

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

Petitioner,

vs.

CASE NUMBERS: 2020.065
2020.066
2020.067

G T L F MADEIRA LLC,
at PELICAN LN.
MADEIRA BEACH, FL
PID: 15-31-15-97830-000-0300
PID: 15-31-15-97830-000-0260
PID: 15-31-15-97830-000-0240,

Respondent.

ORDER ON LIEN REDUCTION REQUESTS AND ORDER IMPOSING FINES

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on December 7, 2020, 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:

Findings of Fact

1. The City was represented by the City Attorney, Thomas J. Trask. Building Code Compliance Official, Deputy Snyder, provided testimony regarding the code violations previously admitted by the Respondent's representative and found to have existed by the undersigned.
2. G T L F Madeira LLC was represented by Attorney Timothy Weber. Gaby Fraifer provided testimony regarding his attempts to bring the code violations into compliance.
3. The properties in question are located at Pelican Lane, Madeira Beach, FL 33708 ("Properties") and are identified as PID: 15-31-15-97830-000-0300, PID: 15-31-15-97830-000-0260 and PID: 15-31-15-97830-000-0240.

4. Proper notice was served upon the Respondent via certified mail, regular mail, posting or hand delivery in accordance with Chapter 162, Florida Statutes.
5. The undersigned previously issued the Findings of Fact, Conclusions of Law and Order Imposing Fine and Certifying Lien ("Orders") in cases 2020.065, 2020.066 and 2020.067 on June 29, 2020.
6. The Orders directed the Respondent to correct the code violation on or before September 20, 2020.
7. The code violation was brought into compliance on October 25, 2020.
8. The Respondent filed Lien Reduction Requests in all three cases.

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

1. The Respondent failed to timely comply with the remedial actions as set forth in the Orders until October 25, 2020.
2. A reduced fine in the amount of \$50.00 per day, per case, for a total daily sum of \$150.00 per day is warranted and shall be imposed against the Respondent for its failure to comply with the Orders from September 20, 2020, through October 25, 2020.
3. The City of Madeira Beach may record a certified copy of this Order in the Official Records of Pinellas County, Florida, if the fine is not paid within thirty (30) days of the date of this Order.
4. Upon recording, this Order shall become a lien upon the above-described real property and any 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 18th day of December, 2020.

By Bart R. Valdes
Bart R. Valdes, Special Magistrate

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I hereby certify that a true and correct copy of this Order was delivered by certified mail and regular mail to **G T L F Madeira, LLC**, 4701 W. Hillsborough Avenue, Tampa, FL 33614 and by U.S. Mail and e-mail transmission to **Timothy Weber, Esq.**, 5453 Central Avenue, St. Petersburg, FL 33710-8049, **Clerk of the City of Madeira Beach**, Clara VanBlargan, 300 Municipal Drive, Madeira Beach, FL 33708, and to **Thomas J. Trask, City Attorney**, 1001 S. Ft. Harrison Avenue, Suite 201, Clearwater, FL 33756, on this 18th day of December, 2020.



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. See Florida Statue §162.11.

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