



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.

Minutes adopted as presented on January 6, 2026, by Special Magistrate Van Laningham.



Amy Baker (Jan 8, 2026 15:27:01 EST)

Town Clerk and Clerk to Special Magistrate