

SPECIAL MAGISTRATE HEARING

MINUTES

December 13, 2011

9:00 a.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

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.

ADMINISTER OATH

Special Magistrate Elias swore in the audience members who intended to testify.

1. NEW CASES

Code Enforcement Officer Heide Hartsock read the opening statement. A copy of the rules is available upon request.

Case No. 20110113 was taken out of order and heard first.

A. Case # 20110112; City of St. Pete Beach v. O'Connell, Christopher J. Property located at 453 85th Ave., St. Pete Beach, FL 33706. Violation: Section 98-66 (b) (18) pools, (20) grass and weeds and (24) fences of the Code of Ordinance of the City of St Pete Beach.

There was no one in attendance to represent this case.

Ms. Hartsock testified that on August 19, 2011 a Notice of Violation was mailed to the owner granting 14 days to bring the property into compliance. She testified that the pool is accessible. She testified that the notice was returned to the office unclaimed. The Notice of Violation was posted on the property and upon re-inspections on November 11, 2011, December 1, 2011 and December 12, 2011 there were no changes made to the property. She showed photos of the property to Mr. Elias and advised that the property is vacant.

Ms. Hartsock requested 14 days be granted to bring the property into compliance.

Special Magistrate Elias granted 14 days to bring the property into compliance and advised that failure to do so will result in another hearing and fines may be imposed.

B. Case # 20110113; City of St Pete Beach v. Beagle, Gerald L., Property located at 403 86th Ave., St Pete Beach, FL 33706. Violation: Section 98-66 (b) (2) exterior walls and (7) exterior treatment of the Code of Ordinance of the City of St Pete Beach.

Mr. Gerald Beagle was present to represent this case.

Ms. Hartsock testified that on August 23, 2011 a Notice of Violation was mailed to the owner granting 30 days to bring the property into compliance. On September 15, 2011 she received a call from the owner requesting an additional 30 days to make the improvements, because he was out of the State. The additional 30 days was granted and upon re-inspections on September 15, 2011, October 3, 2011 and November 3, 2011 there were no changes made to the property. On December 2, 2011 a Notice of Hearing was mailed to the owner and an inspection on December 12, 2011 showed no compliance.

Mr. Beagle testified that he returned to the house on December 1, 2011 and hired a painter, purchased a lawn mower and should have the property in compliance within 30 days.

Ms. Hartsock stated that she had no objection to granting another 30 days.

Special Magistrate Elias granted Mr. Beagle an additional 30 days to bring the property into compliance and advised that failure to do so will result in another hearing and fines may be imposed.

C. Case # 20110129; City of St Pete Beach v. Simonaitis, Gina., Property located at 8920 Gulf Blvd., St Pete Beach, FL 33706. Violation: Section 98-65 (4) unsightly conditions and 98-66 (b) (20) grass and weeds of the Code of Ordinances of the City of St Pete Beach.

There was no one in attendance to represent this case.

Ms. Hartsock testified that on August 26, 2011 a Notice of Violation was sent to the owner granting seven days to bring the property into compliance. The certified mailing was not received by the owner, the regular mail was received and the Notice of Violation was posted on

the property. On November 3, 2011 she received a call from a friend of the owner who stated he would mow the property. Upon a re-inspection on December 2, 2011 and December 12, 2011 there were no changes made to the property. She showed photos of the property to Mr. Elias.

Ms. Hartsock requested seven days be granted to bring the property into compliance.

Special Magistrate Elias granted seven days to bring the property into compliance and advised that failure to do so will result in another hearing and fines may be imposed.

D. Case # 20110131; City of St Pete Beach v. Krueger, Tiffany J., Property located at 260 40th Ave., St Pete Beach, FL 33706. Violation: Section 98-65 (4) unsightly conditions, 98-66 (b) (20) grass and weeds and (24) fences of the Code of Ordinances of the City of St Pete Beach

There was no one in attendance to represent this case.

Ms. Hartsock testified the Notice of Violation was sent to the owner on September 26, 2011, granting 14 days to bring the property into compliance. On October 3, 2011 she received notification and documentation from Ms. Krueger showing the property was foreclosed. The documents were dated June 24, 2010. On October 26, 2011 she spoke to Ms. Krueger regarding the foreclosure documents. Ms. Hartsock showed the documents to Mr. Elias. She advised that Ms. Krueger returned the Notice of Violation to the City.

Ms. Hartsock testified that a Notice of Violation was posted on the property on November 4, 2011 and on November 9, 2011 she sent emails including the Notice of Violation, to three contacts for the Bank of America. She has not received any response to the emails from the Bank or the owner of record. A re-inspection on December 2, 2011 showed no changes were made to the property. She testified that public records show Tiffany Krueger as the property owner. She advised that the City has an ordinance requiring banks to register foreclosed properties to a web site, and this property was not listed.

Ms. Hartsock requested seven days be granted to bring the property into compliance.

Special Magistrate Elias granted seven days to bring the property into compliance and advised that failure to do so will result in another hearing and fines may be imposed. Mr. Elias asked Ms. Hartsock to continue to try to contact the banks involved with the foreclosure and to follow up on the ownership of the property.

E. Case # 20110148; City of St Pete Beach v. Geiger, Drew Hoy., Property located at 4336 Belle Vista Dr., St Pete Beach, FL 33706. Violation: Section 98-66 (b) (20) grass and weeds of the Code of Ordinances of the City of St Pete Beach.

There was no one in attendance to represent this case.

Ms. Hartsock testified that a Notice of Violation was sent to the owner on November 15, 2011 granting seven days to bring the property into compliance. The certified mail was received. Upon a re-inspection on December 2, 2011 there were no changes made to the property. She advised that Mr. Geiger contacted her on December 12, 2011 and advised that the property was mowed but when he inspected the property it was not mowed. He requested an additional seven days to get the work completed.

Ms. Hartsock requested seven days be granted to bring the property into compliance.

Special Magistrate granted seven days to bring the property into compliance and advised that failure to do so will result in another hearing and fines may be imposed.

2. **OTHER DISCUSSIONS**

There was no discussion.

3. **NEXT HEARING**

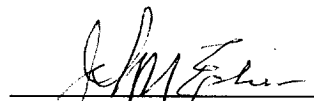
The next hearing will be held on January 10th 2012 at 9:00am.

4. **ADJOURNMENT**

There being no further business to come before the Magistrate, the meeting was adjourned at 9:30 a.m.

Attest:


Rebecca C. Haynes, City Clerk


John Elias Special Magistrate

Minutes approved on: 1-11-12