



CODE ENFORCEMENT SPECIAL MAGISTRATE PUBLIC HEARING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

**Monday, December 10, 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. 20180194

**City of St. Pete Beach v. Morgan Stanley ABS Capital Inc. Trust 2007-HE7 Deutsche Bank
National Trust Co Trustee**

Address: 3941 Moody St., 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.

Sec. 98-64. - General maintenance.

(a) Nuisances and hazards. Real property shall be maintained free of nuisances and any hazards to the safety of the occupants, customers or persons utilizing the premises or to pedestrians passing by.

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.

(3) Windows.

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

b. Openings originally designed as windows shall be maintained as windows, unless approved by the building official for enclosure. The enclosure of a window shall be by either bricking the opening, blocking the opening with concrete blocks and stuccoing the exterior, or boarding the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to conform to the other exterior portions of the building. The boarding shall remain in place and be properly maintained.

(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.

(11) Roofs. Roofs shall be maintained in a structurally sound and safe manner. Roofs shall be repaired using like materials to existing materials.

(14) Overhang extensions. All overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay or rust.

This case is compliant with no outstanding fines or liens.

B. Case No. 20180162

City of St. Pete Beach v. John Glasscock

Address: 295 46th Avenue, St. Pete Beach, FL 33706

District 3

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

(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.

This case is compliant with no outstanding fines or liens.

C. Case No. 20180089

City of St. Pete Beach v. Sungold LLC

Address: 3855 Gulf Blvd., St. Pete Beach, FL 33706

District 3

Sec. 42.4. - Allowable conditional uses.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, allowable conditional uses in the Bayou Residential District are as follows.

(e) Off-premises parking lot.

(f) Commercial parking lot.

The city is requesting to continue this case for 60 days.

5. OLD CASES

A. Case No. 20180233

City of St. Pete Beach v. Susan Ahl

Address: 3408 E Maritana Drive, St. Pete Beach, FL 33706

District 3

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.

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.

(d) Outdoor storage. Outside storage of materials and equipment shall be restricted to the rear yard area and screened by an opaque fence or hedge so that such materials are not visible from any public right-of-way or adjoining lot.

The city is requesting an imposition of fines and certification of liens.

B. Case No. 20180280

City of St. Pete Beach v. 929485 Florida Inc./Shark Tale's/Gulf Coast Hospitality

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

District 1

Sec. 78-96. – Business tax receipt—Required.

No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was

issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

The city is requesting an imposition of fines and certification of liens.

C. Case No. 20170028

City of St. Pete Beach v. Krzysztof and Maria Czystochon Rev. Trust and Krzysztof and Maria Czystochon Trustees

Address: 4506 Gulf Blvd., St. Pete Beach, FL 33706

District 3

Determination on the Chickee hut in reference to the hearing with the Florida Building Commission.

6. NEW CASES:

A. Case No. 20180269

B.

City of St. Pete Beach v. Evelyn and David Swift

Address: 9050 Gulf Blvd., St. Pete Beach, FL 33706

District 1

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.

7. REPEAT VIOLATIONS

NEXT HEARING:

Monday, January 14, 2019 at 10:00 a.m.

8. 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.

CODE OF ORDINANCES, SECTION 1-15: Award of attorney's fees and other costs. In all instances where a lawsuit is instituted or defended on behalf of the city to enforce any provision of the Code of Ordinances, to collect fees, liens, assessments or fines, or otherwise secure compliance with any provision of the Code of Ordinances, the city shall be entitled to recover all costs incurred, including reasonable attorney's fees and court costs through the trial and appellate levels. This section shall apply to all instances where the city is required to defend an appeal from any order, notice or determination by the city or its officials.

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.