

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

DECEMBER 10, 2018

10:00 A.M.

PRESENT

Amber Ashton, Special Magistrate
Andrew Dickman, City Attorney
Wesley Wright, Community Development Department Director
Peyt Dewar, Code Enforcement Manager
Shaunna Anick, Code Enforcement Officer
Mary Jo Murphy, Deputy City Clerk

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. 20180194

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

Address: 3941 Moody Street, St Pete Beach, FL 33706

District 3

Violations: Sec. 46-33. – Enumeration, (4), (b); Sec. 98-64 – General maintenance, (a); Sec. 98-65, Unsightly conditions, (3); Sec. 98-66 – Residential and commercial property maintenance, (2), (3), a., b., (7), (11), (14).

Peyt Dewar, Code Enforcement Officer, informed Special Magistrate Ashton that the property was in compliance without 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
Violations: Sec. 98-66 – Residential and commercial property maintenance, (18), (20).

Mr. Dewar gave a presentation in regard to Case No. 20180162

Special Magistrate Ashton found the following:

- Inform the property owner that Case No. 20180162 will be heard in January

- C. Case No. 20180089**
City of St. Pete Beach v. Sungold LLC
Address: 3855 Gulf Boulevard, St. Pete Beach, FL 33706
District 3
Violations: Sec. 42.4 – Allowable conditional uses, (e), (f).

Mr. Dewar requested a continuance of an additional 60 days in regard to Case No. 20180089.

Special Magistrate Ashton found the following:

- Issued an order continuing Case No. 20180089 for 60 days until the February 11, 2019 hearing date

5. OLD CASES

- A. Case No. 20180233**
City of St. Pete Beach vs. Susan Ahl
Address: 3408 E. Maritana Drive, St. Pete Beach, FL 33706
District 3
Violation: 105.1 Required; Sec. 98-66. – Residential and commercial property maintenance, (a), (b), (d).

Mr. Dewar gave a presentation in regard to Case No. 20180233.

Special Magistrate Ashton found the following:

- Issued an order to continue the hearing until the March 11, 2019 hearing date
- A Certificate of Completion should be issued no later than March 4, 2019

- B. Case No. 20180280**

City of St. Pete Beach vs. 929485 Florida Inc./Shark Tale's/Gulf Coast Hospitality
Address: 677 75th Avenue, St. Pete Beach, FL 33706
District 1
Violations: Sec. 78-96 – Business Tax Receipt – Required.

Mr. Dewar gave a presentation in regard to Case No. 20180280.

Special Magistrate Ashton found the following:

- City will prepare a proposed order on this case
- Property is in violation
- Proper notice was given
- Property remains in violation for failure to obtain a business tax receipt as required
- Fines will be in accordance with the statutory scheme as read by Mr. Dewar

C. Case No. 20170028

City of St. Pete Beach vs. Krzysztof and Maria Czyszczonek Rev. Trust and Krzysztof and Maria Czyszczonek Trustees
Address: 4506 Gulf Boulevard, St. Pete Beach, FL 33706
District 3
Determination on the Chickee hut in reference to the hearing with the Florida Building Commission.

Due to the respondent's attorney's request for a continuance, Mr. Dewar requested a continuance to the January 14, 2019 in regard to Case No. 20170028.

Special Magistrate Ashton found the following:

- Continued Case No. 20170028 to the January 14, 2019 hearing date

6. NEW CASES

Case No. 20180269

City of St. Pete Beach vs. Evelyn and David Swift
Address: 9050 Gulf Boulevard, St. Pete Beach, FL 33706
District 1
Violation: Sec. 8.2. – Permitted principal uses and structures, (a).

Mr. Dewar gave a presentation in regard to Case No. 20180269.

Special Magistrate Ashton found the following:

- Issued an order that the property is compliant and put the owner on notice that if the property is listed again as a short-term rental, they will be considered a repeat violator and a repeat violator can be fined up to \$500 per day.

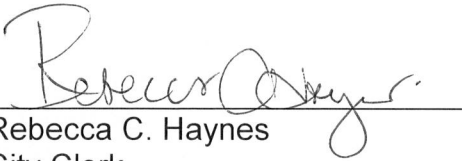
7. REPEAT VIOLATIONS

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

8. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 10:20 a.m.

Attest:



Rebecca C. Haynes
City Clerk