

LOCAL GOVERNMENT VARIANCES, SPECIAL EXCEPTION USES
AND APPEALS OF ADMINISTRATIVE DECISIONS
CITY OF MADEIRA BEACH, FLORIDA
Application No. VAR 2025-06

Design Freedom, Inc.
for the property located at
13212 Boca Ciega Ave.
Madeira Beach, Florida 33708,

Applicant.

ORDER GRANTING VARIANCE

Variance to adjust side setback variance from 15' total to 5' on each side, rear setback variance from 25' to 12', front setback variance from 20' to 15', and structures coverage variance from 0.40 to 0.50

Special Code Provisions: Sec. 110-206. - Setback requirements, and Sec. 110-208. - Maximum lot coverage.

PARCEL IDENTIFICATION NUMBER: 15-31-15-65304-009-0040

Special Magistrate, Bart R. Valdes, heard testimony and reviewed all evidence received at the Special Magistrate hearing held on July 7, 2025, and, based on the evidence, the testimony of Andrew Morris, and recommendations of City Staff in the Staff Report and Recommendations (the "Staff Report"), and all documents that were admitted into evidence, and the testimony of Cathy Svercl, enters the following findings of fact, conclusion of law and order.

FINDINGS OF FACT

1. The application of Design Freedom, Inc. (the "applicant") presents the issue involving a variance from the requirements of the above stated Madeira Beach Code of Ordinances, requesting a variance to rebuild a new duplex due to substantial damage during Hurricane Helene.

2. Special conditions and circumstances exist, as stated on the record, and in the Staff Report to justify the variance.

3. The lot at 13212 Boca Ciega Avenue was originally platted in 1935. The lot was platted before the current setback requirements and lot area requirements were adopted in the Madeira Beach Code of Ordinances. The lot is both irregularly shaped and substandard. The lot does not meet the minimum land area and lot size requirements for a duplex in the R-2, Zoning District. It would not be possible to build a new duplex as intended by Section 110-96 if it had to conform with the front setback from the R-2, Zoning District.

4. The existing residential neighborhood where the duplex is located has older nonconforming residential structures that have nonconforming setbacks because they are located on irregularly shaped or substandard lots. The proposed setbacks would balance maintaining the existing character of the neighborhood while reducing the nonconformity. If these other neighboring structures were rebuilt, most likely they would need similar variances to rebuild with a similar front setback.

5. The existing duplex flooded during Hurricane Helene and was declared substantially damaged. The proposed duplex would meet all current Florida Building Code and FEMA requirements and be more resilient compared to the previous structure.

6. The existing duplex was built in 1938. The lot plat was approved in 1935. Both the lot and existing duplex were created before the R-2, Zoning District land minimum building site area requirements and setback requirements were adopted. The applicant did not self-create a hardship since both the existing structure and lot plat were created before the current land development regulations went into effect.

7. There are other neighboring R-2, Zoning District properties with substandard and irregular shaped lots with nonconforming structures on them. For these properties to be able to rebuild after a catastrophic loss, they would need to apply for similar variances. By granting this variance, the applicant is not receiving any special privilege compared to other neighboring properties.

8. Requiring the applicant to meet the front setback requirement would not allow for the duplex to be rebuilt. For the applicant to be able to rebuild their duplex after a catastrophic loss, the proposed variance is necessary.

9. The proposed setback and lot coverage variances would be the minimum amount of variance needed to make possible reasonable use of the property. The proposed setbacks would make the property closer to being conforming compared to the existing duplex.

10. The proposed variance is in harmony with the general intent and purpose of the city land development regulations. The R-2, Zoning District is a residential zoning district that does allow for low density multifamily structures. The proposed duplex would not be injurious to the area involved and would not be detrimental to public welfare.

CONCLUSION OF LAW

1. Section 2-507 of the Madeira Beach Code of Ordinances authorizes variances from the terms of the City Land Development Regulations as not being contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the land development regulations will result in unnecessary and undue hardship.

2. The applicant has the burden to establish the requirements for the variance. Here, the applicant meets the criteria for the variance as set forth in Section 2-507 of the Madeira Beach Code of Ordinances.

ORDER

It is ADJUDGED that the application is GRANTED, allowing a variance from the zoning requirements of the Madeira Beach Land Development Regulations, to adjust the side setback variance from 15' total to 5' on each side, rear setback variance from 25' to 12', front setback variance from 20' to 15', and structures coverage variance from 0.40 to 0.50, to allow the construction of a new duplex.

DONE AND ORDERED on July 11, 2025.



Bart R. Valdes
Special Magistrate

Copies furnished to:

Tom Trask, City Attorney

Clara VanBlargan, City of Madeira Beach

Design Freedom, Inc.
2160 Victoria Dr.
Clearwater, Florida 33763

Longline Investments, LLC
8025 12th Ave. S.
St. Petersburg, Florida 33707

LOCAL GOVERNMENT VARIANCES, SPECIAL EXCEPTION USES
AND APPEALS OF ADMINISTRATIVE DECISIONS
CITY OF MADEIRA BEACH, FLORIDA
Application No. VAR 2025-07

Design Freedom, Inc.
for the property located at
13230 Boca Ciega Ave.
Madeira Beach, Florida 33708,

Applicant.

ORDER GRANTING VARIANCE

Variance to adjust side setback variance from 25' total to 5' total, rear setback variance from 25' to 12', and front setback variance from 20' to 15'.

Special Code Provisions: Sec. 110-206. - Setback requirements.

PARCEL IDENTIFICATION NUMBER: 15-31-15-65304-009-0050

Special Magistrate, Bart R. Valdes, heard testimony and reviewed all evidence received at the Special Magistrate hearing held on July 7, 2025, and, based on the evidence, the testimony of Andrew Morris, and recommendations of City Staff in the Staff Report and Recommendations (the "Staff Report"), and all documents that were admitted into evidence, and the testimony of Cathy Svercl, enters the following findings of fact, conclusion of law and order.

FINDINGS OF FACT

1. The application of Design Freedom, Inc. (the "applicant") presents the issue involving a variance from the requirements of the above stated Madeira Beach Code of Ordinances, requesting a variance to rebuild a new duplex due to substantial damage during Hurricane Helene.

2. Special conditions and circumstances exist, as stated on the record, and in the Staff Report to justify the variance.

3. The lot at 13230 Boca Ciega Avenue was originally platted in 1935. The lot was platted before the current setback requirements and lot area requirements were adopted in the Madeira Beach Code of Ordinances. The lot is both irregularly shaped and substandard. The lot does not meet the minimum land area and lot size requirements for a duplex in the R-2, Zoning District. The lot only has three sides since it is a triangle shape. The lots width gets smaller the closer the lot gets to the intersection. The applicant would not be able to rebuild their duplex if it had to meet the front setback in the R-2, Zoning District. The proposed variance allows for the

applicant to rebuild their duplex and make reasonable use of this substandard and irregular shaped lot.

4. The existing residential neighborhood where the duplex is located has older nonconforming residential structures that have nonconforming setbacks because they are either located on irregularly shaped lots, substandard lots, or were built before current setback requirements. The proposed setbacks would balance maintaining the existing character of the neighborhood while reducing the nonconformity. If these other neighboring structures were rebuilt, they would need similar variances to rebuild with a similar front setback.

5. The existing duplex flooded during Hurricane Helene and was declared substantially damaged. The proposed duplex would meet all current Florida Building Code and FEMA requirements and be more resilient compared to the previous structure.

6. The duplex was built in 1942. The lot plat was created in 1935. Both the duplex and lot plat were created before the R-2, Zoning District land minimum building site area requirements and setback requirements. The property owner did not self-create a hardship since both the structure and lot plat predate the current zoning requirements.

7. There are other neighboring R-2, Low Density Multifamily Zoning District properties with substandard and irregular shaped lots with nonconforming structures on them. For these properties to be able to rebuild after a catastrophic loss, they would need to apply for similar variances. It would not be possible to rebuild the duplex if it had to meet the required front setback.

8. Requiring the applicant to meet the front setback requirement would not allow for the duplex to be rebuilt. The applicant has the right to rebuild after a catastrophic loss and other neighboring properties have the same right to do that. For the applicant to be able to rebuild their duplex after a catastrophic loss, the proposed variance is necessary.

9. The proposed setback variance would be the minimum amount of variance needed to make possible reasonable use of the property. The proposed setbacks would make the property closer to being conforming compared to the existing duplex.

10. The proposed variance is in harmony with the general intent and purpose of the city land development regulations. The R-2, Low Density Multifamily Residential Zoning District is a residential zoning district that does allow for low density multifamily residential structures. The proposed duplex would not be injurious to the area involved and it would not be detrimental to public welfare.

CONCLUSION OF LAW

1. Section 2-507 of the Madeira Beach Code of Ordinances authorizes variances from the terms of the City Land Development Regulations as not being contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the land development regulations will result in unnecessary and undue hardship.

2. The applicant has the burden to establish the requirements for the variance. Here, the applicant meets the criteria for the variance as set forth in Section 2-507 of the Madeira Beach Code of Ordinances.

ORDER

It is ADJUDGED that the application is GRANTED, allowing a variance from the zoning requirements of the Madeira Beach Land Development Regulations, to adjust the side setback variance from 25' total to 5' total, rear setback variance from 25' to 12', and front setback variance from 20' to 15', to allow the construction of a new duplex.

DONE AND ORDERED on July 11, 2025.



Bart R. Valdes
Special Magistrate

Copies furnished to:

Tom Trask, City Attorney

Clara VanBlargan, City of Madeira Beach

Design Freedom, Inc.
2160 Victoria Dr.
Clearwater, Florida 33763

Longline Investments, LLC
8025 12th Ave. S.
St. Petersburg, Florida 33707

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: CE-25-71

Petitioner,

vs.

D&R REALTY & ESTATES LLC
14060 Miramar Ave.
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 at the public hearing before the undersigned Special Magistrate on July 7, 2025, 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 Holden Pinkard 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 14060 Miramar Ave., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

GULF SHORES 3RD ADD REPLAT BLK K, LOTS 15 AND 16

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 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.

7. The violation 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 on or before August 6, 2025.

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 86-52, of the Code of Ordinances of the City of Madeira Beach.

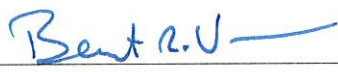
10. The Respondent shall correct the above stated violation on or before August 6, 2025, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing which is to apply for an "after-the-fact" building permit.

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 violation set forth in Paragraph 6 above for each day the Respondent has failed to correct the violation after August 6, 2025, 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 11th day of July, 2025.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Findings of Fact was delivered by certified mail and regular mail

to: D&R Realty & Estates, LLC, 10606 Miramar Ave., Madeira Beach, FL 33708; and 556 3rd St. N., St. Petersburg, FL 33701; 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 11th day of July, 2025.


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. §162.11, *Florida Statutes* (2024).

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2024.3738

Petitioner,

vs.

KARAS, ANTHONY,
14268 N. Bayshore Dr.
Madeira Beach, FL 33708,


Respondent.

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on July 7, 2025, 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 Madeira Beach Special Magistrate Order dated October 23, 2024, has been corrected. The property located at 14268 N. Bayshore Dr., Madeira Beach, Florida 33708, was brought into compliance on May 30, 2025.

DONE AND ORDERED this 11th day of July, 2025.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **Anthony Karas, 14268 N. Bayshore Dr., Madeira Beach, Florida 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 11th day of July, 2025.


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. §162.11, *Florida Statutes* (2024).

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: CE-24-255

Petitioner,

vs.

WESNER, GERALD F.
WESNER, DEBORAH K.,
14239 W. Parsley Dr.
Madeira Beach, FL 33708,

Respondents.
_____ /

ORDER GRANTING REQUEST FOR ADDITIONAL TIME

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on July 7, 2025, 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, **IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:**

1. The Motion for Request for Additional Time is GRANTED.
2. The deadline for compliance set forth in the Findings of Fact, Conclusion of Law and Order Imposing Fine and Certifying Lien dated June 8, 2025, is extended to August 6, 2025.

DONE AND ORDERED this 11th day of July, 2025.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **Gerald Wesner and Deborah Wesner, 14239 W. Parsley Dr., 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 11th day of July, 2025.


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. §162.11, *Florida Statutes* (2024).

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: CE-24-115

Petitioner,

vs.

BAYNARD, BRIAN B.
13025 Gulf Ln.
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 at the public hearing before the undersigned Special Magistrate on July 7, 2025, 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 Holden Pinkard 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 13025 Gulf Ln., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

**MITCHELL'S BEACH REVISED BLK 4, LOT 5 TOGETHER WITH PART OF
VAC GULF AVE ON SW TO MHW PER O.R. 2460/571**

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 section of the Code of Ordinances of the City of Madeira Beach to wit:

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.

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.

(11) Foundation and walls shall be maintained structurally sound, free from defects and damage and capable of bearing imposed loads safety.

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 6, 2025.

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 14-69 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 6, 2025, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing which is to obtain a remodel permit or demolish structure and clean and clear the Property.

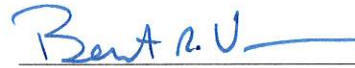
11. Upon complying, the Respondent shall notify the Code Compliance Officer at the City of Madeira Beach, who shall then inspect the Property to confirm compliance has been accomplished.

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 6, 2025, 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 11th day of July, 2025.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Findings of Fact was delivered by certified mail and regular mail to: **Brian Baynard, 13025 Gulf Ln., 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 11th day of July, 2025.



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, §162.11, *Florida Statutes* (2024).

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: CE-25-73

Petitioner,

vs.

PLC HOME DESIGN, LLC
TRAN, BILL
906 Bay Point Dr.
Madeira Beach, FL 33708,

Respondents.

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

THIS CAUSE came on to be heard at the public hearing before the undersigned Special Magistrate on July 7, 2025, 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 as follows:

Findings of Fact:

1. The City was represented by the City Attorney, and Holden Pinkard provided testimony on behalf of the City.
2. No one appeared on behalf of the Respondents.
3. Matt Goldman provided public comment.
4. The property in question is located at 906 Bay Point Dr., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

BAY POINT ESTATES 3RD ADD LOT 17

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

Sec. 14-68.- Same- Maintenance of vegetation, trees, plantings and landscaping.

The owners/occupants of private property are responsible for the maintenance of plants,

trees, grass, ground cover, plantings, landscaping, organic materials, and vegetation of any type or nature (collectively referred to as vegetation and organic material) located on such property and abutting rights-of-way, excluding roads and streets. The board of commissioners may designate by resolution right-of-way areas to be maintained by the city due to special circumstances.

(1) Private property and rights-of-way shall be maintained with a herbaceous layer of sod, a ground cover material or organic mulch. Sod shall be maintained at a maximum overall height of six inches or less.

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.

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.

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

(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.

(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.

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 6, 2025.

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

9. The Respondents, and the Property at the above mentioned location, are found to be in violation of Section 14-68, 14-69, and 14-70 of the Code of Ordinances of the City of

Madeira Beach.


10. The Respondents shall correct the above stated violations on or before August 6, 2025, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing which is to maintain the yard and apply for and obtain a building permit.

11. Upon complying, the Respondents 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 Respondents fail 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 Respondents have failed to correct the violations after August 6, 2025, 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 10th day of July, 2025.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Findings of Fact was delivered by certified mail and regular mail to: **PLC Home Design, LLC, and Bill Tran, 906 Bay Point Dr., Madeira Beach, FL 33708; and 2251 Cascade Way, Rowland Heights, CA 91748;** 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 11th day of July, 2025.


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. §162.11, *Florida Statutes* (2024).
