



City of Sanibel

Code Enforcement
2475 Library Way
Sanibel, FL 33957
239-472-4555

NOTICE OF VIOLATION **CASE NO. 2025-001541**

To: TIGUA CAY CONDO ASSN
22 GREEN VALLEY DR
CHAGRIN FALLS OH 44022
Certified Mail # 7017 1450 0000 7708 6850
SUBJECT PROPERTY: 483 EAST GULF DR COMMEN ELEMENT, Sanibel FL 33957
(STRAP: 20-46-23-T3-03100.00CE)

Dear TIGUA CAY CONDO ASSN;

This Notice is to inform you that violation(s) of the Florida Building Code, Section R4501.17.1 through R4501.17.1.14, as well as of the City of Sanibel's Land Development Code (the "LDC"), Section 126-1314(b)(2), have been found to exist at the above-referenced subject property.

The City of Sanibel's Code Enforcement Officer observed the following conditions:

- Swimming pool remains unsecure and without a proper pool barrier. Pool is not secure, but has temporary orange plastic snow fence and metal posts. No permits have been applied for to remedy this failure to secure. Section 126-1314(b)(2)

This notice serves as a written order to achieve compliance (abate) **within 15-days** of receipt of this Notice of Violation by obtaining a building permit approval and paying all fees and charges.

Failure to comply with the requirements of this Notice of Violation will result in the City pursuing enforcement action in accordance with LDC Chapter 1, Section 1-15, for the violations cited above at the subject property. Enforcement action may include scheduling a hearing before Sanibel's Code Enforcement Special Magistrate.

ISSUED BY: *Glenn Nixon*

DATE: 4/22/2025

Glenn Nixon, Code Enforcement Manager, City of Sanibel



City of Sanibel

Code Enforcement
2475 Library Way
Sanibel, FL 33957
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Attachment A

R4501.17 Residential swimming barrier requirement.

Residential swimming pools shall comply with Sections R4501.17.1 through R4501.17.3.

Exception: A swimming pool with an approved safety pool cover complying with ASTM F1346.

R4502.17.1 Outdoor swimming pools.

Outdoor swimming pools shall be provided with a barrier complying with R4501.17.1.1 through R4501.17.1.14.

R4501.17.1.1

The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade the barrier may be at ground level or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

R4501.17.1.2

The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier as herein described below. One end of a removable child barrier shall not be removable without the aid of tools. Openings in any barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

R4501.17.1.3

Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

R4501.17.1.4

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1³/₄ inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1³/₄ inches (44 mm) in width.



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R4501.17.1.5

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed $1\frac{3}{4}$ inches (44 mm) in width.

R4501.17.1.6

Maximum mesh size for chain link fences shall be a $2\frac{1}{4}$ -inch square (57 mm) unless the fence is provided with slats fastened at the top or bottom which reduce the openings to no more than $1\frac{3}{4}$ inches (44 mm).

R4501.17.1.7

Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than $1\frac{3}{4}$ inches (44 mm).

R4501.17.1.8

Access gates, when provided, shall be self-closing and shall comply with the requirements of Sections R4501.17.1.1 through R4501.17.1.7 and shall be equipped with a self-latching locking device located on the pool side of the gate. Where the device release is located no less than 54 inches (1372 mm) from the bottom of the gate, the device release mechanism may be located on either side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap from the outside. Gates that provide access to the swimming pool must open outward away from the pool. The gates and barrier shall have no opening greater than $\frac{1}{2}$ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

R4501.17.1.9

Where a wall of a dwelling serves as part of the barrier, one of the following shall apply:

1. All doors and windows providing direct access from the home to the pool shall be equipped with an exit alarm complying with UL 2017 that has a minimum sound pressure rating of 85 dBA at 10 feet (3048 mm). Any deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the access. Separate alarms are not required for each door or window if sensors wired to a central alarm sound when contact is broken at any opening.



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Exceptions:

1. Screened or protected windows having a bottom sill height of 48 inches (1219 mm) or more measured from the interior finished floor at the pool access level.
2. Windows facing the pool on floor above the first story.
3. Screened or protected pass-through kitchen windows 42 inches (1067 mm) or higher with a counter beneath.
2. All doors providing direct access from the home to the pool must be equipped with a self-closing, self-latching device with positive mechanical latching/locking installed a minimum of 54 inches (1372 mm) above the threshold, which is approved by the authority having jurisdiction.
3. A swimming pool alarm that, when placed in a pool, sounds an alarm upon detection of an accidental or unauthorized entrance into the water. Such pool alarm must meet and be independently certified to ASTM Standard F2208, titled "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser, and infrared alarms. For purposes of this paragraph, the term "swimming pool alarm" does not include any swimming protection alarm device designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.

R4501.17.1.10

Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections R4501.17.1.1 through R4501.17.1.9 and Sections R4501.17.1.12 through R4501.17.1.14. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

R4501.17.1.11

Standard screen enclosures which meet the requirements of Section R4501.17 may be utilized as part of or all of the "barrier" and shall be considered a "nondwelling" wall. Removable child barriers shall have one end of the barrier nonremovable without the aid of tools.

R4501.17.1.12

The barrier must be placed around the perimeter of the pool and must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall, or other enclosure or portion thereof is situated on the perimeter of the pool, is being used as part of the barrier, and meets the barrier requirements of this section.



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2475 Library Way
Sanibel, FL 33957
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R4501.17.1.13

Removable child barriers must be placed sufficiently away from the water's edge to prevent a young child or medically frail elderly person who may manage to penetrate the barrier from immediately falling into the water. Sufficiently away from the water's edge shall mean no less than 20 inches (508 mm) from the barrier to the water's edge. Dwelling or nondwelling walls including screen enclosures, when used as part or all of the "barrier" and meeting the other barrier requirements, may be as close to the water's edge as permitted by this code.

R4501.17.1.14

A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide direct access from the home to the swimming pool.

Sec. 126-1314. Maintenance and security standards.

(a) *Maintenance requirements.*

- (1) Improved property shall be maintained in accordance with the terms and conditions set forth herein, all applicable city codes and ordinances, state laws, relevant sanitary codes, and the Florida Building Code concerning external or visible maintenance.
- (2) All front, side, and rear yard areas shall be free of litter, refuse and debris as defined in sections 30-31, 30-34 and 30-36 of the Sanibel Code, except temporary storage or placement of refuse and debris for appropriate disposal.
- (3) Pools, fountains, hot tubs and spas shall be maintained so the water contained within in them remains free and clear of hazards, pollutants, debris, fungal or plant growth and shall not produce noxious odors nor act as a breeding ground for mosquitos. Pools, fountains, hot tubs and spas shall comply with the requirements of city codes and ordinances and the Florida Building Code.
- (4) The exterior of a structure shall be kept and maintained in good repair, structurally sound and sanitary without excessive mold, mildew, or peeling and chipped paint to the degree that it detracts from the overall appearance of the property when viewed from any adjacent property (where authorized) or any public right-of-way or becomes a hazard to the public health, safety or general welfare. Walls shall be free of holes, loose or rotten wood, be weatherproofed and coated with paint, siding or similar protection to prevent deterioration.
- (5) The roof and flashing shall be sound, tight and not have defects that admit leaks. Roof drains, gutters and downspouts shall be maintained in good repair and properly affixed. Roof water shall not be discharged in a manner that creates a public nuisance.
- (6) Every exterior stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained and kept in sound condition and minimally safe repair.
- (7) The roof, siding, awnings, chimneys, sheds, and other exterior structural elements of a property shall be kept and maintained in good repair and anchored in such a manner as not to become flying projectile in high winds.



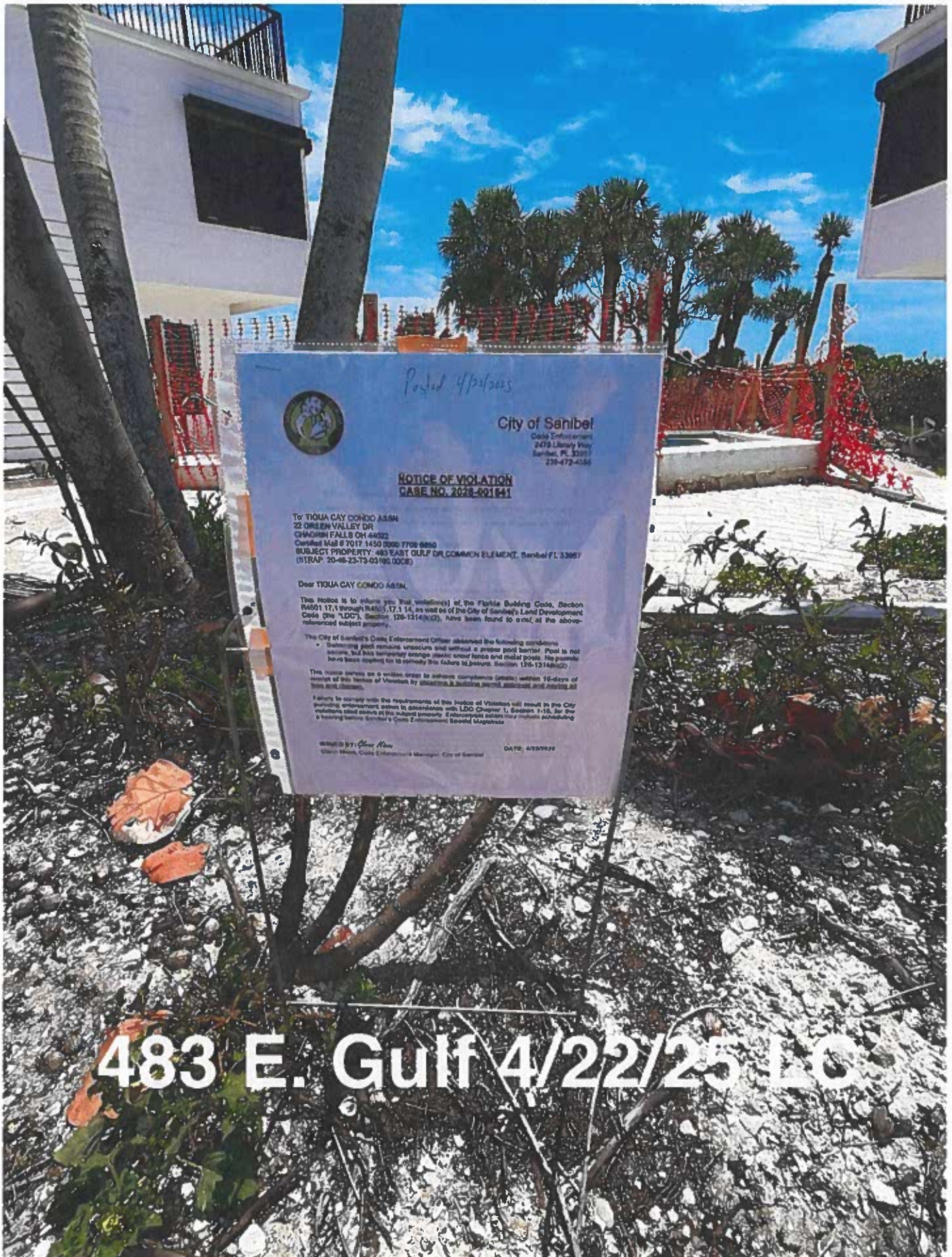
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(b) *Security requirements.*

- (1) Improved property that is determined to have a vacant building upon inspection shall be kept in a secure manner so as to be kept inaccessible to wildlife or unauthorized persons. A secure manner shall include, but not be limited to, the closure and locking of all windows, doors, gates and other building or structure openings of such size that may allow access to the interior of a building or structure. Broken doors and windows shall be secured and repaired or completely replaced within ten days of being damaged to the point that such door or window does not secure the building.
- (2) Any excavations, swimming pools, hot tubs, spas, at grade fountains or other attractive nuisances shall be properly secured and comply with the requirements of the City Code of Ordinances and the Florida Building Code.





Posted 4/22/2025



City of Sanibel

Code Enforcement
2478 Literary Way
Sanibel, FL 33957
239-473-4556

NOTICE OF VIOLATION
CASE NO. 2025-001841

TO: TIOUA CAY CONDO ASSN
22 GREEN VALLEY DR
CHAGRIN FALLS OH 44022
Certified Mail # 7017 1450 0000 7708 8880
SUBJECT PROPERTY: 483 EAST GULF DR, COMMON ELEMENT, Sanibel FL 33957
(STRAP: 20-48-23-73-03 190 0008)

Dear TIOUA CAY CONDO ASSN,

This Notice is to inform you that violation(s) of the Florida Building Code, Section R6501.17.1 through R6501.17.1.14, as well as of the City of Sanibel's Land Development Code (the "LDC"), Section 128-1214(h)(2), have been found to exist at the above-referenced subject property.

The City of Sanibel's Code Enforcement Officer observed the following conditions:
• Swimming pool remains unsecured and without a proper pool barrier. Pool is not secure, but has temporary orange plastic fence and metal posts. No permits have been applied for to remedy this failure to secure. Section 128-1214(h)(2).

This Notice serves as a written order to achieve compliance (remedy) within 15-days of receipt of this Notice of Violation by obtaining a building permit, enclosing, and enclosing all items and changes.

Failure to comply with the requirements of this Notice of Violation will result in the City pursuing enforcement action in accordance with LDC Chapter 1, Section 1-18. For the violator's stated safety at this subject property, Enforcement action may include scheduling a hearing before Sanibel's Code Enforcement Board, Magistrate.

ISSUED BY: *Glenn Kane*
Glenn Kane, Code Enforcement Manager, City of Sanibel

DATE: 4/22/2025

483 E. Gulf 4/22/25 LC



483 E. Gulf 4/22/25 LC

Code Officer Affidavit

As it pertains to Code Case 2025-001510

I, Lisamarie Cardona, Code Officer for the City of Sanibel, swear and affirm that the following information is true and accurate:

☐ On April 22 , 2025, I posted the Notice of Violation on the property location

at 483 East Gulf., Sanibel, Florida 33957, as demonstrated in the photos, and at City Hall located at 800 Dunlop Rd as provided for in Florida Statutes 162.12.

Lisamarie Cardona

Signature of Code Officer

4/22/2025

Date

Property Data

STRAP: 20-46-23-73-03100.00CE Folio ID: 10462012

Hurricanes Helene/Milton Tax Roll Value Letter Hurricane Ian Tax Roll Value Letter

Owner Of Record - Sole Owner
(Change Mailing Address)

TIGUA CAY CONDO ASSN
22 GREEN VALLEY DR
CHAGRIN FALLS OH 44022

Site Address
Site Address maintained by E911 Program Addressing

TIGUA CAY CONDO C/E
SANIBEL FL 33957

Property Description
(Do not use for legal documents)

A CONDO LOCATED IN SEC 20-46-23 AS DECD IN OR 1649 PG 2645 COMMON ELEMENTS
View Recorded Plat at LeeClerk.org - Use this link to do an Official Records search on the Lee County Clerk of Courts website using 1649 and 2645 for the book and page numbers

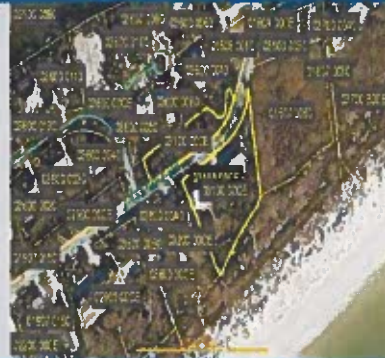
Attributes and Location Details

Total Bedrooms / Bathrooms	0
1st Year Building on Tax Roll	N/A
Historic Designation	No

Township	Range	Section	Block	Lot
46	23E	20	03100	00CE
Municipality	Latitude	Longitude		
City of Sanibel	26.44579	-82.02608		

<https://www.leepra.org/Data.aspx>

[Tax Map Viewer] [View Comparables]



[Pictometry Aerial Viewer]

Image of Structure

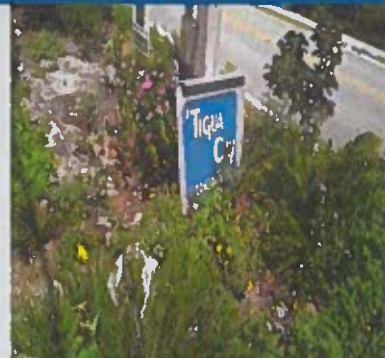


Photo Date June of 2024 View other photos





483 E Gulf 5/16/25 LC



483 E. Gulf 5/16/25 LC



City of Sanibel

Code Enforcement
2475 Library Way
Sanibel, FL 33957
239-472-4555

NOTICE OF HEARING **CASE NO. 2025-001541**

CITY OF SANIBEL vs TIGUA CAY CONDO ASSN
22 GREEN VALLEY DR
CHAGRIN FALLS OH 44022
SUBJECT PROPERTY: 483 East Gulf Dr. Common Element, Sanibel FL 33957
Strap: 20-46-23-T3-03100.00CE

YOU ARE HEREBY NOTIFIED THAT ON: June 9, 2025 @ 1 p.m.

A Hearing will be held on **June 9, 2025**, before the Sanibel Code Enforcement Hearing Examiner/ Special Magistrate. This hearing will commence at 1 p.m. at **Mackenzie Hall 800 Dunlop Road**, in the City of Sanibel, Florida, in accordance with Section 2-351 and 2-352 of the Sanibel Code of Ordinances to determine whether you have violated one or more provisions and/or sections of the City of Sanibel's ordinances. Said ordinances are set forth in the Notice of Violation dated 4/22/2025 sworn to by the Code Enforcement officer of the City of Sanibel. (Attached)

You are entitled to be represented by counsel, present testimony, and evidence, and to testify on your behalf. Subpoenas for records, surveys, plats and other materials, and for witnesses may be requested and will be issued by the City upon proper request.

IF A PERSON DECIDES TO APPEAL ANY DECISION OF THE BODY WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, SHE/HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES 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.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING, TO INCLUDE HEARING IMPAIRMENT, SHOULD CONTACT DIRECTOR OF ADMINISTRATIVE SERVICES, NO LATER THAN ONE DAY PRIOR TO THE PROCEEDINGS AT (239) 472-3700. FOR ADDITIONAL ASSISTANCE IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE AT 711.

Dated: 5/20/2025

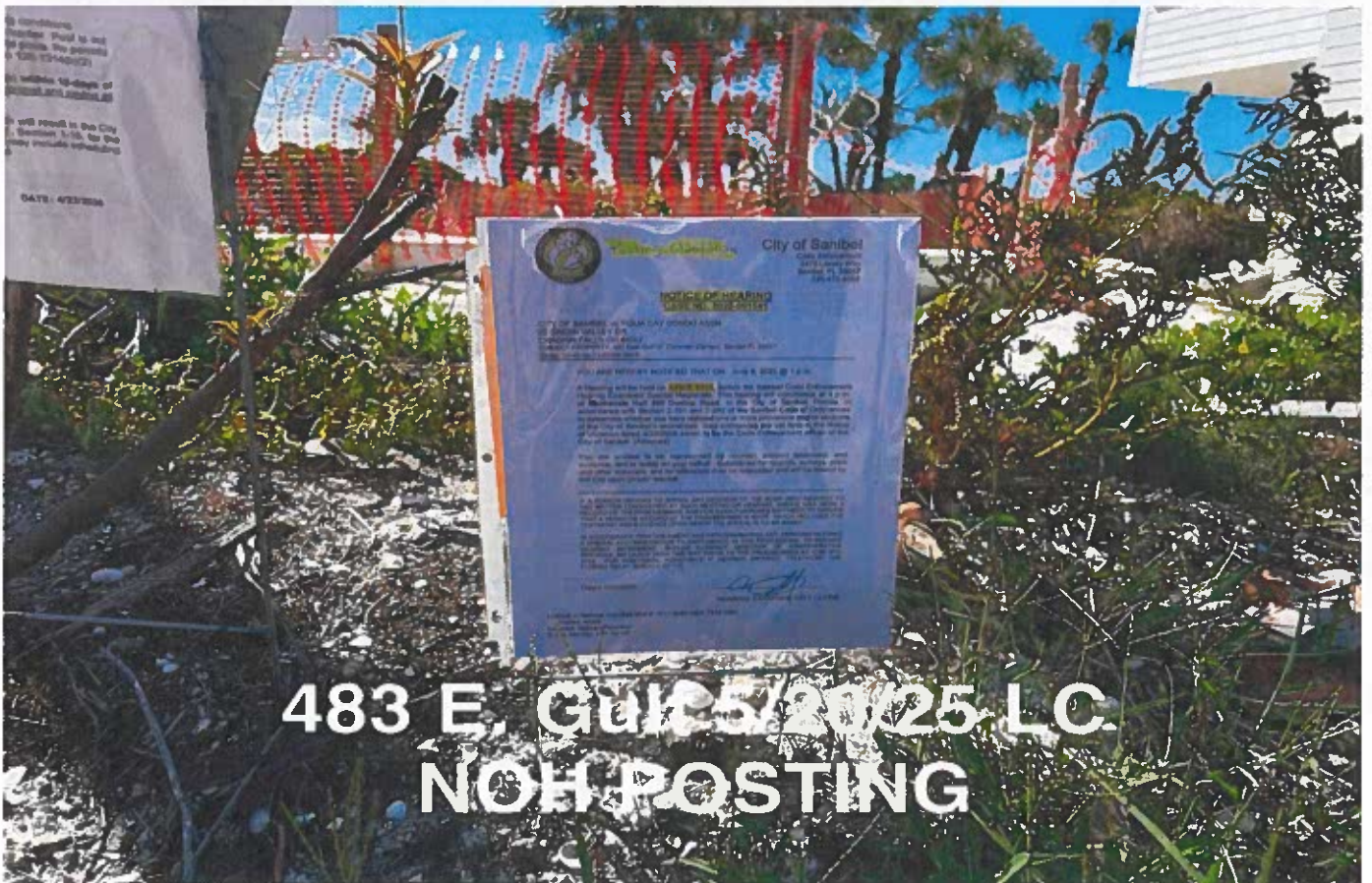

HEARING EXAMINER/ CITY CLERK

Method of Service: Certified Mail # 7017 2680 0000 7924 3561

Posted notice

Included: Notice of Violation

C: City Attorney, John Agnew



Code Officer Affidavit

As it pertains to Code Case 2025-001541

I, Lisamarie Cardona, Code Officer for the City of Sanibel, swear and affirm that the following information is true and accurate:

On May 20, 2025, I posted the Notice of Hearing on the property location

**at 483 EAST GULF DR COMMEN ELEMENT,
Sanibel, Florida 33957, as demonstrated in the photos, and at City Hall
located at 800 Dunlop Rd as provided for in Florida Statutes 162.12.**

Lisamarie Cardona

Signature of Code Officer

5/20/2025

Date

204623T30310000CE

Summary

Details

Addresses

Additional Info

Linked Records

Holds

Parcel Contacts

Files (2)

Conditions

Assessor Info

Other Info

Internal Notes

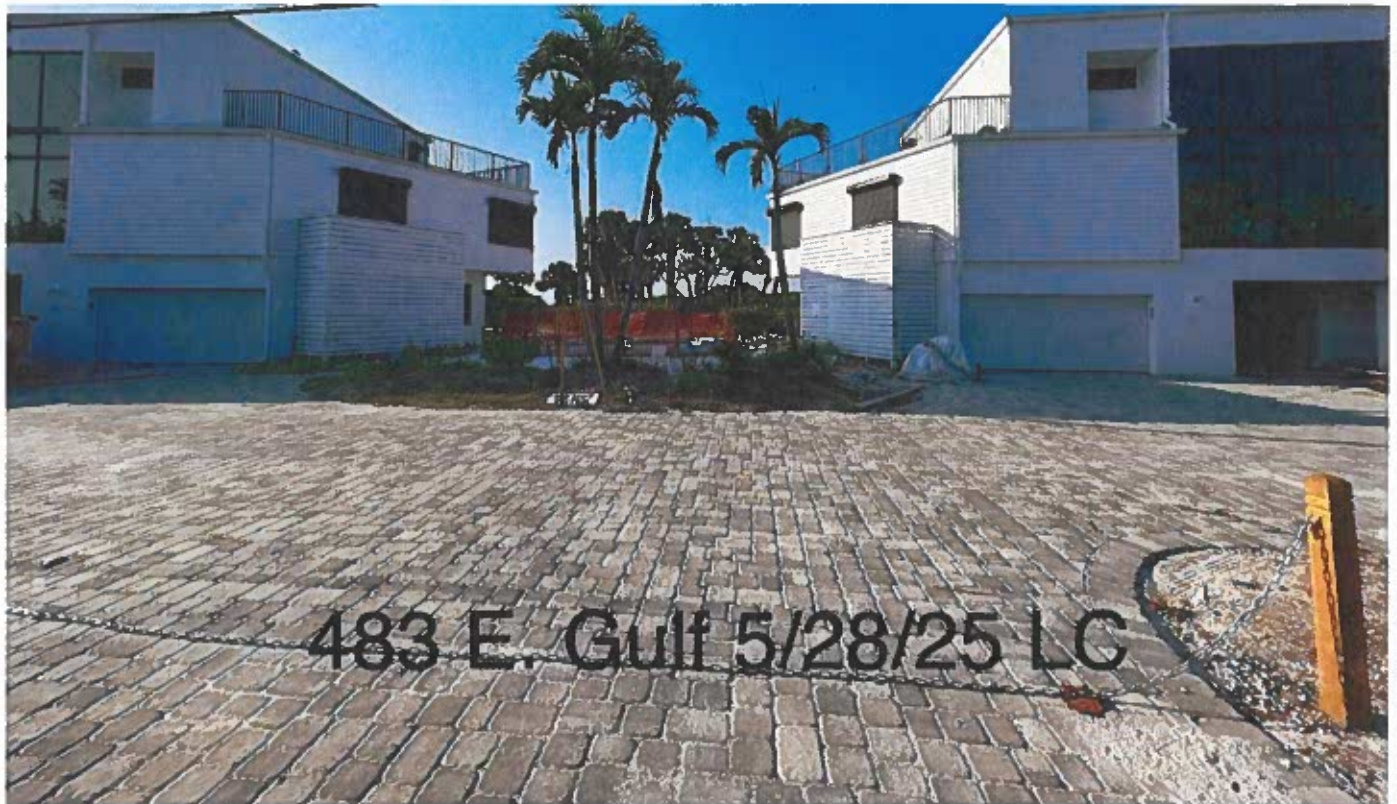
History

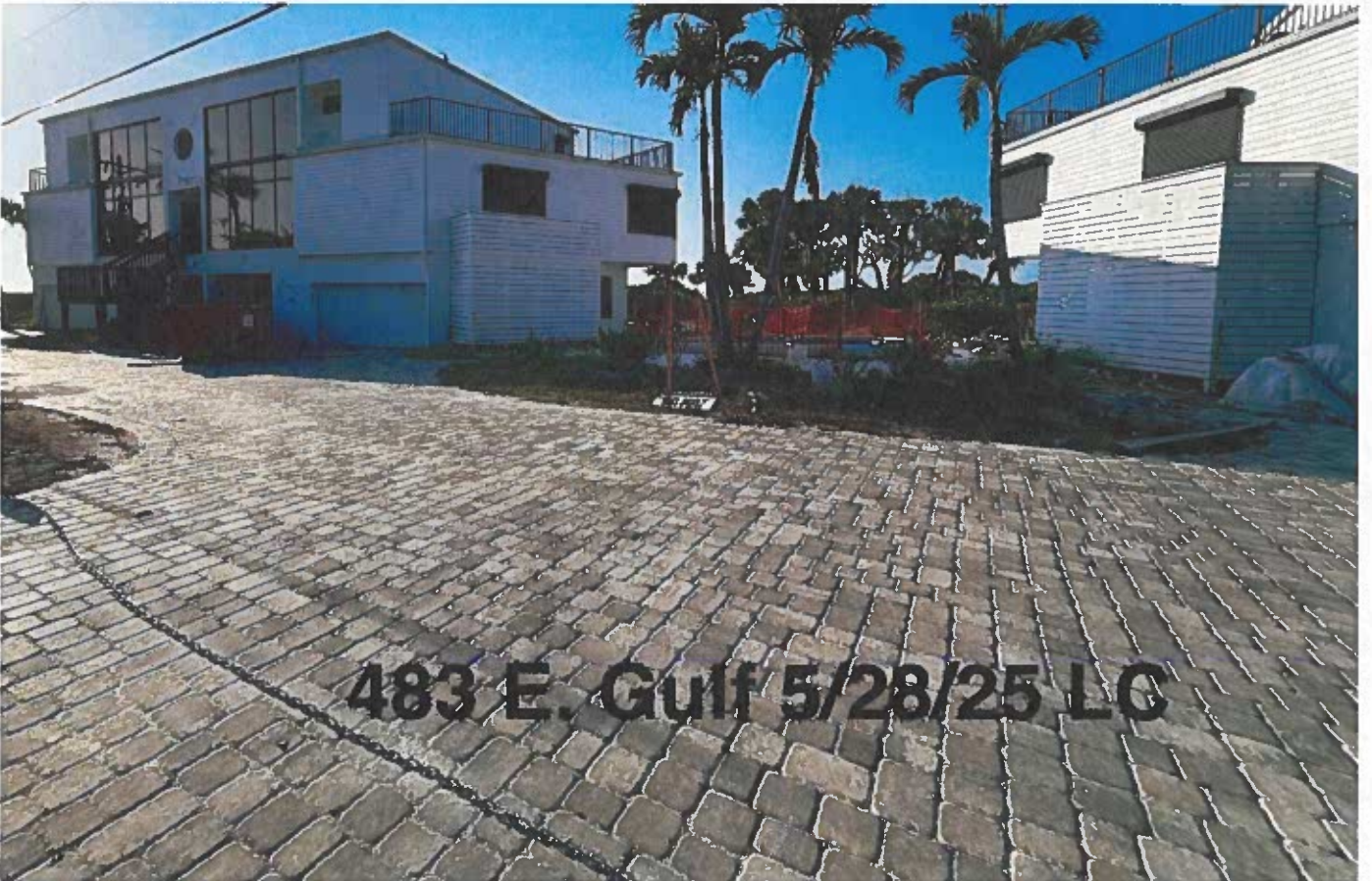
CODE CASES (1)

INSPECTIONS (50)

PERMITS (25)

Permit...	Permit...	Permit...	Permit...	Applic... +	Expir...	Final...	Description	Map
BLDG-2024-01917 4	BUILDING (NO RESIDENTIAL)	CONCRETE RESTORATION/ WATER PROOFING	Issued Bldg Permit	12/30/2024	07/21/2025		Structural concrete repairs at beams and columns as identified by engineer's report. This permit has been issued on condition that if the owner decides to perform additional permitted work to the structure other than this permit's scope of work or to modify the work described, that the City of Sanibel will review the comparison of the cost of this permit and any additional permit costs to the market value of the building to determine if the work is substantial improvement in compliance with the 50% rule. All work shall be in compliance with the 2023 Florida Building Codes 8th Edition. All construction debris must be legally removed from site and disposed of in compliance with all Federal, State, and Local rules and regulations.	487 GUL
BLDG-2024-01917 3	BUILDING (NO RESIDENTIAL)	CONCRETE RESTORATION/ WATER PROOFING	Issued Bldg Permit	12/30/2024	07/21/2025		Structural concrete repairs at beams and columns as identified by engineer's report. This permit has been issued on condition that if the owner decides to perform additional permitted work to the structure other than this permit's scope of work or to modify the work described, that the City of Sanibel will review the comparison of the cost of this permit and any additional permit costs to the market value of the building to determine if the work is substantial improvement in compliance with the 50% rule. All work shall be in compliance with the 2023 Florida Building Codes 8th Edition. All construction debris must be legally removed from site and disposed of in compliance with all Federal, State, and Local rules and regulations.	487 GUL
BLDG-2024-01917 2	BUILDING (NO RESIDENTIAL)	CONCRETE RESTORATION/ WATER PROOFING	Issued Bldg Permit	12/30/2024	07/21/2025		Structural concrete repairs at beams and columns as identified by engineer's report. This permit has been issued on condition that if the owner decides to perform additional permitted work to the structure other than this permit's scope of work or to modify the work described, that the City of Sanibel will review the comparison of the cost of this permit and any additional permit costs to the market value of the building to determine if the work is substantial improvement in compliance with the 50% rule. All work shall be in compliance with the 2023 Florida Building Codes 8th Edition. All construction debris must be legally removed from site and disposed of in compliance with all Federal, State, and Local rules and regulations.	483 GUL
BLDG-2024-01917 1	BUILDING (NO RESIDENTIAL)	CONCRETE RESTORATION/ WATER PROOFING	Issued Bldg Permit	12/30/2024	07/21/2025		Threshold-Structural concrete repairs and beams and columns as identified by engineer's report. This permit has been issued on condition that if the owner decides to perform additional permitted work to the structure other than this permit's scope of work or to modify the work described, that the City of Sanibel will review the comparison of the cost of this permit and any additional permit costs to the market value of the building to determine if the work is substantial improvement in compliance with the 50% rule. All work shall be in compliance with the 2023 Florida Building Codes 8th Edition. All construction debris must be legally removed from site and disposed of in compliance with all Federal, State, and Local rules and regulations.	483 GUL
DOCK-2024-01626 2	DOCK AND SHORELINE	BEACH DUNE WALKOVER	Certificate of Completion	04/04/2024	06/11/2025	12/18/2024	Repair of existing BEACH DUNE WALKOVER	483 LFI
ROOF-2023-01186 2	ROOF	EMERGENCY ROOF	Certificate of Completion	06/27/2023	07/15/2024	01/18/2024	ALL PLANS ARE APPROVED / ERROR IN CLOSING THE BLUEBEAM REVIEW / NO APPROVAL MARKUPS ON ANY DOCUMENTS Tear off existing Flat roof and replace with new. This permit has been issued on condition that if the owner decides to perform additional permitted work to the structure other than this permit's scope of work or to modify the work described, that the City of Sanibel will review the comparison of the cost of this permit and any additional permit costs to the market value of the building to determine if the work is substantial improvement in compliance with the 50% rule. All work shall be in compliance with the 2020 Florida Building Codes 7th Edition. All construction debris must be legally removed from site and disposed of in compliance with all Federal, State, and Local rules and regulations.	483 LFI





Tracking Number:

70171450000077086850



Copy



Add to Informed Delivery

Latest Update

Your item has been delivered to the original sender at 10:55 am on May 12, 2025 in SANIBEL, FL 33957.

Get More Out of USPS Tracking:



USPS Tracking Plus®

Delivered

Delivered, To Original Sender

SANIBEL, FL 33957

May 12, 2025, 10:55 am

Held at Post Office, At Customer Request

SANIBEL, FL 33957

May 10, 2025, 8:00 am

Arrived at USPS Regional Origin Facility

FORT MYERS FL DISTRIBUTION CENTER

May 8, 2025, 1:17 pm

In Transit to Next Facility

May 7, 2025

Moved, Left no Address

CHAGRIN FALLS, OH 44022

April 30, 2025, 10:17 am

Forward Expired

CHAGRIN FALLS, OH 44022

April 29, 2025, 11:36 am

Notice Left (No Authorized Recipient Available)

CHAGRIN FALLS, OH 44022

April 29, 2025, 11:33 am

No Access to Delivery Location

CHAGRIN FALLS, OH 44022

April 28, 2025, 12:16 pm

SENDER: COMPLETE THIS SECTION

- ☒ Complete items 1, 2, and 3.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tigua Cay Condo Assn
22 Green Valley Dr.
Chagrín Falls OH 44022



9590 9402 9273 4295 8941 96

2. Article Number (Transfer from service label)

7017 2680 0000 7924 3561

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

- 3. Service Type**
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☐ Certified Mail
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery
 - ☐ Mail Restricted Delivery
 - ☐ Priority Mail Express®
 - ☐ Registered Mail™
 - ☐ Registered Mail Restricted Delivery
 - ☐ Signature Confirmation™
 - ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

CERTIFIED MAIL

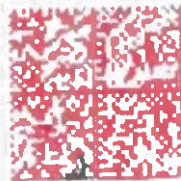
City of Sanibel
Building Department
2475 Library Way
Sanibel, FL 33957



FL 339
21 JULY 2025PM 4

7017 2680 0000 7924 3561

quadrant
FIRST CLASS MAIL
IMI
\$009.92⁰
05/20/2025 ZIP 33957
043M30259879



Tigua Cay Condo Assn
22 Green Valley Dr
Chagrín Falls

NIXIE 441 DE 1 0005/29/25
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 33957321575 *0975-03439-21-37

ANK
4444444444444444

Hello Glen,

Thanks for the e-mail and offer to assist us in navigating the hearing. In response to your questions-

The pool shell popped during Hurricane Helene and the entire shell is being removed and replaced by Summit Pools. Since the shell damage occurred in September of 2024, the board at Tigua Cay has interviewed more than 6 pool contractors to perform the necessary repairs and in my opinion has diligently advanced the process of selecting a contractor to perform this scope of work. The details on the scope of work to be performed on the pool shell is contained within the second permit in the attachment I forwarded.

As to the timeline for repairs, the contract we have with Summit Pools for the shell work and fence is bound by a 120 day start to finish timeline from commencement of permit issuance. As a result, the expectation is for the project to be completed by October 1st, 2025. In our understanding, the construction of the shell must precede the construction of the fence, so it is not likely that the fence permit can be closed out in the timeline you referenced. Given this, and that the board's desire is to remain in compliance with Sanibel code, how would you suggest we proceed? The board is willing to take whatever action necessary to avoid fines, including erecting a more suitable temporary fence. Thank you for your time.

I have copied Claudia with Summit Pools and Jennifer, the board president at Tigua Cay, on this e-mail for awareness.

Palmer Rosen

Partner, Rosen Vacations & Property Management

Palmview & Sandpiper Inns, The Dogwood

Office: 239.770.3116 | Direct: 239.410.7115

Address: 1205 Periwinkle Way, Sanibel, FL, 33957

Website: rosenvacations.com

NOTICE OF COMMENCEMENT



Permit No. _____ S.T.R.A.P.# 20-46-23-T3-03100.00CE

STATE OF FLORIDA
COUNTY OF LEE

GET RECORDED & UPLOAD TO THE PERMIT PORTAL

THE UNDERSIGNED hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Description of property: (legal description of property and street address if available)
A CONDO LOCATED IN SEC 20-46-23 AS DECD IN OR 1649 PG 2645 COMMON ELEMENTS, 483-489 EAST GULF DR, SANIBEL, FL 33957
2. General description of improvement:
REPLACE EXISTING POOL WITH NEW POOL CONSTRUCTION
3. Owner information or Lessee information if the Lessee contracted for the improvement:
 - a. Name and address: TIGUA CAY CONDO ASSN, 22 GREEN VALLEY DR, CHAGRIN FALLS, OH 44022
 - b. Interest in property: FEE SIMPLE
 - c. Name and address of fee simple titleholder (if different from owner listed above): _____
4. Contractor:
 - a. Name and address: SUMMIT POOLS, INC., 2240 TRADE CENTER WAY, NAPLES, FL 34109
 - b. Phone number: 239-228-6125
5. Surety (if applicable a copy of the payment bond is attached):
 - a. Name and address: _____
 - b. Phone number: _____
 - c. Amount of Bond \$ _____
6. Lender:
 - a. Name and address: _____
 - b. Phone number: _____
7. Persons within the State of Florida designated by Owner upon who notices or other documents may be served as provided by Section 713.13(1) (a) 7, Florida Statutes:
 - a. Name and address: _____
 - b. Phone numbers of designated persons: _____
8. In addition to himself, Owner designates the following person(s) to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes:
 - a. Name and address: _____
 - b. Phone number of person or entity designated by Owner: _____
9. Expiration date of notice of commencement (the expiration date will be 1 year from the date of recording unless a different date is specified): _____

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.



Signature of Owner or Owners Authorized Officer/Director/Partner/Manager

Palmer Rosen

Print Name

Tigua Cay CAM

Signatory's Title/Office

Verification pursuant to Section 92.525, Florida Statutes.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true to the best of my knowledge and belief.



Signature of Natural Person Signing Above

BUILDING PERMIT APPLICATION

FBC 8th EDITION | NFPA 70 / NEC 2017



*(If there's incomplete information, we will NOT process this application. Print Only)

☐ NEW CONSTRUCTION ☐ COMMERCIAL ☒ RESIDENTIAL
☐ ADDITION ☐ ALTERATION/REMODEL ☐ ACCESSORY

*TOTAL PROJECT COST \$ _____ *TOTAL SQ FT N/A *HAB _____ *N/H _____
*ELECTRICAL COST \$ N/A *AMPS N/A
*MECHANICAL COST \$ N/A *FIXTURES/HOSE BIBS N/A W/H _____
*PLUMBING COST \$ N/A
*ROOF COST \$ N/A

*OWNER'S NAME: TIGUA CAY CONDO ASSN *PHONE#: 239-410-7115
*OWNER'S ADDRESS: 22 GREEN VALLEY DR
*CITY: CHAGRIN FALLS *STATE: OH *ZIP: 44022 *E-MAIL: PALMER@ROSENCOMMUNITYMANAGEMENT.COM

*CONSTRUCTION COMPANY NAME BP SCREEN CONTRACTING INC
*PHONE#: 239-238-5963 *E-MAIL: OFFICE@BPSCREEN.COM
*CELL#: 239-238-5963
*ADDRESS: 1410 24TH AVE NE *CITY: NAPLES *STATE: FL *ZIP: 34120

*JOB NAME: TIGUA CAY *FLOOD ZONE: ☒ AE ☐ VE - EL: _____
*JOBSITE ADDRESS: 483-489 EAST GULF DR, SANIBEL, FL 33957
*LEGAL DESCRIPTION (S.T.R.A.P.#): 20-46-23-T3-03100.00CE, A CONDO LOCATED IN SEC 20-46-23 AS DECD IN OR 1649 PG 2645 COMMON ELEMENTS
*DESCRIPTION OF WORK: POOL FENCE

*CONSTRUCTION TYPE: ☐ IA ☐ IB ☐ IIA ☐ IIB ☐ IIA ☐ IIB ☐ IV ☐ VA ☐ VB (CH. 6 FBC 2020 7TH EDITION)
*IS STRUCTURE FIRE SPRINKLED: ☐ YES ☐ NO
*VEGETATION REMOVAL: ☐ YES ☐ NO (IF YES, VEGETATION PERMIT WILL BE REQUIRED. CONTACT THE PLANNING DEPARTMENT FOR APPLICATION REQUIREMENTS).
*REPAIRS FROM DISASTER EVENT: ☐ YES ☐ NO | NAME OF DISASTER EVENT: _____
*CHANGE OF OCCUPANCY: ☐ YES ☐ NO
ARCHITECT/ENGINEERS NAME _____
ARCHITECT/ENGINEERS ADDRESS _____

APPLICATION IS HEREBY MADE TO OBTAIN A PERMIT TO DO WORK AND INSTALLATIONS AS INDICATED. I CERTIFY THAT NO WORK OR INSTALLATION HAS COMMENCED PRIOR TO THE ISSUANCE OF A PERMIT AND THAT ALL WORK WILL BE PERFORMED TO MEET THE STANDARDS OF THE FLORIDA BUILDING CODES, AND ALL REGULATIONS IN THIS JURISDICTION. I UNDERSTAND THAT A SEPARATE PERMIT MUST BE SECURED FOR ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS AND AIR CONDITIONERS, ETC. OWNERS AFFIDAVIT: I CERTIFY THAT ALL THE FOREGOING INFORMATION IS ACCURATE AND THAT ALL WORK WILL BE DONE IN COMPLIANCE WITH ALL APPLICABLE LAWS REGULATING CONSTRUCTION AND ZONING.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

VISIT OUR WEBSITE AT WWW.MYSANIBEL.COM | EMAIL TO SANIBELBUILD@MYSANIBEL.COM
CITY OF SANIBEL BUILDING DIVISION | 800 DUNLOP RD, SANIBEL, FL 33957 | (239) 472-4555
VFR 1 & 2021.1

CITY OF SANIBEL BUILDING DIVISION
BUILDING PERMIT APPLICATION

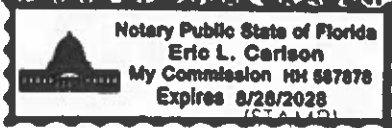
[Signature]
SIGNATURE OF OWNER OR AGENT OF OWNER

STATE OF FLORIDA, LEE COUNTY

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME BY THE MEANS OF
☒ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION ON THIS

19th DAY OF May
20 , BY

Palmer, Rosen, CAM
PRINT NAME OF OWNER OR AGENT OF OWNER



[Signature]
SIGNATURE OF NOTARY PUBLIC

PERSONALLY KNOWN ☒ OR PRODUCED IDENTIFICATION ☐

TYPE OF I.D. USED: _____

=====

CPC1459107
LICENSE NUMBER

SIGNATURE OF LICENSE HOLDER

STATE OF FLORIDA, LEE COUNTY

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME BY THE MEANS OF
☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION ON THIS _____ DAY OF _____
20_____, BY

HUGO AGUILAR
PRINT NAME OF LICENSE HOLDER

(STAMP)

SIGNATURE OF NOTARY PUBLIC

PERSONALLY KNOWN ☐ OR PRODUCED IDENTIFICATION ☐

TYPE OF I.D. USED: _____

APPLICATION REVIEWED BY: _____ (PERMIT TECHNICIAN)

BUILDING PERMIT APPLICATION

FBC 8th EDITION | NFPA 70 / NEC 2017

*(If there's incomplete information, we will NOT process this application. Print Only)



☒ NEW CONSTRUCTION ☐ COMMERCIAL ☒ RESIDENTIAL ☐ ADDITION ☐ ALTERATION/REMODEL ☐ ACCESSORY

*TOTAL PROJECT COST \$ 253,450.00 *TOTAL SQ FT N/A *HAB N/A *N/H N/A
*ELECTRICAL COST \$ N/A *AMPS N/A
*MECHANICAL COST \$ N/A *FIXTURES/HOSE BIBS N/A W/H N/A
*PLUMBING COST \$ N/A
*ROOF COST \$ N/A

*OWNER'S NAME: TIGUA CAY CONDO ASSN *PHONE#: 239-410-7115

*OWNER'S ADDRESS: 22 GREEN VALLEY DR

*CITY: CHAGRIN FALLS *STATE: OH *ZIP: 44022 *E-MAIL: PALMER@ROSENCOMMUNITYMANAGEMENT.COM

*CONSTRUCTION COMPANY NAME SUMMIT POOLS, INC.

*PHONE#: 239-228-6125 *E-MAIL: INFO@SUMMITPOOLSNAPILES.COM

*CELL#: 239-307-8444

*ADDRESS: 2240 TRADE CENTER WAY *CITY: NAPLES *STATE: FL *ZIP: 34109

*JOB NAME: TIGUA CAY *FLOOD ZONE: ☒ AE ☐ VE - EL: N/A

*JOBSITE ADDRESS: 483-489 EAST GULF DR, SANIBEL, FL 33957

*LEGAL DESCRIPTION (S.T.R.A.P.#): 20-48-23-T3-03100.00CE, A CONDO LOCATED IN SEC 20-48-23 AS DECD IN OR 1848 PG 2645 COMMON ELEMENTS

*DESCRIPTION OF WORK: REPLACE EXISTING POOL & SAND-SET PAVER DECK WITH: NEW POOL, NICHLESS LED LIGHTS, PENTAIR CIRCULATION PUMP, GULFSTREAM HEAT PUMP, AND SAND-SET PAVER DECK NO FOOTER.

*CONSTRUCTION TYPE: ☐ IA ☐ IB ☐ IIA ☐ IIB ☐ IIA ☐ IIB ☐ IV ☐ VA ☐ VB (CH. 6 FBC 2020 7th EDITION)

*IS STRUCTURE FIRE SPRINKLED: ☐ YES ☒ NO

*VEGETATION REMOVAL: ☐ YES ☒ NO (IF YES, VEGETATION PERMIT WILL BE REQUIRED. CONTACT THE PLANNING DEPARTMENT FOR APPLICATION REQUIREMENTS).

*REPAIRS FROM DISASTER EVENT: ☐ YES ☒ NO | NAME OF DISASTER EVENT: N/A

*CHANGE OF OCCUPANCY: ☐ YES ☒ NO

ARCHITECT/ENGINEERS NAME AQUA-TERRA ENGINEERING, INC.

ARCHITECT/ENGINEERS ADDRESS 4875 ELEVATION WAY, FORT MYERS, FLORIDA 33805-4943

APPLICATION IS HEREBY MADE TO OBTAIN A PERMIT TO DO WORK AND INSTALLATIONS AS INDICATED. I CERTIFY THAT NO WORK OR INSTALLATION HAS COMMENCED PRIOR TO THE ISSUANCE OF A PERMIT AND THAT ALL WORK WILL BE PERFORMED TO MEET THE STANDARDS OF THE FLORIDA BUILDING CODES, AND ALL REGULATIONS IN THIS JURISDICTION. I UNDERSTAND THAT A SEPARATE PERMIT MUST BE SECURED FOR ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS AND AIR CONDITIONERS, ETC. OWNERS AFFIDAVIT: I CERTIFY THAT ALL THE FOREGOING INFORMATION IS ACCURATE AND THAT ALL WORK WILL BE DONE IN COMPLIANCE WITH ALL APPLICABLE LAWS REGULATING CONSTRUCTION AND ZONING.

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VFR 1.6.2021.1

CITY OF SANIBEL BUILDING DIVISION
BUILDING PERMIT APPLICATION

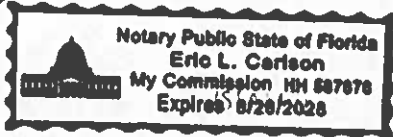
[Signature]
SIGNATURE OF OWNER OR AGENT OF OWNER

STATE OF FLORIDA, LEE COUNTY

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME BY THE MEANS OF
☒ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION ON THIS

15th DAY OF May
20_____, BY

Palmer Rosen, CA
PRINT NAME OF OWNER OR AGENT OF OWNER



[Signature]
SIGNATURE OF NOTARY PUBLIC

PERSONALLY KNOWN ☒ OR PRODUCED IDENTIFICATION ☐

TYPE OF I.D. USED: _____

SCC131153137

LICENSE NUMBER

SIGNATURE OF LICENSE HOLDER

STATE OF FLORIDA, LEE COUNTY

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME BY THE MEANS OF
☐ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION ON THIS _____ DAY OF _____
20_____, BY

NICK BALLIVIAN

PRINT NAME OF LICENSE HOLDER

(STAMP)

SIGNATURE OF NOTARY PUBLIC

PERSONALLY KNOWN ☐ OR PRODUCED IDENTIFICATION ☐

TYPE OF I.D. USED: _____

APPLICATION REVIEWED BY: _____ (PERMIT TECHNICIAN)

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VPR 1 & 2021 1

Standard Administrative Costs
for Hearing Case Through First Hearing
Case #2025-001541

<u>CHARGE</u>	<u>PER HOUR</u>	<u>NO. HOURS or INSPECTIONS</u>	<u>TOTAL</u>
Inspections	\$50.00 each	3	\$150.00
Certified Mailings	\$10.00/\$35/Intl. each		\$ 20.00
City Attorney/case prep	\$280.00		\$
Staff Case review-at various stages during process with the Planning Director and/or City Manager.	\$75.00 per case		\$75
City staff required at hearing.	\$75.00 per hearing		\$75
Code Enforcement Mgr.	\$59.73	1	\$ 59.73
			\$
Deputy Planning Director	\$84.03		\$
Albert Sanchez	\$45.45		\$
Senior Planner	\$84.03		\$
Police Officer	\$52.85		\$
Sabine Schroeder	\$34.54		\$
City Manager	\$165.54		\$
Scotty Lynn Kelly	\$86.11	.5	\$43.05
Natural Resources Director	\$110.65		\$
Building Official	\$115.49		\$
Dana Dettmar	\$56.86		\$
Joel Caouette	\$62.13		
Deputy Building Official	\$77.30		
Hearing Examiner Tony Gargano, Esq			\$
		TOTAL COSTS TO DATE	\$ 422.78

The City of Sanibel requests that the Hearing Examiner find a violation in case # 2025-01541. We further request that the respondent be given not more than 10 days to abate the violation and that prosecution costs of \$ 422.78 be assessed to the respondent.

Glenn Nixon

Glenn Nixon Code Enforcement Manager
City of Sanibel, Florida