

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

MARCH 11, 2019

10:00 A.M.

PRESENT

Amber Ashton, Special Magistrate
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Wesley Wright, Community Development Department Director
Peyt Dewar, Code Enforcement Manager
Shaunna Anick, Code Enforcement Officer

1. CALL TO ORDER

Special Magistrate Ashton called the Hearing to order at 10:05 a.m.

2. 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. 2018-0208**
City of St. Pete Beach vs Federal National Mortgage Association
Address: 3203 E. Debazan Ave., St. Pete Beach, FL 33706
District 3

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

- B. **Case No. 2018-0294**
City of St. Pete Beach vs Beth Bentley
Address: 3112 Pass-a-Grille Way, St. Pete Beach, FL 33706
District 4

Mr. Dewar informed Special Magistrate Ashton that she had granted a continuance for this case. Mr. Dewar stated that Ms. Bentley has made progress in obtaining the necessary building permits to come into compliance and asked that the case be

continued to the April 8 hearing.

- C. Case No. 2018-0259**
City of St. Pete Beach vs Waterside Property Group LLC
Address: 644 72nd Ave., St. Pete Beach, FL 33706
District 2
Violations: Sec. 36.4 Prohibited uses and structures

Mr. Dewar informed Special Magistrate Ashton that the owner and his attorney have asked for the case to be continued due to illness of both parties. Luke Lirot, also an attorney for the owner, asked that, since he also represents the owner of Case No. 2016-0057 (**F. under Old Cases**) on today's agenda, that that case also be continued for the same reasons.

Special Magistrate Ashton agreed to continue both cases to the April 8, 2019 hearing.

5. OLD CASES

- A. Case No. 20170028**
City of St. Pete Beach vs. Krzysztof and Maria Czyszczonek Revocable Trust/ Krzysztof and Maria Czyszczonek Trustees
Address: 4506 Gulf Blvd., St. Pete Beach, FL 33706
District 3

Ms., Ashton stated that she had not received the submission on this case from the city; but had received the petitions. Ms. Ashton said that she will issue an order as soon as she receives the submission.

Mr. Dewar also asked that Case No. 2017-0105 (**B. under Old Cases**) be continued to the April 8 hearing. Ms. Ashton agreed to continue the case.

- C. Case No. 2019-0032**
City of St. Pete Beach vs. 929485 Florida Inc./Sharktales and Gulf Coast Hospitality
Address: 677 75th Ave., St. Pete Beach, FL 33706
District 1

Rahim Jaffer, representing the property owners, indicated that he is now dealing with potential new owners, and their intention to bring the property into compliance. Special Magistrate Ashton said that there is a substantial ongoing fine; but once the property is in compliance the owners can request a reduction in lien costs.

- D. Case No. 2018-0306**
City of St. Pete Beach vs. Paula Cane
Address: 1404 Pass-a-Grille Way, St. Pete Beach, FL 33706
District 4

Mr. Dewar informed Special Magistrate Ashton that he had not been contacted by the owner and requested imposition of fines and certification of liens on the property.

Special Magistrate Ashton issued a fine of \$250.00 per day retroactive to the compliance deadline, as well as administrative fines.

E. Case No. 2016-0121

City of St. Pete Beach vs. Ingrid Anchinges

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

District 3

Mr. Dewar indicated that, after inspecting the property, it was not in compliance. Special Magistrate Ashton asked if a notice had been posted for this hearing; Mr. Dewar said there had not, but that the owner had attended the previous hearing.

Ms. Ashton asked that a notice be posted for the April 8 hearing of this case, at which time fines will be imposed.

F. Previously heard.

G. Case No. 2016-0133

City of St. Pete Beach vs. David Gumos

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

District 1

Mr. Dewar indicated that this case involved a garage conversion, and that the case had been heard on February 15, 2019. Mr. Dewar asked for an imposition of fines at \$250.00 per day.

Special Magistrate Ashton imposed a fine of \$250.00 per day, retroactive to February 15, as well as administrative fines to be determined.

H. Case No. 2018-0233

City of St. Pete Beach vs. Susan Ahl

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

District 3

Mr. Dewar said that this case, originally heard on December 10, 2018, had not provided a Certificate of Completion, and had been granted a continuance; there had been no inspections done by the building department recently. Mr. Dewar requested an imposition of fines at \$250.00 per day.

Special Magistrate Ashton imposed fines of \$250.00 per day retroactive to January 1, 2019, since a required inspection had not been performed by that time.

6. NEW CASES

A. Case No. 2018-0300

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

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

District 1

Violation: Sec. 23.2 Residential parking restricted; Sec.23.11 Parking construction and design requirements

Mr. Dewar stated that the property was posted December 4, 2018 for violation of parking a boat too close to the curb.

David Swift, owner of the property and of the boat, said that he removed the boat the same day as the posting, but did not receive a certified letter regarding the hearing.

Special Magistrate Ashton asked Mr. Dewar to inspect the property; and will continue the case to the April 8 hearing, at which time an order of compliance will be issued.

B. Case No. 2018-0308

City of St. Pete Beach vs. Edward Ascione

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

District 3

Violations: Sec. 98-71 Demolition of structure

Mr. Dewar indicated that the property was vacant and had not been graded or revegetated since the demolition.

Pat Anderson, attorney for the owner, said that her client did not receive notices of violation until the end of February because he lives in Michigan; but upon receipt of notices he had the lot graded, and there are palettes of sod ready to be laid.

Special Magistrate Ashton issued an order to comply by April 5, 2019; at which time if compliance is not met the case will be heard at the April 8, 2019 hearing.

C. Case No. 2019-0049

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

Address: 437 80th Ave., St. Pete Beach, FL 33706

District 1

**Violations: Sec.46-33 Enumeration; Sec. 98-65 Unsightly conditions;
Sec. 98-66 Residential and commercial property maintenance**

Mr. Dewar enumerated various violations on the property including peeling paint, trash in the yard, etc., and asked for a fine of \$250.00 per day.

Special Magistrate Ashton ordered that the property come into compliance by March 25, 2019. If compliance is not met the case will be heard at the April 8, 2019 hearing.

7. **ADDITIONAL BUSINESS**

There was no additional business.

NEXT HEARING: April 8, 2019

8. **ADJOURNMENT**

There being no further business to come before the Special Magistrate, the hearing was adjourned at 10:40 a.m.

Attest:



Rebecca C. Haynes
City Clerk