

**CODE ENFORCEMENT SPECIAL MAGISTRATE
PUBLIC HEARING
Tuesday, March 10th, 2009**

Case Docket

The above-mentioned public hearing was held at the City of St. Pete Beach City Hall, located at 155 Corey Ave., St. Pete Beach, Florida.

I. CALL TO ORDER – 9:00AM

II. PLEDGE OF ALLEGIANCE

III. ADMINISTER OATH

Mr. Elias sworn in the audience members who wished to testify regarding any case at this hearing.

IV. CASES PENDING:

Case # 20080222; City of St. Pete Beach v. Theodore O Blauvelt, property owner. Property located at 3672 Belle Vista Dr E. Violation: Having a vacant lot that has grass and weeds in excess of 12 inches in height; which presents an unkempt appearance and is an eyesore – sec. 46-33(1a).

Ms. Saldaña gave the background of this case. She stated that the violation was a vacant lot with high grass and weeds in excess of 12 inches in height. She testified that on February 23rd a notice of violation and a notice of hearing were posted at the property, City Hall and sent by regular mail to the property owner. She stated that while she was posting the notice on the property; the neighbor from across the street informed her that he actually mowed the property on February 14th; since this was 12 days before the order was signed this property was brought into compliance within the specified time period. She showed Mr. Elias a picture of the property after it was mowed.

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Mr. Elias ruled that this case is in compliance. He asked that the photograph be entered into the record.

Case #20080218; City of St Pete Beach v. Jason G Quallich, property owner. Property located at 9040 Gulf Blvd. Violation: Having a residential property that has grass and weeds in excess of 12 inches in height; which presents an unkempt appearance and is an eyesore – sec. 46-33(1a). Accumulation of stagnant water in pool – sec. 46-33(9).

Ms. Saldaña stated that the violation was grass and weeds in excess of 12 inches in height and stagnant water in the pool. She testified that on February 23rd a notice of violation and a notice of hearing were posted at the property, City Hall and mailed to the owner by regular mail. She testified that on March 9 and subsequent trips to the property she observed that the property has not been brought into compliance. She requested that Mr. Elias impose minimum daily finds and that interest be imposed retroactive to March 9, 2009. She testified that she last inspected the property on March 9, 2009.

Mr. Elias ruled that there was proper notice of the hearing; he noted for the record that no one was present to represent this case; the owner is in violation of the Special Magistrate's previous order (giving him 10 days to comply) and the property as of today's date is still not in compliance and fines of \$25 per day will be imposed retroactively to the date of the Special Master's previous order to comply.

Case #20090029; City of St Pete Beach v. Jason G Quallich, property owner. Property located at 9040 Gulf Blvd. Violation: Failure to provide a proper safety barrier around pool. This

presents a more than ordinarily dangerous life safety code violation. – sec 46-33(4a).

Ms. Saldaña stated that the violation was failure to provide a proper safety barrier around the pool, which is a life safety violation. She testified that on February 23, 2009 a notice of violation and a notice of hearing were posted on the property, at City Hall and mailed by regular mail to the owner. She testified that as of March 9, 2009 the property is not in compliance. She requested minimum daily fines and interest be imposed retroactive to March 9, 2009.

Mr. Elias ruled that the property is still in violation; that the owner was given proper notice and a fine of \$25 per day will be imposed from the date of the previous order of February 26, 2009. Mr. Elias stated for the record that the City inspected that property and if they believe this is truly a safety violation, with no barrier around the pool, that they might want to consider taking some action to temporarily fence that pool.

Ms. Saldaña testified that the last time she inspected the property there was temporary fencing around the pool.

V. NEW CASES:

Case #20080276; City of St Pete Beach v. Mike Carlin, owner, Island Trading Post. Property located at 4667 Gulf Blvd. Violation: Failure to obtain a permit for wall that been removed between two business units - sec. 104.1.4.

Ms. Saldaña stated that the violation was failure to obtain a permit for a wall that was removed between two businesses. She testified that Mr. Carlin was given a specified time period and has applied for a permit. She testified that the case is closed.

Mr. Elias ruled that this case is in compliance because the owner obtained a permit as of March 9, 2009.

VI. OTHER DISCUSSION:

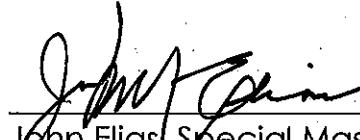
-None-

VII. NEXT HEARING:

Tuesday April 14th, 2009 at 9:00 am

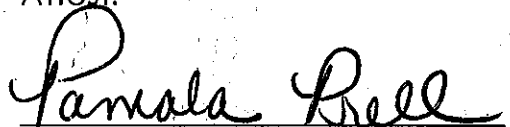
VIII. ADJOURNMENT

There being no further business the meeting was adjourned at 9:10 a.m.



John Elias, Special Master

Attest:



Pamala Prell, Deputy City Clerk