



Fort Myers Beach Code Compliance Special Magistrate Hearing

Town Hall Council Chambers
6231 Estero Boulevard
Fort Myers Beach, FL 33931
Tuesday, January 6, 2026

Agenda

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

II. APPROVAL OF MINUTES

A. December 4, 2025

III. VIOLATION CASES

A. FMB Case # 20251060

Property Owner: Danny Lewis & Carol Jean Thomas

Property Address: 151 Miramar St

Violation: Work without permits. Plumbing not in compliance with the code.

Officer: M. Hauserman

B. FMB Case # 20240733

Rescheduled to March 2026

Property Owner: Midwest Decoration Co

Property Address: 146 Hercules Dr

Violation: Interior and exterior remodel exceeding the scope of the permit and expired permit #234613.

Officer: M. Hauserman

C. FMB Case # 20250800

Rescheduled to March 2026

Property Owner: B + B Properties of Fort Myers, LLC (The Beach Bar)

Property Address: 1668 I Street

Violation: Lack of current valid building permit and building code deficiencies.

Officer: M. Hauserman

D. FMB Case # 20250802

Rescheduled to March 2026

FMB Case # 20250802

Property Owner: Bryan G & Christine Dawn Thomas

Property Address: 263 Palermo Circle

Violation: Lack of current valid building permit and building code deficiencies.

Officer: M. Hauserman

IV. STATUS UPDATE (FINES ASSESMENTS)

A. FMB Case# 20250819

Property Owner: John Daniels

Property Address: 250/252 Bahia Via

Violation: Work without permits.

Officer: M. Hauserman

B. FMB Case # 20250853

Property Owner: Adrienne Turner

Property Address: 12 Fairview Blvd

Violation: Work without permit

Officer: M. Hauserman

C. FMB Case # 20250988

Property Owner: Tiva Invest Real LLC

Property Address: 8010 Estero Blvd

Violation: Work without permit

Officer: M. Hauserman

D. FMB Case # 20250811

Property Owner: Mark & Sheri Brooks

Property Address: 7846 Buccaneer Dr.

Violation: Work without permit

Officer: M. Hauserman

V. CERTIFICATION OF LIEN(S) (NON-COMPLIANCE)

VI. LIEN FORECLOSURE CASES

VII. BUILDING OFFICIAL APPEALS

VIII. ADJOURNMENT

NOTE: THIS MEETING IS STREAMED LIVE ON YOUTUBE.

IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE SPECIAL MAGISTRATE IN ANY MATTER CONSIDERED AT THIS HEARING, SUCH PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.



For special accommodation, please notify the Town Clerk's Office at least 72 hours in advance. (239) 765-0202 In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Board's proceedings should contact the Town Clerk's Office not later than three days prior to the proceedings.



Fort Myers Beach Special Magistrate Hearing

Town Hall Council Chambers
6231 Estero Boulevard
Fort Myers Beach, FL 33931

Minutes

Thursday, December 4,
2025

9:00 AM

ORDER OF BUSINESS

I. CALL TO ORDER

Present: Code Enforcement Manager Michael Hauserman, Town Clerk Administrative Coordinator Lizzette Roman and Special Magistrate John Van Laningham.

II. APPROVAL OF MINUTES

- A. October 29, 2025
Special Magistrate Van Laningham approved the minutes.

III. STATUS UPDATE (FINE ASSESMENTS)

- A. FMB Case # 20250809
CASE CONTINUED ON 10/29
Property Owner: MDR Beach Properties LLC
Property Address: 5570 Palmetto St
Violation: Work without permit
Officer: M Hauserman
COMPLIANT

The property was verified to be in full compliance prior to the hearing; therefore, no further action was taken.

IV. VIOLATION CASES

- A. FMB Case # 20251060
FMB Case # 20251060
Property Owner: Danny Lewis & Carol Jean Thomas
Property Address: 151 Miramar St
Violation: Work without permits. Plumbing not in compliance with the code.
Officer: M Hauserman

Manager Hauserman asked that exhibits be entered into the record as evidence. Special Magistrate Van Laningham accepted them. Manager Hauserman reviewed the narrative as stated on the red sheet in the agenda packet. The sink and plumbing on the ground floor are in violation of the code and FEMA regulations. He recommended that the respondent be given 30 days to comply or face a daily fine of \$250.00 until compliance, plus an administrative fee of \$250.00.

The property owner was present and Special Magistrate Van Laningham swore her in. Ms. Thomas provided four packets of information on November 17, with 12 exhibits and photos. She provided a 75-page permit that was initiated in 2007 by a previous owner. She noted that she purchased the property in 2021. She reviewed the exhibits attesting to the existence of the finished lower level and the repairs made after Hurricane Ian. She respectfully requested that the court deny the request for relief from the town. Special Magistrate accepted all documents into the record. Manager Hauserman noted that they were reviewing the construction that took place after the hurricane, which would trigger the plumbing violation. They did not deny the existence of the structure. Ms. Thomas replied that the plumbing had been there since 1971 and had not been changed; they had just repaired the damage from Ian. Manager Thomas stated that all plumbing would have to be removed or approval from the Floodplain Manager would be required for the non-conforming use on the ground floor. Under the current code, the lower level can only be used for storage and parking; however, it can be used for habitation if the plumbing restriction is met. He suggested continuing the case until next month to allow the Floodplain manager to review the documents.

Ms. Thomas agreed with the continuation.

Mr. and Mrs. Crumbie testified that the lower level existed in 1998 when they purchased the property. Mrs. Crumbie thought the previous owner ran a beauty salon from the lower level, which included plumbing.

Special Magistrate Van Laningham continued the case until January 6, 2026. Ms. Thomas expressed concern regarding the \$250.00 daily fine and \$250.00 administrative fee. Special Magistrate Van Laningham replied that the daily fee would be imposed if a violation was found.

B. FMB Case # 2025-0828

FMB Case # 2025-0828

Property Owner: Kent Loepker

Property Address: 290 Seminole Way

Violation: Interior remodel without current valid building permit.

Officer: M Hauserman

Manager Hauserman requested that all exhibits be admitted into evidence. He reviewed the narrative as stated on the red sheet in the agenda packet. The interior remodeling lacked the required information to obtain the permit. However, documentation has been submitted to the building department and is under review. He submitted exhibits, including photos and records, indicating that the permit had not been issued at that time.

Mr. Leopker noted that he had submitted all the requested information for an after-the-fact permit.

The Town requested an additional 30 days or a daily fine of \$250.00 if compliance is not met and an administrative fee of \$250.00.

Mr. Leopker agreed with a compliance date of January 6, 2026.

Special Magistrate Van Laningham noted that if the property was not in compliance by January 6, 2026, a daily fine of \$250.00 will be imposed until compliance is achieved. He ordered an administrative fee of \$250.00.

C. FMB Case # 2025-0891

FMB Case # 2025-0891

Property Owner: Lisa G & Shawn L Hollywood

Property Address: 151 Egret St

Violation: Recreational vehicle used for residential use and substantially improved. (Not dead storage)

Officer: M Hauserman

The property was verified to be in full compliance prior to the hearing; therefore, no further action was taken.

V. CERTIFICATION OF LIEN(S) (NON-COMPLIANCE)

No liens.

VI. LIEN FORECLOSURE CASES

No cases.

VII. BUILDING OFFICIAL APPEALS

No appeals.

VIII. ADJOURNMENT

Special Magistrate Van Laningham adjourned the hearing.

Property Address and Owner:

Hearing Date: January 6, 2026

Property Owner: Danny Lewis & Carol Jean Thomas

Property Address: 151 Miramar St

Violation: Work without permits. Plumbing not in compliance with the code.

Officer: M. Hauserman

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

Narrative:

Attachments:

1. 20251060_ORDER OF CONTINUANCE 12.18.25
2. 20251060_151 Miramar St_Exhibit A_Notice Affidavit Ownership
3. 20251060 Emailed Correspondence
4. Exhibits Received 12.04.25 from Respondent

Town Recommendations:

Town Approvals:

Michael Hauserman, Code Compliance Manager

Date: December 19, 2025

Thomas Yozzo, Emergency Services Director

Date: December 19, 2025



Traci Kohler, Deputy Town Manager

Date: December 19, 2025

nancy stuparich, Town Attorney

Date: December 23, 2025

Lizzette Roman, Town Clerk Administrative Coordinator

Date: December 30, 2025

Amy Baker, Town Clerk

Date: December 30, 2025

**CODE COMPLIANCE SPECIAL MAGISTRATE
FOR
THE TOWN OF FORT MYERS BEACH, FLORIDA**

TOWN OF FORT MYERS BEACH, FLORIDA,

Petitioner,

vs.

FMB CASE NO. 20251060

**DANNY LEWIS & CAROL JEAN
THOMAS,**

Respondents.

ORDER OF CONTINUANCE

NOTICE IS HEREBY GIVEN THAT THE SPECIAL MAGISTRATE CONTINUES THE ABOVE ACTION, THE ORIGINAL HEARING DATE OF WHICH WAS SCHEDULED FOR DECEMBER 4, 2025, WITHOUT ENTERING FINDINGS OF FACT. FURTHER PROCEEDINGS IN THIS MATTER WILL BE HELD ON: **JANUARY 6, 2026, at 9:00 A.M.**

The hearing will be held at the Fort Myers Beach Town Hall Council Chambers, 6231 Estero Blvd, Fort Myers Beach, Lee County, Florida 33931, and the Respondents are urged to be present if the violation has not been abated by that date.

DONE AND ORDERED this 18th day of December, 2025, at the Division of Administrative Hearings, Tallahassee, Florida.



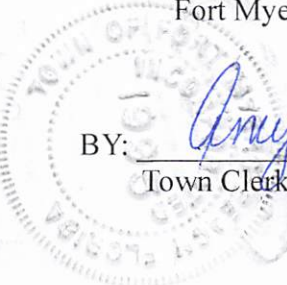
John G. Van Laningham
Special Magistrate

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the Order was sent by U.S. Mail on the 18 day of December, 2025 to:

Danny Lewis & Carol Jean Thomas
22067 565th Ave
Austin, MN 55912

Danny Lewis & Carol Jean Thomas
151 Miramar Street
Fort Myers Beach, FL, 33931

BY: 



Town Clerk and Clerk to Special Magistrate

Dated: Dec. 18, 2025

HEARING

EXHIBIT A

- Notice of Violation & Hearing
- Affidavit of Service
- Proof of Mailing
- Proof of Ownership



Town of Fort Myers Beach
NOTICE OF VIOLATION AND NOTICE OF CODE
ENFORCEMENT HEARING

6231 Estero Blvd, Fort Myers Beach, FL 33931

Phone : (239) 765-0202

Date: October 20, 2025

Case Number: **20251060**

Owner: **THOMAS DANNY LEWIS & CAROL JEAN**

Mailing Address: 22067 565th Ave, Austin, MN 55912

Property Address: **151 Miramar St, Fort Myers Beach, FL 33931**

Certified Mail# 95890752703142172496 & 9589071052703142172489

Parcel: 19-46-24W-40080B.0070

YOU ARE HEREBY NOTIFIED that the undersigned Code Officer alleges that on October 20, 2025 the following violation(s) of the Land Development Code of the Town of Fort Myers Beach, Florida, existed on the property above:

Code Violation: On 10/15/2025, a violation was discovered for the keeping and/or maintaining of a non-complaint portion of the structure. Including but not limited to a sink and related plumbing, which was not built to current flood design codes in the Special Hazard Areas defined in Section 6-494 of the FMB Code of Ordinances and was identified as a violation of the Town's Codes:

Interior/Exterior construction without the required building permits as defined in Division 3 Section 6-111 (adoption; amendments) of the FMB Code of Ordinances in adoption of the Florida Building Code.

Relevant Codes :

Sec. 6-111. - Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

2023 Florida Building Code, Building, Eighth Edition

FBC Sec 105.1 Permits required. Any owner or owner's 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.

LDC Sec 6-441 – Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this article, including buildings,

structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area must first make application to the floodplain administrator, and the building official, if applicable, and must obtain the required permits and approvals. No such permit or approval will be issued until compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.

(Ord. No. 13-06, § 2, 9-3-2013; Ord. No. 16-02, § 2, 8-8-2016)

Corrective Action Required:

The following action is required to bring the violation(s) into compliance. Obtain the required building permits for the unpermitted construction or retore the structure to it's original permit condition.

Compliance is required on or before: November 17, 2025

If the referenced violations are corrected from the date of issuance of this notice, you must contact the (Emergency Services Director) Thomas Yozzo at (239) 765-0202 or (Code Manager) Michael Hauserman at (239) 478-9363

A HEARING FOR THIS MATTER HAS BEEN SET BY THE SPECIAL MAGISTRATE CLERK FOR THE 4th DAY OF DECEMBER 2025, AT 9:00 AM, AT 6231 ESTERO BLVD, FORT MYERS BEACH, FL 33931. (Fort Myers Beach Town Hall Council Chambers)

☒ Should all violations not be corrected and approved by the undersigned Code Enforcement Officer within the date and time specified above, you will be required to appear at the prosecution of this matter before the Town's Special Magistrate for Code Compliance, pursuant to Division 2 of Article V of Chapter 2 of the Town Land Development Code and Chapter 162, Florida Statutes. **THIS HEARING, REQUIRING YOU TO BE PRESENT, WILL BE HELD IF THE VIOLATION(S) HAVE NOT BEEN BROUGHT INTO COMPLIANCE AND APPROVED BY THE CODE ENFORCEMENT DEPARTMENT BY Monday, October 20, 2025 AS EVIDENCED BY THE ISSUANCE OF AN AFFIDAVIT OF COMPLIANCE BY THE CODE ENFORCEMENT OFFICER.** If a violation is corrected and then recurs, or if a violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate even if the violation has been corrected prior to the board hearing.

☐ The Code Officer has reason to believe that the violation(s) or the condition causing the violation(s) presents a serious threat to the public health, safety, and welfare or is irreparable or irreversible in nature, and therefore, no compliance date has been provided. This case may be presented to the Special Magistrate even if the violation(s) have been corrected prior to the hearing.

☐ The Code Officer has reason to believe that repeat violations have been found, and therefore, no compliance date has been provided. This case may be presented to the Special Magistrate even if the repeat violation(s) have been corrected prior to the hearing.

The purpose of this Hearing is for the Special Magistrate to make "Findings of Fact" and "Conclusions of Law" relating to the violation(s) specified in the attached Violation detail and to issue an appropriate Order. The Hearing is also your opportunity to present evidence and/or contest the alleged violations, should you wish to do so. If a violation is found, the Order may require you to correct the violation(s) by a specified date. In addition, the Order may impose daily fines as per Florida Statutes Section 162.09(2)(a) of the following:

- \$250/ day per violation
- \$500/day for repeat offenses
- \$5,000 for irreversible or irreparable violations

Additionally, administrative fines may be imposed to recover all costs incurred by the Town in prosecuting this matter. If all violations are not corrected prior to the Hearing date, you may be assessed any such costs. **THE IMPOSITION OF FINES AND/OR COSTS MAY RESULT IN A LIEN AGAINST YOU AND YOUR PROPERTY.**

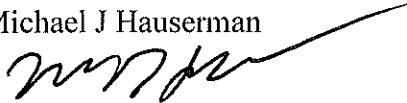
You should be aware that if the alleged violation(s) is/are corrected prior to the Hearing and recurs within five (5) years from the date of the original Notice of Violation, the case may be presented to the Special Magistrate as a Recurring Violation even if the violation is subsequently corrected.

You have the right to be represented by an attorney and to respond and present evidence and witnesses at the Hearing. If you wish to be represented by an attorney, your attorney **MUST** notify the Special Magistrate's Clerk in writing at least five (5) working days before the Hearing.

You may also have other rights which are set forth in Division 2 of Article V of Chapter 2 of the Town Land Development Code. If a person decides to appeal any decision with respect to any matter considered at this Hearing, such person will 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 (Section 286.0105, Florida Statutes).

For additional HEARING information, contact the Town of Fort Myers Beach Special Magistrate Clerk at (239) 478-9363.

Michael J Hauserman



Signature of Affiant

Code Enforcement / Code Compliance Manager
Fort Myers Beach, Florida



TOWN OF FORT MYERS BEACH,

Petitioner,

VS.

Danny Lewis & Carol Jean Thomas
22067 565th Ave
Austin, MN 55912

FMB Case Number:	20251060
Certified Mail:	9589071052703142172496 & 9589071052703142172489
Regular Mail:	USPS 10/20/2025

Respondent,

Site Address: 151 Miramar Street
Fort Myers Beach, FL, 33931
Parcel Strap No. 19-46-24W-40080B.0070

**AFFIDAVIT OF POSTING
NOTICE OF VIOLATION AND NOTICE OF HEARING**

STATE OF FLORIDA

COUNTY OF LEE

BEFORE ME, the undersigned authority personally appeared **Michael J Hauserman** who is the Code Enforcement Manager for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding Code Enforcement Case **#20251060**.

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



1. I personally mailed by **Certified Mail/Registered** Mail and Standard 1st Class Mail a copy of the Notice of Violation and Notice of Code Enforcement Hearing on **10/20/2025** to the following:

Danny Lewis & Carol Jean Thomas
22067 565th Ave
Austin, MN 55912

Evidence of mailing (Certified mailing receipt) is attached.

2. I had a copy of the Notice of Violation and Notice of Code Enforcement Hearing posted at **151 Miramar St, Fort Myers Beach, FL 33931**, which is the location where the violation occurred. I took photographs of the Notice I posted on the **20th day of October 2025**. A true, accurate and unaltered copy of the photographs are attached.
3. I posted a copy of the Notice of Violation and Notice of Code Enforcement Hearing at the primary municipal government office for the Town of Fort Myers Beach, which is Town Hall and located at 6231 Estero Blvd, Fort Myers Beach, FL 33931 available for viewing 24 hours a day and 7 days a week. True, accurate and unaltered copies of photographs I took of the Notice posted on the **20th day of October 2025** are attached.

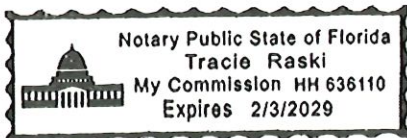


Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

x Michael J. Hauserman
Signature of Affiant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☒ personal presence or ☐ online notarization this 31 day of October, 2025, by Michael J. Hauserman. He ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]

Tracie Raski
Notary Public, State of Florida
Print Name: Tracie Raski
My Commission Expires: 2/3/2029

9589 0710 5270 3142 1724 89

U.S. Postal Service™ 20251060 CERTIFIED MAIL® RECEIPT NOV NO 11 Domestic Mail Only MS 11	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$ _____	
☐ Return Receipt (electronic) \$ _____	
☐ Certified Mail Restricted Delivery \$ _____	
☐ Adult Signature Required \$ _____	
☐ Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To Street and City, State,	THOMAS DANNY LEWIS & THOMAS CAROL JEAN 22067 565TH AVE AUSTIN, MI 55912
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

9589 0710 5270 3142 1724 96

U.S. Postal Service™ 20251060 NOV CERTIFIED MAIL® RECEIPT NOV 11 Domestic Mail Only MS 11	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$ _____	
☐ Return Receipt (electronic) \$ _____	
☐ Certified Mail Restricted Delivery \$ _____	
☐ Adult Signature Required \$ _____	
☐ Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To Street and City, State	THOMAS DANNY LEWIS & THOMAS CAROL JEAN 151 MIRAMAR STREET FORT MYERS BEACH, FL 33931
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

Posted on 10/20/25 MDT



Town of Fort Myers Beach

NOTICE OF VIOLATION AND NOTICE OF CODE ENFORCEMENT HEARING

6231 Estero Blvd, Fort Myers Beach, FL 33931
Phone : (239) 765-0202

Date: October 20, 2025

Case Number: 20251060

Owner: **THOMAS DANNY LEWIS & CAROL JEAN**

Mailing Address: 22067 565th Ave, Austin, MN 55912

Property Address: **151 Miramar St, Fort Myers Beach, FL 33931**

Certified Mail# 95890752703142172496 & 9589071052703142172489

Parcel: 19-46-24W-40080B.0070

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Interior/Exterior construction without the required building permits as defined in Division 3 Section 6-111 (adoption; amendments) of the FMB Code of Ordinances in adoption of the Florida Building Code.

Relevant Codes :

Sec. 6-111. - Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

2023 Florida Building Code, Building, Eighth Edition

FBC Sec 105.1 Permits required. Any owner or owner's 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.

LDG Sec 6-441 - Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this article, including buildings,

Oct 20, 2025 1:35:18 PM



Town of Fort Myers Beach
NOTICE OF VIOLATION AND NOTICE OF CODE
ENFORCEMENT HEARING
6231 Estero Blvd, Fort Myers Beach, FL 33931
Phone : (239) 765-0202

Date: October 20, 2025

Case Number: 20251060

Owner: **THOMAS DANNY LEWIS & CAROL JEAN**
Mailing Address: 22067 565th Ave, Austin, MN 55912
Property Address: 151 Miramar St, Fort Myers Beach, FL 33931
Certified Mail# 95850752703142172496 & 9585071652703142172489
Parcel: 19-46-24W-40080B.0070

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Code Violation: On 10/15/2025, a violation was discovered for the keeping and/or maintaining of a non-complaint portion of the structure. Including but not limited to a sink and related plumbing, which was not built to current flood design codes in the Special Hazard Areas defined in Section 6-434 of the FMB Code of Ordinances and was identified as a violation of the Town's Codes:

Inflation/Exterior construction without the required building permits as defined in Division 3 Section 6-111 (adoption; amendments) of the FMB Code of Ordinances in adoption of the Florida Building Code.

Relevant Codes :

Sec. 6-111. - Adoption; amendments.

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2023 Florida Building Code, Building, Eighth Edition

FBC Sec 105.1 Permits required. Any owner or owner's 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.

LDC Sec 6-441 - Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this article, including buildings,

Page 1 of 3



Oct 20, 2025 11:33:47 AM

From: [Kelli DeFedericis](#)
To: [Carol and Dan Thomas](#); [Michael Hauserman](#)
Cc: [Lizette Roman](#)
Subject: Re: 151 Miramar
Date: Thursday, December 18, 2025 2:21:47 PM
Attachments: [image.png](#)
[Outlook-Picture1.p.png](#)
[Outlook-TFMB Circl.png](#)
[Outlook-Linkedin S.png](#)
[Outlook-Youtube Si.png](#)
[Outlook-Instagram .png](#)
[image.png](#)
[Outlook-Facebook.p.png](#)
[Outlook-Twitter Si.png](#)
[image.png](#)
[Outlook-TFMB Circl.png](#)

Good afternoon -

This correspondence is a follow-up regarding the above-referenced property and the ground floor bathroom. I have received and reviewed the submitted packet, which includes neighbor affidavits and plans from the 2008 remodel.

The plans provided do not indicate the presence of a ground floor bathroom. The 2008 plans are consistent with the Lee County Property Appraiser records, which reflect the residence as having 2.5 bathrooms. There is one full bathroom on the first floor along with a half bath. There is a second bathroom on the second floor installed in the 2008 remodel. There is no reference to a second half bathroom on the ground floor.

The Town of Fort Myers Beach relies on historical records and property appraiser data to verify the authorized use of ground-floor areas in elevated structures.

At this time, the Town has not identified any findings or documentation demonstrating that the ground-floor bathroom was legally permitted.

As discussed, in the absence of permitting documentation authorizing the bathroom installation, the bathroom cannot be permitted to remain.

BUILDING CHARACTERISTICS					BUILDING SUBAREA DETAIL					
ELEMENT	CODE	TYPE / DESCRIPTION / VALUE			AREA TYPE	YEAR BUILT	GROSS AREA	PCT BASE	ADJ AREA CAP	COST
STORIES		2.0			BASE	1971	1,011	100	1,011	*
BEDROOMS		3			FINISHED LOWER LEVEL	1971	552	70	386	*
BATHROOMS		2.5			FINISHED OPEN PORCH	2008	65	20	13	*
EXTERIOR WALL	26	VINYL/ALUMINUM SIDING			FINISHED SCREEN PORCH	2008	130	30	39	*
EXTERIOR WALL	0	NONE			FINISHED UPPER STORY	2008	292	100	292	*
ROOF STRUCTURE	8	IRREGULAR			LOWER CARPORT / OPEN PORCH	1971	260	5	13	*
ROOF COVER	12	MODULAR METAL\SHINGLE			LOWER CARPORT / OPEN PORCH	2008	130	5	7	*
INTERIOR WALL	5	DRYWALL			PATIO	1971	52	5	3	*
INTERIOR WALL	0	NONE			STOOP	2020	64	10	6	*
INTERIOR FLOOR	11	CERAMIC CLAY TILE			UNFINISHED LOWER GARAGE	1971	264	20	53	*
INTERIOR FLOOR	0	NONE								
HEATING FUEL	4	ELECTRIC								
HEATING TYPE	4	FORCED AIR-DUCTED								
AC TYPE	3	CENTRAL								
QUALITY	3.0000	AVERAGE								
CEILING HEIGHT	CLGHT	CEILING HEIGHT UNDER 8'								
					TOTALS		2,820		1,823	0
LENGTH	WIDTH	UNITS	UNIT PRICE	PCT COND	L/B	YEAR	AMN DEPR	DEPR ADJ	CAP FLAG	COST

Respectfully,
Kelli DeFedericis, CFM
 Floodplain Manager
 Town of Fort Myers Beach
 6231 Estero Blvd
 Fort Myers Beach, FL 33931



From: Carol and Dan Thomas <dcthomasaugust1978@gmail.com>
Sent: Tuesday, October 14, 2025 12:15 PM
To: Kelli DeFedericis <kdefedericis@fmbgov.com>
Subject: Re: 151 Miramar

Hello,
Thank you for meeting with us today.
I called the Assessor's office and they are only legally responsible for records going back 10 years. They have nothing for us. They suggested we call the Clerk of Court, so I called and was on hold for an hour and then was disconnected.
I am currently on hold again with that office.

Carol Thomas
Realtor
Real Broker, LLC
507-219-0450
thomasrealproperty@gmail.com
~Your referral is the nicest compliment of all and always appreciated!~

On Tue, Oct 14, 2025 at 11:36 AM Kelli DeFedericis <kdefedericis@fmbgov.com> wrote:

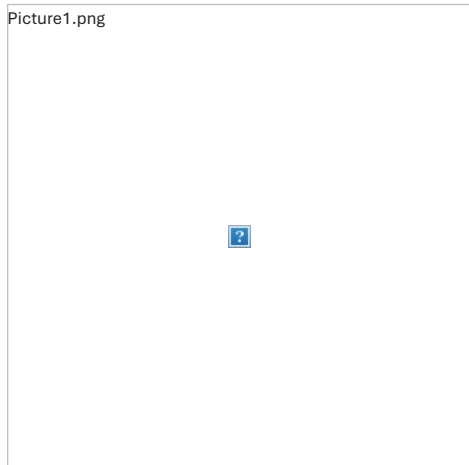
Good afternoon -

As a follow-up to our on-site meeting, please reach out to the tax assessor's office and see if they have the structure's details from the first tax roll. Hopefully this will provide details if the ground floor bathroom is legal and non-conforming.

Respectfully,
Kelli DeFedericis,
CFM
Floodplain Manager
Town of Fort Myers Beach
[6231 Estero Blvd](https://www.fortmyersbeach.com)
[Fort Myers Beach, FL 33931](https://www.fortmyersbeach.com)



Picture1.png



From: Carol and Dan Thomas <dcthomasaugust1978@gmail.com>
Sent: Tuesday, October 14, 2025 10:16 AM
To: Kelli DeFedericis <kdefedericis@fmbgov.com>
Subject: Re: 151 Miramar

Good morning,
Are you planning on coming here today?

Carol Thomas
Realtor
Real Broker, LLC
507-219-0450

thomasrealproperty@gmail.com

~Your referral is the nicest compliment of all and always appreciated!~

On Fri, Oct 10, 2025 at 3:22 PM Carol and Dan Thomas <dcthomasaugust1978@gmail.com> wrote:

Thank you,
This will work for us.
See you Tuesday at 10:00

Carol Thomas
Realtor
Real Broker, LLC
507-219-0450
thomasrealproperty@gmail.com

~Your referral is the nicest compliment of all and always appreciated!~

On Fri, Oct 10, 2025 at 2:28 PM Kelli DeFedericis <kdefedericis@fmbgov.com> wrote:

Mr. and Mrs. Thomas,

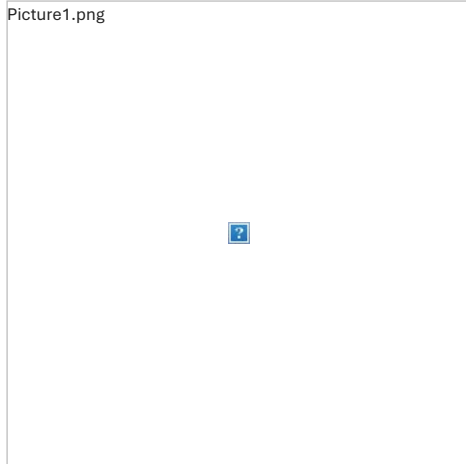
I will gladly meet with you. Thomas Yozzo the code manager and I can do a site meeting if you would like.

Would Tuesday at 10 am work?

Respectfully,
Kelli DeFedericis,
CFM
Floodplain Manager
Town of Fort Myers Beach
6231 Estero Blvd
[Fort Myers Beach, FL 33931](https://www.fortmyersbeach.org)



Picture1.png



From: Carol and Dan Thomas <dcthomasaugust1978@gmail.com>

Sent: Thursday, October 9, 2025 4:16 PM

To: Kelli DeFedericis <kdefedericis@fmbgov.com>

Subject: Re: 151 Miramar

Can we set up a meeting with you?

Carol Thomas
Realtor
Real Broker, LLC
507-219-0450
thomasrealproperty@gmail.com

~Your referral is the nicest compliment of all and always appreciated!~

On Thu, Oct 9, 2025 at 3:10 PM Kelli DeFedericis <kdefedericis@fmbgov.com> wrote:

Please remember we have the realtor advertisement on record which states there are 4 bathrooms and 3.5 bathrooms.

BUT property appraisers has it listed as 3 bedrooms and 2.5 bathrooms.

pa.org/CurrentCostCard/Folio/10228228

Working Values	BUILDING CHARACTERISTICS					BUILDING SUBAREA DETAIL							STRUCT INDEX 0.98
	ELEMENT	CODE	TYPE / DESCRIPTION / VALUE			AREA TYPE		YEAR BUILT	GROSS AREA	PCT ADJ	CAP	COST	
	STORIES		2.0			BASE		1971	1,011	100	1,011	*	IMP TYPE
	BEDROOMS		3			FINISHED LOWER LEVEL		1971	552	70	386	*	
	BATHROOMS		2.5			FINISHED OPEN PORCH		2008	65	20	13	*	
	EXTERIOR WALL	26	VINYL/ALUMINUM SIDING			FINISHED SCREEN PORCH		2008	130	30	39	*	
	EXTERIOR WALL	0	NONE			FINISHED UPPER STORY		2008	292	100	292	*	
	ROOF STRUCTURE	8	IRREGULAR			LOWER CARPORT / OPEN PORCH		1971	260	5	13	*	
	ROOF COVER	12	MODULAR METAL\SHINGLE			LOWER CARPORT / OPEN PORCH		2008	130	5	7	*	
	INTERIOR WALL	5	DRYWALL			PATIO		1971	52	5	3	*	
	INTERIOR WALL	0	NONE			STOOP		2020	64	10	6	*	
	INTERIOR FLOOR	11	CERAMIC CLAY TILE			UNFINISHED LOWER GARAGE		1971	264	20	53	*	
	INTERIOR FLOOR	0	NONE										
	HEATING FUEL	4	ELECTRIC										
	HEATING TYPE	4	FORCED AIR-DUCTED										
	AC TYPE	3	CENTRAL										
DENTIAL	QUALITY	3.0000	AVERAGE										
LANE	CEILING HEIGHT	CLGHT	CEILING HEIGHT UNDER 8'										
	TOTALS							2,820	1,823	0			
	LENGTH	WIDTH	UNITS	UNIT PRICE	PCT COND	L/B	YEAR	AMN DEPR	DEPR ADJ	CAP FLAG	COST		
N	0.00	0.00	1.00	0.00	1.00	B	2008	2.00	0.68	-	*		
WITS	0.00	0.00	1.00	8,000.00	1.00	B	2023	5.00	0.95	-	*		
FEET	110.00	1.00	110.00	\$1.00	1.00	L	2023	2.00	0.98	-	*		
	0.00	0.00	360.00	105.95	1.00	B	2023	2.00	0.98	-	*		
	0.00	0.00	440.00	12.78	1.00	B	2023	1.00	0.99	-	*		

Page 24 of 228

CFM

Floodplain Manager
Town of Fort Myers Beach
[6231 Estero Blvd](#)
[Fort Myers Beach, FL 33931](#)



Picture1.png



From: Carol and Dan Thomas <dcthomasaugust1978@gmail.com>

Sent: Thursday, October 9, 2025 3:54 PM

To: Kelli DeFedericis <kdefedericis@fmbgov.com>

Subject: Re: 151 Miramar

Hi,

Also the 5th line down on the property appraiser document you sent says 552sqft finished lower level 1971. This shows the lower level was finished in 1971. Hopefully this explains all.

Carol Thomas

Realtor

Real Broker, LLC

507-219-0450

thomasrealproperty@gmail.com

~Your referral is the nicest compliment of all and always appreciated!~

On Thu, Oct 9, 2025 at 1:55 PM Kelli DeFedericis <kdefedericis@fmbgov.com> wrote:

Good afternoon -

This is a follow up to my site visit today for the above referenced address.

You are correct this is a pre-FIRM structure constructed prior to 1986.

What the town can't find is the permit to allow the habitable area on the ground floor. I understand it was there when you purchased the house, unfortunately without an original permit we do not have evidence that that area can be used for anything beyond storage, access and parking.

Attached is a breakdown of the history of the structure. If you can find any documentation where this area was originally permitted and approved you can absolutely keep that area as is, but until we have that information it is considered an unpermitted area.

In addition, this is the link to the Town's code compliance complaint form. [Code Compliance | Town of Fort Myers Beach, FL - Official Website](#)

Respectfully,
Kelli DeFedericis,

CFM

Floodplain Manager
Town of Fort Myers Beach
[6231 Estero Blvd](#)
[Fort Myers Beach, FL 33931](#)



[FMBgov.com](#)



Note: Florida has a very broad public records law. Most communication(s) to or from Fort Myers Beach officials regarding Town business are public records available to the public and media upon request. Your email communications and email address may be subject to public disclosure.

Note: Florida has a very broad public records law. Most communication(s) to or from Fort Myers Beach officials regarding Town business are public records available to the public and media upon request. Your email communications and email address may be subject to public disclosure.

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**DELIVER
TO:**

Petitioner

For Case #20251060

CAROL J. THOMAS
22067 565 Avenue, Austin, MN 55912
Telephone (507) 219-0450

November 13th, 2025

City of Fort Myers Beach
Attn. Court Clerk
6231 Estero Boulevard
Fort Myers Beach, FL 33931

Re: **Danny/Carol Thomas Action 151 Miramar St**
Case Number: 20251060
Hearing Date: December 4th, 2025

Dear Sirs/Madams:

Enclosed herewith for filing please find the original and one copy of the following:

1. Witness List
2. Exhibit List
3. Exhibit packet

Please Forward a copy to the Judge/Magistrate and City Representative.

Very truly yours,

By: /s/ Carol J. Thomas
Carol J. Thomas

EHL/MR

CC: Thomas Yazzo
Emergency Services Director
Michael Houserman

City of Fort Myers Beach
Attn: Court Clerk & Code Enforcement
6231 Estero Boulevard
Fort Myers Beach, FL 33931

Re: **Danny/Carol Thomas Action**

Case Number: 20251060

Hearing Date: December 4th, 2025

Dear Sirs/Madam:

Enclosed is our documents supporting our position in regard to above mentioned case number.

These documents show:

We applied for a permit to repair our **pre-firm** house.

○We put back what we had prior to the hurricane.

○We were not a substantial damage or substantial improvement project.

○We were less than 50% of the house value, this was presented in the permit requirements.

●We were approved for the permit

●Work was completed

●Permit was completed and closed.

●We followed FEMA guidelines (see attachment)

Please forward a copy to the Judge/Magistrate and City representatives.

Very truly yours,



Carol J. Thomas



Substantial Improvement/ Substantial Damage Desk Reference

FEMA P-758 / May 2010



FEMA

Communities may use a combination of sources for the data needed to make SI/SD determinations. For example, a community may make SI/SD determinations based on applicant-supplied costs of repairs or improvements and community-obtained market values.

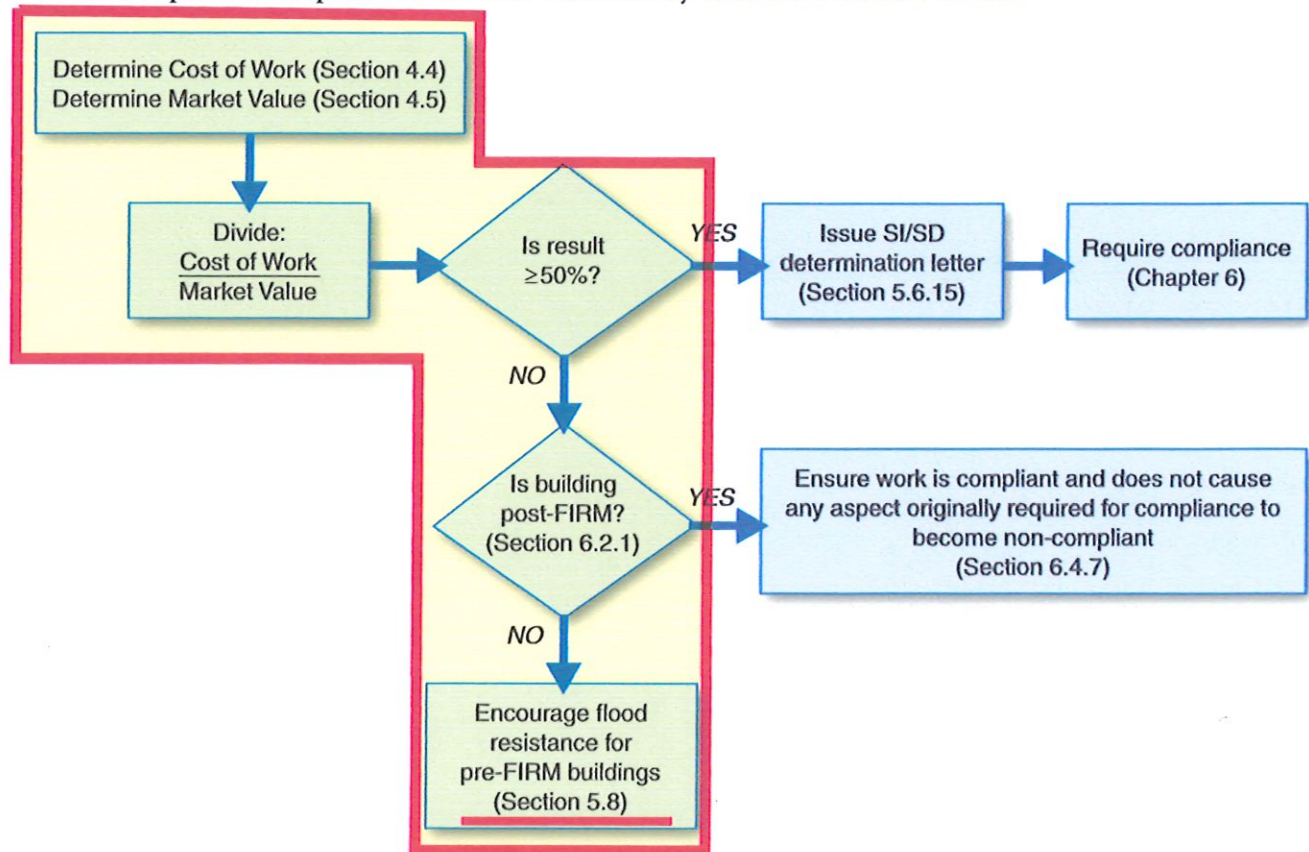


Figure 4-1. Make the SI/SD determination (overview)

4.3.1 SI/SD Provisions in the 2006 and 2009 I-Codes

The IBC and IRC apply to new construction and also to alteration, movement, enlargement, replacement, and repair of existing buildings. The IBC, the IRC, and the IEBC include SI/SD provisions that are consistent with the NFIP's requirements. The specific code provisions are described below:

- **IBC.** The IBC relies on the definitions of “substantial improvement” and “substantial damage” in Section 1612. The code official must determine whether any alteration, repair, or addition to existing buildings, or work associated with a change of occupancy or moved buildings, meets those definitions. Section 1612.1 states that “all new construction of buildings, structures, and portions of buildings and structures, including substantial improvement and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads.” In addition, the requirements for existing buildings, including historic buildings, are found in IBC Chapter 34.
- **IRC.** The IRC contains detailed administrative provisions in Chapter 1:
 - **R105.3.1.1 Substantially improved or substantially damaged buildings and structures in areas prone to flooding.** This section specifies that the building official shall examine

Table 5-1a. Tracking Cumulative Substantial Improvements, Determining Market Value for Each Permit Application (shows increases in market value).*

Elapsed time from initial permit application	Current market value (at the time of each permit application)	Cost of improvement	Cost as percentage of current market value	Cumulative percentage
0 year	\$100,000	\$10,000	10%	10%
3 years	\$110,000	\$42,000	38%	48%
6 years	\$120,000	\$10,000	8%	56%

* In this example, the 50 percent threshold is reached with the third permit application.

Table 5-1b. Tracking Cumulative Substantial Improvements, Determining Market Value for Each Permit Application (shows decrease, then increase in market value).*

Elapsed time from initial permit application	Current market value (at the time of each permit application)	Cost of improvement	Cost as percentage of current market value	Cumulative percentage
0 year	\$100,000	\$10,000	10%	10%
3 years	\$90,000	\$28,000	31%	41%
6 years	\$105,000	\$10,800	10%	51%

* In this example, the 50 percent threshold is reached with the third permit application.

Communities will only have records of work for which permits are required. Owners may undertake work that does not require a permit (e.g., patching a roof or replacing a window) and those costs would not count towards the cumulative substantial improvement. It is not the intent of a cumulative substantial improvement requirement to discourage general maintenance and upkeep. However, if any part of the work requires a permit, then all of the proposed work is counted in the SI/SD determination. For example, as part of a project to repair roof damage that involves replacing rafters and underlayment, the owner may decide to replace shingles on an undamaged portion of the roof. The cost of the re-shingling is included in the determination.

Additional guidance for regulatory language and implementation of a cumulative substantial improvement requirement is found in *CRS Credit for Higher Regulatory Standards*.

5.8 Recommendations to Improve Flood Resistance

Local officials can encourage owners to improve the flood resistance of older buildings during the course of repairs and improvements even if owners propose improvements or repairs that do not trigger the SI/SD requirements. Improving resistance can facilitate rapid clean-up and recovery, and reduce repair costs. Whether these actions are applicable to a specific situation depends, in part, on the characteristics of the flood hazard and the building:

- Replace gypsum board or wood paneling below the BFE (preferably below the BFE plus 1 foot or more) with vinyl panels that can be removed to facilitate clean-up and drying before being reinstalled.
- Replace insulation with closed-cell foam insulation that can be cleaned, dried, and replaced.
- Replace flooring and floor finishes with flood damage-resistant materials.
- Relocate mechanical equipment out of basements or other flood-prone spaces and elevate above the BFE.
- Abandon the use of below-grade areas (basements) and fill them in to prevent structural damage.
- Install flood openings in crawlspace foundation walls and garage walls (see FEMA Technical Bulletin 1, *Openings in Foundation Walls and Walls of Enclosures Below Elevated Buildings in Special Flood Hazard Areas*).
- Install backflow devices in sewer lines.
- If sufficient warning time is available from official sources, pre-plan actions to move contents from the lower floors to the higher floors when a warning is issued.

Table 6-1a. Compliance Matrix (A Zones)

Types of Work	Building is Pre-FIRM	Building is Post-FIRM
Rehabilitation (renovate or remodel), <u>not SI</u>	Compliance not required	Work shall comply and shall not be allowed to make the building non-compliant with any aspect of the building that was required for compliance
Rehabilitation (renovate or remodel), SI	Building required to comply	Work shall comply and shall not be allowed to make the building non-compliant with any aspect of the building that was required for compliance (see Note below table)
Lateral addition and Rehabilitation, SI	Addition required to comply; building required to comply	Addition required to comply; building required to comply (see Note below table)
Lateral addition, <u>not SI</u>	Addition not required to comply	Addition required to be elevated to at least the elevation of the existing lowest floor
Lateral addition, SI, <u>not</u> structurally connected	Addition required to comply; building not required to comply	Addition required to comply
Lateral addition, SI, structurally connected	Addition required to comply; building required to comply	Addition required to comply; building required to comply (see Note below table)
Vertical addition above building, <u>not SI</u>	Compliance not required	Work shall comply and shall not be allowed to make the building non-compliant with any aspect of the building that was required for compliance
Vertical addition above building, SI	Building required to comply	Work shall comply and shall not be allowed to make the building non-compliant with any aspect of the building that was required for compliance (see Note below table)
Repair foundation, <u>not SI</u>	Compliance not required	Repairs shall comply and shall not be allowed to make the building non-compliant with any aspect of the building that was required for compliance
Repair foundation, SI	Building required to comply	Building required to comply (see Note below table)
Replace/extend foundation, SI (including "elevate-in-place")	Building required to comply	Building required to comply (see Note below table)
Repair damage, SD	Building required to comply	Work shall comply and shall not be allowed to make the building non-compliant with any aspect of the building that was required for compliance (see Note below table)
Reconstruct new building on existing or new foundation, SI	Reconstructed building required to comply	Reconstructed building required to comply (see Note below table)

Note: If a map revision has resulted in a higher BFE, a post-FIRM building must comply based on the new BFE.

Exhibit #1

Affidavit of Constance O Harvey

STATE OF FLORIDA

ADMINISTRATIVE ENFORCEMENT

COUNTY OF LEE

Town of Fort Meyers Beach,

Petitioner,

AFFIDAVIT OF

V,

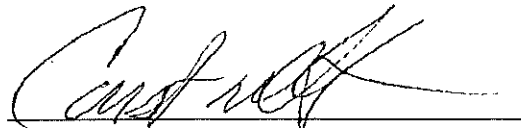
Danny Lewis Thomas,
Carol Jean Thomas
Respondent(s).

CASE NUMBER; 20251060

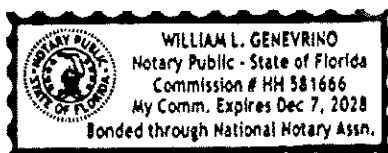
I, Constance O Harvey being duly sworn on oath states and ** deposes as follows:

1. That your affiant is a former resident of: 81 Miramar St Fort Myers Beach, Florida 33931.
I still visit Miramar St many times a year.
2. That I make this affidavit at the request of the Respondents, Danny Lewis Thomas and Carol Jean Thomas and their property located at 151 Miramar St. Fort Meyers Beach, Florida..
3. My family has owned the property at 81 Miramar St for 85 plus years, since shortly after the great depression. During this time my Grandparents, my mother and myself have owned said property. My family and I have traveled up and down Miramar literally hundreds of times.
I can attest to the fact, the house at 151 Miramar St has had a finished lower level, going back well before 1984. There were fewer houses then, the population of the island was between 2700 and 3500 people. The island had about 1100 homes in total. It had a much smaller footprint back then making it easier for me to have recall especially when asked about homes on Miramar. Our family watched many of the house be placed on the street, most of them came from other streets/avenues of the island.

Further your affiant sayeth not.


TENN. D.L. 066452611

Subscribed and sworn to before me
on this 4 day of November, 2025.




Notary Public

Exhibit #2

Affidavit of Rebecca Kratt

STATE OF FLORIDA

ADMINISTRATIVE ENFORCEMENT

COUNTY OF LEE

Town of Fort Myers Beach,

Petitioner,

AFFIDAVIT OF

V,

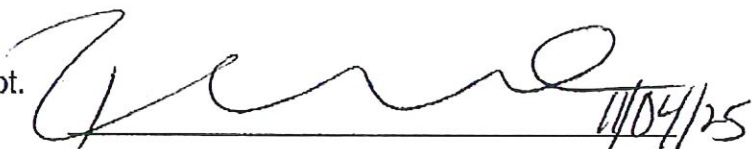
Danny Lewis Thomas,
Carol Jean Thomas
Respondent(s).

CASE NUMBER; 20251060

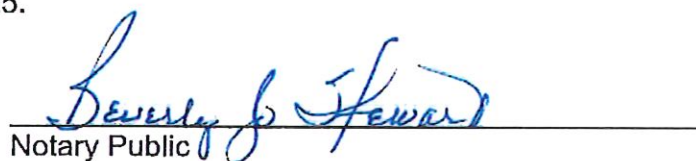
I, Rebecca A Kratt, being duly sworn on oath state and hereby depose as follows:

1. That your affiant is a former resident of: 120 Miramar St, Fort Myers Beach, Florida 33931
2. That I make this affidavit at the request of the Respondents, Danny Lewis Thomas and Carol Jean Thomas and their property located at 151 Miramar St., Fort Myers Beach, Florida.
3. My family and I have owned the property at 120 Miramar St since 1976.
I can attest that the house at 151 Miramar St has had a finished lower level since the 1970s.

Further your affiant sayeth not.

 11/04/25

Subscribed and sworn to before me
on this 4th day of November, 2025.


Notary Public

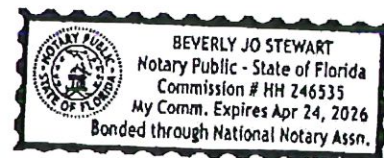


Exhibit #3

Affidavit of Patti Smith

Patti Smith
150 S Broad St
PH1
Ridgewood, NJ 07450

STATE OF FLORIDA
ENFORCEMENT
COUNTY OF LEE
Town of Fort Myers Beach,

ADMINISTRATIVE

AFFIDAVIT OF

Petitioner,
v.
Danny Lewis Thomas & Carol Jean Thomas

Respondent(s). CASE NUMBER: 20251060

Patricia Smith, being duly sworn on oath states and deposes as follows

1. That your is a resident of 150 S Broad St PH1 Ridgewood, NJ 07450
2. That I make this affidavit as the request of the Respondents, Danny Lewis Thomas and Carol Jean Thomas and their property located at 151 Miramar St Fort Myers Beach, Florida.
3. My family had owned 81 Miramar St since the 1930's. I purchased 81 Miramar St from my family on June 21, 2019. My entire family has been a part of Miramar St since the 1930's, I cannot remember a time that the lower level of 151 Miramar was not finished. I sold 81 Miramar St on March 3rd, 2025.
4. I have been visiting Miramar St since the 1960's. The street has seen several changes, many of which I saw first hand.
5. In 1980 my Mother raised the cottage at 81 Miramar St, at the same time a laundry room and bathroom were built and the water heater (relocated) all on the ground level. Homes on Miramar at this time had bathrooms on the ground floor.

Although I cannot remember the exact date, I can attest to the existence of a bathroom on the ground floor of 151 Miramar St in 1980 because I used it.

Many home owners during this time period were friends and we spent time together at each other homes.

Further your affiant sayeth not.

Patti Smith

Subscribed and sworn to before me

This 10th day of November, 2025

[Signature]
Notary Public

FRANK A BRUND-MAYER
Notary Public, State of New Jersey
My Commission Expires Feb 20, 2030



Exhibit #4

Affidavit of Helen Crumbie

STATE OF FLORIDA

ADMINISTRATIVE ENFORCEMENT

COUNTY OF LEE

Town of Fort Myers Beach,

Petitioner,

AFFIDAVIT OF

V,

Danny Lewis Thomas,
Carol Jean Thomas
Respondent(s).

CASE NUMBER; 20251060

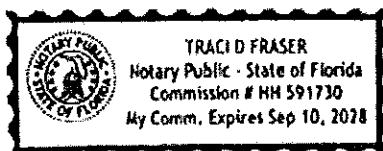
I, Helen Crumlie being duly sworn on oath states and ** deposes as follows:

1. That your affiant is a resident of: 5856 Tallowood Circle Fort Myers, Florida 33919.
2. That I make this affidavit at the request of the Respondents, Danny Lewis Thomas and Carol Jean Thomas and their property located at 151 Miramar St. Fort Myers Beach, Florida.
3. My Husband and I purchased 151 Miramar St in May of 1998 from Robert and Betty Carr. The lower level was finished when we purchased the home. The Carr's had a retired postal worker renting the lower finished space as an efficiency apartment. We continued to use the lower space as a finished living space with a living room area, bedroom area (separated by a curtain), kitchenette (no cooking appliances) and a full bathroom. The finished utility room had a refrigerator as well as a washer and dryer. We also continued to use the lower patio, car port.
We did in 2008 add an additional floor. This addition added a bedroom and bathroom above the main floor we also added a kitchen and deck to the main floor and replaced the patio door on the ground floor. Woodland Homes was our builder, a permit was issued and all passed inspection and the permit was closed.
We sold 151 Miramar St to the above Respondents, Danny Lewis Thomas and Carol Jean Thomas on April 30th, 2021

Further your affiant sayeth not.

Helen Crumlie 11/7/2025
Date

Subscribed and sworn to before me
on this 7th day of November, 2025.



Traci D. Fraser 11/7/2025
Notary Public Date

Exhibit #5

2007 Lee County Property Data Details

**Property Data**

STRAP: 19-46-24-W4-0080B.0070 Folio ID: 10228228

Tax Roll Value Letter 2025 ▾

Generated on 11/11/2025 10:57 AM

Owner Of Record - Tenants by Entirety
[\[Change Mailing Address\]](#)

THOMAS DANNY LEWIS &
THOMAS CAROL JEAN
22067 565TH AVE
AUSTIN MN 55912

Site AddressSite Address maintained by [E911 Program Addressing](#)

151 MIRAMAR ST
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



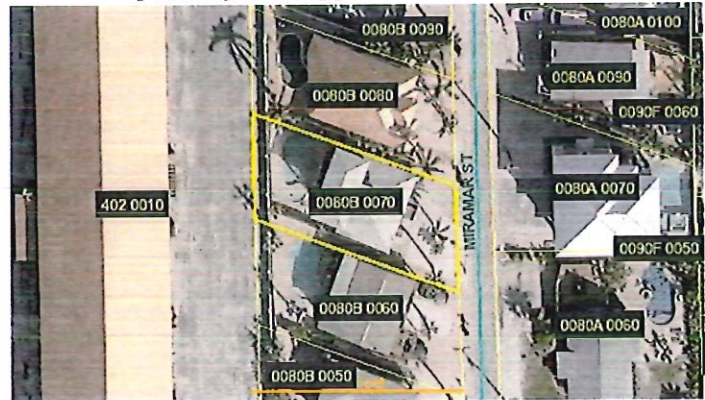
MIRAMAR BLK B PB 6 PG 31 LOT 7

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 6 and 31 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	3 / 2.5
Gross Living Area	1,303
1st Year Building on Tax Roll	1971
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	19	0080B	0070
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.45168	-81.9487		

[View Parcel on Google Maps](#)**[Tax Map Viewer] [View Comparables]****[Pictometry Aerial Viewer]****Image of Structure**
[◀ Photo Date February of 2024 ▶](#) ☐ [View other photos](#)

Last Inspection Date: 02/07/2024

Property Values / Exemptions / TRIM Notices

Generated on 11/11/2025 10:57 AM

Property Details (Current as of 11/10/2025)

Generated on 11/11/2025 10:57 AM

Property Details (2007 Tax Roll)

Generated on 11/11/2025 10:57 AM

Land**Land Tracts**

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	5000.00	Square Feet

Land Features

Description	Year Added	Units
FENCE - WOOD STOCKADE	1986	624
FENCE - WOOD - SOLID BOARD	2006	480

Buildings**Building 1 of 1****Building Characteristics**

Improvement Type	Model Type	Stories	Living Units
103 - Split Entry/R Ranch	1 - single family residential	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
2	1.5	1971	1971

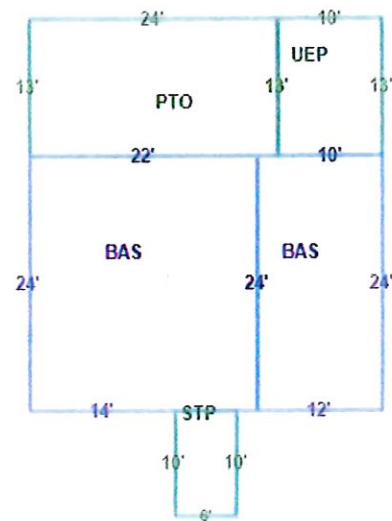
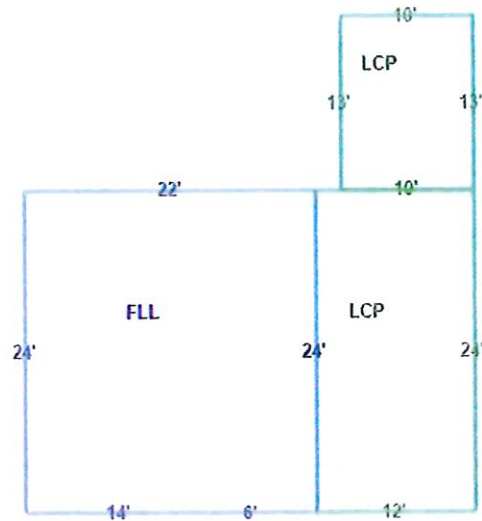
Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	528
BAS - BASE	Y	288
FLL - FINISHED LOWER LEVEL	Y	528
LCP - LOWER CARPORT / OPEN PORCH	N	130
LCP - LOWER CARPORT / OPEN PORCH	N	288
PTO - PATIO	N	312
STP - STOOP	N	60
UEP - UNFINISHED ENCLOSED PORCH	N	130

Building Front Photo

Photo Date: February of 2024

Building Footprint



Taxing Authorities

Generated on 11/11/2025 10:57 AM

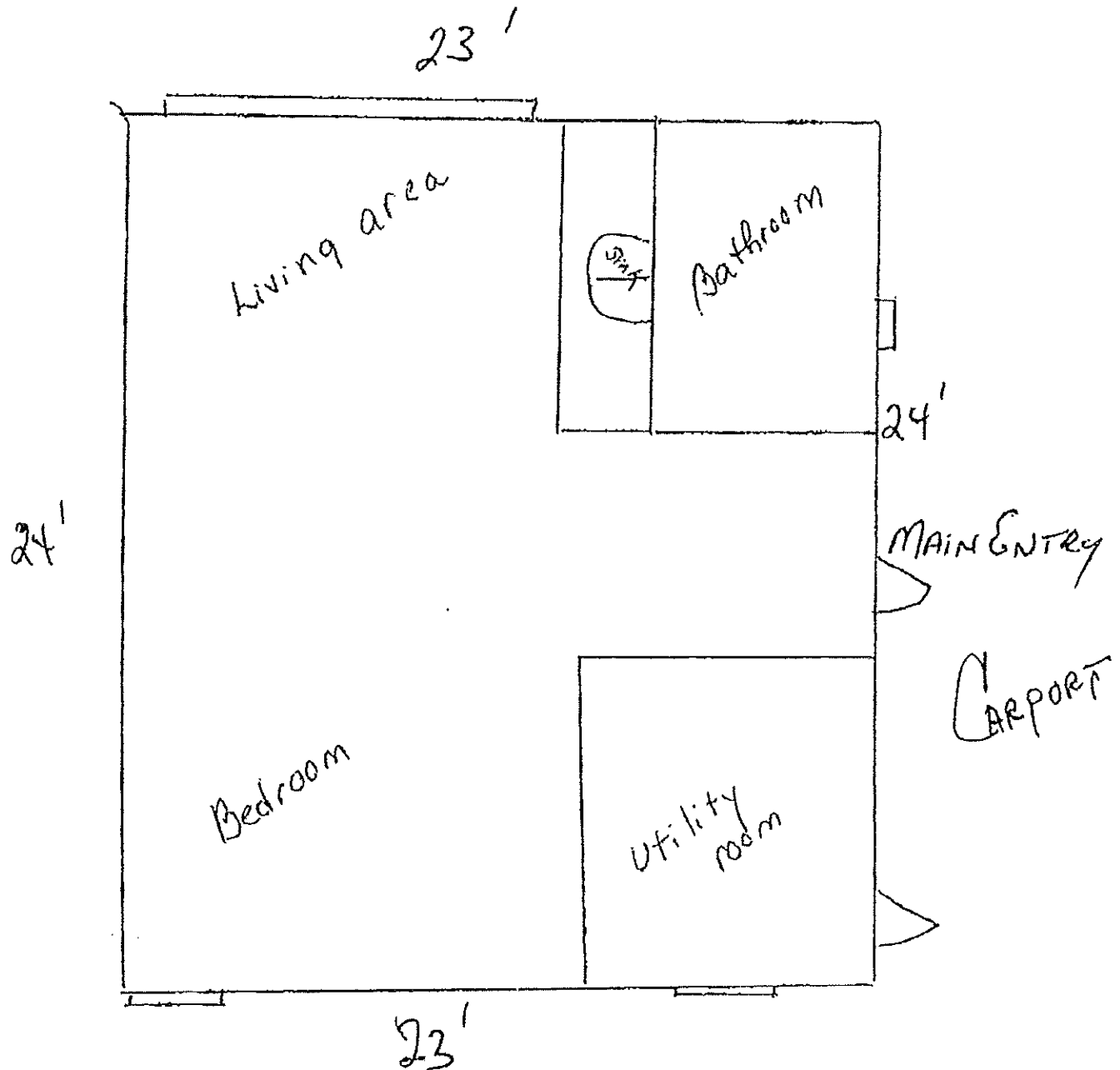
Sales / Transactions ⓘ

Generated on 11/11/2025 10:57 AM

Exhibit #6

2007 Permit Application RES 2007-10191

Crumbie
Downstairs @ 151 Miramar
Ft. Myers Beach
RES2007-10191



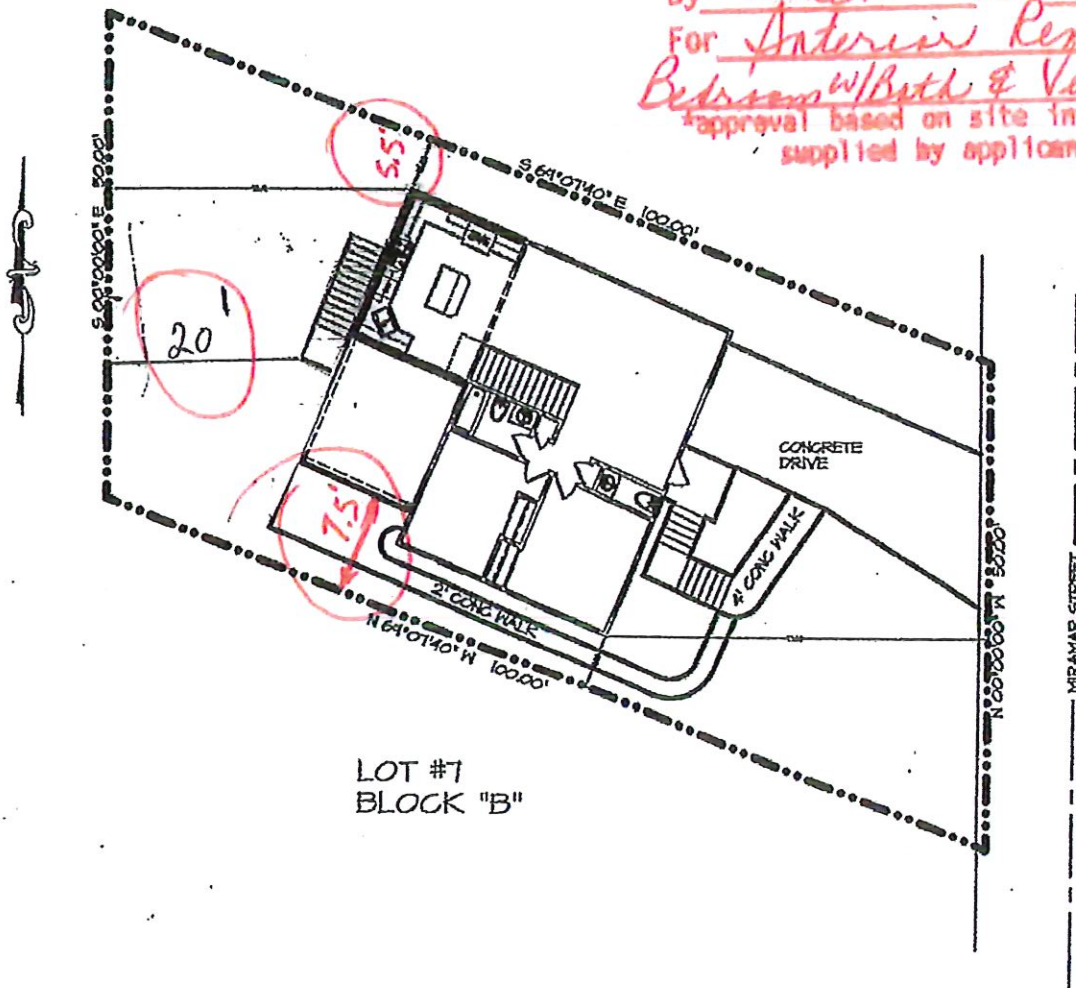
RES2007-10191
WOODLAND Custom Homes

Lee County Codes
and Building Service

APPROVED

By met Date 12-18-07

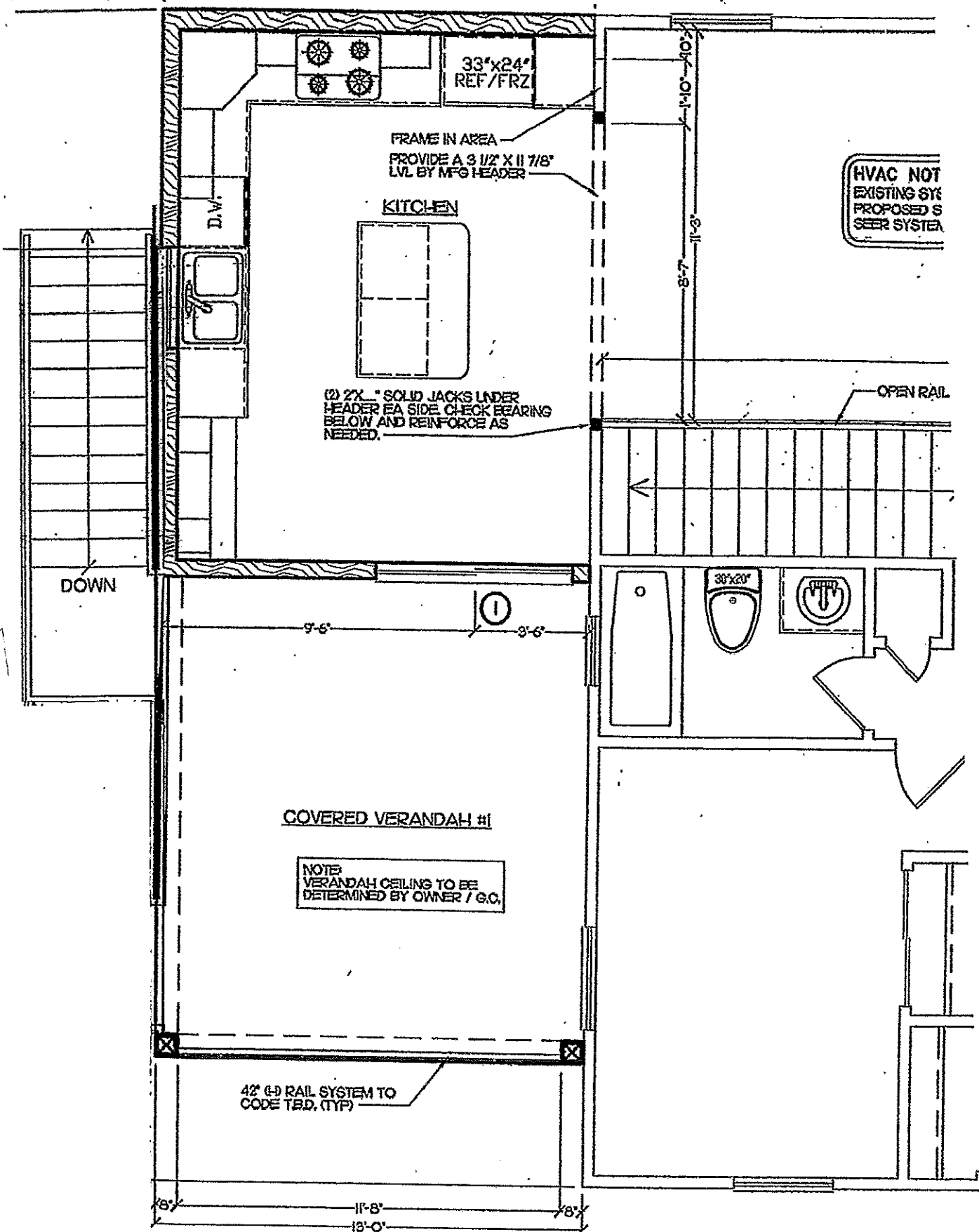
For Interior Remodel &
Bedroom w/Bath & Veranda Addition
Approval based on site information
supplied by applicant.



PROPOSED SITE PLAN - 1 : 20 SCALE

Crumbie Residence
151 MIRAMAR ST
FT MYERS BEACH FL

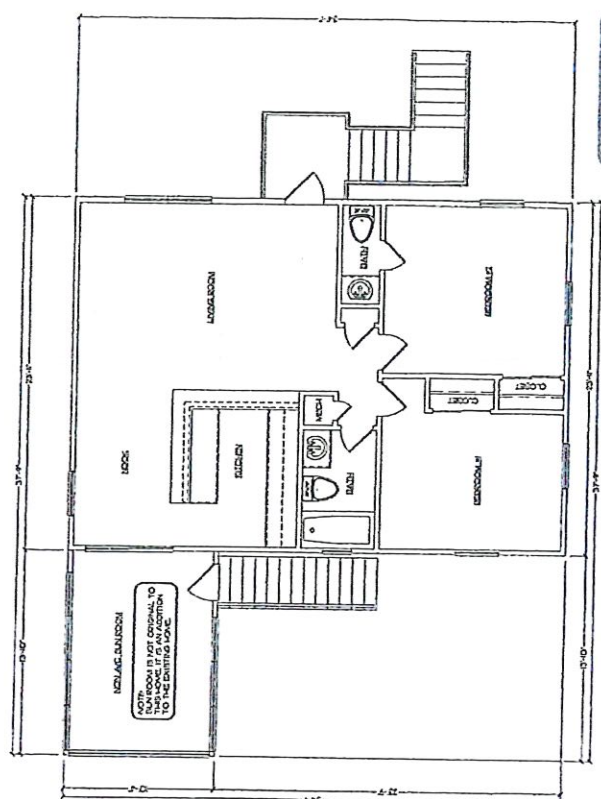
12-12-07 REVISED SITE PLAN
REAR STAIR RELOCATED



CRUMIE RESIDENCE 151 MIRAMAR ST, FT MYERS BCH
 REAR STAIRS SHIFTED TO COMPLY WITH 20' REAR SETBACK
 RES 2007-10191

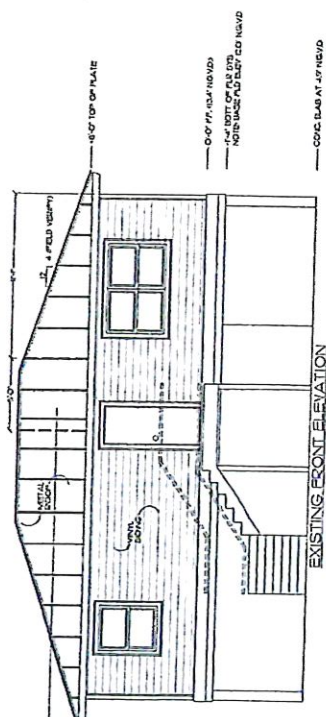
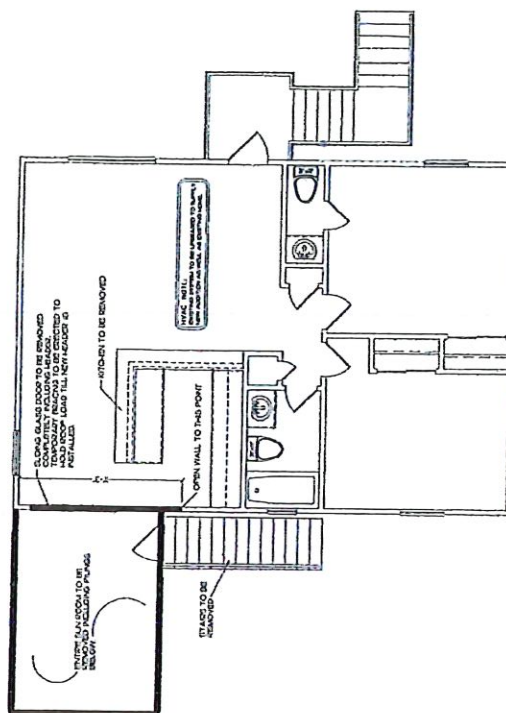
DEMOLITION PLAN

EXISTING ELEVATIONS AND FLOOR PLAN - 1/4" SCALE

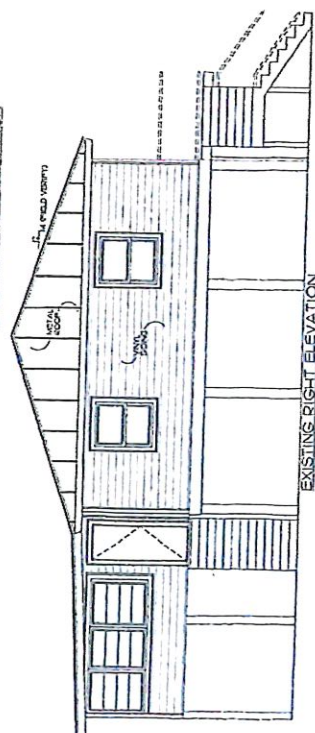


NOTES
I WROTE IN EXISTING HOME HAVE
MUSIC AND DUTIES PREVIOUSLY
NOTED

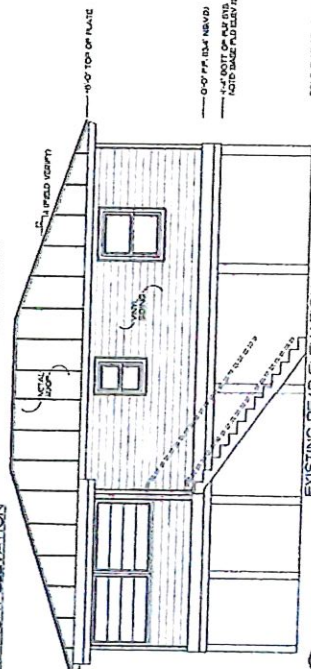
EXISTING FLOOR PLAN



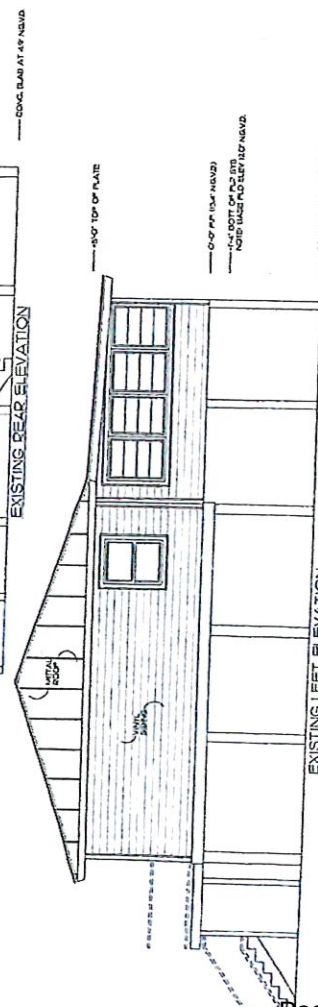
EXISTING FRONT ELEVATION



EXISTING RIGHT ELEVATION



EXISTING REAR ELEVATION



EXISTING LEFT ELEVATION

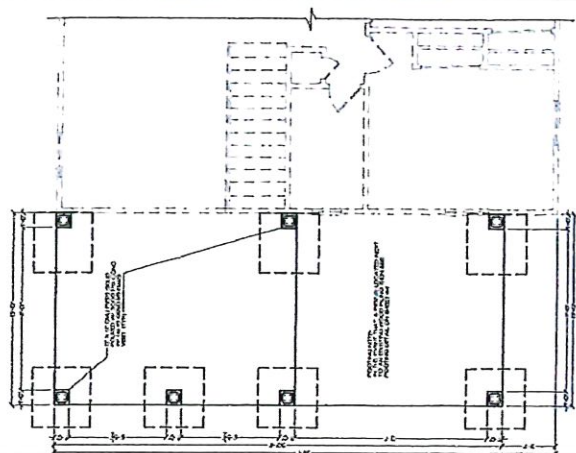
EXISTING EOP NOTE:

ROOM "BURNS BURNING PROXY" TO BACK
CHURCH SIDE OF CHURCH MOVED TO
EXISTING TRAILS TOP AND BOTTOM
CLIP AS NOTED ON EXISTING EOP
OF TRAIL WENTERS GUIDED AND MAILED
BE ADDED IN EXISTING WALK ADJACENT WAY
BURNERS AND S.C. CONVENTIONAL PRINGS
OF BURNING 7' x 6' CONVENTIONAL CLIP AS
CHURCH 1' x 6' CONVENTIONAL CLIP AS
CLIP 1' x 6' CONVENTIONAL CLIP AS
CLIP 1' x 6' CONVENTIONAL CLIP AS

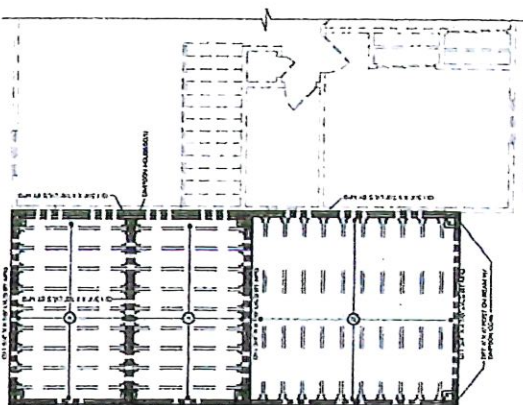
ALT:

INSTALL AN IRON IN TOP OF THE
EXISTING AND REASON OF EXISTING
BURNERS

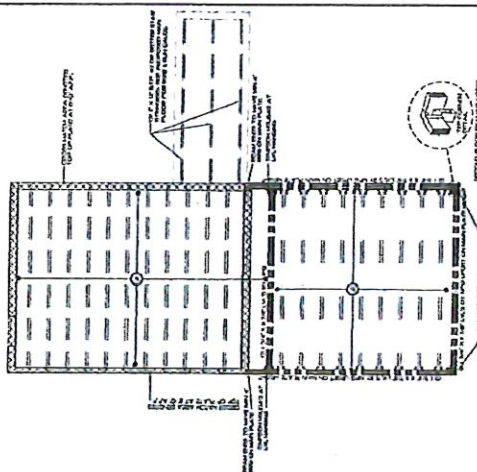
MAIN FLOOR FOUNDATION PLAN



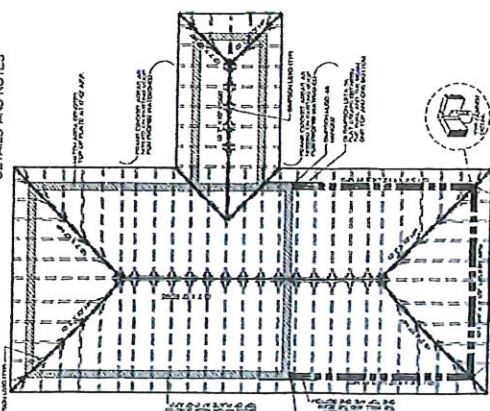
MAIN FLOOR FRAMING PLAN



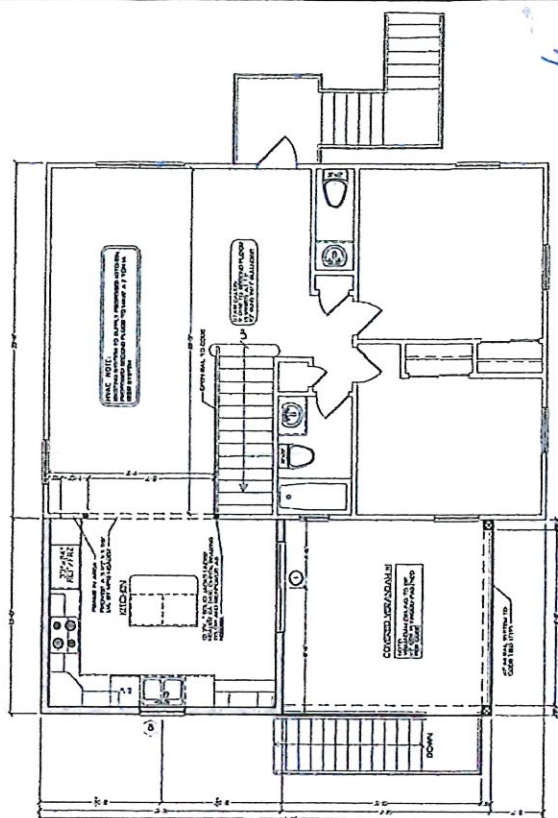
SECOND FLOOR FRAMING PLAN



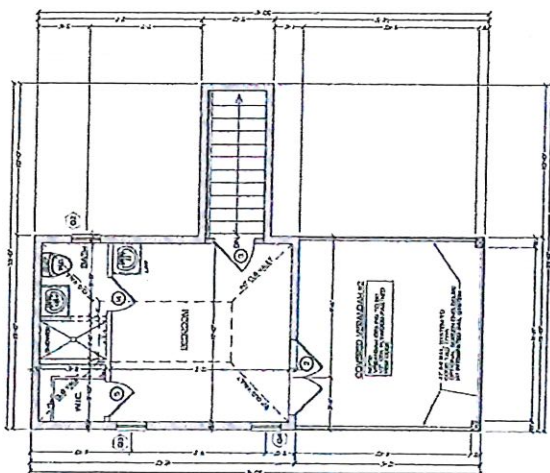
ROOF FRAMING PLAN



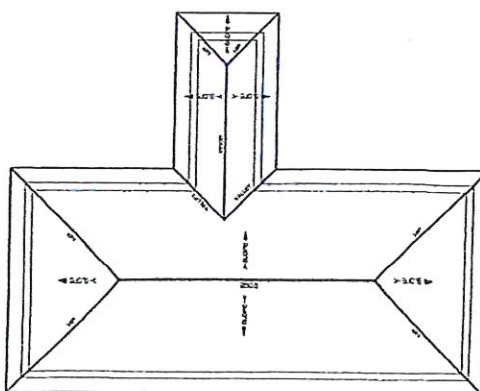
PROPOSED MAIN FLOOR PLAN

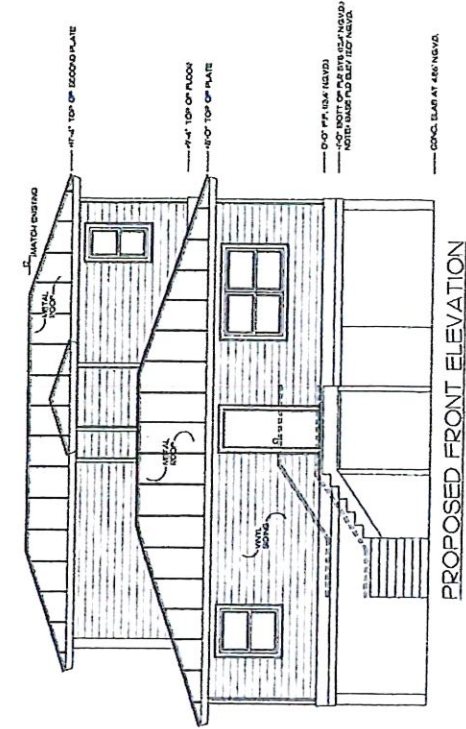


PROPOSED SECOND FLOOR PLAN

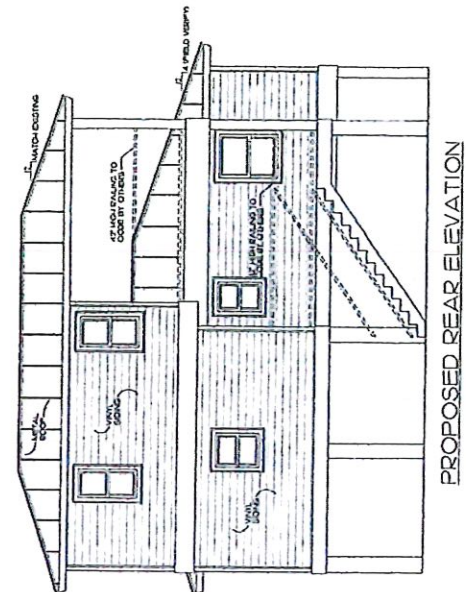


ROOF PLAN

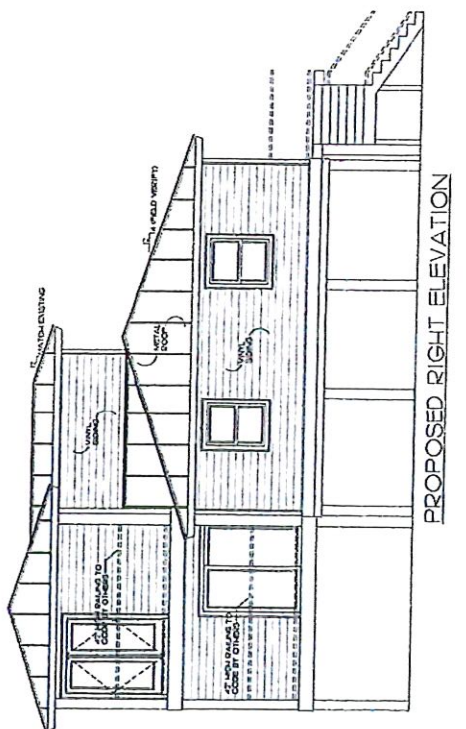




PROPOSED FRONT ELEVATION

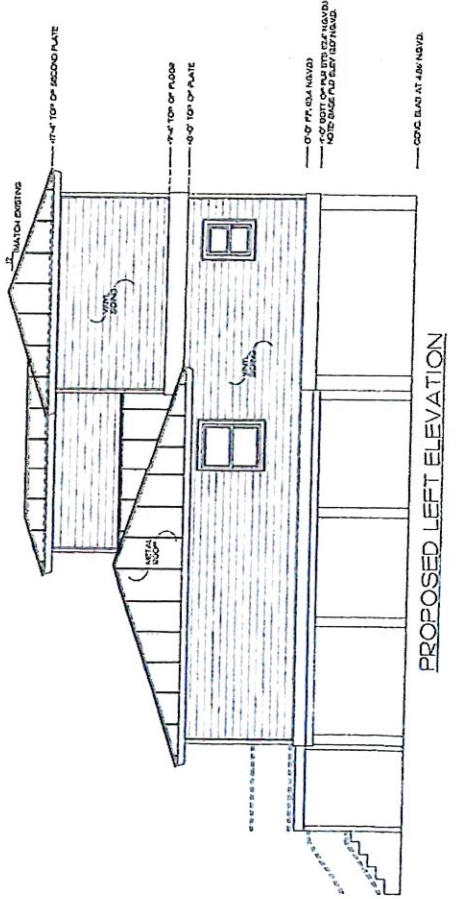


PROPOSED REAR ELEVATION



PROPOSED RIGHT ELEVATION

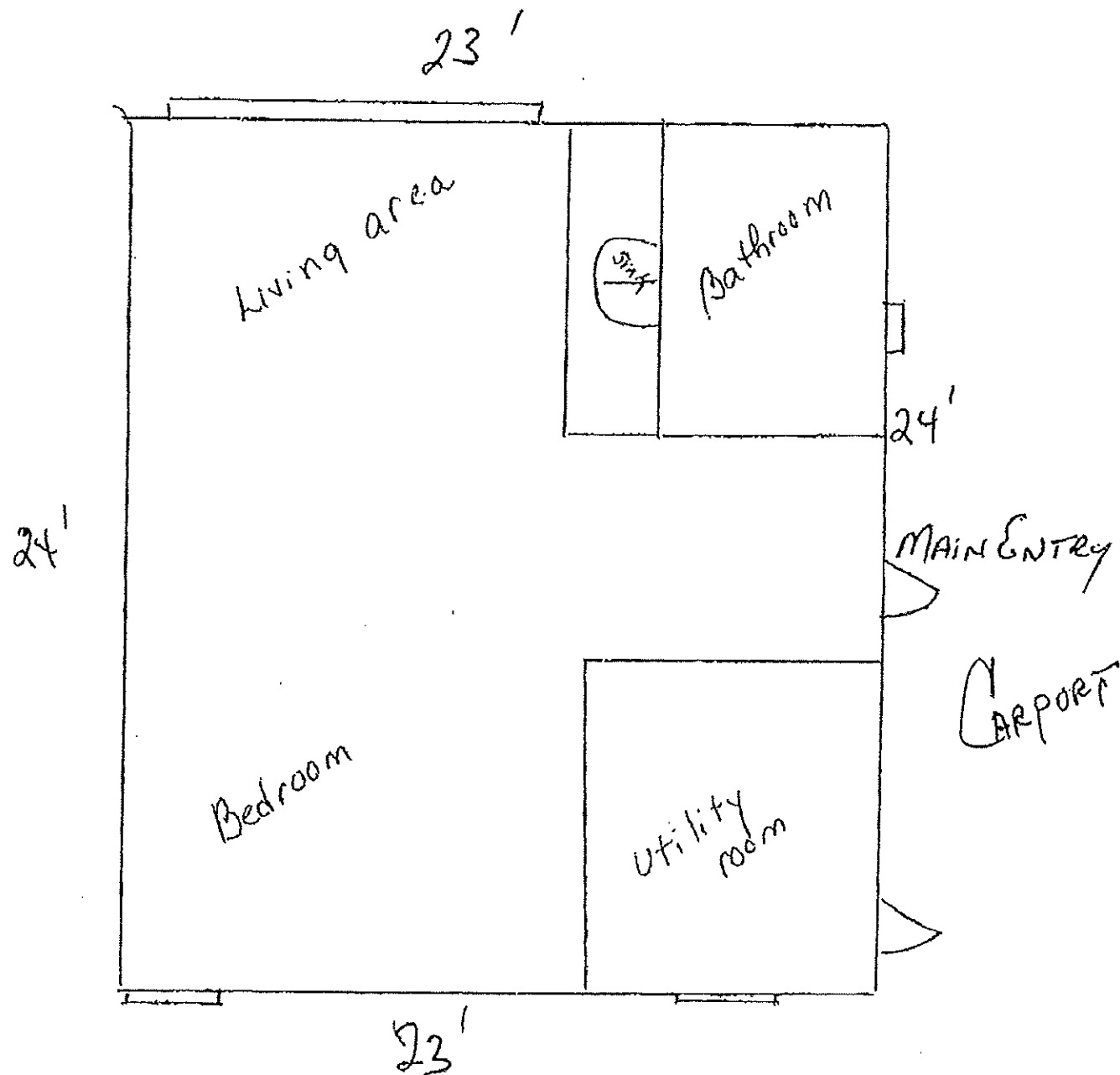
NOTES:
1. DESIGN PROVIDED FOR COMPONENTS AND CLADDING AT EXTERIOR WALLS TO BE 1/2" x 1/2" x 1/2" P.F.
2. ROOFING MATERIAL FOR ROOF AREA AND FLOORING
3. ROOFING MATERIAL FOR ROOF AREA AND FLOORING
4. ROOFING MATERIAL FOR ROOF AREA AND FLOORING
5. ROOFING MATERIAL FOR ROOF AREA AND FLOORING
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99. ROOFING MATERIAL FOR ROOF AREA AND FLOORING
100. ROOFING MATERIAL FOR ROOF AREA AND FLOORING



PROPOSED LEFT ELEVATION

PROPOSED BUILDING ELEVATIONS - 1/4" SCALE

Crumbie
Downstairs @ 151 Miramar
Ft. Myers Beach
RES2007-10191



RES2007-10191
WOODLAND Custom Homes

Exhibit #7

2024 Permit Revision #232518



PERMIT REVISION FORM
(Not to be used for re-submittals)

Permit number: 232518 Date: 1/31/2024
License Number: CBC 1265392 Contractor: Progreen Landscaping
Contact Name: Alex MacGiffert Phone Number: 239-565-5851
Email Address: progreen239@gmail.com dcthomasaugust1978@gmail.com
Site Address: 151 Miramar

CHECK ONE



Revision



Additional Information

Does this revision modify setbacks? ☐ Yes ☐ No IF YES, a new site plan is required.

Description of Request: adding lower level to scope of work

Printed Name: Carol Thomas Date: 1/31/2024
Signature: Carol Thomas

Please email all revisions and additional information to
Buildingpermits@fmbgov.com



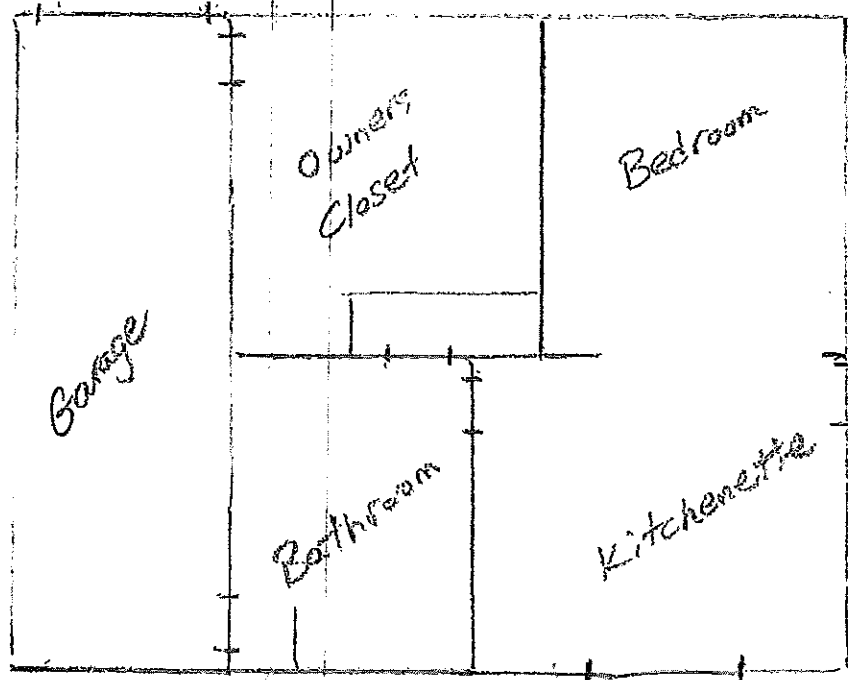
SITE PLAN WORKSHEET

Making changes to existing floor plan or layout? ☒ No ☐ Yes. If yes, an existing floor plan and a proposed floor plan must be depicted below indicating all proposed layout changes.

Street

ORIGINAL FLOOR PLAN

Street



Back Yard

Back Yard

PROPOSED FLOOR PLAN (IF DIFFERENT THAN ORIGINAL)

Exhibit #8

Permit # 20250721 Completion Certificate
(Permit # 232518)

20250721

← Back

Case Information

Case Date:	07/11/2025	Hearing Date:	
Case Type:	Work without Permit	Completion Date of Site Inspection:	
Description:	report work has been completed.	Status:	Closed- No Violation
Status:	Closed		

Property Information

Parcel #: 194624W40080B0070
151 MIRAMAR ST
FORT MYERS BEACH, 33931

Violations

08/06/2025 - Sec. 6-481- Working outside the scope of the permit.
Status: Open

Activities

09/10/2025 - 'Site Inspection	-	Completed Date: 01/01/1900
- see terri notes. revision to permit 232518 has garage door as part of the cost sheet. also revision includes lower level. realtor.com shows layout which includes bedrooms and kitchenett. these plans were approved in revision and permit has been finalled.		

09/10/2025 - 'Site Inspection	-	Completed Date: 01/01/1900
- revision was submitted 01-31-2024		

07/11/2025 - 'Site Inspection	-	Completed Date: 01/01/1900
- site inepsction		

07/11/2025 - 'Site Inspection	-	Completed Date: 01/01/1900
- permit 232518 REV' Add Lower Level repair like for like - Upper level - Replace windows s4s, front door, vinyl siding, soffit, fascia & gutters		

Uploaded Files

- [20250910_132326.jpg](#)
- [20250910_132338.jpg](#)
- [28195731-151 miramar permit #232518 includes new door on cost sheet.docx](#)
- [27994745-Miramar St 151 - timeline of permit.docx](#)
- [27994733-Miramar St 151 - Realtor advertisement.pdf](#)

Files

Choose Files

[Accessibility](#)

Exhibit #9

Lee County Property Card (3 pages)

* The Approaches to value on this parcel are incomplete or not applicable due to age or parcel type

SINGLE FAMILY RESIDENTIAL Cost Card for 102282228

FieldNumber/Location/107287287TaxYear=2025

fieldcards.leepa.org/CostCard/Folio/10228228?TaxYear=2025

Exhibit #10

Crumbie 1998 Lower Level photo

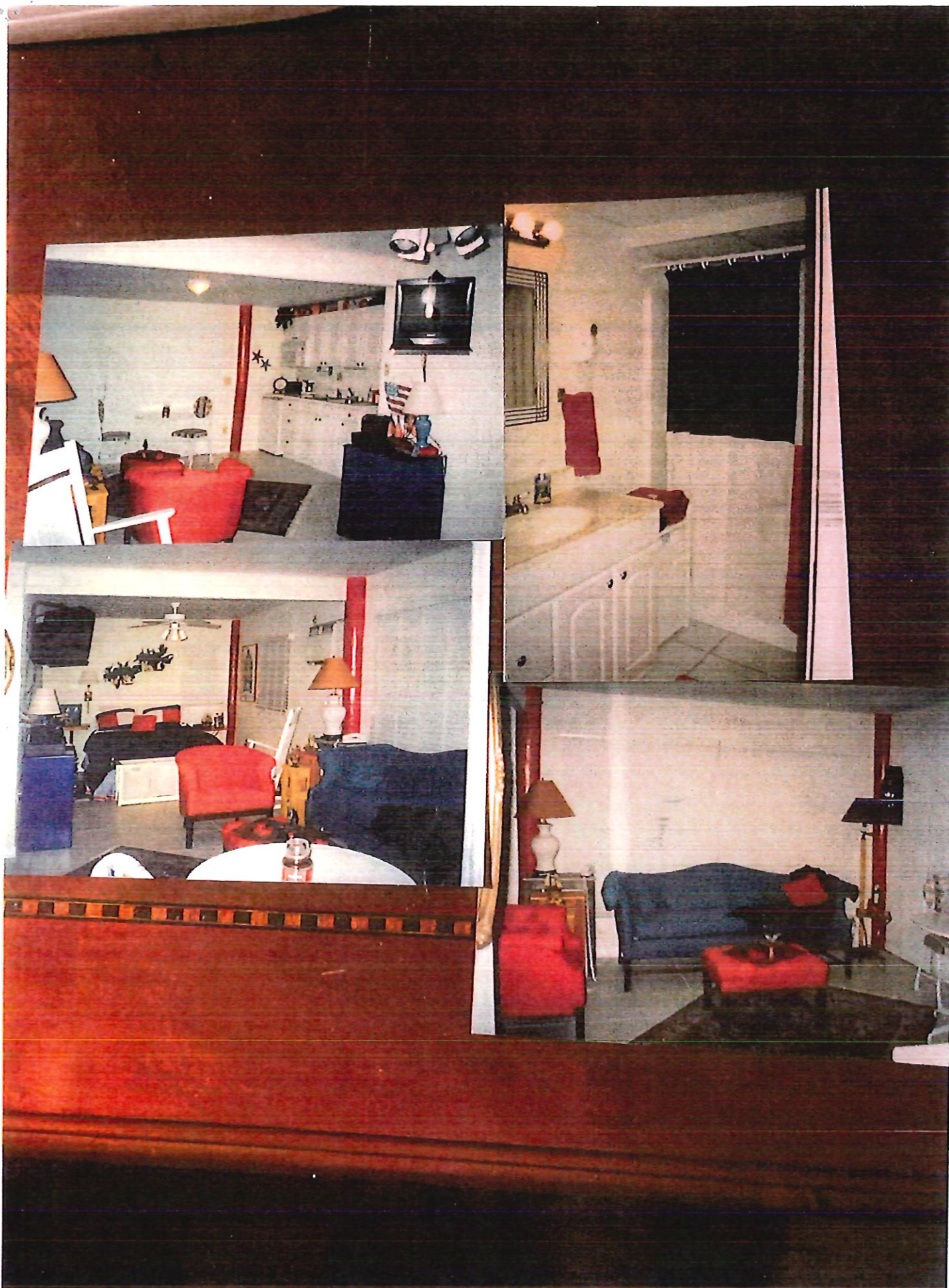


Exhibit #11

2000 Lee County Property Card Photo

Image of Structure



o Date June of 2000 > ✓ View other photos

PHOTOS OF 151 MIRAMAR STREET

FORT MYERS BEACH

MARCH 2021



LAUNDRY AREA



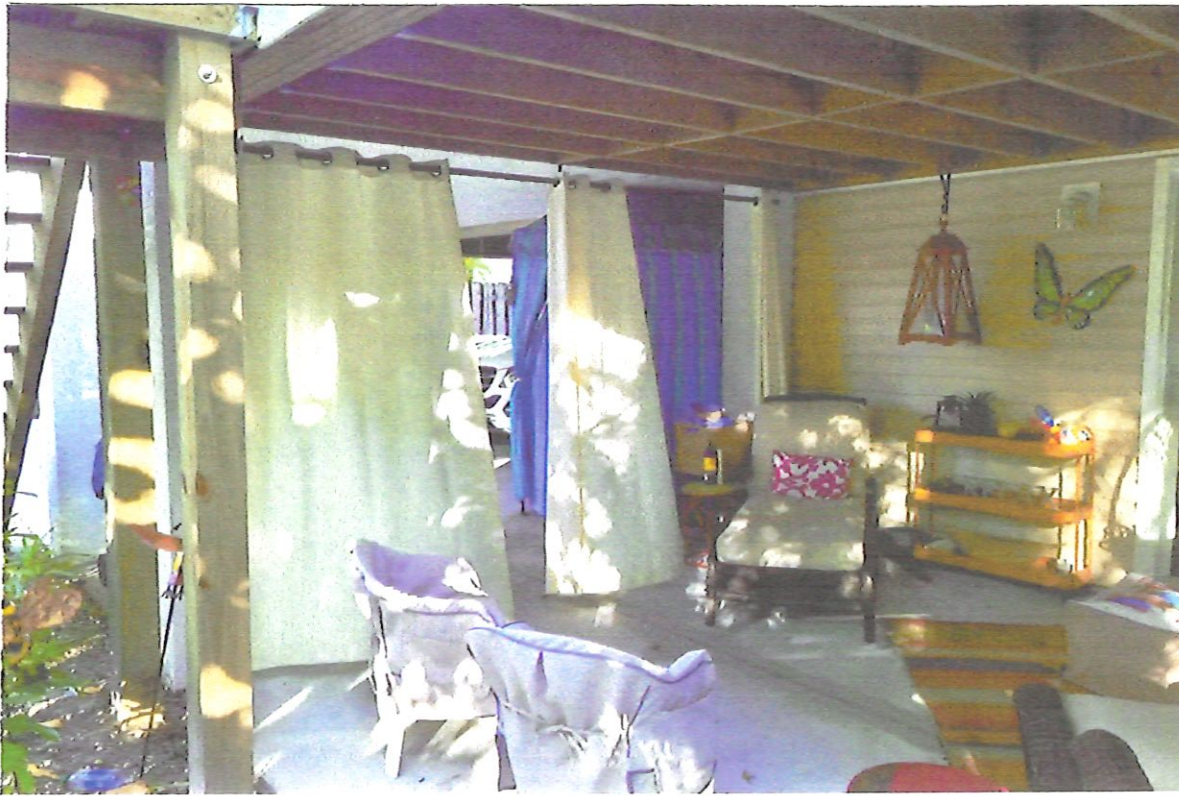
STORAGE ROOM



GARAGE AREA



PATIO AREA



PATIO AREA



OUTSIDE SHOWER



PATIO AREA





KITCHENETTE AREA

LIVINGROOM AREA





BED AREA



BATHROOM AREA

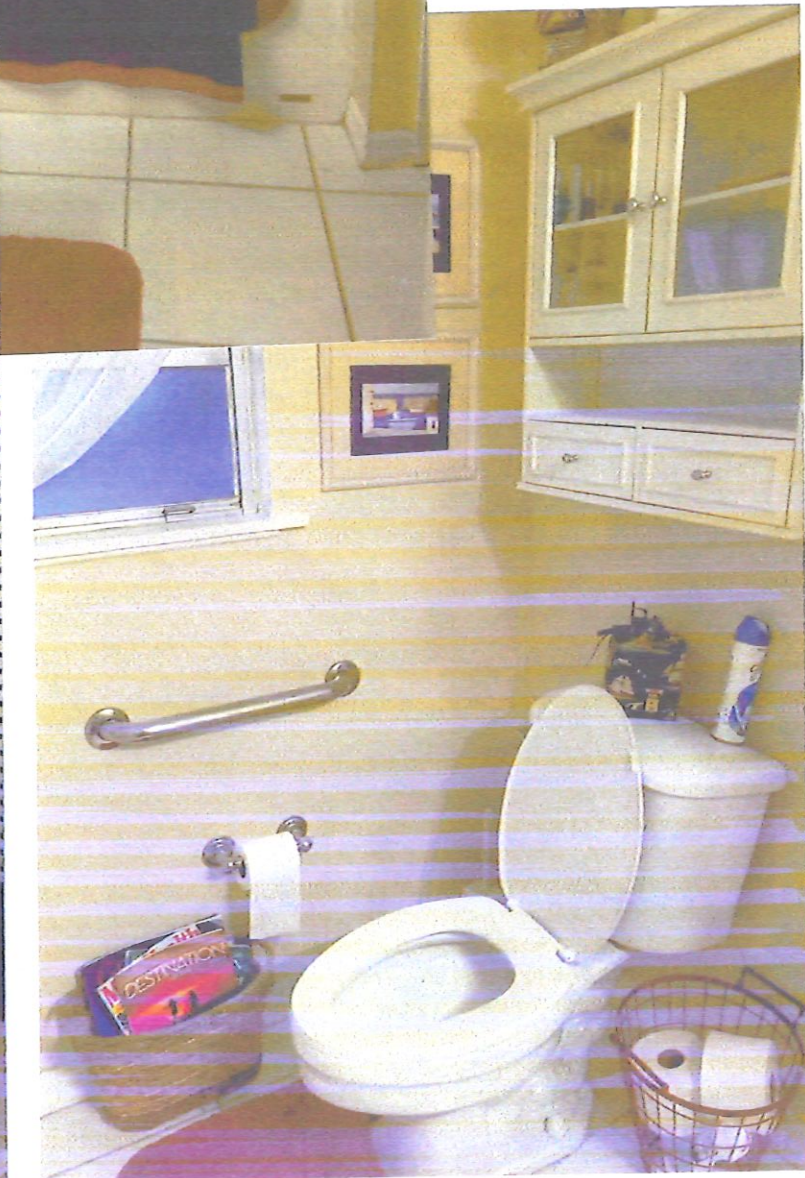


Exhibit # 12

Portion of Permit/Appraisal Report

Attic	☐ None	Heating	☒ FWA	☐ HWBB	☐ Radiant	Amenities	☐ WoodStove(s) #	Driveway Surface	Concrete
☐ Drop Stair	☐ Stairs	☐ Other	Fuel	Electricity	☐ Fireplace(s) #	☐ Fence	☒ Garage	# of Cars	2
☐ Floor	☒ Scuttle	Cooling	☒ Central Air Conditioning	☒ Patio/Deck Entry	☒ Porch Enclosed	☐ Carport	# of Cars		
☐ Finished	☐ Heated	☐ Individual	☐ Other	☐ Pool	☐ Other	☐ Att.	☐ Det.	☒ Built-in	
Appliances ☒ Refrigerator ☒ Range/Oven ☒ Dishwasher ☒ Disposal ☒ Microwave ☒ Washer/Dryer ☐ Other (describe)									
Finished area above grade contains: 5 Rooms 2 Bedrooms 1.50 Bath(s) 816 Square Feet of Gross Living Area Above Grade									
Additional features (special energy efficient items, etc.) Paddle Fans, Hurricane Shutters. Ground floor level has a 1 bath Efficiency Apartment. This is a									
grandfathered in, legal non-conforming use as defined in Future Land Use Plan and in Ordinance 34-3201.									
Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.) No physical, functional, or external inadequacies noted at									
time of inspection. Subject improvements have a total estimated economic life of 60 years; remaining economic life of 50 years.									

Uniform Residential Appraisal Report

File # 1207001

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

Property Address 151 Miramar Street City Fort Myers Beach State FL Zip Code 33931

Borrower Owner of Public Record Helen B. Crumble TR. County Lee

Legal Description Miramar Subdivision, Block B, Lot 7, Plat book 6 Page 31

Assessor's Parcel # 19-46-24-W4-00808.0070 Tax Year 2007 R.E. Taxes \$ 8453

Neighborhood Name Fort Myers Beach Map Reference 19-46-24 Census Tract 602

Occupant ☒ Owner ☐ Tenant ☐ Vacant Special Assessments \$ N/A ☐ PUD HOA \$ N/A ☐ per year ☐ per month

Property Rights Appraised ☒ Fee Simple ☐ Leasehold ☐ Other (describe)

Assignment Type ☐ Purchase Transaction ☐ Refinance Transaction ☒ Other (describe) For FEMA 50% Rule

Lender/Client Town of Fort Myers Beach Address 2523 Estero Boulevard, Fort Myers Beach, FL 33931

Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? ☐ Yes ☒ No

Report data source(s) used, offering price(s), and date(s). No prior sales information or listing of the property

I ☐ did ☒ did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. Not Applicable

Contract Price \$ N/A Date of Contract N/A Is the property seller the owner of public record? ☒ Yes ☐ No Data Source(s) Tax Records

Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? ☐ Yes ☒ No

If Yes, report the total dollar amount and describe the items to be paid. N/A

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics		One-Unit Housing Trends		One-Unit Housing		Present Land Use %	
Location ☐ Urban ☒ Suburban ☐ Rural	Property Values ☐ Increasing ☒ Stable ☐ Declining	PRICE	AGE	One-Unit	65 %		
Build-up ☒ Over 75% ☐ 25-75% ☐ Under 25%	Demand/Supply ☐ Shortage ☒ In Balance ☐ Over Supply	\$(000)	(yrs)	2-4 Unit	5 %		
Growth ☐ Rapid ☒ Stable ☐ Slow	Marketing Time ☐ Under 3 mths ☒ 3-6 mths ☐ Over 6 mths	300	Low New	Multi-Family	10 %		
Neighborhood Boundaries The subject is located on Fort Myers Beach a barrier island in Lee County. Fort Myers Beach is also refer to as The Town of Fort Myers Beach and is self sufficient.		4,000	High 70	Commercial	15 %		
Neighborhood Description Homes in the subject area are of average to good quality: with predominate sites with dry, canal, and beach front. Supporting services (i.e. schools, shopping, churches, employment centers) are located in close proximity to the subject. The island is a tourist attraction during the the winter and spring months. No adverse marketing conditions were noted.		\$50	Pred. 25	Other Vacant	5 %		

Market Conditions (including support for the above conclusions) There are a few recent sales and listings within the subject's immediate market area. Financing trends are towards cash to seller and conventional financing with fixed and adjustable rates available. Interest buy downs and discounts are not prevalent at this time. Supply and demand appear to be in balance. A six month marketing time can be anticipated.

Dimensions 50 F x 100 L x 50 B x 100 R Area 5000 SqFt Shape Rectangle View Residential

Specific Zoning Classification RS Zoning Description Residential Single Family

Zoning Compliance ☒ Legal ☐ Legal Nonconforming (Grandfathered Use) ☐ No Zoning ☐ Illegal (describe)

Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? ☒ Yes ☐ No If No, describe

Utilities	Public	Other (describe)	Public	Other (describe)	Off-site Improvements	Type	Public	Private
Electricity	☒		Water	☒	Street Asphalt		☒	☐
Gas	☐		Sanitary Sewer	☒	Alley None		☐	☐

FEMA Special Flood Hazard Area? ☒ Yes ☐ No FEMA Flood Zone AE-EL12 FEMA Map # 125124-0441-B FEMA Map Date 09/19/1984

Are the utilities and off-site improvements typical for the market area? ☒ Yes ☐ No If No, describe

Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? ☐ Yes ☒ No If Yes, describe No

survey was not provided to the appraiser to adequately address encroachments. No adverse conditions were noted at the time of inspection.

General Description		Foundation		Exterior Description		Interior	
Units ☒ One ☐ One with Accessory Unit	☒ Concrete Slab ☐ Crawl Space	Foundation Walls Concrete	Floors Vinyl/Carpet/Good				
# of Stories One	☐ Full Basement ☐ Partial Basement	Exterior Walls Frame/Siding	Walls Drywall/Painted/Good				
Type ☒ Det. ☐ Att. ☐ S-Det/End Unit	Basement Area sq. ft.	Road Surface Shingle	Trim/Finish Average/Average				
☒ Existing ☐ Proposed ☐ Under Const.	Basement Finished N/A %	Gutters & Downspouts Aluminum	Bath Floor Vinyl/Good				
Design (Style) Wood Piling	☐ Outside Entry/Exit ☐ Sump Pump	Window Type Aluminum	Bath Wainscot Tile/Good				
Year Built 1971	Evidence of ☐ Infestation	Storm Sash/Insulated N/A	Car Storage ☐ None				
Effective Age (Yrs) 10	☐ Dampness ☐ Settlement	Screens Screens	☒ Driveway # of Cars 2				
Attic ☐ None	Heating ☒ FWA ☐ HWB ☐ Radiant	Amenities	Driveway Surface Concrete				
☐ Drop Stair ☐ Stairs	☐ Other ☐ Fuel Electricity	Fireplace(s) #	☒ Garage # of Cars 2				
☐ Floor ☒ Scuttle	Cooling ☒ Central Air Conditioning	☒ Patio/Deck Entry	☐ Carport # of Cars				
☐ Finished ☐ Heated	☐ Individual ☐ Other	☐ Pool	☐ Alt. ☐ Det. ☒ Built-in				

Appliances ☒ Refrigerator ☒ Range/Oven ☒ Dishwasher ☒ Disposal ☒ Microwave ☒ Washer/Dryer ☐ Other (describe)

Finished area above grade contains: 5 Rooms 2 Bedrooms 1.50 Bath(s) 816 Square Feet of Gross Living Area Above Grade

Additional features (special energy efficient items, etc.) Paddle Fans, Hurricane Shutters. Ground floor level has a 1 bath Efficiency Apartment. This is a grandfathered in, legal non-conforming use as defined in Future Land Use Plan and in Ordinance 34-3201.

Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.) No physical, functional, or external inadequacies noted at time of inspection. Subject improvements have a total estimated economic life of 60 years; remaining economic life of 50 years.

Are there any physical deficiencies or adverse conditions that affect the livability, soundness or structural integrity of the property? ☐ Yes ☒ No If Yes, describe No

readily observable physical deficiencies, or adverse conditions were noted at the time of inspection. It should be noted that the appraiser is not a home inspector nor a structural engineer and the appraiser cannot guarantee the structural soundness or integrity of the subject property.

Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? ☒ Yes ☐ No If No, describe

INTERIOR SUBJECT PHOTOGRAPH ADDENDUM

Borrower/Client				Unit No.	N/A
Address	151 Miramar Street			City	Fort Myers Beach
City	Fort Myers Beach	County	Lee	State	FL
Lender/Client	Town of Fort Myers Beach			Zip Code	33931

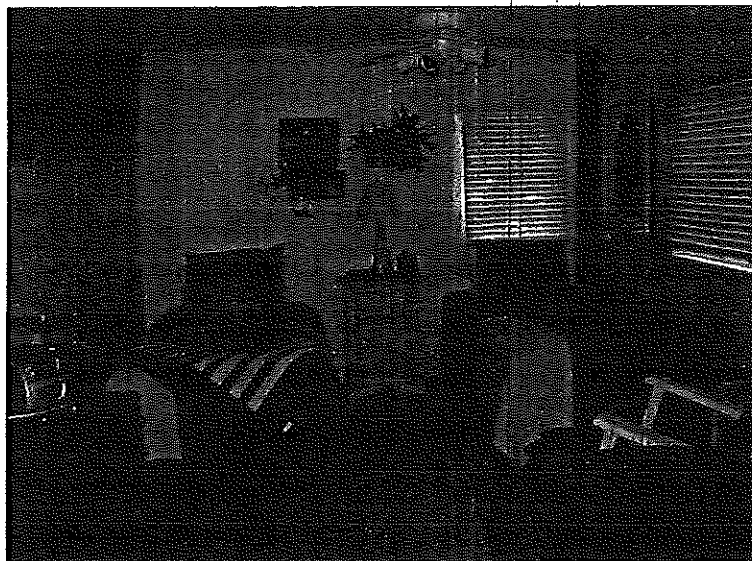
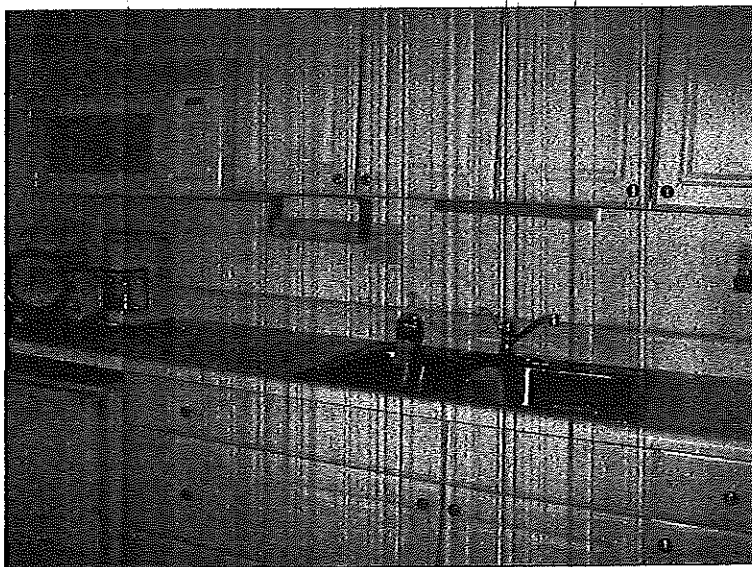
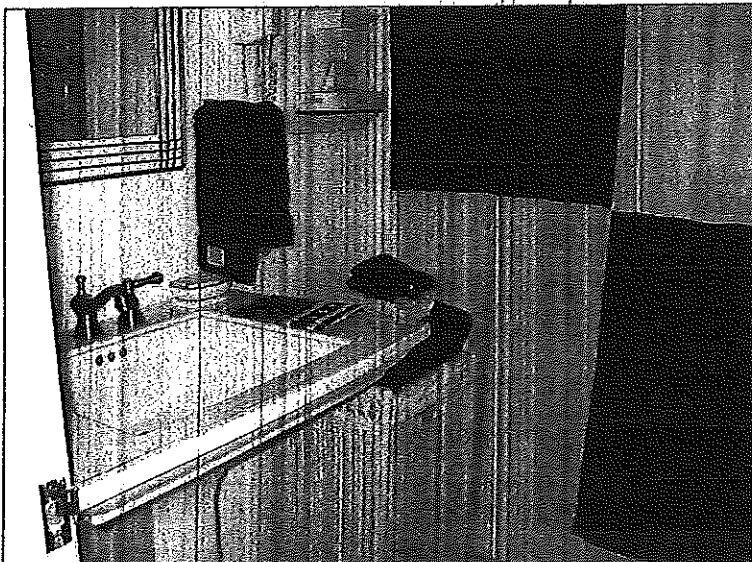
**Efficiency Apartment****Kitchen****Bathroom**

Image of Structure



< Photo Date May of 2003 > ✓ View other photos

Date: 02/07/2024

Property Address and Owner:

Hearing Date: January 6, 2026

Rescheduled to March 2026

Property Owner: Midwest Decoration Co

Property Address: 146 Hercules Dr

Violation: Interior and exterior remodel exceeding the scope of the permit and expired permit #234613.

Officer: M. Hauserman

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

Michael J Hauserman

Narrative:

A Notice of Violation & Hearing was issued on 10/20/25 giving until 11/17/25 to comply by obtaining the required building permits. Expired permit #234613.

Attachments:

1. 20240733_146HerculesDr_Exhibit A_Notice of Violation and Hearing Affidavit Ownership

Town Recommendations:

Town Approvals:

_____ Michael Hauserman, Code Compliance Manager	Date: December 22, 2025
_____ Thomas Yozzo, Emergency Services Director	Date: December 22, 2025
_____ nancy stuparich, Town Attorney	Date: December 22, 2025
_____ Lizzette Roman, Town Clerk Administrative Coordinator	Date: December 30, 2025
_____ Amy Baker, Town Clerk	Date: December 30, 2025

EXHIBIT A

- Notice of Violation & Hearing
- Evidence of Service
 - Affidavit of Positing
 - Evidence of Posting at violation address
 - Evidence of Posting at Town Hall
 - Evidence of Mailing / Certified Mail
- Evidence of Ownership
 - Lee County Property Appraisers
 - Tax Bill
- Initial Inspection Evidence
 - Photographs
 - Permit records
 - Other Evidence



Town of Fort Myers Beach

6231 Estero Blvd, Florida 33931

Phone: 239-765-0202 Fax: 239-765-0909

**TOWN OF FORT MYERS BEACH,
FLORIDA,**

**Petitioner,
vs.**

**Midwest Decoration Co.
Respondent.**

Case #:	20240733
Certified Mail:	9589071052713142142185 9589071052703142142178
Regular Mail:	USPS 11/14/2025

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared **Michael J Hauserman**, who being duly sworn by me, on oath, deposes and says the following regarding that certain Notice of Violation and Notice of Hearing attached hereto as **Exhibit A** ("the Notice"):

1. My name is **Michael J Hauserman**. I am over 18 years of age and am competent to testify to the matters set forth herein. I make this Affidavit based upon my personal knowledge.
2. I am employed as the **Code Compliance Manager** for the Town of Fort Myers Beach ("Town").
3. On **11/14/2025**, I personally mailed a copy of the Notice by certified mail and first-class mail as follows:
 - a. To the property owner at the address listed in the records of the Lee County Tax Collector and/or Lee County Property Appraiser for tax notices, which address is: **15214 Tonkel Road, Leo, IN 46765**. A true and correct copy of the property ownership and address information obtained from the Tax Collector/Property Appraiser is attached hereto as **Exhibit A**. A copy of the certified mail receipt is attached hereto as **Exhibit A**.

- b. To the following additional address(es) reasonably believed to be valid for the property owner: **Midwest Decoration Co.**. A copy of the certified mail receipt is attached hereto as **Exhibit A**.
- c. The property is owned by **Midwest Decoration Co.**, a business entity not registered in the State of Florida or the State of Indiana. I mailed a copy of the Notice by certified mail and first-class mail to the business at the following address: **15214 Tonkel Road, Leo IN 46765**. A copy of the certified mail receipt is attached hereto as **Exhibit A**. A true and correct copy of the Florida Division of Corporations record for the entity, identifying its Registered Agent, is attached hereto as **Exhibit A**.

4. On **11/14/2025**, I mailed via USPS regular mail and posted a copy of the Notice at **146 Hercules Drive, Fort Myers Beach, FL 33931**, which is the property upon which the violation is alleged to exist. Photographs of the posted Notice, taken by me on that date, are attached hereto as **Exhibit A**.

5. On **11/14/2025**, I posted a copy of the Notice at Town Hall, located at 6231 Estero Boulevard, Fort Myers Beach, FL 33931, which is the primary municipal government office for the Town of Fort Myers Beach. Photographs of the posted Notice, taken by me on that date, are attached hereto as **Exhibit A**.

Under penalties of perjury, I declare that I have read the foregoing Affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town of Fort Myers Beach Land Development Code and Section 162.12, Florida Statutes.

SWORN AND ATTESTED BY:

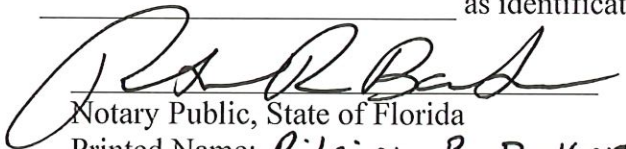


Signature of Affiant

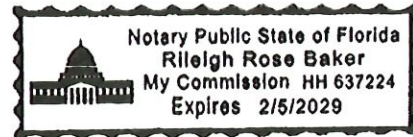
Printed Name: Michael J Hauserman

Title: Code Compliance Manager

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of ☒ physical presence / ☐ online notarization, this 14 day of November, 2025 by Michael J Hauserman, who ☒ is personally known to me ☐ or has produced _____ as identification.



Notary Public, State of Florida
Printed Name: Rileigh R Baker
My Commission No.: HH 637224
My Commission Expires: 2/5/2029





Town of Fort Myers Beach
NOTICE OF VIOLATION AND NOTICE OF CODE
ENFORCEMENT HEARING

6231 Estero Blvd, Fort Myers Beach, FL 33931

Phone : (239) 765-0202

*****REISSUED*****

Date: November 14, 2025

Case Number: **20240733**

Owner: **Midwest Decoration Co**

Mailing Address: 15214 Tonkel Road, Leo, IN 46765

Property Address: **146 Hercules Dr, Fort Myers Beach, FL 33931**

Certified Mail# 9589071052703142133961 & 9589071052703142172502

Parcel: 29-46-24-W2-0060A.0110

YOU ARE HEREBY NOTIFIED that the undersigned Code Officer alleges that on October 15, 2025 the following violation(s) of the Florida Building Code, Eighth Edition and the Land Development Code of the Town of Fort Myers Beach, Florida, existed on the property above:

Code Violation: On 10/15/2025, a violation was discovered Interior and Exterior remodel, exceed the scope of the approved permit 234613. Permit 234613 has expired thus leaving the construction work conducted without the required building permits as defined in Division 3 Section 6-111 (adoption; amendments) of the FMB Code of Ordinances in adoption of the Florida Building Code.

Relevant Codes:

Sec. 6-111. - Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

2023 Florida Building Code, Building, Eighth Edition

FBC Sec 105.1 Permits required. Any owner or owner's 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.

LDC Sec 6-441 – Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area must first make application to the floodplain administrator, and the building official, if applicable, and must obtain the required permits and approvals. No

such permit or approval will be issued until compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.

(Ord. No. 13-06, § 2, 9-3-2013; Ord. No. 16-02, § 2, 8-8-2016)

Corrective Action Required:

The following action is required to bring the violation(s) into compliance. Obtain / reactivate the required building permits for the unpermitted construction or retore the structure to it's original permit condition.

Compliance is required on or before: December 3, 2025

If the referenced violations are corrected from the date of issuance of this notice, you must contact the (Emergency Services Director) Thomas Yozzo at (239) 765-0202 or (Code Manager) Michael Hauserman at (239) 478-9363

A HEARING FOR THIS MATTER HAS BEEN SET BY THE SPECIAL MAGISTRATE CLERK FOR THE 7th DAY OF JANUARY 2026, AT 9:00 AM, AT 6231 ESTERO BLVD, FORT MYERS BEACH, FL 33931. (Fort Myers Beach Town Hall Council Chambers)

☒ Should all violations not be corrected and approved by the undersigned Code Enforcement Officer within the date and time specified above, you will be required to appear at the prosecution of this matter before the Town's Special Magistrate for Code Compliance, pursuant to Division 2 of Article V of Chapter 2 of the Town Land Development Code and Chapter 162, Florida Statutes. **THIS HEARING, REQUIRING YOU TO BE PRESENT, WILL BE HELD IF THE VIOLATION(S) HAVE NOT BEEN BROUGHT INTO COMPLIANCE AND APPROVED BY THE CODE ENFORCEMENT DEPARTMENT BY Wednesday, December 3, 2025 AS EVIDENCED BY THE ISSUANCE OF AN AFFIDAVIT OF COMPLIANCE BY THE CODE ENFORCEMENT OFFICER.** If a violation is corrected and then recurs, or if a violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate even if the violation has been corrected prior to the board hearing.

☐ The Code Officer has reason to believe that the violation(s) or the condition causing the violation(s) presents a serious threat to the public health, safety, and welfare or is irreparable or irreversible in nature, and therefore, no compliance date has been provided. This case may be presented to the Special Magistrate even if the violation(s) have been corrected prior to the hearing.

☐ The Code Officer has reason to believe that repeat violations have been found, and therefore, no compliance date has been provided. This case may be presented to the Special Magistrate even if the repeat violation(s) have been corrected prior to the hearing.

The purpose of this Hearing is for the Special Magistrate to make "Findings of Fact" and "Conclusions of Law" relating to the violation(s) specified in the attached Violation detail and to issue an appropriate Order. The Hearing is also your opportunity to present evidence and/or contest the alleged violations, should you wish to do so. If a violation is found, the Order may require you to correct the violation(s) by a specified date. In addition, the Order may impose daily fines as per Florida Statutes Section 162.09(2)(a) of the following:

- \$250/ day per violation
- \$500/day for repeat offenses
- \$5,000 for irreversible or irreparable violations

Additionally, administrative fines may be imposed to recover all costs incurred by the Town in prosecuting this matter. If all violations are not corrected prior to the Hearing date, you may be assessed any such costs. **THE IMPOSITION OF FINES AND/OR COSTS MAY RESULT IN A LIEN AGAINST YOU AND YOUR PROPERTY.**

You should be aware that if the alleged violation(s) is/are corrected prior to the Hearing and recurs within five (5) years from the date of the original Notice of Violation, the case may be presented to the Special Magistrate as a Recurring Violation even if the violation is subsequently corrected.

You have the right to be represented by an attorney and to respond and present evidence and witnesses at the Hearing. If you wish to be represented by an attorney, your attorney **MUST** notify the Special Magistrate's Clerk in writing at least five (5) working days before the Hearing.

You may also have other rights which are set forth in Division 2 of Article V of Chapter 2 of the Town Land Development Code. If a person decides to appeal any decision with respect to any matter considered at this Hearing, such person will 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 (Section 286.0105, Florida Statutes).

For additional HEARING information, contact the Town of Fort Myers Beach Special Magistrate Clerk at (239) 478-9363.

Michael J Hauserman, CEP



Signature of Affiant

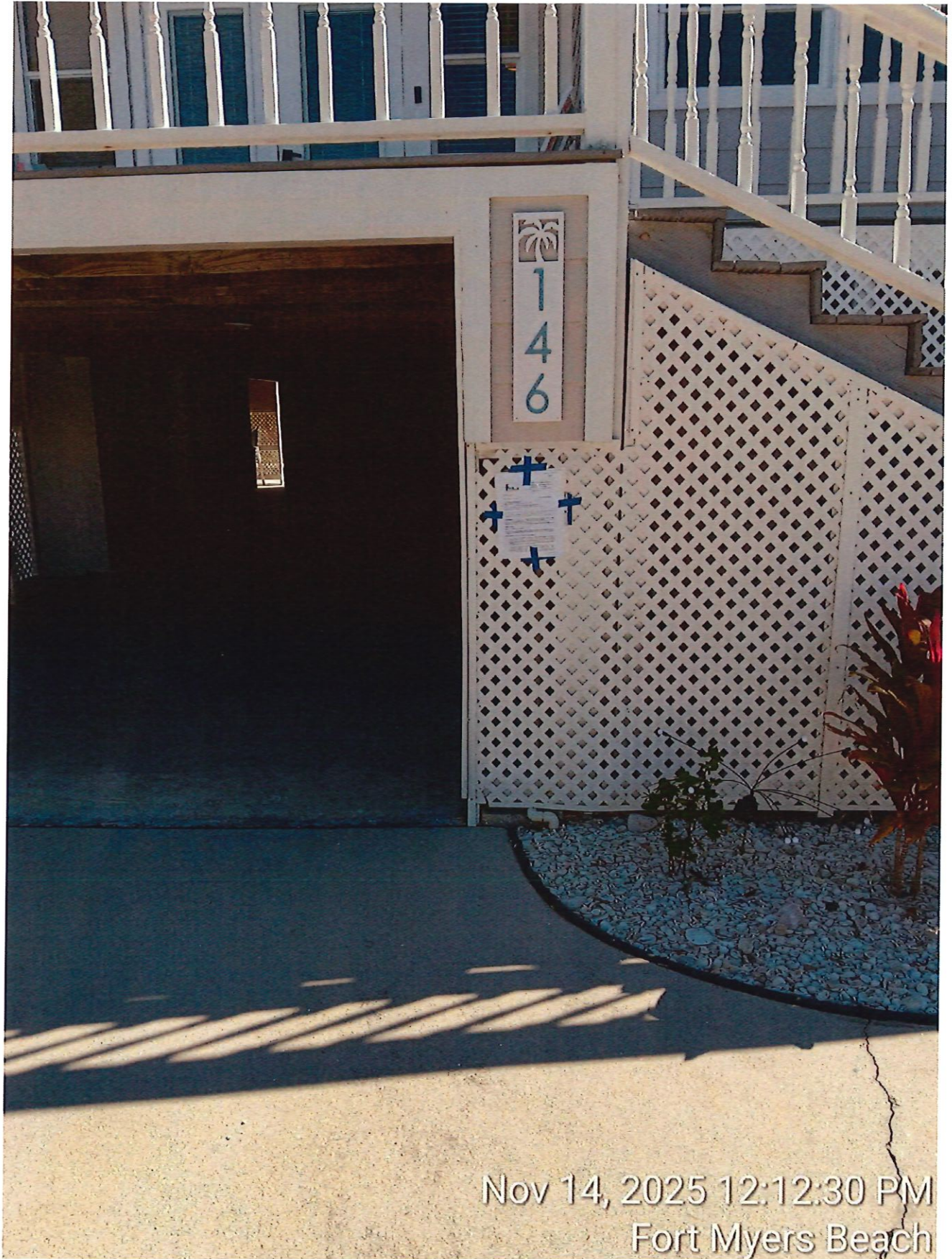
Code Enforcement / Code Compliance Manager
Fort Myers Beach, Florida

9589 0710 5270 3142 1421 85

U.S. Postal Service™ 20240783 CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$ _____	
☐ Return Receipt (electronic) \$ _____	
☐ Certified Mail Restricted Delivery \$ _____	
☐ Adult Signature Required \$ _____	
☐ Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To Street and Apt. City, State, ZIP	Midwest Decoration Co 146 Hercules Dr Fort Myers Beach, FL 33931
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

9589 0710 5270 3142 1421 78

U.S. Postal Service™ 20240733 CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
Certified Mail Fee \$ _____	11-14.25 Postmark Here <i>mt</i>
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$ _____	
☐ Return Receipt (electronic) \$ _____	
☐ Certified Mail Restricted Delivery \$ _____	
☐ Adult Signature Required \$ _____	
☐ Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To Street and Apt. City, State, ZIP	Midwest Decoration Co 15214 Tonkel Rd Leo, IN 46765
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	



Nov 14, 2025 12:12:30 PM
Fort Myers Beach

requirements of the ordinance and all other applicable codes and regulations has been subject to...
undertake a series of any improvements, additions, and/or demolitions that connect two or more existing structures
in a manner that evades the requirements of this ordinance and the Florida Building Code.

CH Posting
11-14-25 MJ



Town of Fort Myers Beach

NOTICE OF VIOLATION AND NOTICE OF CODE ENFORCEMENT HEARING

6231 Estero Blvd, Fort Myers Beach, FL 33931

Phone : (239) 765-0202

REISSUED

Date: November 14, 2025

Case Number: 20240733

Owner: Midwest Decoration Co

Mailing Address: 15214 Tonkel Road, Leo, IN 46765

Property Address: 146 Hercules Dr, Fort Myers Beach, FL 33931

Certified Mail# 9589071052703142133961 & 9589071052703142172502

Parcel: 29-46-24-W2-0060A.0110

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Relevant Codes:

Sec. 6-111. - Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

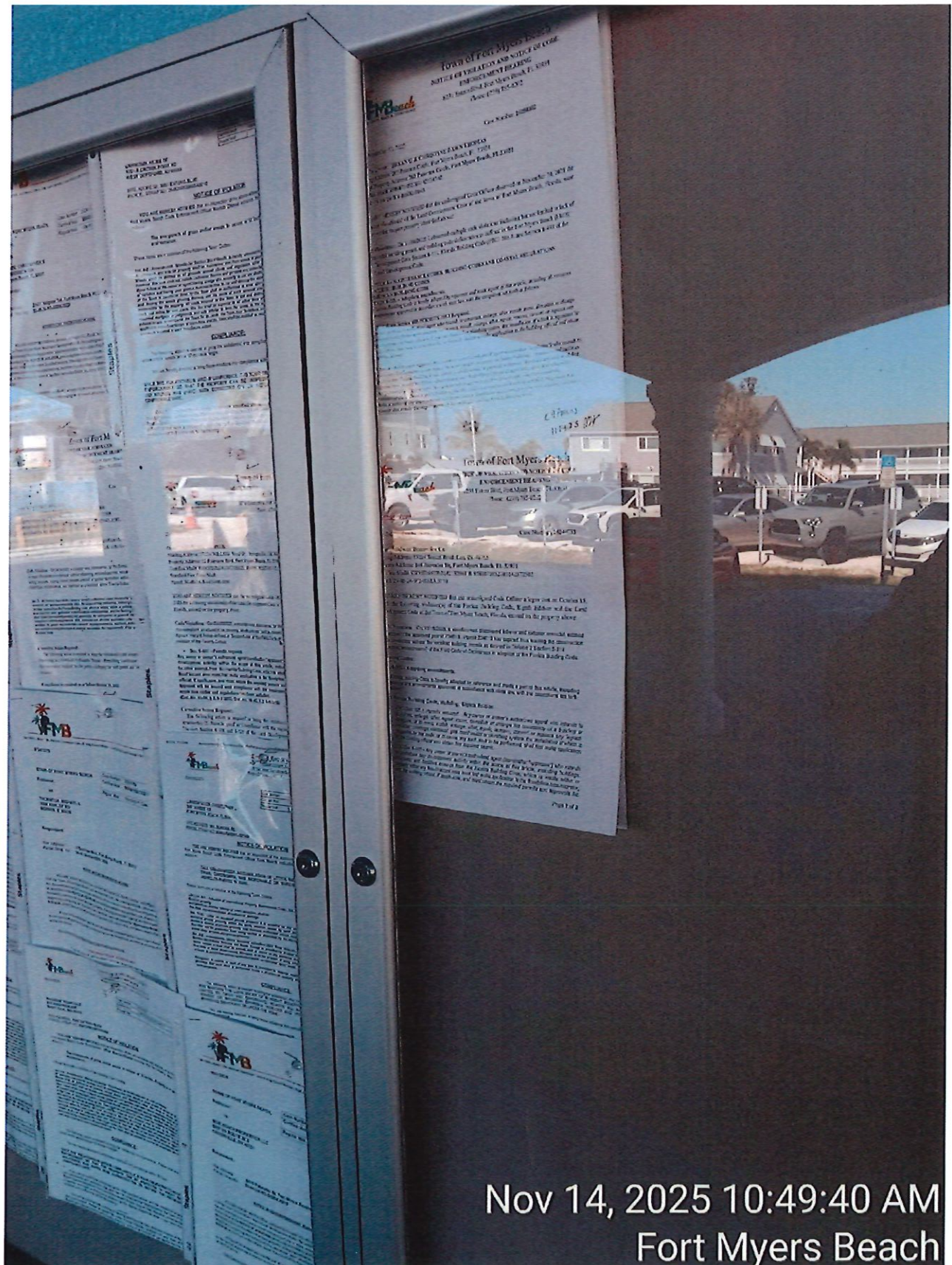
2023 Florida Building Code, Building, Eighth Edition

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LDC Sec 6-441 - Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area must first make application to the floodplain administrator, and the building official, if applicable, and must obtain the required permits and approvals. No

Page 1 of 3

Nov 14, 2025 10:49:31 AM
Fort Myers Beach



Nov 14, 2025 10:49:40 AM
Fort Myers Beach



Property Data

STRAP: 29-46-24-W2-0060A.0110 Folio ID: 10229746

Tax Roll Value Letter 2025 ▼

Generated on 12/22/2025 8:15 AM

Owner Of Record - Sole Owner

[\[Change Mailing Address\]](#)



MIDWEST DECORATION CO
15214 TONKEL RD
LEO IN 46765

Site Address

Site Address maintained by [E911 Program Addressing](#)

146 HERCULES DR
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



HERCULES PARK BLK A PB 5 PG 22 LOTS 11 + 12

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 5 and 22 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	3 / 3.0
Gross Living Area	1,678
1st Year Building on Tax Roll	1958
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	29	0060A	0110
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.4404	-81.92379		

[View Parcel on Google Maps](#)

[Tax Map Viewer] [View Comparables]



[Pictometry Aerial Viewer]

Image of Structure



◀ Photo Date February of 2013 ▶ ☐ View other photos

Last Inspection Date: 04/16/2018

Property Values / Exemptions / TRIM Notices

Generated on 12/22/2025 8:15 AM

No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
2025 / Additional Info	2025 (Final Value)	613,611	613,601	613,611	613,611	0	0	613,611
2024 / Additional Info	2024 (Final Value)	773,706	773,696	773,706	773,706	0	0	773,706
2023 / Additional Info	2023 (Corrected Value)	442,811	442,801	442,811	442,811	0	0	442,811

2022 / Additional Info	2022 (Final Value)	752,002	527,900	752,002	199,105	50,000	0	149,105
2021 / Additional Info	2021 (Final Value)	516,619	384,800	516,619	193,306	50,000	0	143,306
2020 / Additional Info	2020 (Final Value)	446,555	384,800	446,555	190,637	50,000	0	140,637
2019 / Additional Info	2019 (Final Value)	435,231	355,800	435,231	186,351	50,000	0	136,351
2018 / Additional Info	2018 (Final Value)	429,598	355,800	429,598	182,876	50,000	0	132,876
2017 / Additional Info	2017 (Final Value)	425,556	338,800	425,556	179,115	50,000	0	129,115
2016	2016 (Final Value)	426,306	338,800	426,306	175,431	50,000	0	125,431
2015	2015 (Final Value)	339,097	338,800	339,097	174,212	50,000	0	124,212
2014	2014 (Final Value)	311,799	220,000	311,799	172,829	50,000	0	122,829
2013	2013 (Final Value)	286,303	155,800	286,303	170,275	50,000	0	120,275
2012	2012 (Final Value)	334,554	230,000	334,554	167,429	50,000	0	117,429
2011	2011 (Final Value)	351,528	230,000	351,528	162,552	50,000	0	112,552
2010	2010 (Final Value)	383,265	260,000	383,265	160,150	50,000	0	110,150
	2009 (Final Value)	430,620	300,000	430,620	155,940	50,000	0	105,940
	2008 (Final Value)	497,140	350,000	497,140	155,780	50,000	0	105,780
	2007 (Final Value)	573,490	425,000	0	151,250	25,000	0	126,250
	2006 (Final Value)	568,110	391,000	0	147,560	25,000	0	122,560
	2005 (Final Value)	439,630	280,500	0	143,260	25,000	0	118,260
	2004 (Final Value)	409,100	300,000	0	139,090	25,000	0	114,090
	2003 (Final Value)	362,710	200,000	0	136,490	25,000	0	111,490
	2002 (Final Value)	212,680	80,000	0	129,890	25,000	0	104,890
	2001 (Final Value)	188,340	80,000	0	127,840	25,000	0	102,840
	2000 (Final Value)	172,290	62,500	0	124,120	25,000	0	99,120
	1999 (Final Value)	165,210	62,500	0	120,860	25,000	0	95,860
	1998 (Final Value)	152,130	62,500	0	118,960	25,000	0	93,960
	1997 (Final Value)	150,190	60,000	0	116,970	25,000	0	91,970
	1996 (Final Value)	146,020	60,000	0	113,560	25,000	0	88,560
	1995 (Final Value)	95,130	55,000	0	95,130	25,000	0	70,130
	1994 (Final Value)	96,750	55,000	0	96,750	0	0	96,750
	1993 (Final Value)	81,850	35,000	0	81,850	0	0	81,850
	1992 (Final Value)	72,940	35,000	0	72,940	0	0	72,940

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question ([F.A.C. 12D-1.002](#)).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard ([F.S. 193.011](#)). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment ([F.S. 193.461 \(6\) \(a\)](#)). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current as of 12/21/2025)

Generated on 12/22/2025 8:15 AM

Land Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	2.00	Units

Buildings

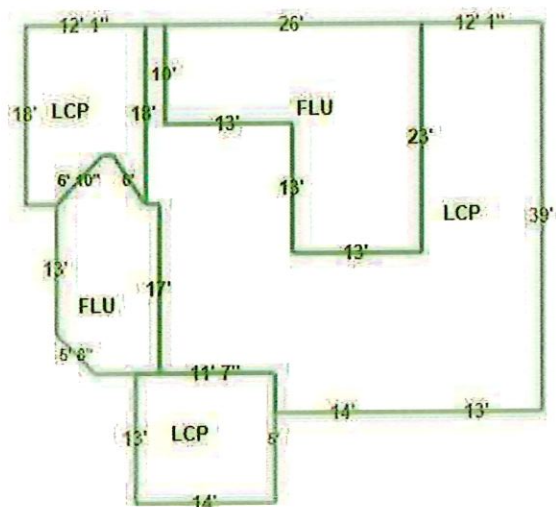
Building Characteristics

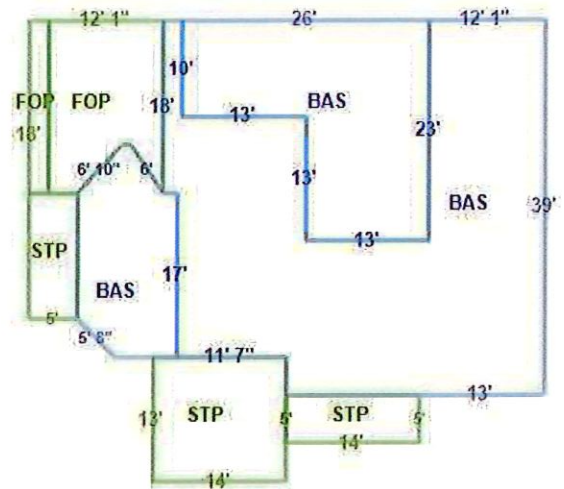
Building Subareas

Building Front Photo



Building Footprint





Property Details (2025 Tax Roll)



Generated on 12/22/2025 8:15 AM

Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
100	Single Family Residential	2.00	Units

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
103 - Split Entry/Raised Ranch	1 - SINGLE FAMILY RESIDENTIAL	1.0	1
Bedrooms	Bathrooms	Year Built	Effective Year Built
3	3.0	1958	1992

Building Subareas

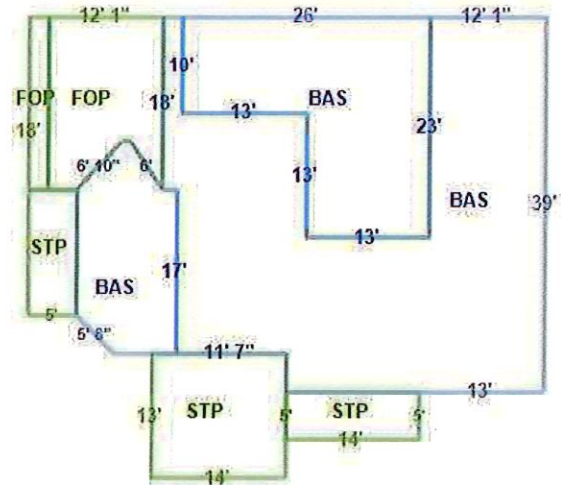
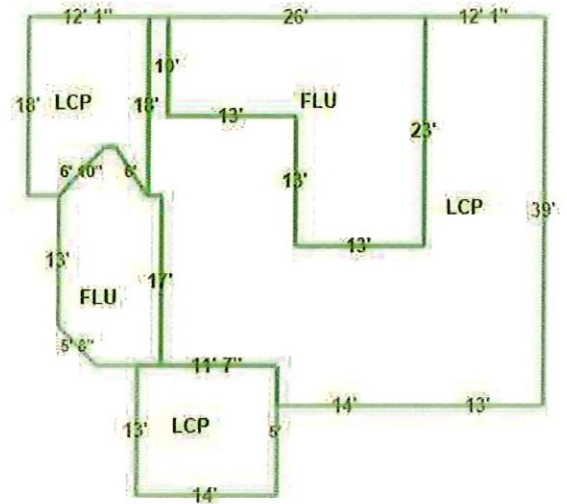
Description	Heated / Under Air	Area (Sq Ft)
BAS - BASE	Y	1,484
BAS - BASE	Y	194
FLU - FINISHED LOWER UTILITY	N	623
FOP - FINISHED OPEN PORCH	N	35
FOP - FINISHED OPEN PORCH	N	193
LCP - LOWER CARPORT / OPEN PORCH	N	1,430
STP - STOOP	N	252
STP - STOOP	N	65

Building Front Photo

Building Footprint



Photo Date: February of 2013



Taxing Authorities

Generated on 12/22/2025 8:15 AM

TOWN OF FT MYERS BEACH / 032

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931

LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
GREEN CORRIDOR PACE / 363	Special District	
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions

Generated on 12/22/2025 8:15 AM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
700,000.00	04/14/2023	2023000167724	01		I
100.00	11/09/2004	4516/299	01		I
71,500.00	09/01/1987	1944/1293	03		I
0.00	01/01/1980	1404/421	01		I

[View Recorded Plat at LeeClerk.org](https://www.leeclerk.org)

Use the above link to do a search on the Lee County Clerk of Courts website, using **5** and **22** for the book and page numbers and **Plats Book** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

Generated on 12/22/2025 8:15 AM

Permit Number	Permit Type	Date
235522	Building Remodel / Repair	09/22/2023
234613	Building Remodel / Repair	07/12/2023
ROF14-0028	Roof	04/21/2014
BLD12-0095	Building Remodel / Repair	06/26/2012

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History

Generated on 12/22/2025 8:15 AM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
29-46-24-06-0000A.0110	N/A	Reserved for Renumber ONLY	01/12/1995

Solid Waste (Garbage) Roll Data

Generated on 12/22/2025 8:15 AM

Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	R - Residential Category		1	358.45
	Collection Days			
Garbage	Recycling		Horticulture	
Thursday	Thursday		Thursday	

Flood and Storm Information

Generated on 12/22/2025 8:15 AM

Community	Flood Insurance	Find my flood zone	Date	Evacuation Zone
Panel	Version			
071C	0558	G	11/17/2022	A

Generated on 12/22/2025 8:15 AM

DO NOT PAY - THIS IS NOT A BILL
NOTICE OF PROPOSED PROPERTY TAXES
TAX INFORMATION

10229746
 MIDWEST DECORATION CO
 15214 TONKEL RD
 LEO, IN 46765

071060
 Parcel ID: 29-46-24-W2-0060A.0110
 HERCULES PARK
 BLK A PB 5 PG 22
 LOTS 11 + 12
 146 HERCULES DR

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION. Each taxing authority may AMEND OR ALTER its proposals at the hearing.

TAXING AUTHORITY		COLUMN 1*		COLUMN 2*		COLUMN 3*
032 TOWN OF FT MYERS BEACH	LAST YEAR'S ACTUAL TAX RATE 2024 (MILLAGE)	YOUR PROPERTY TAXES LAST YEAR 2024	YOUR TAX RATE THIS YEAR IF NO BUDGET CHANGE IS ADOPTED (MILLAGE)	YOUR TAXES THIS YEAR IF NO BUDGET CHANGE IS ADOPTED	THIS YEAR'S PROPOSED TAX RATE 2025 (MILLAGE)	YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED 2025
COUNTY:						
LEE CO GENERAL REVENUE	3.7623	\$2,910.91	3.6162	\$2,218.94	3.7623	\$2,308.59
SCHOOL:						
PUBLIC SCHOOL - BY LOCAL BOARD	2.2480	\$1,739.29	2.2302	\$1,368.48	2.2480	\$1,379.40
PUBLIC SCHOOL - BY STATE LAW	3.0380	\$2,350.52	3.0139	\$1,849.36	3.0710	\$1,884.40
MUNICIPALITY OR MSTU:						
TOWN OF FORT MYERS BEACH FLORIDA	0.9900	\$765.97	0.8954	\$549.43	1.2550	\$770.08
WATER MANAGEMENT DISTRICT:						
SFWM-DISTRICT-WIDE	0.0948	\$73.35	0.0889	\$54.55	0.0948	\$58.17
SFWM-EVERGLADES CONSTRUCTION PROJECT	0.0327	\$25.30	0.0306	\$18.78	0.0327	\$20.07
SFWM-OKEECHOBEE BASIN	0.1026	\$79.38	0.0961	\$58.97	0.1026	\$62.96
INDEPENDENT SPECIAL DISTRICTS:						
FORT MYERS BEACH FIRE CONTROL DIST	2.8000	\$2,166.38	2.5436	\$1,560.78	2.8000	\$1,718.11
FORT MYERS BEACH MOSQUITO CONTROL	0.1123	\$86.89	0.1018	\$62.47	0.1123	\$68.91
FORT MYERS BEACH PUBLIC LIBRARY DIST	0.1612	\$124.72	0.1464	\$89.83	0.1612	\$98.91
LEE CO HYACINTH CONTROL DIST	0.0200	\$15.47	0.0192	\$11.78	0.0200	\$12.27
WEST COAST INLAND NAVIGATION DIST	0.0394	\$30.48	0.0381	\$23.38	0.0394	\$24.18
TOTAL TAX RATES:	13.4013		12.8204		13.6993	
TOTAL PROPERTY TAXES:		\$10,368.66		\$7,866.75		\$8,406.05
		COLUMN 1*		COLUMN 2*		COLUMN 3*

NOTICE OF PROPOSED PROPERTY TAXES EXPLANATION (Section 200.069, Florida Statutes)

***COLUMN 1—"YOUR PROPERTY TAXES LAST YEAR"** - This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property's previous taxable value.

***COLUMN 2—"YOUR TAXES IF NO BUDGET CHANGE IS ADOPTED"** - This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT CHANGE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment.

***COLUMN 3—"YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED"** - This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown on this notice. The difference between Columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

NOTE: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

NON-AD VALOREM ASSESSMENTS: Your final tax bill may contain non-ad valorem assessments which may not be reflected on this notice such as assessments for roads, fire, garbage, lighting, drainage, water, sewer, or other governmental services and facilities which may be levied by your county, city, or any special district

A Public Hearing on the Proposed Taxes and Budget Will Be Held:

COUNTY/MSTU:	09/04/2025 5:05PM	Lee Co Commission Chambers	2120 Main St	Fort Myers FL 33901	239-533-2221
SCHOOL:	09/09/2025 5:05PM		2855 Colonial Blvd	Fort Myers FL 33966	239-337-8215
MUNICIPALITY:	09/11/2025 5:01PM		6231 Estero Blvd	Fort Myers Beach FL 33931	239-765-0202
WATER MANAGEMENT DISTRICT:	09/11/2025 5:15PM	SFWM Auditorium	3301 Gun Club Rd B-1 Bldg	West Palm Beach FL 33406	561-686-8800
LEE CO MOSQUITO AND/OR HYACINTH:	09/11/2025 5:01PM/5:15PM		15191 Homestead Rd	Lehigh Acres FL 33971	239-694-2174
FORT MYERS BEACH FIRE CONTROL DIST:	09/10/2025 5:05PM	Diamond Head Resort	2000 Estero Blvd	Ft Myers Beach FL 33931	239-590-4200
FORT MYERS BEACH MOSQUITO CONTROL:	09/03/2025 5:01PM		161 Bay Rd	Ft Myers Beach FL 33931	239-247-1205
FORT MYERS BEACH PUBLIC LIBRARY DIST:	09/11/2025 5:05PM		2755 Estero Blvd	Ft Myers Beach FL 33931	239-463-9691
WEST COAST INLAND NAVIGATION DISTRICT:	09/05/2025 5:01PM		1575 E Venice Ave	Venice FL 34292	941-485-9402

** PROPERTY RECORD UPDATE -- WEBSITE AND PERSONALIZED CODE FOR 2025**

Enter your [personalized code TR9C17F2](#) to review your property details and

- Report or update hurricane damage

- Confirm or update your homestead exemption status
- Discover how your value was impacted

PROPERTY VALUATION		
	Last Year 2024 ⓘ	This Year 2025 ⓘ
MARKET VALUE	\$773,706	\$613,611
Market Value in Florida is also known as "just value" as provided by the constitution and described in state law. It is the amount a purchaser willing but not obliged to buy would pay to one willing but not obliged to sell, after proper consideration of all eight factors in section 193.011, F.S.		
ASSESSED VALUE		
Assessed Value is the market value of your property minus the amount of any assessment reductions. The assessed value may be different for millage levies made by different taxing authorities.		
ASSESSMENT REDUCTIONS	APPLIES TO	VALUE
Assessment Reduction amounts are based on applicable statutory limitations and benefits that may affect the Assessed Value, such as the Save Our Homes cap or an Agricultural Classification. The value of these limitations and benefits make up the difference between market and assessed value.		

EXEMPTIONS	APPLIES TO	VALUE
Exemptions are specific dollar or percentage amounts that reduce taxable value. These are usually based on characteristics of the property or property owner. Examples include the homestead exemption, veterans' disability exemptions and charitable exemptions. In some cases, the maximum exemption amount may not be applied because of a lower assessed value. Many exemptions apply only to tax levies by the taxing authority granting the exemption.		

VALUE CALCULATIONS						
Taxable Value is the assessed value minus qualifying exemptions. This is the value used to calculate the tax due on your property. The assessed and taxable values may vary by taxing authority because certain assessment reductions and exemptions may not apply to all levies and discounts.						
TAXING AUTHORITY	ASSESSED VALUE		EXEMPTIONS		TAXABLE VALUE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR ⓘ
COUNTY:						
LEE CO GENERAL REVENUE	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
SCHOOL:						
PUBLIC SCHOOL - BY LOCAL BOARD	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
PUBLIC SCHOOL - BY STATE LAW	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
MUNICIPALITY OR MSTU:						
TOWN OF FORT MYERS BEACH FLORIDA	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
WATER MANAGEMENT DISTRICT:						
SFWMD-DISTRICT-WIDE	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
SFWMD-EVERGLADES CONSTRUCTION PROJECT	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
SFWMD-OKEECHOBEE BASIN	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
INDEPENDENT SPECIAL DISTRICTS:						
FORT MYERS BEACH FIRE CONTROL DIST	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
FORT MYERS BEACH MOSQUITO CONTROL	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
FORT MYERS BEACH PUBLIC LIBRARY DIST	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
LEE CO HYACINTH CONTROL DIST	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611
WEST COAST INLAND NAVIGATION DIST	\$773,706	\$613,611	\$0	\$0	\$773,706	\$613,611

If you feel the market value of your property is inaccurate or does not reflect fair market value, or if you are entitled to an exemption or classification that is not reflected on this form, please call us at (239) 533-6100 or visit the Lee County Property Appraiser's office at 2480 Thompson Street, 4th Floor, Fort Myers, FL.

If we are unable to resolve a matter as to the market value, classification, or an exemption, you may file a petition for adjustment with the Value Adjustment Board. ⓘ Online filing is available at www.leeclerk.org. Petition forms are available from the Lee County Property Appraiser's office. All petitions must be filed with the Clerk of Courts Office on or before September 12, 2025.

** PROPERTY RECORD UPDATE -- WEBSITE AND PERSONALIZED CODE FOR 2025**

Enter your [personalized code TR9C17F2](#) to review your property details and

- Report or update hurricane damage
- Confirm or update your homestead exemption status
- Discover how your value was impacted



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search By Entity Name](#) /

[Next List](#)

MIDWEST DECORATION C

Entity Name List

Corporate Name	Document Number	Status
THE MIDWEST DEFENDERS OF ISRAEL, INC	N19000012992	INACT
MIDWEST DENTAL ARTS, INC.	F13000005030	Active
MIDWEST DESIGN GROUP LLC	M22000014835	Active
MIDWEST DETASSELING, LLC	L12000132437	INACT
MIDWEST DETOX AT AMBROSIA LLC	L23000294420	Active
MIDWEST DEVELOPERS, LLC	L06000023861	Active
MIDWEST DEVELOPMENT, INC.	H75334	INACT
MIDWEST DEVELOPMENT CORP	P04000129714	INACT
MID-WEST DEVELOPMENT CORPORATION OF FORT LAUDERDALE	227189	INACT
MIDWEST DIAGNOSTIC MANAGEMENT, LLC	M07000005692	INACT
MIDWEST DIAL TONE, LLC	M21000009534	Active
MIDWEST DIESEL CONSULTANTS LLC	L21000388766	INACT
MIDWEST DIGITAL SOLUTIONS LLC	L18000167552	INACT
MIDWEST DIRECT INC	P04000096673	INACT
MID-WEST DIRECT INC.	P94000050117	INACT
MIDWEST DISCOUNT BROKERS, INC.	F98000005791	INACT
MIDWEST DISPOSAL, INC.	P95000014637	INACT
MIDWEST DISTRIBUTING COMPANY INC	174354	INACT
MIDWEST DISTRIBUTING SERVICE, INC.	490033	INACT
MID WEST DISTRIBUTORS, INC.	L53137	INACT

[Next List](#)

MIDWEST DECORATION C

BUSINESS INFORMATION
DIEGO MORALES
INDIANA SECRETARY OF STATE
12/22/2025 08:19 AM

Business Details

Business Name: **MIDWEST DECORATION CO.** Business ID: **201812061292509**
Entity Type: **Domestic For-Profit Corporation** Business Status: **Active**
Creation Date: **12/06/2018** Inactive Date:
Principal Office Address: **15214 Tonkel Road, Leo, IN, 46765, USA** Expiration Date: **Perpetual**
Jurisdiction of Formation: **Indiana** Business Entity Report Due Date: **12/31/2026**
Years Due:

Governing Person Information

Title	Name	Address
President	Casey S Johnson	1332 Brandon Way, Fort Wayne, IN, 46845, USA
President	Casey Johnson	1332 Brandon Way, Fort Wayne, IN, 46845, USA
President	Casey Johnson	1332 Brandon Way, Fort Wayne, IN, 46845, USA

Incorporators Information

Name	Title	Address
Charles J Heiny	Incorporator	444 East Main Street, Fort Wayne, IN, 46802, USA

Registered Agent Information

Type: **Individual**
Name: **Casey S. Johnson**
Address: **1332 Brandon Way, Fort Wayne, IN, 46845, USA**

Case #:	20250804	Contractor Name:		Time of Site Inspection:		Case Closed:	
Case Date:	08/01/25	Compliance Date of Violation:		Clarion Number:		Repair Damage Due To:	--
Case Type:	Work without Permit	Hearing Date:	12/04/2025	How to bring violation into Compliance:		Storm Damage:	--
Description:	Paperwork	Completion Date of Site Inspection:		Days to Comply:		Assigned To:	Michael Hauserman
Status:	--	Referred:	--			GIS Link ID:	294624W20060A0110

Cases For Property (Code Enforcement)

Permits For Property (Permit Management)

Date	Permit #	Permit Type	Status	Permit Type	Sub Type	Assigned To	Type of Construction	Type of Occupancy / Use	Contractor Business Name/Applicant
11/20/2025	252335		FINALED	Residential	OTC Electrical	N/A		Residential	Mister Sparty
02/14/2025	250379		FINALED	Residential	Fence	N/A		Residential	Russ Carter Fence
12/10/2024	243194		FINALED	Residential	Pool- Below Ground	N/A		Residential	Rum Row Pools
09/07/2023	235522		FINALED	Residential	OTC Mechanical	N/A		Residential	COOL AIR PROS
08/14/2023	235122		VOID	Residential	OTC Electrical				
07/05/2023	234613		HOLD	Residential	Remodel	N/A		Residential	EVERGLADES CONSTRUCTION GROUP
10/22/2018	181937		FINALED	ZOTC Mechanical	Not Required				UNIQUE SERVICES

Show Last 25 | Show All

Show Last 25 | Show All



Permit #: 234613

Permit Date: 07/05/23

Permit Type:

Permit Type: Residential

Sub Type: Remodel

Type of Construction: N/A

Type of Occupancy / Use: Residential

Contractor Business Name/Applicant: EVERGLADES CONSTRUCTION GROUP

Contact Name: BRITTNEY SABULA

Contractor/Applicant Email: brittney@evergladesconstructiongroup.com

Contractor/Applicant Phone #: 8632543028

Property Owner's Email:

Current Use: r

Proposed Use: r

Scope of Work: Interior put back after Hurricane Ian. Like for like.

Project Cost: 82273

Gross Square Feet: 1678

Issued Date: 07/12/2023

Expiration Date: 01/24/2024

Finaled Date:

Closed Date:

Repair Damage Due To:

Storm Damage:

Floodplain:

Status: HOLD

Assigned To:

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
294624W20060A0110	146 HERCULES DR	HERCULES PARK BLK A PB 5 PG 22 LOTS 11 + 12	MIDWEST DECORATION CO		RS-1

Contractors

Contractor	Primary Contact	Phone	Address	Contractor Type	License	License #
Everglades Construction Group LLC	David Ryan Edmonds	863-254-3028	214 E. Crescent Drive	Certified General	Liability Insurance	NPP1549804
West Coast Plumbing & Water Treatment, LLC	Brian Wallin	239-340-8224	5651 Halifax Ave	Certified Plumbing	Comm. Gen. Liability	20362149

West Coast Plumbing & Water Treatment, LLC	Brian Wallin	239-340-8224	5651 Halifax Ave	Certified Plumbing	Work Comp	EIG588433000
Everglades Construction Group LLC	David Ryan Edmonds	863-254-3028	214 E. Crescent Drive	Certified General	Contractor License	CGC1522985
West Coast Plumbing & Water Treatment, LLC	Brian Wallin	239-340-8224	5651 Halifax Ave	Certified Plumbing	State of Florida	CFC1427865
Everglades Construction Group LLC	David Ryan Edmonds	863-254-3028	214 E. Crescent Drive	Certified General	Workman's Comp	WC Exempt

Inspections

Date	Inspection Type	Description	Scheduled Date	Completed Date	Inspector	Status
02/06/2024	Electrical - 305 Electric Final	aLL KITCH AND DW AND GD IS MISSING GFI PROTECTION AND ALL NEW RECEP TO COMPLY WITH SECTION 406.4(D)	02/08/2024	02/08/2024	Ron Cohowcz	Fail
02/06/2024	Plumbing - 204 Final Plumbing	Call Melissa when you arrive 757-692-4600 Call Melissa when you arrive 757-692-4600 plumbing fixtures hook up only	02/08/2024	02/08/2024	Ron Cohowcz	Pass
11/07/2023	Building - 106 Final Building	Pending EL & PL Finals. A.S.	11/13/2023	11/14/2023	Adam Stauffer	Pass with Conditions
07/28/2023	Building - 105 Rough Framing / Windows, Door, Wall Dry In	picked this inspection up no visible framing members changes just some 3/4 " flooring replaced jmc 7/28/23	07/28/2023	07/28/2023	John Clements	Pass
07/27/2023	Building - 107 Insulation	scope shows no rough inspections only finals insulation on 2nd fl ok walls only 1st floor floor joists spray foam insulation but stated in scope no work on 1st floor jmc 7/28/23	07/28/2023	07/27/2023	John Clements	Pass with Conditions
07/06/2023	NOC		07/06/2023	07/06/2023	Misty Alexander	Pass

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
07/05/2023	Notice of Commencement	NOC must be recorded with Lee County Clerk of Court *Received 7/6/23	Misty Alexander	DONE
07/05/2023	Reviews completed- Notification sent		Andrew Garry	DONE
07/05/2023	Review Flood		CGA	REVIEWED W/CONDITIONS
07/06/2023	Review Res. Plan review		CGA	REVIEWED FOR COMPLIANCE
07/05/2023	Review FMB Application	Check INBiz for Casey Johnson.	Tracie Raski	DONE
11/07/2023	Plumb. Sub Permit Req	West Coast Plumbing & Water Treatment LLC CFC1427865	Misty Alexander	DONE
02/28/2024	Elec. Sub Permit Req.		*	
05/20/2024	Review Flood		Rereview Kristin Schumacher	RESUBMITTAL REQUIRED
05/20/2024	Rejection Letter Sent	1st Flood review rejection letter has been uploaded to the permit portal for review.	Korey Lastinger	DONE

08/23/2024	Resubmitted (Flood Review)	RE-REVIEW RESUB FLOOD	Carl Thomas	REVIEWED W/CONDITIONS
09/11/2024	Review Flood	Re-Review	Carl Thomas	RESUBMITTAL REQUIRED
09/19/2024	Rejection Letter Sent	2nd flood rejection	Misty Alexander	DONE

Fees				
Fee	Description	Notes	Amount	
	Includes:			
	Application Processing Fee			
RES – Interior Remodel (up to 50% of Structure Value) (2024)	Building Review and Inspection			
	Flood Review			
	Electrical Review and Inspection			
	Mechanical Review and Inspection			
	Plumbing Review and Inspection			
* MISC- DBPR & DCA Admin Fees			\$20.00	
			Total	\$820.00

Attached Letters

Date	Letter	Description
07/12/2023		Building Permit

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
07/06/2023	NICHOLAS SABULA	Invoice: 644574			\$820.00
				Outstanding Balance	\$0.00

Notes

Date	Note	Created By:
08/15/2024	Received a voicemail from Nick #713-443-7963 requesting a call back. I called with negative results and leaving a voicemail requesting a call back. Received call from Nick and advised of what needs to be corrected and collected regarding permit #234613. He advised he would contact permitting and get corrected immediately.	D. Batt
08/01/2024	Called and spoke with property owner Casey #260-417-6667. I advised him of the permit being on hold and that he needs to contact permitting in which he agreed to call the contractor and have it rectified.	D. Batt
06/06/2024	Permit has been placed on HOLD until they have come into compliance.	Tracie Raski
05/17/2024	Need new cost form and proper breakdown of all costs. Need break down for labor, materials- cabinets, countertops, plumbing fixtures, all electrical repairs, doors, windows and any additional repairs done.	Kristin Schumacher
02/28/2024	You must attach an electrical sub-contractor to this permit.	Andrew Garry

Uploaded Files

Date	File Name
10/31/2025	29243264-146 Hercules .xlsx
09/19/2024	22453708-234613 2nd Flood Rejection Letter.pdf
08/23/2024	22126635-20736621-1st Flood Review Rejection Letter 234613.pdf
08/23/2024	22126634-234613 Updated Cost Sheet.pdf
05/20/2024	20736621-1st Flood Review Rejection Letter 234613.pdf
11/07/2023	17421760-234613 07-Nov-2023 09-47-48.pdf
08/10/2023	16465647-234613.pdf
07/11/2023	16100459-JOBSITE COPY 234613.pdf
07/06/2023	16052353-Notice Of Commencement (8).pdf

07/06/2023

[16050384-warranty deed 234613 05-Jul-2023 14-43-46.pdf](#)

07/03/2023

[9e21126892498d7a85358c56ac72b0a9 146 hercules tax roll letter.pdf](#)

07/03/2023

[01f7a21870bcff9bb07f7828768d767 146 hercules permit app packet.pdf](#)



Date: 09/19/2024
Contractor: Everglades Construction Group
RE: 234613

The drawings submitted for the referenced project have been reviewed following the 8th Edition (2023) Florida Building Codes, Florida Statutes (F.S), and the Town of Fort Myers Beach Land Development Code. For the reasons listed below, we cannot approve your application at this time.

Please provide the Rejection Letter and a Cover Letter showing where each corrected item can be found.

2nd Rejection Letter – Flood
Carl Thomas, cthomas@fmbgov.com (Flood Reviewer)

REJECTION COMMENTS:

Based on the information below, the structure appears to meet substantial damage and must be redesigned to meet current flood design criteria (i.e., elevate, floodproof) based on the following:

-The current cost of repairs is already 40% of the structural value and includes no line items for carpentry, roofing, windows, exterior finish, etc. Adding these additional repairs will increase the costs by over 50%.

-Insurance claim payout information: FEMA makes it abundantly clear that insurance claims cannot be used as the basis for determining substantial damage. This is because insurance claims usually only cover some associated costs to restore the structure to its pre-lan conditions. In this case, the claim, even though it may not cover all repairs, is already over the 50% structural value.

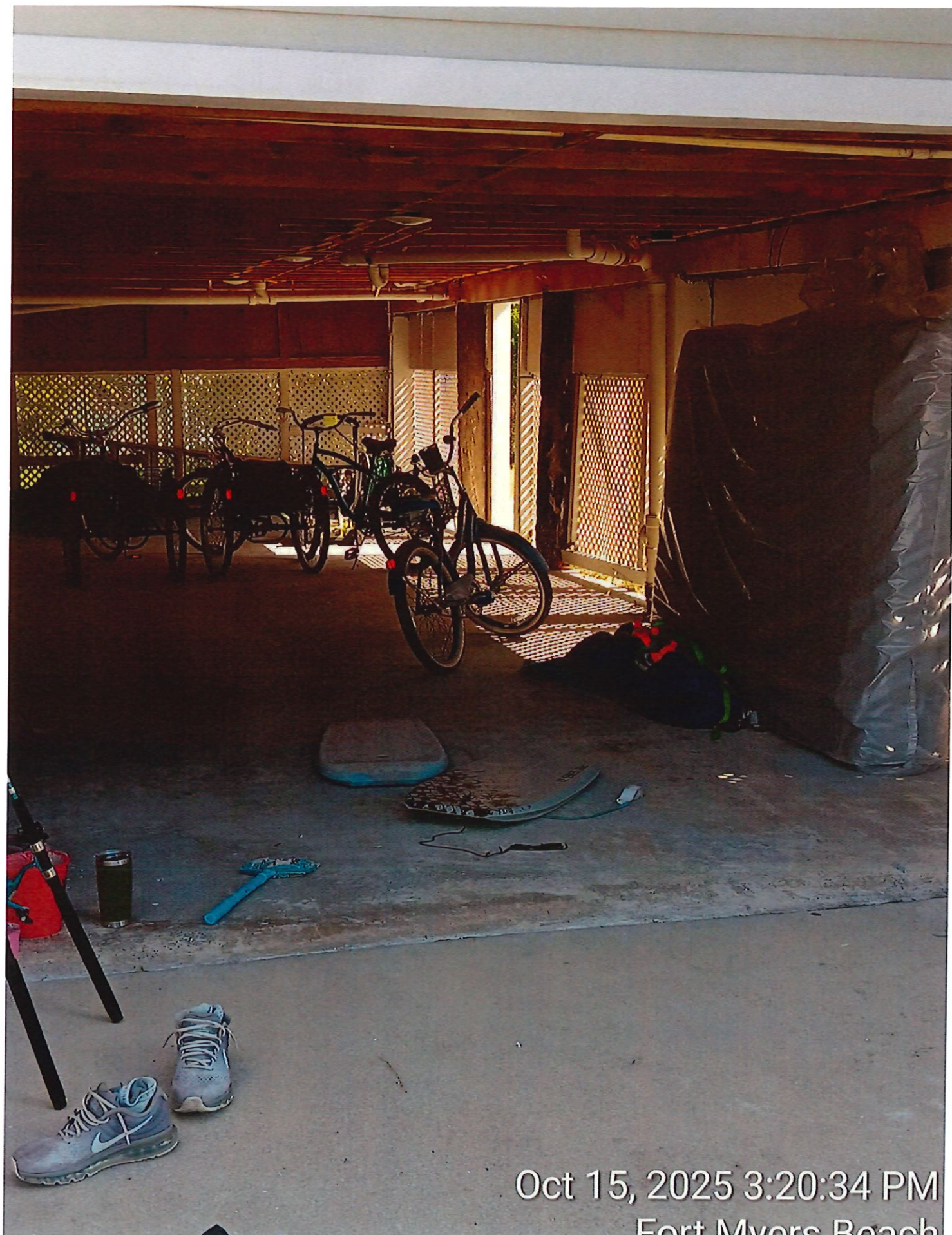
PLEASE NOTE:

- Mailed in or paper plans will not be accepted.
- Submit all corrections together at one time with an appropriate response/ cover letter showing where each corrected item can be found to resubmittal@fmbgov.com.
- Please note that no other reviews will be done until the **Zoning Review** is approved.
- Resubmittals will not be processed unless all review comments are addressed.

Please refer to the **Permit Portal** to access a copy of this rejection letter.

Sincerely,

Town of Fort Myers Beach Building Services and Community Development Departments.



Oct 15, 2025 3:20:34 PM
Fort Myers Beach



Oct 15, 2025 3:20:24 PM
Fort Myers Beach



Oct 15, 2025 3:19:59 PM
Fort Myers Beach



Oct 15, 2025 3:21:08 PM

Fort Myers Beach

Property Address and Owner:

Hearing Date: January 6, 2026

Rescheduled to March 2026

Property Owner: B + B Properties of Fort Myers, LLC (The Beach Bar)

Property Address: 1668 I Street

Violation: Lack of current valid building permit and building code deficiencies.

Officer: M. Hauserman

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

Narrative:

Working with Permitting on listed violations. Rescheduled per conversation with Franie Kropacek and email request from law firm.

Attachments:

1. 20250800_1668 I Street_ Exhibit A_Notice of Violation and Hearing Affidavit Ownership

Town Recommendations:

Town Approvals:

Amy Baker, Town Clerk

Date: December 30, 2025

EXHIBIT A

- Notice of Violation & Hearing
- Evidence of Service
 - Affidavit of Positing
 - Evidence of Posting at violation address
 - Evidence of Posting at Town Hall
 - Evidence of Mailing / Certified Mail
- Evidence of Ownership
 - Lee County Property Appaisers
 - Tax Bill
- Initial Inspection Evidence
 - Photographs
 - Permit records
 - Other Evidence



Town of Fort Myers Beach

6231 Estero Blvd, Florida 33931
Phone: 239-765-0202 Fax: 239-765-0909

**TOWN OF FORT MYERS BEACH,
FLORIDA,**

**Petitioner,
vs.**

Certified Mail:	9589071052713142134357
	9589071052703142134364
Regular Mail:	USPS 11/12/2025

**B+B Properties of Fort Myers LLC
Respondent.**

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared **Michael J Hauserman**, who being duly sworn by me, on oath, deposes and says the following regarding that certain Notice of Violation and Notice of Hearing attached hereto as **Exhibit A** ("the Notice"):

1. My name is **Michael J Hauserman**. I am over 18 years of age and am competent to testify to the matters set forth herein. I make this Affidavit based upon my personal knowledge.
2. I am employed as the Code Compliance Manager for the Town of Fort Myers Beach ("Town").
3. On **11/12/2025**, I personally mailed a copy of the Notice by certified mail and first-class mail as follows:
 - a. To the property owner at the address listed in the records of the Lee County Tax Collector and/or Lee County Property Appraiser for tax notices, which address is: **21050 Saint Peters Drive, Fort Myers Beach, FL 33931**. A true and correct copy of the property ownership and address information obtained from the Tax Collector/Property Appraiser is attached hereto as **Exhibit A**. A copy of the certified mail receipt is attached hereto as **Exhibit A**.

- b. [If applicable] To the following additional address(es) reasonably believed to be valid for the property owner: _____. A copy of the certified mail receipt is attached hereto as **Exhibit A**.
- c. The property is owned by **B+B Properties of Fort Myers LLC**, a business entity registered in the State of Florida. I mailed a copy of the Notice by certified mail and first-class mail to the business entity's Registered Agent, **Gregory J Boyd, RA**, at the following address: 21050 Saint Peters Dr, Fort Myers Beach, FL 33931 . A copy of the certified mail receipt is attached hereto as **Exhibit A**. A true and correct copy of the Florida Division of Corporations record for the entity, identifying its Registered Agent, is attached hereto as **Exhibit A**.

4. On 11/12/2025, I posted a copy of the Notice at 1668 I Street, Fort Myers Beach, FL 33931, which is the property upon which the violation is alleged to exist. Photographs of the posted Notice, taken by me on that date, are attached hereto as **Exhibit A**.

5. On 11/12/2025, I posted a copy of the Notice at Town Hall, located at 6231 Estero Boulevard, Fort Myers Beach, FL 33931, which is the primary municipal government office for the Town of Fort Myers Beach. Photographs of the posted Notice, taken by me on that date, are attached hereto as **Exhibit A**.

Under penalties of perjury, I declare that I have read the foregoing Affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town of Fort Myers Beach Land Development Code and Section 162.12, Florida Statutes.

SWORN AND ATTESTED BY:



Signature of Affiant

Printed Name: Michael J Hauserman

Title: Code Compliance Manager

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of ☒ physical presence / ☐ online notarization, this 12th day of November, 2025 by Michael J Hauserman, who ☒ is personally known to me ☐ or has produced _____ as identification.



Notary Public, State of Florida

Printed Name: Rileigh R Baker

My Commission No.: HH637224

My Commission Expires: 2/5/2029



Town of Fort Myers Beach

NOTICE OF VIOLATION AND NOTICE OF CODE ENFORCEMENT HEARING

6231 Estero Blvd, Fort Myers Beach, FL 33931

Phone: (239) 765-0202

Date: November 12, 2025

Case Number: 20250800

Property Owner: B + B PROPERTIES OF FORT MYERS, LLC

Mailing Address: 21050 Saint Peters Drive, Fort Myers Beach, FL 33931

Subject Property Address: 1668 I Street, Fort Myers Beach, FL 33931

Certified Mail# 9589071052703142134364, 9589071052703142134357

Parcel: 19-46-24-W4-0070B.0110

YOU ARE HEREBY NOTIFIED that the undersigned Code Officer observed on November 10, 2025 the following violation(s) of the Land Development Code of the Town of Fort Myers Beach, Florida, were present on the subject property identified above:

Code Violation: On 11/10/2025, I observed multiple code violations including but not limited to lack of current valid building permit and building code deficiencies as defined in the Fort Myers Beach (FMB) Land Development Code Section 6-111, Florida Building Code (FBC) 105.1, and Section 6-441 of the FMB Land Development Code.

CHAPTER 6 – MAINTENANCE CODES, BUILDING CODES AND COASTAL REGULATIONS

ARTICLE II. BUILDING CODES

DIVISION 3. – BUILDING CODE

SECTION 6-111. – Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

FBC 7th Edition Section 105 PERMITS 105.1 Required.

Any owner or owner's 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.

***FMB Sec. 6 - 441 Permits required** Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator; and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of the ordinance and all other applicable codes and regulations has been satisfied. No person may undertake a series of any improvements, additions, and/or demolitions that connect two or more existing structures in a manner that evades the requirements of this ordinance and the Florida Building Code.*

☐ The Code Officer has reason to believe that this violation is the same violation that occurred within the past 5 years ("Repeat Violation"). Therefore, no Code Enforcement Compliance Date has been provided. This case may be presented to the Special Magistrate even if the Repeat Violation(s) have been corrected prior to the hearing.

The purpose of the scheduled Code Enforcement Hearing is for the Special Magistrate to make "Findings of Fact" and "Conclusions of Law" relating to the observed violation(s) and to issue an appropriate Order. The Hearing is also your opportunity to present evidence and/or contest the observed violations, should you wish to do so. If a violation is found, the Order may require you to correct the violation(s) by a specified date. In addition, the Order may impose daily fines as per Florida Statutes Section 162.09(2)(a) of the following:

- \$250/ day per violation
- \$500/day for repeat offenses
- \$5,000 for irreversible or irreparable violations

Additionally, administrative fees may be requested by the Town to recover all costs incurred by the Town in scheduling and presenting the code enforcement case to the Special Magistrate as ordered by the Special Magistrate. **THE IMPOSITION OF FINES AND/OR ADMINISTRATIVE FEES AND COSTS MAY RESULT IN A FUTURE LIEN AGAINST YOUR PERSONAL AND REAL PROPERTY.**

You have the right to be represented by an attorney at the scheduled hearing and to respond and present evidence (documents and testimony by witnesses) at the scheduled hearing. If you wish to be represented by an attorney, your attorney MUST notify the Special Magistrate's Clerk in writing at least five (5) working days before the scheduled hearing.

You may also have other rights which are set forth in Division 2 of Article V of Chapter 2 of the Town Land Development Code. If a person decides to appeal any decision with respect to any matter considered at the scheduled hearing, such person will 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 (Section 286.0105, Florida Statutes).

For additional information, contact the Town of Fort Myers Beach Special Magistrate Clerk at (239) 765-4222.

Michael J Hauserman



Code Enforcement Manager
Fort Myers Beach, Florida
239-478-9363



Nov 12, 2025 2:14:54 PM
Fort Myers Beach

garbage.

Corrective Action Required:

The following actions are required to bring the violation(s) into compliance. (1) Cut/Mow weeds and grass and maintain the property free from weeds or plant growth in excess of 12 inches. (2) remove or replace the tarp on the roof so it no longer creates litter. (3) repair the building so loose objects, such as railings, can fall or blow onto other properties in a high wind event. Replacement will require permits. Questions call Permitting at 239-765-0202.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation and having been given a reasonable time to cut and destroy the

Page 1 of 3



Town of Fort Myers Beach
NOTICE OF VIOLATION AND NOTICE OF CODE
ENFORCEMENT HEARING
6231 Estero Blvd, Fort Myers Beach, FL 33931
Phone: (239) 765-0202

Date: November 12, 2025

Case Number: 20250800

Property Owner: B + B PROPERTIES OF FORT MYERS, LLC
Mailing Address: 21050 Saint Peters Drive, Fort Myers Beach, FL 33931
Subject Property Address: 1668 I Street, Fort Myers Beach, FL 33931
Certified Mail# 9589071052703142134364, 9589071052703142134357
Parcel: 19-46-24-W4-0070B.0110

YOU ARE HEREBY NOTIFIED that the undersigned Code Officer observed on November 10, 2025 the following violation(s) of the Land Development Code of the Town of Fort Myers Beach, Florida, were present on the subject property identified above:

Code Violation: On 11/10/2025, I observed multiple code violations including but not limited to lack of current valid building permit and building code deficiencies as defined in the Fort Myers Beach (FMB) Land Development Code Section 6-111, Florida Building Code (FBC) 105.1, and Section 6-411 of the

CHAPTER 6 - MAINTENANCE CODES, BUILDING CODES AND COASTAL REGULATIONS
ARTICLE II. BUILDING CODES
DIVISION 3. - BUILDING CODE
SECTION 6-111. - Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

FBC 7th Edition Section 105 PERMITS 105.1 Required.
Any owner or owner's 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.

FMB Sec. 6-411 Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities except from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permits and approvals. No such permit or approval shall be issued until the applicant has first undertaken a review of any improvements, additions, and/or demolitions that exist in compliance with the ordinance and the Florida Building Code. No person may undertake a review of any improvements, additions, and/or demolitions that exist in compliance with the ordinance and the Florida Building Code.

Page 1 of 3

Nov 12, 2025 2:14:51 PM
Fort Myers Beach



Town of Fort Myers Beach
NOTICE OF VIOLATION AND NOTICE OF CODE
ENFORCEMENT HEARING
6231 Estero Blvd, Fort Myers Beach, FL 33931
Phone: (239) 763-0202

Date: November 12, 2025

Case Number: 20250600

Property Owner: B + B PROPERTIES OF FORT MYERS, LLC
Mailing Address: 21050 Saint Peters Drive, Fort Myers Beach, FL 33931
Subject Property Address: 1688 I Street, Fort Myers Beach, FL 33931
Certified Mail# 9589071052703142134564, 95890710527031421174357
Parcel: 19-46-24-W4-0070B.0110

YOU ARE HEREBY NOTIFIED that the undersigned Code Officer observed on November 10, 2025 the following violation(s) of the Land Development Code of the Town of Fort Myers Beach, Florida, were present on the subject property identified above:

Code Violation: On 11/10/2025, I observed multiple code violations including but not limited to lack of current valid building permit and building code deficiencies as defined in the Fort Myers Beach (FMB) Land Development Code Section 6-111, Florida Building Code (FBC) 105.1, and Section 6-441 of the FMB Land Development Code.

CHAPTER 6 - MAINTENANCE CODES, BUILDING CODES AND COASTAL REGULATIONS
ARTICLE II - BUILDING CODES
DIVISION 3 - BUILDING CODE
SECTION 6-111 - ADAPTATION AND AMENDMENTS

The Florida Building Code is hereby adopted by reference and made a part of this ordinance, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

FBC 7th Edition Section 105 PERMITS 105.1 Required.
Any owner or owner's 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 fire protection covering, 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 file a permit application to the building official and obtain the required permit.

FMB Sec. 6 - (1) Permit required. *Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval. No such permit or approval shall be issued until compliance with the requirements of the ordinance and all other applicable codes and regulations has been satisfied. No person may undertake a series of any improvements, including, but not limited to, demolition that comes two or more existing structures, or a structure that exceeds the requirements of this ordinance and the Florida Building Code.*

Page 1 of 3

Nov 12, 2025 2:47:30 PM
Fort Myers Beach





Nov 12, 2025 2:47:50 PM
Fort Myers Beach

9589 0710 5270 3142 1343 57

U.S. Postal Service™ 20250800
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$ _____
☐ Return Receipt (electronic)	\$ _____
☐ Certified Mail Restricted Delivery	\$ _____
☐ Adult Signature Required	\$ _____
☐ Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

Total Postage and Fees
 \$ _____

Sent To
 Street
 City, St

B+B PROPERTIES OF FORT MYERS, LLC
 C/O Gregory J Boyd, RA
 21050 Saint Peters Drive
 Fort Myers Beach, FL 333931

11-12-25
 Postmark
 Mele

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 3142 1343 64

U.S. Postal Service™ 20250800
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$ _____
☐ Return Receipt (electronic)	\$ _____
☐ Certified Mail Restricted Delivery	\$ _____
☐ Adult Signature Required	\$ _____
☐ Adult Signature Restricted Delivery	\$ _____

Postage
 \$ _____

Total Postage and Fees
 \$ _____

Sent To
 Street
 City, St

B+B PROPERTIES OF FORT MYERS, LLC
 21050 Saint Peters Drive
 Fort Myers Beach, FL 333931

11-12-25
 Postmark
 Mele

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



Property Data

STRAP: 19-46-24-W4-0070B.0110 Folio ID: 10228182

Tax Roll Value Letter 2025 ▾

Generated on 11/10/2025 12:00 PM

Owner Of Record - Sole Owner

[\[Change Mailing Address\]](#)



B + B PROPERTIES OF FORT MYERS
21050 SAINT PETERS DR
FORT MYERS BEACH FL 33931

Site Address

Site Address maintained by [E911 Program Addressing](#)

1668 I ST
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



CRESCENT BEACH BLK.B PB 4 PG 45 LOT 11

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 4 and 45 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	4 / 4.0
1st Year Building on Tax Roll	2025
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	19	0070B	0110
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.45019	-81.94948		

[View Parcel on Google Maps](#)

[Tax Map Viewer] [View Comparables]



[Pictometry Aerial Viewer]

Image of Structure



◀ Photo Date July of 2025 ▶ ☐ View other photos

Last Inspection Date: 01/22/2025

Property Values / Exemptions / TRIM Notices

Generated on 11/10/2025 12:00 PM

No existing exemptions found for this property.

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
2025 / Additional Info	2025 (Final Value)	2,228,905	2,228,905	2,228,905	1,208,788	0	0	1,208,788
2024 / Additional Info	2024 (Final Value)	2,228,905	2,228,905	2,228,905	1,098,898	0	0	1,098,898
2023 / Additional Info	2023 (Final Value)	1,639,334	1,639,334	1,639,334	998,998	0	0	998,998

Description	Heated / Under Air	Area (Sq Ft)
AP2 - APARTMENT 2	Y	1,325
APT - APARTMENT	Y	1,858
BAL - BALCONY	N	63
BAS - BASE	Y	281
FEP - FINISHED ENCLOSED PORCH	N	973
FGR - FINISHED GARAGE	N	667
FOP - FINISHED OPEN PORCH	N	320
FOP - FINISHED OPEN PORCH	N	320
FOP - FINISHED OPEN PORCH	N	320

Building Features

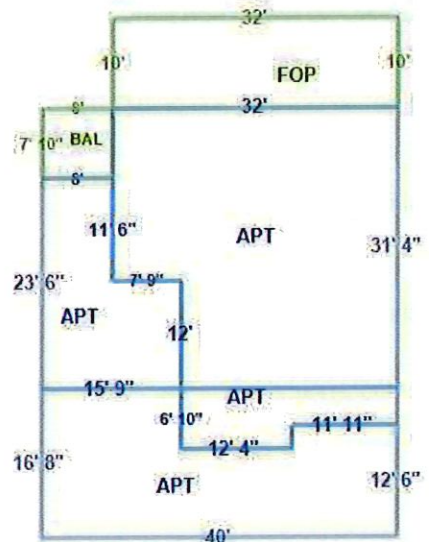
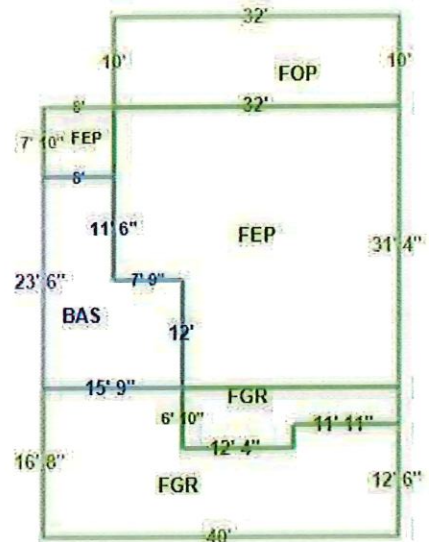
Description	Year Added	Units
ELEVATOR - FREIGHT	2025	3
SPRINKLER SYSTEM (INTERIOR)	2025	6,224

Building Front Photo



Photo Date: July of 2025

Building Footprint



Sales / Transactions

Generated on 11/10/2025 12:01 PM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
800,000.00	12/04/2009	2009000330729	01		I
1,700,000.00	03/24/2005	4643/2138	08		I
100.00	04/22/2004	4308/654	01		I
192,000.00	11/01/1987	1952/218	06		I
83,500.00	04/01/1977	1196/980	06		I

[View Recorded Plat at LeeClerk.org](#)Use the above link to do a search on the Lee County Clerk of Courts website, using **4** and **45** for the book and page numbers and **Plats Book** for the book type.Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).**Building / Construction Permit Data**

Generated on 11/10/2025 12:01 PM

Permit Number	Permit Type	Date
240836	Building New Construction	10/30/2024
242556	Fence	10/16/2024
224382	Mobile Home	07/31/2023
234424	Demolition	07/10/2023
224847	Site Development - Driveway / Sidewalks	02/03/2023
225045	Electric	12/22/2022
ROF17-0029	Roof	04/07/2017
ELE15-0153	Electric	06/01/2015
COM15-0173	Shutter, Awning	05/29/2015
FIR13-0041	Fire	09/06/2013
COM10-0123	Building Remodel / Repair	08/09/2010
FNC2007-00944	Fence	05/14/2007
COM2005-01361	Building Remodel / Repair	07/12/2005
ROF2004-08413	Roof	12/17/2004
198911388	Commercial	10/23/1989

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit

DO NOT PAY - THIS IS NOT A BILL
NOTICE OF PROPOSED PROPERTY TAXES
TAX INFORMATION

10228182
 B + B PROPERTIES OF FORT MYERS
 21050 SAINT PETERS DR
 FORT MYERS BEACH, FL 33931

532014
 Parcel ID: 19-46-24-W4-00708.0110
 CRESCENT BEACH
 BLK.B PB 4 PG 45
 LOT 11
 1668 I ST

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION. Each taxing authority may AMEND OR ALTER its proposals at the hearing.

TAXING AUTHORITY ⓘ		COLUMN 1*		COLUMN 2*		COLUMN 3*
277 TOWN OF FM BCH / FM BCH DOWNTOWN REDEV	LAST YEAR'S ACTUAL TAX RATE 2024 (MILLAGE) ⓘ	YOUR PROPERTY TAXES LAST YEAR 2024	YOUR TAX RATE THIS YEAR IF NO BUDGET CHANGE IS ADOPTED (MILLAGE)	YOUR TAXES THIS YEAR IF NO BUDGET CHANGE IS ADOPTED	THIS YEAR'S PROPOSED TAX RATE 2025 (MILLAGE)	YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED 2025
COUNTY:						
LEE CO GENERAL REVENUE	3.7623	\$4,134.38	3.6162	\$4,371.22	3.7623	\$4,547.82
SCHOOL:						
PUBLIC SCHOOL - BY LOCAL BOARD	2.2480	\$5,010.58	2.2302	\$4,970.90	2.2480	\$5,010.58
PUBLIC SCHOOL - BY STATE LAW	3.0380	\$6,771.41	3.0139	\$6,717.70	3.0710	\$6,844.97
MUNICIPALITY OR MSTU:						
TOWN OF FORT MYERS BEACH FLORIDA	0.9900	\$1,087.91	0.8954	\$1,082.35	1.2550	\$1,517.03
WATER MANAGEMENT DISTRICT:						
SFWM-DISTRICT-WIDE	0.0948	\$104.18	0.0889	\$107.46	0.0948	\$114.59
SFWM-EVERGLADES CONSTRUCTION PROJECT	0.0327	\$35.93	0.0306	\$36.99	0.0327	\$39.53
SFWM-OKEECHOBEE BASIN	0.1026	\$112.75	0.0961	\$116.16	0.1026	\$124.02
INDEPENDENT SPECIAL DISTRICTS:						
FORT MYERS BEACH FIRE CONTROL DIST	2.8000	\$3,076.91	2.5436	\$3,074.67	2.8000	\$3,384.61
FORT MYERS BEACH MOSQUITO CONTROL	0.1123	\$123.41	0.1018	\$123.05	0.1123	\$135.75
FORT MYERS BEACH PUBLIC LIBRARY DIST	0.1612	\$177.14	0.1464	\$176.97	0.1612	\$194.86
LEE CO HYACINTH CONTROL DIST	0.0200	\$21.98	0.0192	\$23.21	0.0200	\$24.18
WEST COAST INLAND NAVIGATION DIST	0.0394	\$43.30	0.0381	\$46.05	0.0394	\$47.63
TOTAL TAX RATES:	13.4013		12.8204		13.6993	
TOTAL PROPERTY TAXES:		\$20,699.88		\$20,846.73		\$21,985.57
		COLUMN 1*		COLUMN 2*		COLUMN 3*

NOTICE OF PROPOSED PROPERTY TAXES EXPLANATION (Section 200.069, Florida Statutes)

***COLUMN 1—"YOUR PROPERTY TAXES LAST YEAR"** - This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property's previous taxable value.

***COLUMN 2—"YOUR TAXES IF NO BUDGET CHANGE IS ADOPTED"** - This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT CHANGE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment.

***COLUMN 3—"YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED"** - This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown on this notice. The difference between Columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

NOTE: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

NON-AD VALOREM ASSESSMENTS: ⓘ Your final tax bill may contain non-ad valorem assessments which may not be reflected on this notice such as assessments for roads, fire, garbage, lighting, drainage, water, sewer, or other governmental services and facilities which may be levied by your county, city, or any special district

A Public Hearing ⓘ on the Proposed Taxes and Budget Will Be Held:

COUNTY/MSTU:	09/04/2025 5:05PM	Lee Co Commission Chambers	2120 Main St	Fort Myers FL 33901	239-533-2221
SCHOOL:	09/09/2025 5:05PM		2855 Colonial Blvd	Fort Myers FL 33966	239-337-8215
MUNICIPALITY:	09/11/2025 5:01PM		6231 Estero Blvd	Fort Myers Beach FL 33931	239-765-0202
WATER MANAGEMENT DISTRICT:	09/11/2025 5:15PM	SFWM Auditorium	3301 Gun Club Rd B-1 Bldg	West Palm Beach FL 33406	561-686-8800
LEE CO MOSQUITO AND/OR HYACINTH:	09/11/2025 5:01PM/5:15PM		15191 Homestead Rd	Lehigh Acres FL 33971	239-694-2174
FORT MYERS BEACH FIRE CONTROL DIST:	09/10/2025 5:05PM	Diamond Head Resort	2000 Estero Blvd	Ft Myers Beach FL 33931	239-590-4200
FORT MYERS BEACH MOSQUITO CONTROL:	09/03/2025 5:01PM		161 Bay Rd	Ft Myers Beach FL 33931	239-247-1205
FORT MYERS BEACH PUBLIC LIBRARY DIST:	09/11/2025 5:05PM		2755 Estero Blvd	Ft Myers Beach FL 33931	239-463-9691
WEST COAST INLAND NAVIGATION DISTRICT:	09/05/2025 5:01PM		1575 E Venice Ave	Venice FL 34292	941-485-9402

**** PROPERTY RECORD UPDATE -- WEBSITE AND PERSONALIZED CODE FOR 2025****

Enter your [personalized code TR9C11D6](#) to review your property details and

- Report or update hurricane damage

PROPERTY VALUATION		
	Last Year 2024 ⓘ	This Year 2025 ⓘ
MARKET VALUE	\$2,228,905	\$2,228,905
Market Value in Florida is also known as "just value" as provided by the constitution and described in state law. It is the amount a purchaser willing but not obliged to buy would pay to one willing but not obliged to sell, after proper consideration of all eight factors in section 193.011, F.S.		
ASSESSED VALUE		
Assessed Value is the market value of your property minus the amount of any assessment reductions. The assessed value may be different for millage levies made by different taxing authorities.		
ASSESSMENT REDUCTIONS	APPLIES TO	VALUE
Assessment Reduction amounts are based on applicable statutory limitations and benefits that may affect the Assessed Value, such as the Save Our Homes cap or an Agricultural Classification. The value of these limitations and benefits make up the difference between market and assessed value.		
Assessment Limitation Benefit		Non-School Levies \$1,020,117
EXEMPTIONS		
Exemptions are specific dollar or percentage amounts that reduce taxable value. These are usually based on characteristics of the property or property owner. Examples include the homestead exemption, veterans' disability exemptions and charitable exemptions. In some cases, the maximum exemption amount may not be applied because of a lower assessed value. Many exemptions apply only to tax levies by the taxing authority granting the exemption.		

VALUE CALCULATIONS						
Taxable Value is the assessed value minus qualifying exemptions. This is the value used to calculate the tax due on your property. The assessed and taxable values may vary by taxing authority because certain assessment reductions and exemptions may not apply to all levies and discounts.						
TAXING AUTHORITY	ASSESSED VALUE		EXEMPTIONS		TAXABLE VALUE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR ⓘ
COUNTY:						
LEE CO GENERAL REVENUE	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
SCHOOL:						
PUBLIC SCHOOL - BY LOCAL BOARD	\$2,228,905	\$2,228,905	\$0	\$0	\$2,228,905	\$2,228,905
PUBLIC SCHOOL - BY STATE LAW	\$2,228,905	\$2,228,905	\$0	\$0	\$2,228,905	\$2,228,905
MUNICIPALITY OR MSTU:						
TOWN OF FORT MYERS BEACH FLORIDA	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
WATER MANAGEMENT DISTRICT:						
SFWMD-DISTRICT-WIDE	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
SFWMD-EVERGLADES CONSTRUCTION PROJECT	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
SFWMD-OKEECHOBEE BASIN	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
INDEPENDENT SPECIAL DISTRICTS:						
FORT MYERS BEACH FIRE CONTROL DIST	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
FORT MYERS BEACH MOSQUITO CONTROL	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
FORT MYERS BEACH PUBLIC LIBRARY DIST	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
LEE CO HYACINTH CONTROL DIST	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788
WEST COAST INLAND NAVIGATION DIST	\$1,098,898	\$1,208,788	\$0	\$0	\$1,098,898	\$1,208,788

If you feel the market value of your property is inaccurate or does not reflect fair market value, or if you are entitled to an exemption or classification that is not reflected on this form, please call us at (239) 533-6100 or visit the Lee County Property Appraiser's office at 2480 Thompson Street, 4th Floor, Fort Myers, FL.

If we are unable to resolve a matter as to the market value, classification, or an exemption, you may file a petition for adjustment with the Value Adjustment Board. ⓘ Online filing is available at www.leeclerk.org. Petition forms are available from the Lee County Property Appraiser's office. All petitions must be filed with the Clerk of Courts Office on or before September 12, 2025.

** PROPERTY RECORD UPDATE -- WEBSITE AND PERSONALIZED CODE FOR 2025**

Enter your [personalized code TR9C11D6](#) to review your property details and

- Report or update hurricane damage
- Confirm or update your homestead exemption status
- Discover how your value was impacted

Prepared by and Return Recorded Original to:

Charles R. Meador, Jr., Attorney at Law
2085 Estero Boulevard
Fort Myers Beach, FL 33931
Telephone: (239) 463-6619
Facsimile: (239) 463-6454

Property Appraiser Parcel I.D. No. 19-46-24-W4-0070B.0110
Grantee Taxpayer I.D. No. _____
Documentary Stamp Tax on Transfer: \$5600

Reserved For Recorder

(STATUTORY FORM - Section 689.02, F.S.)

WARRANTY DEED

THIS WARRANTY DEED, made this 4 day of DECEMBER, A.D. 2009, between LAKESIDE PROPERTIES, LLC, a Florida limited liability company, whose post office address is P.O. Box 1, Branch 1, Fort Myers Beach, FL 33931, hereinafter called Grantor, and B+B PROPERTIES OF FORT MYERS BEACH, LLC, a Florida limited liability company, whose post office address is 21050 St. Peters Drive, Fort Myers Beach, FL 33931, hereinafter called Grantee.

WITNESSETH, That said Grantor, for and in consideration of the sum of Ten and No/100's Dollars (\$10.00), and other good and valuable consideration, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida, to-wit:

Lot 11, Block B, CRESCENT BEACH SUBDIVISION, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court in Plat Book 4, Page 45, Public Records of Lee County, Florida.

SUBJECT TO easements, restrictions and reservations of record and taxes for the current and subsequent years.

and said Grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

*"Grantor" and "Grantee" are used for singular and plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and

Reserved For Recorder

year first above written.

Signed in the presence of:

LAKESIDE PROPERTIES, LLC, a Florida limited liability company

By: CHEMONG ENTERPRISES, LLC, a Nevis limited liability company, as Manager

WI

x M. Bea
 ✓ M. Bea
 Witness Name - print or type

By: X

Alida Carslake

Alida Carslake, as Manager

WII

x Nancy Day
 ✓ NANCY DAY
 Witness Name - print or type

PROVINCE

STATE OF ONTARIO

COUNTY OF PETERBOROUGH, CANADA

EXECUTION OF the foregoing instrument was acknowledged before me this 4 day of DECEMBER, 2009, by Alida Carslake, as Manager of CHEMONG ENTERPRISES, LLC, a Nevis limited liability company, as Manager of LAKESIDE PROPERTIES, LLC, a Florida limited liability company, who is (CHECK ONE OF THE FOLLOWING AS APPLICABLE) [☒] personally known to me, or [] who has produced () as identification.

x John Joseph Crook
 NOTARY PUBLIC - SIGNATURE ABOVE

NOTARY NAME JOHN JOSEPH CROOK (Notary Seal)

COMMISSION NO. - 167A

COMMISSION EXP. DATE - LIFE

(Notary Name/Commission No./Exp. Date - typed or printed)



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company

B + B PROPERTIES OF FORT MYERS BEACH, LLC

Filing Information

Document Number L09000115105

FEI/EIN Number 27-1417918

Date Filed 12/02/2009

State FL

Status ACTIVE

Principal Address

21050 ST PETERS DR
FT MYERS BEACH, FL 33931

Mailing Address

21050 ST PETERS DR
FT MYERS BEACH, FL 33931

Registered Agent Name & Address

BOYD, GREGORY J
21050 ST. PETER'S DR
FT MYERS BEACH, FL 33931

Name Changed: 02/11/2012

Address Changed: 02/11/2012

Authorized Person(s) Detail

Name & Address

Title MGR

BOYD, GREGORY J
21050 ST PETERS DR
FT MYERS BEACH, FL 33931

Title MGR

BOYD, MADELINE M
604 HUDSON STREET #2
HOBOKEN, NJ 07030

Annual Reports

Report Year	Filed Date
2023	02/14/2023
2024	02/29/2024
2025	02/13/2025

Document Images

02/13/2025 -- ANNUAL REPORT	View image in PDF format
02/29/2024 -- ANNUAL REPORT	View image in PDF format
02/14/2023 -- ANNUAL REPORT	View image in PDF format
02/24/2022 -- ANNUAL REPORT	View image in PDF format
01/21/2021 -- ANNUAL REPORT	View image in PDF format
01/27/2020 -- ANNUAL REPORT	View image in PDF format
02/05/2019 -- ANNUAL REPORT	View image in PDF format
01/15/2018 -- ANNUAL REPORT	View image in PDF format
02/07/2017 -- ANNUAL REPORT	View image in PDF format
02/17/2016 -- ANNUAL REPORT	View image in PDF format
02/23/2015 -- ANNUAL REPORT	View image in PDF format
02/28/2014 -- ANNUAL REPORT	View image in PDF format
02/20/2013 -- ANNUAL REPORT	View image in PDF format
02/11/2012 -- ANNUAL REPORT	View image in PDF format
02/11/2011 -- ANNUAL REPORT	View image in PDF format
03/04/2010 -- ANNUAL REPORT	View image in PDF format
12/02/2009 -- Florida Limited Liability	View image in PDF format



FMBgov.com

Dan Allers, Mayor | Jim Atterholt, Vice Mayor | John R. King, Council Member | Scott Safford, Council Member | Karen Woodson, Council Member

Town's standing in the NFIP—which could negatively impact flood insurance availability for all Fort Myers Beach property owners.

Next Steps:

We understand the inconvenience this may cause and are committed to assisting you in moving forward in compliance. We recommend consulting with a licensed Florida engineer, architect, or land surveyor experienced in FEMA floodplain regulations.

You may submit revised plans for review once all applicable floodplain development standards have been met.

Our Building Services and Floodplain Management teams are available to answer any questions and provide guidance throughout this process.

Thank you for your understanding and cooperation as we work to protect the safety and resilience of our community.

Sincerely,
Joe Specht
Building Official
Town of Fort Myers Beach

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 6231 Estero Boulevard, Fort Myers Beach, FL 33931

1. The sink and associated plumbing will have to be removed at the ground level.

FBC 1612.4, ASCE 24 7.1

1612.4 Design and construction.

The design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and Coastal A Zones, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24.

2023 Florida Building Code, Building, Eighth Edition / CHAPTER 16 / SECTION 1612 / 1612.4

2. A V-Zone certificate is required from the owner. **FBC 1612.5**

1612.5 Flood hazard documentation.

The following documentation shall be prepared and sealed by a licensed professional surveyor and mapper or a *registered design professional*, as applicable, and submitted to the *building official*:

1. For construction in *flood hazard areas* other than *coastal high hazard areas* or *coastal A zones*:
 - 1.1. The elevation of the lowest floor, including the basement, as required by the lowest floor elevation inspection in Section 110.3, Building, 1.1 and for the final inspection in Section 110.3, Building, 5.1.
 - 1.2. For fully enclosed areas below the design flood elevation where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.7.2.1 of ASCE 24, *construction documents* shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.7.2.2 of ASCE 24.
 - 1.3. For *dry floodproofed* nonresidential buildings, *construction documents* shall include a statement that the *dry floodproofing* is designed in accordance with ASCE 24 and shall include the flood emergency plan specified in Chapter 6 of ASCE 24.
 - 1.4. For *dry floodproofed* nonresidential buildings, the elevation to which the building is *dry floodproofed* as required for the final inspection in Section 110.3, Building, 6.1.
2. For construction in *coastal high hazard areas* and *coastal A zones*:

2.1.The elevation of the bottom of the lowest horizontal structural member as required by the lowest floor elevation inspection in Section 110.3, Building, 1.1 and for the final inspection in Section 110.3, Building, 5.1.

2.2.*Construction documents* shall include a statement that the building is designed in accordance with ASCE 24, including that the pile or column foundation and building or structure to be attached thereto is designed to be anchored to resist flotation, collapse and lateral movement due to the effects of wind and flood loads acting simultaneously on all building components, and other load requirements of Chapter 16.

2.3.For breakaway walls designed to have a resistance of more than 20 psf (0.96 kN/m²) determined using allowable stress design, *construction documents* shall include a statement that the breakaway wall is designed in accordance with ASCE 24.

2.4.For breakaway walls where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.7.2.1 of ASCE 24, construction documents shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.7.2.2 of ASCE 24.

2023 Florida Building Code, Building, Eighth Edition / CHAPTER 16 / SECTION 1612 / 1612.5

3. Hydrostatic relief vents are required per the FMB Floodplain Manager's comments. FBC 1612.4, ASCE 4.6.2

1612.4 Design and construction.

The design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and Coastal A Zones, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24.

2023 Florida Building Code, Building, Eighth Edition / CHAPTER 16 / SECTION 1612 / 1612.4

4. All hydrostatic relief vents must kept clear of blockage. FBC 1612.4, ASCE 4.6.2

1612.4 Design and construction.

The design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and Coastal A Zones, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24.

2023 Florida Building Code, Building, Eighth Edition / CHAPTER 16 / SECTION 1612 / 1612.4

5. A corrected Elevation Certificate is required and to be reviewed and approved by the FMB Floodplain Manager. FBC 1612.5

1612.5 Flood hazard documentation.

The following documentation shall be prepared and sealed by a licensed professional surveyor and mapper or a *registered design professional*, as applicable, and submitted to the *building official*:

1. For construction in *flood hazard areas* other than *coastal high hazard areas* or *coastal A zones*:
 - 1.1. The elevation of the lowest floor, including the basement, as required by the lowest floor elevation inspection in Section 110.3, Building, 1.1 and for the final inspection in Section 110.3, Building, 5.1.
 - 1.2. For fully enclosed areas below the design flood elevation where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.7.2.1 of ASCE 24, *construction documents* shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.7.2.2 of ASCE 24.
 - 1.3. For *dry floodproofed* nonresidential buildings, *construction documents* shall include a statement that the *dry floodproofing* is designed in accordance with ASCE 24 and shall include the flood emergency plan specified in Chapter 6 of ASCE 24.
 - 1.4. For *dry floodproofed* nonresidential buildings, the elevation to which the building is *dry floodproofed* as required for the final inspection in Section 110.3, Building, 6.1.
2. For construction in *coastal high hazard areas* and *coastal A zones*:
 - 2.1. The elevation of the bottom of the lowest horizontal structural member as required by the lowest floor elevation inspection in Section 110.3, Building, 1.1 and for the final inspection in Section 110.3, Building, 5.1.
 - 2.2. *Construction documents* shall include a statement that the building is designed in accordance with ASCE 24, including that the pile or column foundation and building or structure to be attached thereto is designed to be anchored to resist flotation, collapse and lateral movement due to the effects of wind and flood loads acting simultaneously on all building components, and other load requirements of Chapter 16.

2.3. For breakaway walls designed to have a resistance of more than 20 psf (0.96 kN/m²) determined using allowable stress design, *construction documents* shall include a statement that the breakaway wall is designed in accordance with ASCE 24.

2.4. For breakaway walls where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.7.2.1 of ASCE 24, construction documents shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.7.2.2 of ASCE 24.

2023 Florida Building Code, Building, Eighth Edition / CHAPTER 16 / SECTION 1612 / 1612.5

Property Address and Owner:

Hearing Date: January 6, 2026

Rescheduled to March 2026

FMB Case # 20250802

Property Owner: Bryan G & Christine Dawn Thomas

Property Address: 263 Palermo Circle

Violation: Lack of current valid building permit and building code deficiencies.

Officer: M. Hauserman

Subject:

Code Section:

Reference Number:

Strap Number:

Officer:

Narrative:

Working with Permitting on listed violations. Rescheduled per email request from law firm.

Attachments:

1. 20250802_263 Palermo Cir_Exhibit A_Notice of Violation and Hearing Affidavit Ownership

Town Recommendations:

Town Approvals:

Amy Baker, Town Clerk

Date: December 30, 2025

EXHIBIT A

- Notice of Violation & Hearing
- Evidence of Service
 - Affidavit of Positing
 - Evidence of Posting at violation address
 - Evidence of Posting at Town Hall
 - Evidence of Mailing / Certified Mail
- Evidence of Ownership
 - Lee County Property Appraisers
 - Tax Bill
- Initial Inspection Evidence
 - Photographs
 - Permit records
 - Other Evidence



Town of Fort Myers Beach

6231 Estero Blvd, Florida 33931
Phone: 239-765-0202 Fax: 239-765-0909

**TOWN OF FORT MYERS BEACH,
FLORIDA,**

**Petitioner,
vs.**

Certified Mail: 9589071052703142134340
Regular Mail: USPS 11/13/2025

**BRYAN G & CHRISTINE DAWN
THOMAS
Respondent.**

AFFIDAVIT OF NOTICE AND POSTING

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, personally appeared **Michael J Hauserman**, who being duly sworn by me, on oath, deposes and says the following regarding that certain Notice of Violation and Notice of Hearing attached hereto as **Exhibit A** ("the Notice"):

1. My name is **Michael J Hauserman**. I am over 18 years of age and am competent to testify to the matters set forth herein. I make this Affidavit based upon my personal knowledge.
2. I am employed as the **Code Compliance Manager** for the Town of Fort Myers Beach ("Town").
3. On **11/13/2025**, I personally mailed a copy of the Notice by certified mail and first-class mail as follows:
 - a. To the property owner at the address listed in the records of the Lee County Tax Collector and/or Lee County Property Appraiser for tax notices, which address is: **263 Palermo Circle, Fort Myers Beach, FL 33931**. A true and correct copy of the property ownership and address information obtained from the Tax Collector/Property Appraiser is attached hereto as **Exhibit A**. A copy of the certified mail receipt is attached hereto as **Exhibit A**.

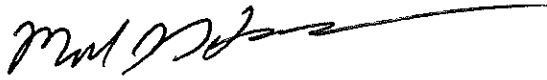
- b. To the following additional address(es) reasonably believed to be valid for the property owner: _____. A copy of the certified mail receipt is attached hereto as **Exhibit A**.
- c. The property is owned by _____ (business entity name), a business entity registered in the State of Florida. I mailed a copy of the Notice by certified mail and first-class mail to the business entity's Registered Agent, _____, at the following address: _____. A copy of the certified mail receipt is attached hereto as **Exhibit A**. A true and correct copy of the Florida Division of Corporations record for the entity, identifying its Registered Agent, is attached hereto as **Exhibit A**.

4. On 11/13/2025, I posted a copy of the Notice at 263 Palermo Circle, Fort Myers Beach, FL 33931, which is the property upon which the violation is alleged to exist. Photographs of the posted Notice, taken by me on that date, are attached hereto as **Exhibit A**.

5. On 11/13/2025, I posted a copy of the Notice at Town Hall, located at 6231 Estero Boulevard, Fort Myers Beach, FL 33931, which is the primary municipal government office for the Town of Fort Myers Beach. Photographs of the posted Notice, taken by me on that date, are attached hereto as **Exhibit A**.

Under penalties of perjury, I declare that I have read the foregoing Affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town of Fort Myers Beach Land Development Code and Section 162.12, Florida Statutes.

SWORN AND ATTESTED BY:



Signature of Affiant

Printed Name: Michael J Hauserman

Title: Code Compliance Manager

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of ☒ physical presence / ☐ online notarization, this 13th day of November, 2025 by Michael J Hauserman, who ☒ is personally known to me ☐ or has produced _____ as identification.



Notary Public, State of Florida

Printed Name: Riley R Baker

My Commission No.: HH 637224

My Commission Expires: 2/5/2029



Town of Fort Myers Beach

NOTICE OF VIOLATION AND NOTICE OF CODE ENFORCEMENT HEARING

6231 Estero Blvd, Fort Myers Beach, FL 33931

Phone: (239) 765-0202

Date: November 13, 2025

Case Number: 20250802

Property Owner: **BRYAN G & CHRISTINE DAWN THOMAS**

Mailing Address: 263 Palermo Circle, Fort Myers Beach, FL 33931

Subject Property Address: **263 Palermo Circle, Fort Myers Beach, FL 33931**

Certified Mail# 9589071052703142134340

Parcel: 19-46-24-W4-0060G.0040

YOU ARE HEREBY NOTIFIED that the undersigned Code Officer observed on November 10, 2025 the following violation(s) of the Land Development Code of the Town of Fort Myers Beach, Florida, were present on the subject property identified above:

Code Violation: On 11/10/2025, I observed multiple code violations including but not limited to lack of current valid building permit and building code deficiencies as defined in the Fort Myers Beach (FMB) Land Development Code Section 6-111, Florida Building Code (FBC) 105.1, and Section 6-441 of the FMB Land Development Code.

CHAPTER 6 – MAINTENANCE CODES, BUILDING CODES AND COASTAL REGULATIONS

ARTICLE II. BUILDING CODES

DIVISION 3. – BUILDING CODE

SECTION 6-111. – Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

FBC 7th Edition Section 105 PERMITS 105.1 Required.

Any owner or owner's 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.

***FMB Sec. 6 - 441** Permits required Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator; and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of the ordinance and all other applicable codes and regulations has been satisfied. No person may undertake a series of any improvements, additions, and/or demolitions that connect two or more existing structures in a manner that evades the requirements of this ordinance and the Florida Building Code.*

Additionally, administrative fees may be requested by the Town to recover all costs incurred by the Town in scheduling and presenting the code enforcement case to the Special Magistrate as ordered by the Special Magistrate. **THE IMPOSITION OF FINES AND/OR ADMINISTRATIVE FEES AND COSTS MAY RESULT IN A FUTURE LIEN AGAINST YOUR PERSONAL AND REAL PROPERTY.**

You have the right to be represented by an attorney at the scheduled hearing and to respond and present evidence (documents and testimony by witnesses) at the scheduled hearing. If you wish to be represented by an attorney, your attorney **MUST** notify the Special Magistrate's Clerk in writing at least five (5) working days before the scheduled hearing.

You may also have other rights which are set forth in Division 2 of Article V of Chapter 2 of the Town Land Development Code. If a person decides to appeal any decision with respect to any matter considered at the scheduled hearing, such person will 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 (Section 286.0105, Florida Statutes).

For additional information, contact the Town of Fort Myers Beach Special Magistrate Clerk at (239) 765-4222.

Michael J Hauserman



Code Enforcement Manager
Fort Myers Beach, Florida
239-478-9363

9589 0710 5270 3142 1343 40

U.S. Postal Service™ 20210802
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
- ☐ Return Receipt (electronic) \$
- ☐ Certified Mail Restricted Delivery \$
- ☐ Adult Signature Required \$
- ☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

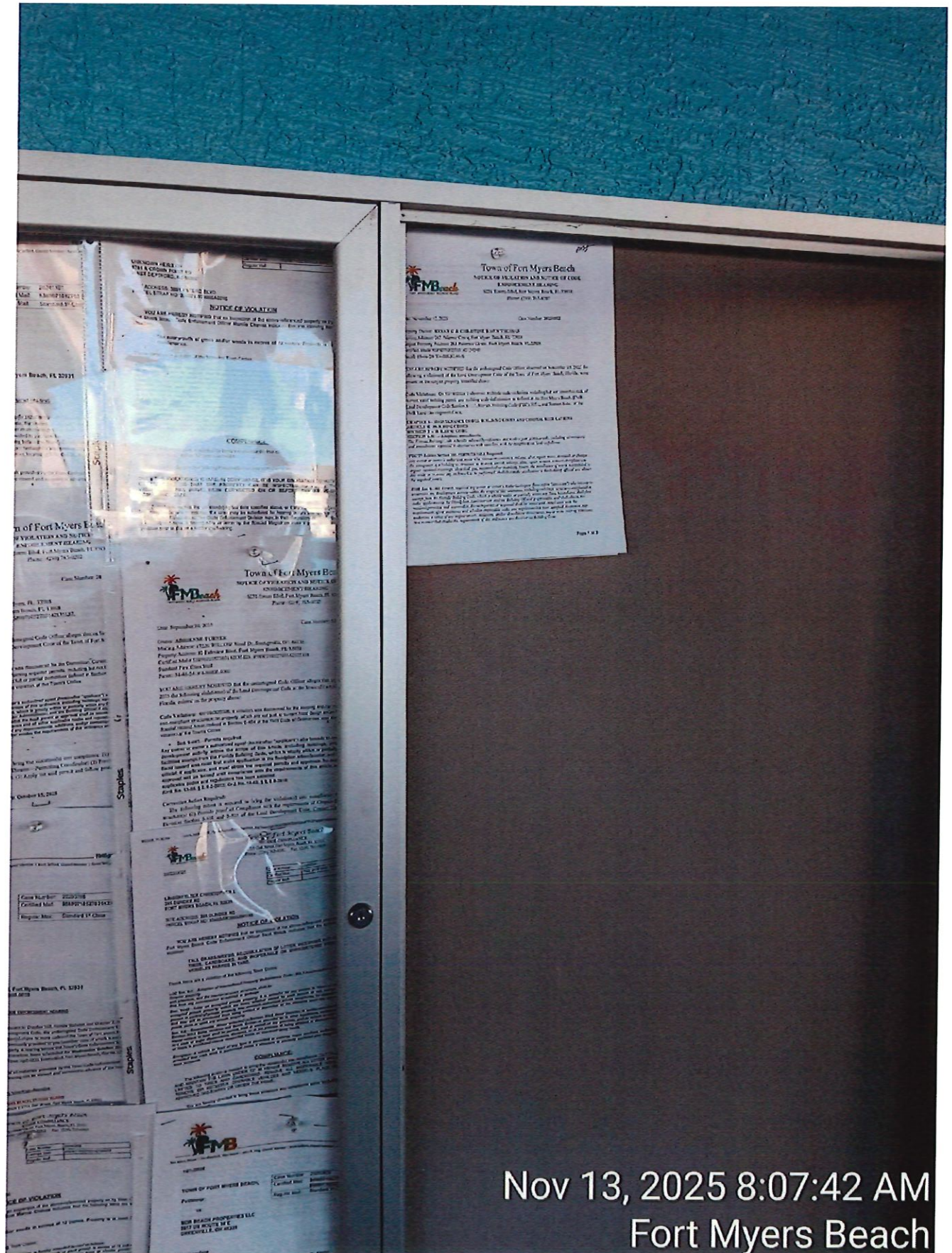
Sent To

Street and

City, State

Bryan G & Christine Dawn Thomas
263 Palermo Circle
Fort Myers Beach, FL 33931

11-13-25
MLH
Postmark
Here



Nov 13, 2025 8:07:42 AM
Fort Myers Beach



Posted 11/13/25
mt

Town of Fort Myers Beach
NOTICE OF VIOLATION AND NOTICE OF CODE
ENFORCEMENT HEARING
6231 Estero Blvd, Fort Myers Beach, FL 33931
Phone: (239) 765-0202

Date: November 13, 2025

Case Number: 20250802

Property Owner: **BRYAN G & CHRISTINE DAWN THOMAS**
Mailing Address: 263 Palermo Circle, Fort Myers Beach, FL 33931
Subject Property Address: 263 Palermo Circle, Fort Myers Beach, FL 33931
Certified Mail# 9589071052703142134340
Parcel: 19-46-24-W4-0060G.0040

YOU ARE HEREBY NOTIFIED that the undersigned Code Officer observed on November 10, 2025 the following violation(s) of the Land Development Code of the Town of Fort Myers Beach, Florida, were present on the subject property identified above:

Code Violation: On 11/10/2025, I observed multiple code violations including but not limited to lack of current valid building permit and building code deficiencies as defined in the Fort Myers Beach (FMB) Land Development Code Section 6-111, Florida Building Code (FBC) 105.1, and Section 6-441 of the FMB Land Development Code.

CHAPTER 6 – MAINTENANCE CODES, BUILDING CODES AND COASTAL REGULATIONS
ARTICLE II. BUILDING CODES
DIVISION 3. – BUILDING CODE
SECTION 6-111. – Adoption; amendments.

The Florida Building Code is hereby adopted by reference and made a part of this article, including all revisions and amendments approved in accordance with state law, with the exceptions set forth as follows:

FBC 7th Edition Section 105 PERMITS 105.1 Required.

Any owner or owner's 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.

FMB Sec. 6 - 441 Permits required Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of the ordinance and all other applicable codes and regulations has been satisfied. No person may undertake a series of any improvements, additions, and/or demolitions that connect two or more existing structures in a manner that evades the requirements of this ordinance and the Florida Building Code.

Page 1 of 3

Nov 13, 2025 8:07:39 AM
Fort Myers Beach



Town of Fort Myers Beach
NOTICE OF VIOLATION AND NOTICE OF CODE
ENFORCEMENT HEARING
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SECTION 6-111. – Adoption; amendments.

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FBC 7th Edition Section 105 PERMITS 105.1 Required.

Any owner or owner's 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 reinforce any impact-resistant curbing, 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 an application to the building official and obtain the required permit.

FMB Sec. 6-441 Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities, shall first make application to the Planning Administration, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of the ordinance and all other applicable codes and regulations has been satisfied. No person may undertake a series of any improvements, additions, and/or alterations that amount to or more existing structures in a manner that violates the requirements of this ordinance and the Florida Building Code.

Page 1 of 3

Nov 13, 2025 11:24:54 AM
Fort Myers Beach





Property Data

STRAP: 19-46-24-W4-0060G.0040 Folio ID: 10599503

Tax Roll Value Letter 2025 ▾

Generated on 11/10/2025 1:54 PM

Owner Of Record - Tenants by Entirety [Change Mailing Address]



THOMAS G BRYAN &
THOMAS DAWN CHRISTINE
263 PALERMO CIR
FORT MYERS BEACH FL 33931

Site Address

Site Address maintained by [E911 Program Addressing](#)

263 PALERMO CIR
FORT MYERS BEACH FL 33931

Property Description

Do not use for legal documents!



VENETIAN GARDENS BLK G PB 6 PG 70 LOTS 4 + 5

[View Recorded Plat at LeeClerk.org](#) - Use this link to do an Official Records search on the Lee County Clerk of Courts website, using 6 and 70 for the book and page numbers.

Attributes and Location Details

Total Bedrooms / Bathrooms	4 / 4.0
Gross Living Area	4,206
1st Year Building on Tax Roll	2015
Historic Designation	No

Township	Range	Section	Block	Lot
46	24E	19		
Municipality	Latitude	Longitude		
Town of Fort Myers Beach	26.45496	-81.95194		

[View Parcel on Google Maps](#)

[Tax Map Viewer] [View Comparables]



[Pictometry Aerial Viewer]

Image of Structure



◀ Photo Date May of 2025 ▶ ☐ View other photos

Last Inspection Date: 05/15/2025

Property Values / Exemptions / TRIM Notices

Generated on 11/10/2025 1:54 PM

Exemption

Amount

Homestead Exemption	25,000.00
Additional Homestead Exemption	25,722.00

[2025 Homestead Exemption Renewal Card](#)

TRIM Notices	Tax Year	Just	Land	Market Assessed	Capped Assessed	Exemptions	Classified Use	Taxable
2025 / Additional Info	2025 (Final Value)	2,668,777	1,480,758	2,668,777	1,607,607	50,722	0	1,556,885

2024 / Additional Info	2024 (Final Value)	2,555,835	1,617,889	2,555,835	1,430,424	50,000	0	1,380,424
2023 / Additional Info	2023 (Final Value)	565,557	565,547	565,557	565,557	50,000	0	515,557
2022 / Additional Info	2022 (Final Value)	2,395,914	813,272	2,395,914	1,348,312	50,000	0	1,298,312
2021 / Additional Info	2021 (Final Value)	1,673,224	750,324	1,673,224	1,283,768	50,000	0	1,233,768
2020 / Additional Info	2020 (Final Value)	1,215,306	641,406	1,215,306	1,215,306	50,000	0	1,165,306

The **Just** value is the total parcel assessment (less any considerations for the cost of sale). This is the closest value to *Fair Market Value* we produce and is dated as of January 1st of the tax year in question (**F.A.C. 12D-1.002**).

The **Land** value is the portion of the total parcel assessment attributed to the land.

The **Market Assessed** value is the total parcel assessment (less any considerations for the cost of sale) based upon the assessment standard. Most parcels are assessed based either upon the *Highest and Best Use* standard or the *Present Use* standard (**F.S. 193.011**). For *Agriculturally Classified* parcels (or parts thereof), only agricultural uses are considered in the assessment (**F.S. 193.461 (6) (a)**). The difference between the *Highest and Best Use/Present Use* and the *Agricultural Use* is often referred to as the *Agricultural Exemption*.
(i.e. Market Assessed = Just - Agricultural Exemption)

The **Capped Assessed** value is the *Market Assessment* after any *Save Our Homes* or *10% Assessment Limitation* cap is applied. This assessment cap is applied to all properties and limits year-to-year assessment increases to either the *Consumer Price Index* or 3%, whichever is lower for Homestead properties OR 10% for non-Homestead properties.

The **Exemptions** value is the total amount of all exemptions on the parcel.

The **Taxable** value is the *Capped Assessment* after exemptions (*Homestead, etc.*) are applied to it. This is the value that most taxing authorities use to calculate a parcel's taxes.
(i.e. Taxable = Capped Assessed - Exemptions)

Property Details (Current as of 11/9/2025)

Generated on 11/10/2025 1:54 PM

Land

Land Tracts

Use Code	Use Code Description	Number of Units	Unit of Measure
131	Single Family Residential, Canal	5872.00	Square Feet
131	Single Family Residential, Canal	6230.00	Square Feet

Land Features

Description	Year Added	Units
DOCK - BOAT - WOODEN	2002	440
SEAWALL - CONCRETE	2014	100
SEAWALL - RIPRAP	2014	100
FENCE - ALUM/VINYL - 4 FEET	2015	100
SEAWALL - CONCRETE	2007	48
DOCK - BOAT - WOODEN	2020	300
BOAT LIFT	2020	1
FENCE - WOOD - SOLID BOARD	2024	90
GATE ELECTRIC	2024	1

Buildings

Building 1 of 1

Building Characteristics

Improvement Type	Model Type	Stories	Living Units
100 - Colonial	1 - SINGLE FAMILY RESIDENTIAL	2.0	1

Bedrooms

4

Bathrooms

4.0

Year Built

2015

Effective Year Built

2019

Building Subareas

Description	Heated / Under Air	Area (Sq Ft)
BAL - BALCONY	N	5
BAS - BASE	Y	1,788
BAS - BASE	Y	479
CFL - CATHEDRAL FLOOR AREA	Y	89
FLG - FINISHED LOWER GARAGE	N	585
FLL - FINISHED LOWER LEVEL	N	1,159
FLU - FINISHED LOWER UTILITY	N	195
FOP - FINISHED OPEN PORCH	N	639
FOP - FINISHED OPEN PORCH	N	114
FOP - FINISHED OPEN PORCH	N	540
FST - FINISHED UTILITY	N	256
FUS - FINISHED UPPER STORY	Y	1,850
JAZ - JACUZZI	N	100
LCP - LOWER CARPORT / OPEN PORCH	N	540
PLR - POOL RESIDENTIAL	N	501
PPT - POOL PATIO	N	1,389

Building Features

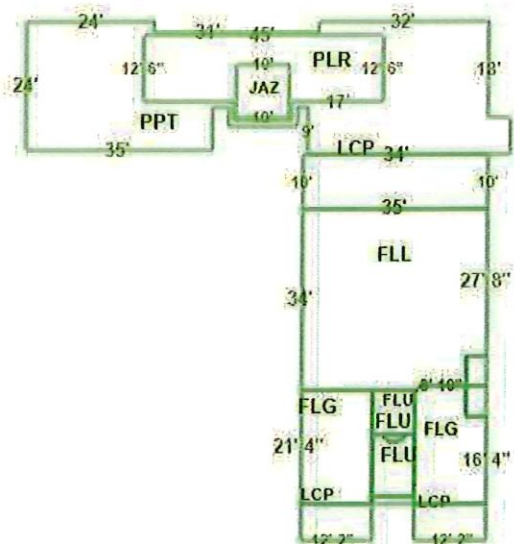
Description	Year Added	Units
POOL HEATER	2015	1
OUTDOOR KITCHEN	2015	1
ELEVATOR - RESIDENTIAL	2015	1
OUTDOOR SHOWER	2015	1
POOL - RESIDENTIAL	2024	501
PATIO - NATURAL STONE/TRAV	2025	1,098
JACUZZI - TYPE C	2025	1
PATIO UNIMPROVED	2025	300

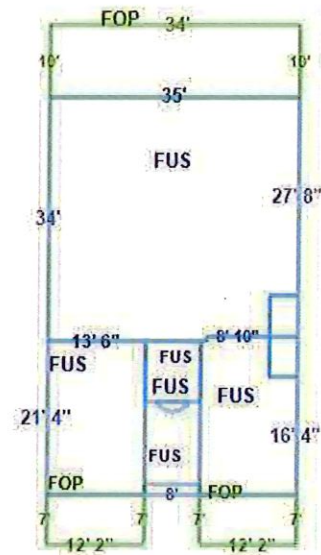
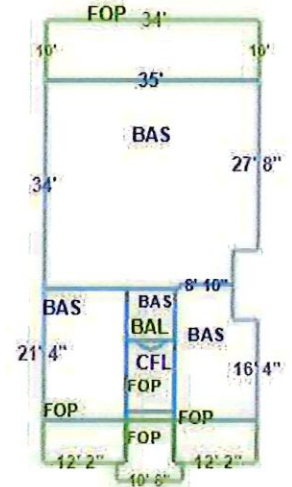
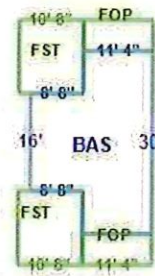
Building Front Photo



Photo Date: May of 2025

Building Footprint





Property Details (2025 Tax Roll)

Generated on 11/10/2025 1:54 PM

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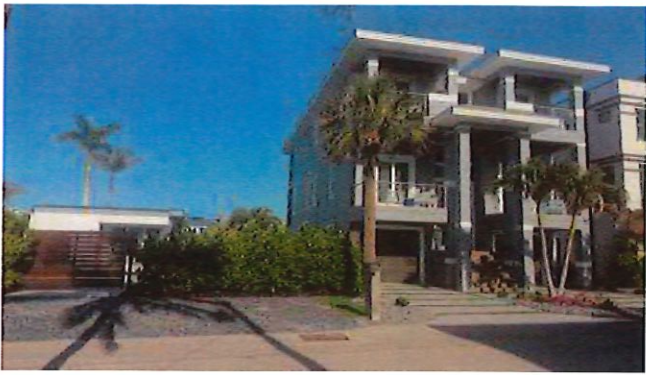
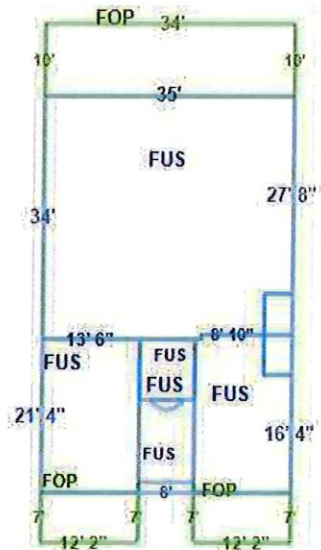
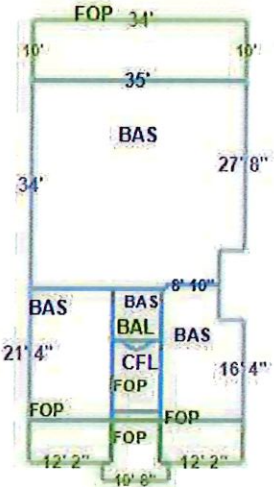
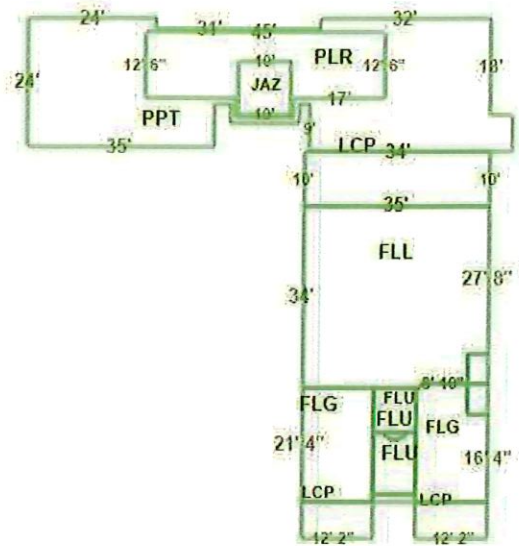


Photo Date: May of 2025



Taxing Authorities

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TOWN OF FT MYERS BEACH / 032

Name / Code	Category	Mailing Address
LEE CO GENERAL REVENUE / 044	County	LEE COUNTY OFFICE OF MGMT & BUDGET PO BOX 398 FORT MYERS FL 33902-0398
FORT MYERS BEACH FIRE CONTROL DIST / 032	Independent District	FORT MYERS BEACH FIRE CONTROL DIST 100 VOORHIS ST FORT MYERS BEACH FL 33931
FORT MYERS BEACH MOSQUITO CONTROL / 035	Independent District	FORT MYERS BEACH MOSQUITO CONTROL PO BOX 2837 FORT MYERS BEACH FL 33932-2837
FORT MYERS BEACH PUBLIC LIBRARY DIST / 033	Independent District	FORT MYERS BEACH PUBLIC LIBRARY DIST 2755 ESTERO BLVD FORT MYERS BEACH FL 33931
LEE CO HYACINTH CONTROL DIST / 051	Independent District	LEE CO HYACINTH CONTROL DIST 15191 HOMESTEAD RD LEHIGH ACRES FL 33971
WEST COAST INLAND NAVIGATION DIST / 098	Independent District	WEST COAST INLAND NAVIGATION DIST 200 MIAMI AVE E VENICE FL 34285-2408
TOWN OF FORT MYERS BEACH FLORIDA / 118	Municipal	TOWN OF FORT MYERS BEACH 2523 ESTERO BLVD FORT MYERS BEACH FL 33931
PUBLIC SCHOOL - BY LOCAL BOARD / 012	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
PUBLIC SCHOOL - BY STATE LAW / 013	Public Schools	LEE COUNTY SCHOOL BOARD BUDGET DEPARTMENT 2855 COLONIAL BLVD FORT MYERS FL 33966
GREEN CORRIDOR PACE / 363	Special District	
SFWMD-DISTRICT-WIDE / 110	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-EVERGLADES CONSTRUCTION PROJECT / 084	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406
SFWMD-OKEECHOBEE BASIN / 308	Water District	SFWMD 3301 GUN CLUB RD WEST PALM BEACH FL 33406

Sales / Transactions

Generated on 11/10/2025 1:54 PM

Sale Price	Date	Clerk File Number	Type	Notes	Vacant/ Improved
0.00	07/14/2020	20201071693CM		Not a Sale Parcel has been split or combined at the request of the property owner. Click Here for staff assistance.	I
485,000.00	04/28/2020	2020000103167	03		V

[View Recorded Plat at LeeClerk.org](https://www.leeclerk.org)

Use the above link to do a search on the Lee County Clerk of Courts website, using **6** and **70** for the book and page numbers and **Plats Book** for the book type.

Help safeguard your home against property fraud. Sign up for the Lee Clerk's free [Property Fraud Alert](#).

Building / Construction Permit Data

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Permit Number	Permit Type	Date
251392	Building Window / Door Replacement	08/25/2025
242724	Gas	11/06/2024
242758	Building Remodel / Repair	11/05/2024
211488	Building New Construction	05/18/2022
220306	Pool & Spa	05/18/2022
210482	Boathouse, Dock & Shoreline	03/30/2021
201265	Demolition	11/13/2020
201303	Boathouse, Dock & Shoreline	10/02/2020
DRV15-0067	Site Development - Driveway / Sidewalks	04/06/2016
ELE15-0305	Electric	09/29/2015
POL15-0018	Pool & Spa	09/24/2015
FIR15-0022	Gas	05/12/2015
ROF15-0048	Roof	04/30/2015
MEC14-0364	AC New / Change out	12/18/2014
ELE14-0330	Electric	11/06/2014
PLB14-0128	Plumbing	09/26/2014
DEM14-0015	Demolition	08/28/2014
EM14-0015	Demolition	08/28/2014
DEM14-0016	Demolition	08/12/2014
DSH14-0063	Boathouse, Dock & Shoreline	08/08/2014
BLD13-0131	Building New Construction	07/22/2014
DSH2002-00150	Boathouse, Dock & Shoreline	11/09/2007
RES2003-04194	Residential	05/12/2003
DSH2002-00151	Boathouse, Dock & Shoreline	02/27/2002

IMPORTANT: THIS MAY NOT BE A COMPREHENSIVE OR TIMELY LISTING OF PERMITS ISSUED FOR THIS PROPERTY.

Note: The Lee County Property Appraiser's Office does not issue or maintain any permit information. The Building / Construction permit data displayed here represents only those records this Office may find necessary to conduct Property Appraiser business. Use of this information is with the understanding that in no way is this to be considered a comprehensive listing of permits for this or any other parcel.

The Date field represents the date the property appraiser received information regarding permit activity; it may or not represent the actual date of permit issuance or completion.

Full, accurate, active and valid permit information for parcels can only be obtained from the [appropriate permit issuing agency](#).

Parcel Numbering History ⓘ

Generated on 11/10/2025 1:54 PM

Prior STRAP	Prior Folio ID	Renumber Reason	Renumber Date
19-46-24-W4-0060G.0040	10228127	Combined (With another parcel-Delete Occurs)	07/14/2020
19-46-24-W4-0060G.005A	10566727	Combined (With another parcel-Delete Occurs)	07/14/2020

Solid Waste (Garbage) Roll Data

Generated on 11/10/2025 1:54 PM

Solid Waste District	Roll Type	Category	Unit / Area	Tax Amount
001 - Service Area 1	R - Residential Category		1	358.45
Collection Days				
Garbage		Recycling		Horticulture
Thursday		Thursday		Thursday

Flood and Storm Information

Generated on 11/10/2025 1:54 PM

Flood Insurance Find my flood zone				
Community	Panel	Version	Date	Evacuation Zone
071C	0554	G	11/17/2022	A

Generated on 11/10/2025 1:54 PM

DO NOT PAY - THIS IS NOT A BILL
NOTICE OF PROPOSED PROPERTY TAXES
TAX INFORMATION

10599503
 THOMAS G BRYAN &
 THOMAS DAWN CHRISTINE
 263 PALERMO CIR
 FORT MYERS BEACH, FL 33931

071051
 Parcel ID: 19-46-24-W4-0060G.0040
 VENETIAN GARDENS
 BLK G PB 6 PG 70
 LOTS 4 + 5
 263 PALERMO CIR

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION. Each taxing authority may AMEND OR ALTER its proposals at the hearing.

TAXING AUTHORITY		COLUMN 1*		COLUMN 2*		COLUMN 3*
032 TOWN OF FT MYERS BEACH	LAST YEAR'S ACTUAL TAX RATE 2024 (MILLAGE)	YOUR PROPERTY TAXES LAST YEAR 2024	YOUR TAX RATE THIS YEAR IF NO BUDGET CHANGE IS ADOPTED (MILLAGE)	YOUR TAXES THIS YEAR IF NO BUDGET CHANGE IS ADOPTED	THIS YEAR'S PROPOSED TAX RATE 2025 (MILLAGE)	YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED 2025
COUNTY:						
LEE CO GENERAL REVENUE	3.7623	\$5,193.57	3.6162	\$5,630.01	3.7623	\$5,857.47
SCHOOL:						
PUBLIC SCHOOL - BY LOCAL BOARD	2.2480	\$3,159.39	2.2302	\$3,529.53	2.2480	\$3,557.70
PUBLIC SCHOOL - BY STATE LAW	3.0380	\$4,269.68	3.0139	\$4,769.82	3.0710	\$4,860.19
MUNICIPALITY OR MSTU:						
TOWN OF FORT MYERS BEACH FLORIDA	0.9900	\$1,366.62	0.8954	\$1,394.03	1.2550	\$1,953.89
WATER MANAGEMENT DISTRICT:						
SPWMD-DISTRICT-WIDE	0.0948	\$130.86	0.0889	\$138.41	0.0948	\$147.59
SPWMD-EVERGLADES CONSTRUCTION PROJECT	0.0327	\$45.14	0.0306	\$47.64	0.0327	\$50.91
SPWMD-OKEECHOBEE BASIN	0.1026	\$141.63	0.0961	\$149.62	0.1026	\$159.74
INDEPENDENT SPECIAL DISTRICTS:						
FORT MYERS BEACH FIRE CONTROL DIST	2.8000	\$3,865.19	2.5436	\$3,960.09	2.8000	\$4,359.28
FORT MYERS BEACH MOSQUITO CONTROL	0.1123	\$155.02	0.1018	\$158.49	0.1123	\$174.84
FORT MYERS BEACH PUBLIC LIBRARY DIST	0.1612	\$222.52	0.1464	\$227.93	0.1612	\$250.97
LEE CO HYACINTH CONTROL DIST	0.0200	\$27.61	0.0192	\$29.89	0.0200	\$31.14
WEST COAST INLAND NAVIGATION DIST	0.0394	\$54.39	0.0381	\$59.32	0.0394	\$61.34
TOTAL TAX RATES:	13.4013		12.8204		13.6993	
TOTAL PROPERTY TAXES:		\$18,631.62		\$20,094.78		\$21,465.06
		COLUMN 1*		COLUMN 2*		COLUMN 3*

NOTICE OF PROPOSED PROPERTY TAXES EXPLANATION (Section 200.069, Florida Statutes)

***COLUMN 1—"YOUR PROPERTY TAXES LAST YEAR"** - This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property's previous taxable value.

***COLUMN 2—"YOUR TAXES IF NO BUDGET CHANGE IS ADOPTED"** - This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT CHANGE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment.

***COLUMN 3—"YOUR TAXES IF PROPOSED BUDGET CHANGE IS ADOPTED"** - This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown on this notice. The difference between Columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

NOTE: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

NON-AD VALOREM ASSESSMENTS: Your final tax bill may contain non-ad valorem assessments which may not be reflected on this notice such as assessments for roads, fire, garbage, lighting, drainage, water, sewer, or other governmental services and facilities which may be levied by your county, city, or any special district

A Public Hearing on the Proposed Taxes and Budget Will Be Held:

COUNTY/MSTU:	09/04/2025 5:05PM	Lee Co Commission Chambers	2120 Main St	Fort Myers FL 33901	239-533-2221
SCHOOL:	09/09/2025 5:05PM		2855 Colonial Blvd	Fort Myers FL 33966	239-337-8215
MUNICIPALITY:	09/11/2025 5:01PM		6231 Estero Blvd	Fort Myers Beach FL 33931	239-765-0202
WATER MANAGEMENT DISTRICT:	09/11/2025 5:15PM	SPWMD Auditorium	3301 Gun Club Rd B-1 Bldg	West Palm Beach FL 33406	561-686-8800
LEE CO MOSQUITO AND/OR HYACINTH:	09/11/2025 5:01PM/5:15PM		15191 Homestead Rd	Lehigh Acres FL 33971	239-694-2174
FORT MYERS BEACH FIRE CONTROL DIST:	09/10/2025 5:05PM	Diamond Head Resort	2000 Estero Blvd	Ft Myers Beach FL 33931	239-590-4200
FORT MYERS BEACH MOSQUITO CONTROL:	09/03/2025 5:01PM		161 Bay Rd	Ft Myers Beach FL 33931	239-247-1205
FORT MYERS BEACH PUBLIC LIBRARY DIST:	09/11/2025 5:05PM		2755 Estero Blvd	Ft Myers Beach FL 33931	239-463-9691
WEST COAST INLAND NAVIGATION DISTRICT:	09/05/2025 5:01PM		1575 E Venice Ave	Venice FL 34292	941-485-9402

**** PROPERTY RECORD UPDATE -- WEBSITE AND PERSONALIZED CODE FOR 2025****

Enter your [personalized code TRA1BC4F](#) to review your property details and

- Report or update hurricane damage

- Confirm or update your homestead exemption status
- Discover how your value was impacted

PROPERTY VALUATION						
		Last Year 2024 ⓘ		This Year 2025 ⓘ		
MARKET VALUE		\$2,555,835		\$2,668,777		
Market Value in Florida is also known as "just value" as provided by the constitution and described in state law. It is the amount a purchaser willing but not obliged to buy would pay to one willing but not obliged to sell, after proper consideration of all eight factors in section 193.011, F.S.						
ASSESSED VALUE						
Assessed Value is the market value of your property minus the amount of any assessment reductions. The assessed value may be different for millage levies made by different taxing authorities.						
ASSESSMENT REDUCTIONS		APPLIES TO		VALUE		
Assessment Reduction amounts are based on applicable statutory limitations and benefits that may affect the Assessed Value, such as the Save Our Homes cap or an Agricultural Classification. The value of these limitations and benefits make up the difference between market and assessed value.						
Save Our Homes Benefit		All Levies		\$1,061,170		
EXEMPTIONS		APPLIES TO		VALUE		
Exemptions are specific dollar or percentage amounts that reduce taxable value. These are usually based on characteristics of the property or property owner. Examples include the homestead exemption, veterans' disability exemptions and charitable exemptions. In some cases, the maximum exemption amount may not be applied because of a lower assessed value. Many exemptions apply only to tax levies by the taxing authority granting the exemption.						
Homestead Exemption		Adopted Levies		\$25,000		
Additional Homestead Exemption		Adopted Levies		\$25,722		
VALUE CALCULATIONS						
Taxable Value is the assessed value minus qualifying exemptions. This is the value used to calculate the tax due on your property. The assessed and taxable values may vary by taxing authority because certain assessment reductions and exemptions may not apply to all levies and discounts.						
TAXING AUTHORITY	ASSESSED VALUE		EXEMPTIONS		TAXABLE VALUE	
	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR ⓘ
COUNTY:						
LEE CO GENERAL REVENUE	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
SCHOOL:						
PUBLIC SCHOOL - BY LOCAL BOARD	\$1,430,424	\$1,607,607	\$25,000	\$25,000	\$1,405,424	\$1,582,607
PUBLIC SCHOOL - BY STATE LAW	\$1,430,424	\$1,607,607	\$25,000	\$25,000	\$1,405,424	\$1,582,607
MUNICIPALITY OR MSTU:						
TOWN OF FORT MYERS BEACH FLORIDA	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
WATER MANAGEMENT DISTRICT:						
SFWMD-DISTRICT-WIDE	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
SFWMD-EVERGLADES CONSTRUCTION PROJECT	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
SFWMD-OKEECHOBEE BASIN	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
INDEPENDENT SPECIAL DISTRICTS:						
FORT MYERS BEACH FIRE CONTROL DIST	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
FORT MYERS BEACH MOSQUITO CONTROL	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
FORT MYERS BEACH PUBLIC LIBRARY DIST	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
LEE CO HYACINTH CONTROL DIST	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
WEST COAST INLAND NAVIGATION DIST	\$1,430,424	\$1,607,607	\$50,000	\$50,722	\$1,380,424	\$1,556,885
If you feel the market value of your property is inaccurate or does not reflect fair market value, or if you are entitled to an exemption or classification that is not reflected on this form, please call us at (239) 533-6100 or visit the Lee County Property Appraiser's office at 2480 Thompson Street, 4th Floor, Fort Myers, FL.						
If we are unable to resolve a matter as to the market value, classification, or an exemption, you may file a petition for adjustment with the Value Adjustment Board. ⓘ Online filing is available at www.leeclerk.org . Petition forms are available from the Lee County Property Appraiser's office. All petitions must be filed with the Clerk of Courts Office on or before September 12, 2025 .						
** PROPERTY RECORD UPDATE -- WEBSITE AND PERSONALIZED CODE FOR 2025**						
Enter your personalized code TRA1BC4F to review your property details and - Report or update hurricane damage - Confirm or update your homestead exemption status - Discover how your value was impacted						

Prepared By and Return To:
Safe Harbor Title Company
12734 Kenwood Lane, Suite #93
Fort Myers FL 33907

File No. 19-0508

Property Appraiser's Parcel I.D. (folio) Number(s)
19-46-24-W4-0060G.005A

WARRANTY DEED

THIS WARRANTY DEED dated April 28, 2020, by FCG Associates, LLC, a Florida Limited Liability Company, whose post office address is 6045 Cocos Dr, Fort Myers, FL 33908, hereinafter called the grantor, to G. Bryan Thomas and Dawn Thomas, husband and wife, whose post office address is 263 Palermo Circle, Fort Myers Beach, FL 33931, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$485,000.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in Lee County, Florida, to wit:

LOT 5, BLOCK G, VENETIAN GARDENS, ACCORDING TO THE MAP OR PLAT THEREOF AS
RECORDED IN PLAT BOOK 6, PAGE 70, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Subject to easements, restrictions, reservations and limitations of record, if any.

TO HAVE AND TO HOLD the same in FEE SIMPLE forever.

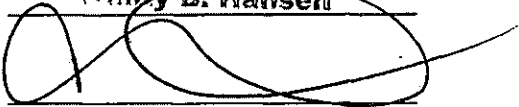
AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2019.

WARRANTY DEED
(Continued)

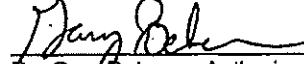
IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:


(Witness Signature)

Trinity B. Hansen

(Witness Signature)
Theresa Stramel

FCG Associates, LLC, a Florida Limited Liability
Company


By: Gary Baker as Authorized Manager

6045 Cocos Dr
(Address)

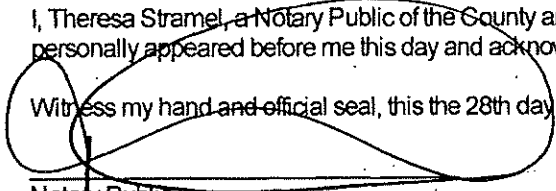
Fort Myers, FL 33908
(Address)

STATE OF Florida

COUNTY OF Lee

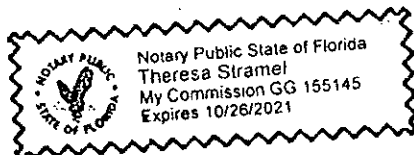
I, Theresa Stramel, a Notary Public of the County and State first above written, do hereby certify that Gary Baker personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28th day of April, 2020.


Notary Public

My Commission Expires: 10/26/21

(SEAL)



Warranty Deed (Individual to Individual)



Subject: Revocation of Permit Due to Non-Compliance with Floodplain Requirements in AE Flood Zone

Dear **Thomas G. Bryan**,

This letter serves as formal notice that the Town of Fort Myers Beach is revoking the building permit previously issued for your property located at **263 Palermo Cir Fort Myers Beach, FL 33931**. (STRAP# 194624w40060G0040)

Upon further review, it has been determined that the permit was issued in error. The proposed development is located within a FEMA-designated AE Flood Zone and does not currently meet the floodplain management requirements established by FEMA and adopted by the Town.

Reason for Revocation:

As a participant in the National Flood Insurance Program (NFIP), the Town is required to enforce FEMA's floodplain regulations to reduce flood risk and maintain eligibility for federally backed flood insurance. In AE Flood Zones—classified as high-risk areas—development must meet stringent elevation and construction standards, including but not limited to:

- Residential structures must have the lowest floor elevated to or above the Base Flood Elevation (BFE) shown on current FEMA Flood Insurance Rate Maps (FIRMs).
- Non-residential structures must be either elevated or floodproofed to the BFE.
- All development must avoid obstructing or altering the floodplain in ways that increase flood risk to adjacent properties.
- Proper flood openings, materials, and anchoring methods must be used in accordance with federal and local flood-resistant construction standards.

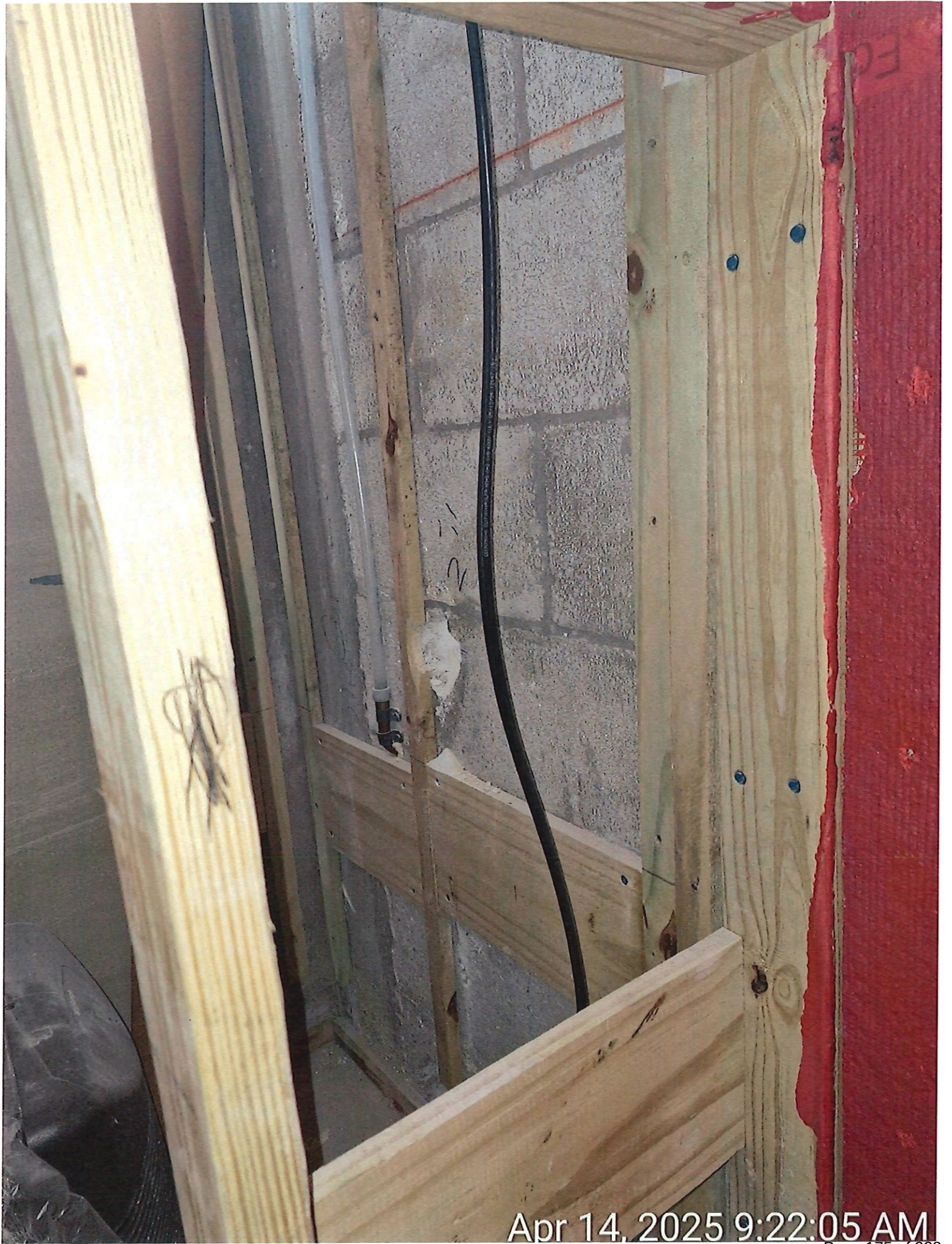
The permit in question was issued without adequate verification that these requirements had been met. Continuing construction under the current permit would increase flood risk, violate FEMA and Town regulations, and jeopardize the

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 6231 Estero Boulevard, Fort Myers Beach, FL 33931



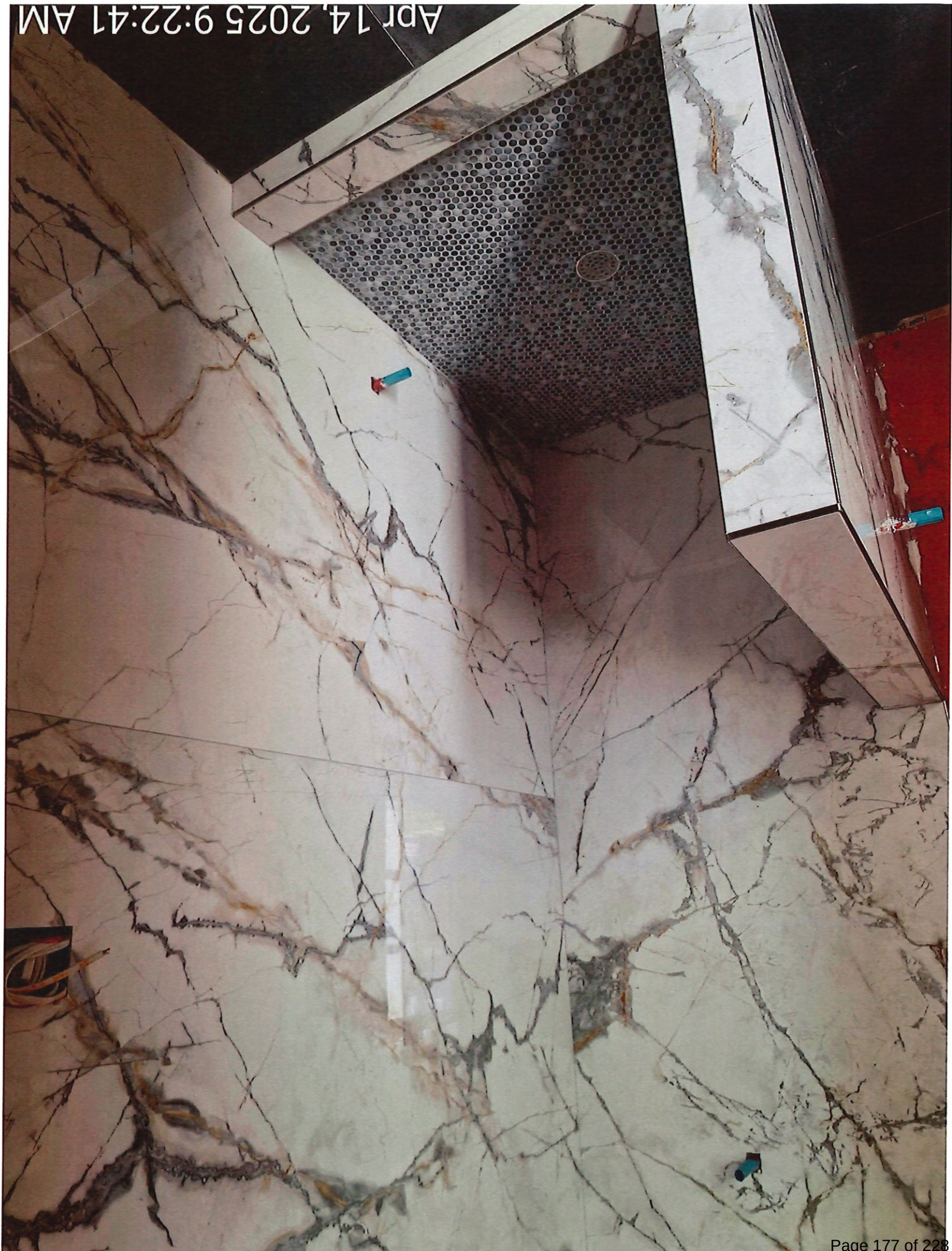
Apr 14, 2025 9:23:27 AM



Apr 14, 2025 9:22:05 AM



Apr 14, 2025 9:22:16 AM





CODE COMPLIANCE SPECIAL MAGISTRATE
THE TOWN OF FORT MYERS BEACH, FLORIDA

TOWN OF FORT MYERS BEACH,
a Florida municipal corporation,

FMB CASE NO. 2025019

Petitioner,

vs.

JOHN K. DANIELS,

Respondent.

/

CODE ENFORCEMENT VIOLATION FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER

THIS CAUSE came before the undersigned Administrative Law Judge, John G. Van Laningham, serving as the Special Magistrate for the Town of Fort Myers Beach (“Special Magistrate”), on October 29, 2025. The Respondent’s son, Joe Daniels, was present at the hearing and authorized to speak on behalf of the Respondent. The Town of Fort Myers Beach (the “Town”) was represented by its Code Enforcement Officers and the Town Attorney. The purpose of the hearing was to adjudicate the Town’s Notice of Violation and Notice of Code Enforcement Hearing, dated September 24, 2025 (“NOV”). After reviewing sworn testimony from the parties and supporting evidence in the record, including photographs, the Special Magistrate makes the following Findings of Fact, Conclusions of Law and Order:

A. FINDINGS OF FACT

1. According to the Lee County Property Appraiser records, the Respondent is the owner of the real property located at 250/252 Bahia Via, Fort Myers Beach, Florida (the “Subject Property”).
2. On September 24, 2025, Code Enforcement Officer Thomas Yozzo observed a violation on the Subject Property for the “Demolition, Construction and or repair of a structure in disrepair without obtaining required permits. Including but not limited to

siding, windows, roofing, interior remodel and full or partial demolition defined in Section 6-441 of the FMB Code of Ordinances...”

3. Respondent’s representative testified that Respondent does not contest the violation.

B. CONCLUSIONS OF LAW

1. Respondent received proper notice of the hearing and an opportunity to correct the violation prior to the October 29, 2025, hearing.
2. Respondent violated Section 6-441 of the FMB Code of Ordinances by constructing or repairing the Subject Property without obtaining required permits.
3. The Town’s enforcement efforts reflect its responsibility to protect the residents in the Town from faulty and unsafe construction and repair of structures by requiring building permits.

C. ORDER

Based on the foregoing, it is hereby ORDERED as follows:

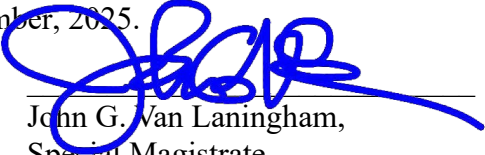
Compliance Deadline and Review Hearing: Respondent is in violation of Section 6-441 of the Town of Fort Myers Beach Code of Ordinances. Respondent must obtain the needed permits by December 3, 2025 (“Compliance Date”). A status review hearing is scheduled for January 6, 2026, to evaluate compliance progress. The Special Magistrate will consider compliance steps taken in deciding whether to impose or defer fines at the hearing on January 6, 2026.

Daily Fine: A fine of \$250.00 per day will be imposed for each day the violation continues beyond the Compliance Date, unless deferred at the status review hearing based upon the circumstances then existing.

Special Magistrate Administrative Fee: Pursuant to section 162.07(2), Florida Statutes, Respondent shall pay \$250.00 to cover the costs associated with this enforcement action.

This Order may be appealed by any aggrieved party to the Circuit Court of Lee County no later than 30 days from the date of this Order. Failure to timely file a written Notice of Appeal will waive the right of appeal.

DONE AND ORDERED this 12th day of November, 2025.



John G. Van Laningham,
Special Magistrate

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of this Order has been furnished by U.S. mail on this 13th day of November 2025, to:

John K. Daniels
250/252 Bahia Via,
Fort Myers Beach , Fl 33931

John K. Daniels
134 West Nimisila Rd.
Akron, OH 44319

Amy Baker: amy@fmbgov.com
Nancy Stuparich: nstuparich@voselaw.com
Thomas Yozzo: tyozzo@fmbgov.com
Michael Houserman: Michael.houserman@fmbgov.com

I certify this document to be a true and correct copy of the original on file in Town Hall, Fort Myers Beach, State of Florida, County of Lee.

By: 
Amy Baker (Nov 13, 2025 14:16:30 EST)
Town Clerk and Clerk to Special Magistrate

Dated: Nov 13, 2025

APPEAL: An aggrieved party may appeal an Order of the Special Magistrate of the Town of Fort Myers Beach to the Lee County Circuit Court. The appeal shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

PAYMENT OF ADMINISTRATIVE COSTS, LIENS OR FINES: Checks should be made payable to “Town of Fort Myers Beach,” include the case number and mail to:

Town of Fort Myers Beach
Attention: Code Enforcement
6231 Estero Boulevard
Fort Myers Beach, FL 33931

STATUS HEARING EXHIBIT A

- Special Magistrate Order
- Affidavit of Compliance / Non-Compliance
- Inspection photographs/permit evidence



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

John K Daniels
134 West Nimisila Rd
Akron, OH 44319

Respondent,

FMB Case Number:	20250819
Certified Mail:	N/A
Regular Mail:	N/A

Site Address: **250/252 Bahia Via**, Fort Myers Beach, FL, 33931
Parcel Strap No. 34-46-24-W4-00029.0000

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

BEFORE ME, the undersigned authority personally appeared **Michael J Hauserman** who is the Code Enforcement Manager for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding Code Enforcement Case **#20250819**.

1. That on **10/29/2025**, the Special Magistrate held a public hearing and issued an order in the above styled manner.
2. That, pursuant to said order, the Respondent was to have taken certain corrective action by on or before **12/03/2025**.
3. That a re-inspection was performed on **12/18/2025**. That the re-inspection revealed that the corrective action ordered by the Special Magistrate has not been taken.

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



4. I have attached permit records of the subject property and photos taken on **12/18/2025**, which I personally printed, and which fairly represent the condition of the property at the time of my inspection.
5. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate and that an order be issued affording the appropriate relief, including an order to access any and all fines and administrative fees imposed by the Special Magistrate.

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

x 
Signature of Affiant

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☒ personal presence or ☐ online notarization this 18 day of December 2025, by Michael J. Hauserman. He ☒ is personally known to me or ☐ has produced _____ as identification.




Notary Public, State of Florida
Print Name: Tracie Raski
My Commission Expires: 2/3/2029



Date: 11/25/2025

Contractor: Owner-Builder John Daniels

RE: 236619/250/252 BAHIA VIA/ Replace front door, add 2X4 framing, install plywood outside, install drywall inside, paint, install trim, paint trim, insulate wall where side light was, stucco

The drawings submitted for the referenced project have been reviewed following the 8th Edition (2023) Florida Building Codes, Florida Statutes (F.S), and the Town of Fort Myers Beach Land Development Code. For the reasons listed below, we cannot approve your application at this time.

Please provide the Rejection Letter and a Cover Letter showing where each corrected item can be found.

1st Rejection Letter – Flood

Kelli Defedericis, Kelli.Defedericis@fmbgov.com (Flood Reviewer)

Rejection comments

In further review property and flood insurance policy payout from IAN there seems to be a discrepancy with the cost breakdown provided and the policy payout.

Please email me the policy payout so I may review and confirm the proposed work is consistent with the NFIP policy payout.

Kdefedericis@fmbgov.com
Kelli – Floodplain

PLEASE NOTE:

- Mailed in or paper plans will not be accepted.
- Submit all corrections together at one time with an appropriate response/ cover letter showing where each corrected item can be found to resubmittal@fmbgov.com.
- Please note that no other reviews will be done until the **Zoning Review** is approved.
- Resubmittals will not be processed unless all review comments are addressed.

Please refer to the **Permit Portal** to access a copy of this rejection letter.

Sincerely,

Town of Fort Myers Beach Building Services and Community Development Departments.



Dec 18, 2025 10:33:08 AM



Dec 18, 2025 10:33:55 AM



Dec 18, 2025 10:33:25 AM

CODE COMPLIANCE SPECIAL MAGISTRATE
THE TOWN OF FORT MYERS BEACH, FLORIDA

TOWN OF FORT MYERS BEACH,
a Florida municipal corporation

Petitioner,
vs.

FMB CASE NO. 20250853

ADRIENNE TURNER,

Respondent.

CODE ENFORCEMENT VIOLATION FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER

THIS CAUSE came before the undersigned Administrative Law Judge, John G. Van Laningham, serving as the Special Magistrate for the Town of Fort Myers Beach (“Special Magistrate”), on October 29, 2025. The Respondent was present at the hearing. The Town of Fort Myers Beach (the “Town”) was represented by its Code Enforcement Officers and the Town Attorney. The purpose of the hearing was to adjudicate the Town’s Notice of Violation and Notice of Code Enforcement Hearing, dated September 30, 2025 (“NOV”). After reviewing sworn testimony from the parties and supporting evidence in the record, including photographs, the Special Magistrate makes the following Findings of Fact, Conclusions of Law, and Order:

A. FINDINGS OF FACT

1. According to the Lee County Property Appraiser records, the Respondent is the owner of the real property located at 12 Fairview Boulevard, Fort Myers Beach, Florida (the “Subject Property”).
2. On September 30, 2025, Code Enforcement Officer Thomas Yozzo observed a violation on the Subject Property for the “Demolition, Construction and or repair of a structure in disrepair without obtaining required permits. Including but not limited to siding, windows, roofing, interior remodel and full or partial demolition defined in Section 6-441 of the FMB Code of Ordinances...”
3. Respondent testified that Respondent she does not contest the violation.

B. CONCLUSIONS OF LAW

1. Respondent received proper notice of the hearing and an opportunity to correct

the violation prior to the October 29, 2025 hearing.

2. Respondent violated Section 6-441 of the FMB Code of Ordinances by constructing or repairing the Subject Property without first obtaining required permits.
3. The Town's enforcement efforts reflect its responsibility to protect the residents in the Town from faulty and unsafe construction and repair of structures by requiring building permits.

C. ORDER

Based on the foregoing, it is hereby ORDERED as follows:

Compliance Deadline and Review Hearing: Respondent is in violation of Section 6-441 of the Town of Fort Myers Beach Code of Ordinances. Respondent must obtain the needed permits by December 3, 2025 ("Compliance Date"). A status review hearing is scheduled for January 6, 2026, to evaluate compliance progress. The Special Magistrate will consider compliance steps taken in deciding whether to impose or defer fines at the hearing on January 6, 2026.

Daily Fine: A fine of \$250.00 per day will be imposed for each day the violation continues beyond the Compliance Date, unless deferred at the status review hearing based upon the circumstances then existing.

Special Magistrate Administrative Fee: Pursuant to section 162.07(2), Florida Statutes, Respondent shall pay \$250.00 to cover the costs associated with this enforcement action.

This Order may be appealed by any aggrieved party to the Circuit Court of Lee County no later than 30 days from the date of this Order. Failure to timely file a written Notice of Appeal will waive the right of appeal.

DONE AND ORDERED this 12th day of November, 2025.



Judge John G. Van Laningham
Special Magistrate

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of this Order has been furnished by U.S. mail on this 13th day of November, 2025 to:

Adrienne Turner
17226 Willow Wood Rd
Strongsville, OH 44136

Amy Baker: amy@fmbgov.com
Nancy Stuparich: nstuparich@voselaw.com
Thomas Yozzo: tyozzo@fmbgov.com
Michael Houserman: Michael.houserman@fmbgov.com

I certify this document to be a true and correct copy of the original on file in Town Hall, Fort Myers Beach, State of Florida, County of Lee.

BY: 
Amy Baker (Nov 13, 2025 13:25:23 EST)
Town Clerk and Clerk to the Special Magistrate

DATED: Nov 13, 2025

APPEAL: An aggrieved party may appeal an Order of the Special Magistrate of the Town of Fort Myers Beach to the Lee County Circuit Court. The appeal shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

PAYMENT OF ADMINISTRATIVE COSTS, LIENS OR FINES: Checks should be made payable to "Town of Fort Myers Beach," include the case number and mail to:

Town of Fort Myers Beach
Attention: Code Enforcement
6231 Estero Boulevard
Fort Myers Beach, FL 33931

STATUS HEARING EXHIBIT A

- Special Magistrate Order
- Affidavit of Compliance / Non-Compliance
- Inspection photographs/permit evidence



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Turner Adrienne
17226 Willow Wood Dr
Strongsville, OH 44136

Respondent,

FMB Case Number:	20250853
Certified Mail:	N/A
Regular Mail:	N/A

Site Address: 12 Fairview Blvd, Fort Myers Beach, FL, 33931
Parcel Strap No. 34-46-24-W4-00400.0060

AFFIDAVIT OF COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

BEFORE ME, the undersigned authority personally appeared **Michael J Hauserman** who is the Code Enforcement Manager for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding Code Enforcement Case **#20250853**.

1. That on **10/29/2025**, the Special Magistrate held a public hearing and issued an order in the above styled manner.
2. That, pursuant to said order, the Respondent was to have taken certain corrective action by on or before **12/03/2025**.
3. That a re-inspection was performed on **12/12/2025**. That the re-inspection revealed that the corrective action ordered by the Special Magistrate has been taken.
4. I have attached permit records of the subject property, which I personally printed, and which fairly represent the condition of the property at the time of my inspection. .

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



5. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate and that an order be issued affording the appropriate relief, including an order to access any and all fines and administrative fees imposed by the Special Magistrate.

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

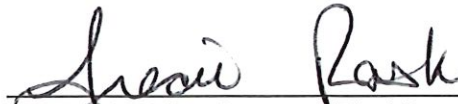
X 
Signature of Affiant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☒ personal presence or ☐ online notarization this 12 day of December, 2025, by Michael J Hauserman. He ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]


Notary Public, State of Florida
Print Name: Tracie Raski
My Commission Expires: 2/3/2029

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



Reviewed for Compliance

PERMIT 252074

Town of Fort Myers Beach
Building Department

2525 Estero Blvd Fort Myers Beach, Florida 33931
Phone: (239) 765-0202 Fax: (239) 765-0909

Approval Letter

BUILD RESPONSIBLY!

GO TO:

<https://www.fortmyersbeachfl.gov/DocumentCenter/View/16329/BUILD-RESPONSIBLY>

Date: 12/12/25

Permit #: 252074

Address: 12 FAIRVIEW BLVD FORT MYERS BEACH, FL 33931

Applicant: Owner Builder

Scope of Work: Permitting for IAN

Review Type	Reviewer	Review Status
Zoning Review		Not Required
Flood Review	STEVE POPOSKI	Reviewed for Compliance
Plan Review	PETER HAIGIS	Reviewed for Compliance
Stormwater Review		Not Required
Environmental Review		Not Required
Public Works Review		Not Required
Beach Water Review		Not Required

Permit Conditions:

Erosion Control and Construction Site Maintenance
All new construction, alterations, or renovations shall comply with the Town of Fort Myers Beach Land Development Code and Florida Building and Stormwater Regulations. Prior to any land-disturbing activity, the permit holder shall install and maintain erosion and sediment controls (e.g., silt fencing, inlet protection) and ensure proper onsite waste management (dumpsters, portable toilets). Controls must remain in place until the site is permanently stabilized. Projects disturbing one acre or more must implement a Stormwater Pollution Prevention Plan (SWPPP) in accordance with Florida DEP and NPDES requirements. Noncompliance may result in stop-work orders or code enforcement action.



Qualifier Acknowledgement

This page is required for ALL Building Permit Applications

ACKNOWLEDGEMENT OF TOWN OF FORT MYERS BEACH REGULATIONS BY THE QUALIFIER

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WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY 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 RECORDING YOUR NOTICE OF COMMENCEMENT.

Job Street Address: 12 Fairview Blvd Fort Myers Beach FL 33931

I, Adrienne Turner (Qualifier), hereby certify that all answers to the questions in this registration and any supplementary information attached to and made part of this registration is honest and true.

Adrienne Turner
Typed or printed name of Qualifier

Adrienne Turner
Signature of Qualifier

STATE OF Ohio COUNTY OF Cuyahoga

The foregoing instrument was certified and subscribed before me by means of ☒ physical presence

OR ☐ online notarization, this 10th day of Oct, 2025, by

Adrienne Turner, who is personally known to me OR ☒ who has produced Ohio DL as identification.

[Signature]
Notary Public Signature



KOURTNEY THOMAS
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES
03-11-29
(seal)

Project: Permit 252074
 Location: 12 Fairview Blvd

Scope: INTERIOR REPAIRS HURRICANE REBUILD

Date: 10/22/2025

*IMPROVED VALUE must be entered on last page

Cost Code Legend	Detail Description	MATERIALS			LABOR			Total	Sub-Contractor ?
		Qty	Unit	Cost per Unit	Hours	Cost per Hour	Total		
D. Insulation and Weather-strip	Insulation R11 F-Foil	4.0	sheets	\$ 77.00	6.2	\$ 25.00	\$ 155.00	\$ 483.00	no
F. Doors, Windows & Shutters	Interior doors (no exterior doors or windows needed)	9.0	each	\$ 253.00	8.0	\$ 25.00	\$ 200.00	\$ 2,477.00	no
G. Lumber Finish	base trim 6" baseboard	288.0	ft	\$ 3.50	58.0	\$ 50.00	\$ 2,900.00	\$ 3,908.00	no
I. Drywall	Replaced drywall	40.0	sheets	\$ 22.60	35.0	\$ 25.00	\$ 875.00	\$ 1,779.00	no
J. Cabinets (built-in)	Cabinets	15.0	each	\$ 450.00	80.0	\$ 50.00	\$ 4,000.00	\$ 10,750.00	no
O. Electrical & Light Fixtures	replace lower outlets only	29.0	each	\$ 3.00	2.0	\$ 25.00	\$ 50.00	\$ 287.00	no
M. Plumbing	Water Heater	1.0	each	\$ 749.00	2.0	\$ 25.00	\$ 50.00	\$ 799.00	no
R. HVAC	fixtures	7.0	each	\$ 225.00	14.0	\$ 50.00	\$ 700.00	\$ 2,275.00	no
S. Paint	not replaced still running	0.0	0	\$ -	0.0	\$ -	\$ -	\$ -	no
T. Demolition & Removal	Primer/paint	20.0	each	\$ 55.00	60.0	\$ 25.00	\$ 1,500.00	\$ 2,600.00	no
U. Overhead & Profit	Mold mediation cleaner AND dehumidifier	10.0	gallons	\$ 25.00	40.0	\$ 25.00	\$ 1,000.00	\$ 1,200.00	no
	clean and removal	1.0		\$ 586.00	1.0	\$ 1,197.00	\$ 1,197.00	\$ 7,200.00	no
				\$ -		\$ -	\$ -	\$ 1,783.00	no



STATE OF FLORIDA
LEE COUNTY PROPERTY APPRAISER
MATTHEW H. CALDWELL

Mailing Address:
P.O. Box 1546
Fort Myers, Florida 33902-1546

Physical Address:
2480 Thompson Street
Fort Myers, Florida 33901-3074



Telephone: (239) 533-6100

Website: www.leepa.org

October 16, 2025

10231180

TURNER ADRIENNE
17226 WILLOW WOOD DR
STRONGSVILLE, OH 44136

Re: 2022 Tax Roll Value & FEMA 50% Rule

12 FAIRVIEW BLVD FORT MYERS BEACH 33931
34-46-24-W4-00400.0060

In the chart below you will find the most recent values from the 2022 ad valorem tax roll. These values represent the Lee County Property Appraiser's determination of Just Value for ad valorem tax purposes.

	JUST VALUE
Total Value	\$586,753
Land Value	\$226,700
Land Extra Features Value	\$0
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Further, the FEMA 50% rule calls for the use of "market value" in determining "substantial improvement" and the Lee County Commission has adopted a definition of market value which includes "...or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser...", and the "Building Value" listed above will likely meet the needs of most owners. Please note that these are allocated values, developed as of January 1, 2022, and they may not reflect the current value of your property. If you believe that our conclusions and methods are not useful for your purposes, I encourage you to consult an independent professional.

Please be advised that we are providing this information as a proactive courtesy and this letter serves as an official copy of our records for the parcel listed above as of the effective date of this letter. I hope this letter is helpful to you as you evaluate the process of recovering from the impacts of Hurricane Ian.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew H. Caldwell".
Hon. Matthew H. Caldwell



Reviewed for Compliance

PERMIT 252074

Owner Acknowledgement

This page is required for ALL Building Permit Applications

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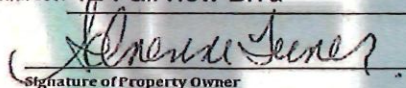
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Job Street Address: 12 Fairview Blvd


Signature of Property Owner

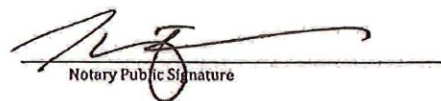
Adrienne Turner
Typed or printed name of Property Owner

STATE OF Ohio COUNTY OF Cuyahoga

The foregoing Instrument was certified and subscribed before me by means of ☒ physical presence

OR ☐ online notarization, this 10th day of Oct, 2025, by Adrienne Turner

who is personally known to me OR ☒ who has produced Ohio DL as identification.


Notary Public Signature



KOURTNEY THOMAS
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES
08-11-29

If An Owner Agent is Being Named, Please complete below

I, _____ (Property Owner), hereby certify that
_____ is my authorized AUTHORIZED AGENT/representative of the property
described herein. All answers to the questions in this registration and any supplementary information attached
to and made part of this registration is honest and true.



PLEASE NOTE:

- Mailed in or paper plans will not be accepted.
- Submit all corrections together at one time with an appropriate response/ cover letter showing where each corrected item can be found to resubmittal@fmbgov.com.
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Please refer to the **Permit Portal** to access a copy of this rejection letter.

Sincerely,

Town of Fort Myers Beach Building Services and Community Development Departments.





Substantial Damage
Cost Estimate
Worksheet

Project: Permit 252074
Location: 12 Fairview Blvd

Scope: INTERIOR REPAIRS HURRICANERE REBUILD

A. Masonry B. Carpentry C. Roofing D. Insulation and Weather-strip E. Exterior Finish (eg. Stucco) F. Doors, Windows & Shutters G. Lumber Finish

Date

10/28/25
10/22/2025
revised

Reviewed for Compliance

PERMIT 252074

*IMPROVED VALUE must be entered on last page

Cost Code Legend	Cost Code	Detail Description	MATERIALS			LABOR			Total	Y/N
			Qty	Unit	Cost per Unit	Hours	Cost per Hour	Total		
D. Insulation and Weather-strip		Insulation R11 F-Foil	4.0	rolls	\$ 77.00	6.2	\$ 25.00	\$ 155.00	\$ 463.00	no
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U. Overhead & Profit			1.0		\$ 586.00	1.0	\$ 1,197.00	\$ 1,197.00	\$ 1,783.00	no
F. Doors, Windows & Shutters		garage door	1.0	each	\$ 2,500.00	6.0	\$ 35.00	\$ 210.00	\$ 2,710.00	no



STATE OF FLORIDA
LEE COUNTY PROPERTY APPRAISER
MATTHEW H. CALDWELL

Mailing Address:
P.O. Box 1546
Fort Myers, Florida 33902-1546

Physical Address:
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Fort Myers, Florida 33901-3074



Telephone: (239) 533-6100

Website: www.leepa.org

October 16, 2025

10231180

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17226 WILLOW WOOD DR
STRONGSVILLE, OH 44136

Re: 2022 Tax Roll Value & FEMA 50% Rule

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Job Street Address: 12 Fairview Blvd

Adrienne Turner
Signature of Property Owner

Adrienne Turner

Typed or printed name of Property Owner

STATE OF Ohio COUNTY OF CuyahogaThe foregoing instrument was certified and subscribed before me by means of ☒ physical presenceOR ☐ online notarization, this 16th day of Oct, 2025, by Adrienne Turnerwho is personally known to me OR ☒ who has produced Ohio DL as identification.

Kourtney Thomas
Notary Public Signature



KOURTNEY THOMAS
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES
08-11-29

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I, _____ (Property Owner), hereby certify that
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described herein. All answers to the questions in this registration and any supplementary information attached
to and made part of this registration is honest and true.

02/06/24

Application page 6 of 14

Town of Fort Myers Beach
2325 Estero Blvd. Fort Myers Beach, FL 33931
Phone : 239 765-0202 Buildingpermits @fmbgov.com Fax: 239 765-0909

JOBSITE COPY



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REPAIR/IMPROVEMENT COST FORM

CONTRACTOR'S AFFIDAVIT

I hereby attest that I have personally inspected the building located at the above-referenced address and discussed the nature and extent of the work requested by the owner, including all improvements, rehabilitation, remodeling, repairs, additions and any other form of improvement.

At the request of the owner, I have prepared a cost estimate for all of the improvement work requested by the owner and the cost estimate includes, at a minimum, the cost elements identified by the Town of Fort Myers Beach that are appropriate for the nature of the work. If the work is repair of damage, I have prepared a cost estimate to repair the building to its pre-damage condition. I acknowledge that if, during the course of construction, the owner requests more work or modification of the work described in the application, that a revised cost estimate must be provided to the Town of Fort Myers Beach, which will re-evaluate its comparison of the cost of work to the market value of the building to determine if the work is substantial improvement. Such re-evaluation may require revision of the permit and may subject the property to additional requirements.

I also understand that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made repairs or improvements that were not included in the description of work and the cost estimate for that work that were the basis for issuance of a permit.

Adrienne Turner
Contractor's Signature

Adrienne Turner
Print Name

11/18/25
Date

State of Ohio

County of Cuyahoga

Before me this 18th day of November, 2025, personally appeared

Adrienne Turner who being duly sworn deposes and says that he/she has read, understands and agrees to comply with all the aforementioned conditions.



KOURTNEY THOMAS
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES
08-11-29

Kourtney Thomas
Signature, Notary Public
Kourtney Thomas
Print Name, Notary Public







Dec 18, 2025 10:39:38 AM

CODE COMPLIANCE SPECIAL MAGISTRATE
THE TOWN OF FORT MYERS BEACH, FLORIDA

TOWN OF FORT MYERS BEACH,
a Florida municipal corporation

Petitioner,

vs.

FMB CASE NO. 20250988

TIVA INVEST REAL LLC,
a Florida limited liability company

Respondent.

_____ /

CODE ENFORCEMENT VIOLATION FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER

THIS CAUSE came before the undersigned Administrative Law Judge, John G. Van Laningham, serving as the Special Magistrate for the Town of Fort Myers Beach (“Special Magistrate”), on October 29, 2025, for a public hearing. A representative for the Respondent, Tiva Invest Real LLC, was not present at the hearing. The Town of Fort Myers Beach (the “Town”) was represented by its Code Enforcement Officers and the Town Attorney, Nancy Stuparich, Esquire. The purpose of the hearing was to determine whether Respondent violated Section 6-441 of the Town of Fort Myers Beach Code of Ordinances, as alleged in the Notice of Violation dated September 19, 2025 (“NOV”), and to decide on the appropriate enforcement action, if necessary. After reviewing sworn testimony from the parties and supporting evidence in the record, including photographs, the Special Magistrate makes the following Findings of Fact, Conclusions of Law, and Order:

A. FINDINGS OF FACT

1. According to the Lee County Property Appraiser records, the Respondent is the owner of the real property located at 8010 Estero Boulevard, Fort Myers Beach, Florida 33931 (the “Subject Property”).

2. On September 19, 2025, Emergency Services Director, T. Yozzo observed the Subject Property in violation of Section 6-441 of the Town of Fort Myers Beach Code of Ordinances (“Town Code”) for demolition, construction and or repair of a structure in disrepair without obtaining required permits, including but not limited to siding, windows, roofing, interior remodel and full or partial demolition as defined in Section 6-441.

3. On September 19, 2025, the Town issued a Notice of Violation and Notice of Code Enforcement Hearing (“Notice”) to Respondent, citing violation of Section 6-441 of the Town Code. The Notice required Respondent to bring the violations into compliance, including by contacting Town permitting to obtain required permits by October 15, 2025. The Notice was properly mailed to Respondent via certified mail, posted on the Subject Property, and posted at Town Hall.

4. The Notice further provided that a hearing for this matter had been scheduled before the Town of Fort Myers Beach Special Magistrate for October 29, 2025, and that Respondent would be required to appear at such hearing pursuant to Division 2 of Article V of Chapter 2 of the Town Land Development Code and Chapter 162, Florida Statutes, if the violations were not corrected and the Respondent did not contact the Code Enforcement Officer and request a compliance inspection by October 8, 2025.

5. Competent and substantial evidence was presented both at and prior to the October 29, 2025 hearing, including via written Prehearing Affidavit of Non-Compliance by Code Enforcement Manager Michael J. Hauserman (“Affidavit”), establishing that a re-inspection of the Subject Property was performed on October 28, 2025¹, at which point the corrective action specified in the Notice had not been taken and the Subject Property remained non-compliant in violation of Section 6-441 of the Town Code.

6. Emergency Services Director Thomas Yozzo further presented competent and substantial evidence in the form of a written affidavit that proper notice of both the violation and the hearing was provided to Respondent in advance of the hearing.

B. CONCLUSIONS OF LAW

1. Respondent received proper notice of the hearing and an opportunity to correct the violation prior to the October 29, 2025, hearing. Respondent did not correct the violation or request an inspection by the Code Enforcement Officer by the date required.

2. Section 6-441 of the Town Code provides that: “*Permits required.* Any owner or owner’s authorized agent (hereinafter, “applicant”) who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area must first make application to the floodplain administrator, and the building official, if applicable, and must obtain the required permits and approvals. No such permit or approval will be issued until

¹ The Affidavit contains a scrivener’s error indicating the re-inspection was performed on October 28, 2029.

compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.”

3. Based on the evidence presented and under the applicable Town Code, it is concluded that Respondent’s failure to first obtain required permits before engaging in repair and/or remodeling upon the Subject Property constitutes violation of Section 6-441 of the Town Code.

C. ORDER

Based on the foregoing, it is hereby ORDERED as follows:

Compliance Deadline and Review Hearing: Respondent is in violation of Section 6-441 of the Town of Fort Myers Beach Code of Ordinances. Respondent must obtain the necessary permit(s) for repair and/or remodeling of the Subject Property by December 3, 2025 (“Compliance Date”). A status review hearing is scheduled for January 6, 2026, to evaluate compliance progress. The Special Magistrate may consider evidence of substantial compliance efforts in determining whether to impose or defer penalties.

Daily Fine: A fine of \$250.00 per day will be imposed for each day the violation continues beyond the Compliance Date, unless deferred at the status review hearing based upon the circumstances then existing.

Special Magistrate Administrative Fines: Pursuant to section 162.07(2), Florida Statutes, Respondent shall pay \$250.00 administrative fines to cover the costs associated with this enforcement action.

This Order may be appealed by any aggrieved party to the Circuit Court of Lee County no later than 30 days from the date of this Order. Failure to timely file a written Notice of Appeal will waive the right of appeal.

DONE AND ORDERED this 12th day of November, 2025, at the Division of Administrative Hearings, Tallahassee, Florida.



John G. Van Laningham,
Special Magistrate

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of this Order has been furnished by U.S. mail on this 13th day of November, 2025 to:

Tiva Invest Real LLC
15701 S Tamiami Trail
Fort Myers, FL 33908

Kevin F. Jursinski, Esq.
15701 S. Tamiami Trail
Fort Myers, FL 33908

Amy Baker: amy@fmbgov.com
Nancy Stuparich: nstuparich@voselaw.com
Thomas Yozzo: tyozzo@fmbgov.com
Michael Houserman: Michael.houserman@fmbgov.com

I certify this document to be a true and correct copy of the original on file in Town Hall, Fort Myers Beach, State of Florida, County of Lee.

BY: 
Amy Baker (Nov 13, 2025 13:26:37 EST)
Town Clerk and Clerk to the Special Magistrate

DATED: Nov 13, 2025

APPEAL: An aggrieved party may appeal an Order of the Special Magistrate of the Town of Fort Myers Beach to the Lee County Circuit Court. The appeal shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

PAYMENT OF ADMINISTRATIVE COSTS, LIENS OR FINES: Checks should be made payable to "Town of Fort Myers Beach," include the case number and mail to:

Town of Fort Myers Beach
Attention: Code Enforcement
6231 Estero Boulevard
Fort Myers Beach, FL 33931

STATUS HEARING EXHIBIT A

- Special Magistrate Order
- Affidavit of Compliance / Non-Compliance
- Inspection photographs/permit evidence



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

TIVA INVEST REAL LLC

15701 s Tamiami Trail

Fort Myers, FL 33908

Respondent,

FMB Case Number:	20250988
Certified Mail:	N/A
Regular Mail:	N/A

Site Address: **8010 Estero Blvd**, Fort Myers Beach, FL, 33931

Parcel Strap No. 03-47-24-W3-00300.0070

AFFIDAVIT OF NON-COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

BEFORE ME, the undersigned authority personally appeared **Michael J Hauserman** who is the Code Enforcement Manager for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding Code Enforcement Case **#20250988**.

1. That on **10/29/2025**, the Special Magistrate held a public hearing and issued an order in the above styled manner.
2. That, pursuant to said order, the Respondent was to have taken certain corrective action by on or before **12/03/2025**.
3. That a re-inspection was performed on **12/18/2025**. That the re-inspection revealed that the corrective action ordered by the Special Magistrate has not been taken.
4. I have attached permit records of the subject property and photos taken on **12/18/2025**, which I personally printed, and which fairly represent the condition of the property at the time of my inspection. .

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



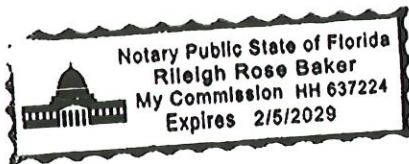
5. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate and that an order be issued affording the appropriate relief, including an order to access any and all fines and administrative fees imposed by the Special Magistrate.

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

x 
Signature of Affiant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☐ personal presence or ☐ online notarization this 18 day of December, 2025, by Michael J Hauserman. He ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]


Notary Public, State of Florida
Print Name: Raleigh R Baker
My Commission Expires: 2/5/29

PROPERTY

TIVA INVEST REAL LLC
info@tivatestates.com
15701 S TAMIAH TRL
FORT MYERS, FL 33908

8010 ESTERO BLVD
FORT MYERS BEACH, 33931
Parcel: 034724W3003000070
Block: 00300 Lot: 0070 Zoned: RS-1
Legal: GRAND OLE MAN PB 29 PG 27 LOT 7

STATUS

View | Remove

History

Order

Trade Risk
11/18/2025
30 days as Order
99 days since Case created

Case #: 20250988

Contractor Name:

Time of Site Inspection:

Case Closed:

Case Date: 09/10/25

Compliance Date of Violation:

Citation Number:

Repair Damage Due To:

Case Type: Work without Permit

Hearing Date:

How to bring violation into Compliance:

Storm Damage:

Description:

Completion Date of Site Inspection:

Days to Comply:

Assigned To:

Status: *Complain/Under Inve:

Completion Date of Site Inspection:

Referred:

Assigned To:

GIS Link ID: 034724W3003000070

Cases For Property (Code Enforcement)

Show Last 25 | Show All

Cases For Property (Code Enforcement - Import)

Show Last 25 | Show All

Permits For Property (Permit Management)

Show Last 25 | Show All

	Date	Permit #	Permit Type	Status	Permit Type	Sub Type	Assigned To	Type of Construction	Type of Occupancy / Use	Contractor Business Name/Applicant
+	01/11/2024	240096		ABANDONED	Residential	Demolition	*	N/A	Residential	S&K Excavating LLC
+	08/18/2022	221422		ABANDONED	zPool	Pool- Below Ground			Residential	Classic Pool Design
+	12/03/2021	211989		VOID	Residential	Remodel			Residential	



Dec 18, 2025 10:49:24 AM

CODE COMPLIANCE SPECIAL MAGISTRATE
THE TOWN OF FORT MYERS BEACH, FLORIDA

TOWN OF FORT MYERS BEACH,
a Florida municipal corporation

Petitioner,

vs.

FMB CASE NO. 20250811

MARK + SHERI LIANE BROOKS,

Respondent.

_____ /

CODE ENFORCEMENT VIOLATION FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER

THIS CAUSE came before the undersigned Administrative Law Judge, John G. Van Laningham, serving as the Special Magistrate for the Town of Fort Myers Beach (“Special Magistrate”), on October 29, 2025, for a public hearing. The Respondents, Mark and Sheri Liane Brooks (“Respondents”) were present at the hearing. The Town of Fort Myers Beach (the “Town”) was represented by its Code Enforcement Officers and the Town Attorney, Nancy Stuparich, Esquire. The purpose of the hearing was to determine whether Respondent violated Section 6-441 of the Town of Fort Myers Beach Code of Ordinances, as alleged in the Notice of Violation, and to decide on the appropriate enforcement action, if necessary. After reviewing sworn testimony from the parties and supporting evidence in the record, including photographs, the Special Magistrate makes the following Findings of Fact, Conclusions of Law, and Order:

A. FINDINGS OF FACT

1. According to the Lee County Property Appraiser records, the Respondent is the owner of the real property located at 7846 Buccaneer Drive, Fort Myers Beach, Florida 33931(the “Subject Property”).

2. On August 7, 2025, Code Enforcement Officer T. Hoffman observed the Subject Property in violation of Section 6-441 of the Town of Fort Myers Beach Code of Ordinances (“Town Code”) for the repair and/or remodel of structure on property without first obtaining required permits.

3. On August 13, 2025, the Town issued a Notice of Violation (“Notice”) to Respondent, citing violation of Section 6-441 of the Town Code. The Notice required Respondent to bring the violations into compliance, including by contacting Town permitting to obtain required permits, within fifteen days. The Notice was properly mailed to Respondent via certified mail, posted on the Subject Property, and posted at Town Hall.

4. On October 1, 2025, the Town issued a Notice of Hearing to Respondent, providing that the violations stated in the Notice had not been brought into compliance and scheduling a hearing for this matter before the Town of Fort Myers Beach Code Enforcement Special Magistrate for October 29, 2025.

5. Competent and substantial evidence was presented both at and prior to the October 29, 2025 hearing, including via a written Prehearing Affidavit of Non-Compliance by Code Enforcement Manager Michael J. Hauserman (“Affidavit”), establishing that a re-inspection of the Subject Property was performed on October 28, 2025¹, at which point the corrective action specified in the Notice had not been taken and the Subject Property remained non-compliant in violation of Section 6-441 of the Town Code.

6. Code Compliance Officer Marcio Chavez further presented competent and substantial evidence in the form of a written affidavit that proper notice of both the violation and the hearing was provided to Respondent in advance of the hearing.

B. CONCLUSIONS OF LAW

1. Respondent received proper notice of the hearing and an opportunity to correct the violation prior to the October 29, 2025, hearing. Respondent did not correct the violation or request an inspection by the Code Enforcement Officer by the date required.

2. Section 6-441 of the Town Code provides that: “*Permits required.* Any owner or owner’s authorized agent (hereinafter, “applicant”) who intends to undertake any development activity within the scope of this article, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area must first make application to the floodplain administrator, and the building official, if applicable, and must obtain the required permits and approvals. No such permit or approval will be issued until compliance with the requirements of this article and all other applicable codes and regulations has been satisfied.”

¹ The Affidavit contains a scrivener’s error indicating the re-inspection was performed on October 28, 2029.

3. Based on the evidence presented and under the applicable Town Code, it is concluded that Respondent's failure to first obtain required permits before engaging in repair and/or remodeling upon the Subject Property constitutes violation of Section 6-441 of the Town Code.

C. ORDER

Based on the foregoing, it is hereby ORDERED as follows:

Compliance Deadline and Review Hearing: Respondent is in violation of Section 6-441 of the Town Code. Respondent must obtain the necessary permit(s) for repair and/or remodeling of the Subject Property by December 3, 2025 ("Compliance Date"). A status review hearing is scheduled for January 6, 2026, to evaluate compliance progress. The Special Magistrate may consider evidence of substantial compliance efforts in determining whether to impose or defer penalties.

Daily Fine: A fine of \$250.00 per day will be imposed for each day the violation continues beyond the Compliance Date, unless deferred at the status review hearing based upon the circumstances then existing.

Special Magistrate Administrative Fines: Pursuant to section 162.07(2), Florida Statutes, Respondent shall pay \$250.00 administrative fines to cover the costs associated with this enforcement action.

This Order may be appealed by any aggrieved party to the Circuit Court of Lee County no later than 30 days from the date of this Order. Failure to timely file a written Notice of Appeal will waive the right of appeal.

DONE AND ORDERED this 12th day of November, 2025, at the Division of Administrative Hearings, Tallahassee, Florida.



John G. Van Laningham,
Special Magistrate

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of this Order has been furnished by U.S. mail on this 13th day of November, 2025 to:

Mark and Sheri Liane Brooks
430 Elsie INN
Mahtomedi, MN 55115

Town of Fort Myers Beach
2731 Oak Street
Fort Myers Beach, FL 33931

Amy Baker: amy@fmbgov.com
Nancy Stuparich: nstuparich@voselaw.com
Thomas Yozzo: tyozzo@fmbgov.com
Michael Houserman: Michael.houserman@fmbgov.com

I certify this document to be a true and correct copy of the original on file in Town Hall, Fort Myers Beach, State of Florida, County of Lee.

BY: 
Amy Baker (Nov 13, 2025 14:24:19 EST)
Town Clerk and Clerk to the Special Magistrate

DATED: Nov 13, 2025

APPEAL: An aggrieved party may appeal an Order of the Special Magistrate of the Town of Fort Myers Beach to the Lee County Circuit Court. The appeal shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

PAYMENT OF ADMINISTRATIVE COSTS, LIENS OR FINES: Checks should be made payable to "Town of Fort Myers Beach," include the case number and mail to:

Town of Fort Myers Beach
Attention: Code Enforcement
6231 Estero Boulevard
Fort Myers Beach, FL 33931

STATUS HEARING EXHIBIT A

- Special Magistrate Order
- Affidavit of Compliance / Non-Compliance
- Inspection photographs/permit evidence



TOWN OF FORT MYERS BEACH,

Petitioner,

vs.

Mark Brooks + Sheri Liane Brooks
430 Elsie Inn
Mahtomedi, MN 55115

Respondent,

FMB Case Number:	20250811
Certified Mail:	N/A
Regular Mail:	N/A

Site Address: 7846 Buccaneer Drive, Fort Myers Beach, FL, 33931
Parcel Strap No. 03-47-24-W4-00103.0200

AFFIDAVIT OF COMPLIANCE

STATE OF FLORIDA)

COUNTY OF LEE)

BEFORE ME, the undersigned authority personally appeared **Michael J Hauserman** who is the Code Enforcement Manager for the Town of Fort Myers Beach, who was sworn and under oath, deposes and says the following regarding Code Enforcement Case **#20250811**.

1. That on **10/29/2025**, the Special Magistrate held a public hearing and issued an order in the above styled manner.
2. That, pursuant to said order, the Respondent was to have taken certain corrective action by on or before **12/03/2025**.
3. That a re-inspection was performed on **12/04/2025**. That the re-inspection revealed that the corrective action ordered by the Special Magistrate has been taken.
4. I have attached permit records of the subject property, which I personally printed, and which fairly represent the condition of the property at the time of my inspection. .

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



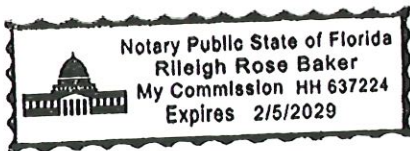
5. The Town of Fort Myers Beach hereby has requested a hearing before the Special Magistrate and that an order be issued affording the appropriate relief, including an order to access any and all fines and administrative fees imposed by the Special Magistrate.

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true and to the best of my knowledge and belief comply with Section 2-429 of the Town Land Development Code and Section 162.12, Florida Statutes.

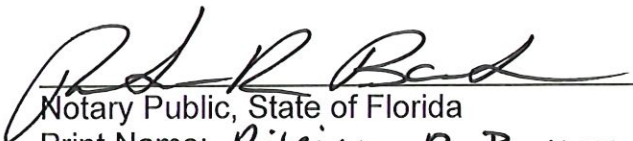
X 
Signature of Affiant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of either ☐ personal presence or ☐ online notarization this 18 day of December, 2025, by Michael J Hauserman. He ☒ is personally known to me or ☐ has produced _____ as identification.



[Notary Seal]


Notary Public, State of Florida
Print Name: Rileigh R Baker
My Commission Expires: 2/5/29

FORT MYERS BEACH ESTERO ISLAND

P. 239-765-0202 | 2731 Oak Street, Fort Myers Beach, FL 33931



Reviewed for Compliance

PERMIT 252205

*Town of Fort Myers Beach
Building Department*

2525 Estero Blvd Fort Myers Beach, Florida 33931

Phone: (239) 765-0202 Fax: (239) 765-0909

Approval Letter

BUILD RESPONSIBLY!

GO TO:

<https://www.fortmyersbeachfl.gov/DocumentCenter/View/16329/BUILD-RESPONSIBLY>

Date: 12/4/25

Permit #: 252205

Address: 7846 BUCCANEER DR FORT MYERS BEACH, FL 33931

Applicant: Owner-Builder

Scope of Work: Installed ne garage door - After the fact permit

Review Type	Reviewer	Review Status
Zoning Review		Not Required
Flood Review	STEVE POPOSKI	Reviewed for Compliance
Plan Review	PETER HAIGIS	Reviewed for Compliance
Stormwater Review		Not Required
Environmental Review		Not Required
Public Works Review		Not Required
Beach Water Review		Not Required

Permit Conditions:

JOBSITE COPY



