

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2023.3699

Petitioner,

vs.

PAIRODOCS, LLC,
314 129th Ave. E.
Madeira Beach, FL 33708,

Respondent.

**FINDINGS OF FACT, CONCLUSIONS 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 July 29, 2024, 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, and Grace Mills, Marci Forbes, and Frank Desantis provided testimony on behalf of the City.
2. No one appeared on behalf of the Respondent.
3. No one provided public comment.
4. The property in question is located at 314 129th Ave. E., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

WILLIAM'S, BILL MADEIRA HARBOR SUB 2ND ADD BLK 1, LOT 2

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:

Sec. 14-91.- Declaration of unfit structure.

Whenever the enforcing authority finds that any structure constitutes a hazard to the safety, health, or welfare of the occupants or to the public because it lacks maintenance

or because it lacks the sanitary facilities or equipment or otherwise fails to comply with the minimum provisions of this article, he may declare such structure as unfit for occupancy and order it to be vacated. It shall be unlawful to again occupy such structure until it or its occupation, as the case may be, has been made to conform to the law. (Code 1983, § 6-221)

Sec. 14-69.- Same- Maintenance of the exterior of premises.

The exterior of premises and all structures thereon including but not limited to private property and vacant lots shall be kept free of all hazards to the health, safety and welfare of persons on or near the premises. It shall be the duty of the owner/occupant of such property to promptly abate or remove the same.

(3) Overhanging or overhead objects which are loose, insecurely fastened or otherwise constitute a danger of falling on persons or property by reason of their location above the ground shall not be stored or maintained on private property.

(8) Any condition on private property which evidences rodent, vermin, pest, or insect infestation, nesting or habitation is prohibited.

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

(2) Floors, interior walls and ceilings of every structure shall be structurally sound.

(3) Floors shall be considered to be structurally sound when capable of safely bearing imposed loads and shall be maintained at all times in a condition so as to be smooth, free from cracks, breaks and other hazards.

(4) All roofs shall have a suitable covering free of holes, cracks or excessively worn surfaces, which will prevent the entrance of moisture into the structure and provide reasonable durability. Metal roofs showing signs of corrosion shall be painted with an approved product or have similar protective coating applied in accordance with the manufacturer's specifications.

(6) Supporting structural members are to be kept structurally sound, free of deterioration and capable of bearing imposed loads safely.

(7) Walls and ceilings shall be in good repair, free from excessive cracks, breaks, loose plaster and similar conditions. Walls shall be provided with paint, wall covering materials or other protective covering.

(9) All premises shall be properly connected to and be provided with electric power through safely insulated conductors and shall conform to all provisions of the National Electrical Code.

(13) Exterior porches, landings, balconies, stairs and fire escapes shall be provided with railings properly designed and maintained to minimize the hazard of people falling, and the same shall be kept structurally sound, in good repair and free from defects.

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 August 28, 2024.

BASED UPON THE FOREGOING FINDINGS OF FACT, IT IS HEREBY

ORDERED AND ADJUDGED AS FOLLOWS:

9. The Respondent, and the Property at the above mentioned location, are found to be in violation of Section 14-91, 14-69, and 14-70 of the Code of Ordinances of the City of Madeira Beach.


10. The Respondent shall correct the above stated violations on or before August 28, 2024, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing.

11. 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.

12. If the Respondent fails to timely comply with the remedial actions as set forth above, a fine shall be imposed, in the amount of \$250.00 per day for the violations set forth in Paragraph 6 above for each day the Respondent has failed to correct the violations after August 28, 2024, and the fine shall continue to accrue until such time as the Property is brought into compliance.

13. 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 6th day of August, 2024.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Amended Findings of Fact was delivered by certified mail and regular mail to: **Pairedocs, LLC, 314 129th Ave. E., Madeira Beach, Florida 33708; and 149 Oak Knoll Ter., Highland Park, IL 60035;** 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 6th day of August, 2024.


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.

CASE NO. 2023.3608

**HOLCOMB, JOHN SCOTT
HOLCOMB, JENNIFER LYNN
572 Johns Pas Ave.
Madeira Beach, FL 33708,**

Respondents.

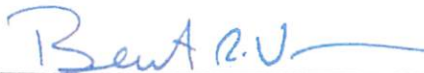
ORDER DENYING RESPONDENTS' REQUEST TO STAY FINES

THIS CAUSE came on to be heard before the undersigned Special Magistrate on July 29, 2024, on Respondents' request to stay the daily fine for non-compliance tendered to the Special Magistrate in an e-mail dated July 9, 2024, after proper notice was provided to the Respondents and giving the Respondents adequate opportunity to appear at the Hearing, and the Special Magistrate having reviewed the request and hearing from Petitioner's counsel, Thomas J. Trask, and otherwise being fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that Respondents' request to stay the fines in that certain Findings of Fact, Conclusion of Law and Order Imposing Fine dated October 31, 2023 is hereby **DENIED**.

DONE AND ORDERED this 5th day of August, 2024.

By



Bart R. Valdes, Special Magistrate

I hereby certify that a true and correct copy of this Order was delivered by certified mail and regular mail to John Scott Holcomb and Jennifer Lynn Holcomb, 572 Johns Pass Ave., Madeira Beach, FL 33708, and by e-mail transmission to Thomas J. Trask, City Attorney for the City of Madeira Beach (tom@cityattorenevs.legal) and to Clara VanBlargan, City Clerk of the City of Madeira Beach (cvanblargan@madeirabeachfl.gov), this 5th day of August, 2024.



Bart R. Valdes

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

CITY OF MADEIRA BEACH,

Petitioner,

vs.

CASE NO. 2022.3526

TOV I. VESTGAARDEN
590 Normandy Road
Madeira Beach, FL 33708-2343,

Respondent.

RE: 590 Normandy Road
Parcel #: 10-31-15-43272-000-0430
Legal: Island Estates Unit No. 1,
N ½ Lot 43 & S 49 Ft Lot 42
_____ /

**ORDER GRANTING RESPONDENT'S MOTION FOR
CONTINUANCE OF HEARING ON MOTION FOR EXTENSION OF TIME
TO COMPLY WITH MAGISTRATE ORDER**

THIS CAUSE came on to be heard before the undersigned Special Magistrate on July 29, 2024, on Respondent's *Motion for Continuance of Hearing on Motion for Extension of Time to Comply with Magistrate Order*, after proper notice was provided to the Respondent, and the Special Magistrate having reviewed the Motion and hearing from Petitioner's counsel, Thomas J. Trask, and otherwise being fully advised in the premises, it is hereby


ORDERED AND ADJUDGED as follows:

1. Respondent's *Motion for Continuance of Hearing on Motion for Extension of Time to Comply with Magistrate Order* is hereby GRANTED.
2. Respondent's *Motion for Extension of Time to Comply with Magistrate Order* is hereby RESCHEDULED to be heard at the Special Magistrate Hearing on August 29, 2024 at 2:00 p.m. at the Madeira Beach City Center in the Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, Florida 33708.

DONE AND ORDERED this 6th day of August, 2024.

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

I hereby certify that a true and correct copy of this Order was delivered by certified mail and regular mail to Tov I. Vestgaarden, 590 Normandy Road, Madeira Beach, FL 33708-2343, and by e-mail transmission to Thomas J. Trask, City Attorney for the City of Madeira Beach (tom@cityattorenevs.legal) and to Clara VanBlargan, City Clerk of the City of Madeira Beach (cvanblargan@madeirabeachfl.gov), this 6th day of August, 2024.


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 Statute §162.11.
