

SPECIAL MAGISTRATE
NOTICE OF HEARING
AFFIDAVIT OF NON-COMPLIANCE AND AFFIDAVIT OF COMPLIANCE

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

CASE #2022.1296
DATE: 03/17/2023

vs.

MURRAY, BRIAN
10953 70TH AVE #3
SEMINOLE, FL 33772
Respondent,

RE: Property: 14033 E. Parsley Dr., Madeira Beach, FL 33708. **Parcel #:** 10-31-15-04446-001-0030

Legal Description: BAY POINT ESTATES BLK 1, LOT 3

To whom it may concern:

YOU ARE HEREBY FORMALLY NOTIFIED that at **2:00 pm** on **MONDAY** the **27th** day of **MARCH, 2023** at the Madeira Beach City Center in the Patricia Shontz Commission Chambers, located at 300 Municipal Drive, Madeira Beach, Florida 33708, a hearing will be held before the Special Magistrate concerning the following code violations:

Sec. 14-91. - Declaration of unfit structure.

Whenever the enforcing authority finds that any structure constitutes a hazard to the safety, health, or welfare of the occupants or to the public because it lacks maintenance or because it lacks the sanitary facilities or equipment or otherwise fails to comply with the minimum provisions of this article, he may declare such structure as unfit for occupancy and order it to be vacated. It shall be unlawful to again occupy such structure until it or its occupation, as the case may be, has been made to conform to the law.

Sec. 14-70. - Same—General maintenance.

The exterior of every structure or accessory structure (including fences, signs, screens and store fronts) shall be maintained in good repair, termite free and all surfaces thereof shall be kept painted or have similar protective coating where necessary for purpose of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance to the end which the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties will be protected from conditions which tend to decrease the property values of surrounding properties.

* (4) All roofs shall have a suitable covering free of holes, cracks or excessively worn surfaces, which will prevent the entrance of moisture into the structure and provide reasonable durability. Metal roofs showing signs of corrosion shall be painted with an approved product or have similar protective coating applied in accordance with the manufacturer's specifications.

* (6) Supporting structural members are to be kept structurally sound, free of deterioration and capable of bearing imposed loads safely.

* (7) Walls and ceilings shall be in good repair, free from excessive cracks, breaks, loose plaster and similar conditions. Walls shall be provided with paint, wall covering materials or other protective covering.

You are hereby ordered to appear before the Special Magistrate of the City of Madeira Beach on that date and time 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 \$250.00 per day for an initial violations and \$500.00 per day for repeat violations 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 still be presented to the Special Magistrate of the City of Madeira Beach even if the violation has been corrected prior to the Special Magistrate hearing.

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 the opportunity to present witnesses as well as question the witnesses against you prior to the Special Magistrate making a determination.

Please be prepared to present evidence at this meeting concerning the time frame necessary to correct the alleged violation, should you be found in violation of the City Code.

If you wish to have any witnesses subpoenaed or have any other questions, please contact the Assistant to Code Enforcement of the City of Madeira Beach within five (5) days at 300 Municipal Drive, Madeira Beach, Florida 33708, telephone number (727) 391-9951 extension 244.

Your failure to respond to the previously issued Notice of Violation has resulted in costs of prosecution of this case.

PLEASE NOTE: Should any interested party seek to appeal any decision made by the Special Magistrate with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based per Florida Statute 286.0105.

I HEREBY CERTIFY that a copy of the foregoing Notice of Hearing was mailed to Respondent(s) by certified mail, return receipt requested.

Dated this 17th day of March, 2023



Holden Pinkard, Building Operations Coordinator



300 Municipal Drive
Madeira Beach, Florida 33708

vs.
MURRAY, BRIAN
10953 70TH AVE #3
SEMINOLE, FL 33772
Respondent,



quadrant
FIRST-CLASS MAIL
IMI
\$000.60
03/17/2023 ZIP 33708
043M31233717

US POSTAGE



300 Municipal Drive
Madeira Beach, Florida 33708

vs.
MURRAY, BRIAN
10953 70TH AVE #3
SEMINOLE, FL 33772
Respondent.

CERTIFIED MAIL®



7019 1120 0000 4383 0173



quadrant
FIRST-CLASS MAIL
IMI
\$008.10
03/17/2023 ZIP 33708
043M31233717

US POSTAGE



**SPECIAL MAGISTRATE
AFFIDAVIT OF NON-COMPLIANCE**

NOVEMBER 28, 2022

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

vs.

MURRAY, BRIAN
14033 E PARSLEY DR
MADEIRA BEACH FL 33708-2301
Respondent,

CASE NO. 2021.1296

I, Holden Pinkard *Operations Coordinator*, have personally examined the property described in the Madeira Beach Special Magistrate Order dated 10/28/2022 in the above referenced case and find that said property is not in compliance with:

Sec. 14-91. - Declaration of unfit structure.

Whenever the enforcing authority finds that any structure constitutes a hazard to the safety, health, or welfare of the occupants or to the public because it lacks maintenance or because it lacks the sanitary facilities or equipment or otherwise fails to comply with the minimum provisions of this article, he may declare such structure as unfit for occupancy and order it to be vacated. It shall be unlawful to again occupy such structure until it or its occupation, as the case may be, has been made to conform to the law.

Sec. 14-70. - Same—General maintenance.

The exterior of every structure or accessory structure (including fences, signs, screens and store fronts) shall be maintained in good repair, termite free and all surfaces thereof shall be kept painted or have similar protective coating where necessary for purpose of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance to the end which the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties will be protected from conditions which tend to decrease the property values of surrounding properties.

City of Madeira Beach
BUILDING DEPARTMENT
300 Municipal Drive
Madeira Beach, FL 33708
PH: 727-391-9951 ext. 284 FAX:727-399-1131



of the Code of the City of Madeira Beach, Florida, as of November 28, 2022.

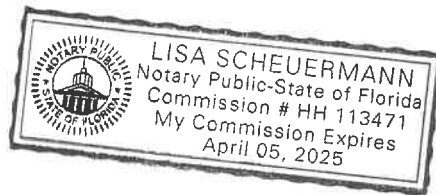

Holden Pinkard, Operations Coordinator

STATE OF FLORIDA
COUNTY OF PINELLAS

Before me on 28th day of November, 2022 personally appeared who executed
the foregoing instrument and who is personally known to me.

SEAL


Notary



**SPECIAL MAGISTRATE
AFFIDAVIT OF COMPLIANCE**

MARCH 7, 2023

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

vs.

MURRAY, BRIAN
14033 E PARSLEY DR
MADEIRA BEACH FL 33708-2301
Respondent,

CASE NO. 2021.1296

I, Holden Pinkard, *Operations Coordinator*, have personal examined the property described in

Madeira Beach Notice of Violation: 09-21-2022
Madeira Beach Special Magistrate Order: 10-28-2022

In the abovementioned case and find that said property is in compliance with Sec. 14-70, of the Code of the City of Madeira Beach, Florida, as of 03-06-2023.



Holden Pinkard, Operations Coordinator

**STATE OF FLORIDA
COUNTY OF PINELLAS**

Before me on this 7th day of March, 2023, Holden Pinkard personally appeared who executed the foregoing instrument and who is personally known to me.



Notary

SEAL

