

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

December 1, 2021 - 10:00 A.M.

PRESENT

Erica Augello, Special Magistrate
Matthew McConnell, Assistant City Attorney
Ginny Keeter-Bodkin, Deputy City Clerk
Michelle Gonzalez, Community Development Director
Peyt Dewar, Code Enforcement Manager
Jordan Hoft, Code Enforcement Officer
Orgilon Nero, Code Enforcement Officer
Jeremy Cottrell, Code Enforcement Officer

Special Magistrate Augello called the hearing to order and performed the Administration of Oath.

2. **Changes to the Agenda** – Special Magistrate Augello agreed to Code Enforcement Manager Peyt Dewar's request to hear the Status Updates cases first.

3. **Cases Complied or Continued** – None.

4. **New Cases**

A. **Case No. 20210551 – Sec. 20.03. - Permitted principal uses and Structures City of St. Pete Beach v. Walker, Lynda K Address: 110 3rd Ave, St. Pete Beach, FL 33706**

Mr. Dewar stated that this case will be continued to the January 10, 2022 hearing.

B. **Case No. 20210553 – Sec. 20.03. - Permitted principal uses and Structures City of St. Pete Beach v. Bella Coola LLC Address: 1205 Gulf Way, St. Pete Beach, FL 33706**

The Special Magistrate indicated that presenting VRBO's review system policy once at the beginning of each hearing vs. for each case would be acceptable. Mr. Dewar displayed the written policy, and it will become part of these minutes.

Code Enforcement Officer Jordan Hoft presented the evidence for Case 20210533. Property Manager Brandon Tecklenburg appeared on behalf of the Respondent.

Special Magistrate Augello found that the property was in violation of the stated Code section and the property must be rented monthly until October of 2022. No fines will be assessed at this time, but any short-term violations within the next five years will be considered repeat violations.

C. **Case No. 20210554 – Sec. 8.2. - Permitted principal uses and Structures City of St. Pete Beach v. Chad A Sheiner, Elizabeth I Sheiner, Ronald Sheiner, Nancy Mattingly Sheiner Address: 6412 1st Palm Point, St. Pete Beach, FL 33706**

Code Enforcement Officer Jordan Hoft presented the evidence for the case. Mr. McConnell added that this zoning district does not allow any short-term rentals at all. No one was present for the Respondent.

Special Magistrate Augello found the property to be in violation of the of stated Code. No fines will be assessed at this time, but any short-term violations within the next five years will be considered repeat violations.

D. Case No. 20210555 – Sec. 20.03. - Permitted principal uses and Structures City of St. Pete Beach v. Starkus, Svajunas Address: 1104 Pass-A-Grille Way, St. Pete Beach, FL 33706

Code Enforcement Officer Jordan Hoft presented the case evidence for this case. Respondent Svajunas Starkus appeared on his own behalf and indicated that he has future bookings in January and February; Mr. McConnell suggested that he cancel them.

Special Magistrate Augello found, based on the evidence presented, that the property was in violation and imposed a fine of \$250 day from 10/1/21 through 11/30/21, plus administrative costs. The property must be rented monthly until July of 2022 and any short-term violations of the same Code within the next five years will be considered repeat violations.

E. Case No. 20210557 – Sec. 10.2. - Permitted principal uses and Structures City of St. Pete Beach v. Seleznov, Maksym Sobko, Anastasia Address: 445 78th Ave, St. Pete Beach, FL 33706

Code Enforcement Officer Jordan Hoft presented the evidence for this case. Mr. McConnell added that there are no short-term rentals permitted in this zoning district. Respondent Anastasia Sobko appeared on her own behalf.

Special Magistrate Augello found that the property was in violation of the stated Code section but is now compliant. No fines will be assessed at this time, but any short-term violations within the next five years will be considered repeat violations.

F. Case No. 20210558 – Sec. 8.2. - Permitted principal uses and Structures City of St. Pete Beach v. Rowan, David Everly/ Rowan, Shelly Marie Address: 350 N Tessier Dr, St. Pete Beach, FL 33706

Code Enforcement Officer Orgilon Nero presented the case evidence for the City. Respondent Shelly Rowan appeared on her own behalf.

Special Magistrate Augello found that the property was in violation of the stated Code section but is now compliant. No fines will be assessed at this time, but any short-term violations within the next five years will be considered repeat violations.

G. Case No. 20210559 – Sec. 8.2. - Permitted principal uses and Structures City of St. Pete Beach v. Arroyo, Randall Address: 2692 W Vina Del Mar Blvd, St. Pete Beach, FL 33706

Code Enforcement Officer Orgilon Nero presented the case for the City. Respondent Randall Arroyo appeared, and Mr. McConnell asked some questions regarding rentals at the property.

Special Magistrate Augello found that the property was in violation of the stated Code section but is now compliant. No fines will be assessed at this time, but any short-term violations within the next five years will be considered repeat violations.

H. Case No. 20210560 – Sec. 20.03. - Permitted principal uses and Structures City of St. Pete Beach v. Beach House in Paradise Properties LLC Address: 142 Punta Vista Dr St. Pete Beach FL 33706

Code Enforcement Officer Jeremy Cottrell presented the evidence for this case. Scott McElveen, Registered Agent for the property, appeared for the Respondent. Certified mail receipts, notices, and violation dates were reviewed.

Special Magistrate Augello found the property in violation of the stated Code section from 11/10/21 through 12/2/21 and assessed a fine of \$250 per day plus administrative costs. any short-term violations within the next five years will be considered repeat violations with fines of \$500 per day.

I. Case No. 20210561 – Sec. 20.03. - Permitted principal uses and Structures City of St. Pete Beach v. Rockotis LLC Address: 303 Gulf Way St. Pete Beach FL 33706

Code Enforcement Officer Jeremy Cottrell presented the evidence for this case Michael Robson, business associate and Power of Attorney (POA) holder for Owner Todd Herman of Rockotis Corp. appeared on his behalf. The POA will become part of these minutes.

Special Magistrate Augello found the property to be in violation of the of stated Code. No fines will be assessed at this time, but any short-term violations within the next five years will be considered repeat violations and may be fined as such.

J. Case No. 20210562 – Sec. 20.03. - Permitted principal uses and Structures City of St. Pete Beach v. Robert H. and Janice A. Ferguson Address: 100 15th Ave St. Pete Beach FL 33706

Code Enforcement Officer Jeremy Cottrell presented the evidence. No one was present for the Respondent.

Special Magistrate Augello found, based on the evidence presented, that the property was in violation of the stated Code section, is now compliant, and no fines will be assessed at this time. The property must be rented monthly until October of 2022 and any short-term violations of the same Code within the next five years will be considered repeat violations.

5. Old Cases – None.

6. Status Update

A. Case No. 20210525 – Sec. 20.03. - Permitted principal uses and Structures City of St. Pete Beach v. Hollweg Leslie Address: 103 22nd Ave, St. Pete Beach, FL 33706.

Mr. Dewar stated that this case will be continued to the January 10, 2022 hearing.

**B. Case No. 20210526 – Sec. 20.03. - Permitted principal uses and Structures City
of St. Pete Beach v. Stephen F Smith, Elizabeth U Smith Address: 102 18th
Ave, St. Pete Beach, FL 33706**

Mr. Dewar provided documentation submitted by the Respondent showing rental agreements through May 2022; the City requests no other short-term rentals until May of 2023.

Special Magistrate Augello will prepare an order prohibiting short-term rentals at this property from May 2022 to May of 2023.

The Special Magistrate and Assistant City Attorney discussed repeat violations within five years as described in FS Chapter 162; that language will be referenced in all future orders.

7. **Repeat Violations** – None.
8. **Lien Reductions** – None.
9. **Next Meeting:** January 10, 2022.
10. There being no further business, the hearing was adjourned at 11:05 AM.

Attest:



Amber LaRowe, City Clerk