



**CODE ENFORCEMENT SPECIAL MAGISTRATE
PUBLIC HEARING**

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

**Monday, February 12, 2018
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:

A. Case No. 20170131

City of St. Pete Beach v. Suzanne Ferry

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

District 1

This property is compliant with outstanding fines and liens.

B. Case No. 20170132

City of St. Pete Beach v. Suzanne Ferry

Address: 550 Corey Avenue, St. Pete Beach, FL 33706

District 1

This property is compliant with outstanding fines and liens.

C. Case No. 20170133

City of St. Pete Beach v. Suzanne Ferry

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

District 1

This property is compliant with outstanding fines and liens.

5. OLD CASES:

A. Case No. 20170114

City of St. Pete Beach v. John & Jodi Grewe

Address: 353 80th Ave., St. Pete Beach, FL 33706

District 1

Sec. 5.3. - Compliance requirements.

Sec. 23.6. - Handicap parking requirements.

Handicapped parking shall be provided consistent with the requirements of Florida Statutes, as may be amended.

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.

This property remains in violation and the City is requesting an imposition of fines and certification of liens.

B. Case No. 20170115

City of St. Pete Beach v. John Grewe

Address: 8001 Blind Pass Rd, St. Pete Beach, FL 33706

District 1

Sec. 5.3. - Compliance requirements.

Sec. 13.12. - Maximum impervious surface ratio.

This property remains in violation and the City is requesting an imposition of fines and certification of liens.

6. NEW CASES:

A. Case No. 20170193

City of St. Pete Beach v. Wells Fargo Bank

Address: 970 Boca Ciega Isle Drive, St. Pete Beach, FL 33706

District 3

Sec. 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:

(4) Buildings and structures as follows:

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.

(9) Any accumulation of stagnant water permitted or maintained on any lot, piece of ground or swimming pool.

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:

(3) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

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

(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.

(18) Swimming pools. All swimming pools, spas and architectural pools, ponds or bodies of water shall be properly maintained so as not to create a safety hazard or harbor insect infestation. Water shall not be allowed to stagnate or to become polluted. All pools shall be free from unsightly appearance.

B. Case No. 20180049

City of St. Pete Beach v. Smoky Mountain Ventures, LLC

Address: 429 86th Avenue , St. Pete Beach, FL 33706

District 1

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.

C. Case No. 20180054

City of St. Pete Beach v. Laura and Antonio Paredes

Address: 6360 2nd Palm Point, St. Pete Beach, FL 33706

District 2

Sec. 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.

D. Case No. 20170202

City of St. Pete Beach v. Robert Speiser Living Trust/Robert Speiser

Address: 1340 Boca Ciega Isle Drive, St. Pete Beach, FL 33706

District 3

Sec. 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:

a. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds or any other vegetation, other than trees, ornamental bushes, flowers or other ornamental plants, with a height exceeding 12 inches.

b. Dead branches or fronds on trees or shrubs.

(3) Any condition which provides harborage for rats, mice, snakes and other vermin.

(9) Any accumulation of stagnant water permitted or maintained on any lot, piece of ground or swimming pool.

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

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

(b) Standards for improved property.

(18) Swimming pools. All swimming pools, spas and architectural pools, ponds or bodies of water shall be properly maintained so as not to create a safety hazard or harbor insect infestation. Water shall not be allowed to stagnate or to become polluted. All pools shall be free from unsightly appearance.

(20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

(22) Trees. Trees shall be maintained or removed as follows:

b. Prohibited conditions. The following conditions are prohibited:

3. Removal of obstruction. The owner of any real property shall trim trees, plants, shrubs or vegetation, or any parts thereof as follows: which overhang any sidewalk, alley or street as determined by the building official, and which interfere with the use of any sidewalk, alley, street, poles, wires, pipes, fixtures or any other part of any public utility situated in the right-of-way.

(24) Fences and walls. Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

E. Case No. 20170213

City of St. Pete Beach v. Thomas and Margaret Bellissimo

Address: 446 46th Avenue, St. Pete Beach, FL 33706

District 3

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.

F. Case No. 20170214

City of St. Pete Beach v. Kathleen Teichert

Address: 625 78th Avenue, St. Pete Beach, FL 33706

District 1

Sec. 6.13. - Residential accessory 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:

(2) Detached garage. Detached garages shall be regulated as follows:

c. In no case shall a detached garage have any sleeping room, kitchen facilities or plumbing

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.

G. Case No. 20170216

City of St. Pete Beach v. Rodger and Theresa Hendricks

Address: 6800 Sunset Way, St. Pete Beach, FL 33706

District 1

Sec. 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:

a. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds or any other vegetation, other than trees, ornamental bushes, flowers or other ornamental plants, with a height exceeding 12 inches.

(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.

(5) All disagreeable or obnoxious odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.

(8) Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.

(9) Any accumulation of stagnant water permitted or maintained on any lot, piece of ground or swimming pool.

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:

(1) Structures that are:

a. Partially destroyed; or

b. Left in a state of disrepair;

(3) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(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.

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

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

(b) Standards for improved property.

(3) Windows.

a. Every window shall be maintained in sound working condition and good repair to be substantially weather-tight and rodent-proof.

(19) Rodent harborage. All structures and exterior premises shall be kept free from rodent harborage and infestation. Where rodents are found, the owner shall promptly exterminate rodents through a process which will not be injurious to human health condition.

(20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

(c) Litter.

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.

H. Case No. 20170217

City of St. Pete Beach v. 929485 Florida Inc.

Address: 677 75th Avenue, St. Pete Beach, FL 33706

District 1

Sec. 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:

(4) Buildings and structures as follows:

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

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

(b) Standards for improved property.

(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.

(8) Structural supports. Every structural element of a dwelling shall be maintained in a structurally sound condition and shall not show evidence of deterioration that would make it incapable of carrying normal loads.

(9) Porches and balconies. All exterior porches, balconies, stairs and fire escapes shall include banisters or railings properly designed and maintained to minimize the hazard of falling and installed to withstand the loads prescribed by the Florida Building Code. All exterior porches, landings, balconies, stairs and fire escapes shall be kept structurally sound, in good repair and free from defects. Paint and other finishes shall be in good condition.

(10) Stairs. All stairs shall be maintained safe and free from tripping hazards. Treads shall be sound, without broken or chipped edges. Wooden stairs shall be free from decay or substantial wear that could cause a tripping hazard or have an unsightly appearance. Handrails and guardrails shall be maintained to withstand loads prescribed by the Florida Building Code.

I. Case No. 20180047

City of St. Pete Beach v. Eighty Eight Fifty Blind Pass Corp

Address: 8850 Blind Pass Road, St. Pete Beach, FL 33706

District 1

Sec. 23.4. - General parking requirements.

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

(e) Except as provided in section 23.7, all off street parking areas shall be surfaced with asphalt, bituminous or concrete material, clay brick or concrete paving units, and maintained in a smooth, well-graded condition; provided, however, turf block may be used for the parking space surface

Sec. 46-33. - Enumeration.

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(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.

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(3) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(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.

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

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

(b) Standards for improved property.

(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.

7. ADDITIONAL ITEMS: REPEAT VIOLATION

A. Case No. 20160133

City of St. Pete Beach v. Amanda Hyde and Larry Brakefield

Address: 6380 2nd Palm Point, St. Pete Beach, FL 33706

District 2

Sec. 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.

8. OTHER:

9. NEXT HEARING:

Monday, March 12, 2018 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.