

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

MAY 8, 2017

10:00 A.M.

PRESENT

Amber Ashton, Special Magistrate
Andrew Dickman, City Attorney
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

Ms. 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:

- A. Case No. 20160115**
City of St. Pete Beach v. Zamora Hospitality Group, LLC
Address: 3701 Gulf Boulevard, St Pete Beach, FL 33706
Violations: This property is now compliant with the Findings of Fact and an affidavit of compliance was issued.

Peyt Dewar, Code Enforcement Officer, informed the Special Magistrate that the property was in compliance by providing monthly rental reports, there were no outstanding fines or liens and an affidavit of compliance was issued.

5. OLD CASES

There were no old cases presented.

6. NEW CASES

C. Case No. 20170030

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

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

Violations: Sec. 3.6 – Zoning compliance, concurrency and plans required; record of applications and plans; and subsequent applications, (a).

Mr. Dewar asked the Special Magistrate to review Case No. 20170030 first and informed her that the property was in compliance.

A. Case No. 20170033

City of St. Pete Beach v. Jane Armstrong

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

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

Mr. Dewar gave a presentation in regard to Case No. 20170033.

Doug Norvell, 2010 E. Vina Del Mar Blvd., next door neighbor, spoke and submitted documentation and photos to the Special Magistrate in support of the allegations that the property was being used for transient occupancy.

Mr. Dewar entered an email into evidence. Special Magistrate Ashton read the email from Jane Armstrong aloud stating that she would not be able to attend the meeting, that the house was no longer being listed for rent and that the house is actively on the market.

Special Magistrate Ashton found the following:

- The property is in violation.
- Granted one week to bring the property into compliance.
- The compliance deadline is May 15, 2017.
- If the property is not in compliance by May 15, 2017, an order will be entered imposing a fine and lien on the property.
- It is a repeat violation and will be subject to increased fines relating to repeat violations.
- Provide a sworn statement that the property is no longer offered for rent for periods shorter than 30 days or provide proof from VRBO, Vacation Rentals by Owner, that that the account has been canceled.
- Required that the owner provide a copy of the order in regard to Case No. 20170033 to any buyer of the subject property.

B. Case No. 20170028

**City of St. Pete Beach v. Krzysztof and Maria Czystczon Rev. Trust,
Krzysztof and Maria Czystczon Trustees
Address: 4506 Gulf Boulevard, St. Pete Beach, FL 33706
Violations: Sec. 104.62, Work commencing before permit issuance,
102.2(h), 105.1.**

Peyt Dewar, Code Enforcement Officer, and Bruce Cooper, Building Official, gave a presentation in regard to Case No. 20170028.

Robert Czystczon, 4506 Gulf Boulevard, was sworn in and asked for a 60-day extension to comply.

Special Magistrate Ashton found the following:

- Property is in violation.
- Granted a 60-day extension to bring the property into compliance.
- Compliance deadline is 7/7/17.
- The compliance entails either pulling the permits for the complete re-work of the entire building or removing all the plumbing and electrical so it is a shade structure.

D. Case No. 20170032

**City of St. Pete Beach v. Krzysztof and John Parios
Address: 1303 Boca Ciega Isle Drive, St. Pete Beach, FL 33706
Violations: Sec. 46.33 – Enumeration, (1), (2), (3), (4), a., b., Sec. 98-65
– Unsightly conditions, (4), (6), Sec. 98-66 – Residential and
commercial property maintenance, (a), (2), a., b., (7), (27), d., (2), (3).**

Peyt Dewar, Code Enforcement Officer, and Bruce Cooper, Building Official, gave a presentation in regard to Case No. 20170032.

Walter Bacallao, 1303 Boca Ciega Isle Drive, Veterans of South Pinellas County, appearing on behalf of John Parios, submitted documentation and photographs to the Special Magistrate and spoke of waiting for authorization from the Veterans of South Pinellas County before proceeding to clean, paint and repair the property with the help of volunteers.

Special Magistrate Ashton found the following:

- Notice was proper.
- The property is in violation.
- Granted 30 days to bring the property into compliance
- Compliance deadline is 6/7/17.
- If the property is not brought into compliance, it will be brought back before the Special Magistrate on 6/12/17.

- A continuance can be requested on 6/12/17 if there is proof of progress.
- If the property is brought into compliance, there will be no hearing date.

7. ADDITIONAL ITEMS

- A. Case No. 20160102**
City of St. Pete Beach vs. Jack A. Thompson
Address: 3602 El Centro Street, St. Pete Beach, FL 33706
Violation: This property is now compliant with the Findings of Fact and an affidavit of compliance was issued.

Mr. Dewar informed Special Magistrate Ashton that the property was in compliance and that the respondent is requesting a reduction in fines.

Jack Thompson, 3602 El Centro Street, was sworn in and requested a reduction in fines to the amount of \$500.00.

Special Magistrate Ashton found the following:

- Entered an order for the reduction.
- The fines will be reduced to \$500.00.
- Granted 30 days to pay the \$500.00.

8. OTHER:

- B. Case No. 20170013**
City of St. Pete Beach vs. Julian F. Anchinges
Address: 3505 Gulf Boulevard, St. Pete Beach, FL 33706
Violations: Sec. 46-33 – Enumeration, (2), (3).

Mr. Dewar gave a presentation in regard to Case No. 20170013.

Special Magistrate Ashton found the following:

- Property remains in violation.
- Imposed a fine of \$250.00 per day retroactive to May 1, 2017.
- Imposed a lien on the property plus administrative costs.

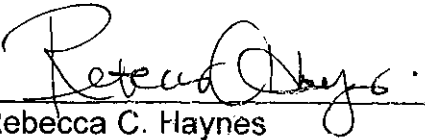
9. NEXT HEARING

Monday, June 12, 2017, 10:00 A.M.

10. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 10:32 a.m.

Attest:



Rebecca C. Haynes
City Clerk