

Minutes of the Public Hearing of the City  
of Madeira Beach, Pinellas County,  
Florida

June 1, 1954

Minutes of the continued meeting of the Board of Commissioners of the City of Madeira Beach, Pinellas County, Florida regarding the Public Hearing or Ordinance # 91 ( Zoning ) held in the City Hall on the 1st day of June 1954 at 7:30 P. M.

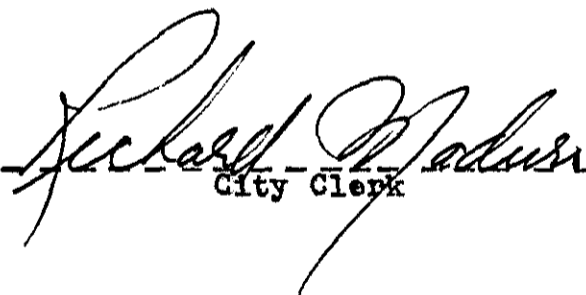
The meeting was called to order by Mayor-Commissioner T. O. Huff at 7:30 P. M. Upon roll call the following Commissioners were present, Mayor Huff, Commissioners Berger, Siedenburg and Redington. Commissioners Hurlbut, Cahill and Barr were absent. There being a quorum of Commissioners present the meeting continued. Also present were the following members of the Board of Zoning, Jette, Boyle, Keim, Bridwell and Jenks who constituted all of the members.

Mayor Huff explained that this meeting was a continuation of the Public Hearing of May 24, 1954. Mayor Huff reported that the Board of Zoning will have a meeting June 7, 1954 to discuss the proposed ordinance and at this meeting have final recommendations for Council.

Mrs. Edward J. Singleton of 13515 1st St. East told Council there were four families who objected to the rezoning of lots 6, 7 & 8, Block 9, Mitchell's Beach from Duplex to either Multiple or Business Zoning.

A motion was made and duly seconded by Commissioners Siedenburg and Redington that a Special Meeting be held on the 29th day of June 1954 in the City Hall for the purpose of acting on Ordinance # 91. Upon roll call the vote was, ayes, Mayor Huff, Commissioners Berger, Siedenburg and Redington. Nays none. Motion carried by majority vote.

As there was no further business a motion was made and duly seconded by Commissioners Berger and Redington that the meeting close. All were in favor. The meeting closed at 8:00 P. M.

  
City Clerk

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Nellie U  
Claude E Miller

March 23, 1954

Dear Gulf Front Owner:

Enclosed is the revised Erosion Plan, which is the result of many months of study, planning and research. We feel you will like its fairness and simplicity.

That Erosion Control is a vital necessity to the future welfare of Madeira Beach has been admitted by all concerned. If we are to continue to be the leading beach community, we must safeguard the most important thing we have, our investment. We have all seen the inroads made year after year by the Gulf, eating away land that is the basis for our prosperity, past, present and future.

You, the owners of this property, and the city can no longer stand idly by and see this situation carried to its ultimate conclusion. Each foot of beach we lose adds that much more danger to the next storm, and each storm adds a financial burden on you as a property owner that seriously eats into any profits you may have earned.

It has been a losing battle for us all as individuals, but collectively it can be beaten.

The plan is simplicity itself, and it benefits all concerned. As sand is accreted and the shoreline progresses westerly, the easterly half is private, buildable land, the westerly half is dedicated beach. This division of accreted land continues without change indefinitely, i.e., if 500' accrete, you gain 250' of valuable property and protection. In addition, our shoreline will assume a neat, uniform appearance that will be more valuable and consequently more salable.

We ask that you read your dedication form carefully, sign it and return at once. Your cooperation is necessary to complete this vital plan and the prompt return of your signed dedication will hasten the next step of this project that is so necessary to you and your city.

If you should desire more information, please call 9-9494 and a member of the board will be glad to call on you.

Madeira Beach Erosion Committee

160  
50  
110  
166  
160  
126  
20  
346

DEDICATION AGREEMENT

THIS AGREEMENT, entered into this 10<sup>th</sup> day of May, 1954, between Helen J. Bergman and Samuel J. Bergman

hereinafter called the Owners, and the CITY OF MADEIRA BEACH, FLORIDA, a Municipal Corporation, hereinafter called the City;

WITNESSETH :

WHEREAS, the City of Madeira Beach, Florida, by Ordinance No. 75 has adopted a plan for control of erosion within the City and of providing a public beach for the residents of the City and their guests; and

WHEREAS, the City, by Ordinance No. 85, has amended said Ordinance No. 75 and has established a high water line within the City, based on the survey made December 4th and 5th, 1952, by George F. Young, Registered Engineers, which high water line is shown on a map of the City of Madeira Beach on file in the City Hall in the City of Madeira Beach; and

WHEREAS, the owners own certain Gulf Front property hereinafter described, and desire to join in the plan of the City;

NOW, THEREFORE, in consideration of the foregoing, the owners hereby dedicate to the City to be used only as a public bathing beach the Westerly One-half (W. 1/2) of all land which shall accrete to the property hereinafter described Westward of the high water line established December 4th and 5th, 1952, by George F. Young, Registered Engineers.

That the land owned by the Owners and the Westerly one-half (W. 1/2) of the accretions to which are dedicated, as herein set out, are described as follows, to-wit:

Lots 5-6--S 1/2 of 7, Block 8, Mitchell's Beach Subdivision

according to Plat Book 3, Page 54, Public Records of Pinellas County, Florida.

Should any of the land dedicated herein be used for any other purpose than a public bathing beach or should any street, highway or thoroughfare be constructed, maintained or operated thereon, or should any bathhouse or building of any kind be constructed, maintained or permitted on any of such public bathing beach, then the dedication hereby made shall be null and void and the property so dedicated shall revert to and become the private property of the Owners, their heirs and assigns, as though no dedication had ever been made.

This dedication shall be binding upon the Owners, their heirs, successors, personal representatives and assigns.

IN WITNESS WHEREOF, the Owners have hereunto set their hands and seals the day and year first above written.

Witnessed by:

John H. Dawson
[Signature]

Helen J. Bergman (SEAL)
Samuel J. Bergman (SEAL)

STATE OF FLORIDA )
COUNTY OF PINELLAS )

Before the undersigned authority personally appeared Helen J. Bergman

and Samuel J. Bergman known to me to be the persons described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal of the County of Pinellas and State of Florida this 10<sup>th</sup> day of May, 1954.

SEAL:

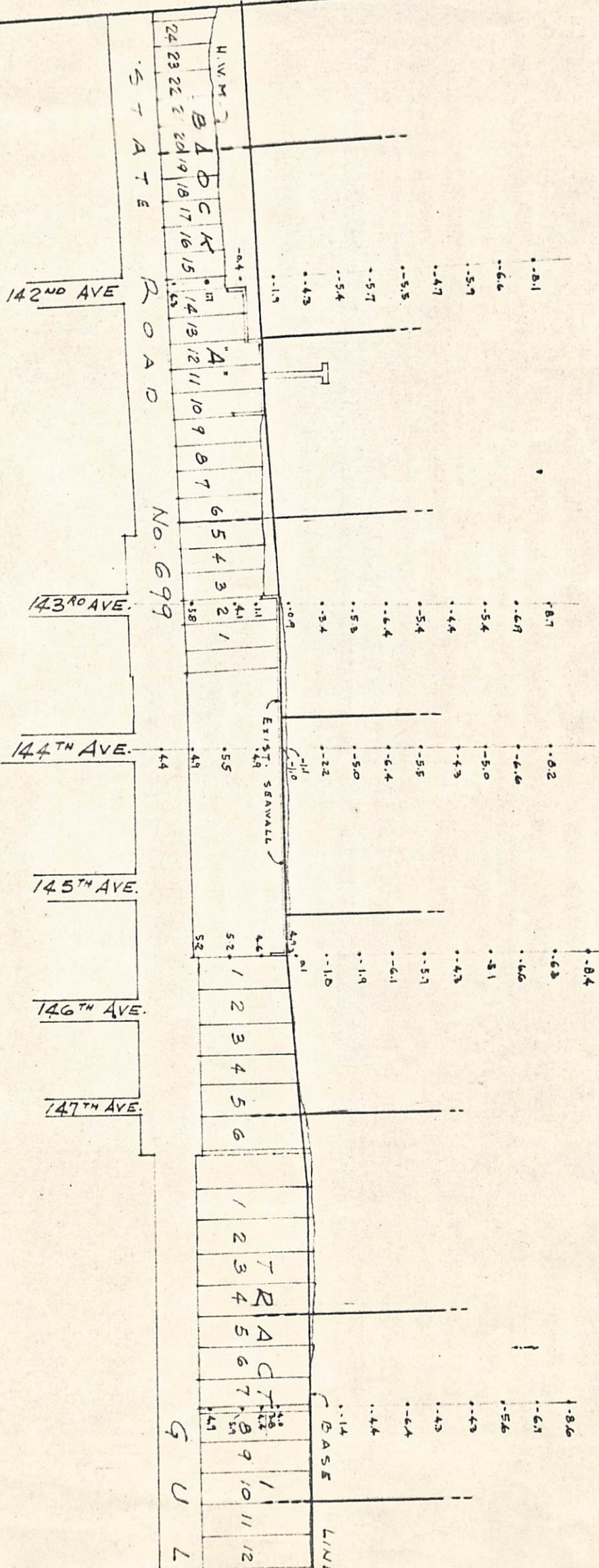
Richard Maduro
Notary Public
My Commission Expires 2-17-58



MATCH LINE

GULF

OF



NOTE 2

**ORDINANCE NO. 85**

AN ORDINANCE AMENDING ~~ORDINANCE~~ No. 75, WHICH WAS AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR EROSION CONTROL AND FOR THE ACQUISITION, DEDICATION, IMPROVEMENT AND USE OF PUBLIC BATHING BEACHES ALONG THE WATERS OF THE GULF OF MEXICO WITHIN THE CITY OF MADEIRA BEACH, PROVIDING FOR THE BUILDING AND CONSTRUCTION AND MAINTENANCE OF GROINS, BULKHEADS, JETTIES, AND FOR DREDGING AND FILLING TO EFFECT SUCH EROSION CONTROL FOR THE MAINTENANCE AND OPERATION OF PUBLIC BATHING BEACHES, LEVYING A TAX UPON EACH AND EVERY PURCHASE OF LOCAL TELEPHONE SERVICE, ELECTRICITY, METERED OR BOTTLED GAS AND WATER SERVICE WITHIN THE CORPORATE LIMITS OF THE CITY, PROVIDING FOR THE COLLECTION THEREOF AND FOR THE PAYMENT OF SUCH TAXES TO THE CITY, PROVIDING THAT SUCH TAXES SHALL BE USED ONLY FOR THE PURPOSES SET OUT IN THIS ORDINANCE; PROVIDING THAT SUCH TAX MAY BE PLEDGED FOR THE PAYMENT OF BONDS AND CERTIFICATES OF INDEBTEDNESS FOR MONIES BORROWED FOR SUCH PURPOSES; PROVIDING THAT BONDS MAY BE ISSUED AND SOLD TO RAISE MONEY FOR CARRYING OUT THE PURPOSES OF THIS ORDINANCE; PROVIDING FOR THE SECURING OF EASEMENTS, AGREEMENTS AND DEDICATIONS OF LANDS BORDERING ON THE GULF OF MEXICO WITHIN THE CITY; PROVIDING FOR THE EXERCISE OF THE POWER OF EMINENT DOMAIN FOR SECURING OF SUCH LANDS TO BE USED FOR PUBLIC BEACH PURPOSES, BY STRIKING FROM SAID ORDINANCE No. 75 SECTION 3 AND SUBSTITUTING THEREFOR SECTION 5, WHICH SECTION ESTABLISHES A HIGH WATER LINE AND FURTHER PROVIDES FOR THE SECURING FROM OWNERS OF GULF FRONT PROPERTY OF AGREEMENTS, EASEMENTS AND DEDICATIONS DEDICATING CERTAIN ACCRETED LANDS FOR USE AS A PUBLIC BEACH, AND BY STRIKING FROM SAID ORDINANCE No. 75 SECTION 9 AND BY SUBSTITUTING THEREFOR SECTION 9 PROVIDING WHEN THE TAX LEVIED BY SECTION 5 OF SAID ORDINANCE No. 75 SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH:

**SECTION 1: That Ordinance No. 75, entitled:**

AN ORDINANCE PROVIDING FOR EROSION CONTROL AND FOR THE ACQUISITION, DEDICATION, IMPROVEMENT AND USE OF PUBLIC BATHING BEACHES ALONG THE WATERS OF THE GULF OF MEXICO WITHIN THE CITY OF MADEIRA BEACH, PROVIDING FOR THE BUILDING AND CONSTRUCTION AND MAINTENANCE OF GROINS, BULKHEADS, JETTIES, AND FOR DREDGING AND FILLING TO EFFECT SUCH EROSION CONTROL FOR THE MAINTENANCE AND OPERATION OF PUBLIC BATHING BEACHES, LEVYING A TAX UPON EACH AND EVERY PURCHASE OF LOCAL TELEPHONE SERVICE, ELECTRICITY, METERED OR BOTTLED GAS AND WATER SERVICE WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR THE COLLECTION THEREOF AND FOR THE PAYMENT OF SUCH TAXES TO THE CITY; PROVIDING THAT SUCH TAXES SHALL BE USED ONLY FOR THE PURPOSES SET OUT IN THIS ORDINANCE; PROVIDING THAT SUCH TAX MAY BE PLEDGED FOR THE PAYMENT OF BONDS AND CERTIFICATES OF INDEBTEDNESS FOR MONIES BORROWED FOR SUCH PURPOSES; PROVIDING THAT BONDS MAY BE ISSUED AND SOLD TO RAISE MONEY FOR CARRYING OUT THE PURPOSES OF THIS ORDINANCE; PROVIDING FOR THE SECURING OF EASEMENTS, AGREEMENTS AND



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THE CITY; PROVIDING FOR THE EXERCISE OF THE  
POWER OF EMINENT DOMAIN FOR SECURING OF SUCH  
LANDS TO BE USED FOR PUBLIC BEACH PURPOSES.**

be amended by striking therefrom Section 3 and substituting therefor Section 3, as follows:

(A) There is hereby established a high water line over, upon and along the waters of the Gulf of Mexico within the City of Madeira Beach, which high water line was surveyed on December 4th and 5th, 1952 by George F. Young, Registered Engineers, and which high water line is shown on a map of the City of Madeira Beach on file in the City Hall in the City of Madeira Beach.

(B) The Board of Commissioners and its duly authorized agents and employees are hereby authorized to negotiate with the owners of property fronting on the Gulf of Mexico within the City, and to secure from such owners agreements, easements or dedications, which agreements, easements or dedications shall provide:

1- That the Westerly one-half (1/2) of all land which shall accrete to the property of the dedicators beyond the high water line hereinafore established shall be dedicated to and used by the public as a public bathing beach.

2- That no person shall build upon any land dedicated for a public bathing beach as herein provided.

3- Should any of the land dedicated as a public bathing beach, as herein provided, be used for any other purpose, or should any street, highway or thoroughfare be constructed, maintained or operated thereon, or should any bathhouse or building of any kind ever be constructed, maintained or permitted on any of such public beach, then the dedication herein provided for and made in accordance with the provisions of this ordinance shall be null and void, and the property so dedicated shall revert to and become the private property of the dedicator, his heirs and assigns, as though no dedication had ever been made.

SECTION 2: That Ordinance No. 75 be further amended by striking therefrom Section 9 and substituting therefor Section 9, as follows:

SECTION 9: The tax provided for in Section 5 hereof shall become effective when the City, through its Board of Commissioners and its duly authorized agents and employees, shall have secured agreements, easements and dedications, as provided for in Section 3 hereof, to equal seventy per cent (70%) of the footage of the Gulf Front property North of the intersection of the North boundary line of 128th Avenue with the Gulf of Mexico and South of the intersection of the North boundary line of the City with the Gulf of Mexico; provided however that dedicated streets, easements, public beaches and property which shall be owned by governmental units or agencies shall not be considered, but only property which is privately owned, in arriving at this percentage.

Passed on the 1st reading the \_\_\_\_\_ day of \_\_\_\_\_,  
1954.

Passed on the 2nd reading the \_\_\_\_\_ day of \_\_\_\_\_,  
1954.

Passed on the 3rd reading the \_\_\_\_\_ day of \_\_\_\_\_,  
1954.

\_\_\_\_\_  
City Clerk

APPROVED: This \_\_\_\_\_  
Day of \_\_\_\_\_, 1954.

\_\_\_\_\_  
Mayor-Commissioner

ORDINANCE No. 85

AN ORDINANCE AMENDING ORDINANCE No. 75, WHICH WAS AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR EROSION CONTROL AND FOR THE ACQUISITION, DEDICATION, IMPROVEMENT AND USE OF PUBLIC BATHING BEACHES ALONG THE WATERS OF THE GULF OF MEXICO WITHIN THE CITY OF MADEIRA BEACH, PROVIDING FOR THE BUILDING AND CONSTRUCTION AND MAINTENANCE OF GROINS, BULKHEADS, JETTIES, AND FOR DREDGING AND FILLING TO EFFECT SUCH EROSION CONTROL FOR THE MAINTENANCE AND OPERATION OF PUBLIC BATHING BEACHES, LEVYING A TAX UPON EACH AND EVERY PURCHASE OF LOCAL TELEPHONE SERVICE, ELECTRICITY, METERED OR BOTTLED GAS AND WATER SERVICE WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR THE COLLECTION THEREOF AND FOR THE PAYMENT OF SUCH TAXES TO THE CITY, PROVIDING THAT SUCH TAXES SHALL BE USED ONLY FOR THE PURPOSES SET OUT IN THIS ORDINANCE; PROVIDING THAT SUCH TAX MAY BE PLEDGED FOR THE PAYMENT OF BONDS AND CERTIFICATES OF INDEBTEDNESS FOR MONIES BORROWED FOR SUCH PURPOSES; PROVIDING THAT BONDS MAY BE ISSUED AND SOLD TO RAISE MONEY FOR CARRYING OUT THE PURPOSES OF THIS ORDINANCE; PROVIDING FOR THE SECURING OF EASEMENTS, AGREEMENTS AND DEDICATIONS OF LANDS BORDERING ON THE GULF OF MEXICO WITHIN THE CITY; PROVIDING FOR THE EXERCISE OF THE POWER OF EMINENT DOMAIN FOR SECURING OF SUCH LANDS TO BE USED FOR PUBLIC BEACH PURPOSES; BY STRIKING FROM SAID ORDINANCE No. 75 SECTION 3 AND SUBSTITUTING THEREFOR SECTION 3, WHICH SECTION ESTABLISHES A HIGH WATER LINE AND FURTHER PROVIDES FOR THE SECURING FROM OWNERS OF GULF FRONT PROPERTY OF AGREEMENTS, EASEMENTS AND DEDICATIONS DEDICATING CERTAIN ACCRETED LANDS FOR USE AS A PUBLIC BEACH, AND BY STRIKING FROM SAID ORDINANCE No. 75 SECTION 9 AND BY SUBSTITUTING THEREFOR SECTION 9 PROVIDING WHEN THE TAX LEVIED BY SECTION 5 OF SAID ORDINANCE No. 75 SHALL BECOME EFFECTIVE.

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Section 2. That Ordinance No. 75 be further amended by striking therefrom Section 9 and substituting therefor Section 9 as follows:

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Passed on the 1st reading the 23rd day of February, 1954.

Passed on the 2nd reading the 9th day of March, 1954.

Passed on the 3rd reading the 9th day of March, 1954.

APPROVED: This 9th day of March, 1954.

  
Mayor-Commissioner

  
City Clerk

