

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

JULY 11, 2016

10:00 A.M.

PRESENT

Amber Ashton, Special Magistrate
Andrew Dickman, City Attorney
Jennifer Bryla, Community Development Department Director
Mary Jo Murphy, Deputy City Clerk
Joanne Boland, Zoning & Permitting Administrator
Chris Lostraglio, Code Enforcement Officer

1. CALL TO ORDER

Special Magistrate Ashton called the City of St. Pete Beach Code Enforcement Special Magistrate Hearing to order at 10:00 a.m.

2. PLEDGE OF ALLEGIANCE

Special Magistrate Ashton invited everyone present to recite the Pledge of Allegiance.

3. ADMINISTER OATH

Special Magistrate Ashton administered the oath or affirmation to witnesses present.

4. OLD CASES

Special Magistrate Ashton heard the following cases and entered the following orders:

A. Case No. 20150180
City of St. Pete Beach vs. Dolphin Watch I, LLC
(Beth Ann Morean) Property Owner
Address: 110 15th Avenue, St. Pete Beach, FL 33706
Violations:

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

Chris Lostraglio, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20150180.

Special Magistrate Ashton found the following:

- Found the property remains in violation.
- Imposed a fine that will accrue at \$150.00 per day.
- Imposed a \$250.00 administrative fine.
- Imposed a lien on the property as well as all other properties owned by the property owner.

B. Case No. 20110159

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

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

Violations:

Request for Lien Fee Reduction

Sec. 23.3 Applicability and scope

One and two-family residential uses shall have the required number of parking spaces set forth in the applicable district regulations and shall comply with Section 23.11(b) of this Code.

Sec 23.4 (a) General parking requirements

All off-street parking shall be provided in accordance with the following general requirements: (a) No building or use shall be permitted or constructed unless off-street parking spaces are provided

(e) Missing driveway to garage on this residential zoned district home.

Non-Compliant

Chris Lostraglio, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20110159.

Special Magistrate Ashton found the following:

- Granted a 30-day extension to bring the property into compliance by August 10, 2016.
- Imposed a lien reduction of \$500.

C. Case No. 20150204

City of St. Pete Beach v. Mae A. Colwell

Address: 152 44th Avenue, St. Pete Beach, FL 33706

Violations:

Sec. 46-33. - Enumeration (1), (a), (b), (c), (2)

D. Case No. 20150205

City of St. Pete Beach v. Mae A. Colwell

Address: 161 44th Avenue, St. Pete Beach, FL 33706

Violation:

Sec. 46-33. - Enumeration (1), (a), (b), (c), (2)

E. Case No. 20160028
City of St. Pete Beach v. Marlyne A. & Allen E. Smith
Address: 157 44th Avenue, St. Pete Beach, FL 33706
Violation:

Sec. 46-33. - Enumeration (1), (a), (b), (c), (2), (3), (4), (a), (b)

Chris Lostraglio, Code Enforcement Officer, informed the Special Magistrate that Case No. 20150204, Case No. 20150205 and 20160028 are grouped together.

Special Magistrate Ashton found the following for the three above-mentioned cases:

- Found that the notice was proper and the property remains in violation.
- Granted a 30-day extension requiring the properties be brought into compliance by August 10, 2016.
- Re-set cases for the next hearing date, August 15, 2016.
- Imposed a provision that counsel for the property owner's estate keep the City apprised, in writing, of the probate.

F. Case No. 20160013
City of St. Pete Beach v. Gino X. Perna
Address: 107 13th Avenue, St. Pete Beach, FL 33706
Violations:

Sec. 46-33. - Enumeration (1), (2), (3), (12), (13)

in regard to Case No. 20160013, Chris Lostraglio, Code Enforcement Officer, informed the Special Magistrate that the property was in compliance.

G. Case No. 20160044
City of St. Pete Beach v. Michael E. Bomar (Howard Johnson)
Address: 6100 Gulf Boulevard, St. Pete Beach, FL 33706
Violations:

Sec. 25.6. - Tiki huts. Enumeration (a), (1), (a), (b), (c), (d), (2), (3)

Special Magistrate Ashton stated the property was in compliance.

5. NEW CASES

A. Case No. 20160078

City of St. Pete Beach vs. Pass-A-Grille Beach Community Church, Inc.

Address: 1606 Pass-A-Grille Way, St. Pete Beach, FL 33706

Violations:

Sec. 17-2. - Permitted principal uses and structures, (a), (b), (c)

Sec. 17-3. - Allowable conditional uses (g)

Sec. 17-4. - Prohibited uses and structures.

Chris Lostraglio, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160078.

Special Magistrate Ashton found the following:

- Found the property is in violation.
- Granted 15 days to bring the property into compliance in order to allow the City to verify the property is in compliance.
- If the property is not brought into compliance, there will be a hearing date of August 15, 2016 for a further fine and lien imposition hearing.

B. Case No. 20150184

City of St. Pete Beach vs. Carolyn Marie Hodgson/Lee Clews Allen

Address: 650 59th Avenue, St. Pete Beach, FL 33706

Violations:

Sec. 8.2. (a) – Permitted principal uses and structures.

Chris Lostraglio, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20150184.

Special Magistrate Ashton found the following:

- Continued the hearing until the next hearing date on August 15, 2016 at the request of the City.

C. Case No. 20160069

City of St. Pete Beach vs. Don and Terry Plumeri

Address: 471 Belle Point Drive, St. Pete Beach, FL 33706

Violations:

Sec. 46.33. - Enumeration (1), (a), (b), (c), (3), (4), (a), (b)

Chris Lostraglio, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160069.

Special Magistrate Ashton found the following:

- Found the property was properly noticed.

- Found the property is in violation.
- Granted 30 days to bring the property into compliance.
- Re-set the matter to the August 15, 2016 hearing for the imposition of a lien and fine.

6. ADDITIONAL ITEMS

There were no additional items.

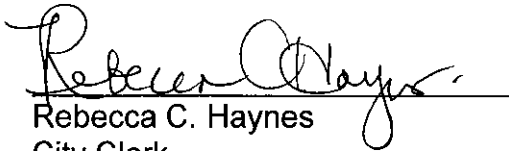
7. NEXT HEARING

Monday, August 15, 2016; 10:00 A.M.

8. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 10:38 a.m.

Attest:


Rebecca C. Haynes
City Clerk