



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

**Monday, January 23, 2023 at 2:00 PM
Commission Chambers - 300 Municipal Drive**

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

1. CALL TO ORDER

2. PUBLIC COMMENT

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

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

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

3. SPECIAL MAGISTRATE STATEMENT

4. ADMINISTRATION OF OATH TO RESPONDENTS/WITNESSES

5. NEW BUSINESS

[A.](#) VAR 2023-01 for 431 Virginia Avenue - Reducing the side yard setback from 7 feet to 2 feet

6. OLD BUSINESS

7. ADJOURNMENT

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

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

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



SPECIAL MAGISTRATE – VARIANCE REQUEST

VAR 2023-01

Staff Report and Recommendation

Special Magistrate Meeting – January 23, 2023

Application: VAR 2023-01
Applicant: Nazary Ivanchuk
Property Owner(s): Nazary Ivanchuk
Property Address: 431 Virginia Ave, Madeira Beach, Florida 33708
Parcel ID: 10-31-15-34380-016-0040
Legal Description: GULF SHORES 4TH ADD BLK P, LOT 4
Zoning/Future Land Use: R-1, Single Family Residential District/Residential Urban

Request: Reducing the side yard setback from 7 feet to 2 feet.

Specific Code Provisions: Sec. 110-181. - Setback requirements. (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

I. Background

This after-the-fact variance request is to reduce the side yard setback from 7 feet to 2 feet. In the Madeira Beach Code of Ordinances Sec. 110-181. - Setback requirements, the side yard total side setback needs to equal 15 feet with a minimum of seven feet on either side. The Community Development Department received this application when an after-the-fact building permit could not be approved because the renovation did not meet the side setback. The applicant would like to install an ADA compliant restroom in the renovated portion of the home to improve accessibility. If this variance is approved, it would not mean the unpermitted renovation is approved. An after-the-fact building permit will still be required. If the renovation portion of the home violates the FEMA 50% rule or other applicable section of the Madeira Beach Code of Ordinances, it would need to be removed.

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.) The lot for 431 Virginia Ave is an irregular shaped lot. The lot plat was approved in 1944 before the R-1 Zoning District lot size requirements were adopted. The front lot line of the property is less than the minimum width of 50 feet required in the R-1 Zoning District. The lot becomes wider at the rear of the lot. The east side of the home is nearly parallel to the east side lot line and does not meet the required side setbacks.

c.) The home located at 431 Virginia Ave was built in 1950 and predates the adoption of the R-1 Zoning District setback requirements. The lot plat was approved in 1944 and predates the R-1 Zoning District. The east side of the structure does not meet required minimum of 7 feet for a side yard setback. Many nearby homes were built around the same time and predate the adoption of the R-1 Zoning District setback and lot size 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 original east side of the home was built before the R-1 Zoning District setback requirements and does not meet the side yard setback minimum. The renovated portion of home aligns with original east side of the home. Both east side portions of the home parallel the east side lot line. Even if the renovated portion of the home was removed, the original east side of the home would continue to encroach into the setback. Installing an ADA compliant bathroom into the original footprint of the home could be difficult because the home was built in 1950. If the footprint of the renovated portion of the home is needed to install an ADA compliant bathroom, then this circumstance should not be considered a self-created hardship.

(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 homes nearby were built around the same time as the home as 431 Virginia Ave and predate the R-1 Zoning District setback and lot size requirements. Some of these homes have similar issues with irregular lot sizes and nonconforming setbacks. Allowing the installation of an ADA compliant bathroom would not be considered granting the applicant a special privilege.

(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: Making an older home more accessible within the original footprint can be difficult, especially in a scenario where the original east side portion of the home was already encroaching into the side yard setback. Many nearby homes have similar issues related to setbacks and lot size. A literal interpretation would make it difficult to install an ADA compliant bathroom and deny the applicant rights that other properties in the same zoning district enjoy.

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

Findings: Installing an ADA compliant restroom within the original footprint of the home would be very difficult. The renovated portion of the home aligns with the original east side of the home. Granting this variance would be the minimum variance that will make possible reasonable use of the land.

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

Findings: Granting this variance would allow the applicant to make their home more accessible by installing an ADA compliant bathroom. Making their home accessible would not be detrimental to public welfare or hurt neighboring properties.

III. Staff Recommendation: Staff recommends the approval of VAR 2023-01 with the following conditions.

- The covered patio that violates the rear setback must be removed.
- An ADA compliant bathroom needs to be installed.
- If the renovated portion of the home violates the FEMA 50% rule, the renovated portion of the home must be removed.
- An after-the-fact building permit for the renovated portion of the home is still required.
- The renovated portion of the home must meet all other applicable requirements in the Madeira Beach Code of Ordinances

Submitted by:

Andrew Morris
Planner/GIS Technician

Andrew Morris

Attachments: 1) Application
2) Survey of Property
3) Public Notice

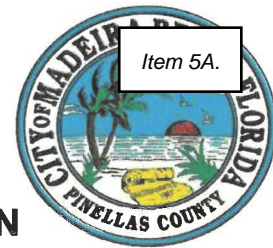


CITY OF MADEIRA BEACH

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**

Nazary Ivanchuk

431 Virginia ave

Madeira beach fl 33708

Telephone: (206) 431-5819

Email: Cityskynoz@gmail.com

***Property Owner: Name and Address**

Nazary Ivanchuk

431 Virginia ave

Madeira Beach FL 33708

Telephone: (206) 432-5819

Email: Cityskynoz@gmail.com

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

431 Virginia Ave Madeira Beach FL 33708

Legal Description: GULF SHORES 4TH ADD BLK P, LOT 4

Lot Area: _____

Width: _____ ft.

Depth: _____ ft.

Zoning District: _____

Present Structures on Property: House

Present Use of Property: Single Family Home

Date Building Permit Request denied: _____

Variance(s) needed from the zoning requirements: Side yard set back from 7ft to 2ft

**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 #: VAR 20 Item 5A.

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

Fee: _____ ☐ Check # _____ ☐ Cash ☒ Receipt # CR1485

Date Received: 12 / 15 / 22 Received by: [Signature]

Special Magistrate Case # Assigned: VAR 2023-01

Special Magistrate Hearing Date: 1 / 23 / 23 ☐ Approved ☐ Denied

_____ Zoning Variance for Residential Dwelling Units (One, Two or Three Units) \$1,730.00 per Variance
_____ Zoning Variance for Multi-Family, Tourist Dwellings or Commercial \$1,735.00 per Variance
x After-the-fact Variance \$3,460.00 per Variance

X _____
Linda Portal, Community Development Director

Date: _____ / _____ / _____

X _____
Robin Gomez, City Manager

Date: _____ / _____ / _____

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APPLICATION (Must submit the following analysis)

This application to the Special Magistrate is requesting permission to: Current House is located only 2ft from the property

line, makes it a non conforming, current code is min of 7ft setback and house only has 2ft, with existing fence lines on property has 15ft side yard in between,

requesting to reduce the southwest side yard of the existing home to 2ft, and add a handicap accessible bathroom

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

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

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

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

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OWNER CERTIFICATION

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

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

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

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

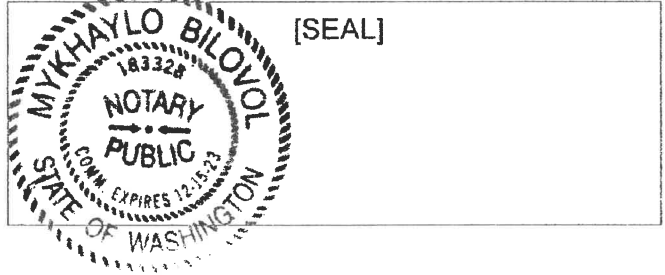
Appeals. (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing *de novo* but shall be limited to appellate review of the record created before the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

X _____ Date: 12 / 12 / 22
Property Owner's Signature

STATE OF WASHINGTON

COUNTY OF KING

Before me this 12 day of Dec, 2022, NAZAR IVANCHUK 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.

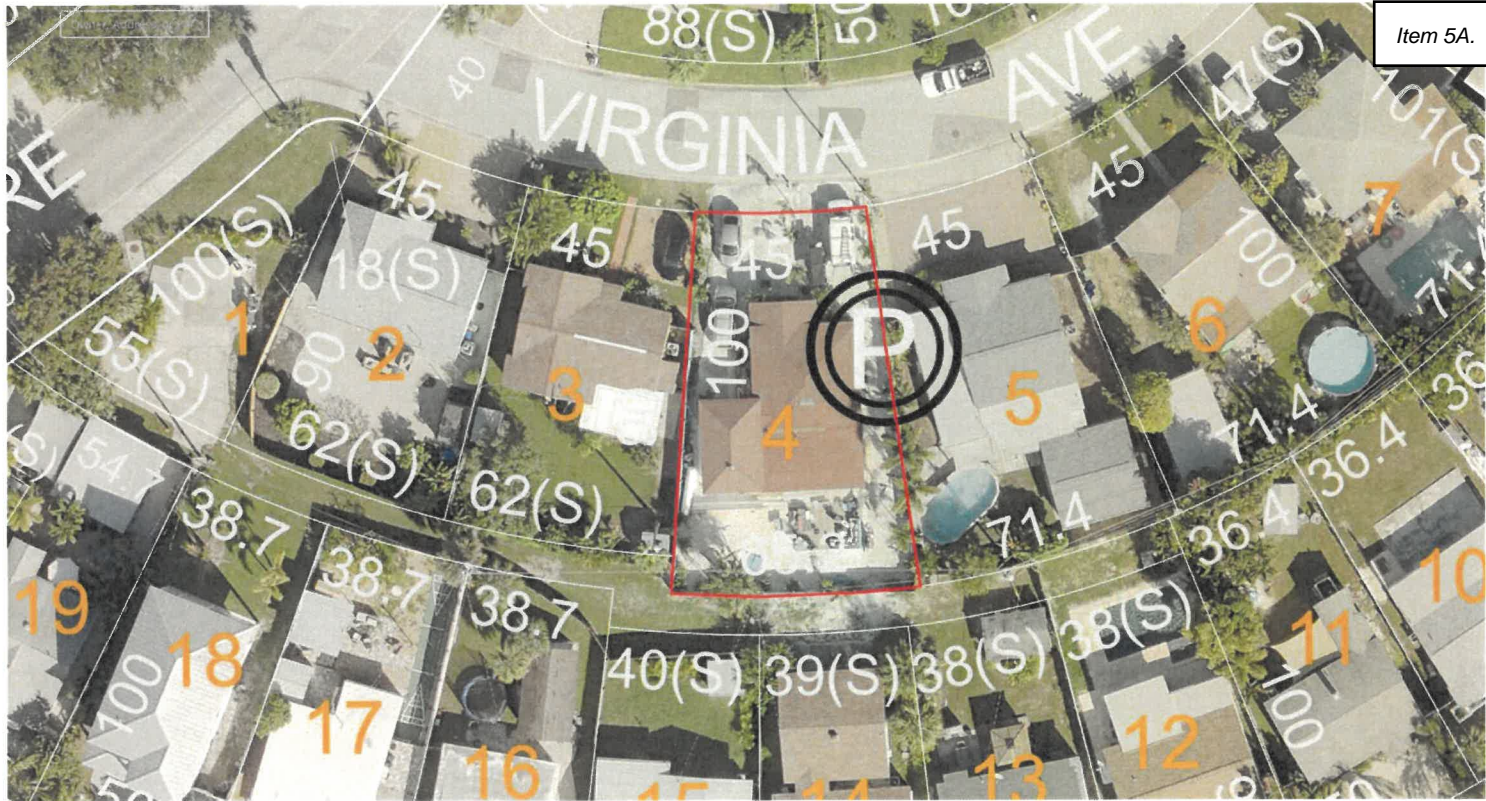


Public Notary Signature

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.

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Item 5A.





Mike Twitty, MAI, CFA
Pinellas County Property Appraiser

Item 5A.

Property Summary
(as of 08-Dec-2022)

Parcel Number

10-31-15-34380-016-0040

- Owner Name
IVANCHUK, NAZARY
- Property Use
0110 Single Family Home
- Site Address
**431 VIRGINIA AVE
MADEIRA BEACH FL 33708**
- Mailing Address
**431 VIRGINIA AVE
MADEIRA BEACH FL 33708-2307**
- Legal Description
GULF SHORES 4TH ADD BLK P, LOT 4
- Current Tax District
MADEIRA BEACH (MB)
- Year Built
1950

Living SF	Gross SF	Living Units	Buildings
1,066	1,864	1	1

Parcel Map

Item 5A.



Exemptions

Year	Homestead	Use %	Status
2024	No	0%	
2023	No	0%	
2022	No	0%	

Property Exemptions & Classifications

No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Plat Bk/Pg
21451/1220	\$520,500	121030278022	A	Current FEMA	Check for EC	23/61

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Bk/Pg
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[Maps](#)**2022 Final Values**

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	\$437,862	\$437,862	\$437,862	\$437,862	\$437,862

Value History

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2021	N	\$227,023	\$168,907	\$168,907	\$227,023	\$168,907
2020	N	\$218,631	\$153,552	\$153,552	\$218,631	\$153,552
2019	N	\$194,196	\$139,593	\$139,593	\$194,196	\$139,593
2018	N	\$177,978	\$126,903	\$126,903	\$177,978	\$126,903
2017	N	\$148,379	\$115,366	\$115,366	\$148,379	\$115,366

2022 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	2022 Millage Rate	Tax District
View 2022 Tax Bill	16.2571	(MB)

Sale History

Sale Date	Price	Qualified / Unqualified	Vacant / Improved	Grantor	Grantee	Book / Page
18-Mar-2021	\$350,000	Q	I	SWEET WILLIAM	IVANCHUK NAZARY	21451/1220
18-Dec-2002	\$106,000	Q	I	DUFFY LORI JEAN	SWEET, WILLIAM	12418/2176
27-Jun-2000	\$90,000	Q	I	NORRIS MICHAEL A	DUFFY, LORI J	10959/1682

Sale Date	Price	Qualified / Unqualified	Vacant / Improved	Grantor	Grantee	Book Page	Item 5A.
25-Mar-1999	\$70,000	Q	I	KUBALA PAUL A	NORRIS, MICHAEL A	10453/1184	
25-Sep-1997	\$32,300	U	I	BOYER WILDAN B	KUBALA, PAUL A	09850/1967	

2022 Land Information

Land Area: 0.1281 acres | 5,580 sf Frontage and/or View: None Seawall: No

Property Use	Land Size	Unit Value	Units	Method	Total Adjustments	Adjusted Value
Single Family	52x100	\$6,400	52.07	FF	1.0700	\$356,575

2022 Building 1 Structural Elements and Sub Area Information

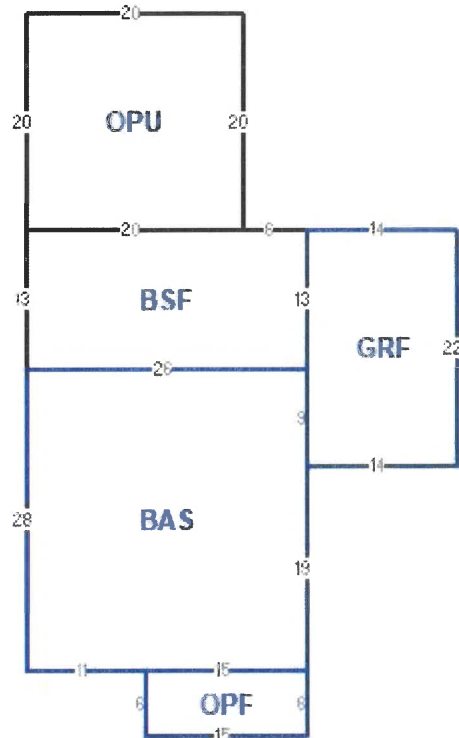
Structural Elements

Foundation:	Continuous Footing Poured
Floor System:	Slab On Grade
Exterior Walls:	Frame/Reclad Alum/Viny
Unit Stories:	1
Living Units:	1
Roof Frame:	Gable Or Hip
Roof Cover:	Shingle Composition
Year Built:	1950
Building Type:	Single Family
Quality:	Average
Floor Finish:	Carpet/Hardtile/Hardwood
Interior Finish:	Drywall/Plaster
Heating:	Central Duct
Cooling:	Cooling (Central)
Fixtures:	3
Effective Age:	26

Sub Area	Living Area SF	Gross Area SF
Base (BAS):	728	728
Base Semi-finished (BSF):	338	338
Garage (GRF):	0	308
Open Porch (OPF):	0	90
Open Porch Unfinished (OPU):	0	400

Sub Area**Living Area SF****Gross Area SF**

Item 5A.

Total Area SF:**1,066****1,864****2022 Extra Features**

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
PATIO/DECK	\$12.00	120.0	\$1,440	\$1,397	2021

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
E20210901	ELECTRICAL	11-Oct-2021	\$2,000
R4825	ROOF	16-Jul-2020	\$4,675
PER-H-CB217786	ROOF	15-Jun-2000	\$2,465

PHONE: (727) 464-3207 | FAX: (727) 464-3448 | TTY: (727) 464-3370 | HOURS: 8AM TO 5PM (MON - FRI)

Boundary Survey



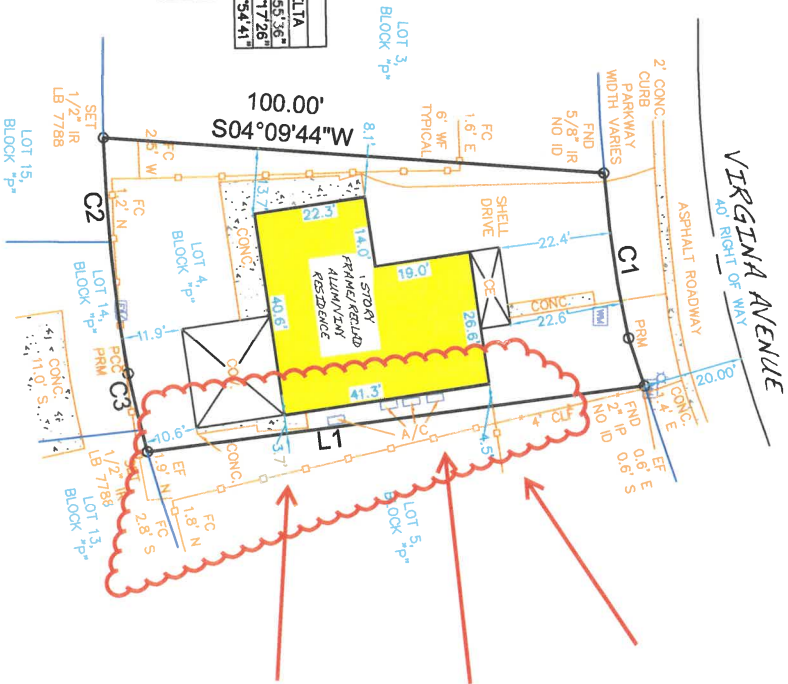
431 VIRGINIA AVENUE
MADEIRA BEACH, FL 33708

- LEGEND:
- A/C = AIR CONDITIONER
 - C/E = COVERED ENTRY
 - CLF = CHAIN LINK FENCE
 - CONC. = CONCRETE
 - COV. = COVERED
 - END = END OF CORNER
 - FND = FOUND
 - LD = IDENTIFICATION
 - N, E, S, W = CARDINAL DIRECTION
 - O.R. BOOK = OFFICIAL RECORDS BOOK
 - P.C.C. = POINT OF COMPOUND CURVATURE
 - P.R.M. = PERMANENT REFERENCE MONUMENT
 - WF = WOOD FENCE
 - IP = IRON PIPE & CAP (IP)
 - IR = IRON ROD AND CAP (IR)
 - LP = LIGHT POLE
 - WM = WATER METER

JOB #:	VLRS22-59474
CLIENT #:	
FIELD DATE:	03-05-22
DRAFTER:	BF
APPROVED:	EWD
SCALE:	1" = 30'

CURVE	LENGTH	RADIUS	DELTA
C1	45.00	244.41	28°55'36"
C2	49.11	344.41	00°17'26"
C3	16.07	270.00	45°54'41"

LINE	LENGTH	BEARING
L1	100.00	N07°25'53"W



Legal Description (per OR Book 21451, Page 1220)
Lot 4, Block P, Fourth Addition to Gulf Shores according to the map or plat thereof as recorded in Plat Book 23, Page 61, Public Records of Pinellas County, Florida.

CERTIFIED TO: (AS FURNISHED)
MAZARY MANCHUK

FLOOD ZONE

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE AS DETERMINED BY THE LATEST AVAILABLE FLOOD MAP, PER F.I.R.M. PANEL NUMBER 12102018H, LAST REVISION DATE 08-24-21, (PER MAPWISE WEBSITE). THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

LIST OF POSSIBLE ENCROACHMENTS:
FENCES CROSS PROPERTY LINES.
OWNERSHIP OF FENCES NOT DETERMINED.

BASIS OF BEARING
BEARINGS ARE BASED ON THE WEST RIGHT-OF-WAY OF XX WHICH HAS A BEARING OF SXX°XXXX' W PER PLAT.

- NOTES
- Underground utility installations, underground improvements, foundations and/or other underground structures were not located by this survey.
 - The purpose of this survey is for use in obtaining title insurance and financing and not for any other purpose.
 - Additions or deletions to this survey by anyone other than the signing party or parties is prohibited without the written consent of the signing party or parties.
 - This property shown hereon is subject to all easements, restrictions and encumbrances of record and is shown as such on this survey. The surveyor has no knowledge of any other easements, restrictions or encumbrances affecting the property shown hereon.
 - Building lines and other improvements for improvements should not be used in reconstruction.
 - Fences, if any, depicted hereon may be exaggerated for clarity.

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.

LB 7788



941 S Pennsylvania Ave, Winter Park, FL 32789 | (888) 399-8474

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY PREPARED AND RUN IN ACCORDANCE WITH THE FLORIDA SURVEYING ACT.



Ernest W. Duncan, PSM	DATED: 03-16-22
PROFESSIONAL SURVEYOR & MAPPER	
FLORIDA REGISTRATION #LS 5182	
NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND/OR ORIGINAL RAISED SEAL OF THE LISTED FLORIDA LICENSED SURVEYOR AND MAPPER	
DATE	REVISION

Boundary Survey



ADDRESS
431 VIRGINIA AVENUE
MADEIRA BEACH, FL 33708

- LEGEND:
A/C = AIR CONDITIONER
CE = COVERED ENTRY
CLF = CHAIN LINK FENCE
CONC. = CONCRETE
C.V. = CURB VARIATION
FC = FENCE CORNER
FND = FOUND
ID. = IDENTIFICATION
N, E, S, W = CARDINAL DIRECTION
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WF = WOOD FENCE
IP = IRON PIPE & CAP (IP)
R = IRON ROD AND CAP (R)
LP = LIGHT POLE
WM = WATER METER

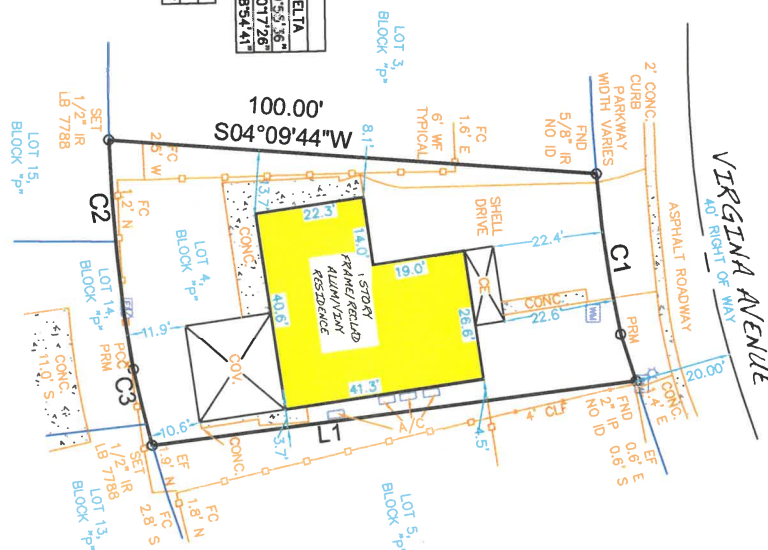
JOB #:	VI.SR22-59474
CLIENT #:	
FIELD DATE:	03-05-22
DRAFTER:	BF
APPROVED:	EMD
SCALE:	1" = 30'

X
Burmey's Acknowledgment
and Acceptance

X
Burmey's Acknowledgment
and Acceptance

CURVE	LENGTH	RADIUS	DELTA
C1	45.00	244.41	29°52'36"
C2	48.11	344.41	00°17'26"
C3	16.07	270.00	48°54'41"

LINE	LENGTH	BEARING
L1	100.00	N07°25'33"W



Legal Description (per OR Book 21451, Page 1220)
Lot 4, Block P, Fourth Addition to Gulf Shores according to the map or plat thereof as recorded in Plat Book 23, Page 61, Public Records of Pinellas County, Florida.

CERTIFIED TO: (AS FURNISHED)
MAZARY MANCHUK

FLOOD ZONE

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE AE. AREAS DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN, PER F.L.R.M. PANEL NUMBER 12103C0191H, LAST REVISION DATE 06-24-21, (PER MAPWISE WEBSITE). THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

LIST OF POSSIBLE ENCROACHMENTS:
FENCES CROSS PROPERTY LINES.
OWNERSHIP OF FENCES NOT DETERMINED.

BASIS OF BEARING
BEARINGS ARE BASED ON THE WEST RIGHT-OF-WAY OF I-9 WHICH HAS A BEARING OF 9 X XXXX W PER PLAN.

NOTES
1. Underground utility installations, underground improvements, foundations and/or other underground structures were not located by this survey.
2. The purpose of this survey is for use in obtaining title insurance and financing and should not be used for construction purposes other than the listing party or parties.
3. Aerial photographs were used to determine the location of the listing party or parties. The property shown hereon is subject to all easements, restrictions and encumbrances which may be shown or noted on a record plat. This survey only depicts survey related information such as easements and setbacks that are shown on a record plat or have been furnished to the Surveyor.
4. Building lines and dimensions for improvements should not be used or measured.
5. Fences, if any, depicted hereon may be suggested for clarity.

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND ENJOYMENT OF THE PARTIES WHOSE INTERESTS ARE NOT BE TRANSFERRED OR ASSIGNED.

941 S Pennsylvania Ave, Winter Park, FL 32789 | (888) 399-6474

VISIONLAND

LB 7788

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.

Ernest W. Durcan, PSM
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION #156182
NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND/OR ORIGINAL RAISED SEAL OF THE LISTED FLORIDA LICENSED SURVEYOR AND MAPPER

DATED: 03-16-22

STATE OF FLORIDA
ERNEST W. DURCAN
PROFESSIONAL SURVEYOR & MAPPER

DATE	REVISION	DATE	REVISION

Property Owner(s): Nazary Ivanchuk

Property Address: 431 Virginia Ave, Madeira Beach, Florida 33708

Parcel ID: 10-31-15-34380-016-0040

Legal Description: GULF SHORES 4TH ADD BLK P, LOT 4

Zoning/Future Land Use: R-1, Single Family Residential District/Residential Urban

Request:

Variance request to reduce the side setback from 7 feet to 2 feet, reduce the south west side. The reduction of the side yard setback will allow for an extension of the bathroom to add a handicap accessible to the home.

I. Background

The variance request for 431 Virginia Avenue would reduce the side yard setback, (south west side of property) setback to accommodate a handicap accessible bathroom, and expand an existing home. The existing home and lot are legally nonconforming since the lot was platted in 1944 and the house was built in 1950. The existing home and lot predate the creation of the R-1 Zoning District and the Zoning Chapter of the Madeira Beach Code of Ordinances.

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.) The surrounding properties near 431 Virginia Ave were platted in 1944. Since the nearby lots predate zoning, many of the lots near 431 Virginia Ave are irregular shaped nonconforming sized lots. Many of the nearby homes are legally nonconforming and do not meet setback requirements since they were built before the zoning was established. This proposed project fits the character of the neighborhood since the nearby lots were platted at the same time and many of the nearby homes were built around the same time as 431 Virginia Ave.

(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 home at 431 Virginia Ave was built in 1950 and predates the current zoning requirements. The lot was platted in 1944 and predates the creation of the R-1 Zoning District and Chapter 110 – Zoning.

(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: Since the lot at 431 Virginia Ave and nearby surrounding properties were platted in 1944, many nearby properties have similar setback issues because of the irregular shaped lots that predate zoning. None of the property lines line up with the properties lines adjacent, Building a handicap accessible bathroom would not grant any special privileges.

(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: The current southwest existing fence on the property since 1950s is 15ft from the home and the property line showing only 2ft from the southwest side, which makes the whole house only 2ft from the property line, which makes the whole house nonconforming, All the adjacent homes next door and around have the same issue with the property lines are not accurate, When the homes were built like that in the 1950s with no setbacks, current setbacks for the R-1 Zoning District (Sec. 110- 181), the allowable buildable area for the lot is minimal

compared to a conforming lot in the R-1 Zoning District. Many of the neighboring homes and lots near 431 Virginia Ave are legally nonconforming. A literal interpretation would deprive the applicant of the rights that are commonly enjoyed by other properties in the R-1 Zoning District.

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

Findings: It would be difficult to create an ADA bathroom within the existing footprint of the home. The proposed variance to reduce the side setback (southwest side) would be the minimum required to make possible reasonable use of the land.

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

Findings: harmony with the general intent and purpose of the city land development regulations. The handicap accessible bathroom would fit with in the character of the neighborhood, Still be as a single family residence home. Looking at every home in the neighborhood on the Tax maps have all between 1ft and 2ft building setbacks around the property lines, the current home would not have a negative impact on neighboring properties or public welfare.

MADEIRA BEACH CITY HALL
300 MUNICIPAL DR
MADEIRA BEACH FL 33708
727-391-9951

Terminal ID: *****102 ***7

12/15/22 10:29 AM

~~AMERICAN EXPRESS~~ ~~MANUAL~~
~~1001 #~~ ~~*****100~~

MOTO SALE

~~010-234042706370~~ ~~REF # 1149~~
~~BATCH # 261~~ ~~AUTH # 112749~~
~~AVS 2~~

AMOUNT \$3460.00

APPROVED

x Pd. by phone

I AGREE TO PAY THE ABOVE TOTAL
AMOUNT ACCORDING TO CARD
ISSUER AGREEMENT
(MERCHANT AGREEMENT
IF CREDIT VOUCHER)

MERCHANT COPY



300 Municipal Drive
Madeira Beach, FL 33485
Phone: (727) 391-9111
Fax: (727) 399-1131
www.madeirabeachfl.gov

Item 5A.

Thanks for your payment

Receipt

Receipt Number: CR1485

Receipt Date: 12/15/2022

Customer Details

Contact Name: Nazary Ivanchuk

Description

After-the-fact fee for variance application - 431 Virginia Ave.	\$3,460.00
--------------------------------------------------------------------	------------

Total	\$3,460.00
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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, January 23, 2023, at 2:00p.m.**, at the Madeira Beach City Center in the Patricia Shontz Commission Chambers, located at 300 Municipal Drive, Madeira Beach, Florida 33708, to discuss the agenda item listed below. This proceeding is available for viewing on Spectrum Television Public Access Channel 640 for viewers within the 33708 Zip Code and on the City of Madeira Beach website by clicking the "Watch Live Meetings" button.

THIS APPLICATION IS FOR A SPECIAL MAGISTRATE VARIANCE

Application: VAR 2023-01

Applicant(s): Nazary Ivanchuk

Property Owner(s): Nazary Ivanchuk

Property Address: 431 Virginia Ave Madeira Beach FL 33708

Parcel ID: 10-31-15-34380-016-0040

Legal Description: GULF SHORES 4TH ADD BLK P, LOT 4

Zoning/Future Land Use: R-1, Single-Family Residential Zoning District/Residential Urban

Request: Reducing the side yard setback from 7 feet to 2 feet.

Specific Code Provisions: Sec. 110-181. - Setback requirements.

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: **January 13, 2023**, at the property site, City Hall, City of Madeira Beach website, and Gulf Beaches Library

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



Item 5A.

NOTICE OF INTENT TO BE AN AFFECTED PARTY

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 City Community Development Department not less than five days prior to commencement of the hearing. The completed and signed form may be emailed or submitted in person to the following:

Community Development Department
300 Municipal Drive
Madeira Beach, FL 33708

Email: planning@madeirabeachfl.gov
727-391-9951

AFFECTED PERSON INFORMATION

Name: _____

Address: _____

Telephone: _____ Fax: _____

Email: _____

APPLICATION INFORMATION

Case No(s). or Application No(s)., whichever apply: _____

Applicant's Name: _____

Signature of Affected Person

Date



AFFIDAVIT OF MAILING

Date: 1/13/2023

Mailings for Case # VAR-2023-01

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

Lisa Scheuerman
Signature

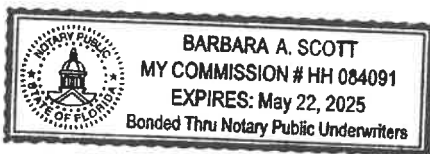
STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn and subscribed before me this 13th day of January, 20 23.

Personally known or produced _____ as identification.

Barbara A Scott
Notary Public

1/13/23
Date



Notary Public Stamp

*Copy of public notice is attached.



MIKE TWITTY, MAI, C A
Pinellas County Property Appraiser

www.pcpao.gov

mike@pcpao.gov

Item 5A.

Run Date: 12 Jan 2023

Subject Parcel: 10-31-15-34380-016-0040

Radius: 300 feet

Parcel Count: 52

Note: Parcels with protected address status are not included in this report.

Total pages: 3

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

BIALT, BERNARD JR
BIALT, TINA ST JOHN
7203 HOURGLASS DR
APOLLO BEACH FL 33572-1578

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

PATSCHAK, WILLIAM F
PATSCHAK, MARGARET G
7508 SOMERSET TER
FREDERICK MD 21702-3654

LEACH, VERNON EUGENE
LEACH, CHARITY RENEE
16537 TWIN HOLLOW LN
GARFIELD AR 72732-9833

PETERSEN, MARK
PETERSEN, PATRICIA M
14001 N BAYSHORE DR
MADEIRA BEACH FL 33708-2210

HURLEY, KEVIN M
HOLLAND, MEREDITH C
420 140TH AVE E
MADEIRA BEACH FL 33708-2302

COLE, CHRISTOPHER A TRE
COLE, JANICE K TRE
425 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

ZYLSTRA, KATHY L
ZYLSTRA, JAMES S
417 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

BAKER, KEVIN A TRE
BAKER, TARA L TRE
481 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

SAIA, CHRISTOPHER
SAIA, JANICE R
441 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

TSITSO, JAMES P
TSITSO, ANGELA M
473 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

BANNING, MELISSA L
MATHEWS, TAYLOR T
449 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

HUYNH, KENNETH
NGO, PHUONG
403 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

SHIFFLETT, JAMES R TRE
SHIFFLETT, ELIZABETH JANE TRE
483 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

SHIFFLETT, JAMES R
SHIFFLETT, BETTY J
483 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

JONES, KEVIN
JONES, LISA
496 S BAYSHORE DR
MADEIRA BEACH FL 33708-2306

FULLE, DOUGLAS D
FULLE, MICHELLE L
418 S BAYSHORE DR
MADEIRA BEACH FL 33708-2306

WILSON, CURTIS A
RAPP, LOIS J
400 VIRGINIA AVE
MADEIRA BEACH FL 33708-2308

MCNULTY FAMILY LIVING TRUST
MCNULTY, MICHAEL BOYD TRE
500 S BAYSHORE DR
MADEIRA BEACH FL 33708-2321

STAUB, BREWER J
STAUB, KRISTEN H
523 MARLYN WAY
MADEIRA BEACH FL 33708-2341

BOUCHARD, ALLAN JR
BOUCHARD, WENDY
540 MARLYN WAY
MADEIRA BEACH FL 33708-2342

HYDE, ASA A TRE
HYDE, CAROLYN M TRE
510 MARLYN WAY
MADEIRA BEACH FL 33708-2342

BILLET, CHRISTOPHER T
BILLET, BERNADETTE
457 S BAYSHORE DR
MADEIRA BEACH FL 33708-2355

TARSITANO, ROBERT A
TARSITANO, LISA RENEE
13975 ISLAND DR
MADEIRA BEACH FL 33708-2360

WATERMORE TRUST
PATZSCHKE, MARK R TRE
582 CRYSTAL DR
MADEIRA BEACH FL 33708-2373

KYNER, JOHN E JR TRE
KYNER, SANDRA L TRE
10311 CHURCH HILL RD
MERCERSBURG PA 17236-9661

FAHEY, ANTHONY
FAHEY, ROSANNA
12019 WHISTLING WIND DR
RIVERVIEW FL 33569-4801

HEARD, JOHN FREDRIC
HEARD, DEITRA RENEE
221 45TH AVE
ST PETE BEACH FL 33706-2524

KARASIAK, BRYCE
KARASIAK, STEPHANIE
14605 CANOPY DR
TAMPA FL 33626-3354

NELSON, THRESA-JAN
410 140TH AVE E
MADEIRA BEACH FL 33708-2302

TUCKER, BLAZIA P
435 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

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

PAIGE, JACOB G
500 140TH AVE E
MADEIRA BEACH FL 33708-2338

ZEHAGEN, BONNIE M
440 S BAYSHORE DR
MADEIRA BEACH FL 33708-2306

SALTY SNAPPER HOMES LLC
6500 1ST AVE N
ST PETERSBURG FL 33710-8404

HOWARD, DARBI L
421 VIRGINIA AVE
MADEIRA BEACH FL 33708-2307

407 S BAYSHORE LLC
517 VINTAGE WAY
BRANDON FL 33511-6365

OFFERPAD SPVBORROWER1 LLC
2150 E GERMANN RD STE 1
CHANDLER AZ 85286-1662

LUNNING, SARA
434 S BAYSHORE DR
MADEIRA BEACH FL 33708-2306

MADEIRA BEACH, CITY OF
300 MUNICIPAL DR
MADEIRA BEACH FL 33708-1916

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

GILMORE, MARY
410 VIRGINIA AVE
MADEIRA BEACH FL 33708-2308

JOHNSON, STEVE L
495 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

ATHERTON, AMANDA J
521 MARLYN WAY
MADEIRA BEACH FL 33708-2341

BLUEBIRD AND KOI LLC
620 MCCULLY ST APT 1008
HONOLULU HI 96826-3943

MEAGHER, JOHN F III
465 S BAYSHORE DR
MADEIRA BEACH FL 33708-2305

HYDE, CAROLYN
510 MARLYN WAY
MADEIRA BEACH FL 33708-2342

NESBY, MARGARET M
400 ISLAND DR
MADEIRA BEACH FL 33708-2330

ANDREWS PARTNERS OF FLORIDA LLC
8263 124TH TER UNIT 193
LARGO FL 33773-2943

DELANO, PAUL JR
12345 STEAMBED RD
RIVERVIEW FL 33579

KASEL, GREGORY K
408 S BAYSHORE DR
MADEIRA BEACH FL 33708-2306

SALHUS, VICKI
3438 SILVER MEADOW WAY
PLANT CITY FL 33566-0724



AFFIDAVIT OF POSTING

Date: 1-13-23
 Postings for: VAR 2023-01

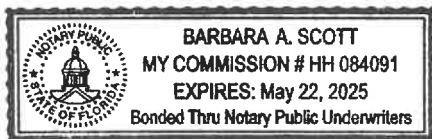
Before me this day Andrew Morris personally appeared. He/she has posted public notices at the locations indicated in the notice document(s).

am
 Signature

STATE OF FLORIDA
 COUNTY OF PINELLAS

Sworn to and subscribed before me this 13th day of January, 20 23.

Personally known or produced _____ as identification.

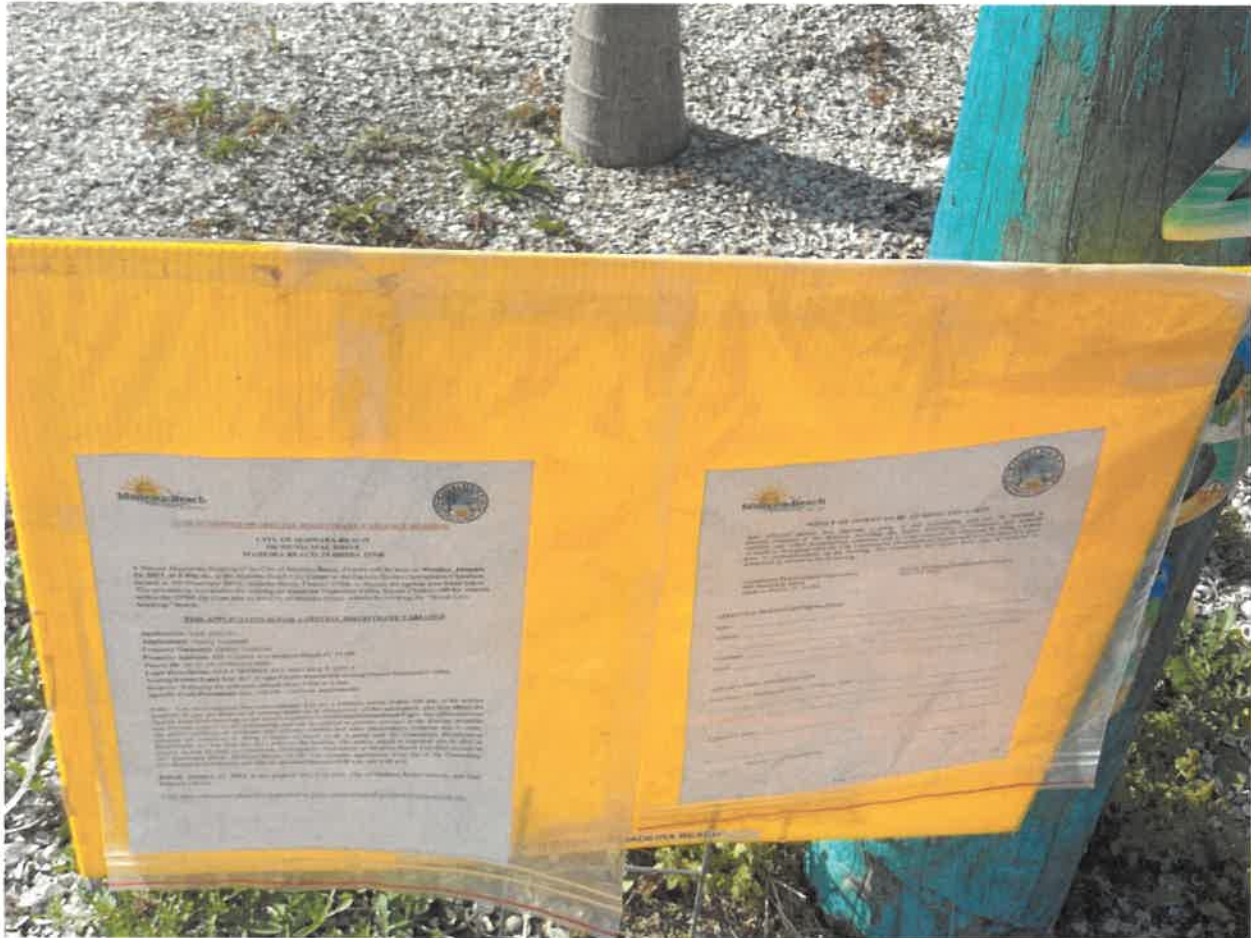


Notary Public Stamp



Barbara A. Scott
 Notary Public
1/13/23
 Date

*Copy of public notice is attached.

431 Virginia Ave, Madeira Beach, Florida 33708 (Property Site)



Gulf Beaches Library

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, January 23, 2023, at 2:00p.m.**, at the Madeira Beach City Center in the Patricia Sherry 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

Applications: VAR 2023-03
Applicant(s): Nazary Tranchesi
Property Owner(s): Nazary Tranchesi
Property Address: 451 Virginia Ave Madeira Beach FL 33708
Parcel ID: 10-31-15-34300-016-0440
Legal Description: GULF SHORES 4TH ADD BLK P, LOT 4
Zoning/Future Land Use: R-1 Single-Family Residential Zoning District Residential Urban
Request: Reducing the side yard setback from 7 feet to 2 feet
Specific Code Provisions: Sec. 110-183 - Setback requirements

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@maderabeachfl.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: January 13, 2023, at the property site, City Hall, City of Madeira Beach website, and Gulf Beaches Library.

View more information about this application at <https://maderabeachfl.gov/planning/documents/>

NOTICE OF INTENT TO BE AN AFFECTED PARTY

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 City Community Development Department not less than five days prior to commencement of the hearing. The completed and signed form may be emailed or submitted in person to the following:

Community Development Department
 300 Municipal Drive
 Madeira Beach, FL 33708

Email: planning@maderabeachfl.gov
 727.491.9951

AFFECTED PERSON INFORMATION

Name: _____
 Address: _____
 Telephone: _____ Fax: _____
 Email: _____

APPLICATION INFORMATION

Case Number or Application Number, whichever apply: _____

 Applicant's Name: _____

 Signature of Affected Person: _____ Date: _____

City Hall

Madrira Beach **MEETING**

CITY OF MADRIRA BEACH
100 Municipal Drive, Madeira Beach, Florida 33708
352-381-0991

CITY OF MADRIRA BEACH
100 Municipal Drive, Madeira Beach, Florida 33708
352-381-0991

NOTICE OF INTENT TO BE AN AFFECTED PARTY

A Special Magistrate Hearing of the City of Madeira Beach, Florida will be held on Monday, January 13, 2025, at 2:00pm, at the Madeira Beach City Center in the Patricia Wilson Conference Center, located at 100 Municipal Drive, Madeira Beach, Florida 33708, to discuss the agenda items listed below. This proceeding is available for viewing on Spectrum Television Public Access Channel 440 for viewers within the 33708 Zip Code and on the City of Madeira Beach website by clicking the "Watch Live Meetings" button.

THIS APPLICATION IS FOR A SPECIAL MAGISTRATE VARIANCE

Application: VAR 2023-01
Applicant: Nancy Brantley
Property Owner: Nancy Brantley
Property Address: 433 Virginia Ave Madeira Beach FL 33708
Parcel ID: 43-11-15-14284-010-0000
Legal Description: C-11 SEC 22S 410E ADR BLK P, LOT 4
Zoning District: L and Use: S-1 Single Family Residential Zoning District/Residential Lot
Request: Reducing the side yard setback from 7 feet to 2 feet
Specific Code Provision: Sec. 110-03 - Setback requirements

Notice: You have received this notice because you are a property owner within 300 feet of the subject property. If you are a business or existing approved or disapproved of this application, you may attend the Special Magistrate Hearing to present evidence to the magistrate and to present evidence to the magistrate. You may also present evidence to the magistrate and to the community. The magistrate will review the evidence and make a decision on the application. The magistrate will also review the evidence and make a decision on the application. The magistrate will also review the evidence and make a decision on the application.

Filed: January 13, 2025, at the property on City Hall, City of Madeira Beach website, and 100 Municipal Drive.

View more information about this application at <https://madrirabeachfl.gov/planning/development/>

MADRIRA BEACH

NOTICE OF INTENT TO BE AN AFFECTED PARTY

Any affected person may become a party to this proceeding and may be entitled to present evidence at the hearing including the owner testimony of witnesses and relevant exhibits and other documentary evidence and to interview all witnesses to this notice of intent to be a party to the City Commission. The Commission Department will review the evidence and make a decision on the application. The magistrate will also review the evidence and make a decision on the application. The magistrate will also review the evidence and make a decision on the application.

Community Development Department
100 Municipal Drive
Madeira Beach, FL 33708

Email: planning@madrirabeachfl.gov
352-381-0991

AFFECTED PERSON INFORMATION

Name: _____
Address: _____
Telephone: _____ Fax: _____
Email: _____

APPLICATION INFORMATION

Case Name: or Application Number, whichever apply: _____
Applicant's Name: _____
Signature of Affected Person: _____ Date: _____

Website

Special Magistrate

VAR 2023-01 431 Virginia Ave Madeira Beach FL 33708

[VAR 2023 01 431 Virginia Ave Application](#)

[Public Notice VAR 2023 01 431 Virginia Ave And Notice Of Intent Form](#)