

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2021.3332

Petitioner,
vs.

JOSHUA ROSENTHAL
13342 3rd St. E.
Madeira Beach, FL 33708,

Respondent.



KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2022014642 01/13/2022 03:42 PM
OFF REC BK: 21891 PG: 2111-2113
DocType: CC JUD RECORDING: \$27.00

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER IMPOSING FINE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on October 25, 2021, 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, hereby finds as follows:

Findings of Fact:

1. The City was represented by the City Attorney, Thomas Trask, and Building Code Compliance Officer, Holden Pinkard, provided testimony evidencing that a code violation occurred.
2. No one appeared on behalf of the Respondent. The Respondent did send a e-mail and admitted to the violations.
3. No one provided public comment.
4. The property in question is located at 13342 3rd St. E., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

PAGE'S REPLAT OF MITCHELL'S BEACH BLK E, LOT 12

5. Proper notice was served upon the Respondent via certified mail, regular mail, posting or hand delivery in accordance with Chapters 162 and 166, Florida Statutes.
6. The Respondent was notified that Respondents were in violation of the following section of the Code of Ordinances of the City of Madeira Beach to wit:

Sec. 86-52.- When required.

A person, firm or corporation shall not construct, enlarge, alter, repair, move, demolish,

or change the occupancy of a building or structure, or erect, or construct a sign, or install or alter fire extinguishing apparatus, elevators, engines, steam boiler, furnace, incinerator, or other heat producing apparatus, plumbing, mechanical or electrical equipment or any appurtenances, the installation of which is regulated by the land development regulations or other sections of the Code until a permit has been issued by the building official. When the cost of repair or modification does not exceed \$500.00, does not result in a structural change, and does not require an inspection, a permit need not be issued by the building official. No permit is required for uncovered flat slabs of no greater than 50 square feet, for work of a strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

Sec.110-446.- Applicability of division.

This division applies to all fences, hedges, and walls that are not specifically exempted from this division. This division does not apply to seawalls (see chapter 14, article V of this Code for regulations on seawalls).

(2) Building permits required. All fences and walls must comply with established building permit procedures.

7. The violations set forth above existed as of the date of the Notice of Violation herein and at all times subsequent thereto up to the date of the Hearing.

8. A reasonable period of time for correcting the above violations and bringing the Property into compliance is on or before January 1, 2022.

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

1. The Respondent, and the Property at the above mentioned location, are found to be in violation of Section 86-52 and 110-446 of the Code of Ordinances of the City of Madeira Beach.

2. The Respondent shall correct the above stated violations on or before January 1, 2022, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing.

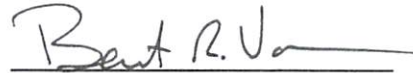
3. Upon complying, the Respondent shall notify the Code Compliance Officer, at the City of Madeira Beach, who shall then inspect the property to confirm compliance has been accomplished.

4. If the Respondent fails to timely comply with the remedial actions as set forth above, a fine shall be imposed, in the amount of \$100.00 per day for the violation set forth in Paragraph 6 above for each day the Respondent has failed to correct the violations after January 1, 2022, and the fine shall continue to accrue until such time as the Property is brought into compliance.



5. 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 28th day of October, 2021.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Findings of Fact was delivered by certified mail and regular mail to: **Joshua Rosenthal, 13342 3rd St. E., Madeira Beach, Florida 33708** and **3435 Temple Ave., Feasterville Trevose, PA 19053**; 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 October, 2021.



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,

CASE NUMBER: 2019.1003

Petitioner,

vs.

KEVIN FARROW
14011 N. Bayshore Dr.
Madeira Beach, FL 33708,

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2021364502 11/08/2021 02:52 PM
OFF REC BK: 21797 PG: 1211-1211
DocType:ORDER RECORDING: \$10.00

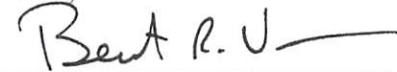
Respondent.

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on October 25, 2021, after due notice to the Respondent, and having received evidence, and otherwise being fully advised in the premises, **IT IS HEREBY ORDERED AND ADJUDGED:**

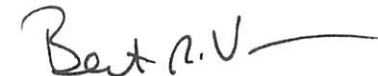
1. The violation set forth in the Findings of Fact, Conclusion of Law and Order Imposing Fine dated February 28, 2020, has been corrected. The property located at 14011 N. Bayshore Dr., Madeira Beach, Florida 33708, was brought into compliance on August 3, 2020.

DONE AND ORDERED this 28th day of October, 2021.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: Kevin Farrow, 14011 N. Bayshore Dr., Madeira Beach, Florida 33708; and 434 Bouchelle Dr., Unit 203, New Smyrna Beach, Florida 32169; 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 October, 2021.



Bart R. Valdes

APPEALS

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**CERTIFIED TRUE COPY
OF AN ORIGINAL DOCUMENT
CITY CLERK'S OFFICE**
SIGNED: 
DATE: November 3, 2021

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2020.1245

Petitioner,

vs.

KEVIN FARROW
14011 N. Bayshore Dr.
Madeira Beach, FL 33708,

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2021364500 11/08/2021 02:52 PM
OFF REC BK: 21797 PG: 1207-1208
DocType:ORDER RECORDING: \$18.50

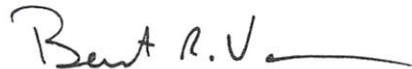
Respondent.

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on October 25, 2021, after due notice to the Respondent, and having received evidence, and otherwise being fully advised in the premises, **IT IS HEREBY ORDERED AND ADJUDGED:**

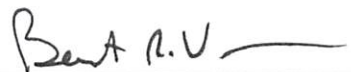
1. The violation set forth in the Findings of Fact, Conclusion of Law and Order Imposing Fine dated October 26, 2020, has been corrected. The property located at 14011 N. Bayshore Dr., Madeira Beach, Florida 33708, was brought into compliance on October 6, 2021.

DONE AND ORDERED this 28th day of October, 2021.

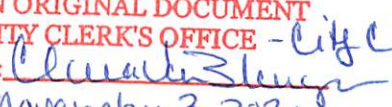


Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **Kevin Farrow, 14011 N. Bayshore Dr., Madeira Beach, Florida 33708; and 434 Bouchelle Dr., Unit 203, New Smyrna Beach, Florida 32169;** 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 October, 2021.



Bart R. Valdes

CERTIFIED TRUE COPY
OF AN ORIGINAL DOCUMENT
CITY CLERK'S OFFICE - City Clerk
SIGNED: 
DATE: November 3, 2021

APPEALS

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CERTIFIED TRUE COPY
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CITY CLERK'S OFFICE - City Clerk
SIGNED: [Signature]
DATE: November 3, 2021

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2020.1247

Petitioner,

vs.

KEVIN FARROW
14011 N. Bayshore Dr.
Madeira Beach, FL 33708,

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2021364501 11/08/2021 02:52 PM
OFF REC BK: 21797 PG: 1209-1210
DocType:ORDER RECORDING: \$18.50

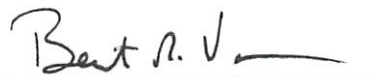
Respondent.

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on October 25, 2021, after due notice to the Respondent, and having received evidence, and otherwise being fully advised in the premises, **IT IS HEREBY ORDERED AND ADJUDGED:**

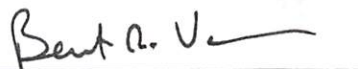
1. The violation set forth in the Findings of Fact, Conclusion of Law and Order Imposing Fine dated October 26, 2020, has been corrected. The property located at 14011 N. Bayshore Dr., Madeira Beach, Florida 33708, was brought into compliance on November 17, 2020.

DONE AND ORDERED this 28th day of October, 2021.

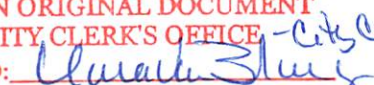


Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: Kevin Farrow, 14011 N. Bayshore Dr., Madeira Beach, Florida 33708; and 434 Bouchelle Dr., Unit 203, New Smyrna Beach, Florida 32169; 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 October, 2021.



Bart R. Valdes

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DATE: November 3, 2021

APPEALS

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CERTIFIED TRUE COPY
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CITY CLERK'S OFFICE - city clerk
SIGNED: Heather Shug
DATE: November 3, 2021