



**JULY 2023 SPECIAL MAGISTRATE
AGENDA**
Monday, July 31, 2023 at 2:00 PM
Commission Chambers - 300 Municipal Drive

Meetings will be televised on Spectrum Channel 640 and YouTube Streamed on the City's Website.

1. CALL TO ORDER

2. PUBLIC COMMENT

Public participation is encouraged. If you are addressing the Special Magistrate, step to the podium and state your name and address for the record. Please limit your comments to three (3) minutes and do not include any topic that is on the agenda.

Public comment on agenda items will be allowed when they come up.

For any quasi-judicial hearings that might be on the agenda, an affected person may become a party to this proceeding and can be entitled to present evidence at the hearing including the sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a notice of intent to be a party with the Community Development Director, not less than five days prior to the hearing.

3. SPECIAL MAGISTRATE STATEMENT

4. ADMINISTRATION OF OATH TO RESPONDENTS/WITNESSES

5. NEW BUSINESS

A. VAR 2023-02 215 Boardwalk Place East

B. Case # 2023.3600 - 414 140th Ave E.

6. OLD BUSINESS

7. ADJOURNMENT

One or more Elected or Appointed Officials may be in attendance.

Any person who decides to appeal any decision of the Special Magistrate with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure

that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the minutes to be transcribed verbatim; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this meeting should call Linda Portal, Community Development Director at 727-391-9951, ext. 255 or fax a written request to 727-399-1131.



SPECIAL MAGISTRATE – VARIANCE REQUEST FROM THE FLOOD RESISTANT CONSTRUCTION REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT ORDINANCE

VAR 2023-02

Staff Report and Recommendation
Special Magistrate Meeting – July 31, 2023

Application: VAR 2023-02
Applicant: William Karns Enterprises
Property Owner(s): Boardwalk Place Properties LLC
Property Address: 215 Boardwalk Place East, Madeira Beach, FL 33708
Parcel ID: 15-31-15-00000-410-0200
Legal Description: PART OF SE 1/4 OF SEC 15-31-15 DESC AS THAT TRACT LYING SE'LY OF LOTS 1, 2 & 3, BLK 1 OF MITCHELL'S BEACH REV BETWEEN NE LINE OF LOT 1 & SW LINE OF LOT 3 EXT SE'LY TO MHW & LYING BETWEEN 128TH AVE (AKA BOARDWALK PL) & MHW TOGETHER WITH TIF SLL #520006273 EXP 3/14/2026

Zoning/Future Land Use: C-2, John’s Pass Marine Commercial/Commercial General

Request: Coastal AE-11 Flood Zone Base Flood Elevation (BFE) + 1-foot Freeboard Requesting 3-foot Variance from 15’-0” Design Flood Elevation (DFE) to 12’-0” DFE

Specific Code Provisions: Sec. 94-75. - Considerations for issuance of variances., Sec. 94-76. - Conditions for issuance of variances.

I. Background:

Variance 2023-02 for 215 Boardwalk Place East would allow for the construction of a commercial structure to be built that would have level access from the structure to the Johns Pass Boardwalk. In the Madeira Beach Code of Ordinances, *Sec. 14-39 – Technical amendments* (b) requires 1.) *All buildings and structures erected within coastal high-hazard areas and Coastal A Zones, shall be elevated so that the all bottom of the lowest horizontal structural members supporting the lowest floor, with the exception of pilings, pile caps, columns, grade beams and bracing, is elevated to or above the base flood elevation plus 4 feet or the design flood elevation, whichever is higher.* The code of ordinances Division 7, 94-75 & 94-76 allows for a variance to floodplain requirements from Madeira Beach ordinances, which currently has a 4-foot freeboard, but in no circumstance relief from the Florida Building Code requirements, which currently has a 1-foot freeboard. As with all other businesses along the boardwalk, this structure would not

attach to the boardwalk but instead would be constructed adjacent to the boardwalk and provide direct access to the boardwalk, via a “level” walk out. This access point(s) would be ADA compliant and provide ADA access that is not currently available along the eastern most end of the boardwalk. A floodplain variance request for relief from the current 4-foot freeboard must meet the criteria for variances, while still being compliant with all other construction requirements, meeting the City of Madeira Beach Land Development Regulations (LDRs), FEMA requirements and the Florida Building Code (FBC).

II. Variance Criteria and Analysis:

• **Sec. 94-75. Considerations for issuance of variances.**

In reviewing requests for variances, the special magistrate shall consider all technical evaluations, all relevant factors, and all other applicable provisions of the Florida Building Code, this chapter, and the following:

- (1) *The danger that materials and debris may be swept onto other lands resulting in further injury or damage;*

Findings: The building will be constructed in accordance with current Florida Building Codes (FBC), meeting all requirements for structures located in a Coastal A zone, including but not limited to deep foundation installation, stringent connection points and fasteners and structural design such that extreme lateral loads are considered. As such there is limited danger associated with loose materials or building debris.

- (2) *The danger to life and property due to flooding or erosion damage;*

Findings: In addition to the “Findings” stated above, deep foundation design considers scouring caused from erosion around pile foundations during storm events and as such is inherent to the design. In addition, all components constructed below the DFE will be dry floodproofed and a certification as to that fact will be provided by the design engineer. Therefore, there is no anticipated increase in danger to the building, occupants, or surrounding structures due to flooding or erosion.

- (3) *The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;*

Findings: In addition to the “Findings” stated above, the building below DFE will be dry floodproofed and any non-structural components will be designed to either resist shifting and floatation or to be removed from the site during an approaching storm. The anticipated design and construction techniques will be such that the building will not negatively impact current or future owners

- (4) *The importance of the services provided by the proposed development to the community;*

Findings: The proposed restaurant will improve upon what is currently located on this parcel and provide another route for ADA accessibility via the restaurant elevator. Promoting business redevelopment in this area while maintaining the unique characteristic of Johns Pass Village is critical given all the businesses

require access to the boardwalk as a fixed point providing pedestrian traffic to their businesses.

- (5) *The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;*

Findings: The location of the site is unique and offers an opportunity to provide new construction along the boardwalk and improve on what is currently constructed on the parcel. Another location would not provide the same opportunity as the one here.

- (6) *The compatibility of the proposed development with existing and anticipated development;*

Findings: The proposed development is compatible with both current uses and anticipated future use of all businesses along the boardwalk.

- (7) *The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;*

Findings: Madeira Beach Comprehensive Plan Policy 4.1.9.6 and Policy 4.1.9.8 reference the importance of John's Pass Village for tourism and commerce and that redevelopment needs to fit within the overall theme of the area. The proposed development would align with the redevelopment policies for John's Pass Village in the Madeira Beach Comprehensive Plan and fit within the established theme of the area. As stated previously, the proposed development would be more resilient compared to the existing structure on the property.

- (8) *The safety of access to the property in times of flooding for ordinary and emergency vehicles;*

Findings: The structure will be accessed in the same manner as other businesses along the corridor via the one-way Boardwalk Place East.

- (9) *The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and*

Findings: The property is in the AE-11, Coastal A high hazard area and has been mapped as such to take into account expected heights, velocity, duration, etc. associated with storm events. This structure will be built to higher standards than the surrounding buildings, which are much older and were constructed under different building requirements. All necessary studies and reports utilized in the final design of the building will be reviewed by city staff to ensure impacts from all storm effects have been considered.

- (10) *The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.*

Findings: There is no additional anticipated hardship associated with the proposed restaurant given the current parcel usage and in consideration that all utilities will be replaced with current, code compliant construction techniques.

- **Sec. 94-76. Conditions for issuance of variances.**

Variances shall be issued only upon:

- (1) *Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this chapter or the required elevation standards;*

Findings: The applicant has submitted sufficient information showing the unique challenges of the site as related to the necessity of accessing the fixed elevation of the boardwalk as compared to the elevation of the “business” level.

- (2) *Determination by the Special Magistrate that:*
 - Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;*
 - The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and chapters; and*
 - The variance is the minimum necessary, considering the flood hazard, to afford relief;*

Findings: Granting of this variance will not result in any negative impact to the property or adjacent properties and will instead help to further options for more resilient construction in John’s Pass Village while maintaining the unique boardwalk, pedestrian friendly build out that currently exists. The designer has spent considerable time reviewing options for meeting FEMA criteria while maintaining access to the boardwalk and has determined this is the option of least variance that will still allow boardwalk access.

- (3) *Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the office of the clerk of the court in such a manner that it appears in the chain of title of the affected parcel of land; and*

Findings: The applicant is aware of and has acknowledged intent to comply with this requirement.

- (4) *If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the floodplain administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25.00 for \$100.00 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.*

Findings: The applicant is not requesting to build below the required BFE but is instead requesting relief from the additional requirement of the 4-foot freeboard

which is unique to the Madeira Beach LDR. The FBC requires 1-foot of freeboard which the applicant will adhere to.

III. Staff Recommendation:

Staff recommends the approval of VAR 2023-02.

Submitted by: City of Madeira Beach Community Development Department Staff

Attachments: 1) Application
2) Public Notice Mailing and Posting



CITY OF MADEIRA BEACH

PLANNING & ZONING DEPARTMENT
300 MUNICIPAL DRIVE ♦ MADEIRA BEACH FLORIDA 33708
(727) 391-9951 EXT. 255 ♦ FAX (727) 399-1131
planning@madeirabeachfl.gov

SPECIAL MAGISTRATE – VARIANCE APPLICATION FOR VARIANCE FROM THE FLOOD RESISTANT CONSTRUCTION REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT ORDINANCE

Applicant: Name and Address

WILLIAM KARNs ENTERPRISES
101 150TH AVE
MADEIRA BEACH, FL 33708

Property Owner: Name and Address

BOARDWALK PLACE PROPERTIES LLC
410 150TH AVE
MADEIRA BEACH, FL 33708

Telephone: (727) 422-1016

Telephone: (727) 422-1016

Email: WKARNs@KARNsENTERPRISES.COM Email: WKARNs@KARNsENTERPRISES.COM

Application for the property located at: (Street Address or Location if a Vacant Lot)

215 BOARDWALK PLACE EAST, MADEIRA BEACH, FLORIDA 33708

Legal Description:

PART OF SE 1/4 OF SEC 15-31-15 DESC AS THAT TRACT LYING SE'LY OF LOTS 1, 2 & 3, BLK 1 OF MITCHELL'S BEACH REV BETWEEN NE LINE OF LOT 1 & SW LINE OF LOT 3 EXT SE'LY TO MHW & LYING BETWEEN 128TH AVE (AKA BOARDWALK PL) & MHW TOGETHER WITH TIIF SLL #520006273 EXP 3/14/2026

Lot Area: 5793.48 sq ft. Width: 119.90 ft. Depth: 52.02 ft.

Zoning District: C-2 JOHN'S PASS MARINE COMMERCIAL DISTRICT

Present Structures on Property: COMMERCIAL DOCK & VACANT COMMERCIAL

Present Use of Property: COMMERCIAL DOCK & VACANT COMMERCIAL

Variance(s) needed from the flood resistant construction requirements:

COASTAL AE-11 FLOOD ZONE BASE FLOOD ELEVATION (BFE) + 1-FT FREEBOARD.

REQUESTING 3-FOOT VARIANCE FROM 15'-0" DFE TO 12'-0" DFE

OWNER CERTIFICATION

I hereby authorize permission for the Special Magistrate, Building Official and Planning & Zoning Director to enter upon the above referenced premises for purposes of inspection related to this application.

I hereby certify that I have read and understand the contents of this application, and that this application, together with all supplemental data and information, is a true representation of the facts concerning this request; that this application is made with my approval, as owner and applicant, as evidenced by my signature below.

I hereby acknowledge that the filing of the application does not constitute automatic approval of the request; and further, if the request is approved, I will obtain all the necessary permits and comply with all applicable orders, codes, conditions, rules and regulations pertaining to the subject property.

I have received a copy of the Special Magistrate Requirements and Procedures (attached), read and understand the reasons necessary for granting a variance and the procedure, which will take place at the Public Hearing.

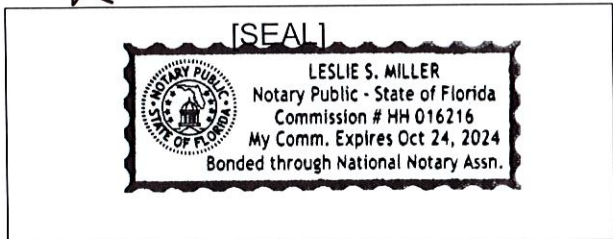
Appeals. (City Code, Sec. 2-509) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing *de novo* but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

X [Signature] Date: 6, 22, 23
Property Owner's Signature

STATE OF Florida

COUNTY OF Pinevas

Before me this 22nd day of June, 2023, William Karns appeared in person who, being sworn, deposes and says that the foregoing is true and correct certification and is personally known to me or has produced _____ as identification.



[Signature]
Public Notary Signature

NOTICE: Persons are advised that, if they decide to appeal any decision made at this hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DISCLAIMER: According to Florida Statutes, Chapter 119, it is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency. All Documents and information not specified in F.S. 119.071 and 119.0713 are subject to public record requests.

LANG + FERFOGLIA
ARCHITECTURE | DEVELOPMENT

June 22, 2023

City of Madeira Beach
 Planning & Zoning Department
 300 Municipal Drive
 Madeira Beach, FL 33708
 727-391-9951, Ext. 255
 planning@madeirabeachfl.gov

Re: Special Magistrate – Variance Application for Variance from the Flood Resistant Construction Requirements of the Floodplain Management Ordinance
 215 Boardwalk Place East, Madeira Beach, FL 33708

To the Special Magistrate of the City of Madeira Beach,

Please find attached our request for a variance to the City's' prerequisite of freeboard above the minimum FEMA Base Flood Elevation (BFE) requirement. We here-in request a 3-foot reduction from the City's current requirement of 4-feet of freeboard, to 1-foot. The project site resides in the Coastal AE-11 Flood Zone. This Zone's design standards require deep foundations (suitable to withstand flood driven scour), and that the bottom of the elevated structure's lowest horizontal member is provided at or above the Base Flood Elevation (BFE) of 11-feet.

The requested variance results in a Design Flood Elevation (DFE) of 12-feet (AE-11 + 1-foot of freeboard), which still exceeds the Federal Flood Certification minimum. The structure as proposed shall be Type 2 flood proofed construction, minimizing the susceptibility of the proposed development to flood damage and the residual impacts of such events. The requested variance preserves the compatibility of the proposed development with the existing and anticipated future developments along the boardwalk.

We have provided below, the appropriateness of the variance as outlined per Section 94-75 and Section 94-76 of the City of Madeira Beach Municipal Code.

We have attached the following supporting graphics:

- *Exhibit A - Waterside elevation with the existing boardwalk
- *Exhibit B - Section through the proposed building and existing boardwalk
- *Exhibit C - Section through the non-variance building (at 15-feet) and the existing boardwalk
- *Exhibit D – Survey of the subject property at 215 Boardwalk Place East

Please find in detail below how our request meets the considerations for issuance of a variance per Chapter 94 – Floodplain Management (Sec. 94-75):

1. *The danger that materials and debris may be swept onto other lands resulting in further injury or damage;*

There is no variance to the new building’s structural requirements proposed. The building shall be constructed in compliance with FBC 2020 7th Edition. The structure will comply with applicable building regulations pertaining to the fastening and securing of the various components to the principal structure. Non-structural elements located below the variance proposed Design Flood Elevation (DFE), shall require removal from site prior to anticipated storm flood events, to eliminate the potential of materials or debris being swept from site onto other adjacent properties.

2. *The danger to life and property due to flooding or erosion damage;*

The building shall be designed to comply with FEMA Coastal A-Zone requirements, specifically deep foundations to avoid scour, elevated principal occupancy, and flood proof construction up to the approved DFE. Danger to life and neighboring property are best mitigated by new construction as proposed that complies with both the FBC 2020 7th Edition and FEMA design parameters for construction in the Coastal Floodplain and wind hazard area that this site resides within. Renovation will improve the existing on-site conditions.

3. *The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners*

The proposed development shall be designed in compliance with all applicable governing codes and standards, the FBC 2020 7th Edition and FEMA design bulletins for all elements below the DFE within delineated Coastal-A Zones. Non-structural elements located below the proposed DFE, shall be designed for removal from site prior to anticipated storm flood events. All construction below the DFE will comply with FEMA Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, to sustain longevity.

4. *The importance of the services provided by the proposed development to the community;*

We are addressing how new construction projects abutting the existing boardwalk, for this and for future construction projects, comport with the City and FEMA’s design requirements, and will importantly preserve the existing pedestrian access from the boardwalk. We seek to provide an accessible “anchor” to the John’s Pass Boardwalk. The variance design request, if approved, will maintain the boardwalk as a commercial corridor that attracts locals and tourists alike as a viable, pedestrian friendly, unique waterside promenade experience and primary business access. The communities’ generational financial investment towards the boardwalk as a perpetual commercially viable tourist and community destination that is valued best by our proposed variance. This will allow necessary improvements to be made to that experience in a format that is in compliance with city wide development. Granting of the variance establishes a process whereby other operators may now choose to redevelop to safer building standards knowing continued connection to the boardwalk is achievable, supported by City Staff and in line with City wide Master Plans.

5. *The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;*

The entirety of the John's Pass Boardwalk area resides within the FEMA Coastal AE-11 Flood Designation, and given no alternative vacant parcels along the boardwalk's frontage currently exist, and despite the risk of flood and/or erosion during storm flood events, the site remains unique in its developable potential. Additionally benefitting this specific site, the boardwalk rises to its highest elevation of the

boardwalk. While the subject site does require appropriate flood-proofing design considerations, they are achievable in line with the FBC 2020 7th Edition and FEMA design standards. We reasonably assert that given the boardwalks' unique characteristics, it is necessary to achieve governing principles that will afford and preserve that pedestrian experience.

6. *The compatibility of the proposed development with existing and anticipated development;*

The compatibility of the proposed development with the existing infrastructure and development is to preserve existing access for pedestrians from the boardwalk onto the commercial tenancy. Future development will benefit from this variance by preserving the ability for viable redevelopment, or new development, to occur adjacent to the existing boardwalk, while preserving access to it. The project will still comply with the City wide Floodplain Management policies.

7. *The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;*

The development of the John's Pass Village and Boardwalk as commercially oriented is in line with the City's comprehensive plan for this site. No changes to the floodplain management are being requested; the new construction will be designed to comply with FEMA and the FBC 2020 7th Edition. We seek to provide new storm-safe construction, while continuing to value and engage the boardwalk as shared community asset area and tourist experience.

8. *The safety of access to the property in times of flooding for ordinary and emergency vehicles;*

All vehicular access to the building is via Boardwalk Place East, a regulated, one-way municipal road. Boardwalk Place East is maintained as the only vehicular access during regular business and flood conditions. All municipal utility connections are served from this regulated roadway, a condition shared with all properties along the boardwalk. The new construction will be designed in compliance with the FBC 2020 7th Edition and FEMA design standards, and safety of access will not be reduced as a result of this development.

9. *The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and*

The proposed structure will be designed to resist and overcome the concerns to best avoid danger to life and property due to flooding or erosion damage. The anticipated storm activity (velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action) have been accounted for in the FEMA map designation of this site as a Coastal AE-11 Zone and the associated design requirements.

10. *The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.*

All existing public utilities, and their facilities, located within and adjacent to the Right-of-Way, service all existing properties, as is the predominant pattern of John's Pass Village and the boardwalk area. Our request allows new development to proceed at the requested property. In achieving new construction, governmental interests for services and all public utilities are respected, and improved from existing conditions. The underlying utility performance, during and after flood events, for all of the John's Pass Village area, will continue to be improved by allowing more existing, non-conforming or grand-fathered conditions to be renovated or improved to new construction standards.

Please find in detail below how our application meets the following conditions for issuance of variances (Sec. 94-76):

1. *Demonstration by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this chapter or the required elevation standards;*

The variance request affords the opportunity to preserve the unique and special characteristics of the boardwalk and its existing relationship to the adjacent tenancies which front it and access it directly as their primary frontage. This request still fully complies with FEMA standards, preserves boardwalk accessible frontage, and only seeks to modify City freeboard in excess of FEMA minimums. Without the variance permissions, the character and function of the boardwalk will be substantially diminished as a viable commercial and tourist attraction for this and future development.

2. *Demonstrate to the Special Magistrate that:*

a. *Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;*

The site's location is at the east end of the John's Pass Boardwalk, the only vacant parcel along the frontage, and is south of Boardwalk Place East, a one-way single lane R.O.W. We seek a variance allowing for a reduction of freeboard (3-foot reduction) to maintain established development pattern along the boardwalk frontage. The hardship we are overcoming is the maintenance of boardwalk continuity for patron's access. Without variance of the freeboard requirement sought, we will not be able to develop the site in line with both our, and City zoning district, expectations.

b. *The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and chapters; and*

By granting the variance, we do not compromise full compliance with FEMA and FBC requirements. It will increase the safety of the surrounding neighborhood by providing new flood-proofed construction elevated above the DFE. Concerns to public safety, welfare or interests shall not be negatively impacted, and all local laws, including compliance with the FBC 2020 7th Edition and FEMA design standards shall be adhered to.

c. *The variance is the minimum necessary, considering the flood hazard, to afford relief;*

The variance request is ONLY for a reduction in the City prescribed freeboard, which is in addition to the FEMA Coastal AE-11 Zone design standards. No variance to design requirements, flood safety or wind proofing are requested.


3. *Submission of a signed statement by the applicant that the variance, if granted, shall be recorded in the office of the clerk of the court in such a manner that it appears in the chain of title of the affected parcel of land; and*

We understand that upon approval, the variance shall be recorded with the Clerk of the Court as required.

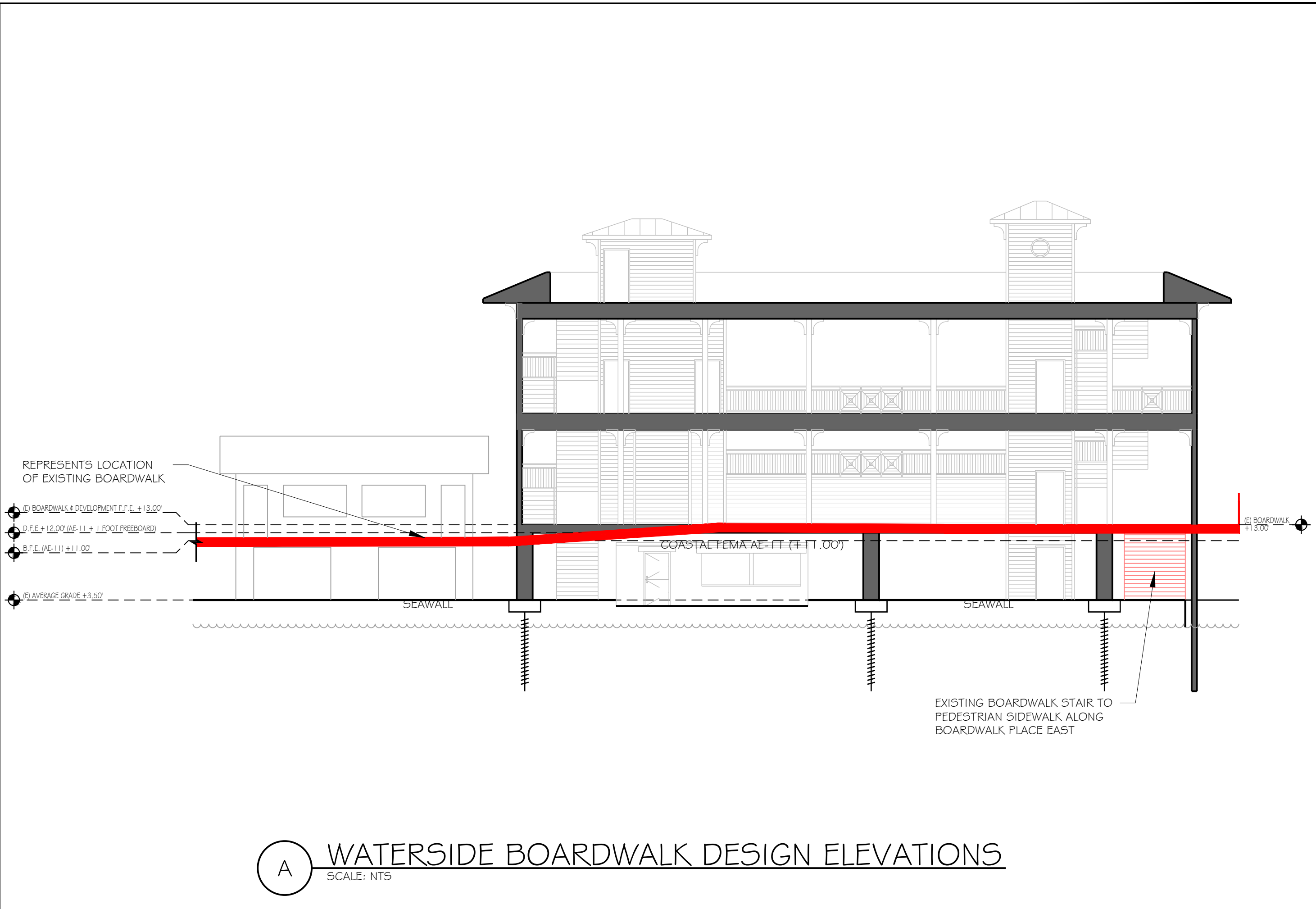
4. *Applicant acknowledges and understands if the request for a variance is granted, allowing construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a letter will be issued by the floodplain administrator to the applicant, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, to inform the applicant that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25.00 for \$100.00 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.*

Acknowledged. The variance request does not result in new construction below the required BFE and is in compliance with the City-wide floodplain management map. This request is ONLY for a reduction in the City prescribed freeboard from 4-feet to 1-foot. The Coastal AE-11 flood design requirements shall still be fully complied with.

Please do not hesitate to call if you have any questions. Respectfully,



Dennis Lang
Lang + Ferfaglia, LLC
Architect, Principal
(727) 656-5677



A WATERSIDE BOARDWALK DESIGN ELEVATIONS
SCALE: NTS

ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

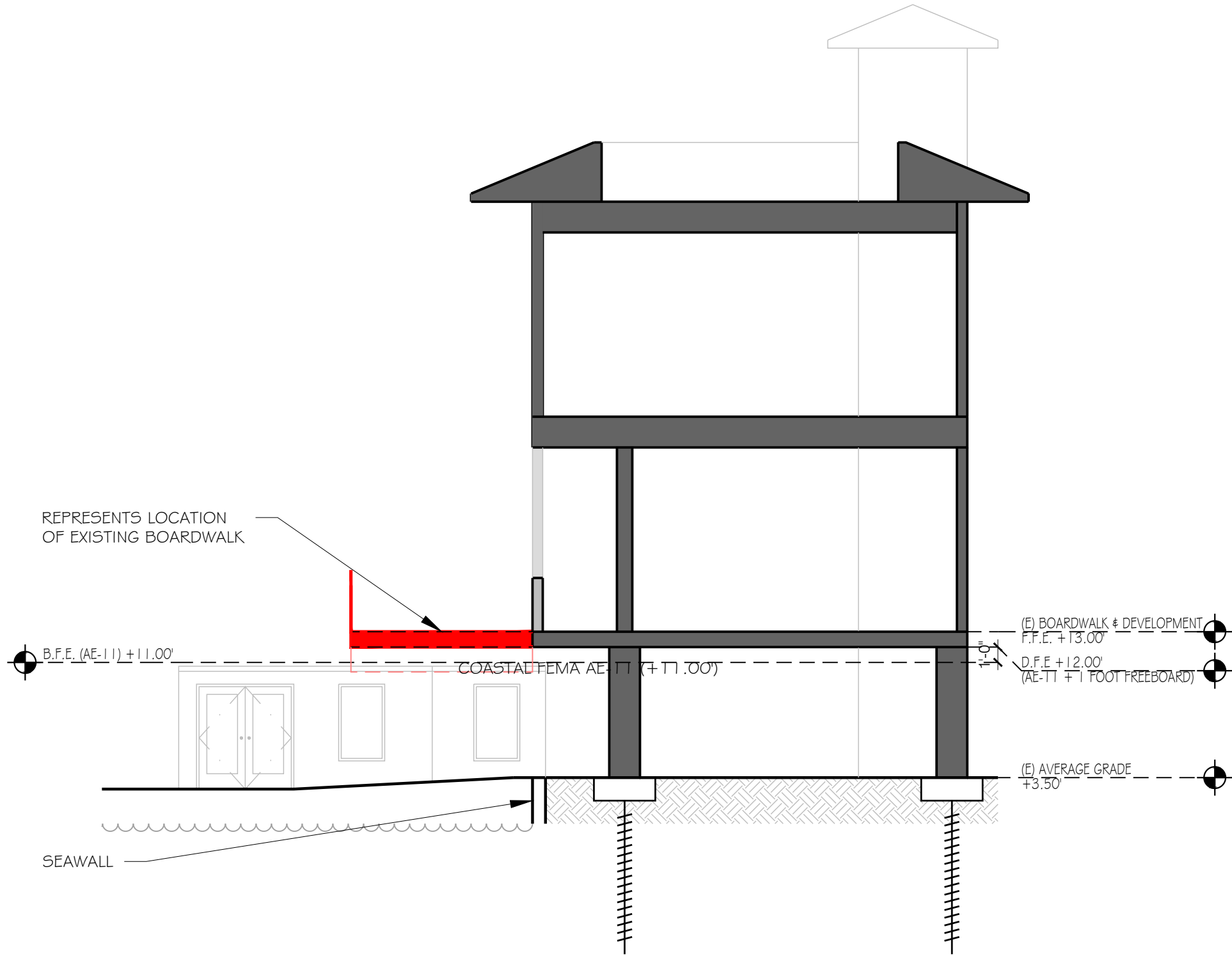
Item 5A.	
REVISIONS	DESCRIPTION
NO.	DATE
1	Δ

WILLIAMS ENGINEERING, INC.
 1111 W. WINDY WOODS DRIVE
 MADISON, AL 37132
 WWW.WILLIAMSENGINEERING.COM

CLIENT
DON'S DOCK - VARIANCE REQUEST
 215 BOARDWALK PLACE EAST, MADEIRA BEACH, FL 32108
 PIN# : 15-31-15-00000-4100200
 EXHIBIT "A"

GENERAL ARCHITECT, AIA
 LICENSE #A1100298 / AIA REGISTRATION #2921570
 2008 SHILOH DRIVE, SUITE 107 / FL 32115
 TEL: (271) 655-8877

ARCHITECT IN WRITING
 DRAWN BY: DL/SFF
 DATE: 6-22-23
 PROJECT #: 2210
 SHEET: 15



B NORTH-SOUTH SECTION THROUGH BOARDWALK & BUILDING SHOWING APPROVED VARIANCE
 SCALE: NTS

ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE FLOOD DAMAGE PREVENTION ACT. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DRAWING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DRAWING. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DRAWING.

NO.	DATE	REVISIONS
Δ		

WILLIAMS ENGINEERING, INC.
 11111 W. WINDY WOODS DRIVE
 MADISON, ALABAMA 35705
 WWW.WILLIAMSENGINEERING.COM

CLIENT

DON'S DOCK - VARIANCE REQUEST

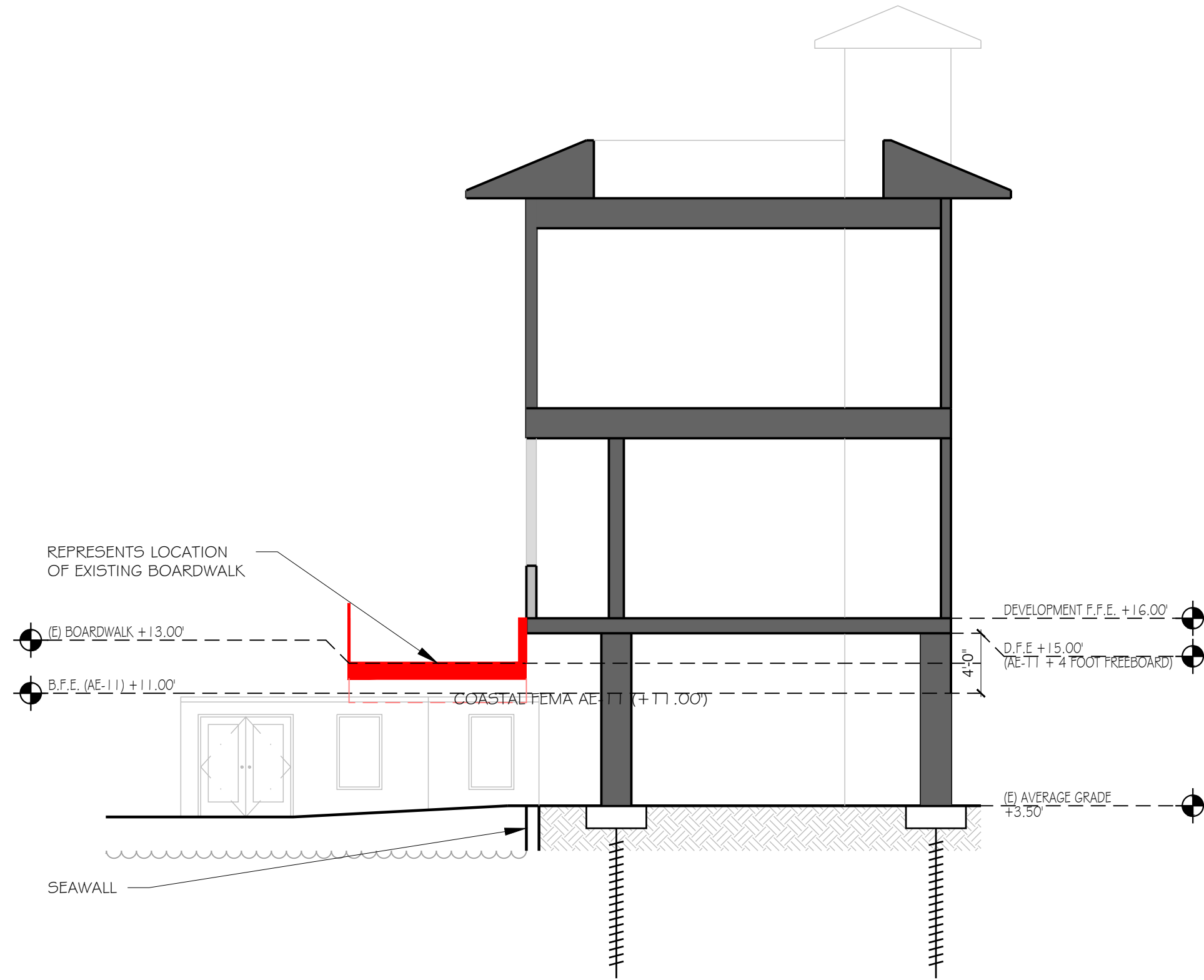
215 BOARDWALK PLACE EAST MADEIRA BEACH, FL 32708
 PIN# : 15-31-15-00000-4100200

EXHIBIT "B"

LANG + FERROGLIA
 ARCHITECTURE + DEVELOPMENT
 FL LICENSE #A1100298 / AIA REGISTRATION #29211570
 2000 SHILOH ROAD, SUITE 107 / FT. LAUDERDALE, FL 33315
 TEL: (771) 656-8877

GENERAL ARCHITECT, AIA
 LICENSE #A1100298

DRAWN BY:	DL / SFF
DATE:	6-22-23
PROJECT #:	2211
SHEET:	16



C NORTH-SOUTH SECTION THROUGH BOARDWALK & BUILDING SHOWING WITHOUT VARIANCE
 SCALE: NTS

ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE AND THE FLORIDA ELECTRICAL CODE. THE ARCHITECT SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE CONTRACTOR SHALL REMAIN RESPONSIBLE FOR THE CONSTRUCTION.

NO.	DATE	DESCRIPTION
1	Δ	

REVISIONS:

LANG + FERFOLLIA ARCHITECTURE + DEVELOPMENT
 2000 SHIPWAY DRIVE, SUITE 107
 TAMPA, FLORIDA 33604
 TEL: (813) 288-8877
 WWW.LANGFERFOLLIA.COM

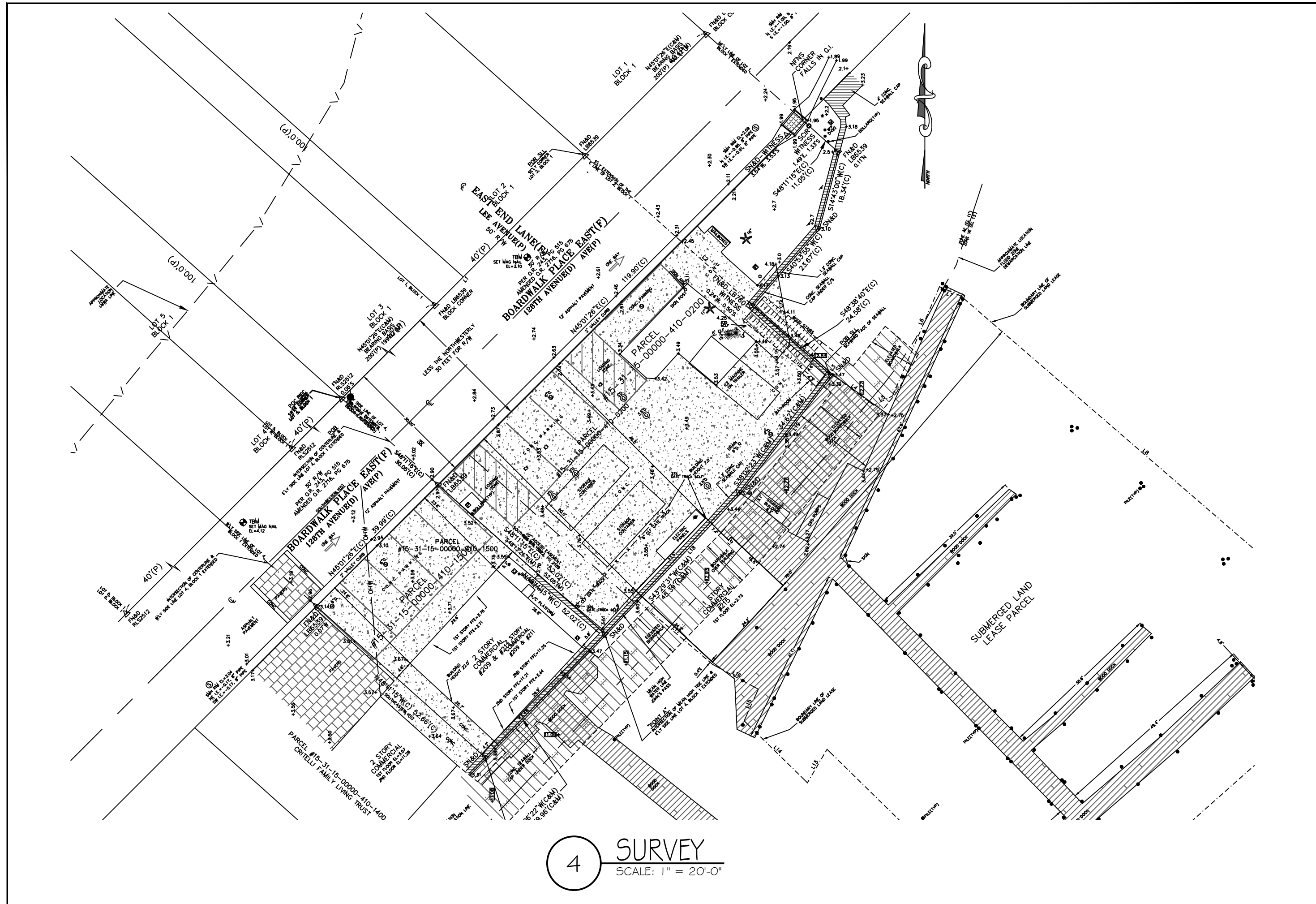
CLIENT:

DON'S DOCK - VARIANCE REQUEST
 215 BOARDWALK PLACE EAST MADEIRA BEACH, FL 33708
 PIN# 15-31-15-00000-41040200

EXHIBIT "C"

DRAWN BY: DL/SFF
 DATE: 6-22-23
 PROJECT #: 2210
 SHEET: 17

FL LICENSE #AFL000298 / AIA REGISTRATION #92611570
 2000 SHIPWAY DRIVE, SUITE 107 TAMPA, FL 33604
 TEL: (813) 288-8877



4
SURVEY
 SCALE: 1" = 20'-0"

Item 5A.

NO.	DATE	DESCRIPTION
1		

LANG + FERROGLIA ARCHITECTURE | DEVELOPMENT
 2000 S.W. 11th St., Suite 100, Ft. Lauderdale, FL 33304
 TEL: (754) 656-8877

CLIENT: DON'S DOCK - VARIANCE REQUEST
 215 BOARDWALK PLACE EAST, MADEIRA BEACH, FL 32108
 PINF#: 15-31-15-00000-410-0200

FLORIDA ARCHITECTURE BOARD REGISTRATION #2011570
 2000 S.W. 11th St., Suite 100, Ft. Lauderdale, FL 33304
 TEL: (754) 656-8877

REGISTERED PROFESSIONAL ARCHITECT
 DONALD W. FERROGLIA
 2000 S.W. 11th St., Suite 100, Ft. Lauderdale, FL 33304
 TEL: (754) 656-8877

DRAWN BY: DL/SFF
 DATE: 6-22-23
 PROJECT #: 2211

EXHIBIT "D"



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

**CITY OF MADEIRA BEACH
300 MUNICIPAL DRIVE
MADEIRA BEACH, FLORIDA 33708**

A Special Magistrate Hearing of the City of Madeira Beach, Florida will be held on **Monday, July 31, 2023, at 2:00p.m.**, at the Madeira Beach City Center in the Patricia Shontz Commission Chambers, located at 300 Municipal Drive, Madeira Beach, Florida 33708, to discuss the agenda item listed below. This proceeding is available for viewing on Spectrum Television Public Access Channel 640 for viewers within the 33708 Zip Code and on the City of Madeira Beach website by clicking the “Watch Live Meetings” button.

THIS APPLICATION IS FOR A SPECIAL MAGISTRATE -VARIANCE APPLICATION FOR VARIANCE FROM THE FLOOD RESISTANT CONSTRUCTION REQUIREMENTS OF THE FLOODPLAIN MANAGEMENT ORDINANCE

Application: VAR 2023-02

Applicant(s): William Karns Enterprises

Property Owner(s): Boardwalk Place Properties LLC

Property Address: 215 Boardwalk Place East, Madeira Beach, Florida 33708

Parcel ID: 15-31-15-00000-410-0200

Legal Description: PART OF SE 1/4 OF SEC 15-31-15 DESC AS THAT TRACT LYING SE'LY OF LOTS 1, 2 & 3, BLK 1 OF MITCHELL'S BEACH REV BETWEEN NE LINE OF LOT 1 & SW LINE OF LOT 3 EXT SE'LY TO MHW & LYING BETWEEN 128TH AVE (AKA BOARDWALK PL) & MHW TOGETHER WITH TIF SLL #520006273 EXP 3/14/2026

Zoning/Future Land Use: C-2, John’s Pass Marine Commercial/Commercial General

Request: Coastal AE-11 Flood Zone Base Flood Elevation (BFE) + 1-foot Freeboard Requesting 3-foot Variance from 15’-0” DFE to 12’-0” DFE

Specific Code Provisions: 94-76. - Conditions for issuance of variances.

Note: You have received this notice because you are a property owner within 300 feet of the subject property. If you are desirous of voicing approval or disapproval of this application, you may attend the Special Magistrate Hearing or can submit comment to planning@madeirabeachfl.gov. *Any affected person may become a party to this proceeding and can be entitled to present evidence at the hearing including the sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a notice of intent to be a party with the Community Development Department not less than five days prior to the hearing. The notice, which is attached, can be filed in person or sent by mail to Community Development Department at Madeira Beach City Hall located at 300 Municipal Drive, Madeira Beach, 33708. The variance application is on file in the Community Development Department and may be reviewed between 8:00 a.m. and 4:00 p.m.*

Posted: July 19, 2023, at the property site, City Hall, City of Madeira Beach website, and Gulf Beaches Library

View more information about this application at <https://madeirabeachfl.gov/plan-review-documents/>



Item 5A.

NOTICE OF INTENT TO BE AN AFFECTED PARTY

AFFECTED PERSON INFORMATION

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

APPLICATION INFORMATION

Case No or Application No., whichever applies: _____

Applicant's Name: _____

Signature of Affected Person

Date

Note: One or more Elected or Appointed Officials may be in attendance. Any person who decides to appeal any decision of the Special Magistrate with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the City to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.



AFFIDAVIT OF MAILING

Date: 7/19/2023

Mailings for Case # VAR 2023-02

STATE OF FLORIDA
COUNTY OF PINELLAS

Before me this day Lisa Stevanone personally appeared. He/she has mailed public notices to property owners within a 300 foot radius of the subject property.

Sworn and subscribed before me this 19 day of July, 20 23.

Personally known or produced _____ as identification.



GRACE KELLY MILLS
Commission # HH 166530
Expires August 18, 2025
Bonded Thru Budget Notary Service

Grace Mills
Notary Public

July 19 2023
Date

Notary Public Stamp

*Copy of public notice is attached.



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.gov

mike@pcpao.gov

Run Date: 13 Jul 2023

Subject Parcel: 15-31-15-00000-410-0200

Radius: 300 feet

Parcel Count: 31

Total pages: 3

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

NGUYEN, SON
HUYNH, HONG
12801 EAST END LN
MADEIRA BEACH, FL 33708-2785

FL INT IMP FUND TRE
CRITELLI FAMILY LIVING TRUST
8162 TERRACE GARDEN DR N UNIT 102
ST PETERSBURG, FL 33709-1055

FL INT IMP FUND TRE
C/O GARDNER PROPERTIES INC
555 SE ST LUCIE BLVD
STUART, FL 34996-1320

N J E PROPERTIES INC
C/O HAMUY
PO BOX 14433
TALLAHASSEE, FL 32317-4433

N J E PROPERTIES INC
C/O HAMUY
PO BOX 14433
TALLAHASSEE, FL 32317-4433

PERSHING ENTERPRISES LLC
9226 143RD LN
SEMINOLE, FL 33776-1959

MERMAID HOLDINGS LLC
12831 VILLAGE BLVD
MADEIRA BEACH, FL 33708-2654

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

ESTATE BROTHERS LLC
149 OAK KNOLL TER
HIGHLAND PARK, IL 60035-5320

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

JPV RESTAURANT PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

PAIRODOCS LLC 310 SERIES
149 OAK KNOLL TER
HIGHLAND PARK, IL 60035-5320

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

J W B M B HOLDINGS LLC
429 BOCA CIEGA DR
MADEIRA BEACH, FL 33708-2457

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

CRITELLI FAMILY LIVING TRUST
8162 TERRACE GARDEN DR N UNIT 102
ST PETERSBURG, FL 33709-1055

MAYNARD LEE PROPERTIES LLC
413 CROSSWINDS DR
PALM HARBOR, FL 34683-1306

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

CHOUINARD, BRENDA M
303 129TH AVE E
MADEIRA BEACH, FL 33708-2613

CHOUINARD, BRENDA M
303 129TH AVE E
MADEIRA BEACH, FL 33708-2613

2DS HOLDINGS LLC
12901 PELICAN LN
MADEIRA BEACH, FL 33708-4600

FISHRUNNER LLC
14041 E PARSLEY DR
MADEIRA BEACH, FL 33708-2301

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

CHOUINARD, BRENDA M
303 129TH AVE E
MADEIRA BEACH, FL 33708-2613

MERMAID HOLDINGS LLC
12831 VILLAGE BLVD
MADEIRA BEACH, FL 33708-2654

JPV HOTEL PROPERTY LLC
101 150TH AVE
ST PETERSBURG, FL 33708-2005

Posting At Property



City Hall



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

CITY OF MADEIRA BEACH
300 MUNICIPAL DRIVE
MADEIRA BEACH, FLORIDA 33708

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Request: Coastal AE-11 Flood Zone Base Flood Elevation (BFE) + 1-foot Freeboard Requesting 3-foot Variance from 15'-0" DFE to 12'-0" DFE

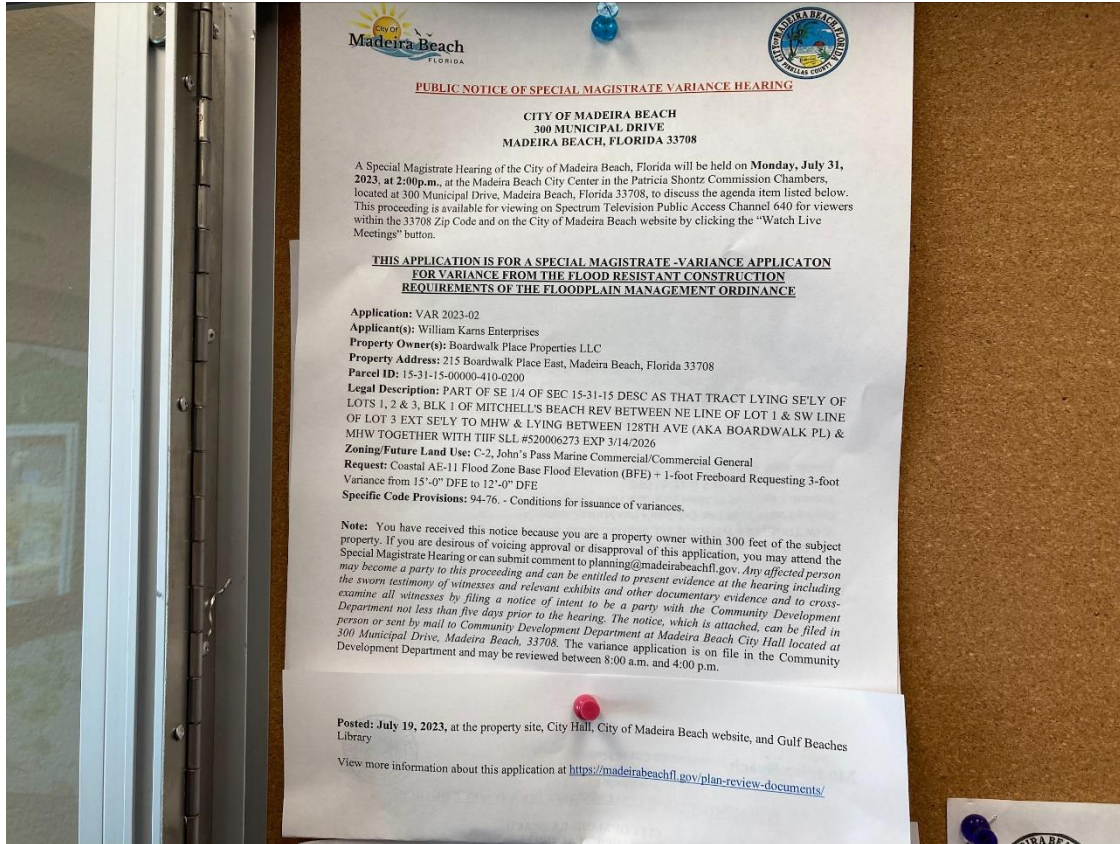
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Posted: July 19, 2023, at the property site, City Hall, City of Madeira Beach website, and Gulf Beaches Library

View more information about this application at <https://madeirabeachfl.gov/plan-review-documents/>

Gulf Beaches Public Library



Website

Plan Review Documents

Special Magistrate

VAR 2023-02 215 Boardwalk Place East (Don's Dock)

[VAR 2023-02 215 Boardwalk Place East \(Don's Dock\) Complete Variance Application Package](#)

[Public Notice VAR 2023-02 215 Boardwalk Place East](#)

<https://madeirabeachfl.gov/plan-review-documents/>



AFFIDAVIT OF POSTING

Date: 7/19/23

Postings for: VAR 2023-02

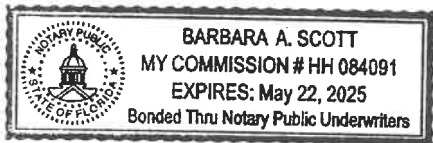
Before me this day Andrew Morris personally appeared. (H) He/she has posted public notices at the locations indicated in the notice document(s).

[Signature]
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to and subscribed before me this 19th day of July, 20 23.

(H) Personally known or produced _____ as identification.



Notary Public Stamp

Barbara A Scott
Notary Public

7/19/23
Date

*Copy of public notice is attached.

[Interactive Map of this parcel](#) [Sales Query](#) [Back to Query Results](#) [New Search](#) [Tax Collector Home Page](#) [Contact](#)

10-31-15-27837-000-0020

[Compact Property Record Card](#)

[Tax Estimator](#)

Updated April 26, 2023

[Email Print](#)

[Radius Search](#)

[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
SANTOS, MERCEDES VOLPE, THERESA 1745 WESLEY AVE EVANSTON IL 60201-3518	414 140TH AVE E MADEIRA BEACH



[Property Use:](#) 0110 (Single Family Home) [Current Tax District:](#) MADEIRA BEACH (MB) [Total Living:](#) SF: 4,164 [Total Gross SF:](#) 6,600 [Total Living Units:](#) 1

[click here to hide] [Legal Description](#)
FINN SHONTZ REPLAT LOT 2

Tax Estimator	File for Homestead Exemption	2023 Parcel Use	
Exemption	2023	2024	
Homestead:	No	No	
Government:	No	No	Homestead Use Percentage: 0.00%
Institutional:	No	No	Non-Homestead Use Percentage: 100.00%
Historic:	No	No	Classified Agricultural: No

Parcel Information [Latest Notice of Proposed Property Taxes \(TRIM Notice\)](#)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone <small>(NOT the same as a FEMA Flood Zone)</small>	Flood Zone <small>(NOT the same as your evacuation zone)</small>	Plat Book/Page
16583/1896	\$1,672,900 Sales Query	121030278022	A	Current FEMA Maps	76/79

2022 Final Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	\$1,385,088	\$1,009,210	\$1,009,210	\$1,385,088	\$1,009,210

[click here to hide] **Value History as Certified (yellow indicates correction on file)**

Year	Homestead Exemption	Just/Market Value	Assessed Value	County Taxable Value	School Taxable Value	Municipal Taxable Value
2021	No	\$1,049,322	\$917,464	\$917,464	\$1,049,322	\$917,464
2020	No	\$834,058	\$834,058	\$834,058	\$834,058	\$834,058
2019	No	\$814,440	\$814,440	\$814,440	\$814,440	\$814,440
2018	No	\$757,481	\$757,481	\$757,481	\$757,481	\$757,481
2017	No	\$697,568	\$697,568	\$697,568	\$697,568	\$697,568
2016	No	\$600,022	\$600,022	\$600,022	\$600,022	\$600,022
2015	No	\$566,431	\$555,534	\$555,534	\$566,431	\$555,534
2014	No	\$513,950	\$505,031	\$505,031	\$513,950	\$505,031
2013	No	\$459,119	\$459,119	\$459,119	\$459,119	\$459,119
2012	No	\$419,708	\$419,708	\$419,708	\$419,708	\$419,708
2011	No	\$441,632	\$441,632	\$441,632	\$441,632	\$441,632
2010	No	\$482,203	\$482,203	\$482,203	\$482,203	\$482,203
2009	No	\$655,023	\$655,023	\$655,023	\$655,023	\$655,023
2008	Yes	\$757,000	\$757,000	\$707,000	\$732,000	\$707,000
2007	Yes	\$903,800	\$903,800	\$878,800	N/A	\$878,800
2006	No	\$951,700	\$951,700	\$951,700	N/A	\$951,700
2005	No	\$726,900	\$726,900	\$726,900	N/A	\$726,900
2004	No	\$594,000	\$594,000	\$594,000	N/A	\$594,000
2003	No	\$558,500	\$558,500	\$558,500	N/A	\$558,500
2002	No	\$449,600	\$449,600	\$449,600	N/A	\$449,600
2001	No	\$367,600	\$367,600	\$367,600	N/A	\$367,600
2000	No	\$327,000	\$327,000	\$327,000	N/A	\$327,000
1999	No	\$292,600	\$292,600	\$292,600	N/A	\$292,600
1998	Yes	\$304,400	\$267,000	\$242,000	N/A	\$242,000
1997	Yes	\$286,400	\$262,600	\$237,600	N/A	\$237,600
1996	Yes	\$266,600	\$255,000	\$230,000	N/A	\$230,000

2022 Tax Information

[2022 Tax Bill](#) Tax District: [MB](#)
2022 Final Millage Rate 16.2571

Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our new [Tax Estimator](#) to estimate taxes under new ownership.

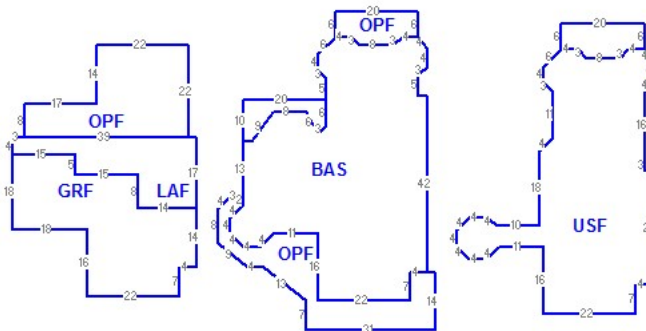
Ranked Sales (What are Ranked Sales?) [See all transactions](#)

Sale Date	Book/Page	Price	Q/U	V/I
17 Mar 2009	16583 / 1896	\$489,900	U	I
28 Jan 2002	11808 / 0465	\$186,000	U	I
09 Dec 1998	10332 / 1538	\$344,000	Q	I
Jul 1983	05567 / 0147	\$43,000	Q	

Seawall: Yes		2022 Land Information			View: None	
		Frontage: Canal/River				
Land Use	Land Size	Unit Value	Units	Total Adjustments	Adjusted Value	Method
Single Family (01)	52x201	11000.00	52.0000	1.2401	\$709,337	FF

[click here to hide] **2023 Building 1 Structural Elements** [Back to Top](#)
 Site Address: 414 140TH AVE E

Building Type: **Single Family**
 Quality: **Above Average**
 Foundation: **Wood/Block Above Ground Footing**
 Floor System: **Wood**
 Exterior Wall: **Frame/Reclad Alum/Viny**
 Roof Frame: **Gable Or Hip**
 Roof Cover: **Concrete Tile/Metal**
 Stories: **3**
 Living units: **1**
 Floor Finish: **Carpet/Hardtile/Hardwood**
 Interior Finish: **Upgrade**
 Fixtures: **15**
 Year Built: **1989**
 Effective Age: **21**
 Heating: **Central Duct**
 Cooling: **Cooling (Central)**



[Compact Property Record Card](#)

[Open plot in New Window](#)

Building 1 Sub Area Information

Description	Living Area SF	Gross Area SF
Garage (GRF)	0	923
Base (BAS)	2,062	2,062
Lower Area Finished (LAF)	433	433
Upper Story (USF)	1,669	1,669
Open Porch Unfinished (OPU)	0	107
Open Porch (OPF)	0	1,406
Total Living SF: 4,164		Total Gross SF: 6,600

[click here to hide] **2023 Extra Features**

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
PATIO/DECK	\$22.00	750.00	\$16,500.00	\$7,920.00	2002
POOL	\$55,000.00	1.00	\$55,000.00	\$26,400.00	2002
FIREPLACE	\$8,000.00	1.00	\$8,000.00	\$5,120.00	1989
DOCK	\$56.00	110.00	\$6,160.00	\$5,113.00	2016

[click here to hide] **Permit Data**

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting jurisdiction in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
MECH20220352	HEAT/AIR	28 Apr 2022	\$5,002
673	DOCK	24 Jun 2016	\$5,135
P45917-16	DOCK	22 Jun 2016	\$0
PER-H-CB251885	POOL	26 Mar 2002	\$20,000



Item 5B.



If you are experiencing [issues with this map loading](#), you may need

[Interactive Map of this parcel](#)

[Map Legend](#)

[Sales Query](#)

[Back to Query Results](#)

[New Search](#)

[Tax Collector Home Page](#)

[Contact Us](#)



Search all services we offer...

[Vehicle Registration](#)

[Property Tax](#)

[Tourist Tax](#)

[Search](#) > Account Summary

Real Estate Account #R115410

Owner: SANTOS, MERCEDES
VOLPE, THERESA

Situs: 414 140TH AVE E
MADEIRA BEACH

[Parcel details](#)
[Property Appraiser](#)
Installments








[Get bills by email](#)

Amount Due

Your account is **paid to date**. Your next bill will be available for payment by 09/01/2023.
Your last payment was made on **07/17/2023** for **\$4,662.05**.

Account History

BILL	AMOUNT DUE	STATUS	ACTION
2023			
2023 Installment Bill #4		Upcoming	
2023 Installment Bill #3		Upcoming	
2023 Installment Bill #2		Upcoming	
2023 Installment Bill #1	\$0.00	Paid \$4,662.05 07/17/2023	Receipt #952-23-011055 Print (PDF)
	Paid \$4,662.05		
2022 Annual Bill	\$0.00	Paid \$17,902.26 11/30/2022	Receipt #952-22-082842 Print (PDF)
2021 Annual Bill	\$0.00	Paid \$17,034.00 04/29/2022	Receipt #952-21-122362 Print (PDF)
2020 Annual Bill	\$0.00	Paid \$13,917.52 11/30/2020	Receipt #952-20-070388 Print (PDF)
2019 Annual Bill	\$0.00	Paid \$14,152.10 02/28/2020	Receipt #952-19-082750 Print (PDF)
2018 Annual Bill	\$0.00	Paid \$12,998.68 03/31/2019	Receipt #952-18-087782 Print (PDF)
2017 Annual Bill	\$0.00	Paid \$12,179.55 03/30/2018	Receipt #952-17-077707 Print (PDF)
2016 Annual Bill	\$0.00	Paid \$10,660.18 03/29/2017	Receipt #952-16-066014 Print (PDF)
2015 Annual Bill	\$0.00	Paid \$10,204.78 03/31/2016	Receipt #952-15-058841 Print (PDF)
2014 Annual Bill	\$0.00	Paid \$9,208.42 03/31/2015	Receipt #755-14-137847 Print (PDF)
2013 Annual Bill	\$0.00	Paid \$8,157.30 01/31/2014	Receipt #755-13-129685 Print (PDF)
2012 Annual Bill	\$0.00	Paid \$7,847.86 05/31/2013	Receipt #208-12-003135 Print (PDF)
2011 Annual Bill	\$0.00	Paid \$7,735.63 01/25/2012	Receipt #755-11-089423 Print (PDF)
2010 Annual Bill	\$0.00	Paid \$8,483.24 03/31/2011	Receipt #903-10-006868 Print (PDF)
2009 Annual Bill	\$0.00	Paid \$11,110.21 11/30/2009	Receipt #756-09-000006 Print (PDF)
2008 Annual Bill	\$0.00	Paid \$12,022.07 11/26/2008	Receipt #900-08-007607 Print (PDF)
2007			
2007 Annual Bill	\$0.00	Paid \$17,033.32 08/23/2008	Receipt #900-08-002876 Print (PDF)
Certificate #7742		Redeemed 08/23/2008	Face \$16,216.26, Rate 0.25%
	Paid \$17,033.32		
2006			
2006 Annual Bill	\$0.00	Paid \$19,958.62 09/11/2007	Receipt #007-07-00006646 Print (PDF)
Total Amount Due	\$0.00		

BILL	AMOUNT DUE	STATUS		ACTION
Certificate #5500		Redeemed	09/11/2007	Face \$19,002.26, Rate 0.25%
		Paid \$19,958.62		
2005 Annual Bill ⓘ	\$0.00	Paid \$14,107.79	02/23/2006	Receipt #007-05-00027701  Print (PDF)
2004 Annual Bill ⓘ	\$0.00	Paid \$11,881.34	05/24/2005	Receipt #009-04-00005514  Print (PDF)
2003 Annual Bill ⓘ	\$0.00	Paid \$10,472.33	11/24/2003	Receipt #075-03-00050253  Print (PDF)
2002 Annual Bill ⓘ	\$0.00	Paid \$8,519.28	11/26/2002	Receipt #063-02-00000214  Print (PDF)
2001 Annual Bill ⓘ	\$0.00	Paid \$6,985.32	11/26/2001	Receipt #070-01-00007263  Print (PDF)
2000 Annual Bill ⓘ	\$0.00	Paid \$6,181.18	11/21/2000	Receipt #070-00-00004126  Print (PDF)
1999 Annual Bill ⓘ	\$0.00	Paid \$5,526.43	11/29/1999	Receipt #070-99-00003193  Print (PDF)
Total Amount Due	\$0.00			

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COURTESY NOTICE OF CODE VIOLATION

APRIL 26, 2023

SANTOS, MERCEDES
VOLPE, THERESA
1745 WESLEY AVE
EVANSTON IL 60201-3518
Case Number: 2023.3600

Parcel #: 10-31-15-27837-000-0020

Legal Description: FINN SHONTZ REPLAT LOT 2

Address: 414 140TH AVE E

During a recent review of properties, it was noted that your property is in violation of the following code/ordinance(s):

Ordinance(s):

Sec. 86-52. - When required.

A person, firm or corporation shall not construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or erect, or construct a sign, or install or alter fire extinguishing apparatus, elevators, engines, steam boiler, furnace, incinerator, or other heat producing apparatus, plumbing, mechanical or electrical equipment or any appurtenances, the installation of which is regulated by the land development regulations or other sections of the Code until a permit has been issued by the building official. When the cost of repair or modification does not exceed \$500.00, does not result in a structural change, and does not require an inspection, a permit need not be issued by the building official. No permit is required for uncovered flat slabs of no greater than 50 square feet, for work of a strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

Therefore, if the action(s) specified in this notice is not completed by 8:00 am of the re-inspection date listed, the City will take legal action concerning this violation(s). This action may include the issuance of a citation and imposition of a fine of up to five hundred dollars (\$500) per day. The City may also take the required action itself and lien the above property for all costs associated therewith, including an administrative fee of one hundred dollars (\$100).

Sec. 110-177. - Permitted uses.

The permitted uses in the R-1, single-family residential district are single-family residential dwellings and public education facilities of the school board.

Violation Detail:

- The ground floor level of the property has been posted unsafe for human occupancy.
- Work has been done at the ground floor without required building permits.
- The property must remain a single-family dwelling.

Corrective action:

Either the property owner and/or licensed contractor will need to apply for and obtain an “after-the-fact” building permit to comply. If a permit cannot be obtained, the unpermitted work must be removed.

Please reply with a plan of corrections before the follow-up date listed:

Follow-up date:

MAY 10, 2023

Grace Mills,

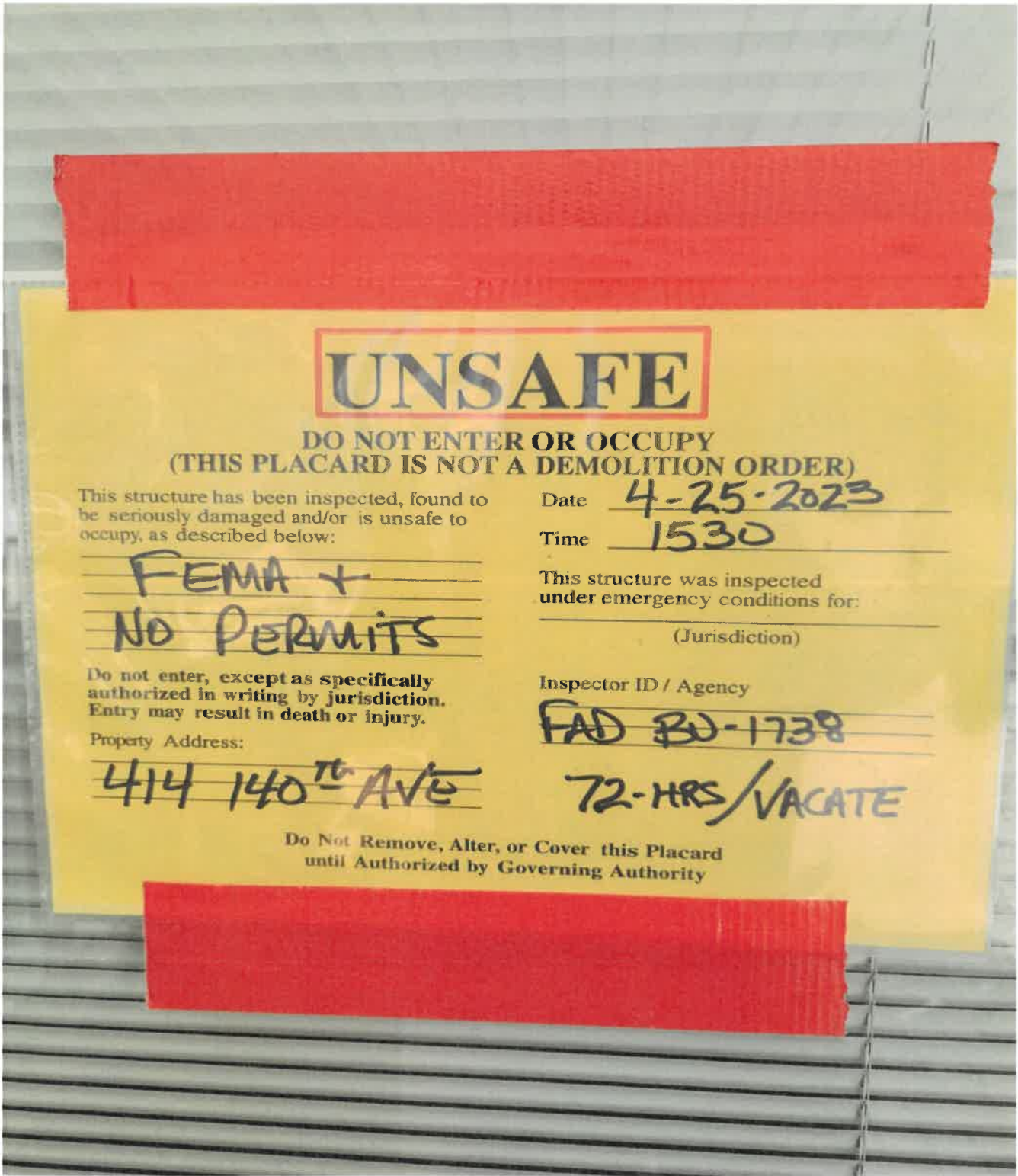
Code Compliance Officer II

City of Madeira Beach – Building Department

gmills@madeirabeachfl.gov

727.391.9951 ext. 298

Therefore, if the action(s) specified in this notice is not completed by 8:00 am of the re-inspection date listed, the City will take legal action concerning this violation(s). This action may include the issuance of a citation and imposition of a fine of up to five hundred dollars (\$500) per day. The City may also take the required action itself and lien the above property for all costs associated therewith, including an administrative fee of one hundred dollars (\$100).



UNSAFE

**DO NOT ENTER OR OCCUPY
(THIS PLACARD IS NOT A DEMOLITION ORDER)**

This structure has been inspected, found to be seriously damaged and/or is unsafe to occupy, as described below:

Date 4-25-2023
Time 1530

FEMA +
NO PERMITS

This structure was inspected under emergency conditions for:
(Jurisdiction)

Do not enter, except as specifically authorized in writing by jurisdiction. Entry may result in death or injury.

Inspector ID / Agency
FAD 30-1738

Property Address:
414 140th Ave

72-HRS/VACATE

Do Not Remove, Alter, or Cover this Placard until Authorized by Governing Authority

Therefore, if the action(s) specified in this notice is not completed by 8:00 am of the re-inspection date listed, the City will take legal action concerning this violation(s). This action may include the issuance of a citation and imposition of a fine of up to five hundred dollars (\$500) per day. The City may also take the required action itself and lien the above property for all costs associated therewith, including an administrative fee of one hundred dollars (\$100).

NOTICE OF CODE VIOLATION

MAY 10, 2023

SANTOS, MERCEDES
VOLPE, THERESA
1745 WESLEY AVE
EVANSTON IL 60201-3518

Case Number: 2023.3600

Parcel #: 10-31-15-27837-000-0020

Legal Description: FINN SHONTZ REPLAT LOT 2

Address: 414 140TH AVE E

During a recent review of properties, it was noted that your property is in violation of the following code/ordinance(s):

Ordinance(s):

Sec. 86-52. - When required.

A person, firm or corporation shall not construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or erect, or construct a sign, or install or alter fire extinguishing apparatus, elevators, engines, steam boiler, furnace, incinerator, or other heat producing apparatus, plumbing, mechanical or electrical equipment or any appurtenances, the installation of which is regulated by the land development regulations or other sections of the Code until a permit has been issued by the building official. When the cost of repair or modification does not exceed \$500.00, does not result in a structural change, and does not require an inspection, a permit need not be issued by the building official. No permit is required for uncovered flat slabs of no greater than 50 square feet, for work of a strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

Therefore, if the action(s) specified in this notice is not completed by 8:00 am of the re-inspection date listed, the City will take legal action concerning this violation(s). This action may include the issuance of a citation and imposition of a fine of up to five hundred dollars (\$500) per day. The City may also take the required action itself and lien the above property for all costs associated therewith, including an administrative fee of one hundred dollars (\$100).

Sec. 110-177.- Permitted uses.

The permitted uses in the R-1, single-family residential district are single-family residential dwellings and public education facilities of the school board.

Violation Detail:

- The ground floor level of the property has been posted unsafe for human occupancy.
- Work has been done at the ground floor without required building permits.
- The property must remain a single-family dwelling.

Corrective action:

Either the property owner and/or licensed contractor will need to apply for and obtain an “after-the-fact” building permit to comply. If a permit cannot be obtained, the structure must be removed.

Please reply with a plan of corrections before the follow-up date listed:

Follow-up date:

MAY 17, 2023

Grace Mills,

Code Compliance Officer II

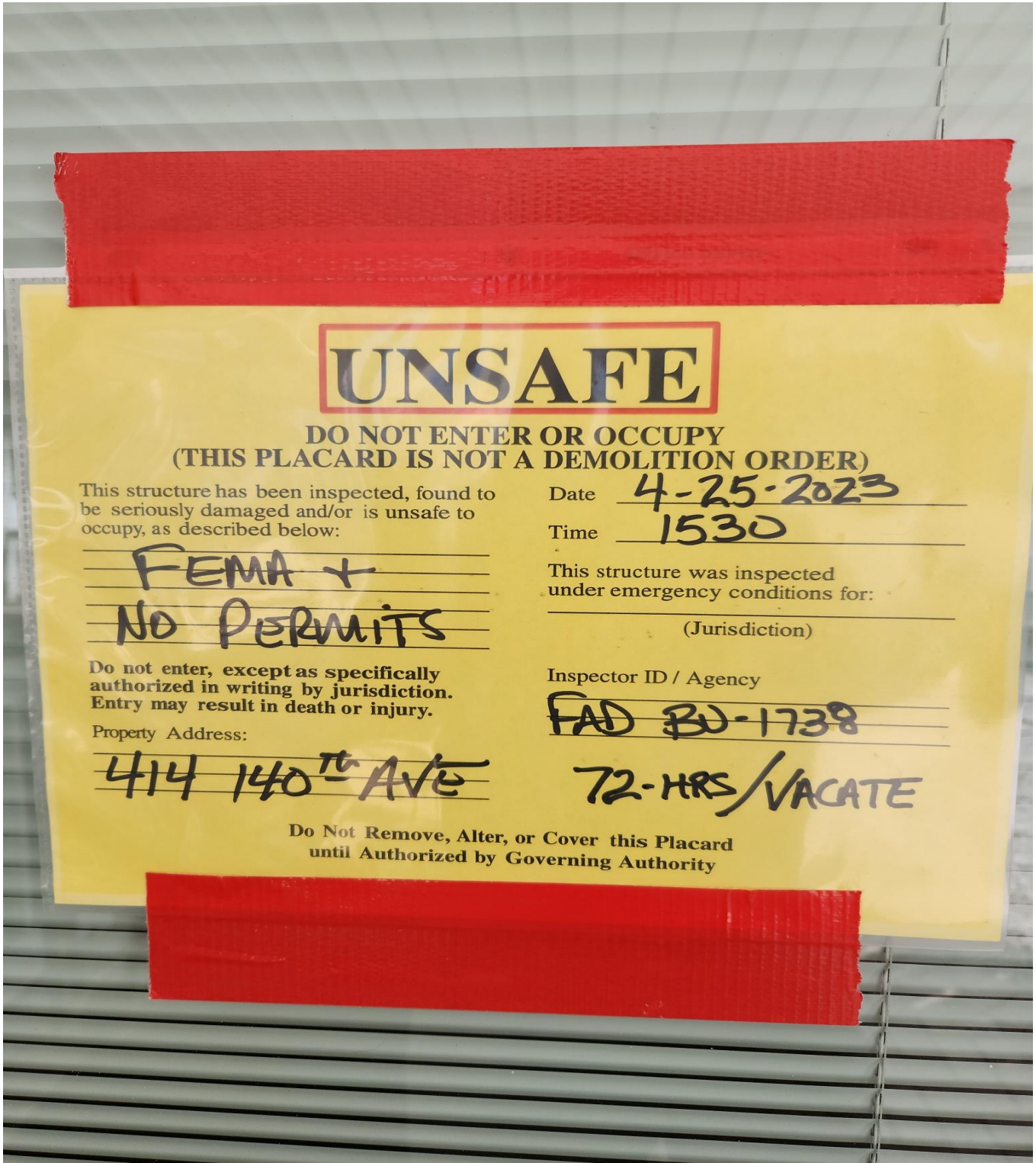
City of Madeira Beach – Building Department

gnills@madeirabeachfl.gov

727.391.9951 ext. 298

Certified Mail #7021 2720 0003 1476 8347

Therefore, if the action(s) specified in this notice is not completed by 8:00 am of the re-inspection date listed, the City will take legal action concerning this violation(s). This action may include the issuance of a citation and imposition of a fine of up to five hundred dollars (\$500) per day. The City may also take the required action itself and lien the above property for all costs associated therewith, including an administrative fee of one hundred dollars (\$100).



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Item 5B.

City Of
Deira Beach
FLORIDA

300 Municipal Drive
Madera Beach, Florida 33708

7021 2720 0003 1476 8347



VOLPE, THERESA
1745 WESLEY AVE
EVANSTON IL 60201-3518

Case Number: 2023.3600

PLACE STICKER AT TOP OF MAILBOX TO RECEIVE MAIL
OR THE BOTTOM OF MAILBOX TO RETURN MAIL TO THE POST OFFICE

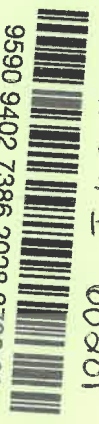
SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Santos, Mercedes
VOLPE, Theresa
1745 Wesley Ave
Evanston, IL 60201

9590 9402 7386 2028 3790 63



2. Article Number (Transfer from service label)

7021 2720 0003 1476 8347

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

Photos and a video from an inspection completed on April 25, 2023, at 1512 by the city show that the three-story wood framed building has been completely finished out at ground level, including but not limited to: a kitchen area, laundry room, bathroom, two bedrooms, and living room area with all of the associated plumbing, electrical, and HVAC. Given the square footage, the space qualifies as an occupancy per Section 404 of the 2021 International Property Maintenance Code (adopted in the City Code). In addition, the city was contacted by a former tenant who rented this space, as its own independent living area separate from the upper floors.

Planning and Zoning Comments

This property is in the R-1 Zoning District. The Madeira Beach Code of Ordinances (Code) states *“the permitted uses in the R-1, single-family residential district are single-family residential dwellings and public education facilities of the school board”* (Sec 110-177). Separate living facilities other than a single-family residential dwelling are not allowed in R-1 Zoning District. The Code also states that *“any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term “short term rental” shall mean any rental of a dwelling unit, or portion thereof, for less than a six-month period”* (Sec 110-176). To bring the property, 414 140th Ave., Madeira Beach, Florida 33708, back into compliance with the Code, the building must return to its original single-family (one living unit) state as documented on the Pinellas County Property Appraiser (PCPA) website, which indicates the ground floor only contained the following: 620 square feet of Open Porch Finished (OPF), 433 square feet of Lower Area Finished (LAF), and 923 square feet of Garage Finished (GRF). The definitions below are from the PCPA online glossary.

- **OPF: Open Porch Finished** - Building sub area code found on a property record card. A covered porch that is open on 1 to 3 sides, usually supported by posts or pillars of wood, metal, or concrete block, but can also be a 4 foot or more extension of the roof line. Roof type and roof covering are compatible with Base. Other components include finished ceiling, insulated metal roof, electrical outlets, lighting (may be ceiling or horizontally mounted), finished concrete slab, ceramic tile, decorative stone or wood. The finished ceiling dimensions should be used as the open porch measurements.
- **LAF: Lower Area Finished** - Building sub area code found on a property record card. An area of lesser quality than BSF, usually found as an **improved or enhanced area within the ST-0 level e.g., finished lower area for stilt homes, enclosed** entry or foyer at the ST-0 level with a stairway or elevator leading to the ST-1 level. Overall Rule - Quality and finish is less than BSF but is better than EPF.
- **GRF: Garage Finished** - Building sub area code found on a property record card. Shares a common wall with Base; exterior walls, roof type and covering similar to Base. Usually has a finished ceiling (drywall with taped seams), finished concrete floor, electrical outlets ceiling lights, may or may not have insulation. May have cabinets or storage shelves, and electric garage door opener.
- **BSF: Base Semi Finished** - Living area of a building which can either be an addition or a conversion of an existing component; close to the same structural integrity and quality of the Base. The most common differences between BAS and BSF is often roof framing, roof cover, and exterior wall construction indicating an area of lesser quality.
- **EPF: Enclosed Porch Finished** - Functions as an extension of living area, a self-contained component (Florida or Family room) and can be either an addition or conversion, usually of lesser quality construction. May or may not have a step down from BAS, insulation, heating or cooling. Often will have a service door and/or sliding glass doors leading to or from the Base or exterior.

FEMA 50% Rule

The 50% rule is a Federal Emergency Management Agency (FEMA) regulation. The basic rule states if the cost of improvements exceeds 50% of the depreciated value of the building, it must be brought up to current floodplain management standards. In order for consideration of the work that has already occurred to remain in place, though not as a separate living unit, a third-party appraisal would be required which shows the depreciated value of the structure prior to the unpermitted, at grade renovations being constructed. The depreciated value of the structure will be compared to the value of the renovations and will be assessed at such time that information is provided to the city. The space must still become building code compliant and meet the criteria as discussed further in this letter as related to building code and life safety violations and as such there is no guarantee that any portion of the unpermitted work can remain as constructed.

Building Department Comments

1. The exterior storage shed (8'x12') was installed without a permit.
2. The exterior first floor panels, which cover openings to the garage, were installed without a permit.
3. The first floor build out was completed without any permits and exceeds the allowed 433 square footage.

The first floor includes two sleeping rooms without any secondary egress, a full kitchen, a full bathroom, and a large living space with no operating life or health safety devices. The unpermitted hot water heater does not include life and health safety devices. None of the three exterior windows were operable and missing the required screens. During the walk-thru inspection, it was noticed that multiple other life and health safety concerns were noted i.e., illegal wiring and plumbing throughout the first floor, multiple penetrations, or openings between the first and second floors that must be sealed. A washer and dryer installation within a closet with an improper dryer venting system and sewer line venting to the exterior.



300 Municipal Drive
 Madeira Beach, Florida 33708
 (727) 391-9951
 Fax (727) 399-1131
www.madeirabeachfl.gov

SANTOS, MERCEDES
 VOLPE, THERESA
 1745 WELSEY AVE
 EVANSTON IL 60201-3518

RE: CASE NUMBER 2023.3600

JUNE 28, 2023

Dear Mercedes and Theresa,

In the regards to the documented property violations at **414 140th Ave., Madeira Beach, Florida 33708**, the City of Madeira Beach Planning & Zoning and Building Departments offer the following:

The property was inspected by city staff on April 25, 2023, at 15:12 documenting that the three-story, wood framed building has been completely finished out at ground level, including but not limited to: a kitchen area, laundry room, bathroom, two bedrooms, and living room area with all of the associated plumbing, electrical, and HVAC. Given the square footage, the space qualifies as an occupancy per Section 404 of the 2021 International Property Maintenance Code (adopted in the City Code). In addition, the city was contacted by a former tenant who rented this space, as its own independent living area separate from the upper floors.

Planning and Zoning Comments

This property is in the R-1 Zoning District. The Maderia Beach Code of Ordinances (Code) states "*the permitted uses in the R-1, single-family residential district are single-family residential dwellings and public education facilities of the school board*" (Sec 110-177). Separate living facilities other than a single-family residential dwelling are not allowed in R-1 Zoning District. The Code also states that "*any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a six-month period.*" (Sec 110-176). To bring the property, 414 140th Ave., Madeira Beach, Florida 33708, back into compliance with the Code, the building must return to its original single-family (one living unit) state as documented on the Pinellas County Property Appraiser (PCPA) website, which indicates the ground floor only contained the following: 620 square feet of Open Porch Finished (OPF), 433 square feet of Lower Area Finished (LAF), and 923 square feet of Garage Finished (GRF). The definitions below are from the PCPA online glossary.

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FEMA 50% Rule

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Building Department Comments

1. The exterior storage shed (8'x12') was installed without a permit.
2. The exterior first floor panels, which cover openings to the garage, were installed without a permit.
3. The first floor build out was completed without any permits and exceeds the allowed 433 square footage. The first floor includes two sleeping rooms without any secondary egress, a full kitchen, a full bathroom, and a large living space with no operating life or health safety devices. The unpermitted water heater does not include life and health safety devices. None of the three exterior windows were operable and missing the required screens. During the walk-thru inspection, it was noticed that multiple other life and health safety concerns were noted i.e., illegal wiring and plumbing throughout the first floor, multiple penetrations, or openings between the first and second floors that must be sealed. A washer and dryer installation within a closet with an improper dryer venting system and sewer line venting to the exterior.

This property has been "red tagged" as unsafe due to the violations referenced above and is scheduled to go before the Special Magistrate on July 31, 2023. At that time, the city will present information regarding the violations and you will be provided an opportunity to discuss proposed corrective actions. If you have any questions please feel free to reach out to the City of Madeira Beach Building Department at 727-391-9951 ext. 284.

Sincerely,



Robin I. Gomez
Madeira Beach City Manager
727-580-8014

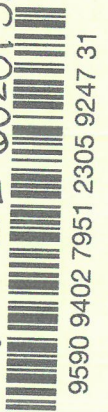
TEAR HERE TO OPEN ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Santos, Mercedes
 Volpe, Theresa
 1745 Welsey Ave
 Evanston IL 60201-3518



2. Article Number (Transfer from service label)

7021 2720 0003 1476 8668

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

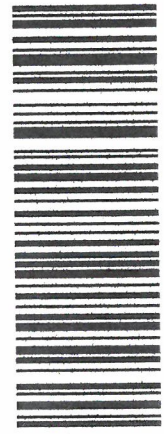
- Adult Signature Restricted Delivery
- Certified Mail®
- Collect on Delivery
- Insured Mail (over \$500)
- Registered Mail™
- Signature Confirmation™
- Signature Restricted Delivery
- Restricted Delivery
- Priority Mail Express®
- Registered Mail™ Delivery
- Signature Confirmation™ Restricted Delivery

Domestic Return Receipt



300 Municipal Drive
 Madeira Beach, Florida 33708

CERTIFIED MAIL®



7021 2720 0003 1476 8668

US POSTAGE

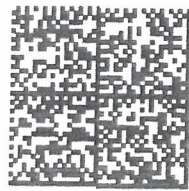
quadrant

FIRST-CLASS MAIL
IMI

\$008.10⁰⁰

06/28/2023 ZIP 33708

043M31233717



SANTOS, MERCEDES
 VOLPE, THERESA
 1745 WELSEY AVE
 EVANSTON IL 60201-3518

Item 5B.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS FOR POSTAL SORTING

Item 5B.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Santos, Mercedes
 VOIPE, Theresa
 1745 Wesley Ave
 Evanston, IL 60201



9590 9402 7386 2028 3790 63

2. Article Number (Transfer from service label)
 7021 2720 0003 1476 8347

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

Domestic Return Receipt

CERTIFIED MAIL

City of
Seira Beach
FLORIDA
Municipal Drive
Beach, Florida 33708



7021 2720 0003 1476 8347

TAMPA FL 335

MAY 2023PM 8 L



quadiant

Item 5B.

FIRST-CLASS MAIL

IMI
\$008.10⁰

05/10/2023 ZIP 33708
043M31233717

US POSTAGE

NL
5/15/23

VOLPE, THERESA
1745 WESLEY AVE
EVANSTON IL 60201-3518

Case Number: 2023.3600

33708191600

NIXIE 601 DE 1 0006/21/23
RETURN TO SENDER
NO SUCH STREET
UNABLE TO FORWARD
BC: 33708191600 *2701-00289-11-44





UNSAFE

**DO NOT ENTER OR OCCUPY
(THIS PLACARD IS NOT A DEMOLITION ORDER)**

This structure has been inspected, found to be seriously damaged and/or is unsafe to occupy, as described below:

Date 4-25-2023

Time 1530

FEMA +

NO PERMITS

This structure was inspected under emergency conditions for:

(Jurisdiction)

Do not enter, except as specifically authorized in writing by jurisdiction. Entry may result in death or injury.

Inspector ID / Agency
FAD BU-1738

Property Address:

414 140th AVE

72-HRS/VACATE

Do Not Remove, Alter, or Cover this Placard until Authorized by Governing Authority



may 10 2023
11:06 AM



City of Madeira Beach
BUILDING DEPARTMENT
300 Municipal Drive
Madeira Beach, FL 33708
PH: 727-391-9951 ext. 284 FAX:727-399-1131



Item 5B.

SPECIAL MAGISTRATE
NOTICE OF HEARING

CITY OF MADEIRA BEACH, FL
300 MUNICIPAL DRIVE
MADEIRA BEACH, FL 33708
Petitioner,

CASE #2023.3600
DATE: 07/21/2023

vs.

SANTOS, MERCEDES
VOLPE, THERESA
1745 WESLEY AVE
EVANSTON IL 60201-3518
Respondent,

RE: Property: 141 140th Ave E., Madeira Beach, FL 33708. **Parcel #:** 10-31-15-27837-000-0020

Legal Description: FINN SHONTZ REPLAT LOT 2

To whom it may concern:

YOU ARE HEREBY FORMALLY NOTIFIED that at **2:00 pm** on **MONDAY** the **31st** day of **JULY, 2023** at the Madeira Beach City Center in the Patricia Shontz Commission Chambers, located at 300 Municipal Drive, Madeira Beach, Florida 33708, a hearing will be held before the Special Magistrate concerning the following code violations:

Sec. 86-52. - When required.

A person, firm or corporation shall not construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or erect, or construct a sign, or install or alter fire extinguishing apparatus, elevators, engines, steam boiler, furnace, incinerator, or other heat producing apparatus, plumbing, mechanical or electrical equipment or any appurtenances, the installation of which is regulated by the land development regulations or other sections of the Code until a permit has been issued by the building official. When the cost of repair or modification does not exceed \$500.00, does not result in a structural change, and does not require an inspection, a permit need not be issued by the building official. No permit is required for uncovered flat slabs of no greater than 50 square feet, for

City of Madeira Beach
BUILDING DEPARTMENT
300 Municipal Drive
Madeira Beach, FL 33708
PH: 727-391-9951 ext. 284 FAX:727-399-1131



Item 5B.

work of a strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

Sec. 110-117. – Permitted Uses.

The permitted uses in the R-1, single-family residential district are single-family residential dwellings and public education facilities of the school board.

You are hereby ordered to appear before the Special Magistrate of the City of Madeira Beach on that date and time to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence.

Should you be found in violation of the above code, the Special Magistrate has the power by law to levy fines of up to \$250.00 per day for an initial violations and \$500.00 per day for repeat violations against you and your property for every day that any violation continues beyond the date set in an order of the Special Magistrate for compliance.

If the violation is corrected and then recurs, or if the violation is not corrected by the time specified by the Code Enforcement Officer for correction, the case may still be presented to the Special Magistrate of the City of Madeira Beach even if the violation has been corrected prior to the Special Magistrate hearing.

Should you desire, you have the right to obtain an attorney at your own expense to represent you before the Special Magistrate. You will also have the opportunity to present witnesses as well as question the witnesses against you prior to the Special Magistrate making a determination.

Please be prepared to present evidence at this meeting concerning the time frame necessary to correct the alleged violation, should you be found in violation of the City Code.

If you wish to have any witnesses subpoenaed or have any other questions, please contact the Assistant to Code Enforcement of the City of Madeira Beach within five (5) days at 300 Municipal Drive, Madeira Beach, Florida 33708, telephone number (727) 391-9951 extension 244.

City of Madeira Beach
BUILDING DEPARTMENT
300 Municipal Drive
Madeira Beach, FL 33708
PH: 727-391-9951 ext. 284 FAX:727-399-1131




Item 5B.

Your failure to respond to the previously issued Notice of Violation has resulted in costs of prosecution of this case.

PLEASE NOTE: Should any interested party seek to appeal any decision made by the Special Magistrate with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based per Florida Statute 286.0105.

I HEREBY CERTIFY that a copy of the foregoing Notice of Hearing was mailed to Respondent(s) by certified mail, return receipt requested.

Dated this 21st day of July, 2023



Grace Mills, Code Compliance Officer II

SPECIAL MAGISTRATE
AFFIDAVIT OF SERVICE

CITY OF MADEIRA BEACH, FLORIDA
300 MUNICIPAL DRIVE
MADEIRA BEACH, FL 33708

Petitioner,

Vs.

SANTOS, MERCEDES
VOLPE, THERESA
1745 WESLEY AVE
MADEIRA BEACH FL 33708

Respondent,

DATE: 07/21/2023
CASE # 2023.3600

RE Property: 414 140TH Ave E. **Parcel #** 10-31-15-27837-000-0020

Legal Description: FINN SHONTZ REPLAT LOT 2

AFFIDAVIT OF SERVICE

I, Grace Mills, Code Compliance Officer II of the City of Madeira Beach, upon being duly sworn, deposed and says the following:

That pursuant to Florida Statute 162.12,

On the 21 day of July, 2023, I mailed a copy of the attached NOTICE OF HEARING via certified Mail, Return Receipt requested.

On the 21 day of July, 2023, I mailed a copy of the attached NOTICE OF HEARING/ via First Class Mail.

On the 21 day of July, 2023, I posted a copy of the attached NOTICE OF HEARING/ on the property located at 414 140th Ave E., Madeira Beach, Florida 33708 Parcel # 10-31-15-27837-000-0020 the City of Madeira Beach.

On the 21 day of July, 2023, I caused the attached NOTICE OF HEARING/ to be posted at the Municipal Government Offices, 300 Municipal Drive, Madeira Beach; and that said papers remain posted at the Municipal Government Offices for a period of not less than ten days from the date of posting.

City of Madeira Beach
BUILDING DEPARTMENT
300 Municipal Drive
Madeira Beach, FL 33708
PH: 727-391-9951 ext. 284 FAX:727-399-1131



Item 5B.

Grace Mills
Grace Mills, Code Compliance Officer II

State of Florida

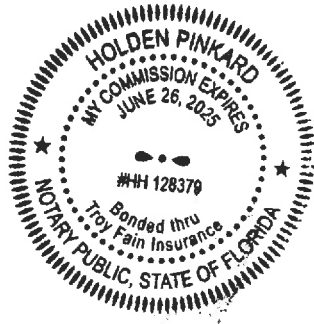
County of Pinellas

The foregoing instrument was acknowledged before me, the undersigned authority, by means of X physical presence or online notarization, this 21 day of JULY, 2023, by Grace Mills, who is personally known to me, or produced _____ as identification. My Commission Expires: 6/26/25

Notary Public – State of Florida

[Signature]

Print or type Name.



SPECIAL MAGISTRATE
STATEMENT OF VIOLATION/REQUEST FOR HEARING

Name and address of violator(s):

CASE # 2023.3600

DATE: 07/21/2023

SANTOS, MERCEDES
VOLPE, THERESA
1745 WESLEY AVE
EVANSTON IL 60201-3518

Property Address: 414 140th Ave E., Madeira Beach, FL 33708.

Parcel #: 10-31-15-27837-000-0020

Legal Description: FINN SHONTZ REPLAT LOT 2

To whom it may concern:

During a recent review of properties on your street, it was noted that your property is in violation of the following code section(s):

Sec. 86-52. - When required.

A person, firm or corporation shall not construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or erect, or construct a sign, or install or alter fire extinguishing apparatus, elevators, engines, steam boiler, furnace, incinerator, or other heat producing apparatus, plumbing, mechanical or electrical equipment or any appurtenances, the installation of which is regulated by the land development regulations or other sections of the Code until a permit has been issued by the building official. When the cost of repair or modification does not exceed \$500.00, does not result in a structural change, and does not require an inspection, a permit need not be issued by the building official. No permit is required for uncovered flat slabs of no greater than 50 square feet, for work of a strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

City of Madeira Beach
BUILDING DEPARTMENT
300 Municipal Drive
Madeira Beach, FL 33708
PH: 727-391-9951 ext. 284 FAX:727-399-1131



Item 5B.

Sec. 110-177. – Permitted Uses.

The permitted uses in the R-1, single-family residential district are single-family residential dwellings and public education facilities of the school board.

Please bring the property into compliance by applying for and obtaining an “after-the-fact” building permit or removing unpermitted work within seven (7) days of the date of this letter. Should you fail to bring the property into compliance within seven (7) days the City will bring this case to the Special Magistrate. Please note that the Special Magistrate can levy fines up to \$250 per day for each day the property remains in non-compliance.

I DO HEREBY SWEAR THAT THE ABOVE FACTS ARE TRUE TO THE BEST OF MY KNOWLEDGE. I REQUEST A HEARING ON THE ABOVE VIOLATION(S) BY THE SPECIAL MAGISTRATE OF THE CITY OF MADEIRA BEACH.



Grace Mills, Code Compliance Officer II

7-21-2023

CITY OF MADEIRA BEACH

MEETING NOTICES

Board of Commissioners Budget Workshop Agenda
Wednesday, July 26, 2023 at 8:30 PM
Civic Center

Board of Commissioners Regular Workshop Meeting
Wednesday, July 26, 2023 at 8:30 PM
Civic Center

City of Madeira Beach Special Neighborhood Council Meeting
Wednesday, July 26, 2023 at 8:30 PM
Civic Center

City of Madeira Beach Special Neighborhood Council Meeting
Wednesday, July 26, 2023 at 8:30 PM
Civic Center

City of Madeira Beach Special Neighborhood Council Meeting
Wednesday, July 26, 2023 at 8:30 PM
Civic Center

City of Madeira Beach Special Neighborhood Council Meeting
Wednesday, July 26, 2023 at 8:30 PM
Civic Center

ELEVATOR

City of Madeira Beach
BUILDING DEPARTMENT
300 Municipal Drive
Madeira Beach, FL 33708
PH: 727-391-9951 ext. 284 FAX: 727-399-1131



SPECIAL MAGISTRATE
NOTICE OF HEARING

CITY OF MADEIRA BEACH, FL
300 MUNICIPAL DRIVE
MADEIRA BEACH, FL 33708
Petitioner,

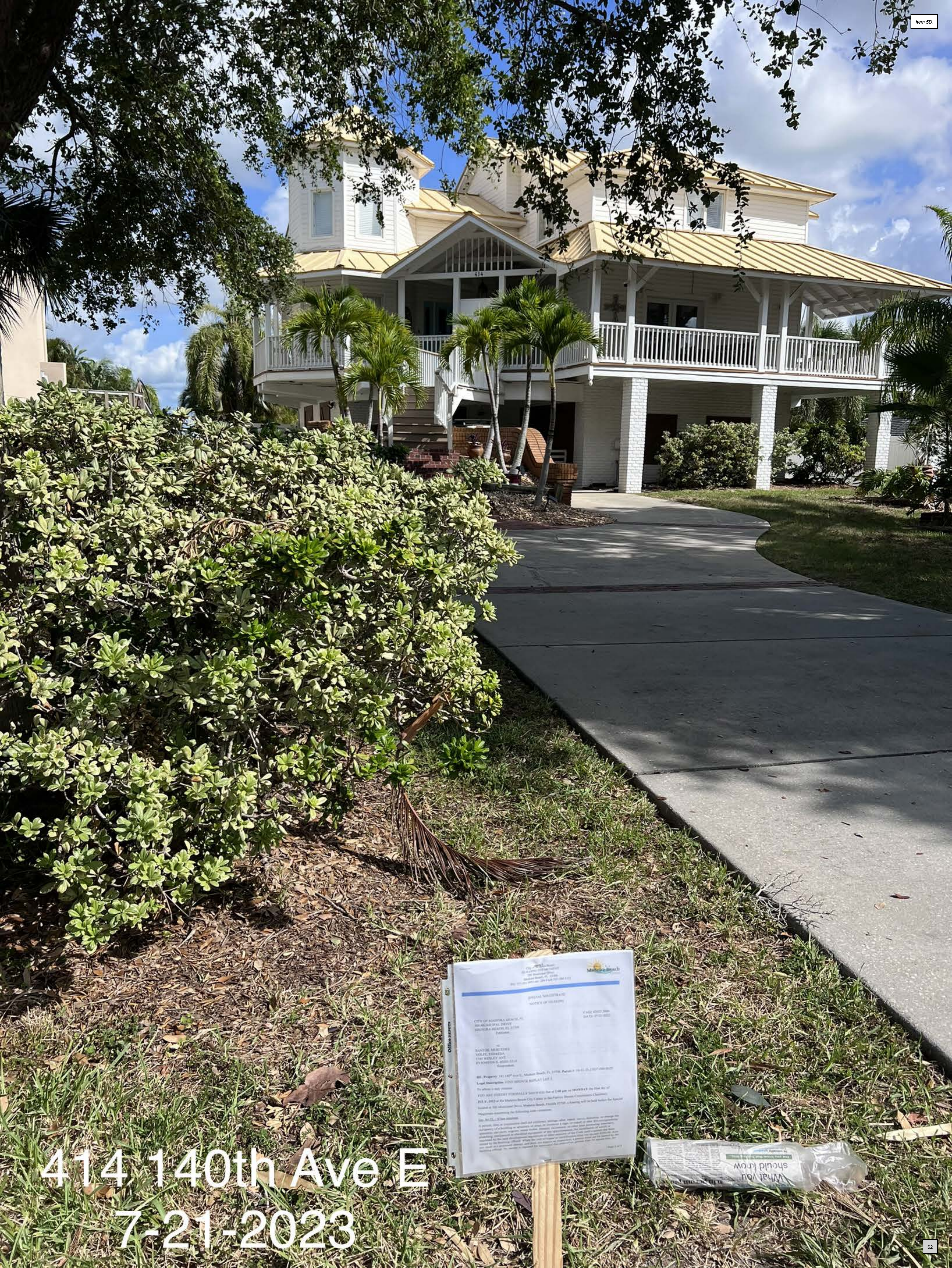
CASE #2023.3600
DATE: 07/21/2023

vs.
SANTOS, MERCEDES
VOLPE, THERESA
1745 WESLEY AVE
EVANSTON IL 60201-3518
Respondent,

RE: Property: 141 140th Ave E., Madeira Beach, FL 33708. **Parcel #:** 10-31-15-27837-000-0020
Legal Description: FINN SHONTZ REPLAT LOT 2
To whom it may concern:
YOU ARE HEREBY FORMALLY NOTIFIED that at **2:00 pm** on **MONDAY** the **31st** day of **JULY, 2023** at the Madeira Beach City Center in the Patricia Shontz Commission Chambers, located at 300 Municipal Drive, Madeira Beach, Florida 33708, a hearing will be held before the Special Magistrate concerning the following code violations:

Sec. 86-52. - When required.
person, firm or corporation shall not construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or erect, or construct a sign, or install or alter fire extinguishing apparatus, elevators, engines, steam boiler, furnace, incinerator, or other heat producing apparatus, plumbing, mechanical or electrical equipment or other appurtenances, the installation of which is regulated by the land development regulations or other sections of the Code until a permit has been issued by the building official. When the cost of repair or modification does not exceed \$500.00, does not result in a structural change, and does not require an inspection, a permit need not be issued by the building official. No permit is required for uncovered flat slabs of no greater than 50 square feet, for

7-21-2023



City of Seaside
 Planning & Zoning Department
 1000 Highway 101, Suite 100
 Seaside, Oregon 97138
 Phone: 503.738.2200

SPECIAL NOTIFICATION
 NOTICE OF HEARING

CITY OF SEASIDE, OREGON
 PLANNING & ZONING DEPARTMENT
 1000 HIGHWAY 101, SUITE 100
 SEASIDE, OREGON 97138

DATE: 07/21/2023
 TIME: 6:00 PM

RE: PROPERTY: 1414 140th Ave E, Seaside, OR 97138, Parcel ID: 01-01-01-001-000-000
 Legal Description: FOUR BROWNS BAYLAK LOTS 2

The above is a public hearing.

YOU ARE HEREBY NOTIFIED AND ADVISED that at 6:00 pm on THURSDAY the 21st day of JULY 2023 at the Seaside Public Hearing Room in the Public Works Department Building, located at 1000 Highway 101, Seaside, Oregon 97138, a hearing will be held before the Planning & Zoning Commission on the following case:

Case No. 2023-01-001-000-000

If you wish to appear at the hearing, you must file a written statement of your intent to appear with the Planning & Zoning Department at least 48 hours before the hearing. The statement should be filed with the Planning & Zoning Department at 1000 Highway 101, Suite 100, Seaside, Oregon 97138.

If you do not wish to appear at the hearing, you may file a written statement of your intent not to appear with the Planning & Zoning Department at least 48 hours before the hearing. The statement should be filed with the Planning & Zoning Department at 1000 Highway 101, Suite 100, Seaside, Oregon 97138.

If you have any questions, please contact the Planning & Zoning Department at 503.738.2200.

Thank you for your attention.

City of Seaside
 Planning & Zoning Department

414 140th Ave E
 7-21-2023

What you should know

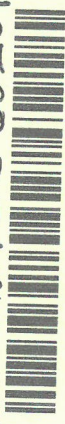
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Santos, Mercedes
 Volpe, Theresa
 1745 Wesley Ave
 Evanston IL 60201


 9590 9402 7951 2305 9247 24

2. Article Number (Transfer from service label)

7022 2410 0002 9255 2810

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 if YES, enter delivery address below: No

3. Service Type

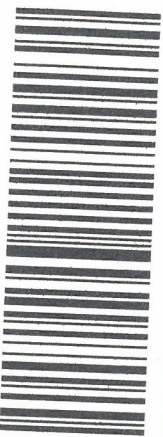
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Insured Mail
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

Domestic Return Receipt



Item 5B.

300 Municipal Drive
Madeira Beach, Florida 33708



7022 24J0 0002 9255 28J0



quadrant
FIRST-CLASS MAIL
IMI
\$008.53
07/21/2023 ZIP 33708
043M31233717

US POSTAGE

SANTOS, MERCEDES
VOLPE, THERESA
1745 WESLEY AVE
EVANSTON IL 60201-3518
Respondent,