

# **City of Marco Island Florida**

*51 Bald Eagle Drive  
Marco Island, Florida  
cityofmarcoisland.com*



## **Meeting Minutes - Final-revised**

**Tuesday, April 30, 2024**

**10:30 AM**

**Community Room**

### **Code Enforcement Magistrate**

**(1) Cases**

*Testifying for the City: Code Enforcement Officer*

*Testifying for the Respondent:*

*Magistrate's Findings:*

- a. 24-0325 1275 6th Ave. - City of Marco Island vs. Paul Holm - Damaged Sidewalk

*Testifying for the City: Code Enforcement Officer Negra*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner shall pay a one-time fine of \$100.00 and \$50.00 for the cost of prosecution. That the Owner has 15 days to apply for permit and 60 days to obtain permit and commence repairs or face a fine of \$100.00 per day until violation is corrected.*

- b. 24-0375 1269 6th Ave. - City of Marco Island vs. Victoria Nicklos, Ronald & Dena Weinberg TR -Damaged Sidewalk

*Testifying for the City: Code Enforcement Officer Negra*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner shall pay a one-time fine of \$100.00 and \$50.00 for cost of prosecution. That the Owner has until August 12th to obtain permit and 60 days thereafter to complete the repairs or face a fine of \$100.00 per day until violation is corrected.*

- c. 24-0391 960 Sundrop Ct. - City of Marco Island vs. Blue Marlin Marine Construction & Services INC & Triple Net Assets LLC - Illicit Discharge

*Testifying for the City: Code Enforcement Officer Negra*

*Testifying for the Respondent: Representative from Blue Marlin Construction*

*Magistrate's Findings: That the Contractor shall pay a one-time fine of \$4,500.00.*

- d. 24-0450 440 Sand Hill St. - City of Marco Island vs. Laura & Robert Callaci and NOVA HOMES of South Florida INC - Illicit Discharge & Silt Fence

*Testifying for the City: Code Enforcement Officer Hofstadter*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner/Contractor, jointly and severally, shall pay a one-time fine of \$5,500.00 and \$50.00 for cost of prosecution.*

- e. 24-0504 25 Covewood Ct. - City of Marco Island vs. Omega R & C Development LLC - Weeds

*Testifying for the City: Code Enforcement Officer Miller*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner shall pay a one-time fine of \$100.00 and \$50.00 for the cost of prosecution. That the Owner has 14 days to comply or face a fine of \$50.00 per day until violation is corrected. That the City is granted permission after the 14 days to enter the property and abate the violation at the sole expense of the Owner.*

f. 24-0578 179 Tahiti Rd. - City of Marco Island vs. Costabile & Iolanda Scola - Weeds & Encroachments

*Testifying for the City: Code Enforcement Officer Ferraro*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner shall pay a one-time fine of \$200.00 and \$50.00 for the cost of prosecution. That the Owner has 14 days to comply or face a fine of \$50.00 per day until violation is corrected. That the City is granted permission after the 14 days to enter the property and abate the violation at the sole expense of the Owner.*

g. 24-0587 1748 Wavecrest Ct. - City of Marco Island vs. Emilio Pantner & Luisa Diamante - Weeds & Litter on Private Property

*Testifying for the City: Code Enforcement Officer Negra*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner shall pay a one time fine of \$100.00 and \$50.00 for the cost of prosecution. That the Owner has 14 days to comply or face a fine of \$50.00 per day until violation is corrected. That the City is granted permission to enter the property after the 14 days to abate the violation at the sole expense of the Owner.*

h. 24-0695 1787 Hummingbird Ct. - City of Marco Island vs. Yuniel Mesa Garcia & Gisell Tirado - Weeds, ROW Obstruction, & Encroachments

*Testifying for the City: Code Enforcement Officer Hofsteadter*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner shall pay a one-time fine of \$200.00 and \$50.00 for the cost of prosecution. That the Owner has 14 days to comply or face a fine of \$50.00 until the violation is corrected. That the City is granted permission to enter the property after the 14 days to abate the violation at the sole expense of the Owner.*

i. 24-0708 172 Saxon St. - City of Marco Island vs. Charlotte Roman & Linda Shockley and Kaye Lifestyle Homes (LIC) - Staging

*Removed from docket*

j. 24-0582 601 Seaview Ct Apt. 608 - City of Marco Island vs. Jean Gulick & Leaf Home Safety Solutions LLC -Work Without a Permit

*Testifying for the City: Code Enforcement Officer Muldoon*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner/Contractor, jointly and severally, shall pay a one-time fine of*

*\$250.00 and \$50.00 for the cost of prosecution. That the Owner/Contractor, jointly and severally, has 15 days to apply for permit and 60 days to obtain permit or face a fine of \$100.00 until permit is obtained.*

k. 24-0586 541 Shalimar St. - City of Marco Island vs. GEO General Contractor INC and Yurit Fonseca Casas & Ailyn Rodriguez Monzon - Work Without a Permit

*Testifying for the City: Code Enforcement Officer Ferraro*

*Testifying for the Respondent: Yurit Fonseca Casas*

*Magistrate's Findings: Continued to June 25, 2024 Hearing*

*Meeting went into Recess*

*Meeting reconvened*

l. 24-0579 1030 Pettit Ct. - City of Marco Island vs. Jonathan and Beth Hall - Boat Docking Facilities

*Testifying for the City: Code Enforcement Officer Miller*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner shall pay a one-time fine of \$500.00 and \$50.00 for the cost of prosecution. That the Owner has 30 days to apply for permit or face a fine of \$100.00 per day until violation is corrected.*

m. 24-0557 721 S Barfield Dr. - City of Marco Island vs. AC & JL Holdings Inc - Public Nuisance

*Testifying for the City: Code Enforcement Officer Negra*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Owner shall pay a one-time fine of \$100.00 and \$50.00 for the cost of prosecution. That the Owner 30 has days to apply for permit and 60 days to obtain permit or face a fine of \$50.00 until the violation is corrected.*

n. 24-0581 611 Diplomat Ct. - City of Marco Island vs. Papich Limited Partnership - Prohibited Exotic Vegetation Removal & Public Nuisance

*Continued*

o. 24-0552 1791 Osceola Ct. - City of Marco Island vs. Albaugh Investments LLC & APM Custom Homes - Litter and Debris, Silt fence, ROW Obstruction

*Testifying for the City: Code Enforcement Officer Negra*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the Contractor shall pay a one-time fine of \$450.00 and \$50.00 for the cost of prosecution. That the Contractor has 14 days to comply or face a fine of \$100.00 per day until violations are corrected.*

*Meeting went into Recess*

*Meeting reconvened*

p. 24-0247 1840 S Inlet Dr. - City of Marco Island vs. Ralph Esquivel - Parking of Certain Vehicles

*Continued*

q. 24-0052 609 Dorando Ct. - City of Marco Island vs. Jean Wagner Trust & Seminole Tiki Huts - Status Conference

*Testifying for the City: Code Enforcement Officer Leshinger*

*Testifying for the Respondent: Michael & Jean Wagner*

*Magistrate's Findings: That the original Order be amended to Contractor only*

r. 24-0050 609 Dorando Ct. - City of Marco Island vs. Jean Wagner Trust & Seminole Tiki Huts - Status Conference

*Testifying for the City: Code Enforcement Officer Leshinger*

*Testifying for the Respondent: Michael & Jean Wagner*

*Magistrate's Findings: That the original Order be amended to Contractor only*

## **(2) Certification Order**

## **(3) Mitigation of Fines Request**

s. 09-1001M 160 Hollyhock Ct. - City of Marco Island vs. - Linda S Smith REV Trust - Mitigation of Fines

*Testifying for the City: Code Enforcement Officer Leshinger*

*Testifying for the Respondent: Attorney Peter Huy*

*Magistrate's Findings: That the mitigated amount of \$5,600.00 is accepted*

t. 23-2636M 1173 Strawberry Ct. -City of Marco Island vs. - 1173 Marco Investment LLC & DSI Marine Construction - Mitigation of Fines

*Testifying for the City: Code Enforcement Officer Leshinger*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the mitigated amount of \$3,900.00 is accepted*

u. 23-2843M 1020 Coronado Ct. - City of Marco Island vs. - DSI General Contractors INC & Papich Limited Partnership - Mitigation of Fines

*Testifying for the City: Code Enforcement Officer Leshinger*

*Testifying for the Respondent: No one*

*Magistrate's Findings: That the mitigated amount of \$1,900.00 is accepted.*

**(4) Adjourn**