

LOCAL GOVERNMENT VARIANCES, SPECIAL EXCEPTION USES
AND APPEALS OF ADMINISTRATIVE DECISIONS
CITY OF MADEIRA BEACH, FLORIDA
Application No. VAR 2026-01

Paul Mazzillo
for the property located at
422 137th Avenue Cir.
Madeira Beach, Florida 33708,

Applicant.

ORDER DENYING VARIANCE

The Applicant seeks a variance to increase in the maximum structure coverage from 40% to 48% to build a new single-family home.

Special Code Provisions: Sec. 110-208. – Maximum lot coverage. (1) The maximum area of a lot or parcel to be covered by structures shall be 40 percent of the total area.

The property address is 422 137th Avenue Cir., Madeira Beach, Florida 33708, and is identified as:

PARCEL IDENTIFICATION NUMBER: 15-31-15-34488-000-0300

Special Magistrate, Bart R. Valdes, heard testimony and reviewed all evidence received at the Special Magistrate hearing held on January 26, 2026, and, based on the evidence, the testimony of Joseph Petraglia, Marci Forbes, and recommendations of City Staff in the Staff Report and Recommendation (the “Staff Report”) that was admitted into evidence, enters the following findings of fact, conclusion of law and order.

FINDINGS OF FACT

1. The application of Paul Mazzillo (the “Applicant”) requests a variance from the requirements of the above stated Madeira Beach Code of Ordinances (the “Code”), to increase in the maximum structure coverage from 40% to 48% to build a new single-family home.
2. Joseph Petraglia and Marci Forbes testified on behalf of the City. Paul Mazillo, as the owner and Applicant, and Richard Markunas, testified on behalf of the Applicant.
3. There are no special conditions or circumstances that exist which are peculiar to this lot. The lot size, lot width, and lot depth all exceed the minimum required in this zoning district.

4. The aerial from Pinellas County Property Appraiser's Website provided in exhibit six shows that this lot (lot 30) is a similar size and shape to all those around it. Nonetheless, Lot 30 is not perfectly squared and is substandard, being only approximately 3,000 square feet as opposed to the 4,000 square feet required for a single-family home under the zoning districts minimum building site area requirements. The lot depth is also about five feet less than the minimum required 80 feet. Staff find this criterion to have been met, however a variance must meet all 6 criteria.

5. The Applicant purchased the property in 1989, and although the house, which meets the structure coverage requirements was built before the 40% lot coverage requirement was codified, this coverage requirement has existed since at least 1971 per ORD 1971-380 and the plat for lot 30 was approved in 1941 which would indicate that the applicant bought a property that they knew the size limitations of. VAR 2025-03 was stated to meet this criteria as the pre-existing home already had legally nonconforming setbacks which were not a result of the action of the applicant, however the pre-existing structure met the code requirements.

6. In viewing the aerial provided as exhibit six, it can be seen that lots 20 through 30 (lot 30 being the subject property) all offer a similar depth, shape, and area. Of these lots, the only one that the city still has copy of the permitted new building plans for is 316 137th Ave Circle built in 2017. As shown on the permitted site plan provided on exhibit seven, 316 137th Ave was forced to rebuild under the 40% structure coverage required by code while also adhering to more stringent setback requirements in effect at the time. Based on the site data table on sheet A1 of permit 1247, the structure coverage for 316 137th Ave is 35.77%, more than 12% less than what the applicant is requesting through this variance.

7. The second most recently built house of the group is 244 137th Ave Circle built in 2001. Although the city does not have the permitted plans or a survey of this property on file, based on Pinellas County Property Appraiser's data (see exhibit eight) this property appears to have approximately 36.36% structure coverage, more than 11% less than what the applicant is requesting through this variance and under the city's 40% structure coverage requirement. Allowing the applicant to violate the structure coverage would create a special privilege that was denied to other property owners in the district.

8. In his application, the Applicant provides two examples of properties that currently exceed the 40% structure coverage requirement. The first example provided by the Applicant is 420 137th Ave Circle, which was granted VAR 2013-01 on March 14, 2013 to reduce the front setback from 20 feet to 13 feet and proportionally increase the structure coverage. The Applicant for today's variance obtained a similar front setback reduction through VAR 2025-03, while also receiving a reduction to the side setback and rear setback, which VAR 2013-01 did not approve. It is important to note this variance was approved prior to ORD 2019-16 was adopted in June 2020 which now requires all 6 variance criteria to be met in full rather than just the majority of the criteria, making a variance stricter to obtain now than it was back when this variance was granted. Since the adoption of ORD 2019-16, the city has been making an effort to correct nonconformities rather than create new ones as the city has an extensive history of approving variances that otherwise would not have been approved. It is also important to consider that VAR 2013-01 was granted for an existing structure to allow for better

configuration of parking, not a new structure which will have parking on the full ground floor like this building will. In the staff report for VAR 2013-01 starting with criteria 3, as well as on the order, it is explicitly stated that the variance was needed specifically for this purpose, that the home's historic integrity was to be maintained, and that a new structure would have to conform to code requirements. Additionally, as a stipulation of VAR 2013-01 as stated in criteria 6 of the staff report, the property owner was required to remove the shed, another item which counts towards the maximum structure coverage. Due to the reasons provided, staff finds that the examples presented in exhibits seven through ten are more comparable to this project but nonetheless if VAR 2013-01 was to still be considered, it should be noted that the site was still only granted a 46% structure coverage based on the staff report which is less than what the applicant is requesting in this variance. VAR 2013-01 has been included as exhibit eleven for the special magistrate's review.

9. The second example provided by the Applicant is 429 137th Ave Circle. Although the application references a variance, there was no variance granted for structure coverage at this site. The number referenced should be RDV 2019-01, which is a redevelopment application to be able to maintain the nonconforming density, not to be confused with VAR 2019-01 which was a variance for an unrelated property that was withdrawn. This property was already over the structure coverage which city code allows to be rebuilt to maintain the nonconforming structure coverage within the same footprint. This example is further discussed in criteria six.

10. Literal interpretation of the code would allow for a structure coverage of up to about 1,209 square feet (3,022 sf lot based on signed and sealed plans times 0.4) plus cantilevered rooms or balconies which do not count against structure coverage, and multiple stories. The previous structure occupied 1,066 square feet based on Pinellas County Property appraiser data and was only one story. Additionally, as demonstrated with the exhibits referenced in the previous criteria, several other houses on similar lots have been able to or are being required to adhere to the 40% structure coverage requirement. With this evidence, staff finds that a literal interpretation of the code would be reasonable and would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district, nor would it create undue hardship on the applicant.

11. Based on the exhibits seven and eight outlined in criteria three which both have similarly sized and configured lots, and the previous buildings structure coverage, the request to increase the structure coverage by over 12% from what was existing is not the minimum necessary to make reasonable use of the land. This variance is being requested out of convenience, not necessity.

12. The 40% maximum lot coverage standard has been established in the City Code since at least 1971 (Ord. 1971-380) and variances to this requirement are rarely granted, reflecting its importance in implementing the intent and purpose of the Land Development Regulations. This standard exists to limit overdevelopment, maintain neighborhood character, protect drainage and stormwater function, and preserve open space and environmental quality. Granting the requested variance to increase structural coverage would be inconsistent with these objectives, as it would intensify development beyond what is permitted for similarly situated

properties, potentially contributing to increased runoff, reduced pervious area, and visual overcrowding. Such impacts may be injurious to the surrounding area and detrimental to public welfare by setting an adverse precedent and undermining the long-standing regulatory framework designed to protect community health, safety, and character. It is also important to take into consideration that 429 137th Ave Circle, one of the examples brought to attention by the applicant which was permitted to exceed the structure coverage, has received numerous complaints from the public for being permitted regarding these precise objectives.

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.

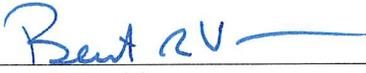
2. The Applicant has the burden to establish the requirements for the variance. Here, the Applicant did not meet all of the criteria for the variance as set forth in Section 2-507 of the Madeira Beach Code of Ordinances. Specifically, the Applicant's request does not meet criteria number 4 or 5, of the Code and there is no hardship.

3. This denial is without prejudice to appeal the City Staff's interpretation of the relevant code provisions.

ORDER

It is ADJUDGED that the application is DENIED WITHOUT PREJUDICE, for the reasons set forth herein.

DONE AND ORDERED this 11th day of February, 2026.



Bart R. Valdes
Special Magistrate

Copies furnished to:

Tom Trask, City Attorney

Clara VanBlargan, City of Madeira Beach

Paul Mazzillo
422 137th Avenue Cir.
Madeira Beach, Florida 33708

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: 2025.003

Petitioner,

vs.

ANTOLOVICH, DAVE
ANTOLOVICH, JUNLI,
4th St. E.
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 January 26, 2026, 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 Deputy Cory Snyder provided testimony on behalf of the City.
2. No one appeared on behalf of the Respondents.
3. No one provided public comment.
4. The property in question is located at 4th St. E., Madeira Beach, Florida 33708 (“Property”). The legal description for the Property is as follows:

PAGE'S REPLAT OF MITCHELL'S BEACH BLKJ, LOT 15

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 sections 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; other ground cover material shall be maintained at an overall height not to exceed 12 inches. Organic mulch shall be composed of chopped or shredded organic material and maintained in a manner which will retard or prevent the rapid or easy spread of fire.

(6) Vegetation and organic material including, but not limited to, sod, vines, hedges, and shrubs, shall be maintained so as not to encroach upon sidewalks, streets, and public rights-of-way. Trees, bushes, shrubs and other vegetation which extends over sidewalks, streets, and public rights-of-way shall be maintained so as to allow the safe travel of pedestrians, bicyclists, and motorists.

(7) Dead and dying trees, bushes, shrubs, or other natural growth, or the branches or limbs thereof, which constitute a hazard to persons on property by reason of rot, deterioration, storm damage, or any other cause, shall be pruned and trimmed to prevent such hazard or danger.

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.

(1) Garbage, trash, refuse, debris, accumulations of filth, broken glass, junk, scrap metal, scrap lumber, wastepaper products, discarded building materials, inoperative machinery, machinery parts, and similar materials shall not be stored or maintained on private property.

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 February 25, 2026.

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 and 14-69, of the Code of Ordinances of the City of Madeira Beach.

10. The Respondents shall correct the above stated violations on or before February 26, 2026, by taking the remedial action as set forth in the Notice of Violation, and as stated on

the record at the Hearing, including clearing debris and trash, cleaning property and other items noted.

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 \$50.00 per day for the violations set forth in Paragraph 6 above for each day the Respondents have failed to correct the violations after February 25, 2026, 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 February, 2026.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Findings of Fact was delivered by certified mail and regular mail to: **Dave and Junli Antolovich, 4th St. E., Madeira Beach, Florida 33708, and 37195 Deer Run, Solon, OH 44139**; 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 February, 2026.


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: 2025.006

Petitioner,

vs.

PRUITT, DEAN A.
PRUITT, MARIA L.,
545 150th Ave. E.
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 January 26, 2026, 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 Deputy Cory Snyder provided testimony on behalf of the City.
2. No one appeared on behalf of the Respondents.
3. No one provided public comment.
4. The property in question is located at 545 150th Ave. E., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

**UPLAND & SUBM LANDS IN GOVT LOT 1 & PT IN GOVT LOT 2 OF
SEC 10-31-15 DESC FROM INTERSECTION OF S LINE OF GOVT LOT
1 & C/L OF 150TH AVE TH N43D51' 28"E 1818FTTH S46D08'32"E SOFT
FOR POBTH N43D51' 28"E 100FTTH S46D08'32"E 600FT(S)TH SW'LY
100FT ALONG BOCA CIEGA BAY TH N46D08'32"W 600FT(S) TO POB
CONT 1.38 AC(C) SUBM LAND DEED NO. 20228**

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

Sec. 34-129. - Same—Allowing to remain on private property restricted.

No person in charge or control of any property within the city, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any abandoned, wrecked, junked, or partially dismantled boat, vessel or watercraft to remain on such property within the city for longer than 72 hours, whether with or without current registration.

Except that this section shall not apply with regard to a boat, vessel or watercraft:

- (1) In an enclosed building;
- (2) On the premises of a business enterprise operated specifically for the purpose of repairing or building boats, vessels, or watercraft in a lawful place and manner when necessary to the operation of such business enterprise; or
- (3) That by either size or design does not require current registration.

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 February 25, 2026.

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 34-129, of the Code of Ordinances of the City of Madeira Beach.

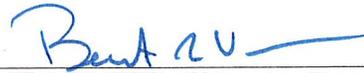
10. The Respondents shall correct the above stated violation on or before February 26, 2026, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing which is to remove the vessels noted on the record, and show in Exhibit 1 of the agenda packet.

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 violation set forth in Paragraph 6 above for each day the Respondents have failed to correct the violation after February 25, 2026, 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 February, 2026.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Findings of Fact was delivered by certified mail and regular mail to: **PRUITT, DEAN A., and PRUITT, MARIA L., 545 150th Ave. E., Madeira Beach, FL 33708; and 1336 Bayview Dr., Clearwater, FL 33756**, 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 February, 2026.


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-25-131

Petitioner,

vs.

OLIVA LAND & SAND, LLC,
154 154th Ave.
Madeira Beach, FL 33708,

Respondent.

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, 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 November 17, 2025, has been corrected. The property located at 154 154th Ave., Madeira Beach, Florida 33708, was brought into compliance on November 10, 2025.

DONE AND ORDERED this 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **OLIVA LAND & SAND, LLC, 154 154th Ave., Madeira Beach, Florida 33708, and 3104 N. Armenia Ave., Ste. 1, Tampa, FL 33607;** 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 10th day of February, 2026.



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-25-91

Petitioner,

vs.

OLIVA LAND & SAND LLC,
11 Lynn Way
Madeira Beach, FL 33708,

Respondent.
/

**ORDER OF NON-COMPLIANCE AND
ORDER IMPOSING FINE AND CERTIFYING LIEN**

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, after due notice to the Respondent, and the Special Magistrate having reviewed all filings, received evidence, and otherwise being fully advised in the premises, **IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:**

1. The Respondent and the property located at 11 Lynn Way, Madeira Beach, FL 33708 (the "Property") were found to be in violation of Section(s) 86-52, of the Code of Ordinances of the City of Madeira Beach based on the Findings of Fact, Conclusion of Law and Order Imposing Fine dated November 17, 2025. The Property has not been brought into compliance.

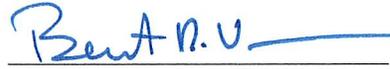
2. A fine is imposed in the amount of \$250.00, per day from November 26, 2025, through the date the Property is brought into compliance, as a result of the Respondent's violation of Section(s) 86-52, of the Code of Ordinances of the City of Madeira Beach.

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 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **Oliva Land & Sand LLC, 11 Lynn Way, Madeira Beach, Florida 33708, and 3104 N. Armenia Ave., Ste. 1, Tampa, FL 33607**; 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 10th day of February, 2026.



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,

CASE NUMBER: CE-25-127

Petitioner,

vs.

MADEIRA BEACH GETAWAY LLC,
14503 N. Bayshore Dr.
Madeira Beach, FL 33708,

Respondent.
_____ /

**ORDER OF NON-COMPLIANCE AND
ORDER IMPOSING FINE AND CERTIFYING LIEN**

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, after due notice to the Respondent, and the Special Magistrate having reviewed all filings, received evidence, and otherwise being fully advised in the premises, **IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:**

1. The Respondent and the property located at 14503 N. Bayshore Dr., Madeira Beach, FL 33708 (the "Property") were found to be in violation of Section(s) 86-52, of the Code of Ordinances of the City of Madeira Beach based on the Findings of Fact, Conclusion of Law and Order Imposing Fine dated November 17, 2025. The Property has not been brought into compliance.

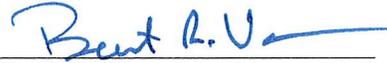
2. A fine is imposed in the amount of \$100.00, per day from November 26, 2025, through the date the Property is brought into compliance, as a result of the Respondent's violation of Section(s) 86-52, of the Code of Ordinances of the City of Madeira Beach.

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 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **MADEIRA BEACH GETAWAY LLC, 14503 N. Bayshore Dr., Madeira Beach, FL 33708; and 4650 Huntington St. NE, St. Petersburg, FL 33703;** 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 10th day of February, 2026.



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,

CASE NUMBER: CE-25-129

Petitioner,

vs.

OCEAN ENTERPRISES LC,
101 & 107 154th Ave., 15398 2nd St. E.
Madeira Beach, FL 33708,

Respondent.
_____ /

**ORDER OF NON-COMPLIANCE AND
ORDER IMPOSING FINE AND CERTIFYING LIEN**

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, after due notice to the Respondent, and the Special Magistrate having reviewed all filings, received evidence, and otherwise being fully advised in the premises, **IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:**

1. The Respondent and the property located at 101 & 107 154th Ave., 15398 2nd St. E., Madeira Beach, FL 33708 (the "Property") were found to be in violation of Section(s) 86-52, of the Code of Ordinances of the City of Madeira Beach based on the Findings of Fact, Conclusion of Law and Order Imposing Fine dated November 17, 2025. The Property has not been brought into compliance.

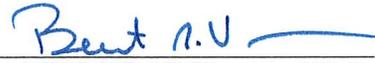
2. A fine is imposed in the amount of \$250.00, per day from November 26, 2025, through the date the Property is brought into compliance, as a result of the Respondent's violation of Section(s) 86-52, of the Code of Ordinances of the City of Madeira Beach.

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 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **OCEAN ENTERPRISES LC, 101 154th Ave., Madeira Beach, FL 33708, 107 154th Ave., Madeira Beach, FL 33708, 15398 2nd St. E., Madeira Beach, FL 33708, and 5424 Bayshore Blvd., Tampa, FL 33611;** 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 10th day of February, 2026.



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,

CASE NUMBER: CE-25-105

Petitioner,

vs.

KAPAKORP LLC,
30 Lynn Way
Madeira Beach, FL 33708,

Respondent.

ORDER OF CONTINUANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, after due notice to the Respondent, and the Special Magistrate being advised in the premises:

IT IS ORDERED AND ADJUDGED AS FOLLOWS:

1. The City's request to continue the hearing is hereby GRANTED.
2. This matter shall be continued to the hearing on **February 24, 2026, at 2:00 p.m.**, at 300 Municipal Drive, Madeira Beach, Florida 33708.

DONE AND ORDERED this 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

Copies furnished to:

Thomas Trask, City Attorney

Clara VanBlargan, City of Madeira Beach

Holden Pinkard, Building Dept. Operations Coordinator

KAPAKORP LLC
30 Lynn Way
Madeira Beach, FL 33708

KAPAKORP LLC

1517 Flange Dr.
Davenport, FL 33896

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: CE-25-67

Petitioner,

vs.

BROWN, DAVID C IV
BROWN, RONNY A,
14210 N. Bayshore Dr.
Madeira Beach, FL 33708,

Respondents.
_____ /

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, 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 October 9, 2025, has been corrected. The property located at 14210 N. Bayshore Dr., Madeira Beach, Florida 33708, was brought into compliance on November 26, 2025.

DONE AND ORDERED this 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **BROWN, DAVID C IV, and BROWN, RONNY A, 14210 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 10th day of February, 2026.



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,

Petitioner,

vs.

CASE NUMBERS: CEB 08.04

CEB 08.07

CEB 08.24

CEB 09.39

ILARIO SIMONETTA,
13225 2nd Street East
Madeira Beach, FL 33708,

Respondent.

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, 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 violations set forth in Madeira Beach Special Magistrate Orders dated May 12, 2008, May 23, 2008, January 5, 2009, and August 12, 2009, have been corrected. The property located at 13225 2nd Street E., Madeira Beach, Florida 33708, was brought into compliance on May 31, 2011.

DONE AND ORDERED this 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **Ilario Simonetta, 13225 2nd St. E., 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 10th day of February, 2026.



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-25-181

Petitioner,

vs.

MEDITERRANEAN OF MADEIRA
CONDO ASSN INC.,
13910 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 January 26, 2026, 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 Taylor Davis 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 13910 Gulf Blvd., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

**MEDITERRANEAN OF MADEIRA A CONDO, THE COMMON
ELEMENTS**

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. – 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.

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) 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 February 25, 2026.

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 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 February 26, 2026, 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 February 25, 2026, and the fine shall continue to accrue until such time as the Property is brought into compliance.

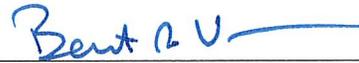
13. The Special Magistrate does hereby retain jurisdiction over this matter to enter such other and further orders as may be just and proper.

DONE AND ORDERED this 16th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Findings of Fact was delivered by certified mail and regular mail to: **MEDITERRANEAN OF MADEIRA CONDO ASSN INC., 13910 Gulf Blvd., Madeira Beach, FL 33708; and Walter E. Smith, Esq., 1301 Fourth St. N., St. Petersburg, Florida 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 16th day of February, 2026.



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-25-99

Petitioner,

vs.

HERNANDEZ GLOBAL INVESTMENT GROUP LLC
410 Virginia 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 January 26, 2026, 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 Conner Mecko 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 410 Virginia Ave., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

GULF SHORES 4TH ADD BLK Q, LOT 3

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. – 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 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 February 25, 2026.

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.

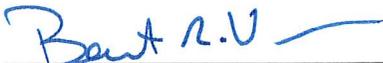
10. The Respondent shall correct the above stated violation on or before February 26, 2026, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing which is to apply for and obtain and after-the-fact building permit.

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.

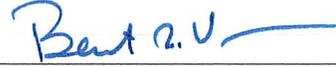
12. If the Respondent fails to timely comply with the remedial actions as set forth above, a fine shall be imposed, in the amount of \$100.00 per day for the violation set forth in Paragraph 6 above for each day the Respondent has failed to correct the violation after February 25, 2026, and the fine 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 February, 2026.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Findings of Fact was delivered by certified mail and regular mail to: **HERNANDEZ GLOBAL INVESTMENT GROUP LLC, 410 Virginia Ave., Madeira Beach, FL 33708, and 12015 SW 18th St., Unit 8, Miami, FL 33175**, 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 10th day of February, 2026.



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-25-71

Petitioner,

vs.

D&R REALTY & ESTATES, LLC,
14060 Miramar Ave.
Madeira Beach, FL 33708,

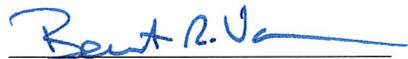
Respondent.
_____ /

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, 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 July 11, 2025, has been corrected. The property located at 14060 Miramar Ave., Madeira Beach, Florida 33708, was brought into compliance on December 15, 2025.

DONE AND ORDERED this 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **D&R REALTY & ESTATES, LLC, 14060 Miramar Ave., Madeira Beach, Florida 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 10th day of February, 2026.



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: 2022.3443

Petitioner,

vs.

IVANCHUK, NAZARY,
431 Virginia Ave.
Madeira Beach, FL 33708,

Respondent.
_____ /

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, 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 August 9, 2022, has been corrected. The property located at 431 Virginia Ave., Madeira Beach, Florida 33708, was brought into compliance on October 15, 2025.

DONE AND ORDERED this 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **IVANCHUK, NAZARY, 431 Virginia Ave., 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 10th day of February, 2026.



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: 2022.3445

Petitioner,

vs.

IVANCHUK, NAZARY,
431 Virginia Ave.
Madeira Beach, FL 33708,

Respondent.
_____ /

ORDER OF COMPLIANCE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 26, 2026, 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 August 9, 2022, has been corrected. The property located at 431 Virginia Ave., Madeira Beach, Florida 33708, was brought into compliance on October 15, 2025.

DONE AND ORDERED this 10th day of February, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **IVANCHUK, NAZARY, 431 Virginia Ave., 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 10th day of February, 2026.



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).
