



**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**

**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: January 9, 2023

Prepared By: Patrick Hawk, Code Enforcement Officer

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

Summary of Issue: Continuance

Funding: N/A

Requested Motion: N/A

Attachments: 1. Trinh Order

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20220584

ADDRESS: 6705 Gulf Winds Dr.

ANHLAN TRINH,

Respondent(s).

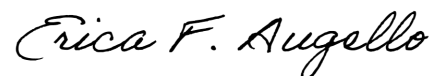
_____ /

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on December 12, 2022. The Special Magistrate, based on the testimony of the Respondent and the facts surrounding the case, *sua sponte*, issues the following order:

IT IS ADJUDGED that the matter being heard on December 12, 2022 is continued until the January 9, 2022, Code Enforcement Special Magistrate Hearing, beginning at 10:00am. During the interim period, Respondent shall provide to the City proof, via lease or otherwise, that Unit 1 on the property was not rented for a transient period of time for the date(s) of violation. Further, it is ordered that the Respondent provide evidence to the City of the identity of “Kimber”, who has held herself out as the property owner on the various transient rental advertisements presented by the City, and that “Kimber” has ceased to advertise or rent the property as a transient rental.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 15th day of December 2022.



Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent to Respondent via email at johnesign91@yahoo.com on December 15, 2022.

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

Agenda Report

Issue Considered: **Case No. 20220589**
 City of St. Pete Beach v. Darcie Goodman and
 Janna Goachee
 Address: 333 83rd Ave St. Pete Beach FL 33706

Date: January 9, 2023

Prepared By: Luis Cruz, Code Enforcement Officer
 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 and rented as a short-term 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



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

NOTICE OF VIOLATION

10/11/2022

DARCIE GOODMAN/JANNA GOACHEE
333 83RD AVE
ST PETE BEACH, FL 33706-1505

RE: Case Number 20220589
Violation Address: 333 83RD AVE
Parcel ID#: 253115781020980050

Dear Property Owner:

Your property is being advertised online for short-term rentals and you not allowed to advertise or rent your property less than monthly. You are in violation of 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 10/16/2022**. 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,

Luis Cruz
Code Enforcement Officer

A handwritten signature in cursive script, appearing to read "Luis Cruz", written in black ink.

CE20220589

- Respondent(s): Darcie Goodman and Janna Goachee**
- Violation address: 333 83rd 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**

CE20220589

Case Summary

- Initial inspection: 09/14/2022**
- Notice of Violation dated: 10/11/2022**
- Notices of Hearing dated and posted on the property: 12/06/2022**

CE20220589

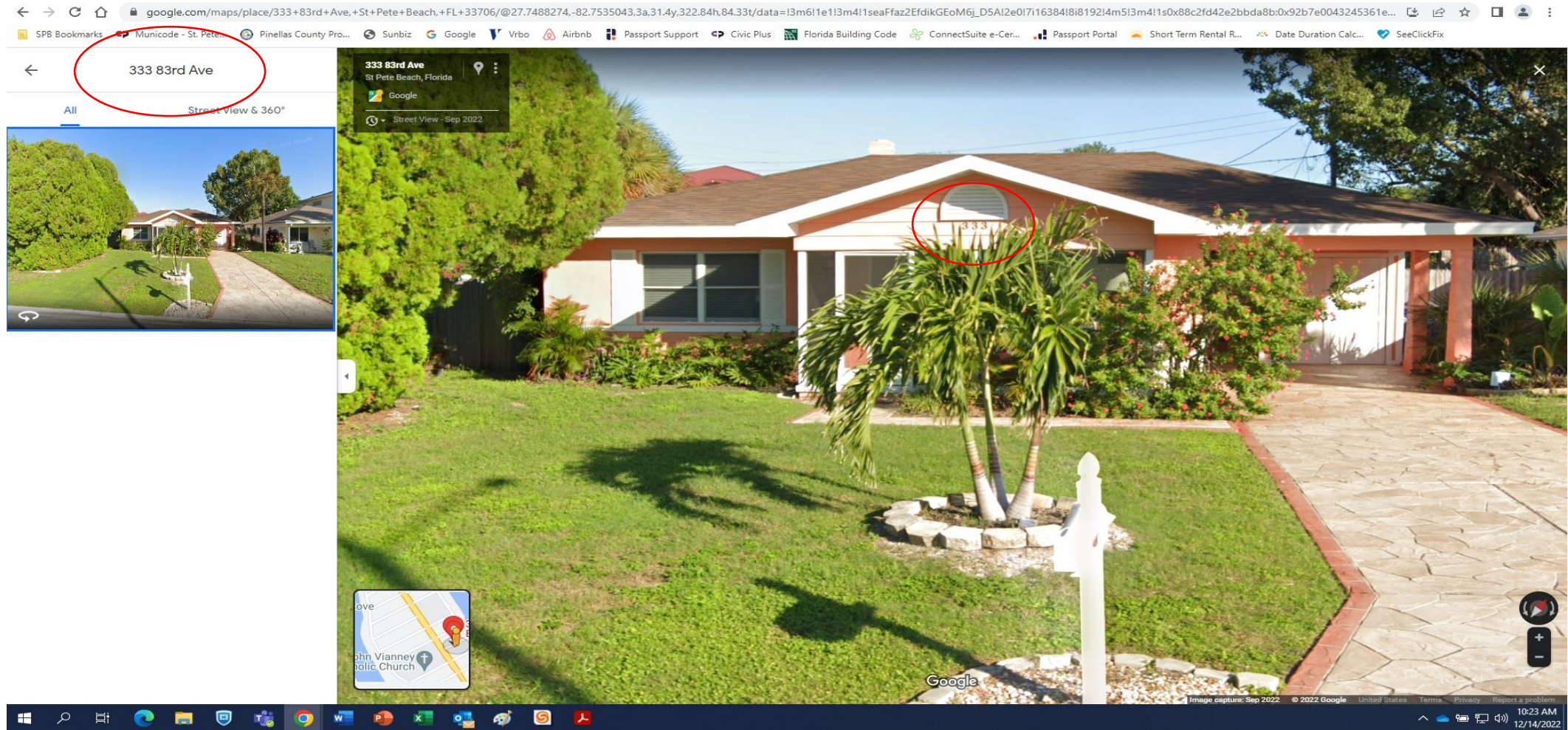
Affidavit of Posting



333 83rd Ave

CE20220589

Google Map



333 83rd Ave

CE20220589

Online ad – Initial Inspection

The screenshot displays a web browser window with the URL <https://www.vrbo.com/3009076> circled in red. The page shows a calendar for September and October 2022. In the September calendar, the 14th is highlighted. Below the calendar, a blue box states "3 night minimum stay" with an information icon and a close button. To the right, there are input fields for "Check In", "Check Out", and "Guests", followed by a blue "Check availability" button. Below this, it says "Free cancellation up to 14 days before check-in", "Property # 3009076", and a link "Report this property". On the right side of the page, there is a promotional banner for "Melbourne & the Beaches ON FLORIDA'S Space Coast" featuring a couple in a kayak and the text "MAKE IT THE SUMMER OF Space Coast." and "FIND IT HERE >". At the bottom of the browser window, the Windows taskbar shows the search bar, several application icons, and the system clock displaying "8:55 AM 9/14/2022", which is circled in red.

333 83rd Ave

CE20220589

Online ad

New Listing! Perfect Beach Bungo

https://www.airbnb.com/rooms/604500360104916420?source_impression_id=p3_1667393577_aMNNIkqzokxR94Cj&check_in=20...



Show all photos

Entire home hosted by Janna
6 guests · 3 bedrooms · 6 beds · 1.5 baths

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

 **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](#)

Select dates
Minimum stay: 3 nights

\$276 night [2 reviews](#)

CHECK-IN 11/7/2022 X 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

8:53 AM 11/2/2022

333 83rd Ave

CE20220589

Online ad

NEW LISTING!! Perfect Tropical Beach Bungalow with Private Pool

Save Share

\$247 avg/night

★ 5 (1 Review)

Clear dates

December 2022 January 2023

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

14 night minimum stay

Check In Jan 8 Check Out

Guests 1 guest

Check availability

Janna Goachee Contact host

Property # 2930504 Report this property

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

8:34 AM 12/22/2022

333 83rd 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: 333 83RD AVE

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

Name of Property Owner(s): DARCIE GOODMAN/JANNA GOACHEE

Case No.: 20220589

Code Enforcement Officer: Luis Cruz

Hearing Date: 01/09/2023 at 10 a.m.

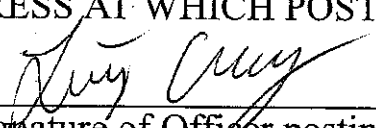
AFFIDAVIT OF POSTING

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 12/06/2022

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

X


Signature of Officer posting

Luis Cruz
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20220589

vs.

DARCIE GOODMAN/JANNA GOACHEE
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 **01/09/2023** 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 **333 83RD 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,

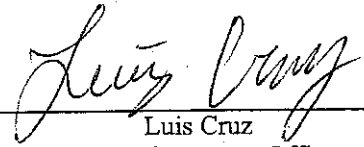
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 12/06/2022



Luis Cruz
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. 20220585**
 City of St. Pete Beach v. Josias Guzman
 Alcantara
 Address: 131 72nd Ave St. Pete Beach FL 33706

Date: January 9, 2023

Prepared By: Patrick Hawk, Code Enforcement Officer

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

Summary of Issue: **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.

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



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

NOTICE OF VIOLATION

11/15/2022

JOSIAS GUZMAN ALCANTARA
8501 E ADAMO DR STE B
TAMPA, FL 33619-3544

RE: Case Number 20220585
Violation Address: 131 72ND AVE
Parcel ID#: 363115051120030130

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 following code section.

Sec. 11.2. - Permitted principal uses and structures

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.

These violation(s) must be corrected **no later than 11/19/2022**. 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

CE20220585

- Respondent(s): Josias Guzman Alcantara**
- Violation address: 131 72nd Ave**
- Violation(s) description: The property is being advertised as transient occupancy in the RLM-2 zoning district, in violation of section 11.2 of the Land Development Code of the City of St. Pete Beach**

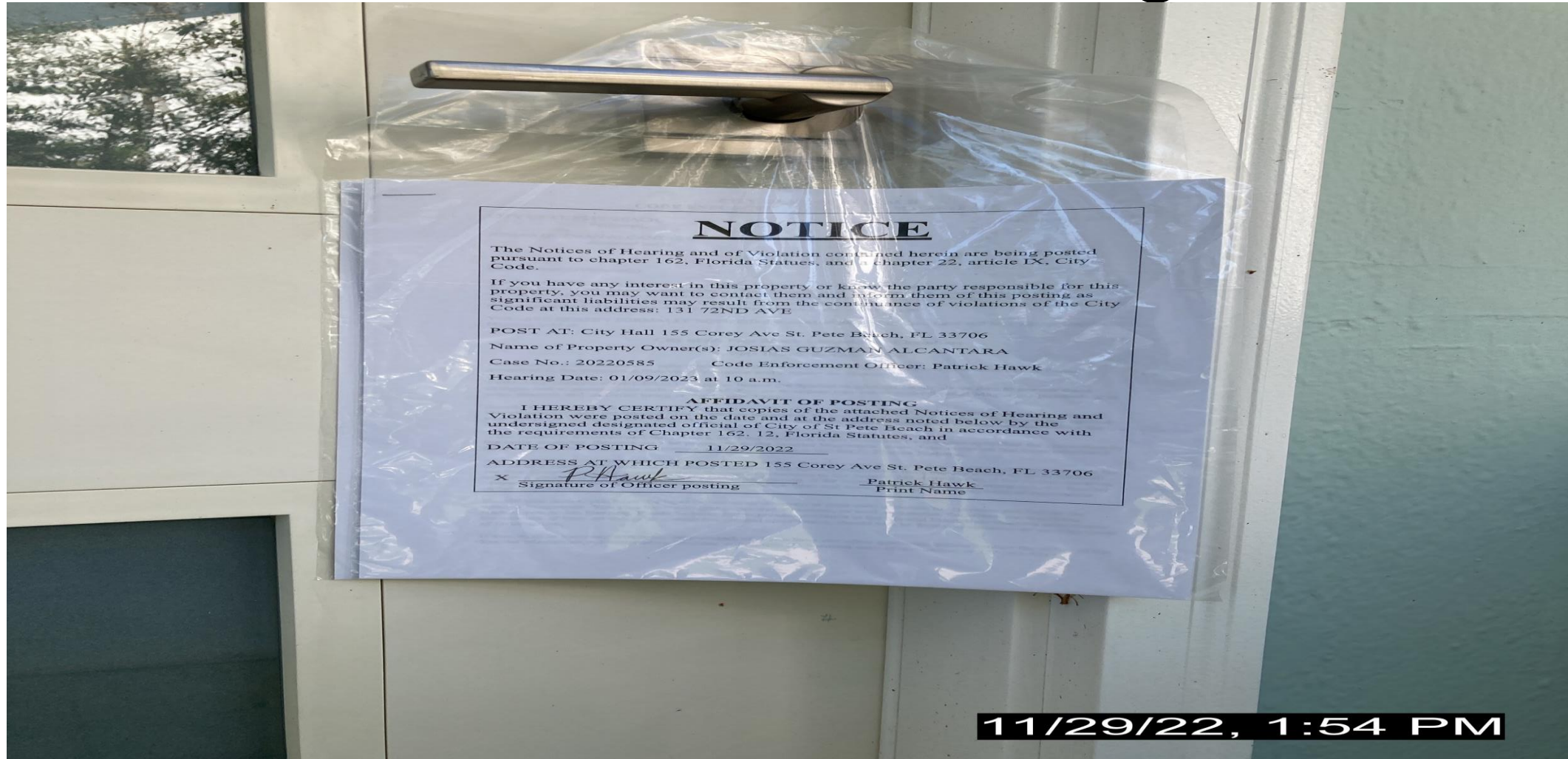
CE20220585

Case Summary

- Initial inspection: 08/30/2022**
- Notice of Violation dated: 11/15/2022**
- Notices of Hearing dated and posted on the property: 11/29/2022**

CE20220585

Affidavit of Posting



131 72 Ave

CE20220585

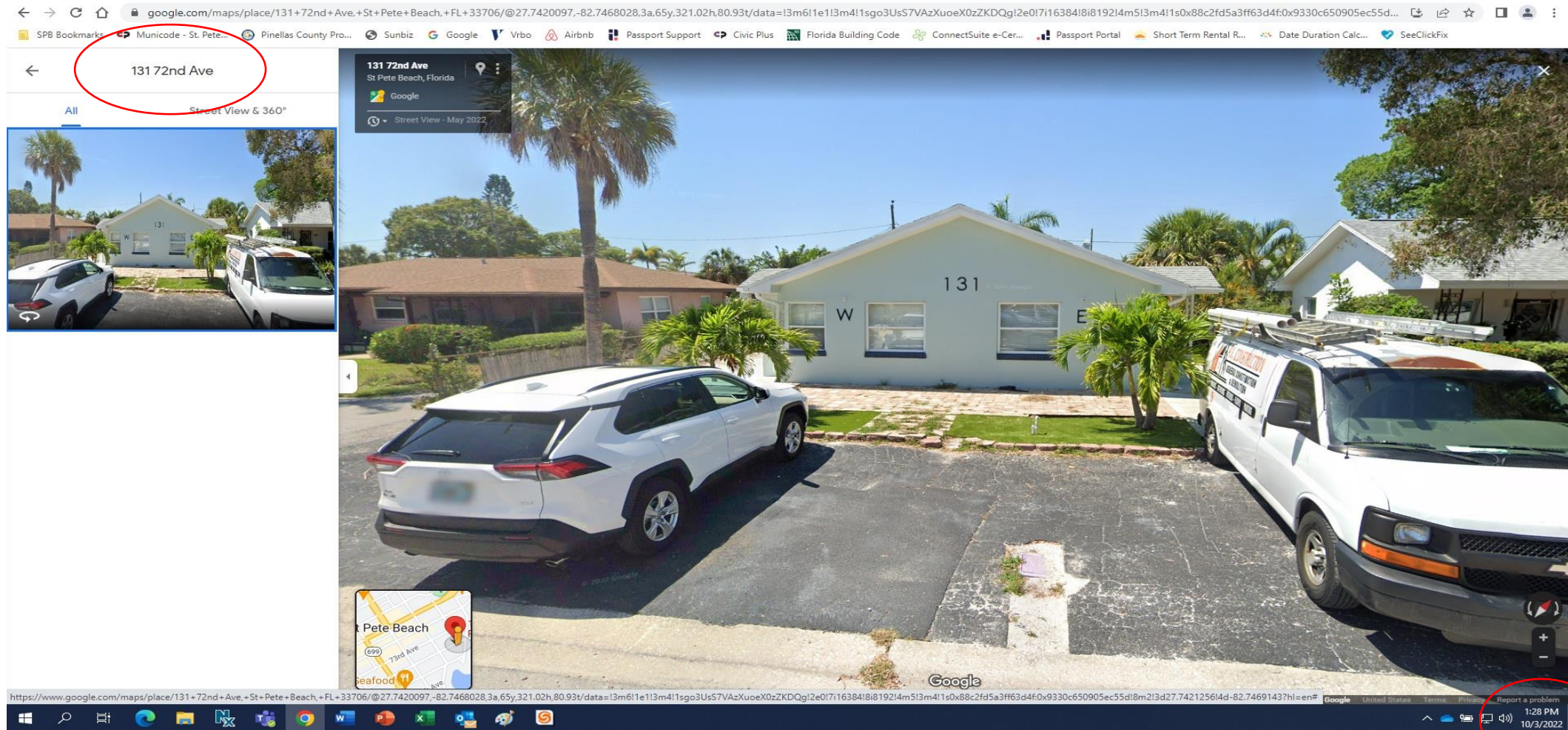
Affidavit of Posting



131 72 Ave

CE20220585

Google Map



131 72 Ave

CE20220585

Online ad – Initial Inspection

Cozy 1 bedroom w/King Bed 3 mins from Beach

St. Pete Beach, Florida, United States

Share Save



Entire rental unit hosted by Vsp

4 guests · 1 bedroom · 2 beds · 1 bath

Self check-in
Check yourself in with the keypad.

Select dates
Minimum stay: 3 nights

\$131 night

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

Show all photos

Type here to search

8:24 PM
8/30/2022

131 72 Ave

CE20220585

Online ad

Cozy 1 bedroom w/King Bed 3 mins from Beach

St. Pete Beach, Florida, United States

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



Entire rental unit hosted by Roll-X

4 guests · 1 bedroom · 2 beds · 1 bath

aircover

Select dates
Minimum stay: 3 nights

\$120 night

CHECK-IN
MM/DD/YYYY

CHECKOUT
Add date

1:51 PM
9/5/2022

131 72 Ave

CE20220585

Online ad

The screenshot shows a web browser window with the URL <https://www.vrbo.com/2994332>. The browser tab is titled 'Cozy 1 bedroom w/King Bed 3'. The page features a navigation bar with links: About, Policies, Amenities, Reviews, Rooms & beds, Map, Rates & availability, and Host. A heart icon is in the top right corner.

The main content area includes a 'Know before you go' section with a calendar for September and October 2022. The calendar shows a 3-night minimum stay requirement. The pricing section displays '\$170 avg/night' and a 'New listing discount'. It includes fields for 'Check In', 'Check Out', and 'Guests', along with a 'Check availability' button. A note states 'Free cancellation up to 14 days before check-in'. The property number '2994332' and a 'Report this property' link are also visible.

A vertical banner on the right side of the page promotes 'Pensacola FLORIDA THE WAY TO BEACH' with a 'BOOK NOW' button. The Windows taskbar at the bottom shows the time as 8:54 AM on 9/13/2022.

Calendar Data:

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

131 72 Ave

CE20220585

Ad compliant

airbnb.com/rooms/705719911014625430?source_impression_id=p3_1669823826_Oo%2BXFV4Lbz4%2BaPbo#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 rental unit hosted by Roll-X
4 guests · 1 bedroom · 2 beds · 1 bath

Self check-in
Check yourself in with the keypad.

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

Take a vacation from your busy life and come relax at our beach. This cozy space comes with an equipped kitchen. Start your mo

Select dates
Minimum stay: 30 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

10:58 AM
11/30/2022

131 72 Ave

CE20220585

Ad compliant

vrbo.com/2994332?arrival=2022-12-14&departure=2022-12-16&unitId=3566376

SPB Bookmarks Monaco - 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

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: Dec 14 Check-out: Dec 16 Guests: Search

United States of America / Florida / St. Pete Beach

Cozy 1 bedroom w/King Bed 3 mins from Beach



December 2022 January 2023

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

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				

30 night minimum stay

Clear dates

\$100 /night

Your arrival cannot be the current date in the property's time zone.

Check in: Check Out:

Guests

Book now

Contact host

Property # 2994332

Report this property

Know before you go

Check Covid restrictions [here](#)

9:16 AM 12/14/2022

131 72 Ave

CE20220585

Initial inspection online ad removed
Airbnb ad 700087342742596037

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: 131 72ND AVE

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

Name of Property Owner(s): JOSIAS GUZMAN ALCANTARA

Case No.: 20220585 Code Enforcement Officer: Patrick Hawk

Hearing Date: 01/09/2023 at 10 a.m.

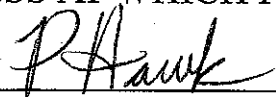
AFFIDAVIT OF POSTING

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 11/29/2022

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: 20220585

vs.

JOSIAS GUZMAN ALCANTARA
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 **01/09/2023** 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 **131 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,

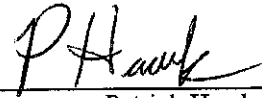
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 11/29/2022



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.20220648**
 City of St. Pete Beach v. Josias Guzman
 Alcantara
 Address: 131 72nd Ave St. Pete Beach FL 33706

Date: January 9, 2023

Prepared By: Patrick Hawk, Code Enforcement Officer

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

Summary of Issue: **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.

The property continues to be in violation of the unpermitted structure with no response from the owner.

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

11/15/2022

JOSIAS GUZMAN ALCANTARA
8501 E ADAMO DR STE B
TAMPA, FL 33619-3544

RE: Case Number 20220648
Violation Address: 131 72ND AVE
Parcel ID#: 363115051120030130

Dear Property Owner:

The above mentioned property is in violation of the following code sections which refer to the unpermitted structure in the rear yard and its location to the neighboring properties.

Sec. 6.13. - Residential accessory structures.

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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.

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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.

These violation(s) must be corrected **no later than 11/19/2022**. 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

CE20220648

- Respondent(s): Josias Guzman Alcantara**
- Violation address: 131 72nd Ave**
- Violation(s) description: The property is in violation of section 6.13 Residential Accessory Structures of the Land Development Code and section 98.123.1 Permits Required of the Code of Ordinances of the City of St. Pete Beach**

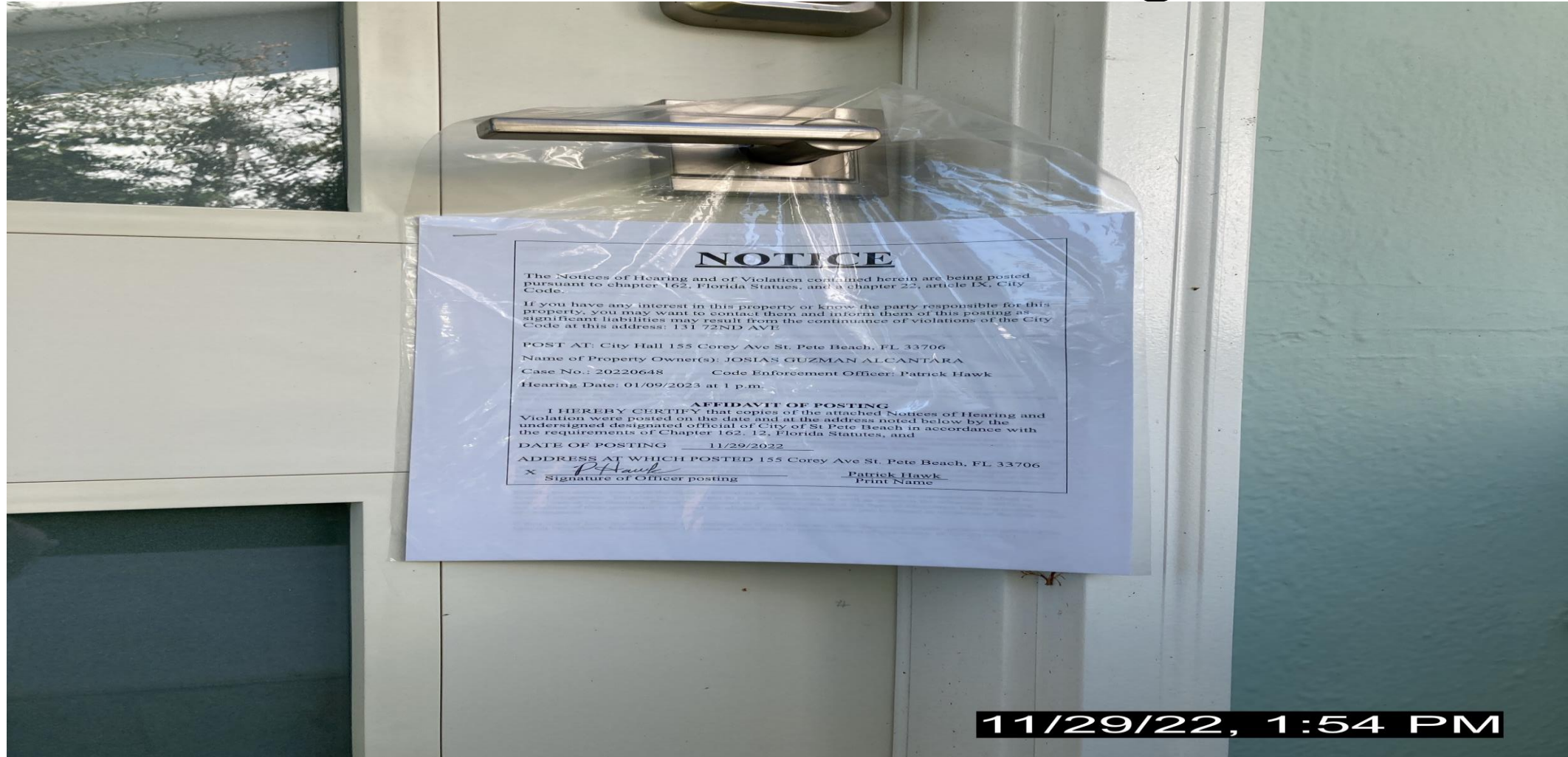
CE20220648

Case Summary

- Initial inspection: 10/04/2022**
- Notice of Violation dated: 11/15/2022**
- Notices of Hearing dated and posted on the property: 11/29/2022**

CE20220648

Affidavit of Posting



131 72nd Ave

CE20220648

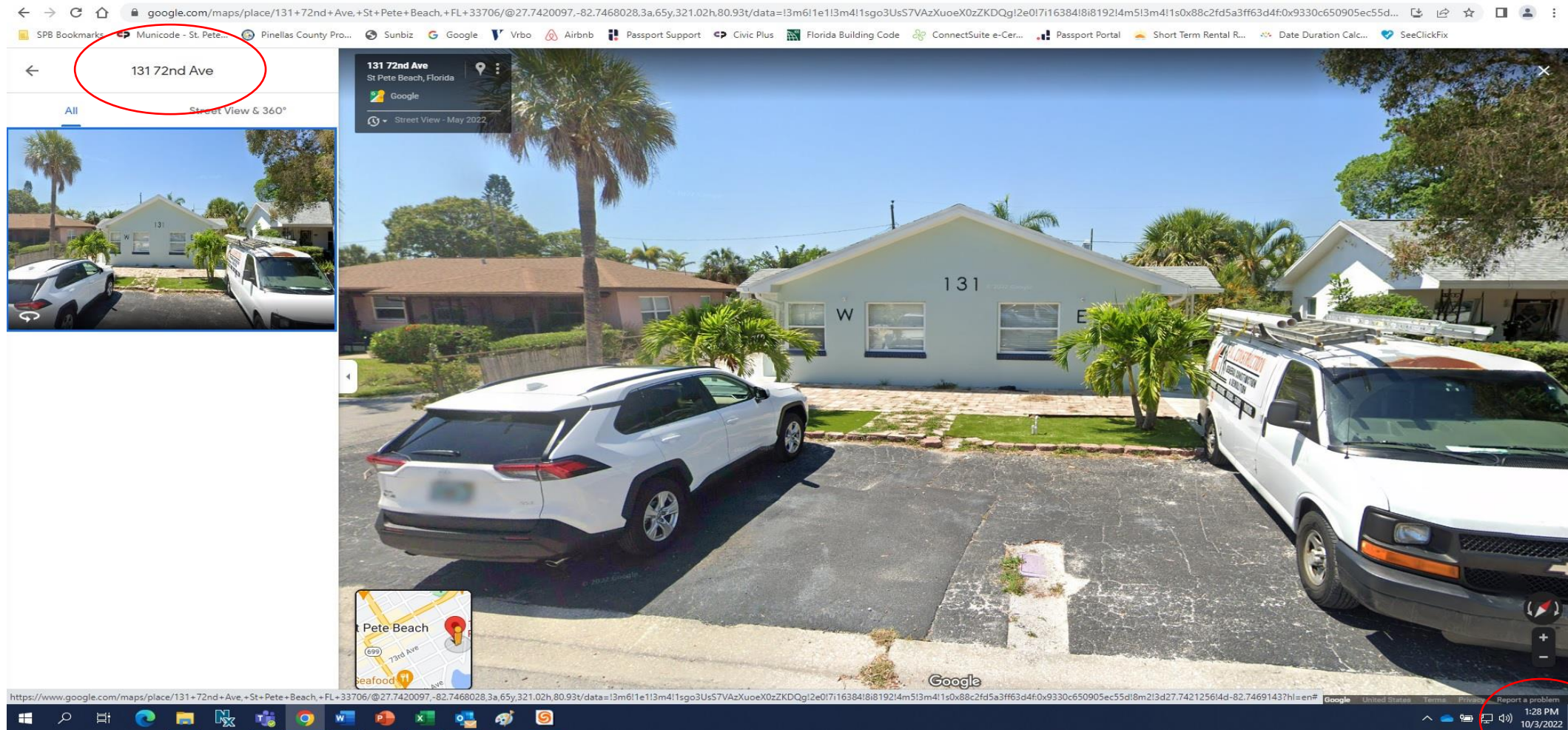
Affidavit of Posting



131 72nd Ave

CE20220648

Google Map



131 72nd Ave

CE20220648

Initial Inspection



131 72nd Ave

CE20220648

Setback violations



131 72nd Ave

CE20220648

Setback violations



131 72nd Ave

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: 131 72ND AVE

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

Name of Property Owner(s): JOSIAS GUZMAN ALCANTARA

Case No.: 20220648 Code Enforcement Officer: Patrick Hawk

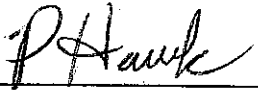
Hearing Date: 01/09/2023 at 1 p.m.

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 11/29/2022

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: 20220648

vs.

JOSIAS GUZMAN ALCANTARA
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 **01/09/2023** at 1 p.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 **131 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.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 11/29/2022

A handwritten signature in black ink, appearing to read "P Hawk", is written over a horizontal line.

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.

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

Agenda Report

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

Date: January 9, 2023

Prepared By: Patrick Hawk, Code Enforcement Officer

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

Summary of Issue: Appeal hearing

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order
 2. Appeal Request
 3. Affidavit of Posting
 4. Notice of Hearing

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20220577

ADDRESS: 544 72nd Ave.

CHRISTOPHER J. PADGETT,

Respondent.

FINAL ADMINISTRATIVE ORDER AND ORDER IMPOSING FINES

This case came before the Special Magistrate on December 12, 2022, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and its Code Enforcement Officer Chuck Newman.
2. Respondent was present and represented himself.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified of the following violation of the City's Land Development Code but failed to bring the property into compliance within the period required by the City.

Section 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.

5. The City provided evidence demonstrating the property had been advertised for rental for a period of less than thirty (30) days. The City also presented evidence that the property had been rented less than thirty (30) days during the Thanksgiving holiday week.
6. The Respondent advised that upon notice it removed the advertisements but did not cancel the short-term booking.

BASED UPON THE FOREGOING FINDINGS OF FACT, IT IS HEREBY ORDERED AS FOLLOWS:

7. Respondent and the subject property were in violation of the cited provision but as of the date of the hearing the property was in compliance. A fine of \$250 per day is assessed from October 18, 2022 to October 27, 2022, as well as for the seven (7) days of the Thanksgiving holiday week rental period. Respondent shall also be responsible for all reasonable costs of the City for investigating and prosecuting the case.
8. Within ten (10) days of this Order, Respondent shall provide proof to the City that there are presently no bookings at the property for less than thirty (30) days.
9. Pursuant to Section 22-279 (a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this order.
10. Respondent is ordered to immediately cease renting the property for a term less than thirty (30) days.
11. It is Respondent's responsibility to notify the City once the property is in compliance, if applicable.
12. Should Respondent found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.

Order entered on December 15, 2022.

Erica F. Augello

Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent via email to Chris Padgett at cpadg17@gmail.com on December 15, 2022.

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order issued by the Special Magistrate to the circuit court. The appeal will not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order that is being appealed. The person or entity filing the appeal shall be responsible for the submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.

Peyt Dewar

From: Chris Padgette <cpadg17@gmail.com>
Sent: Wednesday, December 28, 2022 11:26 AM
To: Peyt Dewar
Subject: Chris Padgette appeal

CAUTION: This message has originated from Outside of the Organization. Do Not Click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

Peyt,
Appreciate the time and insight into the process today.

I'd like to appeal the fine \$4546.

Thank you,
Chris

--
Chris Padgette
314.452.8382

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: 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: Patrick Hawk

Hearing Date: 01/09/2023 at 10 a.m.

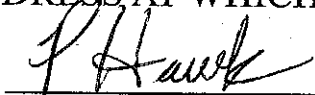
AFFIDAVIT OF POSTING

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DATE OF POSTING 12/29/2022

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: 20220577

vs.

CHRISTOPHER J. PADGETTE
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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**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.

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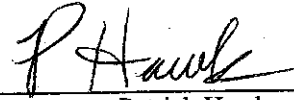
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If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 12/29/2022



Patrick Hawk
Code Enforcement Officer
CITY OF ST. PETE BEACH

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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. 20220554**
 City of St. Pete Beach v. Bruce R Beyer and
 Martha A Scharchburg
 Address: 1001 Gulf Way St. Pete Beach FL
 33706

Date: January 9, 2023

Prepared By: Patrick Hawk, Code Enforcement Officer

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

Summary of Issue: Lien Reduction hearing.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Lien Reduction Application
 2. Special Magistrate Order



Lien Reduction Request Application

This form must be completed in its entirety and is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Special Magistrate Hearing.

Sec. 22-283. - Procedure to request that a fine or lien imposed pursuant to section 22-279 be reduced; conditions and criteria therefor.

(a) The owner of real property against which a fine or lien has been imposed pursuant to section 22-279 of this article may apply to the Special Magistrate, through the city manager or his designee, for a satisfaction of such fine or lien with less than full payment thereof. No such application shall be considered by the Special Magistrate until the applicant has first shown that:

(1) All ad valorem property taxes, special assessments, county and city utility charges and other government and city-imposed liens against the subject real property have been paid;

(2) The applicant is not personally indebted to the city for any reason; and

(3) All city code violations have been corrected under necessary permits issued.

(b) In considering an application to reduce a fine or lien imposed pursuant to section 22-279 of this article, no satisfaction thereof shall be approved by the Special Magistrate with less than full payment thereof, unless the Special Magistrate shall make a specific finding that no violation of any city ordinance exists on the subject real property.

(c) The balance of any fine or lien imposed pursuant to section 22-279 of this article that is reduced by the special magistrate shall be paid on terms as approved by the Special Magistrate.

(d) If the property for which the application for a fine reduction is being considered is owned by a government or quasi-government entity, the Special Magistrate may reduce such fine even if the violation has not been corrected.

(Ord. No. 12-02, § 1(exh. A), 1-24-12)



Lien Reduction Request Application

Please **TYPE** or **PRINT** this application neatly.

CE20220554

1. Code Enforcement Case Number: _____
November 3, 2022

2. Date: _____

3. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable):

Bruce R Beyer / Martha A Scharchburg

Name: _____
50065 Joy Road

Mailing Address: _____
Canton MI 48187

City: _____ State: _____ Zip Code: _____
734-730-7460

Phone #: _____ Fax #: _____
734-999-6040 pinshark@comcast.net

Mobile #: _____ E-mail: _____

4. Property Owner Information: * Check here if same as Applicant

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable):

Same as Above

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Information for property on which lien occurs:

Street Address: 1001 Gulf Way; St. Pete Beach, FL 33706

Parcel ID: 193216589320040170

Tax Account Number: R214457

Existing Use(s) on Property: Secondary Residence/Rental

Date Fine or Lien Imposed: October 10, 2022

Amount of Fine: \$50 per day

Amount you are requesting that the lien be reduced to: \$465 (administrative costs)

Have the violation(s) on the subject property been corrected: Yes / No (Circle one)

☒ ☐

Date upon which the subject property was brought into compliance: October 5, 2022

The factual basis upon which the application for reduction of the lien should be granted:

The owners were out of the country beginning August 15 and had no knowledge of the original Notice of Violation. All mail was being held at the post office. For complete details: see attached

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

Compliance was obtained (by changing the wording of the advertisement) immediately after speaking to the Patrick Hawk.

Provide proof that the taxes are paid in full:

See attached. 2021 Taxes of \$17,754.59 paid on 11/22/2021

6. Signatures and Notarization.

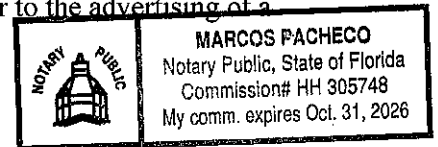
STATE OF FL COUNTY OF Pinellas. I, being first
duly sworn, depose and say that:

☒ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this
request.

☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization
form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney
representing the owner.

I hereby certify that I have read, completed, and understand this Application and understand that if my
application and all associated attachments are not complete and accurate in all respects, the application
will not be scheduled for a public hearing.

I further understand that this application must be complete and accurate prior to the advertising of a
public hearing.



[Signature]

(APPLICANT SIGNATURE)

Marcos Pacheco

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced EX MED
MP

(NOTARY PUBLIC SIGNATURE)

[Signature]

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 4 day November of, 20 22

CITY MANAGER APPROVAL REQUIRED

All Code Enforcement lien reductions and bad debts will require City Manager approval.

Print Name

Signature

Date

2021 REAL ESTATE TAX**Charles W. Thomas, CFC, Pinellas County Tax Collector**P.O. Box 31149, Tampa, FL 33631-3149
(727) 464-7777 | pinellastaxcollector.gov*Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments*Pay online at pinellastaxcollector.gov

• E-check - no fee • Credit card - 2.95% convenience fee

If Postmarked By	Nov 30, 2021				
Pay this Amount	\$17,754.59				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R214457	* CL-0010498	SPB

* VALLEY NATIONAL BANK

BEYER, BRUCE R
SCHARCHBURG, MARTHA A
50065 JOY RD
CANTON, MI 48187-1156PARCEL NO.: 19/32/16/58932/004/0170
SITE ADDRESS: 1001 GULF WAY, ST PETE BEACH
PLAT: H1 PAGE: 102
LEGAL:
MOREY BEACH
BLK 4, LOT 17**AD VALOREM TAXES**

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAXES LEVIED
GENERAL FUND	5.1302	1,035,239	0	1,035,239	5,310.98
HEALTH DEPARTMENT	0.0790	1,035,239	0	1,035,239	81.78
EMS	0.9158	1,035,239	0	1,035,239	948.07
SCHOOL-STATE LAW	3.5770	1,185,940	0	1,185,940	4,242.11
SCHOOL-LOCAL BD.	2.7480	1,185,940	0	1,185,940	3,258.96
ST PETE BEACH	3.1500	1,035,239	0	1,035,239	3,261.00
SW FLA WTR MGMT.	0.2535	1,035,239	0	1,035,239	262.43
PINELLAS COUNTY PLN.CNCL.	0.0150	1,035,239	0	1,035,239	15.53
JUVENILE WELFARE BOARD	0.8981	1,035,239	0	1,035,239	929.75

TOTAL MILLAGE 16.7666

GROSS AD VALOREM TAXES

\$18,310.61

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	AMOUNT
ST PETE BEACH STORMWATER SVCS FIXED COST	64.32
ST PETE BEACH STORMWATER SVCS VARIABLE COST	119.43

GROSS NON-AD VALOREM ASSESSMENTS

\$183.75

TAXES BECOME DELINQUENT APRIL 1ST

COMBINED GROSS TAXES AND ASSESSMENTS

\$18,494.36

PLEASE RETAIN TOP PORTION FOR YOUR RECORDS

2021 REAL ESTATE TAX**Charles W. Thomas, CFC, Pinellas County Tax Collector**

Pay in U.S. funds to Charles W. Thomas, Tax Collector

P.O. Box 31149, Tampa, FL 33631-3149

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BEYER, BRUCE R
SCHARCHBURG, MARTHA A
50065 JOY RD
CANTON, MI 48187-1156PARCEL NO.: 19/32/16/58932/004/0170
SITE ADDRESS: 1001 GULF WAY, ST PETE BEACH
PLAT: H1 PAGE: 102
LEGAL:
MOREY BEACH
BLK 4, LOT 17

FACTUAL BASIS FOR REDUCTION OF LIEN

Timing of Notice of Violation made it impossible to respond by requested Correction Date

Notice is dated Tuesday, August 30, 2022 noting "These violation(s) must be corrected **09/03/2022**" (Saturday of Labor Day weekend)

We were out of the country from 15 Aug 2022 until 12 September 2022

Time given from issuance of Notice of Violation to requested Correction Date is insufficient.

A similar situation existed for credit cards, but is now subject to the Credit Accountability Responsibility and Disclosure (CARD) Act of 2009. Credit card bills must be mailed at least 21 days before payment is due. Similar constraints should apply for these notifications.

Voicemail for the Given Number identified simply as "Code Enforcement" or "Peyt Dewar" not Patrick Hawk.

Eight days (9/26 - 10/3) elapsed after a voicemail was left before Patrick Hawk returned our call and left a voicemail. An additional 2 days elapsed before both parties spoke.

The advertisement was corrected the same day we finally were able to speak to Mr. Hawk.

CHRONOLOGICAL SUMMARY

8/15	Leave for Europe Vacation
8/30	Notice of Violation Written
9/3	Violation "to be corrected by" date as per 8/30 letter (9/3 is Saturday)
9/12	Return from Europe
9/13	Canton, MI Post Office delivers large volume of Held Mail
9/20	Notice of Hearing Written
9/24	Notice of Hearing received
9/26	Message left for Patrick Hawk at number provided.
10/5	Finally spoke to Mr. Hawk and immediately made VRBO advertisement correction
10/6	Code Enforcement confirmed that VRBO advertisement was corrected.

Travel Documents

Martha Ann Scharchburg
50065 Joy Road
Plymouth, MI 48170

Booking #: 16977082 **Booking Total:** \$8168.29
Issued: 11/03/2022 **Payments Received:** \$8057.58
Type: Revised (02) **Amount Due:** \$0.00
For questions, contact Delta Vacations 1-800-800-1504

TRAVELER INFORMATION

Psg#	Passenger Name	Confirmation #	E-ticket #	Frequent Flyer #
1	Mrs Martha Ann Scharchburg	G3R2GE	0067801746958	DL 6848184591
2	Mr Bruce R Beyer	G3R2GE	0067801746960	DL 6233003117

FLIGHT INFORMATION

Date	Carrier	Flight #	Class	Departure City	Departs	Arrival City	Arrives	Stops	Psg# / Seat	Status
15Aug22	Delta	DL #0132	First	Detroit, MI (DTW)	4:25 PM	Amsterdam, Netherlands (AMS)	5:55 AM+1	NS	1/04-C 2/04-B	KK
Check in with Delta										
16Aug22	Delta	DL #9684	Business	Amsterdam, Netherlands (AMS)	7:40 AM	Dublin, Ireland (DUB)	8:20 AM	NS	1/02-C 2/02-A	KK
OPERATED BY KLM CITYHOPPER										
12Sep22	KLM	KL #3080	Business	Zagreb, Croatia (ZAG)	8:30 AM	Amsterdam, Netherlands (AMS)	10:30 AM	NS	ALL/none	KK
OPERATED BY CROATIA AIRLINES - Check in with CROATIA AIRLINES										
12Sep22	KLM	KL #6120	Business	Amsterdam, Netherlands (AMS)	12:50 PM	Detroit, MI (DTW)	3:30 PM	NS	1/04-B 2/04-C	KK
OPERATED BY DELTA AIR LINES										

You have purchased an electronic ticket (e-ticket). Government-issued photo I.D. is required and must match name on ticket. Your ticket number, flight confirmation number, and seat assignments (if selected) are on this itinerary. (If seat assignments were not selected, access your reservation or contact your booking agent to do so. If seats are not selected, they will be randomly assigned at the airport upon departure). Boarding passes and boarding requirements may be obtained at delta.com. Additional luggage fees may apply; learn more at deltavacations.com/misc/luggagefees.do

BONUS MILES THROUGH THE SKYMILES® PROGRAM

Bonus Miles

Thank you for choosing Delta Vacations. To ensure you receive your bonus miles, your SkyMiles account number must be applied to your reservation with Delta Vacations before you depart. (Bonus miles will not be credited to your account if your SkyMiles number is provided directly to the airline.) If your reservation includes a car rental, please provide your SkyMiles account number at the rental counter to receive even more miles. Your bonus miles will be automatically credited to your account approximately 6-8 weeks after you return from your trip. If your account number has not yet been applied, contact your travel advisor or Delta Vacations. Not a SkyMiles Member? Join today. You can enroll at: www.joinskymiles.com

IMPORTANT INFORMATION

Change or cancellation

Please contact us or your booking agent to make any pre-departure changes or to cancel your reservation.

Please Note

We are not responsible for expenses incurred that were not booked as part of your package. All services are valid for use only on the date indicated. Individuals of groups attending conventions may not use these rates. If a trip is for one of these reasons, some hotels may directly assess an additional surcharge during the conventions or special event time periods.

Documentation Notification

Traveling outside the United States? International travel requires presentation of passports, no matter the age of the traveler, and may require presentation of visas or other credentials. There may also be specific documentation required for minors traveling unaccompanied or accompanied by a person other than their parent/legal guardian. All entry requirements can be found at: www.deltavacations.com/booking/entryrequirements.do. Laws and regulations regarding entry requirements often change, so be sure to check the entry requirements each time before you travel to an international destination.

Traveling with Children

FAA regulations require that a separate seat be purchased for a child who is two years of age or older. With proof of age, a child one year of age and under may legally be held on the lap of a passenger who is 15 years of age or older. Only one lap child one year of age and under is allowed per adult. Taxes and fees apply. For domestic travel, a birth certificate is an acceptable proof of age. For international travel, all passengers are required to present a passport. There may also be specific documentation required for minors traveling unaccompanied or accompanied by a person other than their parent/legal guardian.

Special Needs

We would like your travels to be as comfortable as possible. If you have any special needs (wheelchair, medical, etc.) please have your booking agent contact us in advance.

Booking #: 16977082

-- page 1 --

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

CITY OF ST. PETE BEACH,

Petitioner,

30v.

**CASE NO.: CE20220554
ADDRESS: 1001 Gulf Way**

**BEYER, BRUCE R. and SCHARCHBURG,
MARTHA A.,**

Respondent(s).

_____ /

FINAL ADMINISTRATIVE ORDER AND ORDER IMPOSING FINES

This case came before the Special Magistrate on October 10, 2022, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by City Attorney Andrew Dickman and Code Enforcement Officer Patrick Hawk.
2. Respondent, Martha A. Scharchburg, was present via telephone by agreement of the City and represented herself.
3. The Respondents own the subject property, and legally required notice of this proceeding was served on the Respondents in accordance with applicable law.
4. The Respondents were notified of the following violation of the City's Land Development Code but failed to bring the property into compliance within the period required by the City.

Section 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.

5. The City presented evidence establishing the property had been rented for a period of less than thirty (30) days more than three times in a 12-month period in violation of the City's Code. The property had been rented short-term once in May 2022, twice in July 2022, and once in August 2022.
6. The City also presented evidence that the property continued to be advertised for transient occupancy in violation of the City's Code.
7. The Respondent testified that they were out of the country when they received the notice of violation, and after speaking to the City regarding the violation, they changed the advertising to reflect rentals of no less than thirty (30) days.

BASED UPON THE FOREGOING FINDINGS OF FACT, IT IS HEREBY ORDERED AS FOLLOWS:

8. Respondents and the subject property were in violation of the cited provision but are now in compliance. Respondents will be assessed a fine in the amount of \$50.00 per day from September 3, 2022 to October 6, 2022, and will be responsible for all reasonable administrative costs of the City related to the investigation and prosecution of this case.
9. Pursuant to Section 22-279 (a) of the City's Code of Ordinances, Respondents may request a hearing to challenge the fine amount within twenty (20) days of the date of this order.
10. Respondents are ordered to immediately cease renting the property for a term less than thirty (30) days until October 2023.
11. Should Respondents be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondents may be subject to a fine of up to \$500 per day for each day the violation exists.

Order entered on October 11, 2022.

Erica F. Augello

Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent by regular U.S. Postal Service mail to the Respondents at 50065 Joy Road, Canton, MI 48187-1156, on October 11, 2022.

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order issued by the Special Magistrate to the circuit court. The appeal will not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order that is being appealed. The person or entity filing the appeal shall be responsible for the submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.

I hereby certify this to be a true and exact copy of the Special Magistrate Order for Case# 20220554 on file in the office of the City Clerk of St. Pete Beach, Pinellas County, Florida.

Ginny Keeter-Bodkin

Ginny Keeter-Bodkin, Deputy City Clerk

Date: 10/14/2022