



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, March 11, 2024
10:00 AM

Call to Order
Pledge of Allegiance

CASE DOCKET

1. Administration of Oath
2. Cases Complied or Continued

A. 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.

B. Case No. 20230513

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

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

Status Hearing on extension to 3/11/2024 to meet with the City to determine if the dumpster enclosure can be removed or if it needs to be replaced, and to make a good faith effort to complete the removal or replacement before the Status Hearing.

C. Case No. 20230590

City of St. Pete Beach v. Gabi 2022 LLC

Address: 350 73rd Ave. St. Pete Beach FL 33706

Status hearing on a 45-day extension to apply for and secure a permit for the unpermitted renovations.

3. New Cases

A. Case No. 20240101

City of St. Pete Beach v. Jesse Hed

Address: 3510 Casablanca AVE. St. Pete Beach FL 33706

Sec. 9.2. - Permitted principal uses and structures. Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows: (a) Residential dwellings—Detached single-family only. Such dwellings shall not be used for transient occupancy

B. Case No. 20240021

City of St. Pete Beach v. Steven D Lower

Address: 505 67th Ave #10 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:

(1) Structures that are:

b. Left in a state of disrepair; or

c. Left in a state of partial construction beyond the valid timeframe of the permit.

C. Case No 20240051

City Of St. Pete Beach v. Philip Parsons & Suzan Lambillotte

Address: 4043 Belle Vista Dr St. Pete Beach FL 33706

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. (22) Trees. Trees shall be maintained or removed as follows: b. Prohibited conditions. The following conditions are prohibited: 1. Trees, plants, shrubs, vegetation, or parts thereof, which overhang any sidewalk, street, alley or fire hydrant, and obstruct or impair the free and full use of the sidewalk, street, alley or fire hydrant by the public. 2. Grass, weeds, shrubs, bushes, trees or vegetation which constitute a fire hazard or a menace to public health, safety or welfare. 3. Removal of obstruction. The owner of any real property shall trim trees, plants, shrubs or vegetation, or any parts thereof as follows: which overhang any sidewalk, alley or street as determined by the building official, and which interfere with the use of any sidewalk, alley, street, poles, wires, pipes, fixtures or any other part of any public utility situated in the right-of-way.

4. Old Cases

5. Repeat Violation

6. Lien Reductions

A. Case No. 20210517

City of St. Pete Beach v. Kouresh Bakhtiarian

Address: 2606 Pass A Grille Way

St. Pete Beach FL 33706

Lien Reduction Request

B. Case No. 20210528
City of St. Pete Beach v. 3503 Gulf Blvd Holdings LLC
3503 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
COMMISSION CHAMBERS**

Agenda Report

Issue Considered: **Case No. 20230602**
 City of St. Pete Beach v. Ping Pong Partners LLC
 Address: 9555 Blind Pass Rd. St. Pete Beach FL
 33706

Date: March 11, 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 built a dumpster enclosure without a permit.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Notice of Violation
 2. Evidence

3. Affidavit of Posting
4. Notice of Hearing
5. Special Magistrate Order 2/14/2024



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

NOTICE OF VIOLATION

12/21/2023

PING PONG PARTNERS LLC
701 S HOWARD AVE STE 106-322
TAMPA , FL 33606-2473

RE: Case Number 20230602
Violation Address: 9555 BLIND PASS RD
Parcel ID#: 253115092340000010

Dear Property Owner:

You have a dumpster enclosure that was erected without a permit. 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 1/11/2024**. 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 727-589-2564

CE20230602

- Respondent(s): Ping Pong Partners LLC**
- Violation address: 9555 Blind Pass Rd.**
- 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**

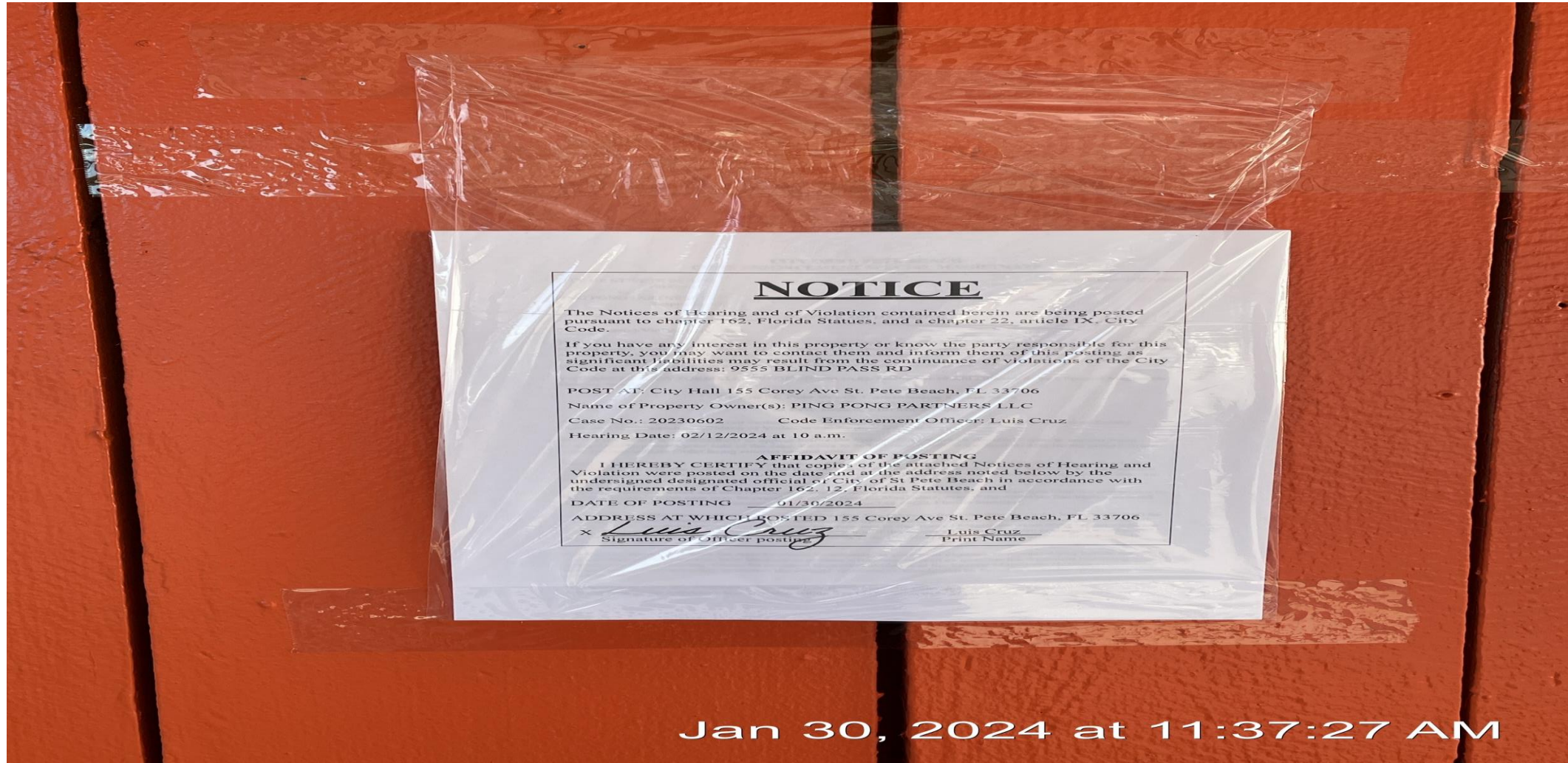
CE20230602

Case Summary

- Initial inspection: 10/17/2023**
- Notice of Violation dated: 12/21/2023**
- Notice of Violation compliance date: 1/11/2024**
- Notices of Hearing dated and posted on the property: 1/30/2024**

CE20230602

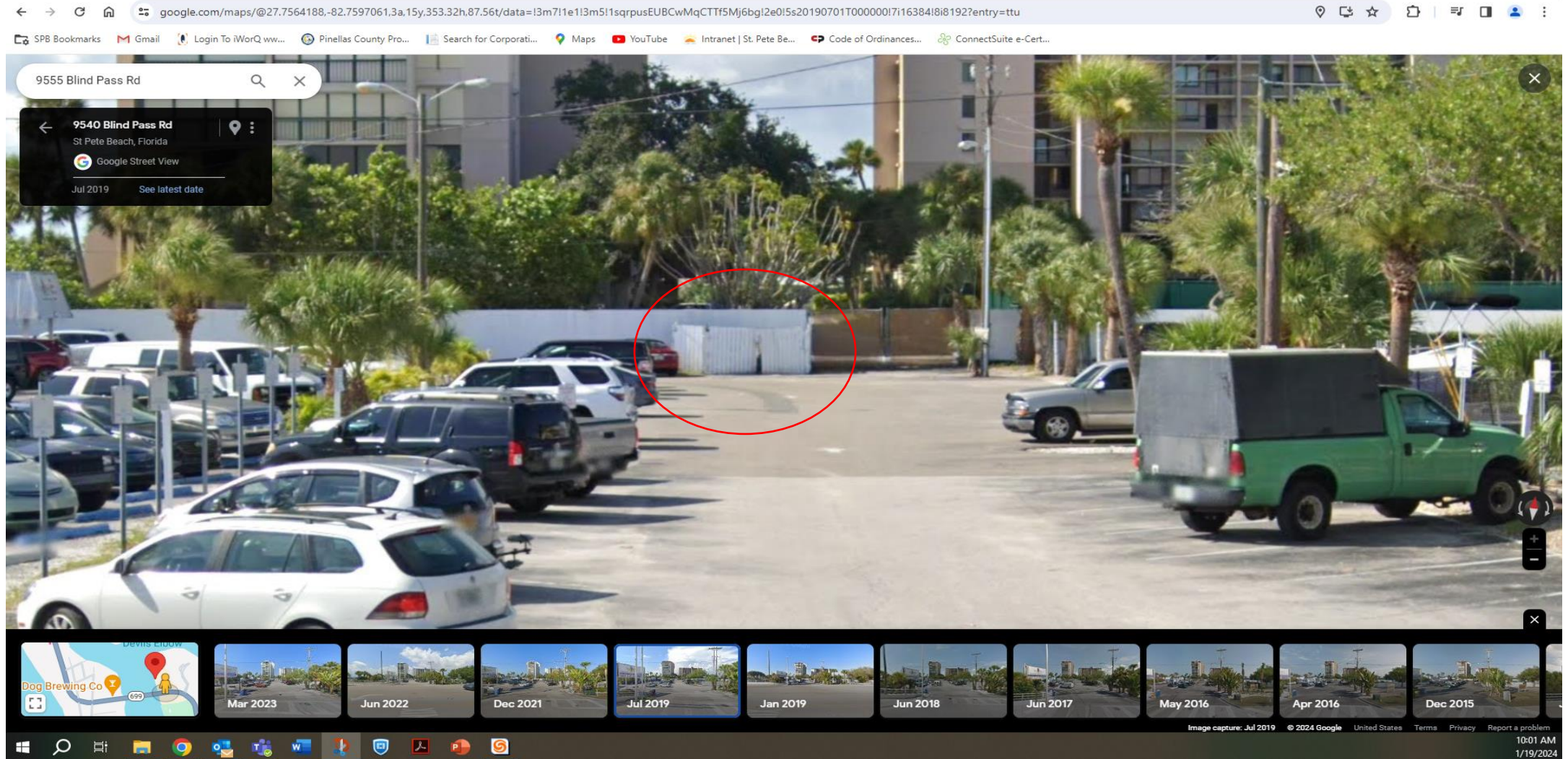
Affidavit of Posting



9555 Blind Pass Rd

CE20230602

Previous dumpster enclosure (2019)



9555 Blind Pass Rd

CE20230602

Unpermitted dumpster enclosure



9555 Blind Pass Rd

CE20230602

Unpermitted dumpster enclosure



9555 Blind Pass Rd

CE20230602

Unpermitted dumpster enclosure



9555 Blind Pass Rd

CE20230602

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 15 OF THE FLORIDA BUILDING CODE AND THE ORDINANCES OF THE CITY OF ST. PETE BEACH DUE TO THE FOLLOWING:

Can NOT open without final and dumpster enclosure erected without permit.

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: 10/17/23 Posted By: Luis Cruz

DO NOT REMOVE UNDER PENALTY OF LAW

Rev 3/2023

Oct 17, 2023 at 2:55:30 PM

9555 Blind Pass Rd

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: 9555 BLIND PASS RD

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

Name of Property Owner(s): PING PONG PARTNERS LLC

Case No.: 20230602 Code Enforcement Officer: Luis Cruz

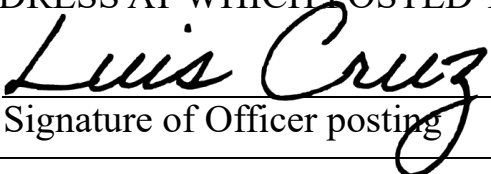
Hearing Date: 02/12/2024 at 10 a.m.

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 01/30/2024

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

X 
Signature of Officer posting

Luis Cruz
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,
vs.
PING PONG PARTNERS LLC
Respondent(s)

Case Number: 20230602

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 **02/12/2024** 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 **9555 BLIND PASS RD** 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 01/30/2024


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.

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20230602
ADDRESS: 9555 Blind Pass Rd.**

PING PONG PARTNERS, LLC,

Respondent.

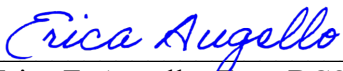
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ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on February 12, 2024. The Special Magistrate, based on the information and argument presented at the hearing, issues the following order:

IT IS ADJUDGED that this matter, by agreement of the parties, is continued until the **March 11, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 14th day of February 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to agent for Respondent, Adam Harden, at adam@soho-capital.com.

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

Agenda Report

Issue Considered: **Case No. 20230513**
 City of St. Pete Beach v. April Elliott & David
 Rybarczyk
 Address: 423 Corey Ave. St. Pete Beach FL
 33706

Date: March 11, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status Hearing on extension to 3/11/2024 to meet with the City to determine if the dumpster enclosure can be removed or if it needs to be replaced, and to make a good faith effort to complete the removal or replacement before the Status Hearing.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 2/15/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20230513
ADDRESS: 423 Corey Ave.**

**APRIL ELLIOT and DAVID
RYBARCZYK,**

Respondents.

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on February 12, 2024, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

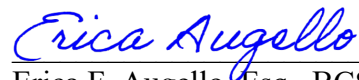
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondents were present and represented themselves.
3. Respondents own the subject property, and legally required notice of this proceeding was served on Respondents in accordance with applicable law.
4. Respondents were notified that they were in violation of Sections 46-33, 6.12, and 98-66 of the City's Code of Ordinances for failing to maintain a dumpster enclosure and fence in good condition.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating a 6' wood fence that is dilapidated and in disrepair, as well as a wood fence dumpster enclosure that is dilapidated and in disrepair.
6. Ms. Elliot testified and produced evidence demonstrating that the 6' wood fence is not on the Respondents property and is neither owned nor maintained by Respondents. Photographs were submitted demonstrating that the wood fence was not attached to the dumpster enclosure and is in fact attached to the neighboring property. Ms. Elliot also produced a recent survey that demonstrates the wood fence is not located on their property. Ms. Elliot has offered to remove the dumpster enclosure or replace it. The replacement is

complicated as the property is presently up for sale and it is unknown what type of business will be in the location.

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

7. Respondents are found to be in violation of Sections 46-33, 6.12, and 98-66 of the City's Code of Ordinances only for the dumpster enclosure as the fence is not owned nor maintained by the Respondents.
8. Respondents shall have until **Monday, March 11, 2024**, to meet with the City to determine if the dumpster enclosure can be removed or if it needs to be replaced, and to make a good faith effort to complete the removal or replacement before that date.
9. A status hearing is set for **March 11, 2024, at 10:00 a.m.** At that time it will be determined what the status of the property is, what actions are being taken to remedy the violation, and whether an extension of time is needed to complete those tasks, or if fines and administrative costs will be imposed as a result of failure to make a good-faith attempt to comply with the Code.
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 February 15, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Respondent at elliott.april@gmail.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
COMMISSION CHAMBERS**

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: March 11, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on a 45-day extension to apply for and
 secure a permit for the unpermitted renovations.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 1/11/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

GABI 2022, LLC.,

Respondent.

**CASE NO.: CE20230590
ADDRESS: 350 73rd Ave,**

FINAL ADMINISTRATIVE ORDER

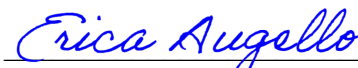
This case came before the Special Magistrate on January 8, 2024, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent's contract, Bob Kenne, appeared on behalf of Respondent. Mr. Kenne possessed the requisite authority to represent 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 conducting interior renovations without a permit on two units on the property.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating two units having been nearly gutted and large channels dug out of the concrete flooring in the main living areas, as well as plumbing and renovation work being conducted in the bathroom of each unit.
6. Mr. Kenne testified that the owner has retained him to conduct the work properly and secure the required permits. He testified that Respondent had secured a plumbing permit but did not secure one for the additional renovations. Mr. Kenne is working with the building department to make sure he submits an application that will be approved but has not yet applied for the permit as there is a disagreement regarding the need for an interior sprinkler system.

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 forty-five (45) days from the date of the hearing, or by **Thursday February 22, 2024**, to apply for and secure a permit for the unpermitted renovations. Until such time as a permit is secure for the work being conducted, no work shall occur on the property.
9. A status hearing is set for **March 11, 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 January 11, 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to Respondent at 63 Asilomar Rd., Laguna Niguel, CA 92677-1021 and its agent at bkenne63@gmail.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
COMMISSION CHAMBERS**

Agenda Report

Issue Considered: **Case No. 20240101
City of St. Pete Beach v. Jesse Hed
Address: 3510 Casablanca AVE. St. Pete Beach
FL 33706**

Date: March 11, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Sec. 9.2. - Permitted principal uses and structures. Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows: (a) Residential dwellings— Detached single-family only. Such dwellings shall not be used for transient occupancy

The property is located in the RU-2 zoning district and is only permitted to be rented monthly. The property is currently advertised for a 3-night minimum stay which is not permitted. As to the two stays in November of 2023, this violation is considered to be irreparable and irreversible, and the matter will be brought before the Magistrate for the March 11th, 2024 hearing. If you have any questions, please 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

2/14/24

HED, JESSE
4424 W 70TH ST
MINNEAPOLIS, MN 55435-4132

RE: Case Number 20240101
Violation Address: 3510 CASABLANCA AVE
Parcel ID#: 073216218520110060

Dear Property Owner:

The property is located in the RU-2 zoning district and is only permitted to be rented monthly. The property is currently advertised for a 3-night minimum stay which is not permitted. As to the two stays in November of 2023, this violation is considered to be irreparable and irreversible, and the matter will be brought before the Magistrate for the March 11th, 2024 hearing. If you have any questions, please contact our office.

Sec. 9.2. - Permitted principal uses and structures.

Sec. 9.2. - Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-2 Residential District are as follows:

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

These violation(s) must be corrected **no later than 2/24/24**. 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

CE20240101

- Respondent(s): Jesse Hed**
- Violation address: 3510 Casablanca Ave.**
- Violation(s) description: The property is in violation of section 9.2 Permitted principal uses and structures of the Land Development Code of the City of St. Pete Beach**

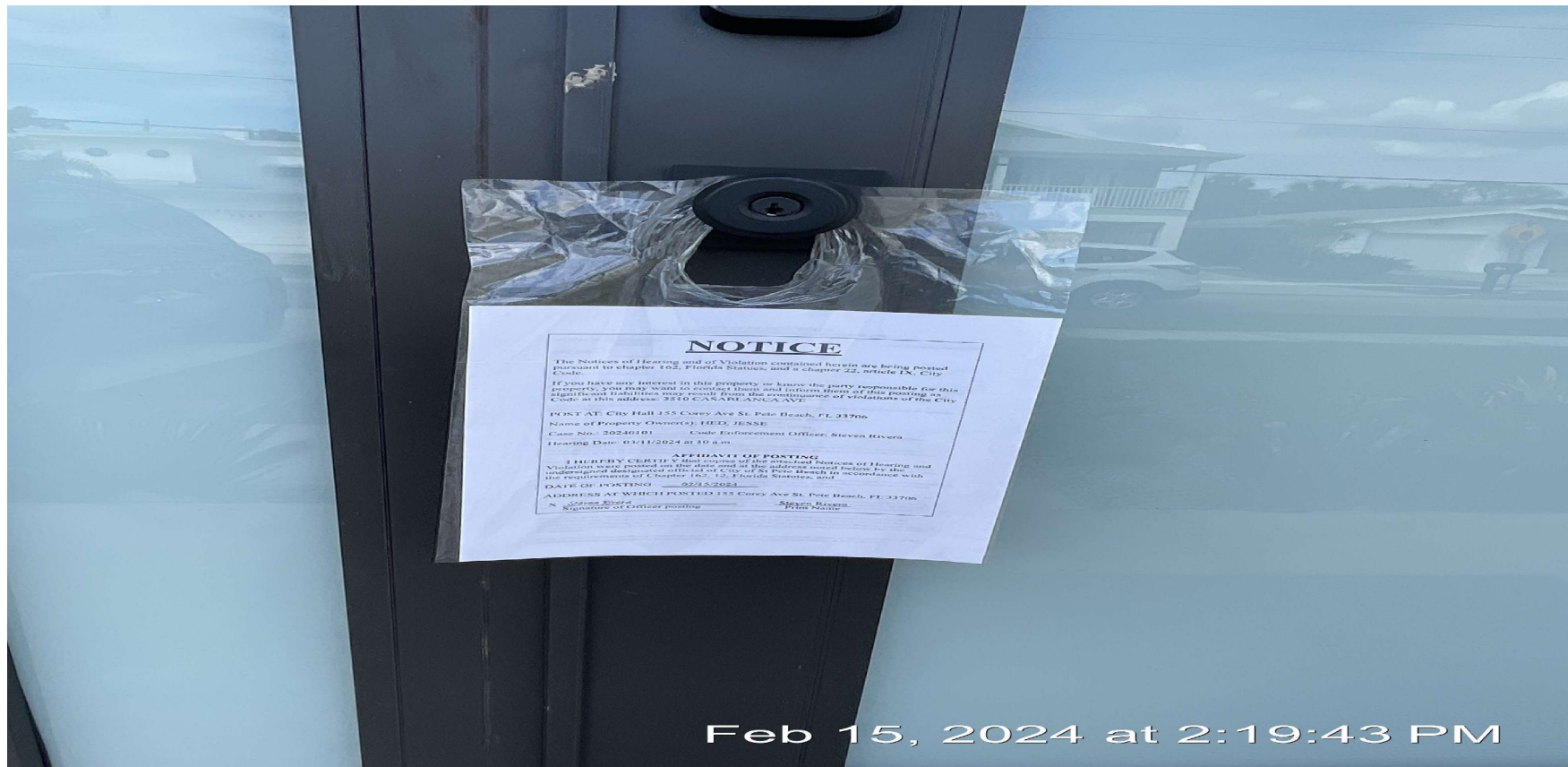
CE20240101

Case Summary

- Initial inspection: 2/13/2024**
- Notice of Violation dated: 2/14/2024**
- Notice of Violation compliance date: 2/24/2024**
- Notices of Hearing dated and posted on the property: 2/15/2024**

CE20240101

Affidavit of Posting



3510 Casablanca AVE.

CE20240101

Airbnb listing

https://www.airbnb.com/rooms/958255387457093387?adults=2&children=0&enable_m3_private_room=true&infants=0&location=33706&pets=0&check_in=2024-04-26&check_out=2024-05-01&source_impression...

Home Page Pinellas County Pro... ConnectSuite e-Cer... Phone-List-INTER... Passport Portal ConnectSuite e-Cer... Login SeeClickFix CRM Login To iWorkQ ww... Laserfiche | Home Meetings View FACE Code of Ordinances...

airbnb

Anywhere Any week Add guests Airbnb your home

Beach house w/private beach

Share Save



Entire home in St. Pete Beach, Florida
8 guests · 3 bedrooms · 6 beds · 2 baths
★ 5.0 · 4 reviews

Hosted by Jesse
6 years hosting

Self check-in

\$495 night

CHECK-IN 4/26/2024	CHECKOUT 5/1/2024
GUESTS 2 guests	

Reserve

5:42 PM
2/13/2024

3510 Casablanca AVE.

CE20240101

Airbnb Host Info

The screenshot shows an Airbnb listing page for a room. The browser address bar displays the URL: https://www.airbnb.com/rooms/958255387457093387?productId=958255387457093387&check_in=2024-04-07&check_out=2024-04-10&guests=1&adults=1&children=0&infants=0&pets=0&source_impression.... The page header includes navigation links: Photos, Amenities, Reviews, Location. The price is listed as \$399 night with a 5.0 star rating from 4 reviews. A pink 'Reserve' button is visible. The host's profile is 'Hosted by Jesse', joined in July 2016, with 4 reviews and a verified identity. A section titled 'During your stay' states that hosts are always available to answer questions and provide local recommendations. It also mentions a 100% response rate and a response time within an hour. A 'Contact Host' button is present. A warning icon and text state: 'To protect your payment, never transfer money or communicate outside of the Airbnb website or app.' The 'Things to know' section is divided into three columns: 'House rules' (Check-in after 4:00 PM, Checkout before 11:00 AM, 8 guests maximum, Show more >), 'Safety & property' (Carbon monoxide alarm, Smoke alarm, Show more >), and 'Cancellation policy' (Free cancellation before Apr 2, Review the Host's full cancellation policy which applies even if you cancel for illness or disruptions caused by COVID-19, Show more >). The Windows taskbar at the bottom shows the time as 4:41 PM on 2/13/2024.

Photos Amenities Reviews Location

\$399 night
★ 5.0 · 4 reviews

Reserve

Hosted by Jesse
Joined in July 2016

★ 4 Reviews Identity verified

During your stay
Our hosts are always available to answer any questions about the property or give local recommendations for food & attractions.

Response rate: 100%
Response time: within an hour

Contact Host

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules Check-in after 4:00 PM Checkout before 11:00 AM 8 guests maximum Show more >	Safety & property Carbon monoxide alarm Smoke alarm Show more >	Cancellation policy Free cancellation before Apr 2. Review the Host's full cancellation policy which applies even if you cancel for illness or disruptions caused by COVID-19. Show more >
--	--	---

3510 Casablanca AVE.

CE20240101

Airbnb booking

https://www.airbnb.com/book/stays/958255387457093387?checkin=2024-04-07&numberOfGuests=1&numberOfAdults=1&checkout=2024-04-10&guestCurrency=USD&productId=958255387457093387&isWorkTrip=fal...

Home Page Pinellas County Pro... ConnectSuite e-Cer... Phone-List-INTER... Passport Portal ConnectSuite e-Cer... Login SeeClickFix CRM Login To iWorkQ ww... Laserfiche | Home Meetings View FACE Code of Ordinances...

Your trip

Dates [Edit](#)
Apr 7 – 10

Guests [Edit](#)
1 guest

Choose how to pay

Pay in full ☒
Pay the total (\$1,902.95).

Pay part now, part later with Airbnb ☐
\$380.59 due today, \$1,522.36 on Mar 25, 2024. No extra fees. [More info](#)

Pay monthly with Klarna ☐
From \$159 per month for 12 months. Interest may apply. [More info](#)

Log in or sign up to book

Country code
United States (+1) ▼

Phone number

We'll call or text you to confirm your number. Standard message and data rates apply. [Privacy Policy](#)

Continue

or



Beach house w/private beach
Entire home
★ 5.00 (4 reviews)

Price details

\$399.00 x 3 nights	\$1,197.00
Cleaning fee	\$300.00
Airbnb service fee	\$211.34
Taxes	\$194.61
Total (USD)	\$1,902.95

4:39 PM
2/13/2024

3510 Casablanca AVE.

CE20240101

Airbnb booking

https://www.airbnb.com/rooms/958255387457093387?source_impression_id=p3_1707848270_pyw6c%2Be77iOXrrrU&check_in=2024-04-07&guests=1&adults=1#availability-calendar

Home Page Pinellas County Pro... ConnectSuite e-Cer... Phone-List-INTER... Passport Portal ConnectSuite e-Cer... Login SeeClickFix CRM Login To iWorQ ww... Laserfiche | Home Meetings View FACE Code of Ordinances...



Entire home in St. Pete Beach, Florida
8 guests · 3 bedrooms · 6 beds · 2 baths
★ 5.0 · 4 reviews

Hosted by Jesse
6 years hosting

Self check-in
Check yourself in with the keypad.

Great check-in experience
100% of recent guests gave the check-in process a 5-star rating

Great communication
100% of recent guests rated Jesse 5-star in communication.

New Airbnb - LOCATION, LOCATION, LOCATION! This beautiful located in the historic Don Cesar neighborhood. Walk across the

Minimum stay: 3 nights

SELECT DATES

CHECK-IN 4/7/2024 × CHECKOUT Add date

March 2024 April 2024

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

Clear dates Close

1:49 PM 2/13/2024

3510 Casablanca AVE.

CE20240101

Airbnb Reviews

https://www.airbnb.com/rooms/958255387457093387?source_impression_id=p3_1707848270_pyw6c%2Be77iOXrrrU&check_in=2024-04-07&guests=1&adults=1

Home Page Pinellas County Pro... ConnectSuite e-Cer... Phone-List-INTER... Passport Portal ConnectSuite e-Cer... Login SeeClickFix CRM Login To iWorQ ww... Laserfiche | Home Meetings View FACE Code of Ordinances...

Photos Amenities Reviews Location

\$350 night
★ 5.0 • 4 reviews [Check availability](#)

★ 5.0 • 4 reviews

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5.0	5.0	5.0	5.0	5.0	4.8	4.5

Mike
Elmhurst, Illinois
★★★★★ · January 2024 · Group trip
Great rental. Very clean and well-appointed. Kitchen and baths have ample supplies. Yard and hot tub are great. Perfect location for easy access to a great beach. Very nice rental all...
[Show more](#)

Trevor
Toronto, Canada
★★★★★ · December 2023 · Stayed a few nights
We had a terrific experience. With thoughtful and warm decor, from throw blankets on the comfy couch to things to throw on the beach (football and frisbee), Jesse has thought of...
[Show more](#)

Meredith
South Orange, New Jersey
★★★★★ · November 2023 · Group trip
The house was great - comfortable, clean, nicely decorated and a great kitchen to host Thanksgiving in! Jesse was responsive and helpful. First home away thanksgiving and...
[Show more](#)

John
West Menlo Park, California
★★★★★ · November 2023 · Group trip
Very bright, clean and pleasant little house. The kitchen was well stocked and the place is recently updated. Bedrooms are roomy and beds comfortable. I would recommend.

Where you'll be
St. Pete Beach, Florida, United States

4:37 PM
2/13/2024

3510 Casablanca 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: 3510 CASABLANCA AVE

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

Name of Property Owner(s): HED, JESSE

Case No.: 20240101 Code Enforcement Officer: Steven Rivera

Hearing Date: 03/11/2024 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 02/15/2024

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: 20240101

vs.
HED, JESSE

Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **03/11/2024** 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 **3510 CASABLANCA AVE** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 02/15/2024

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.

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

Agenda Report

Issue Considered: **Case No. 20240021**
City of St. Pete Beach v. Steven D Lower
Address: 505 67th Ave #10 St. Pete Beach FL
33706

Date: March 11, 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:

- (1) Structures that are:
- b. Left in a state of disrepair; or
 - c. Left in a state of partial construction beyond the valid timeframe of the permit.

The property has a partially completed bathroom that is in disrepair. The permit you acquired previously is expired, and you will have to hire a General Contractor to pull a new permit and fulfill the bathroom remodel.

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

1/11/2024

LOWER, STEVEN D
8854 W 12TH AVE
ESCONDIDO CA 92025

RE: Case Number 20240021
Violation Address: 505 67TH AVE # 10
Parcel ID#: 363115135600000100

Dear Property Owner:

You have a partially completed bathroom that is in disrepair. The permit you acquired previously is expired and you will have to hire a General Contractor to pull a new permit and fulfill the bathroom remodel. You are in violation of the following sections:

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:

- (1) Structures that are:
 - b. Left in a state of disrepair; or
 - c. Left in a state of partial construction beyond the valid timeframe of the permit.

These violation(s) must be corrected **no later than 2/1/2024**. 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

CE20240021

- Respondent(s): Steven D. Lower**
- Violation address: 505 67th Ave. #10**
- Violation(s) description: The property is in violation of section 98-123.1 Permits required & 98-65 Unsightly conditions (1) b. and c. of the Code of Ordinances of the City of St. Pete Beach**

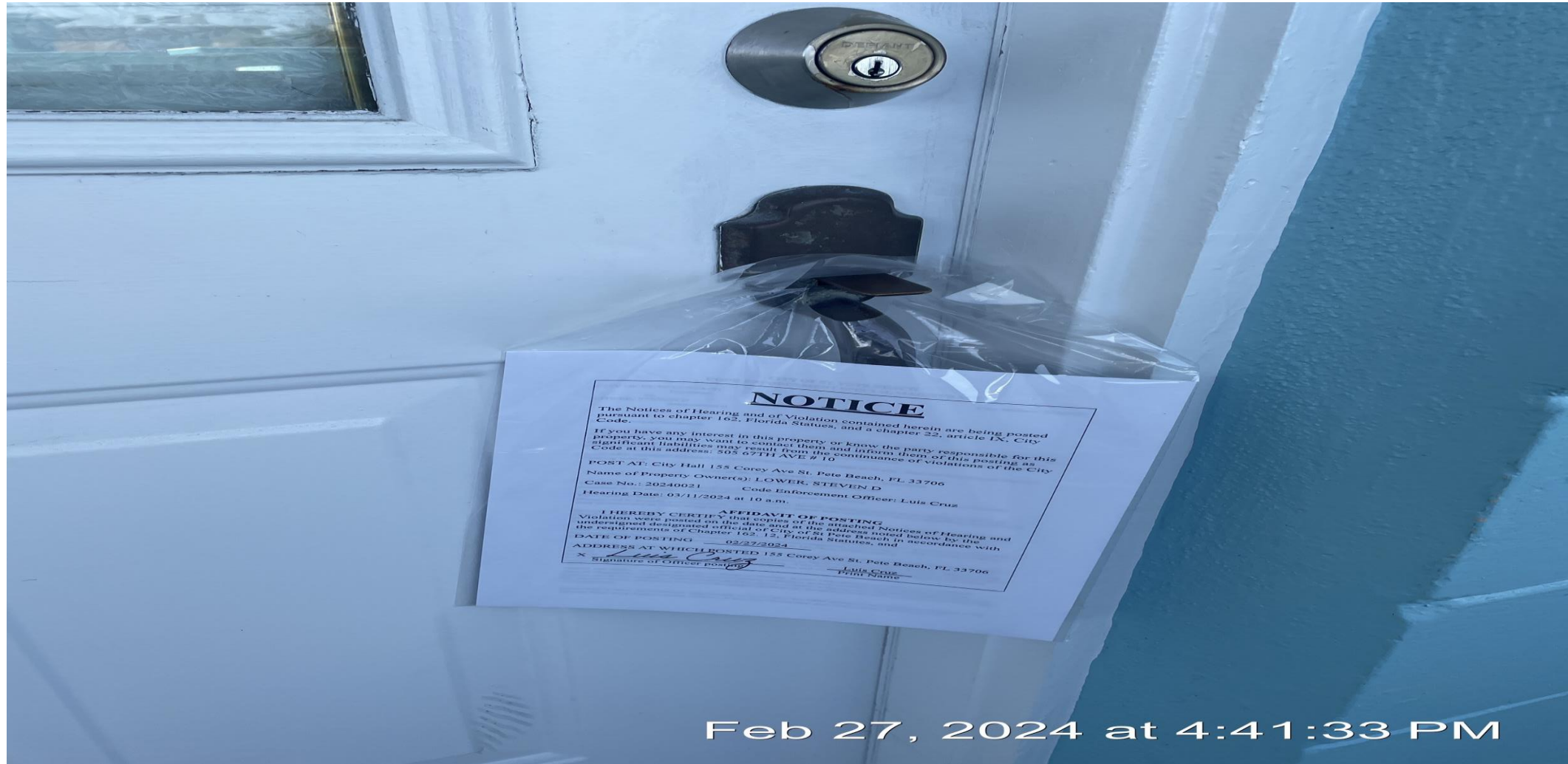
CE20240021

Case Summary

- Initial inspection: 1/5/2024**
- Notice of Violation dated: 1/11/2024**
- Notice of Violation compliance date: 2/1/2024**
- Notices of Hearing dated and posted on the property: 2/27/2024**

CE20240021

Affidavit of Posting



505 67th Ave. #10

CE20240021

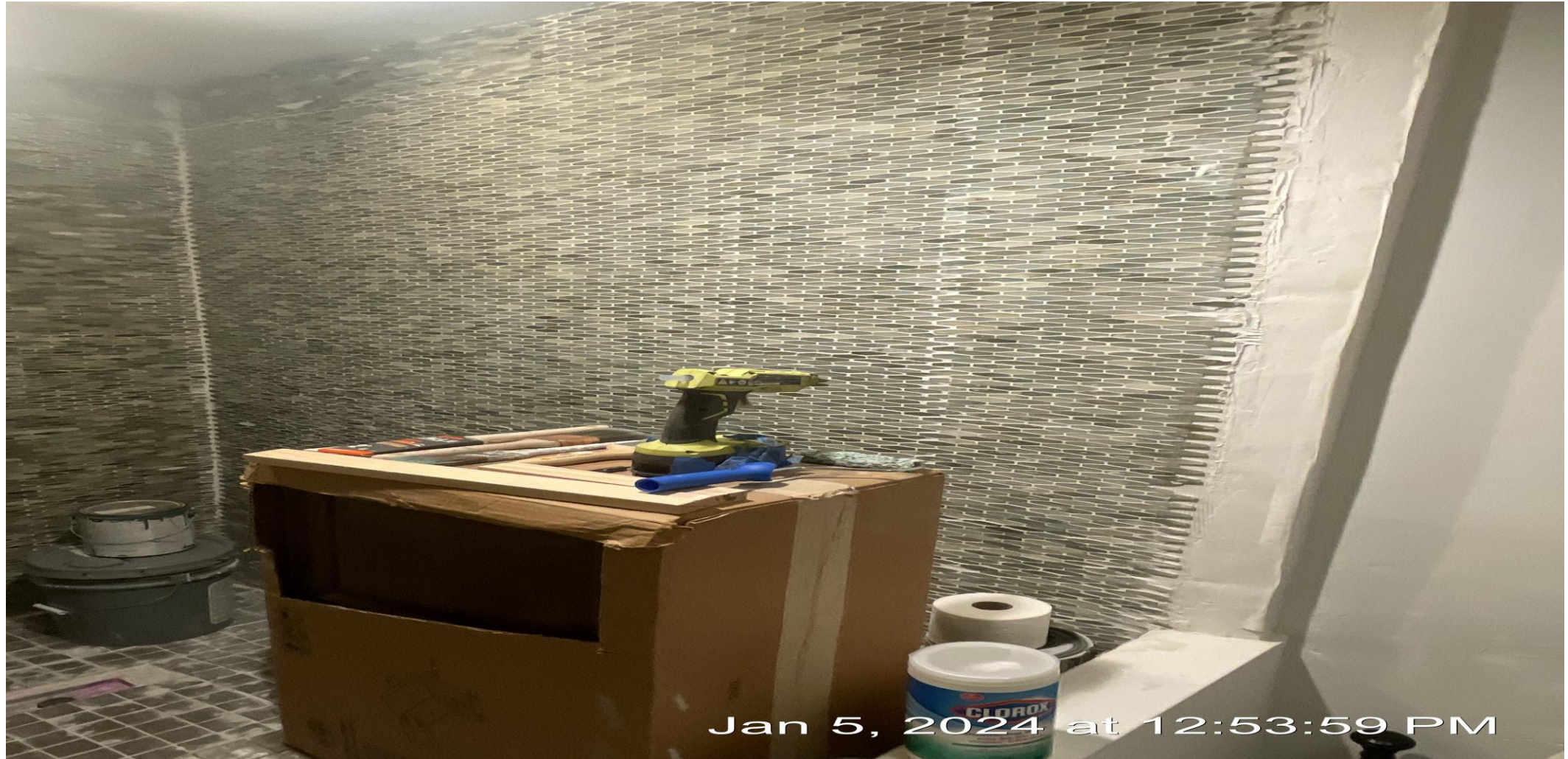
Bathroom remodel in disrepair



505 67th Ave. #10

CE20240021

Bathroom remodel in disrepair



505 67th Ave. #10

CE20240021

Bathroom remodel in disrepair



505 67th Ave. #10

CE20240021

Bathroom remodel in disrepair



505 67th Ave. #10

CE20240021

Bathroom remodel in disrepair



505 67th Ave. #10

CE20240021

Bathroom remodel in disrepair



505 67th Ave. #10

CE20240021

Bathroom remodel in disrepair



505 67th Ave. #10

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: 505 67TH AVE # 10

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

Name of Property Owner(s): LOWER, STEVEN D

Case No.: 20240021 Code Enforcement Officer: Luis Cruz

Hearing Date: 03/11/2024 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 02/27/2024

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: 20240021

vs.
LOWER, STEVEN D
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.

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**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 **505 67TH AVE # 10** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

If the violation is correct and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the Special Magistrate, even if the violation has been corrected prior to the Special Magistrate hearing, pursuant to section 162.06(2), Florida Statutes,

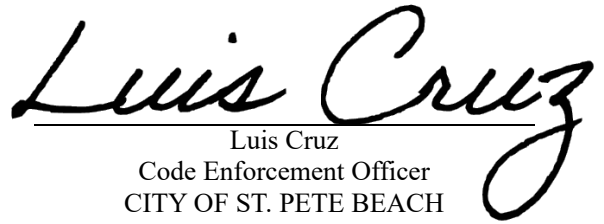
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the Special Magistrate hearing. If the repeat violation has been corrected, the Special Magistrate retains the right to determine administrative fines and costs and impose the payment of reasonable enforcement fees.

Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. Please be prepared to present evidence at the Special Magistrate Hearing concerning the amount of time necessary to correct the alleged violation(s), should you be found in violation of the City Code of Ordinances.

If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 02/27/2024


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
COMMISSION CHAMBERS**

Agenda Report

Issue Considered: **Case No 20240051**
 City Of St. Pete Beach v. Philip Parsons & Suzan
 Lambillotte
 Address: 4043 Belle Vista Dr St. Pete Beach FL 33706

Date: March 11, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: The Sea Grape tree(s) located on the 41st AVE side of the property are overgrown. Please have the trees trimmed back and canopy elevated to allow passage of motor vehicles. If you have any questions, please contact our office.

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.(22) Trees. Trees shall be maintained or removed as follows:b. Prohibited conditions. The following conditions are prohibited:1. Trees, plants, shrubs, vegetation, or parts thereof, which overhang any sidewalk, street, alley or firehydrant, and obstruct or impair the free and full use of the sidewalk, street, alley or fire hydrant by thepublic.2. Grass, weeds, shrubs, bushes, trees or vegetation which constitute a fire hazard or a menace to publichealth, safety or welfare.3. Removal of obstruction. The owner of any real property shall trim trees, plants, shrubs or vegetation,or any parts thereof as follows: which overhang any sidewalk, alley or street as determined by thebuilding official, and which interfere with the use of any sidewalk, alley, street, poles, wires, pipes,fixtures or any other part of any public utility situated in the right-of-way.

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

1/24/24

PARSONS, PHILIP LAMBILLOTTE, SUZAN
4043 BELLE VISTA DR
ST PETE BEACH FL 33706-3813

RE: Case Number 20240051
Violation Address: 4043 BELLE VISTA DR
Parcel ID#: 073216074340000170

Dear Property Owner:

The Sea Grape tree(s) located on the 41st AVE side of the property are overgrown. Please have the trees trimmed back and canopy elevated to allow passage of motor vehicles. If you have any questions, please contact our office.

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.

(22) Trees. Trees shall be maintained or removed as follows:

b. Prohibited conditions. The following conditions are prohibited:

1. Trees, plants, shrubs, vegetation, or parts thereof, which overhang any sidewalk, street, alley or fire hydrant, and obstruct or impair the free and full use of the sidewalk, street, alley or fire hydrant by the public.
2. Grass, weeds, shrubs, bushes, trees or vegetation which constitute a fire hazard or a menace to public health, safety or welfare.
3. Removal of obstruction. The owner of any real property shall trim trees, plants, shrubs or vegetation, or any parts thereof as follows: which overhang any sidewalk, alley or street as determined by the building official, and which interfere with the use of any sidewalk, alley, street, poles, wires, pipes, fixtures or any other part of any public utility situated in the right-of-way.

These violation(s) must be corrected **no later than 2/8/24**. 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

CE20240051

- Respondent(s): Philip Parsons & Suzan Lambillotte**
- Violation address: 4043 Belle Vista Dr.**
- Violation(s) description: The property is in violation of section 98-66 Residential and Commercial Property Maintenance (a), (b), (22) b 1, 2, and 3 of the Code of Ordnnances of the City of St. Pete Beach.**

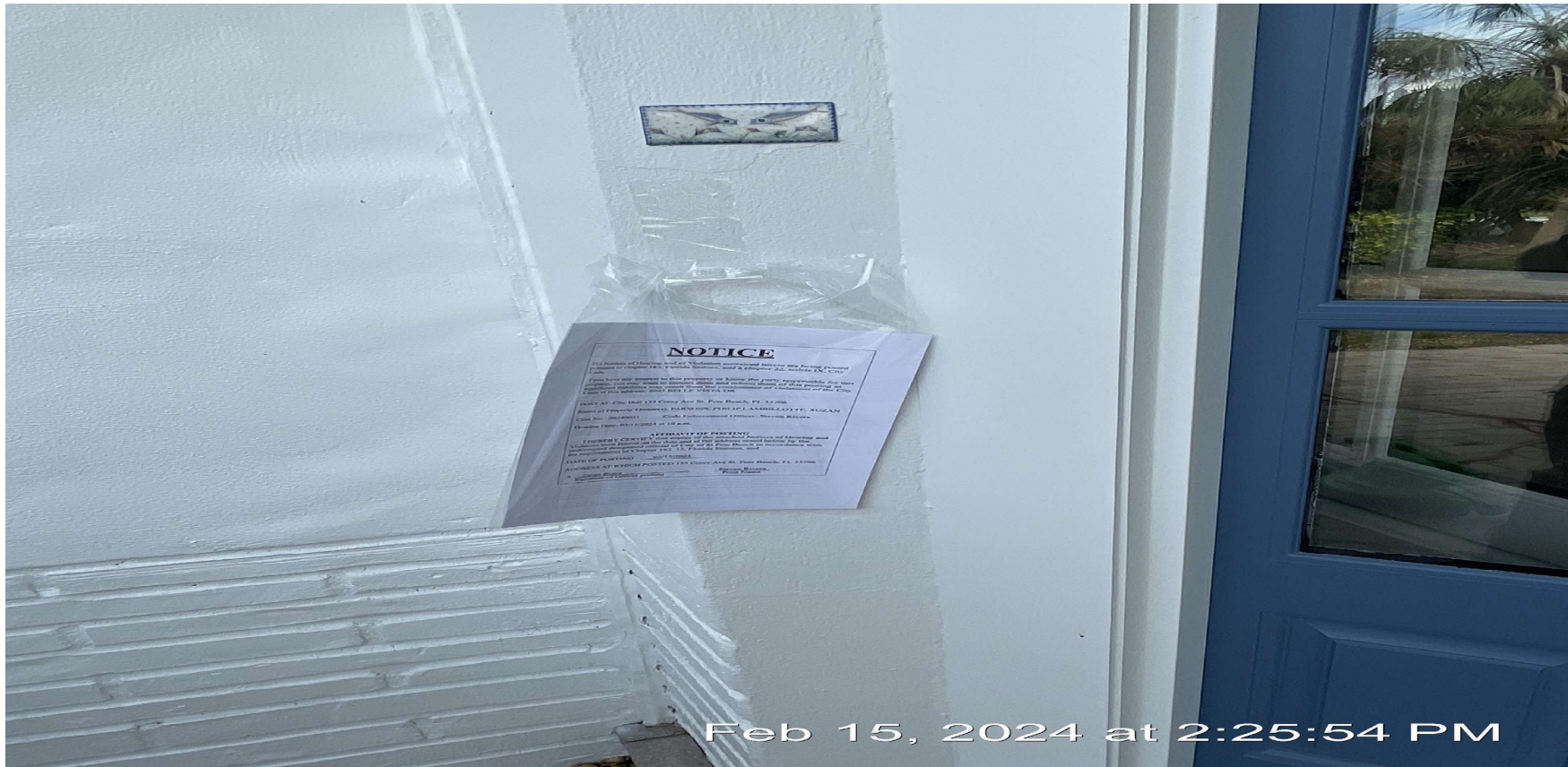
CE20240051

Case Summary

- Initial inspection: 1/23/2024**
- Notice of Amended Violation dated: 1/24/2024**
- Notice of Violation compliance date: 2/8/2024**
- Notices of Hearing dated and posted on the property: 2/15/2024**

CE20240051

Affidavit of Posting



4043 Belle Vista Dr.

CE20240051

Overgrown Vegetation



4043 Belle Vista Dr.

CE20240051

Overgrown Vegetation



4043 Belle Vista Dr.

CE20240051

Overgrown Vegetation



4043 Belle Vista 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: 4043 BELLE VISTA DR

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

Name of Property Owner(s): PARSONS, PHILIP LAMBILLOTTE, SUZAN

Case No.: 20240051 Code Enforcement Officer: Steven Rivera

Hearing Date: 03/11/2024 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 02/15/2024

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: 20240051

vs.
PARSONS, PHILIP LAMBILLOTTE, SUZAN
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

The Special Magistrate was created pursuant to Chapter 162, Florida Statutes and Chapter 22, Article IX, City of St. Pete Beach Code of Ordinances. The purpose of the Special Magistrate is to conduct hearings and issue Orders having the force of the law to command whatever steps are necessary to bring a violation into compliance. The Special Magistrate may also impose fines and other non-criminal penalties to provide and equitable, expeditious, effective method of enforcing the City of St. Pete Beach Code of Ordinances.

YOU ARE HEREBY FORMALLY NOTIFIED that on **03/11/2024** 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 **4043 BELLE VISTA 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 02/15/2024

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
COMMISSION CHAMBERS**

Agenda Report

Issue Considered: **Case No. 20210517**
 City of St. Pete Beach v. Kouresh Bakhtiarian
 Address: 2606 Pass A Grille Way
 St. Pete Beach FL 33706

Date: March 11, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: NA

Requested Motion: NA

Attachments: 1. Lien Reduction Request Application
 2. SM orders 2-14-22



Lien Reduction Request Application

This form must be completed in its entirety and is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Special Magistrate Hearing.

Sec. 22-283. - Procedure to request that a fine or lien imposed pursuant to section 22-279 be reduced; conditions and criteria therefor.

(a) The owner of real property against which a fine or lien has been imposed pursuant to section 22-279 of this article may apply to the Special Magistrate, through the city manager or his designee, for a satisfaction of such fine or lien with less than full payment thereof. No such application shall be considered by the Special Magistrate until the applicant has first shown that:

(1) All ad valorem property taxes, special assessments, county and city utility charges and other government and city-imposed liens against the subject real property have been paid;

(2) The applicant is not personally indebted to the city for any reason; and

(3) All city code violations have been corrected under necessary permits issued.

(b) In considering an application to reduce a fine or lien imposed pursuant to section 22-279 of this article, no satisfaction thereof shall be approved by the Special Magistrate with less than full payment thereof, unless the Special Magistrate shall make a specific finding that no violation of any city ordinance exists on the subject real property.

(c) The balance of any fine or lien imposed pursuant to section 22-279 of this article that is reduced by the special magistrate shall be paid on terms as approved by the Special Magistrate.

(d) If the property for which the application for a fine reduction is being considered is owned by a government or quasi-government entity, the Special Magistrate may reduce such fine even if the violation has not been corrected.

(Ord. No. 12-02, § 1(exh. A), 1-24-12)



Lien Reduction Request Application

Please **TYPE** or **PRINT** this application neatly.

1. Code Enforcement Case Number: 20210517

2. Date: FEB/8, 2024

3. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): _____

Name: KOUROSH BAKHTIARIAN

Mailing Address: 2606 PASS-A-GRILLE WAY

City: ST PETE BEACH State: FL Zip Code: 33706

Phone #: 727-340-0081 Fax #: _____

Mobile #: 727-340-0081 E-mail: CORY_BAKH@YAHOO.COM

4. Property Owner Information: * Check here if same as Applicant ☒

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Information for property on which lien occurs:

Street Address: 2606 PASS - A-GRILLE WAY

Parcel ID: # 18321661002 003 0110

Tax Account Number: 001-70-8512

Existing Use(s) on Property: _____

Date Fine or Lien Imposed: _____

Fine/Lien Amount: \$9750.00 Administrative Fees: 467.46 Total Fine/Lien Amount: \$10,217.46

Amount you are requesting that the lien be reduced to: \$ \$0.00 ALL OF THE AMOUNT ABOVE

Have the violation(s) on the subject property been corrected: Yes / No (Circle one) I STOP THE VIOLATION

Date upon which the subject property was brought into compliance: _____

The factual basis upon which the application for reduction of the lien should be granted:

I OWN THIS PROPERTY SINCE MAY OF 1994
AND FROM THAT YEAR UNTIL CITY START TELLING ME
I CAN'T RENT ALWAYS BEEN RENTED SHORT TERM UNTIL
THE TOLD YOU CAN RENTED, MY LAWYER PASSED AWAY

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded: SO THATS WHY OUR PROCESSES STOPPED, WE APPLY
FOR GRANDFATHERED PROCESSES THAT IS WHY I BELIEVE
THE CHARGES SHOULD BE DROPPED BECAUSE I AM

Provide proof that the taxes are paid in full:

SHOULD BE ELIGIBLE FOR THE GRANDFATHERED

thankyou kindly

Kourosh BAKHTIARIAN



6. Signatures and Notarization.

STATE OF Florida COUNTY OF pinellas . I, being first
duly sworn, depose and say that:

☐ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.

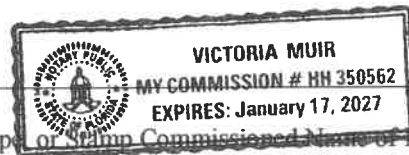
☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed, and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing.

I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

Kul pl

(APPLICANT SIGNATURE)



(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced FLDL

(NOTARY PUBLIC SIGNATURE) Victoria muir

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 8th day February of, 2024

CITY MANAGER/DESIGNEE RECOMMENDATION

All Code Enforcement lien reductions and bad debts will require a recommendation
approval by the City Manager/Designee to the Special Magistrate.

Recommended amount to the Special Magistrate: _____

Print Name _____

Date _____

Signature _____

This material is not intended to provide, and should not be relied on for tax, legal, or accounting advice. The amount shown may not be fully deductible by you on your income tax return. You should consult your own tax, legal, and accounting advisors.

Box 2 Outstanding mortgage principal shows the mortgage principal on the mortgage as of January 1 of the calendar year. If the mortgage originated in the calendar year, shows the mortgage principal as of the date of originations. If the recipient/lender acquired the loan in the calendar year, shows the mortgage principal as of the date of the acquisition.

The dollar amount located in Box 10 is the tax amount PHH paid on your behalf as billed to us by your local taxing authority and may include items other than "Real Estate Taxes". Please consult with a tax advisor on the deductibility, as we do not report this amount to the IRS and is informational only.

☐ CORRECTED (if checked)

Page 3 of 6

RECIPIENT'S/LENDER'S name, street address, city or town, state or province, country, ZIP or foreign postal code, and telephone no.

PHH Mortgage Corporation
1661 Worthington Road, Suite 100
West Palm Beach, FL 33409

Phone No. 1-877-744-2506

RECIPIENT'S/LENDER'S TIN

22-2195996

PAYER'S/BORROWER'S name, street address (including apt. no.) city or town, state or province, country, and ZIP or foreign postal code

KOUROSH BAKHTIARIAN
2606 PASS A GRILLE WAY
ST PETE BEACH, FL 33708-4198

OMB No. 1545-1380

Substitute

Form 1098

For Calendar Year

2023

1 Mortgage interest received from payer(s)/borrower(s)

\$ 11,818.86

2 Outstanding mortgage principal

\$ 586,934.40

3 Mortgage origination date

4/7/2004

4 Refund of overpaid interest

\$ 0.00

5 Mortgage insurance premiums

\$ 0.00

6 Points paid on purchase of principal residence

\$ 0.00

7 ☐ If address of property securing mortgage is the same as PAYER'S/BORROWER'S address, the box is checked, or the address or description is entered in box 8.

8 Address or description of property securing mortgage (see instructions)

2606 PASS A GRILLE WAY
ST PETE BEACH FL 33706-4198

9 Number of properties securing the mortgage

10 Other Real Estate Taxes Paid

\$12,006.45

Account number (see instructions)

PAYER'S/BORROWER'S TIN

7191796635

XXX-XX-8512

Copy B For Payer/ Borrower

Mortgage Interest Statement

The information in boxes 1 through 9 and 11 is important tax information and is being furnished to the IRS. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if the IRS determines that an underpayment of tax results because you overstated a deduction for this mortgage interest or for these points, reported in boxes 1 and 6; or because you didn't report the refund of interest (box 4); or because you claimed a nondeductible item.

11 Mortgage acquisition date

PHH**MORTGAGE**

PHH Mortgage Services
P.O. Box 24738
West Palm Beach, FL 33416

KOUROSH BAKHTIARIAN

To obtain information about your account:
Visit: www.MortgageQuestions.com
Call toll free: 1-877-744-2506
Email us: CustomerCare@mortgagefamily.com
Fax: 1-856-917-8300
Loan number: 7191796635



Annual Statement of Account

<u>2023 Year End Escrow Account Information</u>	<u>2023 Year End Unpaid Principal Balance</u>
\$5,425.01 BEGINNING BALANCE	\$586,934.40 BEGINNING BALANCE
\$22,944.60 + DEPOSITS	\$12,991.50 PRINCIPAL APPLIED
\$23,969.95 - DISBURSEMENTS	\$619,611.40 ENDING BALANCE
\$4,399.66 ENDING BALANCE	
<u>2023 Year End Interest Paid</u>	<u>Property Address</u>
*See box 1 of Mortgage Interest Statement	2606 PASS A GRILLE WAY ST PETE BEACH FL 33706-4198

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20210517

ADDRESS: 2606 Pass-A-Grille Way

KOUROSH BAKHTIARIAN

Respondent(s).

_____/

**FINAL ADMINISTRATIVE ORDER AND
ORDER IMPOSING FINES**

This case came before the Special Magistrate on February 14, 2021, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by City Attorney Andrew Dickman and Code Enforcement Supervisor Pete Dewar.
2. The Respondent was represented by Attorney John Bronson. Mr. Bronson possessed the requisite authority to represent the Respondent. Respondent was also in attendance.
3. The Respondent owns the subject property, and legally required notice of this proceeding was served on the Respondent in accordance with applicable law.
4. The Respondent was notified of the following repeat violation of the City's Land Development Code:

Section 20.03. – Permitted principal uses and structures.

Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:

- (a) All uses permitted in the underlying zoning district; and
- (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.
- (c) Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations

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

5. The City presented evidence establishing the property had been advertised for rent for a period of less than thirty (30) days more than three times in a 12-month period in violation of the City's Code.
6. The City also presented evidence that the Respondent had previously been found in violation of Section 20.03 of the City's Code in an Order dated December 1, 2021, for the subject address.
7. The Respondent testified that he was in compliance with the previous violation as he contacted AirBnB and had them change the advertisement.
8. The Respondent testified that after he received the Notice of Violation, he contacted AirBnB and asked them to change the advertising and that he assumed it was done as he received no inquiries from the website.
9. The Respondent only checked on the advertisement after he was notified by the code enforcement officer of the repeat violation.
10. The City presented evidence that sometime between the compliance with the previous violation and the repeat violation, the advertisement was changed.

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

11. Respondent waived all arguments that the property maintains a "grandfathered" status as the property has been previously found in violation of the same code provision and the argument was properly raised at the prior hearing.
12. Respondent's argument that the Notice of Violation citing to Sec. 20.03 was insufficient as it does not contain an advertising component is without merit. The term "transient occupancy" contained within Sec. 20.03 is defined in Sec. 2.1, in pertinent part, as "occupancy that is intended to be temporary, or which is offered or advertised as being available...". The definition is applicable to the section cited in the notice, and therefore, the Notice of Violation was sufficient.
13. Respondent and the subject property were in violation of the cited provision from December 21, 2021, to January 28, 2022, and are assessed a fine of \$250 per day for each day the Respondent was not in compliance, plus all reasonable administrative costs of the City related to the investigation and prosecution of this case.
14. Pursuant to Section 22-279 (a) of the City's Code of Ordinances, the Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this order.

15. Respondent is ordered to immediately cease renting the property for a term less than thirty (30) days until May 2022.
16. It is the Respondent's responsibility to notify the City that the property is in compliance, if applicable.
17. Should Respondent found to be in violation of the same provision within twelve (12) months 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 February 14, 2022.

Erica F. Augello

Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent by regular U.S. Postal Service mail to the Respondent at 2606 Pass-A-Grille Way, St. Pete Beach, FL 33706-4198, on February 18, 2022.

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order issued by the Special Magistrate to the circuit court. The appeal will not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order that is being appealed. The person or entity filing the appeal shall be responsible for the submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.

I hereby certify this to be a true and exact copy of
CESM ORDER CS# 2021 0517 on file in the office of
the City Clerk, City of St. Pete Beach, Pinellas County, FL

Ginny Keeler-Bodkin
Ginny Keeler-Bodkin, Deputy City Clerk

2/18/22
Date

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

Agenda Report

Issue Considered: **Case No. 20210528
City of St. Pete Beach v. 3503 Gulf Blvd
Holdings LLC
3503 Gulf Blvd St. Pete Beach FL 33706**

Date: March 11, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: NA

Requested Motion: NA

Attachments: 1. Lien Reduction Request App
 2. SM order 1-2-21



Lien Reduction Request Application

This form must be completed in its entirety and is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Special Magistrate Hearing.

Sec. 22-283. - Procedure to request that a fine or lien imposed pursuant to section 22-279 be reduced; conditions and criteria therefor.

(a) The owner of real property against which a fine or lien has been imposed pursuant to section 22-279 of this article may apply to the Special Magistrate, through the city manager or his designee, for a satisfaction of such fine or lien with less than full payment thereof. No such application shall be considered by the Special Magistrate until the applicant has first shown that:

(1) All ad valorem property taxes, special assessments, county and city utility charges and other government and city-imposed liens against the subject real property have been paid;

(2) The applicant is not personally indebted to the city for any reason; and

(3) All city code violations have been corrected under necessary permits issued.

(b) In considering an application to reduce a fine or lien imposed pursuant to section 22-279 of this article, no satisfaction thereof shall be approved by the Special Magistrate with less than full payment thereof, unless the Special Magistrate shall make a specific finding that no violation of any city ordinance exists on the subject real property.

(c) The balance of any fine or lien imposed pursuant to section 22-279 of this article that is reduced by the special magistrate shall be paid on terms as approved by the Special Magistrate.

(d) If the property for which the application for a fine reduction is being considered is owned by a government or quasi-government entity, the Special Magistrate may reduce such fine even if the violation has not been corrected.

(Ord. No. 12-02, § 1(exh. A), 1-24-12)



Lien Reduction Request Application

Please **TYPE** or **PRINT** this application neatly.

1. Code Enforcement Case Number: CE20210528

2. Date: 9/24/2023

3. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): 3503 GULF BLVD HOLDINGS LLC

Name: Alison Brereton

Mailing Address: 8832 15th Way No

City: St.Petersburg **State:** FL **Zip Code:** 33702

Phone #: **Fax #:**

Mobile #: 571-594-9615 **E-mail:** fam1sthome@gmail.com

4. Property Owner Information: * Check here if same as Applicant

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): 3503 Gulf Blvd Holdings, LLC

Name: Alison Brereton

Mailing Address:

City: **State:** **Zip Code:**

Phone #: **Fax #:**

Mobile #: **E-mail:**

5. Information for property on which lien occurs:

Street Address: 3503 Gulf Blvd

Parcel ID: 07-32-16-21852-008-0020

Tax Account Number: R82077

Existing Use(s) on Property: 6 Month Lease

Date Fine or Lien Imposed: 10/8/21

Fine/Lien Amount: _____ Administrative Fees: _____ Total Fine/Lien Amount: _____

Amount you are requesting that the lien be reduced to: \$ Administrative Fees

Have the violation(s) on the subject property been corrected: Yes/ No (Circle one)

Date upon which the subject property was brought into compliance: 10/9/21

The factual basis upon which the application for reduction of the lien should be granted: The owner did not have notice of the violation; thus, the violation was not intentional. Had the owners been aware of the violation, the owner would have taken immediate steps to rectify such. The owner represents that such violation will not occur in the future.

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded: Compliance has been obtained.

Provide proof that the taxes are paid in full: See attached

6. Signatures and Notarization.

STATE OF Florida COUNTY OF Pinellas. I, being first
duly sworn, depose and say that:

☐ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this
request.

☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization
form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney
representing the owner.

I hereby certify that I have read, completed, and understand this Application and understand that if my
application and all associated attachments are not complete and accurate in all respects, the application
will not be scheduled for a public hearing.

I further understand that this application must be complete and accurate prior to the advertising of a
public hearing.

ABureth

(APPLICANT SIGNATURE)



CHRISTINE PICANZA
Notary Public
State of Florida
Comm# HH287701
Expires 7/13/2026

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____

(NOTARY PUBLIC SIGNATURE)

Picanza

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 21st day February of, 2024

CITY MANAGER/DESIGNEE RECOMMENDATION

All Code Enforcement lien reductions and bad debts will require a recommendation
approval by the City Manager/Designee to the Special Magistrate.

Recommended amount to the Special Magistrate: _____

Print Name _____

Date 9/24/23

Signature _____



[Search](#) > Account Summary

Real Estate Account #R82077

Owner:

3503 GULF BLVD HOLDINGS LLC

Situs:

3503 GULF BLVD
ST PETE BEACH

[Parcel details](#)

[Property Appraiser](#)



[Get bills by email](#)

Amount Due

Your account is **paid in full**. There is nothing due at this time.
Your last payment was made on **11/29/2023** for **\$6,682.33**.

[Apply for the 2024 installment payment plan](#)

Account History

BILL	AMOUNT DUE	STATUS	ACTION
2023 Annual Bill ⓘ	\$0.00 Paid \$6,682.33	11/29/2023 Receipt #952-23-083308	Print (PDF)
2022 Annual Bill ⓘ	\$0.00 Paid \$6,928.10	03/30/2023 Receipt #952-22-125000	Print (PDF)
2021 Annual Bill ⓘ	\$0.00 Paid \$5,762.32	11/30/2021 Receipt #952-21-076329	Print (PDF)
2020 Annual Bill ⓘ	\$0.00 Paid \$5,757.41	12/31/2020 Receipt #952-20-085337	Print (PDF)
2019 Annual Bill ⓘ	\$0.00 Paid \$6,154.21	12/16/2019 Receipt #952-19-064437	Print (PDF)
2018 Annual Bill ⓘ	\$0.00 Paid \$4,686.78	11/30/2018 Receipt #952-18-052611	Print (PDF)
2017 Annual Bill ⓘ	\$0.00 Paid \$4,060.10	11/30/2017 Receipt #755-17-103950	Print (PDF)
2016 Annual Bill ⓘ	\$0.00 Paid \$3,684.09	11/28/2016 Receipt #952-16-035523	Print (PDF)
2015 Annual Bill ⓘ	\$0.00 Paid \$3,287.33	11/30/2015 Receipt #755-15-080619	Print (PDF)
2014 Annual Bill ⓘ	\$0.00 Paid \$2,888.45	11/26/2014 Receipt #755-14-095026	Print (PDF)
2013 Annual Bill ⓘ	\$0.00 Paid \$2,932.94	11/27/2013 Receipt #755-13-100063	Print (PDF)
2012 Annual Bill ⓘ	\$0.00 Paid \$2,634.12	11/21/2012 Receipt #756-12-027993	Print (PDF)
2011 Annual Bill ⓘ	\$0.00 Paid \$2,582.43	11/28/2011 Receipt #755-11-074613	Print (PDF)
2010 Annual Bill ⓘ	\$0.00 Paid \$3,048.73	11/29/2010 Receipt #755-10-085561	Print (PDF)
2009 Annual Bill ⓘ	\$0.00 Paid \$3,320.56	11/30/2009 Receipt #755-09-089059	Print (PDF)
2008 Annual Bill ⓘ	\$0.00 Paid \$4,290.98	11/25/2008 Receipt #755-08-076072	Print (PDF)
2007 Annual Bill ⓘ	\$0.00 Paid \$4,250.73	11/29/2007 Receipt #055-07-00085807	Print (PDF)
2006 Annual Bill ⓘ	\$0.00 Paid \$4,644.12	11/27/2006 Receipt #055-06-00088500	Print (PDF)
2005 Annual Bill ⓘ	\$0.00 Paid \$3,849.82	11/27/2005 Receipt #052-05-00001446	Print (PDF)
2004 Annual Bill ⓘ	\$0.00 Paid \$3,448.18	11/29/2004 Receipt #015-04-00006663	Print (PDF)
Total Amount Due	\$0.00		

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20210528
ADDRESS: 3503 Gulf Blvd.**

3503 GULF BLVD HOLDINGS, LLC

Respondent.

_____ /

**AMENDED FINAL ADMINISTRATIVE ORDER AND
ORDER IMPOSING FINES**

This case came before the Special Magistrate on November 8, 2021, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order, as amended:

1. The City was represented by City Attorney Andrew Dickman and Code Enforcement Officer Jordan Hoft.
2. The Respondent failed to appear.
3. The Respondent owns the subject property, and legally required notice of this proceeding was served on the Respondent in accordance with applicable law.
4. The Respondent was notified of the following violation of the City's Land Development Code but failed to bring the property into compliance within the period required by the City.

Section 12.2. – Permitted principal uses and structures.

Subject to the provision or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RM Residential District are as follows:

- (a) *Residential dwellings*- Attached and detached single-family, multi-family and two family. Such dwellings may be used for transient occupancy, so long as any transient occupancy of less than 30 days does not occur more than three times in any 12-month period on any parcel.

5. The City presented evidence establishing the property had been rented for a period of less than thirty (30) days more than three times in a 12-month period in violation of the City's Code.

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

6. Respondent and the subject property were in violation of the cited provision on October 8, 2021, and as of the date of the hearing.
7. Respondent has until and including November 9, 2021, to come into compliance. Respondent must notify the City once the property has come into compliance.
8. The Respondent will be assessed a fine of \$250 per day beginning October 8, 2021, and each day thereafter until the property is in compliance, plus all reasonable administrative costs of the City related to the investigation and prosecution of this case.
9. Pursuant to Section 22-279 (a) of the City's Code of Ordinances, the Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of the original order.
10. Respondent is ordered to immediately cease renting the property for a term less than thirty (30) days until November 2022.
11. Should Respondent found to be in violation of the same provision within ~~twelve (12) months~~ five (5) years of the date of the original 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 1, 2021.

Erica F. Augello

Erica F. Augello, BCS
Special Magistrate

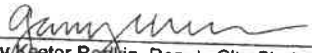
A copy of this Order was sent by regular U.S. Postal Service mail to the Respondent at 360 Casuarina Concourse, Miami, FL 33143-6508 on December 1, 2021.

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order issued by the Special Magistrate to the circuit court. The appeal will not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within 30 days of the execution of the order that is being appealed. The person or

entity filing the appeal shall be responsible for the submitting the record of proceedings including a verbatim transcript of the hearing. Section 162.11 and Section 286.0105, Florida Statutes.

I hereby certify this to be a true and exact copy of
AM. CESM ORDER CS# 2021 0528 on file in the office of
the City Clerk, City of St. Pete Beach, Pinellas County, FL


Ginny Keeter-Bodkin, Deputy City Clerk

12/2/21
Date