

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

JUNE 11, 2018

10:00 A.M.

PRESENT

Amber Ashton, Special Magistrate
Andrew Dickman, City Attorney
Rebecca Haynes, 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. 20170080**
City of St. Pete Beach v. J.M. Industries LLC
Address: 840 59th Avenue, St. Pete Beach, FL 33706
District 2
Violations: Sec. 3.6. – Zoning compliance, concurrency and plans required;
record of applications and plans; and subsequent applications; (a), (c);
105.1 - Required.

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20170080.

Special Magistrate Ashton found the following:

- Property is in violation
- Proper notice was given

- Based on the agreement of the parties, the compliance deadline is September 9, 2018
- If not in compliance by September 9, 2018, the case will be heard during the September 10, 2018 hearing

B. Case No. 20180100

City of St. Pete Beach v. Joel Culley, Jr.

Address: 487 Belle Point Drive, St. Pete Beach, FL 33706

District 3

Violations: Sec. 46-33 – Enumeration, (2), (3), (9); Sec. 98-65 - Unsightly conditions, (1), (2), (3), (4).

Peyt Dewar, Code Enforcement Officer, informed Special Magistrate Ashton that the property is in compliance.

5. OLD CASES

A. Case No. 20180116

City of St. Pete Beach vs. Shirley Ann Lockwood

Address: 7700 Boca Ciega Drive, St. Pete Beach, FL 33706

District 1

Violation: Sec. 32.5 – Prohibited uses and structures.

Peyt Dewar, Code Enforcement Officer, gave a presentation in regard to Case No. 20180116.

Special Magistrate Ashton found the following:

- Entered an order approving the settlement of the City in the amount for \$350.00
- The \$350.00 is due in 30 days on July 11, 2018 or the full fine amount will be re-imposed

6. NEW CASES

There were no new cases presented.

7. ADDITIONAL ITEMS: REPEAT VIOLATION CASES

There were no additional items presented.

8. FEE HEARING

A. Pinellas County App. Case No. 17-000024-AP-88B

Lower Tribunal Case No. 20160121

City of St. Pete Beach vs. Ingrid Anchinges

Address: 3505 Gulf Boulevard, St. Pete Beach, FL 33706

Attorney Dickman, City Attorney, gave a presentation in regard to a fee hearing with Case No. 20160121.

Special Magistrate Ashton administered the oath or affirmation in Ms. Ingrid Anchinges.

Ingrid Anchinges, spoke in regard to receiving a Notice of Hearing for May 15, 2018 for Case No. 17-000024-AP and reasonable attorney fees.

Special Magistrate Ashton found the following:

- Accepted the affidavit as expert testimony
- Accepted the City's stipulation to reduce the amount by \$30.00 to address the three line items with Case No. 17-000022-AP:
 - August 15, 2017 \$15.00
 - January 19, 2018 \$00.00
 - January 19, 2018 \$15.00
- Found the reasonable amount of attorney fees incurred in this matter at 42.6 hours of time expended at \$205.00 and \$150.00 per hour are reasonable and the amount of time is reasonable.
- Entered an attorney fees award in favor of the City in the amount of \$6,795.00
- Respondent has the opportunity to appeal, but if the City prevails, the Respondent will have additional attorney fees exposure
- Once the property is in compliance and no ongoing court cases, the Respondent may discuss with the City a settlement to reduce the amounts due or to enter into a payment plan to pay off the amounts due, but until that time, these amounts, as well as the fines imposed on the property, are going to be a lien on the Respondent's property
- Respondent needs to request an inspection of the property with Code Enforcement to issue an Affidavit of Compliance. Until the property is brought into compliance, fines on the property will continue to accrue.

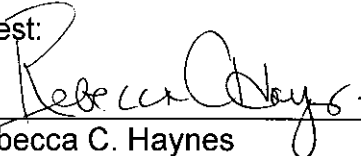
NEXT HEARING:

Monday, July 9, 2018 at 10:00 A.M.

8. 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