



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, January 8, 2024
10:00 AM

Call to Order
Pledge of Allegiance

CASE DOCKET

1. Administration of Oath
2. Cases Complied or Continued

A. Case No. 20230204
City of St. Pete Beach v. Patrick M Helmer & Carolyn F Helmer
Address: 6461 4th Palm PT

Status hearing on forty-five extension to correct the following issues:

- a. Repair, to the satisfaction of the City, the cracks in the driveway, or submit a permit for replacement or paving of same;
- b. Repair, to the satisfaction of the City, the cracks in the brick knee wall/retaining wall, or submit a permit for replacement or renovation of same;
- c. Secure permit for demolition and renovation of interior and exterior of property, to include repair or replacement of windowsills/shutters, fascia board on eaves/roof, and garage door.

3. New Cases

A. Case No. 20230590
City of St. Pete Beach v. Gabi 2022 LLC
Address: 350 73rd Ave. St. Pete Beach FL 33706
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 building official 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.

B. Case No. 20230610

City of St. Pete Beach v. Daniel McGeehan

Address: 216 45th Ave. St Pete Beach FL 33706

Sec. 98-65 - Unsightly conditions.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:

(3) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

Sec. 98-66 - Residential and Commercial Property Maintenance

(a) All premises shall be maintained in compliance with the standards in this section.

(b) Standards for improved property.

(2) Exterior walls. Exterior walls of buildings shall be:

a. Maintained free from holes, breaks, and loose or rotting materials; and

b. Maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage.

Any graffiti shall be removed or repainted to match existing surfaces.

(14) Overhang extensions. All overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored to remain in sound condition. All exposed surfaces of metal or wood shall be protected from the elements, decay or rust.

C. Case No. 20230459

City of St. Pete Beach v. Matthew R Macintyre and Kurt Macintyre

Address: 561 78th Ave. St. Pete Beach FL 33706

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 building official 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.

Sec. 98-65. - Unsightly conditions.

The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:

(3) Building exteriors in a condition of deterioration or disrepair such that the condition causes measurable diminution of surrounding property values.

(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

Sec. 98-66. - Residential and commercial property maintenance.

(a) All premises shall be maintained in compliance with the standards in this section.

(b) Standards for improved property.

(2) Exterior walls. Exterior walls of buildings shall be:

a. Maintained free from holes, breaks, and loose or rotting materials; and

b. Maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.

(6) Exterior doorframes and storefronts. Exterior doorframes and storefronts shall be maintained in good condition. All moldings shall be securely attached to the structure and maintained in good condition without splitting or deterioration.

(12) Gutters and downspouts. Gutters and downspouts shall be maintained in good repair and shall be neatly located and securely installed.

D. Case No. 20230668

City of St. Pete Beach v. Hossein Yazdany

Address: 5050 Gulf Blvd #B St. Pete Beach FL 33706

Sec. 26.4. - Prohibited signs. The following signs and sign types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign type which is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5. (e) Wind signs.

E. Case No. 20230661

City of St Pete Beach v. Vernon D Walker and Charlotte B Walker

Address: 3507 Belle Vista Dr. E St. Pete Beach FL 33706

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.

Sec. 98-66. - Residential and commercial property maintenance. (a) All premises shall be maintained in compliance with the standards in this section. (b) Standards for improved property. (7) Exterior surface treatment. All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

F. Case No. 20230450

City of St. Pete Beach v. Mark D Jasperson TRE

Address: 450 75th Ave. St. Pete Beach FL 33706

Sec. 26.14. - Maintenance of signs.

(a) Maintenance of signs.

(2) Nonconforming signs may suffer only ordinary and customary repairs and maintenance. As provided in section 26.11, a lawfully-erected nonconforming sign shall not be structurally altered except in full conformance with this division. Nonconforming signs that are considered abandoned pursuant to this division shall be demolished or removed.

Sec. 26.4. - Prohibited signs.

The following signs and sign types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign type which is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

(h) Abandoned and discontinued signs.

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 building official 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.

Sec. 98-66. - Residential and commercial property maintenance.

(a) All premises shall be maintained in compliance with the standards in this section.

(b) Standards for improved property.

(24) Fences and walls. Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

G. Case No. 20230611

City of St. Pete Beach v. Steven R Gordon and Colton Gordon

Address: 860 Boca Ciega Isle Dr. St. Pete Beach FL 33706

Sec. 6.15. - Fences and walls. Fences and walls are permitted, provided fences and walls shall not exceed four feet in height in required front yards and eight feet in height elsewhere. Secondary front yards shall also be considered as front yards for the purposes of this section; provided, however, fences and walls in waterfront yards shall not exceed four feet in height.

Sec. 6.23. - Docks. It is the intent of the city, together with the Pinellas County Water and Navigation Control Authority, to regulate the construction of residential and commercial dock facilities in order to minimize the adverse impacts of such activities upon the natural resources of the City of St. Pete Beach, Pinellas County and the State of Florida. (f) Dock repairs. (1) All dock repairs, including repairs to or replacement of permitted boat lifts, shall require a permit from the city, unless otherwise provided in this subsection. (2) Replacement of deck boards, only, on a residential dock shall not require the issuance of a permit from the city. All deck boards shall meet the minimum construction criteria as required by the Pinellas County Water and Navigation Control Authority.

4. Old Cases

A. Case No. 20230536

City of St. Pete Beach v. Jeffrey Myers

Address: 191 73rd Ave. St. Pete Beach FL 33706

Status hearing on a 30-day extension to remove the portal storage unit (POD), remove the remaining debris and furniture, etc., and remove or address the issues with the trailers, RV, and clothing.

B. Case No. 20230436

City of St. Pete Beach v. Highland Properties of W Florida LC

Address: 601 78th Ave. St. Pete Beach FL 33706

Status hearing for 30-day extension to apply for and secure a permit for the demolition and renovation/conversion of the detached garage, or to revert the structure to its prior condition.

C. Case No. 20230458

City of St. Pete Beach v. Citrus Property Inv Inc

Address: 7700 Blind Pass Rd. St. Pete Beach FL 33706

Status Hearing on 30-day extension to secure the required permit(s)

D. Case No. 20230541

City of St. Pete Beach v. Wilmington Savings Fund Society FSB TRE Pretium Mortgage Acquisition Trust

Address: 809 59th Ave. St. Pete Beach FL 33706

Status Hearing on extension til December 23rd, 2023 to make necessary repairs and bring property into compliance

5. Repeat Violation

6. Lien Reductions

A. Case No. 20230334

City of St. Pete Beach v. Soflan Investments LLC

Address: 3511 Gulf Blvd. St. Pete Beach FL 33706

Lien Reduction Request

7. Next Meeting:

8. 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.