



Fort Myers Beach Special Magistrate Hearing

Town Hall Council Chambers
2731 Oak Street
Fort Myers Beach, FL 33931

Minutes

Tuesday, March 4, 2025

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

DOAH Judge John Van Laningham, Town Clerk Amy Baker, Town Clerk Administrative Coordinator Lizzette Roman, Town Attorney Nancy Stuparich, Floodplain Manager Carl Thomas, and Operations & Compliance Manager Thomas Yozzo.

II. APPROVAL OF MINUTES

- A. DOAH Special Magistrate Hearings - January 7, 2025
Judge Van Laningham approved the minutes.

III. CODE VIOLATION CASES

- A. 8285 Estero Blvd., Kledzik Cary & Laura
DOAH Case #: 25-000385
FMB Case #: 20241106
Property Owner: Cary and Laura Kledzik
Property Address: 8285 Estero Blvd
Violation: Non-Compliant Structure (Storage Container)
A copy of the affidavit of compliance and a motion to dismiss was in the packet. Judge Van Laningham granted the motion to dismiss.

IV. NON-COMPLIANT CASES

CERTIFICATION OF LIEN(S) (NON-COMPLIANCE)

- A. 1821 Estero Blvd., 1821 Estero Blvd Corp / Steve Larson dba Sun and Fun Rentals
DOAH Case #: 24-004834
FMB Case #: 20240914
Property Owner: 1821 Estero Blvd Corp / Steve Larson dba Sun and Fun

Rentals**Property Address: 1821 Estero Blvd****Status: Non-compliant (as of date of agenda distribution)**

A copy of the affidavit of compliance and a motion to dismiss was in the packet. Judge Van Laningham granted the motion to dismiss.

OTHER

- B. 2815 Estero Blvd., Himmelstein Associates LLC

DOAH Case #: [24-004838](#)**FMB Case #:** 20240994**Property Owner: Himmelstein Associates LLC****Property Address: 2815 Estero Blvd****Violation: Non-compliant (as of the date of agenda distribution)**

Jeff Walker stated his permit was being reviewed and he was working closely with the town to get everything approved as soon as possible. Manager Yozzo requested that the case be continued to April 1, 2025. Judge Van Laningham continued the case.

- C. 1035 Estero Boulevard, KLC Surf LLC / La Ola

DOAH Case #: 24-004407**FMB Case #:** 20240915**Property Owner: KLC Surf LLC / La Ola****Property Address: 1035 Estero Blvd****Status Update: Non-compliant (Appeal filed in Circuit Court)**

Manager Yozzo requested that the case be continued to April 1, 2025, due to the respondent's appeal.

Attorney Amy Thibaut noted that the respondent had taken steps to obtain building plans and was working with the tenant on a long-term solution. She offered to present renderings for the record. Judge Van Laningham continued the case to April 1, 2025.

V. COMPLIANCE CASES (STATUS UPDATE)

- A. 4900 Estero Blvd., Island Towers Condo Association

A copy of the affidavit of compliance and a motion to dismiss was in the packet. Judge Van Laningham granted the motion to dismiss.

- B. 2450 Estero Blvd., 2450 Estero Blvd LLC

A copy of the affidavit of compliance and a motion to dismiss was in the packet. Judge Van Laningham granted the motion to dismiss.

- C. 406 Estero Blvd., Windward Passage Resort Condo

A copy of the affidavit of compliance and a motion to dismiss was in the packet. Judge Van Laningham granted the motion to dismiss.

D. 81 Miramar St., Smith Patricia O Tr for Patricia O Smith

A copy of the affidavit of compliance and a motion to dismiss was in the packet. Judge Van Laningham granted the motion to dismiss.

VI. LIEN FORECLOSURE CASES

No cases.

VII. APPEALS

No appeals.

VIII. ADJOURNMENT

Judge Van Laningham adjourned the hearing.

Meeting adjourned at 9:20 AM

Minutes approved as presented on April 1, 2025, by Special Magistrate Van Laningham.

Signature: _____