



Memorandum

Meeting Details: December 1, 2025 – Planning Commission
Prepared For: Honorable Mayor Brooks, the Board of Commissioners
Staff Contact: Community Development Department – Joseph Petraglia, Planner I
Subject: Nonconforming Time Restrictions

Background/ Discussion:

Under section 110-93(3) c. of the city's land development regulations, any structure damaged by Hurricane Helene and Hurricane Milton would need to be repaired by March 26, 2026, or made fully compliant with current codes. So far, roughly half of all pre-FIRM houses in Madeira Beach have not yet taken any action to repair, rebuild, or demolish their properties. Many of these properties that have not applied for permits have done unpermitted work or are sitting abandoned. City staff are planning to raise awareness of this time restriction through additional mailings and website updates to encourage the remaining properties who have not yet submitted interior remodel or full structure demolition permits to do so before the March 26, 2026 deadline provided the proper permit has been obtained by such date. City staff is recommending that a text change amendment to allow property owners additional time to complete the repairs once the permit has been obtained. This would also align with the deadline given to property owners who filed a permit fee waiver extension form through Ordinance 2025-18.

Additionally, there is a conflict between two different sections of the code when it pertains to legally nonconforming uses such as short-term vacation rentals in the R-1 and R-2 zoning districts. The more restrictive part of the code related to time limitation for nonconforming uses has already passed for properties damaged by Hurricane Helene and Hurricane Milton. While the less restrictive part of the code does not have a time limit to restore a nonconforming use after an involuntary loss.

Some other nearby municipalities also have timeframe limitations when it comes to nonconformities. See Treasure Island [sec. 68-512](#), Gulfport [sec. 22-9-06](#), and Indian Rocks Beach [sec. 110-104](#). City staff plan to propose a more comprehensive amendment and evaluation of the entire nonconforming article in the coming months but would like to expedite these two time sensitive text change amendments before discussion on the rest of the article commences.

Fiscal Impact:

Minor direct cost (mailings, documentation) and moderate staff time. Could require more field presence from code enforcement to document conditions and progress.

Recommendation(s):

City Staff recommends the Planning Commission to discuss and then give direction on amending the time restrictions for nonconformances.

Attachments/Corresponding Documents:

- Chapter 110, Article III - Madeira Beach, FL Code of Ordinances