CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

May 8, 2023 - 10:00 A.M.

PRESENT: Erica Augello, Special Magistrate
Matthew McConnell, Assistant City Attorney
Michelle Gonzalez, Community Development Director
Ginny Bodkin, Deputy City Clerk
Peyt Dewar, Code Enforcement Manager
Steve Rivera, Code Enforcement Officer
Luis Cruz, Code Enforcement Officer

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

Changes to the Agenda – No changes.

2. **Cases Complied or Continued** –

   A. **Case No. 20220685 City of St. Pete Beach v. Myna Investments LLC Address: 562 71st Ave. St. Pete Beach FL 33706 Sec. 36.4. - Prohibited uses and structures.**

Assistant City Attorney Matthew McConnell requested that this fine appeal be stayed until the resolution of the Appeal Case 23-CA-006493. Special Magistrate Augello confirmed the agreement of Respondent's Attorney Joseph Kenny who was present; the order will reflect same.

3. **New Cases** –

   A. **Case No. 20230160 City of St. Pete Beach v. Eduardo & Claudia Lucia Irrazabal, Address: 220 45th Ave. St. Pete Beach FL 33706 - Sec. 9.2. - Permitted principal uses and structures.**

Code Enforcement Officer Steve Rivera presented a summary and the evidence for this case including proof of notice. The compliance date was March 19, 2023. Mr. Rivera reviewed corrective action and recommended fines.

No one was present for the Respondent/property owner.

Special Magistrate Augello found there was no violation as the Respondents and property were compliant by the set deadline.

4. **Old Cases** – None.

5. **Repeat Violations** –

   A. **Case No. 20230162 City of St. Pete Beach v. Schwind, Edward M Address: 280 72nd Ave. St. Pete Beach FL 33706 - Sec. 9.2. - Permitted principal uses and structures.**

Code Enforcement Officer Luis Cruz presented a summary and evidence for this case including proof of notice. He presented the Magistrate's Finding of Fact dated 8/23/18 for the same Respondents and matter. The property is currently compliant; Mr. Cruz reviewed suggested fines.

No one was present for the Respondent; he had indicated to Mr. Cruz that he would be present.

Based upon the evidence presented, Special Magistrate Augello found that the Respondent and property were in repeat violation of the cited provision and assessed fine of $500 per day from March 12 to March 21, 2023 plus reasonable administrative costs. The Respondent is to immediately cease advertising for anything less than 30 days.

6. **Lien Reductions** – None.

7. **Next Meeting** – June 12, 2023.

8. There being no further business, the hearing was adjourned at 10:15 AM.

Attest:

Amber LaRowe, City Clerk