



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, March 13, 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. 20220648**
City of St. Pete Beach v. Josias Guzman Alcantara
Address: 131 72nd Ave St. Pete Beach FL 33706
Continued for update.
4. New Cases
5. Old Cases
6. Repeat Violation
 - A. Case No. 20230105**
City of St. Pete Beach v. Dasani, Nehal and Dasani, Gita
Address: 102 13th Ave. 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.

B. Case No. 20230106

City of St. Pete Beach v. Tarantini, Rafael and Tarantini, Melis

Address: 7606 Gulf Blvd. St. Pete Beach FL 33706

Sec. 10.2. - 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-1 Residential District are as follows:

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

C. Case No. 20230107

City of St. Pete Beach v. Arroyo, Randall and Arroyo, Shanel

Address: 2692 W Vina Del Mar Blvd. 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.

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

Date: March 13, 2023

Prepared By: Patrick Hawk, Code Enforcement Officer

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

Summary of Issue: Continued for update.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20220648
ADDRESS: 131 72nd Ave.**

JOSIAS GUZMAN ALACANTRA,

Respondent(s).

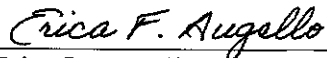
_____ /

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on January 9, 2023. The Special Magistrate, upon request of the parties, issues the following order:

IT IS ADJUDGED that the matter being heard on January 9, 2023, is continued until the March 13, 2023, Code Enforcement Special Magistrate Hearing, beginning at 10:00am. During the interim period, Respondent shall meet with the City and discuss options to remedy the setback and permitting issues that pertain to the pergola installed by the prior owner of the property.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 9th day of January 2023.



Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent to Respondent via US Mail at 8501 E. Adamo Drive, Ste. B, Tampa, FL 33619-3544 on January 9, 2023.

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

Agenda Report

Issue Considered: Case No. 20230105
City of St. Pete Beach v. Dasani, Nehal and Dasani,
Gita
Address: 102 13th Ave. Pete Beach FL 33706

Date: March 13, 2023

Prepared By: Peyt Dewar, Code Enforcement Manager

Through: Michelle Gonzalez, Community Development Director

Summary of Issue: The property was found in violation of section 20.03, by the Special Magistrate on November 7, 2022, for short-term rental. This constitutes a repeat violation of the section mentioned above.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Special Magistrate Order
2. Evidence
3. Repeat Notice of Violation
4. Affidavit of Posting Repeat
5. Repeat Notice of Hearing

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20220596

ADDRESS: 102 13th Ave.

NETHA & GITA DASSANI,

Respondent(s).

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on November 7, 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 McConnell and Code Enforcement Supervisor Peyt Dewar.
2. Respondent, Gita Dassani, was present 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**

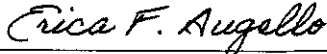
will be permitted, if the building meets the standards set forth in this division of the Code.

5. The City presented evidence establishing the property had been advertised and rented for a period of less than thirty (30) days more than three (3) times in a 12-month period in violation of the City's Code. The property had been rented short-term seven (7) times in August 2022 and four (4) times in September 2022.
6. The City also presented evidence that the property was advertised for transient occupancy in violation of the City's Code.
7. The Respondent testified that they had recently bought the property and that neither she nor the property management company were aware they could not rent it for short term occupancy more than three times within a calendar year. As soon as she was made aware, they ceased advertising the property for rental.

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 not be assessed any fines but will be responsible for all reasonable administrative costs of the City related to the investigation and prosecution of this case.
9. Respondents are ordered to immediately cease renting the property for a term less than thirty (30) days until September 2023.
10. Within ten (10) days of this Order, Respondents shall provide proof to the City that there are no transient bookings from the date of this order through September 2023.
11. It is the Respondents' responsibility to inform the City that the property has come into compliance, if applicable.
12. 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.
13. 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 November 7, 2022.


Erica F. Augello, BCS

Special Magistrate

A copy of this Order was sent via email to Respondent at Gita0901@gmail.com on November 8, 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.

CE20230105

Online Ad

The screenshot shows an Airbnb listing for 'Charming Cottage' hosted by Matthew. The listing details include 4 guests, 1 bedroom, 2 beds, and 1 bath. A calendar overlay is open, showing the date selection process. The calendar is for December 2022 and January 2023. The date 1/2/2023 is selected for check-in, and the check-out date is yet to be added. The price is \$190 per night, and the listing has a 5.0 rating from 12 reviews. The listing also features a dedicated workspace, self check-in, and is hosted by a Superhost. The Windows taskbar at the bottom shows the time as 9:43 AM on 12/21/2022.

Charming Cottage ~ Sleeps 4, 3+
https://www.airbnb.com/rooms/629191616559523296?source=impression_id=p3_1671633759_YqBVjncS4XjOK4My&guests=1&a...

Entire cottage hosted by Matthew
4 guests · 1 bedroom · 2 beds · 1 bath

\$190 night **★ 5.0 · 12 reviews**

Select dates
Minimum stay: 7 nights

CHECK-IN
1/2/2023

CHECKOUT
Add date

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

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				

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

9:43 AM
12/21/2022

102 13th Ave

CE20230105

Online Ad

The screenshot shows a web browser window displaying a VRBO listing for "Charming Pass-A-Grille Cottage". The browser's address bar shows the URL "https://www.vrbo.com/2813565?adultsCount=1". The listing title "Charming Pass-A-Grille Cottage" is circled in red. Below the title, there are two calendar views for January and February 2023. A blue box with an information icon and the text "7 night minimum stay" is circled in red. To the right of the calendars, the price is listed as "\$318 avg/night". Below the price, there are fields for "Check In", "Check Out", and "Guests" (currently set to "1 guest"). A blue button labeled "Check availability" is visible. Below this, it says "Free cancellation up to 14 days before check-in". The host's name "Matthew" and a "Contact host" link are shown. The property number "Property # 2813565" and a "Report this property" link are also present. On the right side of the listing, there is a vertical advertisement for Budget car rental with the text "Flocking to Florida? Enjoy 10% off cars rental with Budget" and a "Book your Budget" button. At the bottom of the browser window, the Windows taskbar is visible, showing the search bar and various application icons. The system clock in the bottom right corner of the taskbar shows "9:50 AM 1/5/2023" and is circled in red.

Charming Pass-A-Grille Cottage Steps to

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				

February 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			

7 night minimum stay

\$318 avg/night

Add dates for total pricing

Check In Check Out

Guests 1 guest

Check availability

Free cancellation up to 14 days before check-in

Matthew Contact host

Property # 2813565 Report this property

Budget Flocking to Florida? Enjoy 10% off cars rental with Budget Book your Budget

9:50 AM 1/5/2023

102 13th Ave

CE20230105

Online Ad

The screenshot shows a web browser window with the following elements:

- Browser Tab:** "Beachy Pass-A-Grille Bungalow - x" (circled in red).
- Address Bar:** "https://www.vrbo.com/2837448?adultsCount=1".
- Listing Title:** "Beachy Pass-A-Grille Bungalow ~ Sleeps 4," (circled in red).
- Calendar:** Displays January and February 2023. The date "5" in January is selected.
- Price:** "\$225 avg/night".
- Check In/Out:** Fields for "Check In" and "Check Out".
- Guests:** "1 guest".
- Check availability:** A blue button.
- Free cancellation:** "Free cancellation up to 14 days before check-in".
- Host:** "Matthew" with a "Contact host" link.
- Property #:** "2837448".
- Report this property:** A link.
- Photos:** A row of five images showing the property's interior and exterior, with a "+7 photos" link.
- 5 night minimum stay:** A blue notification box with an information icon and the text "5 night minimum stay" (circled in red).
- System Clock:** "9:51 AM 1/5/2023" (circled in red).

102 13th Ave

CE20230105

Online Ad

The screenshot shows a web browser window with the following elements:

- Browser Tab:** "Charming Pass-A-Grille Cottage" (circled in red).
- Address Bar:** "https://www.vrbo.com/2813565".
- Page Title:** "Charming Pass-A-Grille Cottage ~ Steps to Beach!".
- Calendar:** Displays January and February 2023. A modal overlay shows a "7 night minimum stay" requirement (circled in red).
- Pricing:** "\$318 avg/night".
- Check-in/Check-out:** Fields for "Check In" and "Check Out".
- Guests:** A field for "Guests".
- Check availability:** A blue button.
- Free cancellation:** "Free cancellation up to 14 days before check-in".
- Host:** "Matthew" with a "Contact host" link.
- Property #:** "2813565".
- Report this property:** A link.
- Photos:** A gallery of images with a "+30 photos" link.
- Navigation:** Links for "About", "Rooms & beds", "Amenities", "Policies", "Reviews", "Map", "Host", and "Rates & >".
- System Tray:** Shows the time "10:31 AM" and date "1/16/2023" (circled in red).

102 13th Ave

CE20230105

Online Ad

The screenshot shows a web browser window displaying a VRBO listing for "Beachy Pass-A-Grille Bungalow ~ Sleeps 4, Steps to the Shore!". The browser's address bar shows the URL "https://www.vrbo.com/2837448". A calendar overlay is visible, showing January and February 2023. A notification box states "5 night minimum stay". The listing price is "\$225 avg/night". The host's name is "Matthew". The system clock in the bottom right corner shows "10:32 AM 1/16/2023".

Beachy Pass-A-Grille Bungalow ~ Sleeps 4, Steps to the Shore!

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				

February 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				

5 night minimum stay

\$225 avg/night

Add dates for total pricing

Check In: Check Out:

Guests:

Check availability

Free cancellation up to 14 days before check-in

Matthew
Contact host

Property # 2837448
Report this property

Budget
Flocking to Florida?
Enjoy 10% off cars rental with Budget
Book your Budget
*Terms apply

10:32 AM 1/16/2023

102 13th Ave

CE2023105

Reviews

The screenshot shows an Airbnb listing for 'Charming Cottage ~ Sleeps 4, Studio'. The URL in the browser is https://www.airbnb.com/rooms/629191616559523296?source_impression_id=p3_1671631858_SwAmhm7%2FgstD1ZyY&guests=.... The listing has a price of \$190 per night, a 5.0 star rating from 12 reviews, and a 'Check availability' button. The 'Reviews' tab is selected and circled in red. There are six reviews visible, each with a profile picture, name, date, and text, all circled in red:

- Ann** (November 2022): Loved the residential beach neighborhood. Cottage was cute and well stocked. Had a great long weekend.
- Donald** (November 2022): My stay was nice.
- Britta** (October 2022): Beautiful cottage in a quiet location; if you are looking for a low-key, relaxing beach getaway then this is the place for you. My partner and I especially appreciated the ease of check-i... [Show more >](#)
- Don** (October 2022): ~~Matthew was~~ great to work with. Very helpful and cooperative. We had alot to deal with as my stay was right in time for Hurricane Ian and there were many unknowns right... [Show more >](#)
- Jennifer** (September 2022): My family LOVED staying in Matt's cottage! It was adorable and had everything we needed for cooking, laundry, etc. AND all the beach supplies we needed. The location is perfect an... [Show more >](#)
- Brenda** (September 2022): Excellent place, with everything you need. Steps away from the beach eh is a huge plus! House is full equipped with everything necessary for your... [Show more >](#)

The Windows taskbar at the bottom shows the time as 9:13 AM on 12/21/2022, which is also circled in red.

102 13th Ave

CE2023105

Reviews

The screenshot shows an Airbnb listing for 'Beachy Bungalow' with a price of \$154 per night and a 4.62 rating from 13 reviews. The URL in the browser is circled in red. Below the listing, six reviews are displayed, each with the reviewer's name and date circled in red:

- Lois** (November 2022): Love the pass a grille area, and the cottage was very cozy and fairly comfortable. Kitchen very well stocked. Location was excellent. Loved being so close to beach and sunsets and... [Show more >](#)
- Michael** (November 2022): Matthew was an awesome host and everything was as expected. The location is perfect and Pass-a-grill is a wonderful place to visit. Would recommend
- Richard** (November 2022): The place has a good location, but it needs attention. The bath tub was so dirty we had to buy mats in order to use it. Dirty floors. The laundry area in the garage was dirty and... [Show more >](#)
- Michelle** (October 2022): Sweet little house in an ideal location. We had never stayed in Pass a Grille before and loved it. Beautiful beach on one side and the intercoastal on the other. Lot's of great restaurants... [Show more >](#)
- Holly** (September 2022): This is a gem of a little beach hangout -- well-located, well-appointed with everything you need to enjoy your time at the
- Lee Ann J** (September 2022): Great cute place! Just few steps from the beach. Great neighborhood. The people! Amazing! So friendly! My

The Windows taskbar at the bottom shows the date and time as 9:15 AM on 12/21/2022, which is also circled in red.

102 13th Ave

CE2023105

Reviews

Charming Cottage ~ Sleeps 4

https://www.airbnb.com/rooms/629191616559523296/reviews?source_impression_id=p3_1675606872_R909f3K%2BqtZFI5c...

★ 5.0 · 14 reviews

Category	Score
Cleanliness	4.6
Accuracy	4.9
Communication	4.8
Location	5.0
Check-in	4.9
Value	4.9

Jayne
January 2023

Matthew,
Thank you so much for letting us stay in your beach house.
Location, location, location! Loved the furnishings. Loved the porch and the patio grilling area. Loved sharing the whole house with my twin. The kitchen was well equipped. We really enjoyed our visit. Thank you so much.

Alex
January 2023

Great location!

Ann
November 2022

Loved the residential beach neighborhood. Cottage was cute and well stocked. Had a great long weekend.

Beautiful cottage in a quiet location; if you are looking for a low-key, relaxing beach getaway then this is the place for you.

Matthew was great to work with. Very helpful and cooperative. We had a lot to deal with as my stay was right in

9:22 AM
2/5/2023

102 13th Ave

CE2023105

Reviews

The screenshot shows an Airbnb listing for a 'Beachy Bungalow' with a URL circled in red: https://www.airbnb.com/rooms/629686640406560777?source_impression_id=p3_1676421284_hEQBWmvCISnlg9kF. The listing is priced at \$185 per night with a 4.67 star rating from 15 reviews. A 'Check availability' button is visible. Below the listing, several reviews are shown, with the reviewer's name and profile picture circled in red for each:

- Julie** (January 2023): Location, location, location! Had everything we wanted and needed. Equipped kitchen, grill and washer and dryer!
- Rebecca** (January 2023): This was the perfect little bungalow to enjoy a vacation in St Pete Beach. It was clean and had all the amenities described. We loved how close it was to the beach and lots of... [Show more >](#)
- Lois** (November 2022): Love the pass a grille area, and the cottage was very cozy and fairly comfortable. Kitchen very well stocked. Location was excellent. Loved being so close to beach and sunsets and... [Show more >](#)
- Michael** (November 2022): Matthew was an awesome host and everything was as expected. The location is perfect and Pass-a-grill is a wonderful place to visit. Would recommend
- Richard** (November 2022): The place has a good location, but it needs attention. The bath tub was so dirty we had to buy mats in order to use it.
- Michelle** (October 2022): Sweet little house in an ideal location. We had never stayed in Pass a Grille before and loved it. Beautiful beach on one side

The Windows taskbar at the bottom shows the system clock circled in red, displaying 7:35 PM on 2/14/2023.

102 13th Ave



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

NOTICE OF REPEAT VIOLATION

02/26/2023

DASSANI, NETHAL and GITA
4813 CULBREATH ISLE WAY
TAMPA, FL 33629

RE: Case Number 20230105
Violation: Sort term rental
Violation Address: 102 13TH AVE
Parcel ID#: 183216954540030520

Dear Property Owner:

There are online ads and reviews showing that your property was rented prior to the date ordered by the Special Magistrate.

Your property was found in violation by the Special Magistrate on November 7, 2022, for the same violation (Sec. 20.03. - Permitted principal uses and structures.). This constitutes a repeat violation of the section mentioned above and will not be allowed to continue. Once you are cited for a violation of the Code for a specified activity, such citation remains in effect for repeat violations.

Please be advised that this matter is being referred to the Special Magistrate for hearing on March 13, 2023.

If you require further information, please contact Code Enforcement at (727) 363-9211 or (727) 363-9209 between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday.

Sincerely,

Peyt Dewar
Code Enforcement Manager

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: 102 13TH AVE

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

Name of Property Owner(s): DASSANI, NETHAL and GITA

Case No.: 20230105 Code Enforcement Manager: Peyt Dewar

Hearing Date: 03/13/2023 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 02/26/2023

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.
DASSANI, NETHAL and GITA
Respondent(s)

Case Number: 20230105

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 **03/13/2023** 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 **102 13TH 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 02/26/2023



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. 20230106
City of St. Pete Beach v. Tarantini, Rafael and
Tarantini, Melis
Address: 7606 Gulf Blvd. St. Pete Beach FL 33706

Date: March 13, 2023

Prepared By: Peyt Dewar, Code Enforcement Manager

Through: Michelle Gonzalez, Community Development Director

Summary of Issue: The property was found in violation of section 10.2, by the Special Magistrate on April 11, 2022, for short-term rental. This constitutes a repeat violation of the section mentioned above.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Special Magistrate Order
2. Evidence
3. Notice of Repeat Violation
4. Affidavit of Posting Repeat
5. Repeat Notice of Hearing

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20220055

ADDRESS: 7606 Gulf Blvd

**RAFAEL TARANTINI and
MELIS TARANTINI,**

Respondent(s).

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on April 11, 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 McConnell and Code Enforcement Officer Jeremy Cottrell.
2. Respondents Rafael Tarantini and Melis Tarantini were present and represented themselves.
3. Respondents own the subject property, and legally required notice of this proceeding was served on Respondents in accordance with applicable law.
4. 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 10.2 – 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-1 Residential District are as follows:

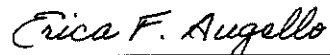
- (a) ***Residential dwellings-*** Detached single-family only. Such dwellings shall not be used for transient occupancy.

5. The City presented evidence establishing the property had been used for transient occupancy as it had been rented for a period of less than thirty (30) days in violation of the City's Code.
6. Respondents testified they did not know that they could not rent short-term. They bought the property in October 2021, and it had been used as a short-term rental at that time.

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

7. Respondents and the subject property were in violation of the cited provision but were compliant on the date of the hearing. No fines will be assessed but, Respondents shall be responsible for all reasonable administrative costs of the City related to the investigation and prosecution of this case.
8. 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 the original order.
9. Respondents are ordered to immediately cease renting the property for a term less than thirty (30) days.
10. It is Respondents' responsibility to notify the City that the property is in compliance, if applicable.
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 April 13, 2022.


Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent by regular U.S. Postal Service mail to the Respondents at 7606 Gulf Blvd., St. Pete Beach, FL 33706, on April 13, 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.

CE20230106

Online ad

The screenshot shows an Airbnb listing for 'BEACH Retreat' hosted by Melis. The listing details include 2 guests, 1 bedroom, 1 bed, and 1 bath. A 'Dedicated workspace' is highlighted. A date selection calendar is overlaid, showing March and April 2023. The calendar indicates a minimum stay of 4 nights. The price is \$112 per night, and the listing has a 4.91 rating from 23 reviews. The date 17 is selected in the calendar. The Windows taskbar at the bottom shows the time as 9:48 PM on 1/22/2023.

BEACH Retreat distance to the x

https://www.airbnb.com/rooms/52308033?source_impression_id=p3_1674441997_PLmwPkOS5n7%2BynpP&guests=1&ad...

Entire home hosted by Melis
2 guests · 1 bedroom · 1 bed · 1 bath

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

Self check-in
Check yourself in with the keypad.

Melis is a Superhost
Superhosts are experienced, highly rated hosts who are committed to providing excellent stays for guests.

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

Select dates
Minimum stay: 4 nights

CHECK-IN 4/17/2023 X 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

9:48 PM 1/22/2023

7606 Gulf Blvd

CE20230106

Online ad

The screenshot shows an Airbnb listing page. At the top, the browser tab is labeled 'Brand NEW BEACH home walking...' and the URL is 'https://www.airbnb.com/rooms/701675418656538738?source_impression_id=p3_1674441640_xLhiPfYYvA%2BBqkPS&gue...'. Below the browser window, there are three photos of the property: a living room with a round wooden table, an outdoor patio with a grill, and a bedroom with a bed. A 'Show all photos' button is visible. The listing is titled 'Entire home hosted by Melis' and includes details: '4 guests · 2 bedrooms · 2 beds · 1 bath'. It features several amenities: 'Great for remote work' (Fast wifi at 446 Mbps, plus a dedicated workspace in a private room), 'Self check-in' (Check yourself in with the keypad), and 'Melis is a Superhost' (Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests). A price tag of '\$199 night' and '1 review' is shown. A 'Select dates' modal is open, displaying a calendar for March and April 2023. The modal includes a 'CHECK-IN' field with '4/15/2023' and a 'CHECKOUT' field with 'Add date'. The calendar shows the date '15' selected in April. The Windows taskbar at the bottom shows the time as '9:45 PM 1/22/2023'.

Brand NEW BEACH home walking distance to beach

https://www.airbnb.com/rooms/701675418656538738?source_impression_id=p3_1674441640_xLhiPfYYvA%2BBqkPS&gue...

Entire home hosted by Melis

4 guests · 2 bedrooms · 2 beds · 1 bath

Great for remote work
Fast wifi at 446 Mbps, plus a dedicated workspace in a private room

Self check-in
Check yourself in with the keypad.

Melis is a Superhost
Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

aircover
Every booking includes free protection from Host cancellation

Select dates
Minimum stay: 4 nights

\$199 night 1 review

CHECK-IN 4/15/2023 X 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 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

9:45 PM 1/22/2023

7606 Gulf Blvd

CE20230106

Online ad

The screenshot shows an Airbnb listing for 'BEACH Retreat' hosted by Melis. The listing details include 2 guests, 1 bedroom, 1 bed, and 1 bath. It features a 'Dedicated workspace' and 'Self check-in'. A date selection calendar is overlaid, showing March and April 2023. The calendar highlights the 12th of April as the selected date. The price is \$98 per night, and the listing has a 4.91 rating from 23 reviews. The Windows taskbar at the bottom shows the time as 9:10 AM on 2/1/2023.

BEACH Retreat distance to the

https://www.airbnb.com/rooms/52308033?source_impression_id=p3_1675260616_5j2sjYmahtM8jqlq&check_in=2023-04-12&gue...

Entire home hosted by Melis

2 guests · 1 bedroom · 1 bed · 1 bath

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

Self check-in
Check yourself in with the keypad.

Melis is a Superhost
Superhosts are experienced, highly rated hosts who are committed to providing excellent stays for guests.

aircover
Every booking includes free protection from Host cancellation

Select dates
Minimum stay: 4 nights

\$98 night ★ 4.91 · 23 reviews

CHECK-IN 4/12/2023 X 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

9:10 AM 2/1/2023

7606 Gulf Blvd

CE20230106

Online ad

The screenshot shows an Airbnb listing page. The browser address bar is circled in red, displaying the URL: https://www.airbnb.com/rooms/701675418656538738?source_impression_id=p3_1675260552_ZQwZ0%2FrHXWZVntNv&check_i.... The listing title is "Brand NEW BEACH home walking distance to the beach". Below the title, there are three photos: a living room with a wooden coffee table, a backyard with a pool, and a bedroom. A "Show all photos" button is visible. The listing is hosted by Melis, a Superhost. It is an "Entire home" with 4 guests, 2 bedrooms, 2 beds, and 1 bath. The price is \$199 per night. A "Select dates" calendar is open, showing March and April 2023. The minimum stay is 4 nights. The calendar shows the 19th of April selected. The "CHECK-IN" date is 4/19/2023, and the "CHECKOUT" date is "Add date". The "aircover" logo is visible at the bottom left of the listing. The Windows taskbar at the bottom shows the time as 9:09 AM on 2/1/2023, which is circled in red.

Brand NEW BEACH home walking distance to the beach

https://www.airbnb.com/rooms/701675418656538738?source_impression_id=p3_1675260552_ZQwZ0%2FrHXWZVntNv&check_i...

Entire home hosted by Melis

4 guests · 2 bedrooms · 2 beds · 1 bath

Great for remote work
Fast wifi at 446 Mbps, plus a dedicated workspace in a private room

Self check-in
Check yourself in with the keypad.

Melis is a Superhost
Superhosts are experienced, highly rated hosts who are committed to providing excellent stays for guests.

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

Select dates
Minimum stay: 4 nights

CHECK-IN 4/19/2023

CHECKOUT Add date

March 2023

April 2023

9:09 AM 2/1/2023

7606 Gulf Blvd

CE20230106

Online ad

The screenshot shows an Airbnb listing page. At the top, the browser tab is titled 'Brand NEW BEACH home walking...' and the URL is 'https://www.airbnb.com/rooms/701675418656538738?source_impression_id=p3_1677333314_j03i5qLZKwHPOwoR&check_in=20...'. The listing features a collage of three photos: a wooden coffee table, an outdoor patio area, and a living room interior. Below the photos, the text reads 'Entire home hosted by Melis', '4 guests · 2 bedrooms · 2 beds · 1 bath', and '\$199 night' with '1 review'. A 'Select dates' calendar is open, showing a minimum stay of 4 nights. The calendar displays March and April 2023, with the 15th of April selected. To the left of the calendar, there are three features: 'Great for remote work' (Fast wifi at 446 Mbps, plus a dedicated workspace in a private room), 'Self check-in' (Check yourself in with the keypad), and 'Melis is a Superhost' (Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests). At the bottom left, the 'aircover' logo is visible with the text 'Every booking includes free protection from Host cancellation and other issues like trouble checking in.' The Windows taskbar at the bottom shows the search bar, taskbar icons, and system tray with the time '8:55 AM' and date '2/25/2023' circled in red.

Brand NEW BEACH home walking distance to the beach

https://www.airbnb.com/rooms/701675418656538738?source_impression_id=p3_1677333314_j03i5qLZKwHPOwoR&check_in=20...

Entire home hosted by Melis

4 guests · 2 bedrooms · 2 beds · 1 bath

\$199 night 1 review

Select dates

Minimum stay: 4 nights

CHECK-IN 4/15/2023

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

aircover

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

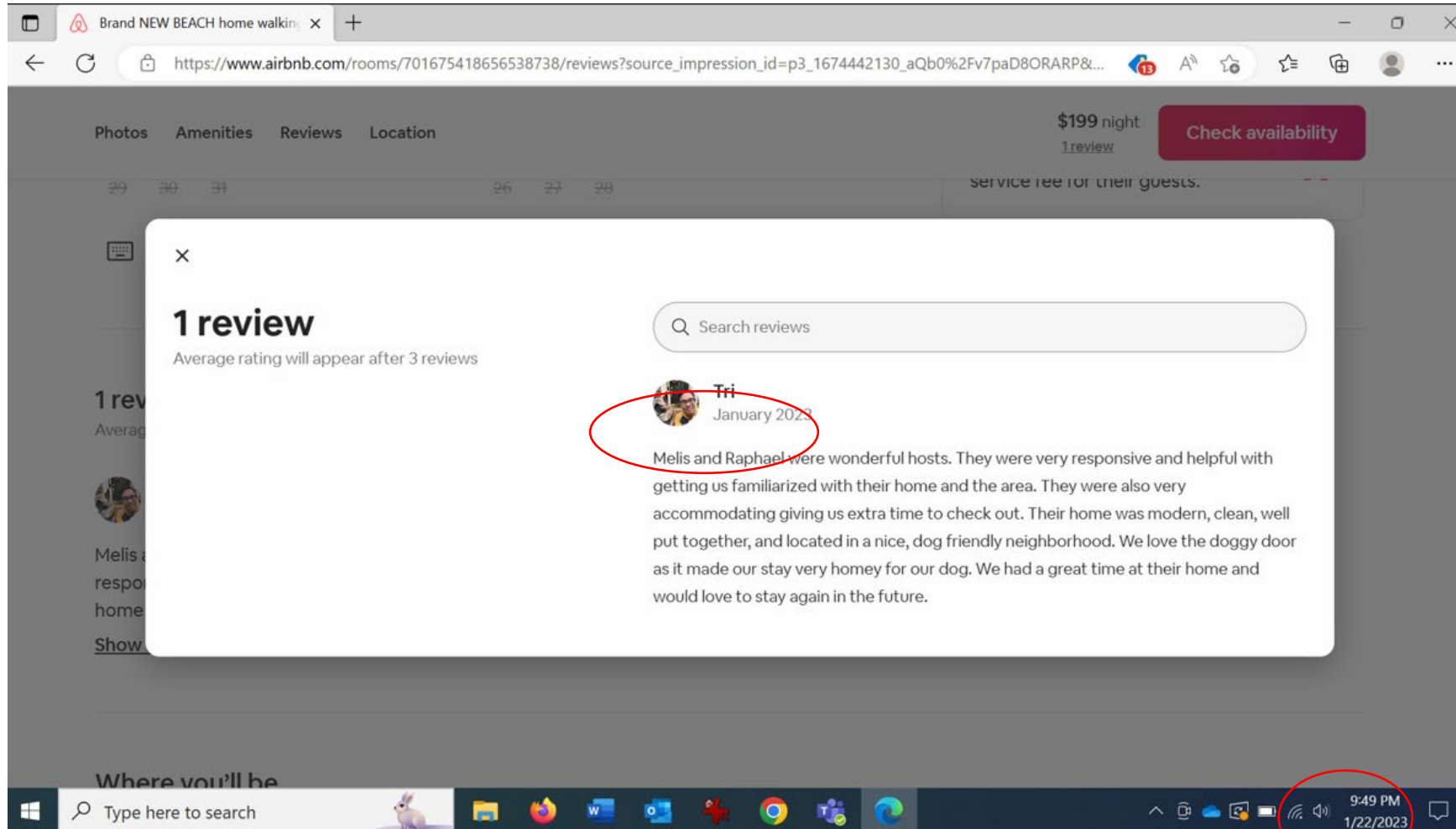
Type here to search

8:55 AM 2/25/2023

7606 Gulf Blvd

CE20230106

Review



7606 Gulf Blvd



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

NOTICE OF REPEAT VIOLATION

02/26/2023

Tarantini Rafael, and Melis
7606 Gulf Blvd
St Pete Beach FL 33706

RE: Case Number 20230106
Violation: Sec. 10.2. - Short term rental
Violation Address: 7606 GULF BLVD
Parcel ID#: 363115779940730131

Dear Property Owner:

There are online ads showing that your property was rented on a short term basis in violation of the Special Magistrate's order.

Your property was found in violation by the Special Magistrate on April 13, 2022, for the same violation (Sec. 10.2. - Permitted principal uses and structures.). This constitutes a repeat violation of the section mentioned above and will not be allowed to continue. Once you are cited for a violation of the Code for a specified activity, such citation remains in effect for repeat violations.

Please be advised that this matter is being referred to the Special Magistrate for hearing on March 13, 2023.

If you require further information, please contact Code Enforcement at (727) 363-9211 or (727) 363-9209 between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday.

Sincerely,

Peyt Dewar
Code Enforcement Manager

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: 7606 GULF BLVD

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

Name of Property Owner(s): Tarantini Rafael, Melis

Case No.: 20230106 Code Enforcement Manager: Peyt Dewar

Hearing Date: 03/13/2023 at 10 a.m.

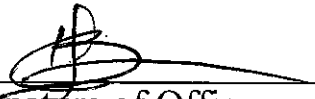
AFFIDAVIT OF POSTING

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 02/26/2023

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.
Tarantini Rafael, Melis
Respondent(s)

Case Number: 20230106

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 **03/13/2023** 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 **7606 GULF BLVD** 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 02/26/2023



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. 20230107
City of St. Pete Beach v. Arroyo, Randall and Arroyo, Shanel
Address: 2692 W Vina Del Mar Blvd. St. Pete Beach FL 33706

Date: March 13, 2023

Prepared By: Peyt Dewar, Code Enforcement Manager

Through: Michelle Gonzalez, Community Development Director

Summary of Issue: The property was found in violation of section 8.2, by the Special Magistrate on December 1, 2021, for short-term rental. This constitutes a repeat violation of the section mentioned above.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Special Magistrate Order
2. Evidence
3. Notice of Repeat Violation
4. Affidavit of Posting Repeat
5. Repeat Notice of Hearing

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20210559

ADDRESS: 2692 W. Vina Del Mar Blvd.

RANDALL ARROYO,

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on December 1, 2021, 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 Code Enforcement Officer Orgilon Nero.
2. Respondent, Randall Arroyo, 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 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.**
5. The City presented evidence establishing the property had been used for transient occupancy as it had been rented for a period of less than thirty (30) days in violation of the City's Code.
6. Respondent did not contest the property was rented on a short-term basis.

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. The property is now in compliance and no fines will be assessed.
8. 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.
9. Respondent is ordered to immediately cease renting the property for a term less than thirty (30) days.
10. Should Respondent 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 Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.

Order entered on December 2, 2021.

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 Respondent at 8109 Platts Ave., Orlando, FL 32832-5087 on December 2, 2021.

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.

CE20230107

Online ad

The screenshot shows an Airbnb listing for 'Waterfront Beach Cottage w/Lag'. The browser address bar is circled in red, showing the URL: https://www.airbnb.com/rooms/45725967?source_impression_id=p3_1677201482_GCUqPcA9KGMr7EVS&guests=1&adults...

Entire cottage hosted by Shanel
9 guests · 3 bedrooms · 5 beds · 2 baths

Features:

- Dedicated workspace**
A common area with wifi that's well-suited for...
- Self check-in**
Check yourself in with the keypad.
- Shanel is a Superhost**
Superhosts are experienced, highly rated hosts who make great stays for guests.

aircover
Every booking includes free protection from inaccuracies, and other issues like trouble check-in.

Price and Reviews: \$424 night, 4.64 · 14 reviews

Select dates
Minimum stay: 5 nights

Calendar:

May 2023							June 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24

The date May 25, 2023, is selected. The system also shows a 'CHECK-IN' date of 5/25/2023 and a 'CHECKOUT' field with the text 'Add date'.

The Windows taskbar at the bottom shows the time as 8:19 PM on 2/23/2023, which is circled in red.

2692 W Vina Del Mar Blvd

CE20230107

Online ad

The screenshot shows an Airbnb listing for 'Waterfront Beach Cottage w/Lag' hosted by Shanel. The listing details include 9 guests, 3 bedrooms, 5 beds, and 2 baths. A date selection calendar is overlaid on the listing, showing May and June 2023. The calendar highlights the 10th of May as the check-in date. The price is \$424 per night, and the listing has a 4.64-star rating from 14 reviews. The Windows taskbar at the bottom shows the time as 9:22 AM on 2/24/2023.

Waterfront Beach Cottage w/Lag

https://www.airbnb.com/rooms/45725967?source_impression_id=p3_1677248503_ulhc0klAjnvssf%2Bs&check_in=2023-05-...

Entire cottage hosted by Shanel

9 guests · 3 bedrooms · 5 beds · 2 baths

\$424 night ★ 4.64 · 14 reviews

Select dates
Minimum stay: 7 nights

CHECK-IN
5/10/2023

CHECKOUT
Add date

May 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

June 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

aircover

Every booking includes free protection from inaccuracies, and other issues like trouble che...

Type here to search

9:22 AM
2/24/2023

2692 W Vina Del Mar Blvd

CE20230107

Online ad

The screenshot shows an Airbnb listing for 'Waterfront Beach Cottage w/Lag' hosted by Shanel. The listing details include 9 guests, 3 bedrooms, 5 beds, and 2 baths. A date selection calendar is overlaid on the listing, showing April and May 2023. The calendar highlights the 11th of May as the check-in date. The price is \$424 per night, and the listing has a 4.64-star rating from 14 reviews. The listing also features amenities like a dedicated workspace, self check-in, and Superhost status. The Windows taskbar at the bottom shows the time as 8:58 AM on 2/25/2023.

Waterfront Beach Cottage w/Lag

https://www.airbnb.com/rooms/45725967?source_impression_id=p3_1677333476_uR1T1i%2BsVuU6SP%2FT&check_in=2023-05-...

Entire cottage hosted by Shanel

9 guests · 3 bedrooms · 5 beds · 2 baths

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

Self check-in
Check yourself in with the keypad.

Shanel is a Superhost
Superhosts are experienced, highly rated hosts who are committed to providing excellent stays for guests.

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

Select dates
Minimum stay: 7 nights

\$424 night ★ 4.64 · 14 reviews

CHECK-IN 5/11/2023 × CHECKOUT Add date

April 2023 May 2023

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

8:58 AM 2/25/2023

2692 W Vina Del Mar Blvd



The Sunset Capital of Florida

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

NOTICE OF REPEAT VIOLATION

02/26/2023

ARROYO, RANDALL, ARROYO, SHANEL
3014 FLAGLER AVE
KEY WEST, FL 33040-4006

RE: Case Number 20230107
Violation: Sec. 8.2. - Short term rental
Violation Address: 2692 W VINA DEL MAR BLVD
Parcel ID#: 183216942300011460

Dear Property Owner:

There are online ads showing that your property was being advertised for rent on a short term basis in violation of the Special Magistrate's order.

Your property was found in violation by the Special Magistrate on December 2, 2021 , for the same violation (Sec. 8.2. - Permitted principal uses and structures.). This constitutes a repeat violation of the section mentioned above and will not be allowed to continue. Once you are cited for a violation of the Code for a specified activity, such citation remains in effect for repeat violations.

Please be advised that this matter is being referred to the Special Magistrate for hearing on March 13, 2023.

If you require further information, please contact Code Enforcement at (727) 363-9211 or (727) 363-9209 between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday.

Sincerely,

Peyt Dewar
Code Enforcement Manager

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: 2692 W VINA DEL MAR BLVD

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

Name of Property Owner(s): ARROYO, RANDALL, ARROYO, SHANEL

Case No.: 20230107 Code Enforcement Manager: Peyt Dewar

Hearing Date: 03/13/2023 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 02/26/2023

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: 20230107

vs.

ARROYO, RANDALL, ARROYO, SHANEL
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 **03/13/2023** 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 **2692 W VINA DEL MAR BLVD** 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 02/26/2023



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.