

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

APRIL 8, 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

1. CALL TO ORDER

Special Magistrate Ashton called the Hearing to order at 10:00 a.m.

2. PLEDGE OF ALLEGIANCE

3. ADMINISTER OATH

Special Magistrate Ashton administered the oath or affirmation to witnesses present.

3. CASES COMPLIED OR CONTINUED

Prior to hearing the cases, Attorney Dickman said he had heard from two of the cases on the agenda that had requested a continuance due to their inability to be present at this hearing,

Special Magistrate Ashton issued a continuance for the following cases: 4C – Case No. 20180259 City of St. Pete Beach vs Waterside Property Group LLC, and 4D – City of St. Pete Beach vs Scott and Amy Boggs, to be heard May 13, 2019.

Special Magistrate Ashton heard the following cases and entered the following orders:

- A. Case No. 2018-0308**
City of St. Pete Beach vs Edward Ascione
Address: 3214 El Centro St., St. Pete Beach, FL 33706
District 3
Sec. 98-71 Demolition of structures

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

4. OLD 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
Sec. 23.2 Residential parking restricted
Sec., 23.11 Parking construction and design requirements

Mr. Dewar informed Special Magistrate Ashton that this 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 the owner is awaiting a hearing with the Historic Preservation Board and asked for a continuance to the May 13 hearing. Special Magistrate Ashton agreed to continue the case.

- 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
Sec. 36.4 Prohibited uses and structures

Mr. Dewar asked that this case be continued to the May 13 hearing. Special Magistrate Ashton agreed to continue the case.

- D. Case No. 2017-0105**
City of St. Pete Beach vs Scott and Amy Boggs
Address: 1202 Pass-a-Grille Way, St. Pete Beach, FL 33706
District 3

Special Magistrate Ashton continued this case to the May 13 hearing.

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

Mr. Dewar informed Special Magistrate Ashton that the pattern of nuisance activity was in compliance; but there are still outstanding liens on the property.

Special Magistrate Ashton indicated that until a request for reduction in liens is submitted by the owner, no further action is required at this time.

F. 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 with Bill Palmer, Building Official, it was not in compliance.

Ingrid Anchinges, owner, spoke regarding her efforts to resolve the violations with her plumber; and that she had asked him to put in writing specific items to be in compliance.

Special Magistrate Ashton ordered that the property must be in compliance by April 29, 2019; and that the building official will indicate in writing all that must be done to comply.

G. Case No. 2016-0057

City of St. Pete Beach vs. Robert Lauby

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

District 3

Sec.46-142 Pattern of nuisance activity

Mr. Dewar indicated that the property is still renting short term and therefore in violation.

Luke Lirot, attorney for Robert Lauby, said that his client had claimed that he is not renting his property short term.

Robert Lauby, owner, claimed that as of January 30, 2019 he had ceased advertising and renting for less than 30 days.

Based on information provided by several websites and letters from some of Mr. Lauby's neighbors claiming the property is still being used for short term rentals, Special Magistrate Ashton issued a conditional order of continuance until the May 13 hearing with no rental activity or any advertising permitted during that time.

5. NEW CASES

A. Case No. 2018-0274

City of St. Pete Beach vs. Barbara Rozea-Galinski and Peter Galinski

Address: 14th Ave., St. Pete Beach, FL 33706

District 4

Violation: Sec. 46.33; Sec. 98.65; Sec. 98.66

Mr. Dewar stated that the property is in compliance.

B. Case No. 2018-0075

City of St. Pete Beach vs. Natali and Tyler Roshau

Address: 2403 W. Vina Del Mar Blvd., St. Pete Beach, FL 33706

District 4

Violations: Sec. 105.1 Required

Mr. Dewar indicated that the property owners had recently installed a driveway without a building permit.

Natali Roshau, owner, said that she was unaware that a permit was needed.

Special Magistrate Ashton issued an order for the owners to obtain an after the fact permit by May 6 to be in compliance.

C. Case No. 2019-0031

City of St. Pete Beach vs. JP Connolly LLC

Address: 7209 Boca Ciega Dr., 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 including unsightly conditions.

Cory Thacker, representing the property, offered to make necessary repairs.

Special Magistrate Ashton ordered that the property come into compliance by May 6, 2019. If compliance is not met the case will be heard at the May 13, 2019 hearing.

D. Case No. 2019-0050

City of St. Pete Beach vs. Elena S. Balkus Estate/Rimvydas Balkus

Address: 6442 1st Palm Point St., St. Pete Beach, FL 33706

District 2

Violation: Sec. 46.33 Enumeration

Mr. Dewar described various violations on the property, primarily unsightly or overgrown vegetation.

Rimvydas Balkus, owner, requested 30 days to take care of the property.

Special Magistrate Ashton ordered the property to come into compliance by May 8, 2019.

E. Case No. 2019-0055

City of St. Pete Beach vs. Betzalel Getzel

Address: 4950 Gulf Blvd. Unit 1001, St. Pete Beach, FL 33706

District 3

Sec. 105.1 Required

This case has been continued to the May 13, 2019 hearing.

6. ADDITIONAL BUSINESS

A. 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 indicated that the property came into compliance on March 25, 2019, and that fines accrued since January 1, 2019 are in the amount of \$21,000. Mr. Dewar also said that the 2018 property taxes on this property had not yet been paid by the owner.

Susan Ahl, owner, gave a timetable of events regarding the repair process on the property.

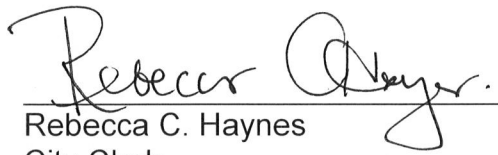
Special Magistrate Ashton indicated to the owner that the City cannot legally impose a lien reduction until her property taxes are paid. Upon payment of the taxes, Ms. Ashton instructed Ms. Ahl to inform Code Enforcement so that a lien reduction can be determined.

NEXT HEARING: May 13, 2019

7. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 11:30 a.m.

Attest:


Rebecca C. Haynes
City Clerk