



SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, December 12, 2022
10:00 AM

Call to Order
Pledge of Allegiance

CASE DOCKET

1. Administration of Oath
2. Changes to the Agenda -
3. Cases Completed or Continued
4. New Cases

A. Case No. 20220574

City of St. Pete Beach v. Odin Acquisitions LLC

Address: 56 44th Ave St. Pete Beach FL 33706

Sec. 9.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows:

(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

B. Case No. 20220577

City of St. Pete Beach v. Padgett

Address: 544 72nd Ave St. Pete Beach, FL 33706

Sec. 36.4. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

C. Case No. 20220578

City of St. Pete Beach v. Mark Carlson

Address: 6440 3rd Palm Pt St. Pete Beach FL 33706

Sec. 8.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:

(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

D. Case No. 20220584

City of St. Pete Beach v. Anhlan Trinh

Address: 6705 Gulf Winds Dr St. Pete Beach FL 33706

Sec. 12.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RM Residential District are as follows:

(a) *Residential dwellings*—Attached and detached single-family, multifamily and two-family. Such dwellings may be used for transient occupancy, so long as any transient occupancy of less than 30 days does not occur more than three times in any 12-month period on any parcel.

E. Case No. 20220517

City of St. Pete Beach v. Lusby, Tony & Jennifer

Address: 341 S Isle Dr St. Pete Beach FL 33706

Sec. 8.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:

(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

F. Case No. 20220632

City of St. Pete Beach v. Royal Properties Management LLC

Address: 340 78th Ave St. Pete Beach FL 33706

Sec. 32.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the CC1 Commercial Corridor Blind Pass Road District.

G. Case No. 20220545

City of St. Pete Beach v. Blake and Ivy-Zophia Bevil

Address: 105 17th Ave St. Pete Beach FL 33706

Sec. 20.03. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:

(a) All uses permitted in the underlying zoning district; and

(b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

(c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.

H. Case No. 20220605

City of St. Pete Beach v. Michael A Zara and Chia-Yi Liang

Address: 1804 Pass A Grille Way St. Pete Beach FL 33706

Sec. 20.03. - Permitted principal uses and structures. Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows: (a) All uses permitted in the underlying zoning district; and (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel. (c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.

I. Case No. 20220595

City of St. Pete Beach v. Alberto Espinoza

Address: 5960 Bahama Way N St. Pete Beach FL 33706

Sec. 8.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:

(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

J. Case No. 20220631

City of St. Pete Beach v. Robert T and Michelle Fulop

Address: 207 Lido Dr St. Pete Beach FL 33706

Sec. 9.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows:

(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

5. Old Cases
6. Repeat Violation
7. Lien Reductions
8. Next Meeting:
9. 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.

For meetings that require materials to be submitted, the deadline to submit materials to the City is a minimum of 24 business hours in advance of the meeting. Materials including electronic media are to be submitted to cityclerk@stpetebeach.org. The Clerk's Office will then scan the agenda packet with the new documents and repost on the website for transparency purposes.

All agenda material is available for review at City Hall.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: Case No. 20220574
City of St. Pete Beach v. Odin Acquisitions LLC
Address: 56 44th Ave St. Pete Beach FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 9.2. - Permitted principal uses and structures.**
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows:
(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

The property is in violation of advertising for transient occupancy for less than a month.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing



155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

09/20/2022

ODIN ACQUISITIONS LLC
2 WHIRLAWAY DR
TINTON FALLS, NJ 07724

RE: Case Number 20220574
Violation Address: 56 44TH AVE
Parcel ID#: 073216073980030070

Dear Property Owner:

The above mentioned property is in violation of advertising for transient occupancy for less than a month according to the following code section.

Sec. 9.2. - Permitted principal uses and structures.

Sec. 9.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows:

(a) Residential dwellings—Detached single-family only. Such dwellings shall not be used for transient occupancy.

These violation(s) must be corrected **no later than 09/28/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

Patrick Hawk
Code Enforcement Officer

CE20220574

- Respondent(s): Odin Acquisitions LLC**
- Violation address: 56 44th Ave**
- Violation(s) description: The property is being advertised as transient occupancy in the RU-2 zoning district, in violation of section 9.2 of the Land Development Code of the City of St. Pete Beach**

CE20220574

Case Summary

- Initial inspection: 08/08/2022**
- Notice of Violation dated: 09/20/2022**
- Notices of Hearing dated and posted on the property: 11/15/2022**

CE20220574

Affidavit of Posting

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 56 44TH AVE

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706
Name of Property Owner(s): ODIN ACQUISITIONS LLC
Case No.: 20220574 Code Enforcement Officer: Patrick Hawk
Hearing Date: 12/12/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162, 12, Florida Statutes, and

DATE OF POSTING 11/15/2022
ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X *P. Hawk* Patrick Hawk
Signature of Officer posting Print Name

11/15/22, 3:23 PM

56 44th Ave

CE20220574

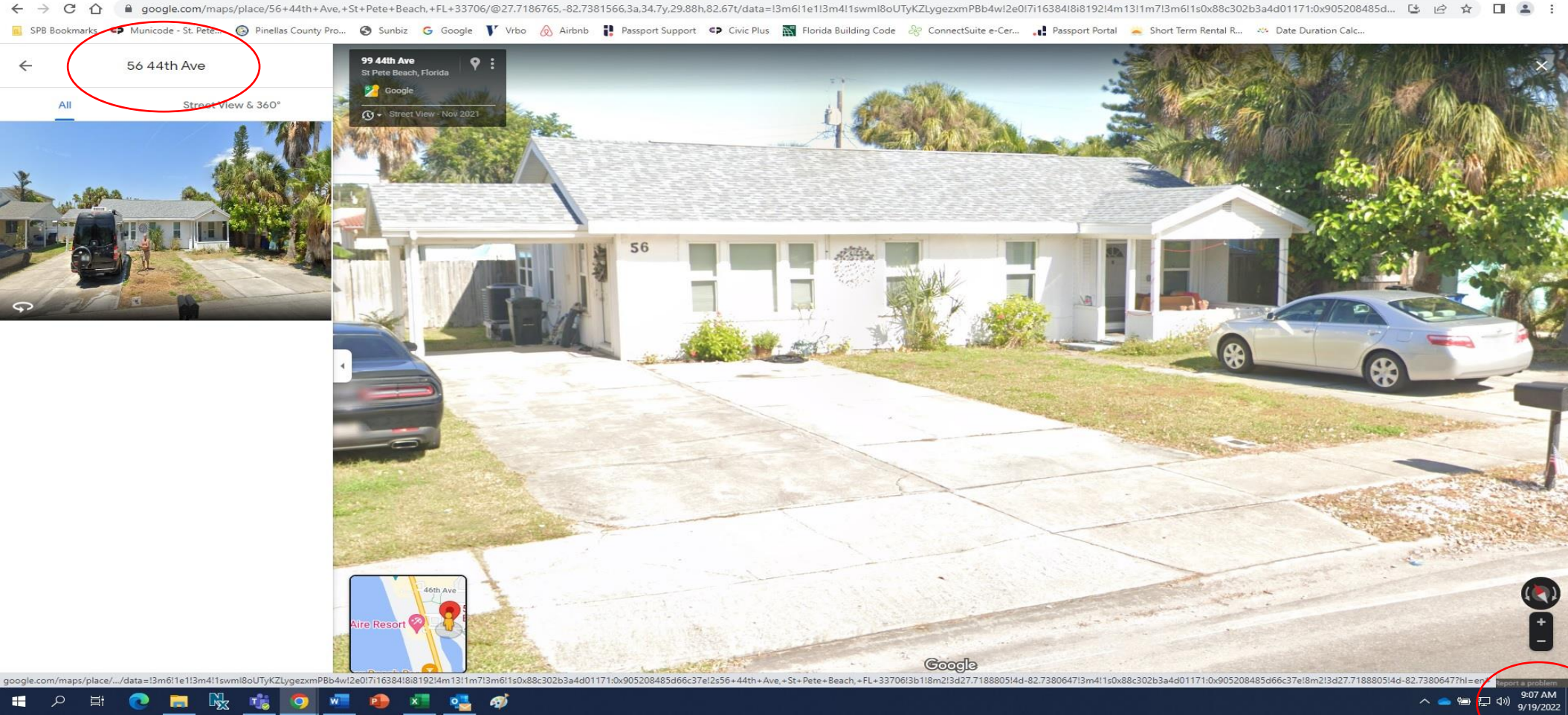
Affidavit of Posting



56 44th Ave

CE20220574

Google Map



56 44th Ave

CE20220574

Online ad – Initial Inspection

Beautifully updated 1 bedroom · 2 guests · 1 bedroom · 1 bed · 1 bath

Entire rental unit hosted by Rebecca

2 guests · 1 bedroom · 1 bed · 1 bath

Self check-in
Check yourself in with the smartlock.

Experienced host
Rebecca has 41 reviews for other places.

Great communication
90% of recent guests rated Rebecca 5-star in communication.

aircover
Every booking includes free protection from Host cancellation or other issues like trouble checking in.

Select dates
Minimum stay: 5 nights

\$142 night

August 2022

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022

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25	26	27	28	29	30	

8:41 AM
8/8/2022

56 44th Ave

CE20220574

Online ad

Super Spacious One Bedroom Unit, St Pete Beach!

St. Pete Beach, Florida, United States

[Share](#) [Save](#)



[Show all photos](#)

Entire rental unit hosted by Rebecca

4 guests · 1 bedroom · 2 beds · 1 bath

[Self check-in](#)
Check yourself in with the smartlock.

Select dates
Minimum stay: 3 nights

\$159 night

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

5:32 PM
9/18/2022

56 44th Ave

CE20220574

Online ad

St Pete Beach duplex - great for ...

https://www.airbnb.com/rooms/697145920066919248?source_impression_id=p3_1663536654_oeLdeG%2BUGf%2FJGDH#availabilit...

Entire home hosted by Rebecca

8 guests · 2 bedrooms · 3 beds · 2 baths

Self check-in
Check yourself in with the keypad.

Experienced host
Rebecca has 47 reviews for other places.

Highly rated Host
Rebecca has received 5-star ratings from 90% of recent guests.

aircover
Every booking includes free protection from Host cancellation or other issues like trouble checking in.

Select dates
Minimum stay: 3 nights

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

\$220 night

September 2022

Su	Mo	Tu	We	Th	Fr	Sa
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October 2022

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

5:31 PM
9/18/2022

56 44th Ave

CE20220574

Ad compliant

airbnb.com/rooms/697145920066919248?source_impression_id=p3_1668348737_%2Ffx20Js9DZ2W412yb#availability-calendar

SPB Bookmarks Municipality of St. Pete... Pinellas County Pro... Sunbiz Google Vrbo Airbnb Passport Support Civic Plus Florida Building Code ConnectSuite e-Cer... Passport Portal Short Term Rental R... Date Duration Calc... SeeClickFix

Entire home hosted by Rebecca

8 guests · 2 bedrooms · 4 beds · 2 baths

Self check-in
Check yourself in with the keypad.

Experienced host
Rebecca has 52 reviews for other places.

Highly rated Host
Rebecca has received 5-star ratings from 90% of recent guests.

aircover
Every booking includes free protection from Host cancellations, other issues like trouble checking in.
[Learn more](#)

A great opportunity to travel with family and friends and still have a duplex features two separate one bedroom, one bath units. Each has full kitchen, dining area, sofa bed, and separate entrances. Large backyard with picnic table, outdoor shower, and BBQ grill. Centrally located just across Gulf Blvd from the beautiful beaches of the Gulf of Mexico and within walking distance of local beach restaurants and bars. This pet friendly property is perfect for your getaway!...

[Show more](#)

Where you'll sleep

Select dates
Minimum stay: 30 nights

\$315 night

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

November 2022 December 2022

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5					1	2	3
6	7	8	9	10	11	12	4	5	6	7	8	9	10
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20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

[Clear dates](#) **Close**

9:13 AM 11/13/2022

56 44th Ave

CE20220574

Ad compliant

airbnb.com/rooms/697118663232572906?source_impression_id=p3_1668348920_KWH2xWkfvSjxlZs#availability-calendar

Entire rental unit hosted by Rebecca
4 guests · 1 bedroom · 2 beds · 1 bath

Self check-in
Check yourself in with the smartlock.

Experienced host
Rebecca has 52 reviews for other places.

Highly rated Host
Rebecca has received 5-star ratings from 90% of recent guests.

aircover
Every booking includes free protection from Host cancellations, other issues like trouble checking in.
[Learn more](#)

Premium location directly across Gulf Blvd. in St. Petersburg Beach, one bedroom unit (part of a duplex) is recently updated and ready for your stay. Sofa bed pulls out as second bed. Fenced in yard allows for privacy as well as a safe space for your pet. This unit, part of a duplex, is a quick walk to public beach access, restaurants, and bars, and is centrally located just over the Pinellas Bayway.

The space
This is part of a duplex. Private entrance. Large backyard.

Where you'll sleep

Select dates
Minimum stay: 30 nights

\$150 night

Check-in
MM/DD/YYYY

Check-out
Add date

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Clear dates Close

9:15 AM
11/13/2022

56 44th Ave

CE20220574

Ad compliant

airbnb.com/rooms/682629802152610885?source_impression_id=p3_1668349226_VIO2RTFAvhPYU6mJ#availability-calendar

SPB Bookmarks Municode - St. Pete... Pinellas County Pre... Sunbiz Google Vrbo Airbnb Passport Support Civic Plus Florida Building Code ConnectSuite e-Cer... Passport Portal Short Term Rental R... Date Duration Calc... SeeClickFix

Entire rental unit hosted by Rebecca

4 guests · 1 bedroom · 2 beds · 1 bath

Self check-in
Check yourself in with the smartlock.

Experienced host
Rebecca has 51 reviews for other places.

Highly rated Host
Rebecca has received 5-star ratings from 90% of recent guests.

aircover
Every booking includes free protection from Host cancellations, other issues like trouble checking in.
[Learn more](#)

Perfect for your beach getaway! This newly updated 1 bedroom, St. Petersburg beach. Comfortable 1 bedroom unit features queen bed, kitchen, living area with television, relaxing front porch, and large backyard area with grill and picnic table. Walk right out your front door and across Gulf Blvd to public beach access. Walking distance to restaurants and bars and close proximity to the Pinellas Bayway.

Where you'll sleep

Select dates
Minimum stay: 28 nights

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

[Clear dates](#) [Close](#)

56 44th Ave

9:21 AM 11/13/2022

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 56 44TH AVE

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): ODIN ACQUISITIONS LLC

Case No.: 20220574 Code Enforcement Officer: Patrick Hawk

Hearing Date: 12/12/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/15/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X 

Signature of Officer posting

Patrick Hawk
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,
vs.
ODIN ACQUISITIONS LLC
Respondent(s)

Case Number: 20220574

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **12/12/2022** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **56 44TH AVE** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

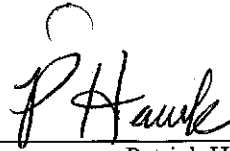
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURS() ACCORDINGLY,

DATED 11/15/2022



Patrick Hawk
Code Enforcement Officer
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: Case No. 20220577
City of St. Pete Beach v. Padgett
Address: 544 72nd Ave St. Pete Beach, FL 33706

Date: December 12, 2022

Prepared By: Charles Newman, Code Enforcement and Parking Officer

Through: Peyt Dewar, Code Enforcement Manager
Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 36.4. - Prohibited uses and structures.**
All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

This property was being advertised as a transient rental for less than a month.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing



The Sunset Capital of Florida

155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

09/19/2022

CHRISTOPHER J. PADGETTE
544 72nd AVE,
ST PETE BEACH, FL 33706-3613

RE: Case Number 20220577
Violation Address: 544 72ND AVE
Parcel ID#: 363115779940430050

Dear Property Owner:

Your property is in violation of the following code section for advertising and/or renting as transient occupancy of less than one month in the UBV District.

Sec. 36.4. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

These violation(s) must be corrected **no later than 09/25/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

Chuck Newman
Code Enforcement Officer

CE20220577

- Respondent(s): Christopher J. Padgett**
- Violation address: 544 72nd Ave**
- Violation(s) description: The property is being advertised as transient occupancy in the Upham Beach Village zoning district, in violation of section 36.4 of the Land Development Code of the City of St. Pete Beach**

CE20220577

Case Summary

- Initial inspection: 09/05/2022**
- Notice of Violation dated: 09/19/2022**
- Notices of Hearing dated and posted on the property: 10/18/2022**

CE20220557

Affidavit of Posting



544 72nd Ave

CE20220577

Affidavit of Posting



544 72nd Ave

CE 20220577

Picture of house



544 72nd Ave

CE 20220577

09/05/22 VRBO Ad

The screenshot shows a web browser window with the URL <https://www.vrbo.com/2969603>. The page title is "Lush OASIS in St Pete Beach - W/". The navigation bar includes links for About, Policies, Amenities, Reviews, Rooms & beds, Map, Rates & availability, and Host. A heart icon is visible in the top right corner.

The main content area features a calendar for September and October 2022. The calendar shows dates from September 4 to October 31. A red circle highlights the "7 night minimum stay" notification at the bottom of the calendar. To the right of the calendar, the price is listed as \$519 avg/night. Below the price, there is a section for "Add dates for total pricing" with input fields for "Check In" and "Check Out", and a "Guests" field. A blue button labeled "Check availability" is present. Below this, it states "Free cancellation up to 60 days before check-in". The property number "Property # 2969603" and a link "Report this property" are also visible.

On the right side of the page, there is a vertical banner with a photo of people sitting outdoors. The text on the banner reads "Become a Vrbo host" and "and earn extra money." with a "See how" button.

The Windows taskbar at the bottom shows the search bar with the text "Type here to search". The system clock in the bottom right corner, circled in red, displays "9:30 PM" and "9/5/2022".

544 72nd Ave

CE 20220577

10/12/22 Airbnb Ad

St Pete Beach Oasis - 5 minute V x

https://www.airbnb.com/rooms/662283155141111079?source_impression_id=p3_1665605923_%2BXyyZuZWPVlw%2FJRj&check_i...



Show all photos

Entire home hosted by Chris

8 guests · 3 bedrooms · 3 beds · 2.5 baths

 **Dedicated workspace**
A common area with wifi that's well-suited for working.

 **Self check-in**
Check yourself in with the lockbox.

aircover

Every booking includes free protection from Host cancellation or other issues like trouble checking in.

[Learn more](#)

Select dates
Minimum stay: 7 nights

CHECK-IN 11/3/2022 x CHECKOUT Add date

October 2022 November 2022

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26

4:19 PM 10/12/2022

544 72nd Ave

CE 20220577

10/16/22 Airbnb Ad

St Pete Beach Coastal Casa. 5 mi

https://www.airbnb.com/rooms/66228315514111079?source_impression_id=p3_1665925773_DBEBQsQ0AfkeyvC&check_in=20...

Entire home hosted by Chris
8 guests · 3 bedrooms · 3 beds · 2.5 baths

Dedicated workspace
A common area with wifi that's well-suited for working.

Self check-in
Check yourself in with the lockbox.

aircover
Every booking includes free protection from Host cancellation or other issues like trouble checking in.

Select dates
Minimum stay: 7 nights

\$458 night [1 review](#)

CHECK-IN 11/8/2022 X CHECKOUT Add date

October 2022 November 2022

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19

Type here to search

9:09 AM 10/16/2022

544 72nd Ave

CE 20220577

10/20/22 VRBO Ad

Lush OASIS in St Pete Beach - WALK to beach! [Save](#)

[Clear dates](#)

October 2022 **November 2022**

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1							1
<	2	3	4	5	6	7	8	6	7	8	9	10	11
	9	10	11	12	13	14	15	13	14	15	16	17	18
	16	17	18	19	20	21	22	20	21	22	23	24	25
	23	24	25	26	27	28	29	27	28	29	30		
	30	31											

7 night minimum stay [Close](#)

\$489 avg/night

[Add dates for total pricing](#)

Check In: Nov 10 Check Out:

Guests:

[Check availability](#)

[Free cancellation up to 30 days before check-in](#)

[Contact host](#)

Property # 2969603 [Report this property](#)

[About](#) [Policies](#) [Amenities](#) [Reviews](#) [Rooms & beds](#) [Map](#) [Rates & availability](#) [Save](#)

[+19 photos](#)

[Become a Vrbo host and earn extra money. See how](#)

3:29 PM 10/20/2022

544 72nd Ave

CE 20220577

10/23/22 VRBO Ad

Lush OASIS in St Pete Beach - WALK to beach!

Save

Clear dates

\$489 avg/night

Add dates for total pricing

Check in: Nov 10

Check Out

Guests

Check availability

Free cancellation up to 30 days before check-in

Contact host

Property # 2969603

Report this property

BOOK NOW

October 2022

November 2022

Su Mo Tu We Th Fr Sa

1

2 3 4 5 6 7 8

9 10 11 12 13 14 15

16 17 18 19 20 21 22

23 24 25 26 27 28 29

30 31

6 7 8 9 10 11 12

13 14 15 16 17 18 19

20 21 22 23 24 25 26

27 28 29 30

7 night minimum stay

Close

+21 photos

About Policies Amenities Reviews Rooms & beds Map Rates & availability

Type here to search

9:30 AM 10/23/2022

544 72nd Ave

CE 20220577

10/26/22 VRBO Ad

Lush OASIS in St Pete Beach - WALK to beach! [Save](#)

[Clear dates](#)

October 2022

Su	Mo	Tu	We	Th	Fr	Sa
						1
<	2	3	4	5	6	7
	8	9	10	11	12	13
	14	15	16	17	18	19
	20	21	22	23	24	25
	26	27	28	29	30	31

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

7 night minimum stay [Close](#)

\$489 avg/night

[Add dates for total pricing](#)

Check In: **Nov 29** Check Out:

Guests:

[Check availability](#)

[Free cancellation up to 30 days before check-in](#)

[Contact host](#)

Property # 2969603

[Report this property](#)

[+19 photos](#)

[Learn More](#)

Enjoy Friendsgiving On The Coast.

Don't miss out on holiday deals.

the Crystal Coast

10:01 AM
10/26/2022

544 72nd Ave

CE 20220577

10/27/22 Airbnb Ad Now Compliant

The screenshot shows an Airbnb listing for 'St Pete Beach Coastal Casa'. The browser address bar displays the URL: https://www.airbnb.com/rooms/66228315514111079?source_impression_id=p3_1666877756_sVls6l4obMUn%2B6FI#availability-...

Three photos of the property are shown at the top. Below them, the text 'Entire home hosted by Chris' is circled in red, with '8 guests · 3 bedrooms · 3 beds · 2.5 baths' listed underneath.

On the left, two features are listed: 'Dedicated workspace' (A common area with wifi that's well-suited for working.) and 'Self check-in' (Check yourself in with the lockbox.). Below these is the 'aircover' logo and the text: 'Every booking includes free protection from Host cancellation or other issues like trouble checking in.' with a 'Learn more' link.

In the center, a 'Select dates' calendar is open, also circled in red. It shows 'October 2022' and 'November 2022'. The 'CHECK-IN' field is set to 'MM/DD/YYYY' and the 'CHECKOUT' field is 'Add date'. The 'Minimum stay: 30 nights' is noted.

At the top right of the calendar, the price '\$475 night' and '1 review' are displayed.

The Windows taskbar at the bottom shows the time as '9:36 AM 10/27/2022', which is circled in red.

544 72nd Ave

CE 20220577

10/27/22 VRBO Ad Now Compliant

Lush OASIS in St Pete Beach - WALK to beach! [Save](#)

Clear dates

October 2022

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

30 night minimum stay

\$489 avg/night

Add dates for total pricing

Check In

Check Out

Guests

Check availability

Free cancellation up to 30 days before check-in

Contact host

Property # 2969603

Report this property

+19 photos

Beach WITH THE BEST

START PLANNING

visit Myrtle Beach SOUTH CAROLINA

9:35 AM 10/27/2022

544 72nd Ave

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 544 72ND AVE

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): CHRISTOPHER J. PADGETTE

Case No.: 20220577 Code Enforcement Officer: Chuck Newman

Hearing Date: 12/12/2022 at 10 a.m.

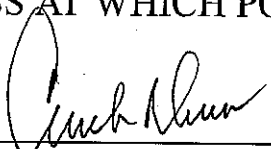
AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 10/18/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X



Signature of Officer posting

Chuck
Newman

Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,
vs.
CHRISTOPHER J. PADGETTE
Respondent(s)

Case Number: 20220577

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **12/12/2022** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **544 72ND AVE** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,
vs.
CHRISTOPHER J. PADGETTE
Respondent(s)

Case Number: 20220577

NOTICE OF HEARING

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St Pete Beach, Florida 33706**

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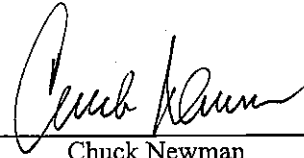
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If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 10/18/2022



Chuck Newman
Code Enforcement Officer
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: Case No. 20220578
City of St. Pete Beach v. Mark Carlson
Address: 6440 3rd Palm Pt St. Pete Beach FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 8.2. - Permitted principal uses and structures.**
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:
(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

The property is in violation for advertising a short term rental for a period of less than a month.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing



The Sunset Capital of Florida

155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

09/20/2022

CARLSON, MARK
2925 RED SPRINGS DR
LAS VEGAS, NV 89135

RE: Case Number 20220578
Violation Address: 6440 3RD PALM PT
Parcel ID#: 313116907420000050

Dear Property Owner:

The above mentioned property is in violation for advertising a short term rental for a period of less than a month according to the below code section.

Sec. 8.2. - Permitted principal uses and structures.

Sec. 8.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:

(a) Residential dwellings—Detached single-family only. Such dwellings shall not be used for transient occupancy.

These violation(s) must be corrected **no later than 09/25/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

Patrick Hawk
Code Enforcement Officer

A

CE20220578

- Respondent(s): Mark Carlson**
- Violation address: 6440 3rd Palm Pt**
- Violation(s) description: The property is being advertised as transient occupancy in the RU-1 zoning district, in violation of section 8.2 of the Land Development Code of the City of St. Pete Beach**

CE20220578

Case Summary

- Initial inspection: 09/04/2022**
- Notice of Violation dated: 09/20/2022**
- Notices of Hearing dated and posted on the property: 11/15/2022**

CE20220578

Affidavit of Posting

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 6440 3RD PALM PT

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706
Name of Property Owner(s): CARLSON, MARK
Case No.: 20220578 Code Enforcement Officer: Patrick Hawk
Hearing Date: 12/12/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162, 12, Florida Statutes, and

DATE OF POSTING 11/15/2022
ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

x P Hawk
Signature of Officer posting

Patrick Hawk
Print Name

11/15/22, 3:11 PM

6440 3rd Palm Pt

CE20220578

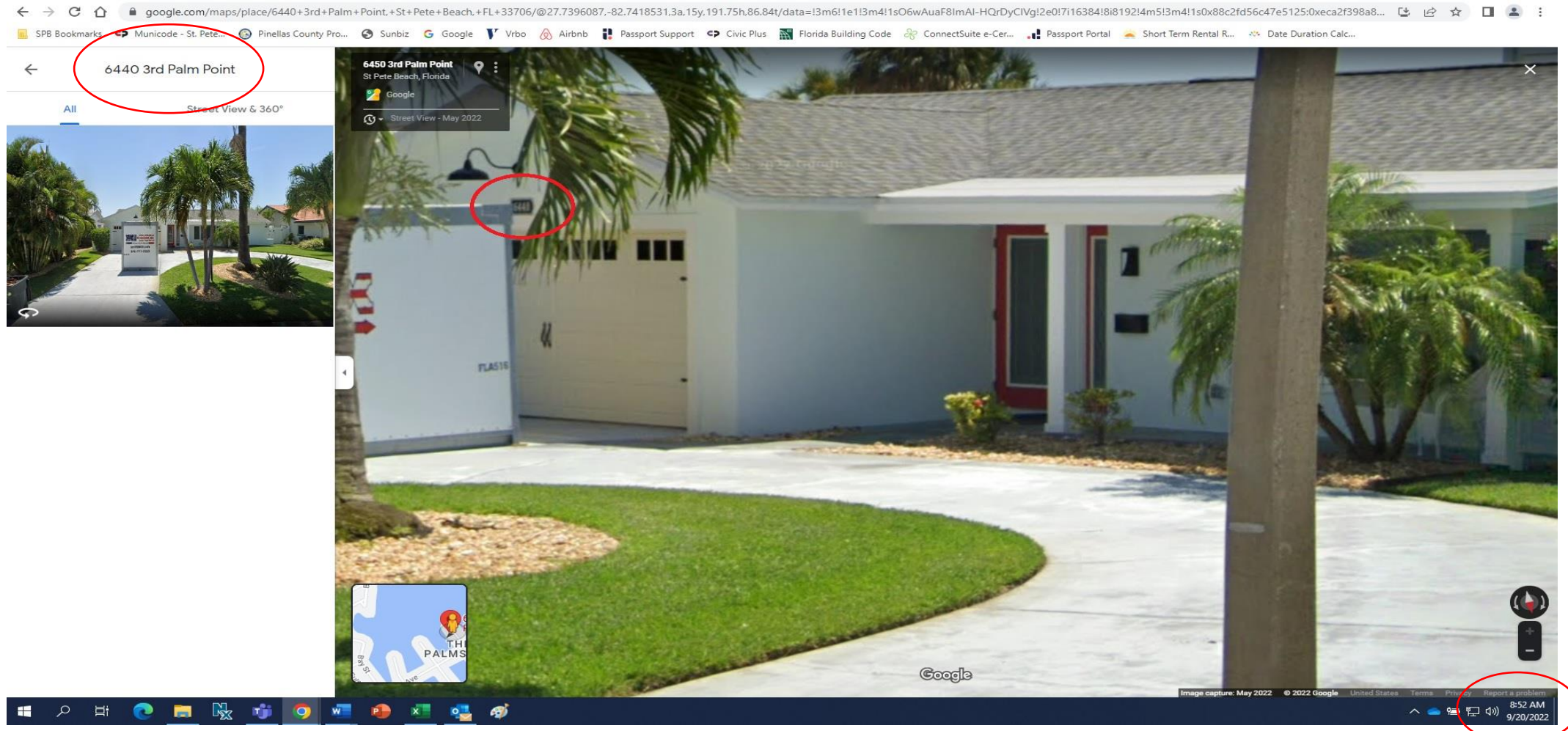
Affidavit of Posting



6440 3rd Palm Pt

CE20220578

Google Map



6440 3rd Palm Pt

CE20220578

Online ad – Initial Inspection

Intercoastal Paradise, Palm point x +

https://www.vrbo.com/2943713

About Policies Amenities Reviews Rooms & beds Map Rates & availability Host

September 2022

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2022

Su	Mo	Tu	We	Th	Fr	Sa
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2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Clear dates

\$280 avg/night

Add dates for total pricing

Check In Check Out

Guests

Check availability

Free cancellation up to 60 days before check-in

Property # 2943713

7 night minimum stay

Pensacola FLORIDA

THE WAY TO BEACH™

BOOK NOW ▶

10:16 PM 9/4/2022

6440 3rd Palm Pt

CE20220578

Online ad

vrbo.com/2943713

SPB Bookmarks / Municode - St. Pete... / Pinellas County Pro... / Sunbiz / Google / Vrbo / Airbnb / Passport Support / Civic Plus / Florida Building Code / ConnectSuite e-Cer... / Passport Portal / Short Term Rental R... / Date Duration Calc...

Vrbo Get the app Trip Boards Log in Sign up Help Feedback USD (\$) EN List your Property

Where: St. Pete Beach, Florida, United States of America Check-in Check-out Guests Search

Pinellas County / St. Pete Beach / Three Palms Point

Intercoastal Paradise, Palm point! Share Save

\$278 avg/night

Add dates for total pricing

Check in Check Out

Guests

Check availability

Free cancellation up to 60 days before check-in

FMV Property Mgmt Contact host

Property # 2943713 Report this property

IT'S TIME TO Unleash YOUR INNER TRAVELER

Bradenton Anna Maria Island Longboat Key FLORIDA'S WEST COAST LEARN MORE

September 2022 October 2022 Clear dates

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Su	Mo	Tu	We	Th	Fr	Sa
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

7 night minimum stay

Close

About Policies Amenities Reviews Rooms & beds Map Rates & availability Host

Know before you go Check Covid restrictions here

8:14 AM 9/20/2022

6440 3rd Palm Pt

CE20220578

Online ad - Compliant

vrbo.com/2943713?noDates=true

St. Pete Beach, Florida, United States of America

Pinellas County / St. Pete Beach / Three Palms Point

Intercoastal Paradise, Palm point!

\$330 avg/night

Share Save

November 2022 December 2022

Clear dates

30 night minimum stay

Check in Check Out

Guests

Check availability

Free cancellation up to 60 days before check-in

FMV Property Mgmt
Contact host

Property # 2943713
Report this property

Get Thrifty

Know before you go
Check Covid restrictions [here](#)

About this rental

12:55 PM 11/16/2022

6440 3rd Palm Pt

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 6440 3RD PALM PT

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): CARLSON, MARK

Case No.: 20220578 Code Enforcement Officer: Patrick Hawk

Hearing Date: 12/12/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/15/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X *P Hawk*
Signature of Officer posting

Patrick Hawk
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,
vs.
CARLSON, MARK
Respondent(s)

Case Number: 20220578

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

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Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **6440-3RD PALM PT** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 11/15/2022



Patrick Hawk
Code Enforcement Officer
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: Case No. 20220584
City of St. Pete Beach v. Anhlan Trinh
Address: 6705 Gulf Winds Dr St. Pete Beach FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 12.2. - Permitted principal uses and structures.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RM Residential District are as follows:

(a) *Residential dwellings*—Attached and detached single-family, multifamily and two-family. Such dwellings may be used for transient occupancy, so long as any transient occupancy of less than 30 days does not occur more than three times in any 12-month period on any parcel.

The property is in violation for advertising a short term rental for a period of less than a month for more than 3 times in a twelve month period.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing



155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

10/04/2022

TRINH, ANHLAN
11962 SANDY DR
OCALA, FL 34474

RE: Case Number 20220584
Violation Address: 6705 GULF WINDS DR
Parcel ID#: 363115347760030010

Dear Property Owner:

The above mentioned property is in violation for advertising a short term rental for a period of less than a month for more than 3 times in a 12 month period according to the below code section.

Sec. 12.2. - Permitted principal uses and structures

Sec. 12.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RM Residential District are as follows:

(a) Residential dwellings—Attached and detached single-family, multifamily and two-family. Such dwellings may be used for transient occupancy, so long as any transient occupancy of less than 30 days does not occur more than three times in any 12-month period on any parcel.

These violation(s) must be corrected **no later than 10/09/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

CE20220584

- Respondent(s): Anhlan Trinh**
- Violation address: 6705 Gulf Winds Dr**
- Violation(s) description: The property is being advertised as transient occupancy for more than 3 times in a 12-month period in the RM zoning district, in violation of section 12.2 of the Land Development Code of the City of St. Pete Beach**

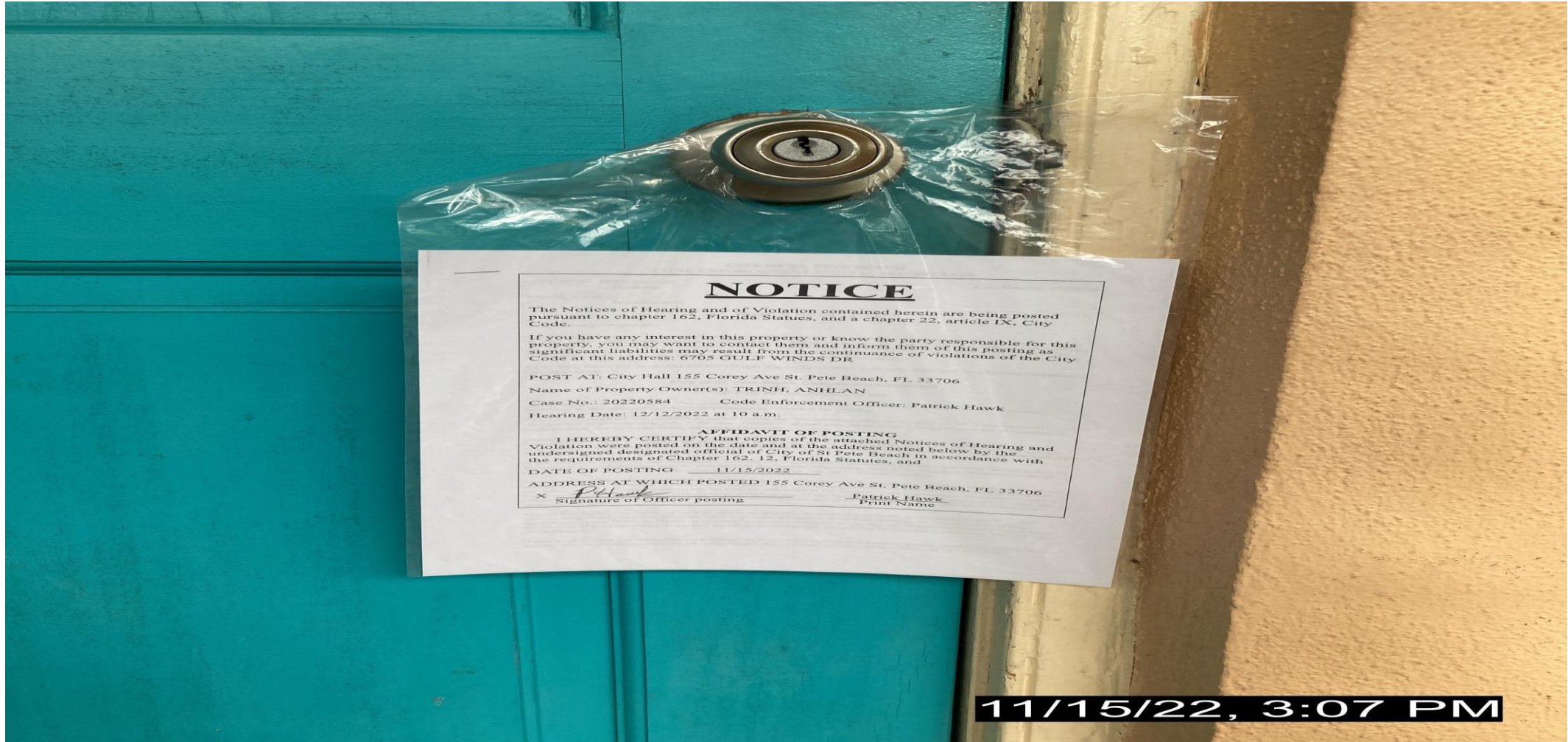
CE20220584

Case Summary

- Initial inspection: 07/31/2022**
- Notice of Violation dated: 10/04/2022**
- Notices of Hearing dated and posted on the property: 11/15/2022**

CE20220584

Affidavit of Posting



6705 Gulf Winds Dr

CE20220584

Affidavit of Posting



6705 Gulf Winds Dr

CE20220584

Google Map



6705 Gulf Winds Dr

CE20220584

Online ad – Initial Inspection

The screenshot shows an Airbnb listing page for 'Cute beach stay - Guest suites' hosted by Kimber. The listing features a grid of six photos: a large palm tree with a star-shaped decoration, an aerial view of a beach, a close-up of a beach, a living room with a grey sofa and a red basket, a kitchen area with a red lantern, and a bedroom with a black sofa. The listing details include 'Entire guest suite hosted by Kimber', '3 guests · 2 bedrooms · 2 beds · 1 bath', and a price of '\$84 night' with a 4.57 star rating and 7 reviews. A 'Select dates' calendar overlay is visible, showing the minimum stay of 3 nights and the availability for July and August 2022. The calendar shows that the minimum stay of 3 nights is highlighted in red. The Windows taskbar at the bottom shows the time as 9:44 AM on 7/31/2022, which is also circled in red.

Cute beach stay - Guest suites for

https://www.airbnb.com/rooms/578138951006424116?source_impression_id=p3_1659275050_q9Def60VZxofZrgp#availability...

Entire guest suite hosted by Kimber
3 guests · 2 bedrooms · 2 beds · 1 bath

Great for remote work
Fast wifi at 521 Mbps, plus a dedicated workspace in a common area

Self check-in
Check yourself in with the lockbox.

aircover
Every booking includes free protection from Host cancellations, other issues like trouble checking in.
[Learn more](#)

Select dates
Minimum stay: 3 nights

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

July 2022

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2022

Su	Mo	Tu	We	Th	Fr	Sa

9:44 AM
7/31/2022

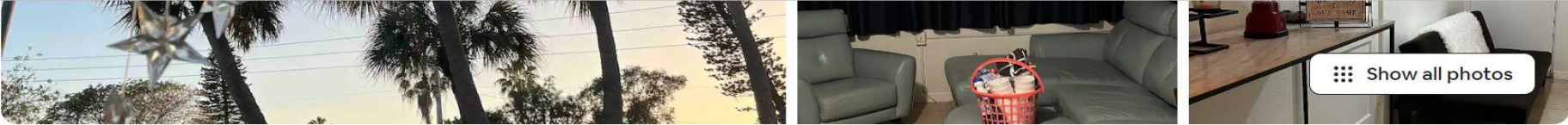
6705 Gulf Winds Dr

CE20220584

Online ad

Cute beach stay - Guest suites for 3 - 4 people

https://www.airbnb.com/rooms/578138951006424116?source_impression_id=p3_1668519576_uhbllLDHQR3apR9S&check_in=20...



Show all photos

Entire guest suite hosted by Kimber
3 guests · 2 bedrooms · 2 beds · 1 bath

Great for remote work
Fast wifi at 521 Mbps, plus a dedicated workspace in a common area.

Self check-in
Check yourself in with the lockbox.

Great location
92% of recent guests gave the location a 5-star rating.

aircover
Every booking includes free protection from Host cancellation and other issues like trouble checking in.

\$58 night ★ 4.50 · 12 reviews

Select dates
Minimum stay: 3 nights

CHECK-IN 11/25/2022 × CHECKOUT Add date

November 2022 December 2022

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5				1	2	3	
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

8:39 AM 11/15/2022

6705 Gulf Winds Dr

CE20220584

Reviews – 2 in June, 3 in July

Cute beach stay - Guest suites for 2

https://www.airbnb.com/rooms/578138951006424116?source_impression_id=p3_1659275140_qfOsAPwaxqM5wbdQ

Photos Amenities Reviews Location

\$84 night
★ 4.57 · 7 reviews [Check availability](#)

★ 4.57 · 7 reviews

Category	Score
Cleanliness	4.6
Communication	4.9
Check-in	4.9
Accuracy	4.6
Location	4.9
Value	4.7

Micayla
July 2022

Perfect location, walking distance to everything we wanted to see/do. Would definitely book again.

Tyler
July 2022

Great place to stay for 2 people for a weekend or more

Melanie
July 2022

Close to beach, shops and restaurants.

Lacey
June 2022

It was a great location and in walking distance of almost everything. We liked that we had to do very little driving while we were there!

Lisa
June 2022

Amazing place for a getaway. Perfect for 2 people I would say. 5 minute flat walk to the beach. Perfect location. Quiet neighborhood. Easy checkin. Kimber was quick and timely...
[Show more >](#)

Rick
May 2022

Fantastic location. Small place but great for 2-3 people. Kimber the owner is a great host. I would stay here again.

9:47 AM
7/31/2022

6705 Gulf Winds Dr

CE20220584

Reviews – 3 in August, 2 in October

Cute beach stay - Guest suites for 2 x

https://www.airbnb.com/rooms/578138951006424116?source_impression_id=p3_1666294350_9rQ4vThm9vn2KM9S

Photos Amenities Reviews Location

\$66 night
★ 4.50 · 12 reviews

[Check availability](#)

Jalin
October 2022
More than expected

Kathryn
October 2022
Location Fantastic!!! Check- In Amazing!!! Kimber was an absolute Great Host!! She even allowed me to bring my Min Pin with me on this trip. I would recommend this property fo...
[Show more >](#)

Jenifer
August 2022
The property is unremarkable, the hosts do their best to fix things that go wrong, the proximity to the beach is great. I wouldn't recommend for more than 2 people.

Justin
August 2022
Great location close to pharmacy, stores, and many bars/restaurants. Only a few minutes from the beach.
...
[Show more >](#)

Alexis
August 2022
This place is exactly as described! Super cute and just what we needed for the week! It's the perfect place for a couple to come for a nice get away. Kimber allowed us to bring our ol...

Micayla
July 2022
Perfect location, walking distance to everything we wanted to see/do. Would definitely book again.

3:33 PM
10/20/2022

6705 Gulf Winds Dr

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 6705 GULF WINDS DR

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): TRINH, ANHLAN

Case No.: 20220584 Code Enforcement Officer: Patrick Hawk

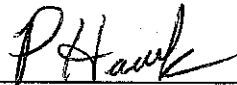
Hearing Date: 12/12/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/15/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X 
Signature of Officer posting

Patrick Hawk
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20220584

vs.

TRINH, ANHLAN
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **12/12/2022** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **6705 GULF WINDS DR** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

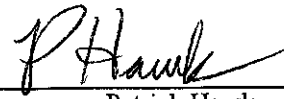
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 11/15/2022



Patrick Hawk
Code Enforcement Officer
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: Case No. 20220517
City of St. Pete Beach v. Lusby, Tony & Jennifer
Address: 341 S Isle Dr St. Pete Beach FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 8.2. - Permitted principal uses and structures.**
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:
(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

The property is in violation of advertising a short term rental for a period of less than a month.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing



155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

09/13/2022

LUSBY, TONY LUSBY, JENNIFER
341 S ISLE DR
ST PETE BEACH FL 33706-2711

RE: Case Number 20220517
Violation Address: 341 S ISLE DR
Parcel ID#: 073216615600030030

Dear Property Owner:

The above mentioned property is in violation of advertising a short term rental for a period of less than a month.

Sec. 8.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:

(a) Residential dwellings —Detached single-family only. Such dwellings shall not be used for transient occupancy.

These violation(s) must be corrected **no later than 09/18/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

Patrick Hawk
Code Enforcement Officer

CE20220517

- Respondent(s): Tony and Jennifer Lusby**
- Violation address: 341 S Isle Dr**
- Violation(s) description: The property is being advertised as transient occupancy in the RU-1 zoning district, in violation of section 8.2 of the Land Development Code of the City of St. Pete Beach**

CE20220517

Case Summary

- Initial inspection: 06/14/2022**
- Notice of Violation dated: 09/13/2022**
- Notices of Hearing dated and posted on the property: 10/04/2022**

CE20220517

Affidavit of Posting

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 341 S ISLE DR

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706
Name of Property Owner(s): LUSBY, TONY, LUSBY, JENNIFER
Case No.: 20220517 Code Enforcement Officer: Patrick Hawk
Hearing Date: 11/07/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 10/04/2022
ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X *P. Hawk* Patrick Hawk
Signature of Officer posting Print Name

10/4/22, 3:54 PM

341 S Isle Dr

CE20220517

Affidavit of Posting



341 S Isle Dr

CE20220517

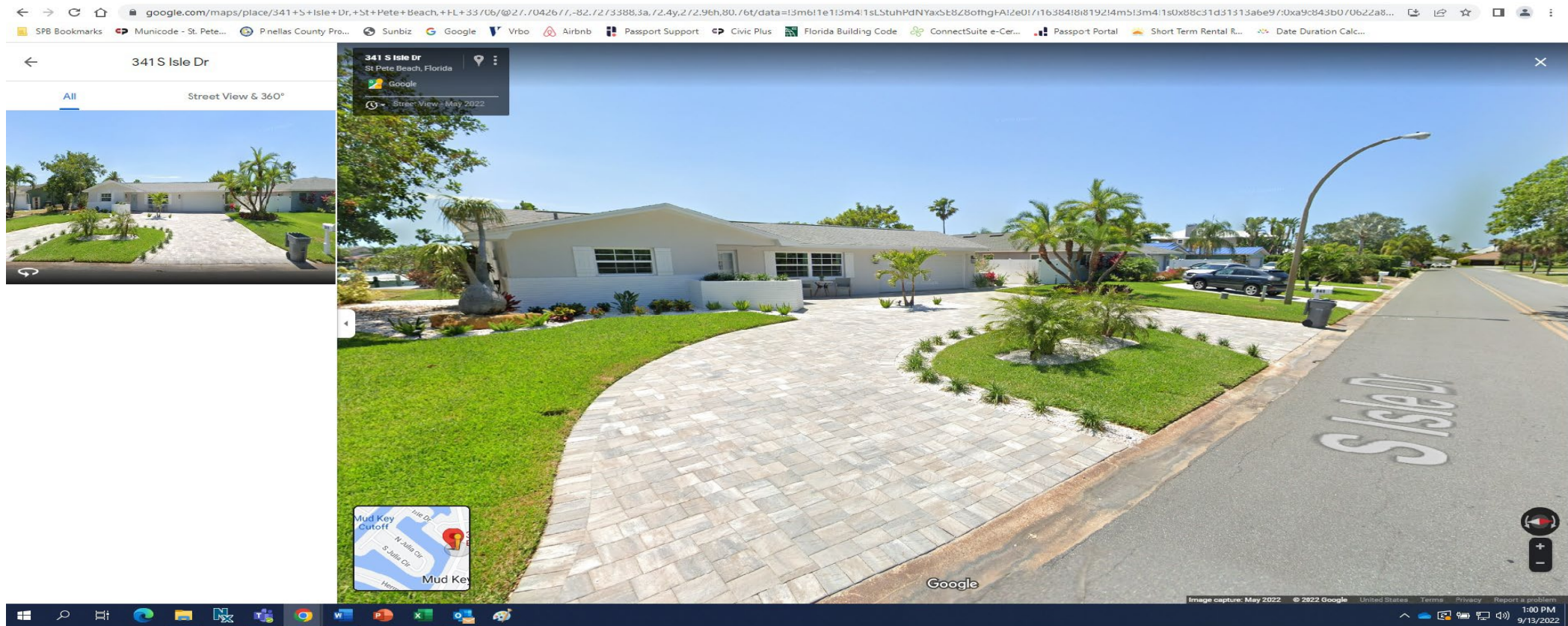


10/4/22, 3:55 PM

341 S Isle Dr

CE20220517

Google Map



341 S Isle Dr

CE20220517

Online Ad-Initial Inspection

The Coastal Cottage - Cottages f x

https://www.airbnb.com/rooms/608504253347979329?source_impression_id=p3_1655210203_BkKdsc98Hq6luy%2Fr#a...

The Coastal Cottage

2 reviews · St. Pete Beach, Florida, United States

Share Save



Entire cottage hosted by Jenny And Tony

8 guests · 3 bedrooms · 4 beds · 2 baths

Select dates
Minimum stay: 3 nights

Self check-in
Check yourself in with the lockbox.

\$750 night 2 reviews

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

June 2022 July 2022

Su Mo Tu We Th Fr Sa Su Mo Tu We Th Fr Sa

Type here to search

8:37 AM
6/14/2022

341 S Isle Dr

CE20220517

Online Ad

The Coastal Cottage - Cottages

https://www.airbnb.com/rooms/608504253347979329?source_impression_id=p3_1665495898_uxEcminomRo4NruN#availability-c...



Entire cottage hosted by Jenny And Tony
8 guests · 3 bedrooms · 4 beds · 2 baths

Self check-in
Check yourself in with the lockbox.

Great location
100% of recent guests gave the location a 5-star rating.

Great check-in experience
100% of recent guests gave the check-in process a 5-star rating.

\$750 night ★ 5.0 · 6 reviews

Select dates
Minimum stay: 3 nights

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

October 2022

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19

aircover

Type here to search

9:45 AM
10/11/2022

341 S Isle Dr

CE20220517

Reviews – 2 in June, 3 in July

The Coastal Cottage - Cottages f x +
https://www.airbnb.com/rooms/608504253347979329?source_impression_id=p3_1661392295_atLn1i8sk%2BRJiJbT

Photos Amenities Reviews Location

\$750 night
★ 5.0 · 6 reviews

Check availability

Hope
July 2022
Beautiful home- great views and really nice interior. Beds very comfortable and clean home. We could walk to pickle ball courts which was fun. It was nice to have beach towels and...
[Show more >](#)

Douglas
July 2022
A beautiful house and a very comfortable stay. Perfect for large families/groups. Plenty of room. Beds were comfortable. House was very clean and updated....
[Show more >](#)

Madelyn
May 2022
We had a great stay. There were 5 in our party and we had plenty of room to spread out. The furnishings are beautiful and they give the cottage a lovely coastal feel. The views of...

Page
July 2022
Absolutely gorgeous house with beautiful water view! Beds are super comfortable. Jenny is a great hostess. Wonderful location. Easy to get to the beach. Couldn't have been bett...
[Show more >](#)

Tom
June 2022
The perfect beach house stay in every way! Jenny and Tony have done a terrific job remodeling and redecorating the class mid-century house, with little touches everywhere....
[Show more >](#)

Miguel
June 2022
The cottage is in a great location, close to restaurants, supermarkets and the beach. The cottage was beautifully decorated, clean, and comfortable. Having the dock was a...

Type here to search

9:52 PM
8/24/2022

341 S Isle Dr

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 341 S ISLE DR

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): LUSBY, TONY, LUSBY, JENNIFER

Case No.: 20220517 Code Enforcement Officer: Patrick Hawk

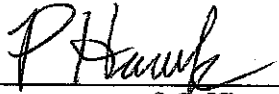
Hearing Date: 12/12/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/17/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X 
Signature of Officer posting

Patrick Hawk
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20220517

vs.

LUSBY, TONY, LUSBY, JENNIFER
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on 12/12/2022 at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **341 S ISLE DR** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 11/17/2022



Patrick Hawk
Code Enforcement Officer
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: **Case No. 20220632**
 City of St. Pete Beach v. Royal Properties
 Management LLC
 Address: 340 78th Ave St. Pete Beach FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 32.5. - Prohibited uses and structures.**
 All uses and structures not of a nature specifically or
 conditionally permitted herein are hereby prohibited in
 the CC1 Commercial Corridor Blind Pass Road District.

The property is being advertised for short term rental
which is not allowed in this zoning district.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Notice of Violation
 2. Evidence
 3. Affidavit of Posting
 4. Notice of Hearing



The Sunset Capital of Florida

155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

11/02/2022

ROYAL PROPERTIES MANAGEMENT LLC
27012 65TH AVE E
MYAKKA CITY, FL 34251-5143

RE: Case Number 20220632
Violation Address: 340 78TH AVE
Parcel ID#: 363115779942250150

Dear Property Owner:

Your property is being advertised for short-term rental which is not allowed in your zoning district and in violation of the following section:

Sec. 32.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the CC1 Commercial Corridor Blind Pass Road District.

These violation(s) must be corrected **no later than 11/07/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

Feyl Dewar
Code Enforcement Manager

CE20220632

- Respondent(s): Royal Properties Management LLC**
- Violation address: 340 78th Ave**
- Violation(s) description: The property is being advertised as transient occupancy in the CC1 zoning district, in violation of section 32.5 of the Land Development Code of the City of St. Pete Beach**

CE20220632

Case Summary

- Initial inspection: 10/26/2022**
- Notice of Violation dated: 11/02/2022**
- Notices of Hearing dated and posted on the property: 11/09/2022**

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to Chapter 162, Florida Statutes, and s. Chapter 20, Article I, City Code.

If you have any interest in this property or know the party responsible for this violation, you must want to contest them and give me back at this address as soon as possible. You may wish to call the City Clerk's Office at this address: 7814 20th St. Suite 100, Jacksonville, FL 32211.

POST AT City Hall 155 Corey Ave SE, Fort Beach, FL 32706
Name of Property Owner(s) ROYAL PROPERTY MANAGEMENT LLC
Case No. 20220652 Code Enforcement Manager: Paul Davis
Hearing Date: 12/12/2022 at 10:00 AM

I HEREBY CERTIFY THAT I HAVE POSTED THIS NOTICE ON THE PROPERTY OF THE VIOLATOR AND THAT I HAVE MADE A GOOD FAITH EFFORT TO LOCATE THE VIOLATOR AND THAT I HAVE MADE A GOOD FAITH EFFORT TO LOCATE THE VIOLATOR AND THAT I HAVE MADE A GOOD FAITH EFFORT TO LOCATE THE VIOLATOR.

DATED: 11/9/2022
ATTEST: AT WHICH POINTS I AS CITY CLERK HAVE SIGNED AND SEALED THIS NOTICE.

Signature: JENNIFER JOHNSON City Clerk
City of Jacksonville
11/9/2022

11/9/22, 4:39 PM

Page 85 of 151

CE20220632

Online ad

Cozy 2 bedroom/ 1 bathroom Be x +

https://www.airbnb.com/rooms/739940414414501647?source_impression_id=p3_1666790107_MHfp5UmCtQUMrgmc#availability...



Entire home hosted by Andrea

6 guests · 2 bedrooms · 4 beds · 1 bath

 **Self check-in**
Check yourself in with the smartlock.

aircover

Select dates
Minimum stay: 7 nights

\$157 night

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

October 2022

Su Mo Tu We Th Fr Sa

November 2022

Su Mo Tu We Th Fr Sa

1 2 3 4 5

9:16 AM
10/26/2022

340 78th Ave

CE20220632

Online ad

Cozy 2 bedroom/ 1 bathroom B... x

https://www.airbnb.com/rooms/739940414414501647?source_impression_id=p3_1667955168_FJVEhJmfxM7dd%2FU%2F#availab...



Show all photos

Entire home hosted by Andrea

6 guests · 2 bedrooms · 4 beds · 1 bath

 Self check-in
Check yourself in with the smartlock.

aircover

Every booking includes free protection from Host cancellation or other issues like trouble checking in.

[Learn more](#)

WELCOME TO THIS BEAUTIFUL BEACH HOUSE!
Just minutes from a public beach access. Walk to a variety of

Select dates
Minimum stay: 31 nights

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

7:53 PM
11/8/2022

340 78th Ave

CE20220632

Ad compliant

airbnb.com/rooms/739940414414501647?source_impression_id=p3_1668031096_fJKDsYiCUqGWXxNU#availability-calendar

Bay News 9 Tampa... Google Secondary Employ... Suggested Sites Pinellas County Pro... | St. Pete Beach, FL |... Calculate Duration... Works - Login City of St Pete Beac... Statutes & Constitu... https://www.centre... Conure ParkSmart



Entire home hosted by Andrea
6 guests · 2 bedrooms · 4 beds · 1 bath

Self check-in
Check yourself in with the smartlock.

aircover
Every booking includes free protection from Host cancellations, other issues like trouble checking in.
[Learn more](#)

WELCOME TO THIS BEAUTIFUL BEACH HOUSE!
Just minutes from a public beach access. Walk to a variety of shops while enjoying all the comforts of home. 10-mile drive puts you in downtown, steps to St Pete Pier. Enjoy Sunken Gardens, our Dali

Select dates
Minimum stay: 31 nights

\$161 night

CHECK-IN
Add date

CHECKOUT
Add date

November 2022 December 2022

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5					1	2	3
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

[Clear dates](#) [Close](#)

340 78th Ave

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 340 78TH AVE

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): ROYAL PROPERTIES MANAGEMENT LLC

Case No.: 20220632 Code Enforcement Manager: Peyt Dewar

Hearing Date: 12/12/2022 at 10 a.m.

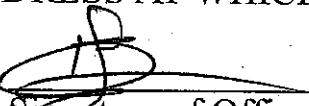
AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/09/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X


Signature of Officer posting

Peyt Dewar
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20220632

vs.

ROYAL PROPERTIES MANAGEMENT LLC
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **12/12/2022** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **340 78TH AVE** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 11/09/2022



Peyt Dewar
Code Enforcement Manager
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: **Case No. 20220545**
 City of St. Pete Beach v. Blake and Ivy-Zophia
 Bevill
 Address: 105 17th Ave St. Pete Beach FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 20.03. - Permitted principal uses and structures.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:

(a) All uses permitted in the underlying zoning district; and

(b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

(c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.

The property is being advertised online for more than the allowable 3 times in a 12 month period.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Notice of Violation
 2. Evidence
 3. Affidavit of Posting

4. Notice of Hearing



The Sunset Capital of Florida

155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

08/17/2022

BEVILL, BLAKE BEVILL, IVY-ZOPHIA
105 17th Ave
St. Pete beach, FL 33706

RE: Case Number 20220545
Violation Address: 105 17TH AVE
Parcel ID#: 183216686340060600

Dear Property Owner:

Your property is being advertised online for more than the allowable 3 times in a 12 month period and is in violation of the following code section.

Sec. 20.03 Permitted principal uses and structures

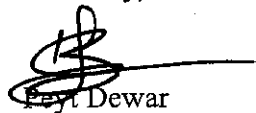
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:

- (a) All uses permitted in the underlying zoning district; and
- (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.
- (c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.

These violation(s) must be corrected **no later than 08/25/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Payt Dewar', with a long horizontal line extending to the right.

Payt Dewar
Code Enforcement Manager

CE20220545

- Respondent(s): Ivy-Zophia and Blake Bevill**
- Violation address: 105 17th Ave**
- Violation(s) description: The property is being advertised as transient occupancy in the PAG zoning district, in violation of section 20.03 of the Land Development Code of the City of St. Pete Beach**

CE20220545

Case Summary

- Initial inspection: 04/28/2022**
- Notice of Violation dated: 08/17/2022**
- Notices of Hearing dated and posted on the property: 11/10/2022**

CE20220545

Affidavit of Posting



105 17th Ave

CE20220545

Online ad

The screenshot shows an Airbnb listing for 'Bevill Bungalows Unit A - Houses'. The browser's address bar is circled in red, showing the URL: https://www.airbnb.com/rooms/46397258?source_impression_id=p3_1664930041_8Gdda%2Fdjd30NO42Q#availability-cale.... The listing features three photos: a wooden walkway, an exterior view of the unit, and an interior living space. Below the photos, the text reads 'Entire home hosted by Ivy', '4 guests · 2 bedrooms · 2 beds · 1 bath'. A 'Select dates' calendar is overlaid on the right, with the text 'Minimum stay: 4 nights' circled in red. The calendar shows October and November 2022. To the right of the calendar, the price '\$200 night' and '4.81 · 37 reviews' are displayed. Below the calendar, there are buttons for 'CHECK-IN MM/DD/YYYY' and 'CHECKOUT Add date'. On the left side of the listing, there are three features: 'Dedicated workspace', 'Self check-in', and 'Great location'. At the bottom, there is an 'aircover' logo and a 'Learn more' link. The Windows taskbar at the bottom shows the time as 8:34 PM on 10/4/2022, which is circled in red.

Bevill Bungalows Unit A - Houses

https://www.airbnb.com/rooms/46397258?source_impression_id=p3_1664930041_8Gdda%2Fdjd30NO42Q#availability-cale...

Entire home hosted by Ivy
4 guests · 2 bedrooms · 2 beds · 1 bath

Dedicated workspace
A private room with wifi that's well-suited for working.

Self check-in
Check yourself in with the keypad.

Great location
100% of recent guests gave the location a 5-star rating.

aircover
Every booking includes free protection from Host cancellations, other issues like trouble checking in.
[Learn more](#)

Select dates
Minimum stay: 4 nights

\$200 night ★ 4.81 · 37 reviews

CHECK-IN MM/DD/YYYY CHECKOUT Add date

October 2022 November 2022

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

8:34 PM
10/4/2022

105 17th Ave

CE20220545

Online reviews

Bevill Bungalows Unit A - House x +

https://www.airbnb.com/rooms/46397258?source_impression_id=p3_1667945634_jMa2kTI0bW8j6I2I

Photos Amenities Reviews Location

\$200 night
★ 4.81 · 37 reviews

Check availability

David
September 2022
Great host.

Michelle
August 2022
Thank you for the great stay, Ivy. Perfect location near the beach and all necessary amenities. Communication throughout was fantastic. Thanks for everything!

Katy
July 2022
It was GREAT! So many amenities. We had plenty of toys, chairs, coolers, and other items to use in the shed. Location was PERFECT! It could not be in a better spot. So close to a perfect spot in St Pete's beach. We will be back!

Jan
July 2022
This seaside Airbnb is the perfect location for a beach getaway. The water is steps away and there are so many places to eat/drink within walking distance. Take advantage of the free cabs to get around in town!

Brenda
July 2022
It's a great place, clean and close to a lot of things to do.. I'll stay again soon.

Carey
June 2022
Great location!

Type here to search

5:14 PM
11/8/2022

105 17th Ave

CE20220545

Online reviews

airbnb.com/rooms/46397258/reviews?source_impression_id=p3_1668623139_P4aPS3UqG4IG5a5B#availability-calendar

Bay News 9 Tampa... Google Secondary Employ... Suggested Sites Pinellas County Pro... St. Pete Beach, FL |... Calculate Duration... Works - Login City of St Pete Bea... Statutes & Constitu... https://www.centre... Conure ParkSmart

Photos Amenities Reviews Location

Bed 1 king

What is new here

Cleanliness 4.6

Accuracy 4.8

Communication 5.0

Location 5.0

Check-in 4.9

Value 4.7

Search reviews

★ 4.81 · 37 reviews

Ryan
June 2022

excellent property! fabulous location between the pier and the beach... tons of restaurants everything close by even a Starbucks 5 minutes away! No issues at all and the host was very accommodating

Robert
June 2022

Nice property, short walk to the beach. Ivy returns messages promptly.

Jacque
May 2022

Thank you for a lovely stay. Perfect location only a block from the beach. Also one of the most comfortable beds! Easy check in and check out. We will definitely be back.

Sarah
May 2022

We love staying at Bevill Bungalows! The location is great and it's the perfect size for a couple or a small group to stay. We had everything we needed to make it our home away from home. Definitely planning to come here again.

Kristal
April 2022

2:22 PM 11/16/2022

105 17th Ave

CE20220545 Online Ad

Bevill Bungalows Unit A - House

https://www.airbnb.com/rooms/46397258?source_impression_id=p3_1669730431_4Od34smDle%2BM1XuN&check_in=2023-04-...



Show all photos

Entire home hosted by Ivy

4 guests · 2 bedrooms · 2 beds · 1 bath

Dedicated workspace
A common area with wifi that's well-suited for working.

Self check-in
Check yourself in with the keypad.

Great location
100% of recent guests gave the location a 5-star rating.

aircover
Every booking includes free protection from Host cancellation or other issues like trouble checking in.

Select dates
Minimum stay: 4 nights

\$200 night ★ 4.82 · 39 reviews

CHECK-IN 4/28/2023 × CHECKOUT Add date

March 2023 April 2023

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29

9:00 AM 11/29/2022

105 17th Ave

CE20220545

Online Ad

Bevill Bungalows Unit B - Houses

https://www.airbnb.com/rooms/46414603?source_impression_id=p3_1669730580_OYT0%2FeDgHbNSdqHs&check_in=2022-11-2...



Entire home hosted by Ivy
4 guests · 2 bedrooms · 2 beds · 1 bath

\$200 night ★ 4.77 · 30 reviews

Select dates
Minimum stay: 4 nights

CHECK-IN 11/29/2022 × CHECKOUT Add date

Dedicated workspace
A private room with wifi that's well-suited for working.

Self check-in
Check yourself in with the keypad.

Great location
95% of recent guests gave the location a 5-star rating.

aircover
Every booking includes free protection from Host cancellation or other issues like trouble checking in.

November 2022 December 2022

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5				1	2	3	
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

9:03 AM 11/29/2022

105 17th Ave

CE20220545

Online reviews

The screenshot shows the Airbnb listing page for 'Bevill Bungalows Unit B - House'. The URL in the browser is https://www.airbnb.com/rooms/46414603?source_impression_id=p3_1653144403_bu%2FkHRErm0LHuRM2. The listing price is \$203 per night with a 4.78-star rating from 18 reviews. A 'Check availability' button is visible. Below the listing details, there are six reviews, each with a profile picture circled in red:

- Ana** (May 2022): This is an awesome place. It is closed to everything you need for a great beach vacation. But most of all, it is dog friendly, very clean, and comfortable....
[Show more >](#)
- Noah** (April 2022): Great location and wonderful place.
- Barbara** (April 2022): We stayed at Ivy's place and thought it was wonderful. It is part of a duplex, but we never heard our neighbors. The location was great as the beach is literally steps away. Kitch...
- Karin** (March 2022): Home was in a great location and nice setup with the two bedrooms and ample closet space. We loved the short walk to the beach, park, and restaurants. Would love to stay again!
- Lynda** (March 2022): Great location for hanging at the beach and a relaxing vacation! 😊
- Rebecca** (March 2022): This was a wonderful location and beautiful white beach. Just steps to the Gulf and several delicious Restaurant near by too! We were here a month and enjoyed our time in the home!

A 'Show all 18 reviews' button is located at the bottom of the review section. The Windows taskbar at the bottom shows the system clock as 10:47 AM on 5/21/2022, which is also circled in red.

105 17th Ave

CE20220545

Online reviews

The screenshot shows the Airbnb listing page for 'Bevill Bungalows Unit B - House'. The page includes navigation tabs for Photos, Amenities, Reviews, and Location. The price is listed as \$200 per night with a 4.76-star rating from 29 reviews. A 'Check availability' button is visible. Six reviews are highlighted with red circles:

- David** (August 2022): Perfect place, close to the beach but still quiet. Everything was already setup, just show up and relax!
- Louis** (August 2022): Great base camp for Pass-a-grill and the area. Ivy was a great host and the home was clean and a stone's throw from the beach!! We hope to make this our permanent base camp for... [Show more >](#)
- Tereasa** (July 2022): The duplex was not clean when we arrived. We cleaned for several hours after our arrival. The AC would not go below 81 degrees. After changing the filter and cleaning the vent the... [Show more >](#)
- Nadia** (July 2022): Ivy's house has the best location, close to everything. Pass-a-Grill is a wonderful place in general, but this house is really in the best spot. It is not new and there is no dishwasher, but it... [Show more >](#)
- Patricia** (July 2022): We had a great time at this place! Short walk to the beach, quiet, very clean and comfortable. Loved that there were chairs, cart, beach accessories available. Would definitely...
- Michelle** (July 2022): We had a wonderful stay! It is a great location.

The Windows taskbar at the bottom shows the system clock as 7:43 PM on 9/17/2022, which is also circled in red.

105 17th Ave

CE20220545

Online reviews

airbnb.com/rooms/46414603/reviews?source_impression_id=p3_1668627937_fud8Ge%2Bn5m79Awst

Bay News 9 Tampa... Google Secondary Employ... Suggested Sites Pinellas County Pro... | St. Pete Beach, FL |... Calculate Duration... Works - Login City of St Pete Beac... Statutes & Constitu... https://www.centre... Conure ParkSmart

✕

★ 4.77 • 30 reviews

Search reviews

Cleanliness	4.7
Accuracy	4.9
Communication	4.9
Location	5.0
Check-in	4.8
Value	4.7

Steven
May 2022

If you want a sparkling clean, newly renovated place this close to the beach you will need to pay \$400 a night. This rental is not perfect but it sleeps, cooks, eats, showers, launders and provides some TV action as well. We do not have pets so we are extra sensitive to seeing pet hair around (I still rented it knowing it was pet friendly. Also, we did NOT note a pet smell). This unit does everything you need if you are spending most of your time at the beach. Ivy's communication is excellent and checked up with us throughout the stay. 3rd year staying in Pass-A-Grill and you can't find a better community or beach setting.

Connor
May 2022

This place was a lot of fun! The location is great - very calm and within walking distance of dining and the beach. The home was comfortable and the host responded quickly any time we needed to communicate. Overall, this was a great experience!

Ana
May 2022

This is an awesome place. It is closed to everything you need for a great beach vacation. But most of all, it is dog friendly, very clean, and comfortable. We enjoyed fishing everyday, for the bay is just 1/2 block from the house. We, also, enjoyed the beautiful sunsets! The beach is just 1/2 block away. However, no dogs are allowed on the beach, but you can walk the dogs on the sidewalk, and the people are very nice to them. The restaurants are just a walking distance, and most places allowed us to take our dog in. There is a dog beach a few miles from this location. The hostess, Ivy is super caring, and immediately answered our questions. She made us

airbnb

Every b...
other is

Learn r...

One of...

Close to local shops, eateries, bars, fine dining, national parks, fishing, boat tours, historic

3:42 PM
11/16/2022

105 17th Ave

CE20220545

Airbnb ad #46397258

Summary of reviews

2 in November

3 in July

3 in June

2 in May

Airbnb ad #46414603

Summary of reviews

2 in August

5 in July

2 in June

3 in May

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 105 17TH AVE

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): BEVILL, BLAKE BEVILL, IVY-ZOPHIA

Case No.: 20220545 Code Enforcement Manager: Peyt Dewar

Hearing Date: 12/12/2022 at 10 a.m.

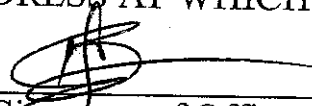
AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/15/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X


Signature of Officer posting

Peyt Dewar
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20220545

vs.

BEVILL, BLAKE BEVILL, IVY-ZOPHIA
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **12/12/2022** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **105 17TH AVE** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

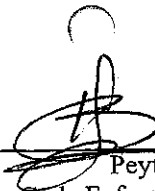
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF CORRESPONDINGLY,

DATED 11/10/2022



Peyt Dewar
Code Enforcement Manager
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: **Case No. 20220605**
 City of St. Pete Beach v. Michael A Zara and
 Chia-Yi Liang
 Address: 1804 Pass A Grille Way St. Pete Beach
 FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 20.03. - Permitted principal uses and structures.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:

(a) All uses permitted in the underlying zoning district; and

(b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

(c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.

The property is being advertised online for short term rentals and is only allowed 3 times in a 12 month period.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Notice of Violation

2. Evidence
3. Affidavit of Posting
4. Notice of Hearing



The Sunset Capital of Florida

155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

10/11/2022

MICHAEL A. ZARA and LIANG, CHIA-YI
834 S BAYSIDE DR
TAMPA, FL 33609-3634

RE: Case Number 20220605
Violation Address: 1804 PASS A GRILLE WAY
Parcel ID#: 18-32-16-68634-007-0210

Dear Property Owner:

Your property is being advertised online for short-term rentals and you are only allowed 3 short-term rentals in a 12 month period. You are in violation of the following code section for going over the allowable limit:

Sec. 20.03 Permitted principal uses and structures

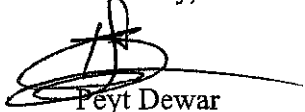
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:

- (a) All uses permitted in the underlying zoning district; and
- (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.
- (c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.

These violation(s) must be corrected **no later than 10/17/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peyt Dewar', with a large, stylized flourish extending from the end of the signature.

Peyt Dewar
Code Enforcement Manager

CE20220605

- Respondent(s): Michael Zara and Chia-Yi Liang**
- Violation address: 1804 Pass A Grille Way**
- Violation(s) description: The property is being advertised as transient occupancy in the PAG zoning district, in violation of section 20.03 of the Land Development Code of the City of St. Pete Beach**

CE20220605

Case Summary

- Initial inspection: 10/06/2022**
- Notice of Violation dated: 10/11/2022**
- Notices of Hearing dated and posted on the property: 11/08/2022**

CE20220605

Affidavit of Posting



1804 Pass A Grille Way

CE20220605

Affidavit of Posting

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 1804 PASS A GRILLE WAY

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706
Name of Property Owner(s): MICHAEL A. ZARA and LIANG, CHIA-YI
Case No.: 20220605 Code Enforcement Manager: Peyt Dewar
Hearing Date: 12/12/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/08/2022
ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X Peyt Dewar
Signature of Officer posting Print Name

11/8/22, 3:36 PM

1804 Pass A Grille Way

CE20220605

Online ad

Pass-A-Grille Luxury Pool 4/3 Sle x +

https://www.techtravel.com/vacation-rentals/rental/2222-228122/

TechTravel.com

727-592-2286

LIST WITH US VENUES FREE ACTIVITIES CONCIERGE SERVICES ABOUT US

RENTALS REAL ESTATE GOLF CART RENTALS POLICIES AREA INFO CONTACT US

view Slideshow

Slideshow Map

Unavailable Selected

Select your departure date

Minimum Stay: 3 nights

Clear Dates

Arrival Date Departure Date

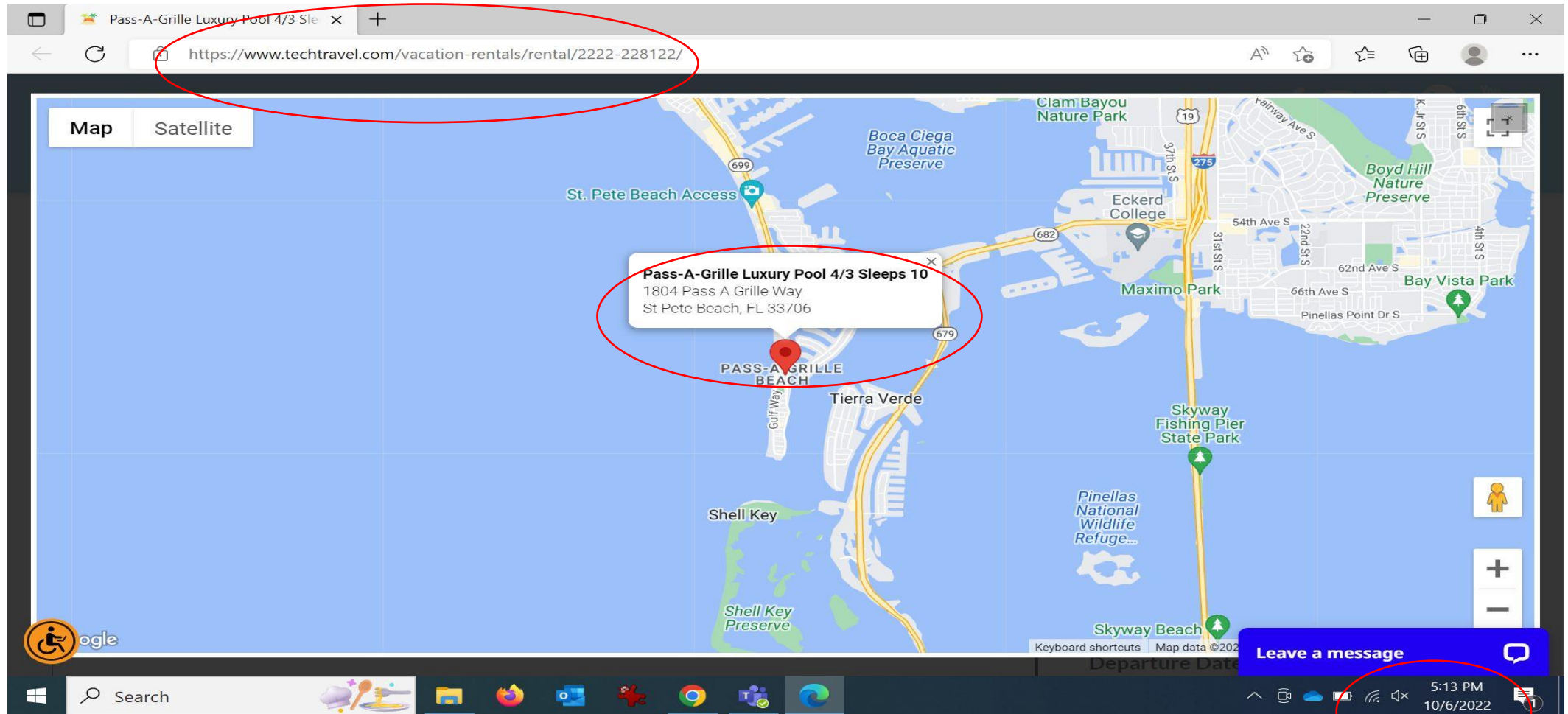
Leave a message

5:12 PM 10/6/2022

1804 Pass A Grille Way

CE20220605

Online ad



1804 Pass A Grille Way

CE20220605

Online ad

Pass-A-Grille Luxury Pool 4/3 Sleeps 10

Save

\$1,500 avg/night

★ 5 (1 Review)

ⓘ Add dates for total pricing

Check In Check Out

Guests

Check availability

Contact host

Property # 9622901ha

Report this property

October 2022

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

3 night minimum stay

+44 photos

Become a Vrbo host and earn extra money. See how

5:11 PM 10/6/2022

1804 Pass A Grille Way

CE20220605

Online reviews

The screenshot shows an Airbnb listing page for 'Pass-A-Grille Luxury Pool 4/3 Sle'. The URL in the browser's address bar is circled in red. The listing has a price of \$1,485 per night and a 5.0 rating from 7 reviews. The 'Reviews' tab is selected, showing six individual reviews, each with a profile picture, name, date, and text. The reviews are circled in red. The Windows taskbar at the bottom shows the system clock as 5:08 PM on 10/6/2022, which is also circled in red.

Pass-A-Grille Luxury Pool 4/3 Sle

https://www.airbnb.com/rooms/53165736?source_impression_id=p3_1665090478_dgbbbj5e2mJAGC3f&guests=1&a...

Photos Amenities Reviews Location

\$1,485 night
★ 5.0 · 7 reviews

Check availability

Category	Score
Cleanliness	5.0
Communication	4.6
Check-in	5.0
Accuracy	5.0
Location	5.0
Value	5.0

Ana
July 2022
This house is beautiful, exactly like the pictures, clean and functional. Made my stay in St Pete Beach perfect.

Kristin
July 2022
Great property, location and host. Highly recommend!

Danielle
June 2022
Flawless in every way.
We came to St Pete Beach to celebrate my daughters...
[Show more >](#)

Lori
May 2022
This is a beautiful property in a beautiful area. Brandon is helpful responsive when needed. My family and I had an amazing and relaxing vacation!

Antonio
March 2022
Perfect house... Top properties around the area... seems recently renovated, spacious rooms, fully equipped kitchen and supplies, 2 blocks from the beach, walking distance to th...
[Show more >](#)

Lauren
March 2022
This house is stunning on the inside and outside. Everything was very clean, beautifully decorated, and the quality of everything (sheets, pillows, towels, kitchenware, outdoor grill...
[Show more >](#)

5:08 PM
10/6/2022

1804 Pass A Grille Way

CE20220605

Online reviews

The screenshot shows a web browser window displaying a Vrbo listing for 'Pass-A-Grille Luxury Pool 4/3 Sle'. The URL bar shows 'https://www.vrbo.com/9622901ha', which is circled in red. The listing page includes a navigation bar with links for 'About', 'Policies', 'Amenities', 'Reviews', 'Rooms & beds', and 'Map'. The 'Reviews' section shows '1 Review' with a 5-star rating. The review text, 'perfect 5/5 ★★★★★ Stayed May 2022 victoria k.', is circled in red. The review content describes a 'great house for kids and perfect location' and mentions a 'perfect location' and 'loved hearing the bird in the morning'. The host's response is also visible. The right side of the page shows the price '\$1,500 avg/night', a 5-star rating, and a 'Check availability' button. The bottom of the page shows the Windows taskbar with various application icons and a system tray showing the time '5:10 PM 10/6/2022' and a notification icon, which is also circled in red.

Pass-A-Grille Luxury Pool 4/3 Sle

https://www.vrbo.com/9622901ha

About Policies Amenities Reviews Rooms & beds Map

1 Review

★ 5

perfect
5/5 ★★★★★ Stayed May 2022
victoria k.

great house for
kids and perfect location. loved hearing the bird in the morning and when issues had immediate response from travel tech team
will be back

Published Jun 6, 2022

Host's response:
Thank you for your review. We look forward to seeing you in the future.

\$1,500 avg/night
★ 5 (1 Review)

Add dates for total pricing

Check In Check Out

Guests

Check availability

Contact host

Property # 9622901ha
[Report this property](#)

Become a Vrbo host
and earn extra money.
[See how](#)

5:10 PM 10/6/2022

1804 Pass A Grille Way

CE20220605

Summary of reviews

2 in July

2 in May

2 in March

NOTICE

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If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 1804 PASS A GRILLE WAY

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): MICHAEL A. ZARA and LIANG, CHIA-YI

Case No.: 20220605 Code Enforcement Manager: Peyt Dewar

Hearing Date: 12/12/2022 at 10 a.m.

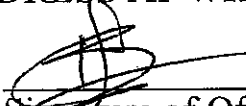
AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/08/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X


Signature of Officer posting

Peyt Dewar
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20220605

vs.

MICHAEL A. ZARA and LIANG, CHIA-YI
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **12/12/2022** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave.
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **1804 PASS A GRILLE WAY** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes.

Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 11/08/2022



Peyt Dewar
Code Enforcement Manager
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: **Case No. 20220595**
 City of St. Pete Beach v. Alberto Espinoza
 Address: 5960 Bahama Way N St. Pete Beach
 FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 8.2. - Permitted principal uses and structures.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:

(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

The property is being advertised online for short term rentals and is only allowed to rent monthly.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Notice of Violation
 2. Evidence
 3. Affidavit of Posting
 4. Notice of Hearing



155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

10/12/2022

EAPINOZA, ALBERTO
5960 BAHAMA WAY
ST PETE BEACH, FL 33706

RE: Case Number 20220595
Violation Address: 5960 BAHAMA WAY N
Parcel ID#: 313116023760000050

Dear Property Owner:

Your property is being advertised online for short-term rentals and you are only allowed to rent monthly. You are in violation of the following code section:

Sec. 8.2. - Permitted principal uses and structures.

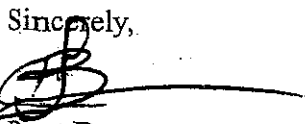
~~Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:~~

(a) Residential dwellings — Detached single-family only. Such dwellings shall not be used for transient occupancy.

These violation(s) must be corrected **no later than 10/17/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,


Peyt Dewar
Code Enforcement Manager

CE20220595

- Respondent(s): Alberto Espinoza**
- Violation address: 5960 Bahama Way N.**
- Violation(s) description: The property is being advertised as transient occupancy in the RU-1 zoning district, in violation of section 8.2 of the Land Development Code of the City of St. Pete Beach**

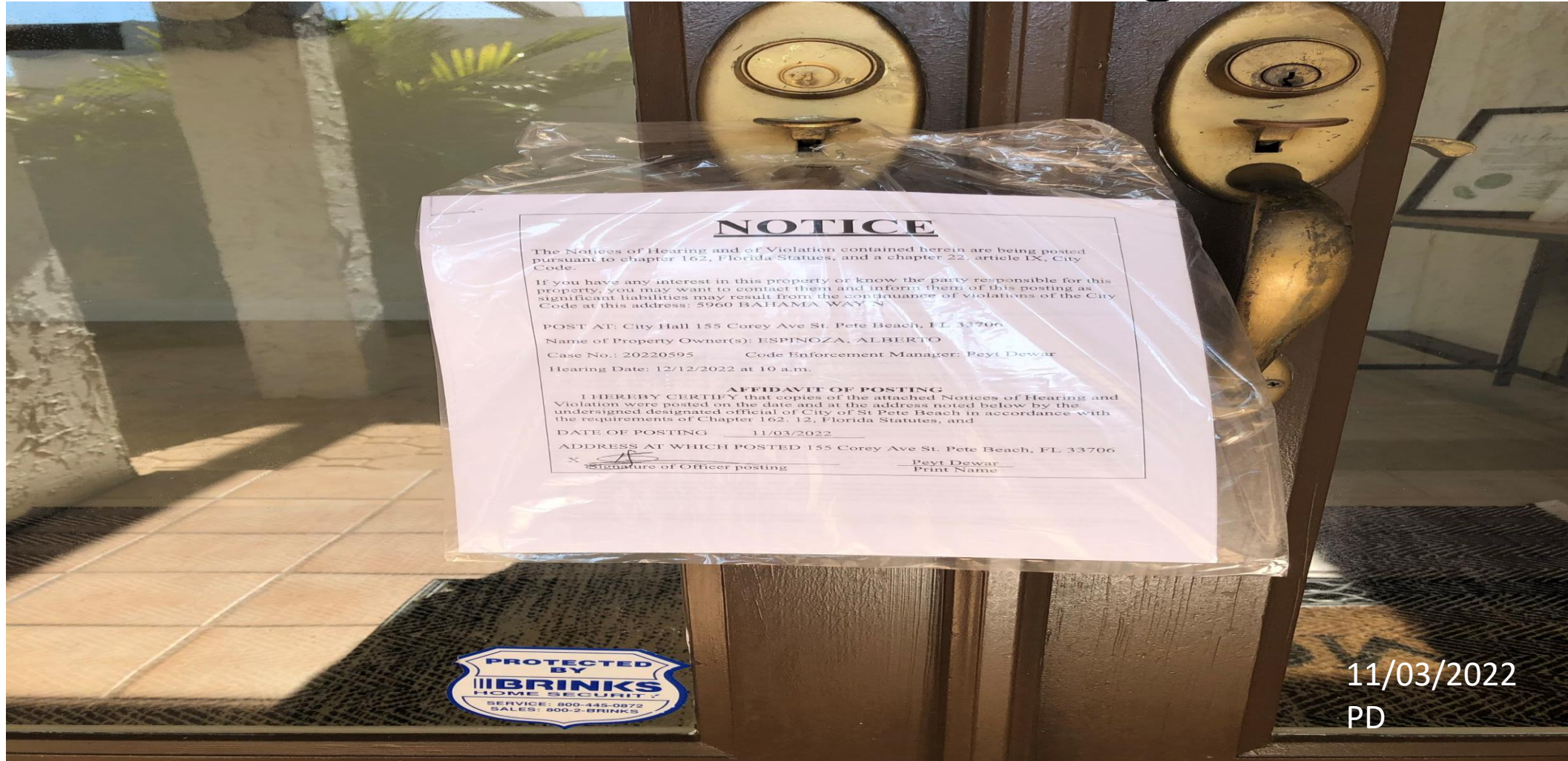
CE20220595

Case Summary

- Initial inspection: 10/03/2022**
- Notice of Violation dated: 10/12/2022**
- Notices of Hearing dated and posted on the property: 11/03/2022**

CE20220595

Affidavit of Posting



5960 Bahama Way N

CE20220595

Online ad

Waterfront Oasis St Pete Beach - x +

https://www.airbnb.com/rooms/703496207970012603?source_impression_id=p3_1664845019_fvr38uv5mjhKjhJz&check_in...



Entire home hosted by Jaclyn
10 guests · 3 bedrooms · 7 beds · 3 baths

aircover

Every booking includes free protection from Host cancellations, other issues like trouble checking in.
[Learn more](#)

Enjoy a relaxing stay at Florida's top rated beach and soak up the sun has to offer! This 3,000 sq/ft home is perfect for the whole family looking the beautiful water or spend the day at the beach that is. Take the paddle board for a cruise or throw a fishing line in the water and relaxation. Our home is located in the heart of St Pete Beach that St Pete Beach has to offer....
[Show more >](#)

Select dates
Minimum stay: 3 nights

\$663 night [1 review](#)

CHECK-IN 10/13/2022 x CHECKOUT Add date

October 2022							November 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

8:57 PM 10/3/2022

5960 Bahama Way N

CE20220595

Online ad

vrbo.com/3020470

SPB Bookmarks Bay News 9 Tampa... Google Secondary Employ... Suggested Sites Pinellas County Pro... | St. Pete Beach, FL |... Calculate Duration... Works - Login City of St Pete Beac... Statutes & Constitu... https://www.centre... Conure ParkSmart

Vrbo Get the app Trip Boards Log in Sign up Help Feedback USD (\$) EN List your Property

Where St. Pete Beach, Florida, United States of America Check-in Check-out Guests Search

Florida / St. Pete Beach / Bahia Shores

Private Waterfront Oasis - 1 mile from beautiful white sand beach



November 2022 December 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Minimum stay varies

Clear dates

Check In Check Out

Guests

Check availability

Free cancellation up to 60 days before check-in

Jaclyn Contact host

Property # 3020470 Report this property

Know before you go Check Covid restrictions [here](#)

SPB Bookmarks Bay News 9 Tampa... Google Secondary Employ... Suggested Sites Pinellas County Pro... | St. Pete Beach, FL |... Calculate Duration... Works - Login City of St Pete Beac... Statutes & Constitu... https://www.centre... Conure ParkSmart

12:21 PM 11/17/2022

5960 Bahama Way N

CE20220595

Online ad

Private Waterfront Oasis - 1 mile from Saved

Clear dates

October 2022

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

3 night minimum stay

\$931 avg/night

Add dates for total pricing

Check In Check Out

Guests

Check availability

Free cancellation up to 60 days before check-in

Contact host

Property # 3020470

[Report this property](#)

Book now

7:03 PM 10/6/2022

5960 Bahama Way N

CE20220595

Online ad

Pass-A-Grille Luxury Pool 4/3 Sleeps 10

Save

\$1,500 avg/night

★ 5 (1 Review)

ⓘ Add dates for total pricing

Check In Check Out

Guests

Check availability

Contact host

Property # 9622901ha

Report this property

October 2022

November 2022

Clear dates

3 night minimum stay

Close

+44 photos

Become a Vrbo host and earn extra money. See how

5:11 PM 10/6/2022

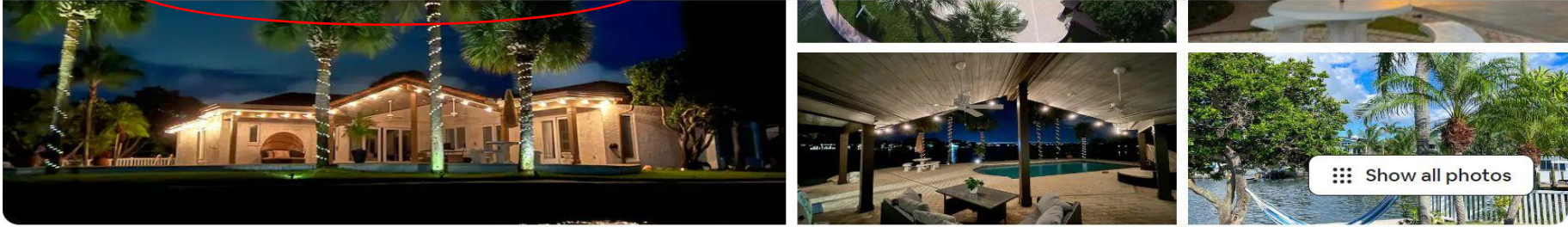
5960 Bahama Way N

CE20220595

Online ad

Waterfront Oasis St Pete Beach - x +

https://www.airbnb.com/rooms/703496207970012603?source=impression_id=p3_1665496759_CX%2FFMtiwqI9wA5xy&check_in=...



Show all photos

Entire home hosted by Jaclyn

10 guests · 3 bedrooms · 7 beds · 3 baths

aircover

Every booking includes free protection from Host cancellation or other issues like trouble checking in.

[Learn more](#)

Enjoy a relaxing stay at Floridas top rated beach and soak up the country has to offer! This 3,000 sq/ft home is perfect for the vacation pool over looking the beautiful water or spend the day at the

\$659 night [1 review](#)

Select dates
Minimum stay: 2 nights

CHECK-IN 10/15/2022 x CHECKOUT Add date

October 2022							November 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19

Type here to search

9:59 AM 10/11/2022

5960 Bahama Way N

CE20220595

Online ad

airbnb.com/rooms/703496207970012603?source_impression_id=p3_1668637957_%2BCKo6ZEIcQOQHbhc&check_in=2022-12-07&guests=1&adults=1#availability-calendar

Ray News 9 Tampa... Google Secondary Employ... Suggested Sites Pinellas County Pro... | St. Pete Beach, FL |... Calculate Duration... Works - Login City of St Pete Beac... Statutes & Constitu... https://www.centre... Conure ParkSmart



Shared room in home hosted by Jaclyn
10 guests · 1 bedroom · 7 beds · 3 shared baths

- Self check-in**
Check yourself in with the keypad.
- Great location**
100% of recent guests gave the location a 5-star rating.
- Great check-in experience**
100% of recent guests gave the check-in process a 5-star rating.

aircover
Every booking includes free protection from Host cancellations, other issues like trouble checking in.
[Learn more](#)

Select dates
Minimum stay: 3 nights

CHECK-IN 12/7/2022 × CHECKOUT Add date

\$645 night ★ 5.0 · 3 reviews

November 2022 December 2022

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4				1	2	3	
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

Clear dates Close

5:33 PM 11/16/2022

5960 Bahama Way N

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 5960 BAHAMA WAY N

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): ESPINOZA, ALBERTO

Case No.: 20220595 Code Enforcement Manager: Peyt Dewar

Hearing Date: 12/12/2022 at 10 a.m.

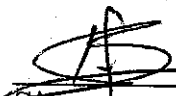
AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/03/2022

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X


Signature of Officer posting

Peyt Dewar
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,
vs.
ESPINOZA, ALBERTO
Respondent(s)

Case Number: 20220595

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **12/12/2022** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **5960 BAHAMA WAY N** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

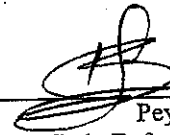
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 11/03/2022



Peyt Dewar
Code Enforcement Manager
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING CITY OF ST. PETE BEACH

Agenda Report

Issue Considered: **Case No. 20220631**
 City of St. Pete Beach v. Robert T and Michelle
 Fulop
 Address: 207 Lido Dr St. Pete Beach FL 33706

Date: December 12, 2022

Prepared By: Patrick Hawk, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 9.2. - Permitted principal uses and structures.**

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows:

(a) *Residential dwellings*—Detached single-family only. Such dwellings shall not be used for transient occupancy.

The property is being advertised for short term rental which is not allowed in this zoning district.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Notice of Violation
 2. Evidence
 3. Affidavit of Posting
 4. Notice of Hearing



The Sunset Capital of Florida

155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

NOTICE OF VIOLATION

11/02/2022

FULOP, ROBERT T FULOP, MICHELLE
5414 MERRITT ISLAND DR
APOLLO BEACH, FL 33572-3375

RE: Case Number 20220631
Violation Address: 207 LIDO DR
Parcel ID#: 073216516780010140

Dear Property Owner:

Your property is being advertised for short-term rental which is not allowed in your zoning district and in violation of the following section:

Sec. 9.2. - Permitted principal uses and structures.

Sec. 9.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows:

(a) Residential dwellings —Detached single-family only. Such dwellings shall not be used for transient occupancy.

These violation(s) must be corrected **no later than 11/07/2022**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

CE20220631

- Respondent(s): Robert T. and Michelle Fulop**
- Violation address: 207 Lido Dr**
- Violation(s) description: The property is being advertised as transient occupancy in the RU-2 zoning district, in violation of section 9.2 of the Land Development Code of the City of St. Pete Beach**

CE20220631

Case Summary

- Initial inspection: 10/26/2022**
- Notice of Violation dated: 11/02/2022**
- Notices of Hearing dated and posted on the property: 11/07/2022**

Affidavit of Posting



207 Lido Dr.

CE20220631

Online ad

St Pete Beach pool home, 5 min walk to beach

https://www.vrbo.com/2734728

Clear dates

\$201 avg/night

Add dates for total pricing

Check In Jan 5

Check Out

Guests

Check availability

Free cancellation up to 60 days before check-in

Bob Fulop
Contact host

Property # 2734728

Report this property

14 night minimum stay

Close

+31 photos

Enjoy Friendsgiving On The Coast.

Don't miss out on holiday deals.

Learn More

the Crystal Coast

7:24 PM
10/25/2022

207 Lido Dr.

CE20220631

Online ad

St Pete Beach pool home, 5 min walk to beach

Save

Clear dates

\$185 avg/night

Add dates for total pricing

Check In
Jun 4

Check Out

Guests

Check availability

Free cancellation up to 60 days before check-in

Bob Fulop
Contact host

Property # 2734728
Report this property

30 night minimum stay

Close

+32 photos

7:57 PM
11/8/2022

207 Lido Dr.

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POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706

Name of Property Owner(s): FULOP, ROBERT T FULOP, MICHELLE

Case No.: 20220631 Code Enforcement Manager: Peyt Dewar

Hearing Date: 12/12/2022 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 11/07/22

ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X


Signature of Officer posting

Peyt Dewar
Print Name

**CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20220631

vs.

FULOP, ROBERT T FULOP, MICHELLE
Respondent(s)

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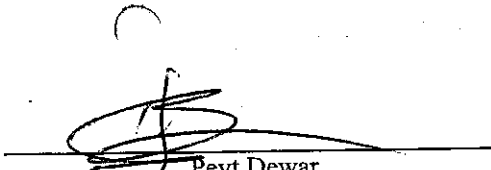
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DATED 12/12/2022



Peyt Dewar
Code Enforcement Manager
CITY OF ST. PETE BEACH

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