



OFFICE OF THE SPECIAL MAGISTRATE
ORDER FINDING VIOLATION

Village of Estero
9401 Corkscrew Palms Circle
Estero, FL 33928

Case #: 24100037

Certified #: 7014 3490 0000 4830 6272

Petitioner,

Vs

SWFL PARK PLACE LLC
PO BOX 62684
FORT MYERS, FL 33906

Respondent(s)

IN RE: Case; 24100037

STREET ADDRESS: 20660 PARK PL, ESTERO, FL 33928

FOLIO: 294625E4050000030

LEGAL DESCRIPTION: ESTERO RIVER HEIGHTS UNIT 3 PB 25 PG 133 LOT 3

The Village of Estero Special Magistrate, having heard testimony under oath and argument at a Public Hearing, in reference to the above-described property, held Thursday **OCTOBER 16, 2025**, after due notice to the Respondent(s):

AS AND FOR MY FINDINGS OF FACT:

1. The Respondent(s) is/are the owner(s) of record and is/are responsible for the subject property.
2. The respondent(s) has/have received proper notice of this hearing by certified mail of the alleged existence of certain conditions on the property described as violations, and that those conditions constituted a violation(s) of a Village of Estero Ordinance.
3. The Respondent(s), did not appear in person at today's hearing.
4. The notice(s) previously given to the Respondent(s) specified that certain violations existed at the subject premises and what actions to abate the alleged violations were to be taken by a time certain, but the Respondent(s) has/have failed to complete such actions in a timely manner.

The following condition(s) is/are found to exist on the subject property located at **20660 PARK PL, ESTERO, FL 33928**, as reported by the Village's Code Compliance Manager in the Notice of Violation:

	Ordinance / Regulation	Violation Description / Correction	Order Date to Comply by
1	CHAPTER 7 - VILLAGE FLOOD PLAIN CODE	7-301(D) PERMITS The Village's Floodplain Code (FC) provides for regulations regarding the review of construction permits to ensure each Development will be compliant with flood reduction standards. Specifically, Village Code § 7-301(D) requires a permit application be submitted for Development which may not only be reviewed by the Building Official for compliance with the FBC, but may also be reviewed by the Floodplain Administrator for compliance with flood prevention regulations. Pursuant to Village Code § 7-301(H), any Development which occurs without the required permit to allow for FC compliance is a violation of Village Code.	NOVEMBER 19, 2025

	Ordinance / Regulation	Violation Description / Correction	Order Date to Comply by
2	FLORIDA BUILDING CODE	FLORIDA BUILDING CODE 102.2 Building. The provisions of the Florida Building Code shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the Florida Building Code, Existing Building. The following buildings, structures and facilities are exempt from the Florida Building Code as provided by law, and any further exemptions shall be as determined by the legislature and provided by law. CORRECTION: Submit application and required documentation for building permit, Provide proper cost documentation to correct errors and omissions for final flood development approval.	NOVEMBER 19, 2025

	Ordinance / Regulation	Violation Description / Correction	Order Date to Comply by
3	FLORIDA STATE STATUTES	FLORIDA STATUTE § 553.79(1)(a) Permits; applications; issuance; inspections States that it is illegal to construct, alter, repair, modify, demolish, or erect a building in Florida without a permit from the appropriate authority. This includes any person, firm, corporation, or governmental entity.	NOVEMBER 19, 2025

	Ordinance / Regulation	Violation Description / Correction	Order Date to Comply by
4	VILLAGE CODE	VILLAGE CODE 1-902 Statewide Effectiveness of Florida Building Code. The statewide effectiveness of the Florida Building Code (FBC) is codified in F.S. ch. 553. The FBC is hereby adopted by reference and made a part of this chapter and supplemented with the addition of the following: Fees for renewal, reissuance, or extension of a building permit may also require the payment of new or increased impact fees that have become effective since the first issuance of the permit.	NOVEMBER 19, 2025

The conditions testified to by the Village's Code Compliance Manager are found to have existed as the date and time of this hearing upon the subject property located **20660 PARK PL, ESTERO, FL 33928**, that same constitute(s) a violation(s) under **FLORIDA BUILDING CODE, CHAPTER 102.2 BUILDING**. Due to the refusal or failure on the part of the Respondent(s) to remedy the conditions(s) which exist on the subject property, it may be necessary for the Petitioner/Village of Estero to take any and all steps necessary to remedy the conditions.

AS AND FOR MY CONCLUSIONS OF LAW:

Respondent(s), by reason of the foregoing, is/are in violation of the Village of Estero's Ordinances, as specified above.

THEREFORE, I HEREBY ORDER:

1. That Respondent(s) shall correct or abate the aforesaid violations in the manner set forth in the official Notice of Violation **PRIOR to 5:00 P.M. on November 20, 2025**
2. That Respondent(s) shall pay to the Village of Estero, Florida, the sums determined to be due for the Village's actual costs of prosecution of this case in the amount of **\$307.38** and shall deliver payment of same to the Village Clerk's office no later than 10 days from the date of this Order; and if not paid, may also constitute a lien against the above-referenced property which may also be actionable by law.

In the event that the violation(s) is/are not corrected or abated as indicated above prior to 5:00 pm on **August 20, 2025**, additional fines of **\$200.00** per day shall be imposed against Respondent(s), beginning on that date and continuing for each day that the aforesaid violations continue to exist.

In the event the sums awarded herein are not paid, such sums will become a lien, which may attach to all real and personal property owned by the Respondent(s) upon being recorded in the Public Records of Lee County, even if the violations have been subsequently abated in accordance with this Order.

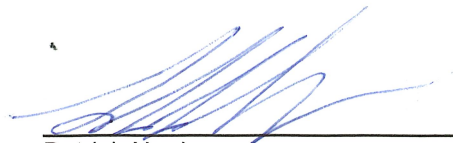
If the owner(s) fail(s) to comply, an Order Imposing Fine in the amounts shown above for every day that the violation continues to exist commencing on the dates shown above will be entered and a certified copy shall be recorded in the Public Records of Lee County, Florida and shall constitute a lien against the above-described real property or personal property owned by the violator. (Section 162.09, Florida Statutes). This Order may be enforced like a court judgment. Repeat violations can be fined up to \$500.00 per day. (Section 162.09, Florida Statutes). Property owner(s) has/have 30 days from date this Final Order is executed to file an appeal in circuit court. (Section 162.11, Florida Statutes). The property owner must contact the Code Compliance Department to advise when compliance has been reached.

3. In determining the amount of such fine(s), I have considered the gravity of the violation(s); any actions, or lack thereof, to correct the violation(s); and, any previous violation(s) committed by the Respondent(s).

4. When the violation(s) has/have been abated, the Respondent(s) **MUST CALL THE VILLAGE OF ESTERO CODE ENFORCEMENT MANAGER – STANLEY KNIGHT, AT (239) 309-1234, AND REQUEST A RE-INSPECTION OF THE CODE VIOLATION.** UPON SUCH RE-INSPECTION, IF SUCH VIOLATION(S) ARE FOUND TO HAVE BEEN ABATED, SUCH FINES SHALL CEASE RUNNING.
5. The Village of Estero is hereby authorized, in its discretion, to enter onto the subject premises and to itself abate, clear and remove all violation(s) (or specific items listed in Finding of Fact), found to still exist at the subject premises on or after **November 20, 2025**, or as soon thereafter as practicable in the event the Respondent(s) has/have not abated the violations. In addition to the amount of fines, and the Village's costs of prosecution, as imposed herein, all costs of such abatement, clearing and removal shall be recovered by the Village of Estero and shall accrue and increase the cost lien provided for herein.
6. Compliance by the Respondent(s) shall be considered at a subsequent Hearing before the undersigned Hearing Examiner/Special Magistrate to be held on **November 20, 2025 at 1:00 p.m., at the Village Hall Council Chambers, 9401 Corkscrew Palms Circle, Estero, FL 33928.**
7. You may also have other rights which are set forth in Article VI - Code Enforcement Board of the Village of Estero Code of Ordinances.
8. Respondents may appeal any decision with respect to any matter considered by the Village of Estero Special Magistrate. An appeal must be filed within (30) days of the execution of the Order to be appealed. If a person decides to appeal any decision, such person will need a record of the proceedings and that, for this purpose, such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based. Section 286.0105, Florida Statutes.

DONE AND ORDERED in the Village of Estero, Lee County, Florida this 16^h Day of October 2025

OFFICE OF THE SPECIAL MAGISTRATE
VILLAGE OF ESTERO, FLORIDA



Patrick Neale
VILLAGE OF ESTERO, SPECIAL MAGISTRATE

SPECIAL MAGISTRATE CLERK AFFIDAVIT

Dated on October 16, 2025

Village of Estero Special Magistrate Clerk

By: Tammy Duran
Tammy Duran

I certify that, under the penalty of perjury that the above written statements are true and accurate to the best of my knowledge.

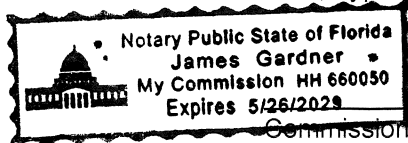
**STATE OF FLORIDA
COUNTY OF LEE**

the foregoing instrument was acknowledged before me by means of physical presence or ___ online notarization, this 16th Day of October 2025, by Tammy Duran and Patrick Neale, Special Magistrate, respectively, of the Village of Estero, who are personally known to me and who did not take an oath.

My Commission Expires:

James Gardner
Notary Public, State of Florida at Large

James Gardner
Print, Type or Stamp of Notary



Commission Number, if any

SEAL: