



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, February 12, 2024
10:00 AM

Call to Order
Pledge of Allegiance

CASE DOCKET

1. Administration of Oath
2. Cases Complied or Continued

A. 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.

B. Case No. 20230610

City of St. Pete Beach v. Daniel McGeehan

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

Status hearing on thirty extension to make the necessary repairs to bring the property into compliance.

C. 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

Status hearing on a thirty-day extension to obtain an after-the-fact permit and make repairs on property.

D. Case No. 20230459

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

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

Status hearing on a 14-day extension to complete any necessary repairs and finish painting the property.

E. 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 the progress of the required dumpster enclosure permit.

F. Case No. 20230559

City of St. Pete Beach v. Lake Merritt Partners LLC

Address: 636 Corey Ave. St. Pete Beach FL 33706

Status Hearing on 60-day extension to secure the required after-the-fact permits

3. **New Cases**

A. Case No. 20230561

City of St. Pete Beach v. SJ Beach Properties LLC

Address: 6901 Sunset Way St. Pete Beach FL 33706

Sec. 1.3. - Purposes and matters regulated; application of regulations; schedule of district regulations.

(c) Application of regulations. Except as hereinafter provided, no structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any structure or land be used or occupied which does not comply with all the regulations established by this ordinance for the district in which the building or land is located. No part of a yard, other open space, parking or loading space required for a building or use for the purpose of complying with the provisions of this ordinance shall be included as part of a yard, open space, parking or loading space similarly required for another building or use.

Sec. 6.12. - Commercial accessory and temporary equipment, structures, portable buildings and trailers, dumpsters and commercial tents.

(a) Commercial accessory structures may be allowed as follows:

(6) No accessory structure shall be located closer to the public right-of-way than the structure to which it is accessory.

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. 20230513

City of St. Pete Beach v. April Elliott & David Rybarczyk

Address: 423 Corey Ave. St. Pete Beach FL 33706

Sec. 46-33. - Enumeration.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

Sec. 6.12. - Commercial accessory and temporary equipment, structures, portable buildings and trailers, dumpsters and commercial tents.

(d) Dumpsters, commercial waste or refuse containers shall be regulated as follows:

(2) All dumpsters, commercial waste and refuse containers, except those that are specifically approved for temporary location and use, shall be located on the same property with the use it serves and fully enclosed as follows:

b. All dumpsters, commercial waste and refuse containers shall be located within a proper opaque enclosure of sufficient height to fully screen the dumpster, commercial waste or refuse container.

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.

C. Case No. 20230616

City of St. Pete Beach v. Anthony J Perrone

Address: 8151 Blind Pass Rd. #8 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.

D. Case No. 20230602

City of St. Pete Beach v. Ping Pong Partners LLC

Address: 9555 Blind Pass Rd. 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.

4. Old Cases
5. Repeat Violation
6. Lien Reductions

A. Case No. 20220744
City of St. Pete Beach v. Plaza Beach Motel LLC
Address: Gulf Blvd. St. Pete Beach FL 33706
Lien Reduction Request

B. Case No. 20220772
City of St. Pete Beach v. Plaza Beach Motel LLC
Address: 46th Ave. 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.