



**APRIL SPECIAL MAGISTRATE-
VARIANCE/SPECIAL
EXCEPTION/CODE ENFORCEMENT
MEETING AGENDA**

**Monday, April 22, 2024 at 2:00 PM
Commission Chambers, 300 Municipal Drive,
Madeira Beach, FL 33708**

The Board of Commissioners of the City of Madeira Beach, Florida will meet in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below. 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. CE-24-0021: 113 145th Ave. E

B. VAR 2024-02 14062 West Parsley Drive

C. VAR 2024-03 13495 Gulf Blvd

D. VAR 2024-04 13510 1st Street East

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.



Mike Twitty, MAI, CFA
Pinellas County Property Appraiser

Parcel Summary
(as of 21-Mar-2024)

Parcel Number

09-31-15-54306-000-0230

- Owner Name
SNJ MANAGEMENT LLC
- Property Use
0822 Apartments (5-9 units)
- Site Address
113 145TH AVE E
MADEIRA BEACH, FL 33708
- Mailing Address
195-197 GOVERNOR ST
PATERSON, NJ 07501-1348
- Legal Description
MADEIRA SHORES SUB LOT 23
- Current Tax District
MADEIRA BEACH (MB)
- Year Built
1948 | 1956

Heated SF	Gross SF	Living Units	Buildings
2,145	2,313	6	2

Parcel Map

Item 5A.

Powered by Esri (<http://www.esri.com/>)

Exemptions

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2025	No	0%		No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).
2024	No	0%		
2023	No	0%		

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
22494/2611		121030278012	A	Current FEMA Maps	Check for EC	Zoning Map	22/87

2023 Final Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$780,000	\$698,500	\$698,500	\$780,000	\$698,500

Value History

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	N	\$635,000	\$635,000	\$635,000	\$635,000	\$635,000
2021	N	\$353,600	\$353,600	\$353,600	\$353,600	\$353,600

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2020	N	\$323,302	\$323,302	\$323,302	\$323,302	\$323,302
2019	N	\$352,000	\$352,000	\$352,000	\$352,000	\$352,000
2018	N	\$278,000	\$266,200	\$266,200	\$278,000	\$266,200

2023 Tax Information



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 [Tax Estimator](#) to estimate taxes under new ownership.

Tax Bill	2023 Millage Rate	Tax District
View 2023 Tax Bill	16.1412	(MB)

Sales History

Sale Date	Price	Qualified / Unqualified	Vacant / Improved	Grantor	Grantee	Book / Page
26-Apr-2023	\$2,500,000	Q	I	RYCAL CONSTRUCTION LLC	SNJ MANAGEMENT LLC	22494/2611
16-Apr-2021	\$740,000	Q	I	RCK HOLDINGS ENTERPRISES LLC	RYCAL CONSTRUCTION LLC	21520/0902
31-Aug-2018	\$437,000	Q	I	MCDERMOTT RAYMOND	RCK HOLDINGS ENTERPRISES LLC	20193/1280
21-Mar-2011	\$199,900	U	I	HUNDLEY TODD	MCDERMOTT CONSTANCE J	17214/2499
19-Jul-2005	\$525,000	Q	I	COLBY PAMELA D	HUNDLEY, TODD	14466/0576

2023 Land Information

Land Area: 0.1064 acres | 4,635 sf Frontage and/or View: None Seawall: No

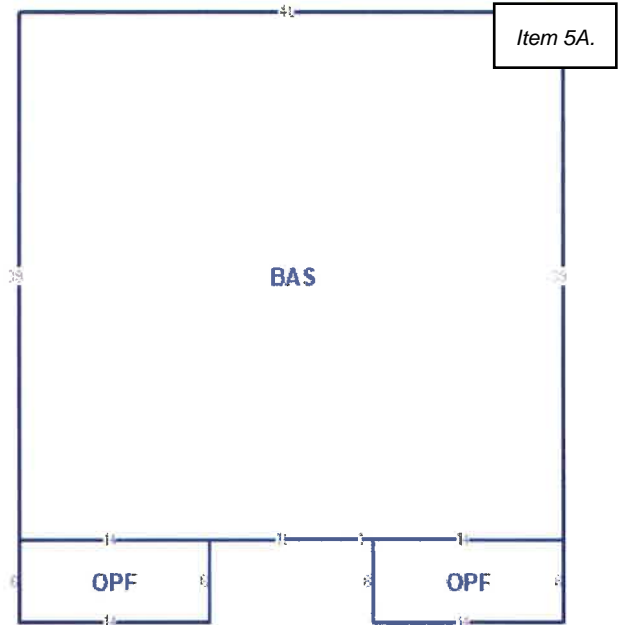
Property Use	Land Dimensions	Unit Value	Units	Method	Total Adjustments	Adjusted Value
Multi-Fam <10 Units	50x92	\$7,800	50.00	FF	1.0379	\$404,781

2023 Building 1 Structural Elements and Sub Area Information

Structural Elements	Sub Area	Heated Area SF	Gross Area SF	
Foundation:	Continuous Footing Poured	Base (BAS):	1,560	1,560
Floor System:	Slab Above Grade Low	Open Porch (OPF):	0	168
Exterior Walls:	Cb Stucco/Cb Reclad	Total Area SF:	1,560	1,728
Unit Stories:	1			
Living Units:	4			
Roof Frame:	Gable Or Hip			
Roof Cover:	Concrete Tile/Metal			
Year Built:	1948			
Building Type:	Res Conversions			
Quality:	Average			

Structural Elements

Floor Finish: Carpet/ Vinyl/Asphalt
 Interior Finish: Drywall/Plaster
 Heating: Reverse Cyc/Wall Unit
 Cooling: None
 Fixtures: 12
 Effective Age: 22

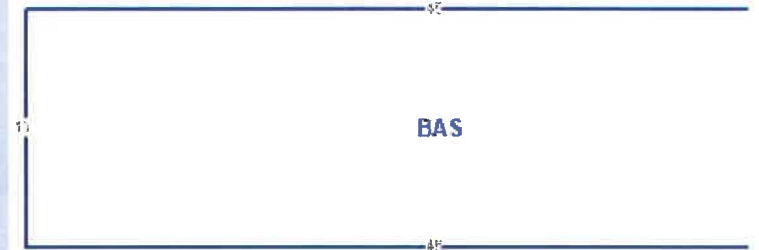


2023 Building 2 Structural Elements and Sub Area Information

Structural Elements

Foundation: Continuous Footing Poured
 Floor System: Wood
 Exterior Walls: Cb Stucco/Cb Reclad
 Unit Stories: 1
 Living Units: 2
 Roof Frame: Gable Or Hip
 Roof Cover: Shingle Composition
 Year Built: 1956
 Building Type: Duplex - 4-Plex
 Quality: Average
 Floor Finish: Carpet/ Vinyl/Asphalt
 Interior Finish: Drywall/Plaster
 Heating: Reverse Cyc/Wall Unit
 Cooling: None
 Fixtures: 6
 Effective Age: 22

Sub Area	Heated Area SF	Gross Area SF
Base (BAS):	585	585
Total Area SF:	585	585



2023 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
CONC PAVE	\$12.00	1,250.0	\$15,000	\$15,000	0
PATIO/DECK	\$14.00	100.0	\$1,400	\$560	1955

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
R3919	ROOF	08/02/2019	\$8,500
R3102	ROOF	10/29/2018	\$4,190
PER-H-CB305249	MISCELLANEOUS	10/20/2004	\$1,500



Parcel Summary (as of 21-Mar-2024)	Parcel Map								
Parcel Number 09-31-15-54306-000-0230									
Owner Name SNJ MANAGEMENT LLC									
Property Use 0822 Apartments (5-9 units)									
Site Address 113 145TH AVE E MADEIRA BEACH, FL 33708									
Mailing Address 195-197 GOVERNOR ST PATERSON, NJ 07501-1348									
Legal Description MADEIRA SHORES SUB LOT 23									
Current Tax District MADEIRA BEACH (MB)									
Year Built 1948 1956									
<table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th style="background-color: #004a80; color: white;">Heated SF</th> <th style="background-color: #004a80; color: white;">Gross SF</th> <th style="background-color: #004a80; color: white;">Living Units</th> <th style="background-color: #004a80; color: white;">Buildings</th> </tr> </thead> <tbody> <tr> <td style="background-color: #004a80; color: white;">2,145</td> <td style="background-color: #004a80; color: white;">2,313</td> <td style="background-color: #004a80; color: white;">6</td> <td style="background-color: #004a80; color: white;">2</td> </tr> </tbody> </table>	Heated SF	Gross SF	Living Units	Buildings	2,145	2,313	6	2	
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Seawall: No

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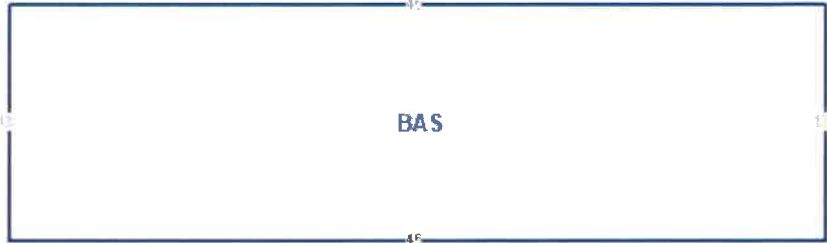
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Floor System	Slab Above Grade Low	Open Porch (OPF)	0	168
Exterior Walls	Cb Stucco/Cb Reclad	Total Area SF	1,560	1,728
Unit Stories	1			
Living Units	4			
Roof Frame	Gable Or Hip			
Roof Cover	Concrete Tile/Metal			
Year Built	1948			
Building Type	Res Conversions			
Quality	Average			
Floor Finish	Carpet/ Vinyl/Asphalt			
Interior Finish	Drywall/Plaster			
Heating	Reverse Cyc/Wall Unit			
Cooling	None			
Fixtures	12			
Effective Age	22			

2023 Building 2 Structural Elements and Sub Area Information

Item 5A.

Structural Elements		Sub Area	Heated Area SF	Gross Area SF
Foundation	Continuous Footing Poured	Base (BAS)	585	585
Floor System	Wood	Total Area SF	585	585
Exterior Walls	Cb Stucco/Cb Reclad			
Unit Stories	1			
Living Units	2			
Roof Frame	Gable Or Hip			
Roof Cover	Shingle Composition			
Year Built	1956			
Building Type	Duplex - 4-Plex			
Quality	Average			
Floor Finish	Carpet/ Vinyl/Asphalt			
Interior Finish	Drywall/Plaster			
Heating	Reverse Cyc/Wall Unit			
Cooling	None			
Fixtures	6			
Effective Age	22			



2023 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
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PER-H-CB305249	MISCELLANEOUS	10/20/2004	\$1,500

Charles W. Thomas, CFC, Pinellas County Tax Collector

P.O. Box 31149, Tampa, FL 33631-3149
(727) 464-7777 | pinellastaxcollector.gov

2023 REAL ESTATE TAX REMINDER

Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

Item 5A.

Pay online at pinellastaxcollector.gov

• E-check - no fee • Credit card - 2.95% convenience fee

If Received By	Mar 31, 2024	Apr 30, 2024	May 31, 2024		
Pay this Amount	\$11758.58	\$12111.34	\$12138.34		

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R103731		MB

SNJ MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501

PARCEL NO.: 09/31/15/54306/000/0230
SITE ADDRESS: 113 145TH AVE E, MADEIRA BEACH
PLAT: 22 PAGE: 87
LEGAL:
MADEIRA SHORES SUB
LOT 23

TAX CERTIFICATE SALE COMMENCES JUNE 1. IF THE TAXES ON YOUR PROPERTY ARE NOT PAID BY MAY 31 AT 4:00 PM, A TAX CERTIFICATE WILL BE SOLD FOR THESE TAXES, AND YOUR PROPERTY MAY BE SOLD AT A FUTURE DATE. CONTACT THE TAX COLLECTOR'S OFFICE AT ONCE.

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAXES LEVIED
GENERAL FUND	4.7398	698,500	0	698,500	3,310.75
HEALTH DEPARTMENT	0.0713	698,500	0	698,500	49.80
EMS	0.8418	698,500	0	698,500	588.00
SCHOOL-STATE LAW	3.1900	780,000	0	780,000	2,488.20
SCHOOL-LOCAL BD.	2.7480	780,000	0	780,000	2,143.44
MADEIRA BEACH	2.7500	698,500	0	698,500	1,920.88
SW FLA WTR MGMT.	0.2043	698,500	0	698,500	142.70
PINELLAS COUNTY PLN.CNCL.	0.0210	698,500	0	698,500	14.67
JUVENILE WELFARE BOARD	0.8250	698,500	0	698,500	576.26
SUNCOAST TRANSIT AUTHORITY	0.7500	698,500	0	698,500	523.88
TOTAL MILLAGE	16.1412			GROSS AD VALOREM TAXES	\$11,758.58

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	AMOUNT
GROSS NON-AD VALOREM ASSESSMENTS	\$0.00

TAXES BECOME DELINQUENT APRIL 1ST **COMBINED GROSS TAXES AND ASSESSMENTS** **\$11,758.58**

PLEASE RETAIN TOP PORTION FOR YOUR RECORDS

Charles W. Thomas, CFC, Pinellas County Tax Collector

Pay in U.S. funds to Charles W. Thomas, Tax Collector

P.O. Box 31149, Tampa, FL 33631-3149
(727) 464-7777 | pinellastaxcollector.gov

2023 REAL ESTATE TAX REMINDER

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ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R103731		MB

SNJ MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501

PARCEL NO.: 09/31/15/54306/000/0230
SITE ADDRESS: 113 145TH AVE E, MADEIRA BEACH
PLAT: 22 PAGE: 87
LEGAL:
MADEIRA SHORES SUB
LOT 23

Code Enforcement Case: CE-24-0021

Entered on: 02/03/2024 00:00

Printed on: 04/04/2024

Topic: Zoning
 Due Date:
 Initiated by: Police

Status: Open
 Assigned To: Cory Snyder

Permit

Permit #: _____ Business name: _____ License #: _____

Property Location

Occupant Name: _____
 Address: 113 145TH AVE E , 33708
 Phone: _____ Cell #: _____
 APN : 09-31-15-54306-000-0230

Owner Information

Owner Name: SNJ MANAGEMENT LLC
 Address: 195-197 GOVERNOR ST
 PATERSON, NJ 07501
 Phone: _____ Cell #: _____

Actions

Action	By	Date	Time	Note/Observation
Inspection	Cory Snyder	02/03/2024	8:50 am	AMY AND ROGER ONEIL RENTED UNIT FROM FEB THROUGH THE 10TH FOR APPROX 2000.
Courtesy Letter	Cory Snyder	02/03/2024	1:13 pm	Send to (Owner)
Inspection	Cory Snyder	02/24/2024	9:15 am	RITA MILLER AIR BNB 2/22, 2/23, 2/24 3 NIGHTS \$850.
Notice of Violation	Cory Snyder	02/24/2024	9:24 am	Send to (Owner)
Case Notes	Cory Snyder	03/08/2024	11:30 am	NO BTR PER LISA IN BUSINESS TAX DEPT.
Inspection	Cory Snyder	03/21/2024	10:00 am	MULTIPLE VIOLATIONS X3 NOTES TO FOLLOW,,,, WILL BE SET FOR SPECIAL MAGISTRATE
NOH - Notice of Hearing	Cory Snyder	04/03/2024	9:34 am	Send to (Owner)
Case Notes	Cory Snyder	04/04/2024	9:30 am	MAC FLEMING UNIT 3 3/14 TO 3/21 1300 FLORIDA RANTALS WEBSITE, KEVIN PEES 3/8 TO 3/23 \$3200 (\$1600 X2) AIR BNB, KIM 3/19 TO 3/22 \$795 HOPPER WEBSITE.
NOH - Notice of Hearing	Cory Snyder	04/04/2024	9:49 am	Send to (Owner)
NOH - Affidavit of Service	Cory Snyder	04/04/2024	9:59 am	Send to (Owner)
NOH - Statement of Violation	Cory Snyder	04/04/2024	10:18 am	Send to (Owner)
Case Notes	Cory Snyder	04/04/2024	10:25 am	Paperwork completed set for Special Magistrate on 4/22/2024 at 2 PM.

Violations

#	Violation Type	Due Date	Status	Closed Date
1	Registration required Corrections Required:Please make corrections to listed violations		Open	
2	Compliance required Corrections Required:Please make corrections to listed violations		Open	
3	R-2 Violations Corrections Required:Please make corrections to listed violations		Open	

Inspection Notes

Date: _____ Time: _____

Findings:

Item 5A.



CITY OF MADEIRA BEACH

**COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131**



COURTESY NOTICE

SNJ MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501

Case No: CE-24-0021
RE: 113 145TH AVE E

INSPECTION DATE: February 3, 2024
PARCEL NUMBER: 09-31-15-54306-000-0230
LEGAL DESCRIPTION: MADEIRA SHORES SUB

Dear OWNER,

February 3, 2024

An inspection of your property revealed a violation(s) of the City Code of Ordinances. The following violation(s) were found to exist;

Code Violation:	Code Section:	Violation:
Registration required	34-503	It is unlawful for any person to allow another person to occupy any residential property as a vacation rental within the city or offer such rental services within the city, unless the person has registered the vacation rental property with the city and the vacation rental property has been issued a certificate of compliance in accordance with the provisions of this division. A person may not allow another person to occupy any residential property as a vacation rental without the issuance of a certificate of compliance if; The residential property has an effective and valid license as a vacation rental classification of public lodging establishment issued by the state department of business and professional regulations prior to February 28, 2006; and The residential property is not in violation of any section of the Code of Ordinances; and An application for registration of the residential property as a vacation rental has been filed pursuant to section 34-504 and all applicable fees have been paid; and That said occupancy was scheduled prior to November 10, 2015 as evidenced by a written and valid executed rental agreement or contract provided to city code enforcement no later than December 10, 2015. (Ord. No. 2015-13, § 1, 11-10-15)
Compliance required	62-33	It shall be unlawful for any person, either directly or indirectly, to conduct any business, profession or nonprofit enterprise, or to use in connection therewith any vehicle, premises, machine, or device, in whole or part, for which a local business tax receipt or permit is required by any law or ordinance of this city, without a local business tax receipt or permit therefor being first procured and kept in effect at all such times as required by this article. (Code 1983, § 11-101(B); Ord. No. 1111, § 3, 5-8-07)
R-2 Violations	110-201	The R-2, low density multifamily residential district provides for

low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. §2018-07, § 1, 7-11-18)

Code Section:	Corrective Action:	Compliance Due Date:
34-503	Please make corrections to listed violations	February 13, 2024
62-33	Please make corrections to listed violations	February 13, 2024
110-201	Please make corrections to listed violations	February 13, 2024

If you should have any questions or concerns, please do not hesitate to contact me.

My phone number is listed below.

Thank you in advance for your prompt response.

Sincerely,
.....

Cory Snyder
Deputy Sheriff
Telephone: 727-391-9951 x 295



CITY OF MADEIRA BEACH

**COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131**



- NOTICE OF VIOLATION -

SNJ MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501

Case No: CE-24-0021
RE: 113 145TH AVE E

INSPECTION DATE: February 24, 2024
PARCEL NUMBER: 09-31-15-54306-000-0230
LEGAL DESCRIPTION: MADEIRA SHORES SUB

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February 24, 2024

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Specifically, your property is in violation of the following:

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Registration required	34-503	It is unlawful for any person to allow another person to occupy any residential property as a vacation rental within the city or offer such rental services within the city, unless the person has registered the vacation rental property with the city and the vacation rental property has been issued a certificate of compliance in accordance with the provisions of this division. A person may not allow another person to occupy any residential property as a vacation rental without the issuance of a certificate of compliance if; The residential property has an effective and valid license as a vacation rental classification of public lodging establishment issued by the state department of business and professional regulations prior to February 28, 2006; and The residential property is not in violation of any section of the Code of Ordinances; and An application for registration of the residential property as a vacation rental has been filed pursuant to section 34-504 and all applicable fees have been paid; and That said occupancy was scheduled prior to November 10, 2015 as evidenced by a written and valid executed rental agreement or contract provided to city code enforcement no later than December 10, 2015. (Ord. No. 2015-13, § 1, 11-10-15)
Compliance required	62-33	It shall be unlawful for any person, either directly or indirectly, to conduct any business, profession or nonprofit enterprise, or to use in connection therewith any vehicle, premises, machine, or device, in whole or part, for which a local business tax receipt or permit is required by any law or ordinance of this city, without a local business tax receipt or permit therefor being first procured and kept in effect at all such times as required by this article.

		(Code 1983, § 11-101(B); Ord. No. 1111, § 3, 5-8-07)
R-2 Violations	110-201	The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. 2018-07, § 1, 7-11-18)

Code Section:Corrective Action:Compliance Due Date:		
34-503	Please make corrections to listed violations	CEASE SHORT RENT RENTAL ACTIVITY IMMEDIATELY
62-33	Please make corrections to listed violations	CEASE SHORT RENT RENTAL ACTIVITY IMMEDIATELY
110-201	Please make corrections to listed violations	CEASE SHORT RENT RENTAL ACTIVITY IMMEDIATELY

The violation(s) must be corrected by **IMMEDIATELY, 2ND NOTICE**. If the violation(s) are not remedied and discontinued, you will receive a notice to appear for a hearing before the Madeira Beach Special Magistrate for failure to correct the violation(s).

If you should have any questions or concerns, please do not hesitate to contact me.

Sincerely,

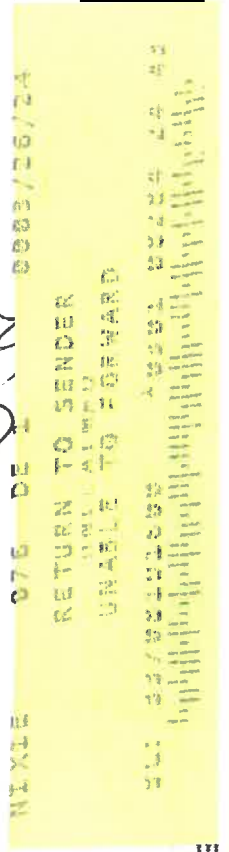
.....
 Cory Snyder
 Deputy Sheriff
 Telephone: 727-391-9951 x 295

Method of Delivery:

PLEASE NOTIFY THIS OFFICE AS SOON AS THE VIOLATION(S) IS CORRECTED

NOTE: You are hereby notified to correct the attached violation(s) and notify the above signed Code Enforcement Officer within the time limits specified. Failure to comply will result in charges being filed against you with the Special Magistrate of the City of Madeira Beach which may result in a potential fine of up to \$250.00 per day. Repeat violators can be fined up to \$500.00 per day. Such charges will be a lien upon the real and/or personal property of the violator and may be collected pursuant to law. The City is also entitled to collect all costs incurred in recording and satisfying a lien against the property.

Item 5A.



SNJ MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501

INSPECTION DATE: February 24, 2024
9161<883707501-1946

INFORMATION

300 Municipal Drive
Madera Beach, Florida 33708



HEPT HT55 0000 0262 6T07



quadrant
FIRST-CLASS MAIL
IMI
\$008.69
02/22/2024 ZIP 33708
043M31233717

CERTIFIED MAIL

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

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

SNJ MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501



9590 9402 7951 2305 9266 98

9 Article Number (Transfer from service label)

7019 2970 0000 5514 1834

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

COMPLETE THIS SECTION ON DELIVERY

- A. Signature X Agent
- B. Received by (Printed Name) Addressee
- C. Date of Delivery

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

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

Domestic Return Receipt



CITY OF MADEIRA BEACH
COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131



**SPECIAL MAGISTRATE
 NOTICE OF HEARING**

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

vs.

SNJ MANAGEMENT LLC
 195-197 GOVERNOR ST
 PATERSON, NJ 07501
 Respondent,

RE: 113 145TH AVE E
PARCEL NUMBER: 09-31-15-54306-000-0230
LEGAL DESCRIPTION: MADEIRA SHORES SUB LOT 23

YOU ARE HEREBY FORMALLY NOTIFIED that at 2:PM on MONDAY the 22ND day of APRIL, 2024 there will be a public hearing at the Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida 33708, concerning the following:

Violation Detail:

Code Violation:	Code Section:	Violation:
Registration required	34-503	It is unlawful for any person to allow another person to occupy any residential property as a vacation rental within the city or offer such rental services within the city, unless the person has registered the vacation rental property with the city and the vacation rental property has been issued a certificate of compliance in accordance with the provisions of this division. A person may not allow another person to occupy any residential property as a vacation rental without the issuance of a certificate of compliance if; The residential property has an effective and valid license as a vacation rental classification of public lodging establishment issued by the state department of business and professional regulations prior to February 28, 2006; and The residential property is not in violation of any section of the Code of Ordinances; and An application for registration of the residential property as a vacation rental has been filed pursuant to section 34-504 and all applicable fees have been paid; and That said occupancy was scheduled prior to November 10, 2015 as evidenced by a written and valid executed rental agreement or contract provided to city code enforcement no later than December 10, 2015. (Ord. No. 2015-13, § 1, 11-10-15)
Compliance required	62-33	It shall be unlawful for any person, either directly or indirectly, to conduct any business, profession or nonprofit enterprise, or to use in connection therewith any vehicle, premises, machine, or device, in whole or part, for which a local business tax receipt or permit is required by any law or ordinance of this city, without a local business tax receipt or permit therefor being first procured

		and kept in effect at all such times as required by this article. (Code 1983, § 11-101(B); Ord. No. 1111, § 3, 5-8-07)
R-2 Violations	110-201	The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. 2018-07, § 1, 7-11-18)

You are hereby ordered to appear before the Madeira Beach Special Magistrate on that date 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 \$500.00 per day 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 be presented to the Madeira Beach Special Magistrate 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 to opportunity to present witnesses as well as question the witnesses against you prior to the Special Magistrate making a determination.

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

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

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

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

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

Dated this 04th day of April, 2024



 Deputy Cory Snyder, Deputy Sheriff



CITY OF MADEIRA BEACH

**COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131**



**SPECIAL MAGISTRATE
STATEMENT OF VIOLATION/REQUEST FOR HEARING**

**SNJ MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501**

**Case No: CE-24-0021
RE: 113 145TH AVE E**

**DATE: April 4, 2024
PARCEL NUMBER: 09-31-15-54306-000-0230
LEGAL DESCRIPTION: MADEIRA SHORES SUB LOT 23**

Code(s) which have been violated:

Code Violation:	Code Section:	Violation:
Registration required	34-503	It is unlawful for any person to allow another person to occupy any residential property as a vacation rental within the city or offer such rental services within the city, unless the person has registered the vacation rental property with the city and the vacation rental property has been issued a certificate of compliance in accordance with the provisions of this division. A person may not allow another person to occupy any residential property as a vacation rental without the issuance of a certificate of compliance if; The residential property has an effective and valid license as a vacation rental classification of public lodging establishment issued by the state department of business and professional regulations prior to February 28, 2006; and The residential property is not in violation of any section of the Code of Ordinances; and An application for registration of the residential property as a vacation rental has been filed pursuant to section 34-504 and all applicable fees have been paid; and That said occupancy was scheduled prior to November 10, 2015 as evidenced by a written and valid executed rental agreement or contract provided to city code enforcement no later than December 10, 2015. (Ord. No. 2015-13, § 1, 11-10-15)
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R-2 Violations	110-201	The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does

allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. §2018-07§, § 1, 7-11-18)

1. On **02/03/2024**, a Code Enforcement Case for the property listed was opened
2. On **02/03/2024**, an inspection was conducted on the listed property identifying a Short Term Rental violation(s) Amy and Roger Obrien rented 2/1/2024 though 2/10/2024 \$2000.
3. On **2/03/2024**, a Courtesy Letter was issued to the Property for No business tax and Short Term Violaton sent regular mail.
4. On **2/24/2024**, I conducted an inspection of the property identifying a Short Term Rental violaton. Rita Miller who was staying from 2/22 tho 2/24 3 nights \$850.
5. On **2/24/2024**, a Notice of Violation was mailed to the property owner Certified and Regular Mial.
6. On **3/08/2024**, I verified with the City Buisness Tax Dept that the property ownes had not contacted the city, and no BTR was on file.
7. On **03/21/24**, an inspection of the property was conducting indetifying 3 seperate Short Term Rental violatons were identified. This was captured on Body worn camera.
8. On **04/04/24**,a Notice of Hearing was mailed and/or posted with a scheduled hearing date.

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 MADEIRA BEACH SPECIAL MAGISTRATE OF THE CITY OF MADEIRA BEACH.


 Deputy Cory Snyder, Deputy Sheriff



CITY OF MADEIRA BEACH

COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131



SPECIAL MAGISTRATE AFFIDAVIT OF SERVICE

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

vs.

SNJ MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501
Respondent,

RE: 113 145TH AVE E
PARCEL NUMBER: 09-31-15-54306-000-0230
LEGAL DESCRIPTION: MADEIRA SHORES SUB LOT 23

AFFIDAVIT OF SERVICE

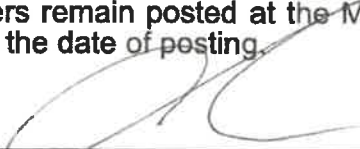
I, Cory Snyder, Community Policing Officer of the City of Madeira Beach, upon being duly sworn, deposed and says the following:
That pursuant to Florida Statute 162.12,

On the 04th day of April, 2024, I mailed a copy of the attached **NOTICE OF HEARING/ORDER** via certified Mail, Return Receipt requested.

On the 04th day of April, 2024, I mailed a copy of the attached **NOTICE OF HEARING/ORDER** via First Class Mail.

On the 04th day of April, 2024, I posted a copy of the attached **NOTICE OF HEARING/ORDER** on the property located at 113 145TH AVE E, Madeira Beach FL. Parcel # **09-31-15-54306-000-0230**, MADEIRA SHORE SUB LOT 23 in the City of Madeira Beach.

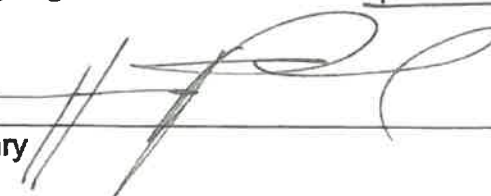
On the 04th day of April, 2024, I caused the attached **NOTICE OF HEARING/ORDER** to be posted at the Municipal Government Offices, 300 MUNICIPAL DR, Madeira Beach; and that said papers remain posted at the Municipal Government Offices for a period of not less than ten days from the date of posting.



Deputy Cory Snyder, Deputy Sheriff

State of Florida
County of Pinellas

Before me on 04th day of April, 2024, personally appeared Cory Snyder who executed the foregoing instrument and who is personally known to me.



Notary

SEAL





300 Municipal Drive
Madeira Beach, Florida 33708

SNU MANAGEMENT LLC
195-197 GOVERNOR ST
PATERSON, NJ 07501

DATE: April 4 2024

STATEMENT OF VIOLATION

7019 2970 0000 5514 1858



CERTIFIED MAIL



quodient
FIRST-CLASS MAIL
IM1
\$008.69²
04/04/2024 ZIP 33708
043M31233717

US POSTAGE

7019 2970 0000 5514 1858

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee

Additional Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage

Total Postage and Fees

Postmark
Hart

Sent to: **SNU MANAGEMENT LLC**
Street or PO Box No. or PO Box No. **195-197 GOVERNOR ST**
City, State, ZIP+4® **PATERSON NJ 07501**

PS Form 3800, April 2018 PSN 7520-02-000-9000 See Reverse for Instructions



LUJO
— AT —
MADEIRA
BEACH

1 1 3





Welcome!

This building is under new management.

If the door code that you were given upon booking does not work,

Please call.

(727) 248-0859

For your door code.

Your code should be the last 6 digits of your phone number.

Thank You!



SPECIAL MAGISTRATE – VARIANCE REQUEST

VAR 2024-02

Staff Report and Recommendation
Special Magistrate Meeting – April 22, 2024

Application: VAR 2024-02
Applicant: Gregg Gallagher
Property Owner(s): Patrick and Denise Winn
Property Address: 14062 W PARSLEY DR MADEIRA BEACH, FL 33708
Parcel ID: 10-31-15-34398-018-0180
Legal Description: GULF SHORES 5TH ADD BLK R, LOT 18
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: 23’ Rear setback, 6’8” west side setback and 5’8” east side setback.
Specific Code Provisions: Sec. 110-181. – (2) Rear yard: Waterfront lots: 30 feet. & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

I. Background

The current building was built in 1951 before the R-1, Single-Family Residential Zoning District land development regulations were adopted and does not meet the current side yard or rear yard setback requirements. The existing structure is a slab-on-grade (pre-FIRM) structure. The applicant submitted a new construction permit application (2023-2208-BGDR) to tear down the current building and build a FEMA-compliant home. The Building Department has reviewed and approved the permit, but the permit is still pending planning & zoning review. The planning & zoning review has not been completed yet partially due to the setback requirements being addressed by this variance request. The applicant is requesting to reduce the rear setback by 7 feet and the side setbacks by a total of 2.4 feet to match that of the current structure. As stated in Section 82-2, the setback line for the rear yard was and will be measured from the outer edge of the seawall as the property line is 10.3 feet landward.

In the applicant's letter attached to the application, the applicant states city staff provided incorrect setback information, however, there are no records of any city staff providing any such misinformation. Additionally, the applicant's letter reports receiving an approval letter from Frank DeSantis before receiving Mr. Carrier’s “contradicting” letter. It is worth noting that Mr. DeSantis’s review letter was done on behalf of the building department while Mr. Carrier’s review was done on behalf of the planning & zoning department and all new single-family homes in Madeira Beach are required to be approved by both the of these departments which is what caused the applicant confusion. City staff are exploring re-wording such letters to make sure future permit applicants understand the process for permit review and avoid confusion.

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 is an irregular triangular shape due to its location at the end of a cul-de-sac. As a result, the front property line is only 24 feet wide rounding around the cul-de-sac.
- c. Residential neighborhood character.* Google Earth images show most of the other houses on this cul-de-sac encroach into the required side and rear setbacks.
- e. Architectural and/or engineering considerations.* The new home would be elevated and all construction features would 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 need for this variance results primarily from the irregularly shaped lot which is not a result of any actions from the applicant or homeowner. The plat for the property and the existing home were approved before the current R-1, Single-Family Residential Zoning District land development regulations were adopted.

(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. Most properties in this zoning district do not have the irregular shape lot that 14062 W Parsley does which significantly limits the buildable footprint. Similarly, 14060 W Parsley Dr directly next door on the same cul-de-sac was granted SMVAR 2015-02 on April 14, 2015. The approved variance reduced their rear yard setback to 16.42 feet, which is a further rear setback encroachment compared to what is being requested by this variance.

(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: Due to the irregular lot shape, literal interpretation of the setbacks would deny the homeowner a new single-family home of similar size to many others in this zoning district.

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

Findings: The setbacks being proposed by the applicant in this variance are the minimum amount of variance required that will make possible the reasonable use of this lot. The current structure already encroaches into the required rear and side setbacks. The setbacks being proposed by this variance match the setbacks of the existing structure. The proposed variance would not lead to an increase in nonconformity. Additionally, it is worth noting that the applicant has revised their application and site plan on two separate occasions at the request of city staff to get to the currently proposed setback request as staff did not find the previous two requests to meet this criteria.

(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. Additionally, the new home proposed would be FEMA compliant, replacing the existing flood prone and non-confirming structure which would improve the area and public welfare.

III. Staff Recommendation:

Staff recommends approval of VAR 2024-02.

Submitted by: Joe Petraglia

Attachments: 1) Application with survey of existing structure and site plan with proposed structure location
2) Public Notice mailing and posting

Variance Application:

Property Address: 14062 W Parsley DR., Madeira Beach FL

Project Number: 2023-2208-BGDR

Special Magistrate,

Thank you for receiving our application on behalf of our client and homeowners, Patrick and Denise Winn who have owned this property for approximately 6 years. Our architect, in preparation for design their new home set up a meeting with the building/ zoning department. In that meeting he specifically took notes on the existing survey of the setbacks given to him by those at the meeting.

Some time after submittal we received the attached letter from Frank DeSantis saying the plans were approved with the exception of providing a contract for the file. We informed the Winn's of this great news and they were of course very excited.

Soon after we received another email from Mr. Carrier contradicting Mr. DeSantis's email as well as the now known fact that the original setbacks given were incorrect.

As you will see from the attached documentation, the existing home on the lot is already non-compliant as is many of the homes on the same block. On top of that we are working with a very irregular lot which limits the ability for the Winn's to design a FEMA compliant home that provides even just a small three bedroom two bath home.

After learning of the setback correction the architect had to completely redesign the home which now is just 2,225 SF. As you will see the home is small, oddly designed in order to fit the needs of the homeowner.

We are requesting a 23' rear setback, 6'8" west side setback and 5'8" east side setback which matches the existing non-conforming home on the lot. Please note the neighbor to their north appears to have a rear setback of less than 10'. If approved the city would have the benefit of a new home built above the flood plain which I know the city and FEMA would both prefer.

Again, the Winn's have designed a very basic small home that they should be allowed to build on such an irregular lot. We hope that you would agree once reviewing the documentation provided. We thank you for your review of this application.

Kind Regards,



Gregg Gallagher





City of Madeira Beach
Building Department
300 Municipal Drive
Madeira Beach, FL 33708
(727) 391-9951 Ext. 284

Date: Thursday, September 7, 2023

Project Number 2023-2208-BGDR
Job Address: 14062 W PARSLEY DR, MADEIRA BEACH, FL 33708
Description of Work: new custom home

To whom it may concern;

Staff has completed its review of plans for the property that is to be located at 14062 W PARSLEY DR, MADEIRA BEACH, FL 33708.

The plan review has been approved with the following Comments:

The following comments have been provided by Frank DeSantis. Should you have any questions or require additional information regarding any of these comments, please contact Frank DeSantis by email at fdesantis@madeirabeachfl.gov.

Building Review

- Please provide a copy of the construction contract for FEMA permit file retention.

Resubmissions and revisions can be submitted in the customer portal at www.mgoconnect.org. Should you have any issues resubmitting your permit please contact building department at building@madeirabeachfl.gov.

Thank you,

A handwritten signature in blue ink, appearing to read "Frank DeSantis", with the initials "CBO" written to the right.

Frank DeSantis, CBO



City of Madeira Beach
Building Department
 300 Municipal Drive
 Madeira Beach, FL 33708
 (727) 391-9951 Ext. 284

Date: Tuesday, September 19, 2023

Project Number 2023-2208-BGDR
 Job Address: 14062 W PARSLEY DR, MADEIRA BEACH, FL 33708
 Description of Work: new custom home

To whom it may concern;

Staff has completed its review of plans for the property that is to be located at 14062 W PARSLEY DR, MADEIRA BEACH, FL 33708.

The plan review has been pending with the following Comments:

The following comments have been provided by Al Carrier. Should you have any questions or require additional information regarding any of these comments, please contact Al Carrier by email at acarrier@madeirabeachfl.gov.

Planning and Zoning Review

1. Survey is not current, FEMA FIRM information is out dated. Provide updated survey with FEMA FIRM information, including topography to show existing drainage patterns both onsite and off site.
2. Property is located in a FEMA Coastal A zone with a base flood elevation of 11.0. Madeira Beach requires a minimum of 4 foot of freeboard for a Design Flood Elevation on 15.0. The structure must be constructed to meet FEMA Velocity Zone requirements.
3. The property is located in R-1 zoning district. Please refer to City Code [DIVISION 2. - R-1, SINGLE-FAMILY RESIDENTIAL | Code of Ordinances | Madeira Beach, FL | Municode Library](#) for zoning criteria.
4. It is suggested a meeting with City staff be scheduled to discuss City Zoning and FEMA construction requirements.

Resubmissions and revisions can be submitted in the customer portal at www.mgoconnect.org. Should you have any issues resubmitting your permit please contact building department at building@madeirabeachfl.gov.

Thank you,

Al Carrier, CBO

EXISTING HOME

Item 5B.

BOUNDARY SURVEY

Date Of Field Work - 11/02/2018 Drawn By - O.G. Order #: 1000041444

14062 W PARSLEY DRIVE, MADEIRA BEACH, FL 33708

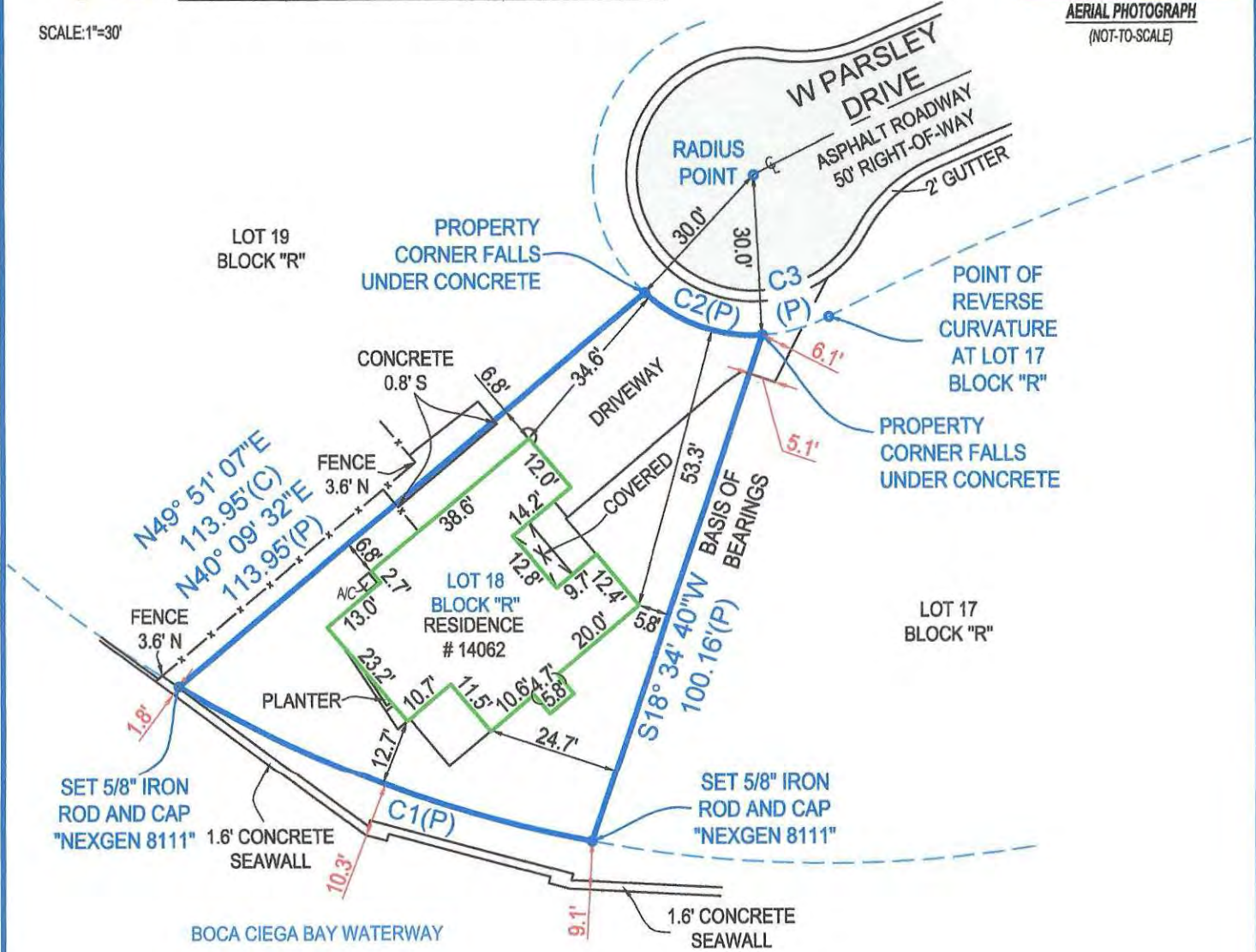


SCALE: 1"=30'

	CURVE TABLE			CHORD LENGTH	CHORD BEARING
	LENGTH	RADIUS	DELTA		
C1	83.00'	236.44'	20°06'47"	82.57'	N69°06'50"W
C2	24.00'	30.00'	45°50'12"	23.37'	S70°00'17"E
C3	13.00'	30.00'	24°49'44"	12.90'	N74°39'45"E



AERIAL PHOTOGRAPH (NOT-TO-SCALE)



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS



PHONE: 561.508.6272
 FAX: 561.508.6309
 LB 8111

5601 CORPORATE WAY, SUITE 103 WEST PALM BEACH, FL 33407
 NexgenSurveying.com



BOUNDARY SURVEY

Date of Field Work: 2018-11-02

Drawn By: Oleg

Order #: 41444 158328-SS

14062 W PARSLEY DRIVE, MADEIRA BEACH, FL, 33708

LEGAL DESCRIPTION:

LOT 18, BLOCK R, FIFTH ADDITION TO GULF SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 67, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

CERTIFIED TO:

PATRICK T WINN AND DENISE C WINN
SEA STAR TITLE COMPANY
WELLS FARGO BANK NA
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

FLOOD ZONE:

12103C0191G
ZONE: AE
EFF: 9/3/2003

SURVEY NOTES:

- This survey is for conveyance purposes only and not intended for construction purposes without permission of this surveyor.
-DRIVEWAY EXTENDS THROUGH EAST BOUNDARY LINE AS SHOWN

LEGEND

A/C -AIR CONDITIONER
AL -ARC LENGTH
(C) -CALCULATED
D.E. -DRAINAGE EASEMENT
(M) -MEASURED
P.O.B. -POINT OF BEGINNING
P.O.C. -POINT OF COMMENCING

P.B. -PLAT BOOK
P.G. -PAGE
P.U.E. -PUBLIC UTILITY EASEMENT
R -RADIUS
(R) -RECORD
U.E. -UTILITY EASEMENT
WM -WATER METER

-FENCE
-NUMBER
 -ASPHALT
 -CONCRETE
 -PAVER/BRICK
 -WOOD
 -LIGHT POLE
 -WELL

-WATER VALVE
 -CENTER LINE
 -CATCH BASIN
 -FIRE HYDRANT
 -POLE
 -MANHOLE
 -TOPOGRAPHIC ELEVATION



www.NexGenSurveying.com

(561) 508-6272

5601 Corporate Way
Suite 103

West Palm Beach, FL 33407

SCAN ME!



Google Maps 14062 W Parsley Dr





Map data ©2024, Map data ©2024 20 ft



WIN LOT



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

GREGG BAIHAGHER
DREAM COAST BUILDERS
304 S. PROSPECT AVE, CLEARWATER

Telephone: (727) 744-3642

Email: greggedreamcoastbuilders.com

*Property Owner: Name and Address

PATRICK AND DENISE WINN
14062 W PARSLEY DR
MADEIRA BEACH FL

Telephone: (760) 203-3414

Email: pdnwinn@comcast.net

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

14062 W. PARSLEY DRIVE, MADEIRA BEACH FL

Legal Description: GULF SHORES 5TH & BLK R, LOT 18

Lot Area: 5350 SF Width: 23 ft. FRONT Depth: 113 ft.
82 FT REAR

Zoning District: R-1, SINGLE-FAMILY RESIDENTIAL

Present Structures on Property: SINGLE FAMILY HOME, 1225 SF

Present Use of Property: RESIDENTIAL

Date Building Permit Request denied: 12/20/23

Variance(s) needed from the zoning requirements: 23' REAR SET BACK,

6'8" WEST SIDE SET BACK AND 5'8" EAST SIDE 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: _____ 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: ADJUST CURRENT
SET BACKS TO EQUAL CURRENT EXISTING NONCONFORMING
SET BACKS IN ORDER TO ACCEPT PROPOSED NEW HOME DESIGN
ON IRREGULAR SHAPED LOT.

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.

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.

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.

NOTE: SEE ATTACHED

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  Date: 3 / 11 / 24
Property Owner's Signature

STATE OF Florida
COUNTY OF Pinellas

Before me this 11th day of March, 2024,
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.




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: 1 / 18 / 2024
Property Owner's Signature (If other than the property owner)

STATE OF Florida

COUNTY OF Pinellas

Before me this 8th day of January, 2024, Craig Gallagher 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.



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.

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.

Variance Application

Property Address: 14062 W Parsley Dr, Madeira Beach FL

Project Number: 2023-2208-BGDR

Rules:

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. Substantial or irregular lot
 - b. Significant vegetation or natural features
 - c. residential neighborhood character
 - d. Public facilities
 - e. Architectural and/or engineering considerations.

1. **Answer:** The homeowners lot is an "Irregular Lot", pie shaped and only approx. 23' in the front making it extremely difficult to design even a relatively small home and to make reasonable use of the property.

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.

2. **Answer:** The request for this variance is not due to any homeowner created hardship. It is 100% due to the irregular and small size lot.

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.

3. **Answer:** Please note that the existing home on the lot is already "non-conforming" since it was constructed in 1951 and the new home would NOT be granting the homeowners any special privilege. The new proposed home is of minimum size for the homeowners to make good use of the irregular lot and support a very basic lifestyle.

4. Demonstrate that the literal interpretation would deprive the applicant of rights common 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.

4. **Answer:** Several other "newer" homes that were built on the same street that meet FEMA guidelines average 2,700 SF in size and are 3 stories high, larger than this homeowners proposed build. The irregular shaped lot and the city setback requirements create undue hardship for this homeowner in attempting to design the home to fit the lot. The new proposed homes very front ONLY measures 13' wide and due to the irregular shaped lot forces the design to be stepped and staggered in order to fit in the lot.

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

5. **Answer:** By granting the variance this will allow the homeowners to build a new FEMA compliant home that is only just a very basic home, barley a 3 bedroom two bath. The existing home is non compliant already so they are already forced to build the new home further from the water than the existing. We believe the new home design would allow them to be above the flood plain and make reasonable use of the land with a basic design.

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.

6. **Answer:** By granting the variance the city will be adding a very appealing new home that is FEMA compliant instead of the existing non-compliant home that exists now that is subject to flooding and falling in further disrepair. It is of lesser size than other "newer" homes the city has approved in the same area. It will no doubt improve the neighborhood and the city. It will in no way be injurious to the area or detrimental to public welfare.



AFFIDAVIT OF MAILING

Date: 4/12/2024

Mailings for Case # DAL 2024.02

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

Lisa Sheuermann
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn and subscribed before me this 12th day of April, 20 24.

Personally known or produced _____ as identification.

Samantha Arison
Notary Public

4/12/24
Date



*Copy of public notice is attached.



AFFIDAVIT OF POSTING

Date: 4/12/2024
Postings for: VAR 2024-02

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

Lisa Sheuerman
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to and subscribed before me this 12th day of April, 20 24.

Personally known or produced _____ as identification.



Samantha Arison
Notary Public

4/12/24
Date

*Copy of public notice is attached.



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, April 22nd, 2024, 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 2024-02
- Applicant:** Gregg Gallagher
- Property Owner(s):** Patrick and Denise Winn
- Property Address:** 14062 W PARSLEY DR MADEIRA BEACH, FL 33708
- Parcel ID:** 10-31-15-34398-018-0180
- Legal Description:** GULF SHORES 5TH ADD BLK R, LOT 18
- Zoning/Future Land Use:** R-1, Single-Family Residential/Residential Urban

Request: 23’ Rear setback, 6’8” west side setback and 5’8” east side setback.

Specific Code Provisions: Sec. 110-181. – (2) Rear yard: Waterfront lots: 30 feet. & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

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 comments 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 8:30 a.m. and 4:00 p.m.

Posted: April 12, 2024, 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: 08 Apr 2024

Subject Parcel: 10-31-15-34398-018-0180

Radius: 300 feet

Parcel Count: 25

Total pages: 2

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.

805 TOWER TERRACE RD
HIAWATHA, IA 52233-7994

PARTYKA, OLEG
PARTYKA, OKSANA
30425 200TH AVE SE
KENT, WA 98042-9500

MURPHY, SHAWN P
BARNA, KRISTIN B
14068 W PARSLEY DR
LARGO, FL 33708-2351

MANNING, KATHLEEN WHALEN
MANNING, WALTER J
14071 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2210

WHITE, ELIZABETH MAY
WHITE, JARED CRAIG
14080 MARGUERITE DR
MADEIRA BEACH, FL 33708-2336

MOHLER, ROBERT CARL
DE SANTIS, CATHERINE
14091 W PARSLEY DR
MADEIRA BEACH, FL 33708-2350

JONES, BARBARA L
TUERFFS, WILLIAM M
14028 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

PASCUZZI, RONALD J
PASCUZZI, CRISTINA C
14072 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

GREINER, CHERYL
MACIOCE, ANITA
14090 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

CONNOLLY, TIMOTHY R
CONNOLLY, MICHELE A
14064 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

WALLAKER, DANIEL M
WALLAKER, ANDREA B
14058 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

MORRISON, ANTHONY J
MORRISON, TINA G
14048 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

ZALAMEA, ANAMARIA
KACZYNSKI, RAFAL
14066 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

GIBBONS, E LYNN
GIBBONS, SHANNON P
14100 W PARSLEY DR
MADERIA BEACH, FL 33708-2353

PALMER/LARSON REVOCABLE LIVING TRUST
LARSON, DAVID L TRE
11125 PARK BLVD STE 104-221
SEMINOLE, FL 33772-4757

RESSLER, PERRY E TRE
RESSLER, HEIDI A TRE
10880 SE TIMUCUAN RD
SUMMERFIELD, FL 34491-4650

UNDERWOOD, SCOTT
UNDERWOOD, ERICA
4203 W JETTON AVE
TAMPA, FL 33629-4948

GRACEFFA, JAMESON
NAZZAL, ROBERT
89 VILLA ST
WALTHAM, MA 02453-1543

HOME SWEET HOME LIVING LLC
4736 SPRING PL
LAND O LAKES, FL 34639-4121

HERRON, RAYMOND D II
14070 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

CHASSIN, GREGORY R
14080 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

GEELAN, MARIA
14052 W PARSLEY DR
MADEIRA BEACH, FL 33708-2389

LANDIN, MICHELLE D
14073 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2210

DUNN, ROBERTA A
14087 W PARSLEY DR
MADEIRA BEACH, FL 33708-2350

HARRISON, DANIEL
14065 N BAYSHORE DR
ST PETERSBURG, FL 33708-2210



CITY OF MADEIRA BEACH



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, April 22nd, 2024, 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 2024-04
Applicant: David Greene / Cecelia Donovan
Property Owner(s): David Greene / Cecelia Donovan
Property Address: 13510 1ST ST E MADEIRA BEACH, FL 33708
Parcel ID: 15-31-15-88320-009-0070
Legal Description: MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NELY 1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368
Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential Medium

Request: Reduce side yard setback by 0.5' to allow for 3' wide utility deck.

Specific Code Provisions: Sec. 110-206. - (3) Side yard: a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206. - (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. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

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 comments 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 8:30 a.m. and 4:00 p.m.



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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THIS APPLICATION IS FOR A SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-02
Applicant: Gregg Gallagher
Property Owner(s): Patrick and Denise Winn
Property Address: 14062 W PARSELEY DR MADEIRA BEACH, FL 33708
Parcel ID: 10-31-15-34396-018-0180
Legal Description: GULF SHORES STY ADD BLK R LOT 18
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: 23' Rear setback, 6'8" west side setback and 5'8" east side setback.

Specific Code Provisions: Sec. 110-181. - (2) Rear yard: Waterfront lots: 30 feet. & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

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 comments 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 8:30 a.m. and 4:00 p.m.

Posted: April 12, 2024, 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/>



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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300 MUNICIPAL DRIVE
MADEIRA BEACH, FLORIDA 33708

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THIS APPLICATION IS FOR SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-03
Applicant(s): Bodziak/Hayes Architects
Property Owner(s): Tampa Home Pro Inc.
Property Address: 13495 Gulf Boulevard, Madeira Beach FL 33708
Parcel ID: 15-31-15-88320-010-0080
Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W PER O.R.'S 4355231 & 44261135
Zoning/Future Land Use: C-3, Retail Commercial Zoning District, Residential Office Retail

Request: 6' side-yard setback along 135th Way, 6'-6" rear setback, partial reduction of 5' perimeter landscaping.

Specific Code Provisions: 110-231(2)-(3): minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1): the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

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February 16, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.
VESTGAARDEN, TOV I
590 NORMANDY RD
MADEIRA BEACH FL 33708-2343

Respondents,

RE Property: 590 Normandy Rd Parcel

Legal Description: ISLAND ESTATES UN

NOTICE

To whom it may concern:

YOU ARE HEREBY FORMALLY
of February, 2024 at the Madeira Be
Chambers, located at 300 Municipal
held before the Special Magistrate co

Sec. 86-52. - When required,

A person, firm or corporation shall
change the occupancy of a building
alter fire extinguishing apparatus, el
other heat producing apparatus, plu
appearances, the installation of w
other sections of the Code until a p
cost of repair or modification does
and does not require an inspection,
permit is required for uncovering of
strictly cosmetic nature (painting,
work less than \$100.00 in value.

February 16, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.
ALTON, MICHAEL J
544 JOHNS PASS AVE
MADEIRA BEACH FL 33708-2

Respondents,

RE Property: 544 Johns Pass Ave

Legal Description: CRYSTAL

To whom it may concern:

YOU ARE HEREBY F
of February, 2024 at the
Chambers, located at 30
held before the Special

Sec. 86-52. - When re

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NOTICE OF PUBLIC HEARING

APPLICATION NO.: VPK 2024-02

REQUEST: Reduce rear setback to 23'
Reduce west side setback to 16' 8"
Reduce east side setback to 5' 8"

PROPERTY DESCRIPTION: 14062 West Parsley

HEARING DATE & TIME: April 22nd @ 2:00 PM

HEARING LOCATION: COMMISSION CHAMBERS, MADEIRA BEACH CITY HALL,
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708.

THE PROJECT FILE IS AVAILABLE FOR PUBLIC REVIEW DURING NORMAL
BUSINESS HOURS IN THE COMMUNITY DEVELOPMENT DEPARTMENT
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708 OR
CALL 727-391-9951 FOR MORE INFORMATION

You are invited to John's Pass Village Zoning Public Workshop

April 13th from 10am to 12pm

April 18th from 10am to 12pm

April 20th from 1pm to 3pm

300 Municipal Drive - Commission Chambers



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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THIS APPLICATION IS FOR A SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-04
Applicant: David Greene / Cecelia Donovan
Property Owner(s): David Greene / Cecelia Donovan
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Parcel ID: 15-31-15-58320-009-0070
Legal Description: MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NE'LY 1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368
Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential Medium

Request: Reduce side yard setback by 0.5' to allow for 3' wide utility deck.

Specific Code Provisions: Sec. 110-206. - (3) Side yard: a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206. - (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-third of the required setback. Such equipment shall be located in the middle one-third of the structure. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

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THIS APPLICATION IS FOR SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-03
Applicant(s): Bodziak/Hayes Architects
Property Owner(s): Tampa Home Pro Inc.
Property Address: 13495 Gulf Boulevard, Madeira Beach FL 33708
Parcel ID: 15-31-15-58320-010-0080
Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD/R/W PER O.R.'S 4355/231 & 4426/1135
Zoning/Future Land Use: C-3, Retail Commercial Zoning District, Residential Office/Retail

Request: 6' side-yard setback along 135th Way, 6'-6" rear setback, partial reduction of 5' perimeter landscaping.
Specific Code Provisions: 110-231(2)-(3): minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1): the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

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CITY OF MADEIRA BEACH, FLORIDA

300 MUNICIPAL DRIVE, MADEIRA BEACH FL 33708
TELEPHONE: 727-391-9951

APPLICATION FOR APPOINTMENT TO BOARD OR COMMISSION

Indicate your preference of board or commission:

- Civil Service Commission
- Library Board
- Planning Commission
- Other _____

Are you a Madeira Beach Resident? Yes No

Are you an elector (qualified voter) of the City of Madeira Beach? Yes No

Are you related to a City of Madeira Beach Mayor or elected official? If yes, please provide the name of employee or elected official and relationship: Yes No

Are you available for: Yes No
Daytime meetings Yes No
Evening meetings Yes No

Would you like to be considered as a candidate for service on this Board? Yes No

Phone: _____

Occupation: _____
What was your last occupation? _____

What special experience, special education, skills or talents that would be beneficial to the appointment you are applying for? _____



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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MADEIRA BEACH, FLORIDA 33708

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THIS APPLICATION IS FOR A SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-02
Applicant: Gregg Gallagher
Property Owner(s): Patrick and Denise Winn
Property Address: 14062 W FARLEY DR MADEIRA BEACH, FL 33708
Parcel ID: 10-31-15-34398-018-0180
Legal Description: GULF SHORES 5TH ADD BLK R, LOT 18
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: 23' Rear setback, 6'8" west side setback and 5'8" east side setback.
Specific Code Provisions: Sec. 110-181. - (2) Rear yard: Waterfront lots: 30 feet, & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

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CITY OF MADEIRA BEACH PUBLIC NOTICE

BOARD MEMBER VACANCY ANNOUNCEMENT

CIVIL SERVICE COMMISSION

The City of Madeira Beach is seeking applications to fill one vacancy on the Civil Service Commission due to the expired term of a member on October 30, 2022. Member terms are three years. The term of the new member will expire on October 30, 2025.

Boards, Commissions, and Committees are a valuable part of the local government process. The members are volunteers and provide a great service to the City and the community. Duties and responsibilities include reviewing the City's policies and procedures, Code of Ordinances, and the City Charter, and making recommendations to the Board of Commissioners.

- Civil Service Commission – 5-member board – regular meetings held quarterly. Additional meetings are held for special projects and employee grievance hearings. Dates and times vary.
- Members must be a City of Madeira Beach citizen and eligible to vote in the City elections.
- Appointments are made on experience and qualifications in Human Resources when possible.

Interested persons must submit an application to the City Clerk no later than Monday, May 1, 2023, to be considered for appointment at the 6:00 p.m., May 10, 2023, Board of Commissioners Regular Meeting located in the Commission Chambers, 300 Municipal Drive, Madeira Beach, FL 33708. All applicants are encouraged to attend the meeting.

An application is attached to this advertisement. Applications may also be obtained from the City Clerk at City Hall or downloaded on the City's website at <https://madeirabeachfl.gov/boards-commissions/>.

Submit completed and signed applications to:

City Clerk
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708
cynthiaragan@madeirabeachfl.gov
727-391-9951, ext. 231

Additional Information:
For additional information, please contact City Clerk Clara VanBargan at 727-391-9951, ext. 231; cynthiaragan@madeirabeachfl.gov.

NOTICE OF PUBLIC HEARING

APPLICATION NO.: VPR 2024-02

REQUEST: Reduce rear setback to 23'
Reduce west side setback to 16' 8"
Reduce east side setback to 5' 8"

PROPERTY DESCRIPTION: 14062 West Parsley

HEARING DATE & TIME: April 22nd @ 2:00 PM

HEARING LOCATION: COMMISSION CHAMBERS, MADEIRA BEACH CITY HALL,
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300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708 OR
CALL 727-391-9951 FOR MORE INFORMATION

SPECIAL MAGISTRATE – VARIANCE REQUEST

VAR 2024-03



Staff Report and Recommendation
Special Magistrate Meeting – April 22, 2024

- Application:** VAR 2024-03
- Applicant:** Bodziak/Hayes Architects
- Property Owner(s):** Tampa Home Pro, Inc.
- Property Address:** 13495 Gulf Blvd, Madeira Beach, FL 33708
- Parcel ID:** 15-31-15-58320-010-0080
- Legal Description:** MITCHELL’S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W PER O.R.’S 4355/231 & 4426/1135
- Zoning/Future Land Use:** C-3, Retail Commercial Zoning District, Residential/Office/Retail

Request: Allow six (6) feet side yard setback along 135th Way, allow six and one-half (6.5) feet rear setback at the northern half of the rear property line, and allow the elimination of the five (5) foot perimeter landscape buffering requirement along two sections of the rear property line: one starting from 45.5 feet south of the northern corner of the parcel spanning 33 feet, and the other starting from the eastern corner of the parcel spanning 23 feet.

Specific Code Provisions: Section 110-321(2, 3b): that the minimum rear setback of ten feet shall apply in the C-3, retail commercial district, and that the minimum side yard setback for a lots less than 120 feet in width within the C-3, retail commercial district be no less than ten feet on one side.

Section 106-35(1-2): that the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width, that when paved ground surfaces are adjacent to properties zoned exclusively for residential use, all land between the paved surface and the property line shall be landscaped, and that the landscaping shall include a buffer strip of at least five feet in width adjacent to the abutting property, containing a hedge or other durable screen of landscaping at least five feet in height.

I. Background

The property is in the C-3, Retail Commercial Zoning District and Residential/Office/Retail (R/O/R) future land use category. The lot comprises of contiguous lots 8, 9, and 10 from the Mitchell's Beach plat. 13495 Gulf Blvd is on the southeastern corner of 135th Ave and Gulf Blvd. The rear of the property abuts a one-way alley that separates the C-3, Retail Commercial Zoning District from the R-2, Low Density Multifamily Residential Medium Zoning District.

The widening and re-alignment of Gulf Boulevard in the early 1970s reduced the dimensions of the lot and further altered the shape to become a clipped parallelogram configuration. Many of the C-3 commercial buildings in this area on Gulf Boulevard were built before the current zoning code and do not meet the minimum setbacks, therefore are considered legally nonconforming. The widening of Gulf Boulevard exacerbated or, in some cases, could have created these nonconformities. The setbacks for the existing building at 13495 Gulf Boulevard do not conform to the C-3 zoning district setbacks with a side yard setback of 4.8 feet and rear setback of 6.3 feet (both the minimum rear and side yard setback in C-3 zoning district for this lot size is 10 feet), therefore, the building is considered legally nonconforming.

The two-story building on the property was constructed in 1947 and was most recently used as a veterinary hospital. Tampa Home Pro, Inc. purchased the property in October 2023 and intends to demolish the current building and construct a four-story mixed-use building with eight temporary lodging units, ground floor parking, ancillary rooftop amenities, and an ancillary ground floor restaurant.

The proposed structure increases the current side setback from 4.8 feet to 6 feet, a reduction in the nonconforming setback. The reduction in the rear setback is due to the screening wall around the dumpster, which at its nearest point to the rear property line measures 6.5 feet. The current building has a rear setback of 6.3 feet exclusive of the rear wooden staircase, therefore this request reduces the current nonconforming setbacks. The applicant also seeks an exception from the minimum 5-foot perimeter buffer landscaping along two

sections of the rear property line: one starting from 45.5 feet south of the northern corner of the parcel spanning 33 feet, and the other starting from the eastern corner of the parcel spanning 23 feet in order to accommodate 4 of the 14 required parking spaces which protrude into this 5-foot perimeter zone. The total proposed landscaped area (2,021 sf) is nearly double the minimum required (1,011 sf) for the development.

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;*

Findings: The lot is irregularly shaped, which adds difficulty to the creation of a developable site compliant to setback, screening, and parking standards. The widening of Gulf Boulevard in the 1970s and subsequent roadway improvements also shortened lots fronting Gulf Boulevard including the Mitchell’s Beach plat block on which the subject site is located, as described in the background section in this report.

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;*

Findings: The project, if approved, would provide a greener, better screened mixed-use layout which more closely matches the surrounding character and seeks to accommodate the irregular angles of property lines and adjacent right of ways.

- 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: The new structure must be compliant with all current floodplain, fire protection, and Florida Building Code requirements.

- (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 hardships encountered are not self-created by the applicant. The lot was originally larger when the plat was first approved. The widening of Gulf Boulevard reduced the length of the lot.

- (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: The variance requested is contextual to the site and narrow in scope. The proposed side and rear setback requests in the variance are less nonconforming than the existing structure's setbacks.

- (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 or section 14-205 of the Code*

of Ordinances and would work unnecessary and undue hardship on the applicant.

Findings: The landscape requirement and best practices for safe driveway and access design are at times incompatible with the irregular lot shape. The requested setback reductions, from 10 feet to 6 feet at the side along 135th Ave, and from 10 feet to 6.5 feet at the northern half of the rear property line, appear to be the minimum required in order to satisfy other applicable requirements for the site’s development program. Adjacent structures within the same platted block as the subject property such as the Tide the Knot Beach Weddings and The West Events buildings have had their lots impacted by right of way widening and have narrower setbacks than what is currently permitted, rendering these buildings legally nonconforming as well.

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

Findings: The variance is narrow in scope and suited to the specific dimensions and circumstances of the proposed site plan, namely, the irregular lot shape. The current building does not meet the current setbacks and this request is a reduction of nonconformity. The reduction of the landscape buffer requirements is minimal and due to the small area of the lot is difficult or impossible to achieve with the new parking standards that were not in place at the time of the construction of the current building. The adjacent buildings within the same platted block, mentioned above, currently have little to no landscaped area around the parking area and have much narrower front, side, and rear setbacks than what is currently permitted.

(6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations or the Code of Ordinances

(when it relates to section 14-205), and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Findings: The granting of the variance is in harmony with the general intent and purpose of the land development regulations and is not injurious to the area involved or otherwise detrimental to public welfare. The subject property will have a similar character to adjacent commercial structures regarding lot coverage, setbacks, and orientation. The development of the new building will also create more landscaped buffer area between the commercial and residential areas than currently on the site. The side setback will also increase the amount of open space between pedestrians and the building’s side along 135th Ave as compared to the existing structure. The rear setback for the principal exterior structure wall will be 10 feet, the minimum permitted in the C-3 zoning district.

III. Staff Recommendation: Staff recommends the approval of VAR 2024-03, to reduce the required side setback from 10 feet to 6 feet from the property line along 135th Ave, to reduce the required rear setback from 10 feet to 6.5 feet at the northern half of the rear property line, and to eliminate the five (5) foot perimeter landscape buffering requirement along two sections of the rear property line: one starting from 45.5 feet south of the northern corner of the parcel spanning 33 feet, and the other starting from the eastern corner of the parcel spanning 23 feet.

Submitted by: Jay Stearman, Planner II, The City of Madeira Beach Community Development Department.

- Attachments:**
- 1) Site Plan
 - 2) Boundary Survey
 - 3) Variance Application
 - 4) Applicant Justification Letter
 - 5) Property Deed
 - 6) Public Notice Mailing Packet



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

Bodziak/Hayes Architects
5665 Central Avenue
Saint Petersburg, Fl 33710

Telephone: (727) 327-1966

Email: britt@bodziakhayes.com

*Property Owner: Name and Address

Tampa Home Pro Inc.
110 Crenshaw Lake Road Ste 200
Lutz Fl 33548-6101

Telephone: (813) 833-7508

Email: chris@tampahomepro.net

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

13495 Gulf Boulevard, Madeira Beach FL 33708

Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W

PER O.R.'S 4355/231 & 4426/1135

Lot Area: 10,113.76 SF Width: 120 ft. Depth: 104 ft.

Zoning District: C-3

Present Structures on Property: (1) 2-story building

Present Use of Property: Professional Office

Date Building Permit Request denied: Pre-application meeting 12/7/23

Variance(s) needed from the zoning requirements: Side setbacks 110-321 (3) b. 3;

Rear setbacks 110-321 (2); Landscape buffers along alleyway 106-35 (1)

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

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Special Magistrate Case #: VAR 2024-03 Item 5C.

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

Fee: _____ Check # 7397 Cash Receipt # _____

Date Received: 02 / 07 / 24 Received by: Lisa

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
- X 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: _____

(1) Allow 6'-0" side-yard setback along 135th Way;

(2) Allow trash enclosure setback along property rear alley at 6'-6";

(3) Allow partial elimination of landscape buffers at rear alley-adjacent parking spaces
(numbered 1, 12, 13, & 14)

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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IN WITNESS WHEREOF, the said Grantor has caused this deed to be executed by its duly authorized officer on the day and year first above written.

Witnesses:

ATB'S FUTURE, LLC, a Florida limited liability company, the Grantor(s).

Laura J. Thompson
Print Name: LAURA J. THOMPSON

By: *Shawna Green*
Shawna Green, as Manager

[Signature]
Print Name: *[Signature]*

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization on October 26, 2023, by Shawna Green, who is personally known to me or has produced FL Driver License as identification.

SEAL

[Signature]
(Signature) NOTARY PUBLIC
Print Name: _____
My Commission Expires: _____

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.

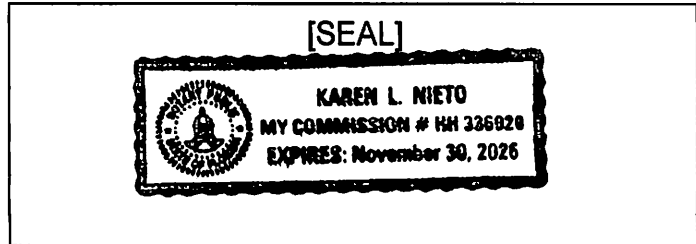
I have received a copy of the Special Magistrate Requirements and Procedures (attached), read and understand the reasons necessary for granting a variance and the procedure, which will take place at the Public Hearing.

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: 2 / 2 / 24
[Handwritten Signature]
Property Owner's Signature

STATE OF Florida
COUNTY OF Hillsborough

Before me this 2nd day of February, 2024, Christopher Robinson 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 FL DL # R152103742490 as identification.



Karen L Nieto
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.

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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.

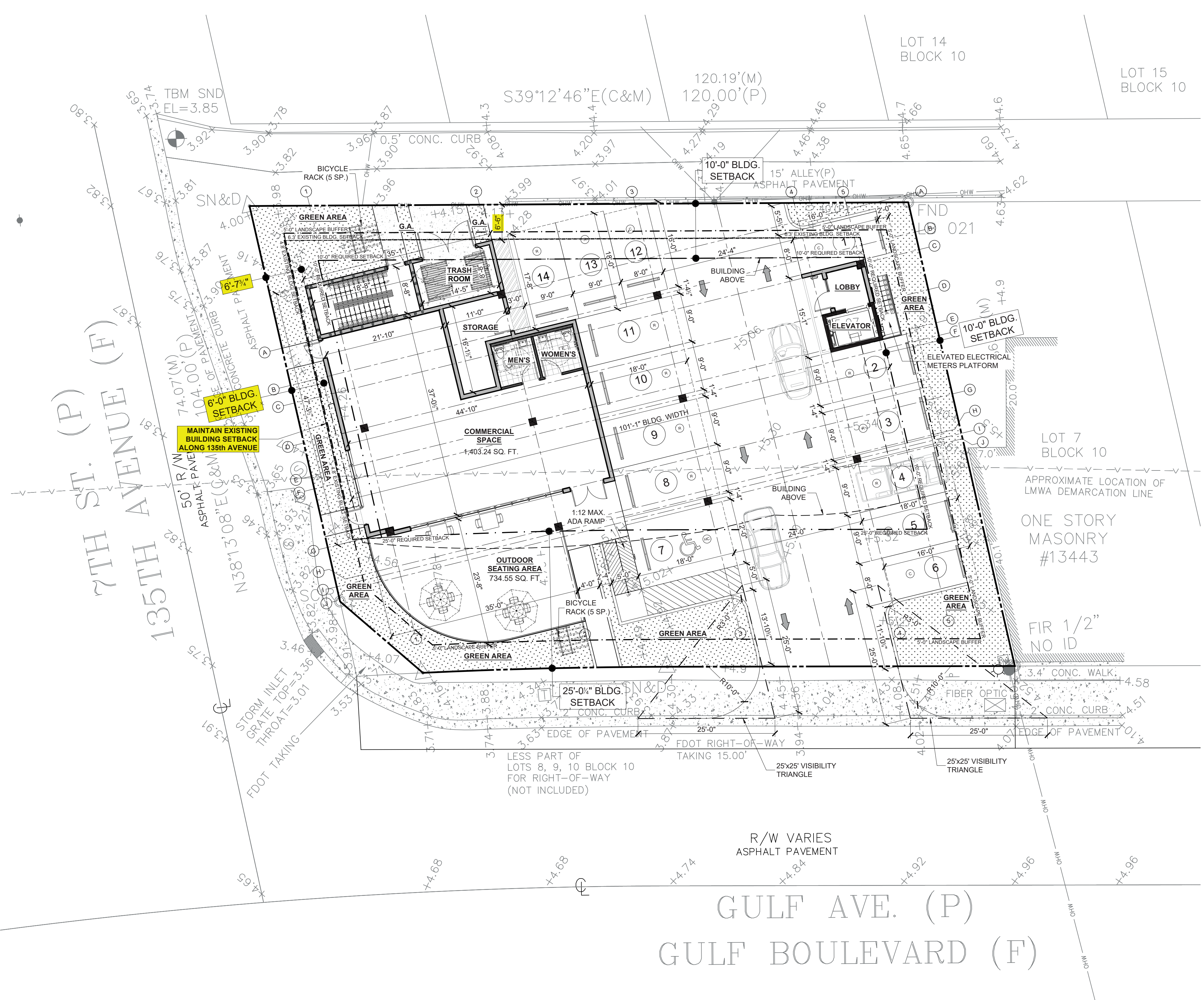
The hearing will be conducted in the following manner:

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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CATEGORY	SITE DATA TABLE			NOTES
	ALLOWABLE / REQUIRED	EXISTING	PROPOSED	
ZONING	C-3	C-3	C-3	
LAND USE DISTRICT	RETAIL COMMERCIAL	RETAIL COMMERCIAL	RETAIL COMMERCIAL	
SETBACKS	FRONT: 25 FT. REAR: 10 FT. SIDE: 33% of the Lot Width (10'-0" min. one side)	REAR: 10 FT. SIDE: 33% of the Lot Width (10'-0" min. one side)	FRONT: 25 FT. REAR: 10 FT. SIDE: 33% of the Lot Width (10'-0" min. one side)	Dw. 7 110-321 (1) Dw. 7 110-321 (2) Trash enclosure walls are 6'-6" from property line. Dw. 7 110-321 (3) b. 3.1. for sets <1000'. Level 2 wall is 6'-0" from property line.
BASE FLOOD ELEVATION (B.F.E.)	AE-10	10.00' N.A.V.D.	10.00' N.A.V.D.	
DESIGN FLOOR ELEVATION (D.F.E.)	AE-10 + 4' of freeboard	14.00' N.A.V.D.	14.00' N.A.V.D.	
FINISHED FLOOR ELEVATION (1ST LIVING FLR)			16.33' N.A.V.D.	Measured to top of Floorplate structure
BUILDING HEIGHT	44 FT. Max. from D.F.E.	58.00' N.A.V.D.	43'-4" from D.F.E.	57.33' N.A.V.D.
STORIES		Two (2) Floors	(3) Floors over Parking	
SITE AREA	10,113.78 SF	0.23 acres	Professional office	8 units Dw. 7 110-320 (4)
DENSITY	40 units/acre	9.29 units	Professional office	
FLOOR AREA RATIO (FAR) - COMMERCIAL	1.29 density units remaining =	1,404.81 SF max.	3,789.57 SF	0.14 FAR 1,403.24 SF
IMPERVIOUS SURFACE RATIO (ISR)	0.85 max.	8,596.70 SF max.	5,007.46 SF	49.58% 5,024.60 SF Dw. 7 110-324 (a)
LANDSCAPE & GREEN SPACE	Green Area Provided		19.98%	2,020.54 SF 5,589.26 SF Includes covered and uncovered areas
LANDSCAPE BUFFERS	Area not covered by principal structure Previous Surface Outside Building Footprint Impervious surface outside building footprint.	70% max. 50% min.	3,562.48 SF max. 1,011.38 SF min.	80.74% 3,920.09 SF 106-34 (b) 2,020.54 SF
PARKING SPACES (P.S.)	Required - Total	14 P.S.	14 P.S.	14 P.S. Dw. 2 sec. 110-971
Required - Tourist Lodging	10 P.S.	10 P.S.	10 P.S.	
1 P.S. / unit	6 P.S.	6 P.S.	6 P.S.	
1 Additional P.S. / 5 Units	2 P.S.	2 P.S.	2 P.S.	
Required - Restaurant	4 P.S.	4 P.S.	4 P.S.	
1 P.S. / 4 Seats	7 P.S.	7 P.S.	7 P.S.	
1 P.S. / 2 Employees	1 P.S.	1 P.S.	1 P.S.	
50% Ancillary Use Reduction	-4 P.S.	-4 P.S.	-4 P.S.	Dw. 2, sec. 110-971 (b) (4)
20% max	3 P.S.	3 P.S.	3 P.S.	Dw. 2, 110-974 (1)
Standard (8' x 18')	10 P.S.	10 P.S.	10 P.S.	
ADA (17' x 18')	1 P.S. / fine 25 P.S.	1 P.S.	1 P.S.	FPG Table 208.2

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

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

PROFESSIONAL STATEMENT TO THE BEST OF THIS ARCHITECT'S KNOWLEDGE, ENCLOSURE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

DATE: 02/10/2024
NO. 73

REVISIONS: [Table with columns for NO., DATE, and DESCRIPTION]

CLIENT: [Blank]

"THE SANDERLING"
13495 GULF BLVD.
MADEIRA BEACH, FL 33708
ARCHITECTURAL SITE PLAN

BODZIAK/HAYES
ARCHITECTS, P.A.
JOHN A. BODZIAK, AIA FL LIC# AR0005065
BRITT HAYES, RA FL LIC# AR102428
6666 CENTRAL AVE. SUITE PETERSBURGS, FLORIDA 33710
EMAIL: JACK@JABODZIAK.COM | BRITT@JABODZIAK.COM
TEL: (727) 327-1966 | FAX: (727) 836-0958

REGISTERED ARCHITECT
STATE OF FLORIDA
A. BODZIAK
AR0005065
02/10/2024

DRAWN BY: CS
UPDATED ON: Feb. 1, 24
DATE: OCT-2023
JOB PROJECT #: 23-029
SHEET #: ASP-1



CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

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JOHN A. BODZIAK, AIA - MEMBER REGISTERED ARCHITECTS OF FLORIDA
 COMPANY AND CONTRACTS AND OTHER PROPERTY RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF BODZIAK/HAYES ARCHITECTS, P.A. AND IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF BODZIAK/HAYES ARCHITECTS, P.A. ANY UNAUTHORIZED REPRODUCTION OR DISTRIBUTION OF THIS DOCUMENT IS STRICTLY PROHIBITED.

SHALL VERIFY AND BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROPRIATE CONTRIBUTION TO ALL APPLICABLE LOCAL JURISDICTIONS. THE ARCHITECT'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY VIOLATIONS OF ANY LOCAL, STATE, OR FEDERAL REGULATIONS OR ORDINANCES. THE ARCHITECT'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY VIOLATIONS OF ANY LOCAL, STATE, OR FEDERAL REGULATIONS OR ORDINANCES. THE ARCHITECT'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY VIOLATIONS OF ANY LOCAL, STATE, OR FEDERAL REGULATIONS OR ORDINANCES.

Item 5C.

NO.	DATE	REVISIONS / DESCRIPTION

CLIENT

"THE SANDERLING"

13495 GULF BLVD.
MADEIRA BEACH, FL 33708

RENDERINGS

BODZIAK/HAYES

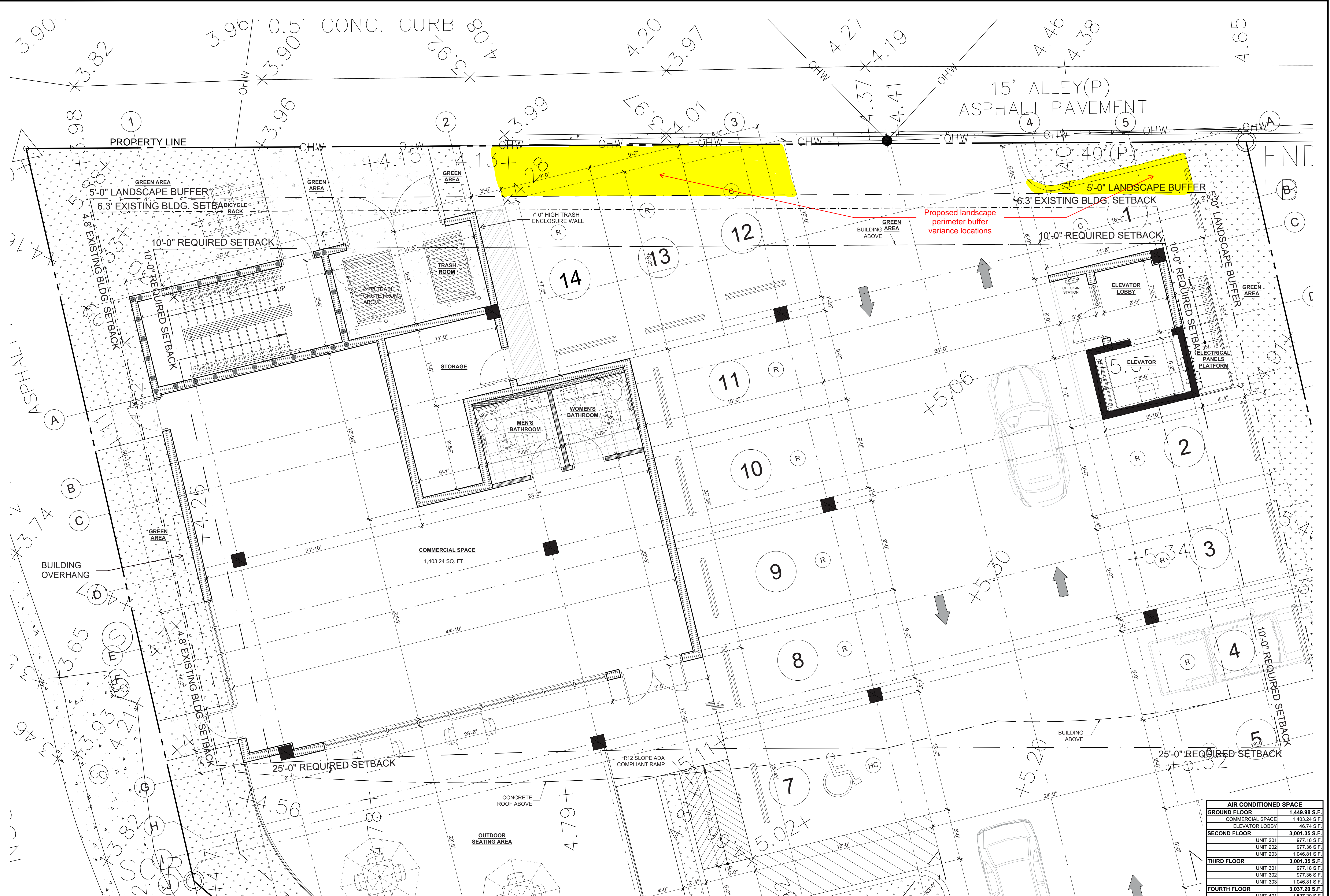
ARCHITECTS, P.A.

JOHN A. BODZIAK, AIA FL LIC #AR0005065
BRITT HAYES, RA FL LIC #AR102428
5665 CENTRAL AVE SAINT PETERSBURG, FLORIDA 33710
EMAIL: JACK@BODZIAK.COM | BRITT@BODZIAK.COM
TEL: (727) 327-9866 | FAX: (727) 836-0968

DRAWN BY CS
UPDATED ON Feb. 1, 24
DATE OCT-2023
JOB PROJECT # 23-029
SHEET #

RE

74



1 GROUND FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,449.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	46.74 S.F.
SECOND FLOOR	3,001.35 S.F.
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
THIRD FLOOR	3,001.35 S.F.
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
FOURTH FLOOR	3,037.20 S.F.
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
ROOF DECK	176.49 S.F.
WOMEN'S BATHROOM	59.95 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.26 S.F.
TOTAL A.C. SPACE	10,666.37 S.F.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNRECORDED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

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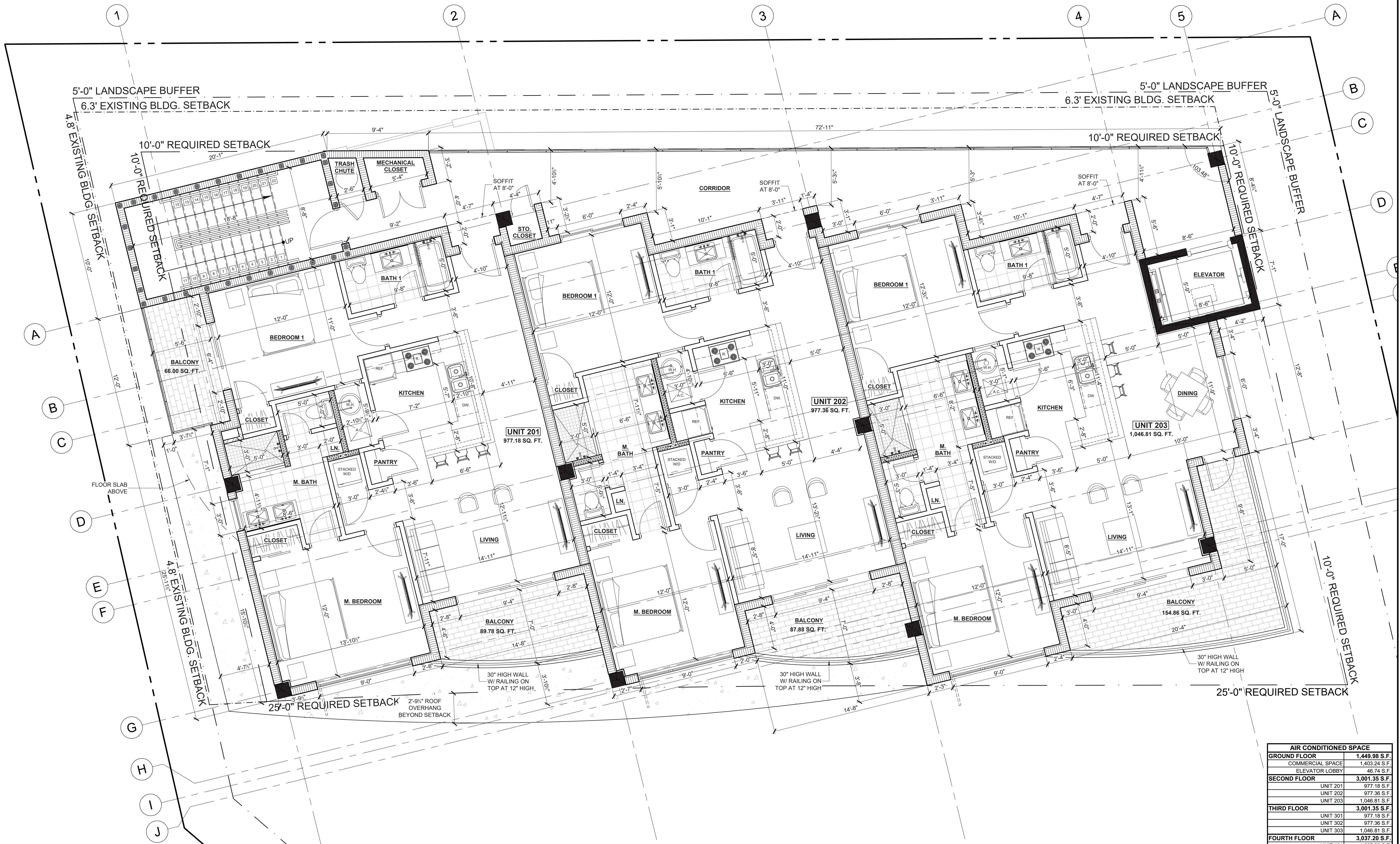
DATE: OCT-2023
 JOB PROJECT #: 23-029
 SHEET #: A-1.0

"THE SANDERLING"
 13495 GULF BLVD.
 MADEIRA BEACH, FL 33708
 GROUND FLOOR PLAN

BODZIAK/HAYES
 ARCHITECTS, P.A.
 JOHN A. BODZIAK, AIA FL LIC #AR0005065
 BRITT HAYES, RA FL LIC #ART02428
 8665 CENTRAL AVE SAINT PETERSBURG, FLORIDA 33710
 EMAIL: JACK@JARBODZIAK.COM | BRITT@JARBODZIAK.COM
 TEL: (727) 927-1966 | FAX: (727) 836-0958

FLORIDA ARCHITECTS BOARD
 JOHN A. BODZIAK
 AIA FL LIC #AR0005065
 BRITT HAYES
 RA FL LIC #ART02428
 REGISTERED ARCHITECTS

REVISIONS
 NO. DATE DESCRIPTION



1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0" NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,448.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	45.74 S.F.
SECOND FLOOR	3,001.35 S.F.
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
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FOURTH FLOOR	3,037.20 S.F.
UNIT 401	1,527.20 S.F.
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ROOF DECK	176.49 S.F.
WOMEN'S BATHROOM	69.56 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.28 S.F.
TOTAL A.C. SPACE	10,666.37 S.F.

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DATE: _____
NO. _____
REVISIONS: _____

DESCRIPTION: _____

CLIENT: _____

"THE SANDERLING"
13495 GULF BLVD.
MADEIRA BEACH, FL 33708
SECOND FLOOR PLAN

BODZIAK/HAYES
ARCHITECTS, P.A.
JOHN A. BODZIAK, AIA FL LIC#AR0005065
BRITT HAYES, RA FL LIC#ART102428
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FLORIDA REGISTERED ARCHITECT
A. BODZIAK
AR0005065
12/10/17/2024

DRAWN BY: CS
UPDATED ON: Feb. 1, 24
DATE: OCT-2023
JOB PROJECT #: 23-029
SHEET #

A-1.1



1 THIRD FLOOR PLAN
 SCALE: 1/4" = 1'-0" NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,449.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	46.74 S.F.
SECOND FLOOR	3,001.35 S.F.
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
THIRD FLOOR	3,001.35 S.F.
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
FOURTH FLOOR	3,037.20 S.F.
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
ROOF DECK	176.49 S.F.
WOMEN'S BATHROOM	59.28 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.28 S.F.
TOTAL A.C. SPACE	10,666.37 S.F.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

PROFESSIONAL STATEMENT TO THE BEST OF HIS ARCHITECT'S KNOWLEDGE, ENCLOSURE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

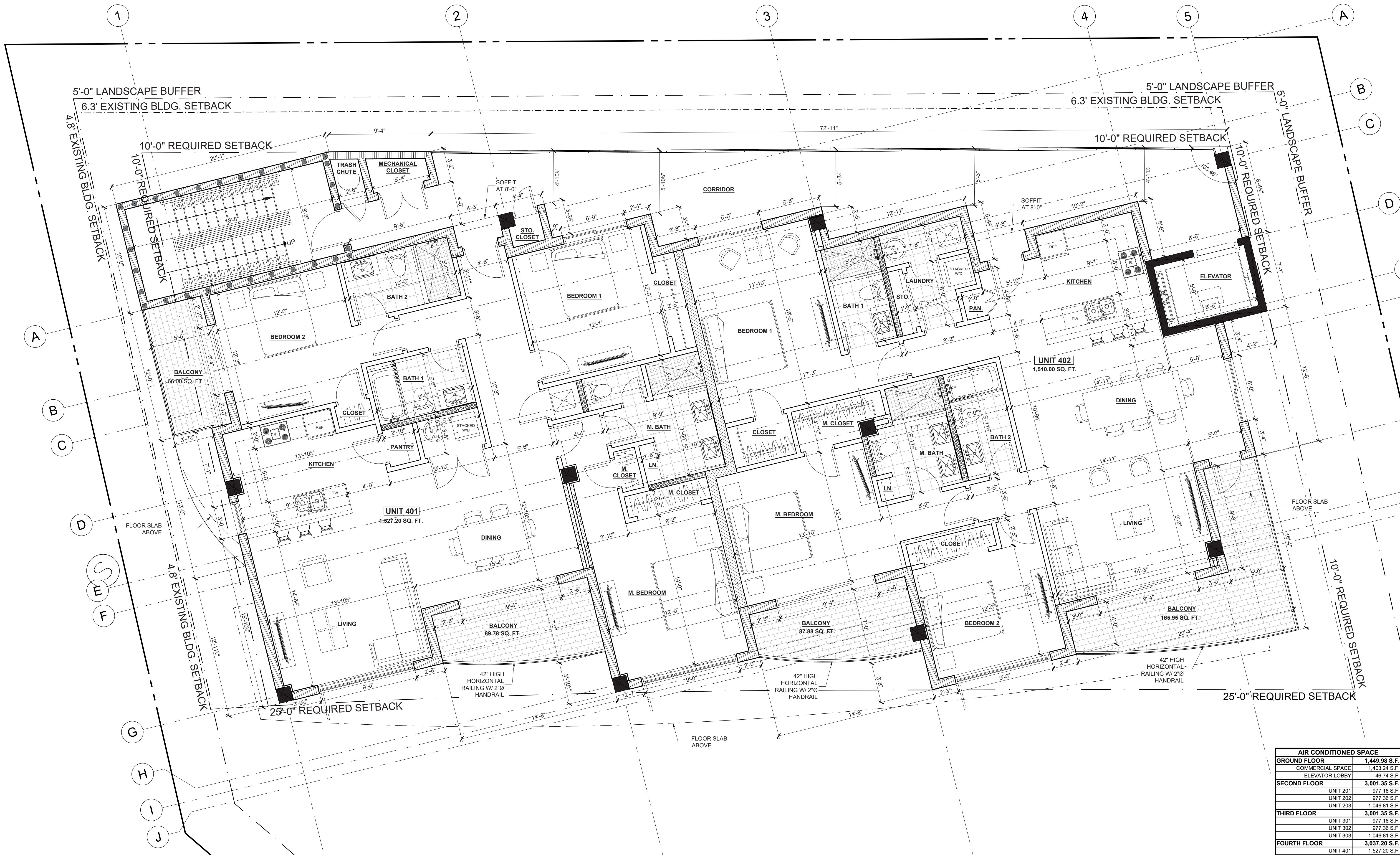
DATE: _____
 NO. _____
 REVISIONS: _____

"THE SANDERLING"
 13495 GULF BLVD.
 MADEIRA BEACH, FL 33708
 THIRD FLOOR PLAN

BODZIAK/HAYES
 ARCHITECTS, PA
 JOHN A. BODZIAK, AIA FL LIC #AR0005065
 BRITT HAYES, RA FL LIC #ART02428
 8665 CENTRAL AVE SAINT PETERSBURG, FLORIDA 33710
 EMAIL: JACK@BODZIAK.COM | BRITT@BODZIAK.COM
 TEL: (727) 327-1966 | FAX: (727) 836-0968

REGISTERED ARCHITECT
 STATE OF FLORIDA
 A. BODZIAK
 AR0005065
 12/07/2024

DRAWN BY: CS
 UPDATED ON: Feb. 1, 24
 DATE: OCT-2023
 JOB PROJECT #: 23-029
 SHEET #: A-1.2



1 FOURTH FLOOR PLAN
SCALE: 1/4" = 1'-0" NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,449.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	46.74 S.F.
SECOND FLOOR	3,001.35 S.F.
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
THIRD FLOOR	3,001.35 S.F.
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
FOURTH FLOOR	3,037.20 S.F.
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
ROOF DECK	176.40 S.F.
WOMEN'S BATHROOM	89.95 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.26 S.F.
TOTAL A.C. SPACE	10,666.37 S.F.

PROFESSIONAL STATEMENT TO THE BEST OF THIS ARCHITECT'S KNOWLEDGE, ENCLICED PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND COMMENTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND COMMENTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

DATE: OCT-2023
JOB PROJECT #: 23-029
SHEET #: A-1.3

"THE SANDERLING"
13495 GULF BLVD.
MADEIRA BEACH, FL 33708
FOURTH FLOOR PLAN

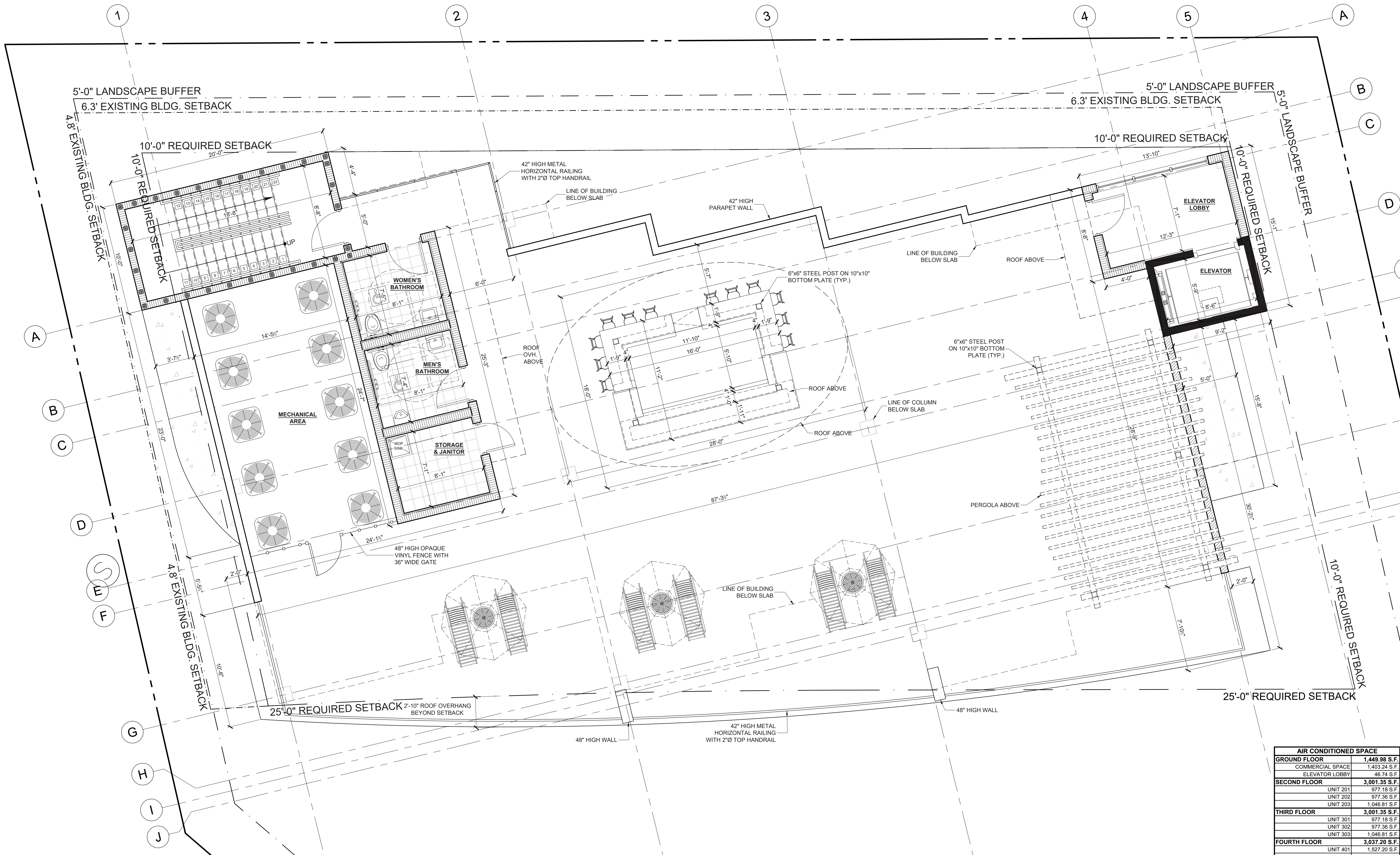
BODZIAK/HAYES
ARCHITECTS, P.A.
JOHN A. BODZIAK, AIA FL LIC#AR0005065
BRITT HAYES, RA FL LIC#AR102428
8665 CENTRAL AVE SAINT PETERSBURG, FLORIDA 33710
EMAIL: JACK@BODZIAK.COM | BRITT@BODZIAK.COM
TEL: (727) 327-1966 | FAX: (727) 836-0968

REGISTERED ARCHITECT
STATE OF FLORIDA
A. BODZIAK
AR0005065
12/10/17/2024

REVISIONS
NO. DATE DESCRIPTION

CLIENT

Item 5C



AIR CONDITIONED SPACE	
GROUND FLOOR	1,449.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	46.74 S.F.
SECOND FLOOR	3,001.35 S.F.
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
THIRD FLOOR	3,001.35 S.F.
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
FOURTH FLOOR	3,037.20 S.F.
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
ROOF DECK	176.49 S.F.
WOMEN'S BATHROOM	59.95 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.26 S.F.
TOTAL A.C. SPACE	10,666.37 S.F.

1 ROOF DECK PLAN
SCALE: 1/4" = 1'-0" NORTH

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

PROFESSIONAL STATEMENT TO THE BEST OF THIS ARCHITECT'S KNOWLEDGE, ENCLOSURE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

DATE: OCT-2023
JOB PROJECT #: 23-029
SHEET #: A-1.4

REVISIONS: [Table with columns for NO., DATE, and DESCRIPTION]

CLIENT: "THE SANDERLING"
13495 GULF BLVD.
MADEIRA BEACH, FL 33708
ROOF DECK PLAN

ARCHITECTS: PA
BODZIAK/HAYES
ARCHITECTS, PA
JOHN A. BODZIAK, AIA FL LIC# AR0005065
BRITT HAYES, RA FL LIC# AR102428
8666 CENTRAL AVE SAINT PETERSBURG, FLORIDA 33710
EMAIL: JACK@JARBODZIAK.COM | BRITT@JARBODZIAK.COM
TEL: (727) 327-1966 | FAX: (727) 826-0968

REGISTERED ARCHITECT
STATE OF FLORIDA
A. BODZIAK
AR0005065
02/07/2024

Item 5C

BODZIAK/ HAYES

ARCHITECTS

February 7, 2024

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

ATTN: Planning and Zoning Department
planning@madeirabeachfl.gov

RE: Special Magistrate-Variance Application
13495 Gulf Boulevard, Madeira Beach, FL 33708

To Whom It May Concern,

This letter respectfully requests the allowance of three exceptions to the zoning code pertaining to the proposed tourist lodging project at 13495 Gulf Boulevard. The requested variations are an improvement over the existing encroaching conditions. The justification for this request is primarily the substandard and irregular shape of the lot. The property's parallelogram boundary makes it challenging to fit the shape of a conventionally constructed building and parking area defined by a typical column grid. The site has also been impacted by the widening of Gulf Boulevard, further constraining the proportion of the site. Additionally, the site is abutted by vehicular traffic on (3) sides, which poses a challenge to configuring the building's multi-story components such as stair towers and elevator core, while otherwise meeting parking requirements and limiting curb cuts to the adjacent public ways. The three specific subjects of this request are as follows:

- 1) Allow 6'-0" side-yard setback along 135th Way based on existing setback conditions. (The existing building setback on 135th Avenue is 4.8'.) Efforts were made in the design to minimize the encroachment on the required 10' setback. Limited building features measure 6'-7 ¾" from the property line, including: 1) the stair tower, 2) the level 1 ground floor commercial space, and 3) the temporary lodging unit balconies at levels 2, 3, 4, and level 5 sundeck. Additionally, a non-occupied, decorative overhang extends to 6'-0" from the property line at level 2 (the first occupied floor above ground level). [110-321 (3) b.3]
- 2) Allow 6'-6" trash enclosure setback along property rear alley, which is a common occurrence for ease of pickup. [110-321 (2)]
- 3) Allow partial elimination of landscape buffers at rear alley to allow adjacent parking spaces. Parking spaces 12, 13, & 14 back into the alley thereby making it infeasible to provide buffer at the rear lot line. [106-35 (1)]

In our application we have provided a site plan, renderings, and floor plans depicting the proposed use of the site. Also, included are the Owner's deed and survey information. Please do not hesitate to respond to this request if further information is required. We will be happy to assist in providing any supplemental information needed.

Respectfully,



Britt Hayes, Architect, AIA

5665 CENTRAL AVENUE, ST. PETERSBURG, FL 33710
PHONE: (727) 327-1966 | FAX: 1 (727) 826-0968
FLA REG. #AR0005065 | #AR102428

PREPARED BY AND RETURN TO:

Matthew B. Sullivan, Esq.
 4756 Central Avenue
 St. Petersburg, FL 33711
 \$1,400,000.00

WARRANTY DEED

THIS WARRANTY DEED is made this 26 day of October 2023 by, ATB'S FUTURE, LLC, a Florida limited liability company, having an address of 13495 Gulf Boulevard, Madeira Beach, FL 33708 (the "Grantor(s)") in favor of TAMPA HOME PRO, INC., a Florida corporation, having an address of 110 Crenshaw Lake Road, Suite 200, Lutz, FL 33548 (the "Grantee(s)"):

(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.)

WITNESSETH: That the Grantors, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, and Grantee's heirs, successors and assigns forever, all that certain land situated in Pinellas County, Florida, and described as follows:

Lot 8, Block 10, less that part lying within 40 feet of a centerline of construction on State Road 699, as described in Official Records Book 4355, Page 231, MITCHELL'S BEACH, according to the plat thereof, as recorded in Plat Book 3, Page 54, of the Public Records of Pinellas County, Florida. And Lots 9 and 10, Block 10, MITCHELL'S BEACH, less that portion in Order of Taking recorded in Official Records Book 4426, Page 1135, of the Public Records of Pinellas County, Florida, by the State of Florida, Department of Transportation, and according to plat thereof, as recorded in Plat Book 3, Page 54, of the Public Records of Pinellas County, Florida.

Address: 13495 Gulf Boulevard, Madeira Beach, FL 33708

Parcel I.D.: 15-31-15-58320-010-0080

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any way 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 the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property; that the Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes and assessments accruing subsequent to December 31, 2022.



AFFIDAVIT OF MAILING

Date: 4/12/2024

Mailings for Case # ~~2024~~ VAR 2024-03

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

Lisa Schumann
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn and subscribed before me this 12th day of April, 20 24.

Personally known or produced _____ as identification.

Samantha Arison
Notary Public

4/12/24
Date



*Copy of public notice is attached.



AFFIDAVIT OF POSTING

Date: 4/12/2024
Postings for: VAR 2024-03

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

Lisa Schouman
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to and subscribed before me this 12th day of April, 2024

Personally known or produced _____ as identification.

Samantha Arison
Notary Public

4/12/24
Date



*Copy of public notice is attached.



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, April 22, 2024, 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 SPECIAL MAGISTRATE -VARIANCE

Application: VAR 2024-03
Applicant(s): Bodziak/Hayes Architects
Property Owner(s): Tampa Home Pro Inc.
Property Address: 13495 Gulf Boulevard, Madeira Beach FL 33708
Parcel ID: 15-31-15-58320-010-0080

Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W PER O.R.'S 4355/231 & 4426/1135

Zoning/Future Land Use: C-3, Retail Commercial Zoning District, Residential/Office/Retail

Request: 6’ side-yard setback along 135th Way, 6’-6” rear setback, partial reduction of 5’ perimeter landscaping.

Specific Code Provisions: 110-231(2)-(3): minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1): the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

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 4/12/2024, at property site, City Hall, City of Madeira Beach website, and Gulf Beaches Library



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: 12 Mar 2024

Subject Parcel: 15-31-15-58320-010-0080

Radius: 300 feet

Parcel Count: 138

Total pages: 6

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.

VERDON, GENE E
C/O SEA BREEZE MADEIRA
CONDO ASSN INC
13030 GULF BLVD

BECHEN, NANCY A TRE
BECHEN, NANCY A REV TRUST
27682 MEADOWVIEW LN
ADEL, IA 50003-8619

BINGHAM, G MAURICE
BINGHAM, PAULINE C
7 ARCHER DR
AJAX ON L1S 2Z3,
CANADA

TROLESI, JON TRE
TROLESI, JON A REV TRUST 2013
PO BOX 169
ANDERSON, CA 96007-0169

MICHAEL TRUST NO 101
MICHAEL, STEPHEN R TRE
49W330 SCOTT RD
BIG ROCK, IL 60511-9489

ROGERS, THOMAS V REV LIV TRUST
ROGERS, THOMAS V TRE
7076 74TH STREET CIR E
BRADENTON, FL 34203-7183

HENRY, RICHARD J
HENRY, KAREN T
21565 ASTOLAT DR
BROOKFIELD, WI 53045-1616

BESHARA, MAGDY L
BESHARA, ELSIE E
405-7303 NOBLE LANE
BURNABY BC V3N 0H2,
CANADA

BOLTON, SCOTT
1276 CLEAVER DR
OAKVILLE ON L6J 1W3,
CANADA

LARMER, GRANT W
1328 LARMER LINE
FRASERVILLE ON K0L 1V0,
CANADA

444799 ONTARIO INC
287 ESTATE CRT
MIDLAND ON L4R 5H2,
CANADA

COTOIA, FILOMENA
798 RUE WILFRID PELLETIER
BOUCHERVILLE QC J4B 8V3,
CANADA

SCOTT, MARION
10 BARK RD
SEGUIN ON P2A 2W8,
CANADA

MAROIS, JOHN D
67 CREEKSIDE DR
WELLAND ON L3C 0B4,
CANADA

WILSON, TROY
749 KINGS RD
SYDNEY NS B1S 1C2,
CANADA

CARTHI VACATION LP
8901 SAROY ST
SHERBROOKE QC J1N 3J3,
CANADA

ORSI, ROSARIO A
ORSI, RENEE A
119 COVERED BRIDGE WAY
CARP ON K0A 1L0,
CANADA

SCHMIDT, WENDELIN
SCHMIDT, BRENDA C
3212 LEDGEWOOD CT E
COMMERCE TWP, MI 48382-1419

SOUTHLAND CORP
C/O TAX DEPT 23156
PO BOX 711
DALLAS, TX 75221-0711

MACMILLAN, GEARY J
MACMILLAN, DONNA M
15 LEXINGTON AVE
DARTMOUTH NS B2X 3P2,
CANADA

KNAUB, GREG R
KNAUB, DONNA J
415 WESTMERE RD
DES PLAINES, IL 60016-2642

KNAUB, GREGORY ROBERT
KNAUB, DONNA JEAN
415 WESTMERE RD
DES PLAINES, IL 60016-2642

ROBERTS, ELIZABETH ANNE 2015 REV LIV TRUST
ROBERTS, ELIZABETH ANNE TRE
11601 GIULIA DR
FORT MYERS, FL 33913-7194

TOBIN, RICHARD T JR
TOBIN, PATRICIA A
20454 S GREEN MEADOW LN
FRANKFORT, IL 60423-8728

031425 N B LTD
C/O CANADIAN 2 FOR 1 PIZZA INC
59 AVONLEA CT STE 200 2ND FLOOR
FREDERICTON NB E3C 1N8,

COZZARIN, LINDA
COZZARIN, DAVID
3 OLD STONE CRT
GUELPH ON N1G 4P1,
CANADA

RATHMANN, JEFFREY J
RATHMANN, KAREN S
5464 ABEL RD
HAMBURG, NY 14075-3641

RATHMANN, JEFFREY J
RATHMANN, KAREN S
5464 ABEL RD
HAMBURG, NY 14075-3641

DEOROCKI, BERNARD F
DEOROCKI, BERNARD
66 KNOLLWOOD CIR
HOLYOKE, MA 01040-1417

SIRABIAN, CHRISTOPHER
SIRABIAN, PAUL
303 BARTLETT DR
LABRADOR CITY NL A2V 1G1,
CANADA

ZHENG, BINYUAN
ZHENG, JIAN XIU
2387 SEBAGO DR
LAKELAND, FL 33805-8008

ROTONDO, DAVID H REVOCABLE TRUST
ROTONDO, DAVID H TRE
14119 102ND AVE
LARGO, FL 33774-5030

RIYA INVESTMENTS LLC
AMBARKAAR LLC
3959 VAN DYKE RD STE 395
LUTZ, FL 33558-8025

SHERMAN, PAIGE
LOADER-SHERMAN, TRACY
13520 1ST ST E
MADEIRA BEACH, FL 33708

SPAETH, ROBERT A LIVING TRUST
SPAETH, ROBERT A TRE
13417 GULF LN
MADEIRA BEACH, FL 33708-1868

SPAETH, ROBERT A LIVING TRUST
SPAETH, ROBERT A TRE
13417 GULF LN
MADEIRA BEACH, FL 33708-1868

VERDON, EUGENE E
WIESE, R WILLIAM
710 SUNSET COVE
MADEIRA BEACH, FL 33708-2385

VERDON, EUGENE E
WIESE, R WILLIAM
710 SUNSET COVE
MADEIRA BEACH, FL 33708-2385

LITKE, EDWARD H AND ALICE LIVING TRUST
LITKE, ALICE TRE
13401 1ST ST E
MADEIRA BEACH, FL 33708-2403

WILLIAMS, DOROTHY
WILLIAMS, DESMOND
13439 1ST ST E
MADEIRA BEACH, FL 33708-2403

DUBE, CYNTHIA
DUBE, MICHAEL
13517 1ST ST E
MADEIRA BEACH, FL 33708-2405

BYAM, CHRISTINE M
BYAM, PAUL S
13500 1ST ST E
MADEIRA BEACH, FL 33708-2406

GREENE, DAVID J
DONOVAN, CECILIA L
13510 1ST ST E
MADEIRA BEACH, FL 33708-2406

LARUE, MATTHEW
LARUE, VIRGINIA
13414 2ND ST E
MADEIRA BEACH, FL 33708-2412

MYERS, KENNETH
MYERS, SARAH
13435 BOCA CIEGA AVE
MADEIRA BEACH, FL 33708-2445

SMITH, BRYANT L
SMITH, DEBRA K
13529 BOCA CIEGA AVE
MADEIRA BEACH, FL 33708-2447

VIGIL, RONALD
VIGIL, SHARON R
244 137TH AVE CIR
MADEIRA BEACH, FL 33708-2508

WILSON, GARY A
WILSON, KAREN A
13440 GULF BLVD UNIT 305
MADEIRA BEACH, FL 33708-2516

COMMODORE BEACH CLUB CONDO ASSN, MNG
ENT
C/O SUNCOAST VACATION CONDOS
13536 GULF BLVD
MADEIRA BEACH, FL 33708-2518

MODRY, KIRSTEN SONJA
MODRY, MATTHIAS
13500 GULF BLVD APT 107
MADEIRA BEACH, FL 33708-2566

SEA BREEZE OF MADEIRA HOLDINGS LLC
C/O TRAVEL RESORT SERVICES INC
13030 GULF BLVD
MADEIRA BEACH, FL 33708-2639

SEA BREEZE OF MADEIRA CONDOMINIUM ASSN
INC
C/O TRS
13030 GULF BLVD
MADEIRA BEACH, FL 33708-2639

HOPKINS, DOUGLAS L
HOPKINS, MARGARET M
604-33 WHITMER ST
MILTON ON L9T 8P9,
CANADA

KHALAFALLA, SANAA
KHALAFALLA, AIDA
2551 37TH AVE S
MINNEAPOLIS, MN 55406-1745

SHAW, JAMES MURRAY
SHAW, GEORGE ALFRED JR
33 TERRACE HEIGHTS DR
NEW GLASGOW NS B2H 5V8,
CANADA

SHAW, JAMES MURRAY
SHAW, GEORGE ALFRED JR
33 TERRACE HEIGHTS DR
NEW GLASGOW NS B2H 5V8,
CANADA

ITALIANO, ANTONIO
ITALIANO, LEONARDA
199 RANEE AVE
NORTH YORK ON M6A 1N3,
CANADA

FRANDJI, JOSE CARLOS
FRANDJI, CARMEM F L
5447 VINELAND RD UNIT 1308
ORLANDO, FL 32811-7626

AMES, RYAN P
AMES, LIANE B
1055 ZACHER DR
OSHKOSH, WI 54901-1378

INDGE, SIMON
SALLAS, MICHELLE
9186 RED POPPY CT
PARKER, CO 80138-7845

CAPAN, RONALD R
CAPAN, SHARON J
447 CLOKEY AVE
PITTSBURGH, PA 15228-1424

GREEN, BRAD G
GREEN, REBECCA L
5410 MILEY RD
PLANT CITY, FL 33565-3762

KLEMME, CRAIG S TRE
KLEMME, CRAIG S REV LIV TRUST
160 BARRE DR NW
PORT CHARLOTTE, FL 33952-8020

SMITH, MARGARET
BARTHOLOMEW, NATHANIEL
831 RIVENDELL LN
POTTSTOWN, PA 19464-2730

CECIL, WILLIS R
CECIL, ANNE M
4024 DECKARD SCHOOL RD
RADCLIFF, KY 40160-9339

BIDLE, KERRY W
BIDLE, ANN E
4426 CHASE OAKS DR
SARASOTA, FL 34241-9456

TRADOR, LEE
TRADOR, PAULINE
10386 VALENCIA RD
SEMINOLE, FL 33772-7507

TARTER, JOHN P
TARTER, JUDY R
6248 GLASGOW RD
SMITHS GROVE, KY 42171-9401

RAMOS, ENRICO P
RAMOS, MARISSA
215 MOSSWOOD WAY
SOUTH SAN FRANCISCO, CA 94080-5723

JEFFERSON, MARK F
JEFFERSON, BONNIE R
28 EAGLESON DR
ST CATHARINES ON L2M 7J4,
CANADA

HOWE, RAYMOND
HOWE, BRADEN
96 CHURCH ST
ST CATHARINES ON L2R 3C8,
CANADA

OVERBY, EVE GRINDEY TRE
OVERBY, EVE REV LIV TRUST
4130 BAY ST NE
ST PETERSBURG, FL 33703-5832

FRAME, BEVERLY
FRAME, JIM
7935 CAUSEWAY BLVD N
ST PETERSBURG, FL 33707-1007

MAURO, ARCHIE
MAURO, FRANK
RR 2 BETHESDA SIDE RD
STOUFFVILLE ON L4A 7X3,
CANADA

COHEN FAMILY TRUST
COHEN, EDWARD TRE
1031 MCDANIEL ST
SUN CITY CENTER, FL 33573-7070

A T WILSON GROUP LIMITED
GA MCDUGALL PROPERTIES INC
749 KINGS RD
SYDNEY NS B1S 1C2,
CANADA

WANG, HSUCHIH
WISELEY, KAREN D
701 S HOWARD AVE STE 106-819
TAMPA, FL 33606-2473

LLAMAS, JOSE
LLAMAS, JO CAROLYN
3920 W BIRD ST
TAMPA, FL 33614-2590

GRIGGS, JANET M LIVING TRUST
GRIGGS, JANET M TRE
13912 CLUBHOUSE CIR
TAMPA, FL 33618-7504

PLAZZA, BENEDETTO G & BIANCA MARIA JNT
REV TRUST
PLAZZA, BENEDETTO GIUSEPPE TRE
12816 DARBY RIDGE DR
TAMPA, FL 33624-4303

PFEIFFER, JASON
PFEIFFER, REBECCA
14617 GALT LAKE DR
TAMPA, FL 33626-3362

DINH, THACH
DO, TRANG THI THU
9246 DAYFLOWER DR
TAMPA, FL 33647-2815

DELL, RALPH CLIFTON JR TRE
DELL, CAROL H TRE
1309 N RIVERHILLS DR
TEMPLE TERRACE, FL 33617-4247

FORGET, DENIS
ALLARD, NOELLA
830 RUE DE LA NATASHQUAN
TERREBONNE QC J6W 0B6,
CANADA

HAVEN CITY LTD INC
PO BOX 935011
DUBAI,
UNITED ARAB EMIRATES

CARPENTER, DAVID A
CARPENTER, ARLENE
22 FLANDERS DR
WATERDOWN ON L8B 0G6,
CANADA

WALES, JOHN
WALES, MOIRA
1 HIGHFIELD PARK
WIGTON CUMBRIA CA79DJ,
GREAT BRITAIN

SYNODINOS, JOHN G TRE
SYNODINOS, SUZANNE K TRE
225 MEADOWBROOK DR
WINTERSVILLE, OH 43953-3839

RICO, GIOVANNI
MUTO, ANNA
16 CROWN CRES
WOODBIDGE ON L4H 1S5,
CANADA

FROST, JOHN EWEN
FROST, ELENA MARIA
15700 BACONS CASTLE CT
WOODBIDGE, VA 22193-3161

DINGWALL, KENNETH
DINGWALL, SUSAN L
132 LANGDEN AVE
YORK ON M6N 2L5,
CANADA

COMMODORE BEACH CLUB CONDO ASSN
13536 GULF BLVD
MADEIRA BEACH, FL 33708-2518

N D P F L DEVELOPMENT LLC
PO BOX 18878
TAMPA, FL 33679-8878

HAPPY TORTOISE LLC
2749 VIA CIPRIANI UNIT 1035B
CLEARWATER, FL 33764-3938

SULLIVAN, DIANE
13440 GULF BLVD
MADEIRA BEACH, FL 33708-2516

DOLCE BEACH HOUSE LLC
13535 BOCA CIEGA AVE APT 2
MADEIRA BEACH, FL 33708-2470

SEYMOUR, JODI LYNN
13421 1ST ST E
MADEIRA BEACH, FL 33708-2403

ADEOLUWA, TAIWO
5610 56TH TER N
ST PETERSBURG, FL 33709-2020

PECK, EDWARD W TRUST
13028 ROSSELO AVE
WARREN, MI 48088-6848

COLLWOOD CONDO ASSN INC
3001 EXECUTIVE DR STE 260
CLEARWATER, FL 33762-3389

COLLWOOD CONDO ASSN INC
13030 GULD BLVD
MADEIRA BEACH, FL 33708

TARNAWA, ANDREW
13443 1ST ST E
MADEIRA BEACH, FL 33708-2403

LITKE, EDWARD FRANCIS
13418 1ST ST E
MADEIRA BEACH, FL 33708-2404

LANT, CHRISTOPHER SCOTT
13525 1ST ST E
MADEIRA BEACH, FL 33708-2405

SUNNY DAZE HOLDINGS LLC
511 ROCKLAND RD
CRYSTAL LAKE, IL 60014-4121

13454 1ST E LLC
18552 SW 55TH ST
MIRAMAR, FL 33029-6294

13435 GULF BLVD LLC
10121 TARPON DR
TREASURE ISLAND, FL 33706-3122

ARCHIBALD, ALEX M JR
11714 ABBEY WAY
SAN ANTONIO, TX 78253-5958

RUGAARD, PRESTON D TRE
2150 WEST CONCORD LN
ADDISON, IL 60101-5611

KLEMME, ROGER E TRE
PO BOX 693
WOODSTOCK, IL 60098-0693

KAPLOW, JEFFREY
310 N 52ND ST APT 12D
NEW YORK, NY 10019

13435 GULF BLVD LLC
10121 TARPON DR
TREASURE ISLAND, FL 33706-3122

ANDREVICH, ROBERT
13515 1ST ST E
MADEIRA BEACH, FL 33708-2405

KUEBLER, STEVEN
13505 BOCA CIEGA AVE
MADEIRA BEACH, FL 33708-2447

DESCHAPPELL, ROSA MARIA
13411 1ST ST E
MADEIRA BEACH, FL 33708-2403

HARRINGTON GLOBAL LLC
7400 14TH ST NE
ST PETERSBURG, FL 33702-4637

RYAN, MAUREEN
9726 S AVERS AVE
EVERGREEN PARK, IL 60805-2946

SMITH, THOMAS A
13423 GULF LN
MADEIRA BEACH, FL 33708-2537

FOX, CHRISTINE K
13436 1ST ST E
MADEIRA BEACH, FL 33708-2404

A C B LEASING LLC
PO BOX 1071
DUNN, NC 28335-1071

FRACALOSS, BRAD
13437 1ST ST E
MADEIRA BEACH, FL 33708-2403

DOLPHIN WATCH VI LLC
3618 EL CENTRO ST
ST PETE BEACH, FL 33706-3908

VLV ENTERPRISES LLC
6460 STONEY CREEK DR
DAYTON, OH 45424-3659

MC PROPERTIES LLC
3415 W HOVLAND DR
SIOUX FALLS, SD 57107-0246

O'BRIEN, MICHAEL D
3218 WOODRIDGE CENTER PKWY
SAINT LOUIS, MO 63129-1686

ALFORD, DAVID E
PO BOX 144
ROCKFIELD, KY 42274-0144

VAN DOWN BY THE OCEAN LLC
6023 MORNINGSIDE AVE
DALLAS, TX 75206-5923

ELLIS, LAURA R
13519 1ST ST E
MADEIRA BEACH, FL 33708-2487

ACQUISITION GROUP LLC
13311 2ND ST E
MADEIRA BEACH, FL 33708-2569

MCKAY, COLLEEN ELIZABETH MERRYWEATHER
209 BATH CLUB BLVD N
NORTH REDINGTON BEACH, FL 33708-1525

LCM LEGACY TRUST
5672 STATE ROUTE 602
NEW WASHINGTON, OH 44854-9745

JC REALTY GROUP FLORIDA LLC
6404 MANATEE AVE W STE B
BRADENTON, FL 34209-2358

COMMODORE BEACH CLUB CONDO ASSN
13536 GULF BLVD
MADEIRA BEACH, FL 33708-2518

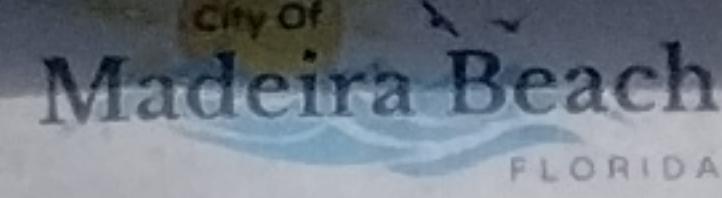
SEA BREEZE 708 LLC
415 LYSLE BLVD
MCKEESPORT, PA 15132-2612

JARRETT, JOAN R TRE
13500 GULF BLVD APT 302
MADEIRA BEACH, FL 33708-2576

SZUWALA, DANIEL PAUL
13505 GULF BLVD
MADEIRA BEACH, FL 33708-2979

DAWSON, PENNY E
13405 1ST ST E
MADEIRA BEACH, FL 33708-2403

16-6 CENTER STREET LLC
1127 BRIGANTINE DR
CHARLESTON, SC 29412-8901



CITY OF MADEIRA BEACH



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, April 22nd, 2024, 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.

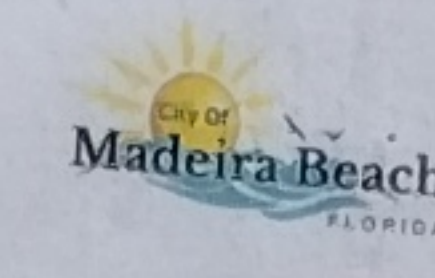
THIS APPLICATION IS FOR A SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-04
Applicant: David Greene / Cecelia Donovan
Property Owner(s): David Greene / Cecelia Donovan
Property Address: 13510 1ST ST E MADEIRA BEACH, FL 33708
Parcel ID: 15-31-15-88320-009-0070
Legal Description: MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NELY 1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368
Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential Medium

Request: Reduce side yard setback by 0.5' to allow for 3' wide utility deck.

Specific Code Provisions: Sec. 110-206. (3) Side yard: a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206. (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 on the flood insurance rate map (FIRM), exterior stairs, platforms for mechanical equipment, and other mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

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 comments 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 8:30 a.m. and 4:00 p.m.



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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THIS APPLICATION IS FOR A SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-02
Applicant: Gregg Gallagher
Property Owner(s): Patrick and Denise Winn
Property Address: 14062 W PARSLEY DR MADEIRA BEACH, FL 33708
Parcel ID: 10-31-15-34396-018-0180
Legal Description: GULF SHORES STR ADD BLK R LOT 18
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: 23' Rear setback, 6'8" west side setback and 5'8" east side setback.

Specific Code Provisions: Sec. 110-181. (2) Rear yard: Waterfront lots: 30 feet. & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

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 comments 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 8:30 a.m. and 4:00 p.m.

Posted: April 12, 2024, 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/>



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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THIS APPLICATION IS FOR SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-03
Applicant(s): Bodziak/Hayes Architects
Property Owner(s): Tampa Home Pro Inc.
Property Address: 13495 Gulf Boulevard, Madeira Beach FL 33708
Parcel ID: 15-31-15-88320-010-0080
Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W PER O.R.'S 4355231 & 44261135
Zoning/Future Land Use: C-3, Retail Commercial Zoning District, Residential Office/Retail Landscaping

Request: 6' side-yard setback along 135th Way, 6'-6" rear setback, partial reduction of 5' perimeter landscaping.

Specific Code Provisions: 110-231(2)-(3); minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1); the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

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: 4/12/2024, at 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/>

CODE ENFORCEMENT CITY OF MADEIRA BEACH

February 16, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner:
vs.
VESTGARDEN, TOV I
590 NORMANDY RD
MADEIRA BEACH FL 33708-2343

Respondents:
RE Property: 590 Normandy Rd Parcel

Legal Description: ISLAND ESTATES UN

NOTICE

To whom it may concern:
YOU ARE HEREBY FORMALLY notified of February, 2024 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.

Sec. 86-52. - When required, a person, firm or corporation shall not change the occupancy of a building after fire extinguishing apparatus, other heat producing apparatus, plumbing, or other equipment, the installation of which is required by the Code until a permit is required for uncovering of strictly cosmetic nature (painting, etc.) work less than \$100.00 in value.

Sec. 86-52. - When required, a person, firm or corporation shall not change the occupancy of a building after fire extinguishing apparatus, other heat producing apparatus, plumbing, or other equipment, the installation of which is required by the Code until a permit is required for uncovering of strictly cosmetic nature (painting, etc.) work less than \$100.00 in value.

CODE ENFORCEMENT CITY OF MADEIRA BEACH

February 16, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner:
vs.
ALTON, MICHAEL J
544 JOHNS PASS AVE
MADEIRA BEACH FL 33708-2121

Respondents:
RE Property: 544 Johns Pass Ave

Legal Description: CRYSTAL

NOTICE

To whom it may concern:
YOU ARE HEREBY FORMALLY notified of February, 2024 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.

Sec. 86-52. - When required, a person, firm or corporation shall not change the occupancy of a building after fire extinguishing apparatus, other heat producing apparatus, plumbing, or other equipment, the installation of which is required by the Code until a permit is required for uncovering of strictly cosmetic nature (painting, etc.) work less than \$100.00 in value.

Sec. 86-52. - When required, a person, firm or corporation shall not change the occupancy of a building after fire extinguishing apparatus, other heat producing apparatus, plumbing, or other equipment, the installation of which is required by the Code until a permit is required for uncovering of strictly cosmetic nature (painting, etc.) work less than \$100.00 in value.

NOTICE OF PUBLIC HEARING

APPLICATION NO.: VAR 2024-03

REQUEST: 6' Side yard setback - 135th Way
6'6" Rear setback

Partial reduction of 5' perimeter landscape

PROPERTY DESCRIPTION: 13495 Gulf Blvd

HEARING DATE & TIME: April 23rd @ 2:00 PM

HEARING LOCATION: COMMISSION CHAMBERS, MADEIRA BEACH CITY HALL,
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708.

THE PROJECT FILE IS AVAILABLE FOR PUBLIC REVIEW DURING NORMAL
BUSINESS HOURS IN THE COMMUNITY DEVELOPMENT DEPARTMENT
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708 OR
CALL 727-391-9951 FOR MORE INFORMATION

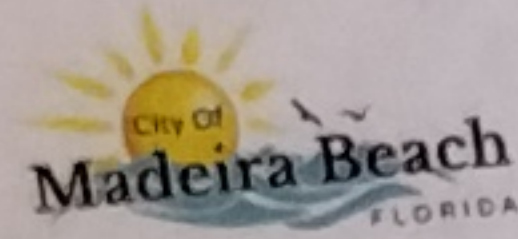
You are invited to John's Pass Village Zoning Public Workshop

April 13th from 10am to 12pm

April 18th from 10am to 12pm

April 20th from 1pm to 3pm

300 Municipal Drive - Commission Chambers



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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THIS APPLICATION IS FOR A SPECIAL MAGISTRATE -VARIANCE

Application: VAR 2024-03
Applicant: Bodziak/Hayes Architects
Property Owner(s): Tampa Home Pro Inc.
Property Address: 13495 Gulf Boulevard, Madeira Beach FL 33708
Parcel ID: 15-31-15-58320-010-0080
Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD/R/W PER O.R.'S 4355/231 & 4426/1135
Zoning/Future Land Use: C-3, Retail Commercial Zoning District, Residential Office/Retail
Request: 6' side-yard setback along 135th Way, 6'-6" rear setback, partial reduction of 5' perimeter landscaping.

Specific Code Provisions: 110-231(2)-(3); minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1); the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

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300 MUNICIPAL DRIVE
MADEIRA BEACH, FLORIDA 33708

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THIS APPLICATION IS FOR A SPECIAL MAGISTRATE -VARIANCE

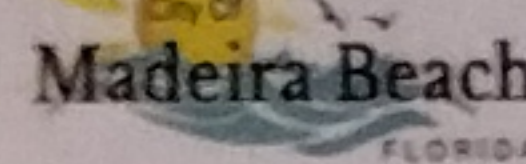
Application: VAR 2024-02
Applicant: Gregg Gallagher
Property Owner(s): Patrick and Denise Winn
Property Address: 14062 W PARSLEY DR MADEIRA BEACH, FL 33708
Parcel ID: 10-31-15-34398-018-0180
Legal Description: GULF SHORES 5TH ADD BLK R, LOT 18
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: 23' Rear setback, 6'8" west side setback and 5'8" east side setback.

Specific Code Provisions: Sec. 110-181. - (2) Rear yard: Waterfront lots: 30 feet. & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

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 comments 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 8:30 a.m. and 4:00 p.m.

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PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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THIS APPLICATION IS FOR A SPECIAL MAGISTRATE -VARIANCE

Application: VAR 2024-04
Applicant: David Greene / Cecelia Donovan
Property Owner(s): David Greene / Cecelia Donovan
Property Address: 13510 1ST ST E MADEIRA BEACH, FL 33708
Parcel ID: 15-31-15-58320-009-0070
Legal Description: MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NE'LY 1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368
Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential Medium

Request: Reduce side yard setback by 0.5' to allow for 3' wide utility deck.

Specific Code Provisions: Sec. 110-206. - (3) Side yard: a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206. - (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. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

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 comments 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



CITY OF MADEIRA BEACH, FLORIDA

300 MUNICIPAL DRIVE, MADEIRA BEACH FL 33708
TELEPHONE: 727-391-9951

APPLICATION FOR APPOINTMENT TO BOARD OR COMMISSION

Use indicate your preference of board or commission:

Civil Service Commission
 Library Board
 Planning Commission
 Other _____

Are you a Madeira Beach Resident? Yes No

Are you an elector (qualified voter) of the City of Madeira Beach? Yes No

Are you related to a City of Madeira Beach Mayor or elected official? If yes, please state the name of employee or elected official and relationship: Yes No

Are you available for:
Daytime meetings Yes No
Evening meetings Yes No

Would you like to be considered as a candidate for service on this Board? Yes No

Phone: _____

Occupation: _____
If you are currently unemployed, what was your last occupation? _____

What special experience, special education, skills or talents that would be beneficial to the appointment you are applying for? _____

CITY OF MADEIRA BEACH PUBLIC NOTICE

BOARD MEMBER VACANCY ANNOUNCEMENT

CIVIL SERVICE COMMISSION

The City of Madeira Beach is seeking applications to fill one vacancy on the Civil Service Commission due to the expired term of a member on October 30, 2022. Member terms are three years. The term of the new member will expire on October 30, 2025.

Boards, Commissions, and Committees are a valuable part of the local government process. The members are volunteers and provide a great service to the City and the community. Duties and responsibilities include reviewing the City's policies and procedures, Code of Ordinances, and the City Charter, and making recommendations to the Board of Commissioners.

- Civil Service Commission – 5-member board – regular meetings held quarterly. Additional meetings are held for special projects and employee grievance hearings. Dates and times vary.
- Members must be a City of Madeira Beach citizen and eligible to vote in the City elections.
- Appointments are made on experience and qualifications in Human Resources when possible.

Interested persons must submit an application to the City Clerk no later than Monday, May 1, 2023, to be considered for appointment at the 6:00 p.m., May 10, 2023, Board of Commissioners Regular Meeting located in the Commission Chambers, 300 Municipal Drive, Madeira Beach, FL 33708. All applicants are encouraged to attend the meeting.

An application is attached to this advertisement. Applications may also be obtained from the City Clerk at City Hall or downloaded on the City's website at <https://madeirabeachfl.gov/boards/commission/>.

Submit completed and signed applications to:

City Clerk
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708
cyanbargan@madeirabeachfl.gov
727-391-9951, ext. 231

Additional Information:
For additional information, please contact City Clerk Clara VanBargan at 727-391-9951, ext. 231; cyanbargan@madeirabeachfl.gov.

SPECIAL MAGISTRATE – VARIANCE REQUEST

VAR 2024-04



Staff Report and Recommendation
Special Magistrate Meeting – April 22, 2024

Application: VAR 2024-04
Applicant: David Greene / Cecelia Donovan
Property Owner(s): David Greene / Cecelia Donovan
Property Address: 13510 1ST ST E MADEIRA BEACH, FL 33708
Parcel ID: 15-31-15-58320-009-0070
Legal Description: MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NE'LY
1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368
Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential
Medium

Request: Reduce side yard setback by 0.5’ to allow for 3’ wide utility deck.

Specific Code Provisions: Sec. 110-206. – (3) Side yard: a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206. – (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. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

I. Background

The structure was built in 2016 under a variance (VAR 2014-16) which granted 13510 1st St (amongst other addresses within eco-village) a five-foot side setback on both sides of the house (which is now allowed by right) and the ability to add an additional 1.00 foot to the 50% encroachment permitted for platforms and mechanical equipment. Under Sec. 110-93(3)a. any addition, alteration or renovation to a nonconforming structure cannot increase the degree of nonconformity, therefore the applicant cannot extend the existing

platform by right. The City Clerk was not able to locate the order granting the variance to verify if any expiration date was given and Sec. 2-503(f) states that all variances granted by the special magistrate and not acted upon within one year of being granted shall automatically expire. City Staff recommended to the applicant that they should apply for this additional variance. In this variance, the applicant is only requesting an additional 0.5-foot encroachment into the side setback to extend the existing utility deck and allow for access to accompanying electrical components to two Tesla power walls which is half of the 1.00-foot additional encroachment approved from the previous variance. Duke requires such platforms to be 3 feet wide however city land development regulations only allow for a 2.5 foot encroachment into the setback for mechanical equipment and platforms (50% of allowable five-foot setback).

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:

c. Residential neighborhood character. Many houses in eco-village (including 13510 1st St) already have utility decks that encroach into the side yard setback by more than 50%.

e. *Architectural and/or engineering considerations.* The purpose of the proposed utility deck is to install modern energy storage units and related equipment elevated above Base Flood Elevation (BFE) to support additional solar panels to power the home without a generator during a power outage.

(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: This is not a self-created hardship because the applicant does not have enough existing side yard space to add a compliant platform without encroaching more than 50%. The applicant has not yet begun work and has been researching how to complete this project while complying with all applicable codes.

(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: Other properties located in the eco-village were granted the same variance in 2016 and would also be able to install the same power walls being proposed by this applicant.

(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.*

Findings: Literal interpretation of the setbacks would deny the homeowner the ability to extend their utility deck while other property owners located in the R-2 Zoning District would be able to build one by right.

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

Findings: Three feet is the minimum width of such utility decks allowed by duke on other codes, therefore the additional 0.5 feet being requested by the applicant is the minimum allowable to install such equipment which is a reasonable use of the land. Additionally, it is worth noting that the applicant has reviewed other options as to locations for such equipment before settling on the side yard.

(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. As previously stated, many other homes located in the eco-village including 13510 1st Street already have utility decks that encroach into the required side yard setback. The harmony of the neighborhood and the general scheme of development of the neighborhood will be unchanged.

III. Staff Recommendation:

Staff recommends approval.

Submitted by: Joe Petraglia

Attachments: 1) Application with existing survey, images of utility deck, markup of proposed utility deck extension and equipment
2) Public Notice mailing and posting



CITY OF MADEIRA BEACH

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



Item 5D.

SPECIAL MAGISTRATE – VARIANCE APPLICATION

*Applicant: Name and Address

DAVID J. GREENE / Cecelia L. DONOVAN
13510 1st St. E.
MADEIRA BEACH, FL 33708

Telephone: (443) 994-8074

Email: cece.dave@gmail.com

*Property Owner: Name and Address

Same

Telephone: () 11

Email: "

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

13510 1st St. E MADEIRA BEACH FL 33708

Legal Description: MITCHELLS BEACH REVISED, BLK 9, Lot 7, and
1/2 of NE 1/4 1/2 of VAC ALLEY ON SW per deed BK
1558 368

Lot Area: 4460 sq ft

Width: 40 ft.

Depth: 111.5 ft.

Zoning District: R-2

Present Structures on Property: Single family home

Present Use of Property: Primary Residence

Date Building Permit Request denied: N/A

Variance(s) needed from the zoning requirements: Side Setbacks

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: 1800⁰⁰ Check # 816 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: Construct a 3'x23'
extension utility deck as required by code for electrical
access. Connected to the existing utility deck, and to the house to
allow for access to 2 energy storage units + accompanying components

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.

See Attached #1

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 David Greene
Property Owner's Signature

Date: 3 / 22 / 2024

STATE OF Florida

COUNTY OF Pinellas

Before me this 22nd day of March, 2022, David Greene 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 FL IDK as identification.

[SEAL]

Shariha Smith
Comm.: HH 413420
Expires: Jun. 21, 2027
Notary Public - State of Florida

Shariha Smith
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 N/A 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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City of Madeira Beach

Variance Application Meeting City Code 2-507

We are requesting a variance to allow for the installation of two energy storage units (Tesla Powerwalls) on the front porch of our house, well above Base Flood Elevation (BFE) and the accompanying electrical conduit, cutoff switches, combiner and inverter to be installed on the east side of our home. We are also installing 6 additional solar panels on the roof. We currently have 16 functional solar panels. The installation of the new solar panels and the energy storage units will allow us to power our home during extended power outages, without a generator, utilizing solar energy.

The fire and building code require that electrical components installed on the home, above a certain height, and consequently above BFE, have a 36" wide deck, with access steps. We have designed the deck to be attached to the existing utility deck which was constructed with a variance, when the homes in our block were all completed. The deck is the minimum required width and the minimum length to allow for access to the requested deck extension, inverter, cutoffs and combiner. The homes in our EcoVillage, were constructed with minimum setbacks allowed by the aforementioned variance. Therefore, there's 10 feet in between our homes. Minimum setback is 5 feet. A 36 inch wide deck requires a new variance as it will be more than the allowable 30 inch, half of the minimum setback. There was, as mentioned, a previously approved variance for side set backs for the existing deck. but the City Planning office could not locate any expiration date or continuance on it and therefore requested us to file a new variance.

There is an existing deck (pictures attached) which was constructed under the previous variance for the existing meter and inverter. The existing deck is in need of repairs as it was constructed very poorly. Consequently, we plan to replace the railing and a stringer and any other existing components on the existing deck and stairs, then add a 13 foot long, 3 foot wide utility deck to meet Code for the new electrical equipment. The new utility deck will have railings and decking and will meet all required code.

The location of the existing deck and the extension are in between the houses which is gravel and used only for stormwater percolation from the roofing stormwater runoff. There is no vegetation and the decks are barely visible due to landscaping vegetation in the front and the back of the homes

Joseph Petraglia

From: Cece Donovan & David Greene <cece.dave@gmail.com>
Sent: Friday, March 22, 2024 4:44 PM
To: Joseph Petraglia
Cc: Morris, Andrew
Subject: Re: VAR 2024-04 13510 1st St E Comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

2. We did not create the setback rule and didn't even realize until this project that a previous variance for setback existed. We are following required Fire and electrical code in having to construct this utility deck. We have worked repeatedly with City Planning and Building to get this done as easily as possible.

Code requires a 36" wide deck which is 6" past allowable setbacks

3. We would prefer not to build any type of additional platform or infringe on the setback requirement but must construct according to Code, and therefore we must request a variance

4. Homes in Madeira Beach vary tremendously. Our "FEMA" home is built up so that living space is above BFE. The downside to this is the electrical components require access via code constructed utility deck meeting code requirements. The code requires 36" wide access platform to allow access to electrical components which is 6" over setbacks.

5. We have requested the minimal variance possible. We have worked with the City, with Contractors and with the Solar Company to design the minimalist utility deck possible to meet code. We have moved the location of the energy storage units (PowerWalls) to the front porch to reduce the length of the added utility deck from 23' to 13'.

6. There is currently a utility deck in the same location. That deck was installed, with a previous variance. We are extending off of one side, parallel and attached to the home, meeting Code, at a minimum size. We are repairing and replacing rotted and poorly constructed parts of the existing deck which is currently dangerous due to rot and railing issues. The utility access is in between houses in a rarely accessed space. It is a gravel area designed to be a pervious area for storm water percolation to avoid storm water runoff to the drains and bays. We have spoken with our immediate neighbors about the project and the plans. The area is barely visible due to landscaping and as stated rarely utilized for anything.

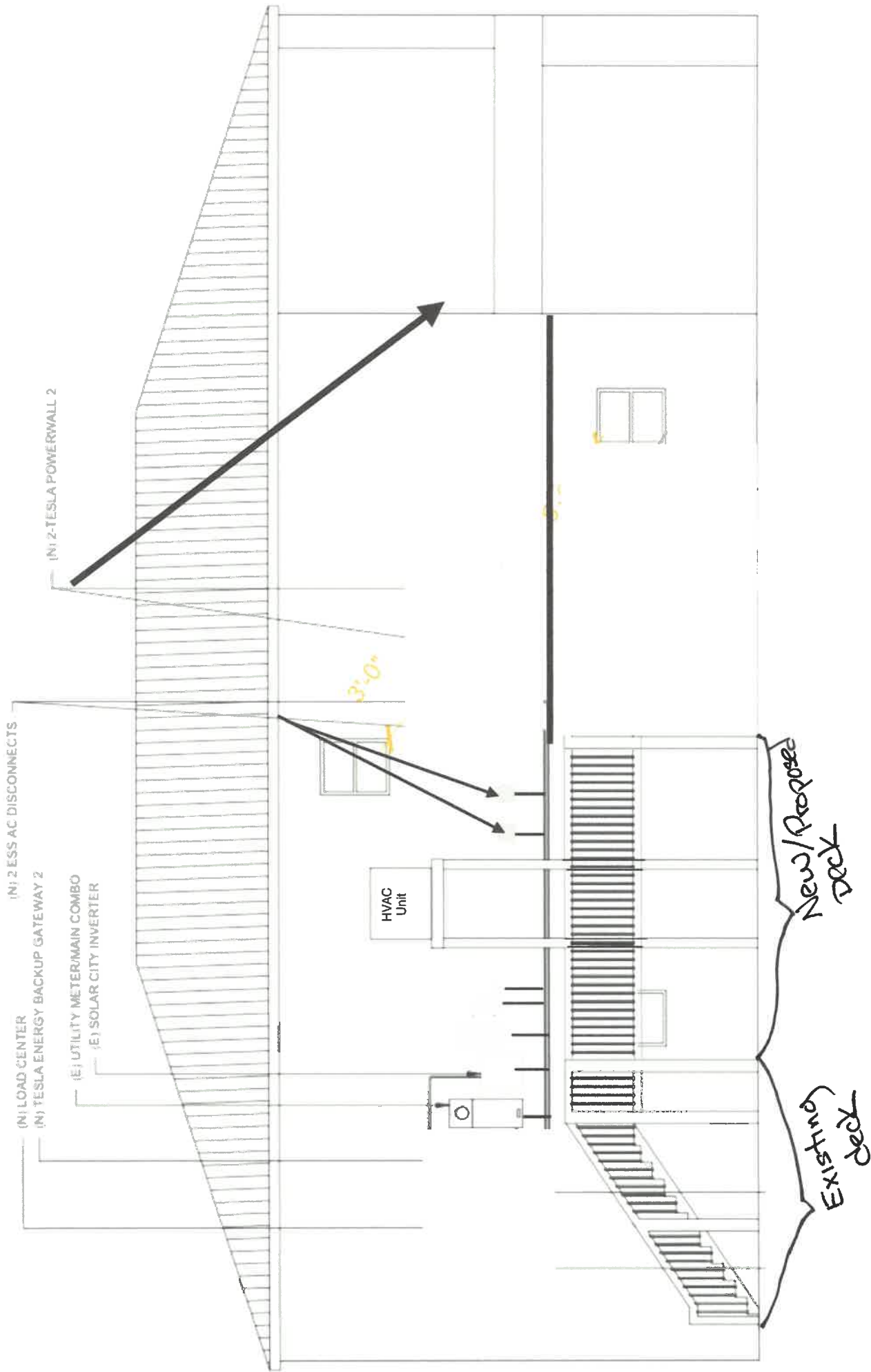
Please feel free to contact me if you have any questions

Dave Greene
 443-994-8074 cell/text
 Sent from my iPad

On Mar 22, 2024, at 3:06 PM, Joseph Petraglia <JPetraglia@madeirabeachfl.gov> wrote:

Hi David,

City staff has reviewed your variance application and your attached letter (labeled as attachment #1 on page 8 of your application) will suffice for answering item 1.e. from the variance criteria, however, we will require specific answers (a sentence or two each)



W.O. 5050.7

BOUNDARY SURVEY

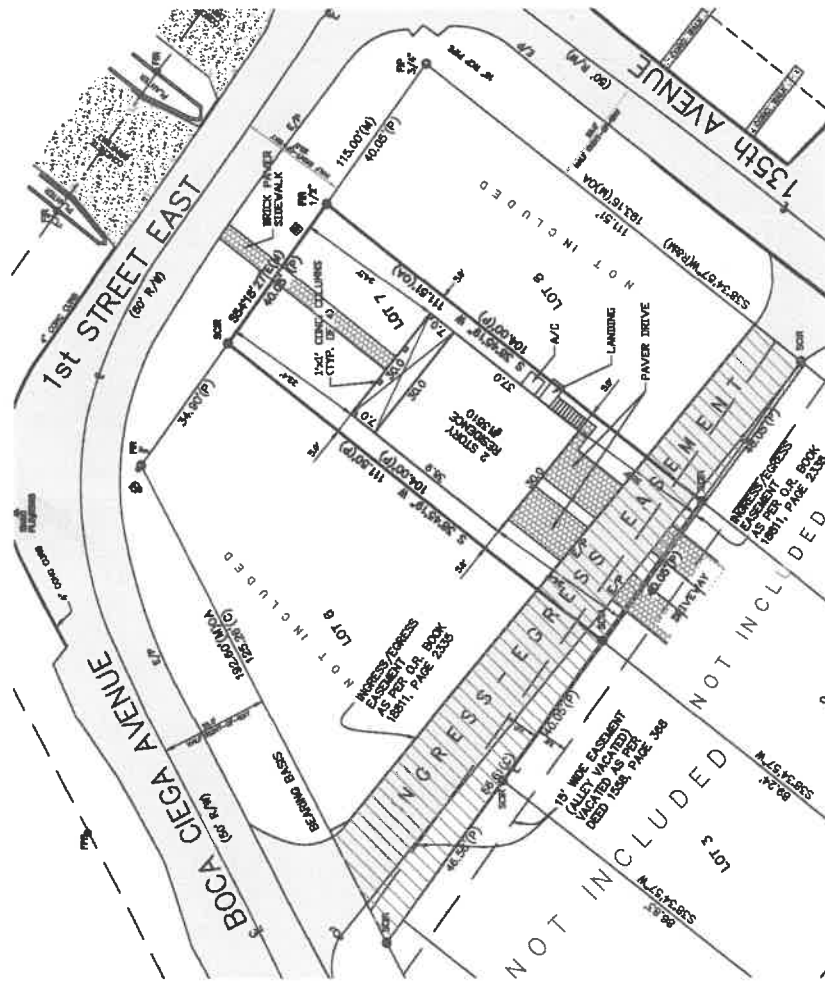
FINAL TIE IN

SECTION 15, TWP. 31 S., RGE. 15 E.
PINELLAS COUNTY, FLORIDA

LEGAL DESCRIPTION:
LOT 7, BLOCK 9, MITCHELL'S BEACH AS RECORDED IN PLAT BOOK 3, PAGE 54, RECORDS OF PINELLAS COUNTY, FLORIDA.

TOGETHER WITH 1/2 OF VACATED ALLEY, DEED BOOK 1558, PAGE 388, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS RECORDED IN OFFICIAL RECORDS BOOK 18811, PAGE 2335, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA



LEGEND

CG	Color Glass	CG	Color Glass
CP	Color Plastic	CP	Color Plastic
CR	Color Rubber	CR	Color Rubber
CS	Color Stone	CS	Color Stone
CT	Color Tile	CT	Color Tile
CC	Color Concrete	CC	Color Concrete
CB	Color Brick	CB	Color Brick
CL	Color Limestone	CL	Color Limestone
CM	Color Marble	CM	Color Marble
CA	Color Asphalt	CA	Color Asphalt
CGR	Color Gravel	CGR	Color Gravel
CCG	Color Cobble	CCG	Color Cobble
CSG	Color Sand	CSG	Color Sand
CGS	Color Gravel Sand	CGS	Color Gravel Sand
CCGS	Color Cobble Gravel Sand	CCGS	Color Cobble Gravel Sand
CSGS	Color Sand Gravel	CSGS	Color Sand Gravel
CGSG	Color Gravel Sand Gravel	CGSG	Color Gravel Sand Gravel
CCSG	Color Cobble Gravel Sand Gravel	CCSG	Color Cobble Gravel Sand Gravel
CSGS	Color Sand Gravel Sand	CSGS	Color Sand Gravel Sand
CGSGS	Color Gravel Sand Gravel Sand	CGSGS	Color Gravel Sand Gravel Sand
CCSGS	Color Cobble Gravel Sand Gravel Sand	CCSGS	Color Cobble Gravel Sand Gravel Sand
CSGS	Color Sand Gravel Sand Gravel	CSGS	Color Sand Gravel Sand Gravel
CGSGS	Color Gravel Sand Gravel Sand Gravel	CGSGS	Color Gravel Sand Gravel Sand Gravel
CCSGS	Color Cobble Gravel Sand Gravel Sand Gravel	CCSGS	Color Cobble Gravel Sand Gravel Sand Gravel

SYMBOL LEGEND

□	Boundary	□	Boundary
○	Circle	○	Circle
△	Triangle	△	Triangle
◇	Diamond	◇	Diamond
☆	Star	☆	Star
✶	Star	✶	Star
✷	Star	✷	Star
✸	Star	✸	Star
✹	Star	✹	Star
✺	Star	✺	Star
✻	Star	✻	Star
✼	Star	✼	Star
✽	Star	✽	Star
✾	Star	✾	Star
✿	Star	✿	Star
✎	Star	✎	Star
✏	Star	✏	Star
✐	Star	✐	Star
✑	Star	✑	Star
✒	Star	✒	Star
✓	Star	✓	Star
✔	Star	✔	Star
✕	Star	✕	Star
✖	Star	✖	Star
✗	Star	✗	Star
✙	Star	✙	Star
✚	Star	✚	Star
✛	Star	✛	Star
✜	Star	✜	Star
✝	Star	✝	Star
✞	Star	✞	Star
✟	Star	✟	Star
✠	Star	✠	Star
✡	Star	✡	Star
✢	Star	✢	Star
✣	Star	✣	Star
✤	Star	✤	Star
✥	Star	✥	Star
✦	Star	✦	Star
✧	Star	✧	Star
✨	Star	✨	Star
✩	Star	✩	Star
✪	Star	✪	Star
✫	Star	✫	Star
✬	Star	✬	Star
✭	Star	✭	Star
✮	Star	✮	Star
✯	Star	✯	Star
✰	Star	✰	Star

CERTIFIED TO:
-CERILIA L. DOMOVAN AND DAVID J. GREENE
-BRANCH BANKING AND TRUST COMPANY
-SOUND TITLE OF TAMPA BAY, INC.
-OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

SURVEYOR'S NOTES:

- 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 UNCOVER.
- PLANNING FEATURES SHOWN HEREON WERE DETERMINED BY STANDARD FIELD SURVEYING METHODS.
- BOUNDARY MARKS IN THE NEARLY ABANDONED RIGHT-OF-WAY OF BOCA CIEGA AVENUE BEING IN VIOLATION OF PERMITS.
- ALL UTILITIES SHOWN HEREON ARE OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, UNLESS OTHERWISE SPECIFIED.
- NO UNDERGROUND UTILITIES SHOWN HEREON. NO EXCAVATION WAS PERFORMED FOR THE LOCATION OF SUCH UTILITIES.
- ADDITIONS OR DELETIONS TO THIS SURVEY MAP AND/OR REPORT BY OTHER THAN THE SURVEYOR IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SURVEYING PARTY OR PARTIES.
- THIS PARCEL APPEARS TO BE IN FLOOD ZONE "AL" (1-12), ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP NUMBER 150000001000, MAP EFFECTIVE DATE: SEPTEMBER 3, 2005, AS PROVIDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THE 10 FOOT ALLEY SHOWN HERE IS VACATED PER THE DEED BOOK 1038 PAGE 388 ALSO CREATING EASEMENT FOR UTILITY PURPOSES.

SURVEYOR'S CERTIFICATION:

I, DENNIS J. EYRE, BE THE SURVEYOR IN RESPONSIBLE CHARGE, HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON AND THAT SAID ABOVE GROUND SURVEY AND SECTION ARE ACCURATE AND CORRECT AND THAT SAID SURVEY WAS PERFORMED IN ACCORDANCE WITH THE STATUTES AND GENERAL BOUNDARY SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DENNIS J. EYRE, P.L.L.C. FILE NO. 2006
FILED: JUNE 24, 2011
FIELD DATE: JUNE 16, 2011
DRAWN BY: J.A.
CHECKED BY: J.A.
SCALE: 1"=20'
FIELD BOOK / NUMBER: 8-1112
SHEET: 1 OF 1

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

Item 5D.



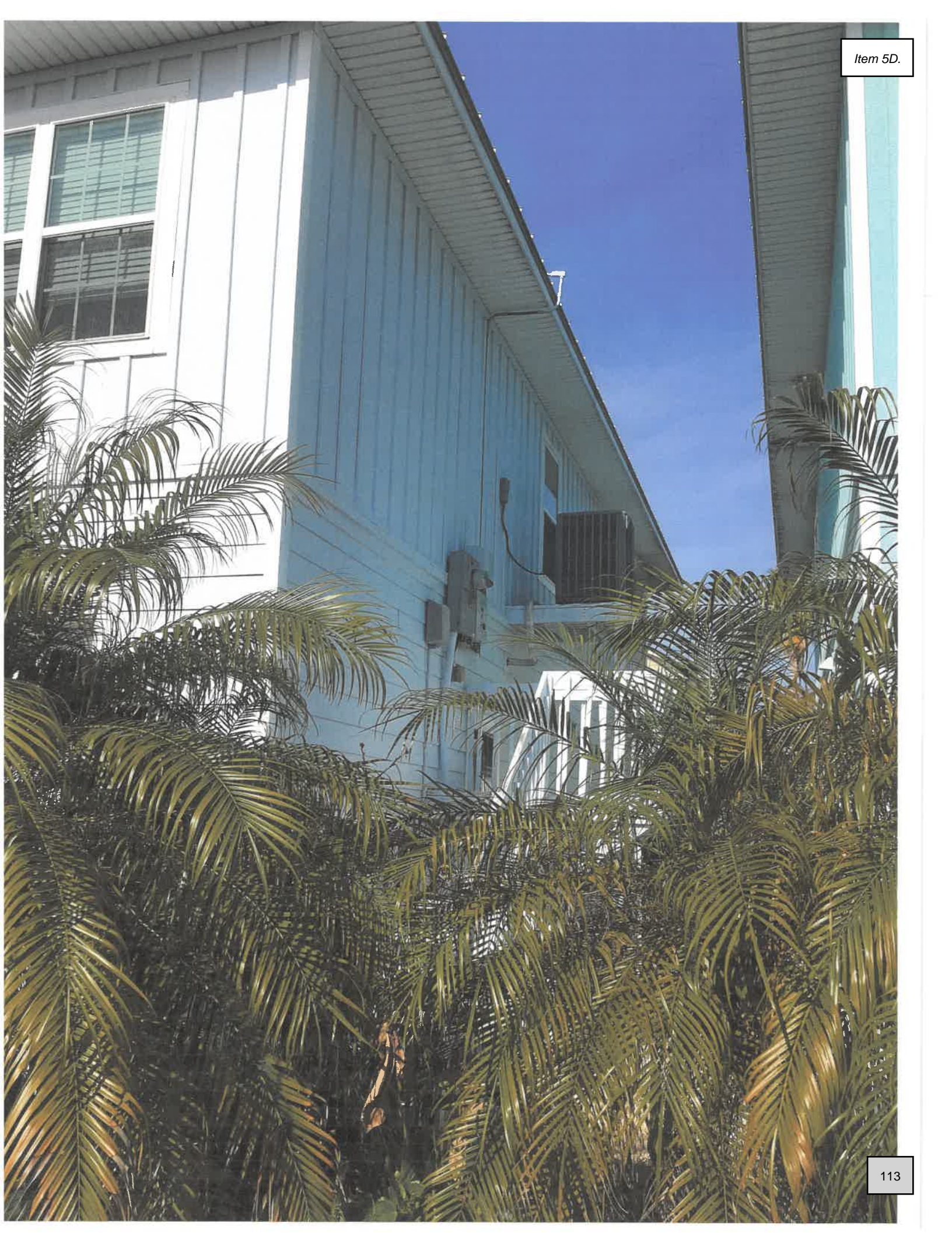
Repair/
Rebuild

Replay

Item 5D.







ELEVATION CERTIFICATE

Item 5D.

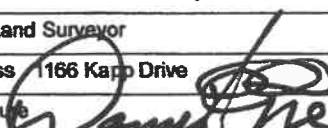
OMB No. 1660-0008
 Expiration Date: July 31, 2015

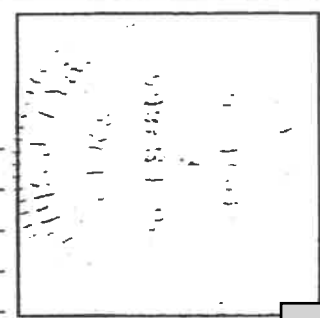
Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name <u>Ecovillage Madeira Beach LLC</u>		Policy Number:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. <u>13510 1st St. E</u>		Company NAIC Number:
City <u>Madeira Beach</u>	State <u>FL</u>	ZIP Code <u>33708</u>
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) <u>Mitchell's Beach Revised Blk 9, Lot 7 15-31-15-58320-009-0070</u>		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Residential</u>		
A5. Latitude/Longitude: Lat. <u>27°47'30.51" N</u> Long. <u>82°47'18.44" 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>7</u>		
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:
a) Square footage of crawlspace or enclosure(s) <u>1225</u> sq ft		a) Square footage of attached garage _____ sq ft
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>6</u>		b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____
c) Total net area of flood openings in A8.b <u>723.6</u> sq ft		c) Total net area of flood openings in A9.b _____ sq ft
d) Engineered flood openings? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number <u>City of Madeira Beach 125127</u>		B2. County Name <u>Pinellas</u>		B3. State <u>FL</u>	
B4. Map/Panel Number <u>12103C 0191</u>	B5. Suffix <u>G</u>	B6. FIRM Index Date <u>8/18/09</u>	B7. FIRM Panel Effective/Revised Date <u>9/3/03</u>	B8. Flood Zone(s) <u>AE</u>	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) <u>12.00</u>
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					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)	
C1. Building elevations are based on: <input type="checkbox"/> Construction Drawings* <input type="checkbox"/> Building Under Construction* <input checked="" type="checkbox"/> 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: <u>Site BM</u> Vertical Datum: <u>NAVD 1988</u> Indicate elevation datum used for the elevations in items a) through h) below. <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> 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>4.45</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
b) Top of the next higher floor <u>16.65</u>	<input checked="" 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>16.59</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG) <u>3.96</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG) <u>4.14</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>4.45</u>	<input checked="" 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.	
<input checked="" type="checkbox"/> Check here if comments are provided on back of form. Were latitude and longitude in Section A provided by a licensed land surveyor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/> Check here if attachments.	
Certifier's Name <u>Dennis J Eyre</u>	License Number <u>2865</u>
Title <u>Land Surveyor</u>	Company Name <u>Geodata Services, Inc.</u>
Address <u>1166 Kamp Drive</u>	City <u>Clearwater</u> State <u>FL</u> ZIP Code <u>33765</u>
Signature 	Date <u>9/30/16</u> Telephone <u>727-447-1763</u>



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. 13510 1st St. E		Policy Number:	
City Madeira Beach	State FL	ZIP Code 33708	Company NAIC Number:

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

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

Comments C2 e) Lowest machinery servicing the building is the air condition
 C2 e) 1st floor is the garage
 A8 d) Engineered vents are Cooke Vents (see attached certificate).

Signature 

Date 9/30/16

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 8–9 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's or Owner's Authorized Representative's Name _____

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

Comments _____

Check here if attachments.

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 _____ Check here if attachments.

Building Photographs

Item 5D.

See Instructions for Item A6.

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

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 13510 1 st St. E		
City Madeira Beach	State FL	ZIP Code 33708

FOR INSURANCE COMPANY USE
Policy Number:
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.



Front View



Back View

Engineered Flood Openings Certificate
To satisfy requirements of the National Flood Insurance Program

This certification must be submitted to, and kept on file by, the local jurisdiction's permit authority. A copy should be retained by the owner to demonstrate compliance in order to receive flood insurance rating.

The Cooke Vent is certified as meeting the flood openings requirements for engineering openings as set forth in the Federal Emergency Management Agency's National Flood Insurance Program regulations (44CFR 60.3(c)(5)) and ASCE 24-98, provided it is installed according to the references, as summarized below. Flood openings are required in enclosures below elevated buildings, attached and detached garages, and accessory structures that meet the required limitations.

I do hereby certify that the Cooke Flood Vent is designed for installation in buildings, will allow for the automatic equalizing of hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of flood water during floods up to and including the base (100-year) flood. One Cooke Vent for every 238 Sq.Ft. of enclosed area will provide sufficient hydrostatic pressure equalization during a flood provided the installation limitations and instructions are followed as listed below. To calculate the required number of Cooke Vents divide the Square Feet of enclosed area by 238.

***Required Fields**

Signature: Antonio Ancona (Antonio Ancona, P.E.)

Title: Consulting Engineer

Type of License: Professional Engineer

License Number MD PE 10894

*Project Name Ecovillage Madeira Beach

*Project Address 13500 1st St E.

Madison Beach, FL

33708

*Date Submitted _____

Professional Seal

Installation Limitations and Instructions

1. The Cooke Vent_01 unit provides sufficient automatic equalization of hydrostatic pressure on walls and foundations of buildings located in flood hazard areas where the rate of rise is expected to be less than or approximately 5 feet per hour.
2. Enclosed areas below otherwise elevated buildings, non-elevated attached and detached garages, and certain non-elevated accessory structures located in flood hazard areas are to be used solely for parking of vehicles, building access, or storage.
3. Each enclosed area shall have at least two flood openings, installed on different sides of the enclosed area.
4. The bottom of the flood openings shall be no more than one foot above the adjacent finished ground level.
5. Installation must be in accordance with manufacturer's instructions.
6. Antonio Ancona and anybody or company associates with Antonio Ancona does not take any responsibility for any installation of the vents unless Antonio Ancona is retained and paid to inspect and verify the specific vents and vent installation.

Building Photographs

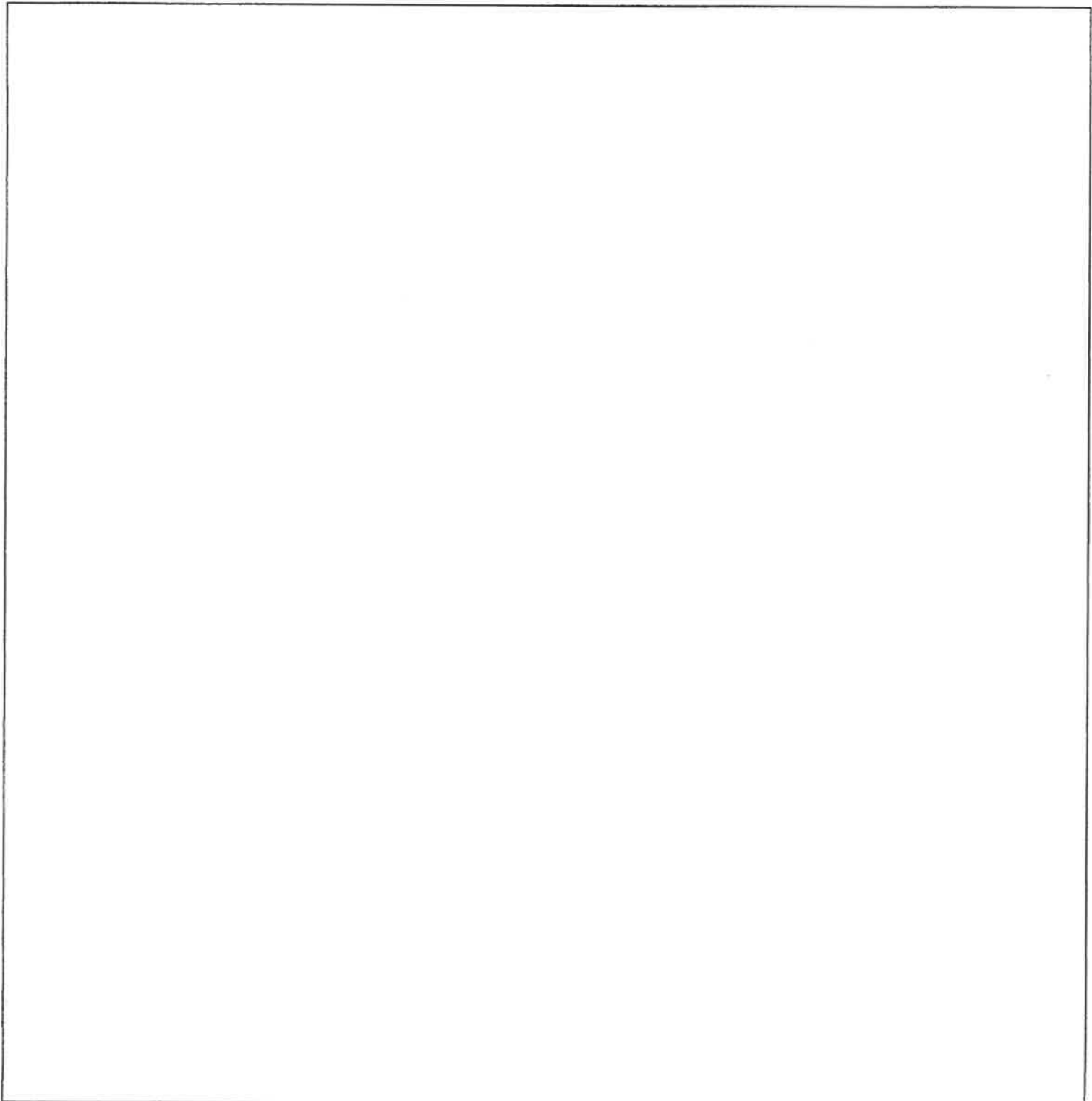
Continuation Page

Item 5D.

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

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.			FOR INSURANCE COMPANY USE
City			Policy Number
State	ZIP Code		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.





SITE PLAN - SCALE = 1/16" = 1'-0"



Sub Panel & hose?

Exact location and mounting of PowerWalls

ARRAY	TRUE PITCH	TRUE AZIM	WING AZIM	PV AREA (SQFT)
AR-01	19°	129°	138°	42.3
AR-02	19°	219°	228°	126.8



SUNRUN
 POWERED BY SOLAR
 225 BOWEN BLVD
 SUITE 200
 WEST PALM BEACH, FL 33411
 TEL: (561) 241-2294
 FAX: (561) 241-2295

PROJECT NUMBER:
 8028-000004

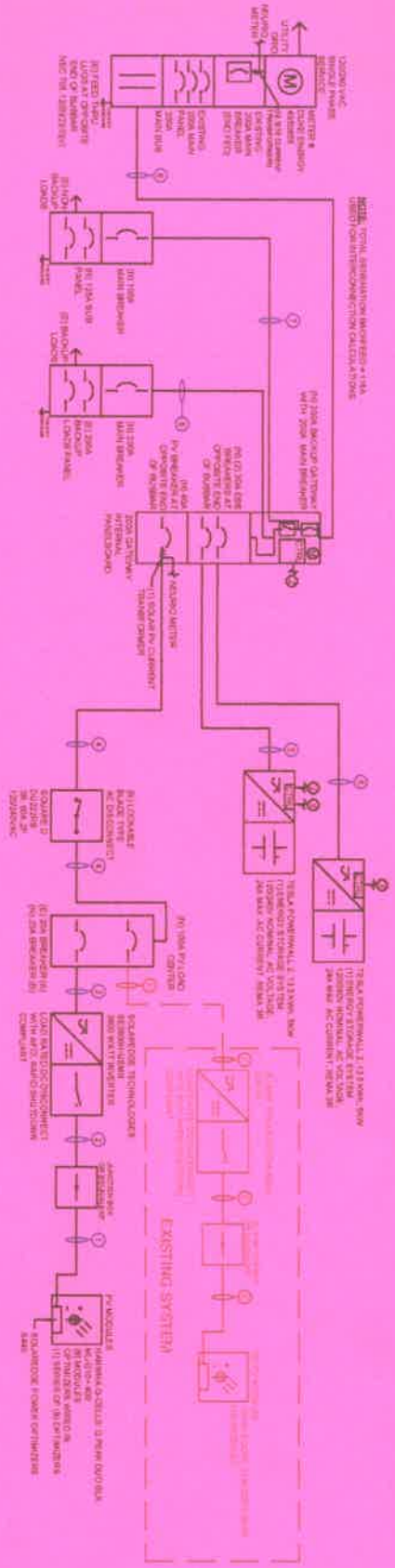
DESIGNER: (419) 580-6920 #03
 CARLOS BRACAMONTES

CUSTOMER RESIDENCE:
 DAVID GREENE
 13610 1ST ST E, MADEIRA
 BEACH, FL 33708

TEL: (443) 994-0074
 APN: 15-31-15-50320-006-0070

SHEET
 SITE PLAN

REV. A 3/28/2023
 PAGE PV-2.0



#	CONDUIT	CONDUCTOR	NEUTRAL	GROUND
1	NONE	(2) 10 AWG PV WIRE	NONE	(1) 9 AWG BARE COPPER
2	3/4" EMT OR EQUIV	(2) 10 AWG THHN/THWN-2	(1) 10 AWG THHN/THWN-2	(1) 9 AWG THHN/THWN-2
3	3/4" EMT OR EQUIV	(2) 10 AWG THHN/THWN-2	(1) 10 AWG THHN/THWN-2	(1) 9 AWG THHN/THWN-2
4	3/4" EMT OR EQUIV	(2) 9 AWG THHN/THWN-2	(1) 10 AWG THHN/THWN-2	(1) 9 AWG THHN/THWN-2
5	3/4" EMT OR EQUIV	(2) 10 AWG THHN/THWN-2	(1) 10 AWG THHN/THWN-2	(1) 9 AWG THHN/THWN-2
6	2" EMT OR EQUIV	(2) 30 AWG THHN/THWN-2	(1) 30 AWG THHN/THWN-2	(1) 4 AWG THHN/THWN-2
7	1" EMT OR EQUIV	(2) 3 AWG THHN/THWN-2	(1) 3 AWG THHN/THWN-2	(1) 9 AWG THHN/THWN-2
8	2" EMT OR EQUIV	(2) 30 AWG THHN/THWN-2	(1) 30 AWG THHN/THWN-2	(1) 4 AWG THHN/THWN-2
E		EXISTING		

MODULE CHARACTERISTICS
HANWHA Q CELLS Q PEAK DUO BLK
MM-G10+ 400
OPEN CIRCUIT VOLTAGE 45.3 V
MAX POWER VOLTAGE 37.13 V
SHORT CIRCUIT CURRENT 11.14 A

SYSTEM CHARACTERISTICS - INVERTER 1
SYSTEM SIZE 3200 W
SYSTEM OPEN CIRCUIT VOLTAGE 9 V
SYSTEM OPERATING VOLTAGE 380 V
MAX ALLOWABLE DC VOLTAGE 480 V
SYSTEM OPERATING CURRENT 8.42 A
SYSTEM SHORT CIRCUIT CURRENT 15 A

5440 OPTIMIZER CHARACTERISTICS
MIN INPUT VOLTAGE 8 VDC
MAX INPUT VOLTAGE 60 VDC
MAX INPUT ISC 14.5 ADC
MAX OUTPUT CURRENT 15 ADC

3200 W 100% PURE SILICON
 100% MONOCRYSTALLINE
 PERFORMS BETTER THAN 99% OF THE MARKET

EQ# 3007964
 Sunfun is a registered trademark of Sunfun, Inc.
 Patent # 8,938,881

CUSTOMER RESIDENCE
 DAVID GREENE
 13510 1ST ST E. MAADERA
 BEACH, FL 33708

TEL: (442) 904-8074
 AP# 15-21-15-50320-009-0070

~~PROJECT NUMBER~~
 9028-010318

~~DESIGNED BY~~ (415) 580-8920 #13
 CARLOS BRACAMONTES

SHEET ELECTRICAL

REV. A 3/28/2023
 PAGE PV 4.0



AFFIDAVIT OF POSTING

Date: 4/12/2024

Postings for: VAR 2024-04

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

Lisa Schuurman
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to and subscribed before me this 12th day of April, 2024.

Personally known or produced _____ as identification.

Samantha Arison
Notary Public

4/12/24
Date



*Copy of public notice is attached.



AFFIDAVIT OF MAILING

Date: 4/12/2024

Mailings for Case # VAR 2024-4

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

Lisa Sheerman
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn and subscribed before me this 12th day of April, 20 24.

Personally known or produced _____ as identification.

Samantha Arison
Notary Public

4/12/24
Date



*Copy of public notice is attached.



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, April 22nd, 2024, 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 2024-04
- Applicant:** David Greene / Cecelia Donovan
- Property Owner(s):** David Greene / Cecelia Donovan
- Property Address:** 13510 1ST ST E MADEIRA BEACH, FL 33708
- Parcel ID:** 15-31-15-58320-009-0070
- Legal Description:** MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NE'LY 1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368
- Zoning/Future Land Use:** R-2, Low Density Multifamily Residential/Residential Medium

Request: Reduce side yard setback by 0.5’ to allow for 3’ wide utility deck.

Specific Code Provisions: Sec. 110-206. – (3) Side yard: a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206. – (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. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

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 comments 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 8:30 a.m. and 4:00 p.m.

Posted: April 12, 2024, 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 5D.

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: 08 Apr 2024

Subject Parcel: 15-31-15-58320-009-0070

Radius: 300 feet

Parcel Count: 95

Total pages: 5

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VERDON, GENE E
C/O SEA BREEZE MADEIRA
CONDO ASSN INC
13030 GULF BLVD

BECHEN, NANCY A TRE
BECHEN, NANCY A REV TRUST
27682 MEADOWVIEW LN
ADEL, IA 50003-8619

MICHAEL TRUST NO 101
MICHAEL, STEPHEN R TRE
49W330 SCOTT RD
BIG ROCK, IL 60511-9489

ROGERS, THOMAS V REV LIV TRUST
ROGERS, THOMAS V TRE
7076 74TH STREET CIR E
BRADENTON, FL 34203-7183

HENRY, RICHARD J
HENRY, KAREN T
21565 ASTOLAT DR
BROOKFIELD, WI 53045-1616

BESHARA, MAGDY L
BESHARA, ELSIE E
405-7303 NOBLE LANE
BURNABY BC V3N 0H2,
CANADA

CARTHI VACATION LP
8901 SAROY ST
SHERBROOKE QC J1N 3J3,
CANADA

ORSI, ROSARIO A
ORSI, RENEE A
119 COVERED BRIDGE WAY
CARP ON KOA 1L0,
CANADA

SOUTHLAND CORP
C/O TAX DEPT 23156
PO BOX 711
DALLAS, TX 75221-0711

MACMILLAN, GEARY J
MACMILLAN, DONNA M
15 LEXINGTON AVE
DARTMOUTH NS B2X 3P2,
CANADA

ROBERTS, ELIZABETH ANNE 2015 REV LIV TRUST
ROBERTS, ELIZABETH ANNE TRE
11601 GIULIA DR
FORT MYERS, FL 33913-7194

TOBIN, RICHARD T JR
TOBIN, PATRICIA A
20454 S GREEN MEADOW LN
FRANKFORT, IL 60423-8728

RATHMANN, JEFFREY J
RATHMANN, KAREN S
5464 ABEL RD
HAMBURG, NY 14075-3641

RATHMANN, JEFFREY J
RATHMANN, KAREN S
5464 ABEL RD
HAMBURG, NY 14075-3641

SIRABIAN, CHRISTOPHER
SIRABIAN, PAUL
303 BARTLETT DR
LABRADOR CITY NL A2V 1G1,
CANADA

ZHENG, BINYUAN
ZHENG, JIAN XIU
2387 SEBAGO DR
LAKELAND, FL 33805-8008

ROTONDO, DAVID H REVOCABLE TRUST
ROTONDO, DAVID H TRE
14119 102ND AVE
LARGO, FL 33774-5030

RIYA INVESTMENTS LLC
AMBARKAAR LLC
3959 VAN DYKE RD STE 395
LUTZ, FL 33558-8025

VERDON, EUGENE E
WIESE, R WILLIAM
710 SUNSET COVE
MADEIRA BEACH, FL 33708-2385

VERDON, EUGENE E
WIESE, R WILLIAM
710 SUNSET COVE
MADEIRA BEACH, FL 33708-2385

WILLIAMS, DOROTHY
WILLIAMS, DESMOND
13439 1ST ST E
MADEIRA BEACH, FL 33708-2403

DUBE, CYNTHIA
DUBE, MICHAEL
13517 1ST ST E
MADEIRA BEACH, FL 33708-2405

SHERMAN, PAIGE
LOADER-SHERMAN, TRACY
13520 1ST ST E
MADEIRA BEACH, FL 33708-2406

BYAM, CHRISTINE M
BYAM, PAUL S
13500 1ST ST E
MADEIRA BEACH, FL 33708-2406

MYERS, KENNETH
MYERS, SARAH
13435 BOCA CIEGA AVE
MADEIRA BEACH, FL 33708-2445

SMITH, BRYANT L
SMITH, DEBRA K
13529 BOCA CIEGA AVE
MADEIRA BEACH, FL 33708-2447

VIGIL, RONALD
VIGIL, SHARON R
244 137TH AVE CIR
MADEIRA BEACH, FL 33708-2508

COMMODORE BEACH CLUB CONDO ASSN, MNG
ENT
C/O SUNCOAST VACATION CONDOS
13536 GULF BLVD
MADEIRA BEACH, FL 33708-2518

FL INT IMP FUND TRE
C/O TRIANGLE FISHERIES
13613 GULF BLVD
MADEIRA BEACH, FL 33708-2519

MODRY, KIRSTEN SONJA
MODRY, MATTHIAS
13500 GULF BLVD APT 107
MADEIRA BEACH, FL 33708-2566

SEA BREEZE OF MADEIRA HOLDINGS LLC
C/O TRAVEL RESORT SERVICES INC
13030 GULF BLVD
MADEIRA BEACH, FL 33708-2639

SEA BREEZE OF MADEIRA CONDOMINIUM ASSN
INC
C/O TRS
13030 GULF BLVD
MADEIRA BEACH, FL 33708-2639

KHALAFALLA, SANAA
KHALAFALLA, AIDA
2551 37TH AVE S
MINNEAPOLIS, MN 55406-1745

ITALIANO, ANTONIO
ITALIANO, LEONARDA
199 RANEE AVE
NORTH YORK ON M6A 1N3,
CANADA

FRANDJI, JOSE CARLOS
FRANDJI, CARMEM F L
5447 VINELAND RD UNIT 1308
ORLANDO, FL 32811-7626

AMES, RYAN P
AMES, LIANE B
1055 ZACHER DR
OSHKOSH, WI 54901-1378

INDGE, SIMON
SALLAS, MICHELLE
9186 RED POPPY CT
PARKER, CO 80138-7845

KLEMME, CRAIG S TRE
KLEMME, CRAIG S REV LIV TRUST
160 BARRE DR NW
PORT CHARLOTTE, FL 33952-8020

SMITH, MARGARET
BARTHOLOMEW, NATHANIEL
831 RIVENDELL LN
POTTSTOWN, PA 19464-2730

BIDLE, KERRY W
BIDLE, ANN E
4426 CHASE OAKS DR
SARASOTA, FL 34241-9456

TARTER, JOHN P
TARTER, JUDY R
6248 GLASGOW RD
SMITHS GROVE, KY 42171-9401

RAMOS, ENRICO P
RAMOS, MARISSA
215 MOSSWOOD WAY
SOUTH SAN FRANCISCO, CA 94080-5723

MAURO, ARCHIE
MAURO, FRANK
RR 2 BETHESDA SIDE RD
STOUFFVILLE ON L4A 7X3,
CANADA

WANG, HSUCHIH
WISELEY, KAREN D
701 S HOWARD AVE STE 106-819
TAMPA, FL 33606-2473

LLAMAS, JOSE
LLAMAS, JO CAROLYN
3920 W BIRD ST
TAMPA, FL 33614-2590

PLAZZA, BENEDETTO G & BIANCA MARIA JNT
REV TRUST
PLAZZA, BENEDETTO GIUSEPPE TRE
12816 DARBY RIDGE DR
TAMPA, FL 33624-4303

DELL, RALPH CLIFTON JR TRE
DELL, CAROL H TRE
1309 N RIVERHILLS DR
TEMPLE TERRACE, FL 33617-4247

FORGET, DENIS
ALLARD, NOELLA
830 RUE DE LA NATASHQUAN
TERREBONNE QC J6W 0B6,
CANADA

HAVEN CITY LTD INC
PO BOX 935011
DUBAI,
UNITED ARAB EMIRATES

CARPENTER, DAVID A
CARPENTER, ARLENE
22 FLANDERS DR
WATERDOWN ON L8B 0G6,
CANADA

WALES, JOHN
WALES, MOIRA
1 HIGHFIELD PARK
WIGTON CUMBRIA CA79DJ,
GREAT BRITAIN

SYNODINOS, JOHN G TRE
SYNODINOS, SUZANNE K TRE
225 MEADOWBROOK DR
WINTERSVILLE, OH 43953-3839

RICO, GIOVANNI
MUTO, ANNA
16 CROWN CRES
WOODBIDGE ON L4H 1S5,
CANADA

FROST, JOHN EWEN
FROST, ELENA MARIA
15700 BACONS CASTLE CT
WOODBIDGE, VA 22193-3161

DINGWALL, KENNETH
DINGWALL, SUSAN L
132 LANGDEN AVE
YORK ON M6N 2L5,
CANADA

RUGAARD, PRESTON D TRE
2150 WEST CONCORD LN
ADDISON, IL 60101-5611

13613 GULF BLVD LLC
13613 GULF BLVD
MADEIRA BEACH, FL 33708-2519

LCM LEGACY TRUST
5672 STATE ROUTE 602
NEW WASHINGTON, OH 44854-9745

MC PROPERTIES LLC
3415 W HOVLAND DR
SIOUX FALLS, SD 57107-0246

O'BRIEN, MICHAEL D
3218 WOODRIDGE CENTER PKWY
SAINT LOUIS, MO 63129-1686

TAMPA HOME PRO INC
110 CRENSHAW LAKE RD STE 200
LUTZ, FL 33548-6101

COMMODORE BEACH CLUB CONDO ASSN
13536 GULF BLVD
MADEIRA BEACH, FL 33708-2518

13454 1ST E LLC
18552 SW 55TH ST
MIRAMAR, FL 33029-6294

JC REALTY GROUP FLORIDA LLC
6404 MANATEE AVE W STE B
BRADENTON, FL 34209-2358

HARRINGTON GLOBAL LLC
7400 14TH ST NE
ST PETERSBURG, FL 33702-4637

SZUWALA, DANIEL PAUL
13505 GULF BLVD
MADEIRA BEACH, FL 33708-2979

ELLIS, LAURA R
13519 1ST ST E
MADEIRA BEACH, FL 33708-2487

ANDREVICH, ROBERT
13515 1ST ST E
MADEIRA BEACH, FL 33708-2405

SEYMOUR, JODI LYNN
13421 1ST ST E
MADEIRA BEACH, FL 33708-2403

N D P F L DEVELOPMENT LLC
PO BOX 18878
TAMPA, FL 33679-8878

VLV ENTERPRISES LLC
6460 STONEY CREEK DR
DAYTON, OH 45424-3659

RYAN, MAUREEN
9726 S AVERS AVE
EVERGREEN PARK, IL 60805-2946

JARRETT, JOAN R TRE
13500 GULF BLVD APT 302
MADEIRA BEACH, FL 33708-2576

HAPPY TORTOISE LLC
2749 VIA CIPRIANI UNIT 1035B
CLEARWATER, FL 33764-3938

SEA BREEZE 708 LLC
415 LYSLE BLVD
MCKEESPORT, PA 15132-2612

PECK, EDWARD W TRUST
13028 ROSSELO AVE
WARREN, MI 48088-6848

ALFORD, DAVID E
PO BOX 144
ROCKFIELD, KY 42274-0144

VAN DOWN BY THE OCEAN LLC
6023 MORNINGSIDE AVE
DALLAS, TX 75206-5923

13435 GULF BLVD LLC
10121 TARPON DR
TREASURE ISLAND, FL 33706-3122

FRACALOSS, BRAD
13437 1ST ST E
MADEIRA BEACH, FL 33708-2403

DOLCE BEACH HOUSE LLC
13535 BOCA CIEGA AVE APT 2
MADEIRA BEACH, FL 33708-2470

LANT, CHRISTOPHER SCOTT
13525 1ST ST E
MADEIRA BEACH, FL 33708-2405

ARROYO, ROBERT D
13433 BOCA CIEGA AVE
MADEIRA BEACH, FL 33708-2445

COMMODORE BEACH CLUB CONDO ASSN
13536 GULF BLVD
MADEIRA BEACH, FL 33708-2518

KAPLOW, JEFFREY
310 N 52ND ST APT 12D
NEW YORK, NY 10019

COLLWOOD CONDO ASSN INC
13030 GULD BLVD
MADEIRA BEACH, FL 33708

TARNAWA, ANDREW
13443 1ST ST E
MADEIRA BEACH, FL 33708-2403

13435 GULF BLVD LLC
10121 TARPON DR
TREASURE ISLAND, FL 33706-3122

KUEBLER, STEVEN
13505 BOCA CIEGA AVE
MADEIRA BEACH, FL 33708-2447

ARCHIBALD, ALEX M JR
11714 ABBEY WAY
SAN ANTONIO, TX 78253-5958

ADEOLUWA, TAIWO
5610 56TH TER N
ST PETERSBURG, FL 33709-2020

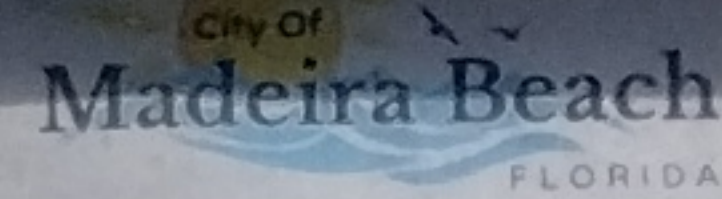
ACQUISITION GROUP LLC
13311 2ND ST E
MADEIRA BEACH, FL 33708-2569

MCKAY, COLLEEN ELIZABETH MERR
209 BATH CLUB BLVD N
NORTH REDINGTON BEACH, FL 33708-1525

Item 5D.

FOX, CHRISTINE K
13436 1ST ST E
MADEIRA BEACH, FL 33708-2404

KLEMME, ROGER E TRE
PO BOX 693
WOODSTOCK, IL 60098-0693



CITY OF MADEIRA BEACH



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, April 22nd, 2024, 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 2024-04
Applicant: David Greene / Cecelia Donovan
Property Owner(s): David Greene / Cecelia Donovan
Property Address: 13510 1ST ST E MADEIRA BEACH, FL 33708
Parcel ID: 15-31-15-88320-009-0070
Legal Description: MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NELY 1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368
Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential Medium

Request: Reduce side yard setback by 0.5' to allow for 3' wide utility deck.

Specific Code Provisions: Sec. 110-206 - (3) Side yard: a single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206 - (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 other mechanical equipment shall be allowed to extend into the side-yard setback but only to a depth of no more than one-third of the structure. All half of the required setback. Such equipment shall be located in the middle one-third of the structure. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

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 comments 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 8:30 a.m. and 4:00 p.m.



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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THIS APPLICATION IS FOR A SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-02
Applicant: Gregg Gallagher
Property Owner(s): Patrick and Denise Winn
Property Address: 14062 W PARSLEY DR MADEIRA BEACH, FL 33708
Parcel ID: 10-31-15-34396-018-0180
Legal Description: GULF SHORES STR ADD BLK R LOT 18
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: 23' Rear setback, 6'8" west side setback and 5'8" east side setback.

Specific Code Provisions: Sec. 110-181 - (2) Rear yard: Waterfront lots: 30 feet. & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

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 comments 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 8:30 a.m. and 4:00 p.m.

Posted: April 12, 2024, 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/>



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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THIS APPLICATION IS FOR SPECIAL MAGISTRATE VARIANCE

Application: VAR 2024-03
Applicant(s): Bodziak/Hayes Architects
Property Owner(s): Tampa Home Pro Inc.
Property Address: 13495 Gulf Boulevard, Madeira Beach FL 33708
Parcel ID: 15-31-15-88320-010-0080
Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W PER O.R.'S 4355231 & 44261135
Zoning/Future Land Use: C-3, Retail Commercial Zoning District, Residential Office/Retail Landscaping

Request: 6' side-yard setback along 135th Way, 6'-6" rear setback, partial reduction of 5' perimeter landscaping.

Specific Code Provisions: 110-231(2)-(3); minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1); the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

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: 4/12/2024, at 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/>

CODE ENFORCEMENT

February 16, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner:
vs.
VESTGARDEN, TOV I
590 NORMANDY RD
MADEIRA BEACH FL 33708-2343

Respondents:
RE Property: 590 Normandy Rd Parcel
Legal Description: ISLAND ESTATES UN

To whom it may concern:
YOU ARE HEREBY FORMALLY
of February, 2024 at the Madeira Beach
Chambers, located at 300 Municipal Drive
held before the Special Magistrate

Sec. 86-52 - When required,
A person, firm or corporation shall not
change the occupancy of a building
alter fire extinguishing apparatus, electrical
other heat producing apparatus, plumbing
appearances, the installation of windows or
other sections of the Code until a permit
cost of repair or modification does not
and does not require an inspection.
permit is required for uncovering of
strictly cosmetic nature (painting, etc.)
work less than \$100.00 in value.

CODE ENFORCEMENT

February 16, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner:
vs.
ALTON, MICHAEL J
644 JOHNS PASS AVE
MADEIRA BEACH FL 33708-21

Respondents:
RE Property: 544 Johns Pass Ave
Legal Description: CRYSTAL

To whom it may concern:
YOU ARE HEREBY FORMALLY
of February, 2024 at the Madeira Beach
Chambers, located at 300 Municipal Drive
held before the Special Magistrate

Sec. 86-52 - When required,
A person, firm or corporation shall not
change the occupancy of a building
alter fire extinguishing apparatus, electrical
other heat producing apparatus, plumbing
appearances, the installation of windows or
other sections of the Code until a permit
cost of repair or modification does not
and does not require an inspection.
permit is required for uncovering of
strictly cosmetic nature (painting, etc.)
work less than \$100.00 in value.

You are invited to John's Pass Village Zoning Public Workshop

April 13th from 10am to 12pm

April 18th from 10am to 12pm

April 20th from 1pm to 3pm

300 Municipal Drive - Commission Chambers



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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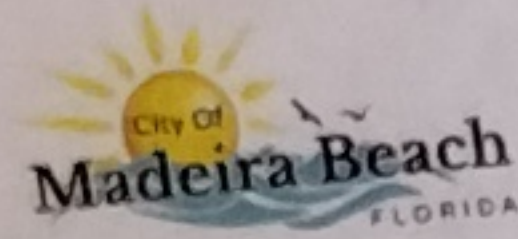
THIS APPLICATION IS FOR A SPECIAL MAGISTRATE -VARIANCE

Application: VAR 2024-04
Applicant: David Greene / Cecelia Donovan
Property Owner(s): David Greene / Cecelia Donovan
Property Address: 13510 1ST ST E MADEIRA BEACH, FL 33708
Parcel ID: 15-31-15-58320-009-0070
Legal Description: MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NE'LY 1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368
Zoning/Future Land Use: R-2, Low Density Multifamily Residential/Residential Medium

Request: Reduce side yard setback by 0.5' to allow for 3' wide utility deck.

Specific Code Provisions: Sec. 110-206. - (3) Side yard: a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206. - (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. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

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PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

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

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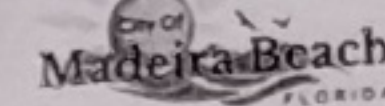
THIS APPLICATION IS FOR SPECIAL MAGISTRATE -VARIANCE

Application: VAR 2024-03
Applicant(s): Bodziak/Hayes Architects
Property Owner(s): Tampa Home Pro Inc.
Property Address: 13495 Gulf Boulevard, Madeira Beach FL 33708
Parcel ID: 15-31-15-58320-010-0080
Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD/R/W PER O.R.'S 4355/231 & 4426/1135
Zoning/Future Land Use: C-3, Retail Commercial Zoning District, Residential Office/Retail

Request: 6' side-yard setback along 135th Way, 6'-6" rear setback, partial reduction of 5' perimeter landscaping.
Specific Code Provisions: 110-231(2)-(3): minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1): the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

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 4/12/2024, at 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/>



CITY OF MADEIRA BEACH, FLORIDA
300 MUNICIPAL DRIVE, MADEIRA BEACH FL 33708
TELEPHONE: 727-391-9951

APPLICATION FOR APPOINTMENT TO BOARD OR COMMISSION

Indicate your preference of board or commission:
Civil Service Commission
Library Board
Planning Commission
Other _____

Are you a Madeira Beach Resident? Yes No

Are you an elector (qualified voter) of the City of Madeira Beach? Yes No

Are you related to a City of Madeira Beach Mayor or elected official? If yes, please indicate the name of employee or elected official and relationship: _____

Are you available for:
Daytime meetings Yes No
Evening meetings Yes No

Would you like to be considered as a candidate for service on this Board? _____

Phone: _____

Occupation: _____

What was your last occupation? _____

List any experience, special education, skills or talents that would be beneficial to the appointment you are applying for: _____



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, April 22nd, 2024, 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 2024-02
Applicant: Gregg Gallagher
Property Owner(s): Patrick and Denise Winn
Property Address: 14062 W PARSLEY DR MADEIRA BEACH, FL 33708
Parcel ID: 10-31-15-34398-018-0180
Legal Description: GULF SHORES 5TH ADD BLK R, LOT 18
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: 23' Rear setback, 6'8" west side setback and 5'8" east side setback.

Specific Code Provisions: Sec. 110-181. - (2) Rear yard: Waterfront lots: 30 feet. & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

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 comments 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 8:30 a.m. and 4:00 p.m.

Posted: April 12, 2024, 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/>

CITY OF MADEIRA BEACH PUBLIC NOTICE

BOARD MEMBER VACANCY ANNOUNCEMENT

CIVIL SERVICE COMMISSION

The City of Madeira Beach is seeking applications to fill one vacancy on the Civil Service Commission due to the expired term of a member on October 30, 2022. Member terms are three years. The term of the new member will expire on October 30, 2025.

Boards, Commissions, and Committees are a valuable part of the local government process. The members are volunteers and provide a great service to the City and the community. Duties and responsibilities include reviewing the City's policies and procedures, Code of Ordinances, and the City Charter, and making recommendations to the Board of Commissioners.

- Civil Service Commission – 5-member board – regular meetings held quarterly. Additional meetings are held for special projects and employee grievance hearings. Dates and times vary.
- Members must be a City of Madeira Beach citizen and eligible to vote in the City elections.
- Appointments are made on experience and qualifications in Human Resources when possible.

Interested persons must submit an application to the City Clerk no later than Monday, May 1, 2023, to be considered for appointment at the 6:00 p.m., May 10, 2023, Board of Commissioners Regular Meeting located in the Commission Chambers, 300 Municipal Drive, Madeira Beach, FL 33708. All applicants are encouraged to attend the meeting.

An application is attached to this advertisement. Applications may also be obtained from the City Clerk at City Hall or downloaded on the City's website at <https://madeirabeachfl.gov/boards/boards/>.

Submit completed and signed applications to:

City Clerk
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708
cynthiargan@madeirabeachfl.gov
727-391-9951, ext. 231

Additional Information:
For additional information, please contact City Clerk Clara VanBlargan at 727-391-9951, ext. 231; cynthiargan@madeirabeachfl.gov.

NOTICE OF PUBLIC HEARING

APPLICATION NO: VAR 2024-04

REQUEST: Reduce side setback by 0.5 feet

PROPERTY DESCRIPTION: 13510 15th St E

HEARING DATE & TIME: April 22nd @ 2:00 PM

HEARING LOCATION: COMMISSION CHAMBERS, MADEIRA BEACH CITY HALL,
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708.

THE PROJECT FILE IS AVAILABLE FOR PUBLIC REVIEW DURING NORMAL
BUSINESS HOURS IN THE COMMUNITY DEVELOPMENT DEPARTMENT
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708 OR
CALL 727-391-9951 FOR MORE INFORMATION