



City of Sanibel

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

NOTICE OF VIOLATION **CASE 2025-001623**

To: CLOUD R WALKER LLC
2409 BERRY RD
KNOXVILLE TN 37902
Certified Mail # 9859 0710 5270 0785 2250 60
SUBJECT PROPERTY: 450 Birdsong Pl., Sanibel FL 33957
(STRAP: 25-46-22-T3-01102.0100)

Dear CLOUD R WALKER LLC:

This Notice is to inform you that violation(s) of the City of Sanibel's Land Development Code (the "LDC"), Subpart B, Chapter 78, has been found to exist at the above-referenced subject property. **The City has declared the above subject property is in violation, pursuant to LDC Section 78-13, performing any other act specifically prohibited by this Land Development Code 78-13(1-11).** The City of Sanibel's Code Enforcement Officer observed the following conditions that must be abated within 10-days of receipt of this Notice of Violation mailing:

- Adding fill (stone or shell) to the yard without obtaining a permit. Undertaking any development, use, or change of use on any land within the city without obtaining any permit or approval required therefore by this Land Development Code Sec. 78-13 (3)

The City Code section(s) cited as a result of the violation(s) are indicated in the notice, and this notice serves as a written order to achieve compliance (abate) within 10-days of receipt of this Notice of Violation mailing.

Please contact Glenn.Nixon@mysanibel.com should you wish to discuss this violation but be advised that all work to abate all violations listed above, to the above-referenced subject property, must be completed within 10-days of receipt of this mailing.

Failure to comply with the requirements of this Notice of Violation will result in Any violation of this Land Development Code shall be a violation of a municipal ordinance, punishable as provided in section 1-15. Each day upon which a violation continues shall be deemed to be a separate offense. Enforcement action may include scheduling a hearing before Sanibel's Code Enforcement Hearing Officer.

ISSUED BY: Glenn Nixon

DATE: 6/30/2025

Glenn Nixon City of Sanibel Code Enforcement Manager



City of Sanibel

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

- **Sec. 78-13. - Violations designated.**

The following acts and omissions shall be deemed to be violations of this Land Development Code, with each day such violation continues constituting a separate offense:

- (1) The undertaking of any development on any land within the city, which development is not in compliance with a requirement therefor, or a limitation thereon, specified in this Land Development Code;
 - (2) The use of any land or structure within the city, which use is not in compliance with any requirement therefor, or limitation thereon, specified in this Land Development Code;
 - (3) Undertaking any development, use, or change of use on any land within the city without obtaining any permit or approval required therefor by this Land Development Code;
 - (4) Dividing or subdividing any land, or structure thereon, without first obtaining any approval required therefor by this Land Development Code;
 - (5) Conducting any development or use of any land within the city in noncompliance with the requirements and limitations of any development permit, temporary use permit, vegetation permit, conditional use approval, variance approval, street graphic permit, special event permit, or any other permit or approval issued therefor pursuant to this Land Development Code;
 - (6) Commencement of any use of any land or structure within the city pursuant to an approved development permit without first obtaining a completion certificate as required by this Land Development Code;
 - (7) Conducting any development or use of any land or structure within the city, for which a required permit or approval was issued pursuant to this Land Development Code after such permit or approval has expired or has been revoked;
 - (8) Acting as the agent or contractor for any other person in conducting any development or use of any land or structure within the city, which use or development is not in compliance with the requirements and limitations of this Land Development Code;
 - (9) Continuing any development or use of any land or structure within the city after a stop work order has been posted thereon by the city manager pursuant to the terms of this Land Development Code;
 - (10) Performing any other act specifically prohibited by this Land Development Code; and
 - (11) Intentionally undervaluing or misrepresenting the cost of the project.
- (Ord. No. 85-26, § 1(III.L.1), 11-27-1985; Ord. No. 92-11, § 3, 6-16-1992)



City of Sanibel

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- **Sec. 78-14. - Effect of violation.**

Any violation of this Land Development Code shall be a violation of a municipal ordinance, punishable as provided in section 1-15. Each day upon which a violation continues shall be deemed to be a separate offense.

(Ord. No. 85-26, § 1(III.L.2), 11-27-1985)





450 Birdsong 6/30/25 LC



450 Birdsong 6/30/25 LC



450 Birdsong 6/30/25 LC

STRAP: 25-46-22-T3-01102.0100 Follo ID: 10021867

[Hurricanes Helene/Milton Tax Roll Value Letter](#) [Hurricane Ian Tax Roll Value Letter](#)

[\(Tax Map Viewer \)](#) [\(View Comparables \)](#)

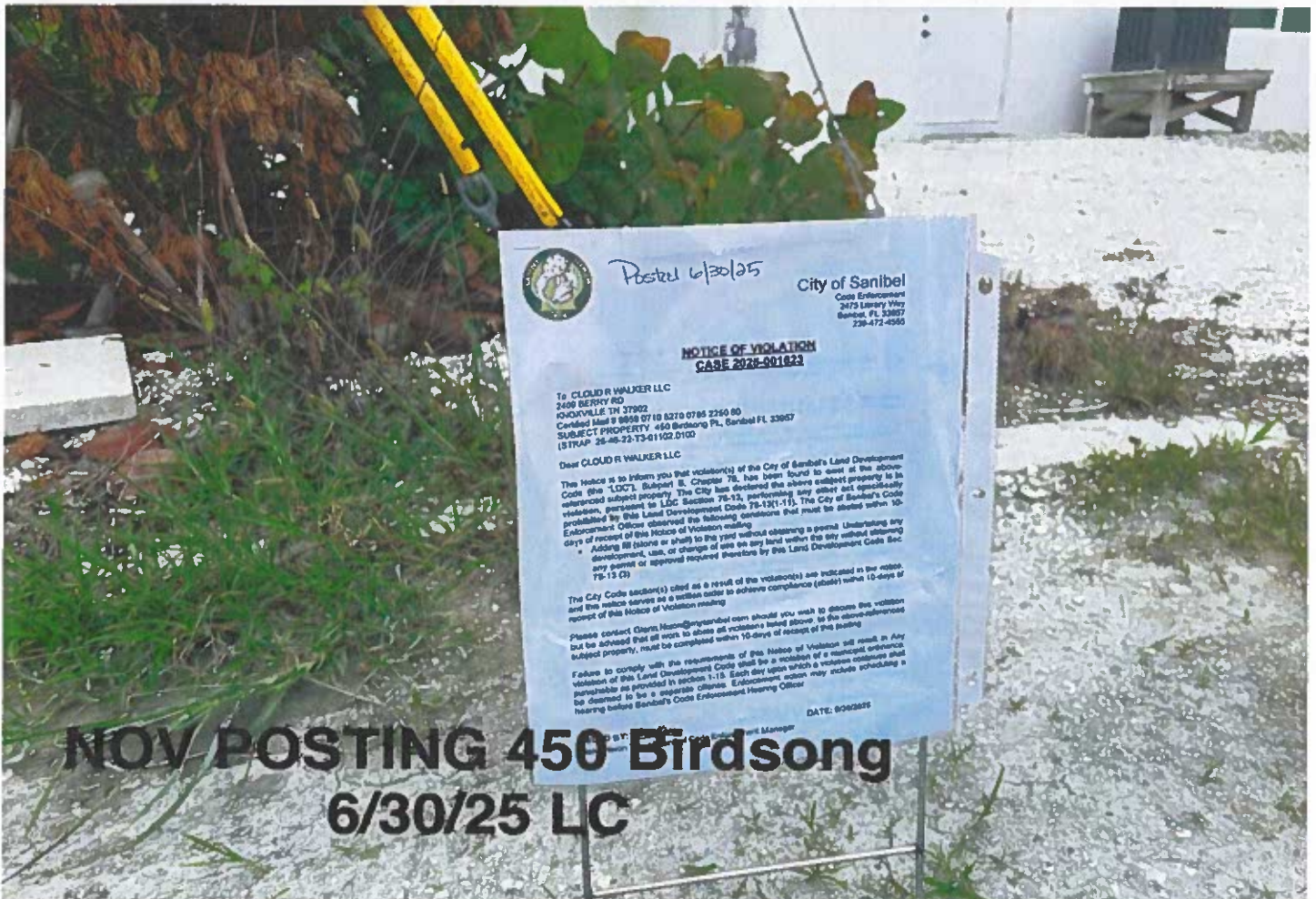
Side Address maintained by E911 Program Addressing

[Pictometry Aerial Viewer]

Do not use for legal documents!

Image of Structure

Total Bedrooms / Bathrooms	2 / 2.0
Gross Living Area	1,193
1st Year Building on Tax Roll	1969
Historic Designation	No



Code Officer Affidavit

As it pertains to Code Case 2025-001623

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

On June 30, 2025, I posted the Notice of Violation on the property location at 450 Birdsong Pl., 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

6/30/2025

Date

DIRECTION
119 deg(T)

26.43225°N
082.06025°W

ACCURACY 19 m
DATUM WGS84



Albert Sanchez Code
Enforcement Officer

2025-10-06
11:12:51-04:00

DIRECTION
105 deg(T)

26.43220°N
082.06022°W

ACCURACY 6 m
DATUM WGS84



Albert Sanchez Code
Enforcement Officer

2025-07-31
11:10:48-04:00

DIRECTION
89 deg(T)

26.43230°N
082.06025°W

ACCURACY 14 m
DATUM WGS84



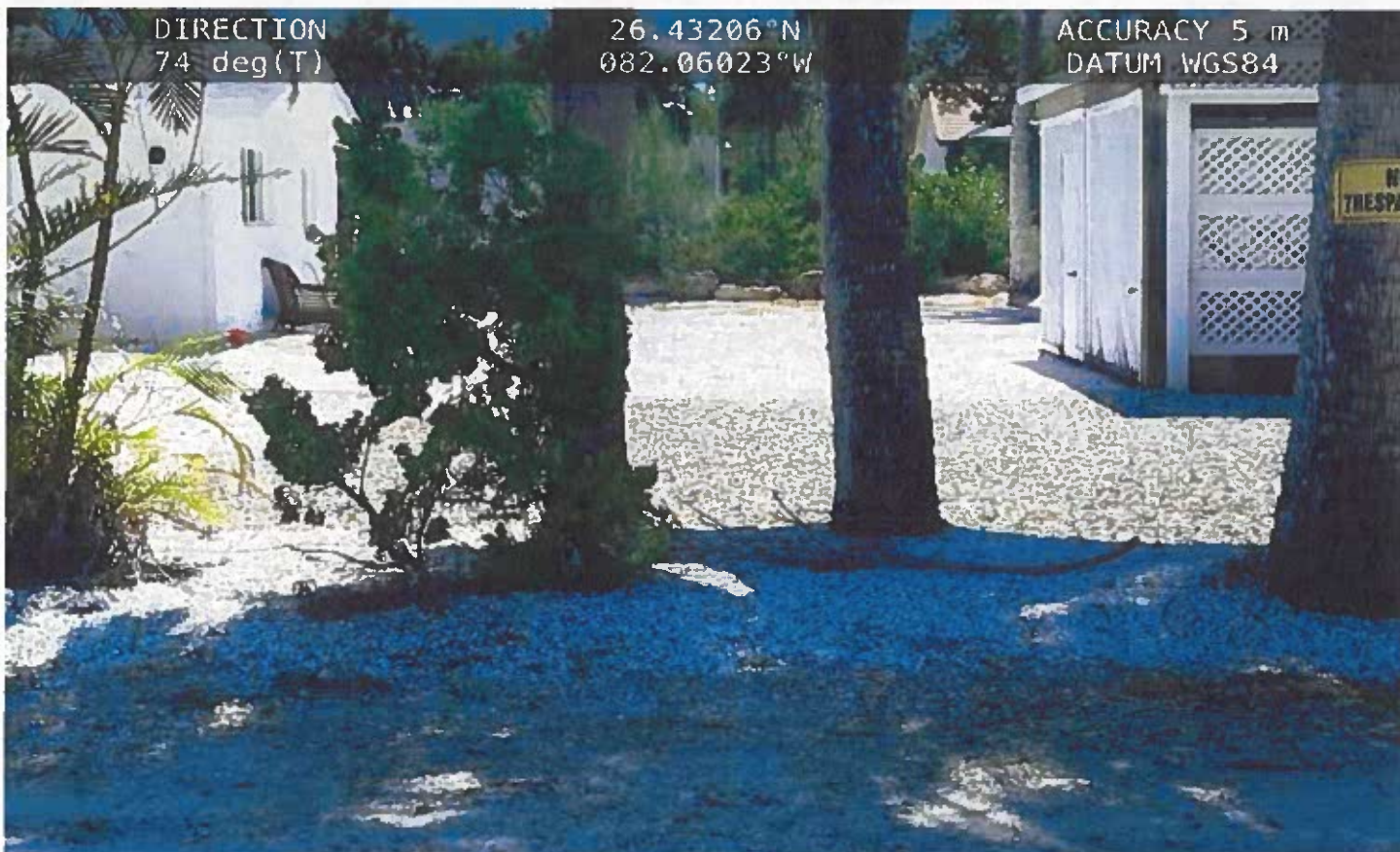
Albert Sanchez Code
Enforcement Officer

2025-07-31
11:10:38-04:00

DIRECTION
74 deg(T)

26.43206°N
082.06023°W

ACCURACY 5 m
DATUM WGS84



Albert Sanchez Code
Enforcement Officer

2025-07-31
11:10:59-04:00

DIRECTION
35 deg(T)

26.43209°N
082.06025°W

ACCURACY 3 m
DATUM WGS84



Albert Sanchez Code
Enforcement Officer

2025-07-31
11:11:19-04:00

DIRECTION
95 deg(T)

26.43208°N
082.06024°W

ACCURACY 5 m
DATUM WGS84



Albert Sanchez Code
Enforcement Officer

2025-07-31
11:11:04-04:00

GIS 1-5-23



GIS 2-3-24







RECEIVED CITY OF SANIBEL
OCT 17 2025 AM 9:55

City of Sanibel

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

NOTICE OF HEARING **CASE NO. 2024-001623**

CITY OF SANIBEL vs : CLOUD R WALKER LLC
2409 BERRY RD
KNOXVILLE TN 37902
SUBJECT PROPERTY: 450 Birdsong Pl., Sanibel FL 33957
STRAP: 25-46-22-T3-01102.0100

YOU ARE HEREBY NOTIFIED THAT ON: November 10, 2025 @ 1 p.m.

A Hearing will be held on **November 10, 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 6/30/2025 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.

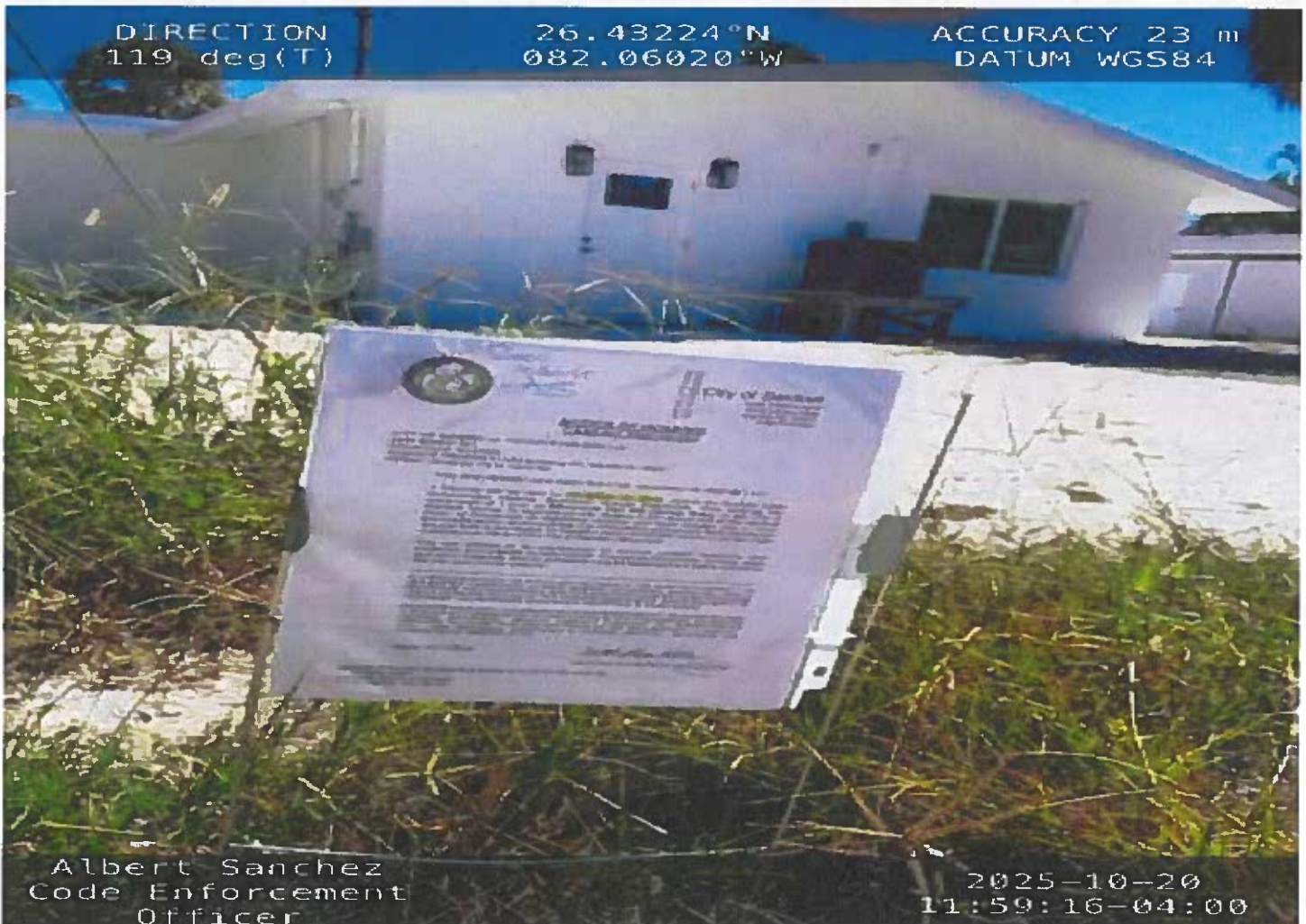
IF A PERSON DECIDES TO APPEAL ANY DECISION OF THE BODY WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, SHE/HE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE 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: 10/17/2025


HEARING EXAMINER/ CITY CLERK

Method of Service: Certified Mail #9589 0710 5270 0785 2279 65
Posted notice
Included: Notice of Violation
C: City Attorney, John Agnew



Code Officer Affidavit

As it pertains to Code Case-CODE-001623-2024

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

- ☐ **On October 20th, 2025, I posted the Notice of Hearing on the property location at 450 Birdsong Pl., 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.**



10/20/2025

Signature of Code Officer



DIRECTION
112 deg(T)

26.43214°N
082.06024°W

ACCURACY 5 m
DATUM WGS84



Albert Sanchez Code
Enforcement Officer

2025-10-31
10:44:54-04:00

450 Birdsong Pl: Abatement Plan

To determine what needs to be done to ensure coverage compliance or code compliance.

1. A **Survey with Coverage Calculations** or a **Coverage Table** needs to be submitted. Attached below is the property's dominant Eco-Zone Mid-Island Ridge, its section of code and a coverage table example for the Surveyor's reference.

Sec. 126-414. (g)(h). (F) Mid-Island Ridge

Impermeable Surface Coverage: Cannot Exceed 30% of The Lot Area,

Total Developed Area: Cannot Exceed 35% of The Lot Area.

Coverage Table Example:

The Parcel is in the Ecological Zone "F" (Mid-Island Ridge) which allows for an Impervious coverage area of 30% and a Developed coverage area of 35% of the Parcel

Total Square footage of the Parcel	=	27228.00 Sq. Ft.
	=	0.63 Acres
Total Impervious Allowed	=	8168.4 Sq. Ft.
Total Impervious Used	=	3525.0 Sq. Ft.
Impervious Area Remainder	=	4643.4 Sq. Ft.
Total Developed Allowed	=	9529.8 Sq. Ft.
Total Developed Used	=	5891.0 Sq. Ft.
Developed Area Remainder	=	3638.8 Sq. Ft.
Calculations of Improvements		
Impervious Area		
House	=	2473.0 Sq. Ft.
Pool Deck	=	948.0 Sq. Ft.
Stairs	=	72.0 Sq. Ft.
A/C Deck	=	16.0 Sq. Ft.
Pool Heater Pad	=	16.0 Sq. Ft.
Total Impervious	=	3525.0 Sq. Ft.
Developed Area		
Impervious Area	=	3525.0 Sq. Ft.
Shell Driveway and Walk Path	=	2366.0 Sq. Ft.
Total Developed	=	5891.0 Sq. Ft.

Once coverages and setbacks are determined.

2. A **Landscape Plan** to transition Developed Area into Un-Developed Area (Vegetation) needs to be submitted.
3. All Sq Ft removed needs to be displayed to verify coverage compliance.



LOCATION SKETCH
SCALE 1"=200'

- NOTES:**
1. APPROVAL FOR 13'x20' CARPORT ONLY.
 2. COMPLY WITH D.P. 86-3644 & APPROVED SITE PLAN
 3. CALL FOR INSPECTION WHEN COMPLETED

DESIGN CERTIFY that the under proposed work meets the minimum technical requirements of the State of Florida. SEE Florida Statutes Chapter 217.04 & 217.05.

Sanibel
REGISTERED LAND SURVEYOR
STATE OF FLORIDA

CITY OF SANIBEL APPROVAL OF THE DRAWINGS FOR THIS PROJECT DOES NOT RELIEVE THE PERMIT HOLDER FROM RESPONSIBILITY FOR COMPLIANCE WITH ALL PERTINENT CODES, LAWS, OR ORDINANCES.

DATE: _____

CONTRACTOR: _____

CITY OF SANIBEL

BUILDING DEPARTMENT

REVIEWED AS INDICATED BELOW

APPROVED FOR CONSTRUCTION

DATE: _____

APPROVED AS NOTED FOR CONSTRUCTION

DATE: _____

APPROVED FOR CONSTRUCTION

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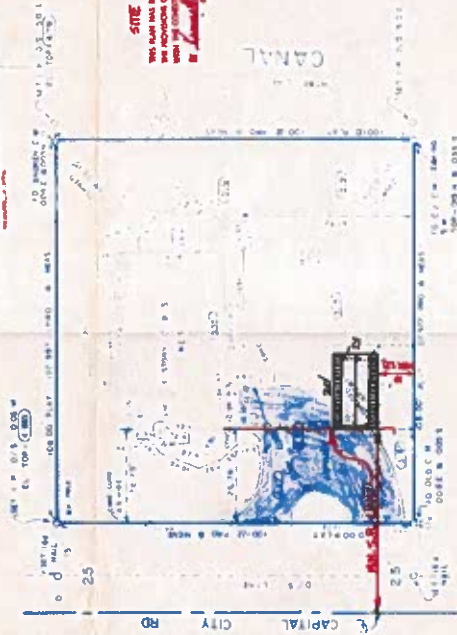
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SITE PLAN APPROVAL (1/4"=100' Carport)
THIS PLAN HAS BEEN SUBMITTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF SANIBEL, FLORIDA, AND THE STATE OF FLORIDA. SEE Florida Statutes Chapter 217.04 & 217.05.

CITY COPY

ASBUILT SURVEY

Starnes and Assoc., Inc.

According to the Plat thereon as recorded in Plat Book 7 at Page 74.

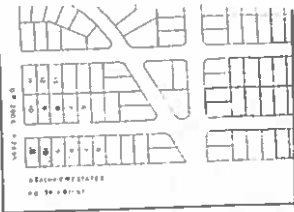
Public Records of LEE County, Florida

FOR RICK KENNEDY

DATE 2-17-86

Field Book 20 A Page 63-65 W 0 2210

Sheet of

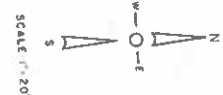
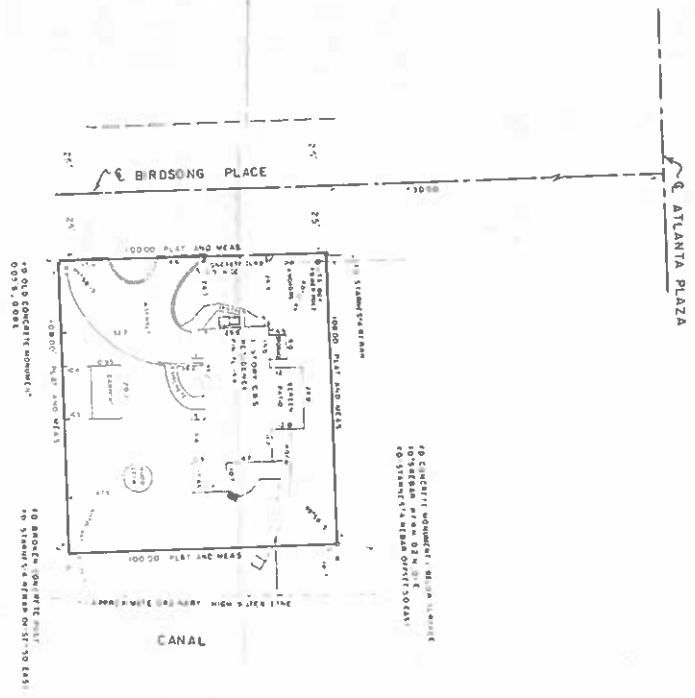


AREA CALCULATIONS
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PREPARED BY: STARNES SURVEYING, INC.
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Starnes Surveying, Inc.		BOUNDARY SURVEY	
1851 SURFACCE ROAD • FORT MYERS, FLORIDA • 33901-5235	Field Book 20 = 20.6	Page 52-53	W 0.2210

NOV USPS tracking

USPS.COM

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ALERT: SEVERE WEATHER AND FLOODING ACROSS THE NORTH CENTRAL U.S. MAY DELAY FINAL DELIVERY OF YOUR MAIL AND PACKAGES. READ MORE

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FAQs

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9859071052700785225060

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The tracking number may be incorrect or the status update is not yet available. Please verify your tracking number and try again later.

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Enter tracking or barcode numbers

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Need More Help?

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1 of 1

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Tracking

FAQs

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Anytime, Anywhere

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Tracking Number:

9859071052700785225060

Remove X

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Add to Informed Delivery

Status Not Available

The tracking number may be incorrect or the status update is not yet available. Please verify your tracking number and try again later.

Track Another Package

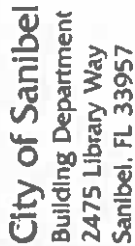
Enter tracking or barcode numbers

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Need More Help?

Contact USPS Tracking support for further assistance.

1 of 1



Technical Writing



9589 0710 5270 0785 2279 65

quadrant
FIRST-CL/IM
\$010.
10/20/2025
043M3025

Clodd R. Walker LLC
2409 Berry Rd
Knowlton, NJ 07041
NIXIE 372

NIXIE 372 DC-1 0010/28/25

RETURN TO SENDER
UNABLE TO FORWARD

BC: 33957321575 *3059-06219-28-24

339524215

PLACING EACH TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS AND TOP OF MAILING LABEL.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ 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: Cloud R. Walker LLC 2409 Berry Rd Knoxville, TN 37902		A. Signature X B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:	
2. Article Number (Transfer from service label) 9589 0710 5270 0765 2279 65		3. Service Type ☐ Priority Mail Express® ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Registered Mail ☐ Registered Mail Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery ☐ Mail Restricted Delivery	

Standard Administrative Costs
for Hearing Case Through First Hearing
Case #2025-1623

<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	\$11/\$35/Intl. each		\$ 22.00
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	\$ 424.78

The City of Sanibel requests that the Hearing Examiner find a violation in case CODE 2025-001623. We further request that the respondent be given not more than 30 days to abate the violation and that prosecution costs of \$ 424.78 be assessed to the respondent.

Glenn Nixon

Glenn Nixon Code Enforcement Manager
City of Sanibel, Florida