



CITY OF MADEIRA BEACH

PLANNING & ZONING DEPARTMENT
300 MUNICIPAL DRIVE ♦ MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 255 ♦ FAX (727) 399-1131
Email to: planning@madeirabeachfl.gov



SPECIAL MAGISTRATE – SECT. 110-93 VARIANCE APPLICATION

Variance Request for conversion of nonconforming carport or garage to use as occupied space

*Applicant: Name and Address

*Property Owner: Name and Address

Donald + Stephanie DiTerlizzi
13321 Boca Ciega Ave
Madeira Beach, FL 33708

Same

Telephone: 727-542-4144

Telephone: _____

Email: SDITERLIZZI1@gmail.com

Email: _____

Application for the property located at: (Street Address or location of the vacant lot)

13321 Boca Ciega Ave Madeira Beach, FL 33708

Legal Description: Parcel # 153115653040070060

Zoning District: R-2

PLEASE ATTACH REQUIRED SUPPORTING MATERIALS:
SITE PLAN, PICTURES, DEED, SURVEYOR'S SKETCH, DRAWINGS, ETC.

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

Fee: \$850.00 Check # 2305 Cash Receipt # 27078

Date Received: 7/20/22 Received by: Susan Portal

Special Magistrate Case # Assigned: VAR 2022-03

Special Magistrate Hearing Date: _____ Approved Denied

Date: _____

Linda Portal, Planning & Zoning Director

Date: _____

Robin Gomez, City Manager

This application to the Special Magistrate is requesting permission to: Remodel my
closed in garage. We want to change the
garage door into windows and finish the
inside to make an extra closet in the house.

In consideration of granting a Section 110-93 authorized variance for conversion of a specific portion of a structure for occupied use, the special magistrate shall find that such grant will not adversely affect the public interest. In granting any authorized variance, the special magistrate may prescribe appropriate conditions and safeguards in conformity with the 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 the land development regulations. The variance shall apply only to the existing structure addressed in the application and cannot be applied to any subsequent structure on this or any other lot now or in the future.

SUCH USES SHALL BE FOUND BY THE SPECIAL MAGISTRATE TO COMPLY WITH THE FOLLOWING REQUIREMENTS AND OTHER APPLICABLE REQUIREMENTS. The Applicant must provide responses to these relevant considerations on an attached page.

1. That the use is a permitted use.
2. That the conversion area is so designed, located, and proposed to be operated that the public health, safety, welfare, and convenience will be protected.
3. That the converted area will not cause substantial injury to the value of the other property in the neighborhood where it is to be located.
4. That the structure with converted area will be compatible with adjoining development and the proposed character of the district where it is to be located.
5. That adequate landscaping and screening is provided as required in the land development regulations mitigate anticipated impact upon adjoining property.
6. That the minimum off-street parking to meet code requirements remains after conversion.
7. That the use conforms to all applicable regulations governing the district where located, except as may otherwise be specified in this variance.
8. The conversion of use to the specified area will not grant to the land more privilege than the best use available in a zone where that special exception use would be a principal permitted use.
9. No application for variance use shall be considered by the special magistrate until the applicant has paid in full any outstanding charges, fees, interest, fines, or penalties owed to the City by the applicant or the owner or possessor of the property under any section of the Code.

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 this 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.

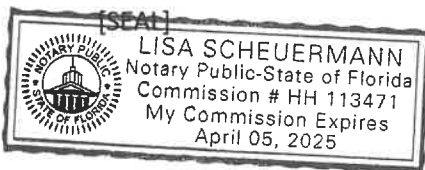
Appeals. (City Code, Sec. 2-109) An aggrieved party, including the local governing authority, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the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

Stephanie D. Terlizzi
Property Owner's Signature

July 18, 2022
Date

STATE OF Florida
COUNTY OF Dinellas

Before me this 19 day of July, 2022, Stephanie D. Terlizzi 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 Florida Driver's Lic as identification.



Lisa Scheuermann
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.

SPECIAL MAGISTRATE: REQUIREMENTS AND PROCEDURES (City Code Sec. 2-507)

Sec. 110-121. – Authorization by special magistrate.

Special exception uses shall be permitted only upon authorization by the special magistrate.

Sec. 110-122. – Denial.

The special magistrate may deny special exception uses when not in harmony with the purpose and intent of the City land development regulations as outlined in this article.

Sec. 110-123. – Reimbursement of expenses.

The applicant shall provide for reimbursement of all expenses incurred by the City, deemed necessary by the city manager or his/her designee, to review and process a special exception use request.

Expenses may include, but are not limited to, any technical, engineering, planning, landscaping, surveying, legal or architectural services, and advertising.

Within 30 days of the date of receipt of any invoice for such services, the applicant shall reimburse the City for such costs. Failure by the applicant to make such reimbursement when due shall delay the release of a development permit until paid.

Sec. 110-124. – Standards and requirements.

- (a) In consideration of granting any special exception use, the special magistrate shall find that such grant will not adversely affect the public interest. The local planning agency shall issue a written report within 30 days after consideration by the local planning agency. In granting any special exception use, the special magistrate, in addition to the standards enumerated in this article, may prescribe appropriate conditions and safeguards, when made a part of the terms under which the special exception use is granted, shall be deemed a violation of the land development regulations. The special magistrate may prescribe a reasonable time limit within which the action for which the special exception use is required shall commence, be completed, or both.
- (b) Such uses shall be found by the special magistrate to comply with the following requirements and other applicable requirements:
 - (1) That the use is a permitted special use.
 - (2) That the use is so designed, located, and proposed to be operated that the public health, safety, welfare, and convenience will be protected.
 - (3) That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
 - (4) That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.
 - (5) That adequate landscaping and screening is provided as required in the land development regulations, or otherwise required.
 - (6) That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
 - (7) That the use conforms with all applicable regulations governing the district where located, except as may otherwise be allowable for planned unit developments.
 - (8) If a variance is also desired, and/or required, a separate application shall be submitted concurrently with the special exception application.
 - (9) Special exception use will not grant to the land more privilege than the best use available in a zone where that special exception use would be a principal permitted use.
 - (10) No application for special exception use shall be considered by the special magistrate until the applicant has paid in full any outstanding charges, fees, interest, fines for penalties owed to the City by the applicant of the owner or possessor of the property under any section of the code.

FIVE STAR

① Yes we will be getting a permit

② Yes we will be having it designed

③ We will not cause substantial injury to the value of others property

FIVE STAR

④ We will be compatible with Adjoining homes

⑤ The landscaping will remain the same

FIVE STAR

⑥ ~~It~~ We will have parking for any outside help we get.

⑦ Yes

⑧ Yes

FIVE STAR

⑨ Yes

⑩ Yes

George F. Young, Inc. LB021

ARCHITECTURE • ENGINEERING • ENVIRONMENTAL • LANDSCAPE ARCHITECTURE • PLANNING • SURVEYING

ST. PETERSBURG 299 9th St. N., St. Petersburg, FL 33701 (727)-822-4317
 TAMPA 2906 N. Florida Ave., Tampa, FL 33602 (813)-223-1747
 BRADENTON 381 6th Ave. W., Bradenton, FL 34205 (941)-745-2377
 GAINESVILLE 3131 NW 13th St., Gainesville, FL 32609-2183 (904)-378-1444

LEGEND

SEC. 15 TWP. 31 S., RN

A. = ARC	OC. = OCCUPIED
A/C = AIR CONDITIONER	OHL = OVER HEAD LINES
C. = CEORD	P. = PLAT
C.B. = CHORD BEARING	P.C. = POINT OF CURVE
CL. = CENTER LINE	P.C.C. = POINT OF COMPOUND CURVE
C.L.F. = CHAIN LINK FENCE	P.C.P. = PERMANENT CONTROL POINT
CONC. = CONCRETE	P.I. = POINT OF INTERSECTION
COV. = COVERED	P.L.S. = PROFESSIONAL LAND SURVEYOR
ELEV. = ELEVATION	P.P. = POWER POLE
EMT. = EASEMENT	P.R.C. = POINT OF REVERSE CURVE
F.C.M. = FOUND CONCRETE MONUMENT	P.R.M. = PERMANENT REFERENCE MONUMENT
F.I.R. = FOUND IRON ROD	P.S.M. = PROFESSIONAL SURVEYOR
F.I.P. = FOUND IRON PIPE	RAD. = RADIUS
F.N.D. = FOUND NAIL AND DISK	RNG. = RANGE
F.O.P. = FOUND OPEN IRON PIPE	R/W = RIGHT OF WAY
F.P.C. = FLORIDA POWER CORPORATION	S.C.M. = SET CONCRETE MONUMENT
F.P.P. = FOUND PINCHED IRON PIPE	SEC. = SECTION
F.R.D. = FOUND RIVET AND DISK	S.I.R. = SET IRON ROD
G.T.E. = GENERAL TELEPHONE EXCHANGE	S.N.D. = SET NAIL AND DISK
ID. = IDENTIFICATION	S.R.D. = SET RIVET AND DISK
IB. = LICENSED BUSINESS	T.B.M. = TEMPORARY BENCH MARK
LP. = LIGHT POLE	T.V. = TELEVISION
(M) = MEASURED	TWP. = TOWNSHIP
NO. = NUMBER	W.F. = WOOD FENCE
CALC. = CALCULATED	X = NUMBER
C.O. = CLEAN OUT	

A BOUNDARY SURVEY OF

Lot 6 and that part of Lot 5, Block G, PAGE'S REPLAT OF MITCHELL'S BEACH, described a point where the dividing line between Lots 5 and 6 intersect Boca Ciega Avenue, run Southeast Boca Ciega Avenue, 26 feet to a point; thence Northeasterly, 108.2 feet more or less to a point on line of Lot 5, 20.3 feet Southeastery from the dividing line between Lots 5 and 6; then Northwest Northern line of said Lot 5, 20.3 feet to the dividing line between Lots 5 and 6; thence Southwest Point of Beginning, according to the plat thereof recorded in Plat Book 20, Page 69, Public Records County, Florida.

Madira Beach, Florida

NOTES:

- As per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Number 12103C0191G, Panel 0191 G, effective date 09/03/03, the above described property be in Zone AE with a base flood elevation of 11 feet.
- Survey prepared with the benefit of Commitment for Title Insurance No: FA-C-7113, dt 14, 2003, issued by First American Title Insurance Company.
- Survey prepared in accordance with existing occupation and old records of this office.
- As per record plat, lots extend to the high tide line. The approximate mean high tide line this map is not a tidal property boundary, was not located in accordance with procedures "Florida Coastal Mapping Act of 1974", Chapter 177, Part II of the Florida Statutes and the Department of Environmental Protection", Chapter 18-3 of the Florida Administrative Code will not be used as, represented to be, or be admissible as a tidal property boundary line administrative body or court of law.
- Additional pilings exist within Boca Ciega Bay that are not shown hereon.

This survey is not valid without the signature and raised seal of a Florida licensed surveyor and map

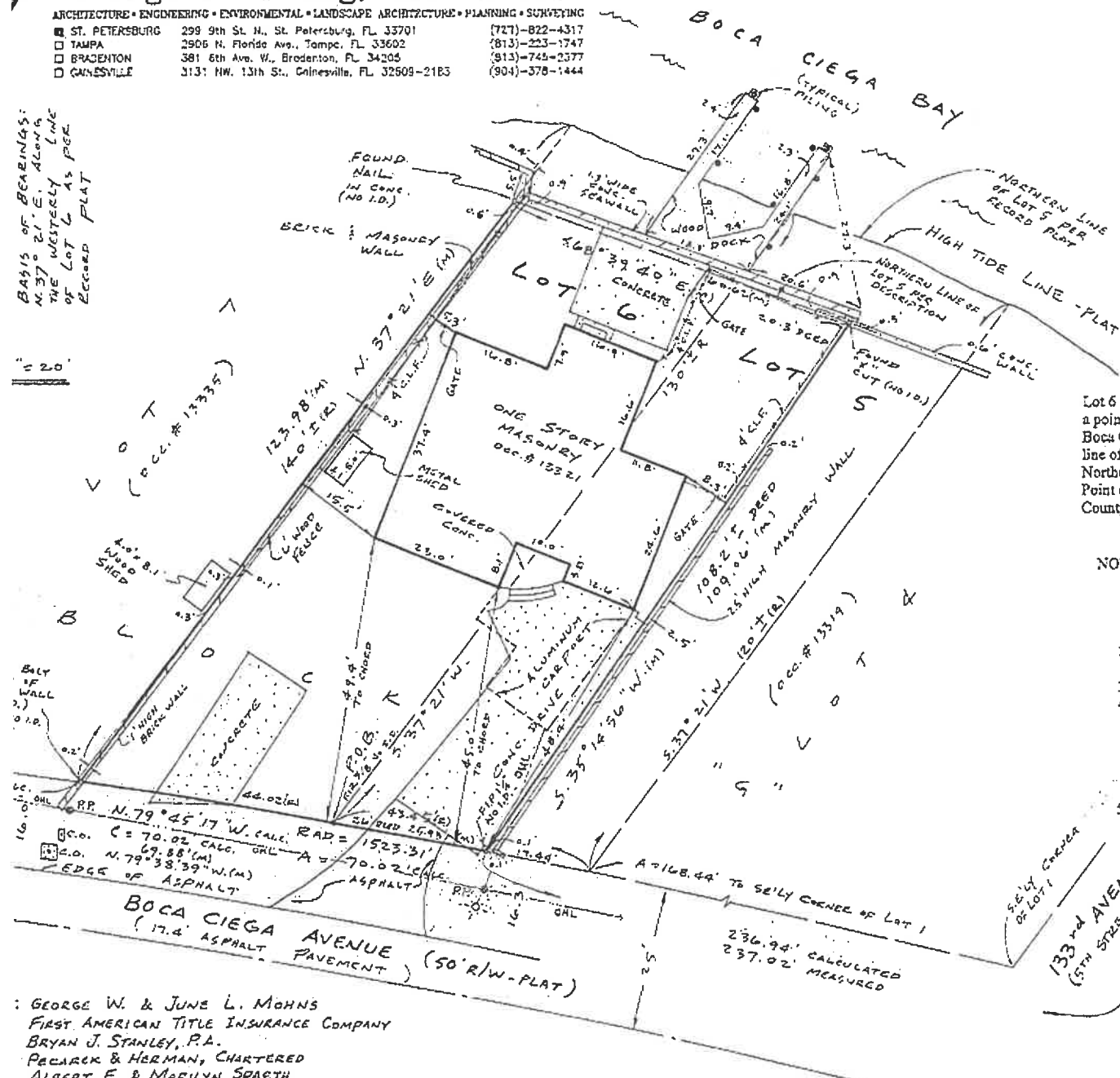
George F. Young, Inc
NICHOLAS M. CIEGEL

Florida Surveyor's Reg'n. F

THIS SURVEY IS A GRAPHIC DEPICTION OF THE CURRENT BOUNDARY AND CURRENT IMPROVEMENTS IN ACCORDANCE WITH THE LEGAL DESCRIPTION SHOWN HEREON AND MAY NOT REFLECT OWNERSHIP.

BASIS OF BEARINGS: N. 37° 21' E. ALONG THE WESTERLY LINE OF LOT 6 AS PER RECORD PLAT

1" = 20'



GEORGE W. & JUNE L. MOHNS
 FIRST AMERICAN TITLE INSURANCE COMPANY
 BRYAN J. STANLEY, P.A.
 PEACOCK & HERMAN, CHARTERED
 ALBERT E. & MARILYN SPAETH
 03-13-0645-00
 11/03/03

133rd AVENUE
 (5th STREET - PLAT)
 Lot 10
 BLOCK H
 F.C.M. NO. 50.
 3" DIAMETER
 AT POINT OF
 CURVE



