

**The Special Master held a Code Enforcement hearing on October 20, 2009, in the City Commission Chambers located at City Hall, 155 Corey Avenue, St. Pete Beach, Florida.**

Present: Special Master John Elias, Code Enforcement Officer Heidi Hartsock, Building Official Bruce Cooper and Deputy City Clerk Pamala Prell

**I. CALL TO ORDER – 9:00AM**

Special Master John Elias called the meeting to order.

Mr. Cooper explained the rules and procedures for the meeting.

**II. PLEDGE OF ALLEGIANCE**

**III. ADMINISTER OATH**

Mr. Elias administered an oath for those present to testify regarding any case on the agenda.

**IV. CASES PENDING:**

**Case No. 2009-0143; City of St. Pete Beach v. Jackson, Robert R and/or Barbara Williams, property owner, Property located at 603 55<sup>th</sup> Avenue, St. Pete Beach, FL 33706.** Violation: Chapter 98-66 (18) Stagnant pool, 98-66 (17) Pool Enclosure has ripped and/or torn screens, 98-66 (27) (2) palm fronds and litter.

Mr. Cooper testified regarding the violations and the dates of posting the notices of hearing and violations, along with the mailing dates to notify the property owner. These documents, along with photographs of the property, are on file in the Building Services Department, as part of the official record regarding this case.

Mr. Jackson, property owner, testified that he did not get the notification of the hearing until Friday, October 16, 2009, and has not had much time to comply. He asked for additional time to correct the violations. Mr. Jackson testified that he has begun to clean up the litter on the property and intends

to fix the pool enclosure. He testified that he would empty the pool, clean it and inspect it daily for standing water.

**Mr. Elias ruled that based on the testimony that he would find that a violation does exist; proper notice was provided to the owner; and that he would grant the owner an additional 15 days to bring the property into compliance; failure to do so will result in another hearing and possible imposition of fines.**

**Mr. Elias advised Mr. Jackson that when the property is in compliance, within the 15 days, he should notify the Code Enforcement Officer and schedule a re-inspect of the property.**

**Case No. 2009- 00126; City of St. Pete Beach v. Garcia-Leyva, Gisela, property owner. Property located at 107 28<sup>th</sup> Avenue, St. Pete Beach, FL 33706. Violation: Sec 104.5.1.5 allowing building permits to expire Chapter 98-66(c)(3) Accumulation of litter, 98-66 (20) trash on the property, 98-67 (e) Unlicensed boat and trailer on the property and 23.2(b2)a & c of the Land Development Code storing of no more than 1 (one) boat and 1 (one) trailer on the property and on a approved surface.**

Mr. Cooper testified regarding the violations and the dates of posting the notices of hearing and violations, along with the mailing dates to notify the property owner. These documents, along with photographs of the property, are on file in the Building Services Department, as part of the official record regarding this case.

**Mr. Cooper requested that the violation for allowing building permits to expire be dismissed because the previous Code Enforcement Officer cited the wrong Code Section in the notice of the violation.**

**Mr. Elias agreed to dismiss this violation, as requested by Mr. Cooper.**

**Mr. Elias ruled that based on the testimony that he would find that a violation does exist; proper notice was provided to the owner; and that he would grant the owner 10 days to bring the property into compliance; failure to do so will result in another hearing and possible imposition of fines.**

**Case No. 2009-0149; City of St. Pete Beach v. Keller, Eve and/or Sharon Tre, property owner. Property located at 2353 W. Vina Del Mar Blvd., St. Pete Beach, FL, 33706. Violation 98-66(20) grass and weeds in excess of 10 inches in height.**

Mr. Cooper testified regarding the violations and the dates of posting the notices of hearing and violations, along with the mailing dates to notify the property owner. These documents, along with photographs of the property, are on file in the Building Services Department, as part of the official record regarding this case.

**Mr. Elias ruled that based on the testimony that he would find that a violation does exist; proper notice was provided to the owner; and that he would grant the owner 10 days to bring the property into compliance; failure to do so will result in another hearing and possible imposition of fines.**

**Case No. 2009-0167; City of St. Pete Beach v. Gonz Enterprises, property owner. Property located at 6305 Gulf Blvd St. Pete Beach, Florida 33706. Violation: 98-66(b) (20) High grass, 98-66(b)(24) Fence in need of repair, 98-65 unsightly conditions, 98-66 9(c)(3) discarded litter around property, 98-66(b) exterior electrical box on North side of building requires repairing or removal.**

Mr. Cooper testified regarding the violations and the dates of posting the notices of hearing and violations, along with the mailing dates to notify the property owner. These documents, along with photographs of the property, are on file in the Building Services Department, as part of the official record regarding this case. Mr. Cooper corrected the case number to be #2009-0167, for the record.

**Mr. Elias ruled that based on the testimony that he would find that a violation does exist; proper notice was provided to the owner; and that he would grant the owner 10 days to bring the property into compliance; failure to do so will result in another hearing and possible imposition of fines.**

**Case No. 2009-0078; City of St. Pete Beach v. Gill, Juan and/or Leonides, property owner. Property located at 6431 3<sup>rd</sup> Palm**

**Point, St. Pete Beach, FL 33706.** Violation: Section 46-33 (9)  
Pool has green stagnant water with no circulation.

Mr. Cooper testified regarding the violations and the dates of posting the notices of hearing and violations, along with the mailing dates to notify the property owner. These documents along with photographs of the property are on file in the Building Services Department, as part of the official record regarding this case. He further testified that the property was in compliance, but wanted a finding that a violation did exist incase there is a repeat of the violation in the future.

**Mr. Elias ruled that based on the testimony that he would find that a violation did exist at the time of the notification to the owner, incase of a repeat violation in the future; that proper notice was provided to the owner; and that he will rule that the property is in compliance at this time.**

**Case No. 2009-0177; City of St. Pete Beach v. Gil, Juan and/or Leonides, property owner. Property located at 6431 3<sup>rd</sup> Palm Point, St. Pete Beach, FL 33706.** Chapter 98-66(20) high grass and weeds.

Mr. Cooper testified regarding the violations and the dates of posting the notices of hearing and violations, along with the mailing dates to notify the property owner. These documents, along with photographs of the property, are on file in the Building Services Department, as part of the official record regarding this case. He further testified that the property was in compliance, but wanted a finding that a violation did exist incase there is a repeat of the violation in the future.

**Mr. Elias ruled that based on the testimony that he would find that a violation did exist, at the time of the notification to the owner, in case there is a repeat violation in the future; that proper notice was provided to the owner; and that he will rule that the property is in compliance at this time.**

**V. OTHER DISCUSSION**

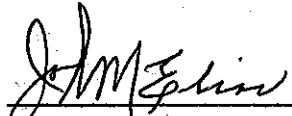
-None-

**VI. NEXT HEARING**

Tuesday, November 10, 2009 at 9:00 a.m.

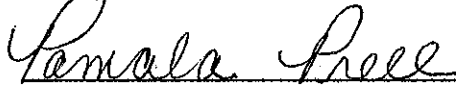
**ADJOURNMENT**

Being no further business, the meeting was adjourned at 9:30 a.m.

A handwritten signature in cursive script, appearing to read "John Elias", written over a horizontal line.

John Elias, Special Master

Attest:

A handwritten signature in cursive script, appearing to read "Pamala Prell", written over a horizontal line.

Pamala Prell, Deputy City Clerk