



CODE ENFORCEMENT/SPECIAL MAGISTRATE HEARING

CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, November 4, 2019
10:00 a.m.

Call to Order
Pledge of Allegiance

Case Docket

- 1. Administration of Oath**
- 2. Changes to the Agenda**
- 3. 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

At the August 12, 2019 hearing the Special Magistrate ordered that the case be referred to November 4, 2019 for an imposition of fines and certification of liens.

6. REPEAT VIOLATION

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

On March 13, 2017, the Respondent and Property were previously found in violation of section 10.2 of the Land Development Code. On June 8, 2017, the Property was again found to be advertised for transient rental. The property was observed being advertised online, from 09/05/2019 through 09/16/2019, and is a repeat violation. The City is requesting the respondent pay \$6,000.00 plus administrative costs as a repeat violator. At the October 14, 2019, hearing the Special Magistrate ordered this case be continued to the November 4, 2019, for an Order imposing fines and certification of liens.

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

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. At the September 9, 2019, hearing the respondent was ordered to pay \$1500 to the City as a repeat violator. On September 28, the City was notified that the property was being advertised on the weekend, and the ad removed during the week. On October 7, Code Enforcement was finally able to observe the violation and issued another repeat violation notice to the respondent and the request for a hearing.

- C. 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

At the July 11, 2016, hearing an Order Imposing Administrative Fine and Certifying Lien was issued in the amount of \$150.00 per day plus an administrative fine of \$250.00 retroactive to February 17, 2016. The fines accrued until October 11, 2018 when the property was observed compliant and totaled \$145,450.00. On October 21, 2019, the City issued a notice of repeat violation to the respondent and the request for a hearing.

7. Next Meeting: December 09, 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.