



**Code Enforcement Special Magistrate
Public Hearing
Monday, May 09, 2016**

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 – 10:00 A.M.

2. PLEDGE OF ALLEGIANCE

3. ADMINISTER OATH

4. OLD CASES:

A. Case #20110159

**City of St. Pete Beach v. Foronda, Joseph & Elizabeth Foronda,
Property owners**

Address: 231 Lido Drive, St. Pete Beach, FL 33706

Request for Lien Fee Reduction

Sec. 23.3 (a), Sec 23.4 (a) & (e) Missing driveway to garage on this residential zoned district home. **Non-Compliant**

Case#20150133

**City of St. Pete Beach v. Foronda, Joseph & Elizabeth Foronda,
Property owners**

Address: 231 Lido Drive, St. Pete Beach, FL 33706

Request for Lien Fee Reduction

Sec 46.33 – Enumeration (1), (a), (b), (2), (3), (13)

(1) Vegetation as follows:

(a) Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds or any other vegetation, other than trees, ornamental bushes, flowers or ornamental plants, with a height exceeding 12 inches.

(b) Dead branches or fronds on trees or shrubs.

(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat, or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(3) Any condition which provides harborage for rates, mice, snakes and other vermin.

(13) The storage of any vehicle, whether motorized or nonmotorized, including, but not limited to automobiles, trucks, trailers, campers, recreational vehicles, motor homes, boats, boat trailers, or parts thereof, without a valid license plate or valid vehicle or trailer or boat trailer or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that the property is worn out, scrapped, nonoperative, unusable or discarded, as provided in subsection (12) of this section. **Non-Compliant**

B. Case # 20150180

City of St Pete Beach v. Dolphin Watch I, LLC

(Beth Ann Morean) Property owner.

Address: 110 15Th Ave., St Pete Beach, FL 33706

Violations:

1. Sec. 98-66. – Residential and commercial property maintenance (a) (b), (20) (21), (a) (b), (22) Trees (a) (b)

(a) All premises shall be maintained in compliance with the standards in this section.

(b) Standards for improved property.

(20) All grasses or weeds, and uncultivated vegetation shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

(21) All real property shall be maintained in a condition to prevent erosion of soil by:

(a) Landscaping with grass, trees, shrubs or other planted ground cover; or

(b) Such other suitable means as shall be approved by the building official.

(22) Hazardous trees.

(a) Dead, dying, damaged or diseased trees are prohibited. A finding by a registered forester or certified arborist employed by the city that a tree is in danger of falling upon an adjacent lot or street due to death, disease or damage, including damage caused by weather conditions, is prima facie evidence of a violation of this section.

(b) Prohibited conditions. The following conditions are prohibited: Trees, plants, shrubs, vegetation, or parts thereof, which overhang any sidewalk, street, alley or fire hydrant, and obstruct or impair the free and full use of the sidewalk, street, alley or fire hydrant by the public.

Grass, weeds, shrubs, bushes, trees or vegetation which constitute a fire hazard or a menace to public health, safety or welfare.

Removal of obstruction. The owner of any real property shall trim trees, plants, shrubs or vegetation, or any parts thereof as follows: which overhang any sidewalk, alley or street as determined by the building official, and which interfere with the use of any sidewalk, alley, street, poles, wires, pipes, fixtures or any other part of any public utility situated in the right-of-way. **Non-compliant**

5. NEW CASES:

A. Case # 20150134

City Of St. Pete Beach v. St. Pete Beach Theater, LLC

Address: 315 Corey Avenue, St Pete Beach, FL 33706

Violations:

1. Sec. 26.14 of the Land Development Code

Maintenance of Signs.

The existing marquee sign structural supports have sufficient visual evidence in the opinion of the Building Official that an independent engineer needs to inspect all structural supports to determine that the structure is safe to meet all load requirements of the Florida building Code and if inspection reveals structural deficiencies, a detailed construction plan is needed indicating what is necessary to restore the sign structure.

Sec. 98-66 (b), (d) (2) of the Code of Ordinances

Sign structure needs to be painted.

Exterior building has peeling paint.

B. Case # 20160008

City of St Pete Beach v. L B Z, LLC

Address: 515 79TH Ave., St Pete Beach, FL 33706

Violations:

2. Sec. 9.2. of the Land Development Code – Permitted principle uses.

This property is being used for transient occupancy. Transient occupancy is defined as any rental of less than 30 consecutive days. This type of activity is prohibited in zone RU-2.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows:

(a) Residential dwellings—Detached single-family only. Such dwellings shall not be used for transient occupancy.

(Ord. No. 03-7, § 3, 5-1-03; Ord. No. 2004-18, § 3, 8-24-04)

C. Case # 20160007

City of St. Pete Beach v. Rita A. Gould

Address: 105 26th Ave., St. Pete Beach, FL 33706

Violations:

**Section 9.5. of the Land Development Code
Prohibited uses.**

Converted the main single family dwelling into two dwelling units (duplex).

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the RU-2 Residential District

6. ADDITIONAL ITEMS:

7. NEXT HEARING:

Monday, June 13, 2016 at 10:00 A.M.

8. 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 the Clerk's office at (727) 363-9201 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.

