



**FEMA**

July 24, 2025

The Honorable Will McKannay  
Town Manager, Town of Fort Myers Beach  
6231 Estero Blvd  
Fort Myers Beach, FL 33931

Reference: National Flood Insurance Program (NFIP) Community Assistance Visit (CAV)  
Report of Findings

Dear Mr. McKannay:

The purpose of this letter is to provide you with our findings from the CAV that the Federal Emergency Management Agency (FEMA) conducted from Tuesday, July 15, 2025, to Thursday, July 17, 2025. Thank you for the courtesy extended to Tamara Hansen, Pier Janrhett and Yuzzeff Henderson of FEMA Region 4 and Scott Gaines, of the Florida Department of Emergency Management (FDEM).

An introductory meeting was held by FEMA Specialists Tamara Hansen, Pier Janrhett, Yuzzeff Henderson Melendez, Scott Gaines with FDEM, yourself and members of the Town of Fort Myers Beach staff including Thomas Yozzo, Tracie Kohler, Kelly Defedericis, Frankie Kropacek, Georgina Cid, Shanette Thomas and Traci Raski. FEMA Region 4 Staff, Jacky Bell and Jason Hunter, Mr. Michael Burchette (FDEM) attended virtually. As stated during the meeting, we are very appreciative of the Town's efforts to prepare for the CAV and extended attendance of your staff for the duration of the CAV.

The purpose of this visit was to determine if the Town of Fort Myers Beach's floodplain management program is compliant with the minimum requirements of the National Flood Insurance Program. During this visit, outstanding sites identified in the Community Rating System (CRS) Retrograde appeal process in April 2024, were discussed. These sites were originally identified during field tours conducted in October and November 2023, following technical assistance visits after Hurricane Ian. During the permit reviews conducted as part of the CRS Retrograde appeal process, FEMA personnel identified various actions that were in violation of the Town's floodplain management program resulting in the community's probation from the National Flood Insurance Program. Subsequently, the Town was retrograded in CRS, effective April 1, 2025.

On April 28, 2025, the Town was notified that the requirement to be removed from probation under the NFIP had been met, effective November 18, 2025.

During the CAV, the Town of Fort Myers Beach's floodplain management program and the floodplain development permit process were reviewed and discussed. Additionally, a field tour was conducted to capture potential violations in the floodplain.

We have reviewed the Town's floodplain management regulations in Ordinance 24-03 and found that it meets the minimum requirement of the National Flood Insurance Program. We didn't find language adopting Limit of Moderate Wave Action requirements beyond the Florida Building Code, nor the state's accessory language which is based upon FEMA Policy #104-008-03. Please contact Scott Gaines at [scott.gaines@em.myflorida.com](mailto:scott.gaines@em.myflorida.com) if the Town is interested in adopting language related to either of these topics.

During the visit, the following programmatic deficiencies were identified and must be resolved:

1. Substantial Damage/Substantial Improvement Determination Process

○ *Concerns:*

- During the permit documentation review, evidence showed that permits were issued prior to a Substantial Damage/Substantial Improvement determination having been made by the Town, resulting in non-compliant structures that were potentially Substantial Damaged/Substantial Improved and repaired without being brought into compliance with the Town's floodplain management regulations.
- Additionally, the permitting staff who reviewed and issued permits didn't have access to Substantial Damage determinations list, which lead to permits being issued for structures that had been deemed to be Substantially Damaged, without ensuring the structures were brought into compliance with the Town's floodplain management regulations.
- Some of the cost to repair estimates seem to only include costs to repair damages located below the base flood elevation.
- In the Town's Substantial Damage Management Plan, November 2024-Draft, *Cost of Work Verification – Pre-Permit Issuance* section, it indicates that verification of repairs and associated cost to repair the structure will be accounted for before issuing a building permit.
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○ *Corrective actions require:*

- On or before August 8, 2025, provide a Standard Operating Procedure that documents the Substantial Damage/Substantial Improvement Determination Process and the permitting process. This should include how determinations are shared with staff who process permit applications.

2. Floodplain reviews related to Private Providers

○ *Concerns:*

- The Town requires Under Construction Elevation Certificates to be submitted and approved, before the building's construction goes vertical.
- Private providers aren't complying with this requirement. Permits that were reviewed for documented structures well beyond this tie-beam inspection that had failed to submit Under Construction Elevation Certificates.
- Failure to take corrective actions can result in non-compliant structures being identified after construction has been completed.

○ *Corrective actions require:*

- On or before August 8, 2025, provide revised permitting process procedures and any supporting documentation that addresses failure by the Private Providers to meet the Town's requirement for submittal of the Under Construction Elevation Certificate.

3. The Town adopted the following ordinances to allow temporary placement of various types of units: "Temporary Placement of Emergency Uses, Manufactured Homes, Mobile Homes, Motor Homes, Recreational Vehicles Other Temporary Residential Dwelling or Temporary Moveable Commercial Units" (Ordinance 23-05), "Temporary Governmental, Residential (Manufactured Homes, Mobile Homes, Motor Homes, Recreational Vehicles Other Temporary Residential Dwellings) or Movable Commercial Uses following Natural Disasters or Other Emergencies" (Ordinance 24-04), and "RESOLUTION TO REVOKE AND RESCIND EMERGENCY TEMPORARY PLACEMENT PERMITS" (Resolution Number 24-296).

▪ *Concerns:*

- Ordinance 23-05 and 24-04 authorized installation of non-compliant temporary units.
- Resulted in numerous non-compliant temporary units. Some have been removed, while others are still present.
- Resolution Number 24-296 (approved December 16, 2024) "mandated removal of noncompliant structures that were incorrectly permitted," but numerous noncompliant structures remain in place.

▪ *Corrective actions require:*

- On or before August 8, 2025, remove the non-compliant temporary structures.

During the field tour, data for 252 sites was collected. The list of addresses includes sites that fall into the following categories: 1) non-compliant structures that need to be mitigated, 2) structures that require additional documentation to determine compliance, and 3) temporary structures that need to be elevated and anchored or removed. The list of site addresses with the required action/documentation are in the attached Site List.

Following the field tour, an exit meeting was held with the Town, FEMA, and FDEM staff on July 17, 2025. FEMA's findings of the community's floodplain management program and the floodplain development permit process were discussed. As stated in the meeting, we ask that you review each program deficiency and the attached site list. The deadline to submit the requested documents or documented actions is August 8, 2025.

We recommend that the staff who support the administration and enforcement of the Town's floodplain management program, including code enforcement staff, also attend floodplain management training courses. FEMA's National Disaster and Emergency Management University (NDEMU) and the Florida Floodplain Managers Association (FFMA) offer various floodplain management-related training courses for local officials. For your convenience, web addresses for NDEMU's and FFMA's website are provided below:

[www.training.fema.gov](http://www.training.fema.gov)  
[flfloods.org](http://flfloods.org)

We appreciate the Town of Fort Myers Beach's commitment to administering the NFIP. We would like to remind you that the requirement for participation in the CRS is your community's full compliance with the NFIP. Again, we request that the Town provide the requested documentation by August 8, 2025, for consideration of reinstatement to the CRS program on April 1, 2026. If your staff members have questions or require additional information, Ms. Tamara Hansen may be reached by telephone at (770) 220-5288 or by e-mail at [tamara.hansen@fema.dhs.gov](mailto:tamara.hansen@fema.dhs.gov) and Pier Janrhett may be reached by telephone at (202) 826-5655 or by e-mail at [pier.janrhett@fema.dhs.gov](mailto:pier.janrhett@fema.dhs.gov).

Sincerely,

Jacky S. Bell  
Director  
Mitigation Division

Attachment: Site List

Cc: Ms. Jillian Kraynak, Florida NFIP State Coordinator  
Ms. Traci Kohler, Deputy Town Manager, Town of Fort Myers Beach  
Ms. Kelli Defedericis, Floodplain Administrator, Town of Fort Myers Beach  
Mr. Tom Yozzo, Emergency Services Director, Town of Fort Myers Beach  
Mr. Frankie Kropacek, Operations & Compliance Director, Town of Fort Myers Beach