

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

FEBRUARY 12, 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
Bruce Cooper, Building Official

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. OLD CASES

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

- A. Case No. 20170131
City of St. Pete Beach v. Suzanne Ferry
Address: 600 Corey Avenue, St. Pete Beach, FL 33706
District 1**
- B. Case No. 20170132
City of St. Pete Beach v. Suzanne Ferry
Address: 550 Corey Avenue, St. Pete Beach, FL 33706
District 1**
- C. Case No. 20170133
City of St. Pete Beach v. Suzanne Ferry**

**Address: 601 Corey Avenue, St Pete Beach, FL 33706
District 1**

Peyt Dewar, Code Enforcement Manager, informed Special Magistrate Ashton that the three properties were in compliance with outstanding fines and liens. The respondent is requesting to be listed on the March 2018 hearing.

Special Magistrate Ashton stated that the aforementioned cases will be scheduled for the next hearing date on March 12, 2018.

5. OLD CASES

- A. Case No. 20170114**
City of St. Pete Beach vs. John and 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.
- B. Case No. 20170115**
City of St. Pete Beach v. 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.

Peyt Dewar, Code Enforcement Manager, informed Special Magistrate Ashton that the subject properties were still in violation in regard to Case No. 20170114 and Case No. 20170115.

Special Magistrate Ashton asked Mr. Grewe to give a status report.

Mr. John Grewe, owner of 8001 Blind Pass Road and 353 80th Avenue, updated Special Magistrate Ashton that the variance had expired and that he was instructed to start the entire process again.

Special Magistrate Ashton found the following:

- Entered an order continuing the hearing until March 12, 2018

5. NEW CASES

- A. Case No. 20170193**

City of St. Pete Beach vs. Wells Fargo Bank
Address: 970 Boca Ciega Isle Drive, St. Pete Beach, FL 33706
District 3
Violation: Sec. 46-33 - Enumeration (4), (b), (9); Sec. 98-65 –
Unsanitary conditions; (3); Sec. 98-66 – Residential and commercial
property maintenance (2), (7), and (18).

Peyt Dewar, Code Enforcement Manager, informed Special Magistrate Ashton that the property had changed ownership. The new owner is the occupant of the property and is trying to correct the violations on the property and is requesting more time.

Special Magistrate Ashton found the following:

- Re-notice the case until the next hearing date of March 12, 2018

B. Case No. 20180049
City of St. Pete Beach vs. Smoky Mountain Ventures, LLC
Address: 429 86th Avenue, St. Pete Beach, FL 33706
District 1
Violations: Sec. 9.2 – Permitted principal uses and structures (a).

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

Michelle Allen, 429 86th Ave, St. Pete Beach, real estate agent with RE/MAX Preferred, Beachside Rentals, represents the subject property owner and has a limited Power of Attorney to speak on behalf of the owner. Ms. Allen stated that she had cancelled all upcoming rentals that did not meet the 30-day minimum requirement.

Special Magistrate Ashton found the following:

- Entered an order that the property was in violation but is now compliant
- The property is not subject to fines or liens
- If a violation happens again, it will be considered a repeat violation

C. Case No. 20180054
City of St. Pete Beach vs. Laura and Antonio Paredes
Address: 6360 2nd Palm Point, St. Pete Beach, FL 33706
District 2
Violations: Sec. 8.2 – Permitted principal uses and structures (a).

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

Special Magistrate Ashton found the following:

- Proper notice was given
- Property was in violation but it is now compliant

- Entered a Finding of Fact Order
- If there is a repeat violation, an increased fine will be required on this property

D. Case No. 20170202

City of St. Pete Beach vs. Robert Speiser Living Trust/Robert Speiser
Address: 1340 Boca Ciega Isle Drive, St. Pete Beach, FL 33706
District 3
Violations: Sec. 46-33 - Enumeration (1), (a), (b), (3), (9); Sec. 98-66 – Residential and commercial property maintenance, (a), (b), (18), (20), (22), (b), (3), (24).

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170202.

Special Magistrate Ashton found the following:

- 5 days to bring the property into compliance
- February 16, 2018 is the compliance deadline
- City may bring the property into compliance to the extent necessary to eliminate health and safety concerns

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

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170213.

Vitas Lukas, 446 46th Avenue, attorney representing Mr. and Mrs. Bellissimo, explained the advertisement with Home Away and VRBO and asked for clarification in regard to the 30-day rental requirements.

Special Magistrate Ashton found the following:

- Property was in violation but is now compliant
- If there is a repeat violation, an increased fine will be required on this property

F. Case No. 20170214

City of St. Pete Beach vs. Kathleen Teichert
Address: 625 78th Avenue, St. Pete Beach, FL 33706
Violation: Sec. 6.13 – Residential accessory structures, (2), (c); 105.1 Required.

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170214.

- This case will come back before the Special Magistrate on March 12, 2018 for the imposition of fines and liens if the property is not in compliance
- It is important that the property owner understand that it is their responsibility to call the City to have the City determine whether or not the property is in compliance

H. Case No. 20170217

City of St. Pete Beach vs. 929485 Florida, Inc.

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

District 1

Violations: Sec. 46.33 - Enumeration (4), (b); Sec. 98-66 – Residential and commercial property maintenance (a), (b), (7), (8), (9), (10).

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20170217 and informed the Special Magistrate that there was a Power of Attorney for Robert Greiner to represent Rahim Jaffer.

Robert Greiner, business partner with Rahim Jaffer, stated that a permit had been applied for in regard to the stairs, and that as soon as the fire marshal signs off on the permit, the project will be done immediately.

Bruce Cooper, Building Official, stated that the permit had been applied for and needs to be approved. There is also a structural beam and the support system that is a matter of concern. Mr. Cooper recommended giving 72 hours to receive a letter confirming that the structural beam is safe. If the letter is not received, the second floor balcony will be closed.

Craig Monroe, owner and occupant of Shark Tales, informed the Special Magistrate that a permit had been applied for to demo the stairs, and as far as the structural beam and metal bracket, the paint was being removed and a rust inhibitor was going to be applied. Mr. Monroe is actively working on the tasks so the letter can be signed off on and then sent to Mr. Cooper.

Special Magistrate Ashton found the following:

- Gave until February 16, 2018 to bring the property into compliance
- If the property is not brought into compliance, the property will be brought back before the Special Magistrate on March 12, 2018 for the imposition of fines and liens

I. Case No. 20180047

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

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

District 1

Violations: Sec. 23.4 – General parking requirements (e); Sec. 46-33 - Enumeration (3), (4), (a), (b); Sec. 98-65 – Unsightly conditions (3), (4); Sec. 98-66 (a), (b), (7).

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20180047.

Gill Sagritalo, asked for 60 or 90 days to continue the progress of working on the property.

Special Magistrate Ashton found the following:

- Gave a compliance deadline of March 11, 2018
- If the property is not brought into compliance, the property will be brought back before the Special Magistrate on March 12, 2018

6. ADDITIONAL ITEMS

**A. Case No. 20160133 For Release of Lien
City of St. Pete Beach v. Amanda Hyde and Larry Brakefield
Address: 6380 2nd Palm Point, St. Pete Beach, FL 33706
District 2
Violation: Sec. 8.2 – Permitted principal uses and structures (a).**

Peyt Dewar, Code Enforcement Manager, gave a presentation in regard to Case No. 20160133.

Larry Brakefield, 6380 2nd Palm Point, property owner, explained the advertising error and submitted emails from Evolve Vacation Rental Network apologizing for the error.

Special Magistrate Ashton found the following:

- The property is in compliance
- The repeat violation order is in place
- If the property is rented for a short period of time again, the owner will be subject to repeat violator fines

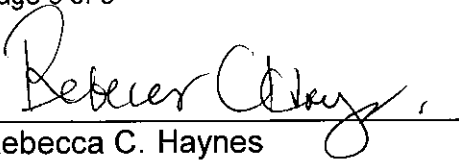
7. NEXT HEARING

Monday, March 12, 2018, 10:00 A.M.

8. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 11:18 a.m.

Attest:

A handwritten signature in cursive script, appearing to read "Rebecca C. Haynes", is written over a horizontal line.

Rebecca C. Haynes
City Clerk