



**CODE ENFORCEMENT SPECIAL MAGISTRATE
PUBLIC HEARING**

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

**Monday, June 12, 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: None

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

Special Magistrate issued a Scheduling Order that the City complied with and the City is now requesting a Finding of Fact that the unpermitted detached garage is illegal.

6. NEW CASES:

A. Case No. 20170034

City of St. Pete Beach v. Scott Walker

Address: 620 Corey Avenue, St. Pete Beach, FL 33706

Violation(s): Section 37.6. - Permitted principal uses and structures. All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the TC-2 Town Center Corey Circle and Coquina West Districts. Property being advertised for rent on a transient basis.

B. Case No. 20170037

City of St. Pete Beach v. John Leonard

Address: 6600 Gulf Blvd., St. Pete Beach, FL 33706

Violation(s): Sec. 23.4. - General parking requirements.

All off-street parking shall be provided in accordance with the following general requirements:

(d) Off-street parking areas for five or more automobiles shall have individual spaces that are designed, maintained and regulated so that no parking or maneuvering incidental to parking shall be on any public street or sidewalk and so that any automobile may be parked and unparked without moving another automobile.

(g) Be arranged for the convenient access and safety of pedestrians and vehicles.

(h) Be so arranged that no vehicle shall be required to back from such facilities directly onto public streets.

(i) Have curbs, motor vehicle stops or similar devices so as to prevent vehicles from overhanging on or into public rights-of-way or adjacent property.

Sec. 23.13. - Maintenance of off-street parking and loading areas and driveways.

All off-street parking and loading areas and driveways shall be properly maintained as to surface condition, striping and drainage to ensure that such facilities can continue to serve in a similar fashion as for they were originally approved. The failure to adequately maintain off-street parking and loading areas and driveways, resulting in a nuisance or unsafe condition for pedestrians or motor vehicles, shall be considered a violation of this Code.

Sec. 6.21. - Visibility at intersections.

Except as provided herein, no structure or portion of any structure, including earthen berms, shall be placed or erected, no motor vehicle, trailer or equipment shall be allowed to park, stand, stop or be stored, and no vegetation taller than 24 inches in height shall be permitted to be located within the areas described below:

(a) Street intersections. Within 20 feet of the back of curb or pavement edge where no curb exists.

C. Case No. 20170031

City of St. Pete Beach v. Lisa Robinson

Address: 7100 Boca Ciega Drive, St. Pete Beach, FL 33706

Violation(s): Section 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. 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.

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 and, 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.

D. Case No. 20170035

City of St. Pete Beach v. Darata Overene and Vidmant Mikalauskas

Address: 335 71st Avenue, St. Pete Beach, FL 33706

Sec. 14-3. - Kennels.

(a) As used in this section, the term "kennel" means any land and improvements thereto used for raising, breeding, boarding or grooming of more than five domestic animals, such as dogs and cats.

(b) It shall be unlawful for any person to operate or maintain a kennel in the city, unless it is a specified permitted use in the applicable zoning district.

E. Case No. 20170054

City of St. Pete Beach v. Ronald and Kathleen Kerber

Address: 3510 Gulf Boulevard, St. Pete Beach, FL 33706

Violation(s): Section 12.2. - 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 RM Residential District are as follows:

(a) Residential dwellings —Attached and detached single-family, multifamily and two-family. Such dwellings may be used for transient occupancy, so long as any transient occupancy of less than 30 days does not occur more than three times in any 12-month period on any parcel.

F. Case No. 20170055

City of St. Pete Beach v. Philip Robey

Address: 453 85th Avenue, St. Pete Beach, FL 33706

Violation(s): Section 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.

7. ADDITONAL ITEMS: Repeat Violation

A. Case No. 20150196

City of St. Pete Beach v. Kenneth Donovan and Wilma Saunders
Address: 820 59th Avenue, St. Pete Beach, FL 33706
The city is requesting an imposition of fines/liens for a repeat violation from 04/27/17 to 05/17/17

8. OTHER:

9. NEXT HEARING:

Monday, July 10, 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.