



Town of Fort Myers Beach
NOTICE OF CODE ENFORCEMENT HEARING
2731 Oak Street Fort Myers Beach, FL 33931
Phone: (239) 765-0202 Fax: (239) 765-0909

05/06/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

Case Number:	20240743
Certified Mail:	70222410000084701655
Regular Mail	

vs.

SULLIVAN SCOTT B
1 VALLEY VIEW DR
SAVANNA, IL 61074,
Respondent.

SITE ADDRESS: **190 BAYVIEW AVE**
PARCEL STRAP NO: **294624W30080C0190**

NOTICE OF CODE ENFORCEMENT HEARING

YOU ARE HEREBY NOTIFIED that, pursuant to Chapter 162, Florida Statutes and Chapter 2, Article V of the Town of Fort Myers Beach Land Development Code, the undersigned Code Enforcement Officer has documented that (an) uncorrected violation(s) of one or more codes of the Town of Fort Myers Beach, as described in the **NOTICE OF VIOLATION**, previously provided to you (a copy of which is enclosed herewith), exists on the above-described property. A hearing before the Town's Code Enforcement Special Magistrate concerning the violation(s) has, therefore, been scheduled for **at 9:00 A.M. on Wednesday 06/04/2025** in the Council Chambers at Town Hall, located at 2731 Oak St., Fort Myers Beach, Florida.

A copy of the evidentiary case file and all materials provided by the Town to the Special Magistrate in relation to this hearing can be viewed and accessed in advance of the hearing at the link below:

<http://www.fortmyersbeachfl.gov/209/Meetings-Agendas>

NO ADDITIONAL NOTICE OF THE HEARING WILL BE PROVIDED TO YOU. If you fail to attend this hearing, the Code Enforcement Special Magistrate will consider the case, even though you are not present, and may assess fines or take any other action(s) that may affect your rights. If you believe you have come into compliance, it is your responsibility to contact the Code Enforcement Division so that an inspection can be performed to determine compliance.

D. Batt

Code Enforcement Officer
Town of Fort Myers Beach

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE NOTIFY THE TOWN CLERK FOR THE TOWN OF FORT MYERS BEACH, 2525 ESTERO BLVD. FORT MYERS BEACH, FL 33931; TELEPHONE NUMBER (239) 765-0202, AT LEAST 72 BUSINESS HOURS BEFORE THE HEARING DATE.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE MAY NEED TO ENSURE AT THEIR OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE BY A COURT REPORTER UPON WHICH THE APPEAL IS TO BE BASED.



05/06/2025

TOWN OF FORT MYERS BEACH,
Petitioner,

vs.

Sullivan, Scott B
Respondent.

Case Number:	20240743
Certified Mail:	
Regular Mail:	

Site Address: 190 Bayview Ave
Parcel Strap No.: 294624W30080C0190

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)
COUNTY OF LEE)

BEFORE ME, the undersigned authority personally appeared Officer D. Batt, Code Enforcement Officer for the Town of Fort Myers Beach, FL, who after being duly sworn, deposes and says:

1. I, D. Batt, am a person authorized by law to inspect violations of the Town of Fort Myers Beach Code contained herein and the statements set forth herein are based upon personal knowledge.
2. On 08/15/2024, Sullivan, Scott B. (property owner) was observed in violation of Chapter 6-481 of the Town of Fort Myers Beach Code of Ordinances for construction of a wood deck and/or structure outside the scope of work on permit #236648 at the property located at 190 Bayview Ave, Fort Myers Beach, FL 33931 ("Subject Property").
3. A Notice of Violation was issued on 08/15/2024, and sent certified mail to the address of record, 1 Valley View Dr, Savanna, IL 61074, posted to the violation property located at 190 Bayview Ave, Fort Myers Beach, FL 33931, and posted to Town Hall located at 2731 Oak St., Fort Myers Beach, FL 33931.

4. Sullivan, Scott B was/were given 30-days to come into compliance with the Town of Fort Myers Beach Ordinance, which was on or before 09/15/2024.
5. The Subject property was brought before the Special Magistrate on 02/05/2025, an Order issued and signed for a continuance allowing more time to bring the violation into compliance.
6. I performed an inspection by research of the Subject Property on 05/06/2025, and the Subject Property was observed to be non-compliant with the Town of Fort Myers Beach Ordinance.
7. I have attached copies of the Subject Property permits and email documentation, which I personally printed on 05/06/2025. The highlighted sections show the permit numbers, dates and status of said permits.
8. I have personal knowledge of all these facts, and each is true to the best of my knowledge and belief.
9. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate that and an order be issued affording the appropriate relief, including an order to correct the above listed violation(s) and/or the imposition of an administrative fine not to exceed \$250.00 for each day each violation continues past the date for compliance or \$500.00 for each day each violation was repeated, and for such other and further relief as is consistent with the powers of the Special Magistrate.
- 10.

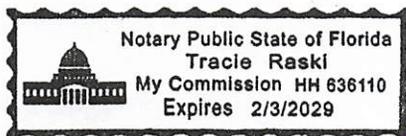
FURTHER AFFIANT SAYETH NAUGHT.

Signature of Affiant: 

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was certified and subscribed before me by means of X physical presence OR ___ online notarization, this 6th day of May, 2025, by D. BATT, X who is personally known to me OR ___ who has produced ___ as identification.

(SEAL)



Notary Public Signature: 



Permit #: 236648

Permit Date: 12/06/23

Permit Type:

Permit Type: Residential

Sub Type: Pool- Below Ground

Type of Construction: N/A

Type of Occupancy / Use: Residential

Contractor Business Name/Applicant: Quality Pools For Less

Contact Name: John W Vanderschaaf

Contractor/Applicant Email: john@qualitypoolsforless.com

Contractor/Applicant Phone #: 239-237-6250

Property Owner's Email: sulss4js@gmail.com

Current Use: R

Proposed Use: R

Scope of Work: Pool and Deck Renovation

Project Cost: 60280

Gross Square Feet: 1500

Issued Date: 02/15/2024

Expiration Date: 12/10/2024

Final Date:

Closed Date:

Repair Damage Due To:

Storm Damage:

Floodplain:

Status: EXPIRED

Assigned To:

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
294624W30080C0190	190 BAYVIEW AVE	HYDE PARK BLK C PB 7 PG 20 LOTS 19 + 20	SULLIVAN SCOTT B		RS-1

Contractors

Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #
Quality Pools for Less	John W. Vanderschaaf	239-237-6250	3037 SW 11th Place	Certified Pool	WC	TWC4382401
Quality Pools for Less	John W. Vanderschaaf	239-237-6250	3037 SW 11th Place	Certified Pool	Liability	NN1592250

JTE Electric Inc	Larry J. Edwards	239-368-9511	204 Waldo Ave. N. Lehigh Acres FL 33971	Certified Electrical	General Liability Ins.	GL100008482600
Quality Pools for Less	John W. Vanderschaaf	239-237-6250	3037 SW 11th Place	Certified Pool	Certified Pool	CPC1459817
JTE Electric Inc	Larry J. Edwards	239-368-9511	204 Waldo Ave. N. Lehigh Acres FL 33971	Certified Electrical	Workman's Comp Ins.	052060304
JTE Electric Inc	Larry J. Edwards	239-368-9511	204 Waldo Ave. N. Lehigh Acres FL 33971	Certified Electrical	Electrical Contractor License	EC13002460

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
06/21/2024	Pool - 119 Final Pool		06/24/2024		Peter Haigis	Pass
06/14/2024	Pool - 119 Final Pool	Pool not finished or equipment not running. Rescheduled after 6/13 inspection was canceled.	06/17/2024		Peter Haigis	Fail
06/12/2024	Pool - 119 Final Pool		06/13/2024	06/13/2024	Joe Specht	Cancelled
06/11/2024	Pool - 117 Pool Safety		06/10/2024	06/10/2024	Joe Specht	Pass
06/07/2024	Pool - 119 Final Pool		06/10/2024	06/10/2024	Joe Specht	Cancelled
03/25/2024	Pool - 116 Deck Bonding		03/26/2024	03/26/2024	Joe Specht	Pass
03/21/2024	Pool - 108 Shell Steel	CONCRETE SHOOT WIHTOUT INSPECTION	03/22/2024	03/22/2024	Ron Cohowcz	Fail
03/21/2024	Pool - 108 Shell Steel	Need recorded NOC before scheduling inspections	03/22/2024		Ashley Shepard	Cancelled
03/21/2024	Pool - 118 Shell Bonding	CONCRETE SHOOT WIHTOUT INSPECTION	03/22/2024	03/22/2024	Ron Cohowcz	Fail
03/21/2024	Pool - 142 Silt Fence		03/22/2024	03/22/2024	Ron Cohowcz	Pass
03/21/2024	NOC		03/21/2024	03/21/2024	Misty Alexander	Pass
07/01/2024	As-Built Survey Inspection					Open

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
12/06/2023	Notice of Commencement		Misty Alexander	DONE
12/06/2023	Reviews completed- Notification sent		*	
12/06/2023	Review Flood		Kenneth Jacobsen	RESUBMITTAL REQUIRED
12/06/2023	Review Res. Plan review		Kenneth Jacobsen	RESUBMITTAL REQUIRED
12/06/2023	Review Zoning		Jason Smalley	RESUBMITTAL REQUIRED
12/06/2023	Review Stormwater		Eli Lee	REVIEWED W/CONDITIONS
12/06/2023	Review Environmental		Chadd Chustz	REVIEWED W/CONDITIONS
12/06/2023	Review FMB Application		Tracie Raski	DONE
12/06/2023	Elec. Sub Permit Req.	JTE Electric Inc EC13002460	Misty Alexander	DONE
12/08/2023	Rejection Letter Sent	1st Zoning review rejection Letter has been uploaded to the permit portal and available to view	Korey Lastinger	DONE

12/21/2023	Resubmitted (Zoning Review)	Resub 1 uploaded 12/21/23	Jason Smalley	REVIEWED FOR COMPLIANCE
01/08/2024	Rejection Letter Sent	1st Plan and Flood review rejection Letter has been uploaded to the permit portal and available to view	Korey Lastinger	DONE
02/14/2024	Resubmitted (Flood Review)		Joe Specht	REVIEWED FOR COMPLIANCE
02/14/2024	Resubmitted (Plan Review)		Joe Specht	REVIEWED FOR COMPLIANCE

Fees

Fee	Description	Notes	Amount
POL – Pools (Above Ground, Below Ground, Spas) (2024)	Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review		\$850.00
* MISC- DBPR & DCA Admin Fees			\$21.25
		Total	\$871.25

Attached Letters

Date	Letter	Description
02/15/2024		Building Permit

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
12/06/2023	John Vanderschaaf	Invoice: 758912			\$871.25
				Outstanding Balance	\$0.00

Uploaded Files

Date	File Name
04/09/2024	19615126-236648_Photos_DB_20240409.pdf
03/21/2024	19032568-Sullivan NOC Recorded.pdf
02/15/2024	18565107-JOBSITE COPY 236648.pdf
02/14/2024	18544787-SULLIVAN Plans 2.pdf
02/14/2024	18544785-SULLIVAN PLANS 1.pdf
02/14/2024	18544786-SULLIVAN Plans 1 A.pdf
01/08/2024	18106083-1st Plan and Flood Review Rejection Letter 236648.pdf
12/29/2023	18042762-Building value from Property appraiser.pdf
12/28/2023	18030046-Sullivan Sub Contr Confirmation.pdf
12/21/2023	17996647-Sullivan Updated Site Plan.pdf
12/13/2023	17744884-2023-12-12 Permit 236648 - 190 BAYVIEW AVE - NOC and Preapplication Request Form.pdf
12/08/2023	17713455-1st Zoning Review rejection Letter 236648.pdf
12/04/2023	f94a90687733ad8fca9d2e499943c716_sullivan_survey.pdf
12/04/2023	4c286fc43f533485baf2a32f82f5d5fc_sullivan_impervious_worksheet.pdf
12/04/2023	d1c4e73aa219492616a4d5fb31f426f7_sullivan_permit_application.pdf



Permit #: 243180

Permit Date: 12/09/24

Permit Type:

Permit Type: Residential

Sub Type: Accessory Structure

Type of Construction:

Type of Occupancy / Use: Residential

Contractor Business Name/Applicant: Inspiramar Construction

Contact Name: Ramon Garcia

Contractor/Applicant Email: js.knightscreationsllc@gmail.com

Contractor/Applicant Phone #: 2397704930

Property Owner's Email:

Current Use: r

Proposed Use: r

Scope of Work: Tiki Hut

Project Cost: 26244

Gross Square Feet: 120

Issued Date:

Expiration Date:

Finaled Date:

Closed Date:

Repair Damage Due To:

Storm Damage:

Floodplain:

Status: WAITING ON RESUBMITTAL

Assigned To:

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
294624W30080C0190	190 BAYVIEW AVE	HYDE PARK BLK C PB 7 PG 20 LOTS 19 + 20	SULLIVAN SCOTT B		RS-1

Contractors

Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #
STRUXTURES ENGINEER	JAMES HOWARD		3011 41ST W	Private Provider	Workers Comp Exempt	991548730
STRUXTURES ENGINEER	JAMES HOWARD		3011 41ST W	Private Provider	Private Provider	PE76356

STRUXTURES
ENGINEER

JAMES HOWARD

3011 41ST W

Private Provider

PROFESSIONAL
LIABILITY

821693

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
01/06/2025	NOC					Open

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
12/12/2024	Review FMB Application		Marilyn Silva	DONE
12/12/2024	Review Flood		*	
12/12/2024	Notice of Commencement		Amena Henderson	DONE
01/30/2025	Review Zoning		Kendra Rosa	RESUBMITTAL REQUIRED
12/12/2024	Review Environmental		*	
02/20/2025	Review Stormwater	TT review	James Warner	NOT REQUIRED
12/12/2024	Review Res. Plan review		*	
02/04/2025	Rejection Letter Sent		Marilyn Silva	DONE
05/02/2025	Resubmitted (Zoning Review)		Kendra Rosa	RESUBMITTAL REQUIRED
05/05/2025	Rejection Letter Sent	2nd zoning review rejection letter - email not sent through iworq - Kendra sent email through outlook.	Jerlydene Naidoo	DONE

Fees

Fee	Description	Notes	Amount
	* Also Radio/TV Antenna, Freestanding Signs, Mobile Home/RV Setup		
STRUC – Commercial or Residential Sheds, Decks, Screen Enclosure/Pool Enclosure, Dumpster Enclosure, Etc. (2024)	Includes: Application Processing Fee Building Review and Inspection Environmental Review Flood Review Stormwater Review Zoning Review		\$175.00
* MISC- DBPR & DCA Admin Fees			\$0.00
* MISC- DBPR & DCA Admin Fees			\$4.38
	Total		\$179.38

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
01/30/2025	je	1137526			\$179.38
				Outstanding Balance	\$0.00

Notes

Date	Note	Created By:
12/09/2024	Chickee Hut Application is missing strap #, PG. 1 of application, estimated cost value, estimated SQFT, CONTRACTOR NEEDS TO REGISTER. Please fill out these missing forms and send them to permit # 243180 buildingpermits@fmbgov.com	Marilyn Silva
12/09/2024	CONTRACTOR INSPIRAMAR CONSTRUCTION LLC CGC057734 NEEDS TO REGISTER.	Marilyn Silva

Uploaded Files

Date	File Name
05/05/2025	25759223-2nd Zoning Review Rejection letter..pdf
05/02/2025	25734840-Sullivan Plan showing tiki bar 05022025.pdf
04/04/2025	25225541-Recorded NOC 243180.pdf
04/04/2025	25223606-Application REV 243180.pdf
04/04/2025	25223405-Tiki Footer Detail 243180.pdf
02/04/2025	24106354-1st Zoning Rejection Letter 243180.pdf
12/12/2024	23474166-Revised Cost Form.pdf
12/12/2024	23474087-Sullivan tiki and NTBO signed 121024.pdf
11/27/2024	6fe3880f6b98f40ffac0e0d63533c071_sullivan_tiki_ntbo_112724.pdf
11/27/2024	aa58c8147448c02a08438dc60b607ce0_sullivan_tiki_howard_pe_license_112724.pdf
11/27/2024	ca362bf0c47a9fa7dfb97c19ed95175f_sullivan_tiki_coi_howard_112724.pdf
11/27/2024	38ffc380a66bb973a0a581225aba0516_sullivan_tiki_qualifier_acknowledge_112724.pdf
11/27/2024	57b4840ad7b1df96d20dc9df50bd26e9_sullivan_tiki_owner_acknowledgement_112724.pdf
11/27/2024	96a402bb58b4805206db759d61d11d13_sullivan_tiki_statement_of_compliance_112724.pdf
11/27/2024	db94aa33dbeae193e17d0f820373610b_sullivan_tiki_app_and_site_plans_submittal_112724.pdf

