

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

AUGUST 14, 2017

10:00 A.M.

PRESENT

Amber Ashton, Special Magistrate
Andrew Dickman, City Attorney
Jennifer Bryla, Community Development Department Director
Peyt Dewar, Code Enforcement Officer
Mary Jo Murphy, Deputy City Clerk

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. CASES COMPLIED OR CONTINUED

Peyt Dewar, Code Enforcement Officer, informed Special Magistrate Ashton that the following cases were compliant or closed:

- A. **Case No. 20170087**
City of St. Pete Beach v. M & D Assets LLC
Address: 356 S. Tessier Drive, St Pete Beach, FL 33706
District 4 – The property is now compliant.
- B. **Case No. 20170033**
City of St. Pete Beach v. Jane Armstrong
Address: 1980 E. Vina Del Mar Boulevard, St. Pete Beach, FL 33706
District 4 – The property is now compliant with no outstanding liens and fines.

- C. Case No. 20170032**
City of St. Pete Beach v. John Parios
Address: 1303 Boca Ciega Isle Drive, St. Pete Beach, FL 33706
District 3 – The property was recently sold. The case is now closed with no outstanding fines or liens.
- D. Case No. 20170062**
City of St. Pete Beach v. Bryan and Darlene Schaefer
Address: 600 71st Avenue #1, St. Pete Beach, FL 33706
District 2 – The property is now compliant with no outstanding fines or liens.

5. OLD CASES

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

- A. Case No. 20170047**
City of St. Pete Beach vs. Linda Anderson
Address: 323 80th Avenue, St. Pete Beach, FL 33706
District 1 – The property remains in violation and the City is requesting an imposition of fines and certification of liens.

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20170047.

Special Magistrate Ashton found the following:

- Property remains in violation
- Imposed a lien on the property
- Imposed a fine of \$250.00 per day retroactive to August 9, 2017
- Imposed an administrative fine of \$250.00

- B. Case No. 20170037**
City of St. Pete Beach vs. John Leonard
Address: 6600 Gulf Boulevard, St. Pete Beach, FL 33706
District 2 – The property remains in violation and the City is requesting an imposition of fines and certification of liens.

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20170037.

Special Magistrate Ashton found the following:

- Imposed a fine of \$250.00 per day retroactive to August 9, 2017
- Imposed an administrative fine of \$250.00

- C. Case# 20170035**

City of St. Pete Beach vs. Darata Overene and Vidmant Mikalauskas
Address: 335 71st Avenue, St. Pete Beach, FL 33706
District 2

Violations: Sec. 14-3. - Kennels.

The respondent failed to make sufficient progress in reducing the number of dogs housed at her property, as was stipulated in the Findings of Fact, and the City is requesting an imposition of fines and certification of liens.

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20170035.

Darata Overene, 335 71st Avenue, spoke in regard to selling or sending the dogs to good homes, landscaping on her property, and her health.

Special Magistrate Ashton found the following:

- Imposed a fine of \$500.00 per day starting August 14, 2017
- Once there are 10 dogs on the property, contact the City, and the City will consider reducing the fine in regard to the daily amount
- Once there are 5 dogs on the property, the fine will stop running
- Imposed an administrative fine of \$250.00
- Pay the full amount of the fine or seek a reduction in the amount of the lien

D. Case No. 20160121

City of St. Pete Beach vs. Julian F. Anchinges
Address: 3505 Gulf Boulevard, St. Pete Beach, FL 33706
District 3

The respondent has failed to notify the City as was stipulated in the Findings of Fact and is refusing access to the property. The City is requesting an imposition of fines and certification of liens.

City Attorney Dickman stated that Ms. Anchinges had purported to file an appeal in circuit court. Attorney Dickman requested to stay the case until conclusion of the appeal.

Julian Anchinges, spoke about court documents and circuit court.

Special Magistrate Ashton found the following:

- Stayed the case until either dismissal of the circuit court appeal or resolution of the appeal in general.

5. NEW CASES

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

- A. Case No. 20170104**
City of St. Pete Beach vs. Jeffery and Suzanne Szak
Address: 430 59th Avenue, St. Pete Beach, FL 33706
District 2
Violation(s): Sec. 8.2 - (a)

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20170104.

Jeff Szak, spoke about being in compliance, rentals, complaints, trailer in violation and feeling of harassment.

Special Magistrate Ashton found the following:

- Property was in violation for the advertising of short term rentals
- Property is now compliant
- If there is a repeat violation, a fine will be imposed in the amount of \$500.00 per day for advertising

- B. Case No. 20170093**
City of St. Pete Beach vs. Bay Pines Waterfront Resort Inc.
Address: 4237 Gulf Boulevard, St. Pete Beach, FL 33706
District 3
Violation(s): Sec. 26.5 – Nonconforming signs; (a), (b), (a), (b); 26.7, 104.6.2;

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20170093.

Robert Czyszczonek, spoke about being in compliance and requested a 90-day extension.

City Attorney Dickman asked for this item to be put on the agenda in 30 days.

Special Magistrate Ashton found the following:

- Imposed an order continuing this case until the September hearing

- C. Case# 20170085**
City of St. Pete Beach vs. John Leonard
Address: 6600 Gulf Boulevard, St. Pete Beach, FL 33706
District 2
Violation(s): Sec. 33.4 – Conditional uses; (e).

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20170085.

Deputy Todd Aubreeyan (phonetic), spoke about fees for parking, scooter rentals, video surveillance on COBAN, violations, parked vehicles and restrictions.

Mike Larimore, spoke in regard to a parking proposal, viewed via the document camera, entitled: "CE20170085, Proposed by the City, 6600 Gulf Boulevard."

Special Magistrate Ashton found the following:

- Property is in violation
- Gave 14 days for the property to be brought into compliance by August 28, 2017
- If the property is not in compliance by August 28, 2017, then this matter will be heard during the hearing of September 11, 2017 for imposition of fines and liens

6. ADDITIONAL ITEMS

There were no additional items.

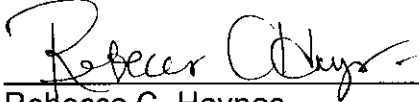
7. NEXT HEARING

Monday, September 11, 2017, 10:00 A.M.

8. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 11:06 a.m.

Attest:



Rebecca C. Haynes
City Clerk