

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

May 10, 2021 - 10:00 A.M.

PRESENT

Norm Nash, Special Magistrate
Andrew Dickman, City Attorney
Ginny Keeter-Bodkin, Deputy City Clerk
Peyt Dewar, Code Enforcement Manager
Aaron Marceron, Enforcement/Assurance Officer

Special Magistrate Nash called the hearing to order at 10:00 a.m. and performed the Administration of Oath.

2. **Changes to the Agenda** – Enforcement/Assurance Officer Aaron Marceron asked that item 6a. be moved to June 14th due to a family emergency; the Special Magistrate will continue.

3. Cases Complied or Continued

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

At the April 12, 2021 hearing, The Special Magistrate ruled that the case be continued to the May 10, 2021 hearing. City Attorney Andrew Dickman indicated that he has been in contact with the Respondent's attorney; they are wrapping up on their end. The Special Magistrate will continue until June 14th.

**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**

Peyt Dewar explained that the lien was reduced to \$50,000. The property is compliant. and payment has been received; a Release of Lien will be requested once the payment clears. The item will remain on the agenda for June 14th.

**C. Case No. 20210078 – Prohibited uses/structures (Sec. 34.6) Short-term Rental
City of St. Pete Beach v. Timothy and Kirsten Priest
Address: 524 69th Ave. St. Pete Beach, FL 33706**

The lien has been paid and the property is compliant; the City requested an Order of Compliance.

**D. Case No. 20210024 – Permitted principal uses and structures (Sec. 8.2) Short-term Rental
City of St. Pete Beach v. Christopher C Spencer
Address: 7131 Bay St. St. Pete Beach, FL 33706**

The lien has been paid and the property is compliant; the City requested an Order of Compliance.

**E. Case No. 20190498 – Prohibited uses/structures (Sec. 38.5) Short-term Rental
City of St. Pete Beach v. Mark Allen
Address: 55 51st Ave. E. St. Pete Beach, FL 33706**

The lien has been paid and the property is compliant; the City requested an Order of Compliance.

4. New Cases

**A. Case No. 20210164 - Permitted principal uses and structures (Sec. 9.2) Short-term Rental
City of St. Pete Beach v. Giuseppe Villari & Kenia L Garcia
Address: 3214 E. Maritana. St Pete Beach, FL 33706**

Mr. Marceron explained that on April 12, 2021, this property was being advertised online on a transient basis and that is prohibited in the Residential (RU-2) District. His case summary included photographic evidence of the violations and noticing with photographs. The property is now compliant. The Special Magistrate will prepare a Finding of Fact indicating that future violations will be repeat violations.

**B. Case No. 20210165 – Permitted principal uses/structures (Sec. 9.2) Short-term Rental
City of St. Pete Beach v. Kytka Jezek & Erwin E Grob
Address: 414 86th Ave. St. Pete Beach, FL 33706**

Mr. Marceron explained that on April 12, 2021, this property was being advertised online on a transient basis and that is prohibited in the Residential (RU-2) District. His case summary included photographic evidence of the violations and noticing with photographs. The Special Magistrate will prepare a Finding of Fact indicating that future violations will be repeat violations.

**C. Case No. 20210166 - Prohibited uses/structures (Sec. 13.5) Short-term Rental
City of St. Pete Beach v. 403 84th Avenue LLC
Address: 403 84th Ave. St Pete Beach, FL 33706**

Mr. Marceron on April 12, 2021, this property was being advertised online on a transient basis and that is prohibited in the Residential/Office/Retail (ROR) District. His case summary included photographic evidence of the violations and noticing with photographs. The property is now compliant. The Special Magistrate will prepare a Finding of Fact indicating that future violations will be repeat violations.

**D. Case No. 20210173 - Prohibited uses/structures (Sec. 34.5) Short-term Rental
City of St. Pete Beach v. L J P SOLUTIONS LLC
Address: 200 73rd Ave. St Pete Beach, FL 33706**

Mr. Marceron explained that on April 19, 2021, this property was being advertised online on a transient basis and that is prohibited in the Downtown Core Residential (DCR) District. His case summary included photographic evidence of the violations and noticing with photographs. The property is now compliant. The Special Magistrate will prepare a Finding of Fact indicating that future violations will be repeat violations.

E. Case No. 20210123 - Enumeration (Sec. 46.33) Vehicle Storage & Residential and commercial maintenance (Sec. 98.66)

Outdoor Storage City of St. Pete Beach v. Sava Radosavac

Address: 7150 Blind Pass Rd. St Pete Beach, FL 33706

Mr. Marceron explained that on April 2, 2021, one abandoned vehicle with an expired registration sticker on the license plate and outdoor storage of materials were observed on the property. He provided a case summary of the violations and noticing with photographs. The vehicle has been removed but other violations still exist; The Special Magistrate found that notice was proper and the property is compliant today with regard to the vehicle; fines of \$250 per day plus administrative costs will be imposed for the other violations from April 10th until compliant.

F. Case No. 20210167 - Unsightly Conditions (Sec. 98.65)

City of St. Pete Beach v. Sava Radosavac

Address: 7120 Coquina Way. St Pete Beach, FL 33706

On April 13, 2021, discarded furniture was observed curbside on the property. Mr. Marceron provided a case summary of photographic evidence including dates of inspection, violations, and noticing. Photographs indicated a couch present until 5/6/21 but removed on 5/7/21. The City requested fines of \$250 per day plus administrative costs from the notification date of 4/19 until the compliance date of 5/6/21. No one appeared on behalf of the Respondent. The Special Magistrate will prepare the requested order.

The City Attorney requested that per City Code, the Special Magistrate include the authority for the City to take abatement actions, if necessary, for health and safety reasons.

5. Old Cases – None.

6. Repeat Violations

A. Case No. 20210183 - Prohibited uses/structures (Sec. 10.5) Short-term Rental

City of St. Pete Beach v. Rebecca M, David I & Martha G Rome

Address: 601 77th Ave. St Pete Beach, FL 33706

The Special Magistrate will prepare an Order continuing the case until June 14, 2021.

7. Lien Reductions – None.

8. Next Meeting: June 14, 2021. There being no further business, the hearing was adjourned at 10:24 a.m.

Attest:



Amber LaRowe, City Clerk