

City of St. Pete Beach
Code Enforcement
Special Magistrate
Tuesday, August 10th 2010

Case Docket

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

1. CALL TO ORDER – 9:00AM

2. PLEDGE OF ALLEGIANCE

3. ADMINISTER OATH

4. NEW CASES:

- A. **Case # 20100007; City of St. Pete Beach v. Madison, Richard and Florina, property owner.** Property located at 6450 Gulf Blvd., St. Pete Beach, FL 33706. Violation: Section 5.1 site plan, 15.12 maximum impervious surface ration, 22.7 (b) development standards, 23.11 (a) (2) parking construction and design requirements, 23.4 (d), (h) and (i) general parking requirements, 23.5 (b) number of parking spaces required and 26.7 building permits of the Land Development Code and Section 104.6.2 work commencing before permit issuance of the Code of Ordinances.
- B. **Case # 20100081; City of St. Pete Beach v. Business Name Island Hair Gallery, Mutascio, Shelia, business owner.** Business located at 7916 Blind Pass Rd., St. Pete Beach, FL 33706. Violation: Section 26.4 prohibited signs of the Land Development Code.
- C. **Case # 20100082; City of St. Pete Beach v. Carter, Edward C., property owner.** Property located at 109 3rd Ave., St. Pete Beach, FL 33706. Violation: Section R312 guards, R301.5 live loads and R301.2.1 wind of the Florida Residential Building Code and Section 104.5.1 permit intent of the Code of Ordinances.
- D. **Case # 20100122; City of St. Pete Beach v. Garcia-Leyva, Gisela., property owner.** Property located at 107 28th Ave., St. Pete Beach, FL 33706. Violation: Section 104.5.1 permit intent and 98-66 (b) (1) foundation of the Code of Ordinances.

5. OLD CASES:

- A. **Case # 20090233; City of St. Pete Beach v. Cleary, William M., property owner.** Property located at 7150 Blind Pass Rd., St. Pete Beach, FL 33706. Violation: Section 23.2 (b) (2) boats and trailers of the Land Development Code and Section 98-67 (e) junk vehicle/vessel of the Code of Ordinances.
- B. **Case # 20090200; City of St Pete Beach v. Orlik, Grigoriy, property owner.** Property located at 424 88th Ave., St. Pete Beach, FL 33706. Violation: 98-66 (18) Stagnant pool of the Code of Ordinances.

- C. **Case # 20100054; City of St. Pete Beach v. Wheaton, Stephen K. and/or Deborah H., property owner.** Property located at 3941 Moody St., St. Pete Beach, FL 33706 Violation: Section 98-65 (4) unsightly conditions, 98-66 (b) (2) exterior walls, (b) (7) exterior surface treatment, (b) (20) high grass and weeds and 98-66 (d) outdoor storage of the Code of Ordinances.
- D. **Case # 20100080; City of St. Pete Beach v. Schuman, Edward J and Sumanas, Alfred, property owners.** Property located at 259 42nd Ave., St. Pete Beach, FL 33706. Violation: Section 98-66 (b) (7) exterior surface treatment, 98-66 (b) (22) b. 1. 2. Trees, 98-66 (b) (24) fences and walls and Section 98-66 (b) (17) accessory structures of the Code of Ordinances.
- E. **Case # 20100084; City of St. Pete Beach v. E & E Services Business, Eatherton, Thomas, business owner.** Business located at 290 S. Julia Cir., St. Pete Beach, FL 33706 Violation: Section 78-103 expiration, renewal of receipt; penalties of the Code of Ordinances.
- F. **Case # 20100085; City of St. Pete Beach v. Straw Hat Apartments Business, Galinski, David, business owner.** Business located at 619 73rd Ave # 3., St. Pete Beach, FL 33706 Violation: Section 78-103 expiration, renewal of receipt; penalties of the Code of Ordinances.
- G. **Case # 20100106; City of St. Pete Beach v. Ferg's Beach Shack LLC and Sloppy Pelican's, property owner and business owner.** Business located at 677 75th Ave., St. Pete Beach, FL 33706 Violation: Section 26.4 prohibited signs of the Land Development Code.

6. OTHER DISCUSSIONS:

NEXT HEARING:

Tuesday, September 14th, 2010 at 9:00am

7. ADJOURNMENT:

In accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact Ed Pickhardt at (727) 363-9243 no later than four days prior to the proceeding for assistance.

If any person decides to appeal any decision made at this hearing, they will need a record of the proceeding and, for such purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). The City does not furnish verbatim transcripts. Interested parties should make the necessary arrangements for verbatim transcripts.

**CITY OF ST. PETE BEACH
SPECIAL MAGISTRATE HEARING
TUESDAY, AUGUST 10, 2010**

MINUTES

PRESENT:

Attorney John Elias, Special Magistrate
Heidi Hartsock, Code Enforcement Officer
Theresa McMaster, City Clerk
Bruce Cooper, Building Code Administrator
Mike Davis, City Attorney

CASE DOCKET

The above-captioned hearing was held in the Commission Chambers at City Hall located at 155 Corey Avenue, St. Pete Beach, Florida.

1. CALL TO ORDER – 9:00 am

The Meeting was called to order at 9:00 am.
Ms. Hartsock read the opening statement.
A copy of the Rules are available upon request.

2. PLEDGE OF ALLEGIANCE

3. ADMINISTER OATH

Mr. Elias swore in those members of the audience who wished to speak regarding any case on the agenda.

4. NEW CASES:

A. Case #2010007; City of St. Pete Beach v. Madison, Richard and Florina, property owners. Property located at 6450 Gulf Blvd., St. Pete Beach, Florida 33706. Violation: Section 5.1 site plan, 1512 maximum impervious surface ratio, 22.7(b) development standards, 23.11(a)(2) parking construction and design requirements 23.4(d), (h) and (i) general parking requirements, 23.5(b) number of parking spaces required and 26.7 building permits of the Land Development Code and Section 104.6.2 work commencing before permit issuance of the Code of Ordinances.

Laurie McNamara, attorney for Richard and Florina Madison, asked that this case be continued.

Mr. Cooper asked when Ms. McNamara was hired by the Madisons and she responded the previous Thursday afternoon.

Mr. Cooper testified that this has been going on for some time now; the owners have strived to get the situation completed and there are only minor things to be taken care of now, which she is working towards. Normally, Mr. Elias has no problem but because this has been going on for some time and waiting until the last minute to hire an attorney, he is a little concerned.

Mr. Elias asked if there was work being done to arrive at a solution. Mr. Cooper responded by saying that all they need to do is a little more work on the ground as far as the impervious area and then the asphalt itself needs to be stabilized in accordance with our City Code. Other than that, she has brought everything else into compliance. In talking with Mrs. Madison, Mr. Cooper thought she was going to complete this within the next week or so.

Mr. Elias stated that in consideration of the fact that there appears to be work in progress that is going to resolve the violations, he will continue this case until next month and he would encourage the parties to get together and possibly be able to resolve this in its entirety.

B. Case #2010081; City of St. Pete Beach v. Business Name Island Hair Gallery, Mutascio, Shella, Business owner. Business located at 7916 Blind Pass Road, St. Pete Beach, FL 33706. Violation: Section 26.4, prohibited signs, of the Land Development Code.

Ms. Hartsock testified that on April 19, 2010, the business owner was served with a Notice of Violation by hand delivery. Re-inspections have been made throughout the time and the business owner has not come into compliance, has put the signs out, changes them, puts out snipe signs, A-frame signs. On July 21, 2010, the owner received a Notice of Hearing which was hand-delivered to her. As of July 6th there was no compliance. Ms. Hartsock stated that she drove by the property the previous day and she assumed the business was closed; there was nothing out. Bruce Cooper observed something else out there.

Mr. Cooper testified that about 4:30 pm the previous day he noticed that the owner had placed an electric "open" sign out on a seat with an extension cord going back in to the business and it was flashing "open" which is a violation of the same Section and also other sections of the Code.

Mr. Elias asked if there was anyone present for the Respondent.

Sheila Mutascio appeared before the Magistrate and Mr. Elias proceeded to swear her in.

Ms. Mutascio stated that she is the owner of the Island Hair Gallery.

Mr. Cooper stated the scenario over the course of time where Ms. Mutascio has been served notice of violations, having illegal signs in front of her business which was a variety of snipe signs, A-frame signs and she has continued to move them back and forth, in and out. As of the prior day, there was noticed, late in the afternoon, that she had an electric sign with an extension cord on a chair, which again is a violation of City Ordinance.

Ms. Mutascio responded by saying that everything they were saying was true and what she would like to find out is why everybody on Blind Pass, not everybody but a lot of businesses, are allowed to have such signs. The Wine Garden has all kinds of flags, there's For Sale signs, there's Garage Sale signs, there's Real Estate signs, the pizza store called "Fortunato" has chairs and tables and signs out there. Rip Tides has plants. Also, her whole block of stores is empty because of the economy, and on top of it all, she can't advertise to let people know they are there. People driving by don't even know they are there. She is giving something, letting people know she's there, giving hair cuts for \$7. She is trying to give something to the public and she can't let them know she's there because she can't put anything outside. She is doing the best she can. Lenny's Surf Shop has all kinds of stuff hanging outside his shop. She put an "Open" sign out the prior day because Code Enforcement told her not to put a \$7 Haircut sign out. Now she can't put an "Open" sign out. She doesn't understand why, just her, not everyone else.

Mr. Cooper responded by saying that there are different zoning districts that allow different types of signs. A-frame signs are allowed in the TC-1 district now, which PJs and the Healthy Hut on Corey Avenue are allowed to have. "Garage Sale" signs are probably illegal; landscaping and things of that nature. He said he would be glad, after the Meeting, to discuss what she can and can't do. If she wants to stand out on the sidewalk and hold a sign, that's freedom of speech as long as you're holding the sign and not placing it in the right-of-way; no problem. You can't put the sign resting on the ground. What she can do with that property is very limited because she has no room out front, she has a sea of

asphalt which is a parking area and he knows that the new owners of the building have already discussed maybe trying to change the building façade to try and allow signs. Hopefully that will accommodate her business. At this point here, there are a lot of different scenarios and he will be glad to discuss those with her after the Meeting and help her out as much as he can.

Mr. Elias stated that he finds she is the owner of the business; that she received proper notice of the hearing; that there is a violation; the violation continued to exist after the notice and up until today's hearing; that she has admitted to the violation in the sense that she doesn't deny that signs have been placed outside her property in violation of the Code; she has indicated it is her intention to comply with the Code and Mr. Elias gave her a period of ten (10) days in order to bring her property into compliance. Her failure to bring it into compliance and remain in compliance will result in her being noticed of a subsequent hearing next month. If the violations still continue at that time, she will be subject to fines imposed on a daily basis.

- C. Case #2010082; City of St. Pete Beach v. Carter, Edward C., property owner.** Property located at 109 3rd Avenue, St. Pete Beach, FL 33706. Violation: Section R312 guards, R301.5 live loads and R301.2.1 wind of the Florida Residential Building Code and Section 104.5.1 permit intent of the Code of Ordinances.

Edward Carter appeared before the Magistrate stating that he is an attorney and is representing the Respondent.

Ms. Hartsock testified that a Notice of Violation was sent out to the property owner on April 7, 2010, requesting compliance to Section R312 and R301.5. There have been phone conversations in between the time frame with Mr. Bruce Cooper. Re-inspection took place on July 7th with no action. Notice of Hearing was sent out on July 27, 2010 and, as of this date, the property owner has received all mailings.

Bruce Cooper testified that Permit 2008-0995 was issued to Sanders Construction on October 2, 2008. It was to basically replace the front entry door, remove wood paneling and replace with drywall, remove guard rail on the second story porch which was installed without a permit which required engineering.

The owner of the property had taken a window and made a door out onto what he called a stoop or overhang below the front door

and made a makeshift guardrail around the porch, which had no engineering, no permitting and at that time the City advised that they had to remove it or get engineering. This permit was issued to allow the contractor to get engineering to do one of two things: either remove the door and put the window back or get proper engineering for the actual guardrail and deck itself. The deck, in his opinion, is not stable enough to withstand the typical load that is required for occupants. Again, that would be determined by the engineering architect.

Basically, over the course of time, he had talked to Mr. Carter, they did put up a temporary guardrail. At one time it was removed by a tenant so they could gain access. The owner again put it back up. Mr. Cooper then advised him that he had to have resolution one way or another, either to totally remove the door, put a window back or get engineering and put a proper guardrail and deck there. Subsequently, nothing had happened so the City sent a Notice of Violation and at this point and after talking to Mr. Carter, he indicated that he hasn't worked with an architect or engineer but nothing has come to place at this point.

Mr. Elias asked specifically, what is the violation. Mr. Cooper responded by saying violation of Section R312 of the Florida Residential Building Code which requires proper guard for porch or balcony above 30 inches above grade. Also that deck and/or guardrail do not meet Section R301.5 for live load requirements and also Section R301.2.1 for wind load requirements for the City of St. Pete Beach.

Mr. Carter testified that the door was put in by a previous contractor that he had employed. He had put up the door and the guardrail and obviously did not know that he needed a permit for it. Mr. Carter was originally told by the City that the guardrail didn't meet code but if he brought it up to code he could keep it. The City has subsequently told him that it cannot be kept. He has removed all of the railing up there; the temporary railing that he had up there to keep the door closed was removed by a tenant. It has since been put back up. He has met with an architect and an engineer; he has plans ready to submit to the City to turn that door into a "Juliet" balcony. It was replaced because the original window completely rotted out. So when they replaced the window, they put in a door and that was done prior to Sanders Construction being involved in this particular matter. He has the plans ready to submit for the "Juliet" balcony that have been issued and he needs to talk to Mr. Cooper about determining whether or not the door has to face in or out. That will bring all of it up to compliance. He has a contractor

that can do it and it will be done in less than 30 days. He has complied with part of what the City has asked them to do; he has been out of town and the architect was gone as well so he had trouble coordinating his schedule, Mr. Cooper's schedule and his architect.

Mr. Elias asked if there was anything further from the City. There being none, **Mr. Elias found that there has been a violation; that Mr. Carter is the owner of the property; that proper service has been obtained; that the owner is working with an architect; that the owner anticipates that the plans will be submitted and work completed within 30 days. Mr. Elias will grant a period of 30 days in which to bring this property into compliance. Failure to comply will result in a subsequent hearing with possible imposition of fines.**

- D. Case #2010122; City of St. Pete Beach v. Garcia-Leyva, Gisela, property owners.** Property located at 107 28th Avenue, St. Pete Beach, FL 33706. Violation: Section 104.5.1 permit intent and 98-66(b)(1) foundation of the Code of Ordinances.

Ms. Hartsock testified that Notice of Violation was mailed to the property owner on June 14, 2010. The mailings have been returned back to this office. At that time, the property was posted with the Notice of Violation on July 8, 2010. Re-inspection took place on July 22, 2010. At that time, it was not in compliance. On July 27, 2010, at Notice of Hearing was mailed to the property owner at which time Ms. Hartsock came up with an address for the owner's business and sent a mailing out to her business address. All notices have been posted on the property including the one for July 27, 2010.

Mr. Cooper testified that a permit was issued to a contractor on January 4, 2008 to elevate this structure to meet flood zone requirements. Over the course of time, the owner and the contractor did minor work on the outside of the building in 2008 and subsequently on August 8, 2008 the contractor left the job. The City was also notified by the electrical contractor in February of 2009 that the contractor left the job.

The bottom line is that the owner has gone through her third engineer for whatever reason; she has relieved two other engineers and one contractor. She took the permit over on February 17, 2009 as a homeowner-builder. Mr. Cooper gave the owner instructions that she had to have an inspection within 90 days of that date of transfer to keep the permit active; she failed to have any further

work done except in December she had the structure elevated, put on temporary cribbing and pilings were installed. Since December no other work has been accomplished; the permit did expire again and she did reinstate the permit; He recently advised her that just reinstating the permit does not relieve her of the violations. The violations are 98-66(b)(1); a foundation is required to adequately maintain and capable of supporting loads. There is no foundation; the structure is sitting up about 17-18 feet in the air on temporary cribbing and this thing is a hazard in case of a hurricane coming through. Also under permit intent, 104.5.1, it requires all construction to be completed within fourteen (14) months from date of issuance; the date of issuance was January 4, 2008. This job should have been completed on March 4, 2009. In all honesty, the City does not enforce that time frame that much because of the various elements through the construction industry, economy. The owner has indicated she was going to get in, get the foundation poured, get the walls and the building tied down, but nothing has been done and also the City would ask that a determination of violation be given.

Mr. Elias again asked if there was anyone present for the Respondent. Hearing none, **Mr. Elias found that notice was proper by posting; that the Respondent is the owner of the property; that violations do exist as testified to by the City; that the owner is allowed twenty (20) days to bring the property into compliance. Failure to bring the property into compliance will result in a subsequent hearing and possible imposition of fines.**

5. OLD CASES:

- A. Case #20090233; City of St. Pete Beach v. Cleary, William M., property owner.** Property located at 7150 Blind Pass Road, St. Pete Beach, FL 33706. Violation: Section 23.2(b)(2) boats and trailers of the Land Development code and Section 98-67(e) junk vehicle/vessel of the Code of Ordinances.

Ms. Hartsock testified that this case originally came up for hearing on April 13, 2010, at which time the property was found to be in violation; the owners were given ten (10) days to comply. A re-inspection on May 3, 2010, showed no compliance. The second hearing was held on June 18, 2010, at which time a \$50 per day fine was imposed, along with an additional \$150 administration fee. A re-inspection on July 12, 2010 shows that the property has been brought into compliance. That makes a total of 82 days that this

property was in violation giving a total amount of \$4,100 for fines and \$150 for administration fee, for a total of \$4,250.

Mr. Elias entered an order finding that the property is in compliance as of the last date of inspection, April 13, 2010; the total amount of fines on this property is \$4,250.00.

- B. Case #20090200; City of St. Pete Beach v. Orlik, Grigorly, property owner.** Property located at 424 88th Avenue, St. Pete Beach, FL 33706. Violation: 9866(18) stagnant pool of the Code of Ordinances.

Ms. Hartsock testified that this matter came before the Magistrate on January 12, 2010 for the first hearing; at that time, the property was found to be in violation for a stagnant pool. The property owners were given ten (10) days for compliance. Re-inspection took place on January 29, 2010 which showed no compliance. A second hearing took place on March 9, 2010 at which time fines in the amount of \$150 per day for the stagnant pool were assessed and \$150 for administration fee. The City was advised, by pictures provided by Lindsey Amendolo of US Real Estate, that the property was in compliance as July 1, 2010. The property sold on May 24, 2010 and the current owner is Wells Fargo Bank. The City is requesting fines at this time.

Mr. Elias will enter an order establishing the total amount of the fines. The property is now in compliance.

A representative of US Real Estate testified that the property is being sold; he was informed a check was received by the City in the amount of \$8,550 yesterday; it was "over-nighted" on the 6th. Ms. Hartsock stated that as of yesterday, it had not been received. Ms. Hartsock asked how that amount was determined; the amount was negotiated through Fannie Mae and Freddie Mac attorneys. Mr. Davis said they would review the amount of the fines to make a determination. The closing is scheduled for tomorrow (8-11-10) and that is why the check was "over-nighted".

- C. Case #20100054; City of St. Pete Beach v. Wheaton, Stephen K. and/or Deborah H., property owners.** The property is located at 3941 Moody Street, St. Pete Beach, FL 33706. Violation: Section 98-65(4) unsightly conditions, 98-66(b)(2) exterior walls, (b)(7) exterior surface treatment, (b)(20) high grass and weeds and 98-66(d) outdoor storage of the Code of Ordinances.

Ms. Hartsock testified that this property was first presented for hearing on June 8, 2010 at which time was found to be in violation. The property owners were given ten (10) days to bring the property into compliance. A re-inspection on July 22, 2010 found that nothing had been done, it was virtually the same as reported in June. Notice of Hearing was sent out on July 27, 2010. All mailings are coming back to the City marked "unclaimed". Postings have been provided on the property. Another re-inspection was done August 9, 2010; still no compliance.

Mr. Elias made a finding that the respondent is the owner of the property; that there are violations and the violations continue to exist as recently as August 9, 2010 by virtue of a re-inspection; that property notice has been obtained through posting; no one for the respondent has made an appearance at this hearing; a fine of \$100 per day shall be imposed with an administration fee of \$150.

- D. Case #10100080; City of St. Pete Beach v. Schuman, Edward J. and Sumanas, Alfred, property owners.** Property located at 259 42nd Avenue, St. Pete Beach, FL 33706. Violation: Section 98-66(b)(7) exterior surface treatment, 98-66(b)(22) b.1.2 trees, 98-66(b)(24) fences and walls and Section 98-66(b)(17) accessory structures of the Code of Ordinances.

Ms. Hartsock testified this property was first presented for hearing on June 8, 2010 at which time was found to be in violation. The property owners were given fifteen (15) days to come into compliance or show a significant change. A re-inspection on July 19, 2010 according to her opinion and the opinion of Bruce Cooper, indicated the property is not in compliance.

Mr. Sumanas testified that he has complied as much as possible without obtaining permits. In order to get permits, he needs a designer and a contractor in line to do the work. His designer told him that the work couldn't be done in that length of time that was allowed by the City. Mr. Sumanas said he wants to fix that property so that it is a marketable house. He just signed another contract with a designer and was told it would be done in two (2) weeks. He talked to Ms. Hartsock and she suggested he call Florida Power (Progress Energy) and they will trim the branches off the wires. He called and was advised there were television (Brighthouse) lines. He called and they said they were electrical lines; he then called a tree person and he did quite a bit and left it at that. The other things that need to be done unfortunately, need permits.

The new designer, Creative Architectural Design Consultants, Inc., told him plans would be done in two (2) weeks. The contract was signed on August 4, 2010. After the plans are completed, he will have to hire a contractor who will pull the permits. He has preliminary plans and the final design will be complete in two (2) weeks.

Mr. Elias found that Alfred Sumanas is the owner of the property; that notice has been effectively given; that there is a violation on the property. Mr. Elias imposed a \$50 a day fine with the understanding that the fine will not commence to run for a period of two (2) weeks from this date (8-10-10) to have the plans prepared and submitted for permitting and another fourteen (14) days to get the permit approved . Mr. Sumanas was instructed to stay in touch with the City to advise them of the progress being made; if there is no progress made, if he does not come to an agreement with his architect and he does not hire a contractor, the fine will begin to run at that point.

At the request of Ms. Hartsock and considering the presence of the respondent, Mr. Elias went on to Item F. on the agenda.

- F. Case #10200085, City of St. Pete Beach v. Straw Hat Apartments Business, Galinski, David, business owner.** Business located at 619 73rd Avenue, #3, St. Pete Beach, FL 33706. Violation: Section 78-103 expiration, renewal of receipt; penalties of the Code of Ordinances.

Ms. Hartsock testified the first hearing was held June 8, 2010, at which time the property was found to be in violation and the owner was given ten (10) days to make payment. This violation is for business tax license that has not been paid. A re-inspection on June 21, 2010 and July 5, 2010 shows no payment has been made; no contact with the property owner. Mr. Galinski was not present at the first hearing but had received the Notices. At this time, the property is not in compliance and the business tax license is still unpaid.

Mr. Galinski testified that he came to the City to pay the fine of \$25 to \$30 but the woman behind the desk (who replaced Linda) was not clear exactly how much he needed to pay. He was told to come back in a few days and pay it. Within a few days he received a Notice that he was going to have a hearing.

Mr. Elias asked Mr. Galinski if he was prepared to pay; he responded by saying he could pay tomorrow (8-11-10).

When he was in City Hall, Ms. Hartsock advised Mr. Galinski to call Anne Marr and find out the amount that was due; he never called Ms. Marr. The amount due today is \$33.75.

Mr. Elias found that service was proper; that David Galinski is the owner of the respondent business; that there is a violation for failure to pay the business license tax; and a fine is imposed in the amount of \$50 per day until such time as that tax is paid. If paid 8-11-10, there will be no fine. The amount due is \$33.75 plus an administrative fee in the amount of \$150.

Ms. Hartsock stated that the City had no objection to reducing the administrative fee.

Mr. Elias agreed to reduce the administrative fee to \$75 plus \$33.75 for a total of \$108.75. Mr. Elias granted Mr. Galinski seven (7) days to pay the balance of whatever he pays 8-11-10.

- E. Case #20100084; City of St. Pete Beach v. E & E Services Business, Eatherton, Thomas, business owner.** Business located at 290 S. Julia Circle, St. Pete Beach, FL 33706. Violation: Section 78-103 expiration, renewal of receipt; penalties of the Code of Ordinances.

No one was present for the respondent.

Ms. Hartsock testified the first hearing on this property was June 8, 2010; this is for business tax license. The respondent was found in violation, given fifteen (15) days for payment. On July 7, 2010 payment has been made in full and is now in compliance.

Mr. Elias found that the respondent is in compliance as of July 7, 2010 and is ordered to pay administrative fees in the amount of \$150.

- G. Case #20100106; City of St. Pete Beach v. Ferg's Beach Shack LLC and Sloppy Pelican's, property owner and business owner.** Business located at 677 75th Avenue, St. Pete Beach, FL 33706. Violation: Section 26.4 prohibited signs of the land Development Code.

No one was present for the respondent.

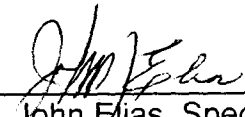
Ms. Hartsock testified that the first hearing on this property was June 8, 2010 at which time the respondent was in violation of

prohibited signs. The property had banners hanging from the second story and at that time, the respondent was given ten (10) days from the signing of the order. Re-inspections took place July 5th and July 22nd, 2010 which shows that the property is in compliance. Re-inspection took place August 9, 2010 and indicated that all banners and signs have been removed. At this time the City is requesting an administrative fee of \$150.

Mr. Elias found that the respondent is in compliance and is ordered to pay administrative fees in the amount of \$150.

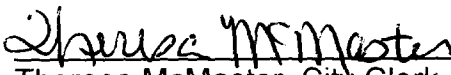
OTHER DISCUSSIONS:

Mr. Elias stated that the agenda is complete; there are no other cases to be heard this morning. The meeting stands adjourned until the next hearing which is Tuesday, September 14, 2010, at 9:00 am.



John Elias, Special Master

ATTEST:



Theresa McMaster, City Clerk