

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

FEBRUARY 13, 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. OLD CASES

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

- A. Case No. 20160098**
City of St. Pete Beach v. Kaje Properties LLC
Address: 6502 Gulf Winds Drive, St Pete Beach, FL 33706
Violations: Compliance with no outstanding fines or liens

Peyt Dewar, Code Enforcement Officer, stated that the property was now compliant and had no outstanding fines or liens.

- 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

Mr. Dewar stated that the property was compliant and had no outstanding fines or liens.

- C. Case No. 20160064 and 20150141**
City of St. Pete Beach v. Paul Dunnan and Linda Standring
Address: 321 41st Avenue, St. Pete Beach, FL 33706
Violations: Total cost of fines and liens is \$390,652.65.

Mr. Dewar stated that the property was compliant.

Mr. Ryan Dunnan, 290 Clocks Blvd., Massapequa, NY, 11758, son of property owner, requested a reduction in fines.

Special Magistrate Ashton found the following:

- \$3,800.00 to be paid 2/13/17
- Remaining balance of \$2,600.00 due by 4/14/17

- D. Case No. 20150004**
City of St. Pete Beach v. Carl and Nancy Lensce
Address: 8240 Gulf Boulevard, St. Pete Beach, FL 33706
Violations: The pool was covered and abated on January 21, 2017.

Mr. Dewar stated the City abated the property, and there are fines and liens due.

5. OLD CASES

- A. Case No. 20160102**
City of St. Pete Beach vs. Jack A. Thompson
Address: 3602 El Centro Street, St. Pete Beach, FL 33706
Violation: Sec. 9.2 – Permitted principal uses and structures.

Mr. Dewar stated that this property is still being advertised to be rented on a short term basis. Therefore, the City is bringing this case back for an imposition of fines and liens.

Special Magistrate Ashton found the following:

- A fine of \$300.00 a day, retroactive to 1/16/17, until the property is brought into compliance.

6. NEW CASES

- A. Case No. 20150027**
City of St. Pete Beach vs. Mark D. Hrubar
Address: 632 Boca Ciega Isle Drive, St. Pete Beach, FL 33706
Violations: Sec. 9.2 – Permitted principal uses and structures, (a).

Mr. Dewar stated that the property was compliant.

Special Magistrate Ashton found the following:

- The property is in compliance.
- Based upon the prior violation, entered a Finding of Fact that if the owner rents the property on a short term basis in the future, it will be considered a repeat violation
- A fine of \$250.00 for administrative costs

B. Case No. 20160141

City of St. Pete Beach vs. Dina Barker

Address: 445 90th Avenue, St. Pete Beach, FL 33706

Violations: Sec. 6.4 – Hobbies, (a), (b), (1), (2), a.

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20160141.

George Barker, 445 90th Avenue, husband of property owner, requested 30 days to rectify the situation.

Special Magistrate Ashton found the following:

- Granted 10 days, until 2/23/17, to remove the airplane from the property.
- Issued a fine of \$100.00 a day until the airplane is removed.
- The fine will continue to run until Mr. Barker contacts the City and advises the City the plane has been removed.
- If the plane is not removed by 2/23/17, this case will be heard at the next Special Magistrate hearing on 3/13/17, and a fine and lien will be imposed. Also, there will be a fine of \$250.00 for administrative costs.

City Attorney Dickman requested the City investigate the business aspect of this due to Mr. Barker testifying he was operating a business at the subject address.

C. Case No. 20160121

City of St. Pete Beach vs. Julian F. Anchinges

Address: 3505 Gulf Boulevard, St. Pete Beach, FL 33706

Violations: 104.62 – Work commencing before permit issuance; 105.1 – Required; Sec. 6.13 – Accessory residential structures, (2);
Sec. 12.6 – Minimum zoning lot requirements, (a), (1).

Bruce Cooper, Building Official, was sworn in and gave a presentation in regard to Case No. 20160121.

Ingrid Anchinges, 3505 Gulf Boulevard, property owner of the duplex home, spoke in regard to the garage unit.

Special Magistrate Ashton found the following in regard to Case 20160121:

- Continued the hearing for 30 days, 3/13/17, to find the evidence that it is preexisting.

- Property is in violation.
- The bathroom violates the density and has to be removed.
- Gave property owner an opportunity to apply for a variance.

7. ADDITIONAL ITEMS

Mr. Larimore, Zoning Tech II, gave a presentation and submitted a document entitled "Rental Restrictions in St. Pete Beach."

City Attorney Dickman discussed violations of "Section.46-1. – Distribution of handbills and other advertising."

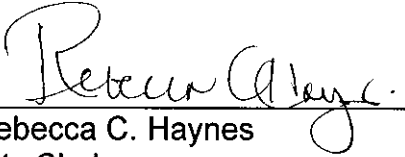
8. NEXT HEARING

Monday, March 13, 2017, 10:00 A.M.

9. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 11:05 a.m.

Attest:



Rebecca C. Haynes
City Clerk