

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MINUTES

November 4, 2019

10:00 A.M.

PRESENT

Norm Nash, Special Magistrate
Matthew McConnell, Esq., Dickman Law Firm
Ginny Keeter-Bodkin, Deputy City Clerk
Wesley Wright, Community Development Department Director
Peyt Dewar, Code Enforcement Manager
Aaron Marceron - Enforcement/Assurance Officer

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ADMINISTRATION OF OATH

1. CHANGES TO THE AGENDA

Peyt Dewar, Code Enforcement Manager stated that there was a late addition to the agenda:

Case Nos. 20170131, 20170132, 20170133, 20100208
City of St. Pete Beach v. Suzanna Ferry/Blake's Ventures, Inc.
Address: 601 Corey Ave. St. Pete Beach, FL 33706

Mr. Dewar stated that Case No. 20130008 was inadvertently omitted from the Omnibus Lien Reduction Order dated April 17, 2018. The Special Magistrate will file an Amended Omnibus Order to include Case No. 20130008.

3. CASES COMPLIED OR CONTINUED

No cases complied or continued.

4. NEW CASES

No new cases.

5. OLD CASES

A. Case No. 20180294 Work without Permit (105.1)
City of St. Pete Beach v. Beth Bentley
Address: 3112 Pass a Grille Way, St. Pete Beach, FL 33706

Mr. Dewar stated that the respondent met with Building Official Bill Palmer last week and certain conditions were established. Wesley Wright, Community Development Director, stated that the respondent was given until January 3, 2020 to obtain a building permit. The Special Magistrate will continue to case until January to become compliant or will impose fines at the January 13, 2020 meeting.

6. REPEAT VIOLATION

- A. Case No. 20160062 - [Short-term Rental] (Sec. 10.2)**
City of St. Pete Beach v. Andei and Vera Valeriu Castanov
Address: 454 78th Avenue, St. Pete Beach, FL 33706

Mr. Dewar stated that the owner responded via email to a Notice of Repeat Violation; the property was in violation from the dates of 9/5/19 to 9/16/19. Attorney Matthew McConnell stated that due process has already been completed and there will be no re-litigation of the initial violation.

Attorney Sean Colon of the Law Office of Luke Lirot spoke on behalf of the respondent to ask for a reduction in fines.

The Special Magistrate will be imposing fines for 12 days at \$500 per day plus costs; there is a lien reduction process that the respondent may consider.

- B. Case No. 20180211/20190148 Short-term Rental (Sec. 8.2a)**
City of St. Pete Beach v. M&D Assets LLC
Address: 356 Tessier Drive, St. Pete Beach, FL 33706

Mr. Dewar stated that new violations were observed in late September and he presented internet advertisements for periods of less than 30 days. A Notice of Repeat Violation was sent to the respondent.

Lei Wedge, owner of M&D Assets appeared on her own behalf.

Mr. McConnell stated that the city has zero tolerance on repeat violations, and it is the property owner's responsibility to ensure that the advertisements are correct.

The Special Magistrate will prepare an order for imposition of fines of \$500 per day for a total of \$11,000 plus costs.

7. LIEN REDUCTION REQUEST

- A. Case No. 20150180 – Property Maintenance (Sec. 98-66, a, b, 20, 21, 22, 1 and 2)**
City of St. Pete Beach v. Dolphin Watch 1 LLC
Address: 110 15th Avenue, St. Pete Beach, FL 33706

Mr. Dewar showed current photos of the property and stated that the city issued a Notice of Repeat Violation and request for hearing on October 21, 2019. The city is requesting fines and access to mow the property and abate the overgrowth.

The Special Magistrate found the property to be in repeat violation as of October 21, 2019 and set a date of November 18, 2019 (14 days) to become compliant. If the respondent fails to comply, the city will be authorized to take reasonable actions to do so and the matter will be referred for an order imposing fines and certification of lien at the December 9, 2019 meeting.

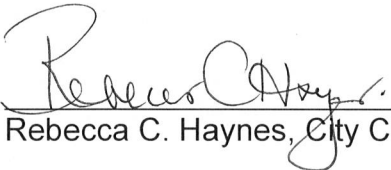
Susan Perodeau, 618 78th Avenue, gave public comment on the growth of short-term rentals in St. Pete Beach and spoke in favor of the zero tolerance policy.

8. **Next Meeting** December 9, 2019.

9. **Adjournment**

There being no further business to come before the Special Magistrate, the hearing was adjourned at 10:55 a.m.

Attest:


Rebecca C. Haynes, City Clerk