

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF MADEIRA BEACH

CITY OF MADEIRA BEACH,

CASE NUMBER: CE-24-0002

Petitioner,

vs.

DE CANDIDO, GABRIEL TRE DE CANDIDO,
GABRIEL A., & PATRICIA H TRUST,
441 129th Ave. E.
Madeira Beach, Florida 33708,

Respondents.

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER IMPOSING FINE

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on January 22, 2024, 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 Deputy Cory Snyder, provided testimony on behalf of the City.
2. Gabriel De Candido and Lisa Erickson appeared on behalf of the Respondents.
3. No one provided public comment.
4. The property in question is located at 441 129th Ave. E., Madeira Beach, Florida 33708 ("Property"). The legal description for the Property is as follows:

WILLIAM'S, BILL MADEIRA HARBOR SUB 2ND ADD BLK 2, LOT 10 & VAC ST

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 section of the Code of Ordinances of the City of Madeira Beach to wit:

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

The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the

countywide plan and, which does allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. 2018-07, § 1, 7-11-18)

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. (Code 1983, § 11-101(B); Ord. No. 1111, § 3, 5-8-07)

Sec. 34-503- Registration required.

(a) It is unlawful for any person to allow another person to occupy any residential property as a vacation rental within the city or offer such rental services within the city, unless the person has registered the vacation rental property with the city and the vacation rental property has been issued a certificate of compliance in accordance with the provisions of this division.

(b) A person may not allow another person to occupy any residential property as a vacation rental without the issuance of a certificate of compliance if; (1) The residential property has an effective and valid license as a vacation rental classification of public lodging establishment issued by the state department of business and professional regulations prior to February 28, 2006; and (2) The residential property is not in violation of any section of the Code of Ordinances; and (3) An application for registration of the residential property as a vacation rental has been filed pursuant to section 34-504 and all applicable fees have been paid; and (4) That said occupancy was scheduled prior to November 10, 2015 as evidenced by a written and valid executed rental agreement or contract provided to city code enforcement no later than December 10, 2015. (Ord. No. 2015-13, § 1, 11-10-15)

7. The violations set forth above existed as of the date of the Notice of Violation herein and at all times subsequent thereto up to the date of the Hearing.

8. A reasonable period of time for correcting the above violations and bringing the Property into compliance is on or before January 30, 2024.

BASED UPON THE FOREGOING FINDINGS OF FACT, IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:

1. The Respondents, and the Property at the above mentioned location, are found to be in violation of Section 110-201, 62-33, and 34-503 of the Code of Ordinances of the City of Madeira Beach.


2. The Respondents shall correct the above stated violations on or before January 30, 2024, by taking the remedial action as set forth in the Notice of Violation, and as stated on the record at the Hearing. The Respondents shall cease leasing the Property for less than 90 days, pay the business taxes owed, and comply with § 62-33, and § 34-503 of the Code of Ordinances of the City of Madeira Beach.

3. 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.


4. If the Respondents fails 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 6 above for each day the Respondents have failed to correct the violations after January 30, 2024, and the fine shall continue to accrue until such time as the Property is brought into compliance.

5. 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 6th day of February, 2024.


Bart R. Valdes
Special Magistrate

A true and correct copy of this Order was delivered by certified mail, regular mail and electronic mail to: **De Candidio, Gabriel Tre De Candidio, Gabriel A & Patricia H Trust, 441 129th Ave. E., Madeira Beach, FL 33708; and 12521 Frank Dr. N., Seminole, FL 33776;** by electronic mail to **Thomas Trask, Esq. (tom@cityattorneys.legal);** and by U.S. Mail and e-mail transmission to the **City of Madeira Beach, Clara VanBlargan, 300 Municipal Dr., Madeira Beach, Florida 33708,** on this 6th day of February, 2024.


Bart R. Valdes

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order of a Special Magistrate to the circuit court. Such an appeal shall not be a hearing de nova but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed. Ss. 162-111.



Mike Twitty, MAI, CFA
Pinellas County Property Appraiser

Parcel Summary
(as of 16-Feb-2024)

Parcel Number

15-31-15-97866-001-0040

Owner Name

DE CANDIDO, GABRIEL A
DE CANDIDO, GABRIEL A TRE

Property Use

0820 Duplex-Triplex-Fourplex

Site Address

480 129TH AVE E
MADEIRA BEACH, FL 33708

Mailing Address

12521 FRANK DR
SEMINOLE, FL 33776-1717

Legal Description

WILLIAM'S, BILL MADEIRA HARBOR SUB 3RD ADD BLK 1, LOT 4

Current Tax District

MADEIRA BEACH (MB)

Year Built

1956

Heated SF	Gross SF	Living Units	Buildings
2,620	3,030	2	1

Parcel Map



Exemptions

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2025	No	0%		No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).
2024	No	0%		
2023	Yes	100%		

Miscellaneous Parcel Info

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
22382/2254		121030278021	A	Current FEMA Maps	Check for EC	Zoning Map	32/7

2023 Final Values


Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$1,150,000	\$1,078,437	\$1,028,437	\$1,053,437	\$1,028,437

Value History

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	Y	\$790,000	\$219,732	\$169,732	\$194,732	\$169,732

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2021	Y	\$475,500	\$213,332	\$163,332	\$188,332	\$163,332
2020	Y	\$487,054	\$210,387	\$160,387	\$185,387	\$160,387
2019	Y	\$435,623	\$205,657	\$155,657	\$180,657	\$155,657
2018	Y	\$410,166	\$201,822	\$151,822	\$176,822	\$151,822

2023 Tax Information

 Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our [Tax Estimator](#) to estimate taxes under new ownership.

Tax Bill	2023 Millage Rate	Tax District
View 2023 Tax Bill	16.1412	(MB)

Sales History

Sale Date	Price	Qualified / Unqualified	Vacant / Improved	Grantor	Grantee	Book / Page
21-Mar-2023	\$1,550,000	Q	I	THEIS ERIC A	DE CANDIDO GABRIEL A	22382/2254
18-Mar-2022	\$950,000	Q	I	KISCO, STEPHEN W	THEIS, ERIC A	21983/1110
13-Jun-1997	\$76,900	U	I	KISCO STEPHEN W	KISCO, STEPHEN W.	09741/0285
13-Jun-1997	\$93,700	U	I	KISCO VIVIENNE M	KISCO, STEPHEN W.	09741/0284
03-Mar-1994	\$155,000	Q	I	JOHNSON WALTER S III	KISCO, STEPHEN W.	08585/0713

2023 Land Information

Land Area: 0.1145 acres | 4,988 sf Frontage and/or View: Canal/River Seawall: Yes

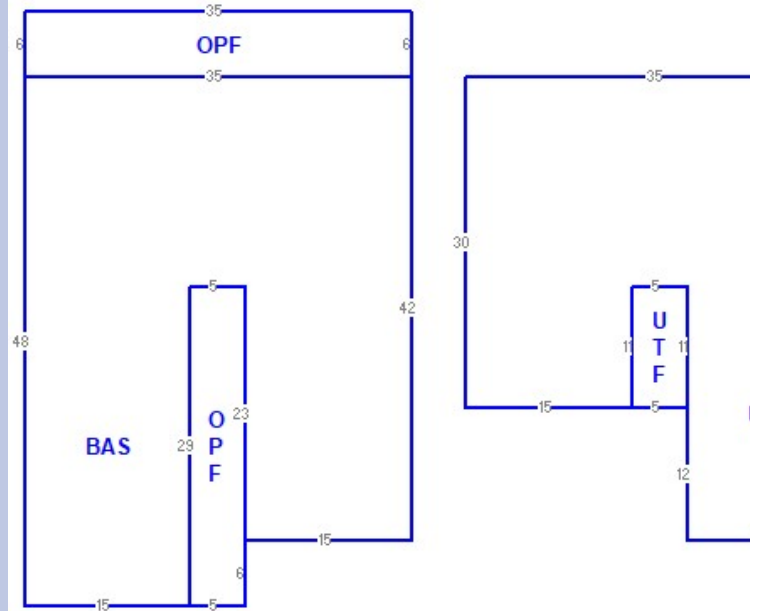
Property Use	Land Dimensions	Unit Value	Units	Method	Total Adjustments	Adjusted Value
Multi-Fam <10 Units	53x95	\$23,000	52.50	FF	1.0379	\$1,253,264

2023 Building 1 Structural Elements and Sub Area Information

Structural Elements	Sub Area	Heated Area SF	Gross Area SF
Foundation: Continuous Footing Poured	Base (BAS):	1,445	1,445
Floor System: Slab On Grade	Upper Story (USF):	1,175	1,175
Exterior Walls: Cb Stucco/Cb Reclad	Open Porch (OPF):	0	355
Unit Stories: 2	Utility (UTF):	0	55
Living Units: 2	Total Area SF:	2,620	3,030
Roof Frame: Gable Or Hip			
Roof Cover: Shingle Composition			
Year Built: 1956			
Building Type: Duplex - 4-Plex			
Quality: Average			
Floor Finish: Carpet/Hardtile/Hardwood			

Structural Elements

Interior Finish: Drywall/Plaster
 Heating: Central Duct
 Cooling: Cooling (Central)
 Fixtures: 9
 Effective Age: 26



2023 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
DOCK	\$58.00	156.0	\$9,048	\$3,619	1998
PATIO/DECK	\$14.00	176.0	\$2,464	\$986	1999
PATIO/DECK	\$44.00	360.0	\$15,840	\$6,336	1970
PATIO/DECK	\$44.00	210.0	\$9,240	\$3,696	1970

Permit Data

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting jurisdiction in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
BR20230025	ADDITION/REMODEL/RENOVATION	01/09/2023	\$18,500
D&L20221053	DOCK	11/18/2022	\$25,000
WND-22-00878	DOCK	11/14/2022	\$0
F20220463	FENCE	05/27/2022	\$1,900
20220322	ADDITION/REMODEL/RENOVATION	04/18/2022	\$15,600
20220283	DEMOLITION	04/07/2022	\$500
B20220030	WINDOWS/DOORS	01/13/2022	\$2,255
B5181	WINDOWS/DOORS	11/24/2020	\$2,210

Permit Number	Description	Issue Date	Estimated Value
R4452	ROOF	02/08/2020	\$6,950
B3900		07/26/2019	\$1,430

Charles W. Thomas

pinellas county tax collector

[Search](#) > Account Summary

Real Estate Account #R166785

Owner:

DE CANDIDO, GABRIEL A
DE CANDIDO, GABRIEL A TRE

Situs:

480 129TH AVE E
MADEIRA BEACH

[Parcel details](#)

[Property Appraiser](#)

Homestead Exemption



[Get bills by email](#)
















Amount Due

Your account is **paid in full**. There is nothing due at this time.
Your last payment was made on **11/29/2023** for **\$16,078.71**.

[Apply for the 2024 installment payment plan](#)

Account History

BILL	AMOUNT DUE
2023 Annual Bill ⓘ	\$0.00 Print (PDF)
2022 Annual Bill ⓘ	\$0.00 Print (PDF)
2021 Annual Bill ⓘ	\$0.00 Print (PDF)
2020 Annual Bill ⓘ	\$0.00 Print (PDF)
2019 Annual Bill ⓘ	\$0.00 Print (PDF)
2018 Annual Bill ⓘ	\$0.00 Print (PDF)
2017 Annual Bill ⓘ	\$0.00 Print (PDF)
2016 Annual Bill ⓘ	\$0.00 Print (PDF)
2015 Annual Bill ⓘ	\$0.00 Print (PDF)
2014 Annual Bill ⓘ	\$0.00 Print (PDF)
2013 Annual Bill ⓘ	\$0.00 Print (PDF)
Total Amount Due	\$0.00

BILL	AMOUNT DUE
	 Print (PDF)
2012 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2011 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2010 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2009 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2008 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2007 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2006 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2005 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2004 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2003 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2002 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2001 Annual Bill ⓘ	\$0.00
	 Print (PDF)
2000 Annual Bill ⓘ	\$0.00
	 Print (PDF)
1999 Annual Bill ⓘ	\$0.00
	 Print (PDF)
Total Amount Due	\$0.00

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CITY OF MADEIRA BEACH

COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131



- NOTICE OF VIOLATION -

DECANDIDO, GABRIEL TRE
12521 FRANK DR
SEMINOLE, FL 33776

Case No: CE-24-0023
RE: 480 129TH AVE E

INSPECTION DATE: February 9, 2024
PARCEL NUMBER: 15-31-15-97866-001-0040
LEGAL DESCRIPTION: WILLIAM'S

Dear OWNER,

February 9, 2024

An inspection of your property revealed a violation(s) of the City Code of Ordinances. The following violations were found to exist;

Specifically, your property is in violation of the following:

Code Violation:	Code Section:	Violation:
R-2 Violations	110-201	The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. §2018-07§, § 1, 7-11-18)

Code Section:	Corrective Action:	Compliance Due Date:
110-201	CEASE SHORT TERM RENTAL ACTIVITY. 90 DAY RENTAL MINIMUM	CEASE IMMEDIATELY

The violation(s) must be corrected IMMEDIATELY. If the violation(s) are not remedied and discontinued, you will receive a notice to appear for a hearing before the Madeira Beach Special Magistrate for failure to correct the violation(s).

If you should have any questions or concerns, please do not hesitate to contact me.

POSTAGE WILL BE PAID BY ADDRESSEE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DECAWDO, GABRIEL TRE
 12521 FRAUD DR
 SEMINOLE, FL 33776



9590 9402 7951 2305 9263 39

2. Article Number (Transfer from Article Label)

7019 2970 0000 5514 1667

PS Form 3811, July 2020 PSN 7590-02-000-9003

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

Agent

Addressee

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Add Signature
- Add Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation®
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

OFFICIAL USE

For delivery information, visit our website at www.usps.com

Certified Mail Fee

- Basic Service & First-class box, not for an appropriate
- Return Receipt (hardcopy)
- Return Receipt (electronic)
- Certified Mail Restricted Delivery
- Adult Signature Required
- Adult Signature Restricted Delivery

Postage and Fees

Postmark Here

7019 2970 0000 5514 1667

To: DECAWDO, GABRIEL TRE
 12521 FRAUD DR
 SEMINOLE, FL 33776

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7590-02-000-9002 See Reverse for Instructions



300 Municipal Drive
Madeira Beach, Florida 33708

DECANDIDO, GABRIEL TRE
12521 FRANK DR
SEMINOLE, FL 33776

INSPECTION DATE: February 9, 2024

CERTIFIED MAIL



7019 2970 0000 5514 1667



quodient
FIRST-CLASS MAIL
IM1
\$008.69 2
02/09/2024 ZIP 33708
043M31233717

US POSTAGE

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee

- First-Class Permitted
- Return Receipt (hardcopy)
- Return Receipt (electronic)
- Certified Mail Restricted Delivery
- Adult Signature Required
- Adult Signature Restricted Delivery

Postage

Legal Postage and Fees

Postmark
Here

7019 2970 0000 5514 1667

Send to: DECANDIDO GABRIEL TRE
 Street Address: 12521 FRANK DR
 City/State/ZIP: SEMINOLE FL 33776

PS Form 3800, April 2015 with 2024 revision

See Reverse for instructions

Code Enforcement Case: CE-24-0023

Entered on: 02/09/2024 00:00

Printed on: 02/17/2024

Topic: Zoning
Due Date:
Initiated by: Police

Status: Open
Assigned To: Cory Snyder

Permit

Permit #: Business name: License #:

Property Location

Occupant Name:

Address: 480 129TH AVE E , 33708

Phone:

Cell #:

APN : 15-31-15-97866-001-0040

Owner Information

Owner Name: DECANDIDO, GABRIEL TRE

Address: 12521 FRANK DR
SEMINOLE, FL 33776

Phone:

Cell #:

Actions

Action	By	Date	Time	Note/Observation
Inspection	Cory Snyder	02/09/2024	10:11 am	DAVID ALLEN RENTED AIR B N B "LIZA" FROM JAN 2 OR 3RD, THROUGH THE END OF FEBRUARY. WIFE REPORTED CLOSE TO \$8,000 FOR 2 MONTHS.
Notice of Violation	Cory Snyder	02/09/2024	11:38 am	Send to (Owner)
Phone Call	Cory Snyder	02/10/2024	11:18 am	Phone call form David Allen. Property at 480 129th Ave E Was Retned from Jan 2nd through the end of February for 15,000. David Allen Walled Lake MI 248-255-2003.
Case Notes	Cory Snyder	02/16/2024	2:00 am	Special magistrate set for 2/26/2024 at 2 pm MB city hall.
NOH - Statement of Violation	Cory Snyder	02/16/2024	8:50 am	Send to (Owner)
NOH - Notice of Hearing	Cory Snyder	02/16/2024	9:35 am	Send to (Owner)
NOH - Affidavit of Service	Cory Snyder	02/16/2024	9:40 am	Send to (Owner)

Violations

#	Violation Type	Due Date	Status	Closed Date
1	R-2 Violations Corrections Required:Please make corrections to listed violations		Open	

Inspection Notes

Date: _____ Time: _____

Findings: _____



CITY OF MADEIRA BEACH
COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131



**SPECIAL MAGISTRATE
 NOTICE OF HEARING**

CITY OF MADEIRA BEACH, FL
 300 MUNICIPAL DRIVE
 MADEIRA BEACH, FL 33708
 Petitioner,

vs.

DECANDIDO, GABRIEL TRE
 12521 FRANK DR
 SEMINOLE, FL 33776
 Respondent,

RE: 480 129TH AVE E
 PARCEL NUMBER: 15-31-15-97866-001-0040
 LEGAL DESCRIPTION: WILLIAM'S, BILL MADEIRA HARBOR SUB 3RD ADD BLK 1, LOT 4

YOU ARE HEREBY FORMALLY NOTIFIED that at 2pm on Monday the 26th day of February, 2024 there will be a public hearing at the Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida 33708, concerning the following:

Violation Detail:

Code Violation:	Code Section:	Violation:
R-2 Violations	110-201	The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. §2018-07§, § 1, 7-11-18)

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

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

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

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



CITY OF MADEIRA BEACH

COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
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SPECIAL MAGISTRATE AFFIDAVIT OF SERVICE

CITY OF MADEIRA BEACH, FL
300 MUNICIPAL DRIVE
MADEIRA BEACH, FL 33708
Petitioner,

vs.

DECANDIDO, GABRIEL TRE
12521 FRANK DR
SEMINOLE, FL 33776
Respondent,

RE: 480 129TH AVE E
PARCEL NUMBER: 15-31-15-97866-001-0040
LEGAL DESCRIPTION: WILLIAM'S, BILL MADEIRA HARBOR SUB 3RD ADD BLK 1, LOT 4

AFFIDAVIT OF SERVICE

I, Cory Snyder, Community Policing Officer of the City of Madeira Beach, upon being duly sworn, deposed and says the following:
That pursuant to Florida Statue 162.12,

On the 16th day of February, 2024, I mailed a copy of the attached **NOTICE OF HEARING/ORDER** via certified Mail, Return Receipt requested.

On the 16th day of February, 2024, I mailed a copy of the attached **NOTICE OF HEARING/ORDER** via First Class Mail.

On the 16th day of February, 2024, I posted a copy of the attached **NOTICE OF HEARING/ORDER** on the property located at 480 129th Ave E, WILLIAM'S, BILL MADEIRA HARBOR SUB 3RD ADD BLK 1, LOT 4 in the City of Madeira Beach.

On the 16th day of February, 2024, I caused the attached **NOTICE OF HEARING/ORDER** to be posted at the Municipal Government Offices, 300 MUNICIPAL DR, 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.



Deputy Cory Snyder, Deputy Sheriff

State of Florida
County of Pinellas

Before me on 16th day of February, 2024, personally appeared Cory Snyder who executed the foregoing instrument and who is personally known to me.



Notary

SEAL





CITY OF MADEIRA BEACH

COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131



SPECIAL MAGISTRATE STATEMENT OF VIOLATION/REQUEST FOR HEARING

DECANDIDO, GABRIEL TRE
12521 FRANK DR
SEMINOLE, FL 33776

Case No: CE-24-0023
RE: 480 129TH AVE E

DATE: February 16, 2024
PARCEL NUMBER: 15-31-15-97866-001-0040
LEGAL DESCRIPTION: WILLIAM'S, BILL MADEIRA HARBOR SUB 3RD ADD BLK 1, LOT 4

Code(s) which have been violated:

Code Violation:	Code Section:	Violation:
R-2 Violations	110-201	The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. §2018-07§, § 1, 7-11-18)

1. On 1/22/2024 Gabriel DeCandido was found in violation of 110-201 for R-2 violation at 441 129 Ave E
2. Gabriel Decandido was given until Jananuary 30th, 2024 to come into compliance.
3. On 02/09/2024, a Code Enforcement Case for the property listed was opened
4. On 02/09/2024, an inspection was conducted on the listed property identifying the listed violation(s).
5. On 02/09/24, a Notice of Violation was mailed and/or posted with instructions on how to remedy the violations listed.
6. On 02/16/2024,a Notice of Hearing was mailed and/or posted with a scheduled hearing date.

I DO HEREBY SWEAR THAT THE ABOVE FACTS ARE TRUE TO THE BEST OF MY KNOWLEDGE. I REQUEST A HEARING ON THE ABOVE VIOLATION(S) BY THE MADEIRA BEACH SPECIAL MAGISTRATE OF THE CITY OF MADEIRA BEACH.



CITY OF MADEIRA BEACH
COMMUNITY SERVICES – CODE ENFORCEMENT
300 MUNICIPAL DRIVE - MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 295 - FAX (727) 399-1131



- NOTICE OF VIOLATION -

DECANDIDO, GABRIEL TRE
 12521 FRANK DR
 SEMINOLE, FL 33776

Case No: CE-24-0023
 RE: 480 129TH AVE E

INSPECTION DATE: February 9, 2024
PARCEL NUMBER: 15-31-15-97866-001-0040
LEGAL DESCRIPTION: WILLIAM'S

Dear OWNER,

February 9, 2024

An inspection of your property revealed a violation(s) of the City Code of Ordinances. The following violations were found to exist;

Specifically, your property is in violation of the following:

Code Violation:	Code Section:	Violation:
R-2 Violations	110-201	The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types. Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period. (Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. §2018-07§, § 1, 7-11-18)

Code Section:	Corrective Action:	Compliance Due Date:
110-201	CEASE SHORT TERM RENTAL ACTIVITY. 90 DAY RENTAL MINIMUM	CEASE IMMEDIATELY

The violation(s) must be corrected IMMEDIATELY. If the violation(s) are not remedied and discontinued, you will receive a notice to appear for a hearing before the Madeira Beach Special Magistrate for failure to correct the violation(s).

If you should have any questions or concerns, please do not hesitate to contact me.

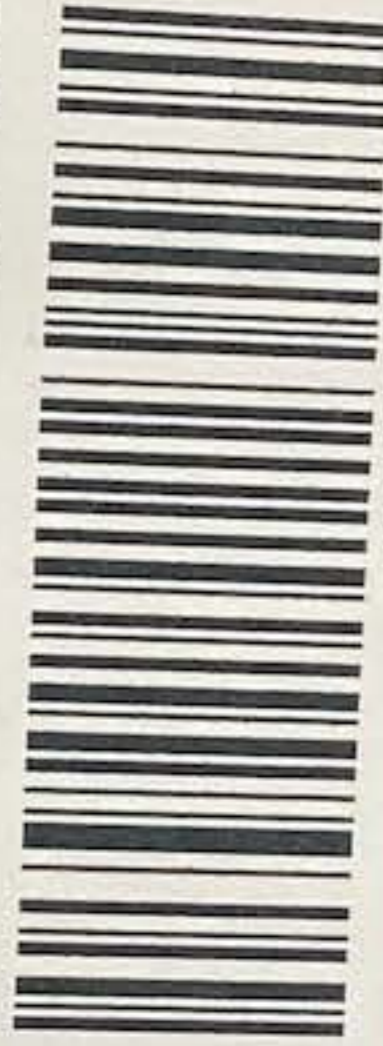


300 Municipal Drive
Madeira Beach, Florida 33708

DECANDIDO, GABRIEL TRE
12521 FRANK DR
SEMINOLE, FL 33776

DATE: February 16, 2024
BARCEL NUMBER: 1531-15-97866-001-0040

7019 2970 0000 5514 1681



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- Extra Services & Fees (check box, add fee as appropriate) \$
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- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

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Total Postage and Fees \$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

See Reverse for Instructions

DECANDIDO GABRIEL TRE
12521 FRANK DR
SEMINOLE FL 33776

PLACE STICKER AT TOP OF MAILPIECE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

DECANDIDO, GABRIEL TRE
12521 FRANK DE N
SEMINOLE, FL 33776



9590 9402 7951 2305 9263 46

2. Article Number (Transfer from service label)

7019 2970 0000 5514 1681

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

Agent
 Addressee

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

**U.S. Postal Service™
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OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postmark
Here

Total Postage and Fees

Sent To

Street and Apt. No., or PO Box No.

12521 FRANK DR

City, State, ZIP+4®

SEMINOLE FL 33776

DECANDIDO GABRIEL TRE

7019 2970 0000 5514 1667

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

CITY OF MADEIRA BEACH
COMMUNITY SERVICES - CODE ENFORCEMENT
300 MUNICIPAL DRIVE, MADEIRA BEACH, FLORIDA 32708
(321) 963-3000 EXT. 300 FAX (321) 963-1101

**SPECIAL MAGISTRATE
NOTICE OF HEARING**

CITY OF MADEIRA BEACH, FL. vs. DE CANNDO GABRIEL TRE
300 MUNICIPAL DRIVE, MADEIRA BEACH, FL 32708 vs. 1521 FRANK DR
Palmetto, SEMINOLE, FL 33776
Respondent.

RE: 400 128TH AVE E
PARCEL NUMBER: 12-31-15-07866-001-040
LEGAL DESCRIPTION: WILLIAMS, SUE MADEIRA HARBOR SUB 3RD ADD BLK 1 LOT 4

YOU ARE HEREBY FORMALLY NOTIFIED that on **Monday, the 26th** day of **JANUARY, 2024** there will be a public hearing at the Madeira Beach City Hall, 300 Municipal Drive, Madeira Beach, Florida 32708, concerning the following:

Violation Detail:

Code Violation:	Code Section:	Violation:
P-2 Violations	110-201	The 6-2, low density multifamily residential district provides for low density residential residential compatible with the residential medium (RM) category of the countywide plan and which does not exceed the maximum number of units per lot as shown on the special exception use as a permitted use, accessory use or incidental use and is not subject to the short-term rental use shall include, but are not limited to, short-term rentals of a dwelling unit, as used in this division, the term "short-term rental" shall mean any rental of a dwelling unit or "short-term rental" for less than a three-month period. (Code 1983, § 20-204, Ord. No. 17033, § 2, 2-28-06; Ord. No. 1136, § 2, 12-9-06; Ord. No. 1840, § 2, 7-11-19)

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

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

If the violation is corrected and there is no record of the violation in not corrected by the time specified by the Code Enforcement Officer for correction, the case may be presented to the Madeira Beach Special Magistrate even if the violation has been corrected prior to the Special Magistrate hearing.

Should you desire, you have the right to obtain an attorney at your own expense to represent you.

