



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, January 9, 2023
10:00 AM

Call to Order
Pledge of Allegiance

CASE DOCKET

1. Administration of Oath
2. Changes to the Agenda
3. Cases Complied or Continued
 - A. Case No. 20220584**
City of St. Pete Beach v. Anhlan Trinh
Address: 6705 Gulf Winds Dr St. Pete Beach FL 33706
Continuance
4. New Cases
 - A. Case No. 20220589**
City of St. Pete Beach v. Darcie Goodman and Janna Goachee
Address: 333 83rd 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. 20220585**
City of St. Pete Beach v. Josias Guzman Alcantara
Address: 131 72nd Ave St. Pete Beach FL 33706
Sec. 11.2. - 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 RLM-2 Residential District are as follows:

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

C. Case No. 20220648

City of St. Pete Beach v. Josias Guzman Alcantara

Address: 131 72nd Ave St. Pete Beach FL 33706

Sec. 6.13. - Residential accessory structures.

Accessory residential structures may be permitted only on zoning lots having one or more existing residential dwelling units and shall be regulated as follows:

(c) Special accessory structures. Special accessory structures include, but are not limited to, swimming pools, pool enclosures, decks and patios, patio covers, gazebos, fountains, garden trellises and children's playground equipment. Tree houses are specifically excluded as special accessory structures.

(3) Deck and/or patio covers consisting of the covering material and the minimum support mechanism or structure necessary to ensure its wind loading stability may be permitted by the city; provided that no such patio cover shall be permitted to be initially constructed or later enclosed in such a manner that it could be construed as living space. Structural elements of such patio covers shall not be permitted to exceed the dimensions of the patio more than six inches in any direction. Up to a one-foot overhang may be permitted.

a. Required yards: Shall not encroach into any required front, secondary front or side yard and shall not encroach more than five feet into any required rear yard.

Sec. 98-123.1. - Permits required.

Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

5. Old Cases

A. Case No. 20220577

City of St. Pete Beach v. Christopher J Padgett

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

Appeal hearing

6. Repeat Violation

7. Lien Reductions

A. Case No. 20220554

City of St. Pete Beach v. Bruce R Beyer and Martha A Scharchburg

Address: 1001 Gulf Way St. Pete Beach FL 33706

Lien Reduction hearing.

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.

**AMENDED AGENDA POSTED 12/30/22 TO ADD ITEM 5A CASE
No. 20220577 TO THE AGENDA**