

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

CITY OF MADEIRA BEACH,

Petitioner,

vs.

CASE NUMBER: 26-44

JOHN A. VOLPE REVOCABLE LIVING TRUST,
VINCENT VOLPE III,
JENNIFER A. VOLPE and
THERESA VOLPE
165 174th Avenue E., Unit B
Redington Shores, FL 33708

Respondents.

_____ /

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER IMPOSING FINE AND CERTIFYING LIEN**

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on June 22, 2026 and July 6, 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 Taylor Davis provided testimony on behalf of the City.
2. Vincent Volpe and John Volpe appeared on behalf of the Respondents.
3. No one provided public comment.
4. The property in question is located at 13406 Boca Ciega Avenue, Madeira Beach, Florida 33708 ("Property"). The legal description for the property is as follows:

PAGE'S REPLAT OF MITCHELL'S BEACH BLK B, UNSUBDIVIDED BLK B

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. 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. 62-58. - Citation for delinquency.

All local business taxes not paid shall be considered delinquent and cited accordingly and covered under the provisions of section 62-59 and this Code.

Sec. 62-33. - Compliance required.

It shall be unlawful for any person, either directly or indirectly, to conduct any business, profession or nonprofit enterprise, or to use in connection therewith any vehicle, premises, machine, or device, in whole or part, for which a local business tax receipt or permit is required by any law or ordinance of this city, without a local business tax receipt or permit therefor being first procured and kept in effect at all such times as required by this article.

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.

(b) No license shall be issued or renewed for a residential rental unit unless the residential rental property and unit are in compliance with the requirements of this article and applicable provisions of the Land Development Code.

7. The City failed to meet its burden to prove that violations of Sec. 62-58 and Sec. 86-52 existed as of the date of the public hearing and withdrew the violation of Sec. 14-130.4. A violation of Sec. 62-33 did exist, however, 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 violation of Sec. 62-33 and bringing the Property into compliance is on or before September 7, 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 62-33 of the Code of Ordinances of the City of Madeira Beach.

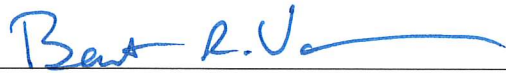
10. The Respondents shall correct the above stated violation on or before September 7, 2026, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing.

11. Upon complying, the 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 9 above for each day the Respondents have failed to correct the violation after September 7, 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 31st day of July, 2026.



Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail and regular mail to: **JOHN A. VOLPE REVOCABLE LIVING TRUST, VINCENT VOLPE III, JENNIFER A. VOLPE AND THERESA VOLPE, 165 174th Avenue E., Unit B, Redington Shores, FL 33708**; by electronic mail to **Thomas J. Trask, Esq. (tom@cityattorneys.legal)**; and by U.S. Mail and e-mail transmission to the **City of Madeira Beach, Clara VanBlargan, 300 Municipal Dr., Madeira Beach, Florida 33708**, on this 3rd day of ~~July~~^{August}, 2026.



Bart R. Valdes
Special Magistrate

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 novo 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. Florida Statute 162.11.

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

October 14, 2026
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708,

Petitioner,

vs.

CASE NO. 26-44

VOLPE, JOHN A REV LIV TRUST
VOLPE, VINCENT III
VOLPE, JENNIFER A
VOLPE, THERESA
165 174TH AVE E UNIT B
REDINGTON SHORES, FL 33708

Respondents.

AFFIDAVIT OF COMPLIANCE

I, Taylor Davis, *Permit and Code Compliance Specialist*, have personally examined the property described in

Madeira Beach Notice of Violation: 03-30-2026

Madeira Beach Special Magistrate Order: 09-07-2026

In the above-mentioned case and find that said property is in compliance with Sec. 62-33 of the Code of City of Madeira Beach, Florida, as of 07-16-2026.



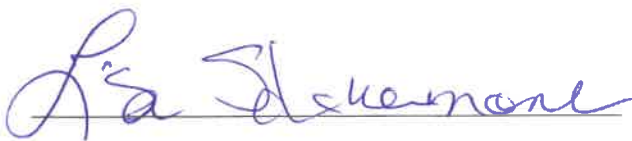
Taylor Davis, Permit & Code Compliance Specialist

STATE OF FLORIDA

COUNTY OF PINELLAS

Before me on this 14th day of October 2026, Taylor Davis personally appeared who executed the foregoing instrument and who is personally known to me.

SEAL



Notary



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

OCTOBER 14, 2026

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

Petitioner,

vs.

CASE NO. CE-26-44

VOLPE, JOHN A REV LIV TRUST
VOLPE, VINCENT III
VOLPE, JENNIFER A
VOLPE, THERESA
165 174TH AVE E UNIT B
REDINGTON SHORES, FL 33708

Respondents.

RE Property: 13406 BOCA CIEGA AVE

Parcel #15-31-15-65304-002-0010

Legal Description: PAGE'S REPLAT OF MITCHELL'S BEACH BLK B, UNSUBDIVIDED BLK B

NOTICE OF HEARING
AFFIDAVIT OF COMPLIANCE

To whom it may concern:

YOU ARE HEREBY FORMALLY NOTIFIED that at **12:00 pm** on **Monday** the **26th** day of **October, 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. 62-33. - Compliance required.

It shall be unlawful for any person, either directly or indirectly, to conduct any business, profession or nonprofit enterprise, or to use in connection therewith any vehicle, premises, machine, or device, in whole or part, for which a local business tax receipt or permit is required by any law or ordinance of this city, without a local business tax receipt or permit therefor being first procured and kept in effect at all such times as required by this article.

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.

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 14 day of October, 2026.

A handwritten signature in cursive script, appearing to read "Taylor Davis", is written over a horizontal line.

**Taylor Davis, Permit and Code Compliance Specialist
City of Madeira Beach**

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

October 14, 2026
City of Madeira Beach
300 Municipal Drive
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RE Property: 13406 BOCA CIEGA AVE

Parcel #15-31-15-65304-002-0010

Legal Description: PAGE'S REPLAT OF MITCHELL'S BEACH BLK B, UNSUBDIVIDED BLK B

AFFIDAVIT OF SERVICE

I, Taylor Davis, Permit & Code Compliance Specialist of the City of Madeira Beach, upon being duly sworn, deposed and says the following:

That pursuant to Florida Statute 162.12,

On the 14 day of October, 2026, I mailed a copy of the attached NOTICE OF HEARING via Certified Mail, Return Receipt Requested.

On the 14 day of October, 2026, I mailed a copy of the attached NOTICE OF HEARING via First Class mail.

On the 14 day of October, 2026, I posted a copy of the attached NOTICE OF HEARING on the property located at 13406 BOCA CIEGA AVE, Parcel #15-31-15-65304-002-0010 the City of Madeira Beach.

On the 14 day of October, 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.

Taylor Davis

**Taylor Davis, Permit & 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 X physical presence or online notarization, this 14th day of October, 2026, by Taylor Davis, who is personally known to me, or produced _____ as identification. My Commission Expires: 4/2029

Notary Public- State of Florida

Lisa Scheuermann

Print or type Name.



Oct 14, 2026 at 12:55:13 PM



[illegible]