



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, April 8, 2024
10:00 AM

Call to Order
Pledge of Allegiance

CASE DOCKET

1. Administration of Oath
2. Changes to Agenda -
3. Cases Continued -

A. Case No. 20230616

City of St. Pete Beach v. Anthony J Perrone

Address: 8151 Blind Pass Rd. #8 St. Pete Beach FL 33706

Status Hearing on 30-day extension to apply for and secure an after-the-fact permit for the replacement of the exterior doors and windows.

B. Case No. 20230561

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

Address: 6901 Sunset Way St. Pete Beach FL 33706

Status Hearing on the 30-day extension to either provide proof that the gazebo is legally non-conforming or remove the structure from the property.

C. Case No. 20230602

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

Address: 9555 Blind Pass Rd. St. Pete Beach FL 33706

Status Hearing on an order granting a continuance to obtain the proper permit for the dumpster enclosure.

4. Repeat Violations -
5. New Cases

A. Case No. 20240090

City of St. Pete Beach v. Franklin L Dockett

Address: 555 Gulf Way #7-N St. Pete Beach FL 33706

Sec. 98-123.1. - Permits required.

Sec. 98-123.1. - Permits required.

Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

B. Case No. 20230685

City of St. Pete Beach v. Billie G Lambert

Address: 7951 Gulf Blvd. St. Pete Beach FL 33706

Sec. 98-65. - Unsightly conditions.

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

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

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

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

(b) Standards for improved property.

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

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

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

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

(7) Exterior surface treatment. All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

C. Case No. 20240133

City of St. Pete Beach v. Patricia E Little TRE

Address: 85 Corey Cir St. Pete Beach FL 33706

Sec. 46-33. - Enumeration.

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

(12) Any worn out, scrapped, partially dismantled, nonoperative, unusable or discarded materials or objects, such as automobiles or parts thereof, building materials, machinery, metal, wastepaper, rags, glassware, tinware, vehicles, boats or parts thereof, or other items of junk.

(13) The storage of any vehicle, whether motorized or nonmotorized, including but not limited to automobiles, trucks, trailers, campers, recreational vehicles, motor homes,

boats, boat trailers, or parts thereof, without a valid license plate or valid vehicle or trailer or boat-trailer or other registration certificate, showing the vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which the vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that the property is worn out, scrapped, nonoperative, unusable or discarded, as provided in subsection (12) of this section.

Sec. 78-96. - Business tax receipt—Required.

No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

Sec. 98-67. - Junk vehicle, junk vessels and abandoned property.

(e) Absence of a current license plate or current registration as prima facie evidence of abandonment. For the purpose of the enforcement of this article, the absence of a current license plate or current registration on a vehicle or boat shall be prima facie evidence that such vehicle or boat is abandoned, junked or discarded. The presence of a current license plate or registration solely shall not, in and of itself, exempt any vehicle or boat from the provisions of this article.

(f) Leaving of wrecked, junked, inoperative, partially dismantled or abandoned vehicles or boats on streets or highways prohibited. No person shall leave for more than 24 consecutive hours, whether currently licensed, registered or not licensed or registered, any wrecked, junked, inoperative, partially dismantled or abandoned vehicle or boat on any street or highway within the city limits.

D. Case No. 20240043

City of St. Pete Beach v. Thomas J Dillon III

Address: 422 86th Ave. St. Pete Beach FL 33706

Sec. 22.4. - Type, quality and size of plant material.

(f) Ground covers. Vegetative ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall nonvegetative pervious material (for the purposes of this section, stone, shell, gravel, and artificial turf only) be utilized for more than 20 percent of the minimum required pervious area, nor shall such material adversely affect abutting properties, waterways, or the right-of-way. The 20 percent maximum nonvegetative portion of the required pervious area may be increased administratively if the property owner installs an innovative landscape design that incorporates features that retain stormwater onsite, reduces the need for ground water irrigation, or increases the tree canopy as determined by professional best practices which include, but are not limited to, Florida-friendly landscaping, xeriscaping, and low-impact development. New construction that exceeds 10% of the zoning lot area, or the granting of an undue and unnecessary hardship variance or practical difficulty variance, shall require full compliance with this section. A recommended list of vegetative ground covers to be used includes, but is not limited to, the following:

Gallardia Pullchella (Gallardia)*

Helianthus Debius (Beach Sunflower)*

Lantana Camara (Dwarf Yellow Lantana)*

Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*

Trachelospernum Jasmine Minima Varegated (Varegated Dwarf Confederated Jasmine)*

Trachelospernum Jasminoides (Confederate Jasmine)*

Licania michauxii (Gopher Apple)

Scaevola plumieri (Inkberry)

Stachytarpheta jamaicensis (Prone Porterweed)*

Zamia pumila (Coontie)*

Muhlenbergia capillaris (Muhley Grass)*

E. Case No. 20240167

City of St. Pete Beach v. Stalba Investments LLC

Address: 4215 Miller Dr St Pete Beach Florida 33706

Sec. 8.2. - 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-1 Residential District are as follows: (a) Residential dwellings—Detached single-family only. Such dwellings shall not be used for transient occupancy

F. Case No. 20240148

City of St. Pete Beach v. Harly Schrock

Address: 220 45th Ave St. Pete Beach FL 33706

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.

G. Case No. 20240186

City of St. Pete Beach v. Larry B Garner

Address: 2815 Pass A Grille Way St Pete Beach FL 33706

Sec. 20.03 Permitted principal uses and structures

Sec. 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:

(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.

H. Case No. 20240158

City of St Pete Beach v. Thomas Dromgoole & Carolyn Zaleski

Address: 3208 E Maritana Dr St Pete Beach FL 33706

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.

I. Case No. 20240187

City of St. Pete Beach v. Thomas D Parker & Phyllis Parker

Address: 3611 Casablanca Ave St. Pete Beach FL 33706

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.

J. Case No. 20240147

City of St. Pete Beach v. Tyler Roshau & Natali Roshau

Address: 460 59th Ave. St. Pete Beach FL 33706

Sec. 8.2. - 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-1 Residential District are as follows:

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

K. Case No. 20240185

City of St. Pete Beach v. Rebecca Jones

Address: 8125 Boca Ciega Dr. 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.

6. Cases Complied -

7. Old Cases

A. Case No. 20230511

City of St. Pete Beach v. Randall Rutter Tre, Rutter Living trust

Address: 2504 Sunset Way St. Pete Beach FL 33706

Final hearing to impose final cost.

B. Case No. 20230559

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

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

Request for hearing to challenge fine amount

C. Case No. 20230513

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

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

Request for hearing to challenge fine amount

8. Lien Reductions

A. Case No. 20230291

City of St. Pete Beach v. Nemishawn INC

Address: 300 76th Ave. St. Pete Beach FL 33706

Lien Reduction Request

B. Case No. 20230340

City of St. Pete Beach v. Paradise Caprice LLC

Address: 521 71st Ave. St. Pete Beach FL 33706

Lien Reduction Request

C. Case No. 20230541

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

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

Lien Reduction Request

9. Next Meeting:

10. 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. 20230616**
 City of St. Pete Beach v. Anthony J Perrone
 Address: 8151 Blind Pass Rd. #8 St. Pete Beach
 FL 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status Hearing on 30-day extension to apply for and
 secure an after-the-fact permit for the replacement of
 the exterior doors and windows.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 2/14/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20230616
ADDRESS: 8151 Blind Pass, #8**

ANTHONY PERRONE,

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:

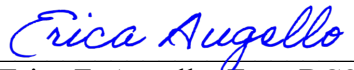
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Section 98-123.1 of the City's Code of Ordinances for installing windows and sliding glass doors without first securing a permit.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the installation of the new exterior doors and windows and testified that the windows and doors were new and there was no permit pulled by the property owner before installation.

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

6. Respondent is found to be and remains in violation of Section 98-123.1 of the City's Code of Ordinances.
7. Respondent shall have thirty (30) days from the date of this order, or by **Friday, March 15, 2024**, to apply for and secure an after-the-fact permit for the replacement of the exterior doors and windows.

8. A status hearing is set for **April 8, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.
9. No decision on fines and administrative costs is being made as part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
10. It is Respondent's responsibility to notify the City once the property is in compliance.
11. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.

Order entered on February 14, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 167 National Blvd., Long Beach, NY 11561-3324.

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. 20230561**
 City of St. Pete Beach v. SJ Beach Properties
 LLC
 Address: 6901 Sunset Way St. Pete Beach FL
 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status Hearing on the 30-day extension to either
 provide proof that the gazebo is legally non-conforming
 or remove the structure from the property.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 2/14/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230561

ADDRESS: 6901 Sunset Way

SJ BEACH PROPERTIES, LLC,

Respondent.

_____ /

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. Respondent was represented by Scott Steady, Esq. of Burr Forman, LLP.
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 1.3, 6.12, and 98-123.1 of the City's Code of Ordinances for erecting three gazebos without a permit and having them impermissibly placed.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the locations of the three gazebos and testified that no permit was secured for the erection of any of the three structures.
6. Mr. Steady stated that Respondent has removed two of the gazebos and submitted a survey that reflected the state of the property at the time of purchase depicting the location and identification of the third gazebo on the property, which Respondent did not erect. Mr. Steady advised that his client would be willing to remove the third gazebo but it was constructed by a different contractor and is not the same as the other two, so Respondent needed to find the appropriate contractor to remove it.

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

7. Respondent is found to be and remains in violation of Sections 1.3, 6.12, and 98-123.1 of the City's Code of Ordinances.
8. Respondent shall have thirty (30) days from the date of this order, or by **Friday, March 15, 2024**, to either provide proof that the gazebo is legally non-conforming or remove the structure from the property.
9. A status hearing is set for **April 8, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.
10. No decision on fines and administrative costs is being made as part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
11. It is Respondent's responsibility to notify the City once the property is in compliance.
12. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.

Order entered on February 14, 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Respondent's Counsel at ssteady@burr.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. 20230602**
 City of St. Pete Beach v. Ping Pong Partners LLC
 Address: 9555 Blind Pass Rd. St. Pete Beach FL
 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status Hearing on an order granting a continuance to
 obtain the proper permit for the dumpster enclosure.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 2/14/2024
 2. Special Magistrate Order 3/13/2024

**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.

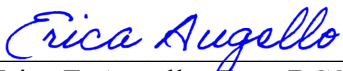
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ORDER GRANTING CONTINUANCE TO DATE CERTAIN

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.

**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.

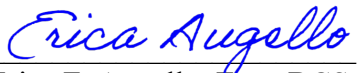
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ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on March 11, 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 **April 8, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 13th day of March 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. 20240090**
 City of St. Pete Beach v. Franklin L Dockett
 Address: 555 Gulf Way #7-N St. Pete Beach FL
 33706

Date: April 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 98-123.1. - Permits required.**
 Sec. 98-123.1. - Permits required. Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

The drywall work being done in the bedroom requires a permit. A Stop Work Order (SWO) has been posted to the property and work cannot resume until the permit has been issued to the contractor. 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

2/9/24

DOCKETT, FRANKLIN L
555 GULF WAY APT 7N
ST PETE BEACH FL 33706-4319 ,

RE: Case Number 20240090
Violation Address: 555 GULF WAY # 7-N
Parcel ID#: 193216723920000070

Dear Property Owner:

The drywall work being done in the bedroom requires a permit. A Stop Work Order (SWO) has been posted to the property and work cannot resume until the permit has been issued to the contractor. If you have any questions, please contact our office.

Sec. 98-123.1. - Permits required.

Sec. 98-123.1. - Permits required.

Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

These violation(s) must be corrected **no later than 2/23/24**. 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

- **Respondent(s): Franklin L Dockett**
- **Violation address: 555 Gulf Way #7-N**
- **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**

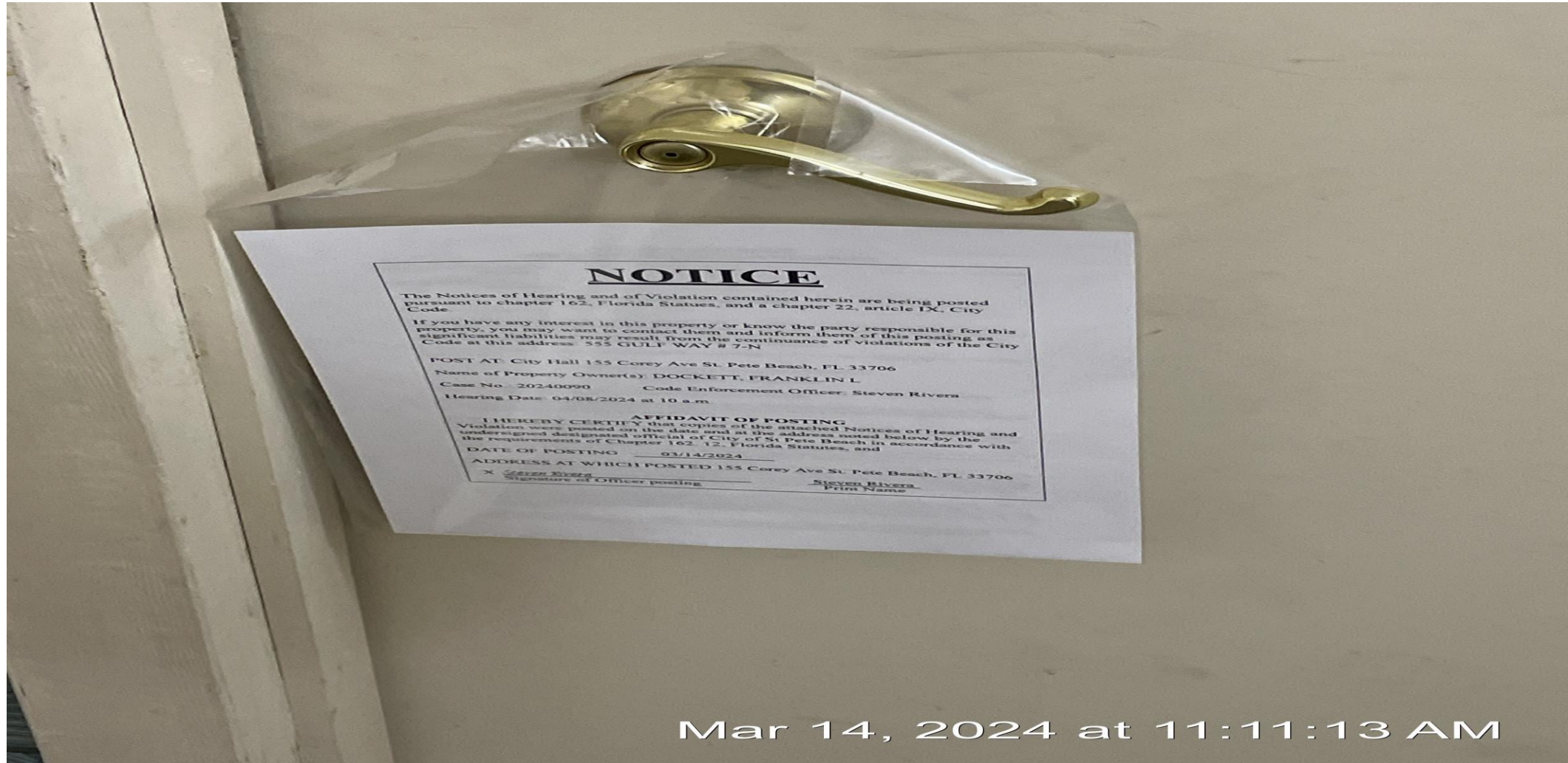
CE20240090

Case Summary

- Initial inspection: 2/08/2024**
- Notice of Violation dated: 2/09/2024**
- Notice of Violation compliance date: 2/23/2024**
- Notices of Hearing dated and posted on the property: 3/14/2024**

CE20240090

Affidavit of Posting



555 Gulf Way #7-N

CE20240090

Drywall being installed without a permit



555 Gulf Way #7-N

CE20240090

Drywall being installed without a permit



555 Gulf Way #7-N

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: 555 GULF WAY # 7-N

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

Name of Property Owner(s): DOCKETT, FRANKLIN L

Case No.: 20240090 Code Enforcement Officer: Steven Rivera

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/14/2024

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: 20240090

vs.
DOCKETT, FRANKLIN L
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 **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **555 GULF WAY # 7-N** 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 03/14/2024

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. 20230685**
 City of St. Pete Beach v. Billie G Lambert
 Address: 7951 Gulf Blvd. St. Pete Beach FL
 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 98-65. - Unsightly conditions.**
The following conditions are hereby deemed to be
unsightly conditions and are prohibited. The following
conditions are prohibited on any real property in the
City:

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

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

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

(b) Standards for improved property.

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

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

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

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

(7) Exterior surface treatment. All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

The property has deteriorating paint that must be painted so that it is not in an unsightly manner, siding that is broken and must be repaired, a door frame that is rotten and must be repaired and painted, and outside storage of materials that must be removed.

Funding: N/A

Requested Motion: N/A

Attachments:

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



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

AMENDED NOTICE OF VIOLATION

2/27/2024

LAMBERT, BILLIE G
7625 132ND WAY
SEMINOLE, FL 33776-3920

RE: Case Number 20230685
Violation Address: 7951 GULF BLVD
Parcel ID#: 363115781740840150

Dear Property Owner:

Your property has deteriorating paint that must be painted so that it is not in an unsightly manner, siding that is broken and must be repaired, a door frame that is rotten and must be repaired and painted, and outside storage of materials that must be removed. You are in violation of the following sections:

Sec. 98-65. - Unsightly conditions.

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

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

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

- (a) All premises shall be maintained in compliance with the standards in this section.
 - (b) Standards for improved property.
 - (2) Exterior walls. Exterior walls of buildings shall be:
 - a. Maintained free from holes, breaks, and loose or rotting materials; and
 - b. Maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration.
- Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.

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

(7) Exterior surface treatment. All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

(e) Outdoor storage. Outside storage of materials and equipment shall be restricted to the rear yard area and screened by an opaque fence or hedge so that such materials are not visible from any public right-of-way or adjoining lot.

These violation(s) must be corrected **no later than 3/5/2024**. 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

 727-589-2564

CE20230685

- Respondent(s): Billie G Lambert**
- Violation address: 7951 Gulf Blvd.**
- Violation(s) description: The property is in violation of section 98-65 Unsightly conditions (4) & 98-66 Residential and commercial property maintenance (a), (b), (2) a. & b., (6), & (7) of the Code of Ordinances of the City of St. Pete Beach**

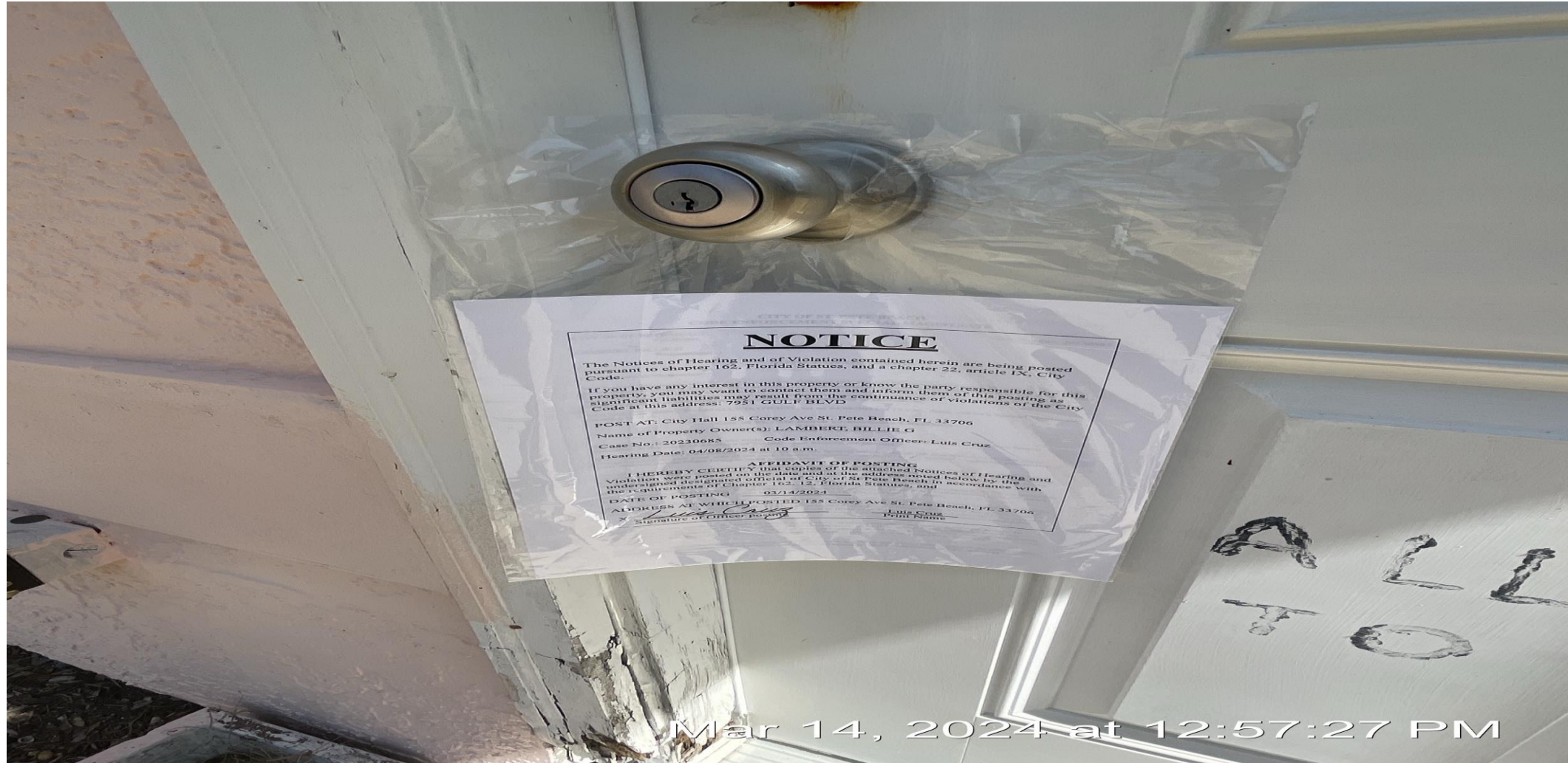
CE20230685

Case Summary

- Initial inspection: 12/8/2023**
- Notice of Violation dated: 2/27/2024**
- Notice of Violation compliance date: 3/5/2024**
- Notices of Hearing dated and posted on the property: 3/14/2024**

CE20230685

Affidavit of Posting



7951 Gulf Blvd.

CE20230685

Broken siding and deteriorated paint



7951 Gulf Blvd.

CE20230685

Deteriorated paint



7951 Gulf Blvd.

CE20230685

Deteriorated paint



7951 Gulf Blvd.

CE20230685

Deteriorated paint and rotted wood doorframe



7951 Gulf Blvd.

CE20230685

Deteriorated paint



7951 Gulf Blvd.

CE20230685

Deteriorated paint



7951 Gulf Blvd.

CE20230685

Deteriorated paint and broken siding



Mar 27, 2024 at 3:01:23 PM

7951 Gulf Blvd.

CE20230685

Deteriorated paint and rotted wood doorframe



7951 Gulf Blvd.

CE20230685

Deteriorated paint



7951 Gulf Blvd.

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: 7951 GULF BLVD

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

Name of Property Owner(s): LAMBERT, BILLIE G

Case No.: 20230685 Code Enforcement Officer: Luis Cruz

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/14/2024

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: 20230685

vs.
LAMBERT, BILLIE G
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 **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **7951 GULF BLVD** 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,

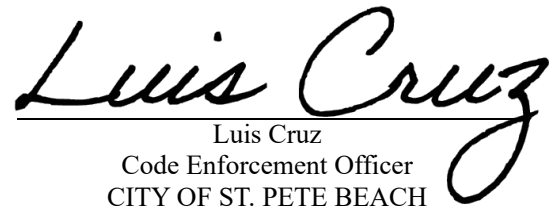
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 03/14/2024


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. 20240133**
 City of St. Pete Beach v. Patricia E Little TRE
 Address: 85 Corey Cir St. Pete Beach FL 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 46-33. - Enumeration.**
The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:

(12) Any wornout, scrapped, partially dismantled, nonoperative, unusable or discarded materials or objects, such as automobiles or parts thereof, building materials, machinery, metal, wastepaper, rags, glassware, tinware, vehicles, boats or parts thereof, or other items of junk.

(13) The storage of any vehicle, whether motorized or nonmotorized, including but not limited to automobiles, trucks, trailers, campers, recreational vehicles, motor homes, boats, boat trailers, or parts thereof, without a valid license plate or valid vehicle or trailer or boat-trailer or other registration certificate, showing the vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which the vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that the property is worn out, scrapped, nonoperative, unusable or discarded, as provided in subsection (12) of this section.

Sec. 78-96. - Business tax receipt—Required.

No person shall engage in any business, trade or profession in the city without first obtaining a business

tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

Sec. 98-67. - Junk vehicle, junk vessels and abandoned property.

(e) Absence of a current license plate or current registration as prima facie evidence of abandonment. For the purpose of the enforcement of this article, the absence of a current license plate or current registration on a vehicle or boat shall be prima facie evidence that such vehicle or boat is abandoned, junked or discarded. The presence of a current license plate or registration solely shall not, in and of itself, exempt any vehicle or boat from the provisions of this article.

(f) Leaving of wrecked, junked, inoperative, partially dismantled or abandoned vehicles or boats on streets or highways prohibited. No person shall leave for more than 24 consecutive hours, whether currently licensed, registered or not licensed or registered, any wrecked, junked, inoperative, partially dismantled or abandoned vehicle or boat on any street or highway within the city limits.

There is a business operating on the property without acquiring/renewing their yearly Business-Tax-Receipt. The business is Blue Parrot, and they must obtain/renew their Business-Tax-Receipt (BTR) by the compliance date below. Notification has been sent multiple times to the business owner and the BTR was to be paid by September 30th 2023. Also, property has an unregistered/junk vehicle that must be removed.

Funding: N/A

Requested Motion: N/A

Attachments:

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



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

NOTICE OF VIOLATION

3/5/2024

LITTLE, PATRICIA E TRE
7100 SUNSET WAY APT 612W
ST PETE BEACH FL 33706-3652

RE: Case Number 20240133
Violation Address: 85 COREY CIR
Parcel ID#: 363115135900000010

Dear Property Owner:

You have a business operating on your property without acquiring/renewing their yearly Business-Tax-Receipt. The business is Blue Parrot and they must obtain/renew their Business-Tax-Receipt (BTR) by the compliance date below. Notification has been sent multiple times to the business owner and the BTR was to be paid by September 30th 2023. Also, property has an unregistered/junk vehicle that must be removed. You are in violation of the following section:

Sec. 46-33. - Enumeration.

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

(12) Any wornout, scrapped, partially dismantled, nonoperative, unusable or discarded materials or objects, such as automobiles or parts thereof, building materials, machinery, metal, wastepaper, rags, glassware, tinware, vehicles, boats or parts thereof, or other items of junk.

(13) The storage of any vehicle, whether motorized or nonmotorized, including but not limited to automobiles, trucks, trailers, campers, recreational vehicles, motor homes, boats, boat trailers, or parts thereof, without a valid license plate or valid vehicle or trailer or boat-trailer or other registration certificate, showing the vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which the vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that the property is worn out, scrapped, nonoperative, unusable or discarded, as provided in subsection (12) of this section.

Sec. 78-96. - Business tax receipt—Required.

No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

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(f) Leaving of wrecked, junked, inoperative, partially dismantled or abandoned vehicles or boats on streets or highways prohibited. No person shall leave for more than 24 consecutive hours, whether currently licensed, registered or not licensed or registered, any wrecked, junked, inoperative, partially dismantled or abandoned vehicle or boat on any street or highway within the city limits.

These violation(s) must be corrected **no later than 3/15/2024**. 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

 727-589-2564

CE20240133

- Respondent(s): Patricia E Little TRE**
- Violation address: 85 Corey Cir**
- Violation(s) description: The property is in violation of section 46-33 Enumeration (12) & (13), 78-96 Business tax receipt-Required, & 98-67 Junk vehicle, junk vessels and abandoned property (e) & (f) of the Code of Ordinances of the City of St. Pete Beach**

CE20240133

Case Summary

- Initial inspection: 3/5/2024**
- Notice of Violation dated: 3/5/2024**
- Notice of Violation compliance date: 3/15/2024**
- Notices of Hearing dated and posted on the property: 3/19/2024**

A photograph of a blue parrot net with a black sign that reads "BLUE PARROT" in white letters. A white notice is taped to the bottom of the sign. The notice contains the following text:

NOTICE

The Division of Revenue, State of Wisconsin, has received information that the following person is operating a business in the State of Wisconsin without the proper license or permit. The person is: [Name Redacted]

PLEASE ADVISE: [Name Redacted] 1234 Main St., [City Redacted], WI 53001. If you are the owner or operator of this business, please contact the Division of Revenue at (608) 261-1234. If you are not the owner or operator, please contact the Division of Revenue at (608) 261-1234.

Division of Revenue, State of Wisconsin
1234 Main St., [City Redacted], WI 53001
(608) 261-1234

Page 54 of 259

CE20240133

Junk/abandoned vehicle



85 Corey Cir

CE20240133

Junk/abandoned vehicle



85 Corey Cir

CE20240133

Junk/abandoned vehicle



85 Corey Cir

CE20240133

Junk/abandoned vehicle



85 Corey Cir

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: 85 COREY CIR

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

Name of Property Owner(s): LITTLE, PATRICIA E TRE

Case No.: 20240133 Code Enforcement Officer: Luis Cruz

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/19/2024

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: 20240133

vs.
LITTLE, PATRICIA E TRE
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**

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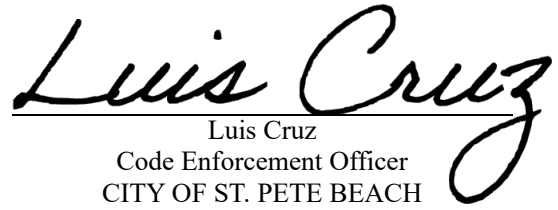
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Should you desire, you have the right to obtain an attorney, at your own expense, to represent you before the Special Magistrate. You also have the right to present witnesses, as well as question the witnesses testifying against you at this Hearing. 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 03/19/2024


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. 20240043**
 City of St. Pete Beach v. Thomas J Dillon III
 Address: 422 86th Ave. St. Pete Beach FL 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 22.4. - Type, quality and size of plant material.**

(f) Ground covers. Vegetative ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall nonvegetative pervious material (for the purposes of this section, stone, shell, gravel, and artificial turf only) be utilized for more than 20 percent of the minimum required pervious area, nor shall such material adversely affect abutting properties, waterways, or the right-of-way. The 20 percent maximum nonvegetative portion of the required pervious area may be increased administratively if the property owner installs an innovative landscape design that incorporates features that retain stormwater onsite, reduces the need for ground water irrigation, or increases the tree canopy as determined by professional best practices which include, but are not limited to, Florida-friendly landscaping, xeriscaping, and low-impact development. New construction that exceeds 10% of the zoning lot area, or the granting of an undue and unnecessary hardship variance or practical difficulty variance, shall require full compliance with this section. A recommended list of vegetative ground covers to be used includes, but is not limited to, the following:

Gallardia Pullchella (Gallardia)*

Helianthus Debilus (Beach Sunflower)*

Lantana Camara (Dwarf Yellow Lantana)*

Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*

Trachelospernum Jasmine Minima Varegated (Varegated Dwarf Confederate Jasmine)*

Trachelospernum Jasminoides (Confederate Jasmine)*

Licania michauxii (Gopher Apple)

Scaevola plumieri (Inkberry)

Stachytarpheta jamaicensis (Prone Porterweed)*

Zamia pumila (Coontie)*

Muhlenbergia capillaris (Muhley Grass)*

The property owner has removed all vegetative ground cover and replaced it with pea pebbles, which is not an adequate vegetative ground cover. The pea pebbles must be removed, and the ground cover must be replaced with appropriate plant material.

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

2/7/2024

DILLION III, THOMAS J.
PO Box 8441
Richmond, VA 23226-0441

RE: Case Number 20240043
Violation Address: 422 86TH AVE
Parcel ID#: 253115782461030230

Dear Property Owner:

You have removed all vegetative ground cover and replaced it with pea pebbles which is not an adequate vegetative ground cover. The pea pebbles must be removed and the ground cover must be replaced is appropriate plant material. You are in violation of the following section:

Sec. 22.4. - Type, quality and size of plant material.

(f) Ground covers. Vegetative ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall nonvegetative pervious material (for the purposes of this section, stone, shell, gravel, and artificial turf only) be utilized for more than 20 percent of the minimum required pervious area, nor shall such material adversely affect abutting properties, waterways, or the right-of-way. The 20 percent maximum nonvegetative portion of the required pervious area may be increased administratively if the property owner installs an innovative landscape design that incorporates features that retain stormwater onsite, reduces the need for ground water irrigation, or increases the tree canopy as determined by professional best practices which include, but are not limited to, Florida-friendly landscaping, xeriscaping, and low-impact development. New construction that exceeds 10% of the zoning lot area, or the granting of an undue and unnecessary hardship variance or practical difficulty variance, shall require full compliance with this section. A recommended list of vegetative ground covers to be used includes, but is not limited to, the following:

Gallardia Pullchella (Gallardia)*

Helianthus Debius (Beach Sunflower)*

Lantana Camara (Dwarf Yellow Lantana)*

Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*

Trachelospermum Jasmine Minima Veregated (Veregated Dwarf Confederate Jasmine)*

Trachelospermum Jasminoides (Confederate Jasmine)*

Licania michauxii (Gopher Apple)

Scaevola plumieri (Inkberry)

Stachytarpheta jamaicensis (Prone Porterweed)*

Zamia pumila (Coontie)*

Muhlenbergia capillaris (Muhley Grass)*

These violation(s) must be corrected **no later than 2/28/2024**. 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

 727-589-2564

CE20240043

- Respondent(s): Thomas J Dillon III**
- Violation address: 422 86th Ave.**
- Violation(s) description: The property is in violation of section 22.4 Type, quality and size of plant material (f) of the Land Development Code of the City of St. Pete Beach**

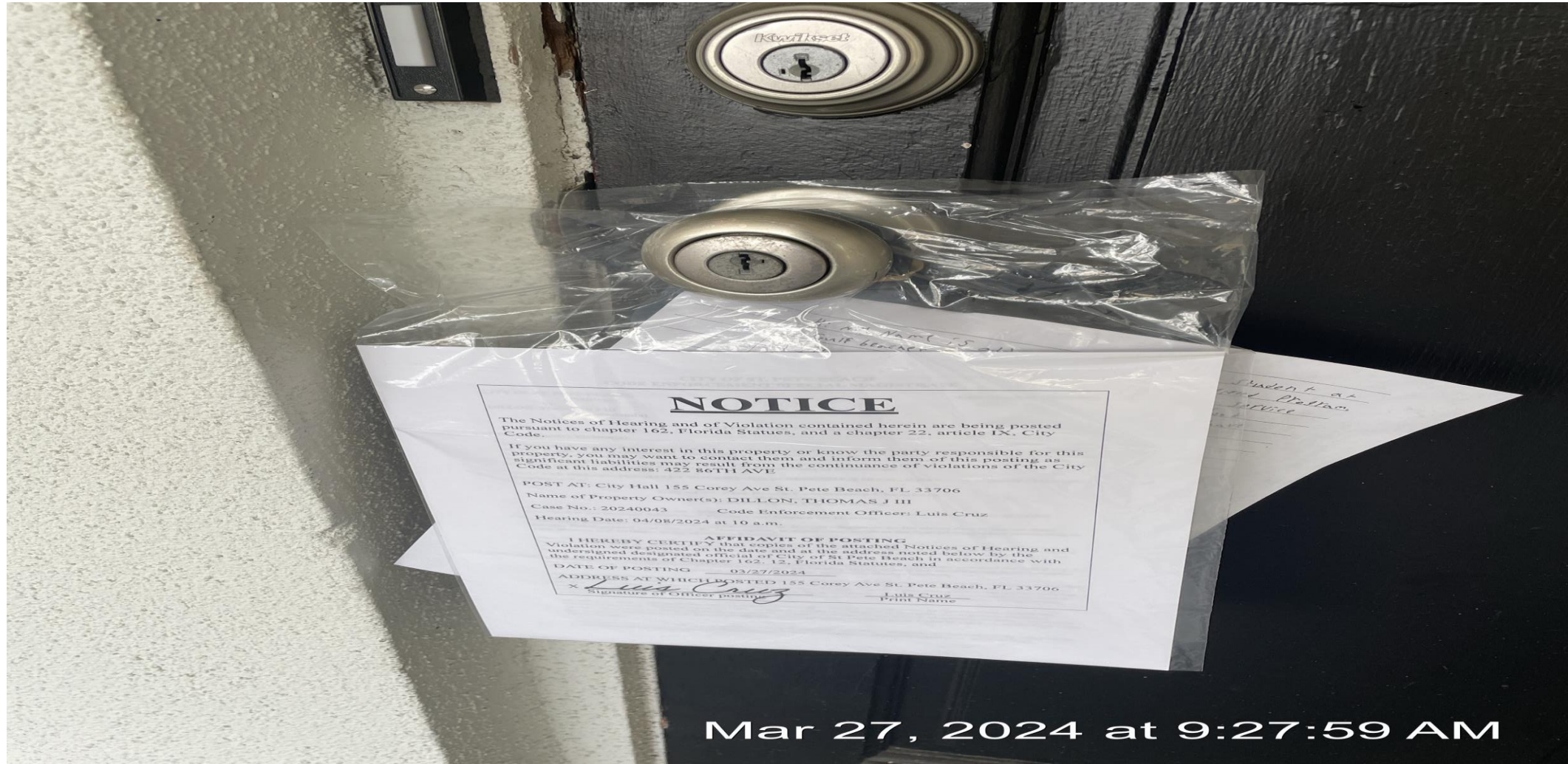
CE20240043

Case Summary

- Initial inspection: 1/19/2024**
- Notice of Violation dated: 2/7/2024**
- Notice of Violation compliance date: 2/28/2024**
- Notices of Hearing dated and posted on the property: 3/27/2024**

CE20240043

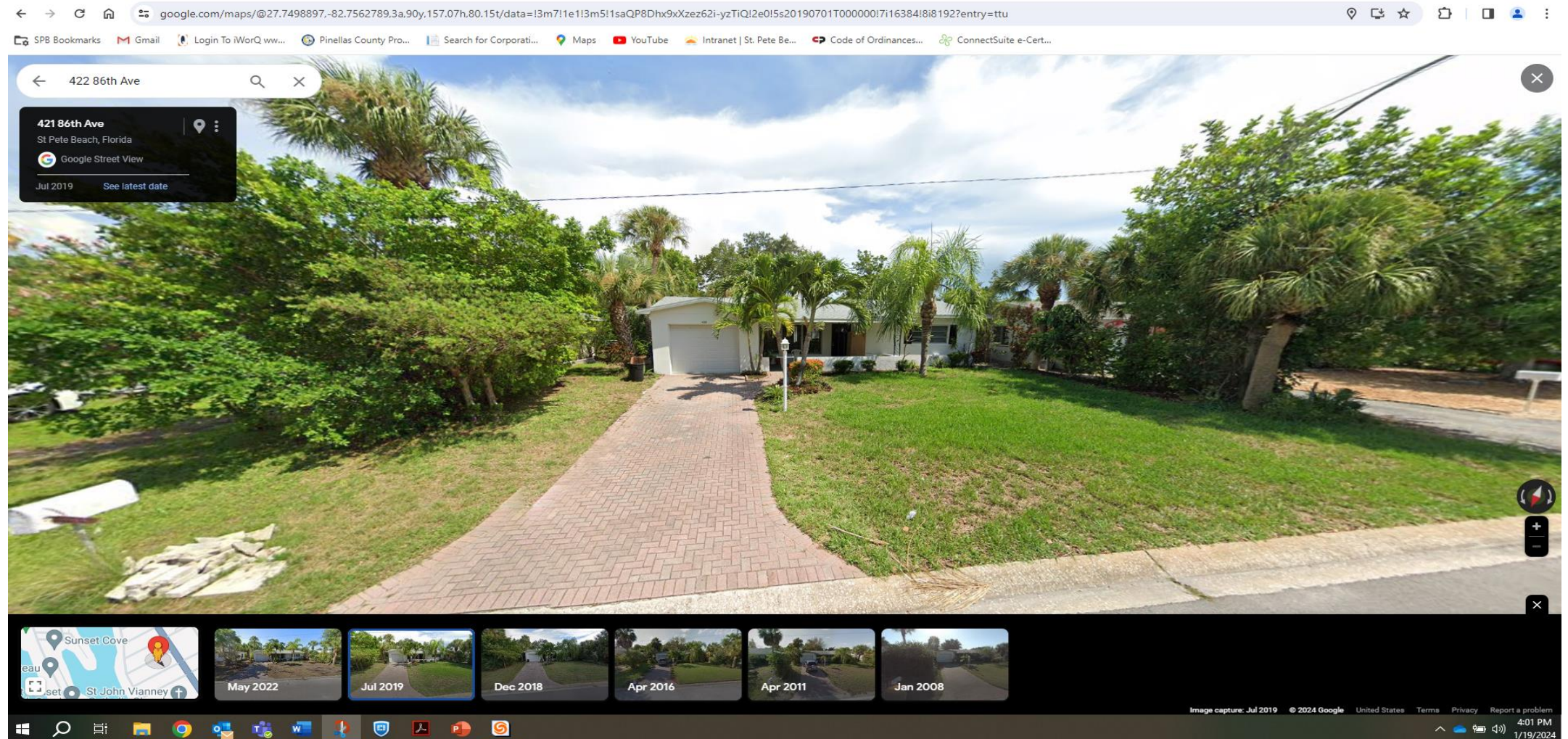
Affidavit of Posting



422 86th Ave.

CE20240043

Previous vegetative ground cover (2019)



422 86th Ave.

CE20240043

Vegetative ground cover replaced with pea pebbles



422 86th Ave.

CE20240043

Vegetative ground cover replaced with pea pebbles



Jan 19, 2024 at 2:01:19 PM

422 86th Ave.

CE20240043

Vegetative ground cover replaced with pea pebbles



422 86th Ave.

CE20240043

Vegetative ground cover replaced with pea pebbles



422 86th Ave.

CE20240043

Vegetative ground cover replaced with pea pebbles



422 86th Ave.

CE20240043

Vegetative ground cover replaced with pea pebbles



422 86th Ave.

CE20240043

Vegetative ground cover replaced with pea pebbles



422 86th Ave.

CE20240043

Vegetative ground cover replaced with pea pebbles



422 86th 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: 422 86TH AVE

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

Name of Property Owner(s): DILLON, THOMAS J III

Case No.: 20240043 Code Enforcement Officer: Luis Cruz

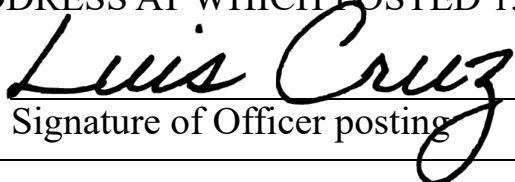
Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/27/2024

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,

Case Number: 20240043

vs.
DILLON, THOMAS J III
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 **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **422 86TH 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,

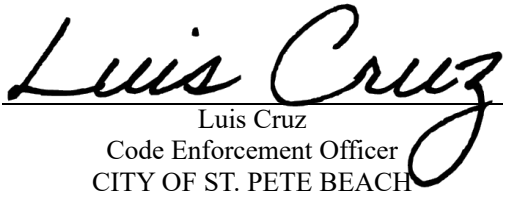
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 03/27/2024


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. 20240167
City of St. Pete Beach v. Stalba Investments LLC
Address: 4215 Miller Dr St Pete Beach Florida
33706**

Date: April 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 8.2. - 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-1 Residential District are as follows: (a) Residential dwellings — Detached single-family only. Such dwellings shall not be used for transient occupancy.

Properties located in the RU-1 zoning district can only be rented monthly. There are two reviews that show less than a monthly stays. Stays less than a month are considered to be transient occupancy. Transient occupancy is prohibited and irreparable and irreversible in nature.

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

Irreparable or Irreversible Notice of Violation

03/18/2024

STALBA INVESTMENTS LLC
7957 2ND AVE S
ST PETERSBURG, FL 33707-1023

Re: **Case Number 20240167**
Violation Address: 4215 MILLER DR, ST PETE BEACH FL 33706,
Parcel ID#: 073216075240090440

Dear Property Owner:

Properties located in the RU-1 zoning district can only be rented monthly. There are two reviews that show less than a monthly stays. Stays less than a month are considered to be transient occupancy. Transient occupancy is prohibited and irreparable and irreversible in nature. You are in violation of the following codes:

Sec. 8.2. - 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-1 Residential District are as follows:

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

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **04/08/2024, at 10 A.M.**

If the Code Officer has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Code Officer shall make a reasonable effort to notify the violator and may immediately schedule a Special Magistrate hearing without reasonable time to correct the violation. However, if the Magistrate finds the violation to be irreparable or irreversible in nature, the Magistrate may impose a fine not to exceed \$5,000 per violation.

If you require further assistance and/or information, please contact (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

CE20240167

- Respondent(s): Stalba Investments LLC**
- Violation address: 4215 Miller Dr.**
- Violation(s) description: The property is in violation of section 8.2 (a) Permitted principal and structures, of the Land Development Code of the City of St. Pete Beach**

Case Summary

- Initial inspection: 3/18/2024**
- Irreparable & Irreversible Notice of Violation dated: 3/18/2024**
- Notices of Hearing dated and posted on the property: 3/18/2024**

CE20240167

Affidavit of Posting



4215 Miller Dr.

Sec. 2.1. - Words, terms and phrases defined.

- **Transient occupancy** means occupancy that is intended to be temporary, or which is offered or advertised as being available for a term of less than one month, more than three times in any consecutive 12-month period. Any occupancy of less than one month shall be deemed a transient occupancy unless such occupancy results from, the early termination of a rental agreement having a term of at least one month, or the termination of a month-to-month tenancy as defined by law. In determining whether a property is used as a transient occupancy, such determination shall be made without regard to the form of ownership of the property or unit, whether the occupant has a direct or indirect ownership interest in the property or unit, and without regard to whether the right of occupancy arises from a rental agreement, other agreement or the payment of consideration.

3208 E Maritana Dr

CE20240167

4215 Miller Dr



Mar 5, 2024 at 3:29:28 PM

CE20240167

Airbnb Advertisement

https://www.airbnb.com/rooms/1065179170007006761?check_out=2024-04-12&children=2&adults=2&check_in=2024-04-07&viralityEntryPoint=1&s=76&unique_share_id=924CA5C9-5320-4157-BCB8-39B7D9A3...

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airbnb

Anywhere Any week Add guests

Airbnb your home

Waterfront St Pete Beach Escape Villa

Share Save



Entire home in St. Pete Beach, Florida
6 guests · 3 bedrooms · 3 beds · 2 baths
★ New · [2 reviews](#)

 Hosted by Blake
5 years hosting

CHECK-IN
4/7/2024

CHECKOUT
4/12/2024

GUESTS
4 guests

Those dates are not available

Show all photos

10:54 AM
3/18/2024

4215 Miller Dr.

CE20240167

Airbnb reviews

https://www.airbnb.com/rooms/1065179170007006761?check_out=2024-04-12&children=2&adults=2&check_in=2024-04-07&viralityEntryPoint=1&s=76&unique_share_id=924CA5C9-5320-4157-BCB8-39B7D9A3...

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Photos Amenities Reviews Location

Change dates

Jessica
Naples, Florida
★★★★★ · 6 days ago · Stayed a few nights
Fabulous and quiet home!

Joe
Clio, Michigan
★★★★★ · 1 week ago · Group trip
We loved the home and location. We would love to stay again.

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

BRIGHTWATER
PUNTA VISTA
BOCA GRANDE
BELLE
DON CESAR
ISLA DEL SOL
VIN DEL MAR ISLAND
BAYWAY ISLES

Public Transit

Exact location provided after booking.

10:56 AM
3/18/2024

4215 Miller 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: 4215 MILLER DR

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

Name of Property Owner(s): STALBA INVESTMENTS LLC

Case No.: 20240167 Code Enforcement Officer: Steven Rivera

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/18/2024

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,
vs.
STALBA INVESTMENTS LLC
Respondent(s)

Case Number: 20240167

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 **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **4215 MILLER 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 03/18/2024

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. 20240148**
 City of St. Pete Beach v. Harly Schrock
 Address: 220 45th Ave St. Pete Beach FL 33706

Date: April 8, 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.**

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.

Properties located in the RU-2 zoning district can only be rented monthly. Stays less than a month are considered to be transient occupancy. The two stays/reviews for December of 2023, and the two for January of 2023 are a violation of the code. Transient occupancy is prohibited and irreparable and irreversible in nature. You are in violation of the following codes:

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

Irreparable or Irreversible Notice of Violation

03/12/2024

SCHROCK, HARLEY
12485 WILD BERRY TRL
ODESSA , FL 33556-1976

Re: **Case Number 20240148**
Violation Address: 220 45TH AVE, ST PETE BEACH FL 33706,
Parcel ID#: 073216516780030170

Dear Property Owner:

Properties located in the RU-2 zoning district can only be rented monthly. Stays less than a month are considered to be transient occupancy. The two stays/reviews for December of 2023, and the two for January of 2024 are a violation of the code. Transient occupancy is prohibited and irreparable and irreversible in nature. You are in violation of the following codes:

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.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **04/08/2024, at 10 A.M.**

If the Code Officer has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Code Officer shall make a reasonable effort to notify the violator and may immediately schedule a Special Magistrate hearing without reasonable time to correct the violation. However, if the Magistrate finds the violation to be irreparable or irreversible in nature, the Magistrate may impose a fine not to exceed \$5,000 per violation.

If you require further assistance and/or information, please contact (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

CE20240148

- Respondent(s): Harley Schrock**
- Violation address: 220 45th Ave.**
- Violation(s) description: The property is in violation of section 9.2 (a) Permitted principal and structures, of the Land Development Code of the City of St. Pete Beach**

Case Summary

- Initial inspection: 3/12/2024**
- Irreparable & Irreversible Notice of Violation dated: 3/12/2024**
- Notices of Hearing dated and posted on the property: 3/12/2024**

CE20240148

Affidavit of Posting



220 45th Ave.

Sec. 2.1. - Words, terms and phrases defined.

- **Transient occupancy** means occupancy that is intended to be temporary, or which is offered or advertised as being available for a term of less than one month, more than three times in any consecutive 12-month period. Any occupancy of less than one month shall be deemed a transient occupancy unless such occupancy results from, the early termination of a rental agreement having a term of at least one month, or the termination of a month-to-month tenancy as defined by law. In determining whether a property is used as a transient occupancy, such determination shall be made without regard to the form of ownership of the property or unit, whether the occupant has a direct or indirect ownership interest in the property or unit, and without regard to whether the right of occupancy arises from a rental agreement, other agreement or the payment of consideration.

220 45th Ave.

CE20240148

220 45th Ave.



Mar 12, 2024 at 10:37:58 AM

Home PagePinellas County Pro...ConnectSuite e-Cer...Phone-List-INTER...Passport PortalConnectSuite e-Cer...LoginSeeClickFix CRMLogin To iWorQ ww...Laserfiche | HomeMeetings ViewFACECode of Ordinances...

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Any week

Add guests

Airbnb your home

Backyard Beach

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Show all photos

Entire home in St. Pete Beach, Florida

7 guests · 2 bedrooms · 7 beds · 2 baths

Guest favorite

One of the most loved homes on Airbnb, according to guests

5.0

★★★★★

5

Reviews

\$350 night

CHECK-IN

9/1/2024

CHECKOUT

9/8/2024

GUESTS

2 guests

9:31 AM

3/12/2024

Page 101 of 259

CE20240148

Airbnb Advertisement

Photos

Amenities

Reviews

Location

Guest favorite

One of the most loved homes on Airbnb, according to guests

5.0

★★★★★

5

Reviews

Hosted by Harley

3 months hosting

Free cancellation for 48 hours

Self check-in

Check yourself in with the lockbox.

Great communication

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

Backyard Beach is a modern beach bungalow with private backyard oasis just steps away to the white sands of St. Pete beach with its on beach access. In the back yard you will find hot tub, yard games, grille with lounge and dining area. 2 blocks from Starbucks, Publix grocery store, dollar tree and chick fil a that all share a parking lot. You can walk to many local restaurants or cruise gulf boulevard on the street legal golf cart or 2 electric scooters that are included in the rental.

[Show more >](#)

Where you'll sleep

CHECK-IN

9/1/2024

CHECKOUT

9/8/2024

GUESTS

2 guests

Reserve

You won't be charged yet

\$350 x 7 nights

\$2,450

Cleaning fee

\$200

Airbnb service fee

\$374

Total before taxes

\$3,024

This is a rare find

Harley's place is usually fully booked.

Report this listing

Windows

Search

Task View

Microsoft Edge

Google Chrome

Firefox

Outlook

Teams

OneDrive

File Explorer

Settings

9:33 AM

3/12/2024

220 45th Ave.

Page 102 of 259

CE20240148

Airbnb 7-night Advertisement

Photos

Amenities

Reviews

Location

Select checkout date

Minimum stay: 7 nights

<

September 2024

>

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23

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31

Clear dates

\$275 night

CHECK-IN

9/4/2024

CHECKOUT

Add date

GUESTS

2 guests

▼

Check availability

Report this listing

5.0

Guest favorite

220 45th Ave.

CE20240148

Airbnb reviews

https://www.airbnb.com/rooms/1016579207972933740?adults=2&enable_m3_private_room=true&location=St%20Pete%20Beach%2C%20FL&check_in=2024-09-04&source_impression_id=p3_171024...

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Photos Amenities Reviews Location

\$275 night
★ 5.0 · 5 reviews

Check availability



Ashley
Lititz, Pennsylvania

★★★★★ · 1 week ago · Stayed with kids

We cannot rave about this place or our stay enough. We stayed for a full month so we definitely got to experience all this place had to offer. We absolutely adored the backyard!...

[Show more](#)



Patrick
St. Pete Beach, Florida

★★★★★ · January 2024 · Stayed with kids

Saint Pete Beach is a wonderful community to live in and visit. We had three families visiting us during the holidays and we needed more space nearby to host them. Harley's home was...

[Show more](#)



Gabriela
Laurel, Maryland

★★★★★ · December 2023 · Stayed with a pet

We had a fantastic time at the Backyard Beach House. Highly recommend it! The entire place has an upscale interior and exterior design, elegant, warm and welcoming, a beautiful...

[Show more](#)



Shelby
3 years on Airbnb

★★★★★ · January 2024 · Stayed with a pet

The house was a joy to stay at. Harley put a lot of thought into the home and was absolutely a pleasure to stay there. Would recommend anyone looking in the area to stay at this particular home. Great hosts. Nice area. I will be back.



Fred
3 months on Airbnb

★★★★★ · December 2023 · Stayed with a pet

What can we say.... The house was awesome. Private fenced in back yard with hot tub and lots of games. An easy walk to the beach and the golf cart was so handy for running around tow...

[Show more](#)

220 45th Ave.

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statutes, and a chapter 22, article IX, City Code.

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 220 45TH AVE

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

Name of Property Owner(s): SCHROCK, HARLEY

Case No.: 20240148 Code Enforcement Officer: Steven Rivera

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/12/2024

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: 20240148

vs.
SCHROCK, HARLEY
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 **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **220 45TH AVE** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 03/12/2024



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. 20240186
City of St. Pete Beach v. Larry B Garner
Address: 2815 Pass A Grille Way St Pete Beach
FL 33706**

Date: April 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 20.03 Permitted principal uses and structures**

Sec. 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:

(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.

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. The 23 reviews after May of 2023 are in violation of the Land Development code 20.03.

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

Irreparable or Irreversible Notice of Violation

03/25/2024

GARNER, LARRY B
2815 PASS A GRILLE WAY
ST PETE BEACH FL 33706-4165

Re: **Case Number 20240186**
Violation Address: 2815 PASS A GRILLE WAY, ST PETE BEACH FL 33706
Parcel ID#: 183216173160010260

Dear Property Owner:

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. The 23 reviews after May of 2023 are in violation of the Land Development code 20.03.

Sec. 20.03 Permitted principal uses and structures

Sec. 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:

(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.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **04/08/2024, at 10 A.M.**

If the Code Officer has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Code Officer shall make a reasonable effort to notify the violator and may immediately schedule a Special Magistrate hearing without reasonable time to correct the violation. However, if the Magistrate finds the violation to be irreparable or irreversible in nature, the Magistrate may impose a fine not to exceed \$5,000 per violation.

If you require further assistance and/or information, please contact (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

CE20240186

- Respondent(s): Larry B Garner**
- Violation address: 2815 Pass A Grille Way**
- Violation(s) description: The property is in violation of section 20.03 (b) Permitted principal and structures, of the Land Development Code of the City of St. Pete Beach**

CE20240186

Case Summary

- Initial inspection: 3/25/2024**
- Irreparable & Irreversible Notice of Violation dated: 3/25/2024**
- Notices of Hearing dated and posted on the property: 3/27/2024**

CE20240186

Affidavit of Posting



2815 Pass A Grille Way

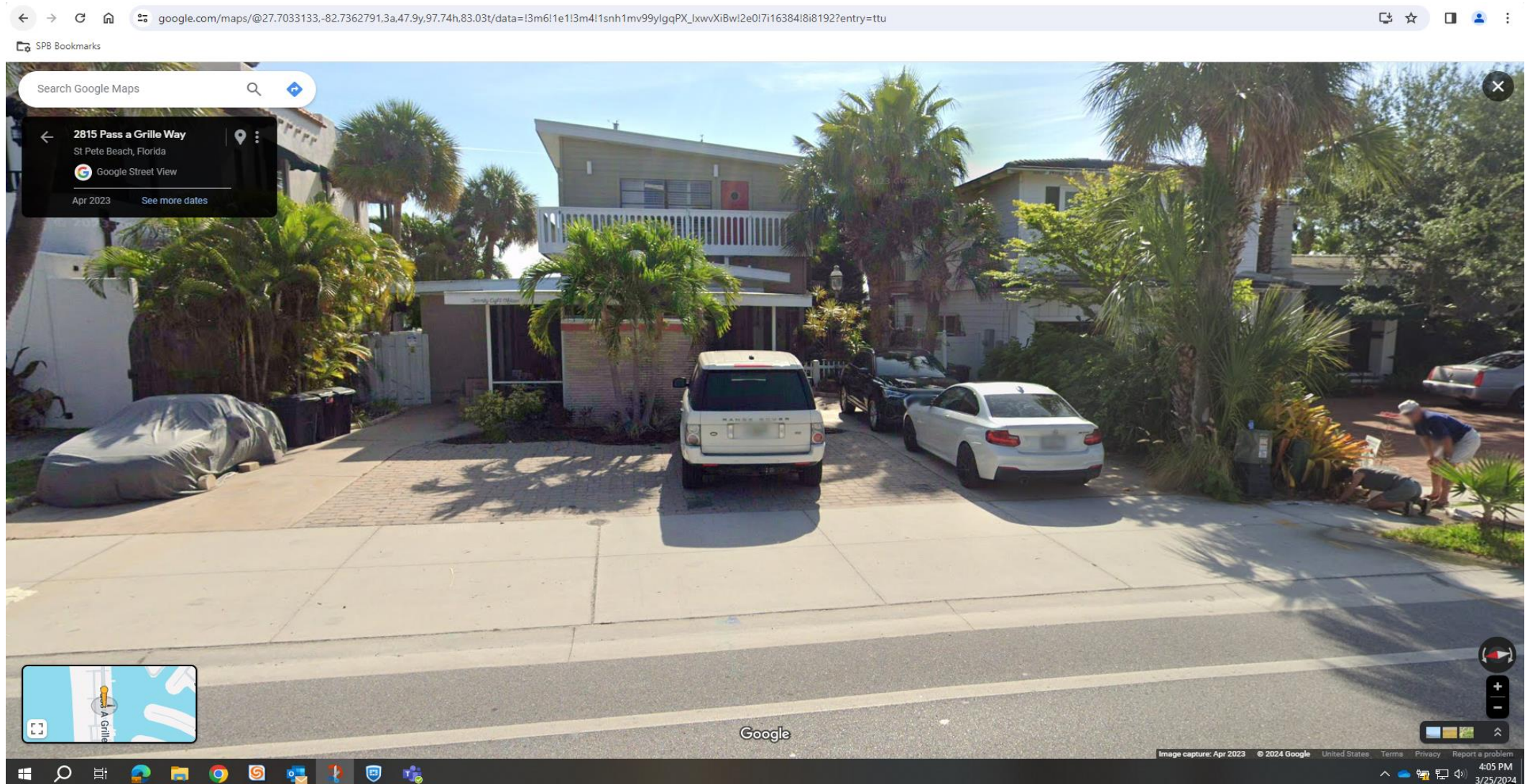
Sec. 2.1. - Words, terms and phrases defined.

- **Transient occupancy** means occupancy that is intended to be temporary, or which is offered or advertised as being available for a term of less than one month, more than three times in any consecutive 12-month period. Any occupancy of less than one month shall be deemed a transient occupancy unless such occupancy results from, the early termination of a rental agreement having a term of at least one month, or the termination of a month-to-month tenancy as defined by law. In determining whether a property is used as a transient occupancy, such determination shall be made without regard to the form of ownership of the property or unit, whether the occupant has a direct or indirect ownership interest in the property or unit, and without regard to whether the right of occupancy arises from a rental agreement, other agreement or the payment of consideration.

2815 Pass A Grille Way

CE20240186

2815 Pass A Grille Way



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r

airbnb

Anywhere

Any week

Add guests

Airbnb your home

Relax along the Waterfront! Pass A Grille!

Share

Save

Show all photos

Entire home in St. Pete Beach, Florida

2 guests · 1 bedroom · 1 bath

Guest favorite

One of the most loved homes on Airbnb, according to guests

4.88

★★★★★

25

Reviews

CHECK-IN

5/27/2024

CHECKOUT

6/1/2024

GUESTS

2 guests

3:34 PM

3/25/2024

Page 116 of 259

CE20240186

Airbnb host information

PhotosAmenitiesReviewsLocation

Guest favorite

One of the most loved homes on Airbnb, according to guests

4.88

★★★★★

25

Reviews

Hosted by M W

Superhost · 1 year hosting

Dedicated workspace

A room with wifi that's well-suited for working.

Self check-in

Check yourself in with the keypad.

Free cancellation before May 26

Enchanted Pass A Grille Beach awaits you! Situated on the historical strip between the Gulf of Mexico and the Pass A Grille waterway inlet, this Gulf Getaway will entice your every need and desire! This property is executively furnished with stainless appliances, granite counter tops, wine fridge, polished Terrazzo floors throughout, designer leather couches, King size bed, high speed internet, grand piano & wet bar overlooking the waterfront deck!...

Show more >

What this place offers

CHECK-IN

5/27/2024

CHECKOUT

6/1/2024

GUESTS

2 guests

Reserve

You won't be charged yet

\$310 x 5 nights

\$1,550

Cleaning fee

\$200

Airbnb service fee

\$247

Total before taxes

\$1,997

This is a rare find

M W's place is usually fully booked.

Report this listing

3:34 PM

3/25/2024

2815 Pass A Grille Way

Page 117 of 259

CE20240186

Airbnb Reviews

https://www.airbnb.com/rooms/762320134152264930/reviews?adults=2&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-05-27&check_out=2024-06-01&source_impression_i...

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Photos Amenities Reviews Location \$310 night Reserve

4.88

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5 4 3 2 1

Cleanliness 4.9

Accuracy 4.9

Check-in 5.0

Communication 5.0

Location 5.0

Value 4.8

25 reviews

Search reviews

Valerie
Clematis Beach, Florida

★★★★★ · May 2023 · Stayed a few nights

Very lovely view of the water. The host was very kind and greeted us & took us through the home to give us instructions. It was our anniversary and she had a small pretty bouquet of roses for us that was so sweet. I have to have my coffee when I wake up and she had coffee there for me hahahah. Very much recommend. Thank you for having us in your lovely home! I hope you will let us come back!

Kathleen
Jacksonville, Florida

★★★★★ · May 2023 · Stayed a few nights

Absolutely ideal location, the home is immaculate and had exceptional amenities. Couldn't speak more highly of this Airbnb. Will definitely stay again, my friend and I had a great time.

Robert
3 years on Airbnb

★★★★★ · May 2023 · Stayed over a week

It was an overall great stay. Would definitely recommend

Response from M W
May 2023

Thank you! Was a pleasure to have you!

Windows Taskbar: 3:40 PM 3/25/2024

2815 Pass A Grille Way

CE20240186

Airbnb Reviews

https://www.airbnb.com/rooms/762320134152264930/reviews?adults=2&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-05-27&check_out=2024-06-01&source_impression_i...

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Overall rating

Cleanliness 4.9

Accuracy 4.9

Check-in 5.0

Communication 5.0

Location 5.0

Value 4.8

25 reviews

Most recent

Search reviews

Thank you so much! Was so nice to meet you both. So glad you had a nice stay!

Rachel
Draper, Utah

★★★★ June 2023 · Stayed about a week

fabulous place right on the water, quiet and in a great location. lots of kitchen amenities. comfy bed. retro Florida bathroom, that's clean. great space. would stay again

Valerie
Fernandina Beach, Florida

★★★★ May 2023 · Stayed a few nights

Very lovely view of the water. The host was very kind and greeted us & took us through the home to give us instructions. It was our anniversary and she had a small pretty bouquet of roses for us that was so sweet. I have to have my coffee when I wake up and she had coffee there for me hahahah. Very much recommend. Thank you for having us in your lovely home! I hope you will let us come back!

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Windows taskbar: 3:40 PM 3/25/2024

2815 Pass A Grille Way

CE20240186

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Photos Amenities Reviews Location \$310 night

4.88

25 reviews

Most recent

Search reviews

Guest favorite
One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

Cleanliness 4.9

Accuracy 4.9

Check-in 5.0

Communication 5.0

Location 5.0

Value 4.8

Reba
Virginia Beach, Virginia

★★★★ · July 2023 · Stayed a few nights

Our Pass a Grille stay at MW's was perfect! Comfortable in every way! We love the crystal clear turquoise waters in the area for shell collecting and she went out of her way to send a snorkel and mask for us to use. It's our favorite place to visit and we will definitely seek MW's for future trips!! Thank you!!

Guy
Birmingham, United Kingdom

★★★★ · June 2023 · Stayed about a week

I needed somewhere quiet to work for the week. This was the jackpot. a beautiful location, lovely deck to sit at, a block from a beautiful beach, stylish and large apartment. Good Comms from the friendly owner. I'd be back as soon as the opportunity comes up again.

Kristi
Wesley Chapel, Florida

★★★★ · June 2023 · Stayed a few nights

Mw was very accommodating and assisted with an easy check-in. Always responsive and very friendly. The stay was more than I expected. Surroundings are beautiful and plenty to do. Will definitely stay again. Thank you!

Windows taskbar: 3:39 PM 3/25/2024

2815 Pass A Grille Way

CE20240186

Airbnb Reviews

https://www.airbnb.com/rooms/762320134152264930/reviews?adults=2&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-05-27&check_out=2024-06-01&source_impression_i...

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Photos Amenities Reviews Location \$310 night Reserve

4.88

Guest favorite
One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5	
4	
3	
2	
1	

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	5.0
Value	4.8

25 reviews

Most recent

Search reviews

was such a pleasure to meet you both! Will look forward to seeing you both again soon! Best wishes!

Mark
Lock Haven, Pennsylvania

August 2023 · Stayed a few nights

The space is wide open. The king size bed is a plus.

Anthony
8 months on Airbnb

August 2023 · Stayed a few nights

The Airbnb host was amazing! She made sure all of our needs were met and went above and beyond to ensure that we had an amazing stay. I would definitely recommend her Airbnb.

William (Bill)
Canton, Georgia

July 2023 · Stayed a few nights

Awesome stay! The accommodations are wonderful with beautiful bay views. One block away from the very private area of Pass a Grille beach, but yet only 1/2 mile from the main attractions of PAG and the Don Cesar. The space is equipped with everything you need and MW was an incredible host.

Reba

Windows taskbar: 3:39 PM 3/25/2024

2815 Pass A Grille Way

CE20240186

Airbnb Reviews

https://www.airbnb.com/rooms/762320134152264930/reviews?adults=2&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-05-27&check_out=2024-06-01&source_impression_i...

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25 reviews

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Search reviews

Guest favorite

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5	
4	
3	
2	
1	

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	5.0
Value	4.8

★★★★★ · October 2023 · Stayed about a week

If you're looking for a quiet relaxing place, close to beaches, great restaurants, bars, walking and cycling paths, this place is for you. If you like to cook, you'll appreciate the how well equipped the kitchen is, fit for a chef. MW will make sure you've got everything you need for an enjoyable vacation; a great host!

Jill
Heathrow, Florida

★★★★★ · October 2023 · Stayed with kids

Great location and nice open space, the host is amazing and you will find everything you may need here, we will definitely come back!

John
3 years on Airbnb

★★★★★ · September 2023 · Stayed a few nights

Place and location was wonderful. We would definitely stay again!

Travis
Tampa, Florida

★★★★★ · September 2023 · Stayed a few nights

Our stay was fantastic at MW's place in Pass-a-grille. It is a perfect location on a scenic spot, but most importantly her place had everything you'd want or need in addition to her being very responsive. If she's not a "super host" already, she is well on the way to being one for sure! Thanks for an amazing stay and we can't wait to come back soon.

Windows taskbar: 3:38 PM 3/25/2024

2815 Pass A Grille Way

CE20240186

Airbnb Reviews

https://www.airbnb.com/rooms/762320134152264930/reviews?adults=2&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-05-27&check_out=2024-06-01&source_impression_i...

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Photos Amenities Reviews Location \$310 night

4.88

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Show r

Overall rating

5 4 3 2 1

Cleanliness 4.9

Accuracy 4.9

Check-in 5.0

Communication 5.0

Location 5.0

Value 4.8

25 reviews

Most recent

Search reviews

Mark
Holoaloa, Hawaii

★★★★ November 2023 · Stayed about a week

Rotten deck boards - some covered by rugs. Fire pit inoperable despite being featured in numerous photos. When we asked, we were told there is no gas to the fire pit. Lots of little quirky issues, Not worth the price.

Response from M W
December 2023

Hello Mark, we are sorry you have left a negative review for our property. If any boards on our deck need attention we will certainly replace them. Regarding the fire pit, it most certainly does have gas it is just turned off as a safety feature....
[Show more](#)

Kim
Fruit Cove, Florida

★★★★ November 2023 · Stayed a few nights

We really enjoyed our weekend stay at M W's place. She gave us detailed info to help with check-in, parking & wifi access. The space was exactly as the pictures show and was clean & comfortable. MW was very responsive to messages and a great host!

Response from M W
November 2023

Was an absolute pleasure to meet you both! So glad you enjoyed your stay! We look forward to you all staying again soon!

Windows taskbar: 3:37 PM 3/25/2024

2815 Pass A Grille Way

CE20240186

Airbnb Reviews

https://www.airbnb.com/rooms/762320134152264930/reviews?adults=2&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-05-27&check_out=2024-06-01&source_impression_i...

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Photos Amenities Reviews Location \$310 night Reserve

✕

4.88

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Show more

Overall rating

5 4 3 2 1

Cleanliness 4.9

Accuracy 4.9

Check-in 5.0

Communication 5.0

Location 5.0

Value 4.8

25 reviews

Most recent

Search reviews



Claire

Chicago, Illinois

★★★★★ · January 2024 · Stayed about a week

A great stay at MW's place. Clear directions to get there and even a picture of the parking spot. Comfortable furniture, great bed, clean bathroom and well equipped kitchen. Back deck has a beautiful view and across the street is easy access to the wonderful beach. MW helped me connect my fire stick to the living room TV to stream, and when I mentioned yoga on the beach, she purchased a yoga mat, beach, towel and blanket for me to use. MW checked in with me each day to be sure I had everything I needed, this would be a great place for solo or couples who want privacy and space with easy access to all that Pass a Grille and St Pete Beach have to offer. Strong WIFI for those who might want to work remotely here. Highly recommend.



Sheldon

Maysville, West Virginia

★★★★★ · January 2024 · Stayed about a week

Extremely beautiful quiet area, relaxing back deck with Fire pit and waterfront veivs....close to numerous great Restaurants and a nice little shuffle board court if You feel like some recreation!



Kyle

Lexington, Kentucky

★★★★★ · January 2024 · Stayed a few nights

Windows taskbar: 3:36 PM 3/25/2024

2815 Pass A Grille Way

CE20240186

Airbnb Reviews

https://www.airbnb.com/rooms/762320134152264930/reviews?adults=2&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-05-27&check_out=2024-06-01&source_impression_i...

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Photos Amenities Reviews Location \$310 night

4.88

Guest favorite
One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5	
4	
3	
2	
1	

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	5.0
Value	4.8

25 reviews

Search reviews

Katie
Sundance, Wyoming

February 2024 · Stayed about a week

A beautiful home with wonderful amenities! If you want to vacation in a 5 star home, then stay here! The kitchen is stocked with all you need, the bed super comfy and cozy, and the deck was our favorite place to hang out! A great spot to watch birds, and when lucky you'll see dolphins! Mary is such a wonderful and thoughtful host and we couldn't have asked for a nicer vacation spot!

Rosanna
Narberth, Pennsylvania

February 2024 · Stayed a few nights

We loved our stay here for oh so many reasons. First the place itself...lovely being on the intercoastal. Great outdoor space out back to hang out and enjoy the water views. Indoors there was lots of character in the décor including fun animal sculptures and interesting books; highly serviceable kitchen including Keurig with plenty of pods. Location-wise the house is just enough off the beaten path so that you still feel connected and can get to the highway quickly, but have some quiet and privacy. It's a short walk to the Don Cesar up the beach, and to Pass-A-Grille restaurants down the beach. The owners were great - proactively provided information, made check in easy, responded to questions quickly, and were available for everything we needed. The bathroom is small and older, but this didn't bother us a bit as it was clean and very well stocked. We really enjoyed being here and would come again.

Claire
Chicago, Illinois

3:36 PM
3/25/2024

2815 Pass A Grille Way

CE20240186

Airbnb Reviews

https://www.airbnb.com/rooms/762320134152264930/reviews?adults=2&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-05-27&check_out=2024-06-01&source_impression_i...

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Overall rating

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	5.0
Value	4.8

25 reviews

Most recent

Search reviews

Brenda
Lenexa, Kansas
★★★★★ · 1 week ago · Stayed about a week
The location is great! We really loved this place. Looking out at the water everyday was like living in a postcard. Very peaceful and loved being able to just walk across the street to watch the sunset every evening. Would definitely stay here again.

Linda
Arlington, Virginia
★★★★★ · 2 weeks ago · Stayed about a week
comfortable place with lots of room. Well outfitted kitchen. lovely view of bay. easy access to the beach. very responsive host. Pass a Grill is very relaxing laid back beach community compared to the rest of St. Pete.

Kate
Los Angeles, California
★★★★★ · February 2024 · Stayed a few nights
You were very kind. Thank you so much.

Lindsey
Indianapolis, Indiana
★★★★★ · February 2024 · Stayed a few nights
Would recommend a stay here! Great location, clean property.

Windows taskbar: 3:35 PM 3/25/2024

2815 Pass A Grille Way

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: 2815 PASS A GRILLE WAY

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

Name of Property Owner(s): GARNER, LARRY B

Case No.: 20240186 Code Enforcement Officer: Steven Rivera

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/27/2024

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: 20240186

vs.
GARNER, LARRY B
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

YOU ARE HEREBY FORMALLY NOTIFIED that on **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **2815 PASS A GRILLE WAY** 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 03/27/2024



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. 20240158
City of St Pete Beach v. Thomas Dromgoole &
Carolyn Zaleski
Address: 3208 E Maritana Dr St Pete Beach FL
33706**

Date: April 8, 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.**

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 can only be rented monthly. Transient occupancy is prohibited and irreparable and irreversible in nature. You are in violation of the following codes

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

Irreparable or Irreversible Notice of Violation

03/14/2024

DROMGOOLE, THOMAS ZALESKI, CAROLYN
3208 W DEBAZAN AVE ST PETE BEACH FL 33706-4034

Re: **Case Number 20240158**
Violation Address: 3208 E MARITANA DR, ST PETE BEACH FL 33706,
Parcel ID#: 073216218520180160

Dear Property Owner:

The property can only be rented monthly. Transient occupancy is prohibited and irreparable and irreversible in nature. You are in violation of the following codes:

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.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **04/08/2024, at 10 A.M.**

If the Code Officer has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Code Officer shall make a reasonable effort to notify the violator and may immediately schedule a Special Magistrate hearing without reasonable time to correct the violation. However, if the Magistrate finds the violation to be irreparable or irreversible in nature, the Magistrate may impose a fine not to exceed \$5,000 per violation.

If you require further assistance and/or information, please contact (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

Steven Rivera
Code Enforcement Officer

CE20240158

- Respondent(s): Thomas Dromgoole & Carolyn Zaleski**
- Violation address: 3208 E Maritana Dr**
- Violation(s) description: The property is in violation of section 9.2 (a) Permitted principal and structures, of the Land Development Code of the City of St. Pete Beach**

Case Summary

- Initial inspection: 3/14/2024**
- Irreparable & Irreversible Notice of Violation dated: 3/14/2024**
- Notices of Hearing dated and posted on the property: 3/18/2024**

CE20240158

Affidavit of Posting



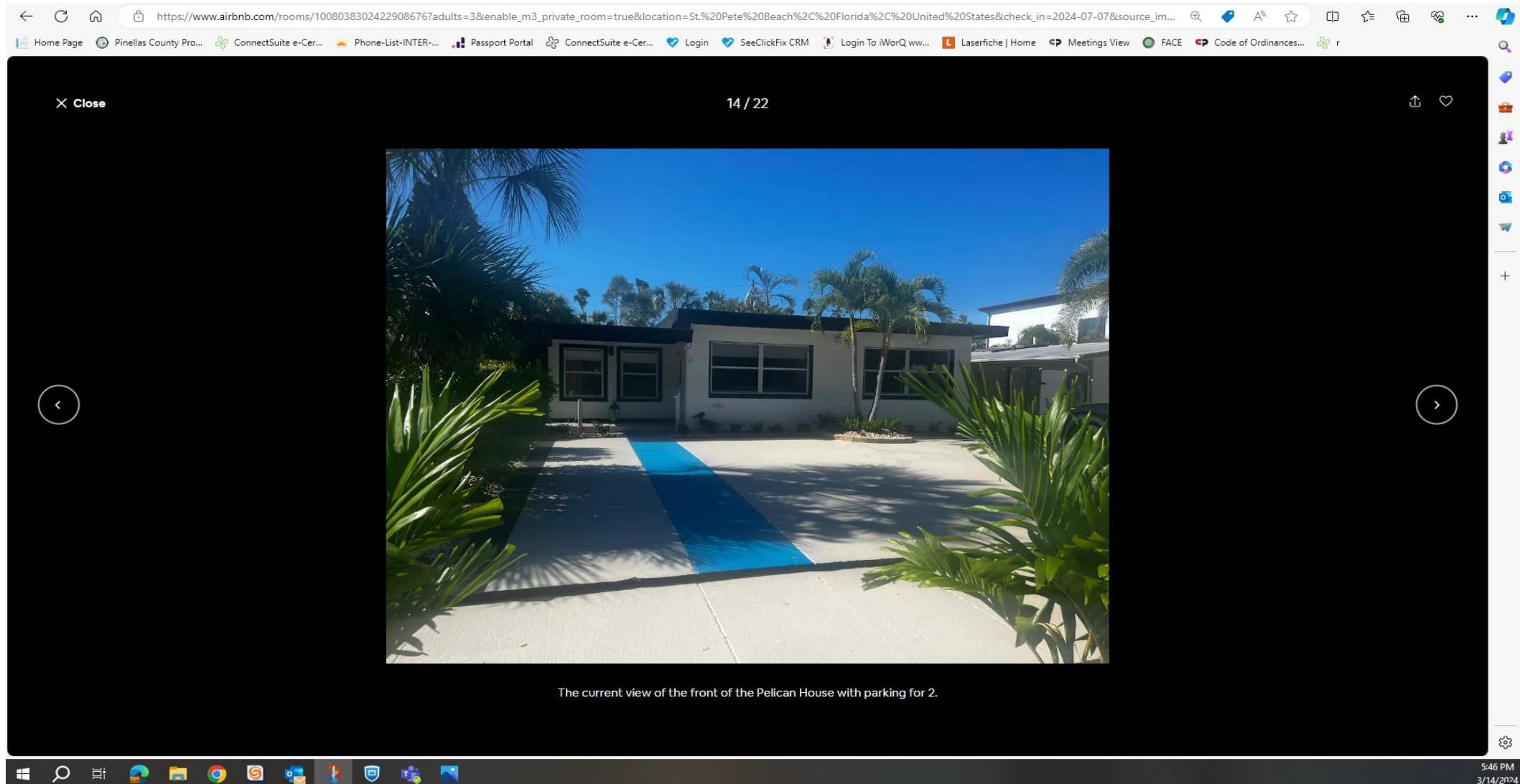
3208 E Maritana Dr.

Sec. 2.1. - Words, terms and phrases defined.

- **Transient occupancy** means occupancy that is intended to be temporary, or which is offered or advertised as being available for a term of less than one month, more than three times in any consecutive 12-month period. Any occupancy of less than one month shall be deemed a transient occupancy unless such occupancy results from, the early termination of a rental agreement having a term of at least one month, or the termination of a month-to-month tenancy as defined by law. In determining whether a property is used as a transient occupancy, such determination shall be made without regard to the form of ownership of the property or unit, whether the occupant has a direct or indirect ownership interest in the property or unit, and without regard to whether the right of occupancy arises from a rental agreement, other agreement or the payment of consideration.

3208 E Maritana Dr.

CE20240158
3208 E Maritana Dr.



CE20240158

Airbnb advertisement

https://www.airbnb.com/rooms/1008038302422908676?adults=3&enable_m3_private_room=true&location=St.%20Pete%20Beach%2C%20Florida%2C%20United%20States&check_in=2024-07-11&che...

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airbnb Anywhere Any week Add guests Airbnb your home

The Pelican Beach House

Share Save



Entire home in St. Pete Beach, Florida
7 guests · 3 bedrooms · 5 beds · 2 baths
★ 4.60 · 5 reviews

Hosted by Carolyn
7 years hosting

\$261 night

CHECK-IN 7/11/2024	CHECKOUT 7/13/2024
GUESTS 3 guests	

Show all photos

5:40 PM
3/14/2024

3208 E Maritana Dr.

CE20240158

Airbnb reviews

https://www.airbnb.com/rooms/1008038302422908676?adults=3&enable_m3_private_room=true&location=St.%20Pete%20Beach%2C%20FL&check_in=2024-07-11&check_out=2024-07-12&source_impre...

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Photos Amenities Reviews Location

\$345 \$298 night
★ 4.60 · 5 reviews

Reserve

5	4.0	4.4	4.0	4.0	4.0	4.0
4						
3						
2						
1						

Elisa
Pittsford, New York
★★★★ · 3 weeks ago · Group trip
My friends and I stayed at Carolyn's for a reunion. The beach was very close and the freebee service is great! We enjoyed having use of the kitchen, washer, and dryer. We didn't have...
[Show more](#)

Edward
5 months on Airbnb
★★★★ · 3 weeks ago · Stayed over a week
Close to great beach and the legendary Don Cesar resort. Down the road from Passe Grille beach and restaurants.

Sharon
Sanford, Florida
★★★★ · January 2024 · Group trip
had a very lovely stay at Carolyn's pelican house! the location was awesome! The neighborhood was really cool and convenient! There was a really expansive outdoor space for...
[Show more](#)

Martin
Tampa, Florida
★★★★ · December 2023 · Stayed with a pet
A lovely place to stay for beachy vacations. Unfortunately the clothes washer and dryer were not available, but it was a short stay for us, so that was not a problem. Thank you Carolyn!

Ruth
Atlanta, Georgia
★★★★ · November 2023 · Stayed a few nights
Hope to stay again someday.

5:15 PM
3/26/2024

3208 E Maritana 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: 3208 E MARITANA DR

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

Name of Property Owner(s): DROMGOOLE, THOMAS ZALESKI,
CAROLYN

Case No.: 20240158 Code Enforcement Officer: Steven Rivera

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/18/2024

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: 20240158

vs.
DROMGOOLE, THOMAS ZALESKI, CAROLYN
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 **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **3208 E MARITANA 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 03/18/2024

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. 20240187**
 City of St. Pete Beach v. Thomas D Parker &
 Phyllis Parker
 Address: 3611 Casablanca Ave St. Pete Beach FL
 33706

Date: April 8, 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.**

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.

Your property is located in the RU-2 zoning district and can only be rented monthly. Rentals of less than 1-month are considered to be transient occupancy. Transient occupancy is prohibited in the RU-2 zoning district. The 3 stays in February of 2024 are a violation of the Land Development code 9.2.

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

Irreparable or Irreversible Notice of Violation

03/26/2024

PARKER, THOMAS D PARKER, PHYLLIS
3611 CASABLANCA AVE
ST PETE BEACH FL 33706-3903

Re: **Case Number 20240187**

Violation Address: 3611 CASABLANCA AVE, ST PETE BEACH FL 33706

Parcel ID#: 073216218520130050

Dear Property Owner:

Your property is located in the RU-2 zoning district and can only be rented monthly. Rentals of less than 1-month are considered to be transient occupancy. Transient occupancy is prohibited in the RU-2 zoning district. The 3 stays in February of 2024 are a violation of the Land Development code 9.2.

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.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **04/08/2024, at 10 a.m.**

If the Code Officer has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Code Officer shall make a reasonable effort to notify the violator and may immediately schedule a Special Magistrate hearing without reasonable time to correct the violation. However, if the Magistrate finds the violation to be irreparable or irreversible in nature, the Magistrate may impose a fine not to exceed \$5,000 per violation.

If you require further assistance and/or information, please contact (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

- Respondent(s): Thomas & Phyllis Parker**
- Violation address: 3611 Casablanca Ave**
Violation(s) description: The property is in violation of section 9.2 (a) Permitted principal and structures, of the Land Development Code of the City of St. Pete Beach

CE202400187

Case Summary

- Initial inspection: 3/26/2024**
- Irreparable & Irreversible Notice of Violation dated: 3/26/2024**
- Notices of Hearing dated and posted on the property: 3/27/2024**

CE20240187

Affidavit of Posting



3611 Casablanca Ave

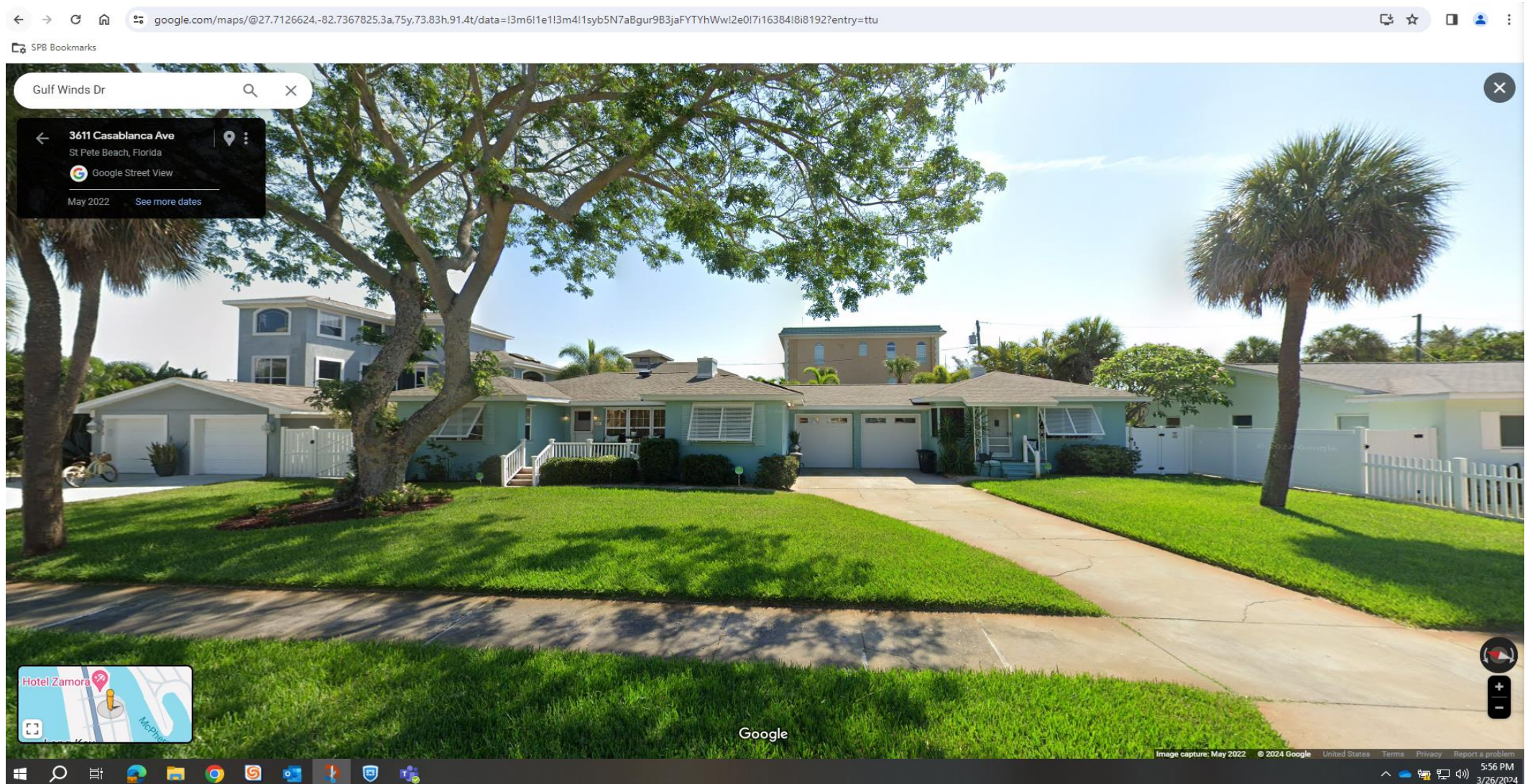
Sec. 2.1. - Words, terms and phrases defined.

- **Transient occupancy** means occupancy that is intended to be temporary, or which is offered or advertised as being available for a term of less than one month, more than three times in any consecutive 12-month period. Any occupancy of less than one month shall be deemed a transient occupancy unless such occupancy results from, the early termination of a rental agreement having a term of at least one month, or the termination of a month-to-month tenancy as defined by law. In determining whether a property is used as a transient occupancy, such determination shall be made without regard to the form of ownership of the property or unit, whether the occupant has a direct or indirect ownership interest in the property or unit, and without regard to whether the right of occupancy arises from a rental agreement, other agreement or the payment of consideration.

3611 Casablanca Ave.

CE20240187

3611 Casablanca Ave.



CE20240187

Vrbo Advertisement

← → ↺ 🏠 https://www.vrbo.com/1899871?dateless=true&x_pwa=1&rfrr=HSR&pwa_ts=1711489646168&referrerUrl=aHR0cHM6Ly93d3cudnJib5Jb20vSG90ZWwtU2VhcmNo&useRewards=true&adults=3&re... 🔍 📱 ⭐ 📄 🗺️ 🏠 🌱

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← See all properties [Save](#)



[Overview](#) Amenities Policies Location Host

House

cozy coastal cottage

10/10 Exceptional
[See all 3 reviews](#)

🛏 1 bedroom 🚿 1 bathroom 👤 Sleeps 4

Popular amenities

- 🏊 Pool
- 📶 Free WiFi
- 🍖 Barbecue grill
- ♨ Hot Tub
- 🍳 Kitchen
- 🧺 Washer

Earn OneKeyCash each time you stay at a place that feels like home
[Sign in](#)

\$200 avg per night

⚠ Add dates for total pricing

📅 Start da... 📅 End date

Travelers

See how much you could earn hosting with Vrbo
[Learn more](#)

Vrbo
A PLACE FOR TOGETHER

6:04 PM
3/26/2024

3611Casablanca Ave.

CE20240187

Vrbo reviews

Overview Amenities Policies Location Host

10/10 3 reviews

Reviews are presented in chronological order, subject to a moderation process, and verified unless otherwise labeled.

Learn more

10 - Excellent 3

8 - Good 0

6 - Okay 0

4 - Poor 0

2 - Terrible 0

10/10 Cleanliness

10/10 Check-in

10/10 Communication

10/10 Location

10/10 Listing accuracy

Carrie L.
Mar 11, 2024

Liked: Cleanliness, check-in, communication, location, listing accuracy

Great Stay!

Phyllis (owner) was very available, friendly and easy to work with! Cozy Cottage was just that-cozy and very clean. Everything we needed!

Stayed 10 nights in Feb 2024

10/10 Excellent

Timothy L.
Mar 4, 2024

Liked: Cleanliness, check-in, communication, location, listing accuracy

St Pete warm and friendly

Great stay, great host, perfect location for beach, restaurants and walks.

Stayed 7 nights in Feb 2024

10/10 Excellent

Helen N.
Feb 14, 2024

Liked: Cleanliness, check-in, communication, location, listing accuracy

Coastal Cottage Review

It was just as described, a cute cottage decorated beautifully. The backyard is so enjoyable with all the outdoor amenities. The cottage is stocked with everything you need. The owner was great about providing all the information needed and very responsive to all questions. Loved being so close to the beach. Would love to stay there again.

Stayed 7 nights in Feb 2024

See all reviews

3611Casablanca 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: 3611 CASABLANCA AVE

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

Name of Property Owner(s): PARKER, THOMAS D PARKER, PHYLLIS

Case No.: 20240187 Code Enforcement Officer: Steven Rivera

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/27/2024

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: 20240187

vs.
PARKER, THOMAS D PARKER, PHYLLIS
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 **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **3611 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 03/27/2024

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. 20240147**
 City of St. Pete Beach v. Tyler Roshau & Natali Roshau
 Address: 460 59th Ave. St. Pete Beach FL 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 8.2. - 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-1 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-1 zoning district and is only permitted to be advertised and rented on a monthly basis. The property is currently advertised for a 2-night minimum stay, which is not permitted. The property has until 3/22/2024 to change the advertisement. As for the twenty-one stays since August 2023, this is prohibited and irreparable and irreversible in nature.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Irreparable or Irreversible Notice of Violation
 2. Evidence
 3. Affidavit of Posting
 4. Notice of Hearing



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

Irreparable or Irreversible Notice of Violation

03/12/2024

ROSHAU, TYLER / ROSHAU, NATALI
460 59TH AVE ST PETE BEACH FL 33706

Re: **Case Number 20240147**
Violation Address: 460 59TH AVE, ST PETE BEACH FL 33706
Parcel ID#: 313116023580000380

Dear Property Owner:

Your property is located in the RU-1 zoning district and is only permitted to be advertised and rented on a monthly basis. The property is currently advertised for a 2-night minimum stay which is not permitted. You have until 3/22/2024 to change the advertisement. As for the twenty one stays since August of 2023, this is prohibited and irreparable and irreversible in nature. You are in violation of the following codes:

Sec. 8.2. - 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-1 Residential District are as follows:

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

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **4/8/2024, at 10am**

If the Code Officer has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Code Officer shall make a reasonable effort to notify the violator and may immediately schedule a Special Magistrate hearing without reasonable time to correct the violation. However, if the Magistrate finds the violation to be irreparable or irreversible in nature, the Magistrate may impose a fine not to exceed \$5,000 per violation.

If you require further assistance and/or information, please contact (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

Luis Cruz
Code Enforcement Officer

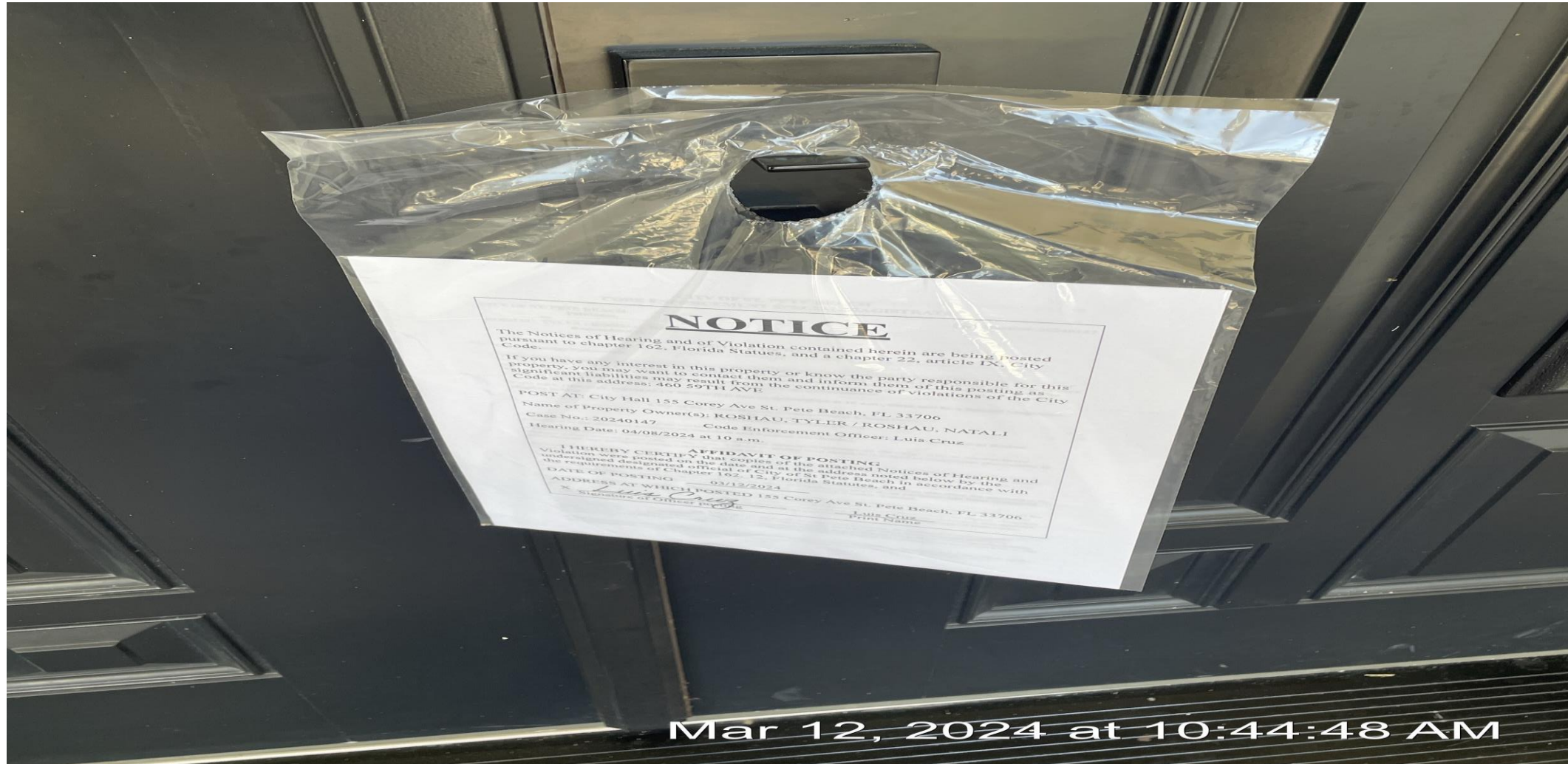
- **Respondent(s): Tyler Roshau & Natali Roshau**
- **Violation address: 460 59th Ave.**
- **Violation(s) description: The property is in violation of section 8.2 Permitted principal uses and structures (a) of the Land Development Code of the City of St. Pete Beach**

Case Summary

- Initial inspection: 3/11/2024**
- Irreparable or Irreversible Notice of Violation dated: 3/12/2024**
- Notices of Hearing dated and posted on the property: 3/12/2024**

CE20240147

Affidavit of Posting



460 59th Ave.

Sec. 2.1. - Words, terms and phrases defined.

- **Transient occupancy** means occupancy that is intended to be temporary, or which is offered or advertised as being available for a term of less than one month, more than three times in any consecutive 12-month period. Any occupancy of less than one month shall be deemed a transient occupancy unless such occupancy results from, the early termination of a rental agreement having a term of at least one month, or the termination of a month-to-month tenancy as defined by law. In determining whether a property is used as a transient occupancy, such determination shall be made without regard to the form of ownership of the property or unit, whether the occupant has a direct or indirect ownership interest in the property or unit, and without regard to whether the right of occupancy arises from a rental agreement, other agreement or the payment of consideration.

460 59th Ave.

CE20240147

Airbnb advertisement

https://www.airbnb.com/rooms/929790205083953420?guests=1&adults=2&s=67&unique_share_id=e8421151-1dd2-49f1-bd01-410729786931&source_impression_id=p3_1710248009_4cefbddRs32IEHeB...

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airbnb

Anywhere Any week Add guests

Airbnb your home

Newly Built St Pete Beach Villa

Share Save



Entire home in St. Pete Beach, Florida

4 guests · 1 bedroom · 2 beds · 1 bath

Guest favorite One of the most loved homes on Airbnb, according to guests

4.87 ★★★★★ 23 Reviews

\$248 night

CHECK-IN 4/21/2024	CHECKOUT 4/23/2024
GUESTS 2 guests	

Show all photos

8:54 AM 3/12/2024

460 59th Ave.

CE20240147

Airbnb advertisement

Photos Amenities Reviews Location

What this place offers

- Bay view
- Beach access
- Wifi
- Free parking on premises
- Pets allowed
- Canal view
- Kitchen
- Dedicated workspace
- Shared outdoor pool available all day, hours, pool towels
- TV

[Show all 88 amenities](#)

Accessibility features

This info was provided by the Host and reviewed by Airbnb.



Guest entrance and parking
Accessible parking spot



Guest entrance and parking
Lit path to the guest entrance

Select dates
Minimum stay: 2 nights

CHECK-IN
5/22/2024

CHECKOUT
Add date

May 2024

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2024

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

[Clear dates](#) [Close](#)

460 59th Ave.

CE20240147

Airbnb advertisement

Photos Amenities Reviews Location

 **Guest favorite**

One of the most loved homes on Airbnb, according to guests

4.87
★★★★★

23
[Reviews](#)

 **Hosted by Natali**
Superhost · 7 years hosting

 **Dedicated workspace**
A room with wifi that's well-suited for working.

 **Natali is a Superhost**
Superhosts are experienced, highly rated Hosts.

 **Free cancellation before April 20**

This charming space is adorned with wooden furniture, linen, and lush green plants. The fully equipped kitchen and dining area provide a cozy space for meals, while the upstairs living room offers comfort with a sofa bed, smart TV, and stereo. Enjoy the luxurious bathroom, walk-in closet, and stunning water views from the king-sized bed. The villa shares a pool, backyard, and deck with a friendly family. Paddle boards are free.

...

[Show more >](#)

Where you'll sleep

\$248 night

CHECK-IN 4/21/2024	CHECKOUT 4/23/2024
GUESTS 2 guests	

Reserve

You won't be charged yet

\$248 x 2 nights	\$495
Cleaning fee	\$75
Airbnb service fee	\$80
Total before taxes	\$650

 **This is a rare find**
Natali's place is usually fully booked.

 [Report this listing](#)

460 59th Ave.

CE20240147

Airbnb advertisement

perfect for relaxing and unwinding after a day of exploration. A smart TV and smart stereo are provided for your entertainment needs.

For added convenience, we provide a washer and dryer room for all your laundry needs. The bathroom boasts a luxurious showerhead that gracefully descends from the ceiling, providing a truly indulgent experience. Additionally, a walk-in closet with a safe box is available to store your valuables securely.

The bedroom is a haven of comfort, featuring a super comfortable king-sized bed. The whole upstairs area is adorned with large windows, offering breathtaking water views and the opportunity to witness the stunning sunset.

Experience the ultimate blend of comfort, elegance, and natural beauty at our villa rental. Book your stay now and immerse yourself in the tranquil atmosphere while enjoying a range of exciting amenities and activities.

Guest access
Guest will have access to the waterfront backyard, dock and pool area.

Other things to note
We have complimentary paddle boards available for your enjoyment during your stay. Feel free to take them out on the water and explore the surrounding area.

If you have any questions or need further assistance, please don't hesitate to reach out.

Natali Roshau

Bedroom
1 king bed, 1 queen bed

Checkout: 23/2024

Price breakdown:

- \$495
- \$75
- \$80
- \$650

8:56 AM 3/12/2024

460 59th Ave.

CE20240147

Airbnb advertisement

https://www.airbnb.com/rooms/929790205083953420?guests=1&adults=2&s=67&unique_share_id=e8421151-1dd2-49f1-bd01-410729786931&source_impression_id=p3_1710195170_maEf3bSh69LKUGAE&che...

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Accessibility features

This info was provided by the Host and reviewed by Airbnb.

Guest entrance and parking

Accessible parking spot

There's a private parking spot at least 11 feet (3.35 meters) wide. Or, there is public parking spot designated for a person with disabilities that has clear signage or markings.



Guest entrance and parking

Lit path to the guest entrance

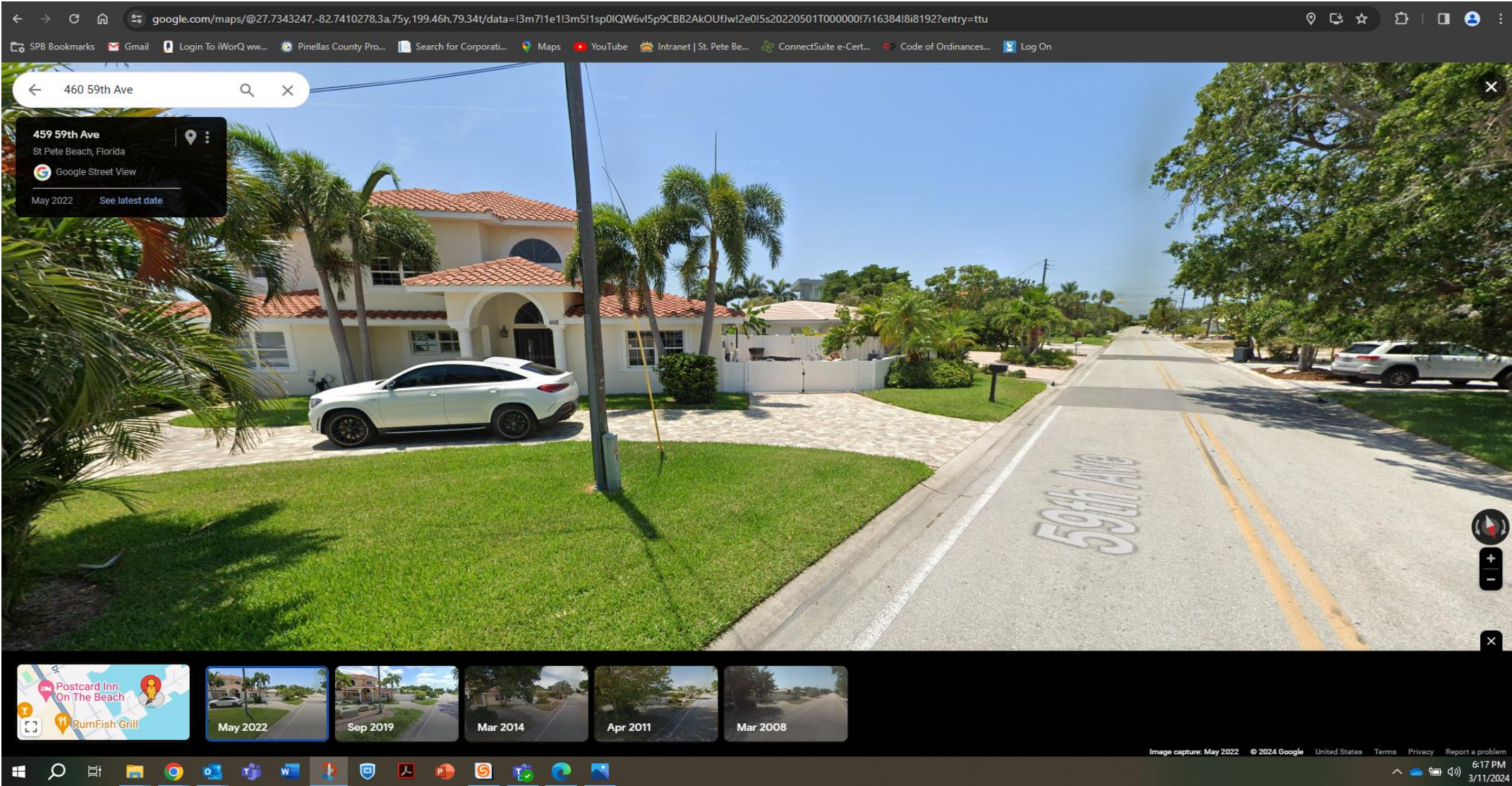
The sidewalk or path that leads to the guest entrance is well lit at night.



6:19 PM 3/11/2024

460 59th Ave.

CE20240147



460 59th Ave.

CE20240147

Airbnb reviews

The screenshot shows an Airbnb listing for 'Newly Built St Pete Beach Villa'. The listing has a 4.88 rating from 25 reviews. The interface includes a browser window with various tabs and a Windows taskbar at the bottom.

Listing Details:

- Rating:** 4.88 (Guest favorite)
- Overall rating:** 4.88
- Reviews:** 25 reviews

Reviews:

- Katie** (1 month on Airbnb): 5 stars, 2 weeks ago. Stayed a few nights. The villa was exactly as it looked in pictures, spotlessly clean and exceptionally modern. We encountered no issues whatsoever with sharing a pool deck and overall couldn't be more impressed with our stay. The only thing I will say is that the sofa bed is slightly short but everything else about the property more than makes up for this. All the little details added by our host really made the experience above and beyond. (1)
- Benjamin** (Madison, Wisconsin): 5 stars, 3 weeks ago. Stayed with kids. Would recommend to others! New construction located close to St. Pete beach, pretty patio and pool, and Natali is a very helpful and friendly host. The Airbnb is basically a kitchen on the bottom floor, and a large open room on the top, with a couple of closets and a bathroom off to the side. If you are expecting a bedroom totally enclosed from the rest of the space, this is not that. It was a lovely place for us and our 1.5 year-old. It is relatively new construction, as mentioned, and some of the kinks are still being worked out—one of the towel racks came off, and the handle on the sink was loose as well. That was all we noticed, though. We made full use of the kitchen and fridge and everything worked great! The one other thing I would mention is while it is definitely walking distance to the beach, there are no sidewalks from the airbnb to the main road, so navigating that with a stroller was a bit scary, though doable. I'd say it's about a 15 minute walk to the beach. (2)

460 59th Ave.

CE20240147

Airbnb reviews

https://www.airbnb.com/rooms/929790205083953420?guests=1&adults=2&s=67&unique_share_id=e8421151-1dd2-49f1-bd01-410729786931&source_impression_id=p3_1710195170_maEf3bSh69...

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Photos Amenities Reviews Location

\$213 night
★ 4.87 · 23 reviews

Check availability

3

 **Andrew**
2 years on Airbnb

★★★★★ · 2 weeks ago · Stayed with kids

Awesome place in a great location. Very much enjoyed our time. The apartment was just as shown in the photos and the hosts were friendly and attentive. Would definitely stay again!

5

 **Flannery**
Janesville, Wisconsin

★★★★★ · 3 weeks ago · Stayed with kids

Lovely villa, as described. Very clean and organized. Parking spot for one near the villa entry. Private and peaceful neighborhood. The back yard was lovely. We didn't use the...

[Show more](#)

7

 **Cynthia**
Gardnerville, Nevada

★★★★★ · February 2024 · Stayed a few nights

We enjoyed our stay very much. Great location. Walked to the beach, bars and music. The home was immaculate. Quiet neighborhood.

4

 **Annette**
England, United Kingdom

★★★★★ · 3 weeks ago · Stayed a few nights

Very happy with our stay. The home was as described. Very clean and Natali was very communicative and helpful. Highly recommended.

6

 **Greg**
Doylestown, Pennsylvania

★★★★★ · February 2024 · Stayed a few nights

Natali's place is an excellent spot with fantastic, peaceful bay views. Accurate description as well. Excellent remodel. The unit is connected to the main house but we heard nothin...

[Show more](#)

8

 **Heather**
Westfield, Massachusetts

★★★★★ · January 2024 · Stayed a few nights

The listing is in a great location with beautiful views of the water. There are some restaurants within walking distance and the beach is close by. Downtown St. Pete is about a 20-25...

[Show more](#)

Show all 23 reviews

460 59th Ave.

CE20240147

Airbnb reviews

https://www.airbnb.com/rooms/929790205083953420/reviews?guests=1&adults=2&s=67&unique_share_id=e8421151-1dd2-49f1-bd01-410729786931&source_impression_id=p3_1710195170_maEf3bSh6...

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Photos Amenities Reviews Location \$213/night Check availability

4.87

Guest favorite
One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5	████████████████████
4	██████████████████
3	██████████████████
2	██████████████████
1	██████████████████

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	4.9
Value	4.8

23 reviews

Search reviews

Most recent ▼

Jason
6 years on Airbnb

★★★★★ · January 2024 · Stayed with a pet

Natali was very responsive. Check-in was easy, shared outdoor space was awesome and had good views. Would stay again! Walkable to many local spots.

9

Kitty
Nashville, Tennessee

★★★★★ · January 2024 · Stayed a few nights

We loved our little getaway. I was searching for a place that felt more like a home, had views of the water and private access to the water. This checked all the boxes. The space was nice and welcoming. Very clean and comfortable. I love that she also provided things like laundry detergent, soft towels and linens, soft toilet paper, filtered water, and honey. The pans were actually usable for cooking eggs for breakfast which never seems to happen at other Airbnb's I've stayed at. The location was very close to many restaurants of all types and the Publix was just down the street. We will definitely want to stay here again.

10

Shayna
Saint Petersburg, Florida

★★★★★ · December 2023 · Stayed a few nights

Great stay! Pristine condition and within walkable distance to multiple shops and restaurants.

11

Show more

6:23 PM 3/11/2024

460 59th Ave.

CE20240147

Airbnb reviews

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Photos Amenities Reviews Location \$213 night Check availability

4.87

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5	████████████████████
4	████████████████████
3	████████████████████
2	████████████████████
1	████████████████████

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	4.9
Value	4.8

23 reviews

Most recent

Search reviews

Melissa
Wisconsin, United States

★★★★★ · December 2023 · Stayed with a pet

We loved our stay! Natali was such a great responsive host. The villa was beautiful and wow what a great view. We saw dolphins out in the bay and the sunsets were amazing. Def going to have to head back again.

12

Grace
Kittery, Maine

★★★★★ · December 2023 · Stayed a few nights

The PERFECT spot. So quiet and relaxing but excellent location to get to everything from the best bars to amazing beaches. 10/10 would recommend!

13

Mariya
Chicago, Illinois

★★★★★ · November 2023 · Stayed a few nights

Gorgeous place to stay!!

14

Sam
Portland, Oregon

★★★★★ · November 2023 · Stayed with kids

Spotless, beautiful location, very peaceful. We stayed over thanksgiving and it was so quiet it was like we had the whole property to ourselves, even though Natali had

Show more

Windows Taskbar: 6:24 PM 3/11/2024

460 59th Ave.

CE20240147

Airbnb reviews

https://www.airbnb.com/rooms/929790205083953420/reviews?guests=1&adults=2&s=67&unique_share_id=e8421151-1dd2-49f1-bd01-410729786931&source_impression_id=p3_1710195170_maEf3bSh6...

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Photos Amenities Reviews Location \$213 night Check availability

4.87

Guest favorite
One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5	
4	
3	
2	
1	

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	4.9
Value	4.8

23 reviews

Search reviews

Sam
Portland, Oregon

★★★★★ · November 2023 · Stayed with kids

Spotless, beautiful location, very peaceful. We stayed over thanksgiving and it was so quiet it was like we had the whole property to ourselves, even though Natali had people visiting. Bed was very comfortable. Kitchen could do with a few more items but that's our only (minor) complaint. We also didn't realize that 75% of the space was one big open room containing the sleeping and lounge areas, which wasn't ideal for having a toddler napping in the middle of the day and early in the evening, but that won't be a problem for most people.

15

Yesselky
Pembroke Pines, Florida

★★★★★ · November 2023 · Stayed with a pet

We loved our stay! It was peaceful everything is close by and location is safe. Natali was super helpful, gave us amazing recommendations and response super quickly. The pictures don't do it justice.. when you see the upstairs bedroom with the views and natural lighting it takes your breath away. We really enjoyed our stay. Our fur pets loved it too they felt right at home. Thank you Natali for making our stay feel welcoming and peaceful we really appreciate it and hope to return soon.

16

Jordan
Portage, Michigan

★★★★★ · October 2023 · Stayed a few nights

The Villa was beautiful and a great space for a couple! Within walking distance to

Show more

Windows taskbar: 6:25 PM 3/11/2024

460 59th Ave.

CE20240147

Airbnb reviews

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Photos Amenities Reviews Location \$213 night Check availability

4.87

Guest favorite
One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5	4.9
4	4.9
3	5.0
2	5.0
1	4.9

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	4.9
Value	4.8

23 reviews Most recent

Search reviews

Jordan
Portage, Michigan

★★★★★ · October 2023 · Stayed a few nights

The Villa was beautiful and a great space for a couple! Within walking distance to many bars/restaurants, and beautiful views from your bedroom window. We saw dolphins jumping in the water during our stay, and even tried our luck for some night fishing off the dock. Absolutely no complaints, we didn't want to leave! Natali was kind, and responsive. She made sure our stay was perfect.

Dennis
Winona Lake, Indiana

★★★★★ · October 2023 · Stayed with a pet

Natali was always very friendly and quick to reply and talk to me when we had questions...very clean and beautiful place. ZERO complain..will definitely stay there again...

Ashley
Orlando, Florida

★★★★★ · October 2023 · Stayed with a pet

Natali's property was beautiful but we were under the impression it was the entire house rented and we would not be sharing an outdoor common area. Exquisite decorating on the interior and a comfortable place to stay not far from the beach! The negatives were their dog's feces on the pavers by the pool. We didn't feel it was safe to walk around without shoes on. There was old laundry left in the dryer when we

17

18

6:25 PM 3/11/2024

460 59th Ave.

CE20240147

Airbnb reviews

https://www.airbnb.com/rooms/929790205083953420/reviews?guests=1&adults=2&s=67&unique_share_id=e8421151-1dd2-49f1-bd01-410729786931&source_impression_id=p3_1710248009_4cefbddRs3...

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Photos Amenities Reviews Location \$248 night Reserve

4.87

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5	
4	
3	
2	
1	

Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	4.9
Value	4.8

23 reviews

Most recent

Search reviews

Ashley
Orlando, Florida

★★★★☆ · October 2023 · Stayed with a pet

Natali's property was beautiful but we were under the impression it was the entire house rented and we would not be sharing an outdoor common area. Exquisite decorating on the interior and a comfortable place to stay not far from the beach! The negatives were their dog's feces on the pavers by the pool. We didn't feel it was safe to walk around without shoes on. There was old laundry left in the dryer when we arrived. Overall it was a great stay and the value for the place was reasonable.

Response from Natali
October 2023

Dear Ashley

Thank you for taking the time to share your feedback about your recent stay at our Villa property. We're glad to hear that you found the interior beautiful and the...

Show more

Katja
Slovenia

★★★★★ · August 2023 · Stayed about a week

The apartment is even nicer than it looks on the photos. Natali provided us some good recommendations for restaurants and sightseeing. All in all we liked it a lot and would come back.

19

20

When

Public Transit

8:59 AM 3/12/2024

460 59th Ave.

CE20240147

Airbnb reviews

https://www.airbnb.com/rooms/929790205083953420/reviews?guests=1&adults=2&unique_share_id=e8421151-1dd2-49f1-bd01-410729786931&source_impression_id=p3_1710248009_4cefbddRs3...

SPB Bookmarks Pinellas County Pro... Login To iWorQ ww... Zoning Book 2012 SunBiz Intranet | St. Pete B... Day Counter ConnectSuite e-Cer... Laserfiche | Home Passport Sign In Dell Code of Ordinances...

Photos Amenities Reviews Location \$248 night Reserve

NOSTS V

4.87

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

5
4
3
2
1

Cleanliness 4.9

Accuracy 4.9

Check-in 5.0

Communication 5.0

Location 4.9

Value 4.8

23 reviews Most recent

Search reviews

Linda
St. Cloud, Florida

★★★★★ · August 2023 · Stayed a few nights

Lovely home and neighborhood, felt very safe.
Perfect location, walking distance to restaurants, ice cream, and beach and gulf water
Fishing amazing off dock
Breeze off water lovely
Swimming pool crystal clear and refreshing
Villa gorgeous, clean, furnished to the nines, high-end decor
Bed comfortable
Room temperature perfect, ceiling fans amazing
Bathroom beautiful, clean, spacious equipped with body soap, shampoo, conditioner, hand soap
Family dog friendly

21

Rebekah
St Petersburg, Florida

★★★★★ · August 2023 · Stayed with kids

Set up was beautiful, very close and convenient to the beach and many restaurants.

22

Andrej
Saddle Brook, New Jersey

★★★★★ · August 2023 · Stayed about a week

Such a beautiful place in a great location! Felt right at home and had everything you needed. Natali was an excellent host and made sure we were comfortable the whole

When

Public Transit

9:00 AM 3/12/2024

460 59th Ave.

CE20240147

Airbnb reviews

4.88

25 reviews

Guest favorite
One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

Category	Rating
Cleanliness	4.9
Accuracy	4.9
Check-in	5.0
Communication	5.0
Location	4.8
Value	4.8

Review 23: Andrej, Saddle Brook, New Jersey. 5 stars. August 2023. Stayed about a week. Such a beautiful place in a great location! Felt right at home and had everything you needed. Natali was an excellent host and made sure we were comfortable the whole trip. Hope to come back soon!

Review 24: Sara, 3 years on Airbnb. 5 stars. July 2023. Stayed a few nights. Absolutely stunning and a prime location, close to everything! We really enjoyed our stay! It felt like a resort right on the bay. Would definitely stay here again!! Natali was very responsive.

Review 25: Katie, Palm Coast, Florida. 5 stars. July 2023. Stayed a few nights. We had a wonderful stay at Natali's place. It looks just like the photos! Very nice! Everything was new and fresh! Natali is a wonderful host! She is very responsive to messages and is always asking if there is anything that we need. We did rent the jet ski one day and it was a lot of fun! If you find yourself in this area, this is a great Airbnb to stay at!

460 59th 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: 460 59TH AVE

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

Name of Property Owner(s): ROSHAU, TYLER / ROSHAU, NATALI

Case No.: 20240147 Code Enforcement Officer: Luis Cruz

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/12/2024

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: 20240147

vs.
ROSHAU, TYLER / ROSHAU, NATALI
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 **04/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

**City of St. Pete Beach Commission Chambers
155 Corey Ave
St Pete Beach, Florida 33706**

The hearing is in reference to your violation(s) of the City of St. Pete Beach Code of Ordinances as further described in the attached Affidavit of Violation and Request for Hearing.

YOU ARE HEREBY ORDERED to appear before the Special Magistrate on the above date to answer these charges and to present your side of the case. Failure to appear may result in the Special Magistrate proceeding in your absence and an Order being entered against you.

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **460 59TH 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,

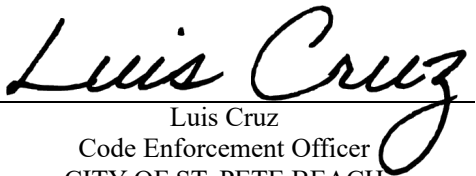
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 03/12/2024


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. 20240185**
 City of St. Pete Beach v. Rebecca Jones
 Address: 8125 Boca Ciega Dr. St. Pete Beach FL
 33706

Date: April 8, 2024

Prepared By: Luis Cruz, 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 advertised and rented on a
monthly basis. The property is currently advertised for
a 1-night minimum stay, which is not permitted. You
have until 4/3/2024 to change the advertisement. As
for the three short-term-rental stays, this is prohibited
and irreparable and irreversible in nature.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Irreparable or Irreversible Notice of Violation
 2. Evidence
 3. Affidavit of Posting
 4. Notice of Hearing



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

Irreparable or Irreversible Notice of Violation

03/27/2024

JONES, REBECCA
2064 CAROLINA AVE NE
ST PETERSBURG FL 33703-3455

Re: **Case Number 20240185**
Violation Address: 8125 BOCA CIEGA DR, ST PETE BEACH FL 33706
Parcel ID#: 363115051480030060

Dear Property Owner:

Your property is located in the RU-2 zoning district and is only permitted to be advertised and rented on a monthly basis. The property is currently advertised for a 1-night minimum stay which is not permitted. You have until 4/3/2024 to change the advertisement. As for the three Short-Term-Rental stays, this is prohibited and irreparable and irreversible in nature. You are in violation of the following code:

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.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **4/8/2024, at 10am**

If the Code Officer has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the Code Officer shall make a reasonable effort to notify the violator and may immediately schedule a Special Magistrate hearing without reasonable time to correct the violation. However, if the Magistrate finds the violation to be irreparable or irreversible in nature, the Magistrate may impose a fine not to exceed \$5,000 per violation.

If you require further assistance and/or information, please contact (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

CE20240185

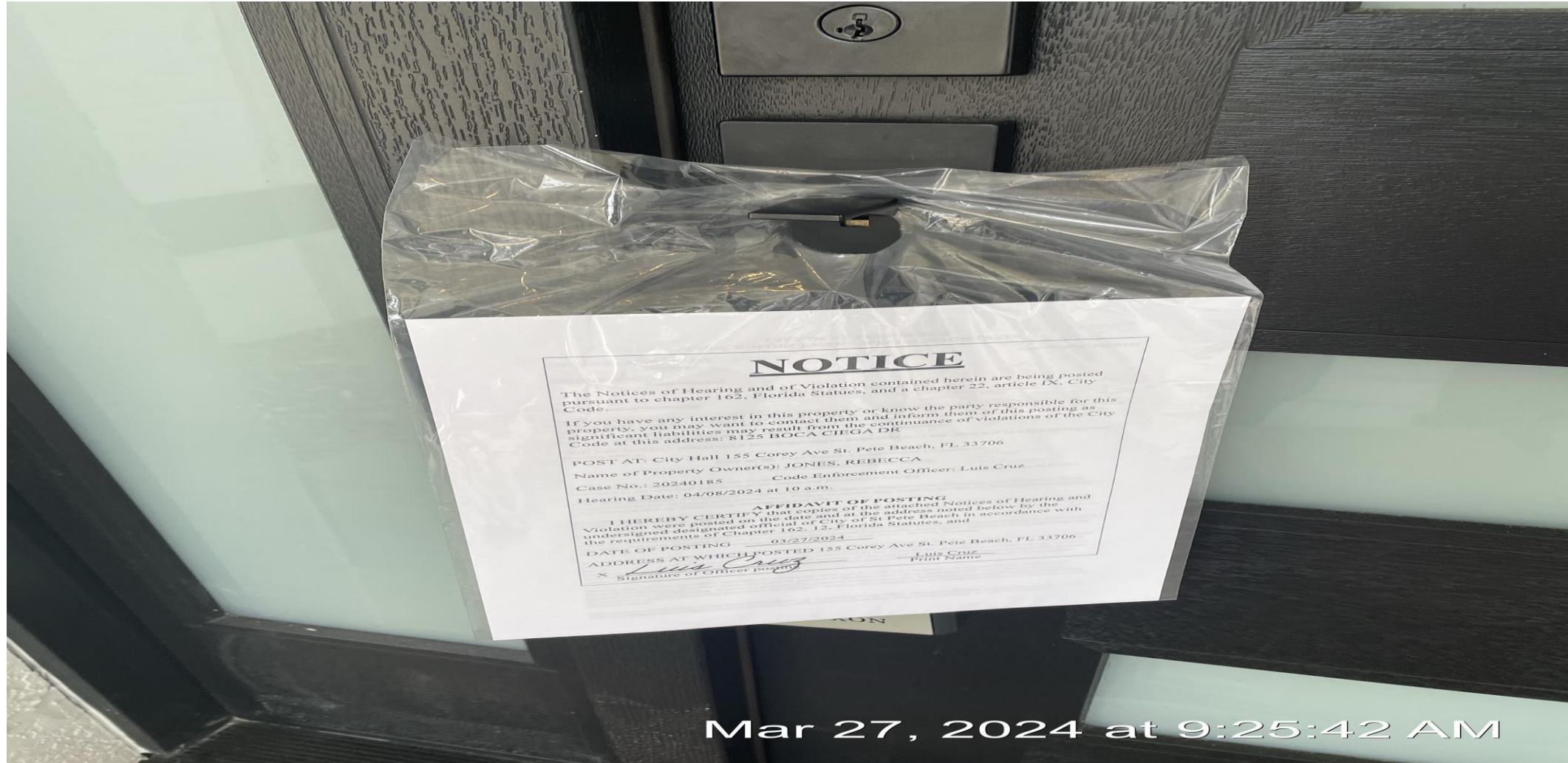
- Respondent(s): Rebecca Jones**
- Violation address: 8125 Boca Ciega Dr.**
- Violation(s) description: The property is in violation of section 9.2 Permitted principal uses and structures (a) of the Land Development Code of the City of St. Pete Beach**

Case Summary

- Initial inspection: 3/25/2024**
- Irreparable or Irreversible Notice of Violation dated: 3/27/2024**
- Notices of Hearing dated and posted on the property: 3/27/2024**

CE20240185

Affidavit of Posting



8125 Boca Ciega Dr.

Sec. 2.1. - Words, terms and phrases defined.

- **Transient occupancy** means occupancy that is intended to be temporary, or which is offered or advertised as being available for a term of less than one month, more than three times in any consecutive 12-month period. Any occupancy of less than one month shall be deemed a transient occupancy unless such occupancy results from, the early termination of a rental agreement having a term of at least one month, or the termination of a month-to-month tenancy as defined by law. In determining whether a property is used as a transient occupancy, such determination shall be made without regard to the form of ownership of the property or unit, whether the occupant has a direct or indirect ownership interest in the property or unit, and without regard to whether the right of occupancy arises from a rental agreement, other agreement or the payment of consideration.

8125 Boca Ciega Dr.

CE20240185

Airbnb advertisement

DIVISION 32 - CC1 COMMERCIAL x Modern Luxury Home on the water x 8125 Boca Ciega Dr, St Pete Beach x 8125 Boca Ciega Dr - Google Maps x Property Details | Pinellas County x

airbnb.com/rooms/1091673141714147736?source_impression_id=p3_1711392053_e97VI4AgPGYSxG2o&check_in=2024-04-02&guests=1&adults=1&check_out=2024-04-05

SPB Bookmarks Gmail Login To iWorQ ww... Pinellas County Pro... Search for Corporati... Maps YouTube Intranet | St. Pete Be... ConnectSuite e-Cert... Code of Ordinances... Log On

airbnb

Anywhere Any week Add guests

Airbnb your home

Modern Luxury Home on the water

Share Save



Entire home in St. Pete Beach, Florida

8 guests · 2 bedrooms · 4 beds · 2 baths

★ 5.0 · 3 reviews

Hosted by Becca
3 years hosting

\$767 night

CHECK-IN 4/2/2024	CHECKOUT 4/5/2024
GUESTS 1 guest	

Show all photos

4:11 PM
3/25/2024

8125 Boca Ciega Dr.

CE20240185

Airbnb advertisement

airbnb.com/book/stays/1091673141714147736?checkin=2024-04-02&numberOfGuests=1&numberOfAdults=1&checkout=2024-04-05&guestCurrency=USD&productId=1091673141714147736&isWorkTrip=false&numberOfChildren=0&...

Request to book

This is a rare find.
Becca's place is usually booked.

Your trip

Dates [Edit](#)
Apr 2 – 5

Guests [Edit](#)
1 guest

Choose how to pay

Pay in full ☒
Pay the total (\$3,273.28).

Pay in 4 payments with Klarna ☐
4 payments of \$818.32 every 2 weeks for 6 weeks. Interest-free.
[More info](#)

Pay monthly with Klarna ☐

Modern Luxury Home on the water
Entire home
★ 5.00 (3 reviews)

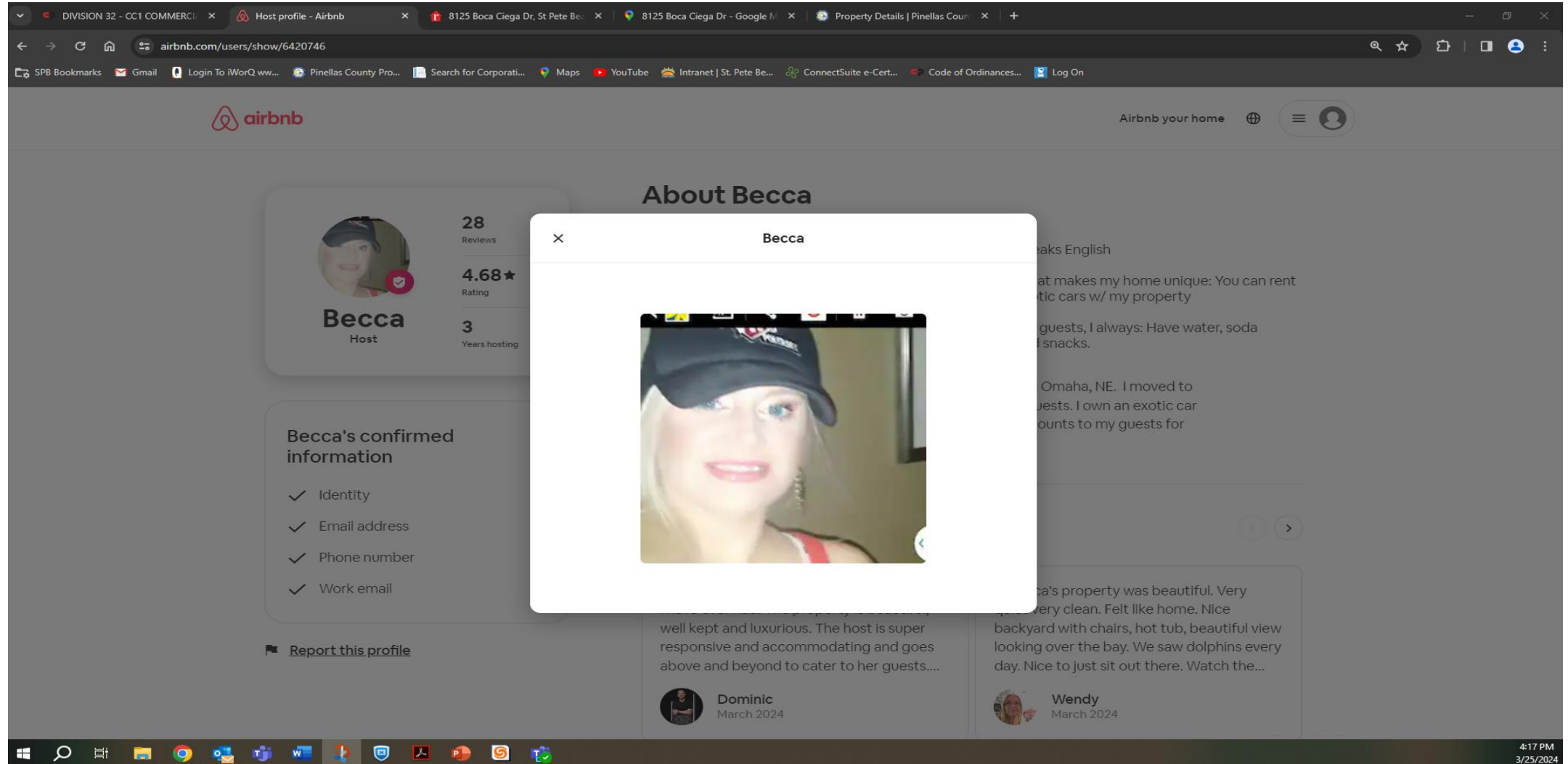
Price details

\$766.67 x 3 nights	\$2,300.00
Cleaning fee	\$275.00
Airbnb service fee	\$363.53
Taxes	\$334.75
Total (USD)	\$3,273.28

8125 Boca Ciega Dr.

CE20240185

Airbnb advertisement



8125 Boca Ciega Dr.

CE20240185

Airbnb advertisement

The screenshot shows a web browser window with multiple tabs open, including 'DIVISION 32 - CC1 COMMERCIAL', 'Host profile - Airbnb', '8125 Boca Ciega Dr, St Pete Be...', '8125 Boca Ciega Dr - Google M...', and 'Property Details | Pinellas Coun...'. The address bar shows 'airbnb.com/users/show/6420746'. The browser's taskbar at the bottom includes icons for Windows, search, and various applications like Chrome, Word, and Outlook.

The Airbnb profile page for Becca is displayed. At the top, the Airbnb logo and 'Airbnb your home' are visible. The profile card on the left shows Becca's profile picture, 28 reviews, a 4.68 star rating, and 3 years of hosting. Below this, a section titled 'Becca's confirmed information' lists verified details: Identity, Email address, Phone number, and Work email. A 'Report this profile' link is at the bottom of this section.

The 'About Becca' section on the right includes several fun facts and details about her property:

- Fun fact:** I do car rally's all over the country.
- Lives in:** St Petersburg, FL
- Pets:** Cash and Bandit-2 mini aussies
- Speaks:** English
- What makes my home unique:** You can rent exotic cars w/ my property
- For guests:** I always: Have water, soda and snacks.

A paragraph of text follows: 'I am from Nebraska and have had several luxury properties in Omaha, NE. I moved to Florida and love offering a luxury Airbnb experience for my guests. I own an exotic car rental company in St. Pete called Sharp Exotics and offer discounts to my guests for exotic cars, luxury cars and a golf cart with their stay.'

The 'Becca's reviews' section shows two reviews from March 2024:

- Dominic (March 2024):** "...This was by far the best airbnb experience I have ever had. The property is beautiful, well kept and luxurious. The host is super responsive and accommodating and goes above and beyond to cater to her guests...."
- Wendy (March 2024):** "...Becca's property was beautiful. Very quiet very clean. Felt like home. Nice backyard with chairs, hot tub, beautiful view looking over the bay. We saw dolphins every day. Nice to just sit out there. Watch the..."

8125 Boca Ciega Dr.

CE20240185

Airbnb reviews

Division 32 - CC1 COMMERCIAL

Modern Luxury Home on the water

8125 Boca Ciega Dr, St Pete Beach, FL 33703

8125 Boca Ciega Dr - Google Maps

Property Details | Pinellas County

airbnb.com/rooms/1091673141714147736?productId=1091673141714147736&check_in=2024-04-02&check_out=2024-04-05&guests=1&adults=1&children=0&infants=0&pets=0&source_impression_id=p3_1711397569_KrE87px7N5OS...

SPB Bookmarks Gmail Login To iWorQ ww... Pinellas County Pro... Search for Corporati... Maps YouTube Intranet | St. Pete Be... ConnectSuite e-Cert... Code of Ordinances... Log On

Photos

Amenities

Reviews

Location

\$767 night

★ 5.0 · 3 reviews

Reserve

Overall rating

5.0

Cleanliness

5.0

Accuracy

5.0

Check-in

5.0

Communication

5.0

Location

5.0

Value

5.0

Dominic

West Columbia, South Carolina

★★★★★ · 1 week ago · Stayed a few nights

This was by far the best airbnb experience I have ever had. The property is beautiful, well kept and luxurious. The host is super responsive and accommodating and goes...

Show more

Leah

Detroit, Michigan

★★★★★ · 3 weeks ago · Stayed with a pet

Gorgeous space, Becca has thought of all the amenities to make this a fulfilled vacation. Watch for the dolphins 🐬, they even come right up to the dock! She's got all the fun stuff rid...

Show more

Wendy

8 months on Airbnb

★★★★★ · 2 weeks ago · Stayed a few nights

Becca's property was beautiful. Very quiet very clean. Felt like home. Nice backyard with chairs, hot tub, beautiful view looking over the bay. We saw dolphins every day. Nice to just...

Show more

Where you'll be

Windows Taskbar

4:18 PM 3/25/2024

8125 Boca Ciega Dr.

Page 190 of 259

CE20240185

Airbnb reviews

The screenshot shows an Airbnb listing for a property at 8125 Boca Ciega Dr, St Pete Beach. The listing has a 5.0 overall rating based on 3 reviews. The background shows the listing details, including the price of \$767 per night and a 'Reserve' button. The foreground shows a modal window with the reviews.

Overall rating: 5.0

3 reviews (Most recent)

Cleanliness 5.0

Accuracy 5.0

Check-in 5.0

Communication 5.0

Location 5.0

Value 5.0

Reviews:

- Dominic** (West Columbia, South Carolina) - 1 week ago - Stayed a few nights
★★★★★ This was by far the best airbnb experience I have ever had. The property is beautiful, well kept and luxurious. The host is super responsive and accommodating and goes above and beyond to cater to her guests. The fridge even comes stocked with beverages! They also have a fleet of exotic cars available to rent should you decide to enhance your experience! Will definitely be staying here again!
- Wendy** (8 months on Airbnb) - 2 weeks ago - Stayed a few nights
★★★★★ Becca's property was beautiful. Very quiet very clean. Felt like home. Nice backyard with chairs, hot tub, beautiful view looking over the bay. We saw dolphins every day. Nice to just sit out there. Watch the boats go by. Enjoy the weather.
- Leah** (Detroit, Michigan) - 3 weeks ago - Stayed with a pet
★★★★★ Gorgeous space, Becca has thought of all the amenities to make this a funfilled vacation. Watch for the dolphins 🐬, they even come right up to the dock! She's got

8125 Boca Ciega Dr.

CE20240185

Airbnb reviews

The screenshot displays an Airbnb review modal for a property. The modal is overlaid on a listing page for a property at 8125 Boca Ciega Dr. The background listing shows a price of \$767/night and a 'Reserve' button. The modal itself shows a 5.0 overall rating and three reviews.

Overall rating: 5.0

3 reviews (Most recent)

Search reviews

They also have a fleet of exotic cars available to rent should you decide to enhance your experience!
Will definitely be staying here again!

Wendy
8 months on Airbnb
★★★★★ · 2 weeks ago · Stayed a few nights
Becca's property was beautiful. Very quiet very clean. Felt like home. Nice backyard with chairs, hot tub, beautiful view looking over the bay. We saw dolphins every day. Nice to just sit out there. Watch the boats go by. Enjoy the weather.

Leah
Detroit, Michigan
★★★★★ · 3 weeks ago · Stayed with a pet
Gorgeous space, Becca has thought of all the amenities to make this a funfilled vacation. Watch for the dolphins 🐬, they even come right up to the dock! She's got all the fun stuff ride bikes play games. It's quite and walkable to everything. We loved it and definitely will be back again. 😊

Response from Becca
3 weeks ago
The dolphins are the best part! Thank you so much for being an amazing guest. We are glad you enjoyed your stay.

Overall rating breakdown:

Category	Rating
Cleanliness	5.0
Accuracy	5.0
Check-in	5.0
Communication	5.0
Location	5.0
Value	5.0

8125 Boca Ciega Dr.

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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: 8125 BOCA CIEGA DR

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

Name of Property Owner(s): JONES, REBECCA

Case No.: 20240185 Code Enforcement Officer: Luis Cruz

Hearing Date: 04/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

I HEREBY CERTIFY that copies of the attached Notices of Hearing and Violation were posted on the date and at the address noted below by the undersigned designated official of City of St Pete Beach in accordance with the requirements of Chapter 162. 12, Florida Statutes, and

DATE OF POSTING 03/27/2024

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,

vs.

JONES, REBECCA
Respondent(s)

Case Number: 20240185

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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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,

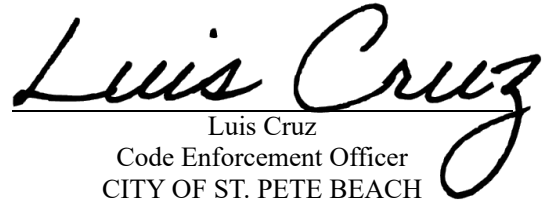
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If you wish to have any witnesses subpoenaed, or if you have any other questions, please contact the office of the Special Magistrate Administrative Division within five (5) business days of this notice, at 727-363-9211.

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 03/27/2024


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.

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

Agenda Report

Issue Considered: Case No. 20230511
City of St. Pete Beach v. Randall Rutter Tre, Rutter
Living trust
Address: 2504 Sunset Way St. Pete Beach FL 33706

Date: October 9, 2023

Prepared By: Steven Rivera

Through: Peyt Dewar, Code Enforcement Manager
Michelle Gonzalez, Community Development Director

Summary of Issue: **Sec. 25.5 - Prohibitions**
Sec. 25.5. - Prohibitions.
(d) Except as otherwise provided in this section, the following shall be prohibited:
(1) The removal or disturbance of vegetation of a dune;
(2) Planting of vegetation except for native, salt-resistant species suitable for beach and dune stabilization;
(3) The crossing, passing over or passing through any dune by any person or vehicle, except in where such crossing is marked for access pursuant to this section;
or
(4) Blocking or causing to be blocked by any means whatsoever any pathway leading to or from a public beach.
Sec. 25.9. - Permit required.
Sec. 25.9. - Permit required.
(a) Dunes. In no instance shall any person, municipality, county or other public or private agency excavate or otherwise cause damage to a dune or conduct or cause to be conducted any activity to improve or enhance a dune without obtaining the necessary permits from the Florida Department of Environmental Protection and the city.
(b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune

system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.

Sec. 98-123.1. - Permits required.

Sec. 98-123.1. - Permits required.

Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

The removal or disturbance of vegetation of the dune along with the building of the deck into the dune system is prohibited. This matter will be set for a Special Magistrate Hearing on 10/09/2023. These violations are irreparable and irreversible pursuant to Florida statute. Do not remove the deck until instructed to, to prevent further damage to the dune system. If you have any questions, please contact our office.

Funding: N/A

Requested Motion: N/A

Attachments:

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



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

AMENDED NOTICE OF VIOLATION

09/12/2023

RUTTER LIV TRUST RUTTER, RANDALL TRE
5569 Mary Munger Rd
Trussville , AL 35173-1614

RE: Case Number 20230511
Violation Address: 2504 SUNSET WAY
Parcel ID#: 183216880560010030

Dear Property Owner:

The removal or disturbance of vegetation of the dune along with the building of the deck into the dune system is prohibited. This matter will be set for a Special Magistrate Hearing on 10/09/2023. These violations are irreparable and irreversible pursuant to Florida statute. Do not remove the deck until instructed to, to prevent further damage to the dune system. If you have any questions, please contact our office.

Sec. 25.5 - Prohibitions

Sec. 25.5. - Prohibitions.

(d) Except as otherwise provided in this section, the following shall be prohibited:

- (1) The removal or disturbance of vegetation of a dune;
- (2) Planting of vegetation except for native, salt-resistant species suitable for beach and dune stabilization;
- (3) The crossing, passing over or passing through any dune by any person or vehicle, except in where such crossing is marked for access pursuant to this section; or
- (4) Blocking or causing to be blocked by any means whatsoever any pathway leading to or from a public beach.

Sec. 25.9. - Permit required.

Sec. 25.9. - Permit required.

(a) Dunes. In no instance shall any person, municipality, county or other public or private agency excavate or otherwise cause damage to a dune or conduct or cause to be conducted any activity to improve or enhance a dune without obtaining the necessary permits from the Florida Department of Environmental Protection and the city.

(b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction

setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.

Sec. 98-123.1. - Permits required.

Sec. 98-123.1. - Permits required.

Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

These violation(s) must be corrected **no later than 09/16/2023**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

If you require further assistance and/or information, please contact me (727) 363-9211 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

Steven Rivera

Steven Rivera
Code Enforcement Officer

727-235-5398

CE20230511

- Respondent(s): Randall Rutter Tre, Rutter living trust**
- Violation address: 2504 Sunset Way**
- Violation(s) description: The property is in violation of sections 25.5 (d),(1)(2)(3)(4), 25.9 (a) and 98-123.1 of the Land Development Code and the Code of Ordinance of the City of St. Pete Beach**

CE20230511

Case Summary

- Initial inspection: 09/1/2023**
- Notice of Violation dated: 09/12/2023**
- Notice of Violation compliance date: 09/16/2023**
- Notices of Hearing dated and posted on the property: 09/18/2023**

CE20230511

Affidavit of Posting



2504 Sunset Way

CE20230511

Deck constructed in the dune system



2504 Sunset Way

CE20230511

Deck constructed in dune system



2504 Sunset way

CE20230511

Deck constructed in dune system



2504 Sunset Way

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: 2504 SUNSET WAY

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

Name of Property Owner(s): RUTTER LIV TRUST RUTTER, RANDALL TRE

Case No.: 20230511 Code Enforcement Officer: Steven Rivera

Hearing Date: 10/09/2023 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 09/18/2023

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20230511

vs.

RUTTER LIV TRUST RUTTER, RANDALL TRE
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 **10/09/2023** 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 **2504 SUNSET WAY** 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 09/18/2023

Steven Rivera

Steven Rivera
Code Enforcement Officer
CITY OF ST. PETE BEACH

ADVICE TO THE PUBLIC: Any party wishing to appeal a decision made with respect to any matter considered at the above Special Magistrate Hearing, will need a verbatim record of the proceedings, including the testimony and evidence, which record is not provided by the City of St. Pete Beach.

Persons with disabilities needing assistance to participate in any of these proceedings should contact City Hall at (727) 367-2735 no later than four (4) days prior to the meeting for assistance.

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230511

ADDRESS: 2504 Sunset Way

**RANDALL RUTTER, as Trustee for
The RUTTER LIVING TRUST,**

Respondent(s).

_____ /

FINAL ADMINISTRATIVE ORDER

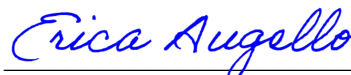
This case came before the Special Magistrate on October 9, 2023, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Steven Rivera.
2. Randall Rutter, as Trustee for the Rutter Living Trust, appeared on behalf of the Respondent.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondents in accordance with applicable law.
4. Respondent was notified that it was in violation of Sections 25.5, 25.9, and 98-123.1 of the City's Code of Ordinances by installing a wooden platform without the requisite permit and disturbing the dunes and vegetation on the beach.
5. Code Enforcement Officer Rivera submitted photographic evidence demonstrating a wooden platform deck having been installed in the dune systems on Respondent's Property.
6. Mr. Rutter testified that there was no vegetation in the area and the area was used for trash collection. There were buried concrete blocks, a platform that was installed in the 1960s or 1970s, and there were some palm and sea grape cuttings in what he described as a "hole". He did cut back some sea grapes when he installed the deck, and admitted his misstep.

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

7. Respondent is found to have been and remains in violation of Sections 25.5, 25.9, and 98-123.1 of the City's Code of Ordinances.
8. The City shall be responsible for coordinating with the Property Owner and the Florida Department of Environmental Protection, if applicable, and any other applicable agency to safely remove the platform in a manner that least impacts the dunes and vegetation in the area.
9. Once the platform is removed, and upon written notice by the City that the platform removal is complete, Respondent shall have sixty (60) days from the date of the written notice to have the appropriate landscaping (sea grapes, etc.) installed, pursuant to any applicable agency regulations.
10. As the nature of the violation is irreparable or irreversible in nature, a \$5,000.00 fine will be imposed at a future hearing on the matter, along with the City's reasonable administrative costs.
11. No imposition of 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.
12. It is Respondent's responsibility, unless otherwise dictated by this Order, to notify the City once the property is in compliance, if applicable.
13. 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 October 12, 2023.



Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent by email to the Respondent at Randy.Rutter@cmicoil.com on October 12, 2023.

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. 20230559**
 City of St. Pete Beach v. Lake Merritt Partners
 LLC
 Address: 636 Corey Ave. St. Pete Beach FL
 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Request for hearing to challenge fine amount

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 2/15/2024
 2. Request for Hearing to Challenge Fine Amount
 3. Notice of Appeal

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20230559
ADDRESS: 636 Corey Ave.**

LAKE MERRITT PARTNERS, LLC

Respondent.

_____ /

FINAL ORDER IMPOSING FINES AND COSTS

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. Attorney Joseph Kenny of Weber Crabb Wien appeared on behalf of Respondent, as well as Jason Matthews, who is a partner in Lake Merritt Partners, LLC.
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 unpermitted work on the structure, allowing for an exterior door to be replaced, as well as unpermitted interior renovations.
5. Code Enforcement Officer Cruz testified that Respondent did not receive an after-the-fact permit by February 9, 2024, as required by the Special Magistrate's Order dated December 13, 2023, and still has not received the required permit.
6. Respondent testified that a permit application was submitted however, it was notified after review that the contractor submitting the application was a residential contractor and a general or commercial contractor would be required as the property did not qualify for a residential contractor to complete the work.
7. The City's Permit Administrator, Joann Boland, testified as to the timeline of the permit application and reviews. The permit application was originally submitted on November 6, 2023, was reviewed by Planning & Zoning on November 14, 2023, and did not pass review;

it was reviewed and failed by the fire department on November 16, 2023, as the property did not have hardwired smoke detectors. The first submittal was not reviewed by the building department as the City did not conduct concurrent reviews at that time.

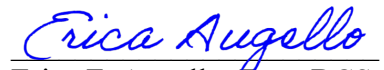
8. Ms. Boland further testified that a revised application was submitted per the comments on February 8, 2024, which was then reviewed concurrently, but ultimately failed as the product placement listed on the coversheet was expired and it was at this time that the building department reviewed the application and realized that a residential contractor could not submit this application and notified the contractor. Ms. Boland stated that at this time the application is pending and waiting for Respondent to secure a properly licensed commercial or general contractor. Once secured, the application will move through the remainder of the review process.
9. Respondent testified he does not dispute that a commercial or general contractor is needed and is seeking to secure one to move through the process.

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

10. Respondent has failed to comply with the Final Administrative Order dated December 13, 2023, and remains in violation of Section 98-123.1 of the City's Code of Ordinances.
11. A **\$250 per day** fine shall be assessed, beginning on **February 10, 2024**, and will accrue until the property comes into compliance.
12. As for the imposition of Administrative Costs incurred by the City, Counsel for Respondent argued at the hearing that while the Special Magistrate may impose reasonable costs, evidence of the amount of those costs is required to be presented at the hearing to afford due process to the Respondent by way of objection.
13. Section 22-279 (a) of the City's Code of Ordinances states that "an order imposing a fine shall be sent to the property owner with a notice that the owner may request a hearing to challenge the fine amount within 20 days of the order." While this section serves as further process to the Respondent to challenge a fine amount, it does not provide a mechanism for Respondent to challenge any imposition of Administrative Costs.
14. Further, there are two types of costs that are recoverable pursuant to Chapter 162, the "Local Government Code Enforcement Boards Act." As cited by Counsel for the City, the Act allows for the recovery of "all costs incurred in prosecuting the case" if the local government prevails. § 162.07 (2), Fla. Stat. The Act also allows costs to be recovered for "the reasonable cost of repairs". § 162.09 (1), Fla. Stat.
15. Because orders imposing fines and costs when recorded burden title to real property and serve as notice to any successors in interest of that burden, the Special Magistrate finds that evidence of the type and amount of costs is necessary to give Respondent an opportunity to be heard relative to the imposition of same.

16. For this reason, the Special Magistrate will not impose costs at this time but reserves jurisdiction to determine the amount of and types of costs at a future hearing should the City desire to pursue same.
17. It is Respondent's responsibility to notify the City once the property is in compliance.
18. 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.
19. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on February 15, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Counsel for Respondent, Joseph Kenny, Esq., at joseph.kenny@webercrabb.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.

March 6, 2024

Via Email to: cityclerk@stpetebeach.org

City Clerk
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706

*Re: Request for Hearing to Challenge Fine Amount
Case No. CE20230559
Address: 636 Corey Avenue*

Dear Clerk:

Pursuant to Section 22-279(a) of the City's Code of Ordinances, Lake Merritt Partners LLC, owner of the property located at 636 Corey Avenue, hereby requests a hearing to challenge the fine amount imposed under the Final Order Imposing Fines and Costs entered on February 15, 2024, in the above matter.

Very truly yours,

WEBER, CRABB & WEIN, P.A.

/s/ Joseph P. Kenny

Joseph P. Kenny, Esq.
joseph.kenny@webercrabb.com

JPK/sw

cc: Peyt Dewar, Enforcement Manager, pdewar@stpetebeach.org
Matthew McConnell, Esq., Attorney for City of St. Pete Beach, matthew@dickmanlawfirm.org

O: 727.828.9919
F: 727.828.9924

www.webercrabb.com

5453 Central Avenue
St. Petersburg, Florida 33710

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
APPELLATE DECISION

LAKE MERRITT PARTNERS, LLC

Appellants,

Appeal Case No. _____

L.T. Case No. CE20230559

vs.

CITY OF ST. PETE BEACH,
FLORIDA, a Municipality of
the State of Florida,

Appellee.

_____ /

NOTICE OF APPEAL

NOTICE IS GIVEN that LAKE MERRITT PARTNERS, LLC, pursuant to Fla. R. App. P. Rule 9.030(c)(1)(C), appeals to the Circuit Court of Pinellas County, State of Florida, the Code Enforcement Special Magistrate's Final Order Imposing Fines and Costs, rendered February 15, 2024. The nature of the order is a final administrative order of a code enforcement board (special magistrate) appealable pursuant to Florida Statutes § 162.11. A conformed copy of the order is attached.

/s/ Joseph P. Kenny

JOSEPH P. KENNY, ESQ.

Fla. Bar No. 59996

Primary: joseph.kenny@webercrabb.com

Secondary: suzie.whitaker@webercrabb.com

WEBER, CRABB & WEIN, P.A.

5453 Central Avenue

St. Petersburg, FL 33710

Tel.: (727) 828-9919

Fax: (727) 828-9924

Attorney For Appellant, LAKE MERRITT
PARTNERS, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that March 15, 2024, the foregoing was electronically filed with the Clerk of the Court by using the Florida Courts E-Filing Portal, and a copy was served via electronic mail to: City Clerk, City of St. Pete Beach, 155 Corey Avenue, St. Pete Beach, FL 33706, cityclerk@stpetebeach.org.

/s/ Joseph P. Kenny

JOSEPH P. KENNY, ESQ.
Fla. Bar No. 59996

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20230559
ADDRESS: 636 Corey Ave.**

LAKE MERRITT PARTNERS, LLC

Respondent.

_____ /

FINAL ORDER IMPOSING FINES AND COSTS

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. Attorney Joseph Kenny of Weber Crabb Wien appeared on behalf of Respondent, as well as Jason Matthews, who is a partner in Lake Merritt Partners, LLC.
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 unpermitted work on the structure, allowing for an exterior door to be replaced, as well as unpermitted interior renovations.
5. Code Enforcement Officer Cruz testified that Respondent did not receive an after-the-fact permit by February 9, 2024, as required by the Special Magistrate's Order dated December 13, 2023, and still has not received the required permit.
6. Respondent testified that a permit application was submitted however, it was notified after review that the contractor submitting the application was a residential contractor and a general or commercial contractor would be required as the property did not qualify for a residential contractor to complete the work.
7. The City's Permit Administrator, Joann Boland, testified as to the timeline of the permit application and reviews. The permit application was originally submitted on November 6, 2023, was reviewed by Planning & Zoning on November 14, 2023, and did not pass review;

it was reviewed and failed by the fire department on November 16, 2023, as the property did not have hardwired smoke detectors. The first submittal was not reviewed by the building department as the City did not conduct concurrent reviews at that time.

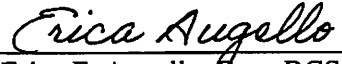
8. Ms. Boland further testified that a revised application was submitted per the comments on February 8, 2024, which was then reviewed concurrently, but ultimately failed as the product placement listed on the coversheet was expired and it was at this time that the building department reviewed the application and realized that a residential contractor could not submit this application and notified the contractor. Ms. Boland stated that at this time the application is pending and waiting for Respondent to secure a properly licensed commercial or general contractor. Once secured, the application will move through the remainder of the review process.
9. Respondent testified he does not dispute that a commercial or general contractor is needed and is seeking to secure one to move through the process.

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

10. Respondent has failed to comply with the Final Administrative Order dated December 13, 2023, and remains in violation of Section 98-123.1 of the City's Code of Ordinances.
11. A **\$250 per day** fine shall be assessed, beginning on **February 10, 2024**, and will accrue until the property comes into compliance.
12. As for the imposition of Administrative Costs incurred by the City, Counsel for Respondent argued at the hearing that while the Special Magistrate may impose reasonable costs, evidence of the amount of those costs is required to be presented at the hearing to afford due process to the Respondent by way of objection.
13. Section 22-279 (a) of the City's Code of Ordinances states that "an order imposing a fine shall be sent to the property owner with a notice that the owner may request a hearing to challenge the fine amount within 20 days of the order." While this section serves as further process to the Respondent to challenge a fine amount, it does not provide a mechanism for Respondent to challenge any imposition of Administrative Costs.
14. Further, there are two types of costs that are recoverable pursuant to Chapter 162, the "Local Government Code Enforcement Boards Act." As cited by Counsel for the City, the Act allows for the recovery of "all costs incurred in prosecuting the case" if the local government prevails. § 162.07 (2), Fla. Stat. The Act also allows costs to be recovered for "the reasonable cost of repairs". § 162.09 (1), Fla. Stat.
15. Because orders imposing fines and costs when recorded burden title to real property and serve as notice to any successors in interest of that burden, the Special Magistrate finds that evidence of the type and amount of costs is necessary to give Respondent an opportunity to be heard relative to the imposition of same.

16. For this reason, the Special Magistrate will not impose costs at this time but reserves jurisdiction to determine the amount of and types of costs at a future hearing should the City desire to pursue same.
17. It is Respondent's responsibility to notify the City once the property is in compliance.
18. 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.
19. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on February 15, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Counsel for Respondent, Joseph Kenny, Esq., at joseph.kenny@webercrabb.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. 20230513**
 City of St. Pete Beach v. April Elliott & David
 Rybarczyk
 Address: 423 Corey Ave. St. Pete Beach FL
 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Request for hearing to challenge fine amount

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 3/13/2024

**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 ORDER IMPOSING FINES AND COSTS

This case came before the Special Magistrate on March 11, 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 failed to appear.
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. In a Final Administrative Order dated February 14, 2024, Respondents were given until March 11, 2024, to make a good faith effort to come into compliance regarding the dumpster enclosure located on their property.
6. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the dilapidated wood dumpster enclosure remains on the property and testified that he did speak with Respondents and confirmed that the enclosure could be removed. He testified that Respondents called him the morning of the hearing stated they have received a quote from a contractor but would not proceed with the removal until showings of the property slowed down.

7. Respondents were not there to testify to why they could not have had the wooden dumpster enclosure removed prior to the hearing date or given reason for an extension to have the enclosure removed.

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

8. Respondents have failed to comply with the Final Administrative Order dated February 14, 2024, and remain in violation of Sections 46-33, 6.12, and 98-66 of the City's Code of Ordinances.
9. A **\$250** per day fine shall be assessed, beginning on **March 11, 2024**, and run until the property comes into compliance, as well as the reasonable administrative costs of the City.
10. It is Respondents' responsibility to notify the City once the property is in compliance.
11. 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.
12. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondents may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on March 13, 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. 20230291**
 City of St. Pete Beach v. Nemishawn INC
 Address: 300 76th Ave. St. Pete Beach FL 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 12/13/2023
 2. Lien Reduction Request Application
 3. Fine and Lien Assessment

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

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

v.

NEMISHAWN, INC.,

Respondent.

CASE NO.: CE20230291

ADDRESS: 300 76th Ave.

ORDERING IMPOSING FINES AND COSTS

This case came before the Special Magistrate on December 11, 2023, to receive a status report on the Order entered on November 14, 2023, and to decide on the imposition of fines and administrative costs. After hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

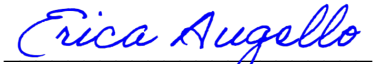
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent's agent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Section 98-123.1 of the City's Code of Ordinances by erecting or partially erecting a fence without a permit.
5. Code Enforcement Officer Cruz testified that the permit has still not been approved and the condition on the property has not changed.

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

6. Respondent failed to comply with the terms of the Magistrate's Order dated November 14, 2023, as an after-the-fact permit has not been secured by Respondent by November 28, 2023. The property remains in violation of the applicable City Codes as cited.
7. Respondent shall be assessed a fine of **\$250 per day**, imposed beginning **September 22, 2023**, and will continue until Respondent brings the property into full compliance with applicable City Codes, as well as the reasonable administrative costs of the City.
8. It is Respondent's responsibility to notify the City once the property is in compliance.

9. 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.
10. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on December 13, 2023.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to Respondent at 1111 7th Ave., N, Ste. 107, St. Petersburg, Florida 33705.

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.



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: 20230291

2. Date: Feb 29, 2024

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

Company (if applicable): Nemishawn Inc.

Name: Mehul Shah

Mailing Address: 2035 Brightwaters Blvd. NE

City: St. Petersburg State: FL Zip Code: 33704

Phone #: - Fax #: -

Mobile #: 727-488-9052 E-mail: nemishawninc@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: 300 76th Ave St. Pete Beach FL 33706

Parcel ID: 36311577940680180

Tax Account Number: 593691014

Existing Use(s) on Property: Medical Office

Date Fine or Lien Imposed: _____

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

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

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

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:

permit issues were to be addressed by
licensed contractor; notices not received by
owner after tax collector address not updated
(see attached)

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

Provide proof that the taxes are paid in full:

6. Signatures and Notarization.

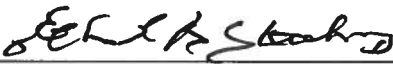
STATE OF Florida COUNTY OF Pinellas. I, being first
duly sworn, depose and say that:

☒ 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.

 Kimberly Ortiz-Diaz
(APPLICANT SIGNATURE) (Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced FL DL

KIMBERLY ANA ORTIZ-DIAZ
Notary Public, State of Florida
My Comm. Expires Sep. 26, 2026
No HH 316430

(NOTARY PUBLIC SIGNATURE) 

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 4 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 _____

Charles W. Thomas, Pinellas County Tax Collector

Pay all U.S. funds to Charles W. Thomas, Tax Collector

PO Box 31149, Tampa, FL 33631-3149

727-464-1777 pinellastaxcollector.gov

2023 REAL ESTATE TAX

Notice of Ad Valorem Taxes and Non-Ad Valorem Taxes

Pay online at pinellastaxcollector.gov

• E-check - no fee • Credit card 2.95% convenience fee

If Postmarked By

Nov 30, 2023

Dec 31, 2023

Jan 31, 2024

Feb 29, 2024

Mar 31, 2024

Pay This Amount

\$4,400.69

\$4,446.53

\$4,492.37

\$4,538.21

\$4,584.05

ACCOUNT NUMBER

ESCHOW CODE

MILLAGE CODE

R401595

SPB

PARCEL NO: 36/31/16/77994/068/0180

SITE ADDRESS: 300 76TH AVE

PLAT: 5 PAGE 28

LEGAL:

ST PETERSBURG BEACH REPLAT

BLK 68, LOT 18

NEMISHAWN INC

1111 7TH AVE N STE 107

ST PETERSBURG FL 33705-1348



1 OR401595 2023 D

NEMISHAWN, INC.

1111 7TH AVE. N., STE 107

ST PETERSBURG, FL 33705

2133

63-751/631 10654

Nov 24, 2023

Date

Pay to the
Order of

CW Thomas, Pinellas County Tax Coll. \$ 4400.69

Fourty Four Hundred & 69/100

Dollars



Photo
Safe
Deposit®
Details on back



Wells Fargo Bank, N.A.
Florida
wellsfargo.com

For

Ac # R401595

Robert B. Schomay

MP

1:0631075131:200001433452402133

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20230291

Nemishawn LLC

300 76th Ave.

Employee/Associate	Hourly Rate	Total Hours	Total
Code Enforcement Officer	\$25.00	2.00	\$50.00
City Attorney	\$180.00	1.00	\$180.00
Special Magistrate	\$200.00	1.00	\$200.00
		Total hours	\$430.00

Admin costs totaling \$430.00 plus a daily fine of \$250.00 a day starting 9/22/2023 - 1/16/2024.

Total Administrative Fines	\$430.00
Lien	\$29,250.00

Total

\$29,680.00

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

Agenda Report

Issue Considered: **Case No. 20230340**
 City of St. Pete Beach v. Paradise Caprice LLC
 Address: 521 71st Ave. St. Pete Beach FL 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 11/14/2023
 2. Lien Reduction Request Application
 3. Fine and Lien Assessment Sheet

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230340

ADDRESS: 521 71st Ave.

PARADISE CAPRICE, LLC,

Respondent.

_____ /

ORDERING IMPOSING FINES AND COSTS

This case came before the Special Magistrate on November 13, 2023, to receive a status report on the Order entered on October 12, 2023, and to decide on the imposition of fines and administrative costs. After hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

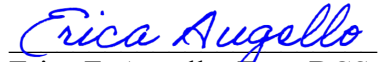
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent's authorized agent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Section 98-123.1 of the City's Code of Ordinances by installing a paver patio in a flood hazard area without first applying for and securing a permit from the City.
5. Code Enforcement Officer Cruz testified that a permit has been applied for, however, not all documentation to secure the permit has been submitted.
6. The testimony demonstrated the permit has been applied for, but to date has not been issued.

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

7. Respondent failed to comply with the terms of the Magistrate's Order dated October 12, 2023, as a permit for the paver patio was not secured by November 11, 2023. The property remains in violation of the applicable City Codes as cited by the City.

8. Respondent shall be assessed a fine of **\$250 per day** imposed beginning **July 12, 2023**, and will continue until Respondent brings the property into full compliance with applicable City Codes, as well as the reasonable administrative costs of the City.
9. It is Respondent's responsibility to notify the City once the property is in compliance.
10. 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.
11. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on November 14, 2023.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to 955 Main Street, Dalton, MA 01226-2209.

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.



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: 20230340

2. Date: March 27, 2024

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

Company (if applicable): Stearns Weaver Miller, P.A.

Name: Simone L. Savino, Esq.

Mailing Address: 401 East Jackson Street, Suite 2100

City: Tampa State: FL Zip Code: 33602

Phone #: 813-222-5062 Fax #: _____

Mobile #: 813-731-9064 E-mail: ssavino@stearnsweaver.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): Paradise Caprice LLC

Name: Dean Burris

Mailing Address: 955 Main Street

City: Dalton State: MA Zip Code: 01226-2209

Phone #: _____ Fax #: _____

Mobile #: 413-822-1605 E-mail: burrisvending100@gmail.com

5. Information for property on which lien occurs:

Street Address: 521 71st Ave St. Pete Beach, FL 33706

Parcel ID: 36-31-15-77994-043-0060

Tax Account Number: R401440

Existing Use(s) on Property: Multi-Family <10 Units

Date Fine or Lien Imposed: November 13, 2023

Fine/Lien Amount: \$250/day Administrative Fees: \$430.00 Total Fine/Lien Amount: \$61,430.00

Amount you are requesting that the lien be reduced to: \$ 5,000.00

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

Date upon which the subject property was brought into compliance: March 11, 2024

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

Please see attachment A.

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

Please see attachment A.

Provide proof that the taxes are paid in full:

Please see attachment B.

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.



Simone L. Savino

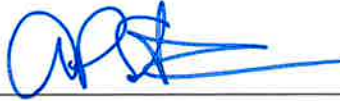
(APPLICANT SIGNATURE)

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

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____

(NOTARY PUBLIC SIGNATURE)





STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 28th day March of, 20 24

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 _____

Attachment A

Lien Reduction Request Application – Attachment A
Code Enforcement Case # 20230340
Paradise Caprice LLC

5. Information for property on which lien occurs: (Ctd.)

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

Paradise Caprice LLC (“Property Owner”) is requesting a reduction of a fine for code enforcement case number 20230340 for their property located at 521 71st Avenue (the “Property”).

Per Florida Statutes, the following factors should be considered by the enforcement board when determining the amount of a fine:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed by the violator.

The code enforcement lien for the Property is \$61,430.00 (\$250.00 a day). The Property Owner respectfully requests a reduction to \$5,000.00 because the gravity of the violation is minimal, the Property Owner took immediate action to correct the violation but wound up relying on an unreliable contractor, and no other violations have been committed by the violator.

The Property Owner purchased the property in December of 2018, but resides in Dalton, Massachusetts as his primary residence. The Property is an apartment community in the Upham Beach Village within walking distance to the Corey Avenue Shopping District. Despite living out of state for most of the year, the Property Owner maintains the property in excellent working condition while away.

The code violation was the result of adding a paver patio on the property without a proper permit. **The Property Owner hired a contractor to pave the patio and was assured that all proper permits were obtained.** The Property Owner was out of town and unaware that a permit had not been applied for. The Property Owner selected this contractor because he had a good reputation in the area and had pulled many permits with the City in the past. **Unfortunately, the contractor proved to be unreliable and the Property Owner relied on him to his detriment.**

Additionally, the Property Owner had a notice issue with the initial Notice of Violation. Though the Notice of Violation is addressed to the mailing address on record with the Pinellas County Property Appraiser (955 Main Street Dalton, MA 01226-2209), there is no record of whether this mailing was sent certified or received by the Property Owner. The Property Owner was ultimately alerted to the violation by the Property Owner LLC’s registered agent, who resides on the property.

Overall, the gravity of the violation was minimal because an after-the-fact permit was issued for the work performed. Thus, the violation was easily remedied by the issuance of a valid permit, and there was no threat to the health, safety, or welfare of the community during the period of time in

which the permit was not yet issued. Finally, the Property Owner has no history of violations with the City of St. Pete Beach.

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

After receiving the Notice of Violation, the Property Owner promptly notified the contractor of the need to pull permits. The Property Owner also notified Code Enforcement at that time, letting them know the contractor would be pulling the permit. **Unbeknownst to the Property Owner, the contractor took his time applying for the permit. The contractor also mistakenly thought he had remedied the violation by simply *applying* for the permit on October 6, 2023, in advance of the October 9, 2023.** The contractor was unaware that a permit had to have been *issued* by the hearing date, or shortly thereafter in order to meet the November 11, 2023 deadline.

Despite the initial hold-up by the contractor, consistent re-submittals were documented within building permit number 2302038 from November 2023 through January 2024 while the contractor remained in contact with the City during the permit process. Once he was aware of the severe delay, the Property Owner stepped in to assist the contractor with obtaining an updated boundary survey with dimensions and proposed setbacks – which took additional time to obtain as well.

We thank you for your consideration.

Attachment B

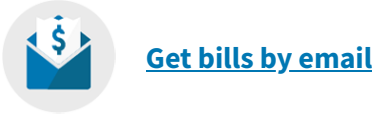
[Search](#) > Account Summary

Real Estate Account #R401440

Owner:
PARADISE CAPRICE LLC

Situs:
521 71ST AVE
ST PETE BEACH

[Parcel details](#)
[Property Appraiser](#)



Amount Due

Your account is **paid in full**. There is nothing due at this time.
Your last payment was made on **11/28/2023** for **\$14,433.40**.

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

Account History

BILL	AMOUNT DUE	STATUS			ACTION
2023 Annual Bill ⓘ	\$0.00	Paid \$14,433.40	11/28/2023	Receipt #952-23-079687	 Print (PDF)
2022 Annual Bill ⓘ	\$0.00	Paid \$13,349.34	11/28/2022	Receipt #952-22-071808	 Print (PDF)
2021 Annual Bill ⓘ	\$0.00	Paid \$11,364.68	11/30/2021	Receipt #1660-21-001579	 Print (PDF)
2020 Annual Bill ⓘ	\$0.00	Paid \$10,823.64	11/30/2020	Receipt #1661-20-005306	 Print (PDF)
2019 Annual Bill ⓘ	\$0.00	Paid \$9,910.33	11/13/2019	Receipt #761-19-003683	 Print (PDF)
2018 Annual Bill ⓘ	\$0.00	Paid \$9,954.76	11/13/2018	Receipt #755-18-030279	 Print (PDF)
2017 Annual Bill ⓘ	\$0.00	Paid \$9,637.11	11/27/2017	Receipt #755-17-073020	 Print (PDF)
2016 Annual Bill ⓘ	\$0.00	Paid \$7,984.30	11/08/2016	Receipt #755-16-018040	 Print (PDF)
2015 Annual Bill ⓘ	\$0.00	Paid \$7,460.96	12/17/2015	Receipt #755-15-108994	 Print (PDF)
2014 Annual Bill ⓘ	\$0.00	Paid \$6,793.40	11/05/2014	Receipt #755-14-017720	 Print (PDF)
2013 Annual Bill ⓘ	\$0.00	Paid \$6,729.83	11/13/2013	Receipt #755-13-038290	 Print (PDF)
2012 Annual Bill ⓘ	\$0.00	Paid \$6,908.86	11/07/2012	Receipt #755-12-022117	 Print (PDF)
2011 Annual Bill ⓘ	\$0.00	Paid \$7,059.46	11/17/2011	Receipt #755-11-054809	 Print (PDF)
2010 Annual Bill ⓘ	\$0.00	Paid \$7,891.99	11/02/2010	Receipt #755-10-013916	 Print (PDF)
2009 Annual Bill ⓘ	\$0.00	Paid \$8,406.82	11/06/2009	Receipt #600-09-000134	 Print (PDF)
2008 Annual Bill ⓘ	\$0.00	Paid \$9,331.89	11/07/2008	Receipt #755-08-023735	 Print (PDF)
2007 Annual Bill ⓘ	\$0.00	Paid \$10,116.85	11/09/2007	Receipt #055-07-00042064	 Print (PDF)
2006 Annual Bill ⓘ	\$0.00	Paid \$10,810.67	11/13/2006	Receipt #055-06-00036473	 Print (PDF)
2005 Annual Bill ⓘ	\$0.00	Paid \$9,470.23	11/08/2005	Receipt #013-05-00000348	 Print (PDF)
2004 Annual Bill ⓘ	\$0.00	Paid \$8,080.19	11/08/2004	Receipt #055-04-00027579	 Print (PDF)
2003 Annual Bill ⓘ	\$0.00	Paid \$5,864.56	11/12/2003	Receipt #055-03-00022393	 Print (PDF)
2002 Annual Bill ⓘ	\$0.00	Paid \$5,738.69	11/21/2002	Receipt #009-02-00001605	 Print (PDF)
2001 Annual Bill ⓘ	\$0.00	Paid \$4,521.65	11/14/2001	Receipt #055-01-00036966	 Print (PDF)
2000 Annual Bill ⓘ	\$0.00	Paid \$4,297.52	03/16/2001	Receipt #055-00-00199822	 Print (PDF)
1999 Annual Bill ⓘ	\$0.00	Paid \$4,183.47	01/31/2000	Receipt #007-99-00030655	 Print (PDF)
Total Amount Due	\$0.00				

2023 REAL ESTATE TAX**Charles W. Thomas, CFC, Pinellas County Tax Collector**

P.O. Box 31149, Tampa, FL 33631-3149
(727) 464-7777 | pinellastaxcollector.gov

Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

Pay online at pinellastaxcollector.gov

• E-check - no fee • Credit card - 2.95% convenience fee

If Postmarked By	Nov 30, 2023				
Pay this Amount	\$14433.40				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R401440		SPB

PARADISE CAPRICE LLC
955 MAIN ST
DALTON, MA 01226-2209

PARCEL NO.: 36/31/15/77994/043/0060
SITE ADDRESS: 521 71ST AVE, ST PETE BEACH
PLAT: 5 PAGE: 28
LEGAL:
ST PETERSBURG BEACH REPLAT
BLK 43, LOTS 6,7 AND 10

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAXES LEVIED
GENERAL FUND	4.7398	864,535	0	864,535	4,097.72
HEALTH DEPARTMENT	0.0713	864,535	0	864,535	61.64
EMS	0.8418	864,535	0	864,535	727.77
SCHOOL-STATE LAW	3.1900	1,075,000	0	1,075,000	3,429.25
SCHOOL-LOCAL BD.	2.7480	1,075,000	0	1,075,000	2,954.10
ST PETE BEACH	3.0913	864,535	0	864,535	2,672.54
SW FLA WTR MGMT.	0.2043	864,535	0	864,535	176.62
PINELLAS COUNTY PLN.CNCL.	0.0210	864,535	0	864,535	18.16
JUVENILE WELFARE BOARD	0.8250	864,535	0	864,535	713.24
TOTAL MILLAGE 15.7325 GROSS AD VALOREM TAXES					\$14,851.04

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	AMOUNT
ST PETE BEACH STORMWATER SVCS FIXED COST	64.32
ST PETE BEACH STORMWATER SVCS VARIABLE COST	119.43
GROSS NON-AD VALOREM ASSESSMENTS	\$183.75

TAXES BECOME DELINQUENT APRIL 1ST	COMBINED GROSS TAXES AND ASSESSMENTS	\$15,034.79
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PLEASE RETAIN TOP PORTION FOR YOUR RECORDS

2023 REAL ESTATE TAX**Charles W. Thomas, CFC, Pinellas County Tax Collector**

Pay in U.S. funds to **Charles W. Thomas, Tax Collector**

P.O. Box 31149, Tampa, FL 33631-3149
(727) 464-7777 | pinellastaxcollector.gov

Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

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• E-check - no fee • Credit card - 2.95% convenience fee

If Postmarked By	Nov 30, 2023				
Pay this Amount	\$14433.40				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R401440		SPB

PARADISE CAPRICE LLC
955 MAIN ST
DALTON, MA 01226-2209

PARCEL NO.: 36/31/15/77994/043/0060
SITE ADDRESS: 521 71ST AVE, ST PETE BEACH
PLAT: 5 PAGE: 28
LEGAL:
ST PETERSBURG BEACH REPLAT
BLK 43, LOTS 6,7 AND 10

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20230340

Paradise Caprice LLC

521 71st Ave

Employee/Associate	Hourly Rate	Total Hours	Total
Code Enforcement Officer	\$25.00	2.00	\$50.00
City Attorney	\$180.00	1.00	\$180.00
Special Magistrate	\$200.00	1.00	\$200.00
Fines imposed 11.13.23 by SM. Admin fines \$430.00 plus a daily fine of \$250.00 starting 7/12/2023 until 3/11/2024.		Total hours	\$430.00

Total Administrative Fines	\$430.00
Lien	\$61,000.00

Total \$61,430.00

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

Agenda Report

Issue Considered: **Case No. 20230541**
 City of St. Pete Beach v. Wilmington Savings Fund
 Society FSB TRE Pretium Mortgage Acquisition Trust
 Address: 809 59th Ave. St. Pete Beach FL 33706

Date: April 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 1/11/2024
 2. Lien Reduction Request Application
 3. Fine and Lien Assessment Sheet

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20230541
ADDRESS: 809 59th Ave.,**

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

_____ /

FINAL ORDER IMPOSING FINES AND COSTS

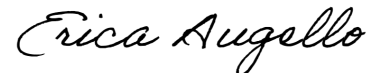
This case came before the Special Magistrate on January 8, 2024, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent was represented by Hend Nassar MacLean of Nassar MacLean Lawfirm, PLLC, as Counsel for Respondent.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondents in accordance with applicable law.
4. Respondent was notified that they were in violation of Sections 46-33 and 98-66 of the City's Code of Ordinances as it maintained the property in a state of disrepair with warped and peeling facia boa, peeling paint, and discolored stucco.
5. Code Enforcement Officer Cruz testified that the property owner has not secured a permit to repair the property as was stated by the Attorney for Respondent at the previous hearing, and the contractor has not even been registered with the City so does not have the ability to applied for and secure a permit.
6. Ms. Nassar MacLean confirmed no permit had been applied for as the contractor has not yet been registered with the City.

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

7. Respondent failed to comply with the terms of the Magistrate's Order dated December 13, 2023, as no permit has been applied for or secured, and the property remains non-compliant and in violation of the applicable City Codes as cited.
8. Respondent shall be assessed a fine of **\$250 per day**, imposed beginning **December 24, 2023**, and will continue until Respondent brings the property into full compliance with applicable City Codes, as well as the reasonable administrative costs of the City.
9. It is Respondent's responsibility to notify the City once the property is in compliance.
10. 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.
11. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on January 11, 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

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



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: 20230541

2. Date: 3/28/24

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

Company (if applicable): Topouzis & Associates, PC

Name: Theodore A. Topouzis, Esq. and/or Tyler Mesmer, Esq.

Mailing Address: 100 SE 2nd Street, Suite 2000,

City: Miami State: FL Zip Code: 33131

Phone #: 855-451-0841 Fax #: _____

Mobile #: 786-620-9490 E-mail: _____

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): Wilmington Savings Fund Society FSB DBA Christiana Trust Not Ind but as Trustee for Pretium Mortgage Acquisition Trust

Name: _____

Mailing Address: C/o Selene Finance LP, 3501 Olympus Blvd, Suite 500

City: Dallas State: TX Zip Code: 75019

Phone #: 469-701-4211 Fax #: _____

Mobile #: 401-865-9303 E-mail: anthony.brunson@selenefinance.com

5. Information for property on which lien occurs:

Street Address: 809 59th Ave.

Parcel ID: 31-31-16-02379-000-0070

Tax Account Number: R349771

Existing Use(s) on Property: Single Family

Date Fine or Lien Imposed: 12/24/23

Fine/Lien Amount: \$16,500.00 Administrative Fees: 405.00 Total Fine/Lien Amount: \$16,905.00

Amount you are requesting that the lien be reduced to: \$ 1,700.00

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

Date upon which the subject property was brought into compliance: 2/27/24

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

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

Difficulty getting a contractor during the holidays to commit to do the work and contractor has to be registered before starting the work

Provide proof that the taxes are paid in full:
Attached

6. Signatures and Notarization.

STATE OF Rhode Island COUNTY OF Kent. 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.

[Signature]

(APPLICANT SIGNATURE)

Theodore A. Turvey

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

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____

Cindy R. Johwa
NOTARY PUBLIC
State of Rhode Island
Comm. No. 62793
Commission Expires 9/11/2024

(NOTARY PUBLIC SIGNATURE) Cindy R. Johwa
Rhode Island Kent

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 28th day March 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 _____



3501 Olympus Blvd, Suite 500
Dallas, TX 75019
Telephone (877) 768-3759
Fax (866) 926-5498
www.selenefinance.com

Hours of Operation (CT)
Monday – Thursday: 8 a.m. - 9 p.m.
Friday: 8 a.m. – 5 p.m.

St. Pete Beach
Department of Code Enforcement
155 Corey Avenue
St. Pete Beach, FL 33706

RE: 809 59th Ave., Saint Petersburg Beach, FL 33706
Code case: 20230541
Code Hearing: December 11, 2023 at 10am.

Dear Sir/Madam,

As the asset management firm and servicer of this loan for Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust, not Individually but as Trustee for Pretium Mortgage Acquisition Trust (Wilmington), we have the authority to retain counsel to assist us with any legal matters including but not limited to attending hearings, including code violation hearings.

As such, please consider this letter as our written confirmation that we have retained Topouzis & Associates, PC and either Theodore A. Topouzis, Esq. or Tyler Mesmer, Esq. to represent Wilmington at the hearing that is referenced above.

Sincerely,

A handwritten signature in cursive script that reads 'Cody Oviatt'.

Cody Oviatt, Manager REO

Selene Finance LP is a debt collector attempting to collect a debt and any information obtained will be used for that purpose.

If you received a bankruptcy discharge of this debt, this communication is not an attempt to collect the debt against you personally, but is notice of a possible enforcement of the lien against the collateral property. Also, if you are involved in a bankruptcy please note that Selene Finance LP intends to fully comply with the Code including, without limitation, the automatic stay and the provisions of any confirmed bankruptcy plan.

Attention Servicemembers and Dependents: The federal Servicemembers Civil Relief Act and certain state laws provide important protections for you, including prohibiting foreclosure under most circumstances during and twelve months after the servicemember's military or other service. Selene will not foreclose on the property of a servicemember or his or her dependent during that time, unless pursuant either to a court order or a service member's written waiver agreement.

With regard to our request for mitigation, please consider the following explanation in support of our request for fine/lien reduction. Our agent Victor Caputo was retained as our client's local representative not only to list to sell the property but also to maintain the property.

Briefly, our client Wilmington Saving Fund Society FSB DBA Christiana Trust, not Individually but as Trustee for Pretium Mortgage Acquisition Trust

The code compliance officer first cited the property on or about October 16, 2023. Mr. Caputo was immediately in touch with the code compliance officer. The code compliance officer gave Mr. Caputo until on or about October 31, 2023 to clean up the yard and perform regular maintenance of the premises.

Our agent had a medical emergency on October 30th and owner was provided until December 23, 2024 for time to obtain compliance. Unfortunately our contractor had to register with the City of St Pete Beach which didn't happen until January 12, 2024. The project was commenced shortly after the registration approval and completed on or about January 23, 2024 and we were under the impression that it passed inspection at that time. However in fact compliance was obtained on February 27, 2024.

As shown we have stayed in active contact with your code enforcement officer and have diligently worked to obtain compliance. We respectfully request that you grant our request for mitigation in light of these facts.

Luis Cruz

From: GovHub <no-reply@govhub.com>
Sent: Friday, March 29, 2024 11:31 AM
To: Theodore Topouzis
Subject: Pinellas Payment Confirmation

Charles W. Thomas

pinellas county tax collector

Thank you for your payment

Confirmation Number
E1056244789

Items Paid

DESCRIPTION	QUANTITY	AMOUNT
Property Tax Real Estate Account R349771 WILMINGTON SAVINGS FUND SOCIETY FSB TRE 809 59TH AVE ST PETE BEACH 2023 Annual Bill	1	\$4259.88
The payment will appear on your statement as "PINELLAS COUNTY TAX COLL."		
TOTAL		\$4259.88

Transaction Details

Payment Checking Account
Account Checking ending in 3975

Paid	\$4259.88
Payment Date	Mar 29, 2024, 11:30 AM EDT
Recipient	Pinellas
Paid by	
	Topouzis & Associates PC
	ttopouzis@taclosinglaw.com

Your payment still needs to be cleared by your bank. Your bank should inform us of an unsuccessful e-check within three business days.

Contact Information

Pinellas - Property Tax

P.O. Box 31149, Tampa, FL 33631-3149

727-464-7777 | [Website](#)

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20230541

Wilmington Savings Fund Society FSB Pretium Mortgage Acquisition Trust
809 59th Ave.

Employee/Associate	Hourly Rate	Total Hours	Total
Code Enforcement Officer	\$25.00	1.00	\$25.00
City Attorney	\$180.00	1.00	\$180.00
Special Magistrate	\$200.00	1.00	\$200.00
		Total hours	\$405.00

Admin costs totaling \$405.00 plus a daily fine of \$250.00 starting 12/24/2023 until 2/27/2024.

Total Administrative Fines	\$405.00
Lien	\$16,500.00

Total \$16,905.00