



VIA CERTIFIED U.S. MAIL AND ELECTRONIC MAIL

November 1, 2024

Federal Emergency Management Agency (FEMA)  
U.S Department of Homeland Security  
Region 4  
3005 Chamblee Tucker Road  
Atlanta, Georgia 30341

Attn: Robert D. Samaan  
Regional Administrator  
FEMA Region IV

**RE: Removal of Shipping Containers and Temporary Structures  
Town of Fort Myers Beach Post-Disaster Compliance Report**

Dear Mr. Samaan,

The Town Council of the Town of Fort Myers Beach requested that we send this letter to you regarding the non-compliant structures (containers and temporary structures) in the Coastal High Hazard Area (VE zone and coastal A zone) referenced on page 2 of the Town of Fort Myers Beach Post-Disaster Compliance Status Update Report, dated July 19, 2024 ("Compliance Report"). The Compliance Report requires that the Town "provide a plan to remove the structures or bring the non-compliant structures or non-compliant additions into compliance" by November 18, 2024. The Town has been and continues to work diligently toward satisfying this requirement.

The most recent storms, Hurricanes Helene and Milton, have facilitated the removal of many of these containers and temporary structures. In fact, the recent removal of shipping containers and temporary structures as the impacts of these hurricanes threatened the Town, provided information regarding the ability to quickly disassemble

and move shipping containers and temporary structures that was previously not available. For this reason, the Town Council gave direction to provide this information to you by letter.

More specifically, the owners of La Ola Surfside Restaurant, who use a 9'x 16' shipping container for a bar, were able to create a video demonstrating how quickly its shipping container could be disassembled and removed from its location on 1035 Estero Boulevard. The following is a link to the video, which has been widely circulated throughout the Fort Myers Beach Community.

[https://drive.google.com/file/d/1vCBHenwpTdkXBtx877QiR1nmTin2M8k9/view?usp=sharing\\_eil&ts=67237f46](https://drive.google.com/file/d/1vCBHenwpTdkXBtx877QiR1nmTin2M8k9/view?usp=sharing_eil&ts=67237f46)

La Ola Surfside Restaurant, as well as other businesses that temporarily operate out of shipping containers or other temporary structure, are important to the Fort Myers Beach community's recovery efforts immediately after these storms and since Hurricane Ian by providing a means to fulfill a basic human need: food.

Moreover, as you are aware, the economy of a beach community such as Fort Myers Beach, is highly dependent on tourists, who visit the beach and support local businesses providing food service. In 2023-2024, the Town was awarded over \$1.5 million in tourist development dollars from the Lee County Tourist Development Board. These tourist dollars significantly assisted the Town with its recovery efforts post-Hurricane Ian and the delivery of municipal services to its residents.

In addition to tourists, the Town's economy is also highly dependent on its seasonal residents, who visit the Town from the fall through the end of spring each calendar year. Food service and other local businesses rely on the Town's seasonal residents as well as tourists to maintain operation during the winter season.

In view of the significant hardship on the operations of these businesses and the overall adverse economic impact on the Town, the Town is requesting your consideration to allow shipping containers and temporary structures, which are able to demonstrate that they can disassemble in a short period of time as evidenced in the La Ola Surfside Restaurant's video, to remain in place until June 1, 2025. An extension to June 1, 2025, would allow these local businesses to operate without interruption until the beginning of the next hurricane season.

We appreciate your consideration of this request and look forward to discussing a limited extension of the November 18, 2024 deadline only for the removal of shipping containers and temporary structures, which can demonstrate the ability to quickly evacuate when a Hurricane Watch or Warning is issued to June 1, 2025. While this request is considered, the Town intends to continue its efforts achieve compliance with the November 18, 2024 deadline and removal of non-compliant shipping containers and temporary structures, such as La Ola Surfside Restaurant. Please do not hesitate to contact Frankie Kropacek, Operations & Compliance Director by phone at 239-955-3612 or by e-mail at [fkropacek@fmbgov.com](mailto:fkropacek@fmbgov.com) with any questions you may have. The Town looks forward to receiving a response to you regarding this request.

Sincerely,



Dan Allers, Mayor



Jim Atterholt, Vice Mayor



John R. King, Councilor



Karen Woodson, Councilor



Scott Safford, Councilor

Cc: Andrew Hyatt, Town Manager  
Becky Vose, Town Attorney  
Nancy Stuparich, Town Attorney  
Amy Baker, Town Clerk  
Frankie Kropacek, Operations & Compliance Director