



**OCTOBER SPECIAL MAGISTRATE
2023 AGENDA**
Monday, October 23, 2023 at 2:00 PM
Commission Chambers, 300 Municipal Drive,
Madeira Beach, FL 33708

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 2023-04 14830 N. Bayshore Drive

B. VAR 2023-05 352 145th Ave

C. VAR 2023-06 14097 E Parsley

D. 2023.3608 572 Johns Pass Ave

E. 2023.3603 13423 Gulf Ln

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

VAR 2023-04



Staff Report and Recommendation
Special Magistrate Meeting – October 23, 2023

Application: VAR 2023-04
Applicant: Jason K. Holloway & Elizabeth Holloway
Property Owner(s): Jason K. Holloway & Elizabeth Holloway
Property Address: 14830 N. Bayshore Drive, Madeira Beach, FL 33708
Parcel ID: 09-31-15-60858-000-0940
Legal Description: NORTH MADEIRA SHORES LOT 94 & THAT PT OF LOT 93 DESC BEG MOST W'LY COR OF LOT 93 TH CUR RT RAD 140.58FT ARC 0.51FT CB N66D03'20"E 0.51FT TH S27D44'08"E 72.03FT TH S88D04'07"W 5.55FT TH N24D02'54"W 70.79FT TO POB
Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential Medium

Request: Reducing of the rear setback from 25’ to 15’ to allow for the addition of a second bathroom in the existing master bedroom.

Specific Code Provisions: Sec. 110-206. – Setback requirements (2) Rear yard: 25 feet

I. Background

This structure was built in 1949 prior to the creation of the Madeira Beach Land Development Regulations which contains setback requirements. Currently, a portion of the current structure encroaches eight and a half feet into the rear setback with a covered wood deck. The proposed addition will allow for reconfiguring the master bedroom with the addition of a second bathroom. This proposed addition will be constructed in the southwest corner and will extend approximately no further than the existing encroachment of eight and a half feet.

II. Variance Criteria (Sec. 2-507(b)) and Analysis

(1) Special conditions and circumstances exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to the lands, building, or other structures in the same district. Special conditions to be considered shall include, but are not limited to, the following circumstances:

a. Substandard or irregular-shaped lot. If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including

irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations;

b. Significant vegetation or natural features. If the site contains significant native vegetation or other natural features;

c. Residential neighborhood character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;

d. Public facilities. If the proposed project involves the development of public parks, public facilities, schools, or public utilities;

e. Architectural and/or engineering considerations. If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

Findings: a. *Substandard or irregular shaped lot.* The lot has a depth of 75 feet which is 5 feet less than the minimum building site area required in the R-2 zoning district. The land area of 3,128 sq ft provided by the Pinellas County Property appraiser is also 872 sq feet and 21.8% smaller than the minimum required for a single family home in this zoning district.

(2) The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.

Findings: The hardship of the substandard property was not created by the property owner. The property was platted in 1949.

(3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.

Findings: Approval of the variance will not grant any special privilege to the property. Similar properties in this zoning district received comparable variances. 14901 and 14903 N. Bayshore Dr. was granted a variance to reduce their front setback to 15.1 feet and rear setback to 19 feet on April 28th, 2022 (VAR 2022-01) due to a lot depth of 75 feet (same as 14830 N. Bayshore Dr). 14910 N. Bayshore Dr. was granted a variance (SMVAR 2016-08) on July 12, 2016, to reduce the rear setback to ten feet and side yard setback to five feet on either side. This property, located down the block from 14830 N Bayshore Dr., has a larger land area of about 3,376 sf and similar land dimensions of 45x75.

(4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.

Finding: Literal interpretation of the code would reduce the buildable footprint of the lot since the lot depth is less than the now required 80'. Many other and newer properties in this neighborhood have been able to expand their livable footprint.

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land.

Findings: Granting the variance allows for an expansion of 6 feet x 11 feet to the rear of the existing single-family home, in line with the current perimeter of the house. This is a reasonable use of the land.

(6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Findings: The proposed renovations and extension are harmonious with the general intent and purpose of the city Land Development Regulations and will not negatively affect the character or the neighborhood. No noticeable changes would be readily visible from the street. Furthermore, none of the proposed work should impact water flow, water runoff, or other matters of public interest. The harmony of the neighborhood and general scheme of development of the neighborhood will be unchanged.

III. Staff Recommendation:

Staff recommends the approval of this variance.

Submitted by: Joseph Petraglia

Attachments: 1) Application
2) Site Plan of property and proposed floorplan
3) 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



SPECIAL MAGISTRATE – VARIANCE APPLICATION

*Applicant: Name and Address

Jason K. Holloway & Elizabeth Holloway

14830 N. Bayshore Drive, Madeira Beach, FL 33708

Telephone: (704) 787-1119

Email: j42662018@yahoo.com

*Property Owner: Name and Address

Jason K. Holloway & Elizabeth Holloway

_14830 N. Bayshore Drive, Madeira Beach, FL

33708

Telephone: (704) 787-1119

Email: j42662018@yahoo.com

Application for the property located at: (Street Address or Location of the Vacant Lot) _

14830 N. Bayshore Dr., Madeira Beach, FL, 33708

Legal Description: Lot 94 and the following portion of Lot 93: From a point of beginning at the most Westerly corner of said Lot 93 run by a curve to the right, radius 140.58m are 0.51 feet, chord North 66 degrees 03'20" East, 0.51 feet; thence South 27 degrees 44'08" East, 72.03 feet; then South 88 degrees 04'07" West 5.55 feet; thence North 24 degrees 02;54" West, 70.79 feet to the point of beginning, all in North Madeira Shores, according to the map or plat thereof, as recorded in Plat Book 23, Page 68, of the Public Records of Pinellas County, Florida.

Lot Area: 3,128

Width: 45 ft.

Depth: 75 ft.

Zoning District: R-2

Present Structures on Property: Single-family home

Present Use of Property: Single-family residence

Date Building Permit Request denied: August 10, 2023

Variance(s) needed from the zoning requirements: R-2 zoning, minimum rear setback

PLEASE ATTACH REQUIRED SUPPORTING MATERIALS:

SITE PLAN, PICTURES, DEED, SURVEYOR'S SKETCH, DRAWINGS, EXPLANATION, ETC.

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.



Special Magistrate Case #: _____

**** For City of Madeira Beach Use Only ****

Fee: \$1800 Check # 534 Cash Receipt # _____

Date Received: 9/13/23 Received by: Barbara Scott

Special Magistrate Case # Assigned: _____

Special Magistrate Hearing Date: ___/___/___ Approved Denied

- X Zoning Variance for Residential Dwelling Units (One, Two or Three Units) \$1,800.00 per Variance
- ___ Zoning Variance for Multi-Family, Tourist Dwellings or Commercial \$2,000.00 per Variance
- ___ After-the-fact Variance \$3,600.00 per Variance

X _____
Jenny Rowan, Community Development Director

Date: ___/___/___

X _____
Robin Gomez, City Manager

Date: ___/___/___

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Special Magistrate Case #:

APPLICATION (Must submit the following analysis)

This application to the Special Magistrate is requesting permission to: addition to the single-family home to add a bathroom.

The special magistrate shall authorize, upon application to appeal, after public notice has been given and public hearing held, such variance from the terms of the city land development regulations as not being contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the land development regulations, subpart B of this Code will result in unnecessary and undue hardship. In order to authorize any variance from the terms of the city land development regulations, the special magistrate shall consider the following criteria and shall find that the criteria has been satisfied in full and that a hardship exists.

On a separate attached page, explain in detail how your request meets City Code Sec. 2-507 by complying with the following rules. Please note that your explanation demonstrate that your request meets one or more of the conditions listed under criteria #1 below and that it also meets in full criteria 2 through 6 below:

1. Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

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Special Magistrate Case #: _____

2. Demonstrate that special condition (s) and circumstance (s) do not result from the actions of the applicant. A self-created hardship shall not justify a variance.
3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.
4. Demonstrate that the literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development regulations, subpart B of the code and would work unnecessary and undue hardship on the applicant.
5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land.
6. Demonstrate that the granting of the variance will be in harmony with the general intent and purpose of the City Land Development Regulations, and that such Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

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.

Special Magistrate Case #: _____

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 petition.

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.

It is hereby acknowledged 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.

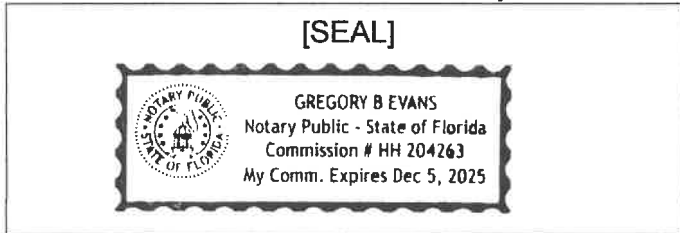
Appeals. (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing *de novo* but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

X Elizabeth Holloway _____ Date: 9 / 13 / 2023
Property Owner's Signature

STATE OF Florida

COUNTY OF Pinellas

Before me this 13th day of September, ~~2022~~ 2023, and Elizabeth Holloway and Jason Holloway 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 Driver license as identification.



Gregory B. Evans
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.

Special Magistrate Case #: _____

NON-OWNER (AGENT) 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 petition.

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.

It is hereby acknowledged 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. 2-109) 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 _____ Date: ____ / ____ / ____
Property Owner's Signature (If other than the property owner)

STATE OF _____

COUNTY OF _____

Before me this _____ day of _____, 2022, _____ 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.

[SEAL]

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.

FOR YOUR RECORDS

SPECIAL MAGISTRATE: REQUIREMENTS AND PROCEDURES (City Code Sec. 2-507)

- 1) Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.
- 2) The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.
- 3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.
- 4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.
- 5) The variance granted is the minimum variance that will make possible the reasonable use of the land.
- 6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

In granting any variance, the Special Magistrate may prescribe appropriate conditions and safeguards in conformity with the city land development regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of this Code. The Special Magistrate may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances except as permitted in the applicable zoning district of the city land development regulations. A nonconforming use of neighborhood lands, structures or buildings in the same zoning district shall not be considered grounds for the authorization of a variance. **Financial loss** standing alone is not sufficient justification for a variance.

The hearing will be conducted in the following manner:

1. Public notice will be read along with correspondence received.
2. City presents its case, and the applicant may cross-examine.
3. The Applicant presents his or her case supported by witnesses and evidence; and the City has the right to cross-examine each witness.
4. Public comment will only be solicited or received from parties directly affected by the variance. Individuals testifying do not have the right to cross-examine the parties.
5. Public participation will be closed, the Special Magistrate deliberates and makes a decision to grant or deny each variance requested in the application.

All variances granted by the Special Magistrate and not acted on within on (1) year of being granted will automatically expire.

The granting of a variance does not relieve the applicant from obtaining a building permit. The Special Magistrate does not have the authority to grant variances from the 100 Year Flood Level for Residential or Commercial Property.

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1. Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:

a. Substandard or irregular shaped lot. If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.

Below is a GIS image of Parcel Number 09-31-15-60858-000-0940. This lot has an irregular shape. The width of the lot narrows and tapers at the rear. This is due to the lot's positioning along the bend of N. Bayshore Drive. When compared with other lots on N. Bayshore Drive, it is smaller and less usable.



b. Significant vegetation or natural features. If the site contains significant native vegetation or other natural features;

The site does not contain features that would retain or impede the flow of water from the property. None of the proposed work would impact or change water flow or water retention.

c. Residential neighborhood character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;

The original block face of the neighboring house at 14900 N. Bayshore Dr. is setback slightly further than the applicant's property. However, the positioning of the applicant's structure on the lot is a product of the lot size, configuration, and irregular shape. Also, other property structures adjacent to that of the applicants extend further into legally non-conforming setbacks as seen on the last two pages. The proposed work would not alter the streetscape of the applicant's property.



d. Public facilities. If the proposed project involves the development of public parks, public facilities, schools, or public utilities;

This section is not applicable to this application because there is no work proposed to be completed on any public parks, facilities, schools, or public utilities.

e. Architectural and/or engineering considerations. If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

The work and materials used will meet current building code standards and will improve an existing structure on the property. This use of new materials and workmanship will, therefore, render the project more disaster resistant.

2. Demonstrate that special condition (s) and circumstance (s) do not result from the actions of the applicant. A self-created hardship shall not justify a variance.

The proposed work is not the result of a self-created hardship. The work will improve an existing structure on the property. The work is comparable in nature and form to improvements made to other neighboring properties, and blends with the scheme of development of the neighborhood.

3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.

Granting the variance will confer the applicant the same privilege currently enjoyed by other existing structures in the same zoning district. No special privilege is requested or implied.

4. Demonstrate that the literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development regulations, subpart B of the code and would work unnecessary and undue hardship on the applicant.

The subject property represents an older structure in the neighborhood that is functional and livable, but is ready for updating or upgrading. Casual observation indicates other neighboring properties have had the opportunity and occasion to be updated with more substantial renovations. Many of those properties are younger than the subject property. The applicant would experience undue hardship if the variance were denied because the property is in need of updating, denial of this opportunity could impact the value and salability of the property, denial could subject the property to increased and more frequent maintenance obligations, and denial would result in a less efficient and less attractive property.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land.

The proposed work is well within the boundaries of the property and would not infringe on the rights of any neighboring property owner. Excepting some negligible expansions, the proposed work mostly occupies the space currently used by an existing structure on the property. The variance would maximize the use of the land while maintaining the historic streetscape of the neighborhood and preserving the enjoyment neighbors have for their own properties.

6. Demonstrate that the granting of the variance will be in harmony with the general intent and purpose of the City Land Development Regulations, and that such Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The streetscape and street view of N. Bayshore Drive will be preserved and maintained if this variance is granted. No noticeable changes would be readily visible from the street. Furthermore, none of the proposed work should impact water flow, water runoff, or other matters of public interest. The harmony of the neighborhood and general scheme of development of the neighborhood will be unchanged.

Joseph Petraglia

From: j42662018@yahoo.com
Sent: Wednesday, September 27, 2023 12:14 PM
To: Joseph Petraglia
Cc: 'Elizabeth Holloway'
Subject: [e] Variance request for Holloway, 14830 N. Bayshore Dr.

Hello Joe.

Thank you for your time today. Per your request, we request to reduce the rear setback to be 15 feet.

Thank you,
Jason Holloway
704-787-1119

Disclaimer: Under Florida law (Florida Statute 668.6076), email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail to the City of Madeira Beach. Instead, contact the appropriate department/division.







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



SUBSTANTIAL IMPROVEMENT/DAMAGE PACKET

ITEMS REQUIRED TO DETERMINE SUBSTANTIAL IMPROVEMENT/DAMAGE

Applicant must submit the following (*Make sure you have an extra copy for your files*):

1. The completed building permit and substantial improvement/damage packet including the required 2 sets of (minimum) plans and documents;
2. An estimated Cost of Reconstruction/Improvement form, completed by a Licensed General Contractor, Architect, Engineer, or owner builder and signed by the Owner/Contractor or Contractor with a copy of his license certificate attached;
3. Pre-FIRM properties (built prior to December 31, 1974) undergoing alteration of a value that exceeds 25% of the Pinellas County approximate market value shall provide staff with an independent appraisal report;
4. Current photos of the structure, or photos before and after the storm;
5. Highlighted floor plan drawing showing area of structure to be repaired or altered;
6. Substantial Improvement/Construction Affidavit completed, signed, and dated;
7. An independent appraisal of the depreciated value of the structure will be used as the market value. It shall be noted on the appraisal that it is for FEMA purposes;
8. Any additions or new construction require a geotechnical report;
9. (2) Elevation Certificates (FEMA Form 81-31) are required for new construction and additions. An Elevation Certificate is required for showing the lowest living level at base flood elevation (BFE) plus 2 feet of freeboard and at final construction prior to receiving a Certificate of Occupancy; and
10. Declaration of Land Restriction (Non-conversion Agreement), completed, signed, and dated for new construction and additions to Post-FIRM structures.

Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to November 15, 2016. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. (Ord 2016-11, 11-15-2016)

APPLICATION FOR SUBSTANTIAL IMPROVEMENT/DAMAGE REVIEW

Tax Appraiser's Parcel ID# 09-31-15-60858-000-0940

Property Address: 14830 N. Bayshore Dr., Madeira Beach, FL 33708

Owner's Name: Elizabeth Holloway & Jason Holloway

Co-Owner's Name: _____

Owner's Mailing Address: 14830 N. Bayshore Dr., Madeira Beach, FL 33708

Owner's Phone Number: 704-604-3418

FIRM Panel: 12103C0191H

Flood Zone: AE

Base Flood Elevation: Please see attached elevation certificate

Lowest Floor Elevation (excluding garage): Please see attached elevation certificate

(GO TO WWW.MSC.FEMA.GOV FOR FLOOD MAPS AND INFORMATION)

Initial _____ I am attaching an independent appraisal report of my property.

Initial X I accept Pinellas County's Approximate Market Value

Initial _____ I accept the attached estimated cost of construction as a fair cost of repair or improvement for my structure.


Signature of Owner

9-13-2023
Date


Signature of Co-Owner

9-13-2023
Date

SUBSTANTIAL IMPROVEMENTS/DAMAGES

Items to be included:

All structural elements, including:

- Spread or continuous foundation footings and pilings
- Monolithic or other types of concrete slabs
- Bearing walls, tie beams, and trusses
- Wood or reinforced concrete decking or roofing
- Floors and ceilings
- Attached decks and porches
- Interior partition walls
- Exterior wall finishes (e.g. brick, stucco or siding)
- Windows and doors
- Re-shingling or re-tiling a roof
- Hardware

All interior finish elements, including:

- Tiling, linoleum, stone, or carpet over sub-flooring
- Bathroom tiling and fixtures
- Wall finishes, including drywall, painting, stucco, plaster, paneling, marble or other decorative finishes
- Kitchen, utility and bathroom cabinets
- Built-in book cases, cabinets and furniture
- Hardware

All utility and service equipment

- HVAC equipment
- Repair or reconstruction of plumbing and electrical services
- Light fixtures and ceiling fans
- Security systems
- Built-in kitchen appliances
- Central vacuum systems
- Water filtration, conditioning or recirculation systems

Also:

- Labor and other costs associated with demolishing, removing, or altering building components
- Construction supervision and/or management
- Equivalent costs of work done by owner and volunteers
- Overhead and profit

Items to be excluded:

- Plans and specifications
- Survey costs
- Permit fees
- Debris removal (e.g. removal of debris from building or lot, dumpster rental, transport fees to landfill tipping fees) and cleanup (e.g. dirt and mud removal, building dry-out, etc.)
- Items not considered real property, such as throw rugs, furniture, refrigerator, stoves not built-in, etc.
- Landscaping
- Sidewalks
- Fences
- Yard lights
- Swimming pools
- Screened pool enclosures
- Sheds
- Gazebos
- Detached structures (including garages)
- Landscape irrigation

ESTIMATED COST OF IMPROVEMENTS/RECONSTRUCTION

Parcel ID#: 09-31-15-60858-000-0940
 Property Address: 14830 N. Bayshore Dr., Madeira Beach, FL 33708

This Cost of Estimate of Improvement/Reconstruction must be prepared and signed by a licensed General Contractor, Architect, Engineer or Owner/Builder

BUILDING

(Materials and Labor Cost are required)

ITEMS	MATERIALS COST	LABOR COST	TOTAL COST
Demolition	\$1504.04	\$2,874.04	\$4,378.08
Foundation, Slab(s)	\$2,401.76	\$5,102.64	\$7,504.40
Drywall	\$935.56	\$1,475.88	\$2,411.44
Bearing Walls, Tie Beams, Trusses			
Framing, Joists, Beams, Subflooring	\$336.98	\$1,379.27	\$1,715.27
Interior Non-Bearing Walls	\$435.62	\$822.38	\$1,258.00
Exterior Finishes (Stucco, Siding, Painting, Trim, Brick, etc.)	\$438.78	\$960.31	\$1,399.09
Windows and Exterior Doors	\$265.16	\$397.74	\$662.90
Cabinets / Vanities / Countertops		\$1,265.56	\$1,265.56
Hardware			
Attached Decks & Porches			
Floor Covering	\$189.23	\$757.41	\$946.64
Bathroom Tile / Kitchen Tile	\$1,436.72	\$3,552.12	\$4,988.84
Wall Finish / Painting / Covering	\$626.32	\$1,189.47	\$1,815.79
Built-In Appliances			
Built-In Cabinets, Bookcases, Furniture, Mirrors, Closet Shelving			
Interior Doors	\$327.38	\$260.60	\$587.98
Baseboards / Crown Molding / Trim Boards	\$334.92	\$494.32	\$829.24
Hardware (Strapping, bolts, screws, etc)			
Insulation			

Fireplace / Hearth / Mantel / Chimney			
Stairs / Handrails / Guardrails			
BUILDING TOTAL			\$ 29,763.23

ELECTRICAL

(Materials and Labor Cost are required)

ITEMS	MATERIALS COST	LABOR COST	TOTAL COST
Electrical Wiring	\$1,874.69	\$4,043.45	\$5,918.14
Electrical Fixtures, Ceiling Fans, Outlets, Switches	\$797.62	\$2,040.40	\$2,837.40
Security System, Intercom System			
Smoke Detectors			
Electrical Panel(s) & Meter Base(s)			
ELECTRICAL TOTAL			\$ 8,755.54

PLUMBING

(Materials and Labor Cost are required)

ITEMS	MATERIALS COST	LABOR COST	TOTAL COST
Plumbing Piping	\$1,801.23	\$3,362.17	\$5,163.40
Plumbing Fixtures		\$840.60	\$840.60
Water Heaters			
Water Filtration, Conditioning and Recirculation Systems			
PLUMBING TOTAL			\$ 6,004.00

MECHANICAL
(Materials and Labor Cost are required)

ITEMS	MATERIALS COST	LABOR COST	TOTAL COST
HVAC Equipment			
Ductwork, Grills	\$234.62	\$208.24	\$442.86
Bathroom Fan(s), Range Hood, Central Vacuum, Dryer Exhaust	\$214.08	\$208.24	\$422.32
MECHANICAL TOTAL			\$ 865.18

GAS
(Materials and Labor Cost are required)

ITEMS	MATERIALS COST	LABOR COST	TOTAL COST
Gas Piping			
Gas Tank			
GAS TOTAL			\$

ROOF
(Materials and Labor Cost are required)

ITEMS	MATERIALS COST	LABOR COST	TOTAL COST
Shingles, Underlayment, Mod Bit	\$2,001.41	\$3,002.11	\$5,003.52
Gutters, Downspouts			
ROOF TOTAL			\$ 5,003.52

MISCELLANEOUS
(Materials and Labor Cost are required)

ITEMS	MATERIALS COST	LABOR COST	TOTAL COST
Construction Management & Supervision		\$6,000.00	\$6,000.00
Overhead & Profit		\$8,780.43	\$8,780.43
Sales Tax on Materials	\$1,240.64		\$1,240.64
ITEMS PURCHASED BY HOMEOWNER			
MISCELLANEOUS TOTAL			\$ 16,021.07

TOTALS	
BUILDING TOTAL	\$ 29,763.23
ELECTRIC TOTAL	\$ 8,755.54
PLUMBING TOTAL	\$ 6,004.00
MECHANICAL TOTAL	\$ 865.18
GAS TOTAL	\$
ROOF TOTAL	\$ 5,003.52
MISCELLANEOUS TOTAL	\$ 16,021.07
TOTAL	\$66,412.54
(THE 10% CONTINGENCY IS REQUIRED)	\$ \$6,641.25
10% CONTINGENCY	
GRAND TOTAL	\$ \$73,053.79

The value placed on all donated or discounted materials should be equal to the actual or estimated cost of such materials and must be included in the total cost. Where materials or servicing equipment are donated or discounted below normal market values, the value should be adjusted to an amount that would be equivalent to that estimated through normal market transactions. *Section 4.4.4**

The situation described above that involves donated or discounted materials may also involve volunteer labor. Also, property owners may undertake fairly significant improvement and repair projects on their own. In both cases, the normal "market" value or "going rate" for labor must be included in the estimates of the cost of improvement and the costs to repair. *Section 4.4.5**

I understand that I am subject to enforcement, penalties and / or fines for violation if inspection of the property reveals that I have made additions, renovations or remodeling to the property which were not included in the permit documents.

Violating the FEMA improvement threshold may result in removal of improvement work, revocation of the Certificate of Occupancy for the building, and/or an order to remove the structure.

(PLEASE attach any additional information)

Contractor's Name: Frank Fulghum License #: CBC060542-CBC1263686

Address: 14308 Knoll Ridge Dr. Tampa FL Phone: 813-503-4942
33625

Contractor's Signature:  Date: 9/9/23

**FEMA P-758/May 2010 "Substantial Improvement/Substantial Damage Desk Reference", Chapter 4, Making Substantial Improvement and Substantial Damage Determinations.*

CONTRACTOR

IMPROVEMENT/RECONSTRUCTION AFFIDAVIT

Parcel ID#: 09-31-15-60858-000-0940

Owner's Name: Elizabeth Holloway & Jason Holloway

Phone: 704-604-3418 Email: Jason.Holloway@sclogistics.com

Address: 14830 N. Bayshore Dr., Madeira Beach, FL
33708

Contractor's Name: Frank Fulghum License #: CBC060542-CBC1263686

I hereby attest to the fact that I, or a member of my staff, personally inspected the above-mentioned property and produced the attached itemized list of repairs/reconstructions and/or remodeling which is hereby submitted for the **SUBSTANTIAL IMPROVEMENT/DAMAGE REVIEW**. These listed damages/improvements are **ALL of the improvements/damages** sustained by this structure and all additions, improvements, or repairs proposed on the subject building are included in this estimate.

I understand that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made repairs **NOT included on the attached list of improvements/repairs**, or improvements or illegal structures/additions to the existing structure without having present plans for such additions. I understand that any permit issued by the City of Madeira Beach pursuant to this affidavit does not authorize the reconstruction, repair or maintenance of any illegal additions, fences, sheds or non-conforming uses or structures on the subject property.

Total Labor and Materials	<u>\$ 51,632.11</u>
Overhead and Profit	<u>\$ 14,780.43</u>
10% Contingency	<u>\$ 6,641.25</u>
TOTAL COST	<u>\$ 73,053.79</u>

Frank Fulghum
Contractor Signature

STATE OF Florida

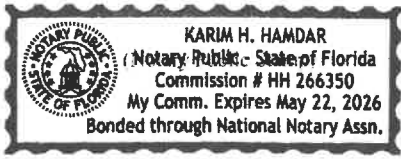
COUNTY OF Hillsborough

Before me this day personally appeared Frank Fulghum who, being duly sworn disposes and says that s/he has read, understands, and agrees to comply with all the aforementioned conditions.

Sworn and subscribed before me this 12th day of September, 2023. Personally known or produced personally known as identification.

[Signature]
Notary Public
Commission #: HH266350

Date Commission Expires: 05/22/2026



OWNER
IMPROVEMENT/RECONSTRUCTION AFFIDAVIT

Parcel ID#: 09-31-15-60858-000-0940
Owner's Name: Elizabeth Holloway & Jason Holloway
Phone: 704-604-3418 Email: Elizabethwatkinsholloway@gmail.com
Address: 14830 N. Bayshore Dr., Madeira Beach, FL 33708
Contractor's Name: Frank Fulghum License #: CBC060542-CBC1263686

I hereby attest to the fact that I, or a member of my staff, personally inspected the above-mentioned property and produced the attached itemized list of repairs/reconstructions and/or remodeling which is hereby submitted for the **SUBSTANTIAL IMPROVEMENT/DAMAGE REVIEW**. These listed damages/improvements are **ALL of the improvements/damages** sustained by this structure and all additions, improvements, or repairs proposed on the subject building are included in this estimate.

I understand that I am subject to enforcement action and/or fines if inspection of the property reveals that I have made repairs **NOT included on the attached list of improvements/repairs**, or improvements or illegal structures/additions to the existing structure without having present plans for such additions. I understand that any permit issued by the City of Madeira Beach pursuant to this affidavit does not authorize the reconstruction, repair or maintenance of any illegal additions, fences, sheds or non-conforming uses or structures on the subject property.

TOTAL COST \$ 73,053.79

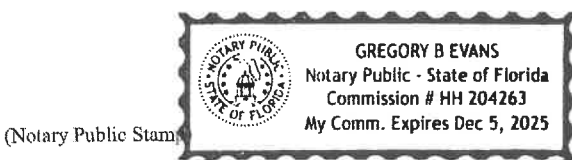
Elizabeth Holloway Jason Holloway
Owner Signature *Co-Owner Signature*

STATE OF Florida
COUNTY OF Pinellas

Elizabeth Holloway

Before me this day personally appeared and Jason Holloway who, being duly sworn disposes and says that s/he has read, understands, and agrees to comply with all the aforementioned conditions.

Sworn and subscribed before me this 13th day of September, 2023. Personally known or produced Driver License as identification.



Gregory B Evans
Notary Public
Commission #: HH 204263
Date Commission Expires: Dec 5, 2025

Prepared by and return to:

Synergy Title Partners, LLC
15027 Gulf Blvd
Madeira Beach, FL 33708

File Number: 1480STP20
Consideration: \$325,000.00

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 14th day of July, 2020, between Jeffrey Gocken and Arlene Gocken, husband and wife and as Trustees of the Jeffrey and Arlene Gocken Living Trust Dated July 12, 2017, whose post office address is, 163 Scenic Dr, Hot Springs, AR.71913, Grantor, and Elizabeth Holloway and Jason K. Holloway, husband and wife whose post office address is 3281 Westridge Lane SW, Concord, NC 28027, Grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the Pinellas FL, to-wit:

Lot 94 and the following portion of Lot 93: From a point of beginning at the most Westerly corner of said Lot 93 run by a curve to the right, radius 140.58 feet, arc 0.51 feet, chord North 66 degrees 03'20" East, 0.51 feet; thence South 27°44'08" East, 72.03 feet; thence South 88° 04'07" West, 5.55 feet; thence North 24°02'54" West, 70.79 feet to the point of beginning, all in NORTH MADEIRA SHORES, according to the map or plat thereof, as recorded in Plat Book 23, Page 68, of the Public Records of Pinellas County, Florida.

Parcel Identification Number: 09-31-15-60858-000-0940

Property address: 14830 N. Bayshore Drive, Madeira Beach, FL 33708

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2019.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Jeffrey Gocken individually and as Trustee of the Jeffrey and Arlene Gocken Living Trust Dated July 12, 2017

Tonya Gayle Graham
Witness Name: Tonya Gayle Graham

X *Jeffrey Gocken*
By Jeffrey Gocken

Sue Graham
Witness Name: Sue Graham

Arlene Gocken individually and as Trustee of the Jeffrey and Arlene Gocken Living Trust Dated July 12, 2017

X *Arlene Gocken*
By Arlene Gocken

State of AR
County of Garland

The foregoing instrument was acknowledged before me this 14th day of July, 2020, by Jeffrey Gocken and Arlene Gocken as Trustees of the Jeffrey and Arlene Gocken Living Trust Dated July 12, 2017, they () are personally known to me or () have produced Driver's License as identification.

TONYA GAYLE GRAHAM
NOTARY PUBLIC - ARKANSAS
GARLAND COUNTY
My Commission Expires 03-15-2027
Commission # 12359395

Tonya Gayle Graham
Notary Public
Printed Name: Tonya Gayle Graham
My Commission Expires: 3-15-2027

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name ARLENE GOCKEN				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE				Company NAIC Number:	
City MADEIRA BEACH		State Florida		ZIP Code 33708	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) TAX PARCEL NUMBER 093115608580000940					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>27.80043</u> Long. <u>-82.79712</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>8</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>951</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>28</u>					
c) Total net area of flood openings in A8.b <u>700</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A9.b <u>N/A</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number CITY OF MADEIRA BEACH 125127			B2. County Name PINELLAS COUNTY		B3. State Florida
B4. Map/Panel Number 12103C0191	B5. Suffix G	B6. FIRM Index Date 08/18/2009	B7. FIRM Panel Effective/ Revised Date 09/03/2003	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 10 FT.
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: <u>N/A</u> <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: PINELLAS CO. B.M. AG5434 Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.


Check the measurement used.

- a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 3.6 feet meters
- b) Top of the next higher floor 5.4 feet meters
- c) Bottom of the lowest horizontal structural member (V Zones only) N.A feet meters
- d) Attached garage (top of slab) N.A feet meters
- e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) 4.1 feet meters
- f) Lowest adjacent (finished) grade next to building (LAG) 3.6 feet meters
- g) Highest adjacent (finished) grade next to building (HAG) 3.8 feet meters
- h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support N.A feet meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No Check here if attachments.

Certifier's Name CLYDE MCNEAL	License Number LB 8111
Title SURVEYOR	
Company Name NEXGEN SURVEYING, LLC.	
Address 5601 CORPORATE WAY, SUITE 103	
City WEST PALM BEACH	State Florida
	ZIP Code 33407
Signature 	Date 08/02/2019
	Telephone (561) 508-6272

Clyde O. McNeal
Digitally signed by Clyde O. McNeal
Date: 2019.08.02 11:42:26 -04'00'

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

Latitude/Longitude in A5 derived from Google Maps. Machinery/Equipment in C2e is an A/C Pad.

ELEVATION CERTIFICATE

OMB No. 1660-0008
 Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

**SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED)
 FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ N . A _____ feet meters above or below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ N . A _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ N . A _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ N . A _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ N . A _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

Address _____ City _____ State _____ ZIP Code _____
 Florida

Signature _____ Date _____ Telephone _____

Comments

Check here if attachments.

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued
-------------------	------------------------	---

G7. This permit has been issued for: New Construction Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum _____

G9. BFE or (in Zone AO) depth of flooding at the building site: _____ feet meters Datum _____

G10. Community's design flood elevation: _____ feet meters Datum _____

Local Official's Name _____ Title _____

Community Name _____ Telephone _____

Signature _____ Date _____

Comments (including type of equipment and location, per C2(e), if applicable)

Check here if attachments.

BUILDING PHOTOGRAPHS

See Instructions for Item A6.

OMB No. 1660-0008
 Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One Caption Photo Taken 07/31/2019 "Front View"



Photo Two Caption Photo Taken 07/31/2019 "Rear View"

BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Photo One Caption Photo Taken 07/31/2019 "Side View"



Photo Two Caption Photo Taken 07/31/2019 "Side View with A/C"

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name ARLENE GOCKEN				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE				Company NAIC Number:	
City MADEIRA BEACH		State Florida		ZIP Code 33708	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) TAX PARCEL NUMBER 093115608580000940					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>27.80043</u> Long. <u>-82.79712</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>8</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>951</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>28</u>					
c) Total net area of flood openings in A8.b <u>700</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A9.b <u>N/A</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number CITY OF MADEIRA BEACH 125127			B2. County Name PINELLAS COUNTY		B3. State Florida
B4. Map/Panel Number 12103C0191	B5. Suffix G	B6. FIRM Index Date 08/18/2009	B7. FIRM Panel Effective/ Revised Date 09/03/2003	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 10 FT.
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: <u>N/A</u> <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: PINELLAS CO. B.M. AG5434 Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.


Check the measurement used.

- a) Top of bottom floor (including basement, crawlspace, or enclosure floor) 3.6 feet meters
- b) Top of the next higher floor 5.4 feet meters
- c) Bottom of the lowest horizontal structural member (V Zones only) N.A feet meters
- d) Attached garage (top of slab) N.A feet meters
- e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) 4.1 feet meters
- f) Lowest adjacent (finished) grade next to building (LAG) 3.6 feet meters
- g) Highest adjacent (finished) grade next to building (HAG) 3.8 feet meters
- h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support N.A feet meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No Check here if attachments.

Certifier's Name CLYDE MCNEAL	License Number LB 8111
Title SURVEYOR	
Company Name NEXGEN SURVEYING, LLC.	
Address 5601 CORPORATE WAY, SUITE 103	
City WEST PALM BEACH	State Florida
	ZIP Code 33407
Signature 	Date 08/02/2019
	Telephone (561) 508-6272

Clyde O. McNeal
Digitally signed by Clyde O. McNeal
Date: 2019.08.02 11:42:26 -04'00'

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

Latitude/Longitude in A5 derived from Google Maps. Machinery/Equipment in C2e is an A/C Pad.

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

**SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED)
FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ N . A _____ feet meters above or below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ N . A _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ N . A _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ N . A _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ N . A _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

Address	City	State	ZIP Code
		Florida	

Signature	Date	Telephone

Comments

Check here if attachments.

ELEVATION CERTIFICATE

OMB No. 1660-0008
 Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1. The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued
-------------------	------------------------	---

- G7. This permit has been issued for: New Construction Substantial Improvement
- G8. Elevation of as-built lowest floor (including basement) of the building: _____ feet meters Datum _____
- G9. BFE or (in Zone AO) depth of flooding at the building site: _____ feet meters Datum _____
- G10. Community's design flood elevation: _____ feet meters Datum _____

Local Official's Name	Title
Community Name	Telephone
Signature	Date

Comments (including type of equipment and location, per C2(e), if applicable)

Check here if attachments.

BUILDING PHOTOGRAPHS

OMB No. 1660-0008
 Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

See Instructions for Item A6.

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One Caption Photo Taken 07/31/2019 "Front View"



Photo Two Caption Photo Taken 07/31/2019 "Rear View"

BUILDING PHOTOGRAPHS

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

Continuation Page

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14830 N. BAYSHORE DRIVE			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Photo One Caption Photo Taken 07/31/2019 "Side View"



Photo Two Caption Photo Taken 07/31/2019 "Side View with A/C"

Renovation @ 14830 N Bayshore

LOCATION:
14830 N BAYSHORE DR
MADEIRA BEACH, FL 33708

CODE REFERENCE:
ALL CONSTRUCTION TO COMPLY WITH CURRENTLY ADOPTED CODES, INCLUDING, BUT NOT LIMITED TO 2020 FLORIDA BUILDING CODE 7th EDITION, RESIDENTIAL, 2017 N.E.C.

PROPOSED OCCUPANCY:
RESIDENTIAL (R3)
UNPROTECTED CONSTRUCTION / NON SPRINKLERED BUILDING TYPE: VB

LEGAL DESCRIPTION:
NORTH MADEIRA SHORES LOT 94 & THAT PT OF LOT 93 DESC BEG MOST WLY COR OF LOT 93 TH CUR RT RAD 140.58FT ARC 0.51FT CB N66D0327°E 0.51FT TH S27D44°08'E 72.03FT TH S88D04°07'W 5.55FT TH N24D02°54'W 70.79FT TO POB

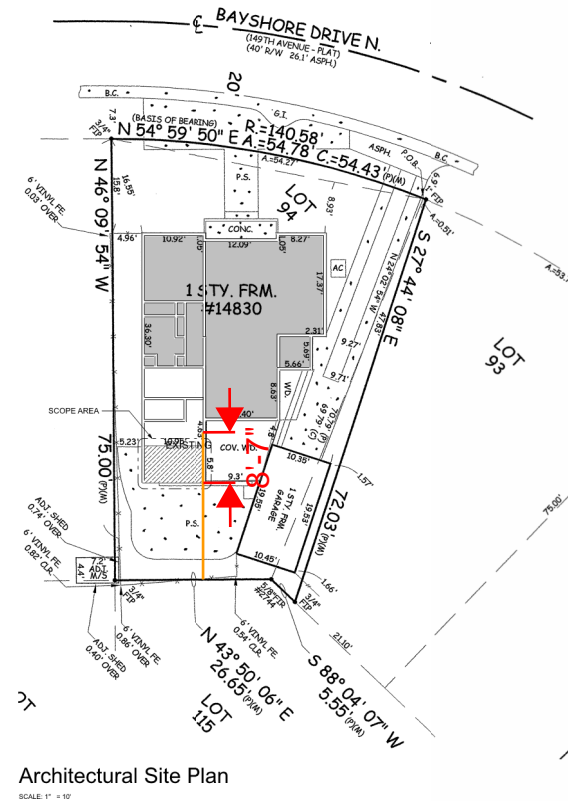
SCOPE OF WORK:
MASTER BEDROOM ADDITION/RENOVATION

AREA:

EXISTING LIVING (AC)	=	951 SF
PROPOSED LIVING (AC)	=	66 SF (ADDITION)
TOTAL AC (PROPOSED)	=	1,017 SF
EXISTING NON-AC	=	358 SF
TOTAL	=	1,375 SF

SHEET INDEX

General Drawings	G-001	Cover Sheet
Structural Drawings	S-001	Foundation Plan
Floor Plans	A-101	Floor Plan
Roof Plans	A-102	Roof Plan
	A-103	Roof Details
Elevations	A-201	Exterior Elevations / Sections
Details	A-501	Details



Architectural Site Plan
SCALE: 1" = 10'

Digitally signed
by Howard T
Hersom
Date:
2023.04.20
11:48:23 -04'00'

ARCHITECT:
H. THAYER HERSOM
211 South Treasure Drive
Tampa, FL 33609



Location
NOT TO SCALE

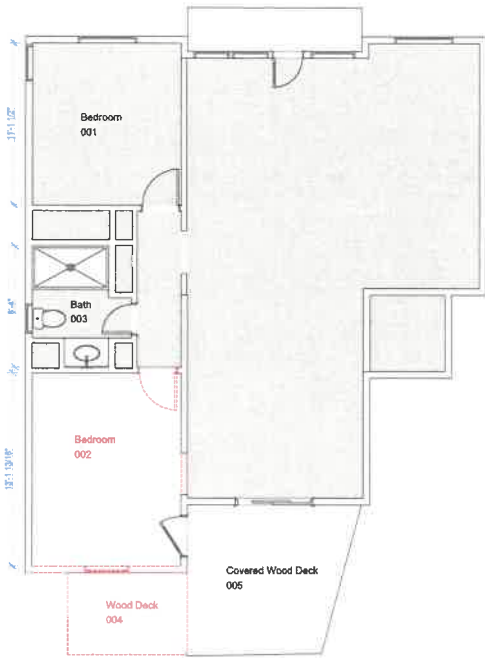
PHONE NO.:	(813) 918-4032
CLAIM NAME:	Signature Flooding
DATE:	4/18/2023
DRAWN BY:	G. CONTACT



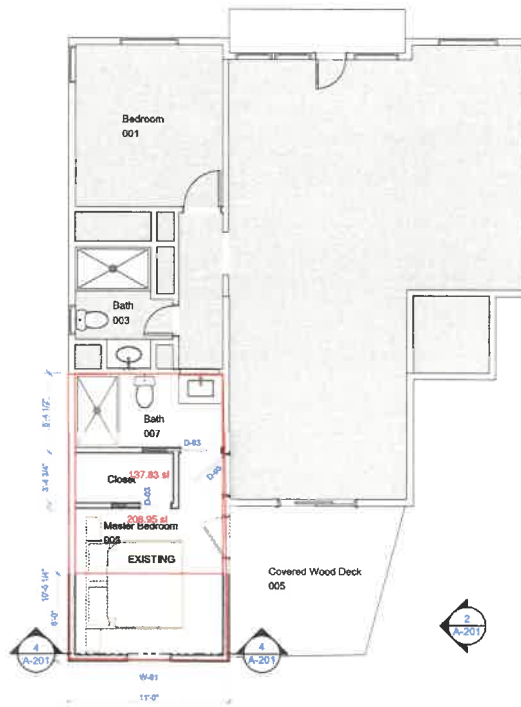
THIS SEAL HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY:
H. THAYER HERSOM, JR. ARCHITECT
UNPROTECTED CONSTRUCTION - NON SPRINKLERED BUILDING TYPE: VB
PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED AGAIN ELECTRONIC COPIES

Renovation @ 14830 N Bayshore
Cover Sheet

Project number:	D2023017
Project Status:	Design
DWG No.:	G-001



Floor Plan - Existing
SCALE 1/4" = 1'-0"

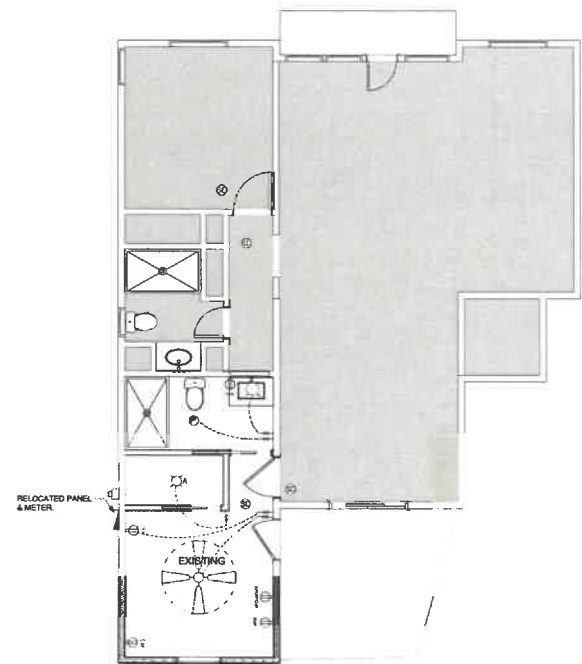


Floor Plan - Proposed
SCALE 1/4" = 1'-0"

New Construction
5'8" x 10'9" = 61sf
61sf x \$166.08 = \$10,130.88

Renovation
11' x (5'4" + 3'4" + (10'5" - 6')) = 143.8sf
143.8sf x \$66.48 = \$9,562.70

Minimum ICC Value = \$19,693.58



Electrical - Proposed
SCALE 1/4" = 1'-0"

ELECTRICAL LEGEND

[Symbol]	Ceiling Lamp Fixture	
[Symbol]	Smoke Alarm Backward Reflector	Hardwired Inter-Connectivity / 120V / 2 Wire
[Symbol]	Outlet Box	
[Symbol]	Face Light Combination	
[Symbol]	Face Light Combination	
[Symbol]	Recessed Ceiling Light	
[Symbol]	Warranty Light	
[Symbol]	Flushmount Light	
[Symbol]	200V Outlet	
[Symbol]	Outlet Outlet	
[Symbol]	Outlet Outlet - Weather Protected	
[Symbol]	Outlet Outlet - Microchannel	
[Symbol]	Outlet Outlet - Ground Fault Circuit Interrupter	
[Symbol]	Outlet Outlet - Arc Fault Circuit Interrupter	
[Symbol]	Outlet Floor Outlet	
[Symbol]	Ceiling Outlet Outlet (Double Dimmer Output)	
[Symbol]	Switch Outlet	
[Symbol]	Switch	
[Symbol]	3 Way Switch	
[Symbol]	Panel, Disconnect	

ARCHITECT:
H. THAYER HERSON
211 South Treasure Drive
Tampa, FL 33609

OTTaZ
DESIGN & BUILD
WWW.FAZEROCK.COM/OTTADDESIGN/BUILD

Site Address:
14830 N Bayshore MADEIRA BEACH FL 33708
Client Name:
Signatures Flooring
Project Name:
PAPT BATH
Phone No.:(813) 918-4032
Date:
4/18/2023



Renovation @ 14830 N Bayshore
Floor Plan

Project Number:
D2023017
Project Status:
Design
Date:
09/25/2023

A-101



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, October 23rd, 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:** VAR 2023-04
- Applicant(s):** Jason K. Holloway & Elizabeth Holloway
- Property Owner(s):** Jason K. Holloway & Elizabeth Holloway
- Property Address:** 14830 N. Bayshore Drive, Madeira Beach, FL 33708
- Parcel ID:** 09-31-15-60858-000-0940

Legal Description: NORTH MADEIRA SHORES LOT 94 & THAT PT OF LOT 93 DESC BEG MOST W'LY COR OF LOT 93 TH CUR RT RAD 140.58FT ARC 0.51FT CB N66D03'20"E 0.51FT TH S27D44'08"E 72.03FT TH S88D04'07"W 5.55FT TH N24D02'54"W 70.79FT TO POB

Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential Medium

Request: Reducing of the rear setback from 25’ to 15’ to allow for the addition of a second bathroom in the existing master bedroom.

Specific Code Provisions: Sec. 110-206. – Setback requirements (2) Rear yard: 25 feet

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: October 12, 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/>



AFFIDAVIT OF POSTING

Date: 10/12/2023

Postings for: VAR-2023-04

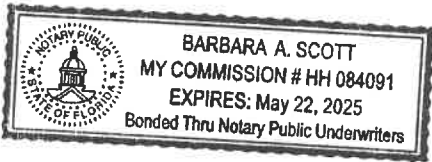
Before me this day Joseph Petraglia personally appeared. He/she has posted public notices at the locations indicated in the notice document(s).

[Signature]
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to and subscribed before me this 12th day of October, 20 23.

Personally known or produced _____ as identification.



Notary Public Stamp

[Signature]
Notary Public

10/12/23
Date

*Copy of public notice is attached.



AFFIDAVIT OF MAILING

Date: 10/12/2023

Mailings for Case # VAR-2023-04

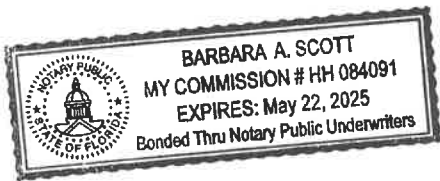
Before me this day Joseph Peraglia personally appeared. He/she has mailed public notices to property owners within a 300 foot radius of the subject property.

[Signature]
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn and subscribed before me this 6th day of October, 20 23.

Personally known or produced _____ as identification.



Notary Public Stamp

Barbara A Scott
Notary Public

10/12/23
Date

*Copy of public notice is attached.



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.gov

mike@pcpao.gov

Run Date: 06 Oct 2023

Subject Parcel: 09-31-15-60858-000-0940

Radius: 300 feet

Parcel Count: 68

Total pages: 4

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.

DEL VECCHIO, JOSEPH L REV DECLARATION TRUST
DEL VECCHIO, JOSEPH L TRE
6306 VISTA VERDE DR E
GULFPORT, FL 33707-6911

BURDA, LAURA DENISE TRE
BURDA, LAURA DENISE TRUST
130 148TH AVE E
MADEIRA BEACH, FL 33708

IRESON, JASON W
IRESON, KIRSTEN R
329 E MADEIRA AVE
MADEIRA BEACH, FL 33708-2019

PARVEZ, ARMD NASIM
PARVEZ, SHARMEEN
144 147TH AVE E
MADEIRA BEACH, FL 33708-2083

KEYS, RANDALL W TRE
KEYS, RANDALL W REV TRUST
356 145TH AVE E
MADEIRA BEACH, FL 33708-2116

CRUZ, BENITO E
CRUZ, DIANE M
147 147TH AVE E
MADEIRA BEACH, FL 33708-2125

BUCHYNSKI, CHERYLL A
PISCIOTTA, PETER P
182 148TH AVE E
MADEIRA BEACH, FL 33708-2130

DRUDING, MICHAEL JAMES
DRUDING, STEPHANIE E
174 148TH AVE E
MADEIRA BEACH, FL 33708-2130

SCHWAB, KATHY
SCHWAB, GREG
150 148TH AVE E
MADEIRA BEACH, FL 33708-2130

WELDE, PEER ERIC
WELDE, LISA
253 148TH AVE E
MADEIRA BEACH, FL 33708-2131

GUERRERO, JORGE ANTONIO CAINAS TRE
OROZCO, MAYLAN MORFA TRE
241 148TH AVE E
MADEIRA BEACH, FL 33708-2131

BEAUDOIN, ERIC
BELTRANO, FABIOLA
213 148TH AVE E
MADEIRA BEACH, FL 33708-2131

MCLAUCHLAN, JUDITHANNE S
MCLAUGHLAN, D C RAMSAY
218 148TH AVE E
MADEIRA BEACH, FL 33708-2132

JOURDAIN, VICTOR
GRAFF, MEGAN
14791 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2139

BINGHAM, SHIRLEY
BINGHAM, WOLFORD F
14845 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2141

ANDERSON, TIMOTHY G
ANDERSON, CAROLE W
14815 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2141

BAKER, GORDON C TRE
BAKER, PATRICIA A TRE
14909 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2143

ABBOTT, RONALD G
ABBOTT, DONNA L
14905 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2143

PHILLIPS, DAVID J
PHILLIPS, PAMELA L
14911 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2143

DOLCE, JESSE J TRE
GROVER, DARON M TRE
14904 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2144

TANNEHILL, VICKI L
TANNEHILL, CAROL A
150 147TH AVE E
MADEIRA BEACH, FL 33708-2295

YANNESSA, BENJAMIN
YANNESSA, KELLY
576 LILLIAN DR
MADEIRA BEACH, FL 33708-2332

CHASSIN, GREG
CHASSIN, NATALIYA
14080 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

PAGE, ROBERT A EST
C/O PAGE, JACQUELINE PR
14800 N BAYSHORE DR UNIT 2
MADEIRA BEACH, FL 33708-2592

NEWMAN, JAMES STUART
NEWMAN, JENNIFER S
8621 CREEKWOOD DR
MAINEVILLE, OH 45039-9504

SANTOYO, FRANK
SANTOYO, AGELIKI
4932 YELLOWSTONE DR
NEW PORT RICHEY, FL 34655-4379

FRETZ, BRADLEY M
FRETZ, PAMELA J
1204-33 CHESTERFIELD PL
NORTH VANCOUVER BC V7M 3K4,
CANADA

LYNCH, STEVE
LYNCH, AMY
30 E HARVARD ST
ORLANDO, FL 32804-5051

VENUTI, PAUL
VENUTI, DIANE M
10253 COASTAL SHORES DR
PARRISH, FL 34219-1313

FEUSTEL, MICHAEL J & MELISSA ANN TRUST
FEUSTEL, MICHAEL J TRE
311 INDIAN BLFS NE
SPARTA, MI 49345-8495

PISCIOTTA, PETER P
BUCHYNSKI, CHERYLL
7740 BOCA CIEGA DR APT 211
ST PETE BEACH, FL 33706-1753

POWELL, MARILYN J LIVING TRUST
POWELL, MARILYN J TRE
320 13TH AVE N
ST PETERSBURG, FL 33701-1143

LINDEN, KRISTINE
SEAMAN, SARAH
180 148TH AVE E
ST PETERSBURG, FL 33708-2130

MOUGHAN, YANA A
MOUGHAN, WILLIAM GEORGE
14910 N BAYSHORE DR
ST PETERSBURG, FL 33708-4100

ANGERS, CHARLOTTE
ANGERS, ALEXANDRE
7020 38TH AVE N
ST PETERSBURG, FL 33710-1332

HUTTON, CHRISTOPHER J TRE
HUTTON, CHRISTOPHER REV TRUST
3118 W BAY VILLA AVE
TAMPA, FL 33611-1502

MARSELLA, CLAUDIO
MARSELLA, CHRISTINE A
3004 W BAY VILLA AVE
TAMPA, FL 33611-1608

SEMIAO, FERNANDO
SEMIAO, ANTONIA DEFEO
20 TURNER LN
TOWACO, NJ 07082-1455

IDEHEN, GABRIELA
ISE-IDEHEN, JUDE IKPONMWOSA
1 E STREET MARKS PL
VALLEY STREAM, NY 11580

BECK, SARAH
BECK, MATTHEW
2828 INGEBOG CT
WINDERMERE, FL 34786-8200

PAGE, ROBERT A EST
14800 N BAYSHORE DR UNIT 2
MADEIRA BEACH, FL 33708-2592

D J M A K LLC
14033 PALM ST
MADEIRA BEACH, FL 33708-2216

ROSSI, PETER L
100 MAXWELL RD
LATHAM, NY 12110-5131

KREITZ, RHONDA L
14914 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2144

HELTON, DOUGLAS E
12375 4TH ST E
TREASURE ISLAND, FL 33706-4428

HOUSER, JEFF
301 E MADEIRA AVE
MADEIRA BEACH, FL 33708-2019

PHILLIP, CHARLES
184 OHANA LN
BROOKSVILLE, FL 34604-6898

WFLND LLC
1835 INDIAN ROCKS RD
LARGO, FL 33774-1030

COVINGTON, DAVID C
2070 KANSAS AVE NE
ST PETERSBURG, FL 33703-3432

AUDETTE, JAMES MARC
325 E MADEIRA AVE
MADEIRA BEACH, FL 33708-2019

MATJEVICH, OTTO
325 HIGHLAND AVE EXT
MIDDLETOWN, NY 10940-4437

CHIVINGTON, JEAN L
14902 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2144

CASSITY, MATTHEW
261 E MADEIRA AVE
MADEIRA BEACH, FL 33708-2017

MCKENY, KARA ANN
502 S FREMONT AVE UNIT 1009
TAMPA, FL 33606

SCHOLL, JEANINE A
140 148TH AVE E
MADEIRA BEACH, FL 33708-2130

DEXTER & CICI PROPERTIES LLC
1100 MONTEREY BLVD NE
ST PETERSBURG, FL 33704-2312

BRYANT, JOSEPH R EST
6704 N RIVER BLVD
TAMPA, FL 33604-6050

BAKER, ANDREW
14871 N BAYSHORE DR
ST PETERSBURG, FL 33708-2141

CASS, MARCELLA TRE
152 147TH AVE E
MADEIRA BEACH, FL 33708-2294

GULICK, NICOLE
1028 MUSIC PL
LEBANON, OH 45036-7848

ALCHIN, HARRY W
223 148TH AVE E
MADEIRA BEACH, FL 33708-2131

BLAZEJEWSKI, ARTHUR R
404 FEDERAL CITY RD
PENNINGTON, NJ 08534-4207

RUSSELL, RACHEL CHAPIN
14785 N BAYSHORE DR APT A
ST PETERSBURG, FL 33708-2117

Item 5A.

FRANCATI, STEVEN
14710 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2140

FALLON, SHARON R
156 SANDPIPER KY
SECAUCUS, NJ 07094-2210

PROBUS, GLENNIS SUZANNE
14839 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2141

GALLIMORE, CHRISTOPHER M
131 148TH AVE E
MADEIRA BEACH, FL 33708-2129

VALEMIL LLC
3 BAYBERRY DR
SADDLE RIVER, NJ 07458-2609



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.

SPECIAL MAGISTRATE – VARIANCE REQUEST

VAR 2023-05



Staff Report and Recommendation
Special Magistrate Meeting – October 23, 2023

Application: VAR 2023-05
Applicant: Paul Kuiken
Property Owner(s): Green Meadow Farms Inv LLC
Property Address: 352 145th Ave E, Madeira Beach, FL 33708
Parcel ID: 10-31-15-54324-000-0330
Legal Description: MADEIRA SHORES 1ST ADD SW[']ERLY 25FT of LOT 33
 & NE[']ERLY 35FT of LOT 34
Zoning/Future Land Use: R-2, Low density multifamily residential/Residential Medium

Request: To allow the constructed exterior spiral staircase to remain in place by extending the allowable encroachment 3.5” (0.3 feet) into the required 4 foot setback, reducing the setback to 3.7 feet. The request increases the allowable percentage of encroachment along the side yard from 50% (one-half) of the required setback to approximately 54%.

Specific Code Provisions: Sec. 110-206. – Setback requirements (3)(b) *the total side setback shall be 15 feet with a minimum of seven feet on either side* AND (4) *For only those dwelling units with the lowest habitable space elevated at or above the elevation designated on the flood insurance rate map (FIRM); exterior stairs, platforms for mechanical equipment, and chimneys shall be allowed to extend into the side-yard setback, but only to a depth of no more than one-half of the required setback. Such equipment shall be located in the middle one-third of the structure.*

I. Background

A permit was issued on October 19, 2018, Permit #3080, for construction of a new single-family home. The site plan indicated the west side of the residential structure would be 7 feet from the property line and the east side of the structure would be 10 feet from the property line. Exterior stairs were shown on the site plan indicating the stairs on the west side would be 3.5 feet from the property line and the proposed spiral staircase on the east side would be 4 feet from the property line. As drawn, the stairs met the allowable encroachment of 50% into the required side yard setback and were approved. The city received a complaint on August 1, 2022, from a neighboring resident, stating they were concerned the stairs encroached beyond the allowable 50%. On August 2, 2022, the city received the as built survey for review. The survey indicated the exterior most, outer edge of the spiral staircase on the east side of the residence was 3.70 feet from the property line versus the required 4 feet. The survey also indicated the staircase on the west side was 3.2 feet from the property line versus the required 3.5 feet. Both staircases are pre-fabricated metal. The stairs on the west side have been removed and are

being retrofitted to comply with the setbacks, however given the complexity of the spiral staircase the homeowner has opted to pursue a variance.

II. Variance Criteria (Sec. 2-507(b)) and Analysis

(1) Special conditions and circumstances exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to the lands, building, or other structures in the same district. Special conditions to be considered shall include, but are not limited to, the following circumstances:

a. Substandard or irregular-shaped lot. If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations;

b. Significant vegetation or natural features. If the site contains significant native vegetation or other natural features;

c. Residential neighborhood character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;

d. Public facilities. If the proposed project involves the development of public parks, public facilities, schools, or public utilities;

e. Architectural and/or engineering considerations. If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

Findings: *e. Architectural and/or engineering considerations.* The work and materials used meet current building code standards and will provide an exit path from the elevated balcony that doesn't require passage through the home.

(2) The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.

Findings: The permit was issued on October 19, 2018 and given the lack of progress by the contractor, the property owner took legal action and terminated the construction agreement on September 27, 2021 and a change of contractor application was submitted to the city on January 12, 2022. Given the change in contractors and "stop/start" construction workflow, the property owner had little control over construction delays, quality and accuracy of the worked being performed.

(3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.

Findings: Approval of the variance will not grant any special privilege to the property and is the minimum necessary to keep the spiral stairs as constructed.

(4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.

Finding: Literal interpretation of the code results in side yard setbacks for the primary structure that vary, with one side being a minimum of 7 feet and the other, by default, a minimum of 8 feet, therefore allowable encroachment would be 3.5 feet and 4 feet as measured from the property line. There is no requirement on which side must be 7 feet therefore either side of this property could have had stairs at only 3.5 feet from the property line.

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land.

Findings: Granting the variance would allow for the stairs, as constructed, to remain in place with an excess encroachment of 3.5 inches into the side yard. Per code, Sec. 110-206, the primary structure must have side yard setbacks where “the total side setback shall be 15 feet with a minimum of seven feet on either side”. As constructed, the west side of the primary structure is setback from the property line 7.1 feet and the east side is setback is 9.9 feet, as such the design did not max out the allowable setback on the east side and as a whole, the house is less intrusive than it could have been by right.

(6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Findings: The proposed variance is in harmony with the general intent and purpose of the city land development regulations and will not negatively affect the character or the neighborhood. No noticeable changes would be readily visible from the street. Furthermore, none of the proposed work will impact water flow, water runoff, or other matters of public interest. The harmony of the neighborhood and general scheme of development of the neighborhood will be unchanged.

III. Staff Recommendation:

Staff recommends approval of this variance with the following condition and acknowledgement:

- The stairs, when reinstalled on the west side, must be compliant with the setback regulations and as such cannot encroach into 3.5 foot setback as measured from the property line.
- There is a 5-foot-wide drainage easement along the easterly property line due to the existence of an outfall structure. The homeowner has been made aware that the city intends to make upgrades/repairs to the drainage pipe in the coming years and in perpetuity need access to this pipe and outfall, granting this variance will not make the city liable for any damage to the staircase and it will be the homeowners responsibility to secure the stairs as they exist. It is important to note the stairs are constructed on a deep helical pile located at the center of the staircase, and beyond 5 feet from the property line with minimal overhang.

Submitted by: Marci L. Forbes, PE, CFM

Attachments: 1) Application
2) Permitted Site Plan
3) As Built Survey
4) Survey with Easement depicted
5) 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



SPECIAL MAGISTRATE – VARIANCE APPLICATION

*Applicant: Name and Address

Paul Kuiken

432 Buttonwood Ln

Largo FL 33770

Telephone: (407) 925-9753

Email: Jibarm@aol.com

*Property Owner: Name and Address

Green Meadow Farms Inv

432 Buttonwood Ln

Largo, FL 33770

Telephone: (407) 925-9753

Email: Jibarm@aol.com

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

352 145th Ave E Madeira Beach FL

Legal Description: Madeira Shores 1st ADD

SW'ERLY 25 FT OF LOT 33 &

NE'ERLY 35 FT OF LOT 34

Lot Area:

Width: 60 ft.

Depth: 100 ft.

Zoning District: R-2

Present Structures on Property: Framed Home

Present Use of Property: Residential Single Family Home

Date Building Permit Request denied: N/A

Variance(s) needed from the zoning requirements: 3.5 inches Side Yard

Set Back

PLEASE ATTACH REQUIRED SUPPORTING MATERIALS: SITE PLAN, PICTURES, DEED, SURVEYOR'S SKETCH, DRAWINGS, EXPLANATION, ETC.

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.



Special Magistrate Case #: _____ Item 5B.

**** For City of Madeira Beach Use Only****

Fee: _____ Check # _____ Cash Receipt # _____

Date Received: ____ / ____ / ____ Received by: _____

Special Magistrate Case # Assigned: _____

Special Magistrate Hearing Date: ____ / ____ / ____ Approved Denied

- ____ Zoning Variance for Residential Dwelling Units (One, Two or Three Units) \$1,800.00 per Variance
- ____ Zoning Variance for Multi-Family, Tourist Dwellings or Commercial \$2,000.00 per Variance
- ____ After-the-fact Variance \$3,600.00 per Variance

X _____
Jenny Rowan, Community Development Director

Date: ____ / ____ / ____

X _____
Robin Gomez, City Manager

Date: ____ / ____ / ____

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Special Magistrate Case #: _____

APPLICATION (Must submit the following analysis)

This application to the Special Magistrate is requesting permission to: _____

Receive a Variance which will allow a round spiral staircase to extend 3.5 inches into a four foot designated side yard set back

The special magistrate shall authorize, upon application to appeal, after public notice has been given and public hearing held, such variance from the terms of the city land development regulations as not being contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the land development regulations, subpart B of this Code will result in unnecessary and undue hardship. In order to authorize any variance from the terms of the city land development regulations, the special magistrate shall consider the following criteria and shall find that the criteria has been satisfied in full and that a hardship exists.

On a separate attached page, explain in detail how your request meets City Code Sec. 2-507 by complying with the following rules. Please note that your explanation demonstrate that your request meets one or more of the conditions listed under criteria #1 below and that it also meets in full criteria 2 through 6 below:

1. Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

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2. Demonstrate that special condition (s) and circumstance (s) do not result from the actions of the applicant. A self-created hardship shall not justify a variance.
3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.
4. Demonstrate that the literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development regulations, subpart B of the code and would work unnecessary and undue hardship on the applicant.
5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land.
6. Demonstrate that the granting of the variance will be in harmony with the general intent and purpose of the City Land Development Regulations, and that such Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

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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 petition.

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.

It is hereby acknowledged 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. 2-109) 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 Paul D. Kuiken Date: 09 / 15 / 2023
Property Owner's Signature

STATE OF Florida

COUNTY OF Pinellas

Before me this 15th day of September, ~~2022~~ ²⁰²³, Paul D. Kuiken 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 FLDL as identification.

[SEAL]



Deborah A. Parrish
State of Florida
My Commission Expires 10/18/2024
Commission No. HH 47438

Deborah A Parrish

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.

NON-OWNER (AGENT) 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 petition.

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.

It is hereby acknowledged 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. 2-109) 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 _____ Date: ____ / ____ / ____
Property Owner's Signature (If other than the property owner)

STATE OF _____

COUNTY OF _____

Before me this _____ day of _____, 2022, _____
 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.

[SEAL]

 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.

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FOR YOUR RECORDS**SPECIAL MAGISTRATE: REQUIREMENTS AND PROCEDURES (City Code Sec. 2-507)**

- 1) Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.
- 2) The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.
- 3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.
- 4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.
- 5) The variance granted is the minimum variance that will make possible the reasonable use of the land.
- 6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

In granting any variance, the Special Magistrate may prescribe appropriate conditions and safeguards in conformity with the city land development regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of this Code. The Special Magistrate may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances except as permitted in the applicable zoning district of the city land development regulations. A nonconforming use of neighborhood lands, structures or buildings in the same zoning district shall not be considered grounds for the authorization of a variance. **Financial loss** standing alone is not sufficient justification for a variance.

The hearing will be conducted in the following manner:

1. Public notice will be read along with correspondence received.
2. City presents its case, and the applicant may cross-examine.
3. The Applicant presents his or her case supported by witnesses and evidence; and the City has the right to cross-examine each witness.
4. Public comment will only be solicited or received from parties directly affected by the variance. Individuals testifying do not have the right to cross-examine the parties.
5. Public participation will be closed, the Special Magistrate deliberates and makes a decision to grant or deny each variance requested in the application.

All variances granted by the Special Magistrate and not acted on within on (1) year of being granted will automatically expire.

The granting of a variance does not relieve the applicant from obtaining a building permit. The Special Magistrate does not have the authority to grant variances from the 100 Year Flood Level for Residential or Commercial Property.

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Special Magistrate Case #: _____

APPLICATION (tust submit the fiollowng anatysb)

This application to the Special Magistrate is requesting permission to:

Extend the outer curved edge of an existing spiral staircase .03' (3.6") more than the City allotted set back allowance.

Special Magistrate Case #: _____

- 1. Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include **but are not limited to:**

This case _____ falls under guideline # 1's "Not Limited to".

AND:

This case _____ may also fall under category e:

- e. Architectural and/or engineering considerations. If the proposed project utilizes architectural and/or engineering features that would **render the project more disaster resistant.**

"render the project more disaster resistant" by providing trapped residents an emergency fire exit from the second and third floor.

Special Magistrate Case #: _____

- 2. Demonstrate that special condition (s) and circumstance (s) do not result from the actions of the applicant. A self-created hardship shall not justify a variance.

352 145th Ave.

Madeira Beach, FL

My home's rear spiral staircase was designed to provide additional patio access to all floors and also serve as an emergency rear exit to both the second and third floor in the event of a fire or emergency.

The home and spiral stair design was drawn up by a licensed architect and approved and permitted by the City of Madeira Building Department.

Hired in January 2018 to construct the new home at 352 145th Ave the General Contractor (GHD) almost immediately slowed construction for three years and abandoned the property in August 2021. GHD's work only included the pouring of the foundation, blocking and framing of the home. This same General Contractor also slowed and stopped construction on several other homes in the Pinellas County area

due to faulty construction workmanship. After years of legal battles with this contractor I was able to fire GHD and find a professional contractor to finish the home in 2023.

The home construction was in its last stage of construction which included the installation of the back three story spiral staircase. The stairs were lifted over the three story home and carefully inserted by crane. It was only a week later that it was brought to our attention by a neighbor that the spiral staircase was 3.6 inches (.03') wider than what the City code setbacks would allow. Upon further review it was discovered that the original General Contractor (GHD) poured the footers and foundation over 1.2" inches off plans. The addition of a stucco and a decorative trim band caused these stairs to fall further into the allotted set back by 0.3' (3.6 inches).

Due to the home foundation being poured incorrectly and the concrete framing built further more to one side the stairs cannot be cut or refabricated by 3.6 inches (0.3') which is needed to fit within code.

It is due to these circumstances and as a recommendation of the City of Madeira engineers that I request that the City of Madeira Magistrate review for approval my home at 352 145th Ave. a 3.6 inch (0.3') variance which will allow for the existing spiral staircase to remain as they are seen now. (See photos below)

3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.

At this time there are no other three story spiral staircases in the same zoning district which have been denied a 3.6 inch extension in the City code side set back restriction.

4. Demonstrate that the literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development regulations, subpart B of the code and would work unnecessary and undue hardship on the applicant.

The removal of the stairs will deprive the residents of common rear access to and from the balconies as many multi story homes do provide in the zoning district. This would also deprive the residents the feeling of security and safety of an emergency second and third floor exit in the event of a fire.

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land.

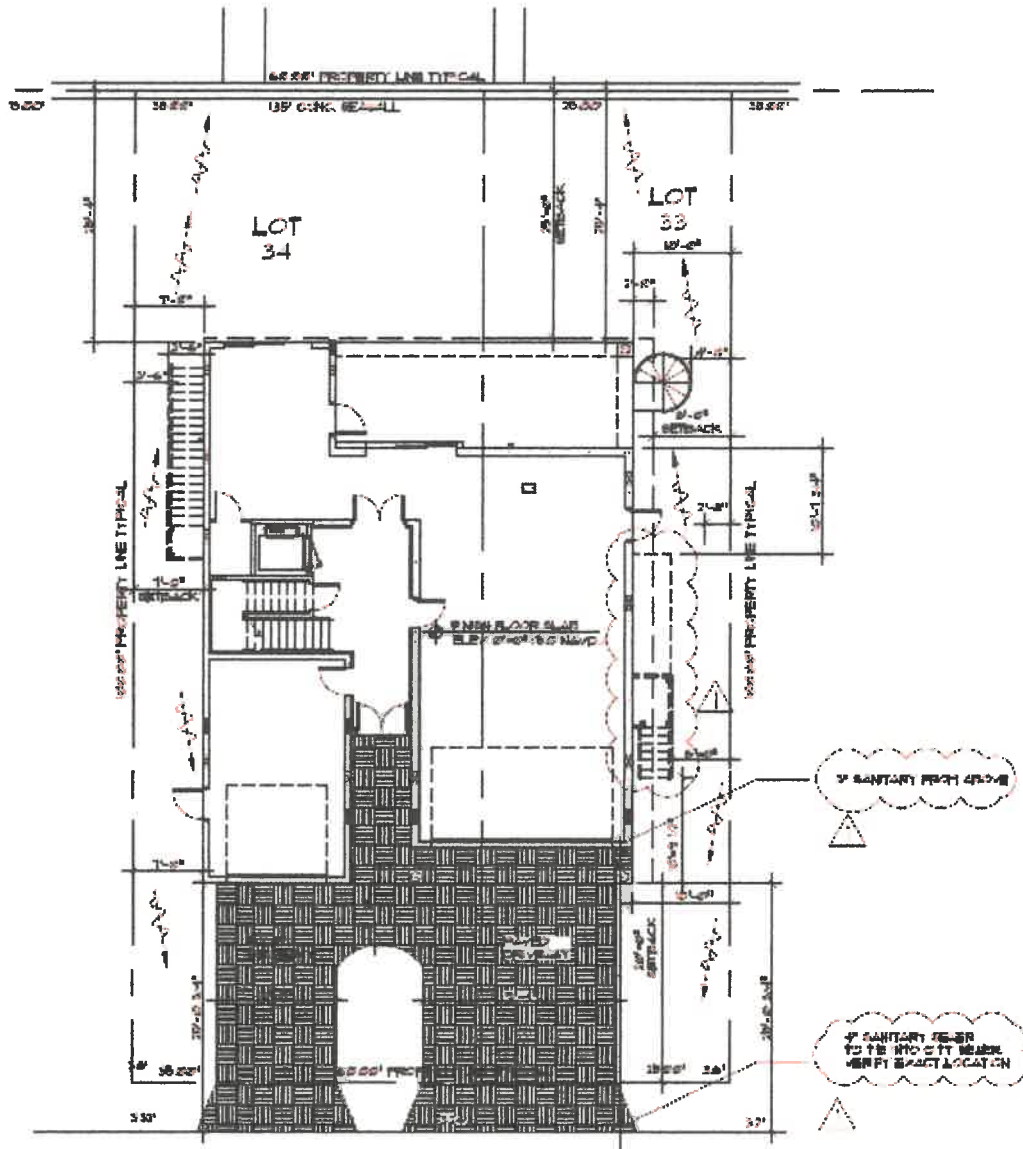
The photos below and the survey attached show the clearance of the stairs to the neighboring property line to be 3.7' or 3.8 inches with more than enough room for ease of access and reasonable use of the land.

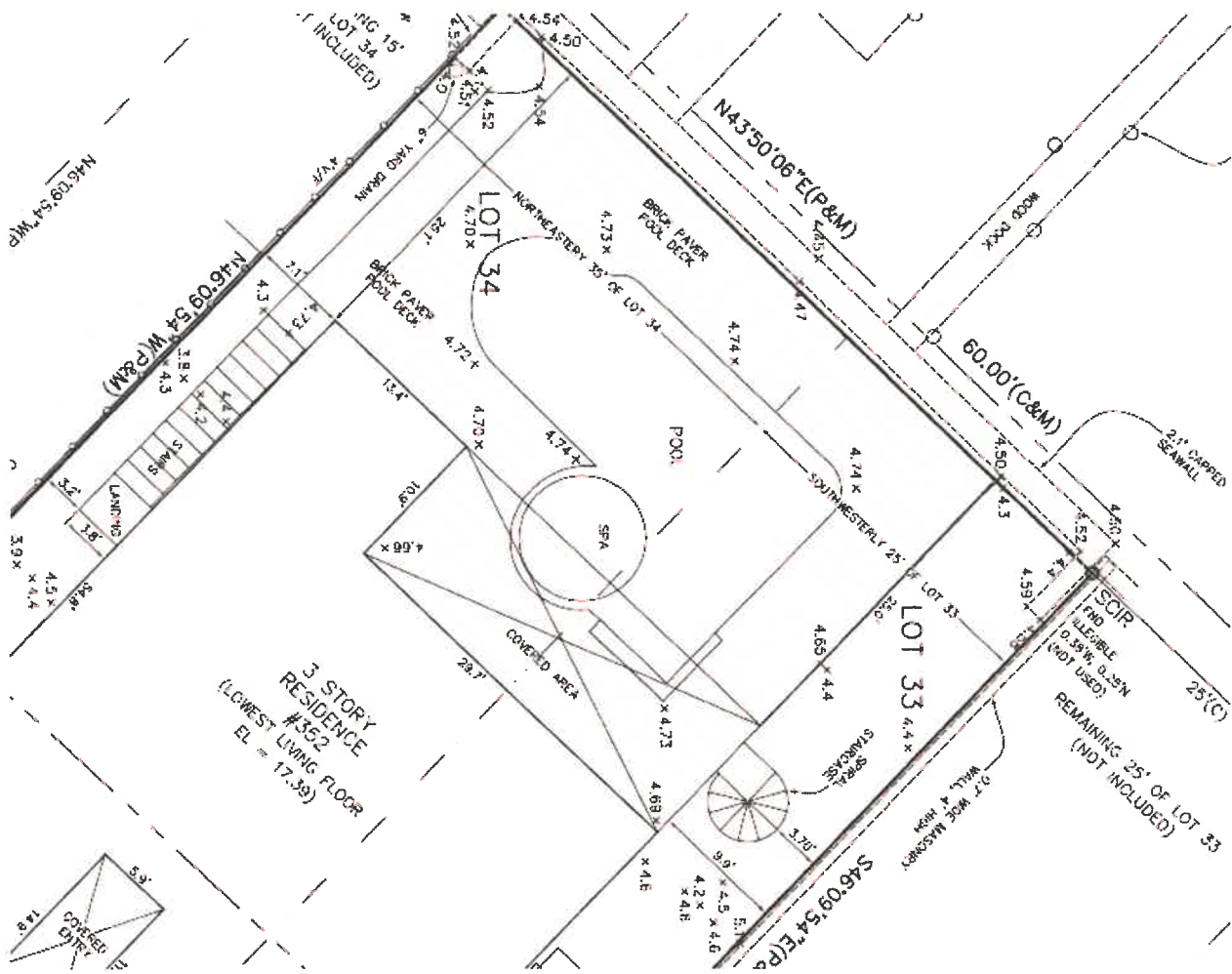
6. Demonstrate that the granting of the variance will be in harmony with the general intent and purpose of the City Land Development Regulations, and that such Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The photos below show the harmony of the professionally constructed brown powder coated spiral staircase which are designed to meet state building code. The stairs will not be injurious or have any detriment to the public welfare. On the contrary the stairs could provide a safe haven of refuge in the event of a storm surge.





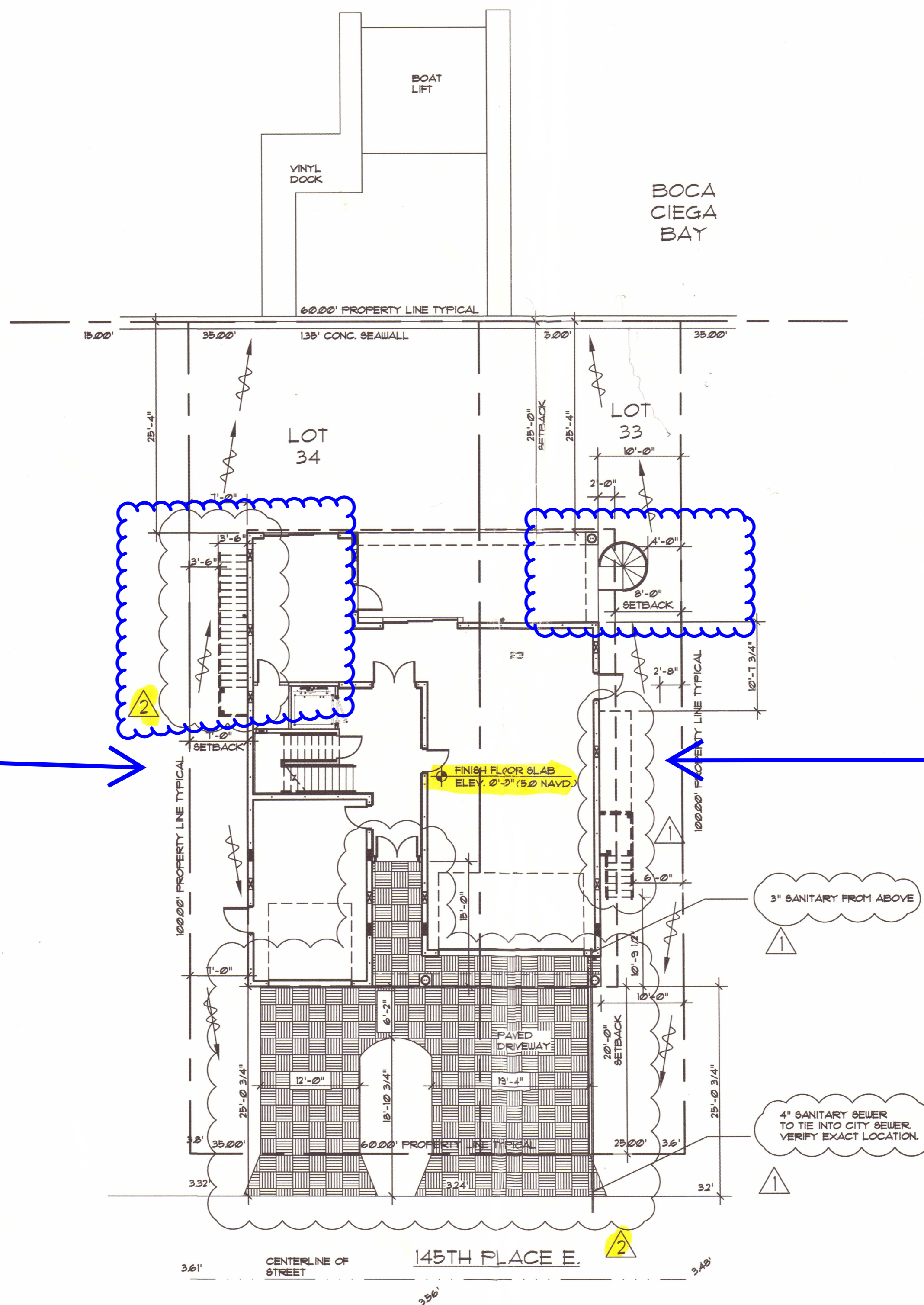




352 145th Ave E - Permitted Site Plan

Referenced West side of residence

Referenced East side of residence



SHEET INDEX:

- sp1.1 Site Plan
 - a1.1 First Floor Plan
 - a1.2 Second Floor Plan
 - a1.3 Third Floor Plan
 - a1.4 First Floor Dimension Plan
 - a1.5 Second Floor Dimension Plan
 - a1.6 Third Floor Dimension Plan
- a2.1 Elevations
- a2.2 Elevations
- a3.1 Wall Sections
- s0.1 Structural Notes
- s1.1 Foundation Plan
- s2.1 Second Floor Framing
- s2.2 Third Floor Framing
- s2.3 Low Roof Framing Plan
- s2.3 Roof Framing Plan
- e1.1 First Floor Electrical Plan
- e1.2 Second Floor Electrical Plan
- e1.3 Third Floor Electrical Plan

* Permit expiration within 6 months from date of original approval or issuance per Code Section 14-189
 * No work shall be performed until this permit application has been approved by all agencies & the permit fees paid in full.
 Signature: *FAD BURNS*

PLANS REVIEWED FOR CODE COMPLIANCE IN ACCORDANCE WITH THE BUILDING CODE WITH EXCEPTIONS NOTED
 OCT 10 2018



SITE PLAN
 SCALE: 1"=10'-0"

STRUCTURE IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AE.

APPROVED

File Copy 10-10-18
 SUBJECT TO FIELD INSPECTION APPROVAL

REVIEW SET

APPROVED
 With addition of flood vent in unobstructed space as marked by JB 10-9-18

ARCHITECT CERTIFIES, TO THE BEST OF HIS KNOWLEDGE, THAT ALL PLANS AND SPECIFICATIONS COMPLY WITH THE MINIMUM BUILDING CODES.

ARCHITECTONICS *Studio*
 architects • planners
 Lic. # AA-0003347
 2600 Dr. MLK Jr. Street N. Suite 600,
 St. Petersburg, FL 33704
 (p) 727-323-5676
 info@architectonicsstudio.com
 www.architectonicsstudio.com

Kuiken Residence
 Description
352 145th Avenue E.
Madeira Beach, Florida 33708

Site Plan
 Revisions: **6-6-2018**
9-7-2018
 Project No. **2017-330R**
 Date: **March 14, 2018**

STATE OF FLORIDA
 MICHAEL ARRIGO
 REGISTERED ARCHITECT
 AR 0012335
 MICHAEL ARRIGO
 LIC. NO. AR0012335

sp1.1

REVISED
 9-1-18

SEP 10 2018
 BY: *PK*

NOTE THAT THIS DRAWING MAY HAVE BEEN ALTERED IN SCALE BY REPRODUCTION

W.O. 6683

352 145th Ave E - AS-BUILT SURVEY

FINAL TIE-IN WITH ELEVATIONS

SECTION 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST
PINELLAS COUNTY, FLORIDA

ADDRESS:
352 145TH AVENUE EAST
MADIERA BEACH, FLORIDA

LEGAL DESCRIPTION:
THE SOUTHWESTERLY 25 FEET OF LOT 33 AND THE
NORTHEASTERLY 35 FEET OF LOT 34, FIRST ADDITION TO
MADIERA SHORES, ACCORDING TO THE PLAT THEREOF
RECORDED IN PLAT BOOK 25, PAGE 25, OF THE PUBLIC
RECORDS OF PINELLAS COUNTY, FLORIDA.

ABBREVIATION LEGEND

- (C) = Calculated Data
- (D) = Data per Description
- (F) = Field Determined
- (M) = Measured Data
- (MTW) = Measured by Witness
- (P) = Data per Plat
- A = Plus or Minus
- ACCS = Air Conditioner on CS
- BW/F = Barbed Wire Fence
- BFE = Base Flood Elevation
- BFP = Backflow Preventer
- CB = Crotch Bearing
- CI = Chain Link Fence
- C.P.B. = Condominium Plat Book
- CC = Covered Concrete
- CS = Concrete Slab
- CSW = Concrete Sidewalk
- CL = Cast-in-Place
- CLF = Chain Link Fence
- COV. = Covered
- CLP = Concrete Light Pole
- CMP = Corrugated Metal Pipe
- CONC. = Concrete
- Δ = Delta Angle
- D.B. = Dead Bolt
- D.W. = Driveway
- DMH = Drainage Manhole
- DWM = Detachable Warning Mat
- EP = Edge of Pavement
- EL = Elevation
- ECW = Edge of Water
- FCR = Found Iron Rod & Cap
- FCM = Found Concrete Monument
- FEE = Related Floor Elevation
- FIP = Found Iron Pipe
- FIR = Found Iron Rod - No Cap
- FND = Found Nail & Disk
- FPP = Found Pinched Pipe
- GL = Gate Valve
- GV = Gate Valve
- HYD = Fire Hydrant
- ID = Identification
- IE = Invert Elevation
- IB = Corporate Certificate Number
- LP = Light Pole
- LFE = Lowest Floor Elevation
- LMWA = Limit of Moderate Wave Action
- MF = Metal Fence
- M.O.L. = More or Less
- MES = Mismatched End Section
- N&D = Nail & Disk
- NFS = Not Found and Not Set
- OCS = Outfall Control Structure
- OH = Overhead Wire
- O.R. = Official Records Book
- P.B. = Plat Book
- PCP = Permanent Control Point
- PG(A) = Page(s)
- PLS = Professional Land Surveyor
- POB = Point of Beginning
- POC = Point of Commencement
- PRC = Point of Reverse Curvature
- PRM = Permanent Reference Monument
- R = Radius
- RSE = Right-of-Way
- RSP = Reinforced Concrete Pipe
- SCM = Set Concrete Monument
- SCR = Set Iron Rod & Cap 5/8"
- S&D = Set Nail & Disk P.L.S. & S.M.H.
- SMH = Sanitary Manhole
- STM = Stormwater Pipe
- T&M = Temporary Benchmark
- TOB = Top of Bank
- TOS = Top of Slope
- TWP = Township
- TYP = Typical
- UB = Utility Box
- UP = Utility Pole
- VIF = Vinyl Fence
- W = With
- WF = Wood Fence
- WM = Water Meter
- WO = Work Order
- WV = Water Valve

SYMBOL LEGEND

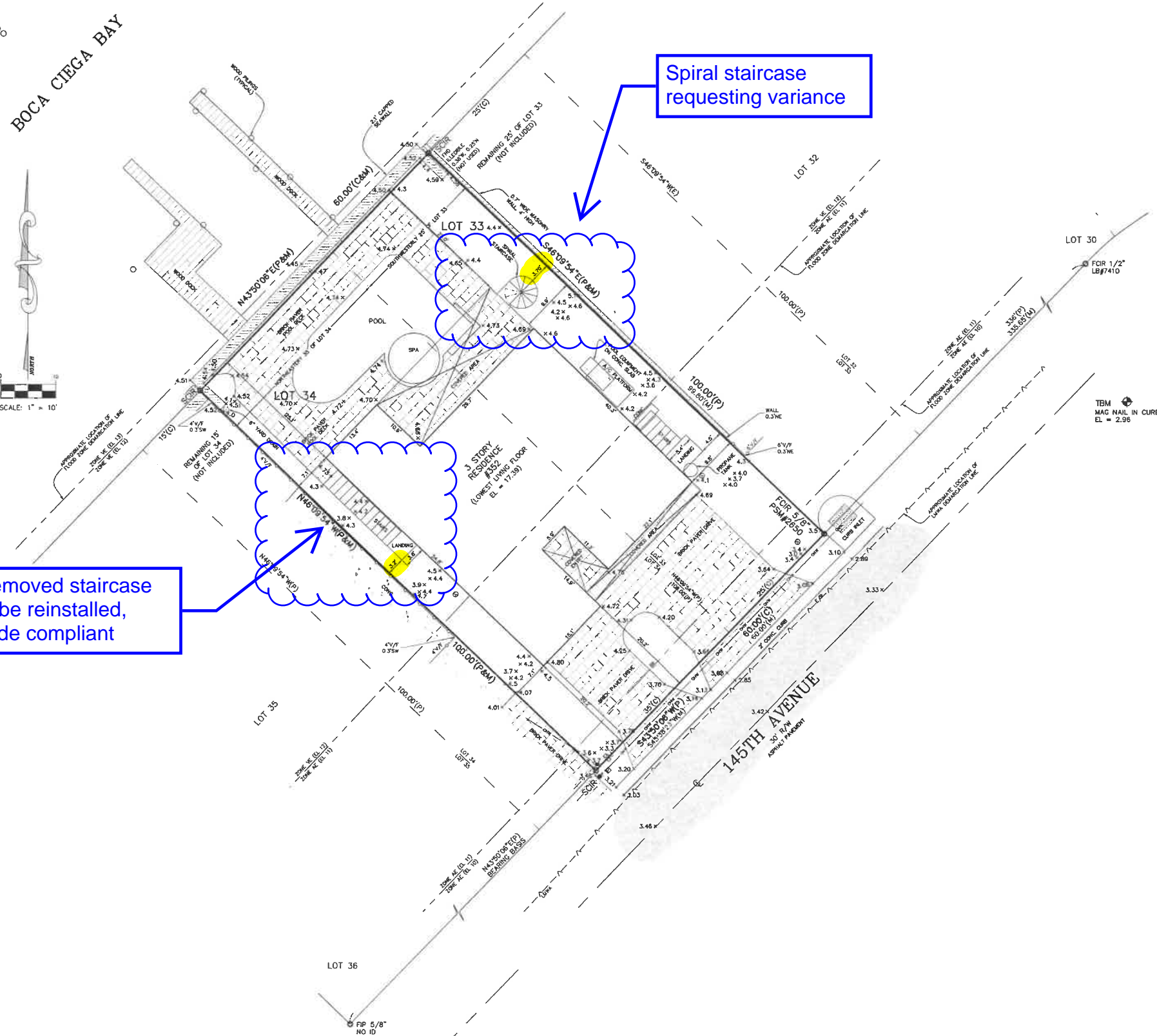
- = Backflow Preventer
- = Cable Box
- = Centerline
- = Clearcut
- = (Stacked)
- = Drainage Manhole
- = Fire Hydrant
- = Gas Meter
- = Grease Trap
- = Light Pole
- = Light Post
- = Mailbox
- = Power Box
- = Racked Water Connection
- = Racked Water Meter
- = Sanitary Manhole
- = Sign
- = Spot Elevation
- = Telecommunication Box
- = Utility Pole
- = Water Connection
- = Water Meter
- = Water Valve
- = Well

BOCA CIEGA BAY



Removed staircase to be reinstalled, code compliant

Spiral staircase requesting variance



SURVEY NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, AND IS SUBJECT TO EASEMENTS, RIGHT-OF-WAY, AND OTHER MATTERS OF RECORD THAT A TITLE SEARCH MIGHT DISCLOSE.
2. PLANIMETRIC FEATURES SHOWN HEREON WERE DETERMINED BY STANDARD FIELD SURVEYING METHODS.
3. BEARING BASIS IS THE NORTHERLY RIGHT-OF-WAY LINE OF 145TH AVENUE BEING N43°50'06"E, PER PLAT.
4. ALL INSTRUMENTS SHOWN HEREON ARE OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, UNLESS OTHERWISE SPECIFIED.
5. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SURFACE MARKINGS AND OR STRUCTURES. NO EXCAVATION WAS PERFORMED FOR THE LOCATION OF SUCH UTILITIES.
6. ADDITIONS OR DELETIONS TO THIS SURVEY MAP AND/OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. THIS PARCEL APPEARS TO BE IN FLOOD ZONES AE (EL. 10), AE (EL. 11) AND VE (EL. 12), ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP NUMBER: 1210300191H, MAP EFFECTIVE DATE: AUGUST 24, 2021, AS PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS PARCEL, OR A PORTION THEREOF IS A COASTAL A ZONE. THIS MAP'S NOTES STATE THAT THE BASE FLOOD ELEVATIONS SHOWN REPRESENT ROUNDED WHOLE-FOOT ELEVATIONS AND THEREFORE MAY NOT EXACTLY REFLECT THE FLOOD ELEVATION DATA PRESENTED IN THE FLOOD INSURANCE STUDY (FIS) REPORT. THE FIS REPORT WAS NOT CONSULTED FOR THIS SURVEY. FLOOD ZONE LINES AND/OR LMA LINE SHOWN HEREON WERE TRANSFERRED BY GRAPHIC METHODS FROM THE FLOOD ZONE MAP, AND ARE SUBJECT TO THE INHERENT INACCURACIES OF SUCH TRANSFERS. THIS FLOOD ZONE NOTE IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY, AND ANY PROPOSED FINISHED FLOOR ELEVATIONS ARE TO BE DETERMINED BY THE PERMITTING AGENCY HAVING JURISDICTION.
8. ELEVATION BASIS: NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88) BENCHMARK UTILIZED: TBM 15-90-0A-25A, ELEVATION = 4.277' AS PUBLISHED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

SURVEYOR'S CERTIFICATION:

I, DENNIS J. EYRE, THE SURVEYOR IN RESPONSIBLE CHARGE, HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON AND THAT SAID ABOVE GROUND SURVEY AND SKETCH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, OR ELECTRONIC DIGITAL SIGNATURE IN ACCORDANCE WITH STATE OF FLORIDA ADMINISTRATIVE CODE RULE 5J-17.062.

Digitally signed by
Dennis J Eyre PLS
2865
Date: 2023.05.24
13:57:02 -0400

DENNIS J. EYRE, P.L.S. FLA. REG. No. 2865
DATE: MAY 24, 2023

W.O. 6683	FIELD DATE: MAY 07, 2023
DRAWN BY: RD	
CHECKED BY: DJE	
SCALE: 1" = 10'	
FIELD BOOK / PAGE(S): 02-22/28	
SHEET 1 OF 1	

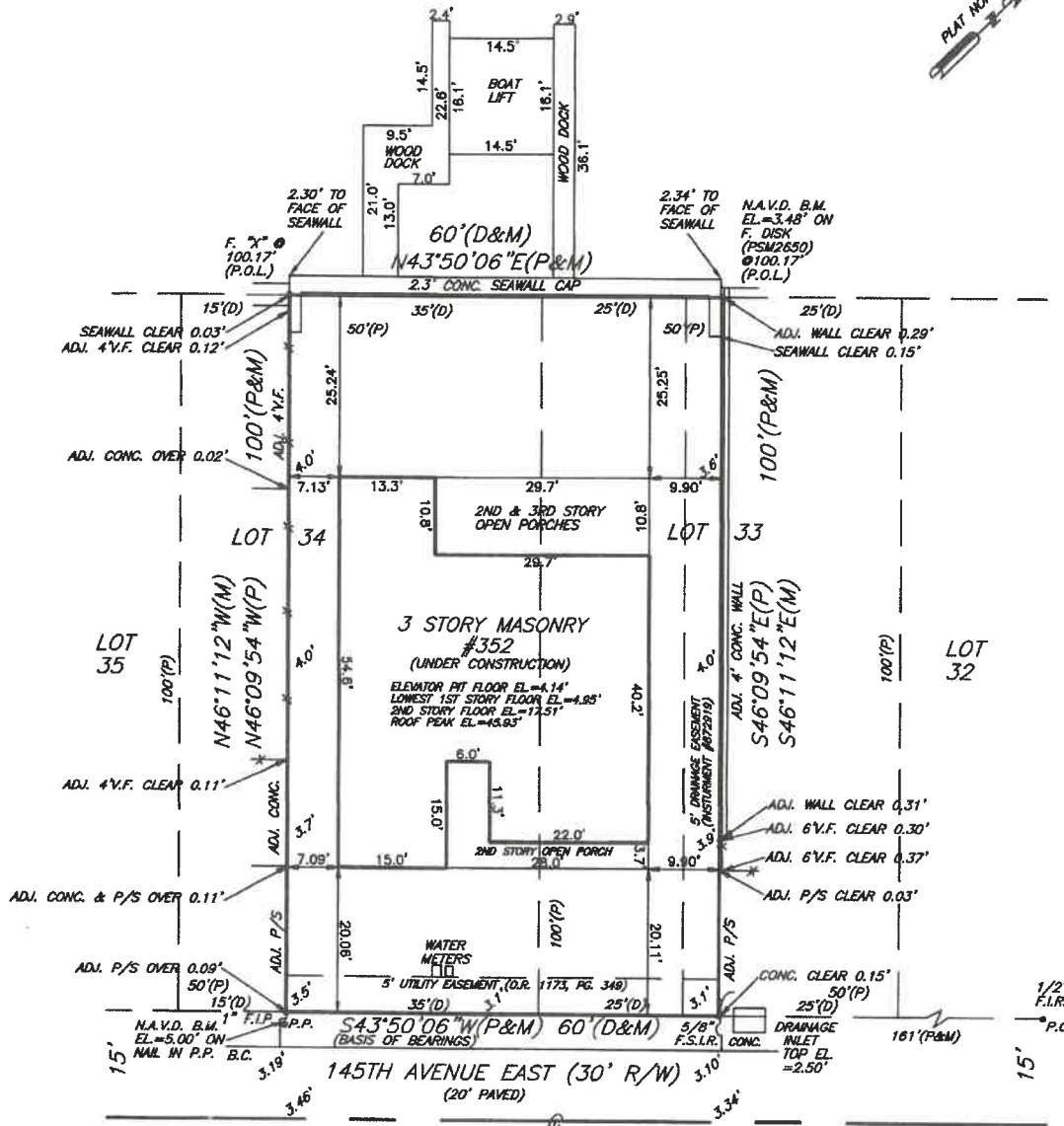
GEODATA SERVICES INC.
1166 KAPP DRIVE
CLEARWATER, FL 33765
PHONE: (727) 447-1763



RECEIVED

FEB 23 2022

BOCA CIEGA BAY



A BOUNDARY SURVEY OF THE SOUTHWESTERLY 25 FEET OF LOT 33 AND THE NORTHEASTERLY 35 FEET OF LOT 34, FIRST ADDITION TO MADEIRA SHORES, AS RECORDED IN PLAT BOOK 25, PAGE 25, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, WITH SPOT ELEVATIONS.

JOB NUMBER: MMXX069 TELEPHONE: (727) 360-0636 DATE OF FIELD SURVEY: 3/02/20 SCALE: 1 INCH = 20 FEET DRAWN BY: DCH	DAVID C. HARNER PROFESSIONAL LAND SURVEYOR 9925 GULF BOULEVARD TREASURE ISLAND, FL. 33706 SECTION 10 TOWNSHIP 31 SOUTH RANGE 15 EAST	FLOOD ZONE: "AE" (B.F.E.=10') FLOOD MAP DATE: 8/18/09 COMMUNITY NUMBER: 125127 PANEL NUMBER: 0191 G CHECKED BY: DCH
CERTIFIED TO: GHD CONSTRUCTION SERVICES, INC.		
I HEREBY CERTIFY TO THE HEREON NAMED PARTY OR PARTIES, AND ONLY TO THOSE NAMED HEREON, THAT THE BOUNDARY SURVEY REPRESENTED HEREON MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 35-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO FLORIDA STATUTE 472.027.		
NOTES: UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS, IF ANY, ARE NOT SHOWN. OTHER EASEMENTS AFFECTING THIS PROPERTY MAY EXIST IN THE PUBLIC RECORDS OF THIS COUNTY. ONLY THOSE EASEMENTS KNOWN TO ME OR SUPPLIED TO ME BY THE HEREON NAMED PARTY OR PARTIES ARE DEPICTED HEREON.		
LEGEND: N.A.V.D.=NORTH AMERICAN VERTICAL DATUM OF 1988 B.F.E.=BASE FLOOD ELEVATION PER FEMA A=ARC LENGTH ADJ=ADJACENT B.C.=BACK OF CURB C=CHORD LENGTH C.L.F.=CHAINLINK FENCE R/W=RIGHT OF WAY CONC=CONCRETE M.H.=MANHOLE C/C=COVERED CONC CL=CENTERLINE C.B.=CHORD BEARING V.F.=VINYL FENCE EL=ELEVATION FT=FINISHED FLOOR F.I.P.=FOUND IRON PIPE S.I.R.=SET IRON ROD WITH CAP #2650 O.P.=OPEN PORCH F.I.R.=FOUND IRON ROD F.C.M.=FOUND CONCRETE MONUMENT M=MEASURED M.S.=METAL SHED P.O.L.=POINT ON LINE D=DEED R=RADIUS W/W=WING WALL W.F.=WOOD FENCE DR.=DRAINAGE UT.=UTILITY EASE=EASEMENT P/S=PAVERSTONE B.M.=BENCHMARK P.I.=POINT OF INTERSECTION P.R.M.=PERMANENT REFERENCE MONUMENT P=PLAT E.P.=EDGE OF PAVEMENT		3/03/20 <i>D.C.H.</i> DAVID C. HARNER R.S.&M. REGISTRATION NUMBER 2650
"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER"		

AKC 123
71



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, October 23rd, 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:** VAR 2023-05
- Applicant:** Paul Kuiken
- Property Owner(s):** Green Meadow Farms Inv LLC
- Property Address:** 352 145th Ave E, Madeira Beach, FL 33708
- Parcel ID:** 10-31-15-54324-000-0330
- Legal Description:** MADEIRA SHORES 1ST ADD SW’ERLY 25FT of LOT 33 & NE’ERLY 35FT of LOT 34
- Zoning/Future Land Use:** R-2, Low Density Multifamily Residential/Residential Medium

Request: To allow the constructed exterior spiral staircase to remain in place by extending the allowable encroachment 3.5 inches (0.3 feet) into the required 4 foot setback, reducing the setback to 3.7 feet. The request increases the allowable percentage of encroachment along the side yard from 50% (one-half) of the required setback to approximately 54%.

Specific Code Provisions: Sec. 110-206. – Setback requirements (3)(b) the total side setback shall be 15 feet with a minimum of seven feet on either side AND (4) For only those dwelling units with the lowest habitable space elevated at or above the elevation designated on the flood insurance rate map (FIRM); exterior stairs, platforms for mechanical equipment, and chimneys shall be allowed to extend into the side-yard setback, but only to a depth of no more than one-half of the required setback. Such equipment shall be located in the middle one-third of the structure.

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: October 12, 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 5B.

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.



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.gov

mike@pcpao.gov

Run Date: 11 Oct 2023

Subject Parcel: 10-31-15-54324-000-0330

Radius: 300 feet

Parcel Count: 40

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.

CRUZ, MARIA LEONOR TRE
5830 3RD LINE
TOTTENHAM ON LOG 1W0,
CANADA

CARFAGNA, MARK A
CARFAGNA, TRACY L
311 1ST AVE NW
CARMEL, IN 46032-1721

PETRITIS, NANCY
PETRITIS, AINA M
755 86TH PL
DOWNERS GROVE, IL 60516-4950

PARRA, ARMANDO TORRES JR
PARRA, CAMILLE M
373 144TH AVE
MADEIRA BEACH, FL 33708

WILCOX, JOHN T REV LIVING TRUST
WILCOX, JOHN T TRE
247 144TH AVE
MADEIRA BEACH, FL 33708-2107

AFRAKHTEH, ANGELA R
AFRAKHTEH, ARDESHIR
240 144TH AVE
MADEIRA BEACH, FL 33708-2108

DICK, RONALD
DICK, MARINA
351 144TH AVE
MADEIRA BEACH, FL 33708-2109

MARTINEZ, JOHN D
MARTINEZ, MARY K
356 144TH AVE
MADEIRA BEACH, FL 33708-2110

HARRELL, BRANDON
HARRELL, SONIA
244 145TH AVE E
MADEIRA BEACH, FL 33708-2114

ROWE, ERIC NICHOLAS
DOOLEY, TAYLOR ANN
266 145TH AVE E
MADEIRA BEACH, FL 33708-2114

RIUT, CAROLINA
RODRIGUEZ, ALEX
345 145TH AVE
MADEIRA BEACH, FL 33708-2115

BENNETT, BRADFORD H
BENNETT, LYNN D
320 145TH AVE E
MADEIRA BEACH, FL 33708-2116

KEYS, RANDALL W TRE
KEYS, RANDALL W REV TRUST
356 145TH AVE E
MADEIRA BEACH, FL 33708-2116

WALLACE, STEVEN D
WALLACE, TRACY L
336 145TH AVE E
MADEIRA BEACH, FL 33708-2116

KUEHT, WILLIAM RICHARD
TACKETT, PAMELA S
249 144TH AVE
MADEIRA BEACH, FL 33708-2194

SPATUZZA, JOSEPH JR
SPATUZZA, LYNELL M
261 145TH AVE E
MADEIRA BEACH, NJ 33708-2113

OLEAR, JOHN S
OLEAR, SANDRA N
16122 4TH ST E
REDINGTON BEACH, FL 33708-1614

DIAZ, JOSE O GONZALEZ
NIEVES, GLENDA
500 182ND AVE E
REDINGTON SHORES, FL 33708-1031

SHUTTER, JAMIE DAVID TRE
SHUTTER REVOCABLE TRUST
1050 WATER ST UNIT 1802
TAMPA, FL 33602-5520

WATERBUCK INC
2950 SW 27TH AVE STE 220
MIAMI, FL 33133-3765

GHD CONSTRUCTION SERVICES INC
215 49TH ST S
ST PETERSBURG, FL 33707-1925

BONNER, NANCY
370 144TH AVE
MADEIRA BEACH, FL 33708-2110

BRINER, NANCY E
364 144TH AVE
MADEIRA BEACH, FL 33708-2110

ABREU, JUAN MIGUEL PEREZ
5834 BARRY LN
TAMPA, FL 33634-3019

BOULT, KENNETH EUGENE
246 144TH AVE
ST PETERSBURG, FL 33708-2108

245 LAND TRUST
3304 W FIELDER ST
TAMPA, FL 33611-2914

STRATTON, JODY E
355 145TH AVE E
MADEIRA BEACH, FL 33708-2115

ABDOLAHIFARD, NEVIN
255 144TH AVE
MADEIRA BEACH, FL 33708-2107

RISPENS, SUZANNE
9750 GENEVIEVE DR
SAINT JOHN, IN 46373-8960

KALSHOVEN, JUNE DIXIE
374 145TH AVE E
MADEIRA BEACH, FL 33708-2116

OPFERMAN, DANIEL
15324 HARBOR DR
ST PETERSBURG, FL 33708-1821

GILLETT, NANCY L TRE
360 145TH AVE E
MADEIRA BEACH, FL 33708-2116

PENROSE, MELISSA
256 144TH AVE
ST PETERSBURG, FL 33708-2108

WILKINSON, G BARRY
256 145TH AVE E
MADEIRA BEACH, FL 33708-2114

MCCLAIN, KENNETH W
370 145TH AVE E
MADEIRA BEACH, FL 33708-2116

PRIOR, DONALD STEWART
353 144TH AVE
MADEIRA BEACH, FL 33708-2109

SOPHIA MGMT LLC
230 145TH AVE E
MADEIRA BEACH, FL 33708-2114

GRIMES, NEVIN CHRISTIAN MERRYWEATHER
365 145TH AVE E
MADEIRA BEACH, FL 33708-2115

SAWYER, ROBERT D
321 144TH AVE
MADEIRA BEACH, FL 33708-2109

DIXON, LEANN
355 144TH AVE
MADEIRA BEACH, FL 33708-2109



AFFIDAVIT OF POSTING

Date: 10/12/2023
Postings for: VAR-2023-05

Before me this day Joseph Petraglia personally appeared. 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 12th day of October, 2023.

Personally known or produced _____ as identification.



Notary Public Stamp

Barbara A Scott
Notary Public

10/12/23
Date

*Copy of public notice is attached.



AFFIDAVIT OF MAILING

Date: 10/12/2023

Mailings for Case # VAR-2023-05

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

Mr Pezraglia

Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn and subscribed before me this 12th day of October, 2023.

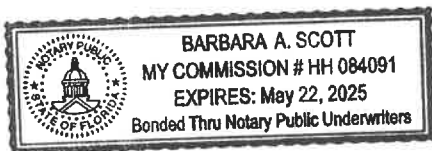
Personally known or produced _____ as identification.

Barbara A Scott

Notary Public

10/12/23

Date



Notary Public Stamp

*Copy of public notice is attached.

SPECIAL MAGISTRATE – VARIANCE REQUEST**VAR 2023-06**

Staff Report and Recommendation
 Special Magistrate Meeting – October 23, 2023

Application: VAR 2023-06
Applicant: Phillip K. Ragan
Property Owner(s): Phillip K. Ragan & Mary M. Barker
Property Address: 14097 E. Parsley Dr., Madeira Beach, FL 33708
Parcel ID: 10-31-15-34416-026-0370
Legal Description: GULF SHORES 6TH ADD BLK Z, LOT 37
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: Reduce the front yard setback requirement from 20 feet to 18.5’

Specific Code Provisions: Sec. 110-181. – (1) *Front yard: 20 feet measured from the right-of-way line to the structure*

I. Background

A permit was issued on February 14, 2023, Permit# 20230138, with the scope of work described as, “elevate house out of flood zone”. During the construction process the required “Under Construction” Elevation Certificate and tie-in survey was submitted to the city for review on June 19, 2023. The Elevation Certificate was rejected due to concerns over the referenced elevations, the certificate was ultimately corrected and resubmitted to the city’s satisfaction on October 3, 2023. The tie -in survey, however, revealed that the west corner of the house had been “rotated” forward during the elevation process by approximately 0.71 feet (8.5 inches) and would therefore cause the stairs to encroach into the front yard setback once constructed. After considerable correspondence with the contractor and homeowner regarding potential construction alterations, redesigns or any code allowances for stair encroachments within the existing Land Development Regulations it was ultimately decided by the homeowner, with city staff input, to move forward with a variance to reduce the front yard setback.

In working with the city for this variance the homeowner also determined the stair width, as designed with handrails on each side, was too narrow, only providing a clear space of approximately 30 inches. At this clear width, delivery of various appliances, furniture, etc. would prove to be difficult and as such this variance request also accounts for increasing the stair width, handrail to handrail to 36 inches wide. The 1.5 foot setback reduction request will take into account the 0.71 feet (8.5 inches), the increased stair width of 6 inches and allow for 3.5 inches of flexibility based on construction tolerances.

II. Variance Criteria (Sec. 2-507(b)) and Analysis

(1) Special conditions and circumstances exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to the lands, building, or other structures in the same district. Special conditions to be considered shall include, but are not limited to, the following circumstances:

a. Substandard or irregular-shaped lot. If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations;

b. Significant vegetation or natural features. If the site contains significant native vegetation or other natural features;

c. Residential neighborhood character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;

d. Public facilities. If the proposed project involves the development of public parks, public facilities, schools, or public utilities;

e. Architectural and/or engineering considerations. If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

Findings: *e. Architectural and/or engineering considerations.* The elevated home and all construction features will be more resilient from flood waters.

(2) The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.

Findings: The homeowner contracted with licensed design professionals and contractors and followed the city requirements for permitting and as such the homeowner did not self-inflict the need for a variance.

(3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.

Findings: Approval of the variance will not grant any special privilege to the property and is the minimum necessary to provide reasonable access. The neighboring property at 14099 E Parsley was granted a variance, Application 04.02, in January of 2004 reducing their front yard setback from 20 feet to 13 feet.

(4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.

Finding: Literal interpretation of the code would deny the homeowner a reasonably sized and located front entry way.

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land.

Findings: The request is for the minimum amount necessary to construct stairs that would allow general residential access and also takes into consideration the width necessary to deliver appliances, furniture, etc.

(6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Findings: The proposed variance is in harmony with the general intent and purpose of the city land development regulations and will not negatively affect the character or the neighborhood. The harmony of the neighborhood and general scheme of development of the neighborhood will be unchanged.

III. Staff Recommendation:

Staff recommends approval.

Submitted by: Marci L. Forbes, PE, CFM

- Attachments:
- 1) Application
 - 2) Survey of Property, Pre-Elevation, field dated 8.12.2022
 - 3) Permitted site plan
 - 4) Rejected (Void) “Under Construction” Elevation Certificate, provided for attached pictures of construction progress, dated 06.16.2023
 - 5) Foundation tie-in survey dated 06.16.23
 - 6) 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



SPECIAL MAGISTRATE – VARIANCE APPLICATION

*Applicant: Name and Address

Phillip K. Ragan

14097 E Parsley Dr.

Madeira Beach, Florida 33708

Telephone: (727) 393-5917

Email: pkragan@msn.com

*Property Owner: Name and Address

Phillip K. Ragan & Mary M. Barker

14097 E Parsley Dr.

Madeira Beach, Florida 33708

Telephone: (727) 393-5917

Email: mmbarker39@msn.com

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

14097 E Parsley Dr., Madeira Beach Florida

Legal Description: Gulf Shores 6th Add BLK Z, LOT 37

Lot Area: 5,000

Width: 50 ft.

Depth: 100 ft.

Zoning District: R-1

Present Structures on Property: Residential - Single Family Home

Present Use of Property: Permanent Home

Date Building Permit Request denied: N/A

Variance(s) needed from the zoning requirements: Setback variance - front yard

PLEASE ATTACH REQUIRED SUPPORTING MATERIALS:
SITE PLAN, PICTURES, DEED, SURVEYOR'S SKETCH, DRAWINGS, EXPLANATION, ETC.

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.



Item 5C.

Special Magistrate Case #: _____

**** For City of Madeira Beach Use Only****

Fee: _____ Check # _____ Cash Receipt # _____

Date Received: ____ / ____ / ____ Received by: _____

Special Magistrate Case # Assigned: _____

Special Magistrate Hearing Date: ____ / ____ / ____ Approved Denied

- ____ Zoning Variance for Residential Dwelling Units (One, Two or Three Units) \$1,800.00 per Variance
- ____ Zoning Variance for Multi-Family, Tourist Dwellings or Commercial \$2,000.00 per Variance
- ____ After-the-fact Variance \$3,600.00 per Variance

X _____
Jenny Rowan, Community Development Director

Date: ____ / ____ / ____

X _____
Robin Gomez, City Manager

Date: ____ / ____ / ____

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Special Magistrate Case #: _____

APPLICATION (Must submit the following analysis)

This application to the Special Magistrate is requesting permission to: _____

SEE ATTACHED

The special magistrate shall authorize, upon application to appeal, after public notice has been given and public hearing held, such variance from the terms of the city land development regulations as not being contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the land development regulations, subpart B of this Code will result in unnecessary and undue hardship. In order to authorize any variance from the terms of the city land development regulations, the special magistrate shall consider the following criteria and shall find that the criteria has been satisfied in full and that a hardship exists.

On a separate attached page, explain in detail how your request meets City Code Sec. 2-507 by complying with the following rules. Please note that your explanation demonstrate that your request meets one or more of the conditions listed under criteria #1 below and that it also meets in full criteria 2 through 6 below:

1. Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

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2. Demonstrate that special condition (s) and circumstance (s) do not result from the actions of the applicant. A self-created hardship shall not justify a variance.
3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.
4. Demonstrate that the literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development regulations, subpart B of the code and would work unnecessary and undue hardship on the applicant.
5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land.
6. Demonstrate that the granting of the variance will be in harmony with the general intent and purpose of the City Land Development Regulations, and that such Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

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.

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 petition.

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.

It is hereby acknowledged 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.

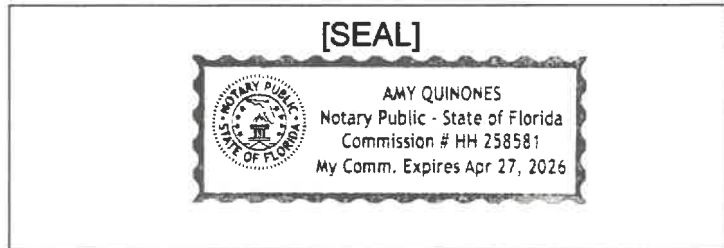
Appeals. (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing *de novo* but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

Phillip K. Ragan Mary M Barker
X PHILLIP K. RAGAN MARY M BARKER Date: 09 / 19 / 2023
Property Owner's Signature

STATE OF Florida

COUNTY OF Pinellas

Before me this 19th day of September, 2023, Phillip K. Ragan and Mary M Barker 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 Florida's License 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.

NON-OWNER (AGENT) 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 petition.

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.

It is hereby acknowledged 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. 2-109) 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 _____ Date: ____ / ____ / ____
Property Owner's Signature (If other than the property owner)

STATE OF _____

COUNTY OF _____

Before me this _____ day of _____, 2022, _____
 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.

[SEAL]

 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.

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FOR YOUR RECORDS**SPECIAL MAGISTRATE: REQUIREMENTS AND PROCEDURES (City Code Sec. 2-507)**

- 1) Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.
- 2) The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.
- 3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.
- 4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.
- 5) The variance granted is the minimum variance that will make possible the reasonable use of the land.
- 6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

In granting any variance, the Special Magistrate may prescribe appropriate conditions and safeguards in conformity with the city land development regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of this Code. The Special Magistrate may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances except as permitted in the applicable zoning district of the city land development regulations. A nonconforming use of neighborhood lands, structures or buildings in the same zoning district shall not be considered grounds for the authorization of a variance. **Financial loss** standing alone is not sufficient justification for a variance.

The hearing will be conducted in the following manner:

1. Public notice will be read along with correspondence received.
2. City presents its case, and the applicant may cross-examine.
3. The Applicant presents his or her case supported by witnesses and evidence; and the City has the right to cross-examine each witness.
4. Public comment will only be solicited or received from parties directly affected by the variance. Individuals testifying do not have the right to cross-examine the parties.
5. Public participation will be closed, the Special Magistrate deliberates and makes a decision to grant or deny each variance requested in the application.

All variances granted by the Special Magistrate and not acted on within on (1) year of being granted will automatically expire.

The granting of a variance does not relieve the applicant from obtaining a building permit. The Special Magistrate does not have the authority to grant variances from the 100 Year Flood Level for Residential or Commercial Property.

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.

Special Magistrate Case #: _____

The special magistrate shall authorize, upon application to appeal, after public notice has been given and public hearing held, such variance from the terms of the city land development regulations as not being contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the land development regulations, subpart B of this Code will result in unnecessary and undue hardship. In order to authorize any variance from the terms of the city land development regulations, the special magistrate shall consider the following criteria and shall find that the criteria has been satisfied in full and that a hardship exists.

On a separate attached page, explain in detail how your request meets City Code Sec. 2-507 by complying with the following rules. Please note that your explanation demonstrate that your request meets one or more of the conditions listed under criteria #1 below and that it also meets in full criteria 2 through 6 below:

1. Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
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 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.

Answer to Variance Item 1

Item 5C.

Special Magistrate Case #-

Criteria 1-c (Residential neighborhood character:

This home is in full character with Florida coastal architecture. It is concrete block structure with stucco coating. The non living area garage below will blend with the above living area. A large patio will over look the Boca Ciega Bay to the rear. Further a small sunset patio will adorn the front master bedroom. The home updates the community to blend with older homes and new construction nearby. The variance will allow a friendlier and safer entry to the property.

Criteria 1-e (Architectural and/or engineering considerations:

This home has design and engineering plans to meet FEMA and Madeira Beach Standards. The plans were designed by Skill Architecture of Tampa, Florida. The engineering firm was Belt Engineering of Tampa, Florida. The home is raised to FEMA required BFE and NAVD heights. Columns with helical piles support the living area. Blow out panels and flood drains are to be installed in a concrete block underneath garage. The roof is new and meets Miami Dade code. Further, the windows, entrance doors and garage doors will be impact rated so no shutters will be required. This home is being raised and renovated to be most disaster resistant. Finally, the variance will allow safe entry into the home and complies to items 2 through 6 of the variance request form.

Special Magistrate Case #: _____

2. Demonstrate that special condition (s) and circumstance (s) do not result from the actions of the applicant. A self-created hardship shall not justify a variance.

Condition: Our house was permitted to be raised by AJS Building, Moving and Leveling Inc. We were flooded by Tropical Storm ETA on 11/11/2020. So we decided to elevate than rebuild. On March 7 and 8, 2023 the house was raised to the planned height to meet FEMA requirements. It sat upon temporary wood 6x6 inch blocks for about 3 months waiting for the permanent under structure to be built and tied in. On June, 16, 2023 a required construction/tie in survey was performed. The survey revealed that the Southwest corner of the house had shifted just under 5 inches toward the property line. The shift caused the the planned staircase to exceed the required setback by approximately 5 inches. The applicant of this variance had nothing to do with the shifting of the house.

3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.

Answer: Our neighbor to the North at 14099 E Parsley Dr. was granted a variance to build a detached double car garage that is approximately 5 feet closer to the the curb than our entry stair case will be.

4. Demonstrate that the literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development regulations, subpart B of the code and would work unnecessary and undue hardship on the applicant.

Answer: We agreed to change the front entry stairs from the desired straight entry with wide stairs to a zigzag staircase with the code minimum of 30 inches so we could meet required setbacks. If the variance is not approved, we would not be able to access our house that everyone in the neighborhood enjoys. The hardship is evident.

Special Magistrate Case #: _____

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land.

Answer: We described the narrowness of the zigzag entry stairs in 4 above. It is a must to have 5 inches but would be a waste of land use not to ask for 18 inches variance so that 36-inch-wide stairs could be built so we could safely transport appliances and large items into our home. Even small refrigerators are 33 inches wide thus making 30-inch-wide stairs a hardship. Even with 36-inch-wide stairs we will be much further from the property setbacks than our Northern neighbor.

6. Demonstrate that the granting of the variance will be in harmony with the general intent and purpose of the City Land Development Regulations, and that such Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Answer: We are raising our home to meet FEMA standards to avoid flooding that threatens each and every house not only in our neighborhood but all of Madeira Beach as well. The requested variance is in line with properties in the neighborhood as shown in photos attached. The variance will provide safe access to the home. Further, the act of raising the home puts our house in a condition that will require little or no assistance during Hurricane and Rising water emergencies. The house already has a Miami Dade code roof and the plan calls for impact rated windows. This will free up Madeira Beach Emergency Assets to assist others. We believe that Nothing in this project is detrimental to the welfare of our community but a boost to it.

September 19, 2023

We are asking for an 18-inch front setback Variance to install front stairs to our home being raised by AJS Building, Moving and Leveling Inc.

Our home at 14097 E Parsley Dr, Madeira Beach was flooded by Tropical storm ETA 11/11/2020.

Our search to avoid further damage from recurring Flood Waters and saving our existing home led us to AJS Building, Moving and Leveling Inc. We signed a contract with AJS to elevate our existing home above Base Flood Elevation plus 4 feet. The plan raises our existing home without additions over a garage. Both home and garage will meet FEMA and Madeira Beach requirements.

On March 7 & 8, 2023 our home was elevated and placed on temporary supports. It took several months for the permanent support columns to be installed.

On June 16, 2023, the required Tie-In-Survey was conducted by Don Williamson & Associates, Inc. that revealed the house had rotated or shifted while on the temporary supports. The Southwest corner rotated just less than 5 inches toward the front setback. This meant the foundation for the front stairs extended 5 inches past the required setback.

Note that in effort to meet the front setback requirements of twenty feet from the property line, we had already reduced the 36-inch standard stair width to the minimum of 30 inches with our architect. Being focused on setbacks we didn't realize the problems associated with a 30-inch-wide stair.

Now that a Variance is required for the lost 5 inches, it makes sense to build standard 36" stairs which will allow us to safely bring furniture and appliances into our home. Even small refrigerators exceed 30 inches in width. This will require an 18-inch Variance for the staircase instead of 5 inches caused by the house rotation. Please note this Variance is for stairs only and not the front of the home.

Attached photos will show this variance will not be out of line with neighboring properties. We show 14087 E. Parsley Dr to the South, 14099 and 14101 E Parsley Dr to the North of our home. Note that 14099 E Parsley Dr received a Variance to build a garage which is closer to the property line than our staircase will be. In addition, we highlight the Variance requested on pictures taken of page A200, Renovation Floor Plan-Level 1, of the plan on file with Madeira Beach Planning Office. Although not to scale the area outlined in pink is requested to be moved 18 inches toward the property line.

Thank you for your consideration.

Phillip K. Ragan/Mary M. Barker

Phillip K. Ragan
Mary M. Barker

Attch1. 14087 E. Parsley Dr. Attch2. 14099 E. Parsley Dr. and 14101 E. Parsley Dr.

Attch3. Renovation Floor Plan Level 1 Attch4. Area of concern.

Attch5. Photo of staircase support. Attch6. Photo of staircase site.

14087
E Parsley

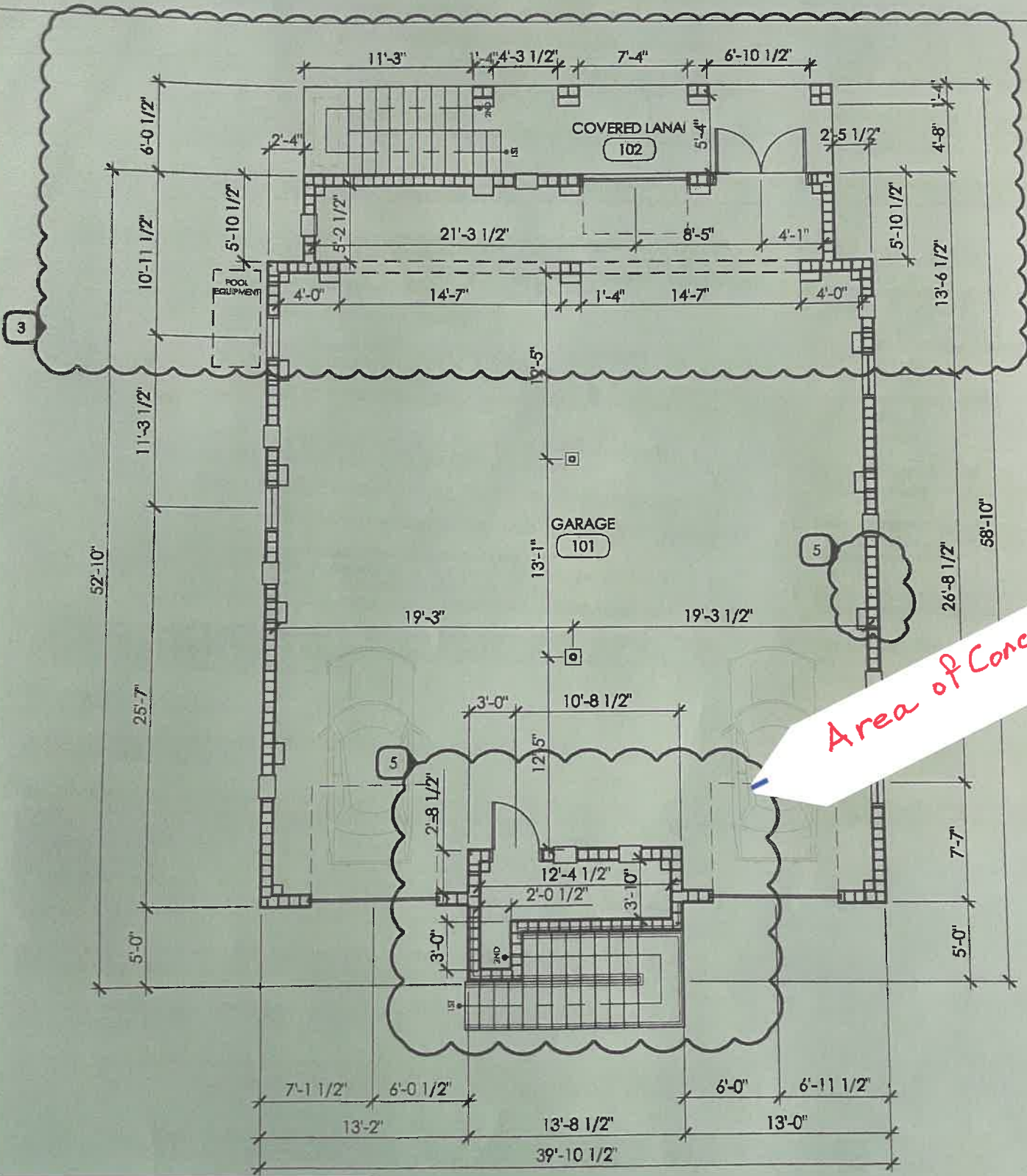
Attachment 1

14101
E Parsley

14099
E Parsley

1/8"=1'-0"

RENOVATION FLOOR PLAN : LEVEL 1

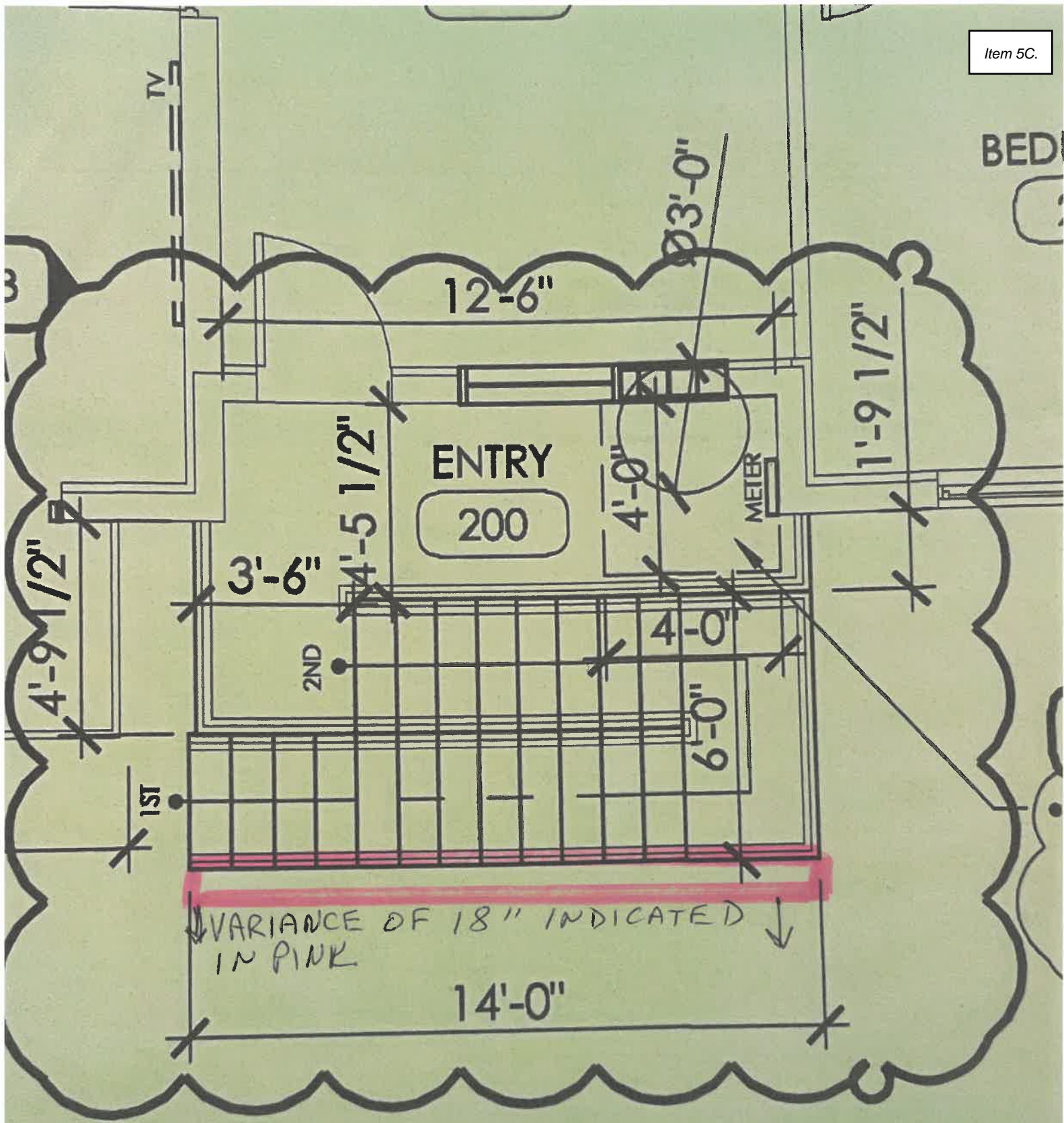


Area of Concern

Attachment 3

1/8"=1'-0"

DIMENSION FLOOR PLAN : LEVEL 1



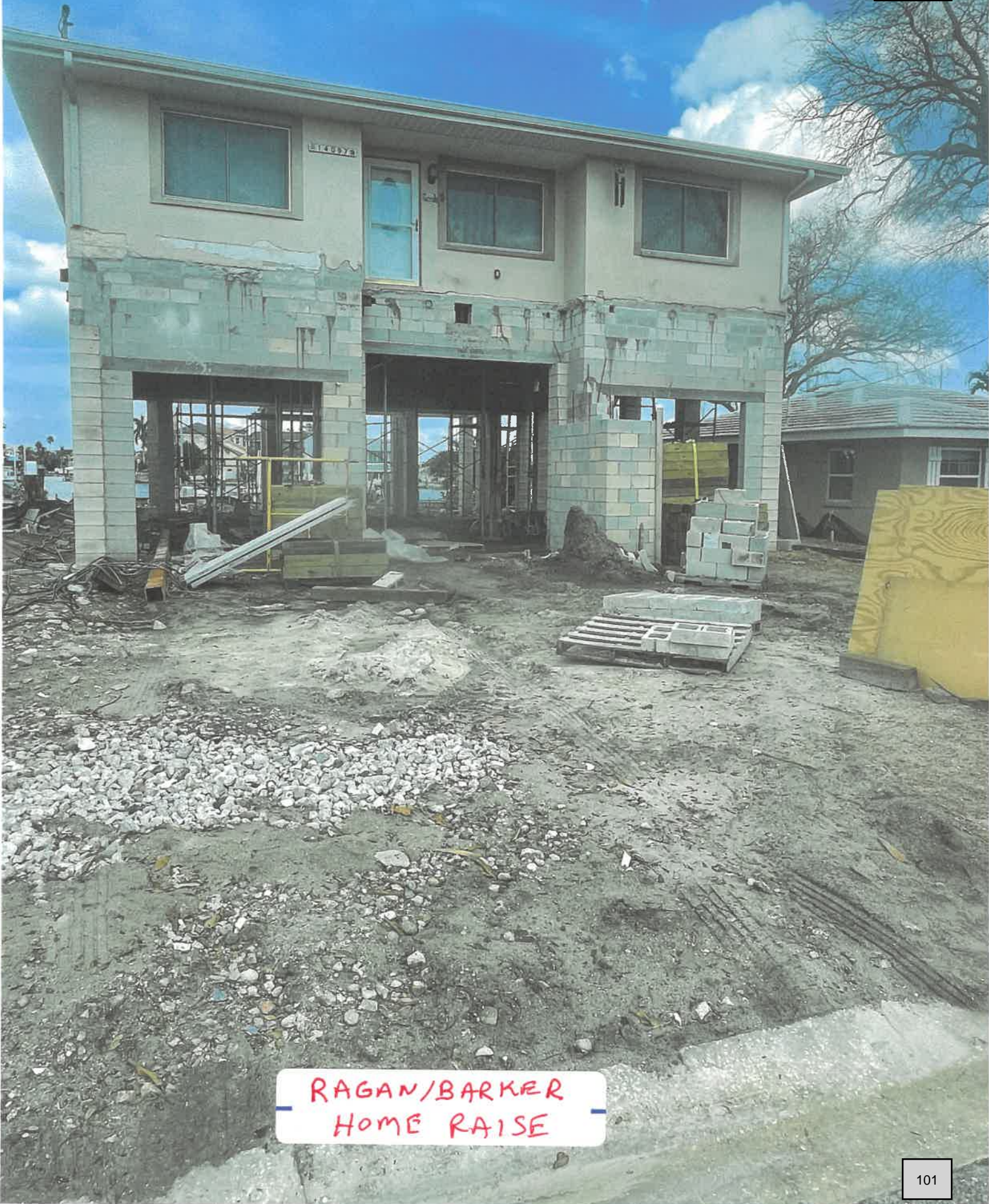
Area of Concern

Attachment 5



14097

14097
E Parsley



RAGAN/BARKER
HOME RAISE

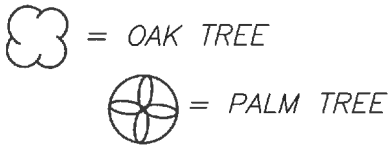
BOUNDARY SURVEY

LEGAL DESCRIPTION:

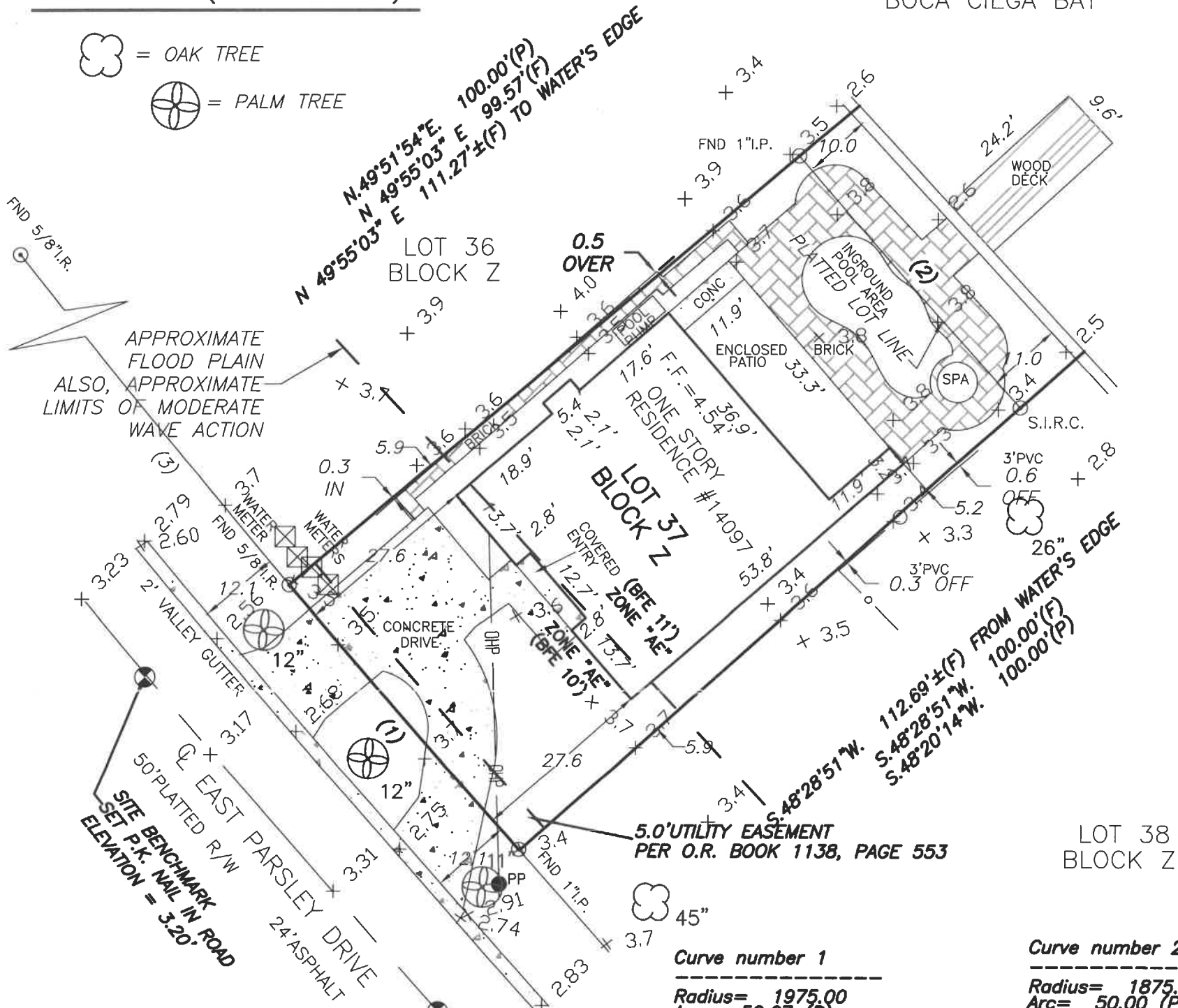
LOT 37, BLOCK Z, SIXTH ADDITION TO GULF SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 74 THROUGH 75, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.



TREE LEGEND (SIZE AS NOTED)



BOCA CIEGA BAY



NOTES:

- BEARINGS ARE BASED UPON THE SOUTHWESTERLY LINE LOT 37, N 40°53'56" W, PLATTED BEARING
- PROPERTY APPEARS TO BE IN FLOOD ZONE "AE" PANEL #12103C-0191 SUFFIX "H" ACCORDING TO NATIONAL FLOOD INSURANCE RATE MAP. REVISED 8-24-2021 BASE FLOOD ELEVATION=10.00 & 11.00'
- ELEVATIONS ARE BASED ON NAVD '88 DATUM
- LEGAL DESCRIPTION FURNISHED BY TITLE COMPANY
- ALL MEASUREMENTS ARE IN U.S. FEET
- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE, THERE MAY BE OTHER EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY
- FENCE LOCATION DOES NOT DETERMINE OWNERSHIP, OFF MEANS THE FENCE IS OFF OF THE PROPERTY, IN MEANS FENCE IS INSIDE THE PROPERTY.

Curve number 1

Radius= 1975.00
 Arc= 52.67 (P)
 Chord= 52.67 (P) 52.50 (F)
 Chord Brg. N.40°53'56"W. (P&F)

Curve number 2

Radius= 1875.00
 Arc= 50.00 (P) 50.00 (F)
 Chord= 50.00 (P) 50.00 (P)
 Chord Brg. S.40°53'56"E. (P)
 Chord Brg. S.41°23'29"E. (F)

Curve number 3

Radius= 1975.00
 Arc= 115.86 (P) 116.12 (F)
 Chord= 50.00 (P) 50.00 (P)
 Chord Brg. S.38°27'16"E. (P)
 Chord Brg. S.38°23'11"E. (F)

ELEVATIONS DERIVED FROM DEPT. OF TRANSPORTATION G.P.S. NETWORK SYSTEM FTP SITE. N.A.V.D. DATUM.

Certificate of Authorization "LB #6945"

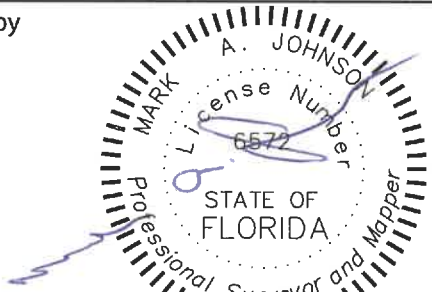
File Copy
 SUBJECT TO FIELD INSPECTION APPROVAL

LEGEND: A/C = AIR CONDITIONER (C) = CALCULATED CLF = CHAIN LINK FENCE C.M. = CONCRETE MONUMENT CONC = CONCRETE CSW = CONCRETE SIDEWALK (D) = DEED MEASUREMENT (F) = FIELD MEASURED NO. I.D. = NO IDENTIFICATION PRM = PERMANENT REFERENCE MONUMENT PSM = PROFESSIONAL SURVEYOR AND MAPPER RLS/PLS = REGISTERED/PROFESSIONAL LAND SURVEYOR	PVC = PLASTIC VINYL FENCE PCP = PERMANENT CONTROL POINT I.P. = IRON PIPE I.R. = IRON ROD LB = LICENSED BUSINESS O.U. = OVER HEAD UTILITY P.K. = PARKER KRYLON (P) = PLAT PP = POWER POLE R/W = RIGHT-OF-WAY PRM = PERMANENT REFERENCE MONUMENT PSM = PROFESSIONAL SURVEYOR AND MAPPER RLS/PLS = REGISTERED/PROFESSIONAL LAND SURVEYOR	ASPH = ASPHALT ASPH = ASPHALT (R) = RADIAL FHD = FIRE HYDRANT FND = FOUND (N/R) = NON-RADIAL (TYP) = TYPICAL W/F = WOOD FENCE S.P.K.D. = SET P.K. NAIL & DISK LB#6945 S.I.R.C. = SET 5/8" I.R. & CAP LB#6945
--	---	---

CERTIFIED TO:
 PHILLIP K. RAGAN AND MARY M. BARKER

Mark A Johnson
 Digitally signed by Mark A Johnson
 Date: 2022.10.27 12:45:31 -04'00'

MARK A. JOHNSON
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA REGISTRATION NUMBER 6572
 NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE FLORIDA STANDARDS OF PRACTICE AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS. THE SEAL AND UNIQUE SIGNATURE APPEARING ON THIS DOCUMENT IS AUTHORIZED BY MARK A. JOHNSON PSM 6572 AND IS COMPLIANT WITH F.S.61G17-7.0025(3) (a) (b) (c) (d)

FIELD WORK BY:	J.P.	DATE:	8-12-2022	F.B. / PG.	119 / 68
DRAFTED BY:	S.L.	DATE:	8-15-2022	JOB #	21-350UPDATE

DON WILLIAMSON & ASSOCIATES, INC.
 PROFESSIONAL SURVEYORS & MAPPERS LB # 6945
 5020 GUNN HIGHWAY SUITE 220 A TAMPA, FL 33624
 (813) 265-4795
 FAX (813) 264-6062
 WILLIAMSONSURVEYING@VERIZON.NET

LEGAL DESCRIPTION:

LOT 37, BLOCK Z, SIXTH ADDITION TO GULF SHORES, AS RECORDED IN PLAT BOOK 23, PAGES 74 THROUGH 75, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

BEARING:

BEARINGS ARE BASED UPON THE SOUTHERLY LINE LOT 37, S 48°20'14" W, PLATTED BEARING

ELEVATIONS:

ELEVATIONS DERIVED FROM DEPT. OF TRANSPORTATION G.P.S. NETWORK SYSTEM FTP SITE, N.A.V.D. '88 DATUM.

FLOOD ZONES:

PROPERTY APPEARS TO BE IN FLOOD ZONE "AE" PANEL #1203C-0191 SUFFIX "G" ACCORDING TO NATIONAL FLOOD INSURANCE RATE MAP, REVISED 9-3-2003. BASE FLOOD ELEVATION = 11.00', COASTAL "A"

SITE DATA TABLE:

GOVERNING MUNICIPALITY: MADEIRA BEACH
ZONING: R-1
PARCEL ID: 10-31-15-34416-026-0370
TOTAL SITE AREA: 0.13 ACRES (5,646 SF)

ZONING DISTRICT REQUIREMENTS:

MIN. LOT AREA: 5,000 SF
MIN. LOT WIDTH: 50 FT
MIN. LOT DEPTH: 80 FT
MAX. DENSITY: 7.5 UNITS PER ACRE
MIN. FRONT YARD SETBACK: 20 FT
MIN. FRONT YARD SETBACK (FROM R.O.W. LINE TO STRUCTURE): 30 FT
MIN. REAR YARD SETBACK: 15 FT
TOTAL SIDE YARD SETBACK: 15 FT
MAX. OVERALL HEIGHT: 40 FT
MAX. FAR: 0.80
MAX. STRUCTURE SURFACE AREA: 0.40
IMPERVIOUS SURFACE RATIO: 0.65

IMPERVIOUS SURFACE CALCULATION:

TOTAL SITE AREA: 5,646 SF

EXISTING IMPERVIOUS:

BUILDING: 2,088 SF
PARKING AND DRIVEWAY: 764 SF
PAVERS AND POOL: 862 SF

TOTAL EX. IMP.: 3,714 SF

EX. IMP. PERCENTAGE: 65.8%

PROPOSED IMPERVIOUS:

PROP. BUILDING: 2,136 SF
PAVERS: 141 SF
POOL AREA: 1,010 SF
CONCRETE: 87 SF

TOTAL PROP. IMP.: 3,374 SF

PROP. IMP. PERCENTAGE: 59.8%

PROP. LANDSCAPE CALCULATION:

TOTAL SITE AREA: 5,646 SF
TOTAL EX. LANDSCAPE: 1,932 SF

REQUIRED LANDSCAPE: 5,646 SF * 0.25 = 1,280 SF
PROP. LANDSCAPE: 2,272 SF

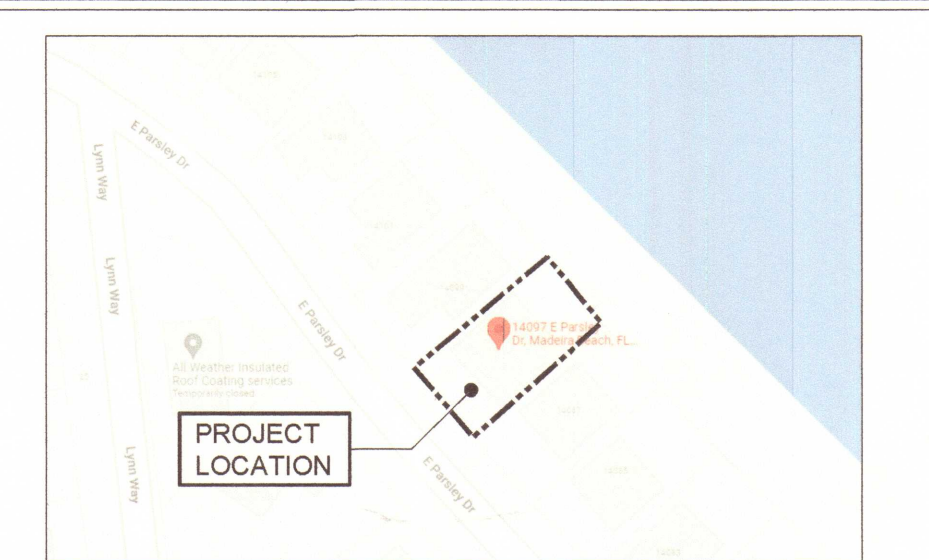
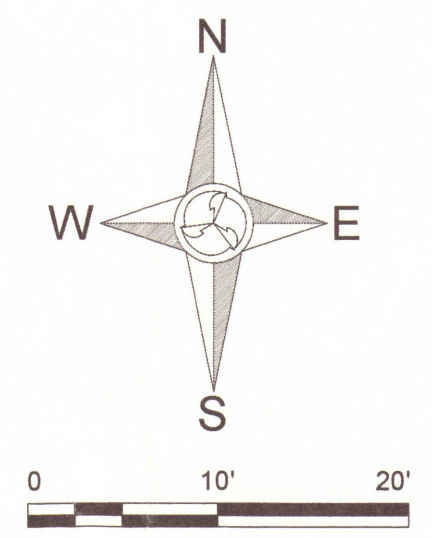
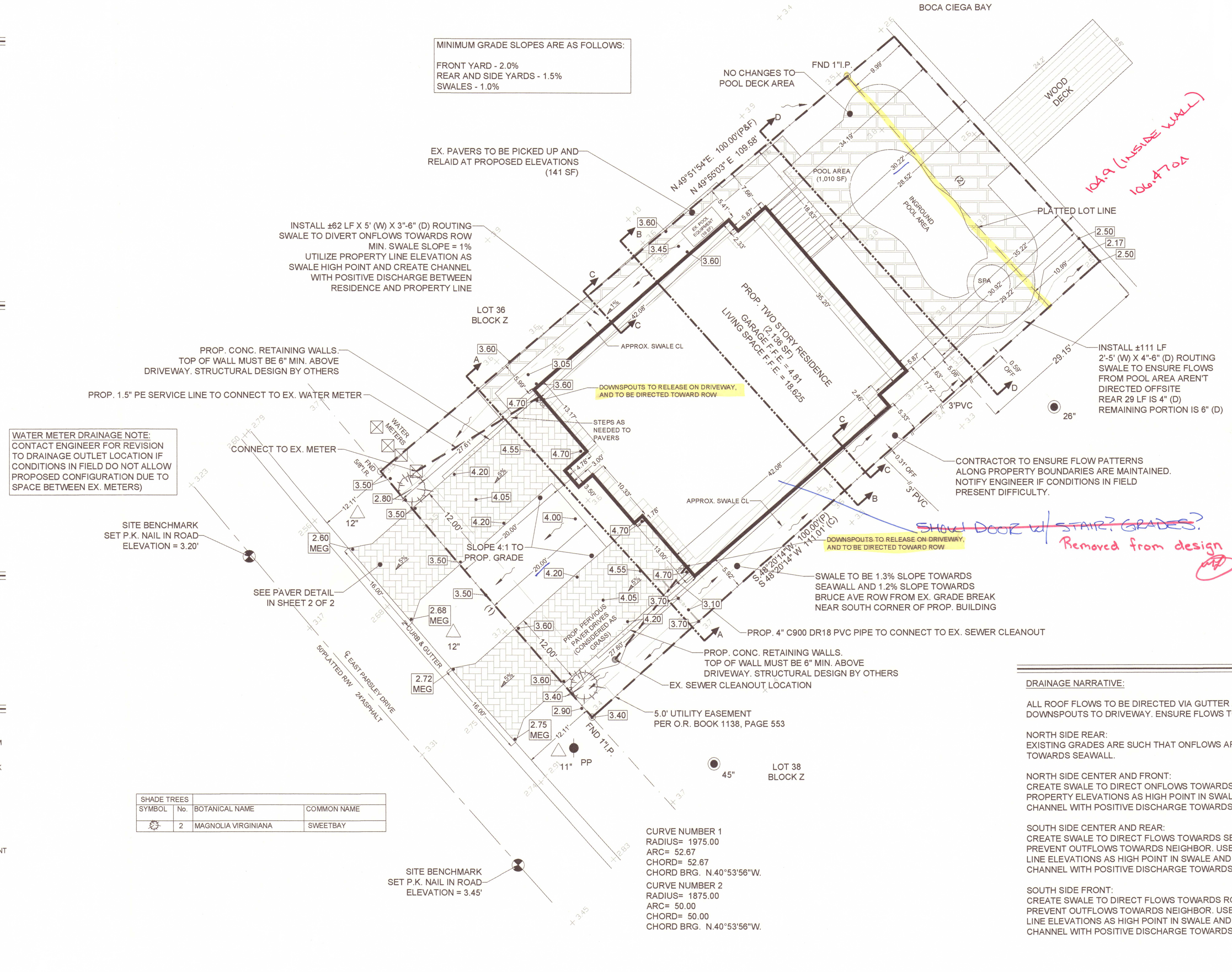
LANDSCAPE PERCENTAGE: 40.2%

LEGEND

Table with 2 columns: Symbol/Description and Name/Type. Includes symbols for air conditioner, bearing reference, calculated, concrete monument, etc.

MINIMUM GRADE SLOPES ARE AS FOLLOWS:

FRONT YARD - 2.0%
REAR AND SIDE YARDS - 1.5%
SWALES - 1.0%



DRAINAGE CONSTRUCTION NOTES:

- 1. ALL ON-SITE CONSTRUCTION SHALL COMPLY WITH PINELLAS COUNTY AND STATE CODES.
2. VERIFY ALL LOCATIONS, ELEVATIONS, AND DIMENSIONS IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY.
3. ARRANGE SEQUENCE OF ACTIVITIES TO PROVIDE SOIL EROSION PROTECTION AND PREVENT OFF-SITE STORMWATER RUNOFF. SILT CURTAINS ON PERIMETER.
4. GRADING SHALL BE COMPLETED WITHIN 0.1 FEET TOLERANCE OF ELEVATIONS INDICATED ON PLANS.
5. ALL NEW SLOPES AND STORMWATER SWALES SHALL BE SODDED.

PROJECT NARRATIVE:

PROPOSED HOME RAISE. 1ST FLOOR IS THE GARAGE FLOOR USED FOR PARKING AND STORAGE AT 4.81' ELEVATION. 2ND FLOOR IS AT 17.44' ELEVATION. EXISTING RESIDENCE IS BEING RAISED AND ADDITIONAL SPACES ADDED. DRIVEWAY IS RECONFIGURED

SURVEY PROVIDED BY:

DON WILLIAMSON & ASSOCIATES, INC.
PROFESSIONAL SURVEYORS & MAPPERS
LB # 6845
5020 GUNN HIGHWAY SUITE 220 A
TAMPA, FL 33624
PHONE: (813) 265-4795
FAX: (813) 264-6062
WILLIAMSONSURVEYING@VERIZON.NET
FIELD DATE: 4-10-2021
JOB NUMBER: 21-350

UTILITY NOTES:

EXISTING SITE IS CONNECTED TO WATER/SEWER. PROPOSED SITE WILL USE SAME CONNECTIONS.

ELECTRIC SERVICE TO HOUSE MUST BE UNDERGROUND.

LANDSCAPE NOTES:

THE PERIMETER LANDSCAPING FOR RESIDENTIAL MULTIFAMILY OR COMMERCIAL SHALL BE AS FOLLOWS:

- 1. THE EXTERIOR OF ALL VEHICULAR USE AREAS SHALL BE LANDSCAPED WITH A BUFFER STRIP WHICH IS AT LEAST FIVE FEET IN WIDTH. SUCH BUFFER STRIPS SHALL INCLUDE ONE TREE FOR EACH 35 LINEAR FEET, OR FRACTION THEREOF, OF PERIMETER. THESE TREES MAY BE PLANTED IN CLUSTERS OR GROUPINGS AND NOT NECESSARILY IN AN EQUIDISTANT ROW PLANTING. HEDGES OR OTHER DURABLE LANDSCAPE BARRIERS SHALL BE INSTALLED IN SUCH A MANNER AS TO SCREEN THE VEHICULAR USE AREA FROM THE PUBLIC RIGHT-OF-WAY, IF APPLICABLE.
2. TREES OR PALMS HAVING AVERAGE MATURE CROWN SPREAD OF LESS THAN 15 FEET MAY BE GROUPED SO AS TO CREATE THE EQUIVALENT OF 15-FOOT SPREAD. ALL REQUIRED TREES, OTHER THAN PALMS, SHALL BE A MINIMUM OF EIGHT FEET IN HEIGHT AT TIME OF PLANTING. IF PALMS ARE USED, THEY SHALL CONSIST OF NO MORE THAN 50 PERCENT OF THE TOTAL TREE REQUIREMENT AND SHALL HAVE A MINIMUM OF TEN FEET OF CLEAR WOOD AT PLANTING.

DRAINAGE NARRATIVE:

ALL ROOF FLOWS TO BE DIRECTED VIA GUTTER AND DOWNSPOUTS TO DRIVEWAY. ENSURE FLOWS TOWARDS ROW.

NORTH SIDE REAR: EXISTING GRADES ARE SUCH THAT ONFLOWS ARE DIRECTED TOWARDS SEAWALL.

NORTH SIDE CENTER AND FRONT: CREATE SWALE TO DIRECT ONFLOWS TOWARDS ROW. USE PROPERTY ELEVATIONS AS HIGH POINT IN SWALE AND CREATE CHANNEL WITH POSITIVE DISCHARGE TOWARDS STREET.

SOUTH SIDE CENTER AND REAR: CREATE SWALE TO DIRECT FLOWS TOWARDS SEAWALL AND PREVENT OUTFLOWS TOWARDS NEIGHBOR. USE PROPERTY LINE ELEVATIONS AS HIGH POINT IN SWALE AND CREATE CHANNEL WITH POSITIVE DISCHARGE TOWARDS SEAWALL.

SOUTH SIDE FRONT: CREATE SWALE TO DIRECT FLOWS TOWARDS ROW AND PREVENT OUTFLOWS TOWARDS NEIGHBOR. USE PROPERTY LINE ELEVATIONS AS HIGH POINT IN SWALE AND CREATE CHANNEL WITH POSITIVE DISCHARGE TOWARDS ROW.

PLANS REVIEWED FOR CODE COMPLIANCE IN ACCORDANCE WITH THE BUILDING CODE WITH EXCEPTIONS NOTED
FEB 13 2023



APPROVED Planning & Zoning
Signature: FAD/BUTTS

APP # 7497

ENGINEER'S CERTIFICATION
MICHAEL J. NOLAN
FL ENG # 9407
STATE OF FLORIDA
PROFESSIONAL ENGINEER
Signature: Michael J. Nolan
DATE: 11/15/22



CONSULTING ENGINEERS AND ENVIRONMENTAL SCIENTISTS
ENGINEERING BUSINESS NUMBER - 2948
5119 NORTH FLORIDA AVENUE
P.O. BOX 7854
TAMPA, FLORIDA 33673
PHONE: 1-800-229-3781

PROPOSED DRAINAGE PLAN

SKILL ARCHITECTURE
14097 E PARSLEY DRIVE
MADEIRA BEACH, FL 33708

Table with 2 columns: Field and Value. Includes DATE: JUNE 2022, SCALE: 1" = 10', JOB NUMBER: 2022109, SHEET: 1 OF 2.

RECEIVED DEC 19 2022

REVISED 12-15-22

File Copy
SUBJECT TO FIELD INSPECTION APPROVAL

VOID

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name MARY BARKER AND PHILIP RAGAN	Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14097 E PARSLEY DR	Company NAIC Number:
City MADEIRA BEACH	State Florida
	ZIP Code 33708
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 37, BLOCK Z, GULF SHORES 6TH ADDITION, PLAT BOOK 23, PAGE 74	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>	
A5. Latitude/Longitude: Lat. <u>27°47'58"N</u> Long. <u>82°47'20"W</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983	
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.	
A7. Building Diagram Number <u>6</u>	
A8. For a building with a crawlspace or enclosure(s):	
a) Square footage of crawlspace or enclosure(s) <u>1990.00</u> sq ft	
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>N/A</u>	
c) Total net area of flood openings in A8.b <u>N/A</u> sq in	
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
A9. For a building with an attached garage:	
a) Square footage of attached garage <u>N/A</u> sq ft	
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>	
c) Total net area of flood openings in A9.b <u>N/A</u> sq in	
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number PINELLAS COUNTY UNINCORPORATED 125139		B2. County Name PINELLAS		B3. State Florida	
B4. Map/Panel Number 12103C-0191	B5. Suffix H	B6. FIRM Index Date 08-24-2021	B7. FIRM Panel Effective/ Revised Date 08-24-2021	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 10.0' & 11.0'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November

Item 5C.

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANIES
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14097 E PARSLEY DR			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: PINELLAS AG0118 Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

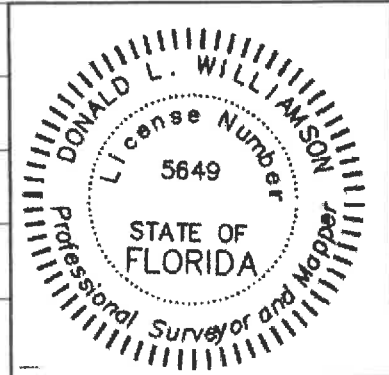
- | | | | |
|--|-------------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) | <u>14.8</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor | <u>N/A</u> | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) | <u>N/A</u> | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| d) Attached garage (top of slab) | <u>N/A</u> | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) | <u>N/A</u> | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG) | <u>3.4</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG) | <u>3.7</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support | <u>N/A</u> | <input type="checkbox"/> feet | <input type="checkbox"/> meters |

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No Check here if attachments.

Certifier's Name DONALD L. WILLIAMSON	License Number PSM# 5649
Title LAND SURVEYOR	
Company Name WILLIAMSON & ASSOCIATES, INC.	
Address 5020 GUNN HWY, SUITE 220A	
City TAMPA	State Florida
	ZIP Code 33624



Signature WILLIAMSON Date 06-16-2023 Telephone (813) 265-4795 Ext. _____
Date: 2023.06.16 10:25:46 -04'00'

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

A5) LONGITUDE LATITUDE RETRIEVED FROM GOOGLE EARTH

JOB# 21-350FND

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November

Item 5C.

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANIES
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14097 E PARSLEY DR			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the HAG.
 - b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name _____

Address _____	City _____	State _____	ZIP Code _____
Signature _____	Date _____	Telephone _____	

Comments _____

Check here if attachments.

BUILDING PHOTOGRAPHS

ELEVATION CERTIFICATE

See Instructions for Item A6.

OMB No. 1660-0008

Expiration Date: November

Item 5C.

IMPORTANT: In these spaces, copy the corresponding information from Section A.

FOR INSURANCE COMPANIES

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.

Policy Number:

14097 E PARSLEY DR

City

State

ZIP Code

Company NAIC Number

MADEIRA BEACH

Florida

33708

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One

Photo One Caption

Clear Photo One



Photo Two

Photo Two Caption

Clear Photo Two

BUILDING PHOTOGRAPHS

OMB No. 1660-0008
Expiration Date: November 30, 2009

ELEVATION CERTIFICATE

Continuation Page

Item 5C.

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPAN
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14097 E PARSLEY DR			Policy Number:
City MADEIRA BEACH	State Florida	ZIP Code 33708	Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Photo Three

Photo Three Caption

Clear Photo Three



Photo Four

Photo Four Caption

Clear Photo Four

SECTION 10, TOWNSHIP 31 SOUTH, RANGE 15 EAST, PINELLAS COUNTY, FLORIDA.

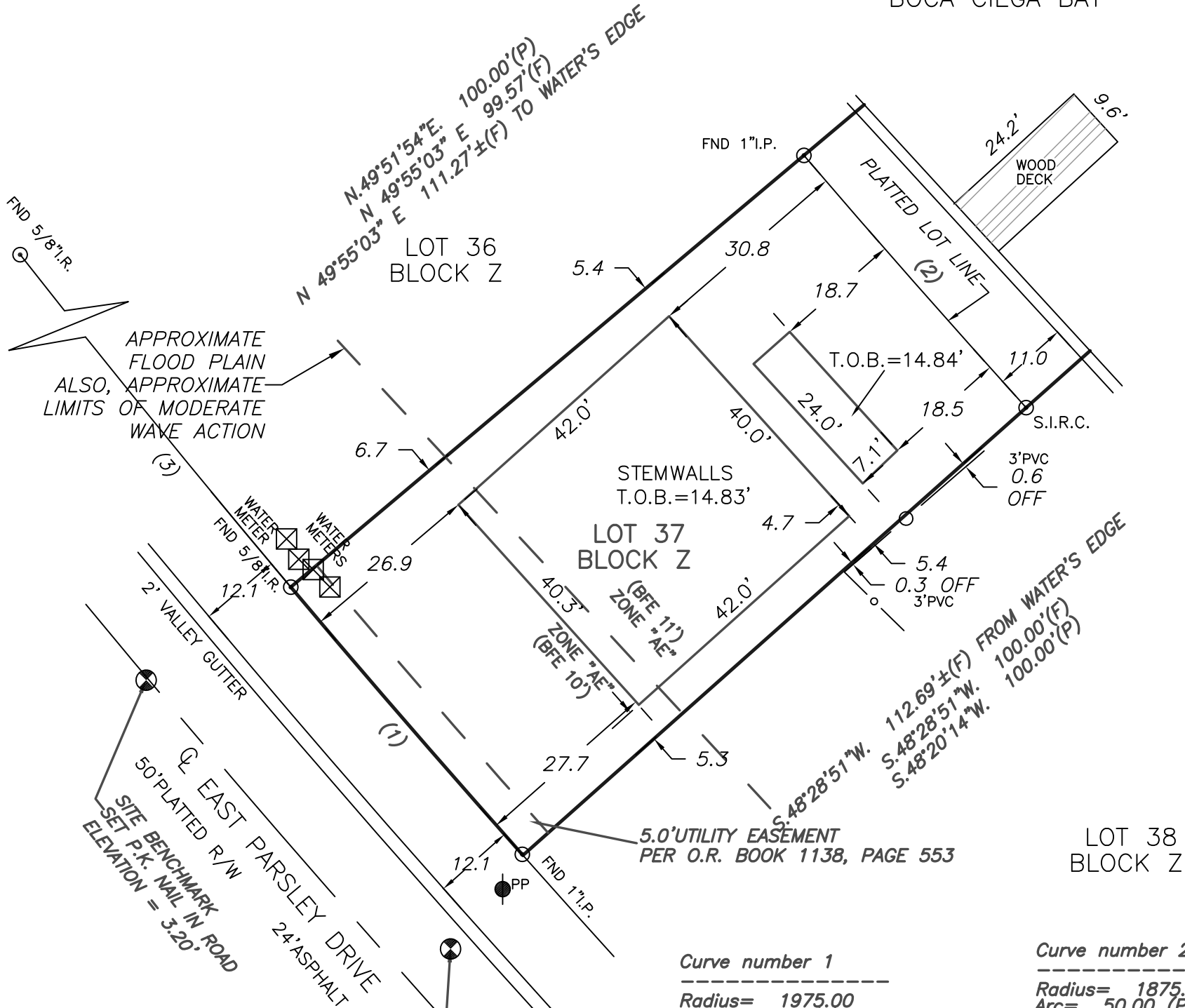
FOUNDATION SURVEY

LEGAL DESCRIPTION:

LOT 37, BLOCK Z, SIXTH ADDITION TO GULF SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 74 THROUGH 75, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.



BOCA CIEGA BAY



- NOTES:**
- 1) BEARINGS ARE BASED UPON THE SOUTHWESTERLY LINE LOT 37, N 40°53'56" W, PLATTED BEARING
 - 2) PROPERTY APPEARS TO BE IN FLOOD ZONE "AE" PANEL #12103C-0191 SUFFIX "H" ACCORDING TO NATIONAL FLOOD INSURANCE RATE MAP, REVISED 8-24-2021 BASE FLOOD ELEVATION=10.00 & 11.00'
 - 3) ELEVATIONS ARE BASED ON NAVD '88 DATUM
 - 4) LEGAL DESCRIPTION FURNISHED BY TITLE COMPANY
 - 5) ALL MEASUREMENTS ARE IN U.S. FEET
 - 6) THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE, THERE MAY BE OTHER EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY
 - 7) FENCE LOCATION DOES NOT DETERMINE OWNERSHIP, OFF MEANS THE FENCE IS OFF OF THE PROPERTY, IN MEANS THE FENCE IS INSIDE THE PROPERTY.

Curve number 1

Radius= 1975.00
 Arc= 52.67 (P)
 Chord= 52.67 (P) 52.50 (F)
 Chord Brg. N.40°53'56"W. (P&F)

Curve number 2

Radius= 1875.00
 Arc= 50.00 (P) 50.00 (F)
 Chord= 50.00 (P) 50.00 (P)
 Chord Brg. S.40°53'56"E. (P)
 Chord Brg. S.41°23'29"E. (F)

Curve number 3

Radius= 1975.00
 Arc= 115.86 (P) 116.12 (F)
 Chord= 50.00 (P) 50.00 (P)
 Chord Brg. S.38°27'16"E. (P)
 Chord Brg. S.38°23'11"E. (F)

ELEVATIONS DERIVED FROM DEPT. OF TRANSPORTATION G.P.S. NETWORK SYSTEM FTP SITE. N.A.V.D. DATUM.

Certificate of Authorization "LB #6945"

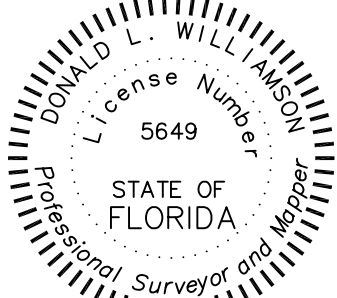
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CERTIFIED TO:
 PHILLIP K. RAGAN AND MARY M. BARKER

Digitally signed by DONALD L WILLIAMSON

Date: 2023.06.16 10:23:17

04'00"
 DONALD L. WILLIAMSON
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA REGISTRATION NUMBER 5649
 NOT VALID WITHOUT THE ELECTRONIC
 SIGNATURE AND SEAL OF A FLORIDA
 LICENSED SURVEYOR AND MAPPER



CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE FLORIDA MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS. THE SEAL AND UNIQUE SIGNATURE APPEARING ON THIS DOCUMENT IS AUTHORIZED BY DONALD L. WILLIAMSON PSM 5649 AND IS COMPLIANT WITH F.S.61G17-7.0025(3) (a) (b) (c) (d)

FIELD WORK BY:	BP III	DATE:	6-15-2023	F.B. / PG.	23 / 8
DRAFTED BY:	B.K.	DATE:	6-16-2023	JOB #	21-350FND

DON WILLIAMSON
 &
 ASSOCIATES, INC.
 PROFESSIONAL SURVEYORS
 &
 MAPPERS LB # 6945
 5020 GUNN HIGHWAY SUITE 220 A
 TAMPA, FL 33624
 (813) 265-4795
 FAX (813) 264-6062
 WILLIAMSONSURVEYING@VERIZON.NET



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, October 23rd, 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:** VAR 2023-06
- Applicant:** Phillip K. Ragan
- Property Owner(s):** Phillip K. Ragan & Mary M. Barker
- Property Address:** 14097 E. Parsley Dr., Madeira Beach, FL 33708
- Parcel ID:** 10-31-15-34416-026-0370
- Legal Description:** GULF SHORES 6TH ADD BLK Z, LOT 37
- Zoning/Future Land Use:** R-1, Single-Family Residential/Residential Urban

Request: Reduce the front yard setback requirement from 20 feet to 18.5’

Specific Code Provisions: Sec. 110-181. – (1) Front yard: 20 feet measured from the right-of-way line to the structure

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: October 12, 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 5C.

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.



MIKE TWITTY, MAI, CFA
Pinellas County Property Appraiser

www.pcpao.gov

mike@pcpao.gov

Run Date: 11 Oct 2023

Subject Parcel: 10-31-15-34416-026-0370

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.

DIMECH, MICHAEL
8 MCMASTER ST
GLEN WILLIAMS ON L7G 5G7,
CANADA

AURORA INVESTMENT GROUP LLC
REM CAPITAL GROUP LLC
2617 COVE CAY DR UNIT 210
CLEARWATER, FL 33760-1323

CATENA, WILLIAM A
CATENA, SUNEE
416 HIGHLAND CT
KENNETT SQUARE, PA 19348-2290

GARDNER, JOHN W TRE
BRUMLEY, PATRICIA A TRE
14087 E PARSLEY DR
MADEIRA BEACH, FL 33708

MAYO, EVAN D TRE
DRAKE TRUST
14140 E PARSLEY DR
MADEIRA BEACH, FL 33708-1871

CASSITY, LORETTA REVOCABLE LIVING TRUST
CASSITY, LORETTA TRE
250 E MADEIRA AVE
MADEIRA BEACH, FL 33708-2018

ZIRNESKIE, SUSAN A
GERBASE, WALTER P
14041 E PARSLEY DR
MADEIRA BEACH, FL 33708-2301

ESKILDSEN, ERIK R
ESKILDSEN, LYNNE D
14045 E PARSLEY DR
MADEIRA BEACH, FL 33708-2301

YANNESSA, BENJAMIN
YANNESSA, KELLY
576 LILLIAN DR
MADEIRA BEACH, FL 33708-2332

MACHIONE-DWYER, KATHY
HICKROD, EARL S
14103 E PARSLEY DR
MADEIRA BEACH, FL 33708-2346

B P O E LODGE 1912
HOLIDAY ISLES
14111 E PARSLEY DR
MADEIRA BEACH, FL 33708-2346

HENN, JULIA M
BRANDT, CORY T
14105 E PARSLEY DR
MADEIRA BEACH, FL 33708-2346

KIEWIET, STEPHEN
THIES-KIEWIET, TRACY
14102 E PARSLEY DR
MADEIRA BEACH, FL 33708-2347

VAN KEYMEULEN, GEORGETTE TRE
VAN KEYMEULEN, GEORGETTE LIVING TRUST
17076 DOLPHIN DR
NORTH REDINGTON BEACH, FL 33708-1324

CARPENTER, BRUCE W TRE
CARPENTER, JOEANA S TRE
2638 KADEMA DR
SACRAMENTO, CA 95864-6914

KOHAN-SHOHET, KEYVAN & STEPHANIE G LIV
TRUST
KOHAN-SHOHET, KEYVAN TRE
1919 80TH ST N
ST PETERSBURG, FL 33710-3707

DEMEIS, JOHN
LINFORD, MICHELLE
15166 SPRINGVIEW ST
TAMPA, FL 33624-2332

GENZLINGER, DUSTIN CRAIG
OWENS, ALANA MICHELLE
10399 PARADISE BLVD UNIT 102
TREASURE ISLAND, FL 33706-3106

HEARN, MARY ANN
14105 W PARSLEY DR
MADEIRA BEACH, FL 33708-2352

MADEIRA DRAGUNOV LLC
4711 W CHEROKEE RD
TAMPA, FL 33629-8205

ALSPAUGH, SAMANTHA NICOLE
3303 CHESTNUT HILL CT
WILLIAMSBURG, VA 23185-1472

PENN, DANIEL J
14099 E PARSLEY DR
MADEIRA BEACH, FL 33708-2301

AMANDA RAE BALDWIN LLC
519 JOHNS PASS AVE
MADEIRA BEACH, FL 33708-2368

DERUSHA, HEATHER G
20 LYNN WAY
MADEIRA BEACH, FL 33708-2334

REILLY, JENA
14059 MARGUERITE DR
MADEIRA BEACH, FL 33708-2367

OLIVA LAND & SAND LLC
3104 N ARMENIA AVE STE 1
TAMPA, FL 33607-1658

LATIN BRICK LLC
800 SE 4TH AVE STE 704
HALLANDALE BEACH, FL 33009-6496

MADEIRA EAST BAY LLC
210 E MADEIRA AVE
MADEIRA BEACH, FL 33708-2018

SUNSET 777 LLC
14067 MARGUERITE DR
MADEIRA BEACH, FL 33708-2367

PEARCE, MYRNA T
621 OSCEOLA AVE
WINTER PARK, FL 32789-4429

RAGAN, PHILLIP K
14097 E PARSLEY DR
MADEIRA BEACH, FL 33708-2301

Item 5C.



AFFIDAVIT OF POSTING

Date: 10/12/2023

Postings for: VAR-2023-06

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

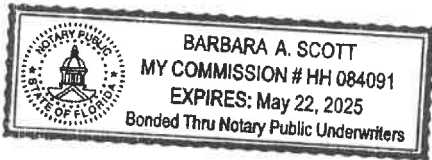
mu mu

Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to and subscribed before me this 12th day of October, 20 23.

Personally known or produced _____ as identification.



Notary Public Stamp

Barbara A Scott
Notary Public

10/12/23

Date

*Copy of public notice is attached.



AFFIDAVIT OF MAILING

Date: 10/12/2023

Mailings for Case # VAR-2023-08

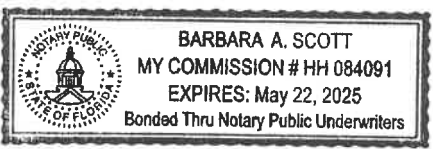
Before me this day Joseph Petralia personally appeared. He/she has mailed public notices to property owners within a 300 foot radius of the subject property.

[Signature]
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn and subscribed before me this 12th day of October, 2023.

Personally known or produced _____ as identification.



Notary Public Stamp

Barbara A Scott
Notary Public

10/12/23
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 Us](#)

10-31-15-19998-000-0860

[Compact Property Record Card](#)

[Tax Estimator](#)

Updated May 16, 2023

[Email](#) [Print](#)

[Radius Search](#)

[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
HOLCOMB, JOHN SCOTT HOLCOMB, JENNIFER LYNN 572 JOHNS PASS AVE MADERIA BEACH FL 33708-2300	572 JOHNS PASS AVE MADEIRA BEACH



Property Use: 0110 (Single Family Home) **Current Tax District:** MADEIRA BEACH (MB) **Total Living:** SF: 3,669 **Total Gross SF:** 4,123 **Total Living Units:** 1

[click here to hide] **Legal Description**
CRYSTAL ISLAND 2ND ADD LOT 86

Tax Estimator	File for Homestead Exemption	2023 Parcel Use	
Exemption	2023	2024	
Homestead:	Yes	Yes	*Assuming no ownership changes before Jan. 1
Government:	No	No	Homestead Use Percentage: 100.00%
Institutional:	No	No	Non-Homestead Use Percentage: 0.00%
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 (NOT the same as a FEMA Flood Zone)	Flood Zone (NOT the same as your evacuation zone)	Plat Book/Page
21259/1250	\$1,522,200 Sales Query	121030278022	A	Current FEMA Maps	57/64

2022 Final Value Information

Year	Just/Market Value	Assessed Value / SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	\$1,265,567	\$1,036,422	\$1,036,422	\$1,265,567	\$1,036,422

[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	\$935,189	\$935,189	\$935,189	\$935,189	\$935,189
2020	No	\$705,922	\$705,922	\$705,922	\$705,922	\$705,922
2019	No	\$722,719	\$722,719	\$722,719	\$722,719	\$722,719
2018	No	\$685,089	\$685,089	\$685,089	\$685,089	\$685,089
2017	No	\$687,752	\$687,752	\$687,752	\$687,752	\$687,752
2016	No	\$656,032	\$656,032	\$656,032	\$656,032	\$656,032
2015	No	\$616,087	\$616,087	\$616,087	\$616,087	\$616,087
2014	Yes	\$551,085	\$529,641	\$479,641	\$504,641	\$479,641
2013	Yes	\$556,669	\$521,814	\$471,814	\$496,814	\$471,814
2012	Yes	\$513,091	\$513,091	\$463,091	\$488,091	\$463,091
2011	Yes	\$518,205	\$518,205	\$468,205	\$493,205	\$468,205
2010	Yes	\$529,461	\$529,461	\$479,461	\$504,461	\$479,461
2009	Yes	\$633,815	\$633,815	\$583,815	\$608,815	\$583,815
2008	Yes	\$736,600	\$736,600	\$686,600	\$711,600	\$686,600
2007	Yes	\$858,200	\$858,200	\$833,200	N/A	\$833,200
2006	Yes	\$899,500	\$899,500	\$874,500	N/A	\$874,500
2005	Yes	\$645,700	\$302,100	\$276,600	N/A	\$276,600
2004	Yes	\$559,900	\$293,300	\$267,800	N/A	\$267,800
2003	Yes	\$514,800	\$287,900	\$262,400	N/A	\$262,400
2002	Yes	\$392,000	\$277,500	\$252,000	N/A	\$252,000
2001	Yes	\$299,800	\$246,100	\$220,600	N/A	\$220,600
2000	Yes	\$253,900	\$239,000	\$213,500	N/A	\$213,500
1999	Yes	\$234,000	\$232,800	\$207,300	N/A	\$207,300
1998	Yes	\$237,000	\$229,200	\$203,700	N/A	\$203,700
1997	Yes	\$227,700	\$225,400	\$199,900	N/A	\$199,900
1996	Yes	\$226,000	\$218,900	\$193,400	N/A	\$193,400

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](#)

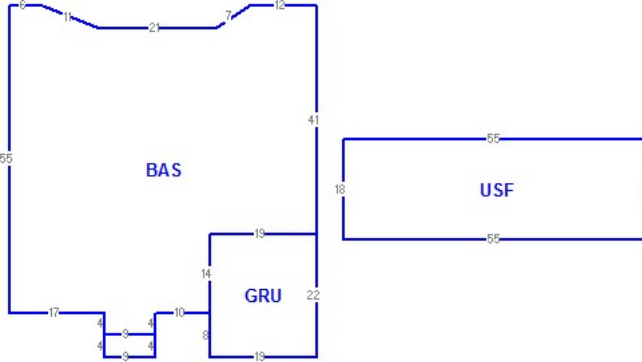
Sale Date	Book/Page	Price	Q/U	V/I
29 Oct 2020	21259 / 1250	\$1,135,000	Q	I
29 Jun 2005	14415 / 0337	\$1,195,000	Q	I

Item 5D.

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)	70x115	11000.00	70.0000	1.0600	\$816,200	FF

[click here to hide] **2023 Building 1 Structural Elements** [Back to Top](#)
 Site Address: 572 JOHNS PASS AVE

Building Type: **Single Family**
 Quality: **Above Average**
 Foundation: **Continuous Footing Poured**
 Floor System: **Slab On Grade**
 Exterior Wall: **Cb Stucco/Cb Reclad**
 Roof Frame: **Gable Or Hip**
 Roof Cover: **Shingle Composition**
 Stories: **2**
 Living units: **1**
 Floor Finish: **Carpet/Hardtile/Hardwood**
 Interior Finish: **Upgrade**
 Fixtures: **17**
 Year Built: **1962**
 Effective Age: **30**
 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
Base (BAS)	2,679	2,679
Open Porch (OPF)	0	36
Garage Unfinished (GRU)	0	418
Upper Story (USF)	990	990
Total Living SF: 3,669		Total Gross SF: 4,123

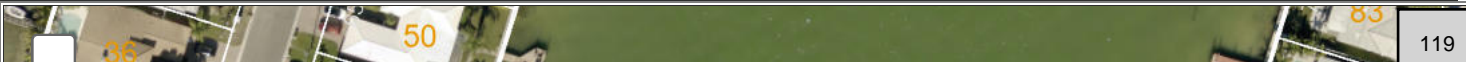
[click here to hide] **2023 Extra Features**

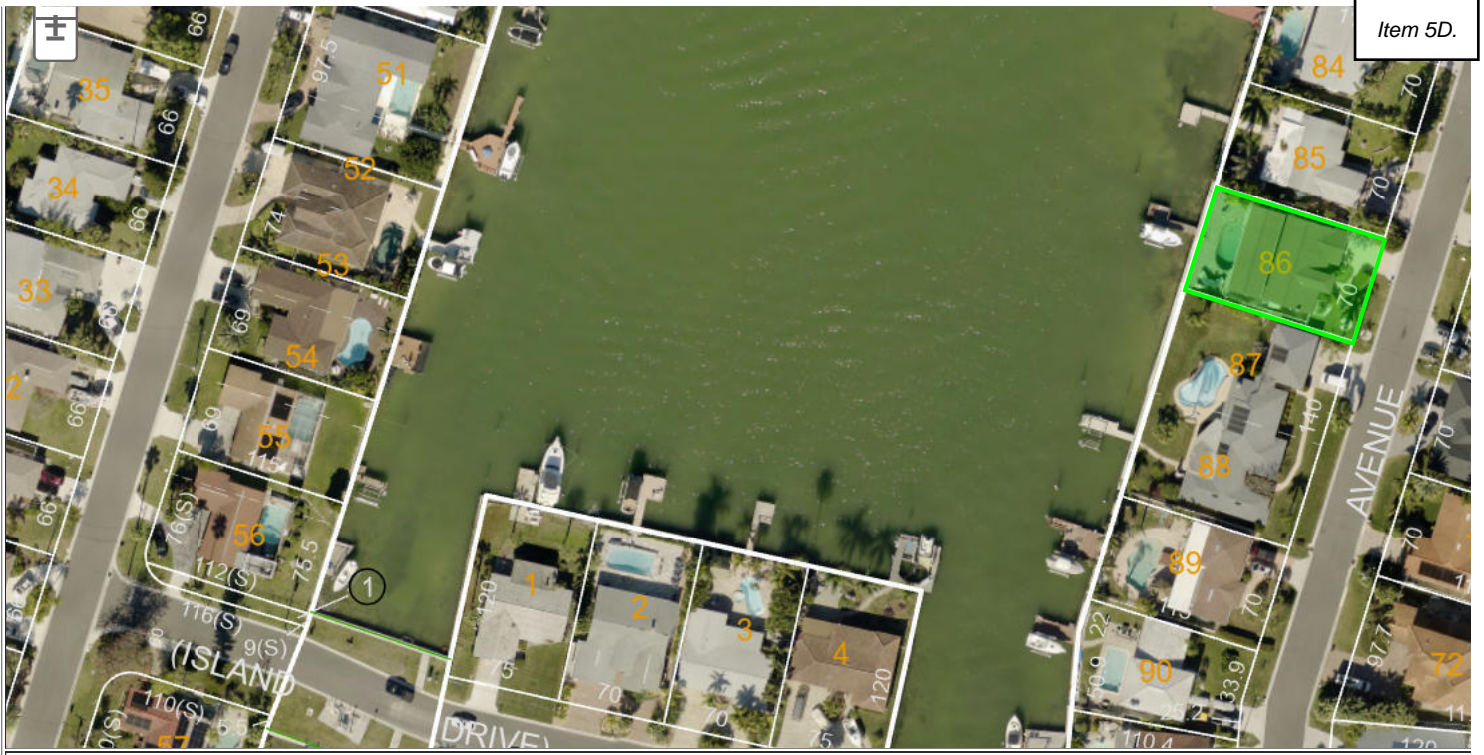
Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
BBQ	\$2,000.00	1.00	\$2,000.00	\$2,000.00	1972
PATIO/DECK	\$22.00	676.00	\$14,872.00	\$11,005.00	2000
POOL	\$55,000.00	1.00	\$55,000.00	\$22,000.00	1993
DOCK	\$56.00	245.00	\$13,720.00	\$11,388.00	2016
PATIO/DECK	\$39.00	250.00	\$9,750.00	\$4,290.00	2000
BT LFT/DAV	\$12,000.00	1.00	\$12,000.00	\$11,640.00	2021

[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
DRVWY20220269	PATIO/DECK	04 Apr 2022	\$25,750
S20210515	SEA WALL	03 Jun 2021	\$24,400
D&L20210091	DOCK	03 Feb 2021	\$20,268
WND-21-00044	DOCK	01 Feb 2021	\$0
P4752	PLUMBING	19 Jun 2020	\$12,063
R4007	ROOF	03 Sep 2019	\$26,150
BR2221	ADDITION/REMODEL/RENOVATION	09 Jan 2018	\$30,000
P46360-16/REV	DOCK	23 Feb 2017	\$0
P46360-16	DOCK	15 Nov 2016	\$14,000
PER-H-CB07-04140	MISCELLANEOUS	27 Mar 2007	\$1,400
PER-H-CB305185	ROOF	19 Oct 2004	\$13,800
PER-H-CB259316	SPA/JAC/HT	06 Aug 2002	\$2,000
PER-H-CB257035	MISCELLANEOUS	24 Jun 2002	\$1,600
PER-H-CB219648	ADDITION/REMODEL/RENOVATION	19 Jul 2000	\$44,605





If you are experiencing [issues with this map loading](#), you may need to clear your web browser

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[Map Legend](#)

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Property Tax

[Tourist Tax](#)

[Search](#) > Account Summary

Real Estate Account #R115404

Owner:
HOLCOMB, JOHN SCOTT
HOLCOMB, JENNIFER LYNN

Situs:
572 JOHNS PASS AVE
MADEIRA BEACH

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



[Get bills by email](#)

Amount Due

Your account is **paid in full**. There is nothing due at this time.
Your last payment was made on **11/29/2022** for **\$17,486.99**.

Account History

BILL	AMOUNT DUE	STATUS	ACTION
2022 Annual Bill ⓘ	\$0.00	Paid \$17,486.99 11/29/2022 Receipt #0-22-149549	Print (PDF)
2021 Annual Bill ⓘ	\$0.00	Paid \$15,366.97 11/22/2021 Receipt #0-21-126472	Print (PDF)
2020 Annual Bill ⓘ	\$0.00	Paid \$11,902.08 12/21/2020 Receipt #1655-20-100949	Print (PDF)
2019 Annual Bill ⓘ	\$0.00	Paid \$12,431.46 01/30/2020 Receipt #755-19-123920	Print (PDF)
2018 Annual Bill ⓘ	\$0.00	Paid \$11,403.71 12/28/2018 Receipt #755-18-112342	Print (PDF)
2017 Annual Bill ⓘ	\$0.00	Paid \$11,767.99 01/31/2018 Receipt #755-17-128574	Print (PDF)
2016 Annual Bill ⓘ	\$0.00	Paid \$11,655.27 03/30/2017 Receipt #952-16-066576	Print (PDF)
2015 Annual Bill ⓘ	\$0.00	Paid \$11,223.20 03/31/2016 Receipt #755-15-138059	Print (PDF)
2014 Annual Bill ⓘ	\$0.00	Paid \$9,158.34 05/29/2015 Receipt #755-14-139996	Print (PDF)
2013 Annual Bill ⓘ	\$0.00	Paid \$8,492.79 12/31/2013 Receipt #755-13-122635	Print (PDF)
2012 Annual Bill ⓘ	\$0.00	Paid \$8,338.28 12/28/2012 Receipt #756-12-080585	Print (PDF)
2011 Annual Bill ⓘ	\$0.00	Paid \$8,406.53 01/31/2012 Receipt #755-11-093130	Print (PDF)
2010 Annual Bill ⓘ	\$0.00	Paid \$8,384.19 12/31/2010 Receipt #755-10-129861	Print (PDF)
2009 Annual Bill ⓘ	\$0.00	Paid \$10,207.95 12/30/2009 Receipt #755-09-119117	Print (PDF)
2008 ⓘ			
2008 Annual Bill	\$0.00	Paid \$13,841.16 11/17/2009 Receipt #908-09-000599	Print (PDF)
Certificate #7891		Redeemed 11/17/2009 Face \$13,176.10, Rate 0.25%	
		Paid \$13,841.16	
2007 ⓘ			
2007 Annual Bill	\$0.00	Paid \$16,150.19 09/09/2008 Receipt #110-08-000119	Print (PDF)
Certificate #7741		Redeemed 09/09/2008 Face \$15,375.18, Rate 0.25%	
		Paid \$16,150.19	
2006 Annual Bill ⓘ	\$0.00	Paid \$15,493.51 11/30/2006 Receipt #002-06-00011529	Print (PDF)
2005 ⓘ			
2005 Annual Bill	\$0.00	Paid \$6,171.03 06/27/2006 Receipt #002-06-00001772	Print (PDF)
Total Amount Due	\$0.00		

BILL	AMOUNT DUE	STATUS	ACTION
Certificate #4300		Redeemed 06/27/2006	Face \$5,871.46, Rate 0.25%
Paid \$6,171.03			
2004 Annual Bill ⓘ	\$0.00	Paid \$5,357.70 05/12/2005	Receipt #009-04-00005429  Print (PDF)
2003 Annual Bill ⓘ	\$0.00	Paid \$5,551.18 06/01/2004	Receipt #CONV-22817  Print (PDF)
2002 Annual Bill ⓘ	\$0.00	Paid \$5,125.22 05/29/2003	Receipt #010-02-00007590  Print (PDF)
2001 Annual Bill ⓘ	\$0.00	Paid \$4,497.62 04/30/2002	Receipt #013-01-00003172  Print (PDF)
2000 Annual Bill ⓘ	\$0.00	Paid \$4,330.00 04/26/2001	Receipt #010-00-00009467  Print (PDF)
1999 Annual Bill ⓘ	\$0.00	Paid \$3,996.91 01/11/2000	Receipt #011-99-00009010  Print (PDF)
Total Amount Due	\$0.00		

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COURTESY NOTICE OF CODE VIOLATION

MAY 17, 2023

HOLCOMB, JOHN SCOTT
HOLCOMB, JENNIFER LYNN
572 JOHNS PASS AVE
MADERIA BEACH FL 33708-2300

Case Number: 2023.3608

Parcel #: 10-31-15-19998-000-0860

Legal Description: CRYSTAL ISLAND 2ND ADD LOT 86

Address: 572 JOHNS PASS AVE

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. 110-471. - Building permits required.

Building permits are required for the construction or placement of all accessory structures.

Sec. 110-719. - Fencing.

All swimming pools shall be enclosed with a screen enclosure or a fence or wall having a minimum height of four feet and in compliance with the provisions of article VI, division 3 of this chapter. The fence, wall or door to the screen enclosure shall be equipped with a self-closing and self-latching gate which operates from the interior of the swimming pool area only.

Florida Statute for Residential Swimming Pool Safety Act attached.

Violation Detail:

- An accessory structure has been constructed at the property without the required building permit(s).
- Lack of required fencing for pool on property.

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. Proper fencing will need to be constructed in reference to the pool.

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

Follow-up date:

MAY 31, 2023

Grace Mills,

Code Compliance Officer II

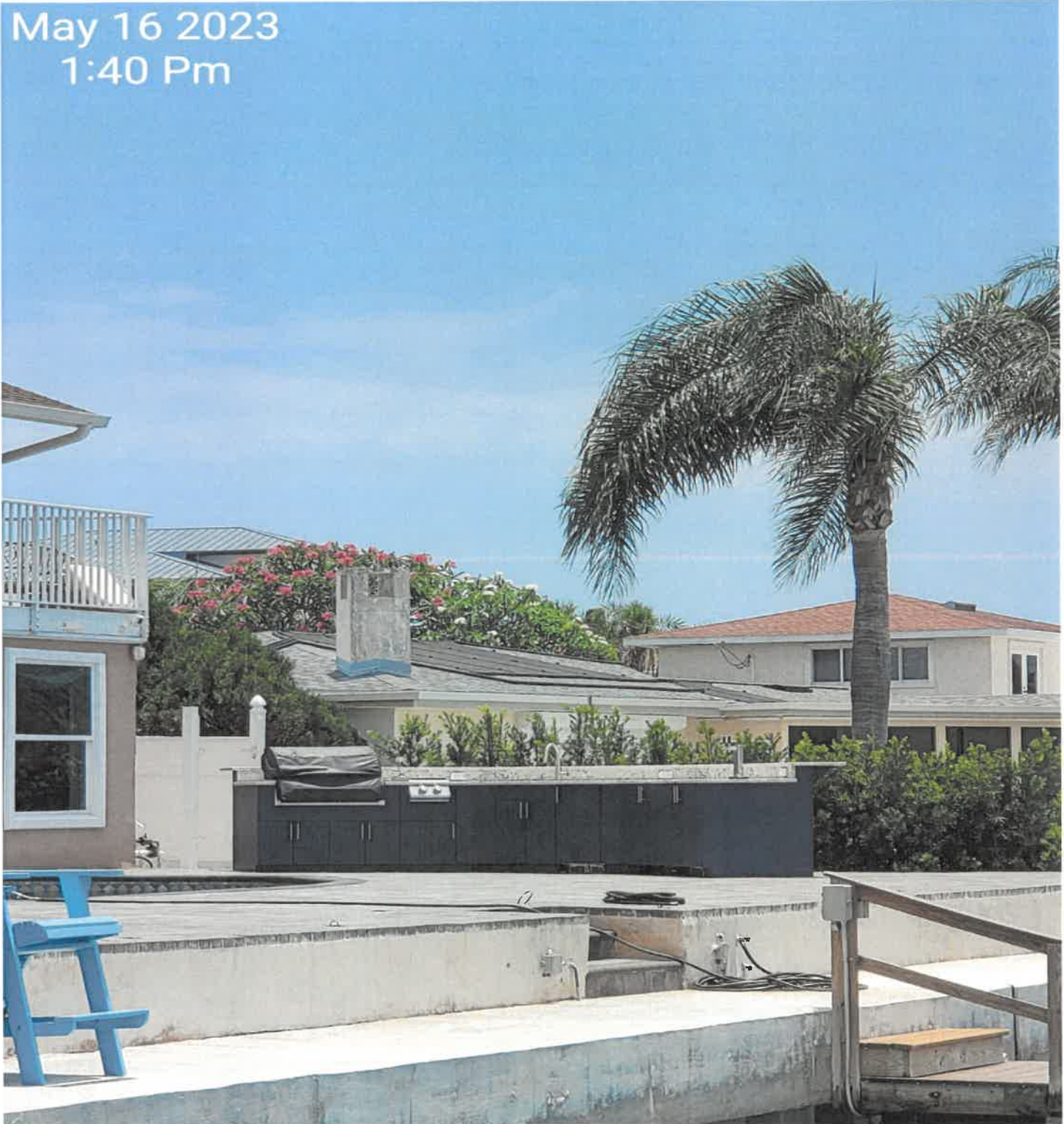
City of Madeira Beach – Building Department

gmills@madeirabeachfl.gov

727.391.9951 ext. 298

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May 16 2023
1:40 Pm



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Select Year: 2022 ▼

The 2022 Florida Statutes (including 2022 Special Session A and 2023 Special Session B)

[Title XXXIII](#)
REGULATION OF TRADE, COMMERCE, INVESTMENTS,
AND SOLICITATIONS

[Chapter 515](#)
RESIDENTIAL SWIMMING POOL
SAFETY ACT

[View Entire
Chapter](#)

CHAPTER 515 RESIDENTIAL SWIMMING POOL SAFETY ACT

- 515.21 Short title.
- 515.23 Legislative findings and intent.
- 515.25 Definitions.
- 515.27 Residential swimming pool safety feature options; penalties.
- 515.29 Residential swimming pool barrier requirements.
- 515.31 Drowning prevention education program; public information publication.
- 515.33 Information required to be furnished to buyers.
- 515.35 Rulemaking authority.
- 515.37 Exemptions.

515.21 Short title.—This chapter may be cited as the “Preston de Ibern/McKenzie Merriam Residential Swimming Pool Safety Act.”

History.—s. 1, ch. 2000-143.

515.23 Legislative findings and intent.—The Legislature finds that drowning is the leading cause of death of young children in this state and is also a significant cause of death for medically frail elderly persons in this state, that constant adult supervision is the key to accomplishing the objective of reducing the number of submersion incidents, and that when lapses in supervision occur a pool safety feature designed to deny, delay, or detect unsupervised entry to the swimming pool, spa, or hot tub will reduce drowning and near-drowning incidents. In addition to the incalculable human cost of these submersion incidents, the health care costs, loss of lifetime productivity, and legal and administrative expenses associated with drownings of young children and medically frail elderly persons in this state each year and the lifetime costs for the care and treatment of young children who have suffered brain disability due to near-drowning incidents each year are enormous. Therefore, it is the intent of the Legislature that all new residential swimming pools, spas, and hot tubs be equipped with at least one pool safety feature as specified in this chapter. It is also the intent of the Legislature that the Department of Health be responsible for producing its own or adopting a nationally recognized publication that provides the public with information on drowning prevention and the responsibilities of pool ownership and also for developing its own or adopting a nationally recognized drowning prevention education program for the public and for persons violating the pool safety requirements of this chapter.

History.—s. 1, ch. 2000-143.

515.25 Definitions.—As used in this chapter, the term:

- (1) “Approved safety pool cover” means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM) in compliance with standard F1346-91.
- (2) “Barrier” means a fence, dwelling wall, or nondwelling wall, or any combination thereof, which completely surrounds the swimming pool and obstructs access to the swimming pool, especially access from the residence or from the yard outside the barrier.
- (3) “Department” means the Department of Health.
- (4) “Exit alarm” means a device that makes audible, continuous alarm sounds when any door or window which permits access from the residence to any pool area that is without an intervening enclosure is opened or left ajar.
- (5) “Indoor swimming pool” means a swimming pool that is totally contained within a building and surrounded on all four sides by walls of or within the building.

(6) “Medically frail elderly person” means any person who is at least 65 years of age and has a medical problem that affects balance, vision, or judgment, including, but not limited to, a heart condition, diabetes, or Alzheimer’s disease or any related disorder.

(7) “Outdoor swimming pool” means any swimming pool that is not an indoor swimming pool.

(8) “Portable spa” means a nonpermanent structure intended for recreational bathing, in which all controls and water-heating and water-circulating equipment are an integral part of the product and which is cord-connected and not permanently electrically wired.

(9) “Public swimming pool” means a swimming pool, as defined in s. 514.011(2), which is operated, with or without charge, for the use of the general public; however, the term does not include a swimming pool located on the grounds of a private residence.

(10) “Residential” means situated on the premises of a detached one-family or two-family dwelling or a one-family townhouse not more than three stories high.

(11) “Swimming pool” means any structure, located in a residential area, that is intended for swimming or recreational bathing and contains water over 24 inches deep, including, but not limited to, in-ground, aboveground, and on-ground swimming pools; hot tubs; and nonportable spas.

(12) “Young child” means any person under the age of 6 years.

History.—s. 1, ch. 2000-143.

515.27 Residential swimming pool safety feature options; penalties.—

(1) In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet at least one of the following requirements relating to pool safety features:

(a) The pool must be isolated from access to a home by an enclosure that meets the pool barrier requirements of s. 515.29;

(b) The pool must be equipped with an approved safety pool cover;

(c) All doors and windows providing direct access from the home to the pool must be equipped with an exit alarm that has a minimum sound pressure rating of 85 dB A at 10 feet;

(d) All doors providing direct access from the home to the pool must be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor; or

(e) A swimming pool alarm that, when placed in a pool, sounds an alarm upon detection of an accidental or unauthorized entrance into the water. Such pool alarm must meet and be independently certified to ASTM Standard F2208, titled “Standard Safety Specification for Residential Pool Alarms,” which includes surface motion, pressure, sonar, laser, and infrared alarms. For purposes of this paragraph, the term “swimming pool alarm” does not include any swimming protection alarm device designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.

(2) A person who fails to equip a new residential swimming pool with at least one pool safety feature as required in subsection (1) commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, except that no penalty shall be imposed if the person, within 45 days after arrest or issuance of a summons or a notice to appear, has equipped the pool with at least one safety feature as required in subsection (1) and has attended a drowning prevention education program established by s. 515.31. However, the requirement of attending a drowning prevention education program is waived if such program is not offered within 45 days after issuance of the citation.

History.—s. 1, ch. 2000-143; s. 14, ch. 2016-129.

515.29 Residential swimming pool barrier requirements.—

(1) A residential swimming pool barrier must have all of the following characteristics:

(a) The barrier must be at least 4 feet high on the outside.

(b) The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier.

(c) The barrier must be placed around the perimeter of the pool and must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall, or other enclosure or portion thereof is situated on the perimeter of the pool, is being used as part of the barrier, and meets the barrier requirements of this section.

(d) The barrier must be placed sufficiently away from the water’s edge to prevent a young child or medically frail elderly person who may have managed to penetrate the barrier from immediately falling into the water.

(2) The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this section. In addition, any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this section.

(3) Gates that provide access to swimming pools must open outward away from the pool and be self-closing and equipped with a self-latching locking device, the release mechanism of which must be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap.

(4) A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide access to the swimming pool.

(5) A barrier may not be located in a way that allows any permanent structure, equipment, or similar object to be used for climbing the barrier.

History.—s. 1, ch. 2000-143.

515.31 Drowning prevention education program; public information publication.—

(1) The department shall develop a drowning prevention education program, which shall be made available to the public at the state and local levels and which shall be required as set forth in s. 515.27(2) for persons in violation of the pool safety requirements of this chapter. The department may charge a fee, not to exceed \$100, for attendance at such a program. The drowning prevention education program shall be funded using fee proceeds, state funds appropriated for such purpose, and grants. The department, in lieu of developing its own program, may adopt a nationally recognized drowning prevention education program to be approved for use in local safety education programs, as provided in rule of the department.

(2) The department shall also produce, for distribution to the public at no charge, a publication that provides information on drowning prevention and the responsibilities of pool ownership. The department, in lieu of developing its own publication, may adopt a nationally recognized drowning prevention and responsibilities of pool ownership publication, as provided in rule of the department.

History.—s. 1, ch. 2000-143.

515.33 Information required to be furnished to buyers.—A licensed pool contractor, on entering into an agreement with a buyer to build a residential swimming pool, or a licensed home builder or developer, on entering into an agreement with a buyer to build a house that includes a residential swimming pool, must give the buyer a document containing the requirements of this chapter and a copy of the publication produced by the department under s. 515.31 that provides information on drowning prevention and the responsibilities of pool ownership.

History.—s. 1, ch. 2000-143.

515.35 Rulemaking authority.—The department shall adopt rules pursuant to the Administrative Procedure Act establishing the fees required to attend drowning prevention education programs and setting forth the information required under this chapter to be provided by licensed pool contractors and licensed home builders or developers.

History.—s. 1, ch. 2000-143.

515.37 Exemptions.—This chapter does not apply to:

(1) Any system of sumps, irrigation canals, or irrigation flood control or drainage works constructed or operated for the purpose of storing, delivering, distributing, or conveying water.

(2) Stock ponds, storage tanks, livestock operations, livestock watering troughs, or other structures used in normal agricultural practices.

(3) Public swimming pools.

(4) Any political subdivision that has adopted or adopts a residential pool safety ordinance, provided the ordinance is equal to or more stringent than the provisions of this chapter.

(5) Any portable spa with a safety cover that complies with ASTM F1346-91 (Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs).

(6) Small, temporary pools without motors, which are commonly referred to or known as “kiddie pools.”

History.—s. 1, ch. 2000-143.

NOTICE OF CODE VIOLATION

JUNE 2, 2023

HOLCOMB, JOHN SCOTT
HOLCOMB, JENNIFER LYNN
572 JOHNS PASS AVE
MADEIRA BEACH, FL 33708-2300

Case Number: 2023.3608
Parcel #: 10-31-15-19998-000-0860

Legal Description: CRYSTAL ISLAND 2ND ADD LOT 86

Address: 572 JOH

Due to a recent complaint on the property, 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. 110-471. – Building permits required.

Building permits are required for the construction or placement of all accessory structures.

Sec. 110-719. – Fencing

All swimming pools shall be enclosed with a screen enclosure or a fence or wall having a minimum height of four feet and in compliance with the provisions of article VI, division 3 of this chapter. The fence, wall or door to the screen enclosure shall be equipped with a self-closing and self-latching gate which operates from the interior of the swimming pool area only.

Florida Statue for Residential Swimming Pool Safety Act attached.

Violation Detail:

- An accessory structure has been constructed at the property without the required building permit(s).
- Lack of required fencing for pool on property.

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. Proper fencing will need to be constructed in reference to the pool.

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

Follow-up date:

JUNE 16, 2023

Grace Mills,

Code Compliance Officer II

City of Madeira Beach – Building Department

gmills@madeirabeachfl.gov

727.391.9951 ext. 298

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



Item 5D.



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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BUILDING DEPARTMENT
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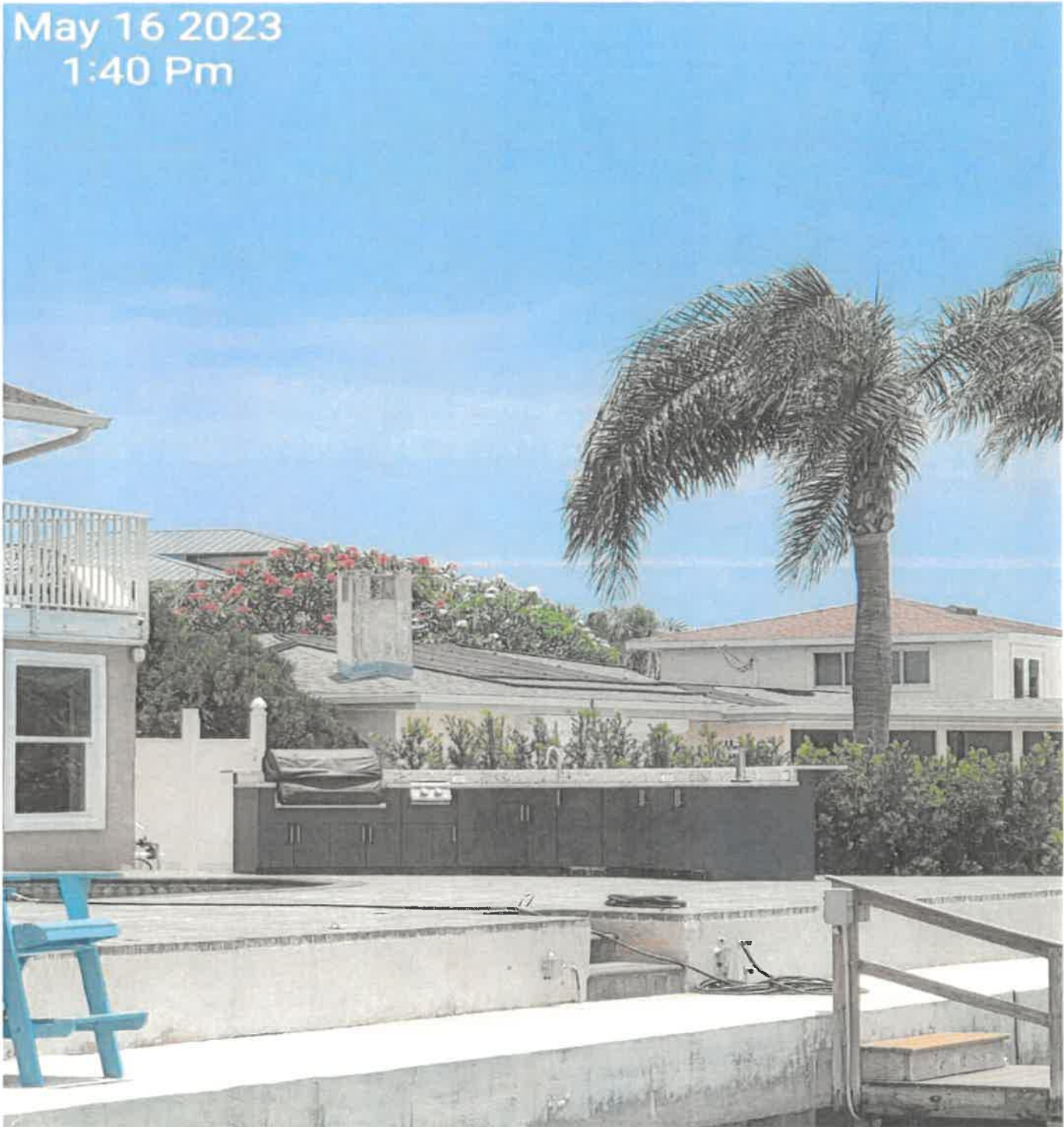


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City of Madeira Beach
BUILDING DEPARTMENT
300 Municipal Drive
Madeira Beach, FL 33708
PH: 727-391-9951 ext. 284 FAX:727-399-1131



May 16 2023
1:40 Pm



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Select Year: 2022 ▼ Go

The 2022 Florida Statutes (including 2022 Special Session A and 2023 Special Session B)

[Title XXXIII](#)
 REGULATION OF TRADE, COMMERCE, INVESTMENTS,
 AND SOLICITATIONS

[Chapter 515](#)
 RESIDENTIAL SWIMMING POOL
 SAFETY ACT

[View Entire
Chapter](#)

CHAPTER 515 RESIDENTIAL SWIMMING POOL SAFETY ACT

- 515.21 Short title.
- 515.23 Legislative findings and intent.
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- (3) “Department” means the Department of Health.
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- (5) “Indoor swimming pool” means a swimming pool that is totally contained within a building and surrounded on all four sides by walls of or within the building.

(6) “Medically frail elderly person” means any person who is at least 65 years of age and has a medical problem that affects balance, vision, or judgment, including, but not limited to, a heart condition, diabetes, or Alzheimer’s disease or any related disorder.

(7) “Outdoor swimming pool” means any swimming pool that is not an indoor swimming pool.

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(9) “Public swimming pool” means a swimming pool, as defined in s. 514.011(2), which is operated, with or without charge, for the use of the general public; however, the term does not include a swimming pool located on the grounds of a private residence.

(10) “Residential” means situated on the premises of a detached one-family or two-family dwelling or a one-family townhouse not more than three stories high.

(11) “Swimming pool” means any structure, located in a residential area, that is intended for swimming or recreational bathing and contains water over 24 inches deep, including, but not limited to, in-ground, aboveground, and on-ground swimming pools; hot tubs; and nonportable spas.

(12) “Young child” means any person under the age of 6 years.

History.—s. 1, ch. 2000-143.

515.27 Residential swimming pool safety feature options; penalties.—

(1) In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet at least one of the following requirements relating to pool safety features:

(a) The pool must be isolated from access to a home by an enclosure that meets the pool barrier requirements of s. 515.29;

(b) The pool must be equipped with an approved safety pool cover;

(c) All doors and windows providing direct access from the home to the pool must be equipped with an exit alarm that has a minimum sound pressure rating of 85 dB A at 10 feet;

(d) All doors providing direct access from the home to the pool must be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor; or

(e) A swimming pool alarm that, when placed in a pool, sounds an alarm upon detection of an accidental or unauthorized entrance into the water. Such pool alarm must meet and be independently certified to ASTM Standard F2208, titled “Standard Safety Specification for Residential Pool Alarms,” which includes surface motion, pressure, sonar, laser, and infrared alarms. For purposes of this paragraph, the term “swimming pool alarm” does not include any swimming protection alarm device designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.

(2) A person who fails to equip a new residential swimming pool with at least one pool safety feature as required in subsection (1) commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, except that no penalty shall be imposed if the person, within 45 days after arrest or issuance of a summons or a notice to appear, has equipped the pool with at least one safety feature as required in subsection (1) and has attended a drowning prevention education program established by s. 515.31. However, the requirement of attending a drowning prevention education program is waived if such program is not offered within 45 days after issuance of the citation.

History.—s. 1, ch. 2000-143; s. 14, ch. 2016-129.

515.29 Residential swimming pool barrier requirements.—

(1) A residential swimming pool barrier must have all of the following characteristics:

(a) The barrier must be at least 4 feet high on the outside.

(b) The barrier may not have any gaps, openings, indentations, protrusions, or structural components that could allow a young child to crawl under, squeeze through, or climb over the barrier.

(c) The barrier must be placed around the perimeter of the pool and must be separate from any fence, wall, or other enclosure surrounding the yard unless the fence, wall, or other enclosure or portion thereof is situated on the perimeter of the pool, is being used as part of the barrier, and meets the barrier requirements of this section.

(d) The barrier must be placed sufficiently away from the water’s edge to prevent a young child or medically frail elderly person who may have managed to penetrate the barrier from immediately falling into the water.

(2) The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this section. In addition, any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this section.

(3) Gates that provide access to swimming pools must open outward away from the pool and be self-closing and equipped with a self-latching locking device, the release mechanism of which must be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap.

(4) A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide access to the swimming pool.

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History.—s. 1, ch. 2000-143.

515.31 Drowning prevention education program; public information publication.—

(1) The department shall develop a drowning prevention education program, which shall be made available to the public at the state and local levels and which shall be required as set forth in s. 515.27(2) for persons in violation of the pool safety requirements of this chapter. The department may charge a fee, not to exceed \$100, for attendance at such a program. The drowning prevention education program shall be funded using fee proceeds, state funds appropriated for such purpose, and grants. The department, in lieu of developing its own program, may adopt a nationally recognized drowning prevention education program to be approved for use in local safety education programs, as provided in rule of the department.

(2) The department shall also produce, for distribution to the public at no charge, a publication that provides information on drowning prevention and the responsibilities of pool ownership. The department, in lieu of developing its own publication, may adopt a nationally recognized drowning prevention and responsibilities of pool ownership publication, as provided in rule of the department.

History.—s. 1, ch. 2000-143.

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History.—s. 1, ch. 2000-143.

515.35 Rulemaking authority.—The department shall adopt rules pursuant to the Administrative Procedure Act establishing the fees required to attend drowning prevention education programs and setting forth the information required under this chapter to be provided by licensed pool contractors and licensed home builders or developers.

History.—s. 1, ch. 2000-143.

515.37 Exemptions.—This chapter does not apply to:

(1) Any system of sumps, irrigation canals, or irrigation flood control or drainage works constructed or operated for the purpose of storing, delivering, distributing, or conveying water.

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(3) Public swimming pools.

(4) Any political subdivision that has adopted or adopts a residential pool safety ordinance, provided the ordinance is equal to or more stringent than the provisions of this chapter.

(5) Any portable spa with a safety cover that complies with ASTM F1346-91 (Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs).

(6) Small, temporary pools without motors, which are commonly referred to or known as “kiddie pools.”

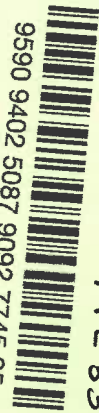
History.—s. 1, ch. 2000-143.

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:

Holcomb, John Scott
 Holcomb, Jennifer Lynn
 572 Johns Pass Ave
 Madiera Beach, FL 33708



2. Article Number (Transfer from service label)

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

Agent
 Addressee

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 Restricted Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



Item 5D.

300 Municipal Drive
Madeira Beach, Florida 33708

CERTIFIED MAIL®



7022 2410 0002 9255 3190

Holcomb, Jennifer Lynn
572 Johns Pass Ave
Madeira Beach, FL 33708

Respondents.



May 16 2023
2:12 Pm

May 16 2023

1:40 Pm



May 16 2023
2:10 PM



**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH**

City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.

CASE NO. 2023.3608

Holcomb, John Scott
Holcomb, Jennifer Lynn
572 Johns Pass Ave
Madeira Beach FL 33708

Respondents.

RE Property: 572 Johns Pass Ave

Parcel #10-31-15-19998-000-0860

Legal Description: CRYSTAL ISLAND 2ND ADD LOT 86

STATEMENT OF VIOLATION/ REQUEST FOR HEARING

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 uncovering flat slabs of no greater than 50 square feet, for work of strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

Sec. 110-471. – Building permits required.


Building permits are required for the construction or placement of all accessory structures.

Sec. 110-719- Fencing

All swimming pools shall be enclosed with a screen enclosure or a fence or wall having a minimum height of four feet and in compliance with the provisions of article VI, division 3 of this chapter. The fence, wall or door to the screen enclosure shall be equipped with a self-closing and self-latching gate which operates from the interior of the swimming pool area only.

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 \$250.00 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
City of Madeira Beach

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH**

City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.

CASE NO. 2023.3608

Holcomb, John Scott
Holcomb, Jennifer Lynn
572 Johns Pass Ave
Madeira Beach, FL 33708

Respondents.

RE Property: 572 Johns Pass Ave

Parcel # 10-31-15-19998-000-0860

Legal Description: CRYSTAL ISLAND 2ND ADD LOT 86

NOTICE OF HEARING

To whom it may concern:

YOU ARE HEREBY FORMALLY NOTIFIED that at **02:00 pm** on **MONDAY** the **23rd** day of October, **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 violation(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 uncovering flat slabs of no greater than 50 square feet, for work of

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

Sec. 110-471. – Building Permits Required.

Building permits required for the construction or placement of all accessory structures.

Sec. 110-719- Fencing

All swimming pools shall be enclosed with a screen enclosure or a fence or wall having a minimum height of four feet and in compliance with the provisions of article VI, division 3 of this chapter. The fence, wall or door to the screen enclosure shall be equipped with a self-closing and self-latching gate which operates from the interior of the swimming pool area only.

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 violation(s) 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(s), 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 Code Enforcement department of the City of Maderia Beach within five (5) days at 300 Municipal Drive, Maderia Beach, Florida 33708, telephone number (727) 391-9951 ext 298.

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 DO HEREBY CERTIFY that a copy of the foregoing Notice of Hearing was mailed to Respondent(s) by certified mail, return receipt requested.
Dated this 13th day of October, 2023.



Grace Mills, Code Compliance Officer
City of Madeira Beach

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH**

City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.

CASE NO. 2023.3608

Holcomb, John Scott
Holcomb, Jennifer Lynn
572 Johns Pass Ave
Madeira Beach, FL 33708

Respondents.

RE Property: 572 Johns Pass Ave **Parcel #** 10-31-15-19998-000-0860

Legal Description: CRYSTAL ISLAND 2ND ADD LOT 86

AFFIDAVIT OF SERVICE

I, Grace Mills, Building 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 13th day of October, 2023, I mailed a copy of the attached NOTICE OF HEARING via Certified Mail, Return Receipt Requested.

On the 13th day of October, 2023, I mailed a copy of the attached NOTICE OF HEARING via First Class mail.

On the 13th day of October, 2023, I posted a copy of the attached NOTICE OF HEARING on the property located at 572 Johns Pass Ave Parcel # 10-31-15-19998-000-0860 the City of Madeira Beach.

On the 13th day of October, 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.

Grace Mills
Grace Mills, Code Compliance Officer
City of Madeira Beach

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me, the undersigned authority, by means of physical presence or online notarization, this 13th day of October, 2023, by Grace Mills, who is personally known to me, or produced _____ as identification. My Commission Expires: 3-15-2027

Notary Public- State of Florida

Samantha Arison

Print or type Name.



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:

Holcomb, John Scott
 Holcomb, Jennifer Lynn
 572 Johns Pass ave
 Madeira Beach FL 33708



Article Number (Transfer from service label)

7022 2410 0002 9255 3190

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 No
 if YES, enter delivery address below:

3. Service Type

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

Domestic Return Receipt



300 Municipal Drive
Madeira Beach, Florida 33708

CERTIFIED MAIL®



7022 2410 0002 9255 3190

Holcomb, Jennifer Lynn
572 Johns Pass Ave
Madeira Beach, FL 33708

Respondents.

[Interactive Map of this parcel](#)

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15-31-15-58320-008-0030

[Compact Property Record Card](#)

[Tax Estimator](#)

Updated May 2, 2023

[Email](#) [Print](#)

[Radius Search](#)

[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
SMITH, THOMAS A 13423 GULF LN MADEIRA BEACH FL 33708-2537	13423 GULF LN MADEIRA BEACH



Property Use: 0110 (Single Family Home) **Current Tax District:** MADEIRA BEACH ([MB](#)) **Total Living:** SF: 3,146 **Total Gross SF:** 5,014 **Total Living Units:** 1

[click here to hide] **Legal Description**

MITCHEL'S BEACH REVISED BLK 8, LOT 3

Tax Estimator	File for Homestead Exemption	2023 Parcel Use	
Exemption	2023	2024	
Homestead:	Yes	Yes	*Assuming no ownership changes before Jan. 1
Government:	No	No	Homestead Use Percentage: 100.00%
Institutional:	No	No	Non-Homestead Use Percentage: 0.00%
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
10693/1455	\$3,069,900 Sales Query	121030278021	A	Current FEMA Maps	3/54

2022 Final Value Information

Year	Just/Market Value	Assessed Value / SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	\$2,572,818	\$1,250,526	\$1,200,026	\$1,225,026	\$1,200,026

[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	Yes	\$1,619,748	\$1,214,103	\$1,164,103	\$1,189,103	\$1,164,103
2020	Yes	\$1,302,681	\$1,197,340	\$1,147,340	\$1,172,340	\$1,147,340
2019	Yes	\$1,332,810	\$1,170,420	\$1,120,420	\$1,145,420	\$1,120,420
2018	Yes	\$1,634,507	\$1,148,597	\$1,098,597	\$1,123,597	\$1,098,597
2017	Yes	\$1,521,175	\$1,124,973	\$1,074,973	\$1,099,973	\$1,074,973
2016	Yes	\$1,406,737	\$1,101,834	\$1,051,834	\$1,076,834	\$1,051,834
2015	Yes	\$1,094,175	\$1,094,175	\$1,044,175	\$1,069,175	\$1,044,175
2014	Yes	\$1,129,201	\$1,103,237	\$1,053,237	\$1,078,237	\$1,053,237
2013	Yes	\$1,140,829	\$1,086,933	\$1,036,933	\$1,061,933	\$1,036,933
2012	Yes	\$1,158,393	\$1,068,764	\$1,018,764	\$1,043,764	\$1,018,764
2011	Yes	\$1,037,635	\$1,037,635	\$987,635	\$1,012,635	\$987,635
2010	Yes	\$1,187,792	\$1,040,764	\$990,764	\$1,015,764	\$990,764
2009	Yes	\$1,309,672	\$1,013,402	\$963,402	\$988,402	\$963,402
2008	Yes	\$1,362,000	\$1,012,390	\$962,390	\$987,390	\$962,390
2007	Yes	\$1,391,300	\$982,903	\$957,903	N/A	\$957,903
2006	Yes	\$1,509,800	\$958,930	\$933,930	N/A	\$933,930
2005	Yes	\$1,193,500	\$931,000	\$906,000	N/A	\$906,000
2004	Yes	\$985,200	\$903,900	\$878,900	N/A	\$878,900
2003	Yes	\$887,100	\$887,100	\$862,100	N/A	\$862,100
2002	No	\$295,500	\$295,500	\$295,500	N/A	\$295,500
2001	No	\$186,300	\$186,300	\$186,300	N/A	\$186,300
2000	No	\$182,100	\$182,100	\$182,100	N/A	\$182,100
1999	No	\$155,200	\$140,300	\$115,300	N/A	\$115,300
1998	Yes	\$154,500	\$138,100	\$113,100	N/A	\$113,100
1997	Yes	\$148,900	\$135,800	\$110,800	N/A	\$110,800
1996	Yes	\$149,000	\$131,900	\$106,900	N/A	\$106,900

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
15 Oct 1999	10693 / 1455	\$250,000	Q	V
16 Mar 1988	06701 / 1389	\$170,000	Q	
1980	05124 / 1160	\$120,000	Q	

2022 Land Information

Seawall: No	Frontage:	View: None
Land Use	Land Size	Unit Value
Single Family (01)	40x104	58000.00
	Units	Total Adjustments
	40.0000	0.8700
	Adjusted Value	Method
	\$2,018,400	FF

[click here to hide] 2023 Building 1 Structural Elements [Back to Top](#)

Site Address: 13423 GULF LN

Building Type: **Single Family**

Quality: **Excellent**

Foundation: **Wood/Block Above Ground Footing**

Floor System: **Slab Above Grade High**

Exterior Wall: **Cb Stucco/Cb Reclad**

Roof Frame: **Gable Or Hip**

Roof Cover: **Concrete Tile/Metal**

Stories: **3**

Living units: **1**

Floor Finish: **Hard Tile/Wood/Marble**

Interior Finish: **Upgrade**

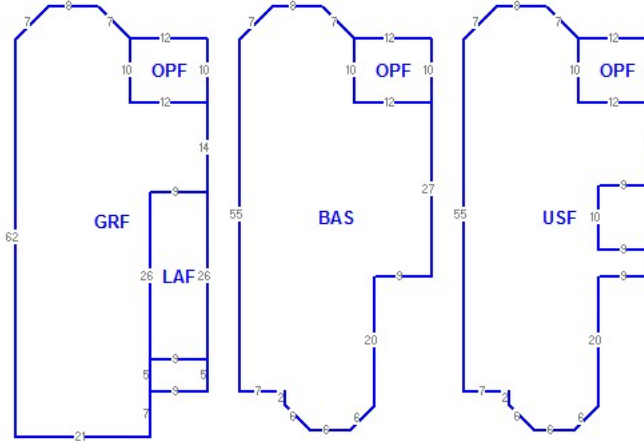
Fixtures: **11**

Year Built: **2002**

Effective Age: **15**

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
Upper Story (USF)	1,411	1,411
Garage (GRF)	0	1,463
Open Porch (OPF)	0	405
Base (BAS)	1,501	1,501
Lower Area Finished (LAF)	234	234
Total Living SF: 3,146		Total Gross SF: 5,014

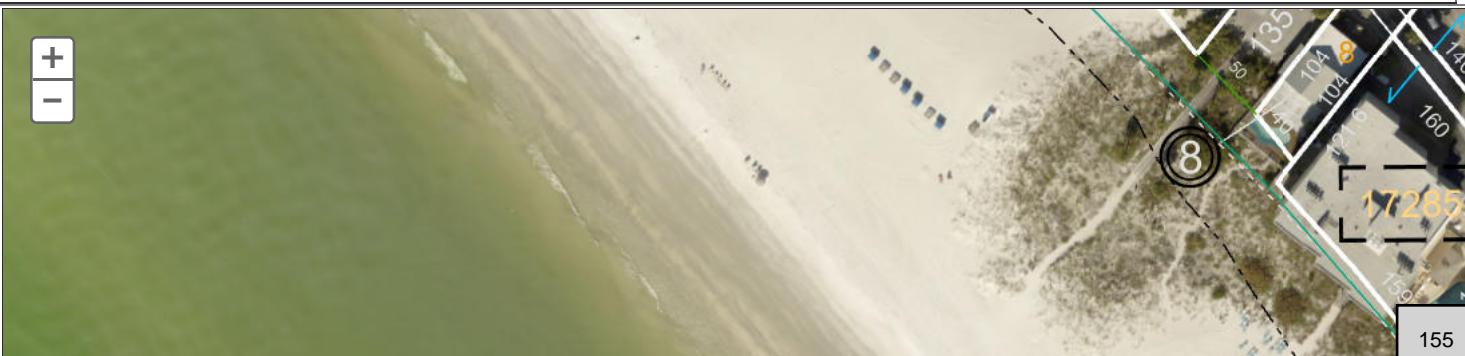
[click here to hide] 2023 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
FIREPLACE	\$8,000.00	1.00	\$8,000.00	\$5,120.00	2002
FIREPLACE	\$8,000.00	1.00	\$8,000.00	\$5,120.00	2002
POOL	\$40,000.00	1.00	\$40,000.00	\$19,200.00	2002
PATIO/DECK	\$39.00	285.00	\$11,115.00	\$5,335.00	2002
ELEV RES	\$67,000.00	1.00	\$67,000.00	\$32,160.00	2002

[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
P20210968	PLUMBING	01 Nov 2021	\$1,000
PER-H-CB223261	POOL	26 Sep 2000	\$11,000
PER-H-CB218618	NEW IMPROVEMENT	29 Jun 2000	\$302,953
PER-H-CB207378	DEMOLITION	03 Dec 1999	\$0





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Real Estate Account #R166164

Owner: SMITH, THOMAS A
Situs: 13423 GULF LN
 MADEIRA BEACH
[Parcel details](#)
[Property Appraiser](#)
 Homestead Exemption



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Amount Due

Your account is **paid in full**. There is nothing due at this time.
 Your last payment was made on **04/18/2023** for **\$20,247.75**.

Account History

BILL	AMOUNT DUE	STATUS	ACTION
2022 Annual Bill ⓘ	\$0.00	Paid \$20,247.75 04/18/2023	Receipt #421-22-002657 Print (PDF)
2021 ⓘ			
2021 Annual Bill	\$0.00	Paid \$22,841.05 04/18/2023	Receipt #421-22-002657 Print (PDF)
Certificate #3501		Redeemed 04/18/2023	Face \$21,747.43, Rate 0.25%
		Paid \$22,841.05	
2020 ⓘ			
2020 Annual Bill	\$0.00	Paid \$22,863.66 03/31/2023	Receipt #451-22-001295 Print (PDF)
Certificate #3661		Redeemed 03/31/2023	Face \$21,768.96, Rate 0.25%
		Paid \$22,863.66	
2019 ⓘ			
2019 Annual Bill	\$0.00	Paid \$22,553.32 03/30/2022	Receipt #404-21-003057 Print (PDF)
Certificate #4406		Redeemed 03/30/2022	Face \$21,473.40, Rate 0.25%
		Paid \$22,553.32	
2018 ⓘ			
2018 Annual Bill	\$0.00	Paid \$21,633.86 03/31/2021	Receipt #911-20-000424 Print (PDF)
Certificate #4170		Redeemed 04/06/2021	Face \$20,597.72, Rate 0.25%
		Paid \$21,633.86	
2017 ⓘ			
2017 Annual Bill	\$0.00	Paid \$21,547.21 03/27/2020	Receipt #421-19-002444 Print (PDF)
Certificate #4201		Redeemed 03/27/2020	Face \$20,515.20, Rate 0.25%
		Paid \$21,547.21	
2016 ⓘ			
2016 Annual Bill	\$0.00	Paid \$21,457.80 03/15/2019	Receipt #426-18-003123 Print (PDF)
Certificate #4456		Redeemed 03/15/2019	Face \$20,430.05, Rate 0.25%
		Paid \$21,457.80	
Total Amount Due	\$0.00		

BILL	AMOUNT DUE	STATUS		ACTION
2015 ⓘ				
2015 Annual Bill	\$0.00	Paid \$21,850.45	03/12/2018	Receipt #412-17-002385  Print (PDF)
Certificate #4609		Redeemed	03/12/2018	Face \$20,804.00, Rate 0.25%
		Paid \$21,850.45		
2014 ⓘ				
2014 Annual Bill	\$0.00	Paid \$21,888.72	03/30/2017	Receipt #423-16-003671  Print (PDF)
Certificate #4987		Redeemed	03/30/2017	Face \$20,840.45, Rate 0.25%
		Paid \$21,888.72		
2013 ⓘ				
2013 Annual Bill	\$0.00	Paid \$21,601.15	03/31/2016	Receipt #423-15-003275  Print (PDF)
Certificate #4846		Redeemed	03/31/2016	Face \$20,566.57, Rate 0.25%
		Paid \$21,601.15		
2012 ⓘ				
2012 Annual Bill	\$0.00	Paid \$21,216.04	04/01/2015	Receipt #434-14-003961  Print (PDF)
Certificate #4895		Redeemed	04/01/2015	Face \$20,199.80, Rate 0.25%
		Paid \$21,216.04		
2011 ⓘ				
2011 Annual Bill	\$0.00	Paid \$20,307.86	01/21/2014	Receipt #409-13-001575  Print (PDF)
Certificate #5799		Redeemed	01/21/2014	Face \$19,334.87, Rate 0.25%
		Paid \$20,307.86		
2010 ⓘ				
2010 Annual Bill	\$0.00	Paid \$20,054.18	04/19/2013	Receipt #427-12-004218  Print (PDF)
Certificate #6234		Redeemed	04/19/2013	Face \$19,093.27, Rate 0.25%
		Paid \$20,054.18		
2009 ⓘ				
2009 Annual Bill	\$0.00	Paid \$19,590.41	04/19/2012	Receipt #422-11-003237  Print (PDF)
Certificate #7214		Redeemed	04/19/2012	Face \$18,651.58, Rate 0.25%
		Paid \$19,590.41		
2008 ⓘ				
2008 Annual Bill	\$0.00	Paid \$19,299.20	01/31/2011	Receipt #735-10-003385  Print (PDF)
Certificate #8095		Redeemed	02/03/2011	Face \$18,374.24, Rate 0.25%
		Paid \$19,299.20		
2007 ⓘ				
2007 Annual Bill	\$0.00	Paid \$18,565.32	06/30/2008	Receipt #701-08-001099  Print (PDF)
Certificate #7904		Redeemed	06/30/2008	Face \$17,675.30, Rate 0.25%
		Paid \$18,565.32		
2006 ⓘ				
2006 Annual Bill	\$0.00	Paid \$19,586.22	07/13/2007	Receipt #017-07-00000333  Print (PDF)
Certificate #5655		Redeemed	07/13/2007	Face \$18,647.59, Rate 0.25%
		Paid \$19,586.22		
2005 Annual Bill ⓘ	\$0.00	Paid \$17,761.41	03/30/2006	Receipt #018-05-00004209  Print (PDF)
2004 Annual Bill ⓘ	\$0.00	Paid \$17,065.07	03/31/2005	Receipt #018-04-00004139  Print (PDF)
2003 Annual Bill ⓘ	\$0.00	Paid \$16,501.85	01/22/2004	Receipt #017-03-00004097  Print (PDF)
2002 Annual Bill ⓘ	\$0.00	Paid \$5,832.61	03/26/2003	Receipt #017-02-00004729  Print (PDF)
2001 Annual Bill ⓘ	\$0.00	Paid \$3,996.48	06/01/2002	Receipt #CONV-22817  Print (PDF)
2000 Annual Bill ⓘ	\$0.00	Paid \$3,693.17	04/13/2001	Receipt #018-00-00002401  Print (PDF)
1999 Annual Bill ⓘ	\$0.00	Paid \$2,268.45	03/28/2000	Receipt #017-99-00005589  Print (PDF)
Total Amount Due	\$0.00			

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COURTESY NOTICE OF CODE VIOLATION

MAY 2, 2023

SMITH, THOMAS A
13423 GULF LN
MADEIRA BEACH FL 33708-2537
Case Number: 2023.3603

Parcel #: 15-31-15-58320-008-0030

Legal Description: MITCHELL'S BEACH REVISED BLK 8, LOT 3

Address: 13423 GULF LN

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).

Violation Detail:

- AC Unit(s) have been replaced/modified at the property without the required building permit(s).

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.

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

Follow-up date:

MAY 16, 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).

**April 29
2023
8:27 AM**



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).



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).

May 1 2023
10:56 AM



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NOTICE OF CODE VIOLATION

MAY 18, 2023

SMITH, THOMAS A
13423 GULF LN
MADEIRA BEACH FL 33708-2537
Case Number: 2023.3603

Parcel #: 15-31-15-58320-008-0030

Legal Description: MITCHELL'S BEACH REVISED BLK 8, LOT 3

Address: 13423 GULF LN

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).

Violation Detail:

- AC Unit(s) have been replaced/modified at the property without the required building permit(s).

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.

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

Follow-up date:

JUNE 1, 2023

Grace Mills,

Code Compliance Officer II

City of Madeira Beach – Building Department

gmills@madeirabeachfl.gov

727.391.9951 ext. 298

Certified Mailing: 70212720000314768361

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).

**April 29
2023
8:27 AM**



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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May 1 2023
10:56 AM



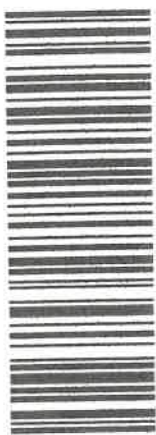
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300 Municipal Drive
 Madeira Beach, Florida 33708



7021 2720 0003 1476 8361

MAY 18, 2023

SMITH, THOMAS A
 13423 GULF LN

MADEIRA BEACH FL 33708-2537

Case Number: 2023.3603

DO NOT WRITE OR SIGNATURE IN THIS AREA
 PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

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.

- COMPLETE THIS SECTION ON DELIVERY**
- A. Signature
 X
- B. Received by (Printed Name) Agent
 Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

1. Article Addressed to:
 Smith, Thomas A.
 13423 Gulf Ln.
 Madeira Beach, FL 33708



9590 9402 5087 9092 7745 70

2. Article Number (Transfer from service label)

7021 2720 0003 1476 8361

PS Form 3811, July 2015 PSN 7530-02-000-9053

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
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

May 1 2023
10:56 AM



April 29
2023
8:27 AM



April 29 2023

8:22 AM

Item 5E.

175



Google Earth December 2022

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH**

City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.

CASE NO. 2023.3603

Thomas A Smith
13423 Gulf Ln
Madeira Beach FL 33708

Respondents.

RE Property: 13423 Gulf Ln **Parcel #**15-31-15-8320-008-0030

Legal Description: MITCHELL’S BEACH REVISED BLK 8, LOT 3

STATEMENT OF VIOLATION/ REQUEST FOR HEARING

To whom it may concern:

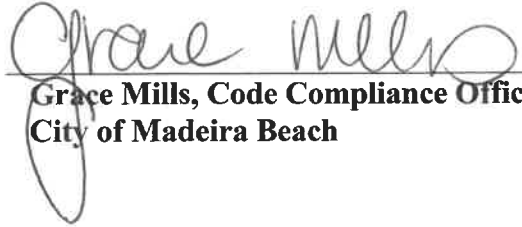
During a recent review of properties on your street, it was noted that your property is in violation of the following code section(s):

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 uncovering flat slabs of no greater than 50 square feet, for work of strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

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 \$250.00 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
City of Madeira Beach

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH**

City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.

CASE NO. 2023.3603

Thomas A Smith
13423 Gulf Ln
Madeira Beach FL 33708

Respondents.

RE Property: 13423 Gulf Ln

Parcel # 15-31-15-58320-008-0030

Legal Description: MITCHELL'S BEACH REVISED BLK 8, LOT 3

NOTICE OF HEARING

To whom it may concern:

YOU ARE HEREBY FORMALLY NOTIFIED that at **02:00 pm** on **MONDAY** the **23rd** day of October, **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 violation(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 uncovering flat slabs of no greater than 50 square feet, for work of strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

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 violation(s) 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(s), 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 Code Enforcement department of the City of Maderia Beach within five (5) days at 300 Municipal Drive, Maderia Beach, Florida 33708, telephone number (727) 391-9951 ext 298.

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

Dated this 13th day of October, 2023.



**Grace Mills, Code Compliance Officer II
City of Madeira Beach**

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH**

City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.

CASE NO. 2023.3603

Thomas A Smith
13423 Gulf Ln
Madeira Beach, FL 33708-2537

Respondents.

RE Property: 13423 Gulf Ln Parcel # 15-31-15-58320-008-0030

Legal Description: MITCHELL'S BEACH REVISED BLK 8, LOT 3

AFFIDAVIT OF SERVICE

I, Grace Mills, Building 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 13th day of October, 2023, I mailed a copy of the attached NOTICE OF HEARING via Certified Mail, Return Receipt Requested.

On the 13th day of October, 2023, I mailed a copy of the attached NOTICE OF HEARING via First Class mail.

On the 13th day of October, 2023, I posted a copy of the attached NOTICE OF HEARING on the property located at 13423 Gulf Ln, Madeira Beach, FL 33708, Parcel # 15-31-15-58320-008-0030 the City of Madeira Beach.

On the 13th day of October, 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.

Grace Mills
Grace Mills, Code Compliance Officer II
City of Madeira Beach

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me, the undersigned authority, by means of physical presence or online notarization, this 13th day of October, 2023, by Grace Mills, who is personally known to me, or produced _____ as identification. My Commission Expires: 3-15-27

Notary Public- State of Florida

Samantha Arison

Print or type Name.



PLEASE PRINT OR TYPE IN BLOCK LETTERS. DO NOT WRITE IN THESE SPACES. DO NOT WRITE IN THESE SPACES.

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:

Thomas A. Smith
 13423 Gulf Ln
 Madeira Beach FL
 33708



2. Article Number (Transfer from service label)

7022 2410 0002 9255 3183

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 No
 If YES, enter delivery address below: Yes 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 (over \$500)
- Insured Mail Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt



Item 5E.

300 Municipal Drive
Madeira Beach, Florida 33708



7022 2410 0002 9255 3183

VS.
Thomas A Smith
13423 Gulf Ln
Madeira Beach FL 33708



Oct 13, 2023 9:13:45 AM
13412 Gulf Lane
Madeira Beach
Pinellas County
Florida