



Fort Myers Beach Special Magistrate Hearing

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

Minutes

Friday, May 16, 2025

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

Town Clerk Amy Baker, Town Clerk Administrative Coordinator Lizzette Roman, and Town Attorney Nancy Stuparich were present.

II. APPROVAL OF MINUTES

- A. Special Magistrate Hearings - April 1, 2025
Special Magistrate Van Laningham approved the minutes.

III. COMPLIANCE CASES (STATUS UPDATE)

Duplicate category.

IV. VIOLATION CASES

- A. 1698 Estero Boulevard (The Goodz)

FMB Case No. 20240927

Property Owner: Nautical Marketing LLC,

Property Address: 1698 Estero Blvd.

Status: Compliant

Town Attorney Stuparich reviewed the case and asked that the documents provided be entered into the record. She stated that the property was in compliance. Jackie Liszak appeared as the property owner. The town requested a \$250.00 administrative fee. Ms. Liszak asked for relief from the fee. Town Attorney Stuparich responded that they requested \$250.00 in all cases and would not waive the fee. Special Magistrate Van Laningham ordered the respondent to pay the fee and approved the stipulation agreement. He added that he would not address a repeat issue in the final order because there may not be any other events.

V. CERTIFICATION OF LIEN(S) / NON-COMPLIANCE**A. 1035 Estero Boulevard / KLC Surf LLC (La Ola)****FMB Case No. 20240915****Property Owner: KLC Surf LLC / La Ola Property****Address: 1035 Estero Blvd****Status Update: Non-compliant (Appeal pending in Circuit Court)**

Town Attorney Stuparich reviewed the case and noted the town was not requesting any action. Amy Thibaut, attorney, provided an update on the appeal. She explained that they were working on permits to rebuild and submitted renderings. Town Attorney Stuparich explained that the violation was there because La Ola was operating in a non-compliant structure in violation of the town's flood regulations. She was concerned about La Ola's location at the base of the bridge with hurricane season coming up. She described FEMA's letter stating that the town was taken off probation with certain conditions. La Ola was putting the town at risk because of their continued noncompliance. She noted that La Ola could move their trailer off the beach while working on rebuilding. Special Magistrate Van Laningham pointed out that the underlying violation was under review and did not want to get too far ahead of where they were.

VI. COMPLIANCE CASES (STATUS UPDATE)**A. 131/133 Estero Boulevard (Island Shores Club)****FMB Case Number: 20250056****Property Owner: Kaminskiy at 131 Estero LLC (Island Shores Club)****Property Address: 131/133 Estero Blvd****Violation: Property Maintenance**

Town Attorney Stuparich reviewed the case and noted that the demolition had occurred and the property was in compliance. The respondent paid the \$250.00 administrative fee.

Samantha Encalada represented the respondent and stated that they met the compliance date and asked that they receive an order of compliance to close out the cases. Town Attorney Stuparich will submit a proposed order.

VII. LIEN FORECLOSURE CASES**VIII. BUILDING OFFICIAL APPEALS****A. 131/133 Estero Boulevard. (Island Shores Club)****FMB Building Official Appeal Case No. 2025-01 (Unsafe Building)****Appellant/Property Owner: Kaminsky at 131 Estero LLC (Island Shores Club)****Property Address: 131/133 Estero Blvd.**

Town Attorney Stuparich requested an Order of Dismissal since the building was demolished. Special Magistrate Van Laningham will sign the order.

IX. ADJOURNMENT

Special Magistrate Van Laningham adjourned the hearing at 9:51 AM.

Minutes adopted as presented on June 3, 2025, by Special Magistrate Van Laningham.



Amy Baker, Town Clerk