



## SPECIAL MAGISTRATE – VARIANCE REQUEST

VAR 2024-03

### Staff Report and Recommendation Special Magistrate Meeting – April 22, 2024

**Application:** VAR 2024-03  
**Applicant:** Bodziak/Hayes Architects  
**Property Owner(s):** Tampa Home Pro, Inc.  
**Property Address:** 13495 Gulf Blvd, Madeira Beach, FL 33708  
**Parcel ID:** 15-31-15-58320-010-0080  
**Legal Description:** MITCHELL’S BEACH REVISED BLK 10, LOTS 8  
THRU 10 LESS RD R/W PER O.R.’S 4355/231 &  
4426/1135  
**Zoning/Future Land Use:** C-3, Retail Commercial Zoning District,  
Residential/Office/Retail

**Request:** Allow six (6) feet side yard setback along 135<sup>th</sup> Way, allow six and one-half (6.5) feet rear setback at the northern half of the rear property line, and allow the elimination of the five (5) foot perimeter landscape buffering requirement along two sections of the rear property line: one starting from 45.5 feet south of the northern corner of the parcel spanning 33 feet, and the other starting from the eastern corner of the parcel spanning 23 feet.

**Specific Code Provisions: Section 110-321(2, 3b):** that the minimum rear setback of ten feet shall apply in the C-3, retail commercial district, and that the minimum side yard setback for a lots less than 120 feet in width within the C-3, retail commercial district be no less than ten feet on one side.

**Section 106-35(1-2):** that the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width, that when paved ground surfaces are adjacent to properties zoned exclusively for residential use, all land between the paved surface and the property line shall be landscaped, and that the landscaping shall include a buffer strip of at least five feet in width adjacent to the abutting property, containing a hedge or other durable screen of landscaping at least five feet in height.

## **I. Background**

The property is in the C-3, Retail Commercial Zoning District and Residential/Office/Retail (R/O/R) future land use category. The lot comprises of contiguous lots 8, 9, and 10 from the Mitchell's Beach plat. 13495 Gulf Blvd is on the southeastern corner of 135<sup>th</sup> Ave and Gulf Blvd. The rear of the property abuts a one-way alley that separates the C-3, Retail Commercial Zoning District from the R-2, Low Density Multifamily Residential Medium Zoning District.

The widening and re-alignment of Gulf Boulevard in the early 1970s reduced the dimensions of the lot and further altered the shape to become a clipped parallelogram configuration. Many of the C-3 commercial buildings in this area on Gulf Boulevard were built before the current zoning code and do not meet the minimum setbacks, therefore are considered legally nonconforming. The widening of Gulf Boulevard exacerbated or, in some cases, could have created these nonconformities. The setbacks for the existing building at 13495 Gulf Boulevard do not conform to the C-3 zoning district setbacks with a side yard setback of 4.8 feet and rear setback of 6.3 feet (both the minimum rear and side yard setback in C-3 zoning district for this lot size is 10 feet), therefore, the building is considered legally nonconforming.

The two-story building on the property was constructed in 1947 and was most recently used as a veterinary hospital. Tampa Home Pro, Inc. purchased the property in October 2023 and intends to demolish the current building and construct a four-story mixed-use building with eight temporary lodging units, ground floor parking, ancillary rooftop amenities, and an ancillary ground floor restaurant.

The proposed structure increases the current side setback from 4.8 feet to 6 feet, a reduction in the nonconforming setback. The reduction in the rear setback is due to the screening wall around the dumpster, which at its nearest point to the rear property line measures 6.5 feet. The current building has a rear setback of 6.3 feet exclusive of the rear wooden staircase, therefore this request reduces the current nonconforming setbacks. The applicant also seeks an exception from the minimum 5-foot perimeter buffer landscaping along two

sections of the rear property line: one starting from 45.5 feet south of the northern corner of the parcel spanning 33 feet, and the other starting from the eastern corner of the parcel spanning 23 feet in order to accommodate 4 of the 14 required parking spaces which protrude into this 5-foot perimeter zone. The total proposed landscaped area (2,021 sf) is nearly double the minimum required (1,011 sf) for the development.

## 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 irregularly shaped, which adds difficulty to the creation of a developable site compliant to setback, screening, and parking standards. The widening of Gulf Boulevard in the 1970s and subsequent roadway improvements also shortened lots fronting Gulf Boulevard including the Mitchell's Beach plat block on which the subject site is located, as described in the background section in this report.

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 project, if approved, would provide a greener, better screened mixed-use layout which more closely matches the surrounding character and seeks to accommodate the irregular angles of property lines and adjacent right of ways.

- 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 must be compliant with all current floodplain, 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 was originally larger when the plat was first approved. The widening of Gulf Boulevard reduced the length of the lot.

- (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.

- (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 landscape requirement and best practices for safe driveway and access design are at times incompatible with the irregular lot shape. The requested setback reductions, from 10 feet to 6 feet at the side along 135<sup>th</sup> Ave, and from 10 feet to 6.5 feet at the northern half of the rear property line, appear to be the minimum required in order to satisfy other applicable requirements for the site's development program. Adjacent structures within the same platted block as the subject property such as the Tide the Knot Beach Weddings and The West Events buildings have had their lots impacted by right of way widening and have narrower setbacks than what is currently permitted, rendering these buildings legally nonconforming as well.

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

**Findings:** The variance is narrow in scope and suited to the specific dimensions and circumstances of the proposed site plan, namely, the irregular lot shape. The current building does not meet the current setbacks and this request is a reduction of nonconformity. The reduction of the landscape buffer requirements is minimal and due to the small area of the lot is difficult or impossible to achieve with the new parking standards that were not in place at the time of the construction of the current building. The adjacent buildings within the same platted block, mentioned above, currently have little to no landscaped area around the parking area and have much narrower front, 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 commercial structures regarding lot coverage, setbacks, and orientation. The development of the new building will also create more landscaped buffer area between the commercial and residential areas than currently on the site. The side setback will also increase the amount of open space between pedestrians and the building's side along 135<sup>th</sup> Ave as compared to the existing structure. The rear setback for the principal exterior structure wall will be 10 feet, the minimum permitted in the C-3 zoning district.

**III. Staff Recommendation:** Staff recommends the approval of VAR 2024-03, to reduce the required side setback from 10 feet to 6 feet from the property line along 135<sup>th</sup> Ave, to reduce the required rear setback from 10 feet to 6.5 feet at the northern half of the rear property line, and to eliminate the five (5) foot perimeter landscape buffering requirement along two sections of the rear property line: one starting from 45.5 feet south of the northern corner of the parcel spanning 33 feet, and the other starting from the eastern corner of the parcel spanning 23 feet.

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

**Attachments:** 1) Site Plan  
2) Boundary Survey  
3) Variance Application  
4) Applicant Justification Letter  
5) Property Deed  
6) Public Notice Mailing Packet



# 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

Bodziak/Hayes Architects

5665 Central Avenue

Saint Petersburg, Fl 33710

**Telephone:** ( 727 ) 327-1966

**Email:** britt@bodziakhayes.com

**\*Property Owner:** Name and Address

Tampa Home Pro Inc.

110 Crenshaw Lake Road Ste 200

Lutz Fl 33548-6101

**Telephone:** ( 813 ) 833-7508

**Email:** chris@tampahomepro.net

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

13495 Gulf Boulevard, Madeira Beach FL 33708

**Legal Description:** MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W

PER O.R.'S 4355/231 & 4426/1135

**Lot Area:** 10,113.76 SF

**Width:** 120 ft.

**Depth:** 104 ft.

**Zoning District:** C-3

**Present Structures on Property:** (1) 2-story building

**Present Use of Property:** Professional Office

**Date Building Permit Request denied:** Pre-application meeting 12/7/23

**Variance(s) needed from the zoning requirements:** Side setbacks 110-321 (3) b. 3;

Rear setbacks 110-321 (2); Landscape buffers along alleyway 106-35 (1)

**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 #: VAR 2024-03

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

Fee: \_\_\_\_\_  Check # 7397  Cash  Receipt # \_\_\_\_\_

Date Received: 02 / 07 / 24 Received by: Lisa

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
- X 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:** \_\_\_\_\_

(1) Allow 6'-0" side-yard setback along 135th Way;

(2) Allow trash enclosure setback along property rear alley at 6'-6";

(3) Allow partial elimination of landscape buffers at rear alley-adjacent parking spaces  
(numbered 1, 12, 13, & 14)

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.
  - 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.

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

IN WITNESS WHEREOF, the said Grantor has caused this deed to be executed by its duly authorized officer on the day and year first above written.

Witnesses:

ATB'S FUTURE, LLC, a Florida limited liability company, the Grantor(s).

*Laura J. Thompson*  
Print Name: LAURA J. THOMPSON

By: *Shawna Green*  
Shawna Green, as Manager

*[Signature]*  
Print Name: *[Signature]*

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of [  ] physical presence or [  ] online notarization on October 26, 2023, by Shawna Green, who is personally known to me or has produced FL Driver License as identification.

SEAL

*[Signature]*  
(Signature) NOTARY PUBLIC  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

I hereby authorize permission for the Special Magistrate, Building Official and Planning & Zoning Director to enter upon the above referenced premises for purposes of inspection related to this petition.

I hereby certify that I have read and understand the contents of this application, and that this application, together with all supplemental data and information, is a true representation of the facts concerning this request; that this application is made with my approval, as owner and applicant, as evidenced by my signature below.

It is hereby acknowledged that the filing of the application does not constitute automatic approval of the request; and further, if the request is approved, I will obtain all the necessary permits and comply with all applicable orders, codes, conditions, rules and regulations pertaining to the subject property.

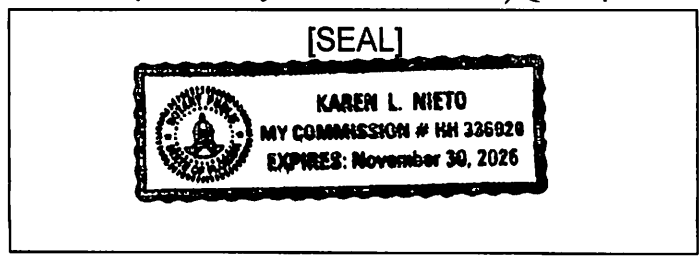
***I have received a copy of the Special Magistrate Requirements and Procedures (attached), read and understand the reasons necessary for granting a variance and the procedure, which will take place at the Public Hearing.***

**Appeals.** (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the 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.

X \_\_\_\_\_ Date: 2 / 2 / 24  
*[Handwritten Signature]*  
Property Owner's Signature

STATE OF Florida  
COUNTY OF Hillsborough

Before me this 2<sup>nd</sup> day of February, 2024, Christopher Robinson appeared in person who, being sworn, deposes and says that the foregoing is true and correct certification and is  personally known to me or  has produced FL DL # R152103742490 as identification.



Karen L Nieto  
Public Notary Signature

**NOTICE:** Persons are advised that, if they decide to appeal any decision made at this hearing, they will need a record of the proceedings, and for such purpose, they 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.

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**NON-OWNER (AGENT) CERTIFICATION**

I hereby authorize permission for the Special Magistrate, Building Official and Planning & Zoning Director to enter upon the above referenced premises for purposes of inspection related to this petition.

I hereby certify that I have read and understand the contents of this application, and that this application, together with all supplemental data and information, is a true representation of the facts concerning this request; that this application is made with my approval, as owner and applicant, as evidenced by my signature below.

It is hereby acknowledged that the filing of the application does not constitute automatic approval of the request; and further, if the request is approved, I will obtain all the necessary permits and comply with all applicable orders, codes, conditions, rules and regulations pertaining to the subject property.

***I have received a copy of the Special Magistrate Requirements and Procedures (attached), read and understand the reasons necessary for granting a variance and the procedure, which will take place at the Public Hearing.***

**Appeals.** (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the 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.

X \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
*Property Owner's Signature (If other than the property owner)*

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, \_\_\_\_\_  
 appeared in person who, being sworn, deposes and says that the foregoing is true and correct certification and is  personally known to me or  has produced \_\_\_\_\_ as identification.

[SEAL]

\_\_\_\_\_  
 Public Notary Signature

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## 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.

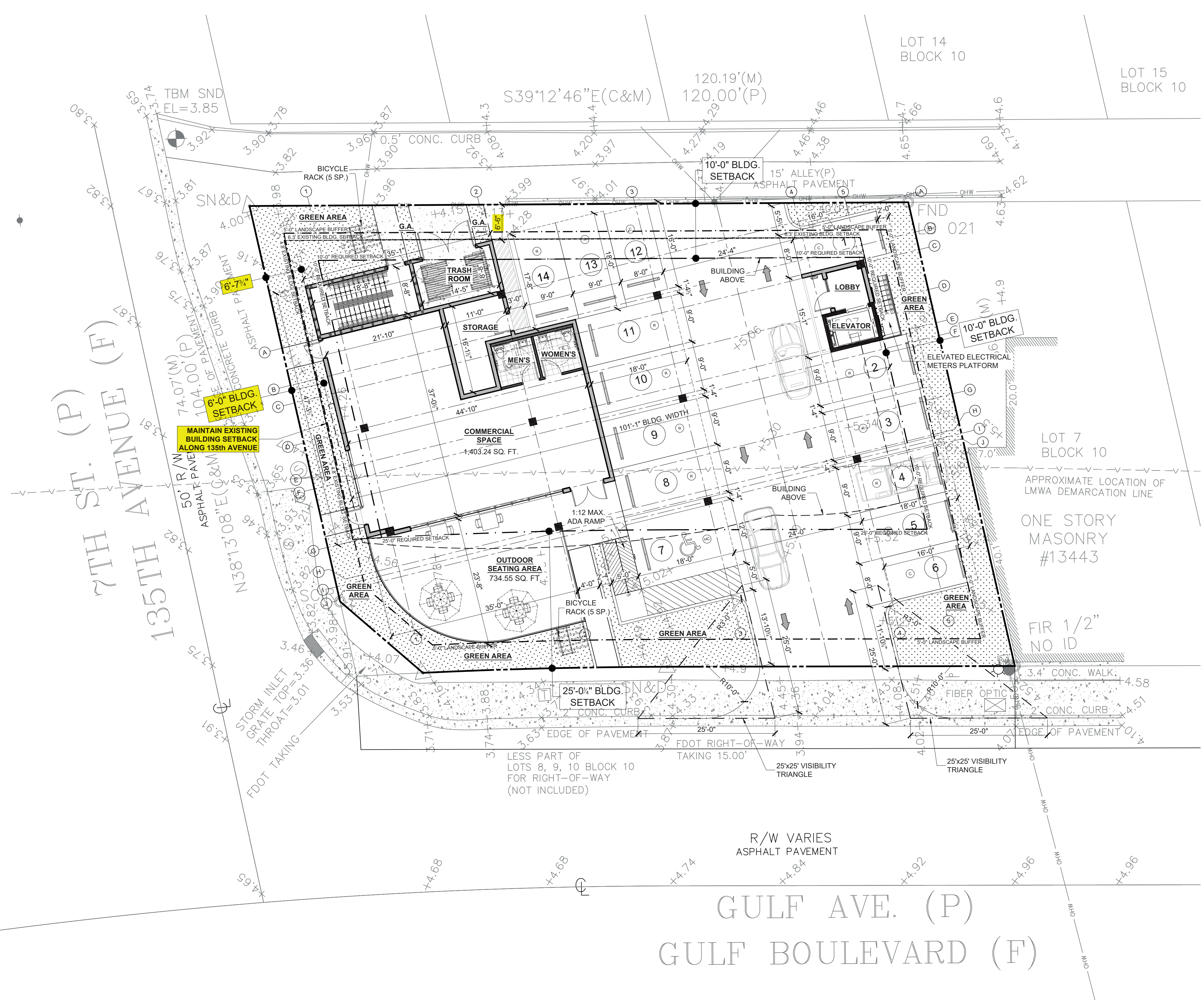
The hearing will be conducted in the following manner:

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.

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CATEGORY	SITE DATA TABLE		NOTES
	ALLOWABLE / REQUIRED	EXISTING	
ZONING	C-3	C-3	
LAND USE DISTRICT	RETAIL COMMERCIAL	RETAIL COMMERCIAL	
SETBACKS	FRONT: 25 FT. REAR: 10 FT. SIDE: 33% of the Lot Width (10'-0" min. one side)	RETAIL COMMERCIAL GULF BLVD.: 7.7 FT. ALLEY: 6.3 FT. 135th AVE.: 4.5 FT. SIDE: 39.2 FT.	RETAIL COMMERCIAL 25.0 FT. ALLEY: 10.0 FT. 135th AVE.: 4.5 FT. SIDE: 10.0 FT. Dw. 7 110-321 (1) Dw. 7 110-321 (2) Trash enclosure walls are 6'-6" from property line. Dw. 7 110-321 (3) s. 3.1 for lots <1000' Level 2 wall is 6'-0" from property line.
BASE FLOOD ELEVATION (B.F.E.)	AE-10	10.00' N.A.V.D.	
DESIGN FLOOR ELEVATION (D.F.E.)	AE-10 + 4' of freeboard	14.00' N.A.V.D.	
FINISHED FLOOR ELEVATION (1ST LIVING FLR)			16.33' N.A.V.D.
BUILDING HEIGHT	44 FT. Max. from D.F.E.	58.00' N.A.V.D.	43'-4" from D.F.E. Measured to top of Rooftop Shade structure
STORIES		Two (2) Floors	(3) Floors over Parking
SITE AREA	10,113.78 SF	0.23 acres	
DENSITY	40 units/acre	9.29 units	Professional office
FLOOR AREA RATIO (FAR) - COMMERCIAL	1.29 density units remaining =	1,404.81 SF max.	3,789.57 SF
IMPERVIOUS SURFACE RATIO (ISR)	0.85 max.	8,596.70 SF max.	5,007.46 SF
LANDSCAPE & GREEN SPACE			19.98%
LANDSCAPE BUFFERS			70% max. 3,562.48 SF max. 10% min. 1,011.38 SF min.
PARKING SPACES (P.S.)	Required - Total	14 P.S.	14 P.S.
ADA (17' x 18')	1 P.S. / 12 Employees	1 P.S.	1 P.S.

1 ARCHITECTURAL SITE PLAN  
SCALE: 1" = 10'-0"  
NORTH

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

PROFESSIONAL STATEMENT TO THE BEST OF THIS ARCHITECT'S KNOWLEDGE, ENCLOSURE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

JOHN A. BODZIAK, AIA, FL LIC #AR0005065  
BRITT HAYES, RA, FL LIC #AR102428  
EMAIL: JACK@JARBODZIAK.COM | BRIT@JARBODZIAK.COM  
TEL: (727) 327-1966 | FAX: (727) 836-0958

**"THE SANDERLING"**  
13495 GULF BLVD.  
MADEIRA BEACH, FL 33708  
ARCHITECTURAL SITE PLAN

**BODZIAK/HAYES**  
ARCHITECTS, PA  
ARCHITECTS, PA  
8665 CENTRAL AVE. SUITE PETERSBURGS, FLORIDA 33710  
EMAIL: JACK@JARBODZIAK.COM | BRIT@JARBODZIAK.COM  
TEL: (727) 327-1966 | FAX: (727) 836-0958

REVISIONS

NO.	DATE	DESCRIPTION

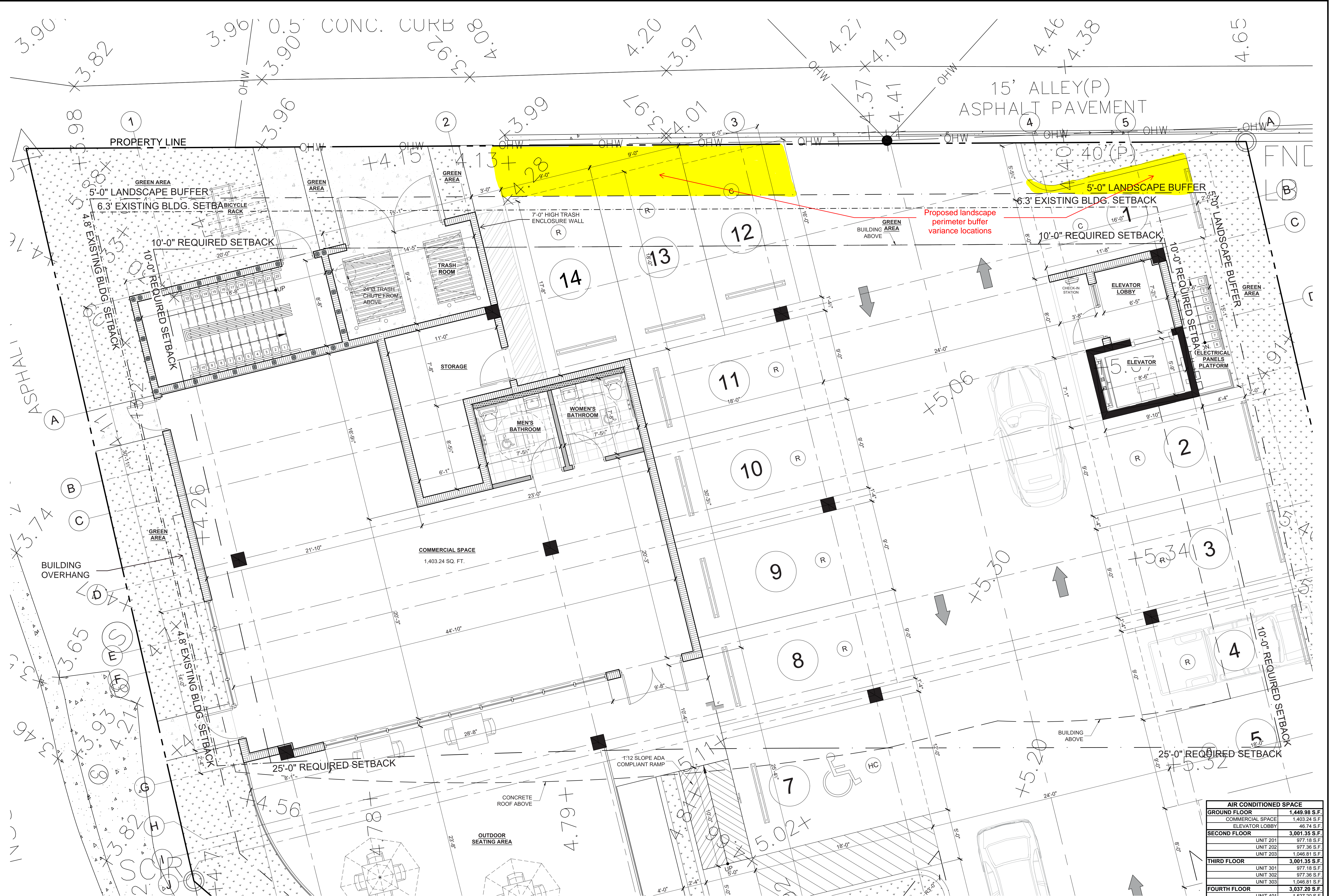
CLIENT

DRAWN BY: CS  
UPDATED ON: Feb. 1, 24  
DATE: OCT-2023  
JOB PROJECT #: 23-029  
SHEET #

ASP-1.0







1 GROUND FLOOR PLAN  
SCALE: 1/4" = 1'-0" NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,449.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	46.74 S.F.
<b>SECOND FLOOR</b>	<b>3,001.35 S.F.</b>
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
<b>THIRD FLOOR</b>	<b>3,001.35 S.F.</b>
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
<b>FOURTH FLOOR</b>	<b>3,037.20 S.F.</b>
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
<b>ROOF DECK</b>	<b>176.49 S.F.</b>
WOMEN'S BATHROOM	59.95 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.26 S.F.
<b>TOTAL A.C. SPACE</b>	<b>10,666.37 S.F.</b>

PROFESSIONAL STATEMENT TO THE BEST OF HIS ARCHITECT'S KNOWLEDGE, ENCLINED PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

NO. DATE DESCRIPTION

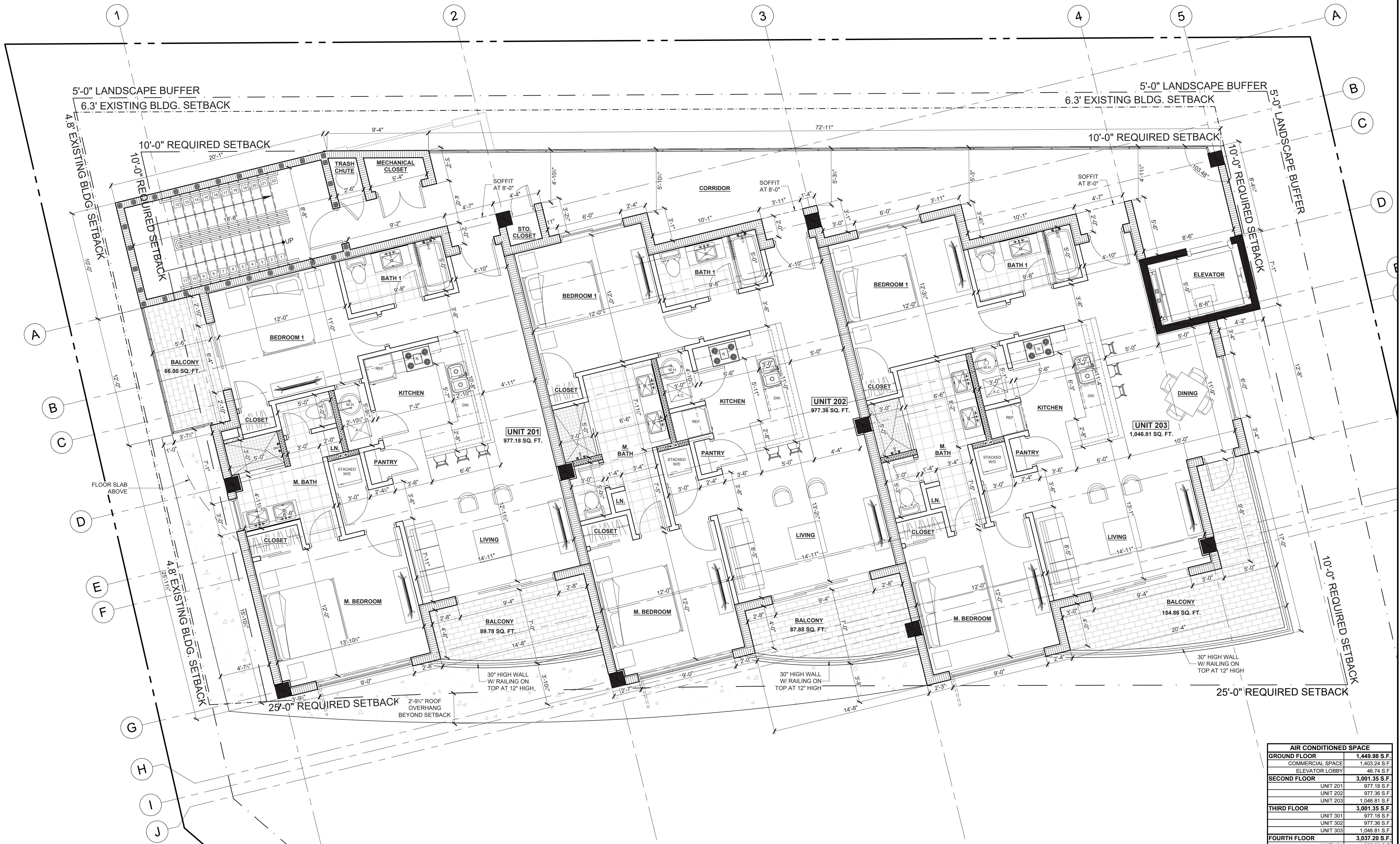
CLIENT

**"THE SANDERLING"**  
13495 GULF BLVD.  
MADEIRA BEACH, FL 33708  
GROUND FLOOR PLAN

STATE OF FLORIDA  
JANE A. BODZIAK  
ARCHITECT  
AR0005065  
02/07/2024  
REGISTERED ARCHITECT

**BODZIAK/HAYES**  
ARCHITECTS, PA  
JOHN A. BODZIAK, AIA FL LIC #AR0005065  
BRITT HAYES, RA FL LIC #ART02428  
5665 CENTRAL AVE SAINT PETERSBURG, FLORIDA 33710  
EMAIL: JACK@BODZIAK.COM | BRITT@BODZIAK.COM  
TEL: (727) 927-1966 | FAX: (727) 836-0968

DRAWN BY CS  
UPDATED ON Feb. 1, 24  
DATE OCT-2023  
JOB PROJECT # 23-029  
SHEET # A-1.0



1 SECOND FLOOR PLAN  
SCALE: 1/4" = 1'-0" NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,448.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	45.74 S.F.
SECOND FLOOR	3,001.35 S.F.
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
THIRD FLOOR	3,001.35 S.F.
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
FOURTH FLOOR	3,037.20 S.F.
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
ROOF DECK	176.49 S.F.
WOMEN'S BATHROOM	69.56 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.28 S.F.
<b>TOTAL A.C. SPACE</b>	<b>10,666.37 S.F.</b>

PROFESSIONAL STATEMENT TO THE BEST OF THIS ARCHITECT'S KNOWLEDGE, ENCLOSURE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

OWNER: A. BODZIAK, AIA, ARCHITECTS, PA  
 8665 CENTRAL AVE. SAINT PETERSBURG, FLORIDA 33710  
 EMAIL: JACK@ABODZIAK.COM | BRITT@ABODZIAK.COM  
 TEL: (727) 327-1966 | FAX: (727) 836-0958

ARCHITECTS, PA  
**BODZIAK/HAYES**  
 JOHN A. BODZIAK, AIA FL LIC#AR0005065  
 BRITT HAYES, RA FL LIC#ART02428  
 13495 GULF BLVD., MADEIRA BEACH, FL 33708  
**SECOND FLOOR PLAN**

DATE: OCT-2023  
 JOB PROJECT #: 23-029  
 SHEET #: A-1.1



1 THIRD FLOOR PLAN  
 SCALE: 1/4" = 1'-0" NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,449.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	46.74 S.F.
SECOND FLOOR	3,001.35 S.F.
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
THIRD FLOOR	3,001.35 S.F.
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
FOURTH FLOOR	3,037.20 S.F.
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
ROOF DECK	176.49 S.F.
WOMEN'S BATHROOM	59.28 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.28 S.F.
<b>TOTAL A.C. SPACE</b>	<b>10,666.37 S.F.</b>

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND COMMENTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND COMMENTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

PROFESSIONAL STATEMENT TO THE BEST OF THIS ARCHITECT'S KNOWLEDGE AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

DATE: \_\_\_\_\_

NO. \_\_\_\_\_

REVISIONS:

NO.	DATE	DESCRIPTION

CLIENT: \_\_\_\_\_

**"THE SANDERLING"**  
 13495 GULF BLVD.  
 MADEIRA BEACH, FL 33708

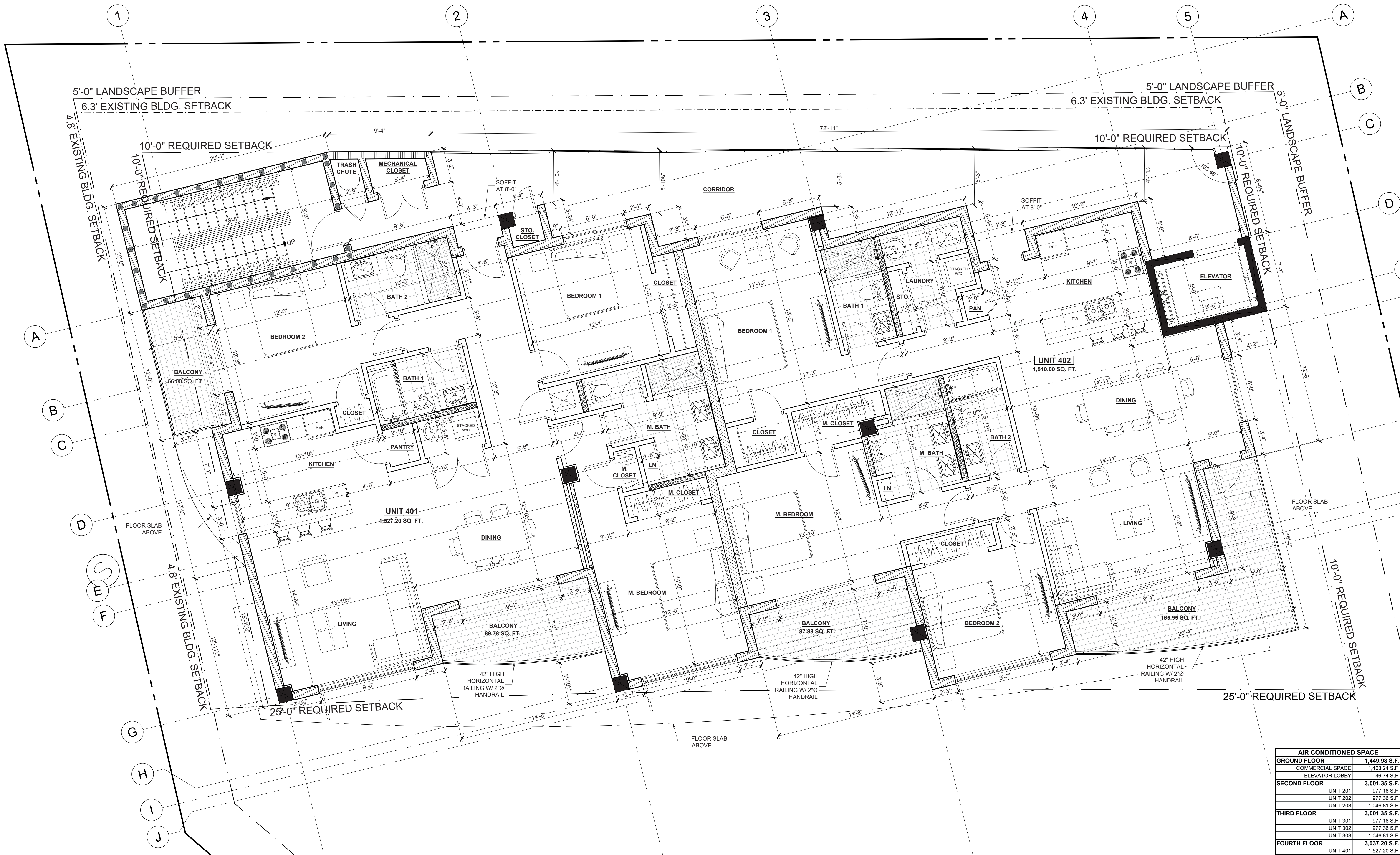
THIRD FLOOR PLAN

STATE OF FLORIDA  
 BOBZI/A. BODZIAK ARCHITECTS, P.A.  
 A. BODZIAK  
 ARCHITECTS, P.A.  
 8665 CENTRAL AVE. SAINT PETERSBURG, FLORIDA 33710  
 EMAIL: JACK@BOBZIAK.COM | BRITT@BOBZIAK.COM  
 TEL: (727) 327-1966 | FAX: (727) 836-0968

REGISTERED ARCHITECT  
 12/07/2024  
 AR0005065

ARCHITECTS, P.A.  
 JOHN A. BODZIAK, AIA FL LIC#AR0005065  
 BRITT HAYES, RA FL LIC#ART02428

DRAWN BY: CS  
 UPDATED ON: Feb. 1, 24  
 DATE: OCT-2023  
 JOB PROJECT #: 23-029  
 SHEET #: A-1.2



1 FOURTH FLOOR PLAN  
 SCALE: 1/4" = 1'-0" NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,449.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	46.74 S.F.
SECOND FLOOR	3,001.35 S.F.
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
THIRD FLOOR	3,001.35 S.F.
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
FOURTH FLOOR	3,037.20 S.F.
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
ROOF DECK	176.40 S.F.
WOMEN'S BATHROOM	89.95 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.26 S.F.
<b>TOTAL A.C. SPACE</b>	<b>10,666.37 S.F.</b>

PROFESSIONAL STATEMENT TO THE BEST OF THIS ARCHITECT'S KNOWLEDGE, ENCLICED PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND COMMENTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND COMMENTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

DATE: OCT-2023  
 SHEET #: A-1.3

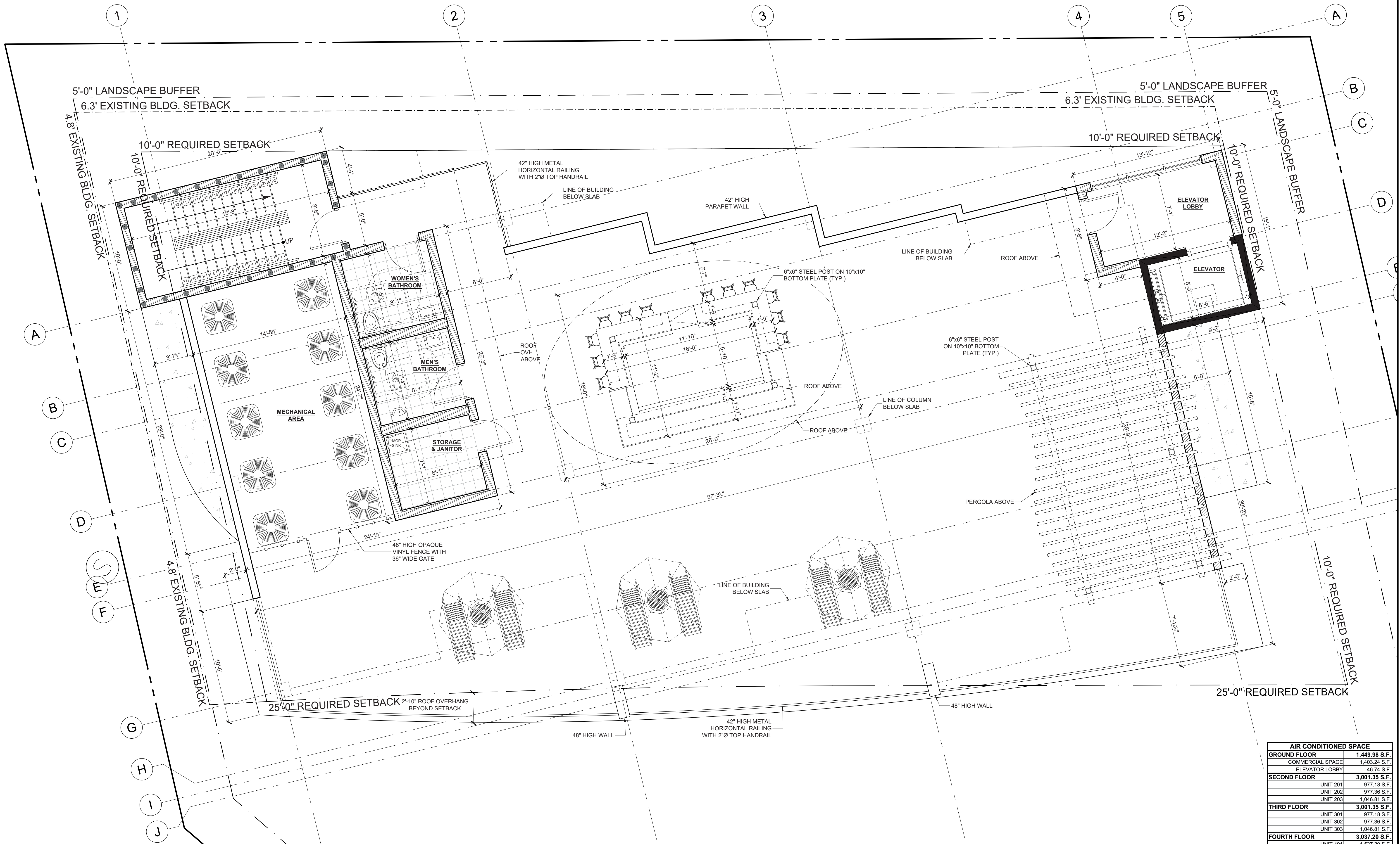
REVISIONS:

NO.	DATE	DESCRIPTION

CLIENT: **"THE SANDERLING"**  
 13495 GULF BLVD.  
 MADEIRA BEACH, FL 33708  
 FOURTH FLOOR PLAN

ARCHITECTS: PA  
**BODZIAK/HAYES**  
 JOHN A. BODZIAK, AIA FL LIC#AR0005065  
 BRITT HAYES, RA FL LIC#AR102428  
 8665 CENTRAL AVE SAINT PETERSBURG, FLORIDA 33710  
 EMAIL: JACK@BODZIAK.COM | BRITT@BODZIAK.COM  
 TEL: (727) 327-1966 | FAX: (727) 836-0958

DRAWN BY: CS  
 UPDATED ON: Feb. 1, 24  
 DATE: OCT-2023  
 JOB PROJECT #: 23-029  
 SHEET #



1 ROOF DECK PLAN  
SCALE: 1/4" = 1'-0" NORTH

AIR CONDITIONED SPACE	
GROUND FLOOR	1,449.98 S.F.
COMMERCIAL SPACE	1,403.24 S.F.
ELEVATOR LOBBY	46.74 S.F.
<b>SECOND FLOOR</b>	<b>3,001.35 S.F.</b>
UNIT 201	977.18 S.F.
UNIT 202	977.36 S.F.
UNIT 203	1,046.81 S.F.
<b>THIRD FLOOR</b>	<b>3,001.35 S.F.</b>
UNIT 301	977.18 S.F.
UNIT 302	977.36 S.F.
UNIT 303	1,046.81 S.F.
<b>FOURTH FLOOR</b>	<b>3,037.20 S.F.</b>
UNIT 401	1,527.20 S.F.
UNIT 402	1,510.00 S.F.
<b>ROOF DECK</b>	<b>176.49 S.F.</b>
WOMEN'S BATHROOM	59.95 S.F.
MEN'S BATHROOM	59.28 S.F.
STORAGE & JANITOR	57.26 S.F.
<b>TOTAL A.C. SPACE</b>	<b>10,666.37 S.F.</b>

PROFESSIONAL STATEMENT TO THE BEST OF THIS ARCHITECT'S KNOWLEDGE, ENCLOSURE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE MINIMUM FIRE SAFETY STANDARDS AS DETERMINED IN ACCORDANCE WITH CHAPTERS 55 AND 62, LAWS OF FLORIDA.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND COORDINATE ALL FIELD CONDITIONS. ALL DISCREPANCIES AND CONFLICTS SHALL BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO PROCEEDING OR CONTINUING WITH CONSTRUCTION. UNREPORTED DISCREPANCIES AND CONFLICTS SHALL REMAIN THE RESPONSIBILITY OF THE CONTRACTOR.

REVISIONS

NO.	DATE	DESCRIPTION

CLIENT

**"THE SANDERLING"**  
13495 GULF BLVD.  
MADEIRA BEACH, FL 33708

ARCHITECTS, PA  
**BODZIAK/HAYES**  
ARCHITECTS, PA  
JOHN A. BODZIAK, AIA FL LIC# AR0005065  
BRITT HAYES, RA FL LIC# AR102428  
8665 CENTRAL AVE SAINT PETERSBURG, FLORIDA 33710  
EMAIL: JACK@JARBODZIAK.COM | BRITT@JARBODZIAK.COM  
TEL: (727) 327-1966 | FAX: (727) 836-0968

REGISTERED ARCHITECT  
STATE OF FLORIDA  
A. BODZIAK  
AR0005065  
02/07/2024

DRAWN BY CS  
UPDATED ON Feb. 1, 24  
DATE OCT-2023  
JOB PROJECT # 23-029  
SHEET #

**A-1.4**

# BODZIAK/ HAYES

ARCHITECTS

February 7, 2024

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

ATTN: Planning and Zoning Department  
planning@madeirabeachfl.gov

RE: Special Magistrate-Variance Application  
13495 Gulf Boulevard, Madeira Beach, FL 33708

To Whom It May Concern,

This letter respectfully requests the allowance of three exceptions to the zoning code pertaining to the proposed tourist lodging project at 13495 Gulf Boulevard. The requested variations are an improvement over the existing encroaching conditions. The justification for this request is primarily the substandard and irregular shape of the lot. The property's parallelogram boundary makes it challenging to fit the shape of a conventionally constructed building and parking area defined by a typical column grid. The site has also been impacted by the widening of Gulf Boulevard, further constraining the proportion of the site. Additionally, the site is abutted by vehicular traffic on (3) sides, which poses a challenge to configuring the building's multi-story components such as stair towers and elevator core, while otherwise meeting parking requirements and limiting curb cuts to the adjacent public ways. The three specific subjects of this request are as follows:

- 1) Allow 6'-0" side-yard setback along 135th Way based on existing setback conditions. (The existing building setback on 135<sup>th</sup> Avenue is 4.8'.) Efforts were made in the design to minimize the encroachment on the required 10' setback. Limited building features measure 6'-7 ¾" from the property line, including: 1) the stair tower, 2) the level 1 ground floor commercial space, and 3) the temporary lodging unit balconies at levels 2, 3, 4, and level 5 sundeck. Additionally, a non-occupied, decorative overhang extends to 6'-0" from the property line at level 2 (the first occupied floor above ground level). [110-321 (3) b.3]
- 2) Allow 6'-6" trash enclosure setback along property rear alley, which is a common occurrence for ease of pickup. [110-321 (2)]
- 3) Allow partial elimination of landscape buffers at rear alley to allow adjacent parking spaces. Parking spaces 12, 13, & 14 back into the alley thereby making it infeasible to provide buffer at the rear lot line. [106-35 (1)]

In our application we have provided a site plan, renderings, and floor plans depicting the proposed use of the site. Also, included are the Owner's deed and survey information. Please do not hesitate to respond to this request if further information is required. We will be happy to assist in providing any supplemental information needed.

Respectfully,



Britt Hayes, Architect, AIA

5665 CENTRAL AVENUE, ST. PETERSBURG, FL 33710  
PHONE: (727) 327-1966 | FAX: 1 (727) 826-0968  
FLA REG. #AR0005065 | #AR102428

PREPARED BY AND RETURN TO:

Matthew B. Sullivan, Esq.

4756 Central Avenue

St. Petersburg, FL 33711

\$1,400,000.00

### WARRANTY DEED

THIS WARRANTY DEED is made this 26 day of October 2023 by, ATB'S FUTURE, LLC, a Florida limited liability company, having an address of 13495 Gulf Boulevard, Madeira Beach, FL 33708 (the "Grantor(s)") in favor of TAMPA HOME PRO, INC., a Florida corporation, having an address of 110 Crenshaw Lake Road, Suite 200, Lutz, FL 33548 (the "Grantee(s)");

(Whenever used herein the terms "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 Grantors, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, and Grantee's heirs, successors and assigns forever, all that certain land situated in Pinellas County, Florida, and described as follows:

Lot 8, Block 10, less that part lying within 40 feet of a centerline of construction on State Road 699, as described in Official Records Book 4355, Page 231, MITCHELL'S BEACH, according to the plat thereof, as recorded in Plat Book 3, Page 54, of the Public Records of Pinellas County, Florida. And Lots 9 and 10, Block 10, MITCHELL'S BEACH, less that portion in Order of Taking recorded in Official Records Book 4426, Page 1135, of the Public Records of Pinellas County, Florida, by the State of Florida, Department of Transportation, and according to plat thereof, as recorded in Plat Book 3, Page 54, of the Public Records of Pinellas County, Florida.

Address: 13495 Gulf Boulevard, Madeira Beach, FL 33708

Parcel I.D.: 15-31-15-58320-010-0080

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any way 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 the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property; that the Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes and assessments accruing subsequent to December 31, 2022.



**AFFIDAVIT OF MAILING**

Date: 4/12/2024

Mailings for Case # ~~2024~~ VAR 2024-03

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

Lisa Scheuromer  
Signature

STATE OF FLORIDA  
COUNTY OF PINELLAS

Sworn and subscribed before me this 12th day of April, 20 24.

Personally known or produced \_\_\_\_\_ as identification.

Samantha Arison  
Notary Public

4/12/24  
Date



\*Copy of public notice is attached.





# AFFIDAVIT OF POSTING

Date: 4/12/2024  
Postings for: VAR 2024-03

Before me this day Lisa Schouman personally appeared. He/she has posted public notices at the locations indicated in the notice document(s).

Lisa Schouman  
Signature

STATE OF FLORIDA  
COUNTY OF PINELLAS

Sworn to and subscribed before me this 12th day of April, 2024

Personally known or produced \_\_\_\_\_ as identification.

Samantha Arison  
Notary Public

4/12/24  
Date



\*Copy of public notice is attached.



## **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, April 22, 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 2024-03  
**Applicant(s):** Bodziak/Hayes Architects  
**Property Owner(s):** Tampa Home Pro Inc.  
**Property Address:** 13495 Gulf Boulevard, Madeira Beach FL 33708  
**Parcel ID:** 15-31-15-58320-010-0080

**Legal Description:** MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W PER O.R.'S 4355/231 & 4426/1135

**Zoning/Future Land Use:** C-3, Retail Commercial Zoning District, Residential/Office/Retail

**Request:** 6’ side-yard setback along 135<sup>th</sup> Way, 6’-6” rear setback, partial reduction of 5’ perimeter landscaping.

**Specific Code Provisions:** 110-231(2)-(3): minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1): the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

**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](mailto: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 4/12/2024,** at property site, City Hall, City of Madeira Beach website, and Gulf Beaches Library

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



## NOTICE OF INTENT TO BE AN AFFECTED PARTY

### AFFECTED PERSON INFORMATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### APPLICATION INFORMATION

Case No or Application No., whichever applies: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

\_\_\_\_\_  
Signature of Affected Person

\_\_\_\_\_  
Date

Note: One or more Elected or Appointed Officials may be in attendance. Any person who decides to appeal any decision of the Special Magistrate with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes 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. The law does not require the City to transcribe verbatim minutes; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.



**MIKE TWITTY, MAI, CFA**  
**Pinellas County Property Appraiser**

[www.pcpao.gov](http://www.pcpao.gov)

[mike@pcpao.gov](mailto:mike@pcpao.gov)

Run Date: 12 Mar 2024

Subject Parcel: 15-31-15-58320-010-0080

Radius: 300 feet

Parcel Count: 138

Total pages: 6

Public information is furnished by the Property Appraiser's Office and must be accepted by the recipient with the understanding that the information received was developed and collected for the purpose of developing a Property Value Roll per Florida Statute. The Pinellas County Property Appraiser's Office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this information for any other particular use. The Pinellas County Property Appraiser's Office assumes no liability whatsoever associated with the use or misuse of such information.

VERDON, GENE E  
C/O SEA BREEZE MADEIRA  
CONDO ASSN INC  
13030 GULF BLVD

BECHEN, NANCY A TRE  
BECHEN, NANCY A REV TRUST  
27682 MEADOWVIEW LN  
ADEL, IA 50003-8619

BINGHAM, G MAURICE  
BINGHAM, PAULINE C  
7 ARCHER DR  
AJAX ON L1S 2Z3,  
CANADA

TROLESI, JON TRE  
TROLESI, JON A REV TRUST 2013  
PO BOX 169  
ANDERSON, CA 96007-0169

MICHAEL TRUST NO 101  
MICHAEL, STEPHEN R TRE  
49W330 SCOTT RD  
BIG ROCK, IL 60511-9489

ROGERS, THOMAS V REV LIV TRUST  
ROGERS, THOMAS V TRE  
7076 74TH STREET CIR E  
BRADENTON, FL 34203-7183

HENRY, RICHARD J  
HENRY, KAREN T  
21565 ASTOLAT DR  
BROOKFIELD, WI 53045-1616

BESHARA, MAGDY L  
BESHARA, ELSIE E  
405-7303 NOBLE LANE  
BURNABY BC V3N 0H2,  
CANADA

BOLTON, SCOTT  
1276 CLEAVER DR  
OAKVILLE ON L6J 1W3,  
CANADA

LARMER, GRANT W  
1328 LARMER LINE  
FRASERVILLE ON K0L 1V0,  
CANADA

444799 ONTARIO INC  
287 ESTATE CRT  
MIDLAND ON L4R 5H2,  
CANADA

COTOIA, FILOMENA  
798 RUE WILFRID PELLETIER  
BOUCHERVILLE QC J4B 8V3,  
CANADA

SCOTT, MARION  
10 BARK RD  
SEGUIN ON P2A 2W8,  
CANADA

MAROIS, JOHN D  
67 CREEKSIDE DR  
WELLAND ON L3C 0B4,  
CANADA

WILSON, TROY  
749 KINGS RD  
SYDNEY NS B1S 1C2,  
CANADA

CARTHI VACATION LP  
8901 SAROY ST  
SHERBROOKE QC J1N 3J3,  
CANADA

ORSI, ROSARIO A  
ORSI, RENEE A  
119 COVERED BRIDGE WAY  
CARP ON K0A 1L0,  
CANADA

SCHMIDT, WENDELIN  
SCHMIDT, BRENDA C  
3212 LEDGEWOOD CT E  
COMMERCE TWP, MI 48382-1419

SOUTHLAND CORP  
C/O TAX DEPT 23156  
PO BOX 711  
DALLAS, TX 75221-0711

MACMILLAN, GEARY J  
MACMILLAN, DONNA M  
15 LEXINGTON AVE  
DARTMOUTH NS B2X 3P2,  
CANADA

KNAUB, GREG R  
KNAUB, DONNA J  
415 WESTMERE RD  
DES PLAINES, IL 60016-2642

KNAUB, GREGORY ROBERT  
KNAUB, DONNA JEAN  
415 WESTMERE RD  
DES PLAINES, IL 60016-2642

ROBERTS, ELIZABETH ANNE 2015 REV LIV TRUST  
ROBERTS, ELIZABETH ANNE TRE  
11601 GIULIA DR  
FORT MYERS, FL 33913-7194

TOBIN, RICHARD T JR  
TOBIN, PATRICIA A  
20454 S GREEN MEADOW LN  
FRANKFORT, IL 60423-8728

031425 N B LTD  
C/O CANADIAN 2 FOR 1 PIZZA INC  
59 AVONLEA CT STE 200 2ND FLOOR  
FREDERICTON NB E3C 1N8,

COZZARIN, LINDA  
COZZARIN, DAVID  
3 OLD STONE CRT  
GUELPH ON N1G 4P1,  
CANADA

RATHMANN, JEFFREY J  
RATHMANN, KAREN S  
5464 ABEL RD  
HAMBURG, NY 14075-3641

RATHMANN, JEFFREY J  
RATHMANN, KAREN S  
5464 ABEL RD  
HAMBURG, NY 14075-3641

DEOROCKI, BERNARD F  
DEOROCKI, BERNARD  
66 KNOLLWOOD CIR  
HOLYOKE, MA 01040-1417

SIRABIAN, CHRISTOPHER  
SIRABIAN, PAUL  
303 BARTLETT DR  
LABRADOR CITY NL A2V 1G1,  
CANADA

ZHENG, BINYUAN  
ZHENG, JIAN XIU  
2387 SEBAGO DR  
LAKELAND, FL 33805-8008

ROTONDO, DAVID H REVOCABLE TRUST  
ROTONDO, DAVID H TRE  
14119 102ND AVE  
LARGO, FL 33774-5030

RIYA INVESTMENTS LLC  
AMBARKAAR LLC  
3959 VAN DYKE RD STE 395  
LUTZ, FL 33558-8025

SHERMAN, PAIGE  
LOADER-SHERMAN, TRACY  
13520 1ST ST E  
MADEIRA BEACH, FL 33708

SPAETH, ROBERT A LIVING TRUST  
SPAETH, ROBERT A TRE  
13417 GULF LN  
MADEIRA BEACH, FL 33708-1868

SPAETH, ROBERT A LIVING TRUST  
SPAETH, ROBERT A TRE  
13417 GULF LN  
MADEIRA BEACH, FL 33708-1868

VERDON, EUGENE E  
WIESE, R WILLIAM  
710 SUNSET COVE  
MADEIRA BEACH, FL 33708-2385

VERDON, EUGENE E  
WIESE, R WILLIAM  
710 SUNSET COVE  
MADEIRA BEACH, FL 33708-2385

LITKE, EDWARD H AND ALICE LIVING TRUST  
LITKE, ALICE TRE  
13401 1ST ST E  
MADEIRA BEACH, FL 33708-2403

WILLIAMS, DOROTHY  
WILLIAMS, DESMOND  
13439 1ST ST E  
MADEIRA BEACH, FL 33708-2403

DUBE, CYNTHIA  
DUBE, MICHAEL  
13517 1ST ST E  
MADEIRA BEACH, FL 33708-2405

BYAM, CHRISTINE M  
BYAM, PAUL S  
13500 1ST ST E  
MADEIRA BEACH, FL 33708-2406

GREENE, DAVID J  
DONOVAN, CECILIA L  
13510 1ST ST E  
MADEIRA BEACH, FL 33708-2406

LARUE, MATTHEW  
LARUE, VIRGINIA  
13414 2ND ST E  
MADEIRA BEACH, FL 33708-2412

MYERS, KENNETH  
MYERS, SARAH  
13435 BOCA CIEGA AVE  
MADEIRA BEACH, FL 33708-2445

SMITH, BRYANT L  
SMITH, DEBRA K  
13529 BOCA CIEGA AVE  
MADEIRA BEACH, FL 33708-2447

VIGIL, RONALD  
VIGIL, SHARON R  
244 137TH AVE CIR  
MADEIRA BEACH, FL 33708-2508

WILSON, GARY A  
WILSON, KAREN A  
13440 GULF BLVD UNIT 305  
MADEIRA BEACH, FL 33708-2516

COMMODORE BEACH CLUB CONDO ASSN, MNG  
ENT  
C/O SUNCOAST VACATION CONDOS  
13536 GULF BLVD  
MADEIRA BEACH, FL 33708-2518

MODRY, KIRSTEN SONJA  
MODRY, MATTHIAS  
13500 GULF BLVD APT 107  
MADEIRA BEACH, FL 33708-2566

SEA BREEZE OF MADEIRA HOLDINGS LLC  
C/O TRAVEL RESORT SERVICES INC  
13030 GULF BLVD  
MADEIRA BEACH, FL 33708-2639

SEA BREEZE OF MADEIRA CONDOMINIUM ASSN  
INC  
C/O TRS  
13030 GULF BLVD  
MADEIRA BEACH, FL 33708-2639

HOPKINS, DOUGLAS L  
HOPKINS, MARGARET M  
604-33 WHITMER ST  
MILTON ON L9T 8P9,  
CANADA

KHALAFALLA, SANAA  
KHALAFALLA, AIDA  
2551 37TH AVE S  
MINNEAPOLIS, MN 55406-1745

SHAW, JAMES MURRAY  
SHAW, GEORGE ALFRED JR  
33 TERRACE HEIGHTS DR  
NEW GLASGOW NS B2H 5V8,  
CANADA

SHAW, JAMES MURRAY  
SHAW, GEORGE ALFRED JR  
33 TERRACE HEIGHTS DR  
NEW GLASGOW NS B2H 5V8,  
CANADA

ITALIANO, ANTONIO  
ITALIANO, LEONARDA  
199 RANEE AVE  
NORTH YORK ON M6A 1N3,  
CANADA

FRANDJI, JOSE CARLOS  
FRANDJI, CARMEM F L  
5447 VINELAND RD UNIT 1308  
ORLANDO, FL 32811-7626

AMES, RYAN P  
AMES, LIANE B  
1055 ZACHER DR  
OSHKOSH, WI 54901-1378

INDGE, SIMON  
SALLAS, MICHELLE  
9186 RED POPPY CT  
PARKER, CO 80138-7845

CAPAN, RONALD R  
CAPAN, SHARON J  
447 CLOKEY AVE  
PITTSBURGH, PA 15228-1424

GREEN, BRAD G  
GREEN, REBECCA L  
5410 MILEY RD  
PLANT CITY, FL 33565-3762

KLEMME, CRAIG S TRE  
KLEMME, CRAIG S REV LIV TRUST  
160 BARRE DR NW  
PORT CHARLOTTE, FL 33952-8020

SMITH, MARGARET  
BARTHOLOMEW, NATHANIEL  
831 RIVENDELL LN  
POTTSTOWN, PA 19464-2730

CECIL, WILLIS R  
CECIL, ANNE M  
4024 DECKARD SCHOOL RD  
RADCLIFF, KY 40160-9339

BIDLE, KERRY W  
BIDLE, ANN E  
4426 CHASE OAKS DR  
SARASOTA, FL 34241-9456

TRADOR, LEE  
TRADOR, PAULINE  
10386 VALENCIA RD  
SEMINOLE, FL 33772-7507

TARTER, JOHN P  
TARTER, JUDY R  
6248 GLASGOW RD  
SMITHS GROVE, KY 42171-9401

RAMOS, ENRICO P  
RAMOS, MARISSA  
215 MOSSWOOD WAY  
SOUTH SAN FRANCISCO, CA 94080-5723

JEFFERSON, MARK F  
JEFFERSON, BONNIE R  
28 EAGLESON DR  
ST CATHARINES ON L2M 7J4,  
CANADA

HOWE, RAYMOND  
HOWE, BRADEN  
96 CHURCH ST  
ST CATHARINES ON L2R 3C8,  
CANADA

OVERBY, EVE GRINDEY TRE  
OVERBY, EVE REV LIV TRUST  
4130 BAY ST NE  
ST PETERSBURG, FL 33703-5832

FRAME, BEVERLY  
FRAME, JIM  
7935 CAUSEWAY BLVD N  
ST PETERSBURG, FL 33707-1007

MAURO, ARCHIE  
MAURO, FRANK  
RR 2 BETHESDA SIDE RD  
STOUFFVILLE ON L4A 7X3,  
CANADA

COHEN FAMILY TRUST  
COHEN, EDWARD TRE  
1031 MCDANIEL ST  
SUN CITY CENTER, FL 33573-7070

A T WILSON GROUP LIMITED  
GA MCDUGALL PROPERTIES INC  
749 KINGS RD  
SYDNEY NS B1S 1C2,  
CANADA

WANG, HSUCHIH  
WISELEY, KAREN D  
701 S HOWARD AVE STE 106-819  
TAMPA, FL 33606-2473

LLAMAS, JOSE  
LLAMAS, JO CAROLYN  
3920 W BIRD ST  
TAMPA, FL 33614-2590

GRIGGS, JANET M LIVING TRUST  
GRIGGS, JANET M TRE  
13912 CLUBHOUSE CIR  
TAMPA, FL 33618-7504

PLAZZA, BENEDETTO G & BIANCA MARIA JNT  
REV TRUST  
PLAZZA, BENEDETTO GIUSEPPE TRE  
12816 DARBY RIDGE DR  
TAMPA, FL 33624-4303

PFEIFFER, JASON  
PFEIFFER, REBECCA  
14617 GALT LAKE DR  
TAMPA, FL 33626-3362

DINH, THACH  
DO, TRANG THI THU  
9246 DAYFLOWER DR  
TAMPA, FL 33647-2815

DELL, RALPH CLIFTON JR TRE  
DELL, CAROL H TRE  
1309 N RIVERHILLS DR  
TEMPLE TERRACE, FL 33617-4247

FORGET, DENIS  
ALLARD, NOELLA  
830 RUE DE LA NATASHQUAN  
TERREBONNE QC J6W 0B6,  
CANADA

HAVEN CITY LTD INC  
PO BOX 935011  
DUBAI,  
UNITED ARAB EMIRATES

CARPENTER, DAVID A  
CARPENTER, ARLENE  
22 FLANDERS DR  
WATERDOWN ON L8B 0G6,  
CANADA

WALES, JOHN  
WALES, MOIRA  
1 HIGHFIELD PARK  
WIGTON CUMBRIA CA79DJ,  
GREAT BRITAIN

SYNODINOS, JOHN G TRE  
SYNODINOS, SUZANNE K TRE  
225 MEADOWBROOK DR  
WINTERSVILLE, OH 43953-3839

RICO, GIOVANNI  
MUTO, ANNA  
16 CROWN CRES  
WOODBIDGE ON L4H 1S5,  
CANADA

FROST, JOHN EWEN  
FROST, ELENA MARIA  
15700 BACONS CASTLE CT  
WOODBIDGE, VA 22193-3161

DINGWALL, KENNETH  
DINGWALL, SUSAN L  
132 LANGDEN AVE  
YORK ON M6N 2L5,  
CANADA

COMMODORE BEACH CLUB CONDO ASSN  
13536 GULF BLVD  
MADEIRA BEACH, FL 33708-2518

N D P F L DEVELOPMENT LLC  
PO BOX 18878  
TAMPA, FL 33679-8878

HAPPY TORTOISE LLC  
2749 VIA CIPRIANI UNIT 1035B  
CLEARWATER, FL 33764-3938

SULLIVAN, DIANE  
13440 GULF BLVD  
MADEIRA BEACH, FL 33708-2516

DOLCE BEACH HOUSE LLC  
13535 BOCA CIEGA AVE APT 2  
MADEIRA BEACH, FL 33708-2470

SEYMOUR, JODI LYNN  
13421 1ST ST E  
MADEIRA BEACH, FL 33708-2403

ADEOLUWA, TAIWO  
5610 56TH TER N  
ST PETERSBURG, FL 33709-2020

PECK, EDWARD W TRUST  
13028 ROSSELO AVE  
WARREN, MI 48088-6848

COLLWOOD CONDO ASSN INC  
3001 EXECUTIVE DR STE 260  
CLEARWATER, FL 33762-3389

COLLWOOD CONDO ASSN INC  
13030 GULD BLVD  
MADEIRA BEACH, FL 33708

TARNAWA, ANDREW  
13443 1ST ST E  
MADEIRA BEACH, FL 33708-2403

LITKE, EDWARD FRANCIS  
13418 1ST ST E  
MADEIRA BEACH, FL 33708-2404

LANT, CHRISTOPHER SCOTT  
13525 1ST ST E  
MADEIRA BEACH, FL 33708-2405

SUNNY DAZE HOLDINGS LLC  
511 ROCKLAND RD  
CRYSTAL LAKE, IL 60014-4121

13454 1ST E LLC  
18552 SW 55TH ST  
MIRAMAR, FL 33029-6294

13435 GULF BLVD LLC  
10121 TARPON DR  
TREASURE ISLAND, FL 33706-3122

ARCHIBALD, ALEX M JR  
11714 ABBEY WAY  
SAN ANTONIO, TX 78253-5958

RUGAARD, PRESTON D TRE  
2150 WEST CONCORD LN  
ADDISON, IL 60101-5611

KLEMME, ROGER E TRE  
PO BOX 693  
WOODSTOCK, IL 60098-0693

KAPLOW, JEFFREY  
310 N 52ND ST APT 12D  
NEW YORK, NY 10019

13435 GULF BLVD LLC  
10121 TARPON DR  
TREASURE ISLAND, FL 33706-3122

ANDREVICH, ROBERT  
13515 1ST ST E  
MADEIRA BEACH, FL 33708-2405

KUEBLER, STEVEN  
13505 BOCA CIEGA AVE  
MADEIRA BEACH, FL 33708-2447

DESCHAPPELL, ROSA MARIA  
13411 1ST ST E  
MADEIRA BEACH, FL 33708-2403

HARRINGTON GLOBAL LLC  
7400 14TH ST NE  
ST PETERSBURG, FL 33702-4637

RYAN, MAUREEN  
9726 S AVERS AVE  
EVERGREEN PARK, IL 60805-2946

SMITH, THOMAS A  
13423 GULF LN  
MADEIRA BEACH, FL 33708-2537

FOX, CHRISTINE K  
13436 1ST ST E  
MADEIRA BEACH, FL 33708-2404

A C B LEASING LLC  
PO BOX 1071  
DUNN, NC 28335-1071



FRACALOSS, BRAD  
13437 1ST ST E  
MADEIRA BEACH, FL 33708-2403

DOLPHIN WATCH VI LLC  
3618 EL CENTRO ST  
ST PETE BEACH, FL 33706-3908

VLV ENTERPRISES LLC  
6460 STONEY CREEK DR  
DAYTON, OH 45424-3659

MC PROPERTIES LLC  
3415 W HOVLAND DR  
SIOUX FALLS, SD 57107-0246

O'BRIEN, MICHAEL D  
3218 WOODRIDGE CENTER PKWY  
SAINT LOUIS, MO 63129-1686

ALFORD, DAVID E  
PO BOX 144  
ROCKFIELD, KY 42274-0144

VAN DOWN BY THE OCEAN LLC  
6023 MORNINGSIDE AVE  
DALLAS, TX 75206-5923

ELLIS, LAURA R  
13519 1ST ST E  
MADEIRA BEACH, FL 33708-2487

ACQUISITION GROUP LLC  
13311 2ND ST E  
MADEIRA BEACH, FL 33708-2569

MCKAY, COLLEEN ELIZABETH MERRYWEATHER  
209 BATH CLUB BLVD N  
NORTH REDINGTON BEACH, FL 33708-1525

LCM LEGACY TRUST  
5672 STATE ROUTE 602  
NEW WASHINGTON, OH 44854-9745

JC REALTY GROUP FLORIDA LLC  
6404 MANATEE AVE W STE B  
BRADENTON, FL 34209-2358

COMMODORE BEACH CLUB CONDO ASSN  
13536 GULF BLVD  
MADEIRA BEACH, FL 33708-2518

SEA BREEZE 708 LLC  
415 LYSLE BLVD  
MCKEESPORT, PA 15132-2612

JARRETT, JOAN R TRE  
13500 GULF BLVD APT 302  
MADEIRA BEACH, FL 33708-2576

SZUWALA, DANIEL PAUL  
13505 GULF BLVD  
MADEIRA BEACH, FL 33708-2979

DAWSON, PENNY E  
13405 1ST ST E  
MADEIRA BEACH, FL 33708-2403

16-6 CENTER STREET LLC  
1127 BRIGANTINE DR  
CHARLESTON, SC 29412-8901



## NOTICE OF PUBLIC HEARING

APPLICATION NO.: VAR 2024-03

REQUEST: 6' Side yard setback - 135<sup>th</sup> Way  
6'6" Rear setback

Partial reduction of 5' Perimeter Landscape

PROPERTY DESCRIPTION: 13495 Gulf Blvd

HEARING DATE & TIME: April 23<sup>rd</sup> @ 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

# You are invited to John's Pass Village Zoning Public Workshop

April 13th from 10am to 12pm

April 18th from 10am to 12pm

April 20th from 1pm to 3pm

300 Municipal Drive - Commission Chambers



## 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, April 22, 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 A SPECIAL MAGISTRATE -VARIANCE

**Application:** VAR 2024-03  
**Applicant:** Bodziak/Hayes Architects  
**Property Owner(s):** Tampa Home Pro Inc.  
**Property Address:** 13495 Gulf Boulevard, Madeira Beach FL 33708  
**Parcel ID:** 15-31-15-58320-010-0080  
**Legal Description:** MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD/R/W PER O.R.'S 4355/231 & 4426/1135  
**Zoning/Future Land Use:** C-3, Retail Commercial Zoning District, Residential Office/Retail  
**Request:** 6' side-yard setback along 135<sup>th</sup> Way, 6'-6" rear setback, partial reduction of 5' perimeter landscaping.

**Specific Code Provisions:** 110-231(2)-(3); minimum rear setback, minimum side setback for lots greater than 80 feet but less than 120 feet in width, 106-35(1); the exterior of all vehicular use areas shall be landscaped with a buffer strip which is at least five feet in width.

**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](mailto: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 4/12/2024, at property site, City Hall, City of Madeira Beach website, and Gulf Beaches Library  
View more information about this application at <https://madeirabeachfl.gov/plan-review-documents/>



## 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, April 22nd, 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 A SPECIAL MAGISTRATE -VARIANCE

**Application:** VAR 2024-02  
**Applicant:** Gregg Gallagher  
**Property Owner(s):** Patrick and Denise Winn  
**Property Address:** 14062 W PARSLEY DR MADEIRA BEACH, FL 33708  
**Parcel ID:** 10-31-15-34398-018-0180  
**Legal Description:** GULF SHORES 5TH ADD BLK R, LOT 18  
**Zoning/Future Land Use:** R-1, Single-Family Residential/Residential Urban

**Request:** 23' Rear setback, 6'8" west side setback and 5'8" east side setback.

**Specific Code Provisions:** Sec. 110-181. - (2) Rear yard: Waterfront lots: 30 feet. & (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.

**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 comments to [planning@madeirabeachfl.gov](mailto: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 8:30 a.m. and 4:00 p.m.

Posted: April 12, 2024, at the property site, City Hall, City of Madeira Beach website, and Gulf Beaches Library  
View more information about this application at <https://madeirabeachfl.gov/plan-review-documents/>



## 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, April 22nd, 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 A SPECIAL MAGISTRATE -VARIANCE

**Application:** VAR 2024-04  
**Applicant:** David Greene / Cecelia Donovan  
**Property Owner(s):** David Greene / Cecelia Donovan  
**Property Address:** 13510 1ST ST E MADEIRA BEACH, FL 33708  
**Parcel ID:** 15-31-15-58320-009-0070  
**Legal Description:** MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NE'LY 1/2 OF VAC ALLEY ON SW PER DEED BK 1558 PG 368  
**Zoning/Future Land Use:** R-2, Low Density Multifamily Residential/Residential Medium

**Request:** Reduce side yard setback by 0.5' to allow for 3' wide utility deck.

**Specific Code Provisions:** Sec. 110-206. - (3) Side yard: a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side. & Sec. 110-206. - (4) For only those dwelling units with the lowest habitable space elevated at or above the elevation designated on the flood insurance rate map (FIRM); exterior stairs, platforms for mechanical equipment, and chimneys shall be allowed to extend into the side-yard setback, but only to a depth of no more than one-half of the required setback. Such equipment shall be located in the middle one-third of the structure. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

**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 comments to [planning@madeirabeachfl.gov](mailto: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



## 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?  Yes  No

Are you an elector (qualified voter) of the City of Madeira Beach?  Yes  No

Are you related to a City of Madeira Beach Mayor or elected official? If yes, please provide the name of employee or elected official and relationship:  Yes  No

Are you available for:  
Daytime meetings  Yes  No  
Evening meetings  Yes  No

Would you like to be considered as a candidate for service on this Board?  Yes  No

Phone: \_\_\_\_\_

Occupation: \_\_\_\_\_  
If you are currently unemployed, what was your last occupation? \_\_\_\_\_

What special experience, special education, skills or talents that would be beneficial to the appointment you are applying for? \_\_\_\_\_

## CITY OF MADEIRA BEACH PUBLIC NOTICE

### BOARD MEMBER VACANCY ANNOUNCEMENT

#### CIVIL SERVICE COMMISSION

The City of Madeira Beach is seeking applications to fill one vacancy on the Civil Service Commission due to the expired term of a member on October 30, 2022. Member terms are three years. The term of the new member will expire on October 30, 2025.

Boards, Commissions, and Committees are a valuable part of the local government process. The members are volunteers and provide a great service to the City and the community. Duties and responsibilities include reviewing the City's policies and procedures, Code of Ordinances, and the City Charter, and making recommendations to the Board of Commissioners.

- Civil Service Commission – 5-member board – regular meetings held quarterly. Additional meetings are held for special projects and employee grievance hearings. Dates and times vary.
- Members must be a City of Madeira Beach citizen and eligible to vote in the City elections.
- Appointments are made on experience and qualifications in Human Resources when possible.

Interested persons must submit an application to the City Clerk no later than Monday, May 1, 2023, to be considered for appointment at the 6:00 p.m., May 10, 2023, Board of Commissioners Regular Meeting located in the Commission Chambers, 300 Municipal Drive, Madeira Beach, FL 33708. All applicants are encouraged to attend the meeting.

An application is attached to this advertisement. Applications may also be obtained from the City Clerk at City Hall or downloaded on the City's website at <https://madeirabeachfl.gov/boards/commission/>.

#### Submit completed and signed applications to:

City Clerk  
City of Madeira Beach  
300 Municipal Drive  
Madeira Beach, FL 33708  
[cvanbargan@madeirabeachfl.gov](mailto:cvanbargan@madeirabeachfl.gov)  
727-391-9951, ext. 231

**Additional Information:**  
For additional information, please contact City Clerk Clara Vanbargan at 727-391-9951, ext. 231; [cvanbargan@madeirabeachfl.gov](mailto:cvanbargan@madeirabeachfl.gov).