



**THE CITY OF MADEIRA BEACH
PUBLIC NOTICE**

The Code Enforcement Special Magistrate, City of Madeira Beach, Florida will hold a meeting at the Patricia Shontz 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. MONDAY, JUNE 25, 2018 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

Case #361	
Respondent/Property Owner; Name & Mailing Address:	WHALLEY, THOMAS H KLEM, HAROLD T KLEM, SANDRA J 60 137TH AVENUE CIR MADEIRA BEACH FL 33708-2504
Property Location:	60 137 TH AVE CIR. MADEIRA BEACH
Legal & Parcel #:	GULF SHORES HARBOR SUB LOT 15 & LAND TO SEAWALL 15-31-15-34488-000-0150
Violation(s)/Charge(s):	ARTICLE III. – NONCONFORMANCES Sec. 110-93. - Intent concerning nonconforming property, structures and uses. *(3) Nonconforming structures. Where a lawful structure exists at the time of the passage or amendment of the land development regulations which could no longer be built under the terms of the land development regulations by reason of restrictions on area, lot coverage, height, or other characteristics of the structure or location on lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

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.

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	a. That any addition, alteration or renovation to the structure shall not increase the degree of nonconformity or result in the conversion of a nonconforming carport, garage, screen enclosure, patio roof, storage area or other nonhabitable area into a habitable area unless specifically approved by the special magistrate. Structural changes which decrease the degree of nonconformity shall be permitted. Structures that are nonconforming due solely to their flood elevation may be altered in accordance with the provisions of chapter 94.
Reference Materials:	Notice of Hearing Affidavit of Service Statement of Violation Photograph/Audio Evidence

Case #337	
Respondent/Property Owner; Name & Mailing Address:	MADEIRA BAY RESORT II CONDO ASSN INC 13030 GULF BLVD MADEIRA BEACH FL 33708-2639
Property Location:	13235 GULF BLVD MADEIRA BEACH
Legal & Parcel #:	MADEIRA BAY RESORT II CONDO COMMON AREA INCL N'LY 1/2 OF VAC 4TH ST 15-31-15-54170-000-0001
Violation(s)/Charge(s):	Chapter 98 - NATURAL RESOURCES -Sec. 98-36. - Control requirements for stormwater runoff. Drainage plans shall be approved only if they establish that the proposed development or grading and land balancing comply with the following standards: *(2) No proposed development or grading and land balancing shall cause erosion or flooding of adjacent areas during or after construction.
Reference Materials:	Notice of Hearing Affidavit of Service Statement of Violation Photograph/Audio Evidence

E. OLD BUSINESS

F. ADJOURNMENT

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