

**CAPE CORAL CODE COMPLIANCE  
CITY OF CAPE CORAL, FLORIDA**



CITY OF CAPE CORAL, FLORIDA

Petitioner,  
vs.

CASE NO. CE20-004169

MURRAY GLEASON J  
2601 VAN BUREN PKWY

CAPE CORAL, FL 33993

Respondent(s).

**LIEN**

THIS CAUSE originally came on for public hearing before the Code Compliance Special Magistrate on **5/20/2021**, after due notice to Respondent(s), at which time the Special Magistrate heard testimony under oath, received evidence, and issued his Findings of Fact and Conclusions of Law and thereupon issued an oral Order which was reduced to writing and furnished to Respondent(s).

Said Order required the Respondent(s) to take certain corrective action by a time certain, as more specifically set forth in that Order.

An Affidavit of Non-Compliance has been filed with the Special Magistrate by the Code Compliance Officer, which Affidavit certified under oath that the required corrective action has not been taken as ordered.

Accordingly, it having been brought to the Special Magistrate's attention that Respondent(s) have not complied with the Order dated **5/20/2021**, it is hereby

ORDERED that the Respondent(s) pay to the City of Cape Coral a fine in the amount of **\$ 75 per day** for each and every day the violation(s) exist(s) and continue to exist at the property described as:

**LEGAL DESCRIPTION:** STRAP# 324323C2041150290

Site Address: : 2601 VAN BUREN PKWY W CAPE CORAL, FL 33993

BLOCK 4115 LOT 29

after **6/3/2021**, which was the date previously set by the Special Magistrate's Order for compliance, and a prosecutorial fee of \$94.00.

This fine plus interest shall become a lien on the subject property, but once the fine and interest accrue to the sum

of \$ \_\_\_\_\_, the fine shall not accrue further, and the lien including interest shall not exceed the sum of \$ \_\_\_\_\_.

This Lien shall be recorded and shall constitute a lien for all the accrued fines against the above described property, and any other real or personal property that the Respondent(s) own in Lee County where recorded pursuant to Sections 162.08 and 162.09 of the Florida Statutes. I authorize the City Attorney of Cape Coral, Florida to foreclose on this lien if the lien remains unpaid after three (3) months from the filing date of this lien.

DONE AND ORDERED this 6/17/2021 at Cape Coral, Lee County, Florida.

Code Compliance of the  
City of Cape Coral, Florida

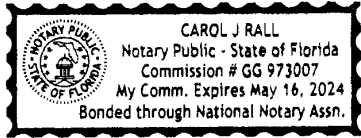
*[Handwritten Signature]*  
\_\_\_\_\_  
Special Magistrate  
Cape Coral Code Compliance

STATE OF FLORIDA  
COUNTY OF LEE

Before me, the undersigned authority, personally appeared Harold S. Eskin, well known to me to be the Special Magistrate of Code Compliance for the City of Cape Coral, and he acknowledged before me that he executed the foregoing Lien Violator on behalf of the City of Cape Coral Code Compliance, and its true act and deed, and that he was duly authorized to do so, and did not take oath.

WITNESS my hand and official seal on 6/17/2021.

SEAL



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public-State of Florida  
My Commission Expires: 5/16/24

I CERTIFY that a true and correct copy of the above and foregoing Lien has been furnished by Certified Mail/ Return Receipt Requested/Hand Delivered/Posted to Respondent(s) on 6/17/2021.

*[Handwritten Signature]*  
\_\_\_\_\_  
Senior Recording Secretary  
Cape Coral Code Compliance

If you are in bankruptcy this is not a bill. This notice is for informational purposes only. It is solely intended to notify you of the current status of code violations on the subject property and is subject to all of your rights arising from your bankruptcy filing. This is not a demand for payment by you personally of any obligation discharged in bankruptcy. The order imposing fines may be recorded and constitute a lien only on the land or premises pursuant to sec. 162.09 of the Florida Statutes. jh/FU/4/09

This Instrument Prepared by:  
City of Cape Coral  
P.O. Box 150027  
Cape Coral, FL 33915  
Code Compliance

DATE OF VIOLATIONS: 10/22/2020 12:00:00AM

Michael Luzzi

Site Address: 2601 VAN BUREN PKWY W  
CAPE CORAL FL 33993

Legal Address: CAPE CORAL UNIT 57 BLK 4115 PB 19 PG 136 LOTS 29 + 30

**12-25(B.2) BUILDING NUISANCES: Ext Wall Discolored**

(b) Prohibition. It shall be unlawful for the owner or occupant of any building located in the City of Cape Coral to allow the building to become or to remain in such a state of deterioration or disrepair that:  
(2) The paint on an exterior wall is discolored to such an extent that the discoloration is clearly visible from any street or canal or any adjoining property used for residential, commercial, institutional or public purposes;

**CORRECTIVE ACTION:** Must make repairs including, but not limited to all exterior walls, soffits, screens, windows, doors, eaves, screen framing, swimming pool, roof.

**9-16(A) PROHIBITED: Obnoxious Growth Refuse Litter**

It shall be unlawful for any person to do, perform, have, allow, suffer or permit on his or her property or property under his or her control by rent, lease or otherwise, any of the following, the enumeration of which are merely indicative of the nature and type of conditions prohibited hereunder, and shall not be deemed to be exclusive.

(a) Obnoxious growths and refuse and litter. To allow, suffer or permit weeds, grass, vines, palmetto scrub or other noxious vegetable growths to grow or otherwise accumulate to a height of 12 inches or more; or to allow, suffer or permit litter such as trash and/or garbage such as table scraps, debris, bottles, paper, cans, rags, bricks, concrete, scrap lumber, building debris, dead or decayed fish, fowl, meat or other animal matter, fruit, vegetables, offal or other refuse of any nature whatsoever to accumulate upon any premises or land within the city, regardless of whether the premises or land is occupied or unoccupied;

**CORRECTIVE ACTION:** Must cut/mow all grass and weeds. Maintain property.  
Must remove all loose litter including, but not limited to pool parts, old plastic hanging from the building, wood.

**9-16(B) PROHIBITED: Dangerous Dilapidated Building**

It shall be unlawful for any person to do, perform, have, allow, suffer or permit on his or her property or property under his or her control by rent, lease or otherwise, any of the following, the enumeration of which are merely indicative of the nature and type of conditions prohibited hereunder, and shall not be deemed to be exclusive.

(b) Dangerous buildings. To allow, suffer or permit any building or structure which by act of God, fire, decay or other cause has or may become structurally dangerous, unsafe, dilapidated or in an unsanitary condition without forthwith doing and performing all things necessary to cause such building or structure to be reconstructed, restored, torn down or removed in conformity with applicable laws or regulations of the city which may now or hereafter be applicable in respect thereto;

**CORRECTIVE ACTION:** Must make repairs including, but not limited to all exterior walls, soffits, screens windows, doors, eaves, screen framing, swimming pool, roof.

**FBC 105.1 PERMIT REQUIRED**



Any owner or owners authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

**CORRECTIVE ACTION:** Your REJECTED Remodel Permit must be active and ISSUED before further work takes place.