



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

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.

I. Background

The current building was built in 1951 before the R-1, Single-Family Residential Zoning District land development regulations were adopted and does not meet the current side yard or rear yard setback requirements. The existing structure is a slab-on-grade (pre-FIRM) structure. The applicant submitted a new construction permit application (2023-2208-BGDR) to tear down the current building and build a FEMA-compliant home. The Building Department has reviewed and approved the permit, but the permit is still pending planning & zoning review. The planning & zoning review has not been completed yet partially due to the setback requirements being addressed by this variance request. The applicant is requesting to reduce the rear setback by 7 feet and the side setbacks by a total of 2.4 feet to match that of the current structure. As stated in Section 82-2, the setback line for the rear yard was and will be measured from the outer edge of the seawall as the property line is 10.3 feet landward.

In the applicant's letter attached to the application, the applicant states city staff provided incorrect setback information, however, there are no records of any city staff providing any such misinformation. Additionally, the applicant's letter reports receiving an approval letter from Frank DeSantis before receiving Mr. Carrier's "contradicting" letter. It is worth noting that Mr. DeSantis's review letter was done on behalf of the building department while Mr. Carrier's review was done on behalf of the planning & zoning department and all new single-family homes in Madeira Beach are required to be approved by both the of these departments which is what caused the applicant confusion. City staff are exploring re-wording such letters to make sure future permit applicants understand the process for permit review and avoid confusion.

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;*
- 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.*

Findings:

- a. Substandard or irregular-shaped lot.* The lot is an irregular triangular shape due to its location at the end of a cul-de-sac. As a result, the front property line is only 24 feet wide rounding around the cul-de-sac.
- c. Residential neighborhood character.* Google Earth images show most of the other houses on this cul-de-sac encroach into the required side and rear setbacks.
- e. Architectural and/or engineering considerations.* The new home would be elevated and all construction features would be more resilient from flood waters.

(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 need for this variance results primarily from the irregularly shaped lot which is not a result of any actions from the applicant or homeowner. The plat for the property and the existing home were approved before the current R-1, Single-Family Residential Zoning District land development regulations were adopted.

(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: Approval of the variance will not grant any special privilege to the property. Most properties in this zoning district do not have the irregular shape lot that 14062 W Parsley does which significantly limits the buildable footprint. Similarly, 14060 W Parsley Dr directly next door on the same cul-de-sac was granted SMVAR 2015-02 on April 14, 2015. The approved variance reduced their rear yard setback to 16.42 feet, which is a further rear setback encroachment compared to what is being requested by this variance.

(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.

Finding: Due to the irregular lot shape, literal interpretation of the setbacks would deny the homeowner a new single-family home of similar size to many others in this zoning district.

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

Findings: The setbacks being proposed by the applicant in this variance are the minimum amount of variance required that will make possible the reasonable use of this lot. The current structure already encroaches into the required rear and side setbacks. The setbacks being proposed by this variance match the setbacks of the existing structure. The proposed variance would not lead to an increase in nonconformity. Additionally, it is worth noting that the applicant has revised their application and site plan on two separate occasions at the request of city staff to get to the currently proposed setback request as staff did not find the previous two requests to meet this criteria.

(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.

Findings: The proposed variance is in harmony with the general intent and purpose of the city land development regulations and will not negatively affect the character or the neighborhood. The harmony of the neighborhood and general scheme of development of the neighborhood will be unchanged. Additionally, the new home proposed would be FEMA compliant, replacing the existing flood prone and non-confirming structure which would improve the area and public welfare.

III. Staff Recommendation:

Staff recommends approval of VAR 2024-02.

Submitted by: Joe Petraglia

Attachments: 1) Application with survey of existing structure and site plan with proposed structure location
2) Public Notice mailing and posting

Variance Application:

Property Address: 14062 W Parsley DR., Madeira Beach FL

Project Number: 2023-2208-BGDR

Special Magistrate,

Thank you for receiving our application on behalf of our client and homeowners, Patrick and Denise Winn who have owned this property for approximately 6 years. Our architect, in preparation for design their new home set up a meeting with the building/ zoning department. In that meeting he specifically took notes on the existing survey of the setbacks given to him by those at the meeting.

Some time after submittal we received the attached letter from Frank DeSantis saying the plans were approved with the exception of providing a contract for the file. We informed the Winn's of this great news and they were of course very excited.

Soon after we received another email from Mr. Carrier contradicting Mr. DeSantis's email as well as the now known fact that the original setbacks given were incorrect.

As you will see from the attached documentation, the existing home on the lot is already non-compliant as is many of the homes on the same block. On top of that we are working with a very irregular lot which limits the ability for the Winn's to design a FEMA compliant home that provides even just a small three bedroom two bath home.

After learning of the setback correction the architect had to completely redesign the home which now is just 2,225 SF. As you will see the home is small, oddly designed in order to fit the needs of the homeowner.

We are requesting a 23' rear setback, 6'8" west side setback and 5'8" east side setback which matches the existing non-conforming home on the lot. Please note the neighbor to their north appears to have a rear setback of less than 10'. If approved the city would have the benefit of a new home built above the flood plain which I know the city and FEMA would both prefer.

Again, the Winn's have designed a very basic small home that they should be allowed to build on such an irregular lot. We hope that you would agree once reviewing the documentation provided. We thank you for your review of this application.

Kind Regards,



Gregg Gallagher





City of Madeira Beach
Building Department
300 Municipal Drive
Madeira Beach, FL 33708
(727) 391-9951 Ext. 284

Date: Thursday, September 7, 2023

Project Number 2023-2208-BGDR
Job Address: 14062 W PARSLEY DR, MADEIRA BEACH, FL 33708
Description of Work: new custom home

To whom it may concern;

Staff has completed its review of plans for the property that is to be located at 14062 W PARSLEY DR, MADEIRA BEACH, FL 33708.

The plan review has been approved with the following Comments:

The following comments have been provided by Frank DeSantis. Should you have any questions or require additional information regarding any of these comments, please contact Frank DeSantis by email at fdesantis@madeirabeachfl.gov.

Building Review

- Please provide a copy of the construction contract for FEMA permit file retention.

Resubmissions and revisions can be submitted in the customer portal at www.mgoconnect.org. Should you have any issues resubmitting your permit please contact building department at building@madeirabeachfl.gov.

Thank you,

A handwritten signature in blue ink, appearing to read "Frank DeSantis", with the initials "CBO" written to the right.

Frank DeSantis, CBO



City of Madeira Beach
Building Department
300 Municipal Drive
Madeira Beach, FL 33708
(727) 391-9951 Ext. 284

Date: Tuesday, September 19, 2023

Project Number 2023-2208-BGDR
Job Address: 14062 W PARSLEY DR, MADEIRA BEACH, FL 33708
Description of Work: new custom home

To whom it may concern;

Staff has completed its review of plans for the property that is to be located at 14062 W PARSLEY DR, MADEIRA BEACH, FL 33708.

The plan review has been pending with the following Comments:

The following comments have been provided by Al Carrier. Should you have any questions or require additional information regarding any of these comments, please contact Al Carrier by email at acarrier@madeirabeachfl.gov.

Planning and Zoning Review

1. Survey is not current, FEMA FIRM information is out dated. Provide updated survey with FEMA FIRM information, including topography to show existing drainage patterns both onsite and off site.
2. Property is located in a FEMA Coastal A zone with a base flood elevation of 11.0. Madeira Beach requires a minimum of 4 foot of freeboard for a Design Flood Elevation on 15.0. The structure must be constructed to meet FEMA Velocity Zone requirements.
3. The property is located in R-1 zoning district. Please refer to City Code [DIVISION 2. - R-1, SINGLE-FAMILY RESIDENTIAL | Code of Ordinances | Madeira Beach, FL | Municode Library](#) for zoning criteria.
4. It is suggested a meeting with City staff be scheduled to discuss City Zoning and FEMA construction requirements.

Resubmissions and revisions can be submitted in the customer portal at www.mgoconnect.org. Should you have any issues resubmitting your permit please contact building department at building@madeirabeachfl.gov.

Thank you,

Al Carrier, CBO

EXISTING HOME

BOUNDARY SURVEY

Date Of Field Work - 11/02/2018 Drawn By - O.G. Order #: 1000041444

14062 W PARSLEY DRIVE, MADEIRA BEACH, FL 33708

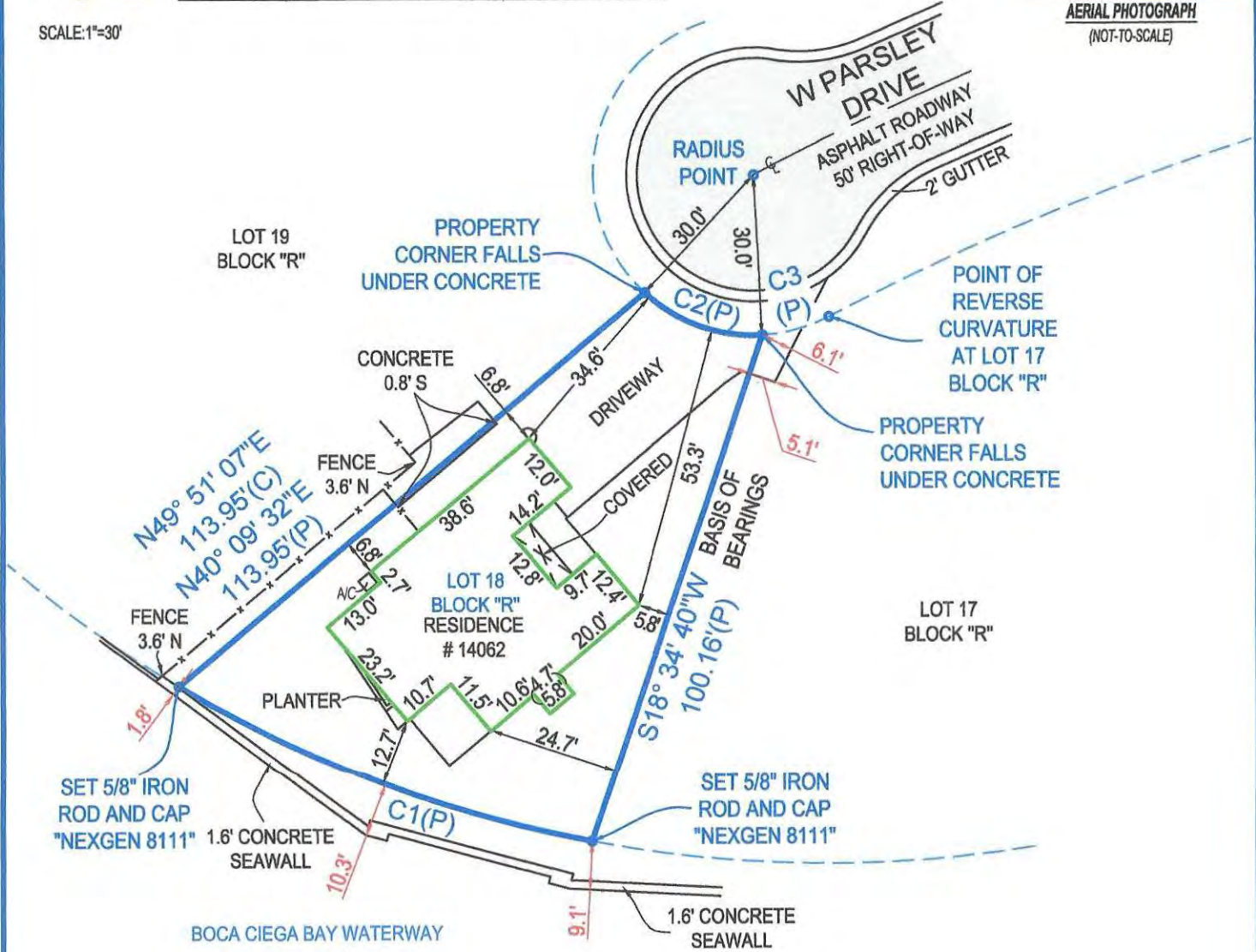


SCALE: 1"=30'

	CURVE TABLE			CHORD LENGTH	CHORD BEARING
	LENGTH	RADIUS	DELTA		
C1	83.00'	236.44'	20°06'47"	82.57'	N69°06'50"W
C2	24.00'	30.00'	45°50'12"	23.37'	S70°00'17"E
C3	13.00'	30.00'	24°49'44"	12.90'	N74°39'45"E



AERIAL PHOTOGRAPH (NOT-TO-SCALE)



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS



PHONE: 561.508.6272
 FAX: 561.508.6309
 LB 8111

5601 CORPORATE WAY, SUITE 103 WEST PALM BEACH, FL 33407
 NexgenSurveying.com



BOUNDARY SURVEY

Date of Field Work: 2018-11-02

Drawn By: Oleg

Order #: 41444 158328-SS

14062 W PARSLEY DRIVE, MADEIRA BEACH, FL, 33708

LEGAL DESCRIPTION:

LOT 18, BLOCK R, FIFTH ADDITION TO GULF SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 67, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

CERTIFIED TO:

PATRICK T WINN AND DENISE C WINN
SEA STAR TITLE COMPANY
WELLS FARGO BANK NA
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

FLOOD ZONE:

12103C0191G
ZONE: AE
EFF: 9/3/2003








SURVEY NOTES:








- This survey is for conveyance purposes only and not intended for construction purposes without permission of this surveyor.
-DRIVEWAY EXTENDS THROUGH EAST BOUNDARY LINE AS SHOWN

LEGEND

A/C -AIR CONDITIONER
AL -ARC LENGTH
(C) -CALCULATED
D.E. -DRAINAGE EASEMENT
(M) -MEASURED
P.O.B. -POINT OF BEGINNING
P.O.C. -POINT OF COMMENCING

P.B. -PLAT BOOK
P.G. -PAGE
P.U.E. -PUBLIC UTILITY EASEMENT
R -RADIUS
(R) -RECORD
U.E. -UTILITY EASEMENT
WM -WATER METER

 -FENCE
-NUMBER
 -ASPHALT
 -CONCRETE
 -PAVER/BRICK
 -WOOD
 -LIGHT POLE
 -WELL

 -WATER VALVE
 -CENTER LINE
 -CATCH BASIN
 -FIRE HYDRANT
 -POLE
 -MANHOLE
 -TOPOGRAPHIC ELEVATION



www.NexGenSurveying.com

(561) 508-6272

5601 Corporate Way

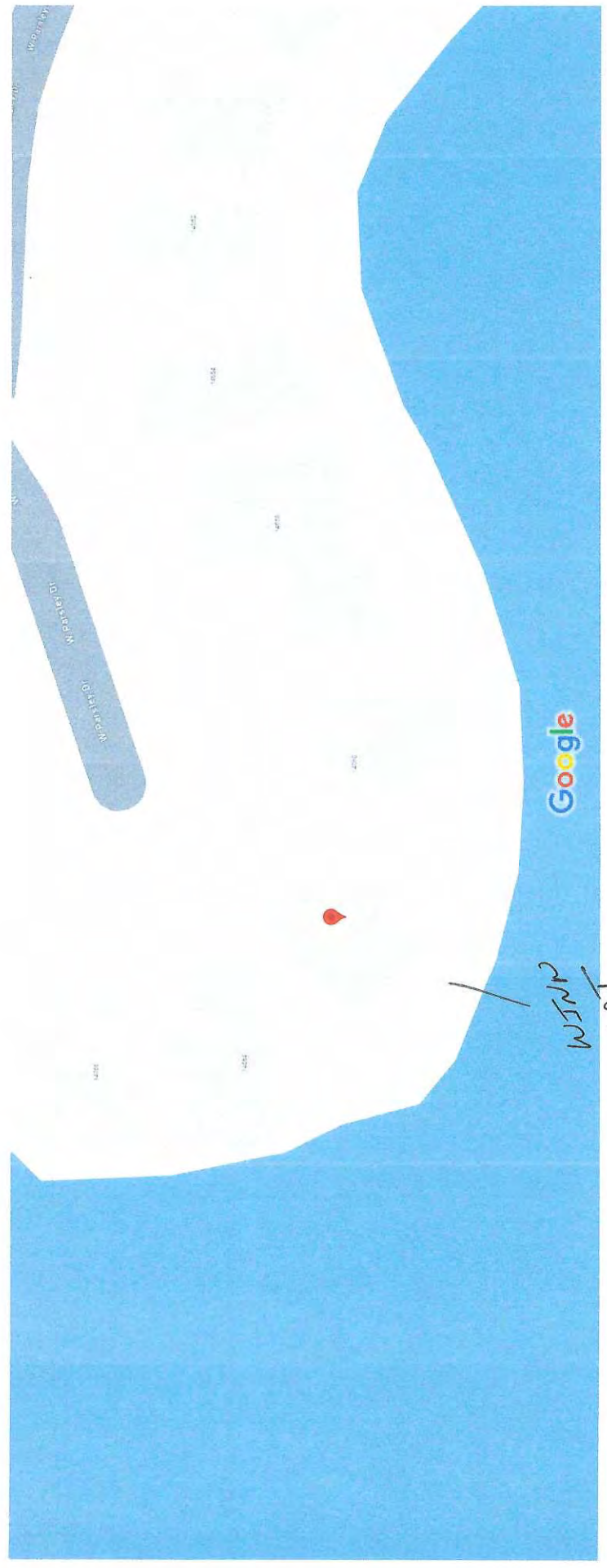
Suite 103

West Palm Beach, FL 33407

SCAN ME!



Google Maps 14062 W Parsley Dr



Map data ©2024 20 ft

Google Maps 14062 W Parsley Dr



Map data ©2024, Map data ©2024 20 ft



WATER LOT



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

GREGG BAIHAGHER
DREAM COAST BUILDERS
304 S. PROSPECT AVE, CLEARWATER

Telephone: (727) 744-3642

Email: greggedreamcoastbuilders.com

*Property Owner: Name and Address

PATRICK AND DENISE WINN
14062 W PARSLEY DR
MADEIRA BEACH FL

Telephone: (760) 203-3414

Email: pdnewinn@comcast.net

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

14062 W. PARSLEY DRIVE, MADEIRA BEACH FL

Legal Description: GULF SHORES 5TH & BLK R, LOT 18

Lot Area: 5350 SF Width: 23 ft. FRONT Depth: 113 ft.
82 FT REAR

Zoning District: R-1, SINGLE-FAMILY RESIDENTIAL

Present Structures on Property: SINGLE FAMILY HOME, 1225 SF

Present Use of Property: RESIDENTIAL

Date Building Permit Request denied: 12/20/23

Variance(s) needed from the zoning requirements: 23' REAR SET BACK,

6'8" WEST SIDE SET BACK AND 5'8" EAST SIDE SETBACK,

**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 #: _____

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

Fee: _____ Check # _____ Cash Receipt # _____

Date Received: ____ / ____ / ____ Received by: _____

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
- ____ 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: ADJUST CURRENT
SET BACKS TO EQUAL CURRENT EXISTING NONCONFORMING
SET BACKS IN ORDER TO ACCEPT PROPOSED NEW HOME DESIGN
ON IRREGULAR SHAPED LOT.

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.

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.

NOTE: SEE ATTACHED

OWNER 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.

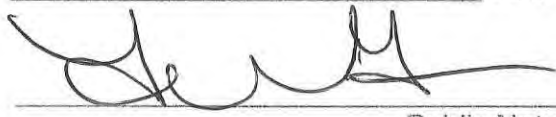
Appeals. (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing *de novo* but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

X  _____ Date: 3 / 11 / 24
Property Owner's Signature

STATE OF Florida
COUNTY OF Pinellas

Before me this 11th day of March, 2024,
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.




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.

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.

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: 1 / 18 / 2024
Property Owner's Signature (If other than the property owner)

STATE OF Florida

COUNTY OF Pinellas

Before me this 8th day of January, 2024, Craig Gallagher 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.



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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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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Variance Application

Property Address: 14062 W Parsley Dr, Madeira Beach FL

Project Number: 2023-2208-BGDR

Rules:

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. Substantial or irregular lot
 - b. Significant vegetation or natural features
 - c. residential neighborhood character
 - d. Public facilities
 - e. Architectural and/or engineering considerations.

1. **Answer:** The homeowners lot is an "Irregular Lot", pie shaped and only approx. 23' in the front making it extremely difficult to design even a relatively small home and to make reasonable use of the property.

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.

2. **Answer:** The request for this variance is not due to any homeowner created hardship. It is 100% due to the irregular and small size lot.

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.

3. **Answer:** Please note that the existing home on the lot is already "non-conforming" since it was constructed in 1951 and the new home would NOT be granting the homeowners any special privilege. The new proposed home is of minimum size for the homeowners to make good use of the irregular lot and support a very basic lifestyle.

4. Demonstrate that the literal interpretation would deprive the applicant of rights common 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.

4. **Answer:** Several other "newer" homes that were built on the same street that meet FEMA guidelines average 2,700 SF in size and are 3 stories high, larger than this homeowners proposed build. The irregular shaped lot and the city setback requirements create undue hardship for this homeowner in attempting to design the home to fit the lot. The new proposed homes very front ONLY measures 13' wide and due to the irregular shaped lot forces the design to be stepped and staggered in order to fit in the lot.

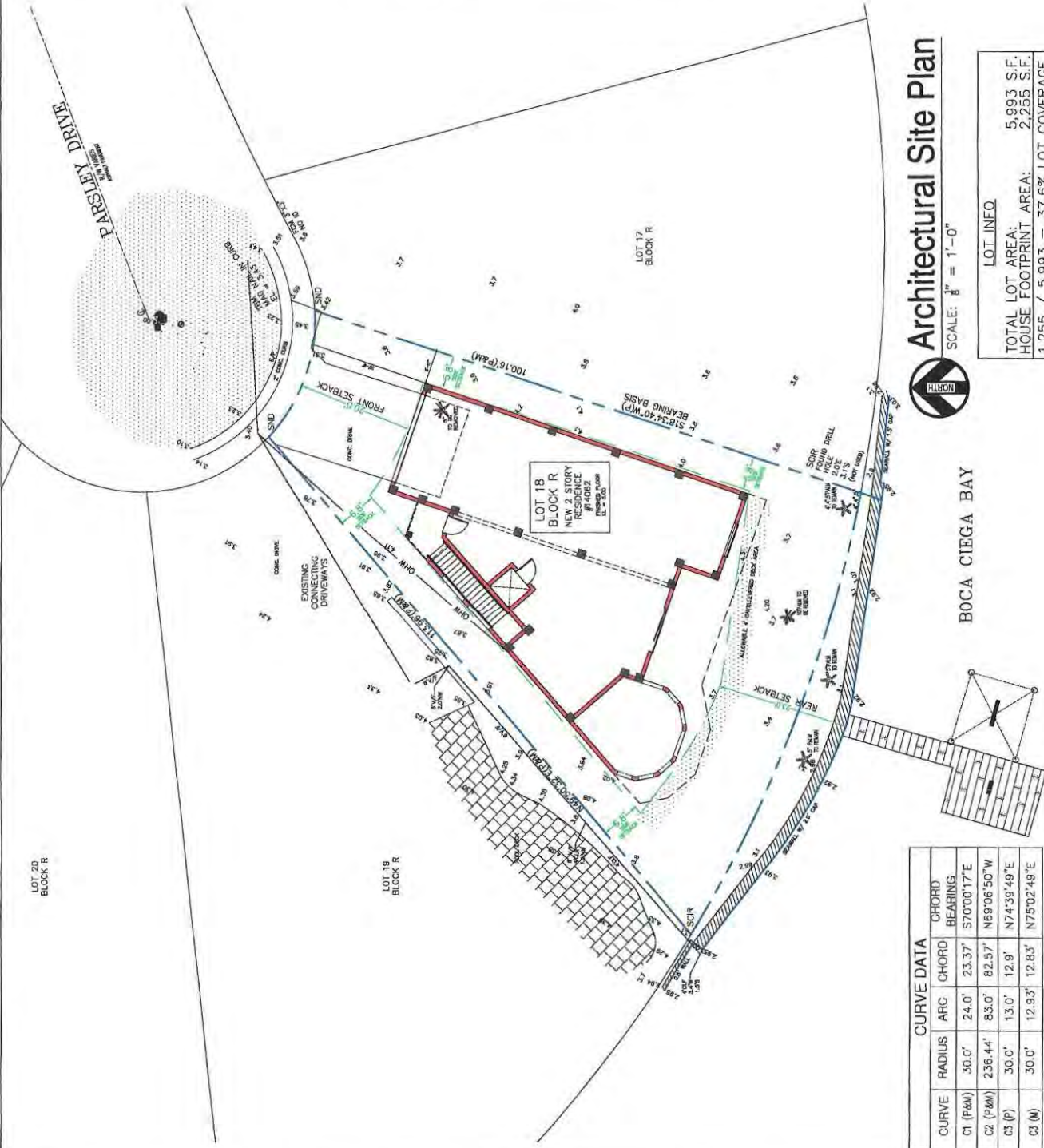
5. Demonstrate that the variance granted is the minimum variance that will make possible the reasonable use of the land.

5. **Answer:** By granting the variance this will allow the homeowners to build a new FEMA compliant home that is only just a very basic home, barley a 3 bedroom two bath. The existing home is non compliant already so they are already forced to build the new home further from the water than the existing. We believe the new home design would allow them to be above the flood plain and make reasonable use of the land with a basic design.

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.

6. **Answer:** By granting the variance the city will be adding a very appealing new home that is FEMA compliant instead of the existing non-compliant home that exists now that is subject to flooding and falling in further disrepair. It is of lesser size than other "newer" homes the city has approved in the same area. It will no doubt improve the neighborhood and the city. It will in no way be injurious to the area or detrimental to public welfare.

NEW HOME DESIGN



- SEE NOTES & CONDITIONS:**
- BUILDER TO OBTAIN ALL PERMITS BEFORE STARTING.
 - CONTRACTOR TO VERIFY ALL UTILITIES MUST BE LOCATED BEFORE ANY CONSTRUCTION.
 - THE OWNER CONTRACTOR IS RESPONSIBLE FOR THE CONNECTION TO THE CITY'S SANITARY SEWER SYSTEM. EXISTING SANITARY CLEAN OUT TO REMAIN, CUT AND CAP AT FOUNDATION.
 - CONTRACTOR TO VERIFY ALL UTILITIES (WATER, GAS, SEWER) BEFORE ANY CONSTRUCTION.
 - INSTALL TREE SURVEY AT ANY EXISTING TREES TO REMAIN. TO LOCAL ESTABLISHED 20 FEET BY 14 INCHES. TREE SURVEY TO BE CONDUCTED BY A LICENSED TREE SURVEYOR. TREE SURVEY TO BE INSTALLED, SOIL SAMPLES TO BE TAKEN AND REPORT TO BE PROVIDED FOR A TREE PRESERVATION INSPECTION.
 - CONTRACTOR SHALL ALSO PROVIDE DRAINAGE SPACES TO ASSURE PROPER DRAINAGE.
 - "EXISTING" SANITARY SEWER CLEAN OUT IS INSTALLED UP TO THE SANITARY SEWER JUNCTION AND STANDARDS TO BE MAINTAINED THROUGHOUT THE PROJECT. A SEWER LINE SHALL BE INSTALLED FROM THE SANITARY SEWER JUNCTION TO THE PROPERTY LINE AND COMPLETED READY TO RECEIVE OF HARD FEED.

LOT PERMEABILITY
 LOT SIZE = 5,993 SQ. FT.
 Footprint = 2,255 s.f. / 5,993 s.f. Lot = 37.6%
 FOOTPRINT = 2,255
 CONC. SLABS & DRIVEWAY = 535
 TOTAL IMPERVIOUS = 2,790
 Pervious Area = 3,213 53.6%
 Impervious = 2,780 (46.4%)

NOTES:
 ALL UNSEED DRIVE APRONS AND OR PARKING SURFACES TO BE REMOVED IN ITS ENTIRETY. THE LOT SHALL BE RESTORED TO ORIGINAL CONDITION AND SOIL AS REQUIRED.
 ANY NEW CONC DRIVEWAY APRONS TO BE CONSTRUCTED WITHIN THE RIGHT OF WAY SHALL BE CONSTRUCTED WITHIN 18" OF THE EXISTING CONC AND A MIN. 3000 PSI W/ 6" 10# 10# W/M.
 SEWER LINES SHALL NOT BE CONSTRUCTED WITHIN THE APRON. EXPANSION JOINT REQUIRED ALONG EXISTING CURB APPLICABLE. 3/4" THICK REQUIRED EQUAL APRONS SHALL NOT EXCEED BEYOND EXTENDED PROPERTY LINES PER CITY CONTRACTS SPECIFICATIONS & STANDARDS INDEX.

LEGAL DESCRIPTION:
 LOT 18, BLOCK R, P.F. ADDITION TO GULF SHORES, A Subdivision according to the map or plat thereof as recorded in Plat Book 23, Pages 67 of the Records of Pinellas County, Florida.
 SECTION 10, TOWNSHIP 31 SOUTH, RANGE 16 EAST
 PINELLAS COUNTY, FLORIDA

FLOOD ZONE INFO:
 Properly appears to be located in Flood Zone "AE" area with a base flood elevation of 11.0, per F.I.R.M. PANEL NUMBER: 120302018H (6/24/2021). Pinellas County Vulnerability Assessment, 2021.

ENGINEERS SEAL
 For Structural Purpose Only

ENGINEERS SEAL
 For Structural Purpose Only

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ENGINEERS SEAL
 For Structural Purpose Only

Architectural Site Plan
 SCALE: 1" = 1'-0"
 LOT INFO:
 TOTAL LOT AREA: 5,993 S.F.
 HOUSE FOOTPRINT AREA: 2,255 S.F.
 1,255 / 5,993 = 37.6% LOT COVERAGE

CURVE DATA		
CURVE	RADIUS	CHORD BEARING
C1 (P&M)	30.0'	24.0' 23.37' S70°00'17"E
C2 (P&M)	236.44'	83.0' 82.57' N69°06'50"W
C3 (P)	30.0'	13.0' 12.9' N74°39'49"E
C3 (M)	30.0'	12.93' 12.83' N75°02'48"E

NEW DIMENSIONS DESIGN LLC
 1103 S. 11th St., Suite 101
 St. Petersburg, FL 33704
 (727) 321-1111
 www.dimensionsdesign.com

THIS PLAN IS THE PROPERTY OF DIMENSIONS DESIGN LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR REPRODUCTION OF THIS PLAN WITHOUT THE WRITTEN PERMISSION OF DIMENSIONS DESIGN LLC IS STRICTLY PROHIBITED. DIMENSIONS DESIGN LLC SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. DIMENSIONS DESIGN LLC SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. DIMENSIONS DESIGN LLC SHALL NOT BE RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS PLAN. DIMENSIONS DESIGN LLC SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES, INCLUDING BUT NOT LIMITED TO, DIRECT, INDIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS PLAN. DIMENSIONS DESIGN LLC SHALL NOT BE RESPONSIBLE FOR ANY CLAIMS, DAMAGES, OR LOSSES, INCLUDING BUT NOT LIMITED TO, DIRECT, INDIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS PLAN. DIMENSIONS DESIGN LLC SHALL NOT BE RESPONSIBLE FOR ANY CLAIMS, DAMAGES, OR LOSSES, INCLUDING BUT NOT LIMITED TO, DIRECT, INDIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS PLAN.

RICHARD WASILEWSKI, P.E.
 FLORIDA REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 12345
 1103 S. 11th St., Suite 101
 St. Petersburg, FL 33704
 (727) 321-1111
 www.dimensionsdesign.com

DREAMCOAST BUILDERS
 304 S. 11th St., Suite 101
 St. Petersburg, FL 33704
 (727) 321-1111
 www.dreamcoastbuilders.com

The Winn Residence For:
 1402 W. Parsley Drive
 Madeira Beach, Florida

A1
 SITE PLAN



AFFIDAVIT OF MAILING

Date: 4/12/2024

Mailings for Case # DAL 2024.02

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

Lisa Sheuermann
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 2024-02

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

Lisa Sheuerman
Signature

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to 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.



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. *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/>



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

mike@pcpao.gov

Run Date: 08 Apr 2024

Subject Parcel: 10-31-15-34398-018-0180

Radius: 300 feet

Parcel Count: 25

Total pages: 2

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.

805 TOWER TERRACE RD
HIAWATHA, IA 52233-7994

PARTYKA, OLEG
PARTYKA, OKSANA
30425 200TH AVE SE
KENT, WA 98042-9500

MURPHY, SHAWN P
BARNA, KRISTIN B
14068 W PARSLEY DR
LARGO, FL 33708-2351

MANNING, KATHLEEN WHALEN
MANNING, WALTER J
14071 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2210

WHITE, ELIZABETH MAY
WHITE, JARED CRAIG
14080 MARGUERITE DR
MADEIRA BEACH, FL 33708-2336

MOHLER, ROBERT CARL
DE SANTIS, CATHERINE
14091 W PARSLEY DR
MADEIRA BEACH, FL 33708-2350

JONES, BARBARA L
TUERFFS, WILLIAM M
14028 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

PASCUZZI, RONALD J
PASCUZZI, CRISTINA C
14072 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

GREINER, CHERYL
MACIOCE, ANITA
14090 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

CONNOLLY, TIMOTHY R
CONNOLLY, MICHELE A
14064 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

WALLAKER, DANIEL M
WALLAKER, ANDREA B
14058 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

MORRISON, ANTHONY J
MORRISON, TINA G
14048 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

ZALAMEA, ANAMARIA
KACZYNSKI, RAFAL
14066 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

GIBBONS, E LYNN
GIBBONS, SHANNON P
14100 W PARSLEY DR
MADERIA BEACH, FL 33708-2353

PALMER/LARSON REVOCABLE LIVING TRUST
LARSON, DAVID L TRE
11125 PARK BLVD STE 104-221
SEMINOLE, FL 33772-4757

RESSLER, PERRY E TRE
RESSLER, HEIDI A TRE
10880 SE TIMUCUAN RD
SUMMERFIELD, FL 34491-4650

UNDERWOOD, SCOTT
UNDERWOOD, ERICA
4203 W JETTON AVE
TAMPA, FL 33629-4948

GRACEFFA, JAMESON
NAZZAL, ROBERT
89 VILLA ST
WALTHAM, MA 02453-1543

HOME SWEET HOME LIVING LLC
4736 SPRING PL
LAND O LAKES, FL 34639-4121

HERRON, RAYMOND D II
14070 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

CHASSIN, GREGORY R
14080 W PARSLEY DR
MADEIRA BEACH, FL 33708-2351

GEELAN, MARIA
14052 W PARSLEY DR
MADEIRA BEACH, FL 33708-2389

LANDIN, MICHELLE D
14073 N BAYSHORE DR
MADEIRA BEACH, FL 33708-2210

DUNN, ROBERTA A
14087 W PARSLEY DR
MADEIRA BEACH, FL 33708-2350

HARRISON, DANIEL
14065 N BAYSHORE DR
ST PETERSBURG, FL 33708-2210

City of Madeira Beach
FLORIDA
CITY OF MADEIRA BEACH



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: 15-31-15-8320-009-0070
Legal Description: MITCHELL'S BEACH REVISED BLK 9, LOT 7 & NELY 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 one 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. 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.



PUBLIC NOTICE OF SPECIAL MAGISTRATE VARIANCE HEARING

CITY OF MADEIRA BEACH
300 MUNICIPAL DRIVE
MADEIRA BEACH, FLORIDA 33708

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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: 10-31-15-34396-018-0180
Legal Description: GULF SHORES STR 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. 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

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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: 15-31-15-8320-010-0080
Legal Description: MITCHELL'S BEACH REVISED BLK 10, LOTS 8 THRU 10 LESS RD R/W PER O.R.S 4355231 & 44261135
Zoning/Future Land Use: C-3, Retail Commercial Zoning District, Residential Office Retail Landscaping

Request: 6' side-yard setback along 135th 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. 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/>

CODE ENFORCEMENT
CITY OF MADEIRA BEACH
February 16, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708
Petitioner:
vs.
VESTGAARDEN, TOV I
590 NORMANDY RD
MADEIRA BEACH FL 33708-2343
Respondents:
RE Property: 590 Normandy Rd Parcel
Legal Description: ISLAND ESTATES UN
NOTICE
To whom it may concern:
YOU ARE HEREBY FORMALLY
of February, 2024 at the Madeira Be
Chambers, located at 300 Municipal
held before the Special Magistrate o
Sec. 86-52 - When required,
A person, firm or corporation shall
change the occupancy of a building
alter fire extinguishing apparatus, el
other heat producing apparatus, plu
apertures, the installation of w
other sections of the Code until a p
cost of repair or modification does
and does not require an inspection,
permit is required for uncovering of
strictly cosmetic nature (painting, c
work less than \$100.00 in value.

CODE ENFO
February 16, 2024
City of Madeira Beach
300 Municipal Drive
Madeira Beach, Florida 33708
Petitioner,
vs.
ALTON, MICHAEL J
544 JOHNS PASS AVE
MADEIRA BEACH FL 33708-2
Respondents:
RE Property: 544 Johns Pass A
Legal Description: CRYSTAL
To whom it may concern:
YOU ARE HEREBY F
of February, 2024 at the
Chambers, located at 30
held before the Special
Sec. 86-52 - When re
A person, firm or corp
change the occupancy
alter fire extinguishing
other heat producing a
apertures, the inst
other sections of the C
cost of repair or modifi
and does not require a
permit is required for
strictly cosmetic natu
work less than \$100.0

NOTICE OF PUBLIC HEARING

APPLICATION NO.: VPK 2024-02

REQUEST: Reduce rear setback to 23'
Reduce west side setback to 16' 8"
Reduce east side setback to 5' 8"

PROPERTY DESCRIPTION: 14062 West Parsley

HEARING DATE & TIME: April 22nd @ 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

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THIS APPLICATION IS FOR A 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 135th 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. 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 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

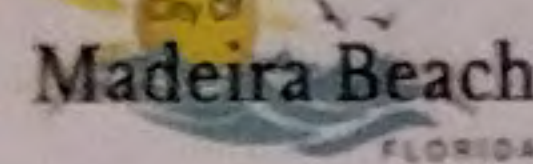
Application: VAR 2024-02
Applicant: Gregg Gallagher
Property Owner(s): Patrick and Denise Winn
Property Address: 14062 W PARSLEY DR MADEIRA BEACH, FL 33708
Parcel ID: 10-31-15-34398-018-0180
Legal Description: GULF SHORES 5TH ADD BLK R, LOT 18
Zoning/Future Land Use: R-1, Single-Family Residential/Residential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



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: Yes No
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 employed, 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
cyanblargan@madeirabeachfl.gov
727-391-9951, ext. 231

Additional Information:
For additional information, please contact City Clerk Clara VanBlargan at 727-391-9951, ext. 231; cyanblargan@madeirabeachfl.gov.

NOTICE OF PUBLIC HEARING

APPLICATION NO.: VPR 2024-02

REQUEST: Reduce rear setback to 23'
Reduce west side setback to 16' 8"
Reduce east side setback to 5' 8"

PROPERTY DESCRIPTION: 14062 West Parsley

HEARING DATE & TIME: April 22nd @ 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