

CODE ENFORCEMENT SPECIAL MAGISTRATE  
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2021.019

Petitioner,

vs.

FREDERICK ROAD REALTY,  
14801 Gulf Blvd.  
Madeira Beach, FL 33708,

KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2021192362 06/10/2021 10:21 AM  
OFF REC BK: 21575 PG: 1822-1824  
DocType:LN RECORDING: \$27.00

Respondent.

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

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on April 26, 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, Esq., and Deputy, Jared Moren, and Building Official, Frank DeSantis, provided testimony evidencing that code violations occurred.

2. No one appeared on behalf of the Respondent.

3. No one provided public comment.

4. The property in question is located at 14801 Gulf Blvd., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

MADEIRA BEACH VISTA TRACT 2, LOTS 22 & 23 LESS RD R/W ON SW  
TOGETHER WITH LOTS 138 & 139 OF NORTH MADEIRA SHORES

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 Respondent was in violation of the following sections of the Code of Ordinances of the City of Madeira Beach to wit<sup>1</sup>:

<sup>1</sup> The City did not go forward with the violation of Sec. 14-69.

**CERTIFIED TRUE COPY  
OF AN ORIGINAL DOCUMENT  
CITY CLERK'S OFFICE**  
SIGNED: [Signature]  
DATE: 6/4/2021

**Sec. 14-70.- Same-General maintenance**

The exterior of every structure or accessory structure (including fences, signs, screens and store fronts) shall be maintained in good repair, termite free and all surfaces thereof shall be kept painted or have similar protective coating where necessary for purpose of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance to the end which the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties will be protected from conditions which tend to decrease the property values of surrounding properties.

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 violation and bringing the Property into compliance is thirty (30) days from the date of the Hearing.

**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 Sections 14-70 of the Code of Ordinances of the City of Madeira Beach.

2. The Respondent shall correct the above stated violations on or before May 27, 2021, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing.

3. If the Respondent fails to timely comply with the remedial actions as set forth above, a fine shall be imposed, without further hearing, in the amount of \$250.00 per day for the violation set forth in Paragraph 6 above for each day the Respondent has failed to correct the violation after May 27, 2021, 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 Fine and Certifying Lien in the Official Records of Pinellas County.

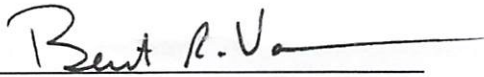
5. Upon recording, this Order Imposing Fine and Certifying Lien shall become a lien upon the above described real property, and other real property of Respondent in Pinellas County and any personal property of the Respondent, as provided by law.

**CERTIFIED TRUE COPY  
OF AN ORIGINAL DOCUMENT  
CITY CLERK'S OFFICE**

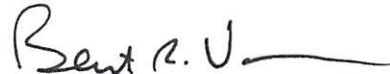
SIGNED: Cherack Blum  
DATE: 6/4/2021

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 27th day of April, 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: **Frederick Road Realty, 14801 Gulf Blvd., Madeira Beach, FL 33708**; and **606 Frederick Rd., Ste. 2, Catonsville, MD 21228**; 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 27th day of April, 2021.

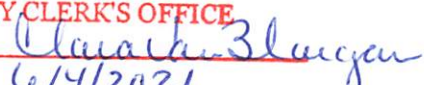
  
Bart R. Valdes

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#### 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.

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CERTIFIED TRUE COPY  
OF AN ORIGINAL DOCUMENT  
CITY CLERK'S OFFICE  
SIGNED:   
DATE: 6/4/2021



CODE ENFORCEMENT SPECIAL MAGISTRATE  
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2021.023

Petitioner,

vs.

JOSEPH M. STEPANIK,  
604 Normandy Rd.  
Madeira Beach, FL 33708,

KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2021188942 06/08/2021 09:21 AM  
OFF REC BK: 21571 PG: 2199-2201  
DocType:LN RECORDING: \$27.00

Respondent.

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

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on April 26, 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, Esq., and Deputy, Jared Moren, provided testimony evidencing that code violations occurred, and also played body camera footage of the short-term rental occupant.

2. No one appeared on behalf of the Respondent.

3. No one provided public comment.

4. The property in question is located at 604 Normandy Rd., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

ISLAND ESTATES UNIT NO. 1 LOT 39 & N ½ OF LOT 40

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 Respondent was in violation of the following sections of the Code of Ordinances of the City of Madeira Beach to wit<sup>1</sup>:

<sup>1</sup> The City did not go forward with the violation of Sec. 34-503.

CERTIFIED TRUE COPY  
OF AN ORIGINAL DOCUMENT  
CITY CLERK'S OFFICE  
SIGNED: Clara K. Blazgar  
DATE: June 1, 2021

**Sec. 110-176.- Definition; purpose and intent.**

The R-1, single-family residential district provides for single-family residential development located where lower density single-family uses are desirable. The R-1, single-family residential district correlates with the residential urban (RU) category of the Countywide Plan. The lots and dwellings are larger sized to provide for the desired density of use. Essential services and public facilities compatible with this residential district are also provided.

Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a six-month period.

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.

**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 Sections 110-176, of the Code of Ordinances of the City of Madeira Beach, for a short-term rental from March 19, 2021, to March 27, 2021.

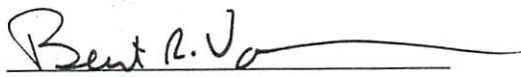
2. This is a repeat violation for the Respondent and the Property. A fine is imposed in the amount of \$500.00, per day from March 19, through March 27, 2021, for a total amount of \$4,500.00, as a result of the Respondent's repeat violation of Section(s) 110-176, of the Code of Ordinances of the City of Madeira Beach.

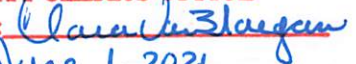
3. If this fine is not paid within 30 days then the City of Madeira Beach may record this Order in the Official Records of Pinellas County.

4. Upon recording, this Order shall become a lien upon the above described real property, and other real property of Respondent in Pinellas County and any personal property of the Respondent, as provided by law.

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

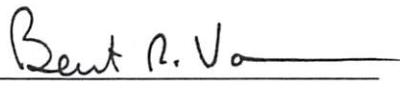
DONE AND ORDERED this 27th day of April, 2021.

  
Bart R. Valdes  
Special Magistrate

**CERTIFIED TRUE COPY  
OF AN ORIGINAL DOCUMENT  
CITY CLERK'S OFFICE**  
SIGNED:   
DATE: June 1, 2021

A true and correct copy of this Order Imposing Administrative Fine and Certifying Lien was delivered by certified mail and regular mail to: **Joseph M. Stepanik, 604 Normandy Rd., Madeira Beach, Florida 33708; and 7875 2<sup>nd</sup> Ave. S., St. Petersburg, FL 33707;** 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 27th day of April, 2021.

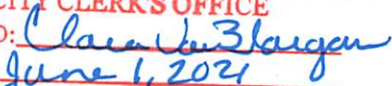
  
Bart R. Valdes

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#### 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.

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**CERTIFIED TRUE COPY  
OF AN ORIGINAL DOCUMENT  
CITY CLERK'S OFFICE**  
SIGNED:   
DATE: June 1, 2021

CODE ENFORCEMENT SPECIAL MAGISTRATE  
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2021.025

Petitioner,

vs.

MIRIAM RODRIGUEZ,  
13100 Boca Ciega Ave.  
Madeira Beach, FL 33708,

Respondent.

**FINDINGS OF FACT AND CONCLUSION OF LAW**

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on April 26, 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, Esq., and Deputy, Jared Moren, provided testimony evidencing that code violations occurred, and also played body camera footage of two (2) short-term rental occupants.
2. A property manager, Audra Elinn, appeared on behalf of the Respondent.
3. No one provided public comment.
4. The property in question is located at 13100 Boca Ciega Ave., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

PAGE'S REPLAT OF MITCHELL'S BEACH BLK Q, LOT 20

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. Evidence of proper notice also included the Respondent calling the City after the Notice of Violations and the Property Manager appearing at the hearing.
6. The Respondent was notified that Respondent was in violation of the following sections of the Code of Ordinances of the City of Madeira Beach to wit<sup>1</sup>:

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<sup>1</sup> The City did not go forward with the violation of Sec. 34-503.



**Sec. 110-201,- Definition; purpose and intent.**

The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types.

Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period.

7. The violations set forth in Paragraph 6 above existed as of the date of the Notice of Violation herein. At the public hearing testimony was given that the Property has been brought into compliance and is no longer being advertised for rent for less than ninety (90) days.

**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 Sections 110-201, of the Code of Ordinances of the City of Madeira Beach for short-term rentals from March 27, 2021, through April 2, 2021, and April 3, 2021, through April 9, 2021.

2. 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 27th day of April, 2021.



Bart R. Valdes  
Special Magistrate

A true and correct copy of this Findings of Fact and Special Magistrate Order was delivered by certified mail and regular mail to: **Miriam Rodriguez, 13100 Boca Ciega Ave., Madeira Beach, FL 33708; and 637 S. Fairfax Ave., Apt. 502, Los Angeles, CA 90036;** 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 27th day of April, 2021.



Bart R. Valdes

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**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.

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CODE ENFORCEMENT SPECIAL MAGISTRATE  
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2020.1258

Petitioner,

vs.

JEFFERY P. HELMS and  
MICHELLE D. HELMS,  
546 Johns Pass Ave.  
Madeira Beach, FL 33708,

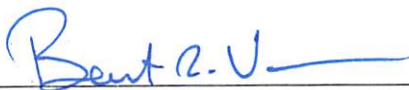
Respondents.  
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**ORDER EXTENDING COMPLIANCE DEADLINE**

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on April 26, 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, **IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:**

1. The deadline for compliance set forth in the Findings of Fact and Conclusion of Law dated March 30, 2021, is extended to April 30, 2021.

DONE AND ORDERED this 27th day of April, 2021.

  
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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: **Jeffery and Michelle Helms, 546 Johns Pass Ave., 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 27th day of April, 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.