



Town of Fort Myers Beach

CODE COMPLIANCE

2525 Estero Blvd Fort Myers Beach, Florida 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

February 09, 2023

CASE NUMBER:	20230119
CERTIFIED MAIL:	7022 2410 0002 8638 5332

MIGLIORATTI PHILIP & LISA M
382 LAKE RD
WEBSTER, NY 14580

SITE ADDRESS: **100 TARPON RD**
PARCEL STRAP NO: **034724W3002370000**

NOTICE OF VIOLATION

YOU ARE HEREBY NOTIFIED that an inspection of the above-referenced property on **01/24/2023** by Town of Fort Myers Beach Code Enforcement Officer **John Encarnacao** indicates that the property is in violation of the following Town Code(s):

Pool Barrier Required.

Sec. 34-1772. Home occupations. (e) No commodities, stores, or display of products on the premises shall be visible from the street or surrounding residential area, and no outdoor display or storage of materials, goods, supplies, or equipment used in the home occupation shall be permitted on the premises. Vehicles and trailers for use by the business may not be parked or stored on the premises unless completely enclosed within a building.

The Violation(s) can be brought into compliance by Installing temporary or permanent pool barrier with appropriate permits. You are hereby directed to bring these violations into compliance within 10 days of receipt of this notice.

ONCE THIS VIOLATION(S) IS IN COMPLIANCE, IT IS YOUR OBLIGATION TO NOTIFY CODE ENFORCEMENT SO THAT THE PROPERTY CAN BE INSPECTED TO VERIFY THAT THE VIOLATION(S) HAS 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 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) 765-0202 or code@fmbgov.com if you have any questions concerning this Notice of Violation.

Respectfully,

John Encarnacao
Code Enforcement Officer
Town of Fort Myers Beach