



**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**

Jason K. Holloway & Elizabeth Holloway

14830 N. Bayshore Drive, Madeira Beach, FL 33708

**Telephone:** ( 704 ) 787-1119

**Email:** j42662018@yahoo.com

**\*Property Owner: Name and Address**

Jason K. Holloway & Elizabeth Holloway

\_14830 N. Bayshore Drive, Madeira Beach, FL  
33708

**Telephone:** ( 704 ) 787-1119

**Email:** j42662018@yahoo.com

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

14830 N. Bayshore Dr., Madeira Beach, FL, 33708

**Legal Description:** Lot 94 and the following portion of Lot 93: From a point of beginning at the most Westerly corner of said Lot 93 run by a curve to the right, radius 140.58m are 0.51 feet, chord North 66 degrees 03'20" East, 0.51 feet; thence South 27 degrees 44'08" East, 72.03 feet; then South 88 degrees 04'07" West 5.55 feet; thence North 24 degrees 02'54" West, 70.79 feet to the point of beginning, all in North Madeira Shores, according to the map or plat thereof, as recorded in Plat Book 23, Page 68, of the Public Records of Pinellas County, Florida.

**Lot Area:** 3,128

**Width:** 45 ft.

**Depth:** 75 ft.

**Zoning District:** R-2

**Present Structures on Property:** Single-family home

**Present Use of Property:** Single-family residence

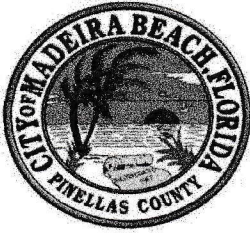
**Date Building Permit Request denied:** TBD

**Variance(s) needed from the zoning requirements:** R-2 zoning, minimum front setback and rear setback

PLEASE ATTACH REQUIRED SUPPORTING MATERIALS:

SITE PLAN, PICTURES, DEED, SURVEYOR'S SKETCH, DRAWINGS, EXPLANATION, ETC.

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Special Magistrate Case #: \_\_\_\_\_

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

Fee: \$1,800 ☐ Check # \_\_\_\_\_ ☐ Cash ☐ Receipt # \_\_\_\_\_

Date Received: 3/19/25 Received by: \_\_\_\_\_

Special Magistrate Case # Assigned: \_\_\_\_\_

Special Magistrate Hearing Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ ☐ Approved ☐ Denied

X 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:** Addition of upper and lower rear porches and stairs to the upper porch within the current covered porch roofline, and front upper porch, stairs and roof extension to cover the porch after the house is raised to meet FEMA standards up to a 7' front setback. A previous variance was approved (application #2023-04).

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.

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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.



**OWNER CERTIFICATION**

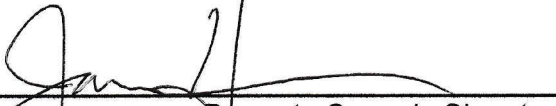
I hereby authorize permission for the Special Magistrate, Building Official and Planning & Zoning Director to enter upon the above referenced premises for purposes of inspection related to this petition.

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.

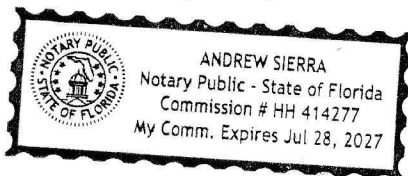
X   
Property Owner's Signature


Date: 3 / 18 / 2025

STATE OF FL  
COUNTY OF Pine Hills

Before me this 18<sup>th</sup> day of March, 2025, Jason H. Holloway  
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 FL Div Lic as identification.

[SEAL]



  
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.

**OWNER CERTIFICATION**

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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.***

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X 

Property Owner's Signature

Date: 03 / 18 / 2025

STATE OF

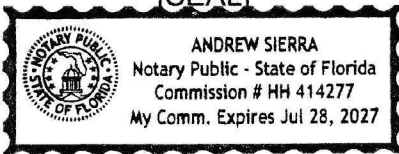
FL

COUNTY OF

Pineellas

Before me this 18<sup>th</sup> day of March, 2025, Elizabeth W Holloway 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 FL Driver License as identification.

[SEAL]





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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**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: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
*Property Owner's Signature (If other than the property owner)*

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, \_\_\_\_\_  
 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.

[SEAL]

\_\_\_\_\_  
 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.

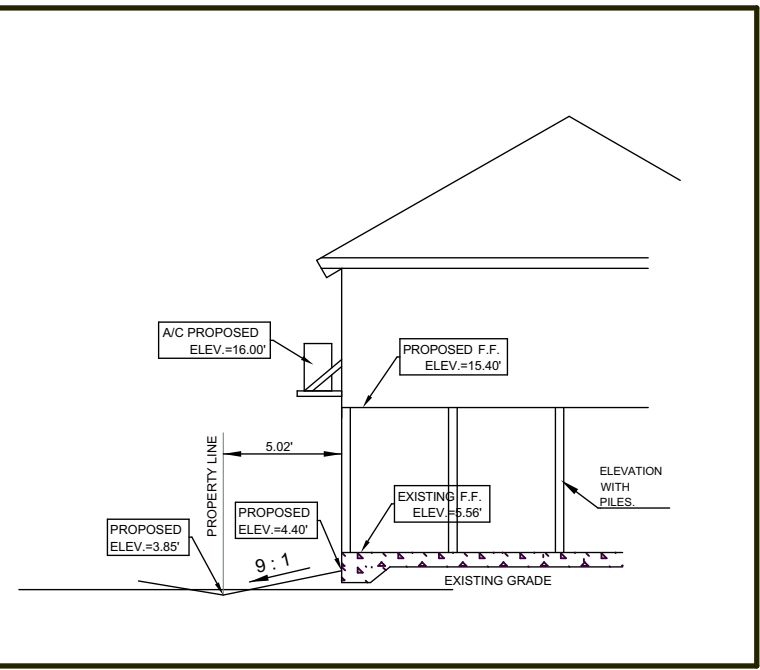
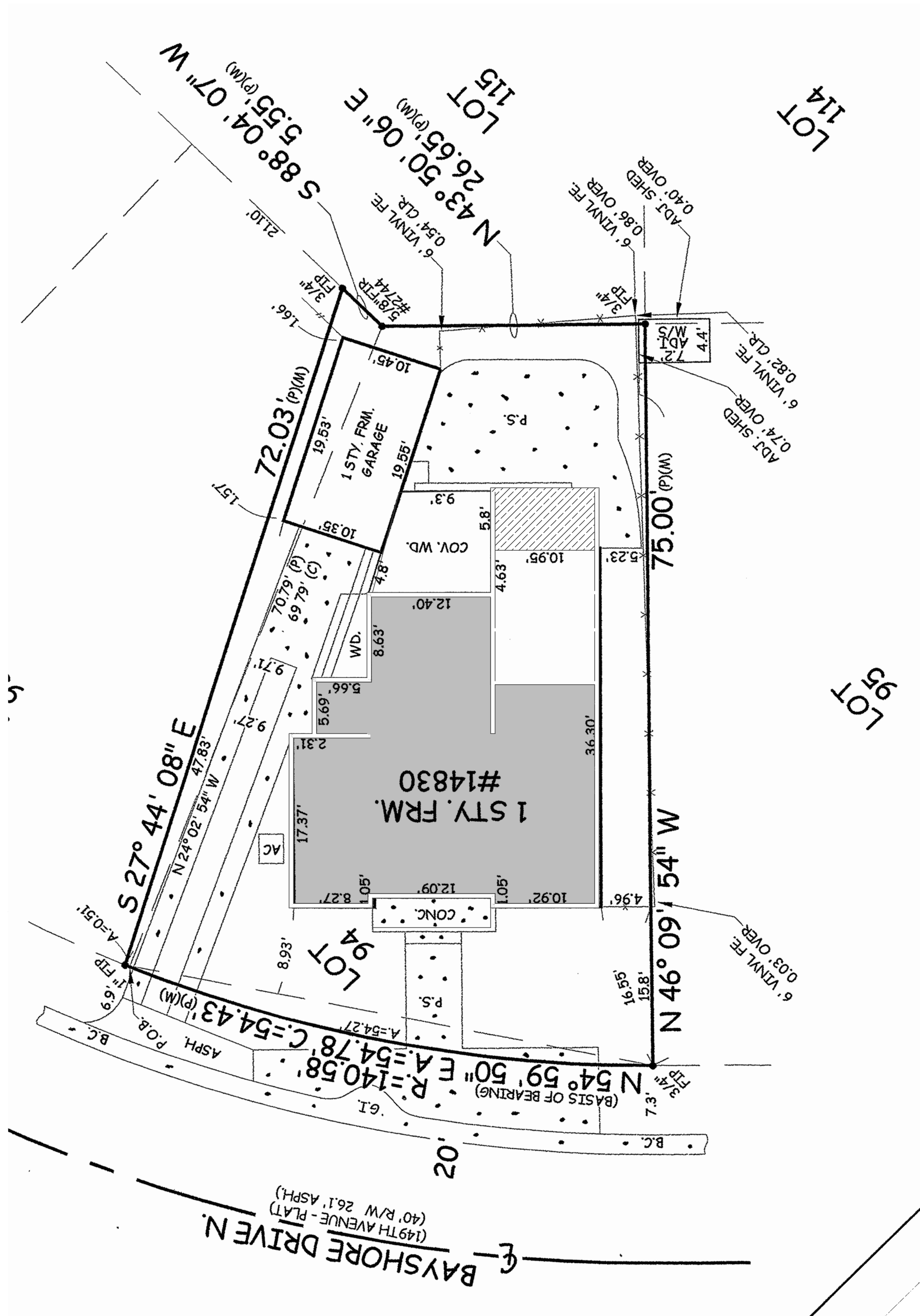
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G:\Shared drives\Ottaz Design\2025\Signature Flooring\2025025 - 14830 N Bayshore\14830 N Bayshore.pht

Architectural Site Plan - Existing

SCALE: 1" = 10'

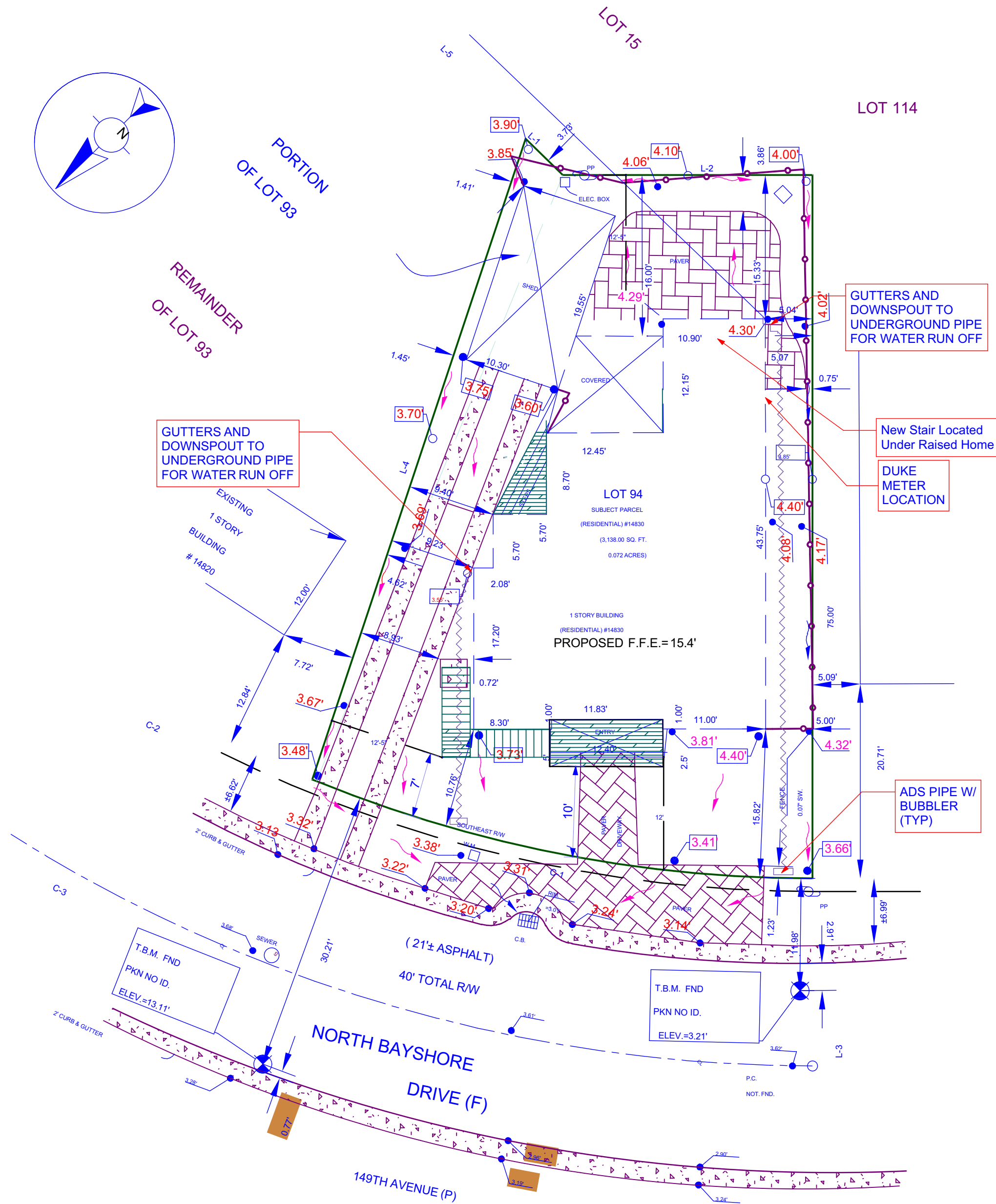


Section A-A

NOT TO SCALE

Architectural Site Plan - Proposed

SCALE: 1" = 10'



Renovation @ 14830 N Bayshore

Architectural Site Plan

Site Address:

14830 N Bayshore MADEIRA BEACH FL 33708

Client Name:	Signature Flooring	PHONE NO.:	(813) 918-4032
Drawn By:	G. OTTLEY	PLOT DATE:	3/28/2025
DATE	DESCRIPTION	MARK	

Project number:	D2023017
Project Status:	Design
DWG No.:	AS-001

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.

Below is a GIS image of Parcel Number 09-31-15-60858-000-0940. This lot has an irregular shape. The width of the lot narrows and tapers at the rear. This is due to the lot's positioning along the bend of N. Bayshore Dr. When compared with other lots on N. Bayshore Dr., it is smaller and less usable.



- b. Significant vegetation or natural features. If the site contains significant native vegetation or other natural features;

The site does not contain features that would retain or impede the flow of water from the property. None of the proposed work would impact or change water flow or water retention.

- 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;

Rear setback: Other property structures on the same block and adjacent to that of the applicants extend further into legally non-conforming setbacks as seen on the last four pages. Properties at 14906, 14910, 14912, and 14914 N. Bayshore Dr. and 10, 140 and 150 148<sup>th</sup> Ave. are closer to the rear setback than the applicants would be with the addition of the rear deck and stairs. 14906 N. Bayshore appears to be the closest to the rear setback.

Front setback: The property at 14902 N. Bayshore Dr., on the same block and adjacent to the applicants, appears to have a front setback as close as the applicant's would be with the addition of the front deck, stairs and 2' roof extension over the deck. The proposed work would not alter the streetscape of the applicant's property.





d. Public facilities. If the proposed project involves the development of public parks, public facilities, schools, or public utilities;

This section is not applicable to this application because there is no work proposed to be completed on any public parks, 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.

The work and materials used will meet current building code standards and will improve an existing structure on the property. This use of new materials and workmanship will, therefore, 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.

The proposed work is not the result of a self-created hardship but rather necessary to become compliant with FEMA house raising standards and Duke Energy meter access requirements. The work will improve the existing structure on the property and will be comparable in nature and form to improvements made to other neighboring properties, and it will blend with the scheme of development of the neighborhood.

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.

Granting the variance will confer the applicant the same privilege currently enjoyed by other existing structures in the same zoning district as noted in section 1.c. of this application. No special privilege is requested or implied.

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.

Casual observation indicates other neighboring properties have had the opportunity and occasion to be updated with more substantial renovations. The applicant would experience undue hardship if the variance were denied because the property is in need of updating to meet FEMA standards, denial of this opportunity could impact the value and salability of the property, and denial would result in a less efficient and less attractive property.

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

The proposed work is within the boundaries of the property and would not infringe on the rights of any neighboring property owner. Excepting some negligible expansions, the proposed work mostly occupies the space currently used by an existing structure on the property. The variance would maximize the use of the land while maintaining the historic streetscape of the neighborhood and preserving the enjoyment neighbors have for their own properties.

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.

The streetscape and street view of N. Bayshore Drive will be preserved, maintained and enhanced if this variance is granted. No noticeable changes would be readily visible from the street. Furthermore, none of the proposed work should impact water flow, water runoff, or other matters of public interest. The harmony of the neighborhood and general scheme of development will remain unchanged.

