

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

October 10, 2022 - 10:00 A.M.

PRESENT: Erica Augello, Special Magistrate
Andrew Dickman, City Attorney
Michelle Gonzalez, Community Development Director
Amber LaRowe, City Clerk
Peyt Dewar, Code Enforcement Manager
Patrick Hawk, Code Enforcement Officer
Charles Newman, Code Enforcement Officer

Special Magistrate Augello called the hearing to order at 10:00 AM and swore in all those present who would be testifying.

2. Changes to the Agenda – Mr. Dewar informed Special Magistrate Augello that Case No. 20220527, under Old Cases on the Agenda, will be removed.

3. Cases Complied or Continued –

A. Case No. 20220267 - City of St. Pete Beach v. Curtis, Genevieve W.
Address: 3307 E. De Bazan Ave St. Pete Beach FL 33706

Code Enforcement Officer Newman presented the case, stating that this is a continuation to allow for the respondent to repair or replace the roof, exterior maintenance, and cleanup and tree removal. The property is in compliance.

William Stuckey, the neighbor, stated that the tree has been cut and removed; however, there is a large stump in its place and, if not removed, it will grow back.

Special Magistrate Augello found the Respondent in compliance and assessed a fine of reasonable administrative costs.

4. New Cases –

A. Case No. 20220554 - City of St. Pete Beach v. Beyer, Bruce R, Scharchburg,
Martha A Address: 1001 Gulf Way St. Pete Beach FL 33706

Respondent Martha Scharchburg appeared telephonically and was duly sworn in.

Code Enforcement Officer Hawk presented the evidence for the City, stating that the property is now in compliance.

The Respondent explained the delay in compliance, the misunderstanding, and the correction.

Based on the evidence presented and the testimony of Ms. Scharchburg, Special Magistrate Augello found that there was a violation of the City Code section. She ordered fines of \$50 per day from September 3rd through October 6th and reasonable administrative costs. The property must be rented monthly until October 2023 and can only be advertised and rented for less than a month 3 times in a 12-month calendar period.

B. Case No. 20220556 - City of St. Pete Beach v. Lambing, Edward Tre, Lambing, Barbara Tre, Lambing Family Trust Address: 465 64th Ave, St. Pete Beach, FL 33706

Edward Lambing, the Respondent, appeared telephonically and was duly sworn in.

Mr. Newman presented the evidence for the City, stating that the property is now in compliance. He stated that the City's recommendation is for administrative costs only.

The Respondent addressed the issues with the advertisement and the misunderstanding.

Based on the evidence presented and the testimony of the Respondent, Special Magistrate Augello found that there was a violation of the City Code section. She agreed with the City's recommendation and assessed reasonable administrative costs.

C. Case No. 20220543 - City of St. Pete Beach v. Lingurovski, Vasko & Jennifer Address: 280 46th Ave, St. Pete Beach, FL 33706

Code Enforcement Officer Newman presented the evidence for the City, stating that the property is now in compliance. He stated that the City's recommendation is for administrative costs only.

Vasko Lingurovski, the Respondent, spoke regarding the issue and the corrective action. He provided information to the City on the listing agent and what she conveyed to him regarding the property. A copy of that information is made a part of the record.

Based on the evidence presented and the testimony of the Respondent, Special Magistrate Augello found that there was a violation of the City Code section. She agreed with the City's recommendation and assessed reasonable administrative costs.

D. Case No. 20220555 - City of St. Pete Beach v. Fabelo, Edward & Martha Address: 3333 W. Maritana Dr, St. Pete Beach, FL 33706

Code Enforcement Officer Newman presented the evidence for the City, stating that the property is now in compliance, since September 21st. The City presented evidence that while this is not a repeat violation, Respondents had received a notice of violation of this same provision in July 2022 but came into compliance by the date requested. The City recommended a fine of \$250 per day retroactive from 9/4/2022 to 9/21/2022 plus administrative fees.

Martha Fabelo, the Respondent, spoke regarding the advertisement and discrepancies. She apologized and stated that their property manager made a mistake unbeknownst to them.

Based on the evidence presented and the testimony of the Respondent, Special Magistrate Augello found that there was a violation of the City Code section. She agreed with the City's recommendation and assessed a fine of \$250 per day from September 4th through 21st plus reasonable administrative fees.

5. **Old Cases –**

A. **Case No. 20220527 - St. Pete Beach v. Ingrid Anchinges Address: 3505 Gulf Blvd
South St. Pete Beach FL 33706 -- *REMOVED***

6. **Repeat Violation** – None.

7. **Lien Reductions** – None.

8. **Next Meeting:** November 7, 2022

9. There being no further business, the hearing was adjourned at 10:41 AM

Attest:



Amber LaRowe, City Clerk