Property Owner: Ritchie Lacinda Code Officer: Gary Robinson Date Case Initiated: 03-15-22 Violations: FMC 102.81 – Construction Permit Required FMC 54-117 – Accumulations IPMC 102.5 – Workmanship IPMC 301.3 Vacant Structures & Land IPMC304.2/304.6–Protective Treatment/Exterior Walls IPMC 304.8 – Decorative Features Notice of Violation Served On: 05-16-22 Ward: 4</p>	<p>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. 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 November 10, 202, or a fine of \$150.00 per day be imposed starting on November 10, 2022, and capped at \$5,000.00.</p>
7.	<p>Case Number: COD-016745-2022 Cited Address: 1626 Moreno Ave. Property Owner: CALCAP LLC Code Officer: Gary Robinson Date Case Initiated: 06-02-22 Notice of Violation Served On: 06-22-22 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-19-22</u></p>
8.	<p>Case Number: COD-015488-2022 Cited Address: 1861 Passaic Ave. Property Owner: Munoz Juan C + Munoz Rosalba Code Officer: Gary Robinson Date Case Initiated: 04-04-22 Notice of Violation Served On: 05-04-22 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-19-22</u></p>
9.	<p>Case Number: COD-016566-2022 Cited Address: 2049 Canal St. Property Owner: Pathirana Jagatha D & Pathirana Anna M Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 05-25-22 Violation: FMC 82-201 (a)(b) Engaging in business without local business tax receipt or</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>09-08-22</u></p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022

1:00 p.m.

	<p>under a local business tax receipt issued upon false statements; penalties. Notice of Violation Served On: 06-22-22 Ward: 4</p>	
10.	<p>Case Number: COD-015744-2022 Cited Address: 3746 Central Ave., 219 Property Owner: Palm Vista FM LLC + Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 04-20-22 Notice of Violation Served On: 07-11-22 Ward: 4</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-16-22</u></p>
11.	<p>Unsafe Structure Dock Only Case Number: COD-017562-2022 Cited Address: 3771 Edgewood Ave. Property Owner: Lucas Chandler M & Lucas Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 07-12-22 Violation: Unsafe Structure FMC 54-156 through 54-167. Shirley K</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith. Attorney Terry Cramer, Representative, presented the case. 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 February 9, 2023, or a fine of \$250.00 per day be imposed starting on September 8, 2022, no cap, and the City's shall abate.</p>
12.	<p>Case Number: COD-015941-2022 Cited Address: 3476 Fowler St. Property Owner: Mt McCarthy Realty Holdings LL Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 04-27-22 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: 05-16-22 Ward: 3</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. McCarthy, Representative, presented the case. Code Enforcement Field Supervisor 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 13, 2022, or a fine of \$150.00 per day be imposed starting on October 13, 2022, and capped at \$5,000.00.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

13.	<p>Case Number: COD-014733-2022 Cited Address: 824 Alderman Ave. Property Owner: Banyan Tree of Ft. Myers Condo Assn Inc. Code Officer: Mark Rodriguez Date Case Initiated: 02-28-22 Violations: FMC 102.81 – Construction Permit Required FMC 54-396 – International Property Maintenance Code Adopted IPMC 302.3 – Sidewalks and Driveways Notice of Violation Served On: 04-01-22 Ward: 1</p>	<p>Case presented by Code Enforcement Officer Mark Rodriguez. No one in attendance representing property owner. Code Enforcement Field Superior Tom Smith presented the City’s recommendations. It was moved by Mr. Martin, seconded by Mr. Overholser, and unanimously carried to find the defendant guilty. It was moved by Mr. Martin, seconded by Mr. Overholser, and unanimously carried that all violations must be abated by November 10, 2022, or a fine of \$250.00 per day be imposed starting on November 10, 2022, and capped at \$10,000.00.</p>
14.	<p>Case Number: COD-015357-2022 Cited Address: 4050 Cotton Dr. Property Owner: Golden Home Property LLC Code Officer: Mark Rodriguez Date Case Initiated: 02-28-22 Notice of Violation Served On: 06-08-22 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-22-22</u></p>
15.	<p>Case Number: COD-015105-2022 Cited Address: 4114 Edgewood Ave. Property Owner: Suarez Florencio Martinez + Ramirez-Ramirez Araceli Code Officer: Mark Rodriguez Date Case Initiated: 03-18-22 Notice of Violation Served On: 05-18-22 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>09-01-22</u></p>
16.	<p>Case Number: COD-015226-2022 Cited Address: 2331 Jaylen Watkins St. Property Owner: Freeman Oliver Code Officer: Mark Rodriguez Date Case Initiated: 03-22-22 Notice of Violation Served On: 04-27-22 Ward: 2</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-17-22</u></p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022

1:00 p.m.

17.	<p>Case Number: COD-015808-2022 Cited Address: 4236 Machiavelli Ln 103 Property Owner: Housing Authority of The City Code Officer: Mark Rodriguez Date Case Initiated: 04-22-22 Violations: FMC 54-396 – International Property Maintenance Code Adopted IPMC 502.1 Plumbing Facilities and Fixture Required Facilities IPMC 305.3 Interior Surfaces IPMC 403.1 – Habitable Spaces, 403.2 – Bathrooms and Toilet Rooms (Ventilation) IPMC 501.2 Plumbing Facilities and Fixture Requirements. Responsibility IPMC 601.2, 602.1 Facilities Required, 602.2, 602.3 Heat Supply IPMC 603.1 - Mechanical Appliances Notice of Violation Served On: 06-11-22 Ward: 1</p>	<p>Case presented by Code Enforcement Officer Mark Rodriguez and Building Official Brent Brewster. Mr. Allison, 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 November 10, 2022, or a fine of \$250.00 per day be imposed starting on November 10, 2022, and capped at \$10,000.00.</p>
18.	<p>Case Number: COD-011608-2021 Cited Address: 3702 Nelson Tillis Blvd. 206 Property Owner: Housing Authority of The City Code Officer: Mark Rodriguez Date Case Initiated: 10-07-21 Notice of Violation Served On: 10-12-21 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>09-01-22</u></p>
19.	<p>Case Number: COD-013819-2022 Cited Address: 3854 Pearl St. Property Owner: Sandora George Code Officer: Mark Rodriguez Date Case Initiated: 01-20-22 Notice of Violation Served On: 04-09-22 Ward: 1</p>	<p><u>WITHDRAWN BY CITY</u></p>
20.	<p>Case Number: COD-014686-2022 Cited Address: 3826 Pearl St. Property Owner: Eloi Emmanuel & St Cloud Lourdes Code Officer: Mark Rodriguez Date Case Initiated: 02-24-22 Notice of Violation Served On: 06-08-22 Ward: 1</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-29-22</u></p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

21.	<p>Case Number: COD-014687-2022 Cited Address: 3915 Pearl St. Property Owner: Fellion Donald A Code Officer: Mark Rodriguez Date Case Initiated: 02-24-22 Violations: FMC 102.81 – Construction Permit Required FMC 118.3.7 B 1 Outside Storage FMC 54-396 – International Property Maintenance Code Adopted IPMC 302.3 – Sidewalks and Driveways IPMC 304.2/304.6 – Protective Treatment/Exterior Walls IPMC 304.7 - Roofs and Drainage Notice of Violation Served On: 06-11-22 Ward: 1</p>	<p>Case presented by Code Enforcement Officer Mark Rodrigues, and Code Enforcement Manager Mark Campbell. Mr. Fellion, 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 Mr. Overholser, and unanimously carried that all violations must be abated by January 12, 2023, or a fine of \$150.00 per day be imposed starting on January 12, 2023, and capped at \$5,000.00.</p>
22.	<p>Case Number: COD-013920-2022 Cited Address: 3828 Washington Ave. Property Owner: Fleming Betty Code Officer: Mark Rodriguez Date Case Initiated: 01-26-22 Notice of Violation Served On: 05-17-22 Ward: 1</p>	<p><u>WITHDRAWN BY CITY</u></p>
23.	<p>Case Number: COD-016109-2022 Cited Address: 2710 Blake St. Property Owner: Martin Charise Annette Code Officer: Adam Dees Date Case Initiated: 05-05-22 Violations: FMC 54-117 – Accumulations FMC 54-396 – International Property Maintenance Code Adopted IPMC 302.7 – Accessory Structures 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: 06-08-22 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Adam Dees and 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 November 10, 2022, or a fine of \$250.00 per day be imposed starting on November 10, 2022, and capped at \$5,000.00.</p>



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CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

24.	<p>Case Number: COD-016100-2022 Cited Address: 2670 Broadway Property Owner: MIAMI12A LLC Code Officer: Adam Dees Date Case Initiated: 05-05-22 Notice of Violation Served On: 05-23-22 Ward: 3</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-17-22</u></p>
25.	<p>Case Number: COD-015784-2022 Cited Address: 2262 Willard St. Property Owner: Dunning Brenda D Code Officer: Adam Dees Date Case Initiated: 04-21-22 Notice of Violation Served On: 06-08-22 Ward: 3</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>09-01-22</u></p>
26.	<p>Case Number: COD-015240-2022 Cited Address: 3252 Willin St. Property Owner: Wheeler Teresa Ann Code Officer: Adam Dees Date Case Initiated: 03-23-22 Notice of Violation Served On: 05-13-22 Ward: 3</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-17-22</u></p>
27.	<p>Case Number: COD-015312-2022 Cited Address: 36 Kingsman Cir. Property Owner: JDS Enterprises LLC Code Officer: Jean Paul Ibanez Date Case Initiated: 03-25-22 Violations: FMC 54-396 – International Property Maintenance Code Adopted IPMC 304.2/304.6 – Protective Treatment/Exterior Walls IPMC 304.8 – Decorative Features Notice of Violation Served On: 06-08-22 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 November 10, 2022, or a fine of \$150.00 per day be imposed starting on November 10, 2022, and capped at \$5,000.00.</p>



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CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

28.	Case Number: COD-015347-2022 Cited Address: 1926 Ford St. Property Owner: Jones Edward G + Jones Edward G Jr Code Officer: Jean Paul Ibanez Date Case Initiated: 03-30-22 Notice of Violation Served On: 05-07-22 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-19-22</u>
29.	Case Number: COD-014740-2022 Cited Address: 1910 High St. Property Owner: Barbour Real Estate LLC Code Officer: Jean Paul Ibanez Date Case Initiated: 02-28-22 Violations: FMC 102.81 – Construction Permit Required FMC 118.3.8 - Fences and Walls. Notice of Violation Served On: 05-03-22 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>09-08-22</u>
30.	Case Number: COD-013709-2022 Cited Address: 1905 Knight St. Property Owner: Lewis Sophia Code Officer: Jean Paul Ibanez Date Case Initiated: 01-14-22 Notice of Violation Served On: 03-16-22 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-19-22</u>
31.	Case Number: COD-013974-2022 Cited Address: 4398 Palm Pl. Property Owner: Thrift Marianne Code Officer: Jean Paul Ibanez Date Case Initiated: 01-28-22 Notice of Violation Served On: 05-07-22 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-22-22</u>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022

1:00 p.m.

32.	Case Number: COD-014839-2022 Cited Address: 1634 Poinsettia Ave. Property Owner: Cherwood Creations LLC Code Officer: Jean Paul Ibanez Date Case Initiated: 03-04-22 Violations: FMC 102.81 – Construction Permit Required FMC 134.3.4 Surface Material/Construction and Design Standards Notice of Violation Served On: 04-15-22 Ward: 4	<u>DISMISSED DUE TO COMPLIANCE</u> <u>09-08-22</u>
33.	Case Number: COD-016216-2022 Cited Address: 3115 Second St. Property Owner: Gurbanov Elshan Code Officer: Jean Paul Ibanez Date Case Initiated: 05-10-22 Notice of Violation Served On: 05-17-22 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-24-22</u>
34.	Case Number: COD-015314-2022 Cited Address: 28 Skipton Cir. Property Owner: Sureby USA LLC Code Officer: Jean Paul Ibanez Date Case Initiated: 01-28-22 Notice of Violation Served On: 06-08-22 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>09-01-22</u>
35.	Case Number: COD-016373-2022 Cited Address: 1928 Verona St. Property Owner: Sibert Louis W Code Officer: Jean Paul Ibanez Date Case Initiated: 05-18-22 Notice of Violation Served On: 05-21-22 Ward: 1	<u>DISMISSED DUE TO COMPLIANCE</u> <u>09-01-22</u>
36.	Case Number: COD-014915-2022 Cited Address: 2620 Ashwood St. Property Owner: Crosbie James K Code Officer: Cynthia Warren Date Case Initiated: 03-09-22 Notice of Violation Served On: 05-03-22 Ward: 3	<u>WITHDRAWN BY CITY</u>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

37.	<p>Case Number: COD-013905-2022 Cited Address: 3333 Fowler St. Property Owner: W&M Management Solutions Inc. Code Officer: Cynthia Warren Date Case Initiated: 01-25-22 Violations: FMC 102.81 – Construction Permit Required FMC 118.3.7 B 1 Outside Storage FMC 134.3.4 Surface Material/Construction and Design Standards FMC 54-117 – Accumulations FMC 54-246 – Storage FMC 54-396 – International Property Maintenance Code Adopted IPMC 302.3 – Sidewalks and Driveways Notice of Violation Served On: 04-05-22 Ward: 3</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. 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 10, 2022, or a fine of \$200.00 per day be imposed starting on November 10, 2022, and capped at \$10,000.00.</p>
38.	<p>Case Number: COD-014835-2022 Cited Address: 2543 Hunter Ter. Property Owner: Barbour Real Estate LLC. Code Officer: Cynthia Warren Date Case Initiated: 03-04-22 Notice of Violation Served On: 05-17-22 Ward: 3</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-17-22</u></p>
39.	<p>Case Number: COD-014393-2022 Cited Address: 3550 Old Metro Pkwy. Property Owner: L W Supply Corporation Code Officer: Cynthia Warren Date Case Initiated: 02-17-22 Violations: FMC 102.81 – Construction Permit Required FMC 118.3.7 B 1 Outside Storage FMC 134.3.4 Surface Material/Construction and Design Standards FMC 54-117 – Accumulations FMC 54-396 – International Property Maintenance Code Adopted Notice of Violation Served On: 03-28-22 Ward: 3</p>	<p>Case presented by Code Enforcement Officer Cynthia Warren. Mr. Richards, Representative, 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 Mr. Overholser, and unanimously carried that all violations must be abated by November 10, 2022, or a fine of \$200.00 per day be imposed starting on November 10, 2022, and capped at \$10,000.00.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022

1:00 p.m.

40.	Case Number: COD-015428-2022 Cited Address: 3615 Schoolhouse W Rd. Property Owner: PRG REEF LLC Code Officer: Cynthia Warren Date Case Initiated: 03-31-22 Notice of Violation Served On: 04-19-22 Ward: 3	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-17-22</u>
41.	Case Number: COD-015519-2022 Cited Address: 3098 South St. Property Owner: Hodge Betty J Code Officer: Cynthia Warren Date Case Initiated: 04-06-22 Property Owner: Hodge Betty J Notice of Violation Served On: 05-12-22 Ward: 3	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-17-22</u>
42.	Case Number: COD-015404-2022 Cited Address: 3707 Suntrust Dr. Property Owner: Fagan Lelasha Code Officer: Cynthia Warren Date Case Initiated: 03-30-22 Notice of Violation Served On: 06-08-22 Ward: 2	<u>DISMISSED DUE TO COMPLIANCE</u> <u>09-01-22</u>
43.	Case Number: COD-012296-2021 Cited Address: 1267 Carlene Ave. Property Owner: Tenkley Chad & Lisa Code Officer: Brian Wicka Date Case Initiated: 11-04-22 Notice of Violation Served On: 01-10-22 Ward: 5	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-16-22</u>
44.	Case Number: COD-012739-2021 Cited Address: 1267 Carlene Ave. Property Owner: Tenkley Chad & Lisa Code Officer: Brian Wicka Date Case Initiated: 11-30-21 Notice of Violation Served On: 01-10-22 Ward: 5	<u>DISMISSED DUE TO COMPLIANCE</u> <u>08-16-22</u>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

<p>45.</p>	<p>Case Number: COD-015359-2022 Cited Address: 5324 Cleveland Ave. Property Owner: Miami Casual Wear Inc. Code Officer: Brian Wicka Date Case Initiated: 03-29-22 Violations: FMC 126-5 (a)(1) Sign Maintenance FMC 54-117 – Accumulations FMC 54-396 – International Property Maintenance Code Adopted IPMC 102.5 – Workmanship IPMC 301.3 Vacant Structures & Land IPMC 304.1 - General; Exterior Structure Notice of Violation Served On: 05-02-22 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 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 10, 2022, or a fine of \$250.00 per day be imposed starting on November 10, 2022, and capped at \$10,000.00.</p>
<p>46.</p>	<p>Case Number: COD-015889-2022 Cited Address: 5319 Summerlin Rd. 1902 Property Owner: TIP Point 1 LLC. Code Officer: Brian Wicka Date Case Initiated: 04-25-22 Notice of Violation Served On: 05-02-22 Ward: 5</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-26-22</u></p>
<p>47.</p>	<p>Case Number: COD-014698-2022 Cited Address: 5321 Summerlin Rd. 2103 Property Owner: TIP Point 1 LLC. Code Officer: Brian Wicka Date Case Initiated: 02-24-22 Violations: FMC 54-396 – International Property Maintenance Code Adopted IPMC 502.1 Plumbing Facilities and Fixture Required Facilities IPMC 102.5 – Workmanship IPMC 305.3 Interior Surfaces IPMC 601.2, 602.1 Facilities Required, 602.2, 602.3 Heat Supply Notice of Violation Served On: 03-02-22 Ward: 5</p>	<p>Case presented by Code Enforcement Officer Brian Wicka. Attorney Terry Cramer, 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 November 10, 2022, or a fine of \$150.00 per day be imposed starting on November 10, 2022, and capped at \$5,000.00.</p>



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CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

48.	<p>Case Number: COD-015647-2022 Cited Address: 5321 Summerlin Rd. 2103 Property Owner: TIP Point 1 LLC. Code Officer: Brian Wicka Date Case Initiated: 04-14-22 Violations: FMC 102.81 – Construction Permit Required FMC 54-396 – International Property Maintenance Code Adopted IPMC 102.5 – Workmanship IPMC 309.1 - Infestation Notice of Violation Served On: 06-08-22 Ward: 5</p>	<p>Case presented by Code Enforcement Officer Brian Wicka. Attorney Terry Crammer, Representative, 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 Mr. Overholser, and unanimously carried that all violations must be abated by November 10, 2022, or a fine of \$150.00 per day be imposed starting on November 10, 2022, and capped at \$5,000.00.</p>
49.	<p>Case Number: COD-014717-2022 Cited Address: 5323 Summerlin Rd 2303 Property Owner: TIP Point 1 LLC. Code Officer: Brian Wicka Date Case Initiated: 02-25-22 Notice of Violation Served On: 06-08-22 Ward: 5</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>08-25-22</u></p>
50.	<p>Case Number: COD-017185-2022 Cited Address: 4030 Umbria Ln #1513 Property Owner: Southwest Properties Investmen Code Officer: Brian Wicka Date Case Initiated: 06-24-22 Notice of Violation Served On: 07-07-22 Ward: 5</p>	<p><u>DISMISSED DUE TO COMPLIANCE</u> <u>09-01-22</u></p>
51.	<p>ORDER OF LIEN Number: 2022-0908</p>	<p>It was moved by Mr. Overholser, seconded by Mr. Dorsey, and unanimously carried that order of lien 2022-0908 be approved.</p>
	<p>AGENDA ITEMS 52-55 LISTED AS OLD BUSINESS</p>	



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

<p>52.</p>	<p>Continued for 06-09-22 Case Number: COD2020-02251 Cited Address: 2986 Dunbar Ave. Property Owner: Lyons Fredrick D + Preston Lorena T Code Officer: Jean Ibanez Date Case Initiated: 05-12-20 Violations: FMC 54-246 Storage FMC 86-69 Parking in Residential Areas IPMC 304.1 General; Exterior Structure IPMC 304.2 Protective Treatment IPMC 304.6 Exterior Walls IPMC 304.8 Decorative Features FMC 54-396 International Property Maintenance Code Adopted Notice of Violation Served On: 11-17-20 CEB Order: Case presented by Code Enforcement Officer Casey White. Mr. & Mrs. Lyons, Property Owners, 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 continue the case to the September 9, 2022, Code Enforcement Board Hearing. Ward: 3</p>	<p>Case presented by Code Enforcement Officer Jean Paul Ibanez. It was moved by Ms. Conners, seconded by Mr. Overholser, and unanimously carried to continue the case to the October 13, 2022, Code Enforcement Board Hearing.</p>
<p>53.</p>	<p>Request for more time: Case Number: COD-013294-2021 Cited Address: 2106 French St. Property Owner: Thornton Walter L & Alice E Code Officer: Adam Dees Date Case Initiated: 12-23-21 Violations: FMC 102.81 – Construction Permit Required FMC 54-117 – Accumulations Notice of Violation Served On: 01-06-22 CEB Order: Case presented by Code Enforcement Field Supervisor Tom Smith. Mr. Thornton, 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 Mr. Martin, and</p>	<p>It was moved by Mr. Martin seconded by Mr. Dorsey and unanimously carried to open the previous motion.</p> <p>Case presented by Code Enforcement Officer Adam Dees. Mr. Thornton, 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 Mr. Dorsey, and unanimously carried that all violations must be abated by November 10, 2022, or a fine of \$150.00 per day be imposed starting on September 8, 2022, and no cap.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022

1:00 p.m.

	<p>unanimously carried that trash must be abated by May 12, 2022, and all violations must be abated by October 13, 2022, or a fine of \$150.00 per day be imposed starting on October 13, 2022, and no cap. Ward: 2</p>	
<p>54.</p>	<p>Non-Compliance Hearing Case Number: COD2009-12416 Cited Address: 3771 Edgewood Ave. Property Owner: Lucas Chandler M & Lucas Shirley K Code Enforcement Field Supervisor: Tom Smith Date Case Initiated: 12-09-09 Violations: Unsafe Structure FMC 54-156 through 54-167. Lien Imposed: 03-11-10 Lien Recorded: 04-15-10 Ward: 2 Code Board Order: It was moved by Mr. Krupick, seconded by Mr. Howell, and unanimously carried to find the defendant guilty. It was further moved by Mr. Krupick, seconded by Mr. Howell, and unanimously carried that an engineer's report must be obtained by April 8, 2010, that all permits must be obtained by July 8, 2010, and that all violations must be abated by October 14, 2010, or a fine of \$250.00 per day be imposed retroactive to March 11, 2010, with no cap, and the city shall abate. CEB Abatement Order 02-11-21: Code Enforcement Manager Michael Titmuss presented the City recommendations. Mrs. Lucas, Property Owner, presented her case. It was moved by Mr. Overholser, seconded by Ms. Conners, and unanimously carried to approve the Conditional Abatement Agreement.</p>	<p>Case presented by Code Enforcement Field Supervisor Tom Smith, Building Official Brent Brewster, and Code Enforcement Manager Mark Campbell. Ms. Lucas, Property owner, presented the case. It was moved by Mr. Overholser seconded by Ms. Conners and unanimously carried to find the property in noncompliance.</p>



**ACTION AGENDA
CODE ENFORCEMENT BOARD**

September 8, 2022
1:00 p.m.

55.	<p>Mitigation Case Number: COD2019-01853 Cited Address: 3763 Highland Ave. Property Owner: Fleming Bettie J Current Lien Amount: \$93,700.00 Lien Cap Amount: \$5,000.00 Hard Costs: \$1,484.00 Lien Imposed: 11-14-19 Lien Recorded: 01-02-20 Case Complied: 06-07-22 CEB Order: Case presented by Code Enforcement Officer Maria Morales. No one in attendance representing property owner. 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 December 12, 2019, or a fine of \$100.00 per day be imposed retroactive to November 14, 2019, and capped at \$5,000.00. Owner Purchased on: 01-01-95 by Warranty Deed Corporation for \$20,000.00</p>	<p>It was moved by Mr. Overholser, seconded by Ms. Conners, and unanimously carried to mitigate the fine in the amount of \$93,700.00 to \$1,484.00 if paid by November 10, 2022, 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.