

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

JANUARY 8, 2018

10:00 A.M.

PRESENT

Amber Ashton, Special Magistrate
Andrew Dickman, City Attorney
Mary Jo Murphy, Deputy City Clerk
Peyt Dewar, Code Enforcement Manager
Shaunna Anick, 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

Special Magistrate 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. 20170031**
City of St. Pete Beach v. Lisa Robinson
Address: 7100 Boca Ciega Drive, St. Pete Beach, FL 33706
District 2
Section 105.1
This property is now compliant with no outstanding fines or liens.

Peyt Dewar, Code Enforcement Manager, informed Special Magistrate Ashton that the property was in compliance.

- B. Case No. 20170135**
City of St. Pete Beach v. Cary and Patricia Wallace

Address: 438 86th Avenue, St. Pete Beach, FL 33706

District 1

Sec. 6.13 – Residential accessory structures; Sec. 98-66 - Residential and commercial property maintenance; 105.1, Required.

This property is now compliant with no outstanding fines or liens.

Peyt Dewar, Code Enforcement Manager, informed Special Magistrate Ashton that the property was in compliance.

5. OLD CASES

A. Case No. 20170133

City of St. Pete Beach v. Blakes Ventures, Inc.

Address: 601 Corey Avenue, St. Pete Beach, FL 33706

District 1

Violation: Sec. 98-66 - Residential and commercial property maintenance, (a), (b), (3).

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170133.

Special Magistrate Ashton found the following:

- Property remains out of compliance
- Imposed a fine of \$250.00 per day retroactive to December 13, 2017
- Imposed an administrative fine of \$250.00

B. Case No. 20170131

City of St. Pete Beach v. Suzanne Ferry

Address: 600 Corey Avenue, St. Pete Beach, FL 33706

District 1

Violations: Sec. 70-3 – Accumulation of garbage and insufficient number of cans; Sec. 70-36 – Required; exemptions; covers; placement for collection; Sec. 98-66 – Residential and commercial property maintenance, (a) (b), (3).

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170131.

Special Magistrate Ashton found the following:

- Property remains out of compliance
- Imposed a fine of \$250.00 per day retroactive to December 13, 2017
- Imposed an administrative fine of \$250.00

C. Case No. 20170132

City of St. Pete Beach v. Suzanne Ferry
Address: 550 Corey Avenue, St. Pete Beach, FL 33706
District 1

Violations: Sec. 70-3 – Accumulation of garbage and insufficient number of cans; Sec. 70-36 – Required; exemptions; covers; placement for collection; Sec. 98-66 – Residential and commercial property maintenance, (a) (b), (3).

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170132.

Special Magistrate Ashton found the following:

- Property remains out of compliance
- Imposed a fine of \$250.00 per day retroactive to December 13, 2017
- Imposed an administrative fine of \$250.00

D. Case No. 20170115

City of St. Pete Beach vs. John Grewe
Address: 8001 Blind Pass Road, St. Pete Beach, FL 33706
District 1

Violations: Sec. 5.3. – Compliance requirements; Sec. 13.12 – Maximum impervious surface ratio.

E. Case No. 20170114

City of St. Pete Beach vs. John & Jodi Grewe
Address: 353 80th Avenue, St. Pete Beach, FL 33706
District 1

Violations: Sec. 5.3 – Compliance requirements; Sec. 23.6 – Handicap parking requirements; Sec. 23.4 – General parking requirements; Sec. 23.11 – Parking construction and design requirements; Sec. 23.13 – Maintenance of off-street parking and loading areas and driveways.

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170115 and Case No. 20170114.

John Grewe, 8001 Blind Pass Road, property owner, spoke about the progress he had made in regard to the subject cases.

Special Magistrate Ashton found the following:

- Continue the hearing for 30 days
- Issuing an order to reschedule the hearing until February 12, 2018 on both properties
- Must make progress in order for any further action to be taken

- F. Case No. 20170105**
City of St. Pete Beach vs. Scott and Amy Boggs
Address: 1202 Pass-A-Grille Way, St. Pete Beach, FL 33706
District 4
Violations: Sec. 20.03 – Permitted principal uses and structures, (b);
Sec. 23.4 – General parking requirements.

Special Magistrate Ashton found the following:

- Notice of Appeal was filed
- Motion of Rehearing was untimely
- Not entering an order based on jurisdictional issues

6. NEW CASES

- A. Case No. 20170156**
City of St. Pete Beach vs. Robert and Catherine Corsetti
Address: 6420 3rd Palm Point, St. Pete Beach, FL 33706
District 1
Violation: Sec. 46-33 Enumeration (1), (2), (3), (4), (a), (19), (20).

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 2010156.

Special Magistrate Ashton found the following:

- Property is in violation
- Gave one week to bring the property into compliance
- Compliance deadline is January 15, 2018
- If the property is not brought into compliance, it will be brought back before the Special Magistrate on February 12, 2018 for an imposition of a fine

- B. Case No. 20170158**
City of St. Pete Beach vs. Timothy Gober
Address: 6450 4th Palm Point, St. Pete Beach, FL 33706
District 2
Violations: Sec. 8.2 – Permitted principal uses and structures, (a).

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170158.

Attorney Jake Blanchard, Blanchard Law, P.A., representing Timothy Gober, informed the Special Magistrate that there will be no more rentals, the property is not being offered in advertisements, and the property is in compliance.

Mike Bomar, 6440 4th Palm Point, reiterated that the property is not being rented any longer and the property is in compliance.

Special Magistrate Ashton found the following:

- Property is no longer in violation
- Entered an order that if the violation happens again, it will be considered a repeat violation
- No fee will be imposed

C. Case No. 20170184

City of St. Pete Beach v. DLM Investments, LLC

Address: 344 41ST Avenue, St. Pete Beach, FL 33706

District 3

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

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170184.

Diane Miksch, spoke about the advertising and rental information in regard to the subject property.

Special Magistrate Ashton found the following:

- No fine imposed
- Entered an order that if the violation happens again, it will be considered a repeat violation

D. Case No. 20170201

City of St. Pete Beach vs. Elizabeth and James Devito

Address: 3528 Casablanca Avenue, St. Pete Beach, FL 33706

District 3

Violation: Sec. 9.2. – Permitted principal uses and structures, (a)

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170201.

Special Magistrate Ashton found the following:

- No violation on the property
- Entered an order that if the violation happens again, it will be considered a repeat violation

7. ADDITIONAL ITEMS

Case No. 20150004

City of St. Pete Beach vs. Carl and Nancy Lensce

Address: 8240 Gulf Boulevard, St. Pete Beach, FL 33706

This case was heard by the Special Magistrate on October 10, 2016 and it was ordered that the City abate a stagnant pool. The pool was covered and abated on January 21, 2017.

Peyt Dewar, Code Enforcement Manager, informed the Special Magistrate that the property is no longer owned by the Lensces. There are outstanding fines, and the new owners are requesting a lien reduction to \$8,575.00. The taxes are paid up to date, there are no violations on the property, the property is in their names, and it is being maintained.

Special Magistrate Ashton found the following:

- Reduced the fines to \$8,575.00
- The amount is due in 30 days, and if it is not paid within 30 days, the original lien amount will go back into effect

8. OTHER:

There were no other cases heard.

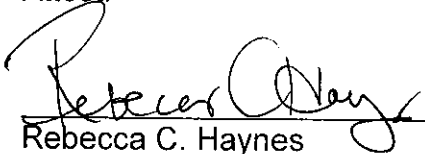
9. NEXT HEARING

Monday, February 12, 2018 at 10:00 A.M.

10. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 10:50 a.m.

Attest:



Rebecca C. Haynes
City Clerk