

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

JANUARY 9, 2017

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
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

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

Case No. 20160069
City of St. Pete Beach v. Don Terry Plumeri
Address: 471 Belle Point Drive
Compliance with liens of \$37,750.00 owed to the City

In regard to Case No. 20160069, Peyt Dewar, Code Enforcement Officer, informed Special Magistrate Ashton that the property was in compliance.

Case No. 20160138
City of St. Pete Beach v. Carolyn M. Hodgson and Lee C. Allan
Address: 650 59th Avenue
Compliance with no outstanding fines or liens

In regard to Case No. 20160138, Mr. Dewar informed Special Magistrate Ashton that the property was in compliance.

Case No. 20160061
City of St. Pete Beach v. Boag Family Trust and Michele Boag
Address: 6451 3rd Palm Point

In regard to Case No. 20160061, Mr. Dewar informed Special Magistrate Ashton that the property was in compliance with no outstanding fines or liens.

Case No. 20160125
City of St. Pete Beach v. Estate of Jeanne I. Warren
Address: 240 Julia Circle N.

In regard to Case No. 20160125, Mr. Dewar informed Special Magistrate Ashton that the property was in compliance with no outstanding fines or liens.

Case No. 20160052
City of St. Pete Beach v. Timothy Forsman
Address: 2101 Pass-A-Grille Way
Compliance with no outstanding fines or liens

In regard to Case No. 20160052, Mr. Dewar informed Special Magistrate Ashton that the property was in compliance with no outstanding fines or liens.

5. OLD CASES:

A. Case No. 20160098
City of St. Pete Beach v. Kaje Properties LLC
Address: 6502 Gulf Winds Drive, St. Pete Beach, FL 33706
Imposition of fines/certification of liens.

Peyt Dewar, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160098.

Special Magistrate Ashton found the following:

- Written confirmation of cancellation due by 1/16/17. May submit redacted copies of the lease cancellations or a notarized affidavit with the cancellation information.
- 2/13/17, imposition of fine and lien

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

This case was reviewed under Item No. 4, Case No. 20160125.

6. NEW CASES:

A. Case No. 20160076

City of St. Pete Beach v. East Development Associates LLC

Address: 3522 El Centro Street, St. Pete Beach, FL 33706

Violations: Sec. 9.2 Permitted principal uses and structures, (a)

Peyt Dewar, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160076.

Special Magistrate Ashton found the following:

- Notice was proper
- The property was in violation but is now compliant
- If this property comes before the Special Magistrate again, it will be a repeat violation
- There will be an order reflecting the violation but no fines or liens

B. Case No. 20160074

City of St. Pete Beach v. Joy Chezaud

Address: 4043 Belle Vista Drive, St. Pete Beach, FL 33706

Violations: Sec. 8.2 Permitted principal uses and structures, (a)

Peyt Dewar, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160074.

Special Magistrate Ashton found the following:

- The property was in violation based upon the advertising
- No fine or lien imposed
- If this property comes before the Special Magistrate again, it will be a repeat violation and a fine will be imposed

C. Case No. 20160133

City of St. Pete Beach v. Larry T. Brakefield & Amanda H. Hyde

Address: 6380 2nd Palm Point, St. Pete Beach, FL 33706

Violation: Sec. 8.2 - Permitted principal uses and structures, (a)

Peyt Dewar, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160133.

Special Magistrate Ashton found the following:

- Property was properly posted
- Property owner received notice
- The property was in violation but is now in compliance
- No fine or lien imposed at this time
- If this property comes before the Special Magistrate again, it will be a repeat violation

D. Case No. 20160136
City of St. Pete Beach v. Our Property Rentals LLC
Address: 360 78th Avenue, St. Pete Beach, FL 33706
Violation: Sec. 46-33 Enumeration, (1), (a), (b)

Peyt Dewar, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160136.

Special Magistrate Ashton found the following:

- Property was properly posted
- Property owner received notice
- Entered a Finding of Fact
- The property was in violation but is now in compliance
- If this property comes before the Special Magistrate again, it will be a repeat violation

E. Case No. 20160102
City of St. Pete Beach v. Jack A. Thompson
Address: 3602 El Centro Street, St. Pete Beach, FL 33706
Violation: Sec. 9.2 – Permitted principal uses and structures, (a)

Peyt Dewar, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160102.

Special Magistrate Ashton found the following:

- Property was properly posted
- Property owner received proper notice
- The property is in violation
- Gave one week to bring the property into compliance by 1/16/17
- If property is not compliant by 1/16/17, it will come before the Special Magistrate again for imposition of a fine and a lien on 2/13/17.

F. Case No. 20160140
City of St. Pete Beach v. Meldrid P. Desautels & John E. Desautels II
Address: 290 41st Avenue, St. Pete Beach, FL 33706
Violation: Sec. 23.2 – Residential parking restricted, (1), (2)

Peyt Dewar, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20160140.

Special Magistrate Ashton found the following:

- Property is in violation
- Property was properly noticed
- Gave one week to bring the property into compliance by 1/16/17
- If property is not compliant by 1/16/17, it will come before the Special Magistrate again for imposition of a fine and a lien on 2/13/17.

- The City will determine if the location is sufficient for the Code before proceeding forward.

7. ADDITIONAL ITEMS:

Case No. 20160052
City of St. Pete Beach vs. Timothy Forsman
Address: 2101 Pass-A-Grille Way
Compliance with no outstanding fines or liens

This case was reviewed under Item No. 4, Case No. 20160052.

Case# 20150004
City of St. Pete Beach vs. Carl and Nancy Lensce
Address: 8240 Gulf Boulevard

Peyt Dewar, Code Enforcement Officer, updated the Special Magistrate in regard to Case No. 20150004.

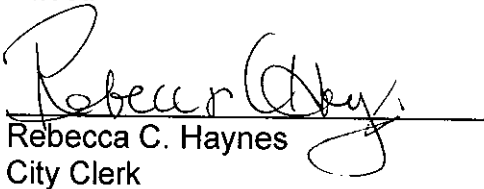
Special Magistrate Ashton found the following:

- For health and safety reasons, an abatement was scheduled for the week of January 16, 2017
- Fines are accruing
- In order for the abatement to be canceled the following must occur: Remove the current pool cover; pool pump must be functioning and working properly; and the water needs to be clear enough to see the bottom of the pool.

9. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 11:10 a.m.

Attest:


Rebecca C. Haynes
City Clerk