CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

Petitioner,

vs.

FERNANDES, ANN F
120 146th Ave. E., #1
Madeira Beach, FL 33708,

Respondent.
_____/

CASE NUMBER: CE-26-103

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 28, 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 Code Enforcement Specialist, Connor Mecko, provided testimony on behalf of the City.

2. Ann Fernandes appeared on behalf of the Respondent.

3. No one provided public comment.

4. The property in question is located at 120 145th Ave E., #1, Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

SUNNY SHORES SW'LY 35.41FT OF LOT 49 (AKA UNIT A OF ENCLAVE AT MADEIRA BCH PER O.R. 14874 PG 1286)

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. 110-201. - Definition; purpose and intent.
The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types. Any use which

is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period.

Sec. 14-130.4. - License required.
(a) It shall be unlawful to rent or lease, or offer to rent or lease, any residential rental unit without a current residential rental license for the unit, a copy of which shall be posted or available at the residential rental 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 October 28, 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(s) 110-201, and 14-130.4, of the Code of Ordinances of the City of Madeira Beach.

10. The Respondent shall correct the above stated violations on or before October 28, 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 obtain a BTR and then only to rent for the allowable term based on applicable zoning classification. Respondent shall have 30 days to provide the City documentation that the Property is grandfathered into a shorter term rental period.

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 October 28, 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 2nd day of October, 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: **Fernandes, Ann F, 120 145th Ave. E., #1, Madeira Beach, FL 33708; and 14980 Woodcrest Rd., Brooksville, FL 34604;** 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, 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).

From: Ana Fernandes <fernandeslipa@gmail.com>
Sent: Wednesday, October 21, 2026 9:31 AM
To: Connor Mecko <Cmecko2@madeirabeachfl.gov>
Subject: Re: Subject: CE-26-103 – BTR Application Submitted – Request #3658462

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning Mr. Connor,

I am following up on my previous request for clarification from the City Attorney regarding the grandfathered short-term rental requirements for my property at 120 146th Avenue E, Unit #1.

Since the Special Magistrate granted me 30 days to gather evidence, I am concerned that I have not yet received the City's clarification regarding acceptable documentation and grandfathering criteria.

I respectfully request an additional 30 days to complete my research, considering the time spent awaiting the City's response.

Please let me know when I can expect the clarification and whether my extension request can be submitted to the Special Magistrate for approval.

Thank you for your assistance.

Ana Fernandes
Case CE-26-103

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

November 4, 2026

City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs. CASE NO. CE-26-103

FERNANDES, ANN F
14980 WOODCREST RD
BROOKSVILLE, FL 34604-0624

Respondents.

RE Property: 120 146TH AVE E # 1 **Parcel #** 09-31-15-87048-000-0490

Legal Description: SUNNY SHORES SW'LY 35.41FT OF LOT 49 (AKA UNIT A OF ENCLAVE AT MADEIRA BCH PER O.R. 14874 PG 1286)

NOTICE OF HEARING
REQUEST FOR ADDITIONAL TIME

To whom it may concern:

YOU ARE HEREBY FORMALLY NOTIFIED that at **2:00 pm** on **MONDAY** the **16th** day of **NOVEMBER**, **2026** at the Madeira Beach City Center in the Patricia Shontz Commission Chambers, located at 300 Municipal Drive, Madeira Beach, Florida 33708, a hearing will be held before the Special Magistrate concerning the following code violation(s):

Sec. 110-201. - Definition; purpose and intent.

The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types.

Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period.

Sec. 14-130.4. - License required.

(a) It shall be unlawful to rent or lease, or offer to rent or lease, any residential rental unit without a current residential rental license for the unit, a copy of which shall be posted or available at the residential rental property.

You are hereby ordered to appear before the Special Magistrate of the City of Madeira Beach on that date and time to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence.

Should you be found in violation of the above code, the Special Magistrate has the power by law to levy fines of up to $250.00 per day for an initial violation(s) and $500.00 per day for repeat violations against you and your property for every day that any violation continues beyond the date set in an order of the Special Magistrate for compliance.

If the violation is corrected and then recurs, or if the violation is not corrected by the time specified by the Code Enforcement Officer for correction, the case may still be presented to the Special Magistrate of the City of Madeira Beach even if the violation has been corrected prior to the Special Magistrate hearing.

Should you desire, you have the right to obtain an attorney at your own expense to represent you before the Special Magistrate. You will also have the opportunity to present witnesses as well as question the witnesses against you prior to the Special Magistrate making a determination.

Please be prepared to present evidence at this meeting concerning the time frame necessary to correct the alleged violation(s), should you be found in violation of the City Code.

If you wish to have any witnesses subpoenaed or have any other questions, please contact the Code Enforcement department of the City of Madeira Beach within five (5) days at 300 Municipal Drive, Madeira Beach, Florida 33708, telephone number (727) 391-9951.

Your failure to respond to the previously issued Notice of Violation has resulted in costs of prosecution of this case.

PLEASE NOTE: Should any interested party seek to appeal any decision made by the Special Magistrate with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based per Florida Statute 286.0105.

I DO HEREBY CERTIFY that a copy of the foregoing Notice of Hearing was mailed to Respondent(s) by certified mail, return receipt requested.
Dated this 4 day of November, 2026.

Connor Mecko

Connor Mecko, Code Compliance Specialist
City of Madeira Beach

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

11/4/2026
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs. CASE NO. CE-26-103

FERNANDES, ANN F
14980 WOODCREST RD
BROOKSVILLE, FL 34604-0624

Respondents.

RE Property: 120 146TH AVE E # 1 **Parcel #09-31-15-87048-000-0490**

Legal Description: SUNNY SHORES SW'LY 35.41FT OF LOT 49 (AKA UNIT A OF ENCLAVE AT MADEIRA BCH PER O.R. 14874 PG 1286)

AFFIDAVIT OF SERVICE

I, Connor Mecko, Building Code Compliance Supervisor of the City of Madeira Beach, upon being duly sworn, deposed and says the following:

That pursuant to Florida Statute 162.12,

On the 4 day of November, 2026, I mailed a copy of the attached NOTICE OF HEARING via Certified Mail, Return Receipt Requested.
On the 4 day of November, 2026, I mailed a copy of the attached NOTICE OF HEARING via First Class mail.
On the 4 day of November, 2026, I posted a copy of the attached NOTICE OF HEARING on the property located at 120 146TH AVE E # 1, Parcel #09-31-15-87048-000-0490 the City of Madeira Beach.
On the 4 day of November, 2026, I caused the attached NOTICE OF HEARING to be posted at the Municipal Government Offices, 300 Municipal Drive, Madeira Beach; and that said papers remain posted at the Municipal Government Offices for a period of not less than ten days from the date of posting.

Connor Mecko, Code Compliance Specialist
City of Madeira Beach

STATE OF FLORIDA

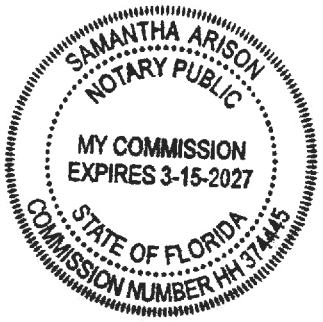
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me, the undersigned authority, by means of ✓ physical presence or ____ online notarization, this 4th day of November, 2026, by Connor Mecko, who is personally known to me, or produced _____ as identification. My Commission Expires: 03-15-27

Notary Public- State of Florida

Samantha Arison

Print or type Name. Samantha Arison



CERTIFIED MAIL®

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FIRST-CLASS MAIL
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11/04/2026 ZIP 33708
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US POSTAGE

300 Municipal Drive
Madeira Beach, Florida 33708

VS.

FERNANDES, ANN F
14980 WOODCREST RD
BROOKSVILLE, FL 34604-0624


Nov 4, 2026 at 3:11:05 PM
FLIPPERS
MADEIRA
welcome


Nov 4, 2026 at 2:08:16 PM
CITY OF MADEIRA BEACH
2026 FALL SOCCER
REGISTRATION
MEETING NOTICES