



Town of Fort Myers Beach

CODE COMPLIANCE

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

04/22/2025

Case Number:	20250366
Certified Mail:	9589 0710 5270 0636 6431 80
Regular Mail	

FERNANDEZ TAMARA + RASCO HAROLD
230 NW 135TH AVE
MIAMI, FL 33182

SUN PALACE
19041 SAN CARLOS BLVD #1
FORT MYERS BEACH FL 33931

SITE ADDRESS: 121 ANDRE MAR DR
PARCEL STRAP NO: 294624W200152A110

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 **Terri Weich** indicates that the following items are in violation:

RENTING SEVERAL TIMES PER MONTH, RENTING WITHOUT A SHORT TERM RENTAL REGISTRATION, RENTING FOR LESS THAN 7 CONSECUTIVE DAYS

These items are a violation of the following Town Codes:

34-2391 Short Term Rentals Table 34-2 restricts the rental of any permitted dwelling unit in certain zoning districts to a single-family during any one-month period, with a minimum stay of one week, or less for condominiums (see the "restricted" sub-group of the "lodging" use group in Table 34-1). The following exceptions apply to this restriction:

(1)This restriction on weekly rentals does not apply to:a.Any land between Estero Boulevard and the Gulf of Mexico.b.Any land directly adjoining the bay side of Estero Boulevard.c.Any dwelling unit that is recognized by the Town of Fort Myers Beach as having had pre-existing weekly rentals as of January 1, 2003, when registered in accordance with § 34-2392, below.d.Condominiums of six or more residential units, may rent for a period of three days or more, provided such duration is authorized by the declaration of condominium, bylaws, and rules and regulations of the condominium where the unit is located, such rentals were allowed on or before March 3, 2003, and the condominium association notifies the town in writing prior to January 31, 2020, that short-term rentals are allowed.(2)Dwellings units on property that qualifies for any of these exceptions may be rented to a single-family for periods of one week or longer, without the once-per-month maximum that would otherwise have applied.

34-2394 SHORT TERM RENTAL ENFORCEMENT AND PENALTIES Sec. 34-2394. - Enforcement and penalties.

(a)The director is authorized to pursue any one or combination of the enforcement mechanisms provided in this code (for example, § 1-5, or article V of ch. 2 of this LDC) for any violation of this division.(b)Persons who may be charged with a violation of this division include property owners, operators, rental agents, guests, and any other person using the structure where the violation has been committed.(c)For properties on the registry of pre-existing weekly rentals (see § 34-2392 of this chapter), the following additional requirements shall apply:

(1)Violations of F.S. ch. 509 shall also be considered to be violations of this division as follows:a.Failure to maintain licensure or any other provisions of F.S. ch. 509.b.Failure to eject guests who indulge in any conduct which disturbs the peace and comfort, as provided by F.S. § 509.141.(2)Repeated violations of this division on a registered property shall lead to cumulative penalties. These penalties shall accrue as follows whenever a violation results in a fine being imposed on or paid or whenever a finding of violation is made by a judge or code enforcement special magistrate:a.First violation: \$250.00 fine.b.Second violation: \$500.00 fine.c.Third violation: Six-month suspension of registration under § 34-2392 of this chapter.d.Fourth violation: Two-year suspension of registration under § 34-2392 of this chapter.

After any period of three years during which there were no fines imposed or paid and no formal findings of violations of this division, the next violation shall be deemed to be the first violation for purposes of this section.

COMPLIANCE:

The following action is needed to bring the violation(s) into compliance. **CEASE RENTING THIS PROPERTY AND REMOVE ALL FORMS OF ADVERTISEMENT. IF YOU CHOOSE TO RENT THIS**

PROPERTY YOU MUST APPLY FOR A SHORT TERM RENTAL REGISTRATION. ONCE RECEIVED YOU MUST NOT RENT MORE THAN ONCE PER MONTH AND NOT FOR LESS THAN 7 CONSECUTIVE DAYS. THE STR REGISTRATION NUMBER MUST BE ON ALL FORMS OF ADVERTISEMENT..

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 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

Terri Welch
Code Enforcement Officer
Town of Fort Myers Beach

SUN PALACE ONLINE RENTAL OF 121 ANDRE MAR

sunpalacevacationhomes.com/rentals/andre-mar/

WarQ... Property Data Search... Search Records - D... Code of Ordinances... Lee County Tax Coll... involved Adaptive Em... USPS.com® - USPS... involved time card ap... FS 162

Vacation Rentals Specials Fort Myers Guide About Us Real Estate Login

Private Pool

★ 5.0 (5 Reviews) • Fort Myers Beach, FL House Share

Show all photos

STATES " STAYED IN MARCH 2025 3 TIMES IN REVIEWS

sunpalacevacationhomes.com/rentals/andre-mar/reviews

WarQ... Property Data Search... Search Records - D... Code of Ordinances... Lee County Tax Coll... involved Adaptive Em... USPS.com® - USPS... involved time card ap... FS 162

Photos Description Amenities Room Arrangements Availability Location Reviews Promotions

5.0 ★★★★★

Stayed March 2025
5/5 ★★★★★
"Great home, 1/2 block walk to beach - The home exactly as advertised. Downstairs has a separate entrance, downstairs small kitchen area Could use kitchen ware, utensils, etc. Enjoyed our time there. Traffic on Estero Blvd is improving."

Stayed March 2025
5/5 ★★★★★
"Great place, super close to the beach, 5 min walk. pool was warm and great For our family of 7 great. Note the downstairs bedroom/area is accessed by going outside only. There are no inside steps to get down there. House was clean and fully stocked with both towels and pool towels. Don't have any complaints. Would definitely stay there again!"

Stayed March 2025
5/5 ★★★★★
"Excellent"

Check-in Add Date	Check-out Add Date
Guests 2 adults	

1 Promotions available View

Check availability

Allison
Customer Relations Representative

Thank you, Steven! We're glad to hear you had an excellent experience. We hope to welcome you back soon! Sun Palace Vacations

CALENDAR

sunpalacevacationhomes.com/rentals/andre-mar/#reviews

Photos Description Amenities Room Arrangements **Availability** Location

Availability

< April 2025 May 2025 >

Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5					1	2	3
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

NO STR REGISTRATION

sunpalacevacationhomes.com/rentals/andre-mar/#reviews

Photos Description **Amenities** Room Arrangements Availab

Welcome to Fort Myers Beach! There are multiple state parks nearby that your adventures. Jump on the trolley to take you south to the secluded Lc Park or go north to Bowditch Point Park. The Fish Tale Marina offers boat dockage for those wanting to get out on the water. Travel around the island rented Moke or golf cart. Trolley service is also available from Estero Boul Times Square area, the central hub of Fort Myers Beach. Several restaura bars have come back since the hurricane. If you are looking for a day trip Key West Express for an unforgettable trip to Key West. Don't forget to se Lighthouse, less than 15 miles away! Please note that the area is currently Hurricane Ian. Despite the changes, the island continues to get better and you to bask in the sun, sand, and amazing sunsets once again. As local re continue to reopen, you'll have lots of opportunities for entertainment and experiences. We're excited to welcome you back.

121 Andre Mar
STR Numbe Applied For

[Show less](#)

Lee County Property Appraiser

Previous Parcel Number Next Parcel Number Tax Est

Property Data
 STRAP: 29-46-24-W2-00152.A110 Folio ID: 10229610
 Hurricanes Helene/Milton Tax Roll Value Letter Hurricane Ian Tax Roll Value Letter

Owner Of Record - Joint Tenants
 [Change Mailing Address] ⓘ
 NANDEZ TAMARA +
 CO HAROLD
 NW 135TH AVE
 MI FL 33182

Site Address
 Site Address maintained by E911 Program Addressing
 ANDRE MAR DR
 T MYERS BEACH FL 33931

Property Description
 Do not use for legal documents! ⓘ

ES SUBD PB 1 PG 58 BEG AT INTERSEC OF NWLY LI
[Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of its website, using 1 and 58 for the book and page numbers.

Attributes and Location Details

Bedrooms / Bathrooms	3 / 2.0
sq ft Living Area ⓘ	1,088
Year Building on Tax Roll ⓘ	1969
Historic Designation	No

Address	Range	Section	Block	Lot
245		20		

