

LOCAL GOVERNMENT VARIANCES, SPECIAL EXCEPTIONS USES
AND APPEALS OF ADMINISTRATIVE DECISIONS
CITY OF MADEIRA BEACH, FLORIDA
Application No. SE 2025-02

Fruit Float Cafe
for the property located at
13050 Gulf Blvd.
Madeira Beach, Florida 33708,

Applicant.

ORDER GRANTING SPECIAL EXCEPTION USE WITH CONDITIONS

The Applicant seeks a special exception use in regard to Madeira Beach Land Development Regulations, Specific Code Provision: Section D-105. - Special exception uses. 3) John's Pass Resort: a. Retail commercial, restaurant, and personal service uses as a stand-alone use. Stand-alone commercial by special exception use can only front Gulf Boulevard. The property address is 13050 Gulf Blvd., Madeira Beach, FL 33708, and it is identified as:

PARCEL IDENTIFICATION NUMBER: 15-31-15-58320-004-0240 (the "Property")

Special Magistrate, Bart R. Valdes, heard testimony, and reviewed all evidence received at the Special Magistrate hearing held on September 16, 2025, and, based on the evidence, enters the following findings of fact, conclusion of law and order.

FINDINGS OF FACT

1. The application of Fruit Float Cafe ("the applicant") requests a special exception use from the zoning requirements of the above Madeira Beach Code, and seeks a special exception relating to the use of the Property to operate a cafe in the John's Pass Resort Character District of the John's Pass Village Activity Center.
2. The Special Magistrate heard testimony from Andrew Morris, and Marci Forbes, received the written Staff Report and Recommendation, with attachments, and heard testimony from Hannah Nygren on behalf of the applicant. The Special Magistrate did not receive any public comment at the hearing but reviewed all of the e-mails from the public supporting the application.
3. The applicant seeks approval to operate a café in John's Pass Village Activity Center.
4. The use is a permitted special use pursuant to Section 110-259(6) of the Code of Ordinances of the City of Madeira Beach, Florida, which provides:

Section D-105. - Special exception uses. 3) John's Pass Resort: a. Retail commercial, restaurant, and personal service uses as a stand-alone use. Stand-alone commercial by special exception use can only front Gulf Boulevard.

5. The use is a permitted special use.
6. The use is so designed, located and proposed to be operated that the public health, safety, welfare, and convenience will be protected.
7. The use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
8. The use will be compatible with adjoining development and the proposed character of the district where it is to be located.
9. Adequate landscaping and screening is provided as required in the land development regulations, or otherwise required.
10. Adequate off-street parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
11. The use conforms with all applicable regulations governing the district where located, except as may otherwise be allowable for planned unit developments.
12. If a variance is also desired, and/or required, a separate application shall be submitted concurrently with the special exception application.
13. Special exception use will not grant to the land more privilege than the best use available in the zone where that special exception use would be a principal permitted use.
14. The applicant has paid in full any outstanding charges, fees, interest, fines, or penalties owed to the city by the applicant or the owner or possessor of the property under any section of the Code.

CONCLUSION OF LAW

15. Section 2-506 of the Madeira Beach Code of Ordinances authorizes special exception use, with appropriate conditions and safeguards, when the special use will not adversely affect the public interest, or the denial of special exception uses when not in harmony with the purpose and intent of the city land development regulations.
16. The applicant has the burden to establish the requirements for a special exception use. Here, the applicant meets the criteria for the special exception use as set forth in Section 2-506 of the Madeira Beach Code of Ordinances for the reasons stated on the record at the hearing and as set forth herein.

ORDER

It is ADJUDGED that the application is APPROVED with the following conditions:

1. The applicant must provide one accessible parking space that meets the requirements in Sec. 110-975, within 14 days from the date of the hearing.
2. Landscaping must be installed near the fire hydrant to provide a three-foot clearance for all directions so as to not impede access.
3. The applicant must comply with public works requirements for trash service.

Allowing a special exception from the zoning requirements of the Madeira Beach Land Development Regulations, will allow the applicant to operate a cafe at the Property, as set forth in the Application.

DONE AND ORDERED on October 2nd, 2025.



Bart R. Valdes
Special Magistrate

Copies furnished to:

Tom Trask, City Attorney

Clara VanBlargan, City of Madeira Beach

Hannah Nygren
866 Placido Way NE
St. Petersburg, FL 33704

Vuhuy Tonthat
13760 88th Ave.
Seminole, FL 33776

LOCAL GOVERNMENT VARIANCES, SPECIAL EXCEPTION USES
AND APPEALS OF ADMINISTRATIVE DECISIONS
CITY OF MADEIRA BEACH, FLORIDA
Application No. VAR 2025-08

Maria Geelan
for the property located at
14052 W. Parsley Dr.
Madeira Beach, Florida 33708,

Applicant.

_____ /

ORDER GRANTING VARIANCE

Variance to construct a new 13,000 lb. boat lift and modify/cut the existing dock corner, construct a 12' dock extension, and add a new tie pile 1' away from the extended east side property line.

Special Code Provisions: Sec. 14-205. - Design criteria for private docks.

PARCEL IDENTIFICATION NUMBER: 10-31-15-34398-018-0130

Special Magistrate, Bart R. Valdes, heard testimony and reviewed all evidence received at the Special Magistrate hearing held on September 16, 2025, and, based on the evidence, the testimony of Joe Patraglia, and Maria Geelan, and recommendations of City Staff in the Staff Report and Recommendations (the "Staff Report"), and all documents that were admitted into evidence, enters the following findings of fact, conclusion of law and order.

FINDINGS OF FACT

1. The application of Maria Geelan (the "applicant") presents the issue involving a variance from the requirements of the above stated Madeira Beach Code of Ordinances, requesting a variance to construct a new boat lift.
2. Special conditions and circumstances exist, as stated on the record, and in the Staff Report to justify the variance.
3. The Property is an irregular pie shaped lot with the lot becoming increasingly more narrow as it extends towards the seawall reducing the buildable footprint for a dock and lift. The rear lot line is arc' d and is 36 feet wide. The waterfront width of the seawall, which is slightly beyond the rear property line is 34.77 feet wide. The minimum lot width in this zoning district is 50 feet.
4. The proposed boat lift fits the character of the neighborhood. The R-1, Single-Family Zoning District allows for residential docks as an accessory use. Other nearby properties

have similar sized boat lifts and docks. Many of the surrounding docks and boat lifts would require a neighbor sign off or variance because they do not fit within one-half the width and are located outside the center one-third of the property at the waterfront.

5. The plat for 14052 W. Parsley Dr., and other nearby lots was approved in 1946. The lot predates the design criteria for private docks requirements and is not the result of the applicant.

6. Most properties in this zoning district would be able to build a similar sized dock and lift. Included in the sketch the city provided the applicant on 8/22/24 is a sketch of a dock and lift for the abutting left property (14050 W. Parsley Dr.) with a similarly sized boat lift and dock which the city would also support a variance for.

7. A literal interpretation of the Code (Sec. 14-205) would deny the applicant the right to construct a reasonably sized boat lift on their existing dock. Other neighboring properties have similarly sized boat lifts and tie poles in line with the boat lift as proposed by the applicant.

8. Granting VAR 2025-08 would be the minimum variance possible to allow for a reasonably sized boat lift to be constructed. The sketch the city prepared on 8/22/24 was designed with the intent of depicting what would be minimally possible to allow for both 14052 14050 W. Parsley Dr., and 14050 W. Parsley Dr., to have a reasonably sized boat lift without interfering with each other. All proposed tie piles are at least a foot within the extended property lines and any other design would likely restrict access to the applicant's or applicant's neighboring property. Since the sketch was prepared for the applicant and their neighbor at 14050 14050 W. Parsley Dr., while reviewing VAR 2024-06, no other possible recommendations to reconfigure the dock/ lift have been presented to the city by any parties.

9. VAR 2025-08 will be in harmony with the general intent and purpose of the city code of ordinances by allowing for reasonable waterfront access that other neighboring waterfront properties currently enjoy. The proposed boatlift would fit within the character of the neighborhood and would not be detrimental to the public welfare of neighboring properties. As demonstrated by the 8/22/24 sketch, granting this variance will still allow both adjacent property owners to be able to access their docks and build a reasonably sized dock and lift of their own.

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 (1) extend the existing dock from 20 feet in length to 32 feet in length from the seawall, (2) modify the existing dock to construct a boat lift one foot off the extended east side property line, and (3) construct additional free standing tie poles one foot off the extended east side property line.

DONE AND ORDERED on October 2nd, 2025.



Bart R. Valdes
Special Magistrate

Copies furnished to:

Tom Trask, City Attorney

Clara VanBlargan, City of Madeira Beach

Maria Geelan
1799 N. Highland Ave., Apt. B-10
Clearwater, Florida 33755

Maria Geelan
14052 W. Parsley Dr.
Madeira Beach, Florida 33708

LOCAL GOVERNMENT VARIANCES, SPECIAL EXCEPTION USES
AND APPEALS OF ADMINISTRATIVE DECISIONS
CITY OF MADEIRA BEACH, FLORIDA
Application No. VAR 2025-09

Jeff Spenceley
for the property located at
13200 Gulf Blvd.
Madeira Beach, Florida 33708,

Applicant.

ORDER GRANTING VARIANCE

Variance to reduce the front yard setback, and the side yard setback to allow the construction of a duplex.

Special Code Provisions: Section D-107. Setback requirements 6) Transitional: a. Front yard: c. Side Yard:, Sec. 110-428. - Same—Side yard of corner lot

PARCEL IDENTIFICATION NUMBER: 15-31-15-58320-006-0200

Special Magistrate, Bart R. Valdes, heard testimony and reviewed all evidence received at the Special Magistrate hearing held on September 16, 2025, and, based on the evidence, the testimony of Andrew Morris, and Jeff Spenceley, and recommendations of City Staff in the Staff Report and Recommendations (the “Staff Report”), and all documents that were admitted into evidence, and testimony from the affected parties, Ron Llauget, Cynthia Edwards and Thomas Edwards, enters the following findings of fact, conclusion of law and order.

FINDINGS OF FACT

1. The application of Jeff Spenceley (the “applicant”) presents the issue involving a variance from the requirements of the above stated Madeira Beach Code of Ordinances, requesting a variance to reduce the front yard setback, and the side yard setback to allow the construction of a duplex.

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

3. When the lot plat was originally approved back in 1914, the lot had a width of 40 feet and a lot depth of 104 feet. Cottage A was built in 1939, and Cottage B was built 1925. Both the lot plat and the cottages were created before Madeira Beach adopted Land Development Regulations. When Gulf Boulevard was widened and the intersection of 132nd Avenue and Gulf Boulevard was improved, the lot depth and the front lot width along Gulf Boulevard were reduced. The reduction in lot size increased the nonconformities for this property. The irregular

shape of the lot and the lot being adjacent to a street make it difficult to reasonably use the lot compared to neighboring properties.

4. The proposed variance would support maintaining the existing residential neighborhood character by allowing the construction of a new duplex. This property is in the Transitional Character District of the John's Pass Village Activity Center. The west side Gulf Boulevard is a mix of residential and temporary lodging uses. A duplex would be a more compatible use for this property than the previous nonconforming cottages that had minimal setbacks.

5. The previous cottages were at grade and flooded with storm surge from Hurricane Helene. Building a new FEMA compliant duplex would be more disaster resistant and would not increase residential density in a coastal high hazard area.

6. The applicant did not make a self-created hardship since the previous nonconforming cottages and irregular shaped lot existed before Madeira Beach adopted Land Development Regulations. The widening of Gulf Boulevard also made the property more nonconforming by reducing the lot size and front setback.

7. The proposed variance would allow for the construction of a new duplex that would not confer on the applicant any special privilege. Other neighboring properties are also able to use Section 110-96 - Rebuilding after a catastrophic loss to retain existing residential density. The proposed setbacks would not increase nonconformities and would bring the rear setback fully into compliance.

8. The irregular shape of the lot and the lot being adjacent to a street corner make building a duplex difficult compared to other neighboring properties. Section 110-96- Rebuilding after a catastrophic loss allows duplexes on nonconforming lots to retain their existing density and for single-family homes to retain their existing footprint. Requiring the applicant to meet the required front yard setback and street adjacent side yard setback would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. Other neighboring properties on nonconforming lots have the right to retain their existing residential density, but some would require similar variances for setbacks.

9. Since the cottages were damaged during a declaration of disaster area event, Section 110-96. - Rebuilding after a catastrophic loss does allow for a property owner to build two new cottages within the existing footprints of the previous structures. But if the applicant had built two new cottages instead of a duplex, they would have continued the existing nonconforming setbacks. The proposed variance would be the minimum needed to allow for a new duplex to be built that would retain the density of the previous cottages. The applicant's proposed setbacks would be closer to being conforming compared to the previous structures and would not increase residential density higher than the previous cottages.

10. The Transitional Character District does support residential uses like duplexes. The proposed variance would bring a previously nonconforming property closer to being conforming and would maintain the existing residential density that is protected because of

Section 110-96 - Rebuilding after a catastrophic loss. The proposed variance would not be detrimental to public welfare or harmful to nearby property owners. The applicant would still need to meet all other land development regulation requirements for a duplex located in the Transitional Character District.

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 for the reasons set forth on the record at the hearing and herein.

ORDER

It is ADJUDGED that the application is GRANTED, allowing a variance from the zoning requirements of the Madeira Beach Land Development Regulations, to reduce front yard setback of 8 feet 7 inches and for side yard setbacks of 5 feet on both sides of the lot for construction of a duplex.

DONE AND ORDERED on October 2nd, 2025.



Bart R. Valdes
Special Magistrate

Copies furnished to:

Tom Trask, City Attorney

Clara VanBlargan, City of Madeira Beach

Jeff Spenceley
5233 Stallion Ct.
Liberty Township, OH 45011

Azure Coast Properties, LLC
5233 Stallion Ct.
Liberty Township, OH 45011

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: CE-25-70

Petitioner,

vs.

MICHAEL J. MARSH,
14200 Gulf Blvd.
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 September 16, 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. Aaron Motta appeared on behalf of the Respondent.
3. No one provided public comment.
4. The property in question is located at 14200 Gulf Blvd., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

**GULF SHORES SUB BLK A, LOTS 13, 14 & 15 & NW'LY 20FT OF LOT
16 TOGETHER WITH VAC PART OF GULF STREET LYING
BETWEEN SD LOTS 14 & 15 PER O.R**

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. 86-52.- Same- 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 uncovering flat slabs of no greater than 50 square feet, for work of strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.

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 November 15, 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 violations on or before November 15, 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 for a licensed contractor to apply for and obtain 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 \$100.00 per day for the violations set forth in Paragraph 6 above for each day the Respondent has failed to correct the violations after November 15, 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 2nd day of October, 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: **Michael Marsh, 14200 Gulf Blvd., 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 2nd day of October, 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 OF COMPLIANCE AND
ORDER IMPOSING FINE AND CERTIFYING LIEN

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on September 16, 2025, after due notice to the Respondents, 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 June 8, 2025, has been corrected. The property located at 14239 W. Parsley Dr., Madeira Beach, Florida 33708, was brought into compliance on August 16, 2025.

2. A fine is imposed in the amount of \$100.00, per day from August 6, 2025, through August 16, 2025, as a result of the Respondents' violation of Section(s) 14-70 of the Code of Ordinances of the City of Madeira Beach. The total amount due is \$1,000.00.

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 Respondents in Pinellas County and any personal property of the Respondents, 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 2nd day of October, 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 2nd day of October, 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-24-63

Petitioner,

vs.

TUCKER, BLAZIA P.,
435 S. 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 September 16, 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 May 10, 2025, has been corrected. The property located at 435 S. Bayshore Dr., Madeira Beach, Florida 33708, was brought into compliance on August 21, 2025.

DONE AND ORDERED this 2nd day of October, 2025.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **Blazia P. Tucker, 435 S. 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 2nd day of October, 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-24-63

Petitioner,

vs.

TUCKER, BLAZIA P.,
435 S. Bayshore Dr.
Madeira Beach, FL 33708,

Respondent.

ORDER IMPOSING FINE AND CERTIFYING LIEN

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on September 16, 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. A fine is imposed in the amount of \$250.00, per day from May 10, 2025, through August 21, 2025, as a result of the Respondent's violation of Section(s) 14-69, 14-70 and 110-446, of the Code of Ordinances of the City of Madeira Beach. The total amount due is \$25,500.00.

2. 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.

3. 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.

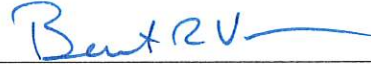
4. The Special Magistrate does hereby retain jurisdiction over this matter to enter such other and further orders as may be just and proper.

DONE AND ORDERED this 2nd day of October, 2025.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **Blazia**

P. Tucker, 435 S. 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 24 day of October, 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-25-65

Petitioner,

vs.

BOCA VISTA CONDOMINIUM ASSN., INC.,
401 150th Ave.
Madeira Beach, FL 33708,

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER IMPOSING FINE

THIS CAUSE came on to be heard at the public hearing before the undersigned Special Magistrate on September 16, 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. A unit owner and former President of the Condominium Association, Ron Andrews, appeared on behalf of the Respondent.
3. No one provided public comment.
4. The property in question is located at 401 150th Ave., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

**BOCA VISTA CONDO COMMON AREA TOGETHER WITH TIIF SLL
#520224603 PER O.R. 16331/2015 03/01/2011 EXP 03/01/2027**

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. 14-69.- 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.

(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.

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

(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 October 16, 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(s) 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 October 16, 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 permits to repair and/or remove carports and immediately take appropriate steps to have a licensed professional inspect and address life and health safety issues including the railing and structural concerns.

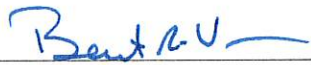
11. Upon complying, the Respondent shall notify the Code Compliance Officer at the

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 October 16, 2025, and the fine shall continue to accrue until such time as the Property is brought into compliance.

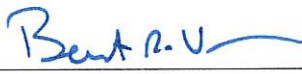
13. The Special Magistrate does hereby retain jurisdiction over this matter to enter such other and further orders as may be just and proper.

DONE AND ORDERED this 3rd day of October, 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: **Boca Vista Condominium Assn., Inc., 14200 Gulf Blvd., Madeira Beach, FL 33708; and 10033 Dr. Martin Luther King St. N., Ste. 300, St. Petersburg, FL 33716;** 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 3rd day of October, 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-25-4

Petitioner,

vs.

NAVARRO, JOHN,
14601 Gulf Blvd.
Madeira Beach, FL 33708,

Respondent.
_____ /

ORDER EXTENDING COMPLIANCE DEADLINE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on September 16, 2025, on Respondent's Motion for Extension of Time to Comply with Magistrate's Order, and 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 Respondent's Motion for Extension of Time to Comply with Magistrate's Order is granted to the extent that the deadline for compliance set forth in the Findings Of Fact, Conclusion Of Law And Order Imposing Fine dated August 21, 2025, is extended to November 12, 2025.

DONE AND ORDERED this 30th day of September, 2025.



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: **John Navarro, 14601 Gulf Blvd., Madeira Beach, FL 33708; and 11501 47th Ave. N., St. Petersburg, 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 30th day of September, 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, Fla. Stat. (2024)

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,

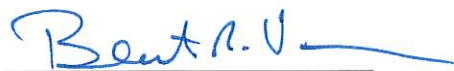
Respondent.
_____ /

ORDER EXTENDING COMPLIANCE DEADLINE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on September 16, 2025, on Respondent's Motion for Extension of Time to Comply with Magistrate's Order, and 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 Respondent's Motion for Extension of Time to Comply with Magistrate's Order is granted to the extent that the deadline for compliance set forth in the Findings Of Fact, Conclusion Of Law And Order Imposing Fine dated July 11, 2025, is extended to October 11, 2025.

DONE AND ORDERED this 30th day of September, 2025.



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: **D&R Realty & Estates, LLC, 14060 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 30th day of September, 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, Fla. Stat. (2024)
