

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

March 8, 2021 - 10:00 A.M.

PRESENT

Norm Nash, Special Magistrate
Andrew Dickman, City Attorney
Ginny Keeter-Bodkin, Deputy City Clerk
Wesley Wright, Community Development Director
Peyt Dewar, Code Enforcement Manager

Special Magistrate Nash called the Hearing to order at 10:10 a.m. and performed the Administration of Oath.

2. Changes to the Agenda – Mr. Dewar stated that Case 4C., 2707 Pass A Grille Way LLC, is continued until further notice. Mr. Dickman added that the Special Magistrate signed an Unopposed Order staying the case as a Declaratory Action has been filed. This case will not move forward until that is satisfactorily resolved; the Special Magistrate will be notified when the Stay has been lifted.

3. Cases Complied or Continued

**A. Case No. 20200271 – Enumeration (Sec. 46-33) Inoperative vehicle
City of St. Pete Beach v. Shawn P. Haki
Address: 327 55th Ave. St Pete Beach, FL 33706**

The City Attorney has been in contact with the Respondent's attorney. The subject trailer is still wrapped in ongoing litigation but poses no public safety or health threats and the case will be continued month to month. The Special Magistrate continued until April 12, 2021.

**B. Case No. 20160057 – Permitted principal uses and structures (Sec. 8.2) Short-term rental City of St. Pete Beach v. Robert Lauby
Address: 9210 Gulf Blvd. St Pete Beach, FL 33706**

A Notice of Voluntary Dismissal with Prejudice was filed in the related Circuit Court case; the attorney for the Respondent sent a proposed order late last week which reduced the lien to \$50,000 and established a payment plan to be completed within 90 days from February 8, 2021. The Special Magistrate will be signing that order today.

**C. Case No. 20210018 – Docks (Sec. 6.23)
City of St. Pete Beach v. 2707 Pass A Grille Way LLC
Address: 2707 Pass A Grille Way. St. Pete Beach, FL 33706**

Continued until further notice (Item 2 above).

4. New Cases

**A. Case No. 20210085 - Prohibited uses and structures (Sec. 37.6) Short-term Rental
City of St. Pete Beach v. Island Oasis Beach Rentals LLC
Address: 640 75th Ave. St Pete Beach, FL 33706**

Mr. Dewar reviewed a case summary presentation including violation notices and photographic

evidence of the property being advertised for rental less than 30 days. The property is currently compliant. Property owner Meryem Stanek appeared and spoke regarding the reasons for the rentals. The Special Magistrate imposed fines of \$250 per day for 16 days from 2/8/21 through 2/23/21 plus administrative fees of \$487.50; lien reduction request process was explained.

Mr. Dickman reminded those watching the meeting that the City has seven day per week monitoring of rental property advertisements.

**B. Case No. 20210078 – Prohibited uses and structures (Sec. 36.4) Short-term Rental City of St. Pete Beach v. Timothy and Kirsten Priest
Address: 524 69th Ave. St. Pete Beach, FL 33706**

Mr. Dewar reviewed a case summary presentation including violation notices and photographic evidence of the property being advertised for rental less than 30 days from 2/5/21 through 2/12/21. The owners were previously noticed on 12/1/2020. The property is currently compliant.

Property owner Kirsten Priest appeared and spoke regarding the reasons for the rentals. The Special Magistrate found the property to be in violation for 7 days from 2/5/21 through 2/12/21 and imposed fines of \$250 per day plus administrative fees of \$456.25 for a total of \$2,206.25. The lien reduction process was discussed.

5. **Old Cases** – None.

6. **Repeat Violations** – None.

7. **Lien Reductions**

**A. Case No. 20170217 - Enumeration (Sec. 46.33) and Residential and commercial property maintenance
City of St. Pete Beach v. 929485 FLORIDA , INC.
Address: 677 75th Ave. St. Pete Beach, FL 33706**

Mr. Dewar explained that the property has been sold; the previous owner has agreed to pay the reduced fines of \$18,000 to the City, pending an order. Mr. Dickman requested an order that all fines are paid by April 2, 2021; the case will be returned to the April 12, 2021 agenda for follow up. The Special Magistrate will follow through with the order.

At this time a 5-minute recess was taken to print the Order Granting Lien Reduction for Case 20160057, St. Pete Beach v. Robert Lauby for the Magistrate's signature. The Order includes the terms of repayment and requirement of a Notice of Voluntary Dismissal of all actions and appeals.

8. **Next Meeting:** April 12, 2021. There being no further business, the hearing was adjourned at 10:53 a.m.

Attest:



Amber LaRowe, City Clerk