



# Town of Fort Myers Beach

## CODE COMPLIANCE

2731 Oak Street Fort Myers Beach, FL 33931  
Phone: (239) 765-0202 Fax: (239) 765-0909

04/03/2025

Case Number:	20250322
Certified Mail:	9589071052700636643203
Regular Mail	

**ZIEGLER MICHAEL W & NANCY A**  
437 AUBURN ST  
ALLENTOWN, PA 18103

SITE ADDRESS: 249 CAROLINA AVE  
PARCEL STRAP NO: 194624W40060A0140

### NOTICE OF VIOLATION

**YOU ARE HEREBY NOTIFIED** that an inspection of the above-referenced property on by Town of Fort Myers Beach Code Enforcement Officer **Marcio Chavez** indicates that the following items are in violation:

**The maintaining of a green and/or stagnant pool indicating possibly broken filtration system creating it to be unsafe and unsanitary in need of repair and/or removal, required pool barrier.**

These items are a violation of the following Town Codes:

*Cha 6-1, Sec. 303.1: Swimming Pools Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.*

*Sec. 34-1176 (C,1) In-ground Swimming Pools In-ground swimming pools, hot tubs and spas. Every swimming pool, hot tub, spa, or similar facility shall be enclosed by a fence, wall, screen enclosure or other structure, not less than four feet in height, constructed or installed so as to prevent unauthorized access to the pool by persons not residing on the property. For purposes of this subsection, the height of the structure shall be measured from the ground level outside of the area so enclosed. The enclosure may be permitted to contain gates, provided they are self-closing and self-latching.*

### COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Repair pool filtration system if necessary, clean and maintain appropriately creating a sanitary pool with clean and clear water and/or contact permitting to get necessary permit(s) to remove the pool/structure from property and add required allowable pool barrier if necessary..

You are hereby directed to bring these violations into compliance within 15 Days.

**ONCE THIS VIOLATION(S) IS (ARE) IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS (HAVE) BEEN CORRECTED ON OR BEFORE THE ABOVE-SPECIFIED COMPLIANCE DATE.**

If you fail to correct the violation(s) by the date specified above, or if the violation(s) is (are) brought into compliance and reoccur(s), the case may be scheduled for hearing before the Town of Fort Myers Beach Special Magistrate. The Code Enforcement Division may, in their discretion, schedule the case for a hearing and seek a finding of a violation by the Special Magistrate even if you have corrected the violation prior to the time set for the hearing.

You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers

Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation or \$500.00 per day for a repeat violation may be imposed for each day the violation continues to exist past the date set for compliance by the Special Magistrate. If the Special Magistrate finds that a violation is irreparable or irreversible in nature, a fine of up to \$5,000.00 per violation may be imposed. The Special Magistrate may also assess the costs of prosecution of the case against you and you may be required to pay those fees, even if the violation has been corrected prior to the hearing.

Please contact the Town of Fort Myers Beach Code Enforcement Division at 239-460-7560 or [code@fmbgov.com](mailto:code@fmbgov.com) if you have any questions concerning this Notice of Violation.

Respectfully,

**Marcio Chavez**  
Code Enforcement Officer  
Town of Fort Myers Beach