

SPECIAL MAGISTRATE – VARIANCE REQUEST

VAR 2024-05

Staff Report and Recommendation Special Magistrate Meeting – May 20, 2024

Application: VAR 2024-05
Applicant: Kristina Carmichael
Property Owner(s): Kristina Carmichael
Property Address: 14010 W Parsley Dr, Madeira Beach, FL 33708
Parcel ID: 10-31-15-34398-018-0010
Legal Description: GULF SHORES 5TH ADDITION BLOCK R, LOT 1
OR B23/P67
Zoning/Future Land Use: R-1, Single-Family Residential/Residential Urban

Request: To allow a four and one half (4.5) foot setback on the south side yard, to reduce the total side yard setback from fifteen (15) feet to twelve (12) feet, and to allow the construction of a single-family home on a lot smaller than five thousand (5,000) square feet.

Specific Code Provisions:

Section 110-180(1a): that the minimum building site area required in the R-1, single-family residential district for lots existing on or before December 9, 2008, is 5,000 square feet.

Section 110-181(3): that the minimum side yard setback in the R-1 district shall be a total of fifteen (15) feet with a minimum of seven (7) feet on either side.

I. Background

The lot at 14010 W Parsley Dr was platted in 1946 and is the first lot on Block R of the Fifth Addition to Gulf Shores. The total square footage of the property is 4,765.38 square feet. The rear property line of the lot is a concave curve on the waters of Boca Ciega Bay and consists of 43.9 feet of frontage. Lot 1 is one of the five lots with the shortest water frontage in the plat block, all of which have concave property lines at the rear (see

attachments Original Plat and Survey). The front property line along Parsley Dr is 50 feet long, so the lot narrows from the street side to the rear property line on Boca Ciega Bay. This lot shape creates an unusual setback dimension area which is difficult to accommodate with commonly accepted building practices such as the use of straight lines and 90-degree angles.

The applicant wants to elevate her home with similar side setbacks as the existing structure. The footprint of the existing home is noncompliant with the City's current land development regulations stated above and is therefore legally nonconforming. The applicant cannot raise her home with similar side setbacks as her existing house unless a variance is approved.

The current home on the property was constructed in 1954, before the current zoning regulations were enacted by the City. The existing structure is set back 3.9 feet on the south side at its nearest point and 6.28 feet on the north side at its nearest point, and measures only 16.44 feet from the seawall to the rear wall at its nearest point. The proposed structure would be set back 4.5 feet from the south side property line at its nearest point, 7.5 feet from north side property line at its nearest point, be built to the minimum front setback of twenty (20) feet, and to the minimum rear setback of thirty (30) feet.

II. Variance Criteria (Sec. 2-507(b)) and Analysis

- (1) Special conditions and circumstances exist which are peculiar to the land, building, or other structures for which the variance is sought and which do not apply generally to the lands, building, or other structures in the same district. Special conditions to be considered shall include, but are not limited to, the following circumstances:*
 - a. Substandard or irregular-shaped lot. If the site involves the utilization of an existing lot that has unique physical circumstances or conditions,*

including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations;

Findings: The lot is small and irregularly shaped, which adds difficulty in building a single-family home compliant to current setback standards.

- b. *Significant vegetation or natural features. If the site contains significant native vegetation or other natural features;*
- c. *Residential neighborhood character. If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;*

Findings: The variance if approved, would provide more open space between the rear of the house and the water as the rear setback would be brought into compliance.

- d. *Public facilities. If the proposed project involves the development of public parks, public facilities, schools, or public utilities;*
- e. *Architectural and/or engineering considerations. If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.*

Findings: The new structure will be elevated in accordance with FEMA and City floodplain regulations and will be compliant with all fire protection and Florida Building Code requirements.

- (2) *The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.*

Findings: The hardships encountered are not self-created by the applicant. The lot is smaller in size and irregular in shape compared to the surrounding R-1 zoned lots. .

(3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings or structures in the same zoning district.

Findings: The variance requested is contextual to the site and narrow in scope. The proposed side and rear setback requests in the variance are less nonconforming than the existing structure's setbacks. Many lots from this plat block have narrower setbacks than what the code allows and are considered legally nonconforming. Other platted lots in the zoning district have been allowed to rebuild and elevate their homes.

(4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code or section 14-205 of the Code of Ordinances and would work unnecessary and undue hardship on the applicant.

Findings: The applicant seeks relief from frequent flooding events. There are several lots smaller than 5,000 sf which have been platted for single family homes and currently have homes on them such as the lot immediately across the street from the subject property and three waterfront lots at an alcove of Boca Ciega Bay just north of the subject property.

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land.

Findings: The variance requested is narrowly focused and suited to the specific dimensions and circumstances of the site area, namely, the irregular lot shape. The applicant's proposed footprint is not excessive in scale or scope, and while it would not meet the current side setback requirement, the request is a reduction of nonconformity. The adjacent buildings

within the same platted block, mentioned above, currently have narrower side and rear setbacks than what is currently permitted.

(6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations or the Code of Ordinances (when it relates to section 14-205), and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Findings: The granting of the variance is in harmony with the general intent and purpose of the land development regulations and is not injurious to the area involved or otherwise detrimental to public welfare. The subject property will have a similar character to adjacent residential structures regarding lot coverage, setbacks, and building orientation.

III. Staff Recommendation: Staff recommends the approval of VAR 2024-05.

Submitted by: Jay Stearman, Planner II, The City of Madeira Beach Community Development Department.

Attachments: 1) Variance Application
2) Property Deed
3) Site Plan/Boundary Survey
4) Applicant Justification
5) Public Notice Mailing Packet
6) Gulf Shores Original Plat



CITY OF MADEIRA BEACH
 PLANNING & ZONING DEPARTMENT
 300 MUNICIPAL DRIVE ♦ MADEIRA BEACH FLORIDA 33708
 (727) 391-9951 EXT. 255 ♦ FAX (727) 399-1131



SPECIAL MAGISTRATE – VARIANCE APPLICATION

***Applicant: Name and Address**

Kristina Carmichael
14010 W. Parsley Dr
Maderia Beach, Fl 33708

Telephone: (813) 812-3282

Email: kemplace@gmail.com

***Property Owner: Name and Address**

Kristina Carmichael
14010 W. Parsley Dr.
Maderia Beach, Fl 33708

Telephone: (813) 812-3282

Email: kemplace@gmail.com

Application for the property located at: (Street Address or Location of the Vacant Lot)

14010 W. Parsley Dr. Maderia Beach, Fl 33708

Legal Description: Lot 1, Block R, Fifth addition to Gulf Shores
a subdivision, according to the plat thereof as recorded in
Plat Book 23, page 67 of the public records of
Pinellas County, Florida

Lot Area: 4765.38 **Width:** 45 ft. **Depth:** 102⁺ ft.

Zoning District: R-1

Present Structures on Property: SFR + SHED

Present Use of Property: SFR

Date Building Permit Request denied: N/A

Variance(s) needed from the zoning requirements: LOT SIZE + SIDE SETBACK

**PLEASE ATTACH REQUIRED SUPPORTING MATERIALS:
 SITE PLAN, PICTURES, DEED, SURVEYOR'S SKETCH, DRAWINGS, EXPLANATION, ETC.**

DISCLAIMER: According to Florida Statutes, Chapter 119, it is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency. All Documents and information not specified in F.S. 119.071 and 119.0713 are subject to public record requests.



Special Magistrate Case #: _____

**** For City of Madeira Beach Use Only ****

Fee: _____ Check # 1847 Cash Receipt # _____

Date Received: 4/3/24 Received by: Barbara Scott

Special Magistrate Case # Assigned: _____

Special Magistrate Hearing Date: ___/___/___ Approved Denied

- ___ Zoning Variance for Residential Dwelling Units (One, Two or Three Units) \$1,800.00 per Variance
- ___ Zoning Variance for Multi-Family, Tourist Dwellings or Commercial \$2,000.00 per Variance
- ___ After-the-fact Variance \$3,600.00 per Variance

X _____
Jenny Rowan, Community Development Director

Date: ___/___/___

X _____
Robin Gomez, City Manager

Date: ___/___/___

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APPLICATION (Must submit the following analysis)

This application to the Special Magistrate is requesting permission to:

REDUCED SETBACK FROM 7.5' TO 4.5' AND ON SOUTH SIDE, REQ TO BUILD NEW SFR BELOW THE MINIMUM BUILD SITE AREA REQ AND REDUCE TOTAL SIDE SETBACKS TO 12'

The special magistrate shall authorize, upon application to appeal, after public notice has been given and public hearing held, such variance 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, subpart B of this Code will result in unnecessary and undue hardship. In order to authorize any variance from the terms of the city land development regulations, the special magistrate shall consider the following criteria and shall find that the criteria has been satisfied in full and that a hardship exists.

On a separate attached page, explain in detail how your request meets City Code Sec. 2-507 by complying with the following rules. Please note that your explanation demonstrate that your request meets one or more of the conditions listed under criteria #1 below and that it also meets in full criteria 2 through 6 below:

1. Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
BELOW MINIMUM REQUIRED, ODD SHAPED LOT
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.
NEW HOUSE MEETING CURRENT FLOOD REQ.

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2. Demonstrate that special condition (s) and circumstance (s) do not result from the actions of the applicant. A self-created hardship shall not justify a variance.

NOT INCREASING NON CONFORMITY, NOT AWARE ZONING REQ FOR CURRENT SETBACK

3. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.

OTHER LOTS IN THIS ZONING DISTRICT ARE ALLOWED TO REBUILD SETBACK

4. Demonstrate that the literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development regulations, subpart B of the code and would work unnecessary and undue hardship on the applicant.

SAME AS #3, OWNER HAS HAD 3 FLOODING EVENTS

5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land.

A NOT MAKING SETBACKS ANYMORE NON CONFORMING THAN CURRENT HOUSE

6. Demonstrate that the granting of the variance will be in harmony with the general intent and purpose of the City Land Development Regulations, and that such Variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

NEW HOUSE WILL MEET ALL CURRENT FLOOD REQ

FOR YOUR RECORDS

SPECIAL MAGISTRATE: REQUIREMENTS AND PROCEDURES (City Code Sec. 2-507)

- 1) Demonstrate that special conditions and circumstances exist which are particular to the land, building, or other structures in the same district. Special conditions to be considered shall include but are not limited to:
 - a. *Substandard or irregular shaped lot.* If the site involves the utilization of an existing lot that has unique physical circumstances or conditions, including irregularity of shape, narrowness, shallowness, or the size of the lot is less than the minimum required in the district regulations.
 - b. *Significant vegetation or natural features.* If the site contains significant native vegetation or other natural features;
 - c. *Residential neighborhood character.* If the proposed project promotes the established historic or traditional development pattern of a block face, including setbacks, building height, and other dimensional requirements;
 - d. *Public facilities.* If the proposed project involves the development of public parks, public facilities, schools, or public utilities;
 - e. *Architectural and/or engineering considerations.* If the proposed project utilizes architectural and/or engineering features that would render the project more disaster resistant.
- 2) The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a variance.
- 3) Granting the variance will not confer on the applicant any special privilege that is denied to other lands, buildings, or structures in the same zoning district.
- 4) Literal interpretation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the land development regulations, subpart B of this Code and would work unnecessary and undue hardship on the applicant.
- 5) The variance granted is the minimum variance that will make possible the reasonable use of the land.
- 6) The granting of the variance will be in harmony with the general intent and purpose of the city land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

In granting any variance, the Special Magistrate may prescribe appropriate conditions and safeguards in conformity with the city land development regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of this Code. The Special Magistrate may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances except as permitted in the applicable zoning district of the city land development regulations. A nonconforming use of neighborhood lands, structures or buildings in the same zoning district shall not be considered grounds for the authorization of a variance. **Financial loss** standing alone is not sufficient justification for a variance.

The hearing will be conducted in the following manner:

1. Public notice will be read along with correspondence received.
2. City presents its case, and the applicant may cross-examine.
3. The Applicant presents his or her case supported by witnesses and evidence; and the City has the right to cross-examine each witness.
4. Public comment will only be solicited or received from parties directly affected by the variance. Individuals testifying do not have the right to cross-examine the parties.
5. Public participation will be closed, the Special Magistrate deliberates and makes a decision to grant or deny each variance requested in the application.

All variances granted by the Special Magistrate and not acted on within on (1) year of being granted will automatically expire.

The granting of a variance does not relieve the applicant from obtaining a building permit. The Special Magistrate does not have the authority to grant variances from the 100 Year Flood Level for Residential or Commercial Property.

DISCLAIMER: According to Florida Statutes, Chapter 119, it is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency. All Documents and information not specified in F.S. 119.071 and 119.0713 are subject to public record requests.

Prepared by and return to:
Kathy Sertzel
Coastline Title of Pinellas, LLC
13100 Park Boulevard, Suite A
Seminole, Florida 33776

File Number: 17-04-007
Amount: \$459000 ✓

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2017157353 05/19/2017 at 10:08 AM
OFF REC BK: 19636 PG: 668-669
DocType: DEED RECORDING: \$18.50
D DOC STAMP: \$3213.00

General Warranty Deed

Made this 5 day of May 2017 A.D. By **Erin Brown, a single person**, hereinafter called the grantor, to **Kristina Carmichael**, _____ whose post office address is: 14010 W Parsley Drive, Saint Petersburg, Florida 33708, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Pinellas County, Florida, viz:

Lot 1, Block R, GULF SHORES 5TH ADDITION, a subdivision according to the plat thereof recorded at Plat Book 23, Page 67, in the Public Records of Pinellas County, Florida.

Parcel ID Number: **10-31-15-34398-018-0010**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

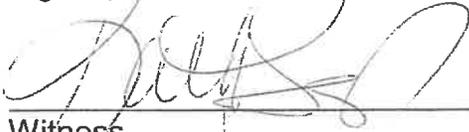
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2016.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

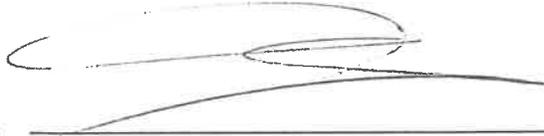
Prepared by and return to:
Kathy Sertzel
Coastline Title of Pinellas, LLC
13100 Park Boulevard, Suite A
Seminole, Florida 33776

File Number: 17-04-007
Amount: \$459000

Signed, sealed and delivered in our presence:



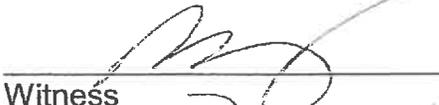
Witness



Erin Brown (Seal)

Printed Name Kathy Sertzel

Address:



Witness

(Seal)

Printed Name Beverly Keegan

Address: 14039 Cascade Lane
Tampa, FL 33618

State of FLORIDA
County of PINELLAS

The foregoing instrument was acknowledged before me this 5th day of May, 2017, by Erin Brown, who is/are personally known to me or who has produced driver license(s) as identification.





Notary Public

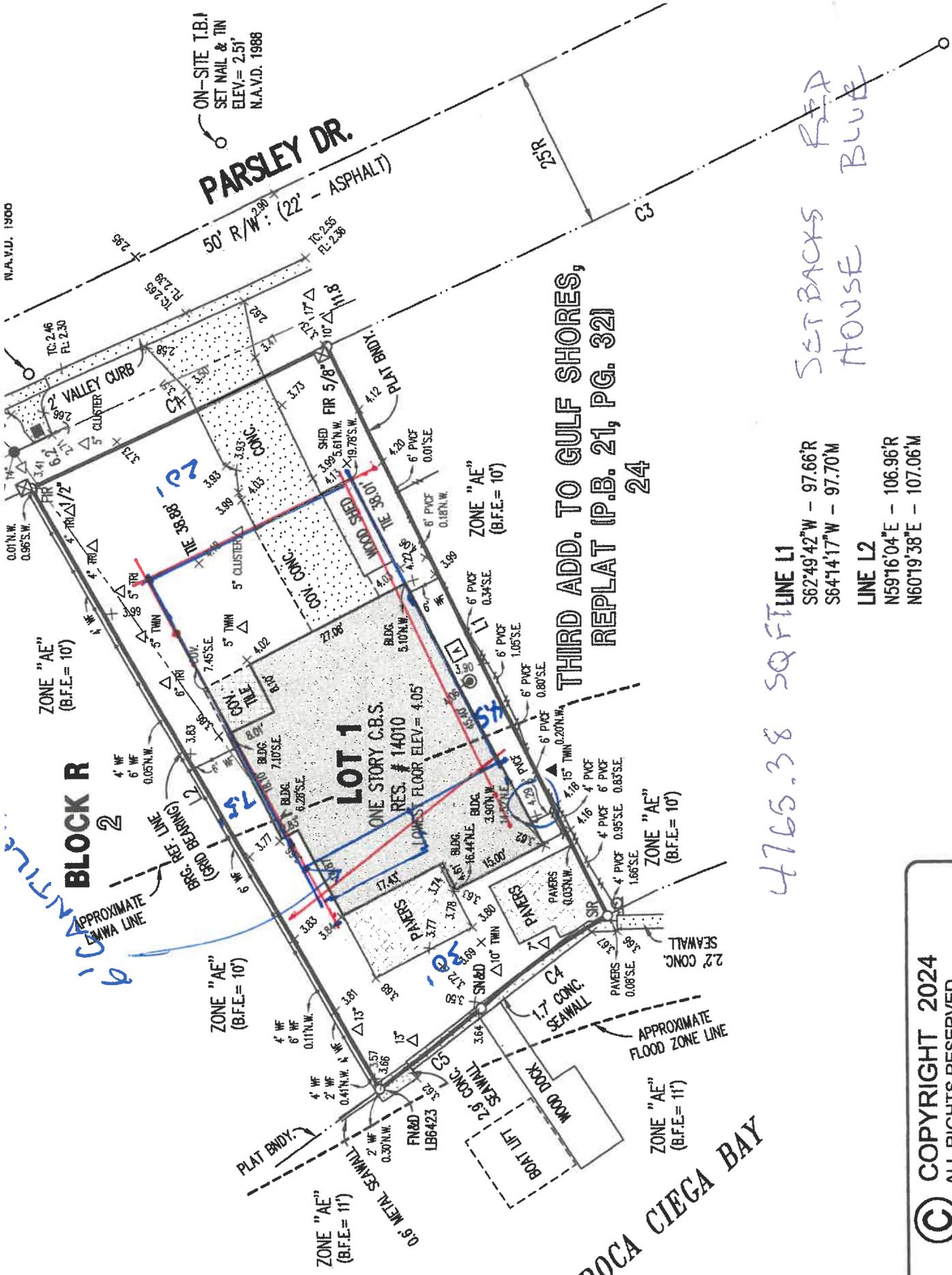
Print Name: _____

My Commission Expires: _____

ON-SITE T.B.I.
SET NAIL & TIN
ELEV.= 2.51'
N.A.V.D. 1988

PARSLEY DR.
50' R/W: (22' - ASPHALT)

FOR 1/2"
S.E. COR. OF LOT
24 THIRD ADD. TO
GULF SHORES, REPLA
P.B. 21, PG. 32



THIRD ADD. TO GULF SHORES,
REPLAT (P.B. 21, PG. 32)
24

SET BACKS
HOUSE
BLUE

4765.38 SQ FT LINE L1

S62°49'42"W - 97.66'R
S64°14'17"W - 97.70'M

LINE L2
N59°16'04"E - 106.96'R
N60°19'38"E - 107.06'M

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BOCA CIEGA BAY



Project _____ Date _____

www.sepiinc.com

- 1-A. BELOW MINIMUM REQUIRED, ODD SHAPED LOT
- 1-E. NEW HOME MEETING CURRENT FLOOD REQ.
2. NOT INCREASING NON CONFORMITY, NOT AWARE ZONING REQUIRED FOR CURRENT SETBACKS
3. OTHER LOTS IN THIS ZONING DISTRICT ARE ALLOWED TO REBUILD
4. SAME AS #3, OWNER HAS HAD 3 FLOOD EVENTS
5. NOT MAKING ANYMORE NON CONFORMING THAN CURRENT HOME
6. NEW HOME WILL MEET ALL CURRENT FLOOD REQUIREMENTS.



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

**CITY OF MADEIRA BEACH
300 MUNICIPAL DRIVE
MADEIRA BEACH, FLORIDA 33708**

A Special Magistrate Hearing of the City of Madeira Beach, Florida will be held on **Monday, May 20, 2024, at 2:00p.m.**, at the Madeira Beach City Center in the Patricia Shontz Commission Chambers, located at 300 Municipal Drive, Madeira Beach, Florida 33708, to discuss the agenda item listed below. This proceeding is available for viewing on Spectrum Television Public Access Channel 640 for viewers within the 33708 Zip Code and on the City of Madeira Beach website by clicking the “Watch Live Meetings” button.

THIS APPLICATION IS FOR SPECIAL MAGISTRATE -VARIANCE

Application: VAR 2024-05
Applicant(s): Kristina Carmichael
Property Owner(s): Kristina Carmichael
Property Address: 14010 W Parsley Drive, Madeira Beach FL 33708
Parcel ID: 10-31-15-34398-018-0010

Legal Description: GULF SHORES 5TH ADDITION BLK R, LOT 1 OR B23/P67
Zoning/Future Land Use: R-1, Single-Family Residential Zoning District/Residential Urban

Request: To reduce the minimum side yard setback to 4.5 feet along the southern property line, to reduce the total side setback requirement from 15 feet to 12 feet, to reduce the minimum site area required to construct a single-family home from 5,000 square feet to 4,750 square feet.

Specific Code Provisions: 110-180(1a): Minimum building site area for lots existing on or before December 9, 2008 and 110-181(3): minimum side yard setback requirements in the R-1 District.

Note: You have received this notice because you are a property owner within 300 feet of the subject property. If you are desirous of voicing approval or disapproval of this application, you may attend the Special Magistrate Hearing or can submit comment to planning@madeirabeachfl.gov. *Any affected person may become a party to this proceeding and can be entitled to present evidence at the hearing including the sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a notice of intent to be a party with the Community Development Department not less than five days prior to the hearing. The notice, which is attached, can be filed in person or sent by mail to Community Development Department at Madeira Beach City Hall located at 300 Municipal Drive, Madeira Beach, 33708.* The variance application is on file in the Community Development Department and may be reviewed between 8:00 a.m. and 4:00 p.m.

Posted May 10th, 2024, at property the site, City Hall, City of Madeira Beach website, and The Gulf Beaches Public Library.

View more information about this application at <https://madeirabeachfl.gov/plan-review-documents/>



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Specific Code Provisions: 1.0-18(1a): Minimum building site area for lots existing on or before December 9, 2008 and 110-181(3): minimum side yard setback requirements in the R-1 District.

Note: You have received this notice because you are a property owner within 300 feet of the subject property. If you are desirous of voicing approval or disapproval of this application, you may attend the Special Magistrate Hearing or can submit comment to planning@madeirabeachfl.gov. Any affected person may become a party to this proceeding and can be entitled to present evidence at the hearing including the sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a notice of intent to be a party with the Community Development Department not less than five days prior to the hearing. The notice, which is attached, can be filed in person or sent by mail to Community Development Department at Madeira Beach City Hall located at 300 Municipal Drive, Madeira Beach, 33708. The variance application is on file in the Community Development Department and may be reviewed between 8:00 a.m. and 4:00 p.m.

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

May 10, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708

Petitioner,

vs.

GOSNELL- SABOSO, DEBRA ANN
654 NORMANDY RD
MADEIRA BEACH FL 33708

CASE NO. 2023.3629



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300 MUNICIPAL DRIVE
MADEIRA BEACH, FLORIDA 33708**

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CITY OF MADEIRA BEACH, FLORIDA
300 MUNICIPAL DRIVE, MADEIRA BEACH FL 33708
TELEPHONE: 727-391-9951

APPLICATION FOR APPOINTMENT TO BOARD OR COMMISSION

- Please indicate your preference of board or commission:
- Civil Service Commission
 - Library Board
 - Planning Commission
 - Other _____

Are you a Madeira Beach Resident?



NOTICE OF PUBLIC HEARING

APPLICATION NO: VAK 2024-05

REQUEST: Reduce side yard setback to 4.5'
Along property total side setback from
15 to 12' Reduce min SFH side area from 5,000
to 4,750

PROPERTY DESCRIPTION: 14010 W. Parsley

HEARING DATE & TIME: Mon 5/20/24 @ 2:00 PM

HEARING LOCATION: COMMISSION CHAMBERS, MADEIRA BEACH CITY HALL,
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708.

THE PROJECT FILE IS AVAILABLE FOR PUBLIC REVIEW DURING NORMAL
BUSINESS HOURS IN THE COMMUNITY DEVELOPMENT DEPARTMENT
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 33708 OR
CALL 727-391-9951 FOR MORE INFORMATION.



AFFIDAVIT OF MAILING

Date: 5/10/2024

Mailings for Case # VAR 2024-05

Before me this day List Schermann personally appeared. He/she has mailed public notices to property owners within a 300 foot radius of the subject property.

List Schermann
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn and subscribed before me this 10th day of May, 20 24.

Personally known or produced _____ as identification.

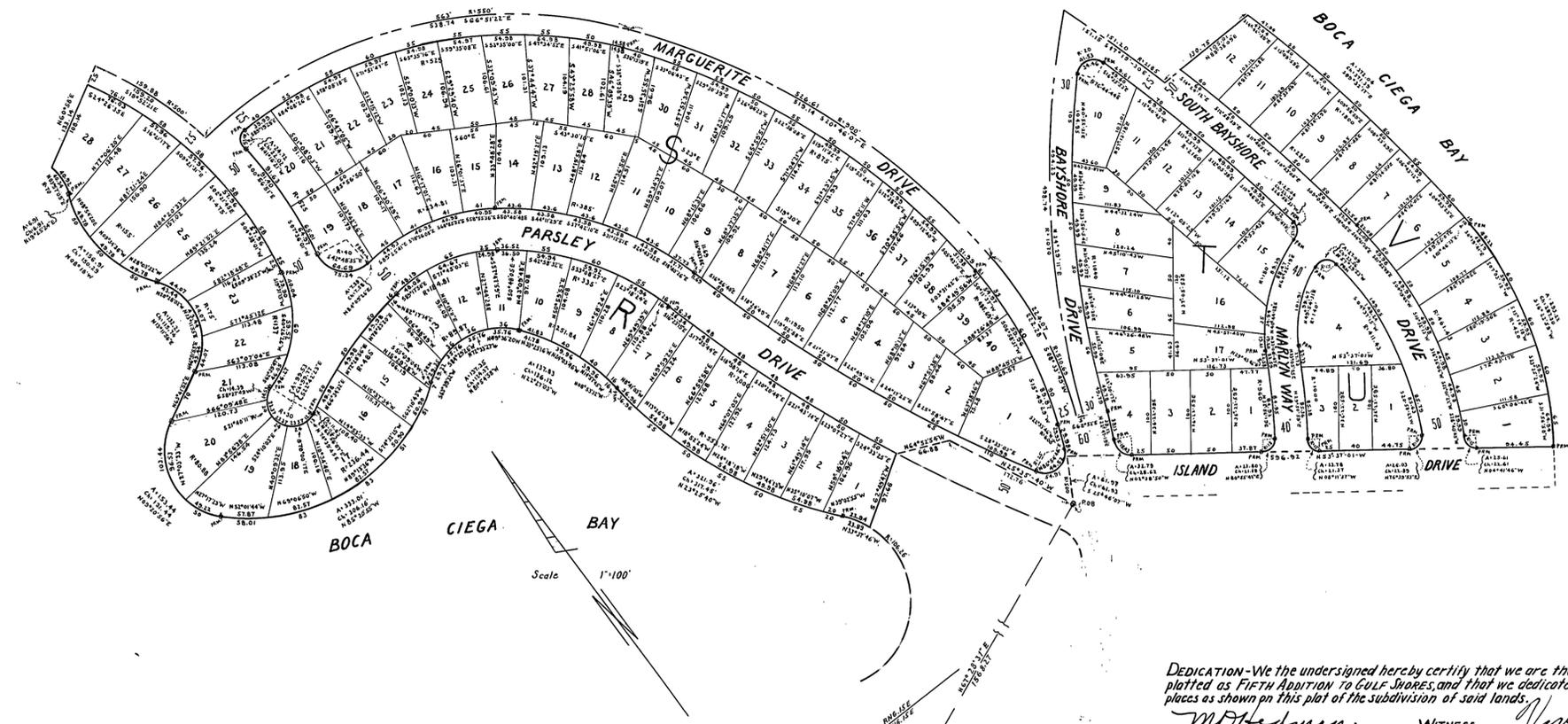
Samantha Arison
Notary Public

5/10/24
Date



*Copy of public notice is attached.

FIFTH ADDITION TO GULF SHORES
BEING A SUBDIVISION OF A PART OF
GOVERNMENT LOT 2 SECTION 10, TOWNSHIP 31 S, RANGE 15 E
PINELLAS COUNTY FLORIDA



BOUNDARY DESCRIPTION - Beginning at a point on Gulf Blvd. (State Highway No. 233) at the intersection of the center line of said highway with an Agreement Line as recorded in Book 75-5, Page 287, Pinellas County Records, said point of intersection being S49°04' E, 128.65 ft. along said center-line from an intersection with the section line between Sections 10 & 15, TWP. 31 S, RANG. 15 E, as re-established by Rose & Moore & Co. Registered Surveyors June 1927. Thence N67°28'31" E, 1568.27 ft. to a Point of Beginning. Thence from said P.O.B. N 25°35'40" W, 172.76 ft., thence N64°52'54" W, 66.88 ft.; thence S62°49'42" W, 97.66 ft.; thence by a curve to the left, rad. 106.26 ft., arc 23.94 ft., chord N33°37'46" W, 23.89 ft.; thence by a curve to the right, rad. 533.78 ft., arc 321.96 ft., chord N21°25'40" W, 317.45 ft.; thence by a curve to the left, rad. 251.84 ft., arc 137.83 ft., chord N22°27'03" W, 136.12 ft.; thence by a curve to the left, rad. 83.87 ft., arc 137.35 ft., chord N18°54'58" W, 124.37 ft.; thence by a curve to the right, rad. 236.44 ft., arc 333.01 ft., chord N18°20'53" W, 308.16 ft.; thence by a curve to the right, rad. 80.88 ft., arc 153.44 ft., chord N09°20'56" E, 131.44 ft.; thence N63°41'52" E, 70 ft.; thence by a curve to the left, rad. 75 ft., arc 132.21 ft., chord N12°11'56" E, 115.74 ft.; thence by a curve to the right, rad. 153 ft., arc 156.91 ft., chord N08°18' W, 150.29 ft.; thence by a curve to the left, rad. 70 ft., arc 40.92 ft., chord N03°57'25" E, 40.34 ft.; thence N60°58' E, 133.14 ft.; thence by a curve to the right, rad. 500 ft., arc 159.88 ft., chord S19°52'21" E, 159.20 ft.; thence by a curve to the right, rad. 550 ft., arc 563 ft., chord S66°51'22" E, 538.74 ft.; thence by a curve to the right, rad. 900 ft., arc 526.61 ft., chord S20°46'07" E, 519.14 ft.; thence by a curve to the right, rad. 510.69 ft., arc 224.07 ft., chord S08°33'49" W, 222.28 ft.; thence S68°52' E, 5 ft.; thence by a curve to the right, rad. 1070 ft., arc 498.74 ft., chord N34°29' W, 494.23 ft.; thence by a curve to the right, rad. 2185 ft., arc 151.20, chord S17°19'30" E, 151.15 ft.; thence N88°38'09" E, 130.75 ft.; thence by a curve to the right, rad. 1800 ft., arc 372.04 ft., chord S09°32'17" E, 371.39 ft.; thence by a curve to the right, rad. 420 ft., arc 293.22 ft., chord S16°22'59" W, 287.30 ft.; thence N53°37'01" W, 596.92 ft.; thence by a curve to the right, rad. 500 ft., arc 61.97 ft., chord S25°46'07" W, 61.33 ft., to the P.O.B.

DEDICATION - We the undersigned hereby certify that we are the owners of the tract of land hereby platted as FIFTH ADDITION TO GULF SHORES, and that we dedicate to the public all streets, alleys, and public places as shown on this plat of the subdivision of said lands.

W. H. Hedden WITNESS Vivian Parsley OWNER
Henry U. Stone WITNESS W. R. Parsley OWNER

STATE OF FLORIDA } ss
COUNTY OF PINELLAS }
I hereby certify that on this 13th day of APRIL A.D. 1946, before me personally appeared VIVIAN PARSELY, joined by W. R. PARSELY, her husband, to me known to be the persons described in and who executed the foregoing certificate and declaration and acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned, and the said VIVIAN PARSELY, wife of the said W. R. PARSELY, on a separate and private examination taken and made by and before me, separately and apart from her said husband, did acknowledge that she made herself a party to the said plat and dedication for the purpose of renouncing, relinquishing, and conveying all right, title, and interest, whether of dower or separate property, statutory or equitable in and to the lands therein dedicated to the public, and that she executed the same freely and voluntarily and without any compulsion, constraint, apprehension, or fear, of or from her said husband.
WITNESS my hand and official seal of St. Petersburg, County of Pinellas, State of Florida, the day and year aforesaid.

Henry U. Stone
Notary Public, State of Florida at large

My commission expires 3-19-1947

I hereby certify that on this 25th day of April A.D. 1946, this property was surveyed and staked and that monuments have been set as indicated and that the dimensions, angles and lengths are correct.

W. F. Young Florida Engineer's Reg. No. 231 - Florida Surveyor's Reg. No. 100

Approved for the board of County commissioners this 2nd day of MAY A.D. 1946

W. M. Whelan Jr.
County Engineer

764327
The within map or plat conforms to the requirements of Chapter 10275, Acts of 1925, Laws of Florida, as to form, was filed for record on the 2nd day of MAY, 1946 at 3 o'clock P. M., and recorded in the public records of Pinellas County, Florida, in Plat Book 23, Page 67.
RAY E. GREEN, Clerk, Circuit Court
By [Signature] Deputy Clerk