

SPECIAL MAGISTRATE HEARING

MINUTES

NOVEMBER 8, 2011

9:00 a.m.

ROLL CALL

PRESENT:

**Attorney John Elias, Special Magistrate
Heide Hartsock, Code Enforcement Officer
Pamala A. Prell, Deputy City Clerk**

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

Ms. Hartsock read the opening statement.

A copy of the rules is available upon request.

2. PLEDGE OF ALLEGIANCE

3. ADMINISTER OATH

Mr. Elias swore in the audience members who intended to testify.

4. NEW CASES

a. **Case #2011-0102; City of St. Pete Beach v. Smith, Allen E and Marlyne A. Property located 157 44th Ave., St. Pete Beach, FL 33706. Violation: Section 98-64 (4) general maintenance. 98-65 (4) unsightly conditions, 98-66 b. (19) rodent harborage and (20) grass and weeds of the Code of Ordinances of the City of St. Pete Beach.**

Mr. Allen Smith was present to represent this case.

Code Enforcement Officer Hartsock testified that on August 17, 2011 the owner was given 14 days to bring the property into compliance. Upon a re-inspection on October 28, 2011, she was advised that a contractor was hired to

clear the debris from the property and as of November 7, 2011 the property was in compliance. Ms. Hartsock requested an administrative fee of \$150.00.

Special Magistrate Elias ruled that the property is in compliance and imposed an administrative fee of \$150.00.

b. Case #20110077; City of St. Pete Beach v. Rubio, Lesley. Property located at 348 39th Ave., St. Pete Beach, FL 33706. Violation 98-66 (4) unsightly conditions, 98-66 (b) (2) exterior walls, (3) windows, (7) exterior surface and (24) fences of the Code of Ordinances of the City of St. Pete Beach.

There was no one present to represent this case.

Code Enforcement Officer Hartsock testified that the owner was given 30 days to bring the property into compliance and there has been no contact with the owner. She testified that a re-inspection was conducted on October 28, 2011 and there were no changes to the property. She requested the owner be given 14 days to bring the property into compliance.

Special Magistrate Elias granted the owner 14 days to bring the property into compliance and if they fail to do so fines may be imposed.

Mr. John Ross informed Mr. Elias that he lives next door and has contact information for the banks involved with the foreclosure. Mr. Elias asked Mr. Ross to provide the information to Ms. Hartsock.

Code Enforcement Officer Hartsock requested the owner be given 30 days to allow her time to contact the banks.

Special Magistrate Elias amended his ruling and granted the owner 30 days to bring the property into compliance.

c. Case #20110124; City of St. Pete Beach v. Southern Investment Assoc., LLC., Property located at 360 78th Ave., St. Pete Beach, FL 33706. Section 6.12 dumpsters of the Land Development Code of the City of St. Pete Beach.

There was no one present to represent this case.

Code Enforcement Officer Hartsock testified that on September 8, 2011 the owner was given 14 days to bring the property into compliance. She explained the dumpster for the apartment complex is on FDOT right-of way and needs to be moved and fenced in. She advised that if the owner can provide a letter from FDOT allowing the dumpster on their property the only issue will be to put a fence around the dumpster. She advised that she has had no contact with

the owner. She requested 14 days be granted to bring the property into compliance.

Special Magistrate Elias granted 14 days to bring the property into compliance and asked Ms. Hartsock to contact FDOT regarding the use of their property.

5. OLD CASES

a. **Case #20110049; City of St. Pete Beach v. Mara Mare Corp. Property located at 3680 Belle Vista Dr., St. Pete Beach, FL 33706. Violations: Section 104.5.1 permit intent, 98-65 (3) unsightly conditions and 96-66 b. (2) exterior walls of the Code of Ordinance of the City of St. Pete beach.**

Mr. Kurt Knuth was present to represent this case.

Code Enforcement Officer Hartsock testified that on September 13, 2011 the owner was given 21 days to bring the property into compliance and upon a re-inspection last week the property was in compliance. She requested an administrative fee of \$150.00.

Special Magistrate Elias ruled that the property is in compliance and imposed an administrative fee of \$150.00.

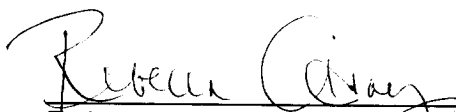
6. OTHER DISCUSSIONS

The next meeting will be on December 13, 2011 at 9:00 a.m.

7. ADJOURNMENT

There being no further business, the hearing was adjourned at 9:15 a.m.

Attest:


Rebecca C. Haynes, City Clerk


John Elias, Special Magistrate