



CODE ENFORCEMENT/SPECIAL MAGISTRATE HEARING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, September 9, 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. 20190228 [Property Maintenance]

City of St. Pete Beach v. Hashim Lakhani

Address: 442 46th Avenue, St. Pete Beach, FL 33706
District 1

46-33. - Enumeration.

98-65 - Unsightly Conditions.

98-66. - Residential and commercial property maintenance.

The property is now in compliant with no outstanding fines or liens.

4. NEW CASES

A. Case No. 20190323 [Short-term Rental]

City of St. Pete Beach v. Jacqueline Kay Teichert and Joseph Copestake

Address: 7210 Coquina Way, St. Pete Beach, FL 33706
District 1

36.4. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

B. Case No. 20190130 [Short-term Rental]

City of St. Pete Beach v. David P. Ambler and Margaret A. Auer

Address: 7209 Coquina Way, St. Pete Beach, FL 33706

District 1

36.4. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

C. Case No. 20190287 [Short-term Rental]

City of St. Pete Beach v. Donald L. Smith Jr.

Address: 145 43rd Avenue, St. Pete Beach, FL 33706

District 3

9.2. - 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-2 Residential District are as follows:

- (a) Residential dwellings —Detached single-family only. Such dwellings shall not be used for transient occupancy.

D. Case No. 20190310 [Short-term Rental]

City of St. Pete Beach v. Kerri A. and Elizabeth A. Chowns

Address: 5575 Gulf Blvd #421, St. Pete Beach, FL 33706

District 2

38.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the AC Activity Center District.

5. OLD CASES

6. REPEAT VIOLATION

A. Case No. 20180249/20190146 [Short-term Rental]

City of St. Pete Beach v. Kyle Pozek

Address: 545 78th Avenue, St. Pete Beach, FL 33706

District 1

The respondent was found in violation of advertising or renting the property on a transient/short term basis at the November 5, 2018 hearing. The property was observed being advertised online, from 04/09/2019 through 05/23/2019, and is a repeat violation. At the August 12, 2019 hearing the Special Magistrate ordered that the case be referred to the September 9, 2019 hearing for an imposition of fines and certification of liens. The City is requesting the respondent pay \$18,500.00 worth of fines as a repeat violator.

B. Case No. 20180211/20190148 [Short-term Rental]

City of St. Pete Beach v. M & D Assets LLC

Address: 356 S Tessier Drive, St. Pete Beach, FL 33706

District 4

The respondent was found in violation of advertising or renting the property on a transient/short term basis at the August 13, 2018 hearing. The property was observed being advertised online, from 04/09/2019 through 05/01/2019, and is a repeat violation. The City is requesting the respondent pay \$11,000.00 worth of fines as a repeat violator. At the June 10, 2019 hearing, the respondent requested that the case be continued, and the Special Magistrate ordered that the case be referred to the August 12, 2019 hearing for an imposition of fines and certification of liens.

7. Next Meeting: October 14, 2019

8. Adjournment

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 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**

All agenda material is available for review at City Hall.