

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

DECEMBER 12, 2016

10:00 A.M.

PRESENT

Amber Ashton, Special Magistrate
Andrew Dickman, City Attorney
Jennifer Bryla, Community Development Director
Mary Jo Murphy, Deputy City Clerk
Joanne Boland, Zoning & Permitting Administrator
Peyt Dewar, 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. CASES COMPLIED OR CONTINUED

5. OLD CASES

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

- A. Case No. 20160046**
City of St. Pete Beach v. Dolphin Holdings, Ltd. & Michael Bomar
Address: 4900 Gulf Boulevard, St Pete Beach, FL 33706
Violation:

25.6 - Tiki huts, (a), (b), (c), (d), (2) and (3).

Order of continuance was ordered on November 22, 2016 referring the case back to the Special Magistrate on December 12, 2016 for an Order Imposing Fine/Certification of Lien.

In regard to Case No. 20160046, Peyt Dewar, Code Enforcement Officer, informed Special Magistrate Ashton that the property was in compliance.

6. NEW CASES

**A. Case No. 20160052
City of St. Pete Beach vs. Timothy Forsman
Address: 2101 Pass-A-Grille Way, St. Pete Beach, FL 33706
Violation:**

Sec. 20.2 – Permitted principal uses and structures, (a), (b).

Mr. Dewar updated the Special Magistrate in regard to Case No. 20160052.

Special Magistrate Ashton found the following:

- Property was properly noticed
- Gave one week, until December 19, 2016, to bring the property into compliance
- Reset the matter to the January 9, 2017 hearing for imposition of a fine and lien if the property is not brought into compliance by December 19, 2016

**B. Case No. 20160055
City of St. Pete Beach vs. Jody Rajcula and Maura Keenan
Address: 265 S. Tessier Drive, St. Pete Beach, FL 33706
Violation:**

Sec. 8-2 – Permitted principal uses and structures, (a).

Mr. Dewar updated the Special Magistrate in regard to Case No. 20160055.

Special Magistrate Ashton found the following:

- Entered an order that the property was in violation in the past
- If rented again in the future for a short-term rental, it will be a repeat violation
- No fines imposed because the property is currently in compliance

**C. Case# 20160061
City of St. Pete Beach vs. Boag Family Trust and Michele Boag
Address: 6451 3rd Palm Point, St. Pete Beach, FL 33706
Violation:**

Sec. 8-2 – Permitted principal uses and structures, (a).

Mr. Dewar updated the Special Magistrate in regard to Case No. 20160061.

Special Magistrate Ashton found the following:

- Compliance deadline of January 1, 2017
- Reset the matter to the January 9, 2017 hearing if the property is not brought into compliance

D. Case No. 20160125
City of St. Pete Beach vs. Estate of Jeanne I. Warren
Address: 240 Julia Circle N., St. Pete Beach, FL 33706
Violation:

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

Mr. Dewar updated the Special Magistrate in regard to Case No. 20160125.

Special Magistrate Ashton found the following:

- Property was properly posted and notice was provided
- Deadline of December 17, 2016 to bring the property into compliance
- Reset the matter to the January 9, 2017 hearing, if the property is not brought into compliance, for imposition of a fine and lien

E. Case No. 20160138
City of St. Pete Beach v. Carolyn M. Hodgson and Lee C. Allan
Address: 650 59th Avenue, St. Pete Beach, FL 33706
Violations:

Sec. 8-2 – Permitted principal uses and structures, (a).

Mr. Dewar updated the Special Magistrate in regard to Case No. 20160138.

Special Magistrate Ashton found the following:

- Property owner was provided proper notice
- Repeat violation of the Code of Ordinances as it is still being rented out for short-term rentals
- Compliance deadline of December 13, 2016 to bring the property into compliance
- Reset the matter to the January 9, 2017 hearing, if the property is not brought into compliance, for imposition of a fine and lien
- Because it is a repeat violation, the fine will be a minimum of \$500.00 a day and will be retroactive to December 13, 2016

7. **ADDITIONAL ITEMS**

There were no additional items presented.

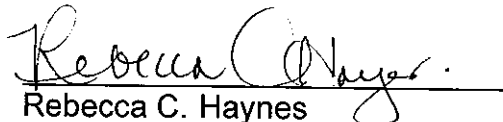
8. **NEXT HEARING**

Monday, January 9, 2017, 10:00 A.M.

9. **ADJOURNMENT**

There being no further business to come before the Special Magistrate, the hearing was adjourned at 10:27 a.m.

Attest:


Rebecca C. Haynes
City Clerk