

MINUTES
FORT MYERS BEACH
Code Enforcement
Town Hall
2525 Estero Boulevard
Fort Myers Beach, FL 33931

Wednesday, November 30, 2016

Hearing Examiner - Special Magistrate: Mr. Joe Madden

Mr. Madden swore in those providing testimony.

MITIGATION CASE TO BE HEARD:

Owner: MARINA VILLAGE AT SNUG HARBOR
SUBJECT: LDC Section: 34-1742 Unsafe Structure - Pool
LOCATION: 645 Old San Carlos
STRAP NO: 24-46-23-W3-02800.02CE
CODE OFFICER: Molly Jacobs
REFERENCE NO: CE15-0449

Ms. Jacobs indicated the case was previously heard on April 27, 2016. The date of final compliance was June 1, 2016 and they abated on October 31, 2016. The fine was \$100 per day after June 1, 2016 for a total of \$15,200 plus \$175 in administrative costs.

Paul Rosen and Martin Burke attended the hearing. Mr. Rosen stated that it took him three months to locate an engineer qualified to do the project. The engineer did not get done on time and Mr. Rosen stated that they had to pay a fine of \$9,000 for mobilizing and demobilizing. The total fee to repair the pool was \$165,000. He asked for an abatement of the fine. The Town recommended a fine of \$1,000.

Mr. Madden ordered Marina Village to pay a fine of ~~\$1,000~~ ^{of which includes the \$175 in} plus \$750 in administrative costs, to be paid within 90 days.

RECALL CASE TO BE HEARD:

Property Owner: FIRST BAPTIST CHURCH OF FORT MYERS
SUBJECT: LDC Section: 10-122 Violation of Development Order DO - Landscaping & Buffer
LOCATION: 130 – 138 Connecticut
STRAP NO: 29-46-24-W1-00151.0010
CODE OFFICER: Molly Jacobs
REFERENCE NO: CE16-0019

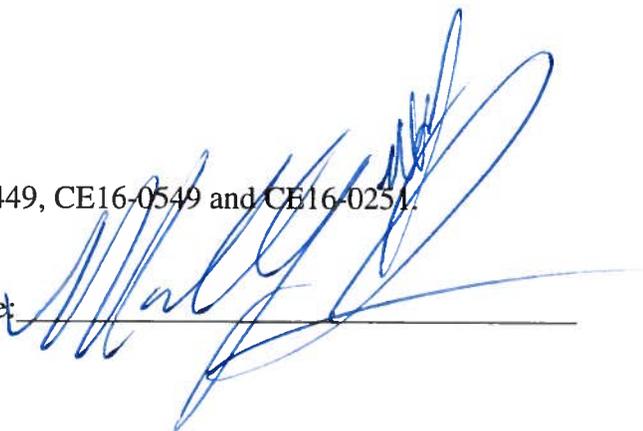
Ms. Jacobs requested a finding and an abatement period of two months plus administrative costs of \$271.

Mr. Madden made a finding of fact that there were 25 trees to be planted within 60 days. In the event of noncompliance, a fine of \$75 per day will be assessed plus \$271 in administrative fees.

The following cases were abated: CE16-0449, CE16-0549 and CE16-0251.

~~Vote:~~ 12/6/16

Signature:

A handwritten signature in blue ink, appearing to be 'M. J. ...', written over a horizontal line.

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