

From: [Dave Bunch](#)
To: [Michael Miller](#)
Cc: [Richard Johnson](#); [Holly Smith](#); [Laura J. DeBruce](#); [John Henshaw](#); [Paula N. McMichael](#)
Subject: Re: Fwd: Dec 15, 2025 deadline
Date: Wednesday, February 26, 2025 1:51:13 PM

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February 26, 2025

Hello Mike,

I appreciate your email regarding our December 15, 2025 deadline.

Gulf Beach Condominium was mortally damaged by Hurricane Ian. Our 14 unit, three story building (counting the ground level parking area below the building as the first story) was buffeted by hurricane force winds and 13' storm surges which rose to over a foot above the floor level of the first-floor condos. The repetitive surges lifted and dropped the first floor's concrete floor slabs with enough force to move and crack them. This force also cracked several concrete beams supporting the floor planks and several units' walls supported by the planks.

Based on documentation submitted to Sanibel's Building Department by our original contractor, KP Builders, Gulf Beach was issued a Substantial Damage Determination Form, dated 11/28/23. In conjunction with a planning consultant, the Board then had several discussions with Sanibel's Planning Department to determine Gulf Beach's build back and redevelopment options.

The Owners were hesitant to decide on a path forward without knowing the total amount of wind and flood insurance payments they would receive.

Insurance disputes currently have a gap of nearly \$2,000,000 between the damage our engineers identified and what the insurers have paid. Based on several comparative cost analyses completed by the Board and discussed with the Owners, projected rebuild costs of \$500,00 to \$700,00 per unit caused the owners to want to explore other options.

At the Owners request, the Board had two more FEMA appraisals and two different contractors' repair estimates completed to see if the building could be repaired rather than pursuing the more expensive build back option. This additional information was submitted to Mr. Craig Mole who confirmed last month our building still failed the 50% test.

A Demolition Permit has also been issued with a flexible completion date. We requested to keep the building intact for onsite inspections with our insurers and consulting engineers so they could come to an agreement on the scope of hurricane damage. After many months of delay, the flood adjuster finally met onsite with our engineer on January 24, 2025. A wind adjuster is scheduled to inspect the building on March 5, 2025.

If the outcome of these inspections is not acceptable, the Board is ready to file lawsuits against the insurers. If litigation is necessary, the building may need to remain in place until the lawsuits are resolved. The Board is not aware of any complaints from neighbors regarding the building's presence while waiting for the insurance issues to be resolved.

While revisiting the possibility of repairing the building, an overwhelming majority of Gulf Beach owners requested we simultaneously pursue the possible sale of the land. The Owners participated in interviewing the commercial broker candidates. After the interview process, the Board selected Cushman and Wakefield as our broker and they listed our property for sale in April 2024.

Due to limited buyer interest, Gulf Beach was in the process last month of extending Cushman's contract for an additional 6 months when it came to our attention that we were in a D-2 ecological zone. We learned this zone only allows the construction of duplexes and single-family dwellings. The City confirmed that Gulf Beach needed to submit a substantially complete building permit application by December 15, 2025, or lose the right to build back our non-conforming, multiunit building. This was the first time Owners or Board members knew of this zoning restriction. The zone's building restrictions would cause the Gulf Beach Owners great financial hardship if the ability to rebuild a multiunit building was lost. This building limitation would also potentially devalue the financial attractiveness of our property to a prospective buyer.

To meeting the City's December 15th permit submission due date, Gulf Beach would have to start developing its permit request by June 15th. This permitting start date does not allow us enough time to execute our current sales marketing strategy nor to fully investigate the possibility of having our property rezoned. Additionally, there will not be adequate time to resolve the outstanding insurance issues if litigation is necessary.

Our June 15th permitting start date also severely limits our ability to sell the land since a developer will need more time to complete their due diligence, make an offer, negotiate terms, and close the deal. An overwhelming majority of owners would prefer to continue offering the property for sale if more time was available. For these reasons, the Board has started procedures to request a permit due date extension and to investigate changing the D-2 zoning designation.

Contrary to Mr. Talley's accusations, the Board has been highly responsive to the wishes of the Owners while working through a very complex and emotional situation. All activities undertaken by the Board were the result of requests from an overwhelming majority of Owners. The Board consistently consulted with its attorneys at Becker & Polikoff to ensure all Board decisions and votes followed our Association's Declarations and Florida Law.

As previously mentioned, the Board has also consulted Sanibel's Planning and Building departments multiple times to guide the Association through its decision-making process. Additionally, the Board has consulted several contractors, a consulting planning expert, and three consulting engineering firms to provide costing and technical answers to fulfill our due diligence and fiduciary responsibilities. Based on these facts, Mr. Talley's accusations are therefore completely inaccurate and highly inappropriate.

Thank you for your consideration to extend the December 15, 2025, permit due date. This extension will allow us additional time to market our property, investigate the possibility of rezoning, and to resolve our insurance issues. Please let me know if you I may answer any questions.

Best regards-

Dave Bunch

Gulf Beach Board Member

On 2/22/2025 9:25 PM, Michael Miller wrote:

Dave,

Any email to the City or to council members automatically becomes public knowledge and is available to any person making an information request.

So it is in that spirit of transparency that I'm forwarding the message below to you and asking for your comments.

Thanks.

Mike

Begin forwarded message:

From: William Talley <watalley@verizon.net>

Subject: Dec 15, 2025 deadline

Date: February 22, 2025 at 3:54:21 PM EST

To: "Richard.Johnson@mysanibel.com"

<richard.johnson@mysanibel.com>,

"Mike.Miller@mysanibel.com" <mike.miller@mysanibel.com>,

"Holly.Smith@mysanibel.com" <holly.smith@mysanibel.com>,

"Laura.DeBruce@mysanibel.com"

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["John.Henshaw@mysanibel.com"](mailto:John.Henshaw@mysanibel.com)
[<john.henshaw@mysanibel.com>](mailto:john.henshaw@mysanibel.com), "Paula N. McMichael"
[<paula.mcmichael@mysanibel.com>](mailto:paula.mcmichael@mysanibel.com)
Reply-To: William Talley [<watalley@verizon.net>](mailto:watalley@verizon.net)

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This message came from outside your organization. Hello

Councilmembers,

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I am an owner in Gulf Beach and am sending this email to encourage the city council NOT to extend the Dec 15, 2025 deadline for property owners to be "grandfathered" as legal, non-conforming properties. Our property, Gulf Beach, is zoned D2 Upland Wetland and, barring an extension, will not be able to build back a condo unless we have a substantially complete building application on file with the city by the Dec 15, 2025 deadline. After the deadline, we would only be able to build back single family home(s) or duplex(es).

Gulf Beach has run into some unforeseen adversity since the Hurricane 2 and a half years ago. We have not received the insurance money that we thought we'd receive. Our original builder, KPB, is being investigated for fraud by the state of Florida. Our building received more damage than most condos on the island (broken slabs) which made repairs impossible.

Sadly, even our own real estate agent, Cushman/Wakefield was not aware of the upcoming Dec 15 deadline (making a sale now nearly impossible). **Having said that, our vacillating board has taken far too long to make decisions, mostly because of personal conflicts of interest, incompetence and a failure to fulfill their fiduciary duty.**

The property taxes on our condos have (rightfully) been drastically reduced. We are currently not paying any insurance nor HOA fees. Most of our owners have no mortgage. You can see that the average owner in Gulf Beach has little to no carrying costs and therefore has no incentive to do anything but sit on the property hoping that a deep-pocketed buyer comes along in the next 5 years.....as long as the deadline for grandfathering keeps getting extended. Meanwhile, our building sits as a monument to economic waste that I'm sure is aggravating to our neighbors as we have made almost no progress in 2 and a half years.

There are many people who feel the island is not recovering as fast as it should. My family has been through 2 previous

catastrophic hurricanes (Hugo and Sandy) and it felt as if those areas recovered more quickly than Sanibel has. Certainly, the previous deadline extensions were necessary to give owners some breathing room. But that time has now passed and we need to get going. Thank you for your interest in this matter. Please feel free to call me if you would like to discuss this further.

William and Patricia Talley
Gulf Beach #106
484-354-8989