



**THE CITY OF MADEIRA BEACH  
PUBLIC NOTICE**

The Code Enforcement Special Magistrate, City of Madeira Beach, Florida will hold a meeting at the Madeira Beach City Hall Patricia Shontz Commission Chambers, 300 Municipal Drive, Madeira Beach, Florida 33708 to discuss the items of business listed hereon at the time and date indicated below:

**SPECIAL MAGISTRATE  
CODE ENFORCEMENT AGENDA**

**2:00 P.M. WEDNESDAY, NOVEMBER 8<sup>TH</sup>, 2017 COMMISSION CHAMBERS**

**A. INTRODUCTION – SPECIAL MAGISTRATE BART R. VALDES.**

Welcome to the City of Madeira Beach Code Enforcement Special Magistrate Hearings. The Special Magistrate is charged with conducting hearings to determine whether an alleged violation of the City Code has occurred. In order to meet that obligation, all parties or their representatives will be allowed an opportunity to be heard on matters relevant to the alleged violation(s). All witness offering testimony or presenting evidence will be required to swear or affirm that the testimony they provide is the truth.

The order of presentation will begin with the City presenting their evidence of alleged violation(s) and then the Respondent shall present his/her case. Both parties shall have an opportunity to cross-examine all witnesses. The Special Magistrate may question any witnesses.

The clerk will announce the names of the cases from the agenda. When you hear your case called, please respond by coming to the podium with your representative and/or any witness to be sworn. When addressing the Special Magistrate, please speak clearly into the microphone.

**B. CALL TO ORDER**

**C. ADMINISTRATION OF OATH TO RESPONDENTS/WITNESSES**

**D. NEW BUSINESS**

<b>Case #2017.152</b>	
<b>Respondent/Property Owner; Name &amp; Mailing Address:</b>	TERRELL, PAUL J 3673 NW 18TH AVE OAKLAND PARK FL 33309-5807
<b>Property Location:</b>	13207 3 <sup>RD</sup> ST E MADEIRA BEACH
<b>Legal &amp; Parcel #:</b>	PAGE'S REPLAT OF MITCHELL'S BEACH BLK J, LOTS 2 AND 3 15-31-15-65304-010-0020
<b>Violation(s)/Charge(s):</b>	Sec.54-60- Containers to be kept tightly covered.  <div style="border: 1px solid black; padding: 5px;">           garbage and trash cans shall be kept tightly covered at all times except when it is necessary to lift the cover to deposit garbage or trash. It shall be unlawful for any person to deposit in any garbage or trash can any garbage, trash or other matter in such amounts that will not permit the lid of such garbage or trash can to tightly fit into place.         </div>
<b>Case #B2017.02</b>	
<b>Respondent/Property Owner; Name &amp; Mailing Address:</b>	TERRELL, PAUL TERRELL, JERI 118 BOCA CIEGA DR MADEIRA BEACH FL 33708-2452

<b>Property Location:</b>	118 Boca Ciega Dr Madeira Beach
<b>Legal &amp; Parcel #:</b>	15-31-15-65304-012-0050
<b>Violation(s)/Charge(s):</b>	<ul style="list-style-type: none"> <li>• <b>DIVISION 2. - BUILDING PERMITS</b></li> <li>• <b>Sec.86-52. - When required.</b></li> </ul> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>A person, firm or corporation shall not construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or erect, or construct a sign, or install or alter fire extinguishing apparatus, elevators, engines, steam boiler, furnace, incinerator, or other heat producing apparatus, plumbing, mechanical or electrical equipment or any appurtenances, the installation of which is regulated by the land development regulations or other sections of the Code until a permit has been issued by the building official. When the cost of repair or modification does not exceed \$500.00, does not result in a structural change, and does not require an inspection, a permit need not be issued by the building official. No permit is required for uncovered flat slabs of no greater than 50 square feet, for work of a strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.</p> </div> <p><b>DIVISION 2. - STRUCTURES UNFIT FOR OCCUPANCY</b></p> <ul style="list-style-type: none"> <li>• <b>Sec.14-91- Declaration of unfit structure.</b></li> </ul> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>Whenever the enforcing authority finds that any structure constitutes a hazard to the safety, health, or welfare of the occupants or to the public because it lacks maintenance or because it lacks the sanitary facilities or equipment or otherwise fails to comply with the minimum provisions of this article, he may declare such structure as unfit for occupancy and order it to be vacated. It shall be unlawful to again occupy such structure until it or its occupation, as the case may be, has been made to conform to the law.</p> </div> <p><b>ARTICLE III. - RESIDENTIAL, COMMERCIAL, BUSINESS AND INDUSTRIAL MINIMUM STANDARDS<sup>[3]</sup></b></p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><b>DIVISION 1. - GENERALLY</b></p> </div> <ul style="list-style-type: none"> <li>• <b>Sec.14-70 - Same—General maintenance.</b></li> </ul> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>The exterior of every structure or accessory structure (including fences, signs, screens and store fronts) shall be maintained in good repair, termite free and all surfaces thereof shall be kept painted or have similar protective coating where necessary for purpose of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance to the end which the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties will be protected from</p> </div>

	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>conditions which tend to decrease the property values of surrounding properties.</p> </div> <ul style="list-style-type: none"> <li>• (2) Floors, interior walls and ceilings of every structure shall be structurally sound.</li> <li style="padding-left: 40px;">(3) Floors shall be considered to be structurally sound when capable of safely bearing imposed loads and shall be maintained at all times in a condition so as to be smooth, free from cracks, breaks and other hazards</li> <li>• 5) Washrooms and water closet compartment floors shall be surfaced with water resistant materials and shall be kept in a sanitary condition at all times.</li> <li>• (9) All premises shall be properly connected to and be provided with electric power through safely insulated conductors and shall conform to all provisions of the National Electrical Code.</li> <li>• (11) Foundation and walls shall be maintained structurally sound, free from defects and damage and capable of bearing imposed loads safely.</li> </ul>
<b>Case #B2017.01</b>	
<b>Respondent/Property Owner; Name &amp; Mailing Address:</b>	<p>MALYNIAK, ANNA  MALYNIAK, STEFAN  165 WOOD ST  RUTHERFORD NJ 07070-1620</p> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 10px;"></div>
<b>Property Location:</b>	<p><b>14041 Miramar Ave  Madeira Beach</b></p>
<b>Legal &amp; Parcel #:</b>	<p>10-31-15-34362-012-0050</p>
<b>Violation(s)/Charge(s):</b>	<ul style="list-style-type: none"> <li>• <b>DIVISION 2. - BUILDING PERMITS</b></li> <li>• <b>Sec.86-52. - When required.</b></li> </ul> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>A person, firm or corporation shall not construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or erect, or construct a sign, or install or alter fire extinguishing apparatus, elevators, engines, steam boiler, furnace, incinerator, or other heat producing apparatus, plumbing, mechanical or electrical equipment or any appurtenances, the installation of which is regulated by the land development regulations or other sections of the Code until a permit has been issued by the building official. When the cost of repair or modification does not exceed \$500.00, does not result in a structural change, and does not require an inspection, a permit need not be issued by the building official. No permit is required for uncovered flat slabs of no greater than 50 square feet, for work of a strictly cosmetic nature (painting, wallpapering, carpeting, kitchen cabinets, etc.) or roof work less than \$100.00 in value.</p> </div> <p><b>ARTICLE III. - RESIDENTIAL, COMMERCIAL, BUSINESS AND INDUSTRIAL MINIMUM STANDARDS<sup>[3]</sup></b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>DIVISION 1. - GENERALLY</b></p> </div>

	<ul style="list-style-type: none"> <li>• <b>Sec.14-70 - Same—General maintenance.</b></li> </ul> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>The exterior of every structure or accessory structure (including fences, signs, screens and store fronts) shall be maintained in good repair, termite free and all surfaces thereof shall be kept painted or have similar protective coating where necessary for purpose of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance to the end which the property itself may be preserved, safety and fire hazards eliminated, and adjoining properties will be protected from conditions which tend to decrease the property values of surrounding properties.</p> </div>
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**E. OLD BUSINESS**

**F. ADJOURNMENT**

Any person who decides to appeal any decision of the City Commission 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 Clerk 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.

**BROADCAST ON BRIGHT HOUSE GOVERNMENT ACCESS CHANNEL 640**

Posted: **OCTOBER 27, 2017**