



**CODE ENFORCEMENT SPECIAL MAGISTRATE
PUBLIC HEARING**

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

**Monday, May 8, 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:

Case # 20160115

City of St. Pete Beach v. Zamora Hospitality Group, LLC.

Address: 3701 Gulf Blvd, St. Pete Beach, FL 33706

This property is now compliant with the Findings of Fact, to provide monthly rental reports, ordered by the Special Magistrate. There are no outstanding fines or liens, and an affidavit of compliance was issued.

5. OLD CASES: No old cases.

6. NEW CASES:

A. Case No. 20170033

City of St. Pete Beach v. Jane Armstrong

Address: 1980 E. Vina Del Mar Blvd., St. Pete Beach, FL 33706

Violation(s): Section 8.2. - 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-1 Residential District are as follows: (a) Residential dwellings—Detached single-family only. Such dwellings shall not be used for transient occupancy.

B. Case No. 20170028

City of St. Pete Beach v. Krzysztof and Maria Czyszczonek Rev. Trust Krzysztof and Maria Czyszczonek Trustees

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

Violation(s): Section 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.

102.2 (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in the paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, non-wood features.

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. As a chickee is just a shade structure, all of the improvements including the bar, electricity and plumbing must be removed.

C. Case No. 20170030

City of St. Pete Beach v. John and Margaret Clough

Address: 2901 Alton Drive, St. Pete Beach, FL 33706

Violation(s): Section 3.6. - Zoning compliance, concurrency and plans required; record of applications and plans; and subsequent applications.

(a) Zoning compliance required. Building permits, other development permits, and certificates of occupancy, as required by other chapters of the St. Pete Beach Code of Ordinances, shall not be issued without determination that applicable requirements of this Code have been met. Driveway installed without a permit.

D. Case No. 20170032

City of St. Pete Beach v. John Parios

Address: 1303 Boca Ciega Isle Drive, St. Pete Beach, FL 33706

Violation(s): Section 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:

(1) Vegetation as follows:

b. Dead branches or fronds on trees or shrubs.

(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.

(4) Buildings and structures as follows:

a. Any building, dock or other structure which is in such a dilapidated condition that it is unfit for human habitation or use or which is kept in such an insanitary condition that it is a menace to the health of people residing in the vicinity thereof or presents a more than ordinarily dangerous life safety code violation or fire hazard in the vicinity where it is located.

b. Any building, structure or other improvement on which the paint or other exterior coating or surface is flaking or has deteriorated to the point that the building, structure or other improvement is unsightly in appearance and thus adversely affects the aesthetic appearance of the area.

Sec. 98-65. - Unsightly conditions.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:

(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator

shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

(6) Garbage and trash containers stored in a manner visible from the street.

Sec. 98-66. - Residential and commercial property maintenance.

(a) All premises shall be maintained in compliance with the standards in this section.

(2) Exterior walls. Exterior walls of buildings shall be:

a. Maintained free from holes, breaks, and loose or rotting materials; and
b. Maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.

(7) Exterior surface treatment. All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

(27) Landscape maintenance. Where landscape plans have been specifically incorporated and approved in a development plan, the landscape areas shall be maintained in a manner equal to the original landscaping approval.

d. Every person in possession or in control of any place, public or private, where litter is accumulated or generated shall provide and maintain adequate and suitable containers capable of holding such litter until proper final disposal is accomplished.

(2) Depositing litter. It shall be unlawful to throw, discard, place, drop, or deposit litter in any manner or amount in or upon any real property, highway, street, right-of-way or body of water within the limits of the city, except in such containers specifically provided and designated for the disposal of litter, is a violation. Litter strewn by a pedestrian except at approved and permitted disposal sites is a violation. Litter ejected or discarded from a motor vehicle except at approved and permitted disposal sites is a violation.

(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

7. ADDITIONAL ITEMS:

A. Case No. 20160102

City of St. Pete Beach v. Jack A. Thompson

Address: 3602 El Centro Street, St. Pete Beach, FL 33706

This property is now compliant, an affidavit of compliance was issued, and the respondent is requesting a reduction in fines.

8. OTHER:

A. Case No. 20170013

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

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

Violation(s): Section 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.

9. NEXT HEARING:

Monday, June 12, 2017 at 10:00 a.m.

10. 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.