

SPECIAL MAGISTRATE
AFFIDAVIT OF COMPLIANCE

MAY 25, 2022

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

vs.

HENNIGAN, PHILLIP C
HENNIGAN, LINDA
734 SUNSET COVE
MADEIRA BEACH, FL 33708-2385
Respondent,

CASE NO. 2015.09

I, Holden Pinkard, *Operations Coordinator*, have personal examined the property described in

Madeira Beach Notice of Violation: 08-19-2015
Madeira Beach Special Magistrate Order: 09-24-2015

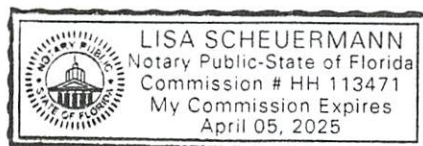
In the abovementioned case and find that said property is in compliance with Sec. 14.68, Sec. 14.69, Sec. 14-70, Sec. 34-122 and IMPC 303.1 of the Code of the City of Madeira Beach, Florida, as of 05-23-2022.


Holden Pinkard, Operations Coordinator

STATE OF FLORIDA
COUNTY OF PINELLAS

Before me on this 25th day of May, 2022, Holden Pinkard personally appeared who executed the foregoing instrument and who is personally known to me.

SEAL


Notary

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2021.3355

Petitioner,

vs.

SHORELINE ISLAND RESORT, LLC,
14230 Gulf Blvd.
Madeira Beach, FL 33708,


Respondent.

ORDER EXTENDING COMPLIANCE DEADLINE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on June 27, 2022, after due notice to the Respondent, and the Special Magistrate having heard testimony under oath, received evidence, and otherwise being fully advised in the premises, **IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:**

1. The deadline for compliance set forth in the Order of Continuance dated January 24, 2022, is extended to July 29, 2022.

DONE AND ORDERED this 28th day of June, 2022.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order Extending Compliance Deadline was delivered by certified mail and regular mail to: **Shoreline Island Resort, LLC, 14200 Gulf Blvd., Madeira Beach, FL 33708**; by electronic mail to **Thomas Trask, Esq. (tom@cityattorneys.legal)**; and by U.S. Mail and e-mail transmission to the **City of Madeira Beach, Clara VanBlargan, 300 Municipal Dr., Madeira Beach, Florida 33708**, on this 28th day of June, 2022.



Bart R. Valdes

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order of a Special Magistrate to the circuit court. Such an appeal shall not be a hearing de nova 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. Ss. 162-11.

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

CITY OF MADEIRA BEACH,

Petitioner,

vs.

PRUITT, DEAN A.
PRUITT, MARIA L.
1336 Bayview Drive
Clearwater, FL 33756-1232

CASE NUMBER: 2020.1266

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2022268368 09/02/2022 08:41 AM
OFF REC BK: 22190 PG: 1578-1580
DocType:LN RECORDING: \$27.00

Respondents.
_____ /

**FINDING OF FACT, CONCLUSION OF LAW AND
ORDER IMPOSING ADMINISTRATIVE FINE AND CERTIFYING LIEN**

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on June 27, 2022, after due notice to the Respondents, and the Special Magistrate having heard testimony under oath, received evidence, and otherwise being fully advised in the premises, hereby finds:

Findings of Fact:

1. The City was represented by the Thomas J. Trask, Esq., City Attorney, as well as Raul Perez, Fire Inspector, and Holden Pinkard, Building Operations Coordinator, who provided testimony as to the violation.
2. Dean A. Pruitt was present at the hearing on behalf of the Respondents and admitted to the violation.
3. The property in question, located at 545 150th Ave, Madeira Beach, Florida 33708 ("Property") is owned by the Respondents.
4. Proper notice was served upon the Respondents via certified mail, regular mail and posting in accordance with Chapters 162 and 166, *Florida Statutes*.
5. The Respondents were notified that they were in violation of the following section of the Code of Ordinances of the City of Madeira Beach to wit:

Sec. 14-31.- Technical codes adopted – Fire Codes.



- (a) The National Fire Protection Association 1 (NFPA 1) Uniform Fire Code, 2021 edition, as adopted by the State of Florida, including appendices and annex thereto shall apply, as may be subsequently amended.
- (b) The National Fire Protection Association 101 (NFPA 101) Life Safety Code, 2021 edition, as adopted by the State of Florida, including appendices and annex thereto shall apply, as may be subsequently amended.

*NFPA 14 13.4.1 Installation, location and protection of piping. NFPA 14 N 13.4.2.3.6 Fire Department connections shall be located not more than 100 feet from the nearest fire hydrant or approved water supply.

BASED UPON THE FOREGOING FINDINGS OF FACT, IT IS HEREBY ORDERED AND ADJUDGED:

1. The Respondents and the Property at the above-mentioned location are found to be in violation of Section 14-31 of the Code of Ordinances of the City of Madeira Beach, NFPA 14 13.4.1 and NFPA 14 N 13.4.2.3.6.

2. The Respondents shall correct the above-stated violation on or before August 27, 2022, by taking the following remedial action:

- (1) Obtain a state certified contractor to perform the required work.
- (2) Have the contractor apply for a permit with Madeira Beach City Permitting.
- (3) Have the contractor submit engineered drawings with material cut sheets and Calculations for the required standpipe to be approved by the Fire Marshal.
- (4) Work to be performed shall include:
 - a. A Class 1 standpipe (dry pipe) system that reaches to the end of the dock with a 5" Storz Connection and a 30-degree elbow facing downward as the main connection.
 - b. A hose connection every 150' along the side of the dock until the end.
 - c. The Standpipe pressure tested according to NFPA 14.
 - d. Requiring fire extinguishers a minimum of 75' distance from each other on the dock.
 - e. Requiring FDC signage to be next to the FDC facing towards the street.
 - f. Requiring a compliance test to be done with the fire hydrant pursuant to the NFPA.

3. If the Respondents fail to timely comply with the remedial action as set forth above, a fine shall be imposed, without further hearing, in the amount of \$100.00 per day for the violation set forth above for each day the Respondents have failed to correct the violation after August 27, 2022, and the fine shall continue to accrue until such time as the Property is brought into compliance.

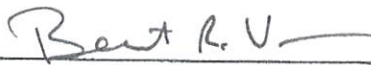


4. The City of Madeira Beach may record this Order Imposing Administrative Fine and Certifying Lien in the Officials Records of Pinellas County, if the violation is not corrected by the date set forth above.

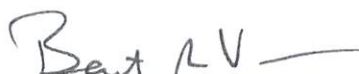
5. Upon recording, this Order Imposing Administrative Fine and Certifying Lien shall become a lien upon the above-described real property, and other real property of Respondents in Pinellas County and any personal property of the Respondents, as provided by law.

6. The Special Magistrate does hereby retain jurisdiction over this matter to enter such other and further Orders as may be just and proper.

DONE AND ORDERED this 30th day of JUNE, 2022.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Order Imposing Administrative Fine and Certifying Lien was delivered by certified mail and regular mail to: Dean A. Pruitt and Maria L. Pruitt, 1336 Bayview Drive, Clearwater, FL 33756-1232 and to Dean A. Pruitt, 545 150th Avenue, Madeira Beach, FL 33708; by electronic mail to Thomas Trask, Esq. (tom@cityattomeys.legal); and by U.S. Mail and e-mail transmission to the City of Madeira Beach, Clara VanBlargan, 300 Municipal Dr., Madeira Beach, Florida 33708, on this 1st day of July, 2022.


Bart R. Valdes
Special Magistrate

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order of a Special Magistrate to the circuit court. Such an appeal shall not be a hearing de nova 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. Ss. 162-11.

