



Town of Fort Myers Beach

CODE COMPLIANCE

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

04/14/2025

Table with 2 columns: Case Number, Certified Mail, Regular Mail. Values: 20250276, 70222410000084714471.

BUCHHOLZ ELEANORE TR FOR ELEANORE
BUCHHOLZ TRUST
13300 S CLEVELAND AVE 304
FORT MYERS, FL 33907

SITE ADDRESS: 132/134 TROPICAL SHORES WAY
PARCEL STRAP NO: 194624W3004510050

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 T. Hoffman indicates that the following items are in violation:

For the keeping or maintaining of a dwelling in disrepair and unsafe condition. In Example but not limited to Missing and/or broken windows, Diminished paint, Areas of roof in disrepair, Fascia and soffit in need of repair, Sections of missing gutters. For the overgrowth of grass and/or weeds exceeding 12 inches in height.

These items are a violation of the following Town Codes:

ARTICLE I. - PROPERTY MAINTENANCE CODES DIVISION 1. - INTERNATIONAL PROPERTY MAINTENANCE CODE Sec. 6-2. - Amendments. modified

The 2018 Edition of the International Property Maintenance Code is hereby amended as follows:

(q) Section 110.1 General, is hereby amended to read as follows:

The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment after review is so deteriorated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction in accordance with the Florida Building Code, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the Building Official.

(r) Section 110.3 Failure to comply, is hereby amended as follows:

If the owner of a premises fails to comply with a demolition order within the time prescribed, the Town shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate for said costs. In the event the owner or person creating the need for demolition and removal fails and refuses to pay or reimburse the Town for the costs, the Town may foreclose said lien in accordance with the law applicable to the foreclosure of such liens and the Town shall be entitled to recover its reasonable attorney's fees and costs incurred in such foreclosure action.

Sec. 6-2. - Amendments. (Weeds) (w) Section 302.4 Weeds, is hereby amended to read as follows:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided, however, this term shall not include cultivated flowers and gardens and native beach vegetation such as sea oats. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation and having been given a reasonable time to cut and destroy the weeds, any duly authorized employee of the Town or contractor hired by the Town shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property. All costs incurred by the Town to cut and destroy the weeds shall be a lien upon such real estate for said costs. The lien shall be superior to all other liens and encumbrances, including prior

recorded mortgage or judgments and only inferior to liens for taxes. In the event the owner or agent fails and refuses to pay or reimburse the Town for its costs, the Town may foreclose said lien in accordance with the law applicable to the foreclosure of such liens and the Town shall be entitled to recover its reasonable attorney's fees and costs incurred in such foreclosure action.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. Contact permitting at 239-765-0202 to obtain required permits. Repair, Replace, or Demo Structure in Disrepair. Mow and /or trim all grass and weeds to under 12 inches in height and maintain property per Town Code Requirements..

You are hereby directed to bring these violations into compliance within 30 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.

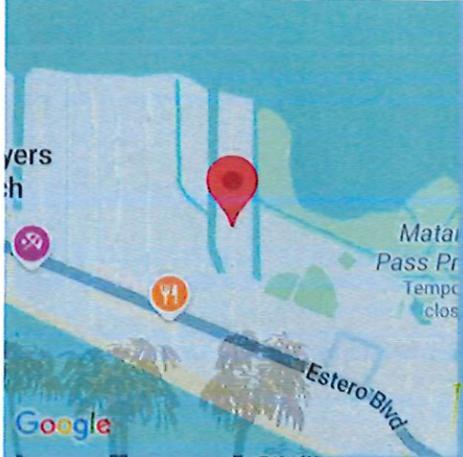
Please contact the Town of Fort Myers Beach Code Enforcement Division at 239-220-6458 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

T. Hoffman
Code Enforcement Officer
Town of Fort Myers Beach

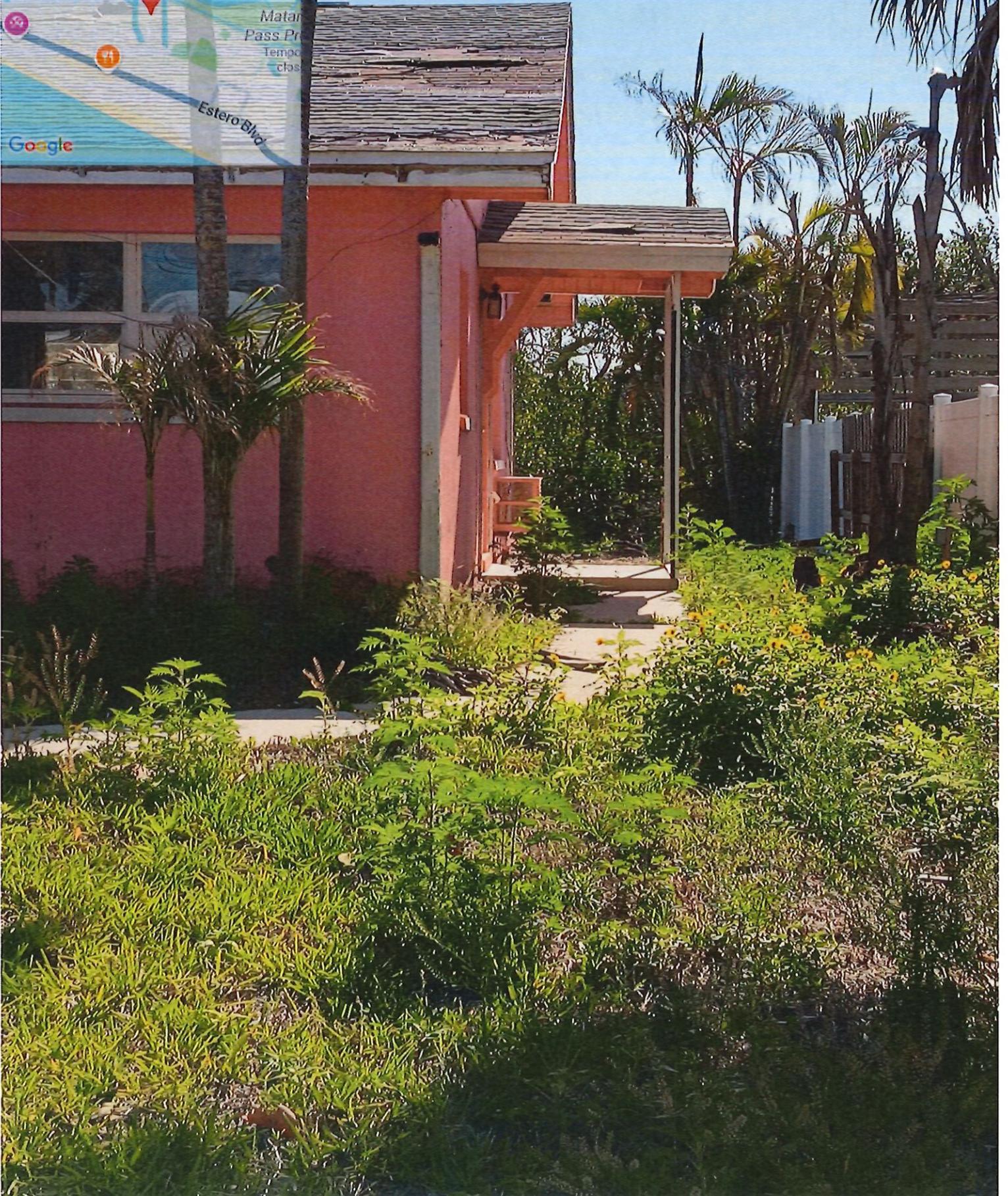
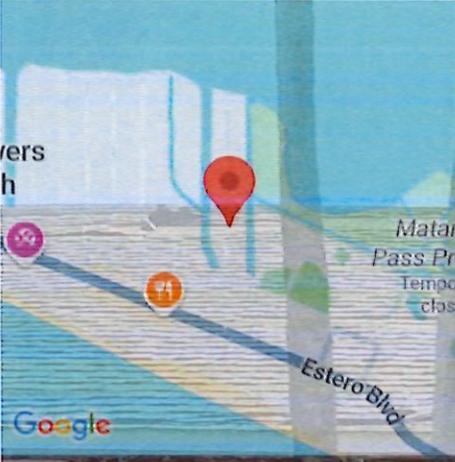
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Fort Myers Beach



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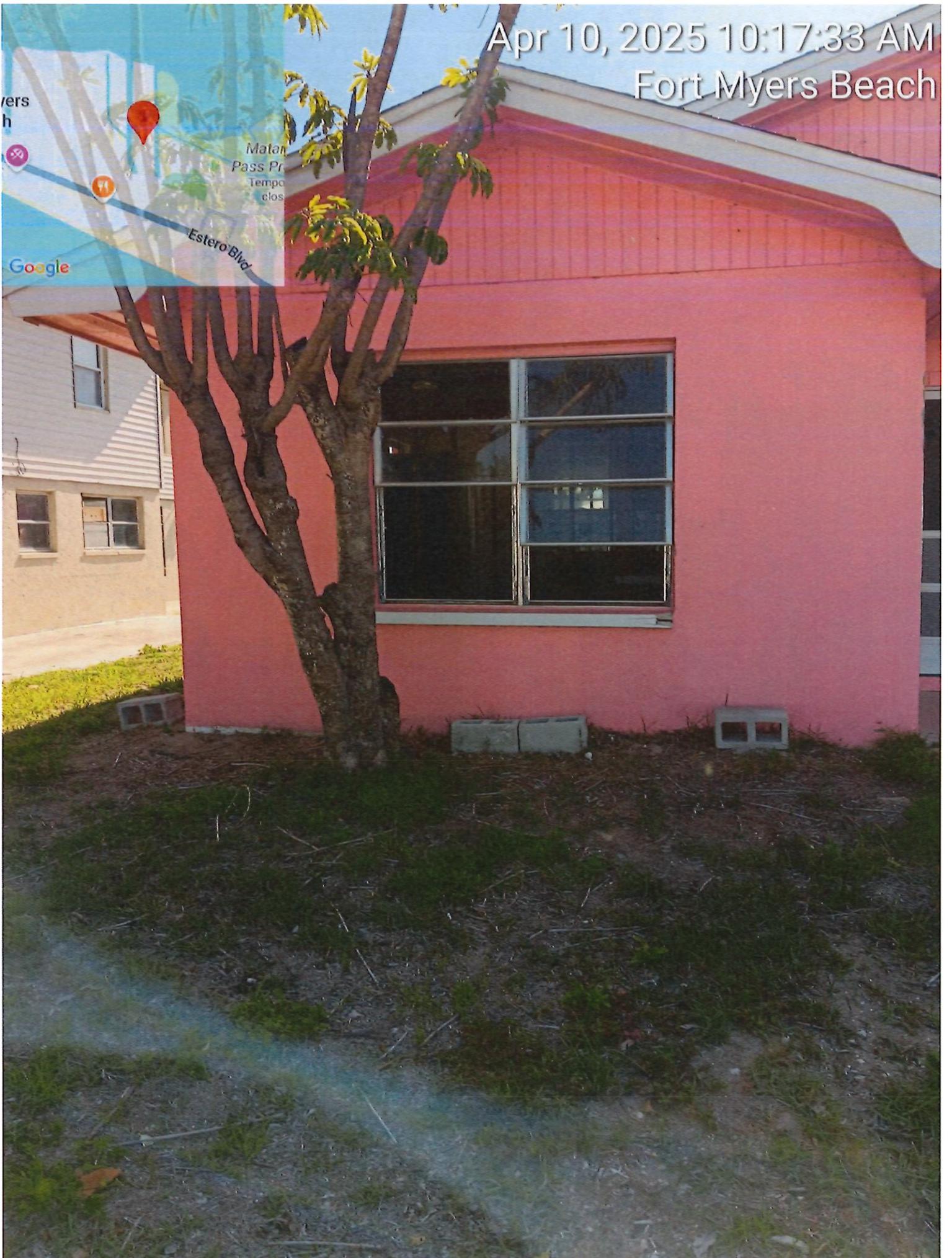
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