



MINUTES

BOARD OF COMMISSIONERS REGULAR MEETING DECEMBER 10, 2025 6:00 P.M.

The City of Madeira Beach Board of Commissioners held a regular meeting at 6:00 p.m. on December 10, 2025, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: Anne-Marie Brooks, Mayor
Ray Kerr, Vice Mayor/Commissioner District 2
David Tagliarini, Commissioner District 1
Eddie McGeehen, Commissioner District 3
Housh Ghovae, Commissioner District 4

MEMBERS ABSENT: None

CHARTER OFFICERS PRESENT: Clint Belk, Acting City Manager
Clara VanBlargan, City Clerk
Andrew Laflin, Finance Director Consultant
Thomas Trask, City Attorney

1. CALL TO ORDER

Mayor Brooks called the meeting to order at 6:10 p.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

City Attorney Tom Trask gave the Invocation and led the Pledge of Allegiance.

3. ROLL CALL

City Clerk Clara VanBlargan called the roll. All were present.

4. APPROVAL OF THE AGENDA

Vice Mayor Kerr motioned to approve the Agenda as written. Commissioner Tagliarini seconded the motion.

ROLL CALL:

Vice Mayor Kerr	"YES"
Commissioner Tagliarini	"YES"

Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

5. PROCLAMATIONS

There were no Proclamations.

6. PRESENTATIONS

There were no Presentations.

7. PUBLIC COMMENT

Helen Price from 13300 3rd Street East addressed the Board, representing the Gulf Beaches Library Board of Trustees. She provided an update on the library, noting it had been fully redone after the storm. She announced the annual library fundraiser scheduled for February 26th. Ms. Price highlighted library services, including notary services for \$5, reader and audiobook checkouts, museum passes available for checkout, and the library's archive of city documents. She also mentioned that AARP offers free tax assistance regardless of age or membership, available by appointment at the library. She addressed a question from Commissioner Tagliarini about the brick project, explaining that the fundraising bricks are installed or being installed at the library entrance rather than as pavers due to varying brick thicknesses.

8. APPROVAL OF MINUTES

- A. 2025-11-12, BOC Regular Workshop Meeting Minutes**
- B. 2025-11-12, BOC Regular Meeting Minutes**
- C. 2025-11-25, BOC Special Meeting Minutes**

Vice Mayor Kerr motioned to approve the meeting minutes as written. Commissioner Ghovae seconded the motion.

ROLL CALL:

Vice Mayor Kerr	"YES"
Commissioner Ghovae	"YES"
Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

9. CONSENT AGENDA

- A. ITB #25-14 Johns Pass Dredging Contract Approval**
- B. Interlocal Agreement with Pinellas County for Disaster Debris and Monitoring Services**
- C. Interlocal Agreement with Pinellas County for designation of collection and removal responsibilities within geographic Pinellas County**
- D. Street Sweeping Services – Sweeping Corp of America (SCA) Contract Approval**
- E. Madeira Beach City Manager Brochure**

Mayor Brooks read the Consent Agenda Items.

The Board pulled for separate discussion and vote items D, Street Sweeping Services, and E, Madeira Beach City Manager Brochure, to talk about the date.

Commissioner Tagliarini motioned to approve Consent Agenda Items A, B, and C. Commissioner McGeehen seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Vice Mayor Kerr	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

D. Street Sweeping Services – Sweeping Corp of America (SCA) Contract Approval

City Attorney Trask requested that the motion to approve the contract with the language negotiated through the city attorney's office.

Vice Mayor Kerr motioned to approve the street sweeping services contract, with the contract language to be interpreted by the City Attorney. Commissioner Ghovae seconded the motion.

ROLL CALL:

Vice Mayor Kerr	"YES"
Commissioner Ghovae	"YES"
Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

E. Madeira Beach City Manager Brochure

The Board needed to add a date to the brochure.

Commissioner Tagliarini motioned to approve the brochure with the insertion of January 26, 2026, as the due date for resumes. Commissioner McGeehan seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Commissioner McGeehan	"YES"
Vice Mayor Kerr	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

10. PUBLIC HEARINGS

A. Resolution 2025-14, Affordable Housing Property Tax Exemption

City Attorney Tom Trask read Resolution 2025-14 by title only:

RESOLUTION 2025-14

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, OPTING OUT OF PROVIDING THE 80-120% AMI "MISSING MIDDLE" PROPERTY TAX EXEMPTION TO DEVELOPMENTS THAT WOULD OTHERWISE QUALIFY PURSUANT TO HOUSE BILL 7073; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

The City Attorney explained that the resolution was similar to the one adopted the previous year, with only the date changed. They are asking for consideration and approval.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner Ghovae motioned to adopt Resolution 2025-14, Affordable Housing Property Tax Exemption. Commissioner Tagliarini seconded the motion.

ROLL CALL:

Commissioner Ghovae	"YES"
Commissioner Tagliarini	"YES"
Commissioner McGeehan	"YES"
Vice Mayor Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

B. Ordinance 2025-19, C-3 Zoning District Setbacks – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-19 by title only:

ORDINANCE 2025-19

AN ORDINANCE OF THE CITY OF MADEIRA BEACH FLORIDA, AMENDING CHAPTER 110 (ZONING) ARTICLE V. – DISTRICTS, DIVISION 7. - C-3, RETAIL COMMERCIAL, SECTION 110-321. - SETBACK REQUIREMENTS, OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO REDUCE THE FRONT AND SIDE SETBACKS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Long Range Planner Andrew Morris explained that it was a privately initiated amendment to the zoning code supported by staff. The amendment would lower the front yard setback in the C-3 retail commercial zoning district from 25 feet to 10 feet and decrease the side yard setback for lots 120 feet or less, while keeping the 10-foot minimum side setback required for corner lots or side yards next to streets.

Mayor Brooks opened to public comment. There were no public comments.

Commissioner McGeehan noted that it aligns with the City's master plan, and there have been no changes since the first reading.

Commissioner Tagliarini motioned to adopt Ordinance 2025-19, C-3 Zoning District Setbacks, after second reading and public hearing. Commissioner Ghovaee seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Commissioner Ghovaee	"YES"
Commissioner McGeehen	"YES"
Vice Mayor Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

C. Ordinance 2025-20, Certified Recovery Residences – 1st Reading & Public Hearing

City Attorney Tom Trask read Ordinance 2025-20 by title only:

ORDINANCE 2025-20

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING ARTICLE VI (SUPPLEMENTAL DISTRICT REGULATIONS) OF CHAPTER 110 (ZONING) THE LAND DEVELOPMENT REGULATIONS BY CREATING DIVISION 16, "CERTIFIED RECOVERY RESIDENCES"; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROCEDURES FOR THE REVIEW AND APPROVAL OF CERTIFIED RECOVERY RESIDENCES; PROVIDING FOR REQUESTS FOR REASONABLE ACCOMMODATIONS; PROVIDING FOR REVOCATION OF REASONABLE ACCOMMODATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

The City Attorney clarified that the ordinance was mandated by state law to be adopted. The law explicitly states that by January 1, 2026, the governing body of each county or municipality shall adopt an ordinance establishing procedures for reviewing and certifying recovery residences within its jurisdiction. This ordinance must include a process for requesting reasonable accommodations from any local land use regulations that prevent the establishment of a certified recovery residence. Two technical additions were made that are not specified in the statute. One is in paragraph D4, requiring applicants to submit a property survey, and the other is in paragraph D5, requiring a scale drawing showing all proposed site development along with the application.

Community Development Director Marci Forbes stated that it was brought to the Planning Commission's attention, which requested clarification due to the different levels of recovery residences. Staff confirmed that any application received would specify the particular level, and if the level changed, it would need to go through the permit process again. When referencing a form, it would need to be submitted to the community development department, and that form would reiterate that any level changes require revisiting the permitting process.

Mayor Brooks opened to public comment. There were no public comments.

The City Attorney confirmed there were four levels.

Vice Mayor Kerr inquired if it could be limited to the R-1 zoning district, which mainly covers weekly or nightly rentals in areas where short-term rentals are already allowed. Director Forbes clarified that R-1 is designated for long-term rentals. R-2 permits a minimum of three rentals, and R-3 is designated for short-term rentals.

Vice Mayor Kerr said he wouldn't have a problem with areas where short-term rentals are already allowed. His concern is with places where they are not permitted, such as six-month or three-month rentals. He asked if that could be included in the ordinance. They are allowing it, but not throughout the entire city.

The City Attorney said he did not know the answer to the question, except that even if it were not allowed in certain areas, they would still be able to request accommodations. The purpose of the

statute is to allow such recovery residences to be established in the City. The statute was adopted specifically because small and larger cities have avoided such facilities. The Florida legislature and the governor believe this is very important, which is why they codified it and mandated its adoption. He would not want them to find themselves in a position where they made it so difficult for such residences in the City that they were found to violate the statute. He would not recommend adding any extra qualifications to those homes, because they are essentially like any other group home in the City. It's just for a different purpose.

Vice Mayor Kerr stated that it violates the rental policy established decades ago. Director Forbes mentioned she anticipated that the rental component would meet their code requirements. Vice Mayor Kerr expressed concern about possibly dividing the neighborhood over this issue. The City Attorney noted he did not see it as a significant concern and was unaware of any application the City had received during his entire tenure with the City of Madeira Beach. They are in the process of creating a review procedure to address it.

Commissioner Ghovae motioned to adopt Ordinance 2025-20 with the additional requirements of D4 and D5, after first reading and public hearing. Commissioner Tagliarini seconded the motion.

ROLL CALL:

Commissioner Ghovae	"YES"
Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Vice Mayor Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

D. ABP 2025-06 Dockside Dave's Restaurant

City Attorney Tom Trask said the next three items on the agenda are all quasi-judicial hearings. There is a process they must follow under the City's code, and he will guide them through it.

The first application is ABP 2025-06 Dockside Dave's Restaurant located at 14701 and 14703 Gulf Blvd, Madeira Beach, FL 33708.

The summary of the application is pursuant to Land Development Code, Article VI, Division 6 – Alcoholic Beverages, the applicant for ABP 2025-06 is seeking a quota 4COP alcoholic beverage license for the sale of beer, wine, and liquor for consumption on premises at Dockside Dave's Restaurant located at 14701 and 14703 Gulf Blvd Madeira Beach, Fl 33708. The application is made pursuant to Sec. 110.534, change of alcoholic beverage zoning because the applicants requested a change from a special food service establishment 4COP alcoholic beverage license to a quota 4COP alcoholic beverage license. Brandon Nazzario is the property owner.

Attorney Trask said he will use the same standards for all three cases on the agenda to shorten the time, so he will read it once and apply it to all three. The standards to be applied are outlined in Code Section 110-532, which reads as follows:

When considering the alcoholic beverage application, the Board of Commissioners shall consider the following factors:

1. The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.
2. The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.
3. Whether or not the proposed use is compatible with the particular location for which it is proposed.
4. Whether or not the proposed use will adversely affect public safety.
5. No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the City under any section of the Code.

Attorney Trask said, pursuant to the Code Section 2-10, the burden of proof reads as follows:

The applicant shall have the burden of proof at the hearing to show by the greater weight of the evidence that the application is consistent with the city's comprehensive plan and complies with all procedural requirements of law. Conditions may be suggested by the applicant, the City, or any party, or may be imposed by the Board, which are intended to assure consistency and compliance.

Attorney Trask said the parties in this case, since there have been no notices of intent to become an effective party filed in this case, are the City and Dockside Dave's Real Estate LLC. The order of the presentation, since there are only two parties, the City will present first, and then Dockside Dave's will have the opportunity to do that.

Attorney Trask read the quasi-judicial rules and procedures:

It is a quasi-judicial proceeding where the Board of Commissioners acts in a quasi-judicial rather than a legislative capacity at this hearing. It is not Board's function to make law but rather to apply law that has already been established. In this hearing, the Board is required by law to make findings of fact based upon the evidence presented at the hearing and apply those findings of fact to previously established criteria containing the Code of Ordinances in order to make a legal decision regarding the application before it. The Board may only consider evidence at the hearing that the law considers competent substantial and relevant to the issues. If the competent substantial and relevant evidence at the hearing demonstrates that the applicant has met the criteria establishing the Code of Ordinances, then the Board is required by law to find in favor of the applicant.

By the same token if the confident substantial and relevant evidence of the hearing demonstrates that the applicants failed to meet the criteria established in the Code of Ordinances then the Board is required by law to find 'against' the applicant.

Attorney Trask asked if any of the Board of Commissioners had any ex parte communication between the Commission and the applicant that they needed to disclose. There were none.

Attorney Trask asked if any of the Board of Commissioners had any conflicts of interest to disclose. There were none.

Attorney Trask administered the Oath to all present to speak at the meeting.

Attorney Trask asked the staff to make their presentation.

City Staff Presentation

Mr. Morris gave his staff report, which included responses to the five conditions of approval:

Discussion:

When considering the alcoholic beverage license application, the Board of Commissioners shall consider the following factors:

- (1) The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.**

Dockside Dave's is proposing to change from a Special Food Service Establishment (4COP) alcoholic beverage license to a Quota (4COP) alcoholic beverage license. The Quota (4COP) alcoholic beverage license does not require a percentage of gross food and beverage revenue to come from non-alcoholic items, and it does not require a minimum number of physical seats. The Special Food Service Establishment (4COP) license requires a minimum number of 120 physical seats and 51% of the gross food and beverage revenue to come from non-alcoholic items. Dockside Dave's still plans to operate as a restaurant but would not be required to meet the seating and food sale requirements of the previous license. This proposed change will not have a negative impact on the existing neighborhood character since the applicant proposes to continue to operate as restaurant. The existing neighborhood is mostly commercial or multifamily uses, and the existing restaurant already has a Special Food Service Establishment (4COP) alcoholic beverage license to serve beer, wine, and liquor on the premises. Additionally, The Reef Bar and Grill located adjacent to this property already serves liquor.

- (2) The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.**

As proposed, the Quota (4COP) alcoholic beverage license use does not present a safety hazard or lead to additional congestion. Dockside Dave's does meet the parking requirements of the city's

land development regulations when the 5 offsite shared parking spaces are included in their total parking count. The offsite shared parking spaces will be for employees only and all proposed parking on site will accommodate customers based on the number of seats indicated in the approved site plan provided. If the property of the offsite shared parking is redeveloped, Dockside Dave's would be out of compliance with the city's parking regulations unless they found additional parking. Attached to the memo is a copy of their offsite shared parking agreement.

Figure 1.

Dockside Dave's Parking Requirements from Site Plan

TOTAL REQUIRED PARKING SPOTS 35
PARKING COUNT = 27 SPOTS + 3 BIKE RACK CREDITS + 5 OFF SITE
GRAND TOTAL= 35 PARKING SPACES (5 OFFSITE)
NUMBER OF EMPLOYEES: 10

(3) Whether or not the proposed use is compatible with the particular location for which it is proposed.

This proposed change in alcoholic beverage license use is compatible with this location since Dockside Dave's would continue to be a restaurant. Nearby businesses like the Reef Bar and Grill already serve liquor. Dockside Dave's would continue to focus on food, and the alcoholic beverages would complement the food.

(4) Whether or not the proposed use will adversely affect the public safety.

Public safety should not be adversely affected by Dockside Daves Restaurant changing from a Special Food Service Establishment (4COP) alcoholic beverage license to a Quota (4COP) alcoholic beverage license. The restaurant is more than 500 feet away from any established church, synagogue, temple, or place of religious worship, public or private school operated for the instruction of minors, or youth recreation (community) center. This 500-foot requirement is the minimum distance required for bars and clubs located in the C-3, Zoning District (sec. 110-530) and does not need to be met for restaurants. Dockside Dave's is classified as a restaurant.

(5) No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the city under any section of the Code.

The applicant has no outstanding fines or penalties owed to the City under any section of the Code.

Fiscal Impact:

N/A

Recommendation(s):

Staff recommends the approval of ABP 2025-06 with the following conditions:

- The applicant must maintain a minimum of 5 parking spaces offsite. If there is a change to the existing contract, Dockside Dave's will need to submit a revised contract and site plan showing where the new parking spaces would be located.
- Per the attached site plan sheet SP 1.0, the area labeled "no open entertainment space permitted" cannot be utilized for additional seating, standing space, or open entertainment space with the exception of the applicant applying for a special events permit as defined in Article II. Special Events.

Attachments:

Local Application

Parking Agreement

Public Notice Mailing and Posting

Mr. Morris concluded his presentation.

Attorney Trask asked Mr. Morris if he was asking that the Board of Commissioners take the staff report into evidence. Mr. Morris said yes.

Questions from the Board of Commissioners to City Staff

Commissioner Ghovae inquired about the scale drawing in the package. Mr. Morris explained that the copy is smaller to fit the packet, while the one on the screen is much larger.

Commissioner Ghovae said he relies on staff to review it to ensure accuracy. Director Forbes said they have been working on the remodeling and have met all the review process requirements.

Attorney Trask asked if there were any other questions from the Commission for City Staff. There were none.

Attorney Trask asked if the City staff had any other witnesses it wished to call. There were none.

Applicant Presentation

Brandon Nazzario, the owner of Dockside Dave's property, had no additional comments or questions.

Questions of Mr. Nazario

Mayor Brooks reviewed the two staff recommendations: one was to keep the five parking spaces off-site, and the other was that no open entertainment space was allowed. Looking at the drawings, it is very clear where open entertainment is not permitted. If interpreted correctly, the only place for that is in the small building. Mr. Nazario confirmed there would be no entertainment outside the small building.

Mayor Brooks said she mentioned that because, during their discussion of the noise ordinance, they also talked about approving things outside the noise ordinance and how they would handle that.

There were no questions from the other Commissioners to the applicant.

Questions to the City Attorney

Attorney Trask said he would be happy to answer any questions they might have.

Mayor Brooks said that in the past, when the Commission approved things, conditions were placed on them, and those conditions would go away after a period of time. They cannot have open entertainment outside, which is very defined. She asked whether they needed to memorialize it in some way beyond just being part of the approval, so that it is enforceable for years to come. Should that be a concern or a conversation?

Attorney Trask said that at the end of each hearing, the City should issue a letter to them stating whether their application has been approved or denied and, if approved, that it is approved with the following conditions. That would be the documentation, and those conditions do not go away. If, in this particular case, they failed to have the five off-site parking spaces, he would think that City staff would immediately bring it back to the Board of Commissioners to revoke that alcoholic beverage permit because that was one of the conditions of the permit.

Attorney Trask said regarding the parking agreement question, the code is very specific about what must be included in that agreement. He worked with the property owner, the parking lot leasing agent, and their attorneys to develop a parking agreement. It meets all the terms he requested in the agreement. Specifically, what he was concerned about was what would happen if the lease agreement were to go away. There is a legal obligation on Mr. Nazario and his company to immediately notify the City that either the underlying agreement or his agreement has been terminated. Once that notice is brought to the Board of Commissioners and he cannot get the five spaces elsewhere, the Board of Commissioners would obviously want to address that alcoholic beverage permit. The agreement will be recorded in the public records, which will be like a recorded deed. It is the obligation of the property owner and the parking agreement company, or the parking company and Dockside Dave's. There is no way they can draft an agreement that prevents the parking spaces from going away. He has done his best to secure those spaces under that agreement, which he believes meets the code requirements. That would be the agreement to be attached to that letter he just mentioned as a condition.

Mayor Brooks said she understands they can obtain special event permits for outdoor entertainment. Attorney Trask said that it was a condition.

There were no more questions from the City or the applicant. Attorney Trask opened to public comment.

Public Comments

Chuck Dillon from Lillian Drive spoke in support of the application, noting it represented another step in the city's recovery after the storm.

Public Hearing Closed

Attorney Trask closed the public hearing and brought it back to the Commission for consideration of the application. He asked for a motion to vote up or down. The motion to approve should include the conditions listed in the staff recommendation.

Commissioner McGeehen motioned to approve the ABP 2025-06 Dockside Dave's Restaurant, including the staff recommendation of the two conditions. Commissioner Ghovae seconded the motion.

ROLL CALL:

Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Commissioner Tagliarini	"YES"
Vice Mayor Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

E. ABP 2025-07 Johns Pass Convenience Store & Rentals

City Attorney Tom Trask said the application in the case is Corey Jennings and Coastal Rise LLC, located at 13045 Gulf Blvd, Madeira Beach, FL 33708. There are no notices of intent by persons seeking to be an affected party.

A summary of the application is pursuant to Land Development Code, Article VI, Division 6, Alcoholic Beverages. The applicant for ABP 2025-07 is requesting authorization from the Board of Commissioners for the approval of a Package Sales 2APS alcoholic beverage license for the sale of beer and wine package sales for off-premises consumption at Johns Pass Convenience Store & Rentals at 13045 Gulf Blvd., Madeira Beach, FL 33708.

Attorney Trask said he had already gone over the standards and will not repeat them. They are the same as the last case. The burden of proof is the same as in the last case. Since there are no affected parties, the only parties are the City, Mr. Jennings, and Coastal Rise LLC. The City will therefore present first. He said he had already read the quasi-judicial procedures. They are the same for this case.

Attorney Trask asked if any of the Commissioners had any ex parte communication between the Commission and the applicant that they needed to disclose. There were none.

Attorney Trask asked if any of the Commissioners had any conflicts of interest to disclose. There were none.

Attorney Trask said City staff had already been sworn in. There was no one in the public to speak, and the applicant was not present.

Attorney Trask asked the staff to make their presentation.

City Staff Presentation

Mr. Morris gave his staff report, which included responses to the five conditions of approval:

Discussion:

When considering the alcoholic beverage license application, the Board of Commissioners shall consider the following factors:

(1) The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.

The Traditional Village Character District of John's Pass Village Activity Center is focused on commercial uses to cater to both residents and visitors. A convenience store selling beer and wine would be a compatible use for the location. The proposed alcohol use would not adversely affect the character of the existing neighborhood. There are nearby businesses that have various types of alcoholic beverage licenses.

(2) The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.

The Traditional Village Character District of the John's Pass Village Activity Center is a walkable commercial area where customers can walk between their shopping and eating destinations. This establishment is in the John's Pass Village Parking Area listed in Sec. 110-954. - Special parking areas. The proposed alcoholic beverage license use would not create additional congestion or present a safety hazard. John's Pass Convenience Store was previously located along Fisherman's Alley. Their previous store was damaged during Hurricane Helene. At the previous location of the John's Pass Convenience Store, they did have a Package Sales (2APS) alcoholic beverage license. The proposed alcoholic beverage license would be the same level of intensity and not generate additional traffic more than their previous location. The applicant clarified that their lease includes 2 parking spaces. One space would be used for employee parking, and another space would be used for customer parking. Since this establishment is located in a special parking area, the proposed parking will be sufficient.

(3) Whether or not the proposed use is compatible with the particular location for which it is proposed.

A convenience store would be a compatible use in this location since it is a commercial use and would be near other commercial uses. Many of the nearby tenants have various types of alcohol

beverage licenses. The structure that the establishment is located in has previously had other commercial tenants. The proposed use is compatible with the location.

(4) Whether or not the proposed use will adversely affect the public safety.

Public safety should not be adversely affected by Johns Pass Convenience Store & Rentals selling beer and wine package sales for off-premises consumption. The convenience store is more than 500 feet away from any established church, synagogue, temple, or place of religious worship, public or private school operated for the instruction of minors, or youth recreation (community) center. There are businesses nearby that already sell alcoholic beverages.

(5) No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the city under any section of the Code.

The applicant has no outstanding fines or penalties owed to the City under any section of the Code.

Fiscal Impact:

N/A

Recommendation(s):

City Staff recommends the approval of ABP 2025-07 Johns Pass Convenience Store & Rentals.

Attachments:

Local Application

Existing Site Plan

Public Notice Mailing and Posting

Mr. Morris concluded his presentation.

Attorney Trask asked Mr. Morris if he was asking that the Board of Commissioners take the staff report into evidence. Mr. Morris said yes.

Questions from the Board of Commissioners to City Staff

There were no questions from the Commission to City staff.

Applicant Presentation

The applicant was not present.

Public Comments

Attorney Trask asked if anyone from the public wanted to address the application. There were none.

Public Hearing Closed

Attorney Trask closed the public hearing and returned it to the Commission for consideration of the application, as presented, without the applicant.

Commissioner Ghovae asked whether the parking spaces were existing and already striped, as none of them work dimensionally. Mr. Morris said the parking spaces have been there for a very long time. It is older, legally non-conforming structures that have oddly shaped parking spots. If they ever redeveloped, they would have to comply with the alcohol permit. Commissioner Ghovae said that, from a public safety perspective, he would be concerned about cars not being able to back out. There is not enough space between the parking spaces and the drive aisle to back out at a 90-degree angle. It appears to be minimal. If it existed, they would have to live with it.

Director Forbes said it was not part of any other permit or site plan review. It is strictly just adding the sale of alcohol. It does not trigger them to become fully compliant unless they stripe or restripe the parking lot, then it would trigger the full compliance. The alcohol permit also does not require them to have additional parking.

Commissioner Tagliarini motioned to approve the ABP 2025-07 Johns Pass Convenience Store & Rentals application. Vice Mayor Kerr seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Vice Mayor Kerr	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

F. ABP 2025-08 Broke N Board Bar & Grill

City Attorney Tom Trask said he was not sure how to pronounce the applicant's name. He could step forward and pronounce it to them.

Attorney Trask said this is for the property located at 15015 Madeira Way, Suite 100, Madeira Beach, FL 33708.

The summary of the application is pursuant to Land Development Code, Article VI, Division 6, Alcoholic Beverages. The applicant for ABP 2025-08 is requesting authorization from the Board of Commissioners for the approval of a Special Food Service Establishment 4COP Alcoholic Beverage License with stated intent to sell, Beer, wine, and Liquor for consumption on premises at Broke N Board Bar & Grill located at 15015 Madeira Way, Suite 100, Madeira Beach, FL 33708.

Attorney Trask said the standards to be applied are the ones he mentioned in the first two cases. They are the same. The burden of proof is the same. No affected parties have filed notices of intent. The only parties are the applicant and the City. The City should present first. He has already read the quasi-judicial procedures. They are the same as the last two.

Attorney Trask asked if any of the Commissioners had any ex parte communication between the Commission and the applicant that they needed to disclose. There were none.

Attorney Trask asked if any of the Commissioners had any conflicts of interest to disclose. There were none.

Attorney Trask said City staff have already been sworn in. When asked, the applicant said he had already been sworn in.

The applicant, Djeto Ljuljdjural, pronounced his name.

City Staff Presentation

Attorney Trask asked the staff to make their presentation.

Mr. Morris gave his staff report, which included responses to the five conditions of approval:

Discussion:

When considering the alcoholic beverage license application, the Board of Commissioners shall consider the following factors:

- (1) The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.**

The property has the Future Land Use designation of Planned Redevelopment-Mixed Use and is surrounded by other properties with this Future Land Use designation. The Planned Redevelopment-Mixed Use Future Land Use designation is given to properties located within the Madeira Beach Town Center Special Area Plan. This property is in the Commercial Core District of the Madeira Beach Town Center Special Area Plan. This district supports Commercial uses and Commercial/mixed-uses that are walkable. There are other nearby businesses that sell alcoholic beverages. A restaurant that serves beer, wine, and liquor would be an acceptable use for the property and would not adversely affect the character of the existing neighborhood.

- (2) The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.**

Properties located within the Madeira Beach Town Center Special Area Plan have a reduced parking requirement that is 50% less than other areas of Madeira Beach. The restaurant is attached to a hotel structure that has a parking garage. The property has sufficient parking for both the hotel

and restaurant uses. The traffic generated from this proposed alcoholic beverage request would not create congestion or present a safety hazard.

(3) Whether or not the proposed use is compatible with the particular location for which it is proposed.

Don the Beachcomber was previously using this location and had the same type of alcoholic beverage license. The proposed alcoholic beverage license use would be compatible with the existing structure and with the zoning and future land use designations for the property. The property is not located within 500 feet of a church, synagogue, temple, or place of religious worship, public or private school operated for the instruction of minors, or youth recreation (community) center.

(4) Whether or not the proposed use will adversely affect the public safety.

The requested license is not anticipated to adversely affect public safety. For Special Food Service Establishment (4COP) Alcoholic Beverage Licenses, the state of Florida requires at least 51% of gross food and beverage sales revenue to come from the sale of food and non-alcoholic beverages. The previous tenant Don the Beachcomber had a Special Food Service Establishment (4COP) license. The proposed alcoholic beverage license request would not adversely affect public safety more than the previously approved alcoholic beverage license use at this location.

(5) No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the city under any section of the Code.

The applicant does not owe any outstanding charges, fees, interest, fines, or penalties to the city.

Fiscal Impact:

N/A

Recommendation(s):

City Staff recommends the approval of ABP 2025-08 Broke N Board Bar & Grill.

Attachments:

Local Application
Approved Site Plan
Public Notice Mailing and Posting

Mr. Morris concluded his presentation.

Attorney Trask asked Mr. Morris if he was asking that the Board of Commissioners take the staff report into evidence. Mr. Morris said yes.

Questions from the Board of Commissioners to City Staff

Attorney Trask asked if there were any questions from the Commission for City Staff. There were none.

Attorney Trask asked Mr. Ljuljdjural if he had any questions for Mr. Morris, and there were none.

Attorney Trask asked if City staff had any other witnesses. There were none.

Applicant Presentation

The applicant, Mr. Ljuljdjural, presented to the Board of Commissioners. He said the place is not changing anything from what it was before. They are a bar and restaurant and will provide better food, use the patio, have entertainment, and follow the City's rules. In Indian Shores, they have a place. There have been no issues. The City will have no issues either.

Applicant questions for the Board of Commissioners

Commissioner Tagliarini said the prior restaurant there had noise issues, although it was a nice setup. There are condos next to it. The noise was addressed in the City's ordinances, but it was pushed to the limit.

Mr. Ljuljdjural said there will be no noise issues. On the outside, there will mostly be slow piano music with no issues.

Public Comments

Attorney Trask asked if anyone else in the audience wanted to address the Commission on the application.

Chuck Dillon spoke in support of the application, noting that if the restaurant was related to one up north, they served delicious food.

Public Hearing Closed

Attorney Trask closed the public hearing and returned it to the Commission for consideration of the application.

Mayor Brooks said she was in favor, and Vice Mayor Kerr said he would follow staff recommendations.

Commissioner Tagliarini motioned to approve the ABP 2025-08 Broke N Board Bar & Grill application. Vice Mayor Kerr seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"

Commissioner Ghovae	"YES"
Vice Mayor Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

11. UNFINISHED BUSINESS

12. CONTRACTS/AGREEMENTS

13. NEW BUSINESS

14. AGENDA SETTING (January 28, 2026, BOC Regular Workshop; 2:00 PM)

- A. 555 150th Avenue Rezoning to C-4, Marine Commercial Zoning District**
- B. Area 9 Design/Engineering Scope Discussion**
- C. CXT Bathroom Purchase Discussion**

Added items:

Mayor Brooks added three items from the workshop meeting:

- Parking Garage Update
- The Jetty
- The property that Vice Mayor Kerr mentioned that he wanted reviewed by the Board.

City Attorney Trask requested adding a review of a fine reduction request for a code enforcement lien on property located at 703 Sunset Cove, noting that the process would be to review it at the workshop and then act on it at a regular meeting. Everyone received the memorandum with the backup information.

15. REPORTS/CORRESPONDENCE

A. Board of Commissioners – Reports/Correspondence

Commissioner Tagliarini raised concerns about an email from City Attorney Trask regarding legal fees for a complaint filed against his campaign finances by former Mayor John Hendricks. He explained that initially, the City Attorney had led him to believe that the City would reimburse his legal fees related to the complaint, which contained 24 alleged violations that had all been resolved before the complaint was filed. The City Attorney misunderstood it to be an ethics complaint rather than an election complaint. The former city manager, Mr. Gomez, authorized the payment, and his legal fees were recently paid. However, he recently learned from the City Attorney that the fees are not reimbursable by the City because it was an election complaint rather than an ethics complaint, and he apologized for making the error.

Commissioner Tagliarini said he was being asked to reimburse the City for the legal fees. He requested that the Board allow the City Manager to authorize payment of his legal fees, at least up to this point, as he was led to believe it was his right and had been promised by the previous city manager. He will be responsible for any fees incurred from this point forward. He thanked the Board for its consideration.

The City Attorney stated it would not be appropriate for the Board of Commissioners to authorize the payment and proposed a solution. He suggested that on his next bill, he credit the City the value of the \$630 in legal fees it has already paid, if acceptable by the Commission and Commissioner Tagliarini. This would make it a non-issue and prevent Commissioner Tagliarini from potentially getting any future complaints about public purpose. Commissioner Tagliarini accepted the City Attorney's offer.

B. Board of Commissioners – 2026 Meeting Schedule

The Board reviewed the 2026 meeting schedule and made no changes.

C. Board of Commissioners – 2025 BOC Annual Meetings Report (Jan – Nov) - Informational

City Clerk noted this was provided for informational purposes and mentioned that monthly Board of Commissioners budget reports would be added to future reports.

D. City Clerk Report

The City Clerk announced that the qualifying period for the March 10, 2026 municipal election would end on Friday, December 12, 2025, at noon. Three candidates have qualified so far: David Tagliarini for Commissioner District 1, and Ray Kerr (incumbent), and Chuck Dillon for Commissioner District 2.

E. City Attorney

City Attorney Trask wished everyone a Merry Christmas and a Happy New Year.

F. Acting City Manager

The City Manager provided updates on two projects: Johns Pass dredging would start in January, depending on when Pinellas County finishes dredging the channel; and the Snack Shack sand removal is scheduled from December 22nd through December 27th, with Christmas being a day off.

16. RESPOND TO PUBLIC COMMENTS/QUESTIONS

There were no public comments and questions to address.

17. ADJOURNMENT

Mayor Brooks adjourned the meeting at 7:24 p.m.

ATTEST:

Anne-Marie Brooks, Mayor

Clara VanBlargan, MMC, MSM, City Clerk

DRAFT