



CODE ENFORCEMENT/SPECIAL MAGISTRATE MEETING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, March 11, 2019
10:00 a.m.

Call to Order
Pledge of Allegiance

Case Docket

1. **Changes to the Agenda**
2. **Administration of Oath**
3. **CASES COMPLIED OR CONTINUED**

A. Case No. 20180208

City of St. Pete Beach v. USA FED NATL MTG ASSN

Address: 3203 E Debazan Ave., St. Pete Beach, FL 33706
District 3

The property is now compliant.

B. Case No. 20180294

City of St. Pete Beach v. Beth Bentley

Address: 3112 Pass a Grille Way, St. Pete Beach, FL 33706
District 4

Special Magistrate ordered that the case be referred to March 11, 2019 for an imposition of fines and certification of liens.

C. Case No. 20180259

City of St. Pete Beach v. Waterside Property Group LLC

Address: 644 72nd Avenue, St. Pete Beach, FL 33706

District 2

Sec. 36.4. - Prohibited uses and structures.

Special Magistrate ordered that the case be referred to March 11, 2019 for an imposition of fines and certification of liens.

4. OLD CASES

A. Case No. 20170028

City of St. Pete Beach v. Krzysztof and Maria Czyszczonek Revocable Trust/Krzysztof and Maria Czyszczonek Trustees

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

District 3

This case is being brought before the Special Magistrate to have the declaratory statement from the Florida Building Commission stricken from the record, the prior violation upheld, and the City is requesting an imposition of fines and certification of liens.

B. Case No. 20170105

City of St. Pete Beach v. Scott and Amy Boggs

Address: 1202 Pass a Grille Way, St. Pete Beach, FL 33706

District 3

Case being brought back before the Special Magistrate based on Circuit Court order #17-0060AP-88B to issue Findings of Fact.

C. Case No. 20190032

City of St. Pete Beach v. 929485 Florida Inc./Sharktales and Gulf Coast Hospitality

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

District 1

Sec. 46-142. - Pattern of nuisance activity.

The city is requesting injunctive relief.

D. Case No. 20180306

City of St. Pete Beach v. Paula Cane

Address: 1404 Pass a Grille Way, St. Pete Beach, FL 33706

District 4

Sec. 46-33. - Enumeration.

Sec. 98-65. - Unsightly conditions.

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

The City is requesting an Imposition of fines and Certification of Liens.

E. Case No. 20160121

City of St. Pete Beach v. Ingrid Anchinges

Address: 3505 Gulf Blvd., St Pete Beach, FL 33706
District 3

To see if the property is compliant and to request Attorney fees.

F. Case No. 20160057

City of St. Pete Beach v. Robert Lauby

Address: 9210 Gulf Blvd., St Pete Beach, FL 33706
District 3

Sec. 46-142. - Pattern of nuisance activity.

Special Magistrate ordered that the case be referred to March 11, 2019 for an imposition of fines and certification of liens and the City is asking for injunctive relief as well.

G. Case No. 20160133

City of St. Pete Beach v. David Gumos

Address: 403 86th Ave., St Pete Beach, FL 33706
District 1

105.1 Required.

The City is requesting an Imposition of fines and Certification of liens.

H. 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.

The City is requesting an Order Imposing Fines and Certification of Liens.

5. NEW CASES

A. Case No. 20180300

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

Address: 9050 Gulf Blvd., St. Pete Beach, FL 33706
District 1

Sec. 23.2. - Residential parking restricted.

Residential parking restrictions shall apply within the RU-1, RU-2, RLM-1, RLM-2 and RM zoning districts. For the purpose of this section, the term "stored" shall be construed to include parking for a period exceeding 48 hours.

(a) Recreational vehicles. No recreational vehicle, as defined in Division 2, shall be used for living, sleeping or housekeeping purposes. Such vehicles may be stored in accordance with the following:

(2) No more than one recreational vehicle may be stored in a front yard, provided that such vehicle is located as follows:

a. On an improved surface; and

b. Such that the length of the vehicle is perpendicular to the front property line of the zoning lot; and

c. Located a minimum of ten feet from the back of the curb on any public street.

Sec. 23.11. - Parking construction and design requirements.

(a) General construction requirements.

(1) All driveway and off-street parking areas shall be constructed of asphaltic concrete, concrete, pavers or equal on a properly constructed and compacted base unless an alternative is approved by the city.

(2) No slag, rock, pea gravel or other loose type of material shall be used.

B. Case No. 20180308

City of St. Pete Beach v. Edward Ascione

Address: 3214 El Centro Street, St Pete Beach, FL 33706

District 3

Sec. 98-71. - Demolition of structures.

(b) Demolition plan. The demolition plan shall include:

(4) The estimated number of days necessary to complete the demolition and remove the resulting debris. The actual time of demolition, cleanup and, where applicable, regrading and revegetation shall not exceed 100 working days, exclusive of Saturdays, Sundays and holidays.

C. Case No. 20190049

City of St. Pete Beach v. Maria and Alfredo Goncalves

Address: 437 80th Ave., 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:

(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.

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.

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:

(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.

(2) Exterior walls. Exterior walls of buildings shall be:

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.

(c) Litter.

(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.

6. Additional Business

7. Next Meeting: 04/8/2019

8. Adjournment

The public is cordially invited to attend.

APPEAL: Florida Statutes Chapter 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

finer, 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

All agenda material is available for review at City Hall.