



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.

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

Agenda Report

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

Date: January 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: 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.

Funding: NA

Requested Motion: NA

Attachments: 1. Final Administrative Order (Case No 20230204 - Helmer)

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230204

ADDRESS: 6461 4th Palm Point

**PATRICK M. & CAROLYN F.
HELMER,**

Respondents.

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on November 13, 2023, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

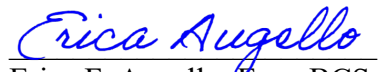
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Steven Rivera.
2. Respondent, Patrick Helmer, appeared via telephone.
3. Respondents own the subject property, and legally required notice of this proceeding was served on Respondents in accordance with applicable law.
4. Respondents were notified that they were in violation of Sections 23.13, 46-33, 98-65, 98-66, and 98-123.1 of the City's Code of Ordinances by conducting unpermitted work on the structure, allowing for the driveway to fall into disrepair with cracks and fissures, allowing cracks in the brick knee wall on the property, as well as generally failing to maintain the outward appearance of the property.
5. Code Enforcement Officer Rivera submitted photographic evidence demonstrating demolition work to cabinets and flooring, along with disposal of debris from demolition in a dumpster located on property that required permits; photographs demonstrating the cracks in the driveway in need of repair, as well as large cracks in a brick knee wall or retaining wall on the property; and missing pieces of window sill exposing rebar, chipped and broken window shutters, peeling paint on fascia board, and peeling paint on the garage door.
6. Respondent testified that he hired a contractor in March 2023 and was told the City allowed him to do some initial demolition that was not structural, which is what he believed was

conducted. He also testified that he had been going back and forth with the City, and been through several contractors, to submit proper engineered plans due to the implication of some structural components. He anticipates that he will be replacing or installing pavers on the driveway, as well as renovating the knee wall in the future, but that he will be replacing the garage door along with this renovation.

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

7. Respondents are found to be and remain in violation of Sections 23.13, 46-33, 98-65, 98-66, and 98-123.1 of the City's Code of Ordinances.
8. Respondents shall have until forty-five (45) days from the date of this Order, or by **Friday, December 29, 2023**, to complete the following:
 - 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.
9. A status hearing is set for **January 8, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.
10. No decision on fines and administrative costs is being made as part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
11. It is Respondents' responsibility to notify the City once the property is in compliance.
12. 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 14, 2023.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to Respondent at 6461 4th Palm Point, St. Pete Beach, Florida 33706.

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 submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.

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

Agenda Report

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

Date: January 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **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.

The property has had unpermitted interior renovations done without the proper permitting.

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

11/2/2023

GABI 2022 LLC
63 ASILOMAR RD
LAGUNA NIGUEL, CA 92677-1021

RE: Case Number 20230590
Violation Address: 350 73RD AVE
Parcel ID#: 363115779940480050

Dear Property Owner:

Your property has had unpermitted interior renovations done without the proper permitting. You are in violation of the following section:

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.

These violation(s) must be corrected **no later than 11/16/2023**. 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

Luis Cruz 727-589-2564

CE20230590

- Respondent(s): Gabi 2022 LLC**
- Violation address: 350 73rd Ave.**
- Violation(s) description: The property is in violation of section 98-123.1 Permits required of the Code of Ordinances of the City of St. Pete Beach**

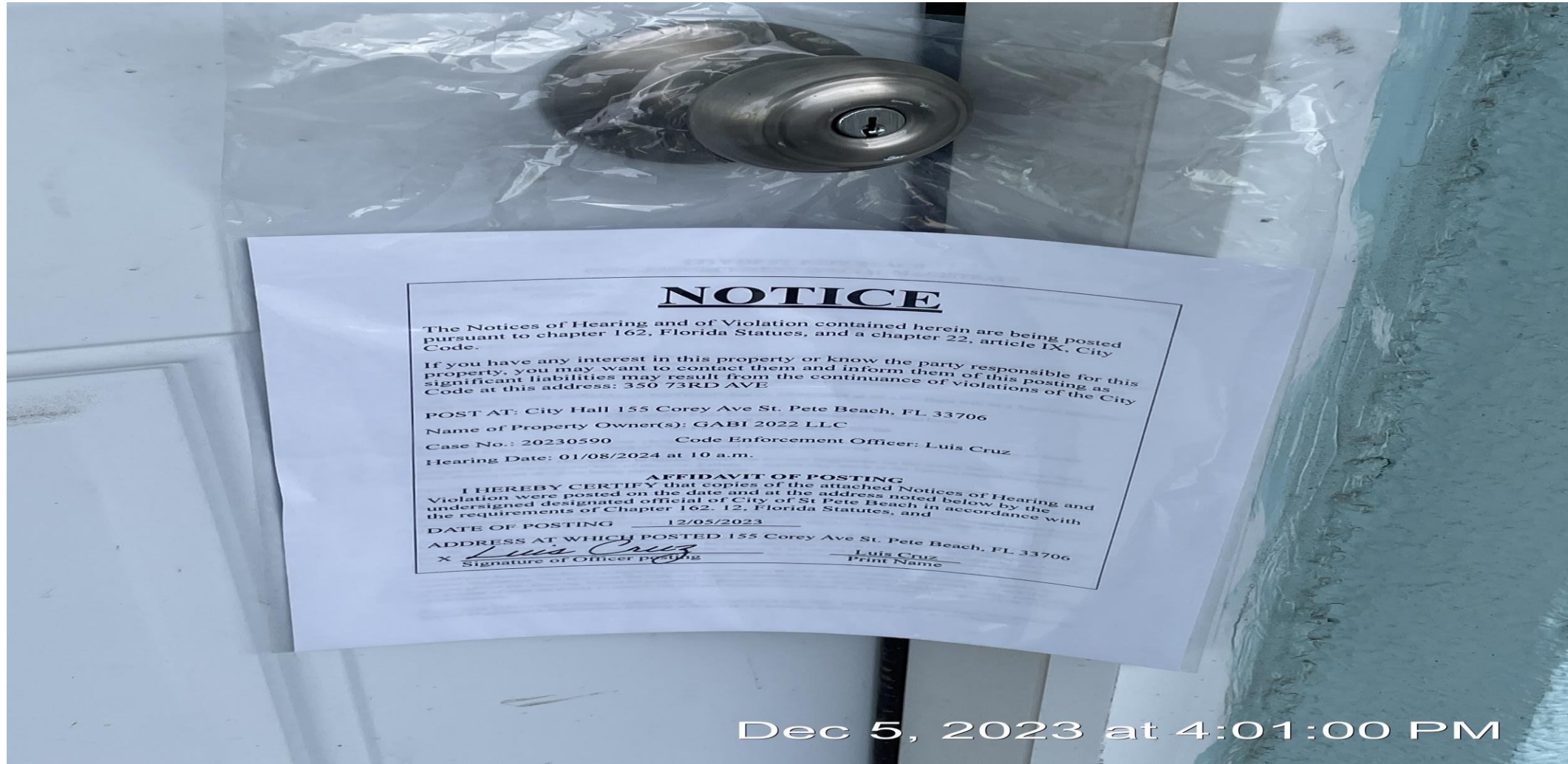
CE20230590

Case Summary

- Initial inspection: 10/6/2023**
- Notice of Violation dated: 11/2/2023**
- Notice of Violation compliance date: 11/16/2023**
- Notices of Hearing dated and posted on the property: 12/5/2023**

CE20230590

Affidavit of Posting



350 73rd Ave.

CE20230590

Unpermitted interior remodel unit #1



350 73rd Ave.

CE20230590

Unpermitted interior remodel unit #1



350 73rd Ave.

CE20230590

Unpermitted interior remodel unit #1



350 73rd Ave.

CE20230590

Unpermitted interior remodel unit #2



350 73rd Ave.

CE20230590

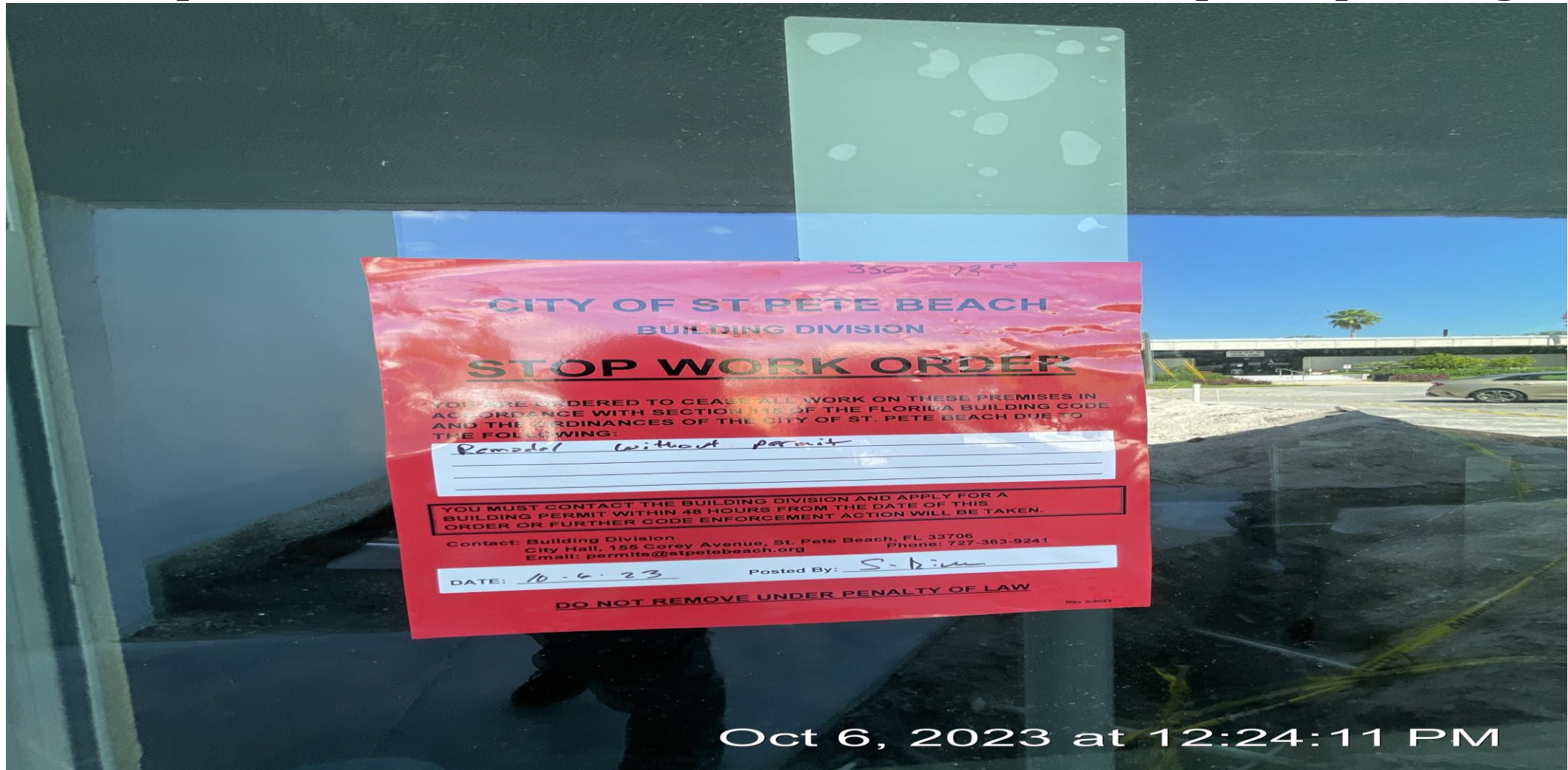
Unpermitted interior remodel unit #2



350 73rd Ave.

CE20230590

Stop Work Order Posted on property



350 73rd 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: 350 73RD AVE

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

Name of Property Owner(s): GABI 2022 LLC

Case No.: 20230590 Code Enforcement Officer: Luis Cruz

Hearing Date: 01/08/2024 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 12/05/2023

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

X *Luis Cruz*
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: 20230590

vs.
GABI 2022 LLC
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 **01/08/2024** 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 **350 73RD 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,

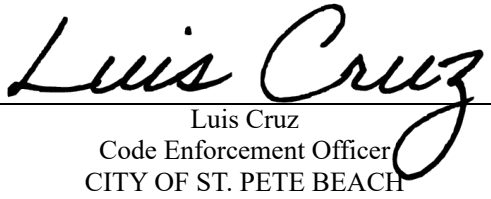
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 12/05/2023


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. 20230610**
 City of St. Pete Beach v. Daniel McGeehan
 Address: 216 45th Ave. St Pete Beach FL 33706

Date: January 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **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.

The soffit near the garage is in disrepair and needs fixed. If you have any questions, please feel free to contact our office.

Funding: NA

Requested Motion: NA

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

10/31/23

MCGEEHAN, DANIEL
216 45TH AVE
ST PETE BEACH, FL 33706-2525

RE: Case Number 20230610
Violation Address: 216 45TH AVE
Parcel ID#: 073216516780030160

Dear Property Owner:

The soffit near the garage is in disrepair and needs fixed. If you have any questions, please feel free to contact our office.

Sec. 98-65 - Unsightly Conditions.

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

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.

These violation(s) must be corrected **no later than 11/14/23**. 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,

Steven Rivera *727-235-5398*

Steven Rivera
Code Enforcement Officer

CE20230610

- Respondent(s): Daniel McGeehan**
- Violation address: 216 45th Ave.**
- Violation(s) description: The property is in violation of section 98-65 (3) Unsightly Conditions and 98-66 (a), (b), (2)a, b, and (14) of the Code of Ordinances of the City of St. Pete Beach**

CE20230610

Case Summary

- Initial inspection: 10/23/2023**
- Notice of Violation dated: 10/31/2023**
- Notice of Violation compliance date: 11/14/2023**
- Notices of Hearing dated and posted on the property: 12/21/2023**

CE20230610

Affidavit of Posting



216 45th Ave.

CE20230610

Soffit in disrepair



216 45th Ave.

CE20230610

Soffit in disrepair



216 45th Ave.

CE20230610

Soffit in disrepair



216 45th 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: 216 45TH AVE

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

Name of Property Owner(s): MCGEEHAN, DANIEL

Case No.: 20230610 Code Enforcement Officer: Steven Rivera

Hearing Date: 01/08/2024 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 12/21/2023

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20230610

vs.
MCGEEHAN, DANIEL
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 **01/08/2024** 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 **216 45TH 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 12/21/2023

Steven Rivera

Steven Rivera
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. 20230459**
 City of St. Pete Beach v. Matthew R Macintyre
 and Kurt Macintyre
 Address: 561 78th Ave. St. Pete Beach FL 33706

Date: January 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **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.

The property exterior needs to be cleaned & painted, obtain proper after-the-fact permit for the structural work done to rear porch without a permit, and make necessary repairs to any rotted wood on the buildings.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Amended Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing



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

AMENDED NOTICE OF VIOLATION

11/7/2023

MACINTYRE, MATTHEW R MACINTYRE, KURT
PO BOX 11238
ST PETERSBURG, FL 33733-1238

RE: Case Number 20230459
Violation Address: 561 78TH AVE
Parcel ID#: 363115615240800010

Dear Property Owner:

Your property's exterior needs to be cleaned & painted, obtain proper after-the-fact permit for the structural work done to lanai without a permit, and make necessary repairs to any rotted wood on the buildings.

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.
- (17) Accessory structures. Garages, storage buildings and all other accessory structures shall be maintained and kept in good repair and sound structural condition.
- (20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.
- (e) Outdoor storage. Outside storage of materials and equipment shall be restricted to the rear yard area and screened by an opaque fence or hedge so that such materials are not visible from any public right-of-way or adjoining lot.

These violation(s) must be corrected **no later than 11/28/2023**. 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

 727-589-2564

CE20230459

- Respondent(s): Matthew R Macintyre & Kurt Macintyre**
- Violation address: 561 78th Ave.**
- Violation(s) description: The property is in violation of sections 98-65 Unsightly conditions (3) & (4) and 98-66 Residential and commercial property maintenance (a), (b), (2) a. & b. , (6), & (12) of the Code of Ordinances of the City of St. Pete Beach**

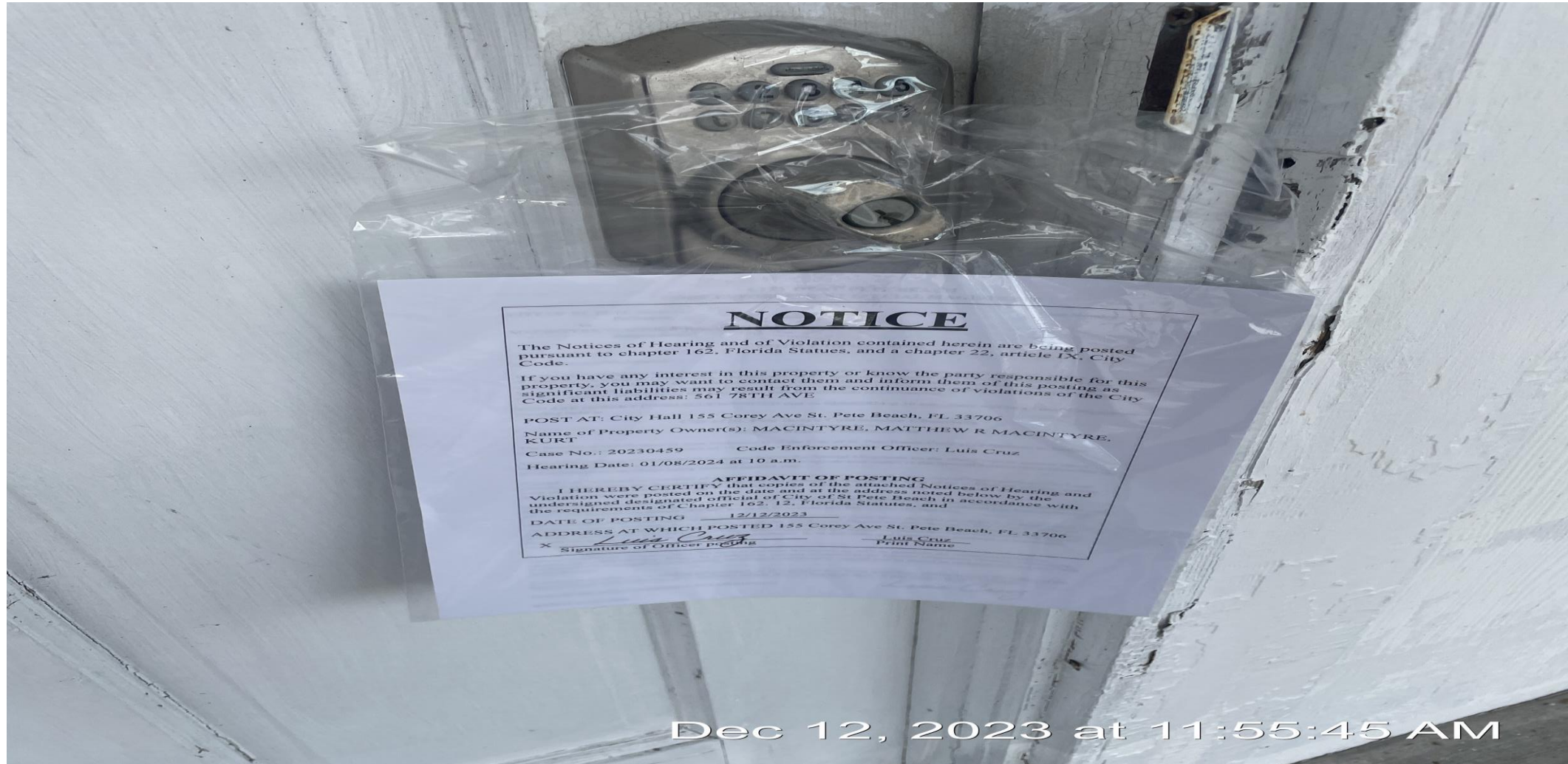
CE20230459

Case Summary

- Initial inspection: 8/7/2023**
- Amended Notice of Violation dated: 11/7/2023**
- Notice of Violation compliance date: 11/28/2023**
- Notices of Hearing dated and posted on the property: 12/12/2023**

CE20230459

Affidavit of Posting



Dec 12, 2023 at 11:55:45 AM

561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Gutter held up by bungee cord



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



Aug 7, 2023 at 5:13:57 PM

561 78th Ave.

CE20230459

Unpermitted structural work done to porch



561 78th Ave.

CE20230459

Stop Work Order posted

CITY OF ST PETE BEACH
BUILDING DIVISION

STOP WORK ORDER

YOU ARE ORDERED TO CEASE ALL WORK ON THESE PREMISES IN ACCORDANCE WITH SECTION 115 OF THE FLORIDA BUILDING CODE AND THE ORDINANCES OF THE CITY OF ST. PETE BEACH DUE TO THE FOLLOWING:

Unauthorized structural support work
on patio.

YOU MUST CONTACT THE BUILDING DIVISION AND APPLY FOR A BUILDING PERMIT WITHIN 48 HOURS FROM THE DATE OF THIS ORDER OR FURTHER CODE ENFORCEMENT ACTION WILL BE TAKEN.

Contact: Building Division
City Hall, 155 Corey Avenue, St. Pete Beach, FL 33706
Email: permits@stpetebeach.org Phone: 727-363-9241

DATE: 9/29/23 Posted By: Luis Cruz

DO NOT REMOVE UNDER PENALTY OF LAW

Rev. 3/2023

Sep 29, 2023 at 4:51:29 PM

561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th Ave.

CE20230459

Peeling and flaking sub-standard property



561 78th 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: 561 78TH AVE

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

Name of Property Owner(s): MACINTYRE, MATTHEW R MACINTYRE, KURT

Case No.: 20230459

Code Enforcement Officer: Luis Cruz

Hearing Date: 01/08/2024 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 12/12/2023

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

X *Luis Cruz*
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: 20230459

vs.

MACINTYRE, MATTHEW R MACINTYRE, KURT
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 **01/08/2024** 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 **561 78TH 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 12/12/2023

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. 20230668**
 City of St. Pete Beach v. Hossein Yazdany
 Address: 5050 Gulf Blvd #B St. Pete Beach FL
 33706

Date: January 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: 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.

The wind flags located at the entrance to the business is not permitted and must be removed. If you have any questions, please contact our office.

Funding: NA

Requested Motion: NA

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

12/5/23

YAZDANY, HOSSEIN
4001 25TH AVE N
ST PETERSBURG, FL 33713-3318

RE: Case Number 20230668
Violation Address: 5050 GULF BLVD # B
Parcel ID#: 063216341800000020

Dear Property Owner:

The wind flags located at the entrance to the business is not permitted and must be removed. If you have any questions, please contact our office.

Sec. 26.4. - Prohibited signs.

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.

These violation(s) must be corrected **no later than 12/15/23**. 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,

Steven Rivera *727-235-5398*

Steven Rivera
Code Enforcement Officer

CE20230668

- Respondent(s): Hossein Yazdany**
- Violation address: 5050 Gulf Blvd #B**
- Violation(s) description: The property is in violation of section 26.4 (e) prohibited signs of the Land Development Code of the City of St. Pete Beach**

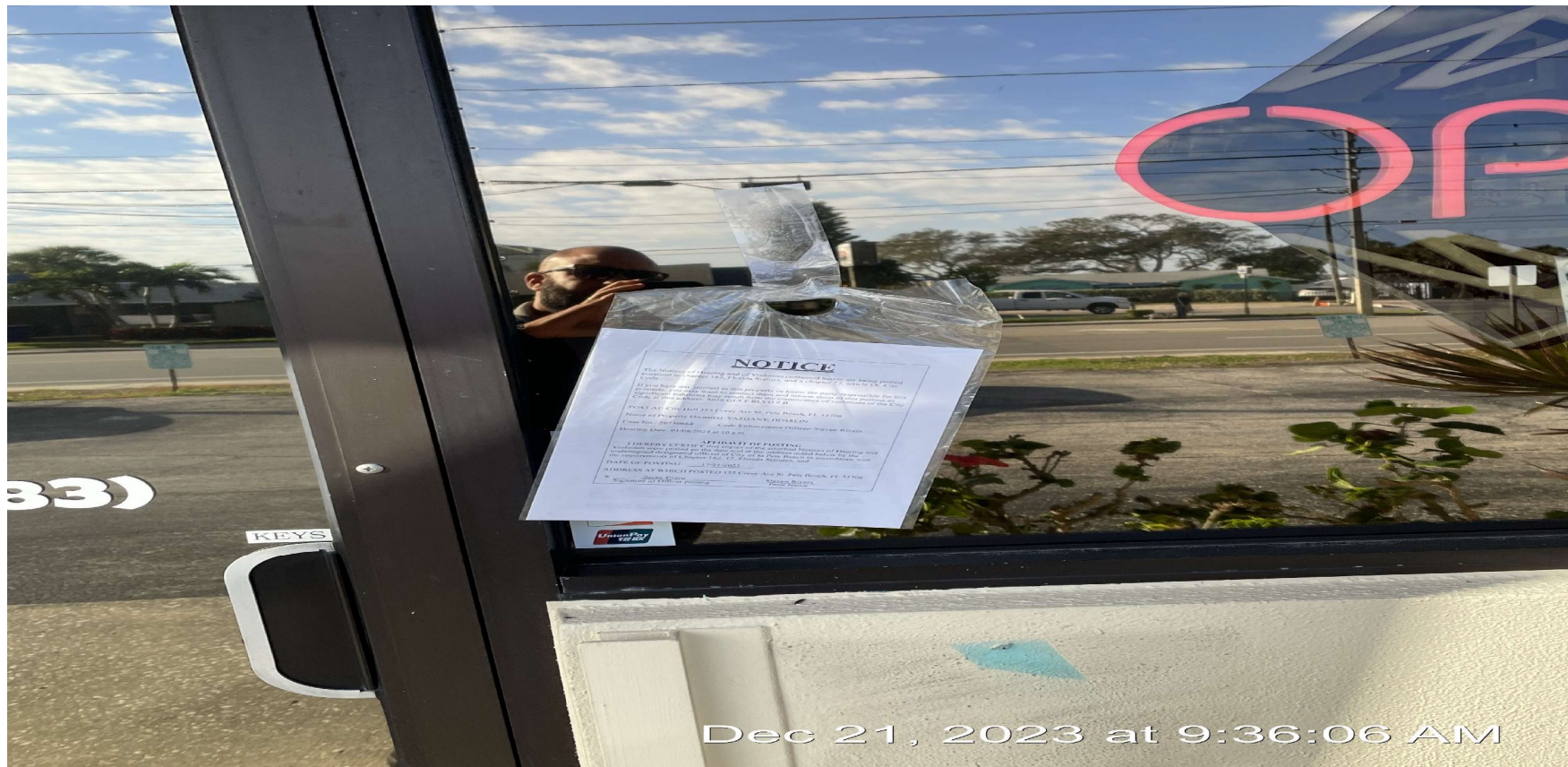
CE20230668

Case Summary

- Initial inspection: 11/30/2023**
- Notice of Violation dated: 12/5/2023**
- Notice of Violation compliance date: 12/15/2023**
- Notices of Hearing dated and posted on the property: 12/21/2023**

CE20230668

Affidavit of Posting



5050 Gulf Blvd #B

CE20230668

Wind signs



5050 Gulf Blvd #B

CE20230668

Wind signs



5050 Gulf Blvd #B

CE20230668

Wind signs



5050 Gulf Blvd #B

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: 5050 GULF BLVD # B

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

Name of Property Owner(s): YAZDANY, HOSSEIN

Case No.: 20230668 Code Enforcement Officer: Steven Rivera

Hearing Date: 01/08/2024 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 12/21/2023

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,
vs.
YAZDANY, HOSSEIN
Respondent(s)

Case Number: 20230668

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 **01/08/2024** 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 **5050 GULF BLVD # B** 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 12/21/2023

Steven Rivera

Steven Rivera
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. 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

Date: January 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: 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.

The fascia board is chipped/peeling in several locations and there is a section near the front door of the structure that has no paint or protective coating at all. The fence was erected/replaced without a permit and an after the fact permit needs to be obtained. If you have any questions, please contact our office.

Funding: NA

Requested Motion: NA

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

11/30/23

WALKER, VERNON D JR WALKER, CHARLOTTE B
3507 BELLE VISTA DR E
ST PETE BEACH FL 33706-2622 ,

RE: Case Number 20230661
Violation Address: 3507 BELLE VISTA DR E
Parcel ID#: 073216075420040280

Dear Property Owner:

The fascia board is chipped/peeling in several locations and there is a section near the front door of the structure that has no paint or protective coating at all. The fence was erected/replaced without a permit and an after the fact permit needs to be obtained. If you have any questions, please contact our office.

Sec. 98-123.1. - Permits required.

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

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.

These violation(s) must be corrected **no later than 12/18/23**. 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,

Steven Rivera *727-235-5398*

Steven Rivera
Code Enforcement Officer

CE20230661

- Respondent(s): Vernon D Walker JR and Charlotte B Walker**
- Violation address: 3507 Belle Vista Dr E**
- Violation(s) description: The property is in violation of section 98-123.1 Permits required, and 98-66 (a), (b), and (7) Residential and Commercial Property Maintenance of the Code of Ordnnances of St. Pete Beach**

CE20230661

Case Summary

- Initial inspection: 11/30/2023**
- Notice of Violation dated: 11/30/2023**
- Notice of Violation compliance date: 12/18/2023**
- Notices of Hearing dated and posted on the property: 12/21/2023**

CE20230661

Affidavit of Posting



3507 Belle Vist Dr. E

CE20230661

Peeling paint on fascia boards



3507 Belle Vista Dr. E

CE20230661
Peeling paint on fascia board



3507 Belle Vista Dr. E

CE20230661
Peeling paint on fascia board



3507 Belle Vista Dr. E

CE20230661

Unpermitted fence



3507 Belle Vista Dr. E

CE20230661

Unpermitted fence



3507 Belle Vista Dr. E

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: 3507 BELLE VISTA DR E

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

Name of Property Owner(s): WALKER, VERNON D JR WALKER,
CHARLOTTE B

Case No.: 20230661 Code Enforcement Officer: Steven Rivera

Hearing Date: 01/08/2024 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 12/21/2023

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20230661

vs.
WALKER, VERNON D JR WALKER, CHARLOTTE B
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 **01/08/2024** 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 **3507 BELLE VISTA DR E** 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 12/21/2023

Steven Rivera

Steven Rivera
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. 20230450**
 City of St. Pete Beach v. Mark D Jasperson TRE
 Address: 450 75th Ave. St. Pete Beach FL 33706

Date: January 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **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.

The sign on the property has been determined to be an abandoned or discontinued nonconforming sign. An abandoned or discontinued nonconforming sign is one associated with a business that has been inactive for 90 consecutive days or longer, or has not had a display for 90 consecutive days or longer, and does not meet the current sign standards for your property's district due to criteria such as setback, height, or size. Abandoned signs must be demolished or removed pursuant to City of St. Pete Beach Land Development Code Section 26.14(a)(2).

Building Signage for inactive business (Letters on Building). Window Signage for inactive business (advertisements in windows & Business Information on front door). Please remove the referenced non-conforming signage.

There is also a fence that has been erected in the back parking area that is unpermitted and in disrepair which must be removed.

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

11/30/2023

MARK D JASPERSON TRE
9824 BAY ISLAND DR
TAMPA, FL 33615

RE: Case Number 20230450
Violation Address: 450 75TH AVE
Parcel ID#: 363115779940600080

Dear Property Owner:

You are receiving this notice as the referenced sign has been determined to be an abandoned or discontinued nonconforming sign. An abandoned or discontinued nonconforming sign is one associated with a business that has been inactive for 90 consecutive days or longer, or has not had a display for 90 consecutive days or longer, and does not meet the current sign standards for your property's district due to criteria such as setback, height, or size. Abandoned signs must be demolished or removed pursuant to City of St. Pete Beach Land Development Code Section 26.14(a)(2).

Building Signage for inactive business (Letters on Building). Window Signage for inactive business (advertisements in windows & Business Information on front door). Please remove the referenced non-conforming signage.

There is also a fence that has been erected in the back parking area that is unpermitted and in disrepair. This fence must be removed as well, and you are in violation of the following sections:

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.

These violation(s) must be corrected **no later than 12/21/2023**. 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,

A handwritten signature in black ink that reads "Luis Cruz". The signature is written in a cursive, flowing style with a large, prominent "L" and "C".

Luis Cruz
Code Enforcement Officer

CE20230450

- Respondent(s): Mark D Jasperson TRE**
- Violation address: 450 75th Ave.**
- Violation(s) description: The property is in violation of sections 26.4 Prohibited signs (h) and 26.14 Maintenance of signs (a) (2) of the Land Development Code of the City of St. Pete Beach**

CE20230450

Case Summary

- Initial inspection: 8/3/2023**
- Notice of Violation dated: 11/30/2023**
- Notice of Violation compliance date: 12/21/2023**
- Notices of Hearing dated and posted on the property: 12/28/2023**

CE20230450

Affidavit of Posting

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: 450 75TH AVE

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

Name of Property Owner(s): MARK D JASPERSON TRE

Case No.: 20230450 Code Enforcement Officer: Luis Cruz

Hearing Date: 01/08/2024 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 12/28/2023

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

X *Luis Cruz* Luis Cruz
Signature of Officer posting Print Name

Dec 28, 2023 at 12:59:48 PM

450 75th Ave.

CE20230450

• Sec. 26.2 Definitions

- All words used in this division shall carry their customary dictionary meanings, except that the following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:**
- Abandoned or discontinued sign or sign structure means**
 - (a) A sign pertaining to or associated with an event, business, service, or purpose which is no longer ongoing and which has been inactive or out of business for a period of 90 consecutive days or longer; or**
 - (b) a sign which contains structural components but no display for a period of 90 consecutive days or longer. This does not include individual panels within a sign for multi-tenant developments unless the multi-tenant development is more than 50 percent vacant.**

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

Business no longer ongoing/out of business



Page 104 of 199

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



8/29/23, 10:13 AM

450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



9/2/23, 10:52 AM

450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

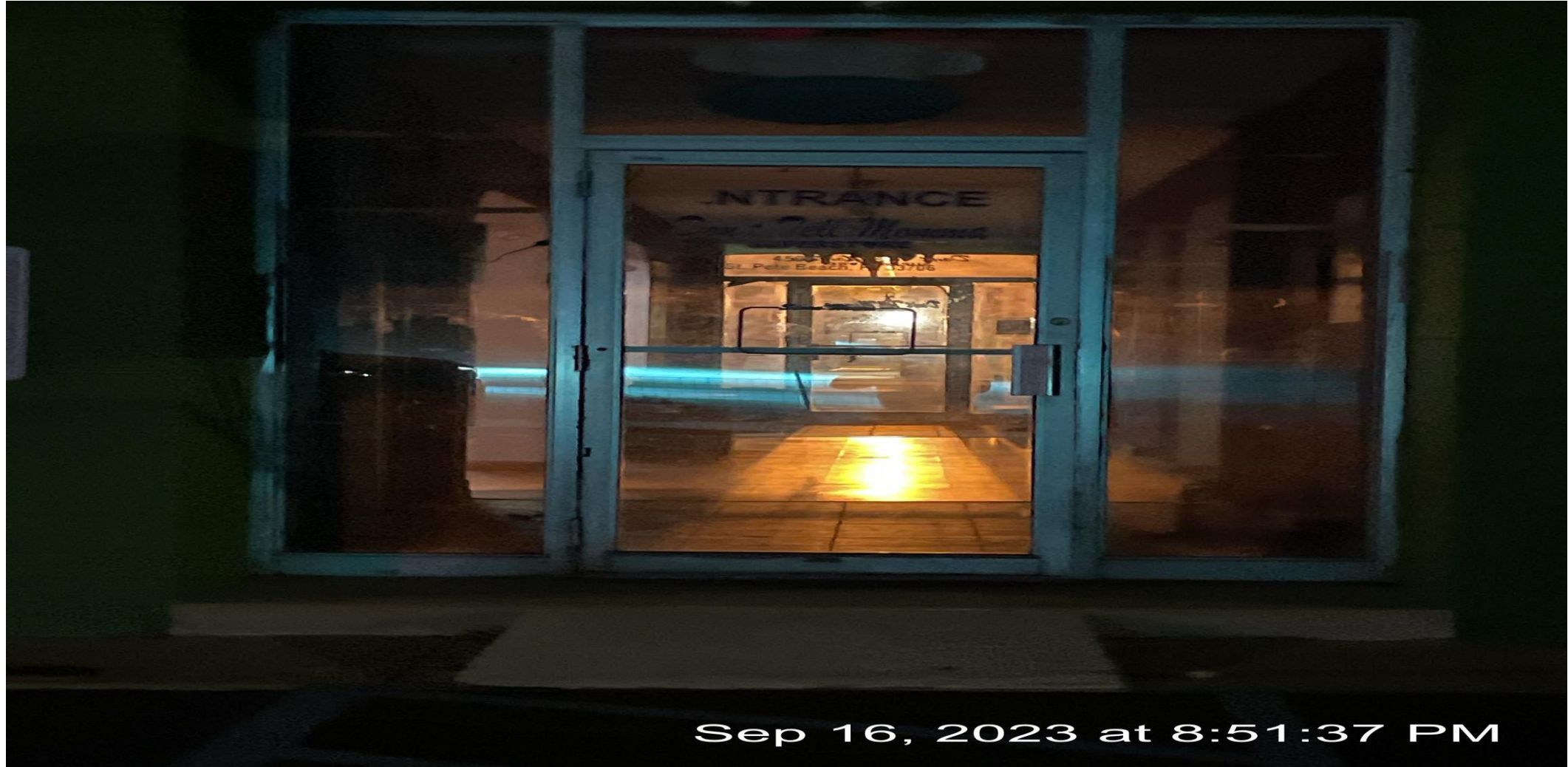
Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



Oct 16, 2023 at 9:45:39 AM

450 75th Ave.

CE20230450

Business no longer ongoing/out of business



Oct 16, 2023 at 9:45:42 AM

450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



Nov 1, 2023 at 4:24:10 PM

450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

Business no longer ongoing/out of business



450 75th Ave.

CE20230450

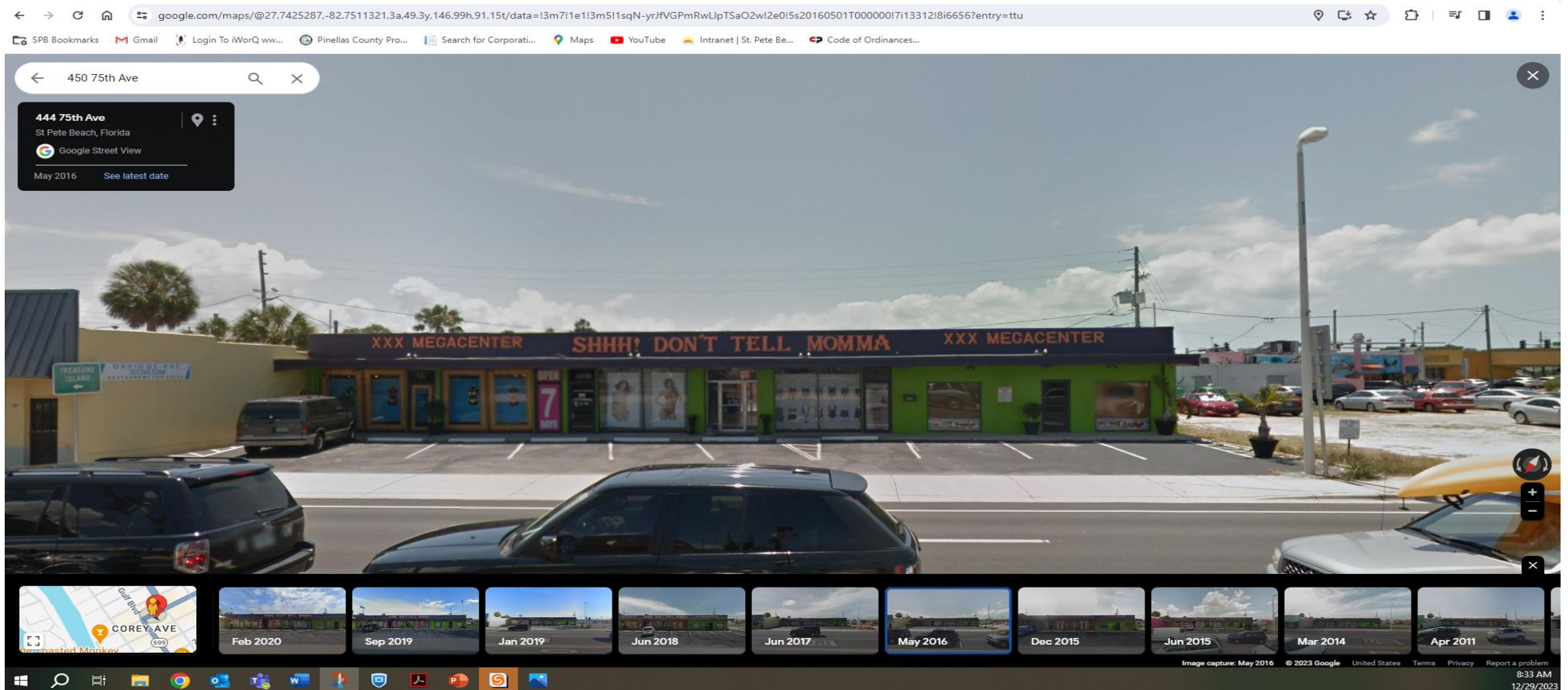
Business no longer ongoing/out of business



450 75th Ave.

CE20230450

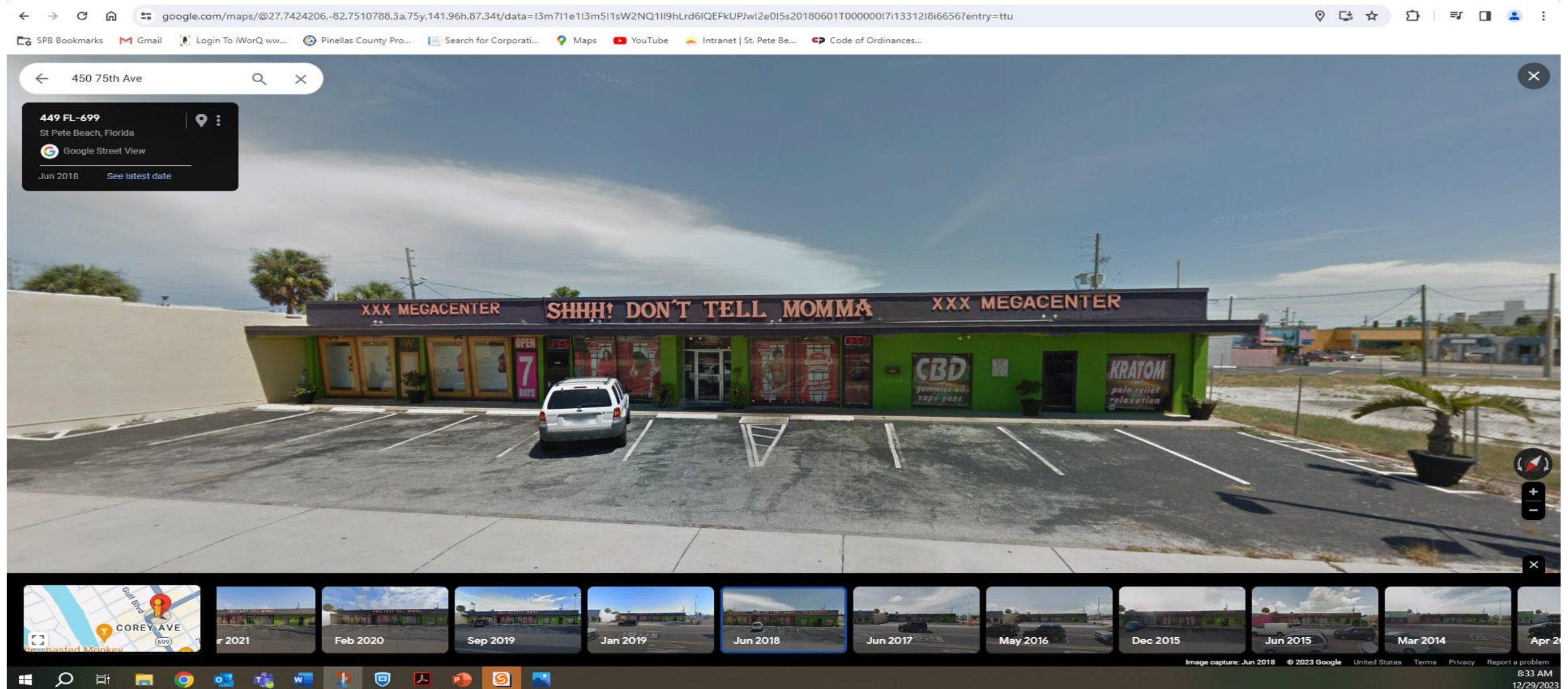
2016 Google image of property



450 75th Ave.

CE20230450

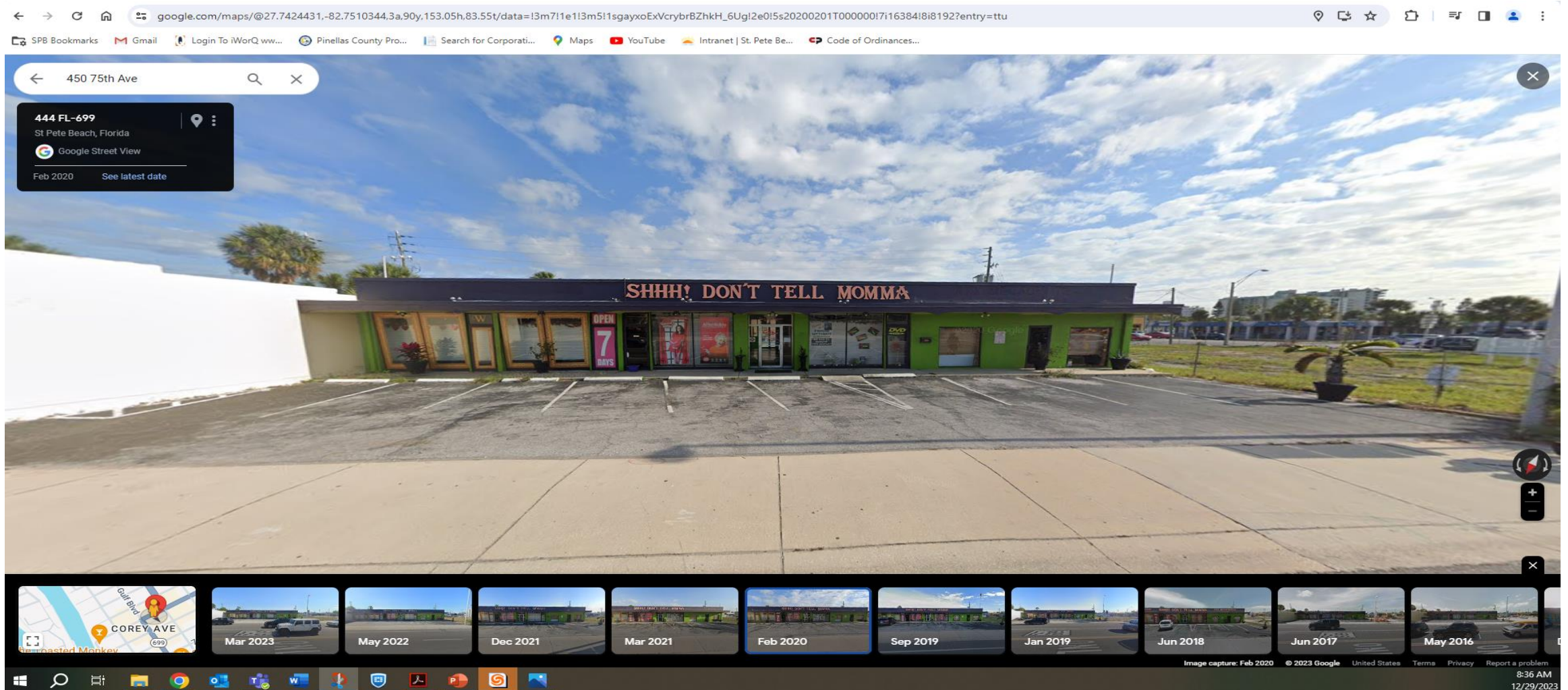
2018 Google image of property



450 75th Ave.

CE20230450

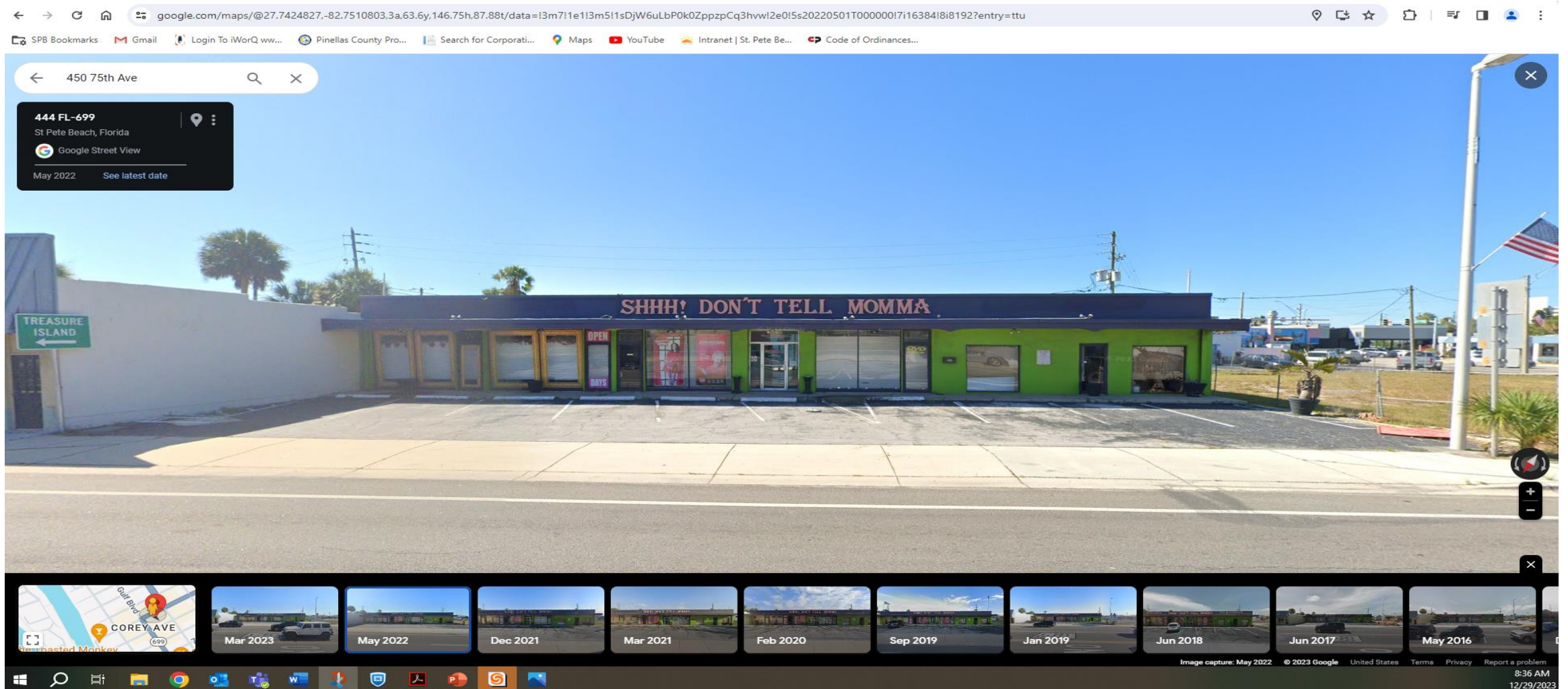
2020 Google image of property



450 75th Ave.

CE20230450

2022 Google image of property



450 75th Ave.

CE20230450

Business no longer ongoing/out of business

Yelp

things to do, nail salons, plumbers

Holiday, FL

Yelp for Business

Write a Review

Log In

Sign Up

Restaurants

Home Services

Auto Services

More





Don't Tell Mamma Adult Mega Center

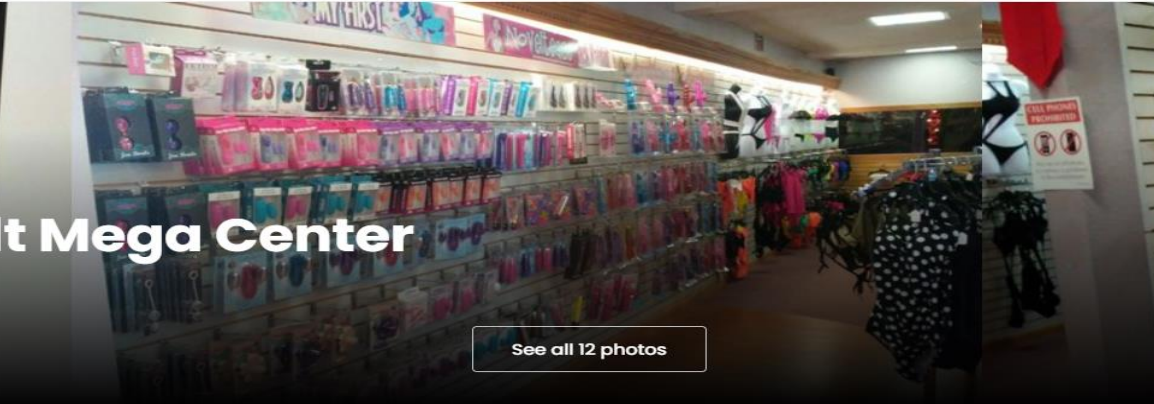
★ ★ ★ ★ ★

3.6 (13 reviews)

Claimed • \$\$\$ • Adult Shops

Closed 12:00 PM - 12:00 AM (Next day)

See hours



Yelpers report this location has closed. Find a similar spot.

Write a review

Add photo

Share

Save

Get Directions

450 75th Ave St. Pete Beach, FL 33706

Suggest an edit

Location & Hours



Mon

12:00 PM - 10:00 PM

Tue

12:00 PM - 10:00 PM

Suggest an edit

Windows Taskbar

8:24 AM 12/29/2023

450 75th 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: 450 75TH AVE

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

Name of Property Owner(s): MARK D JASPERSON TRE

Case No.: 20230450 Code Enforcement Officer: Luis Cruz

Hearing Date: 01/08/2024 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 12/28/2023

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

X *Luis Cruz*
Signature of Officer posting

Luis Cruz
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,
vs.
MARK D JASPERSON TRE
Respondent(s)

Case Number: 20230450

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 **01/08/2024** 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 **450 75TH 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,

Luis Cruz

DATED 12/28/2023

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. 20230611**
 City of St. Pete Beach v. Steven R Gordon and
 Colton Gordon
 Address: 860 Boca Ciega Isle Dr. St. Pete Beach
 FL 33706

Date: January 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: 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.

The dock at rear of property is in disrepair and needs to be fixed. Prior to making repairs, please be sure to obtain necessary permits for the repairs. The fence(s) at rear of property does not meet the height requirements

and needs to be brought down to 4 feet in height. If you have any questions, please feel free to contact our office.

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

10/31/23

GORDON, STEVEN R , GORDON, COLTON
PO BOX 15843
ST PETERSBURG, FL 33733

RE: Case Number 20230611
Violation Address: 860 BOCA CIEGA ISLE DR
Parcel ID#: 063216095940010320

Dear Property Owner:

The dock at rear of property is in disrepair and needs to be fixed. Prior to making repairs, please be sure to obtain necessary permits for the repairs. The fence(s) at rear of property does not meet the height requirements and needs to be brought down to 4 feet in height. If you have any questions, please feel free to contact our office.

6.15 Fences and Walls

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.

6.23.-DOCKS

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.

(3) Residential dock owners shall be permitted to repair or replace residential docks in the same size and configuration as the original permitted dock. A copy of the original county permits and drawings shall be submitted with the permit application. If original county permits cannot be provided, then the application will be reviewed as if it were a new dock permit request. This provision shall supersede requirements for nonconforming structures provided for elsewhere in the Code.

(g) Disrepair or dilapidated docks. If any dock falls into a state of disrepair and becomes a dangerous structure, creating risks to the safety and well-being of the community or individual members thereof, the entire structure shall either be removed or repaired so as to conform to the requirements of this section.

Sec. 98-65 - Unsightly Conditions.

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:

(1) Structures that are:

- a. Partially destroyed; or
- b. Left in a state of disrepair

These violation(s) must be corrected **no later than 11/14/23**. 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,

Steven Rivera *727-235-5398*

Steven Rivera
Code Enforcement Officer

CE20230611

- Respondent(s): Steven Gordon and Colton Gorgon**
- Violation address: 860 Boca Ciega Isle Dr.**
- Violation(s) description: The property is in violation of section 6.15 Fences and Walls of the Land Development Code of the city of St. Pete Beach**

CE20230611

Case Summary

- Initial inspection: 10/31/2023**
- Notice of Violation dated: 10/31/2023**
- Notice of Violation compliance date: 11/14/2023**
- Notices of Hearing dated and posted on the property: 12/28/2023**

[illegible]

Page 182 of 199

CE20230611

Fence exceeds permitted height



860 Boca Ciega Isle Dr.

CE20230611
Fence exceeds permitted height



860 Boca Ciega Isle Dr

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: 860 BOCA CIEGA ISLE DR

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

Name of Property Owner(s): GORDON, STEVEN R , GORDON, COLTON

Case No.: 20230611 Code Enforcement Officer: Steven Rivera

Hearing Date: 01/08/2024 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 12/28/2023

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20230611

vs.
GORDON, STEVEN R , GORDON, COLTON
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 **01/08/2024** 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 **860 BOCA CIEGA ISLE DR** 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 12/28/2023

Steven Rivera

Steven Rivera
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. 20230536**
 City of St. Pete Beach v. Jeffrey Myers
 Address: 191 73rd Ave. St. Pete Beach FL 33706

Date: January 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: 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.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 11/14/2023

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20230536
ADDRESS: 191 73rd Ave.**

JEFFREY MYERS,

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on November 13, 2023, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

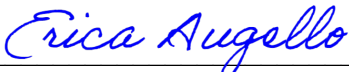
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent appeared and represented himself.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that he was in violation of Sections 6.13, 46-33, and 98-65 of the City's Code of Ordinances allowing a portable storage unit to exist on the property in excess of the time permitted by the City, as well as failing to maintain the property.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating several unregistered or inoperable trailers on the property, as well as a recreational vehicle; photographs depicting clothing hung outside on the second-floor patio; as well as various pieces of furniture and other debris located in the yard area.
6. Respondent testified that he was subject to flooding during the last hurricane. What furniture could be salvaged was loaded into the POD on the property, and he attempted to hire someone to come out and remove the remainder that could not be salvaged, however, was unable to have someone do so. He testified he does not use a dryer and the clothing is air drying in order to conserve energy. Respondent testified that he thinks the RV is registered and it is operable, as well as the trailers, however, he is blind and cannot get a driver's license, so does not know if he can maintain registration on the RV. He testified

that he should have someone coming to help him out with clearing the issues on the property.

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

7. Respondent is found to be and remains in violation of Sections 6.13, 46-33, and 98-65 of the City's Code of Ordinances.
8. Respondent shall have thirty (30) days from the date of this Order, or by **Thursday December 14, 2023**, 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.
9. A status hearing is set for **January 8, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.
10. No decision on fines and administrative costs is being made as part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
11. It is Respondent's responsibility to notify the City once the property is in compliance, if applicable.
12. 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 November 14, 2023.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to Respondent at 191 73rd Ave., St. Pete Beach, Florida 33706.

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 submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.

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

Agenda Report

Issue Considered: **Case No. 20230436**
 City of St. Pete Beach v. Highland Properties of
 W Florida LC
 Address: 601 78th Ave. St. Pete Beach FL 33706

Date: January 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: 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.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 11/14/2023

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230436

ADDRESS: 601 78th Ave.

**HIGHLAND PROPERTIES OF
W FLORIDA, LC.,**

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on November 13, 2023, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

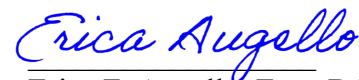
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent's agent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Sections 23.3 and 98-123.1 of the City's Code of Ordinances by attempting to convert a detached garage associated with a single-family dwelling into a habitable apartment.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating demolition and conversion of a detached two-car garage into habitable living space. Officer Cruz, and the City's Senior Planner, Kristin Coman, testified that no permit had been applied for. Ms. Coman also testified that the conversion reduces the required amount of off-street parking required for a one- or two-family dwelling in violation of the code.

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

6. Respondent is found to be and remains in violation of Sections 23-3 and 98-123.1 of the City's Code of Ordinances.

7. Respondent shall have thirty (30) days from the date of this order, or by **Thursday, December 14, 2023**, 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.
8. A status hearing is set for **January 8, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.
9. No decision on fines and administrative costs is being made as part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
10. It is Respondent's responsibility to notify the City once the property is in compliance.
11. 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 November 14, 2023.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to Respondent at 2828 Central Ave., St. Petersburg, Florida 33712.

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 submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.

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

Agenda Report

Issue Considered: **Case No. 20230458**
 City of St. Pete Beach v. Citrus Property Inv Inc
 Address: 7700 Blind Pass Rd. St. Pete Beach FL
 33706

Date: January 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status Hearing on 30-day extension to secure the
 required permit(s)

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 12/15/2023

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

**CITY OF ST. PETE BEACH,
Petitioner,**

v.

**CASE NO.: CE20230458
ADDRESS: 7700 Blind Pass Rd.**

**CITRUS PROPERTY INV INC.,

Respondent.**

_____ /

**AMENDED FINAL ADMINISTRATIVE ORDER
(To Correct Scrivener's Error)**

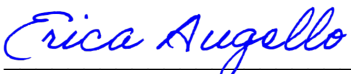
This case came before the Special Magistrate on December 11, 2023, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Charles Flynt, Vice President and General Contractor for Respondent, appeared on behalf of Respondent.
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 that it was in violation of Section 98-123.1 of the City's Code of Ordinances by demolishing and constructing a new dumpster enclosure located in the City right-of-way without the required permits.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the condition of the dumpster enclosure prior to work being done and after work had been completed. Officer Cruz testified that the dumpster enclosure that was erected does not comply with the code, as it is required to be constructed from masonry not wood and chain link fence.
6. Respondent's agent testified that he was unaware a permit was required, and unaware of the requirement to construct the dumpster enclosure with masonry. He testified that he has applied for a permit and is working with the building department to secure same and replace what was constructed with a compliant enclosure.

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

7. Respondent is found to be and remains in violation of Section 98-123.1 of the City's Code of Ordinances.
8. Respondent shall have until thirty (30) days from the date of the hearing, or by **Wednesday, January 10, 2024**, to secure the required permit(s).
9. A status hearing is set for **January 8, 2024, at 10:00 a.m.** A decision on fines and administrative costs may be made at that hearing.
10. No decision on fines and administrative costs is being made as part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
11. It is Respondent's responsibility to notify the City once the property is in compliance.
12. 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 15, 2023.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Agent for Respondent, Charles Flynt, at chuck@arvanapropertymanagement.com

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 submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.

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

Agenda Report

Issue Considered: 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

Date: January 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

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

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 12/13/2023

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230541

ADDRESS: 809 59th Ave.

**WILMINGTON SAVINGS FUND SOCIETY
FSB TRE PRETIUM MORTGAGE
ACQUISITION TRUST,**

Respondent.

AMENDED FINAL ADMINISTRATIVE ORDER

(To Correct Scrivener's Error Only)

This case came before the Special Magistrate on December 11, 2023, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

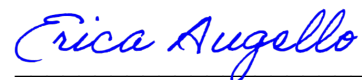
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Attorney Tyler Mesmer appeared on behalf of Respondent.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Sections 46-33 and 98-66 of the City's Code of Ordinances allowing for the property to exist in a state of disrepair.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating warped and peeling fascia board, peeling paint, and discolored stucco.
6. Respondent's attorney did not rebut the state of the property and advised that the property was in the process of being repaired, and permits from the City were already applied for and approved.

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

7. Respondent is found to be and remains in violation of Sections 46-33 and 98-66 of the City's Code of Ordinances.

8. Respondent shall have until **Saturday, December 23, 2023**, to make the necessary repairs and bring the property into compliance.
9. A status hearing is set for **January 8, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.
10. No decision on fines and administrative costs is being made as part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
11. It is Respondent's responsibility to notify the City once the property is in compliance.
12. 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 13, 2023.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to counsel for Respondent, Tyler Mesmer, Esq., at tmesmer@taclosinglaw.com.

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 submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.