



**SPECIAL MAGISTRATE – SPECIAL EXCEPTION
USE REQUEST**

SE 2023-02

Staff Report and Recommendation
Special Magistrate Meeting – November 27, 2023

Application:	SE 2023-02
Applicant:	Sonny Flynn Alligator Attraction LLC DBA Alligator & Wildlife Discovery Ctr
Property Owner(s):	Mad Beach Land Co. LLC
Property Address(s):	14805 Gulf Blvd Madeira Beach, FL 33708
Parcel ID(s):	09-31-15-54198-002-0160
Legal Description:	MADEIRA BEACH VISTA TRACT 2 LOTS 16 THRU 21 LESS RD TOGETHER WITH LOTS 140 THRU 145 NORTH MADEIRA SHORES (PER O.R.'S 3759/39 & 1506/382)
Zoning/Future Land Use:	C-3, Retail Commercial/Commercial General

Applicant’s Request: “Temporarily utilize the property located at 14805 Gulf Blvd, Madeira Beach, FL 33708 as a provisional habitat and operational base for the Alligator & Wildlife Discovery Center. This request comes in the wake of a destructive fire on July 13th, which significantly damaged our primary facility, leaving us in urgent need of an alternative location to continue our care for over 100 animals and to carry on with our crucial fundraising efforts for their ongoing welfare and the restoration of our center.”

Specific Code Provision: DIVISION 7. – C-3, RETAIL COMMERCIAL Sec. 110-319.
– Special exception uses. (10) Exhibition of reptiles by permit

I. Background

The applicant is applying for a Special Exception Use to operate their reptile exhibition facility in what was formally a Bank of America. The property is in the C-3, Retail Commercial Zoning District and has a Future Land Use designation of Commercial General. A reptile exhibition as a primary use of the property is an allowed Special Exception Use in the C-3 Zoning District.

II. Special Exception Use

(1) That the use is a permitted special use.

Findings: In the Madeira Beach Code of Ordinances, Division 7. - C-3, Retail Commercial Sec. 110-319. - Special exception uses. (10) allows for a reptile exhibition to be a permitted use with the approval of a Special Exception Use by the Special Magistrate.

(2) That the use is so designed, located and proposed to be operated that the public health, safety, welfare, and convenience will be protected.

Findings: Public health, safety, welfare, and convenience would be protected if this use were to be approved at this location. The proposed exhibition facility will be designed for animal and human interactions and education. The proposed exhibition facility will be located in an existing commercial structure and has a dedicated surface parking lot. The property is located along Gulf Boulevard, which is a major commercial corridor and is adjacent to other commercial uses.

(3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

Findings: This address was previously used for a commercial use, and neighboring properties have commercial uses. Therefore, the value of other properties in this neighborhood should not be substantially injured. The property is located between two other commercial facilities and the structure itself is setback from neighboring properties.

(4) That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.

Findings: The properties on either side are retail commercial uses. An exhibition center is compatible with the adjoining development and fits the character of the C-3 Zoning District which allows for a variety of commercial uses.

(5) That adequate landscaping and screening is provided as required in the land development regulations or otherwise required.

Findings: The landscaping of 14805 Gulf Blvd will not change. The property will be changing from one commercial use to another commercial use without any planned work on the exterior of the property. Additionally, this proposed exhibition facility use will only be a temporary use at this location. When their previous location is repaired, they will return to operate at the previous location.

(6) That adequate off-street parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.

Findings: Off-street parking at this address far exceeds that of what is required under [Sec. 110-971](#) of Madeira Beach city code. City code requires one space per 300 square feet GFA for retail and services. The Pinellas County property appraiser shows this address to have a total heated area of 4,580 square feet which requires 16 parking spaces. Google Earth images of this property from 2023 shows more than double this number of parking spaces.

(7) That the use conforms with all applicable regulations governing the district where located, except as may otherwise be allowable for planned unit developments.

Findings: The proposed Special Exception Use conforms with all applicable regulations governing the C-3 Zoning District.

(8) If a variance is also desired, and/or required, a separate application shall be submitted concurrently with the special exception application.

Findings: No variances needed or requested.

(9) Special exception use will not grant the land more privilege than the best use available in a zone where that special exception use would be a principal permitted use.

Findings: Any property within the C-3 Retail Commercial Zoning District can apply for a Special Exception Use to allow for a reptile exhibition as a principal permitted use of the property. Granting a Special Exception Use would not grant the land more privilege than the best use available in a zone where the proposed Special Exception Use would be a principal permitted use.

(10) No application for special exception use shall be considered by the special magistrate until the applicant has paid in full any outstanding charges, fees, interest, fines, or penalties owed to the city by the applicant or the owner or possessor of the property under any section of the Code.

Findings: The fees have been waived due to current circumstances after the building fire at their original facility located in John's Pass Village.

III. Staff Recommendation:

Staff recommends the approval of SE 2023-02.

Submitted by:

Joseph Petraglia

Attachments:

- 1) Application and Attachments
- 2) Public Notice Mailing and Posting Packet