



**CODE ENFORCEMENT SPECIAL MAGISTRATE
PUBLIC HEARING**

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

**Monday, April 10, 2017
10:00 a.m.**

Case Docket

1. CALL TO ORDER – 10:00 A.M.
2. PLEDGE OF ALLEGIANCE
3. ADMINISTER OATH
4. CASES COMPLIED OR CONTINUED
5. OLD CASES:

A. Case No. 20170009

City of St. Pete Beach v. Bruce and Shannon Dworsky

Address: 3310 E. Maritana Drive, St. Pete Beach, FL 33706

Violation: Sec. 6.13. - Accessory residential structures.

Accessory residential structures may be permitted only on zoning lots having one or more existing residential dwelling units and shall be regulated as follows:

c. In no case shall a detached garage have any sleeping room, kitchen facilities or plumbing and,

Sec. 9.6. - Minimum zoning lot requirements.

The maximum residential density permitted in the RU-2 Residential District shall not exceed seven and one-half units per acre. The minimum lot area and width requirements in the RU-2 Residential District are as follows:

(a) Detached single-family dwellings.

(1) Lot area: 6,000 square feet.

(2) Lot width: 60 feet.

(b) *All other uses.* The lot area and width requirements stated below shall be considered the minimum standards; however, the requirements may be modified by the city under the site plan review process to fit the specific use.

(1) *Lot area:* 6,000 square feet.

(2) *Lot width:* 60 feet

B. Case No. 20160121

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

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

Violation(s): 104.6.2 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical, plumbing or life safety system before obtaining the necessary permits shall be subject to a penalty of triple the required permit fee. This provision shall not apply to emergency work, when delay would clearly have placed life or property in imminent danger. In all such emergency cases the required permit(s) shall be obtained within five business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a triple fee. In the event of an emergency declaration from the state, the time required to obtain the required permit(s) for emergency work may be extended. The payment of a triple fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The building official may grant extensions of time when justifiable cause has been demonstrated in writing;

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit;

Sec. 6.13. - Accessory residential structures.

Accessory residential structures may be permitted only on zoning lots having one or more existing residential dwelling units and shall be regulated as follows:

(2) Detached garage. Detached garages shall be regulated as follows:

c. In no case shall a detached garage have any sleeping room, kitchen facilities or plumbing and,

Sec. 12.6. - Minimum zoning lot requirements.

The maximum residential density permitted in the RM Residential District shall not exceed 15 units per acre. The minimum lot area and width requirements in the RM Residential District are as follows:

(a) Attached single-family, multifamily and two-family.

(1) Lot area: 2,904 square feet for each dwelling unit.

6. NEW CASES:

A. Case No. 20170013

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

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

Violation: Sec. 46-33. - Enumeration.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(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 rats, mice, snakes and other vermin.

B. Case No. 20170022

City of St. Pete Beach v. Krzysztof and Maria Czyszczonev. Trust Krzysztof and Maria Czyszczone Trustees

Address: 4506 Gulf Blvd., St. Pete Beach, FL 33706

Violation: Sec. 6.12. Commercial accessory and temporary equipment, structures, portable buildings, and trailers, dumpsters and commercial tents.

(g) Portable toilets shall be regulated as follows:

(1) Nothing in this chapter shall alter the regulations or use of portable toilets in relation to any construction project as set by Florida Statutes or Pinellas County.

(2) The use of portable toilets shall be strictly prohibited, except during emergency interruption of sewer service or in conjunction with a special event, building, temporary use or conditional use permit, subject to approval.

(3) The location of portable toilets shall be approved at the time of issuance of the above- stated permits.

(4) Portable toilets associated with a building permit shall be in accordance with the regulations pertaining to "chemical toilets" and "portable toilets" set forth in Sec. 98-70 of the Code of Ordinances.

(5) Portable toilets shall be kept clean at all times and shall not emit an odor which is noticeable from adjacent properties.

(6) Portable toilets shall be removed from the premises immediately following the close of the development permit, special event, or emergency interruption.

(7) Portable toilets shall be located as far from the public right-of-way as possible or otherwise shielded from view by fencing or landscaping.

(8) Any portable toilet currently either located on a site or in a manner which is in violation of the provisions of this chapter shall be removed within ten (10) days of the effective date of this Ordinance.

(9) Violation of this chapter shall be declared to constitute a public nuisance and shall be processed in accordance with Chapter 46 of the Code of Ordinances.

Sec. 46-33. - Enumeration.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(8) Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.

7. ADDITIONAL ITEMS: Repeat Violation

A. Case No. 20150027

City of St. Pete Beach v. Mark D. Hrubar

Address: 632 Boca Ciega Isle Drive, St. Pete Beach, FL 33706

Violation: Sec. 9.2. - Permitted principal uses and structures.

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

After case was adjudicated in violation on February 13, 2017 and an affidavit of compliance issued, the property was again being advertised for rent for less than 30 days on March 2 through March 6, 2017. The City is requesting an imposition of fines.

8. NEXT HEARING:

Monday, May 8, 2017 at 10:00 a.m.

9. ADJOURNMENT

APPEAL

APPEAL: Florida Statutes 286.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26. Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

Electronic media must be submitted a minimum of 24 hours in advance to cityclerk@stpetebeach.org

The public is cordially invited to attend.

All agenda material is available for review at City Hall.