



## Fort Myers Beach Local Planning Agency

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

Minutes

Tuesday, March 10, 2026

9:00 AM

### ORDER OF BUSINESS

#### FINAL

##### I. CALL TO ORDER

Members Present: Chair Anita Cereceda, James Boan, James Dunlap, Doug Eckmann, and Don Sudduth.

##### II. INVOCATION

Chair Cereceda.

##### III. PLEDGE OF ALLEGIANCE

##### IV. APPROVAL OF FINAL AGENDA

Mr. Dunlap moved to approve the final agenda, seconded by Mr. Boan.  
The motion carried unanimously.

##### V. APPROVAL OF MINUTES

###### A. Local Planning Agency - February 10, 2026

Mr. Eckmann moved to approve the minutes of February 10, 2026, seconded by Mr. Sudduth.

The motion carried unanimously.

Mr. Dunlap moved to accept the excused absence of Vice Chair Plummer, seconded by Mr. Sudduth. The motion carried unanimously.

##### VI. PUBLIC COMMENT

No public comment.

##### VII. PUBLIC HEARINGS

###### A. SEZ20260021, 7954 Estero Blvd

**A RESOLUTION OF THE FORT MYERS BEACH LOCAL PLANNING AGENCY APPROVING/ APPROVING WITH CONDITIONS/DENYING SPECIAL EXCEPTION SEZ20260021 TO ALLOW LIKE-FOR-LIKE REPLACEMENT OF AN EXISTING 494-SQUARE-FOOT DECK, OF WHICH 89 SQUARE FEET EXTENDS INTO THE ENVIRONMENTALLY CRITICAL**

**(EC) ZONING DISTRICT SEAWARD OF THE 1978 COASTAL CONSTRUCTION CONTROL LINE (CCCL), RECORDED FOR THE REAL PROPERTY LOCATED AT 7954 ESTERO BOULEVARD; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.**

Chair Cereceda read the title of the resolution. No ex parte communications were disclosure. Town Attorney Stuparich read the announcement on quasi-judicial hearings. Town Clerk Baker noted that this item was noticed properly. Town Attorney Stuparich asked if any members had any conflicts of interest that would prevent them from voting. There were none. Town Clerk Baker swore in those providing testimony.

Senior Planner Jason Smalley presented the request for a special exception for a deck replacement on the existing property located on 7954 Estero Boulevard. The structure was built in 1977. The permit for the deck was concurrent with the house. He noted that staff did offer the applicant an administrative variance to deal with the side yard setback, which had been non-compliant at 6 feet. The code does not allow staff to handle any structures that end up in the EC area. He presented the staff's recommendation for approval with the three conditions listed.

Public comment:

Kara Stewart, a previously established expert, representing the owner at 7954 Boulevard. The deck is 89 square feet, and the remainder of the deck is permitted by right.

Tom Matthews, the owner of the property, noted that this property is his childhood home. He wanted to extend his appreciation for the town in his efforts to move his family and the next generation onto the beach.

Public comment closed.

Mr. Boan moved to approve SEZ20260021 7954 Estero Boulevard along with the three conditions recommended by staff, seconded by Mr. Sudduth.

The motion carried unanimously by roll call vote.

### **VIII. ADMINISTRATIVE AGENDA**

No items.

### **IX. LPA MEMBERS ITEMS/REPORTS**

Chair Cereceda called on Town Attorney Stuparich. The Town Attorney stated that the planning staff are still working on the details for the special meeting next month. Assistant Community Development Director Georgina Cid believed that the staff is currently not ready yet for the special meeting. Chair Cereceda noted that the regular meeting of the agency would be on April 14, 2026, and the special meeting should be on April 21, 2026. Town Attorney Stuparich noted that it was her belief that the regular meeting would contain regularly scheduled LPA items. Due to the size and public interest in the project in the London Bay project, this item would be the basis for the special meeting.

Chair Cereceda also noted that this project was a multi-level case. Mr. Sudduth noted he would have a conflict for the special meeting. Town Clerk Baker confirmed that the deadline to apply for the vacant seat on the Local Planning Agency is March 19, 2026. Chair Cereceda stated that there would be an additional agency member at the special meeting. Further follow-up would be conducted for both staff and members to establish a firm date for the special meeting.

Chair Cereceda brought up concerns related to the Wyndham property, which would add about 269 parking spaces. There were other concerns as well, such as those regarding lighting, trash, and sanitary conditions. She requested that action be taken to inform the public about the process. Member Dunlap also noted the public's suspicion, especially given the timing. Chair Cereceda acknowledged these feelings of the public.

Planner Smalley noted that the proposed process would be the application of a development agreement that would lay out the rights and responsibilities. This application would go through the staff, the Town Manager, the LPA, and Council. The agency would have the opportunity to speak and investigate. He also noted that, once the development agreement has been accepted, a development order would need to be set in place. This order would establish an actual layout of structures, parking, and utilities. The applicant has currently requested temporary use for trucks and trailers as they are going through the development agreement and development order process. The temporary use application would go through staff and then to the Town Manager for approval. Chair Cereceda inquired about the time length for temporary use. Planner Smalley responded that it would be between a year to 18 months. Member Dunlap asked how the agency would be able to submit their input on this temporary use matter. Planner Smalley responded that the ultimate decision would be from the Town Manager. Chair Cereceda noted that the public is concerned especially about the parking spaces and if they are for temporary or long-term usage. She noted that lack of information would be a disservice to the community as a whole, as well as the South End corridor. Member Dunlap asked the staff for their reasoning for moving the temporary use application forward. Planner Smalley responded that staff could not answer the question and did not have the final determination on standards for approving temporary use. He also noted the existing hotel and restaurant use. Chair Cereceda provided that those amenities were all ancillary uses to the hotel. Town Attorney Stuparich noted that there were two types of temporary uses – temporary sales and emergency temporary placement permits. She stated that she had not been asked to review or participate in this project and asked what ordinance that staff is relying on as the source for the Town Manager's discretionary authority. Chair Cereceda noted that this would be an immense amount of pressure on the Town Manager, due to the public's strong interest. She also stated her concerns that allowance of temporary use could potentially cause a delay in the ultimate goal for project completion and the rebuilding and renaissance of the town. Town Attorney Stuparich noted that, in the past, the Town Manager may have been given discretionary authority for emergency temporary placement permits. She will follow up with confirmation.

Chair Cereceda recalled the similar questions she received on trailers on Time Square and voiced her concerns about the prevalence of temporary use on beachside lots. Member Boan noted that in that case, temporary use had been extended and that the submitted plans eventually were withdrawn.

Member Dunlap commented to staff that there needs to be a clear delineation for what the town has agreed to and what the town has not. He noted that there is a presumption or belief from the public that any development agreement is fully negotiated between the town and the applicant.

Member Boan asked about the criteria for approving temporary use for parking lots. Planner Smalley responded that there would be a Development Order. The staff would look into what landscaping needs to be brought back into conformity, to the extent possible. Discussions would also be held on lighting and stormwater. The applicant would need to provide actual documentation to staff. The Town Hall site would be handled similarly. The intent is for consistency when applying and reviewing criteria. Chair Cereceda noted the limited visibility of transactions from the eyes of the public. Planner Smalley noted that the paid parking would require a special exception, which would go through the agency. This would mean that for at least a portion of the parking spots, the agency would need to approve a special exception.

Member Boan asked if any orders had been issued, as he noticed underground work at the location. Planner Smalley stated that he believed there had been approval for site grading but no construction. Chair Cereceda voiced her opinions against temporary uses.

#### **X. LPA ATTORNEY ITEMS/REPORTS**

No items.

#### **XI. COMMUNITY DEVELOPMENT ITEMS/REPORTS**

No items.

#### **XII. ITEMS FOR NEXT MONTHS AGENDA**

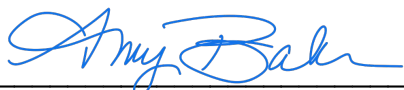
No items.

#### **XIII. ADJOURNMENT**

Member Dunlap moved to adjourn. The meeting adjourned at 9:41 a.m.

Minutes adopted as presented on April 21, 2026 by LPA Member Boan and seconded by LPA Vice Chair Plummer.

Passed 5-0



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Amy Baker, Town Clerk