



# 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:	20250376
Certified Mail:	9589 0710 5270 0636 6431 73
Regular Mail	

**UNDERHILL WILLIAM R  
12726 KEDLESTON CIR  
FORT MYERS, FL 33912**

**SITE ADDRESS: 3121 SHELL MOUND BLVD  
PARCEL STRAP NO: 294624W10110D0010**

### 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:

**INCLUDING BUT NOT LIMITED TO, OVERGROWN LOT, HOLE IN FRONT RESIDENTIAL WALL PEALING PAINT, MISSING SOFFIT, LOOSE WIRES, PARTIALLY OPEN DOORS.**

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.*

**LDC Sec. 6-1. - Adoption of International Property Maintenance Code.; 308.1 Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.**

**LDC Sec. 6-1. - Adoption of International Property Maintenance Code.; 308.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.**

**Sec. 6-1. - Adoption of International Property Maintenance Code.; 301.3 Vacant structures and land. Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.**

**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. CLEAN AND CLEAR THE PROPERTY OF ALL GARBAGE AND RUBISH. CLEAN AND CLEAR ALL HAZARDS FOR PROPERTY, MOW/CUT THE WEEDS/GRASS THE THE ALLOWABLE OR BELOW 12" IN HEIGHT. REMOVE PEALING PAINT, AND SECURE THE BUILDING OR APPLY FOR PERMITS TO DEMOLISH THE BUILDING..

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.

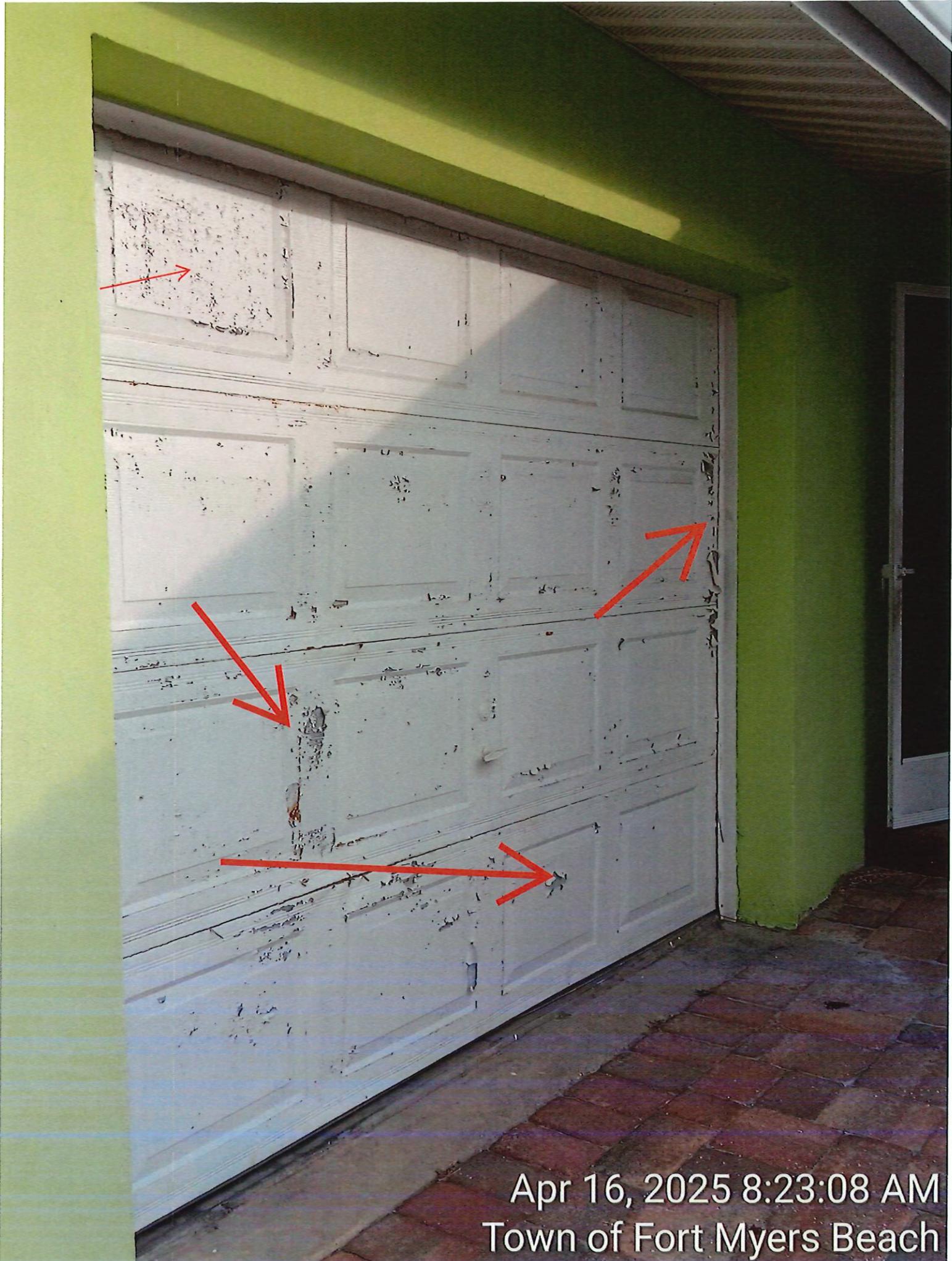
You will be provided with a Notice of Hearing specifying the date, time and location of the hearing if, one is scheduled. Please be aware that under Florida Statutes, Chapter 162 and Town of Fort Myers Beach Land Development Code, Section 2-427(b), a fine of up to \$250.00 per day for the first violation 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](mailto:code@fmbgov.com) if you have any questions concerning this Notice of Violation.

Respectfully,



**Terri Weich**  
Code Enforcement Officer  
Town of Fort Myers Beach



Apr 16, 2025 8:23:08 AM  
Town of Fort Myers Beach



Apr 16, 2025 8:23:19 AM  
Town of Fort Myers Beach



Apr 16, 2025 8:23:32 AM  
Town of Fort Myers Beach



Apr 16, 2025 8:25:15 AM  
Town of Fort Myers Beach



Apr 16, 2025 8:22:48 AM  
Town of Fort Myers Beach



Apr 16, 2025 8:22:50 AM  
Town of Fort Myers Beach



Apr 16, 2025 8:22:57 AM  
Town of Fort Myers Beach

Apr 16, 2025 8:22:58 AM  
Town of Fort Myers Beach





Apr 16, 2025 8:23:04 AM  
Town of Fort Myers Beach