



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, May 13, 2024
10:00 AM

Call to Order
Pledge of Allegiance

CASE DOCKET

1. Administration of Oath
2. Cases Continued -

A. Case No. 20240021

City of St. Pete Beach v. Steven D Lower

Address: 505 67th Ave #10 St. Pete Beach FL 33706

Status Hearing on a 45-day extension to apply for and secure a permit to complete the partial renovations that were undertaken under the previous permit.

B. Case No. 20240043

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

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

Status hearing on a 30-day extension to achieve an acceptable landscape plan, secure any necessary permits, and have the plan executed to its completion.

C. Case No. 20240133

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

Address: 85 Corey Cir St. Pete Beach FL 33706

Status hearing on a 3-day extension to renew a Business Tax receipt and a 14-day extension to remove the junked or abandoned vehicle from the property or otherwise have it registered.

D. Case No. 20230685

City of St. Pete Beach v. Billie G Lambert

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

Status hearing on a 30-day extension to secure a permit and to complete the repairs.

E. Case No. 20240090

City of St. Pete Beach v. Franklin L Dockett
Address: 555 Gulf Way #7-N St. Pete Beach FL 33706
Status hearing for acquiring a permit for the installation of drywall.

- 3. Repeat Violations -
- 4. New Cases

A.

Case No. 20240190

City of St. Pete Beach v. Jeffrey T. Weeks

Address: 535 68th Ave #10 St. Pete Beach FL 33706

Sec. 36.4. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

B. Case No. 20240209

City of St. Pete Beach v. TCO One Reit Turbo LLC

Address: 7305 Bay St. St. Pete Beach FL 33706

Sec. 34.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Downtown Core Residential District.

C. Case No. 20240205

City of St. Pete Beach v. Charles Mackert

Address: 206 58th Ave St. Pete Beach FL 33706

Sec. 46-33. - Enumeration.

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

(4) Buildings and structures as follows:

b. Any building, structure or other improvement on which the paint or other exterior coating or surface is flaking or has deteriorated to the point that the building, structure or other improvement is unsightly in appearance and thus adversely affects the aesthetic appearance of the area.

Sec. 98-65. - Unsightly conditions.

The following conditions are hereby deemed to be unsightly conditions and are prohibited.

The following conditions are prohibited on any real property in the City:

(1) Structures that are:

a. Partially destroyed; or

b. Left in a state of disrepair

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

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

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

(b) Standards for improved property.

(2) Exterior walls. Exterior walls of buildings shall be: a. Maintained free from holes, breaks, and loose or rotting materials; and

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

(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.

D. Case No. 20240141

City of St. Pete Beach v. Gintaras Karosas

Address: 350 72nd Ave. St. Pete Beach FL 33706

Sec. 46-33. - Enumeration.

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

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

(c) Parking, storage, abandoning, keeping or leaving of certain vehicles or boats restricted and prohibited. It shall be unlawful for any person to park, store, abandon, keep or leave exposed or outside any enclosure any vehicle or boat which is in a wrecked, junked, inoperative, partially dismantled or abandoned condition on any real property, private or public, within the city limits for such time and under such circumstances as to reasonably cause such vehicle or boat to be a danger to the public health, safety and welfare, or to be an eyesore, to be unsightly or to be aesthetically unpleasing due to such conditions and appearance. It shall not be a violation of this article if the person's action is in connection with a bona fide business purpose or enterprise that is lawfully situated and licensed within the city, or if the vehicle or boat is being actively restored and worked upon by the owner and kept within an enclosure on his real 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.

E. Case No. 20240155

City of St. Pete Beach v. Stephen Boyle

Address: 3672 Belle Vista Dr. E St. Pete Beach FL 33706

Sec. 98-123.1. - Permits required.

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

F. Case No. 20240029

City of St. Pete Beach v. Micheal Martin

Address: 2 Alhambra St. St. Pete Beach FL 33706

Sec. 46-33. - Enumeration.

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

designation of all nuisances:

(2)

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

(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.

Sec. 98-65 - Unsightly Conditions.

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

(1) Structures that are:

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

(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.

(c) Litter.

(1) Storage of litter.

(2) Depositing litter. It shall be unlawful to throw, discard, place, drop, or deposit litter in any manner or amount in or upon any real property, highway, street, right-of-way or body of water within the limits of the city, except in such containers specifically provided and designated for the disposal of litter, is a violation. Litter strewn by a pedestrian except at approved and permitted disposal sites is a violation. Litter ejected or discarded from a motor vehicle except at approved and permitted disposal sites is a violation.

(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

G. Case No. 20240081

City of St. Pete Beach v. 4401 Gulf Blvd LLC

Address: 4401 Gulf Blvd. 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:

(4) Buildings and structures as follows:

b. Any building, structure or other improvement on which the paint or other exterior coating or surface is flaking or has deteriorated to the point that the building, structure or other improvement is unsightly in appearance and thus adversely affects the aesthetic appearance of the area.

Sec. 98-64. - General maintenance.

(a) Nuisances and hazards. Real property shall be maintained free of nuisances and any hazards to the safety of the occupants, customers or persons utilizing the premises or to pedestrians passing by.

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

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

(b) Standards for improved property.

(24) Fences and walls. Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free

from loose or rotting materials. Metal fencing shall be free from rust or deterioration.

5. Cases Complied -

6. Old Cases

7. Lien Reductions

A. Case No. 20230499

City of St. Pete Beach v. William R. Carr

Address: Coquina Way St. Pete Beach FL 33706 Parcel #36-31-15-77994-045-0110

Lien Reduction Request

B. Case No. 20240147

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

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

Lien Reduction Request

C. Case No. 20240185

City of St. Pete Beach v. Rebecca Jones

Address: 8125 Boca Ciega Dr. St. Pete Beach FL 33706

Lien Reduction Request

8. Next Meeting:

9. 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. 20240021**
 City of St. Pete Beach v. Steven D Lower
 Address: 505 67th Ave #10 St. Pete Beach FL
 33706

Date: May 13, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status Hearing on a 45-day extension to apply for and
 secure a permit to complete the partial renovations that
 were undertaken under the previous permit.

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.: CE20240021

ADDRESS: 505 67th Ave., #10

STEVEN D. LOWER,

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER

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:

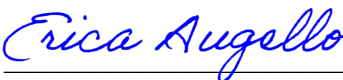
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent appeared and represented himself.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Sections 98-123.1 and 98-65 of the City's Code of Ordinances by failing to complete an interior bathroom renovation within the time prescribed by the permit and allowing the permit to lapse.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating that the interior bathroom remodel was only partially completed and testified that the permit under which the renovation was undertaken had expired. Officer Cruz testified the complaint came from a member of the homeowner's association and the Respondent consented to Mr. Cruz entering the property to inspect the area.
6. Respondent testified that he hired a contractor to undertake the bathroom renovation, as well as replace some kitchen cabinets. After hiring the contractor and paying for his services, it came to Respondent's attention that he failed to complete the job he was paid for. The contractor had been reported to the Pinellas County Contractor Licensing Board as well as the Department of Business and Professional Regulation. The case was also referred to the State Attorney to seek potential criminal charges.

7. Respondent testified that he lives in California and was unaware of the status of the property and did not know the permit expired as the notices went to the contractor. He has since received funding to complete the renovations and is working with a contractor to secure the permit and finish the job.

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

8. Respondent is found to be and remains in violation of Section 98-65 of the City's Code of Ordinances as he has a "structure" that has been left in a state of partial construction beyond the valid timeframe of the permit. The term "structure" is not otherwise defined within the definitions section of the cited code, and instead, the section refers to any undefined words be defined as they are in the Florida Building Code ("FBC"). The FBC defines "structure" as "that which is built or constructed." In this case, the bathroom is considered a structure.
9. Respondent is not found to be in violation of Section 98-123.1 as he had a permit under which work was taking place until it expired, and there was insufficient evidence to support that work continued without a valid permit.
10. Respondent shall have forty-five (45) days from the date of this order, or by **Saturday, April 27, 2024**, to apply for and secure a permit to complete the partial renovations that were undertaken under the previous permit.
11. A status hearing is set for **May 13, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.
12. 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.
13. It is Respondent's responsibility to notify the City once the property is in compliance.
14. 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 March 13, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to Respondent at 8854 W 12th Ave, Escondido, CA 92025 and 505 67th Ave., #10, St. Pete Beach, FL 33706.

APPEALS

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

**SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING
CITY OF ST. PETE BEACH
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: May 13, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on a 30-day extension to achieve an acceptable landscape plan, secure any necessary permits, and have the plan executed to its completion.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 4/10/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240043

ADDRESS: 422 86th Ave.

THOMAS J. DILLON, III,

Respondent.

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on April 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 appeared and represented himself.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that he was in violation of Section 22.4 of the City's Code of Ordinances for removing permitted vegetative ground covering and replacing with pea pebbles over more than the allotted area permitted by Code.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the replacement of vegetative cover with nearly all pea pebbles in the front yard and a portion of the rear yard as seen from the front yard.
6. Respondent testified that he has owned this property since 2019, but has owned property within the jurisdictional boundaries of the City since 2008. He presented photographic evidence that shows the property prior to or around the time of his purchase of the property, as well as additional photographic evidence showing the conditions on the property over the last several years. He testified though he tried to grow grass, he was unable to grow and maintain it and replaced it with pea pebbles.
7. Respondent, after receiving the Notice of Violation, contacted Mr. Cruz to request an extension to comply with the Code, and received same, though no date was determined as to the new deadline for compliance.

8. Respondent testified and presented evidence that he attempted to contact Kristin Coleman, the City's Community Development Director and Senior Planner, in order to determine what amount of pea pebbles would be permitted, or if he could work out some other plan to contend with the ground cover. Respondent left a voicemail but did not receive a return phone call.
9. Respondent testified that he reached out to the Mayor via email and explained the situation and sought direction on who should be contacted within the City to resolve this issue. Respondent submitted that email as evidence and testified that he did not receive a response to that correspondence.
10. Respondent did not reach back out to Mr. Cruz, as by the time he had a plan to resolve the issue and was ready to present it to Mr. Cruz, he had received the Notice of Hearing for the Special Magistrate hearing.
11. Kristin Coleman, the City's Community Development Director and Senior Planner, testified that she did not receive an email from Respondent, did not receive any forwarded correspondence from the Mayor, and is unable to testify as to if she received a voicemail, but stated her voicemail does provide her email address. Ms. Coleman testified that the administrative procedure provided within the cited Code Section would likely not apply, and the amount of pea gravel that was installed far exceeded the amount allowed under the Code, and Respondent would be limited to about 340 square feet total for pea gravel.
12. Ms. Coleman also testified that a permit for this type of landscaping replacement is required.
13. Respondent did not deny that he had exceeded the amount of non-vegetative landscaping permitted pursuant to the cited Code Section but testified that he would be willing to work with the City to get to a reasonable resolution.

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

14. Respondent is found to be in violation of Section 22.4 of the City's Code of Ordinances.
15. Respondent shall have **thirty (30) days** from the date of this Order, or by **Friday, May 10, 2024**, to work with the City to come up with an acceptable landscape plan, secure any necessary permits to effectuate the plan, and have that plan executed to completion. If an extension of time is necessary based on a good-faith effort to bring the property into compliance by the deadline herein, Respondent may request same.
16. A status hearing is set for **May 13, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.

17. No decision on fines and administrative costs is being made as a 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.
18. It is Respondent's responsibility to notify the City once the property is in compliance.
19. 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 April 10, 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Respondent at thomdillon@msn.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. 20240133**
 City of St. Pete Beach v. Patricia E Little TRE
 Address: 85 Corey Cir St. Pete Beach FL 33706

Date: May 13, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on a 3-day extension to renew a Business Tax receipt and a 14-day extension to remove the junked or abandoned vehicle from the property or otherwise have it registered.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 4/10/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20240133
ADDRESS: 85 Corey Cir.**

PATRICIA E. LITTLE, TRE.,

Respondent.

_____/

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on April 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. No one appeared on behalf of Respondent.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that he was in violation of Sections 46-33, 78-96, and 98-67 of the City's Code of Ordinances for maintaining a junked or abandoned vehicle on the property as well as operating a business without the required Business Tax Receipt.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating a junked or abandoned, non-registered van located on what appeared to be the business property; however, Mr. Cruz could not testify as to whether the vehicle was on private or public property, but stated it was likely on private business property.
6. Mr. Cruz also testified that no renewal for the Business Tax Receipt has been received by the City, but the business is still in operation.

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

7. Respondent is found to be in violation of Sections 46-33 and 78-96 of the City's Code of Ordinances.

8. Respondent shall have **three (3) days** from the date of this Order, or by **Saturday, April 13, 2024**, to renew or otherwise secure a Business Tax Receipt from the City. Respondent shall have **fourteen (14) days** from the date of this Order, or by **Wednesday, April 24, 2024**, to either remove the junked or abandoned vehicle from the property, or otherwise have it registered so that it is no longer considered junked or abandoned.
9. A status hearing is set for **May 13, 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 a 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 April 10, 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 7100 Sunset Way, Apt. 612W, St. Pete Beach, Florida 33706.

APPEALS

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

**SPECIAL MAGISTRATE - CODE ENFORCEMENT MEETING
CITY OF ST. PETE BEACH
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: May 13, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on a 30-day extension to secure a permit
and to complete the repairs.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 4/10/2024

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

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

v.

**CASE NO.: CE20230685
ADDRESS: 7951 Gulf Blvd.**

BILLIE G. LAMBERT,

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on April 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 appeared and represented herself.
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 she was in violation of Sections 98-65 and 98-66 of the City's Code of Ordinances for failing to adequately maintain the property by having deteriorating paint, broken siding, and a rotting doorframe.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the deteriorating painting, missing siding in need of repair, as well as a deteriorating doorframe.
6. Respondent testified that the house was quit claimed to her and she needed to evict squatters in the residence. She testified that once she was able to remove the squatters, she hired a contractor to conduct the work. She was told the permit has already been applied for and as soon as the permit is issued the repairs will be conducted.

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

7. Respondent is found to be in violation of Sections 98-65 and 98-66 of the City's Code of Ordinances for inadequately maintaining the property.

8. Respondent shall have **thirty (30) days** from the date of this Order, or by **Friday, May 10, 2024**, to secure a permit and to complete the repairs.
9. A status hearing is set for **May 13, 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 a 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 April 10, 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Respondent at billieg63@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. 20240090**
 City of St. Pete Beach v. Franklin L Dockett
 Address: 555 Gulf Way #7-N St. Pete Beach FL
 33706

Date: May 13, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing for acquiring a permit for the
 installation of drywall.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 4/10/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20240090
ADDRESS: 555 Gulf Way #7-N**

FRAKLIN L. DOCKETT,

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER

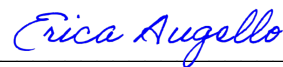
This case came before the Special Magistrate on April 8, 2024, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Steven Rivera.
2. Respondent appeared and represented himself.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that he was in violation of Section 98-123.1 of the City's Code of Ordinances for having drywall installed in the interior of his property without a permit.
5. Code Enforcement Officer Rivera submitted photographic evidence demonstrating drywall being installed in a bedroom inside the property. He testified the complaint came from a condo association member and Respondent allowed access to the interior of the property for inspection.
6. The City's Building Official, Luke Curtis, testified that the installation of drywall requires a permit under Section 105.1 of the Florida Building Code.
7. Respondent testified that drywall was installed subsequent to water damage in the bedroom due to a leaking window. He was told by the contractor he initially hired that no permit was required to install or replace the drywall.
8. Respondent testified that he has contacted a number of contractors and has secured one, Flagstone Builders, that is in the process of applying for a permit and believes it should be submitted this week.

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

9. Respondent is found to be in violation of Section 98-123.1 of the City's Code of Ordinances for conducting drywall installation without a permit.
10. Respondent shall have **thirty (30) days** from the date of this Order, or by **Friday, May 10, 2024**, to secure a permit for the installation of the drywall.
11. A status hearing is set for **May 13, 2024, at 10:00 a.m.** A decision on fines and administrative costs will be made at that hearing.
12. No decision on fines and administrative costs is being made as a 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.
13. It is Respondent's responsibility to notify the City once the property is in compliance.
14. 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 April 10, 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Respondent at docpassagrille@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. 20240190**
 City of St. Pete Beach v. Jeffrey T. Weeks
 Address: 535 68th Ave #10 St. Pete Beach FL
 33706

Date: May 13, 2024

Prepared By: Rita Bishop, Executive Assistant to the City Manager

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 36.4. - Prohibited uses and structures.**
 All uses and structures not of a nature specifically or
 provisionally permitted herein are hereby prohibited in
 the Upham Beach Village District.

The property is located in the UBV zoning district and is only permitted to be advertised and rented on a monthly basis. The property has been rented 3 times on a short-term basis. 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

04/02/2024

WEEKS, JEFFREY T
535 68TH AVE UNIT 10
ST PETE BEACH FL 33706-2052

Re: **Case Number 20240190**
Violation Address: 535 68TH AVE # 10, ST PETE BEACH FL 33706
Parcel ID#: 363115601290000100

Dear Property Owner:

Your property is located in the UBV zoning district and is only permitted to be advertised and rented on a monthly basis. You have rented the property 3 times on a short term basis, this is prohibited and irreparable and irreversible in nature. You are in violation of the following code section:

Sec. 36.4. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **5/13/2024, 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

CE20240190

- Respondent(s): Jeffrey T. Weeks**
- Violation address: 535 68th Ave. #10**
- Violation(s) description: The property is in violation of section 36.4 Prohibited uses and structures of the Land Development Code of the City of St. Pete Beach**

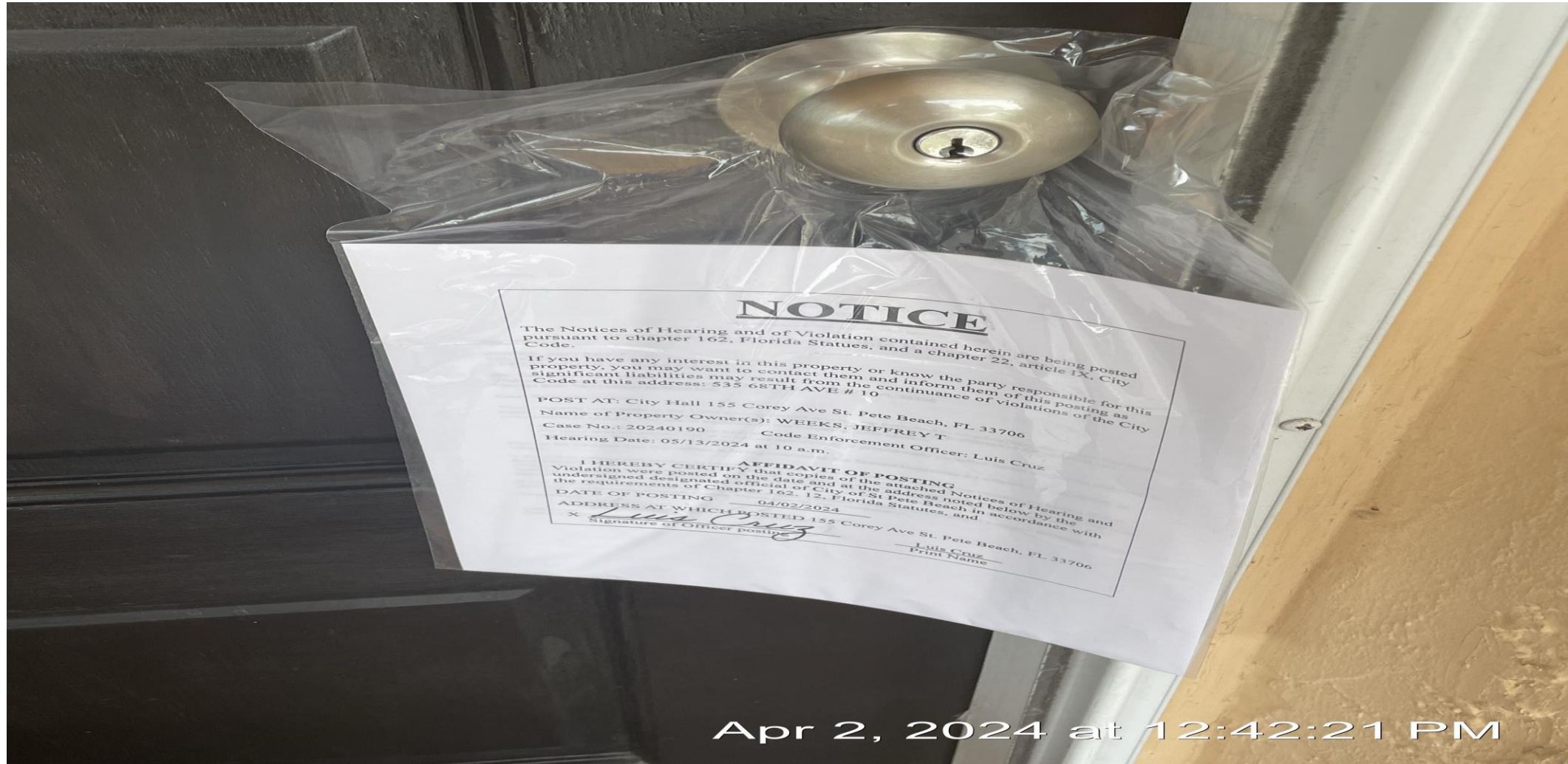
CE20240190

Case Summary

- Initial inspection: 3/29/2024**
- Irreparable or Irreversible Notice of Violation dated: 4/1/2024**
- Notices of Hearing dated and posted on the property: 4/2/2024**

CE20240190

Affidavit of Posting



535 68th Ave. #10

CE20240190

VRBO Advertisement

The screenshot shows a web browser window displaying a VRBO listing. The browser's address bar shows the URL <https://www.vrbo.com/3808985>. The page features the VRBO logo, navigation links like 'Get the app', 'United States', 'Trip Boards', 'List your property', 'Help', 'My trips', and 'Sign in'. The breadcrumb trail indicates the location: Home > Vacation Rentals > United States of America > Florida > Pinellas County > St. Pete Beach. The listing title is 'Best bed on the beach! Steps from Upham / St Pete Beaches Mid Century Modern gem'. Below the title is a search bar with fields for 'Going to' (St. Pete Beach, Florida, United States of Am...), 'Dates', and 'Travelers' (2 travelers), along with a 'Search' button. The main image shows a bedroom with a large bed and a green patterned blanket, with the text 'Chattam & Wells King Mattress' overlaid. To the right are smaller images of the living room and kitchen. Below the images are tabs for 'Overview', 'Amenities', 'Policies', 'Location', and 'Host'. The rating is '5/5 Exceptional' with a link to 'See all 3 reviews'. Property details include '1 bedroom', '1 bathroom', 'Sleeps 4', and '680 sq ft'. Check-in and check-out date selectors are present, along with a 'Travelers' selector showing '1 room, 2 travelers'. A blue 'Check availability' button is at the bottom right. The Windows taskbar at the bottom shows various open applications and the system clock indicating 3:40 PM on 3/29/2024.

Best bed on the beach! Steps from Upham / St Pete Beaches Mid Century Modern gem

Chattam & Wells King Mattress

5/5 Exceptional

1 bedroom, 1 bathroom, Sleeps 4, 680 sq ft

Check availability

535 68th Ave. #10

CE20240190

VRBO Advertisement

Best bed on the beach! Steps from Upham / St Pete Beaches Mid Century Modern gem

The Best of the Best 2024 premium remodel. BEST SLEEP EVER Top of the line Chattam and Wells king size mattress, 1000 t/c cotton sheets, chef's kitchen, luxurious bathroom and outdoor dining/seating. New Queen size pull out mattress sofa bed. New washer/dryer. This is where you want to be! Just steps to Trip Advisor's #1 rated Upham Beach on the Gulf. All types of shopping, great restaurants, bars, gyms, ice creameries and live entertainment. Walk anywhere, no car needed! Free local shuttles, bike and fishing rentals, and beach to 'berg buses to Downtown St Petersburg nightlife. Rental Includes one front row parking spot plus addl parking close by.

Property manager

 Jeff Weeks

Languages

English

Amenities

- Kitchen
- Dryer
- Air conditioning
- Washer
- Free WiFi
- Beach view

[See all 84 amenities](#)

House Rules

Check in after 5:00 PM
Check out before 10:00 AM
Minimum age to rent: 25

535 68th Ave. #10

CE20240190

VRBO Reviews

The screenshot shows a web browser window with the URL <https://www.vrbo.com/3808985?pwaDialogNested=PropertyDetailsReviewsBreakdownDialog>. The page displays the 'Overview' tab for a property named 'Best bed on the beach!'. The property has an 'Exceptional' 5-star rating based on 3 reviews. A modal window titled 'Guest reviews' is open, showing a search bar, a 'Sort by' dropdown set to 'Most relevant', and a list of reviews. The first review, by Brian M. on Mar 22, 2024, is highlighted with a red box and a red number '1'. The review text reads: 'Liked: Cleanliness, check-in, communication, location, listing accuracy. Gem For Sure! A refreshing blend of midcentury and 21st modern, this perfectly located flat possesses the charm and ease of the fabulous 50s with all the up-to-date comforts and conveniences any sojourner would appreciate. Oh my gosh, we fell in love! Awesome, efficient space, totally functional kitchen, cozy living area and inviting bedroom, pristine bathroom, plus your own washer/dryer, you have it all. It's homey but with a resort ambience of yester-year. We were transported. Wonderful, pedestrian-friendly, clean and safe neighborhood just minutes from everything, including the beach. Jeff is a very helpful, attentive host. My family really enjoyed their time here. Hate to say it 'cause it'll be booked up from here to eternity, but... make your reservation; it's a great place!'. The review also includes a 'See less' link, the text 'Stayed 9 nights in Mar 2024', and a response from the VrboOwner dated Mar 22, 2024: 'Thank you for the great review. I would welcome you all back anytime! It's wonderful to find such gracious guests, please keep in touch.'

535 68th Ave. #10

CE20240190

VRBO Reviews

The screenshot shows a web browser window displaying a VRBO property listing for "Best bed on the beach!". The browser's address bar shows the URL: <https://www.vrbo.com/3808985?pwaDialogNested=PropertyDetailsReviewsBreakdownDialog>. The browser's bookmark bar includes "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", and "Code of Ordinances...".

The property page has tabs for "Overview", "Amenities", "Policies", "Location", and "Host". The "Overview" tab is active, showing a star rating of 5 (Exceptional) based on 3 reviews. A modal window titled "Guest reviews" is open, displaying a list of reviews. Two reviews are highlighted with red boxes and labeled with numbers 2 and 3.

Review 2:

5/5 Excellent
Amy T.
Mar 5, 2024
Liked: Cleanliness, check-in, communication, location, listing accuracy
St.Pete Beach 2024
We spent 8 nights here, and to be quite honest, the place exceeded my expectations. The pictures really don't do it justice. Everything has been nicely renovated. The bed was super comfy! You can't beat the location. Plenty of places are within walking distance, and the beach is a short stroll away. Jeff was in communication with us and helped us any time we needed it. I would definitely stay here again!
Stayed 8 nights in Feb 2024

Review 3:

5/5 Excellent
Louanne P.
Mar 26, 2024
Liked: Cleanliness, check-in, communication, location, listing accuracy
Perfect space & location
My husband and I stayed for a week. Lovely space, very comfortable bed. It was well stocked and had everything we would have needed and more. Very convenient to have the washer/dryer. The neighbours were friendly and the location is perfect. Only a minute or two walk to the beach, and many little restaurants and shops within walking distance. We had a little trouble getting in with our personalized code, but was fine once we were provided another to use. Would definitely stay here again.
Stayed 7 nights in Mar 2024

535 68th Ave. #10

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 535 68TH AVE # 10

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

Name of Property Owner(s): WEEKS, JEFFREY T

Case No.: 20240190 Code Enforcement Officer: Luis Cruz

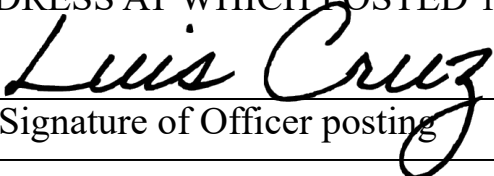
Hearing Date: 05/13/2024 at 10 a.m.

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 04/02/2024

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: 20240190

vs.
WEEKS, JEFFREY T
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 **05/13/2024** 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 **535 68TH AVE # 10** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

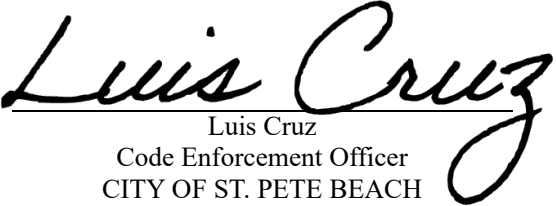
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 04/02/2024


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. 20240209**
 City of St. Pete Beach v. TCO One Reit Turbo
 LLC
 Address: 7305 Bay St. St. Pete Beach FL 33706

Date: May 13, 2024

Prepared By: Rita Bishop, Executive Assistant to the City Manager

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 34.5. - Prohibited uses and structures.**
All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Downtown Core Residential District.

The property is located in the DCR zoning district and is only permitted to be advertised and rented on a monthly basis. The property is currently advertised for a 3-night minimum stay, which is not permitted. The forty-three stays since May 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

04/04/2024

TCO ONE REIT TURBO LLC
10010 SAN PEDRO AVE
SAN ANTONIO TX 78216-3862

Re: **Case Number 20240209**
Violation Address: 7305 BAY ST, ST PETE BEACH FL 33706
Parcel ID#: 363115051120010170

Dear Property Owner:

Your property is located in the DCR zoning district and is only permitted to be advertised and rented on a monthly basis. The property is currently advertised for a 3-night minimum stay which is not permitted. You have until 4/11/2024 to change the advertisement. As for the forty three stays since May of 2023, this is prohibited and irreparable and irreversible in nature. You are in violation of the following codes:

Sec. 34.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Downtown Core Residential District.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **05/13/2024, 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

Luis Cruz 727-589-2564

- **Respondent(s): TCO One Reit Turbo LLC**
- **Violation address: 7305 Bay St.**
- **Violation(s) description: The property is in violation of section 34.5 Prohibited uses and structures of the Land Development Code of the City of St. Pete Beach**

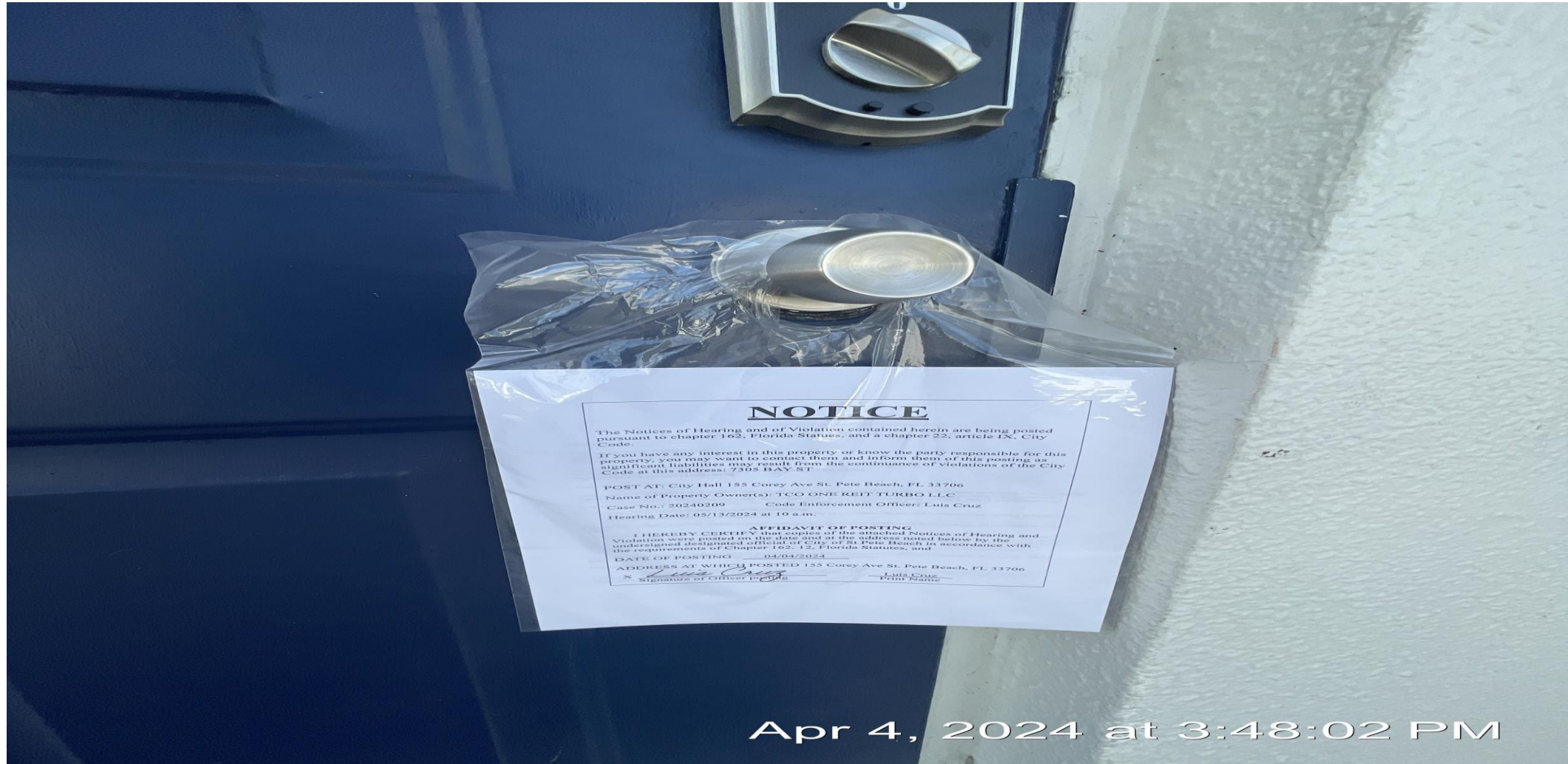
CE20240209

Case Summary

- Initial inspection: 4/4/2024**
- Irreparable or Irreversible Notice of Violation dated: 4/4/2024**
- Notices of Hearing dated and posted on the property: 4/4/2024**

CE20240209

Affidavit of Posting



7305 Bay St.

CE20240209 VRBO Advertisement

The Million Dollar View - Apart: x +

airbnb.com/rooms/874141093709683873?source_impression_id=p3_1712248585_jQF5Yc50T0zyK9jC&check_in=2024-05-27&guests=1&adults=1

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

The Million Dollar View

Share Save



Entire rental unit in St. Pete Beach, Florida

4 guests · 2 bedrooms · 3 beds · 1 bath

★ 4.72 · 43 reviews

Hosted by Living
11 months hosting

Add dates for prices

CHECK-IN 5/27/2024	CHECKOUT Add date
GUESTS 1 guest	

Check availability

12:56 PM
4/4/2024

7305 Bay St.

CE20240209

VRBO Advertisement

The Million Dollar View - Apartu

airbnb.com/rooms/874141093709683873?source_impression_id=p3_1712248585_JQF5Yc50T0zyK9jC&check_in=2024-05-27&guests=1&adults=1#availability-calendar

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



Show all photos

Entire rental unit in St. Pete Beach, Florida

4 guests · 2 bedrooms · 3 beds · 1 bath

★ 4.72 · [43 reviews](#)

 **Hosted by Living**
11 months hosting

 **Great location**
90% of recent guests gave the location a 5-star rating.

 **Self check-in**
Check yourself in with the smartlock.

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

Welcome to our retro motel-style Unit in the Sunset Capital of F...
unique and tranquil getaway. We offer a comfortable atmosphere
ready to relax with a cup of coffee and enjoy the beautiful sunrise
patio.

This property is waterfront. It's perfect for fishing and watching the dolphins in the ...

Select dates

Minimum stay: 3 nights

CHECK-IN
5/27/2024

CHECKOUT
Add date

< May 2024 >

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

Clear dates Close



12:56 PM
4/4/2024

7305 Bay St.



**BTR No.
2023-2510**

**Business Tax Receipt
St. Pete Beach**

**Receipt Number
3778**

**Date Paid
09/14/2022**

**Amount Paid
60.00**

**Expires:
09/30/2023**

Business Address:

TCO ONE REIT TURBO LLC
7305 BAY ST
ST PETE BEACH FL 33706

Mail to:

TCO ONE REIT TURBO LLC
10010 SAN PEDRO AVE STE 545
SAN ANTONIO, TX 78216-3862

Description of Business: APARTMENTS

Category	Fee	Notes
Apartment/Hotel/Motel/Guest House Non Transient Occupancy (30 days or more)	\$60.00	
BTR Penalty 2	\$9.00	
BTR Penalty 4	\$15.00	

This business tax receipt does not permit the holder to operate in violation of any city law, ordinance or regulation. Any change in location or ownership must be approved by city, subject to zoning restrictions. This business tax does not constitute an endorsement, approval or disapproval of the holder's skill or competence or non-competence of the holder with other laws, regulations or standards.

Every person required to have a city business receipt shall at all times from the issuance of such receipt by the city, conspicuously display such receipt in their place of business, and where the receipt holder does not have a place of business they shall be prepared at all times with engaged in their occupation to present their license for inspection by any police officer or representative of the city when requested to do so.

CE20240209

VRBO Reviews

The Million Dollar View - Apart... x +

airbnb.com/rooms/874141093709683873?source_impression_id=p3_1712254026_9lmMWbkCz%2B6QNADT&check_in=2024-05-06&guests=1&adults=1&check_out=2024-05-08

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

Photos Amenities Reviews Location

\$95 night
★ 4.65 · 46 reviews Reserve

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5 4 3 2 1	4.4	4.7	4.9	4.9	4.8	4.7

Ninan
1 year on Airbnb

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

Need update and repair
Repair or replace screen doors

1

Jack
West Chester, Pennsylvania

★★★★ · March 2024 · Stayed a few nights

Had a great visit. The dock and screened in porch really elevate the experience. It is located in a complex, which we didn't realize initially. But it was the first unit near the dock so...

Show more

2

Kyle
3 months on Airbnb

★★★★ · March 2024 · Stayed a few nights

Our recent stay at this Airbnb was marred by cleanliness issues, particularly in the bathroom. Mold was present in the shower, which was disappointing and uncomfortable to...

Show more

3

Alex & Hollyn
Miami, Florida

★★★★ · March 2024 · Stayed with kids

Great location, walking distance to the beach. Will recommend

4

Jessica
Kansas City, Missouri

★★★★ · March 2024 · Stayed a few nights

We loved staying here for our vacation. It was an easy walk to the farmers market, nice neighbors, beds were comfy and the view was amazing to watch the sunrise each morning. We...

Show more

5

Joy
1 year on Airbnb

★★★★ · March 2024 · Stayed a few nights

The space was nice and clean. Easy access to everything & very safe convenient location. The host was very responsive and helpful. The Airbnb did not have any dressers/ space to...

Show more

6

Show all 46 reviews

Windows Search Task View Google Chrome File Explorer Outlook Edge Microsoft Word Adobe Acrobat Reader PowerPoint OneDrive Teams

8:44 AM
5/2/2024

7305 Bay St.

CE20240209

VRBO Reviews

★ 4.65

Overall rating

5

4

3

2

1

Cleanliness

4.4

Accuracy

4.7

Check-in

4.9

Communication

4.9

Location

4.8

Value

4.7

46 reviews

Most recent

Search reviews

Claire

St. Louis, Missouri

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

Very clean, nice place to stay. We loved sitting on the back patio in the mornings looking out to the water. Close enough to bars and restaurants, but far enough it was quiet. Would recommend this location to others.

Emily

Huntingtown, Maryland

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

We enjoyed this AirBnB, our favorite part was the wonderful view out the bedroom complete with a large screened in porch and access to the community pier. We saw dolphins each morning right off the pier and there was a lot of fish and bird activity. The space was clean and equipped with what we needed for the beach. They had a thoughtful "in case you forgot" basket of necessities such as toothpaste and sunscreen. The condo is about a half mile walk to the beach with many restaurants and shops along the way.

Joseph

Syracuse, New York

★★★★★ · February 2024 · Stayed one night

Great potential. View from dock was excellent but area itself felt neglected, TV was highlight inside. Cold temps so hooked up Xbox to huge TV w/good gaming video options & cool accent lighting. Backdrop for photos a plus. Beds were an absolute dream. View from master is nice but have to look through dated sliding door and screened porch. Everything is connected to Google Home - a pro and con IMO. High tech so instructions are everywhere which takes getting used to & also takes away from the serene expectation I had. Notes restricting thermostat use. Needed host team to instruct how to switch to heat mode but reply was instant. Couch had odd scent, maybe from an odor eliminator used. Two kitchen cabinets didn't close, building itself is kinda run down despite the concious effort to reno this unit. Shower is outdated with worn fixtures. Bathroom needed a

7

8

9

7305 Bay St.

CE20240209

VRBO Reviews

★ 4.72

43 reviews

Most recent

Overall rating

5

4

3

2

1

Cleanliness

4.5

Accuracy

4.7

Check-in

4.9

Communication

4.9

Location

4.9

Value

4.7

Moria

Johnson City, New York

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

I live in New York and was recovering from major surgery. I was not doing well mentally, after being there I am better than before

10

Mandy

Fort Worth, Texas

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

Four of us stayed in this wonderful location with two of us on the couch and one in each bedroom. The rooms are spacious and the couch bed was perfect for a girls getaway!
The kitchen is the most stocked kitchen I've ever stayed in with literally anything you need to cook with! 🍳 Every pot, pan, measuring cup and knife we needed were available!
There's a massive TV with multiple streaming services available! There are fun lights all over the house, as well as a great wall for photo ops and a spacious screened in patio!
We woke up every morning to dolphins, tons of different birds, huge pelicans hunting only a couple of 🐬 feet from us, as well as a few jellies and fish jumping all over the place! I've never woken up for more than one sunrise on vacation, I was up every morning and on the dock because of the astounding beauty! To top it off, it's walking distance to the beach! We're literally basing our next vacation on whether this property is available! 🍹

11

Carmen

1:01 PM

4/4/2024

7305 Bay St.

CE20240209

VRBO Reviews

The Million Dollar View - Aparti

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\$153 night

★ 4.72

43 reviews

Most recent

Overall rating

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Carmen
6 years on Airbnb
★★★★★ February 2024 · Stayed with kids
Great place. They had every thing you need. Even an if you forgot bin. The view was beautiful. We caught fish off the dock. Restaurants and stores in walking distance. The screened in porch was awesome.

Kenny
Parma, Ohio
★★★★★ January 2024 · Stayed a few nights
The view from the back was AMAZING. It allowed us to have coffee in a private setting looking directly at the bay as well as fish right from our backyard. The place was clean but also old. They fixed it up as best you can for an old building. The only complaint was the bathroom was very small. This was highlighted in the description so it was no surprise to us when we got there. Wish there were TVs in the bedrooms but the beds made up for that. They were so comfortable. We didn't go to the beach but it was very close to the house. 20 min walk or 4 min drive. Parking was also free and convenient. I would 100% stay here again.

Bonna
Lisle, Illinois
★★★★★ January 2024 · Stayed a few nights
Great communicators, comfortable beds, easy parking, felt safe, wonderful tv with lots of streaming services and best of all...the view! 5 stars

Response from Living
January 2024

12

13

14

1:02 PM
4/4/2024

7305 Bay St.

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Photos Amenities Reviews Location \$153 night Reserve

1

★ 4.72

43 reviews Most recent

Overall rating

5
4
3
2
1

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Maura
Philadelphia, Pennsylvania
★★★★★ · January 2024 · Stayed a few nights
The view from the porch is beautiful. We watched pelicans have breakfast and even saw dolphins in the bay! It was also nice being close to the bridge that takes you over to St. Petersburg.

Response from Living
January 2024
Thank you Maura for your review. Can't go wrong with pelicans, dolphins and spectacular view. It was our pleasure hosting your girls weekend. See you again soon.

Jason
La Porte, Indiana
★★★★★ · January 2024 · Stayed with kids
We enjoyed our stay. Nice space for a small family or couple to enjoy. Location is great. Enjoyed fishing. Seen dolphins, sharks, jellyfish and caught many species of fish. Neighbors from other apartments in the building were friendly.

Response from Living
January 2024
Thank you for staying with us and for taking the time to leave a review. You got to see a lot of wildlife... wow. Thank you for allowing us to host you and your guests.

Melissa

show all reviews

1:02 PM
4/4/2024

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VRBO Reviews

The Million Dollar View - Apart...

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Photos Amenities Reviews Location \$153 night Reserve

✕

★ 4.72

43 reviews Most recent ▾

Overall rating

5
4
3
2
1

★★★★★ Great location and beautiful view

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

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

It was peaceful drinking coffee in the mornings overlooking the water. Saw dolphins off the dock and beautiful sunrises/sunsets. If you aren't used to a smart home, it takes some getting used to (there were instructions everywhere). Quite clean with lots of thoughtful touches. Fully stocked with kitchen necessities and shower products. The location was great, and you can walk to many places. There is also a free beach ride if you want to venture further. Mostly quiet, walls are a bit thin, and you have neighbors upstairs, but all was quiet after 9p or so.

17

Response from Living January 2024

Melissa - thank you for the 5-star review. We love it when our guests are able to experience the best sunrises, sunsets and of course the amazing dolphins. You were a great guest and we hope to see you again in the near future.

★★★★★ December 2023 · Stayed with kids

Excellent Service all together. The. Check-in and check-out instructions are easy to follow. We love the voice command system. Complete amenities of a private home except no washer and dryer. Kudos to maintaining the place clean. The bedsheets and pillow cases are looking freshly washed when we check in. Lovely view of sunrise in the morning. Breath taking view of full moon reflection on water. We enjoy the convenience of fishing on the private boat dock. This is our first experience with RBNB and did not have any expectation to compare it with. We are very pleased with our stay. I would recommend this place to my friends and family. Thank you for the great experience.

18

Show all reviews

Windows Taskbar: Search, File Explorer, Chrome, Edge, Outlook, Word, PowerPoint, Settings, Task View, 1:03 PM 4/4/2024

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\$153 night

★ 4.72

43 reviews

Most recent

Overall rating

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Nicole
Grant Park, Illinois
★★★★★ · December 2023 · Stayed a few nights
Very nice place to stay! It was very clean and the views were amazing. My husband loved the dock to fish off of and he caught a few nice fish! Will definitely be staying here again. 19

Jeremy
Wentzville, Missouri
★★★★★ · December 2023 · Stayed a few nights
We had a great time at their place. The dock on the water was amazing, the place was clean, and the location made it quite easy to walk around to restaurants if you want. Definitely a great stay! 20

Response from Living
January 2024
Jeremy and guests.. thank you for taking the time to give us a 5-star review. Happy to hear you enjoyed your stay and the quick access to beaches and restaurants is very convenient. Please come back and stay with us again.

Brittany
4 years on Airbnb
★★★★★ · December 2023 · Stayed a few nights
Perfect quiet little getaway. House was clean. Great location. 21

Windows taskbar: 1:03 PM 4/4/2024

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VRBO Reviews

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Photos Amenities Reviews Location \$153 night Reserve

★ 4.72

43 reviews

Most recent ▾

Search reviews

Perfect quiet little getaway. House was clean. Great location.

Farzaneh
4 years on Airbnb

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

Great view and safe. We felt comfortable and at home. Everything is labeled for your convenience. The host checked in daily to make sure we were OK. I'll go back !!!

Jason
5 months on Airbnb

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

Great fishing. Close walk to everything you need. Great value.

Carly
Toronto, Canada

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

Incredible location. Gorgeous view. Smelled like smoke (not the fault of the owners).

Response from Living
December 2023

Thank you for taking the time to leave us a review, Carly. Happy you enjoyed the beautiful view. We have in our description that we have neighbors that may smoke but our unit is smoke-free. Take care.

Overall rating

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

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VRBO Reviews

The Million Dollar View - Aparti x +

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Photos Amenities Reviews Location \$153 night Reserve

✕

★ 4.72

43 reviews Most recent ▾

Search reviews

Overall rating

5

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2

1

Great location

recommen

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

iam
Cincinnati, Ohio

★★★★★ - November 2023 - Stayed a few nights
Beautiful location!

Response from Living
November 2023
Thank you.

Brooke
Ramsey, Minnesota

★★★★★ - November 2023 - Stayed a few nights
great view we loved the dock, great location!

Response from Living
November 2023
Thank you for taking the time to leave a review. It was our pleasure to host you and your guests and that you enjoyed the beautiful dock.

Kevin
Dublin, Ohio

★★★★★ - October 2023 - Stayed a few nights
It's worth staying here for the sunrise views. The host was responsive and the place is well equipped. The only knocks are thin walls, so when your neighbors are playing music or having a cookout outside, you are part of it. The shower water pressure was the worst I've ever had, but that is beyond the host's control.

show all reviews

1:04 PM 4/4/2024

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VRBO Reviews

★ 4.72

43 reviews

Most recent

Overall rating

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Cleanliness

4.5

Accuracy

4.7

Check-in

4.9

Communication

4.9

Location

4.9

Value

4.7

Thank you for leaving us a review. Yes, the sunrise is something to see. I was not aware of the water pressure and will have maintenance analyze it.

Michele

Pendleton, Indiana

★★★★★

October 2023 · Stayed a few nights

The location was great. 6 minute drive to St Pete Beach. The beds were super comfortable. I loved doing my yoga stretches every day on our pier. We loved finding gorgeous sea snail shells right off our pier. My grandson loved the smart house and kept having it tell us jokes. Pickles the neighbors puppy was an added bonus 🐾

28

Tracy

2 years on Airbnb

★★★★★

October 2023 · Stayed a few nights

We enjoyed our 5 day stay! The morning view from the dock or the porch swing were phenomenal! Everything was super close by!! It really is a cute little place to stay!

29

Roshawn

2 years on Airbnb

★★★★★

September 2023 · Stayed a few nights

Great place. Awesome view and excellent fishing. My nephew caught stingrays and shark. Awesome.

30

Response from Living

September 2023

Wow.. amazing that your nephew caught a string ray and shark. Congratulations to him. Thank you for your valuable feedback.

7305 Bay St.

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Photos Amenities Reviews Location \$153 night Reserve

★ 4.72

43 reviews Most recent

Overall rating

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Biimalyn
Plano, Texas

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

I highly suggest checking in to the airbnb first before hitting the store. Publix is about 5 minutes away. They do have a full kitchen with pots, pans, plates, cups, etc. There are seasonings in the cupboard and coffee as well. We ended up buying some paper plates, plastic utensils and Tupperware because we didn't realize they have those at the home. Absolutely great location! The host anticipated our every need; beach towels, cooler, bath towels, etc! They were very responsive and even gave us great recommendations for food and activities in the area. I would definitely love to get this place again next time I'm in the area!

Response from Living
September 2023

Thank you once again for choosing our place and for your wonderful review. We are thrilled to hear you enjoyed your stay with us and found our location convenient for all your needs. We welcome you again next time you're in the area.

Steeve
Prévost, Canada

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

Nice place to stay , the host was very nice

Lisa
Peachtree Corners, Georgia

1:05 PM
4/4/2024

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VRBO Reviews

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Photos Amenities Reviews Location \$153 night Reserve

★ 4.72

43 reviews Most recent

Overall rating

5
4
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1

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Nice place to stay , the host was very nice

Lisa
Peachtree Corners, Georgia

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

We loved our stay! The apartment was very clean and just as described. I'm personally not as familiar with smart-home devices, so the little tips and instructions posted throughout the place were very helpful! The view is amazing! Hosts were incredibly responsive and kind. Would definitely stay if in the area again!

Response from Living
September 2023

Thank you Lisa for taking the time to leave us a 5-star review - it's much appreciated. Your feedback regarding our easy-to-follow instructions for smart devices is helpful to us and future guests....
[Show more](#)

Carrie
9 months on Airbnb

★★★★★ August 2023 · Stayed with kids

My family stayed here on our Florida vacation and the view is beautiful. We arrived a little early and the host let us check in early. The Host was checking in to see if we needed anything throughout our stay and responded in a timely manner. We would stay again if we ever come back to this area.

Caitlin
7 years on Airbnb

1:06 PM
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Photos Amenities Reviews Location \$153 night Reserve

★ 4.72

43 reviews Most recent

Overall rating

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Caitlin
7 years on Airbnb

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

The place was great! great location .. amazingly comfy beds .. clean.. had all the things you need. Such a beautiful view as well! the host was so nice and great with communication.. I would recommend this place 10 out 10

Response from Living
August 2023

Thank you for your 5-star review. It's a good feeling knowing you and your guests had a good nights rest in our comfortable beds and were able to experience the beautiful and peaceful view. We look forward to hosting you again soon.

Jessica
Fox Chapel, Pennsylvania

★★★★★ July 2023 · Stayed with kids

The place was thoughtfully and wonderfully stocked and beautifully decorated. The screened porch and swing was my daughter's highlight. I loved the easy 10 minute neighborhood walk it was to the beach, which saved so much money and stress in finding beach parking. The location was perfectly situated close to freeway access, walkable neighborhood, close to beaches, and close to all shops. Was a wonderful place to stay on our vacation!!

Response from Living
July 2023

Dear Jessica - thank you for taking the time to leave us a 5-star review. We can't help but agree. The patio area is the perfect spot to unwind. We hope to welcome you back soon.

show all 43 reviews

1:06 PM
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Photos Amenities Reviews Location \$153 night Reserve

★ 4.72

43 reviews Most recent

Search reviews

Overall rating

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Abner
2 years on Airbnb
★★★★★ · July 2023 · Stayed with kids
Great stay with the Family! The view was better than imagined. The LED were cool for the kids! Everything was labeled. The coffee machine was amazing for my wife. No clutter and the patio was peaceful. The beach was 5 minutes away and gee test restaurants! Not one sound from neighbors during the day and night. Very satisfied! Highly recommend!

Response from Living
July 2023
Thank you, Abner! It's always an amazing feeling knowing the adults and kids had a great stay and that they enjoyed the fun LED lights. We loved hosting you.

Aaron
Atlanta, Georgia
★★★★★ · July 2023 · Stayed a few nights
The place had an amazing view. We loved the sunrises and sunsets.

Response from Living
July 2023
The unit has a beautiful view and glad you were able to enjoy it.

Allie
1 year on Airbnb

Show all 43 reviews

1:07 PM
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VRBO Reviews

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Photos Amenities Reviews Location \$153 night Reserve

1

★ 4.72

43 reviews Most recent

Overall rating

5
4
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1

★★★★★ Great location, very safe, and helpful recommendations

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Allie
1 year on Airbnb

★★★★★ · July 2023 · Stayed about a week

It was very interesting for sure, considering this was our first time using AirB&B. The place was very cute and smelled awesome every time we entered after a day out. One thing I will say, they don't really tell you where to put trash once it's overrun, so you kinda have to guess unless they say otherwise next time. Liked the snacks they leave for you, and they have some things kept in the closet in case you forget to bring things. Only thing was kinda odd that there was food in the cabinets? We didn't know if someone previously was living there or maybe other airbnbers left food, other than that, 10-10 would Recc!

Response from Living
July 2023

Thank you for your 5-star review, Allie! It's exciting for us to know you chose our place for your first experience. We appreciate your feedback—it helps with future guests. It was our pleasure hosting you and your guest.

Jaclyn
Wolcott, Connecticut

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

When the listing says million dollar view, believe it! To walk out on the dock, and sit on the benches was just so peaceful. The place was clean and comfortable. And the host was extremely responsive. It was also very quiet. While sitting on the dock, there was dolphins that accompanied us and several different kinds of birds that just made the whole trip. It's also just a few minutes from so many places to eat in so many things to do. It really was a great location. I would definitely book this again.

39

40

Show all reviews

Windows Search Task View Chrome Edge Outlook Mail File Explorer Word PowerPoint Teams Settings

1:07 PM
4/4/2024

7305 Bay St.

CE20240209

VRBO Reviews

The Million Dollar View - Aparti x +

airbnb.com/rooms/874141093709683873/reviews?productId=874141093709683873&check_in=2024-05-27&check_out=2024-05-30&guests=1&adults=1&children=0&infants=0&pets=0&source_impression_id=p3_1712249860_1541F208izEv...

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 \$153 night Reserve

1

★ 4.72

43 reviews Most recent

Overall rating

5
4
3
2
1

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Marangeli
5 years on Airbnb
★★★★★ · June 2023 · Group trip
Great location. The view is spectacular. The sunrise is seen from the terrace. The house is clean and beautifully decorated.
Translated from Spanish [Show original](#)

Response from Living
June 2023
Thank you, Marangeli for your 5-star review. It was a pleasure hosting you and your guests. Glad you were able to enjoy the beautiful sunrise.

Rod
Huntsville, Alabama
★★★★★ · June 2023 · Stayed a few nights
Great location near shops and dining. The place was peaceful with a wonderful view.

Response from Living
June 2023
We appreciate your 5-star review and your feedback. Thank you for choosing to stay in our place. Hope you come back again soon.

Martin
11 months on Airbnb
★★★★★ · June 2023 · Stayed a few nights
Host was very responsive regarding early check ins. The place was very clean and the neighbors are all very friendly!

Show all reviews

Windows Search Taskbar Icons 1:08 PM 4/4/2024

7305 Bay St.

CE20240209

VRBO Reviews

The Million Dollar View - Aparti x +

airbnb.com/rooms/874141093709683873/reviews?productId=874141093709683873&check_in=2024-05-27&check_out=2024-05-30&guests=1&adults=1&children=0&infants=0&pets=0&source_impression_id=p3_1712249860_1541F208izEv... ☆

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Photos Amenities Reviews Location \$153 night Reserve

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★ 4.72

43 reviews Most recent

Overall rating

5
4
3
2
1

Cleanliness 4.5

Accuracy 4.7

Check-in 4.9

Communication 4.9

Location 4.9

Value 4.7

Anthony
Toronto, Ohio

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

let's start with the good
host was amazing with communicating, and the view truly was a million dollar view.
very close to everything.
I would say this is a 3.5-4 star place. It is an old motel, the unit is the best unit in the motel.
my biggest complaint was that the bathroom was disgusting, public hair left all over the walls atleast 5 different locations, the flor mat in the shower was also full of mold, we had to clean thw bathroom with clorox, the host offered to send a cleaning crew but we just cleaned it ourselves.
fishing from the dock wad really good

44

Response from Living
June 2023

We appreciate your review. We took your issue seriously and hired a new cleaning staff. Thank you for your feedback. We are always looking for ways to improve so that our guest have the best possible experience.

Ashish
Miami, Florida

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

The space was incredible, well described and set up. Good proximity to businesses in the area, 13-15 min walk to the beach itself, but everything else was within 10 minutes of the apartment

45

show all reviews

show all reviews

1:09 PM
4/4/2024

7305 Bay St.

CE20240209

VRBO Reviews

The Million Dollar View - Aparti x +

airbnb.com/rooms/874141093709683873/reviews?productId=874141093709683873&check_in=2024-05-27&check_out=2024-05-30&guests=1&adults=1&children=0&infants=0&pets=0&source_impression_id=p3_1712249860_1541F208izEv... ☆

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Photos Amenities Reviews Location \$153 night Reserve

1 +

★★★★★ Great location and highly recommended

★★★★★ The space was very safe and comfortable. We enjoyed the view of the porch and the location.

Show more

★★★★★ We enjoyed the view of the porch and the location.

Show more

Show all reviews

★ 4.72

43 reviews Most recent

Search reviews

On the apartment

Response from Living May 2023

Thank you for your 5-star review, Ashish. It was an honor hosting you and your guests. We are happy you enjoyed our place. Come back soon.

Steve 8 years on Airbnb

★★★★★ May 2023 · Stayed a few nights

First things first, yes, we would stay here again because we loved the location, the charm of the condo that's in a relaxing area of St. Pete Beach, and the host! The two-bedroom, ground-floor unit is well-equipped, relaxing, and very comfortable. One of the things we really enjoyed is that one of the bedrooms has a sliding door that opens into a screened-in patio that is less than 20 feet from Boca Ciega Bay. The patio has a swing facing the water where we watched birds diving and enjoyed spectacular sunrises. This is the definition of tranquility; however, if you want the hustle and bustle of the tourist-focused Gulf Blvd, then it's only a 3-minute drive away. But I don't think I'd take a car if I didn't have to. I'd prefer a relaxing stroll down the nearby Corey Avenue enjoying the shops along the way. Throughout the trip, our host checked in with us to make sure everything was the way we wanted it. That was very reassuring and made us feel like we had a new friend in Florida!

Response from Living June 2023

Steve - We appreciate you taking the time to write a review. You were fun to host. Thank you for all the details you provided and we are happy you enjoyed our space. It's guests like you that make hosting enjoyable. Please come back soon.

46

1:09 PM 4/4/2024

7305 Bay St.

CE20240209

VRBO Reviews

- 2024 Reviews (Stays)

January – 5 stays

February – 6 stays

March – 5 stays

April – 1 stay

- 2023 Reviews (Stays)

May – 2 stays

June – 5 stays

July – 4 stays

August – 4 stays

September – 2 stays

October – 3 stays

November – 3 stays

December – 6 stays

Total Reviews (Stays) = 46

7305 Bay St.

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: 7305 BAY ST

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

Name of Property Owner(s): TCO ONE REIT TURBO LLC

Case No.: 20240209 Code Enforcement Officer: Luis Cruz

Hearing Date: 05/13/2024 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 04/04/2024

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.
TCO ONE REIT TURBO LLC
Respondent(s)

Case Number: 20240209

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 **05/13/2024** 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 **7305 BAY ST** 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,

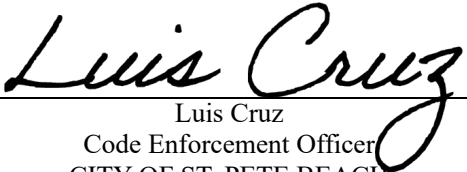
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 04/04/2024


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. 20240205**
 City of St. Pete Beach v. Charles Mackert
 Address: 206 58th Ave St. Pete Beach FL 33706

Date: May 13, 2024

Prepared By: Rita Bishop, Executive Assistant to the City Manager

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:

(4) Buildings and structures as follows:

b. Any building, structure or other improvement on which the paint or other exterior coating or surface is flaking or has deteriorated to the point that the building, structure or other improvement is unsightly in appearance and thus adversely affects the aesthetic appearance of the area.

Sec. 98-65. - Unsightly conditions.

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

(1) Structures that are:

a. Partially destroyed; or

b. Left in a state of disrepair

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

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

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

(b) Standards for improved property.

(2) Exterior walls. Exterior walls of buildings shall be:
a. Maintained free from holes, breaks, and loose or rotting materials; and

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

(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 a building/home that has siding in disrepair and the exterior wall underneath in disrepair as well. The property must acquire the proper permit to have this area of the building fixed.

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

4/4/2024

MACKERT, CHARLES
206 58TH AVE
ST PETE BEACH FL 33706-2206

RE: Case Number 20240205
Violation Address: 206 58TH AVE
Parcel ID#: 063216866160000020

Dear Property Owner:

You have a building/home on your property that has siding in disrepair and the exterior wall underneath in disrepair as well. You must acquire the proper permit to have this area of the building fixed. You are in violation of the following sections:

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:

(4) Buildings and structures as follows:

b. Any building, structure or other improvement on which the paint or other exterior coating or surface is flaking or has deteriorated to the point that the building, structure or other improvement is unsightly in appearance and thus adversely affects the aesthetic appearance of the area.

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(1) Structures that are:

a. Partially destroyed; or

b. Left in a state of disrepair

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

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

- (a) All premises shall be maintained in compliance with the standards in this section.
- (b) Standards for improved property.
- (2) Exterior walls. Exterior walls of buildings shall be: a. Maintained free from holes, breaks, and loose or rotting materials; and
- b. Maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration. Decorative features such as cornices, belt courses, corbels, trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage. Any graffiti shall be removed or repainted to match existing surfaces.
- (7) Exterior surface treatment. All exterior surfaces, including by way of example and not limitation, doors and window frames, cornices, porches, decks, trim, balconies, fences and docks, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective treatment. Peeling paint is prohibited and surfaces shall be repainted. All metal surfaces shall be coated to inhibit rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated.

These violation(s) must be corrected **no later than 4/25/2024**. 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

CE20240205

- Respondent(s): Charles Mackert**
- Violation address: 206 58th Ave.**
- Violation(s) description: The property is in violation of sections 46-33 Enumeration (4) b., 98-65 Unsightly conditions (1) a. & b. , (3) & 98-66 Residential and commercial property maintenance (a), (b), (2) a. & b., and (7) of the Code of Ordinances of the City of St. Pete Beach**

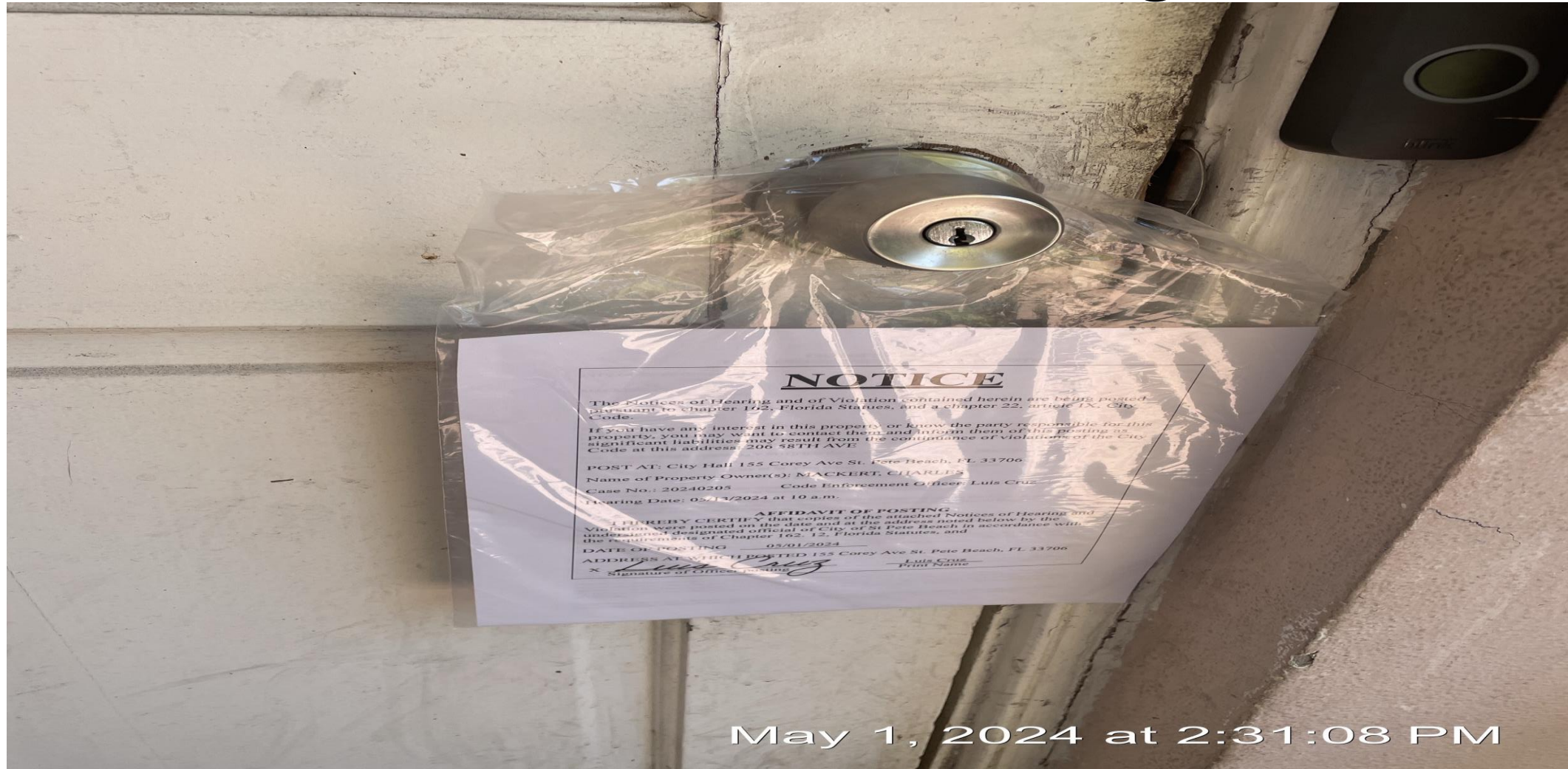
CE20240205

Case Summary

- Initial inspection: 4/2/2024**
- Notice of Violation dated: 4/4/2024**
- Notices of Hearing dated and posted on the property: 5/1/2024**

CE20240205

Affidavit of Posting



206 58th Ave.

CE20240205

Siding and exterior wall in disrepair



206 58th Ave.

CE20240205

Siding and exterior wall in disrepair



206 58th Ave.

CE20240205

Siding and exterior wall in disrepair



206 58th 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: 206 58TH AVE

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

Name of Property Owner(s): MACKERT, CHARLES

Case No.: 20240205 Code Enforcement Officer: Luis Cruz

Hearing Date: 05/13/2024 at 10 a.m.

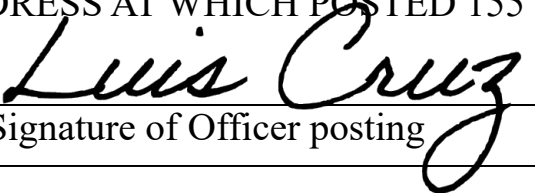
AFFIDAVIT OF POSTING

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 05/01/2024

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: 20240205

vs.
MACKERT, CHARLES
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 **05/13/2024** 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 **206 58TH 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 05/01/2024


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. 20240141**
 City of St. Pete Beach v. Gintaras Karosas
 Address: 350 72nd Ave. St. Pete Beach FL 33706

Date: May 13, 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. 98-67. - Junk vehicle, junk vessels and abandoned property.

(c) Parking, storage, abandoning, keeping or leaving of

certain vehicles or boats restricted and prohibited. It shall be unlawful for any person to park, store, abandon, keep or leave exposed or outside any enclosure any vehicle or boat which is in a wrecked, junked, inoperative, partially dismantled or abandoned condition on any real property, private or public, within the city limits for such time and under such circumstances as to reasonably cause such vehicle or boat to be a danger to the public health, safety and welfare, or to be an eyesore, to be unsightly or to be aesthetically unpleasing due to such conditions and appearance. It shall not be a violation of this article if the person's action is in connection with a bona fide business purpose or enterprise that is lawfully situated and licensed within the city, or if the vehicle or boat is being actively restored and worked upon by the owner and kept within an enclosure on his real 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.

There is a vehicle that is inoperable/unregistered parked on the driveway that must be removed or must be registered and shown to be in in an operable state.

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

3/7/2024

KAROSAS, GINTARAS
350 72ND AVE
ST PETE BEACH, FL 33706-1913

RE: Case Number 20240141
Violation Address: 350 72ND AVE
Parcel ID#: 363115779940410050

Dear Property Owner:

You have a vehicle that is inoperable/unregistered parked on your driveway that must be removed or must be registered and shown to be in operable state. You are in violation of the following sections:

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

(c) Parking, storage, abandoning, keeping or leaving of certain vehicles or boats restricted and prohibited. It shall be unlawful for any person to park, store, abandon, keep or leave exposed or outside any enclosure any vehicle or boat which is in a wrecked, junked, inoperative, partially dismantled or abandoned condition on any real property, private or public, within the city limits for such time and

under such circumstances as to reasonably cause such vehicle or boat to be a danger to the public health, safety and welfare, or to be an eyesore, to be unsightly or to be aesthetically unpleasing due to such conditions and appearance. It shall not be a violation of this article if the person's action is in connection with a bona fide business purpose or enterprise that is lawfully situated and licensed within the city, or if the vehicle or boat is being actively restored and worked upon by the owner and kept within an enclosure on his real 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.

Sec. 98-68. - Junk and disabled vehicles on private property.

(b) Nuisance declared. The outdoor storage of abandoned or disabled motor vehicles is a public nuisance, and removal of such vehicles is the abatement of a public nuisance.

(c) Owner to remove unlicensed vehicle. Any abandoned or disabled motor vehicle shall be removed by the owner of any residentially zoned real property upon which the vehicle sits or by the owner of the vehicle within 30 days after the expiration date shown on the license tag or within 30 days after the license tag shall have been removed from the vehicle.

These violation(s) must be corrected **no later than 3/22/2024**. 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

CE20240141

- Respondent(s): Gintaras Karosas**
- Violation address: 350 72nd Ave.**
- Violation(s) description: The property is in violation of sections 46-33 Enumeration (12) & (13) and 98-67 Junk vehicle, junk vessels and abandoned property (c) & (e) of the Code of Ordinances of the City of St. Pete Beach**

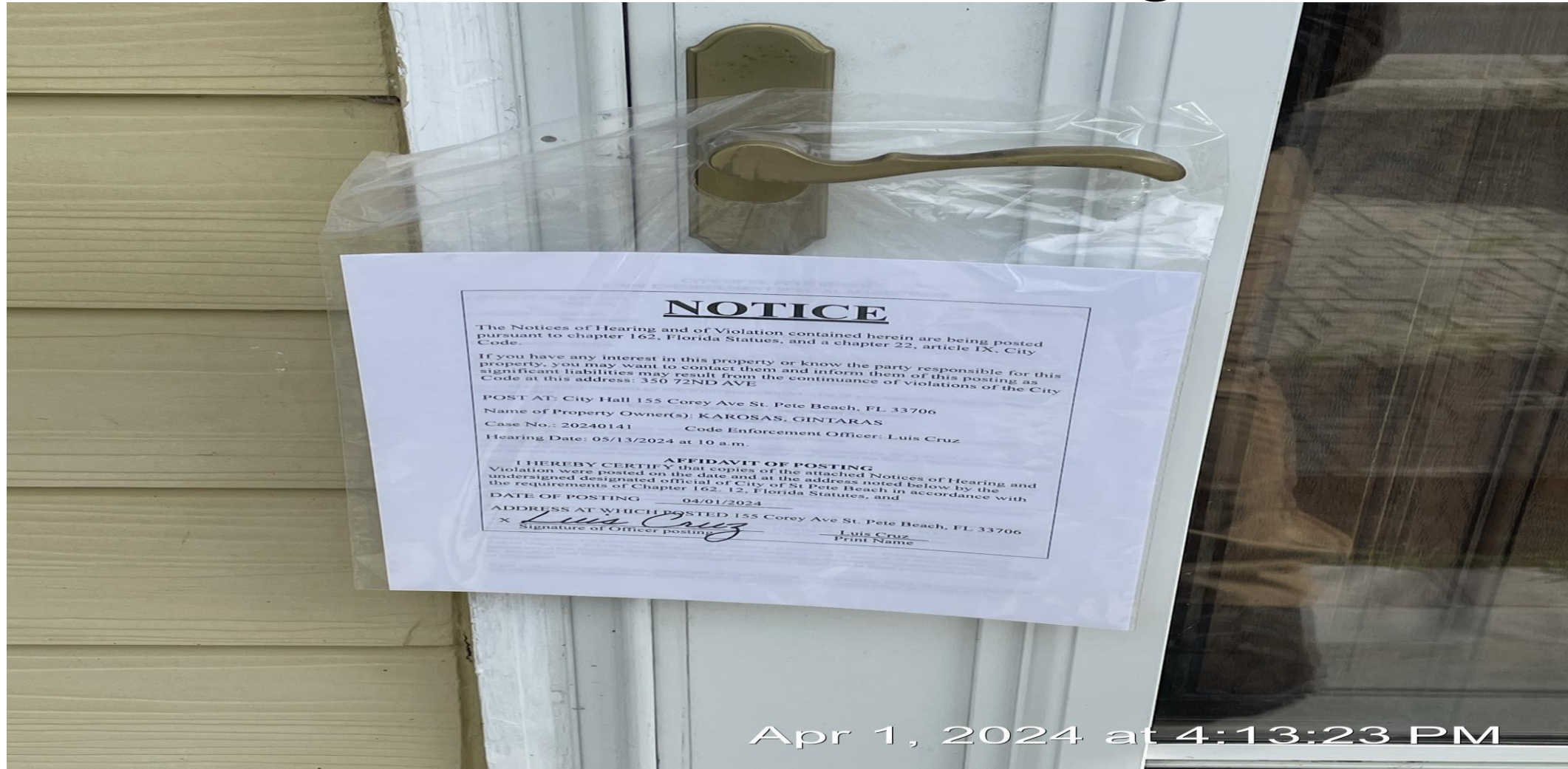
CE20240141

Case Summary

- Initial inspection: 3/1/2024**
- Notice of Violation dated: 3/7/2024**
- Notice of Violation compliance date: 3/22/2024**
- Notices of Hearing dated and posted on the property: 4/1/2024**

CE20240141

Affidavit of Posting



350 72nd Ave.

CE20240141 junk/abandoned vehicle



206 58th Ave.

CE20240141

junk/abandoned vehicle



206 58th Ave.

CE20240141

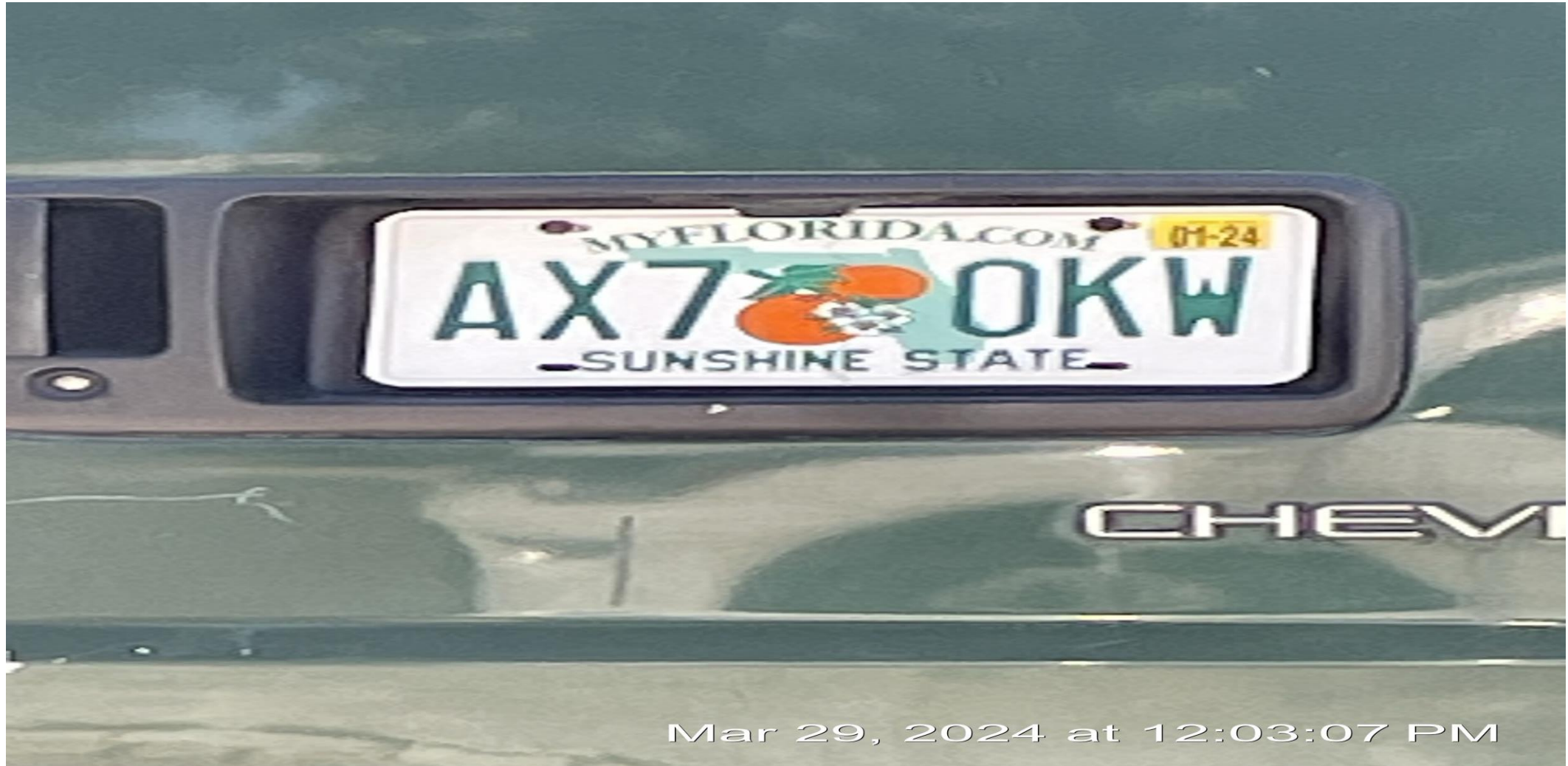
junk/abandoned vehicle



206 58th Ave.

CE20240141

junk/abandoned vehicle



206 58th Ave.

CE20240141

junk/abandoned vehicle



206 58th Ave.

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 350 72ND AVE

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

Name of Property Owner(s): KAROSAS, GINTARAS

Case No.: 20240141 Code Enforcement Officer: Luis Cruz

Hearing Date: 05/13/2024 at 10 a.m.

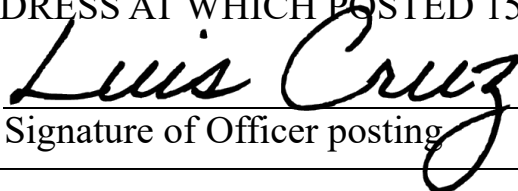
AFFIDAVIT OF POSTING

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 04/01/2024

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: 20240141

vs.
KAROSAS, GINTARAS
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 **05/13/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **350 72ND 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,

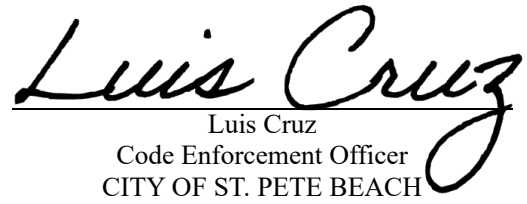
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 04/01/2024


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. 20240155**
 City of St. Pete Beach v. Stephen Boyle
 Address: 3672 Belle Vista Dr. E St. Pete Beach
 FL 33706

Date: May 13, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

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

The basketball hoop that was erected on the Belle Vista Mini Park side of the property requires a permit. Please obtain the necessary permit(s) required from or permit department.

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

3/14/2023

BOYLE, STEPHEN
3672 BELLE VISTA DR E
ST PETE BEACH FL 33706-2625

RE: Case Number 20240155
Violation Address: 3672 BELLE VISTA DR E
Parcel ID#: 073216075420030140

Dear Property Owner:

The basketball hoop that was erected on the Belle Vista Mini Park side of the property requires a permit. Please obtain the necessary permit(s) required from or permit department.

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 3/29/24**. 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

CE20240155

- Respondent(s): Stephen Boyle**
- Violation address: 3672 Belle Vista Drive E**
- Violation(s) description: The property is in violation of section 98-123.1 Permits required of the Code of Ordinance of the City of St. Pete Beach**

CE20240155

Affidavit of Posting



3672 Belle Vista Drive E

CE20240155

Unpermitted basketball hoop



3672 Belle Vista Drive E

CE20240155

Unpermitted basketball hoop



3672 Belle Vista Drive E

CE20240155

Unpermitted basketball hoop



3672 Belle Vista Drive E

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 3672 BELLE VISTA DR E

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

Name of Property Owner(s): BOYLE, STEPHEN

Case No.: 20240155 Code Enforcement Officer: Steven Rivera

Hearing Date: 05/13/2024 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 05/01/2024

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: 20240155

vs.
BOYLE, STEPHEN
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 **05/13/2024** 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 **3672 BELLE VISTA DR E** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 05/01/2024

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. 20240029**
 City of St. Pete Beach v. Micheal Martin
 Address: 2 Alhambra St. St. Pete Beach FL 33706

Date: May 13, 2024

Prepared By: Steven Rivera, 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:

(2)

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

(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.

Sec. 98-65 - Unsightly Conditions.

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

(1) Structures that are:

a. Partially destroyed; or

b. Left in a state of disrepair

(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.

(c) Litter.

(1) Storage of litter.

(2) Depositing litter. It shall be unlawful to throw, discard, place, drop, or deposit litter in any manner or amount in or upon any real property, highway, street, right-of-way or body of water within the limits of the city, except in such containers specifically provided and designated for the disposal of litter, is a violation. Litter strewn by a pedestrian except at approved and permitted disposal sites is a violation. Litter ejected or discarded from a motor vehicle except at approved and permitted disposal sites is a violation.

(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

The broken bricks, pavers, and cinder blocks dumped along the water's edge must be cleaned up and disposed of properly.

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

3/15/2024

MARTIN, MICHAEL
3330 W CYPRESS ST
TAMPA FL 33606-3539

RE: Case Number 20240029
Violation Address: 2 ALHAMBRA ST
Parcel ID#: 073216218520240010

Dear Property Owner:

The broken bricks, pavers, and cinder blocks dumped along the water's edge must be cleaned up and disposed of properly. A follow-up inspection of the property also shows that the seawall where the debris has been dumped is not up to code and needs to be brought up to current standards. Previous notice did not include seawall violation.

98-100. - Standards for seawalls, bulkheads and retaining walls not on Gulf of Mexico

Sec. 98-100. - Standards for seawalls, bulkheads and retaining walls not on Gulf of Mexico.

All seawalls, bulkheads, and retaining walls constructed or altered, projected or prolonged, on or adjacent to waters of the county, other than those of the Gulf of Mexico shall be of concrete or aluminum construction in compliance with the following minimum standards:

b. The concrete sheet piling shall have a minimum thickness of 5½ inches and contain vertical steel reinforcement equivalent in cross sectional area to one # 4 deformed reinforcing bars spaced at eight inches on-center. Each slab shall have two no. 4 steel hairpins extending into the cap a minimum of three inches.

c. The poured in place concrete cap shall not be less than 9½ inches in thickness nor less than 16 inches in width.

Sec. 46-33 - Enumeration.

Sec. 46-33. - Enumeration.

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

(2)

Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl,

meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

(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.

Sec. 98-65 - Unsightly Conditions.

Sec. 98-65. - Unsightly conditions.

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

(1) Structures that are:

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

(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

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.

(c) Litter.

(1) Storage of litter.

(2) Depositing litter. It shall be unlawful to throw, discard, place, drop, or deposit litter in any manner or amount in or upon any real property, highway, street, right-of-way or body of water within the limits of the city, except in such containers specifically provided and designated for the disposal of litter, is a violation. Litter strewn by a pedestrian except at approved and permitted disposal sites is a violation. Litter ejected or discarded from a motor vehicle except at approved and permitted disposal sites is a violation.

(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

These violation(s) must be corrected **no later than 04/01/2024**. 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,

Steven Rivera *727-235-5398*

Steven Rivera
Code Enforcement Officer

CE20240029

- Respondent(s): Michael Martin**
- Violation address: 2 Alhambra St.**
- Violation(s) description: The property is in violation of section 46-33 Enumeration (2), (12), 98-65 Unsightly Conditions (1)a, b, and (4), 98-66 Residential and Commercial Property Maintenance (a), (b), (c) (1), (2), (3) of the Code of Ordinance of the City of St. Pete Beach**

CE20240029

Case Summary

- Initial inspection: 1/11/2024**
- Notice of Violation dated: 3/15/2024**
- Notices of Hearing dated and posted on the property: 4/29/2024**

NOTICE

The Notation of Absence, and of Violation submitted hereto was being posted pursuant to Chapter 193, Florida Statutes, and a chapter 28, article 6, § 232, Chapter 28, article 6, § 232, Florida Statutes.

If you have any interest in the property or know the party responsible for this violation, you should contact the party responsible for this violation and the party responsible for this violation and the party responsible for this violation.

POST AT: One Half 155 Court Ave. St. Pete Beach, FL 33706

Name of Property Owner(s): MARVIN MICHAEL

City: St. Petersburg

County: Pinellas

Notice Date: 05/13/2024 at 10:00 AM

OFFICIAL OF RECORDING

Violations were posted to the property at the address of the property owner and the requirements of Chapter 193, Florida Statutes, and the requirements of Chapter 193, Florida Statutes, and the requirements of Chapter 193, Florida Statutes.

DATE OF NOTICE: 05/13/2024

ADDRESS AT WHICH POSTED: 155 COURT AVE. ST. PETE BEACH, FL 33706

Signature of Officer: [Signature]

Signature of Officer: [Signature]

Apr 29, 2024 at 4:10:00 PM

Apr 29, 2024 at 4:10:00 PM

Page 112 of 173

CE20240029

Bricks, blocks and pavers dumped on property



2 Alhambra St.

CE20240029

Bricks, blocks and pavers dumped on property



2 Alhambra St.

CE20240029

Bricks, blocks and pavers dumped on property



2 Alhambra St.

CE20240029

Bricks, blocks and pavers dumped on property



2 Alhambra St.

CE20240029

Bricks, blocks and pavers dumped on property



2 Alhambra St.

CE20240029

Bricks, blocks and pavers dumped on property



2 Alhambra St.

CE20240029

Bricks, blocks and pavers dumped on property



2 Alhambra St.

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: 2 ALHAMBRA ST

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

Name of Property Owner(s): MARTIN, MICHAEL

Case No.: 20240029 Code Enforcement Officer: Steven Rivera

Hearing Date: 05/13/2024 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 04/29/2024

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: 20240029

vs.
MARTIN, MICHAEL
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 **05/13/2024** 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 **2 ALHAMBRA ST** 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 04/29/2024

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. 20240081**
 City of St. Pete Beach v. 4401 Gulf Blvd LLC
 Address: 4401 Gulf Blvd. St. Pete Beach FL
 33706

Date: May 13, 2024

Prepared By: Steven Rivera, 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:

 (4) Buildings and structures as follows:

 b. Any building, structure or other improvement on
 which the paint or other exterior coating or surface is
 flaking or has deteriorated to the point that the
 building, structure or other improvement is unsightly
 in appearance and thus adversely affects the aesthetic
 appearance of the area.

Sec. 98-64. - General maintenance.

 (a) Nuisances and hazards. Real property shall be
 maintained free of nuisances and any hazards to the
 safety of the occupants, customers or persons utilizing
 the premises or to pedestrians passing by.

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

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

 (b) Standards for improved property.

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

The railing system attached to the retaining wall that surrounds the parking lot is in disrepair and poses a health and safety risk to patrons and pedestrian traffic. Please make necessary repairs to the railing system.

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

2/7/24

4401 GULF BLVD LLC
11575 CEDAR BEND DR
PINCKNEY MI 48169-9556

RE: Case Number 20240081
Violation Address: 4401 GULF BLVD
Parcel ID#: 073216073980030010

Dear Property Owner:

The railing system attached to the retaining wall that surrounds the parking lot is in disrepair and poses a health and safety risk to patrons and pedestrian traffic. Please make necessary repairs to the railing system.

Sec. 46-33 - Enumeration.

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:

(4) Buildings and structures as follows:

b. Any building, structure or other improvement on which the paint or other exterior coating or surface is flaking or has deteriorated to the point that the building, structure or other improvement is unsightly in appearance and thus adversely affects the aesthetic appearance of the area.

Sec. 98-64. - General Maintenance

Sec. 98-64. - General maintenance.

(a) Nuisances and hazards. Real property shall be maintained free of nuisances and any hazards to the safety of the occupants, customers or persons utilizing the premises or to pedestrians passing by.

Sec. 98-65 - Unsightly Conditions.

Sec. 98-65. - Unsightly conditions.

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

(1) Structures that are:

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

Sec. 98-66 - Residential and Commercial Property Maintenance

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

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

(b) Standards for improved property.

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

These violation(s) must be corrected **no later than 2/28/24**. 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

CE20240081

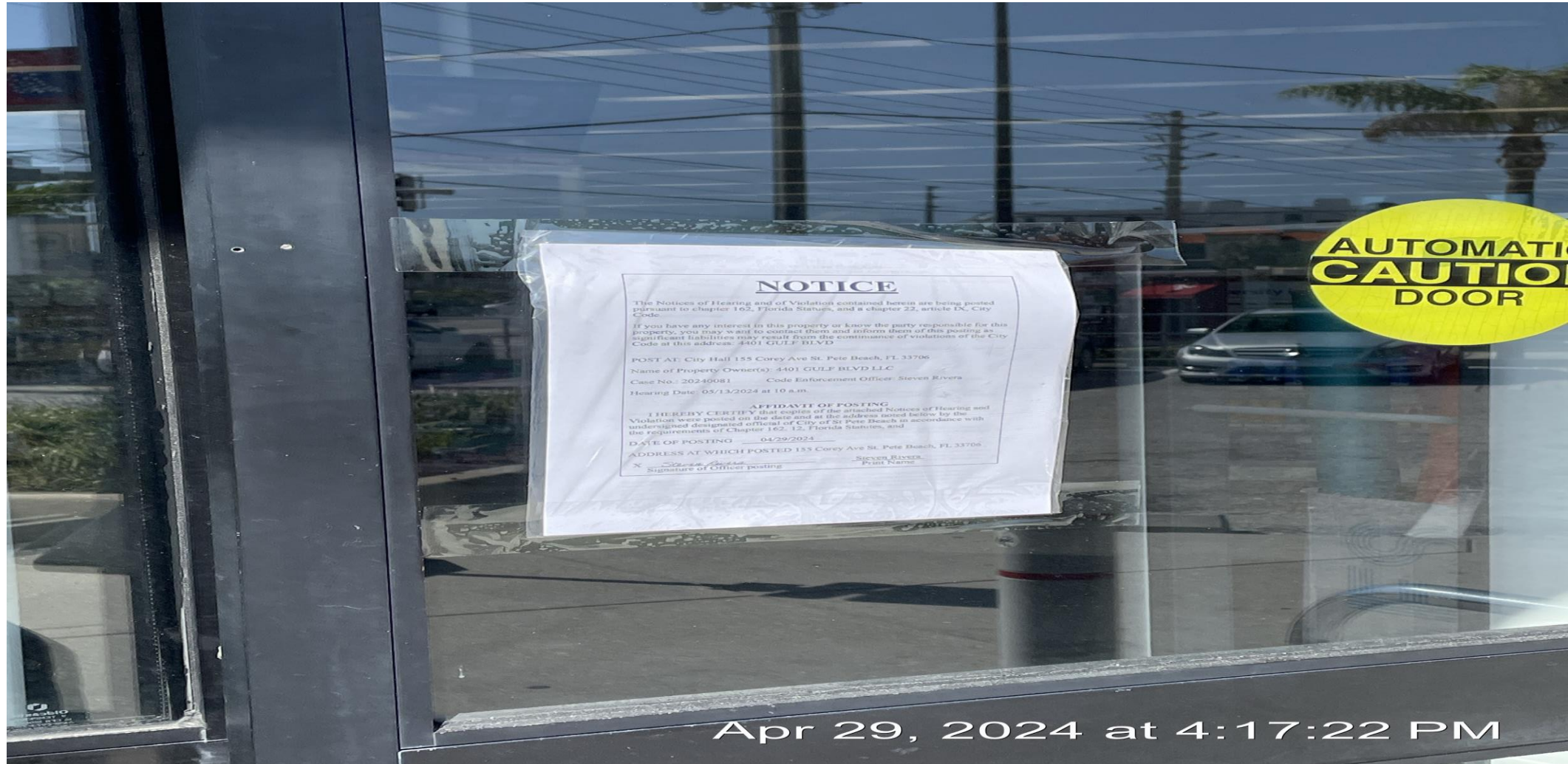
- Respondent(s): 4401 Gulf Blvd LLC**
- Violation address: 4401 Gulf Blvd.**
- Violation(s) description: The property is in violation of section 98-64 General Maintenance (a), 46-33 Enumeration (4)b, 98-65 Unsightly Conditions (1)a & b, 98-66 Residential and Commercial Property Maintenance (a), (b) & (24) of the Code of Ordinance of the City of St. Pete Beach**

Case Summary

- Initial inspection: 2/5/2024**
- Irreparable or Irreversible Notice of Violation dated: 2/7/2024**
- Notices of Hearing dated and posted on the property: 4/29/2024**

CE20240081

Affidavit of Posting



4401 Gulf Blvd.

CE20240081

Railing in disrepair



4401 Gulf Blvd.

CE2024081

Railing in disrepair



4401 Gulf Blvd.

CE20240081

Railing in disrepair



Feb 5, 2024 at 4:29:39 PM

4401 Gulf Blvd.

CE20240081

Railing in disrepair



4401 Gulf Blvd.

CE20240081

Railing in disrepair



4401 Gulf Blvd.

CE20240081

Railing in disrepair



Feb 5, 2024 at 4:31:25 PM

4401 Gulf Blvd.

CE20240081

Railing in disrepair



4401 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: 4401 GULF BLVD

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

Name of Property Owner(s): 4401 GULF BLVD LLC

Case No.: 20240081 Code Enforcement Officer: Steven Rivera

Hearing Date: 05/13/2024 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 04/29/2024

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.
4401 GULF BLVD LLC
Respondent(s)

Case Number: 20240081

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 **05/13/2024** 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 **4401 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 04/29/2024

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. 20230499**
 City of St. Pete Beach v. William R. Carr
 Address: Coquina Way St. Pete Beach FL
 33706 Parcel #36-31-15-77994-045-0110

Date: May 13, 2024

Prepared By: Rita Bishop, Executive Assistant to the City Manager

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 12/15/2023
 2. Lien Reduction Request Application
 3. Fine & Lien Assessment Sheet

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

WILLIAM R. CARR,

Respondent.

CASE NO.: CE20230499

ADDRESS: VACANT LOT Coquina Way

Parcel Id. No. 36-31-15-77994-045-0110

AMENDED FINAL ORDER IMPOSING FINES
(To Correct Scrivener's Error)

This case came before the Special Magistrate on December 11, 2023, to receive a status report on the Final Administrative 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:

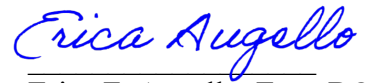
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that he was in violation of Sections 23.3, 22.4, 46-33, 98-65, and 98-66 of the City's Code of Ordinances by failing to maintain proper landscaping on a vacant lot.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating that the property had been cleaned up, however, the appropriate ground cover had not been installed. He testified that he spoke with Respondent and detailed the types of coverage that could be installed. Officer Cruz testified that while he understands that grass seed had been scattered, no ground cover exists.

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 appropriate ground cover does not exist on the property in compliance with the City's Code of Ordinances. The property remains in violation of the cited Code sections.

7. Respondent will be assessed a fine of **\$250 per day** imposed beginning **October 4, 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 15, 2023.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to Respondent at PO Box 701, Valrico, Florida 33595.

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

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

1. Code Enforcement Case Number: 20230499

2. Date: 4/3/24

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

Company (if applicable): _____

Name: William Carr

Mailing Address: PO BOX 701

City: Nalrico State: FL Zip Code: 33595

Phone #: _____ Fax #: _____

Mobile #: 813 625 2988 E-mail: rustcoy@gmail.com

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

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

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Information for property on which lien occurs:

Street Address: Coquina Way St. Pete Beach FL 33706

Parcel ID: 36-31-15-7194-045-0110

Tax Account Number: R401467

Existing Use(s) on Property: 0000 Vacant Residential - lot

Date Fine or Lien Imposed: 10/4/2023

Fine/Lien Amount: 38,750⁰⁰ Administrative Fees: 405⁰⁰ Total Fine/Lien Amount: 39,155⁰⁰

Amount you are requesting that the lien be reduced to: \$ 0.00

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

Date upon which the subject property was brought into compliance: 3/6/2024

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

see enclosed copies & photos

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

we thought we were in compliance on 11/27/23

Provide proof that the taxes are paid in full:

enclosed

6. Signatures and Notarization.

STATE OF FLORIDA COUNTY OF Hillsborough. 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)

Providenza Nancy Patellaro

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

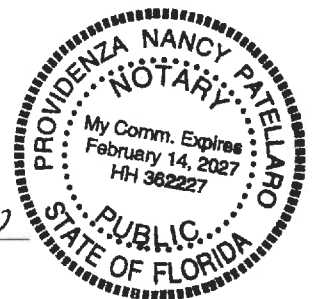
Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced FLORIDA DRIVER LICENSE

(NOTARY PUBLIC SIGNATURE)

[Signature]
Hillsborough

STATE OF FLORIDA, COUNTY OF ~~PINELLAS~~



Sworn and subscribed to before me this 3RD day APRIL 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, CFC, Pinellas County Tax CollectorP.O. Box 31149, Tampa, FL 33631-3149
(727) 464-7777 | pinellastaxcollector.gov**2023 REAL ESTATE TAX***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	Dec 31, 2023				
Pay this Amount	\$4114.45				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R401467		SPB

CARR, WILLIAM R
PO BOX 701
VALRICO, FL 33595-0701PARCEL NO.: 36/31/15/77994/045/0110
SITE ADDRESS: COQUINA WAY, ST PETE BEACH
PLAT: 5 PAGE: 28
LEGAL:
ST PETERSBURG BEACH REPLAT
BLK 45, LOT 11**AD VALOREM TAXES**

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAXES LEVIED
GENERAL FUND	4.7398	214,581	0	214,581	1,017.07
HEALTH DEPARTMENT	0.0713	214,581	0	214,581	15.30
EMS	0.8418	214,581	0	214,581	180.63
SCHOOL-STATE LAW	3.1900	349,557	0	349,557	1,115.09
SCHOOL-LOCAL BD.	2.7480	349,557	0	349,557	960.58
ST PETE BEACH	3.0913	214,581	0	214,581	663.33
SW FLA WTR MGMT.	0.2043	214,581	0	214,581	43.84
PINELLAS COUNTY PLN.CNCL.	0.0210	214,581	0	214,581	4.51
JUVENILE WELFARE BOARD	0.8250	214,581	0	214,581	177.03
TOTAL MILLAGE 15.7325					GROSS AD VALOREM TAXES \$4,177.38

NON-AD VALOREM ASSESSMENTS

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

TAXES BECOME DELINQUENT APRIL 1ST	COMBINED GROSS TAXES AND ASSESSMENTS \$4,241.70
-----------------------------------	---

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*Pay online at pinellastaxcollector.gov

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

If Postmarked By	Dec 31, 2023				
Pay this Amount	\$4114.45				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R401467		SPB

CARR, WILLIAM R
PO BOX 701
VALRICO, FL 33595-0701PARCEL NO.: 36/31/15/77994/045/0110
SITE ADDRESS: COQUINA WAY, ST PETE BEACH
PLAT: 5 PAGE: 28
LEGAL:
ST PETERSBURG BEACH REPLAT
BLK 45, LOT 11

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20230499

William R. Carr

Vacant Lot Coquina Way / Parcel ID. No.36-31-15-77994-045-0110

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 fines totaling \$405.00 plus a daily fine of \$250.00 starting 10/04/2023 until 3/6/2024.

Total Administrative Fines	\$405.00
Lien	\$38,750.00

Total \$39,155.00

**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: May 13, 2024

Prepared By: Rita Bishop, Executive Assistant to the City Manager

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 4/11/2024
 2. Lien Reduction Request Application
 3. Fine & Lien Assessment Sheet

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20240147
ADDRESS: 460 59th Ave.**

**TYLER ROSHAU and NATALI
ROSHAU,**

Respondents.

_____ /

FINAL ADMINISTRATIVE ORDER AND ORDER IMPOSING FINES

This case came before the Special Magistrate on April 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. Respondents appeared and represented themselves.
3. Respondents own the subject property, and legally required notice of this proceeding was served on Respondents in accordance with applicable law.
4. Respondents were notified of the following violation of the City's Land Development Code.

Section 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.***
5. The City presented evidence of twenty-eight (28) reviews from the AirBnB website for the property and submitted the AirBnB review policy, which requires renters to post their reviews no more than fourteen (14) days after their stay. This evidence demonstrated the property was used for transient occupancy.

6. Respondent Tyler Roshau testified that they were under the impression on the advice of a friend that as long as the room was not a separate detached structure or as long as they were not renting the entire house, they could conduct short-term rentals.
7. Respondent Natali Roshau clarified that though the AirBnB listing states they have been hosting for seven years, that was due to a rental a long time ago that was never actually rented.
8. Respondents testified that they bought the house three years ago, and then added the additional space in order to rent it out, and to house family and friends when they come and visit.

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

9. The Special Magistrate finds the Respondents and the subject property were in violation of Section 8.2 of the City's Code of Ordinances. The rentals in violation of the Code are determined to be irreparable or irreversible in nature, and Respondents are assessed **\$1,000 for 28 stays** (from July 2023 through March 2024), **totaling \$28,000**, plus the reasonable administrative costs of the City in the amount of **\$325**.
10. Within ten (10) days of the date of this Order, Respondents shall provide the City with proof that there are no future bookings of less than thirty (30) days.
11. Respondents are ordered to immediately cease renting the property for a term less than thirty (30) days.
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 the original order.
13. It is Respondents' responsibility to notify the City once the property is in compliance, if applicable.
14. Should Respondents be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondents may be subject to a fine of up to \$500 per day for each day the violation exists.

Order entered on April 11, 2024.



Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent to Respondents via email at natalicg2007@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

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

1. Code Enforcement Case Number: CE20240147

2. Date: 04/14/24

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

Company (if applicable): _____

Name: Tyler : Natali Roshan

Mailing Address: 460 59th Ave

City: St Pete Beach State: FL Zip Code: 33706

Phone #: 661-809-2253 Fax #: _____

Mobile #: 813-470-8704 E-mail: hireempire@live.com

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

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

✓ same
↓

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: 460 59th Ave St. Pete Beach 33706

Parcel ID: 31-31-16-02358-000-0380

Tax Account Number: R349745

Existing Use(s) on Property: Single Family Dwelling

Date Fine or Lien Imposed: 04-08-24

Fine/Lien Amount: 28k Administrative Fees: 325 Total Fine/Lien Amount: 28,325

Amount you are requesting that the lien be reduced to: \$ 7,325

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

Date upon which the subject property was brought into compliance: 04-08-24

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

During our hearing a similar case to ours with 20+ violations was given a penalty of \$250 per violation. If we could receive the same penalty we could pay the fine immediately. Thank you for the consideration.

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

We had no ill intent, we were misguided by someone regarding the rules of short term rentals.

Provide proof that the taxes are paid in full:

(see attached)

6. Signatures and Notarization.

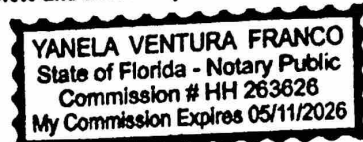
STATE OF Florida COUNTY OF Pinellas . I, being first
duly sworn, depose and say that:

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

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

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

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



[Signature]

(APPLICANT SIGNATURE)

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

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced Drivers License

(NOTARY PUBLIC SIGNATURE) [Signature]

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 16th day April 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 _____

[Search](#) > [Account Summary](#) > [Bill Details](#)

Real Estate Account #R349745

Owner:

ROSHAU, TYLER
ROSCHAU, NATALI

Situs:

460 59TH AVE
ST PETE BEACH

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



[Get bills by email](#)

2023 Annual Bill

PINELLAS COUNTY TAX COLLECTOR

Notice of Ad Valorem Taxes and Non-ad Valorem Assessments

BILL	PARCEL NUMBER	ESCROW CODE	MILLAGE CODE	AMOUNT DUE
2023 Annual Bill	31/31/16/02358/000/0380	* CL-0013020	SPB	\$0.00

PAID
 [Print \(PDF\)](#)

If paid by: Nov 30, 2023
Please pay: \$18,920.34

Combined taxes and assessments: \$19,708.69

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

Ad Valorem Taxes

TAXING AUTHORITY	MILLAGE	ASSESSED	EXEMPTION	TAXABLE	TAX
GENERAL FUND	4.7398	\$1,101,306.00	\$0.00	\$1,101,306.00	\$5,219.97
HEALTH DEPARTMENT	0.0713	\$1,101,306.00	\$0.00	\$1,101,306.00	\$78.52
EMS	0.8418	\$1,101,306.00	\$0.00	\$1,101,306.00	\$927.08
SCHOOL-STATE LAW	3.1900	\$1,471,571.00	\$0.00	\$1,471,571.00	\$4,694.31
SCHOOL-LOCAL BD.	2.7480	\$1,471,571.00	\$0.00	\$1,471,571.00	\$4,043.88
ST PETE BEACH	3.0913	\$1,101,306.00	\$0.00	\$1,101,306.00	\$3,404.47
SW FLA WTR MGMT.	0.2043	\$1,101,306.00	\$0.00	\$1,101,306.00	\$225.00
PINELLAS COUNTY PLN.CNCL.	0.0210	\$1,101,306.00	\$0.00	\$1,101,306.00	\$23.13
JUVENILE WELFARE BOARD	0.8250	\$1,101,306.00	\$0.00	\$1,101,306.00	\$908.58
Total Ad Valorem Taxes	15.7325				\$19,524.94

Non-Ad Valorem Assessments

LEVYING AUTHORITY	RATE	AMOUNT
ST PETE BEACH STORMWATER SVCS FIXED COST		\$64.32

< Airbnb Support



HM3NK4K2XH- Liza (2 nights)
HMH8A9QKWR- Mikel (5 nights)
HMX3RY9XQN- Maggie (3 nights)
HMC55FJWF- Rianna (2 nights)
HMN4Q8M5PZ- Andrew (2 nights)
HMAWC4TZ4F- Stephanie (3 nights)
HMMDYEPTYF- Anne (3 nights)

Guests are fully refunded and they'll be assisted in finding another listing.

For further confirmation, these are cancelled by Airbnb so that means you will not be penalized for this. Calendar dates are still opened, but for long term stays only.

I'm sincerely glad that I was able to assist you, despite the circumstances. My goal is to provide you with an excellent customer service experience and I'm most certainly happy to have given you no less. It's SuperHosts like you that make our community so great. We deeply value your relationship with Airbnb and are committed to providing you with the highest level of service simply because our customers deserve the very best.

We really appreciate your cooperation and patience.



Write a message



Airbnb Support 6:57 PM

Hi Natali, I hope this message finds you well. Before I proceed, let me just recognize you for being one of our SuperHosts! This badge speaks volumes of who you are not only as a Host but as a person. We appreciate you taking hosting to a whole new level!

As a confirmation, you called to request the cancellation of all the upcoming reservations that are Short Term Rentals. You mentioned your local government is no longer allowing short term renters and you'll be penalized if you will not follow. We don't want to cancel reservations as they've been planned by our guests as well. However, we understand your situation and we also don't want our Hosts to lose faith in Airbnb.

As one time courtesy, I've cancelled 7 short term upcoming reservations. Here are the list:

HM3NK4K2XH- Liza (2 nights)
HMH8A9QKWR- Mikel (5 nights)
HMX3RY9XQN- Maggie (3 nights)
HMC55FJWF- Rianna (2 nights)
HMN4Q8M5PZ- Andrew (2 nights)
HMAWC4TZ4F- Stephanie (3 nights)
HMMDYEPTYF- Anne (3 nights)



Write a message

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20240147

Tyler & Natali Roshau

460 59th Ave.

Employee/Associate	Hourly Rate	Total Hours	Total
Code Enforcement Officer	\$25.00	1.00	\$25.00
City Attorney	\$200.00	0.50	\$100.00
Special Magistrate	\$200.00	1.00	\$200.00
\$1000.00 for 28 stays (28 reviews) totaling a \$28,000 fine plus \$325 in admin. costs.	Total hours	3.00	\$325.00

Total Administrative Fines	\$325.00
Lien	\$28,000.00
Total	<u>\$28,325.00</u>

**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: May 13, 2024

Prepared By: Rita Bishop, Executive Assistant to the City Manager

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 4/11/2024
 2. Lien Reduction Request Application
 3. Fine & Lien Assessment Sheet

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20240185
ADDRESS: 8125 Boca Ciega Dr.**

REBECCA JONES,

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER AND ORDER IMPOSING FINES

This case came before the Special Magistrate on April 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. Attorney Bryce Williams of the Law offices of Damian G. Waldman, PA appeared on behalf of Respondent, as well as Respondent herself.
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 of the following violation of the City's Land Development Code.

Section 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.*

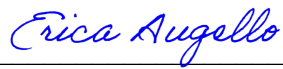
5. The City presented evidence of four (4) reviews from the AirBnB website for the property and submitted the AirBnB review policy, which requires renters to submit their reviews no more than fourteen (14) days after their stay. This evidence demonstrated the property was used for transient occupancy.

6. Respondent's counsel represented that Respondent is from Nebraska and purchased the property to live in while she built another home. Once her primary residence was completed, she moved out and began to rent the property.
7. Respondent testified that the nature of her employment was to find housing for traveling doctors and nurses. During the pandemic when housing was unavailable, she utilized short-term rentals for this type of housing. She testified in Nebraska there are no regulations on short-term rentals, and she had never heard of any regulations on short-term rentals.
8. Respondent testified that the reviews were for short-term rentals, and they were not for 30-days or more.
9. Mr. McConnell argued that the evidence demonstrates that average pricing on the AirBnB website advertising states \$750 per night.

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

10. The Special Magistrate finds Respondent and the subject property were in violation of Section 9.2 of the City's Code of Ordinances. The rentals in violation of the Code are determined to be irreparable or irreversible in nature, and Respondent is assessed **\$1,000 for 4 stays** (from March 2024), **totaling \$4,000**, plus the reasonable administrative costs of the City in the amount of **\$325**.
11. Within ten (10) days of the date of this Order, Respondent shall provide the City with proof that there are no future bookings of less than thirty (30) days.
12. Respondent is ordered to immediately cease renting the property for a term less than thirty (30) days.
13. 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 the original order.
14. It is Respondent's responsibility to notify the City once the property is in compliance, if applicable.
15. 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 April 11, 2024.



Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent to counsel for Respondent, Bryce Williams, Esq., at bryce@waldmanlaw.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: 20240185

2. Date: April 25, 2024

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

Company (if applicable): The Law Offices of Damian G. Waldman, P.A.

Name: Bryce Williams, Esq.

Mailing Address: 10333 Seminole Blvd., Unit 1

City: Seminole **State:** Florida **Zip Code:** 33778

Phone #: 727-538-4160 **Fax #:** 727-240-4972

Mobile #: N/A **E-mail:** bryce@dwaldmanlaw.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: Rebecca Jones

Mailing Address: 2064 Carolina Ave. NE

City: St. Petersburg **State:** FL **Zip Code:** 33778

Phone #: c/o Bryce Williams, Esq. 727-538-4160 **Fax #:** N/A

Mobile #: N/A **E-mail:** N/A

5. Information for property on which lien occurs:

Street Address: 8125 Boca Ciega Dr., St. Pete Beach, FL 33706

Parcel ID: 363115051480030060

Tax Account Number: Real Estate Account #R400078

Existing Use(s) on Property: Single Family Home, RU-2 Residential Zone

Date Fine or Lien Imposed: April 8, 2024

Fine/Lien Amount: \$4,000.00 Administrative Fees: \$325.00 Total Fine/Lien Amount: \$4,325.00

Amount you are requesting that the lien be reduced to: \$ \$1,325.00 total fine (\$250.00 per violation)

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

Date upon which the subject property was brought into compliance: April 8, 2024

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

SEE ATTACHED PAGE

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

Respondent was unaware of the existing transient occupancy ordinance placed in the RU-2 zone, and as of the date of the subject hearing and this application, is fully compliant.

Provide proof that the taxes are paid in full:

Please see attached screen print of tax collector website showing taxes are current and 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.

[Signature]

(APPLICANT SIGNATURE)



Sabrina Stanney
Notary Public
State of Florida
Comm# HH093659
Expires 10/28/2024

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

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____

(NOTARY PUBLIC SIGNATURE)

[Signature]

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 15 day April 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 _____

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

Thank you for considering our client's request for a reduction of the lien assessed on April 8th, 2024.

Although the facts and circumstances surrounding the Airbnb Short Term Rental do not matter when it comes to establishing if a violation occurred, we believe it does matter when determining a proper fine to levy. We do not object to the determination that a violation occurred, but we do object to the fine of \$1,000.00 per violation given the financials of the respondent and the Airbnb itself. During the April 8th, 2024 hearing, the City argued successfully that a fine of \$1,000.00 per violation should stand as the listing showed as renting for \$700++/night. **This is an equity proceeding. Our client is net negative during the operational months of her Airbnb in St. Pete Beach.** As you will see from the attached screenprints, our client operates four Airbnb's in both Nebraska and Florida, including the subject Airbnb which has since been delisted.

The breakdown of the total gross revenue for the St. Pete Beach property is as follows:

Gross Revenue February 2024: ~\$4,000.00

Gross Revenue March 2024: \$14,084.25

Gross Revenue April 2024: \$4,719.05

TOTAL COMBINED GROSS REVENUE: \$22,803.30

TOTAL AVERAGE MONTHLY REVENUE: \$7,601.10

The current levied \$4,325.00 fine represents almost 20% of gross revenue. It should be noted for this request, there is a \$10,000/month mortgage cost, utility cost, cleaning costs, maintenance and upkeep costs, that currently put our client in the red. This fine does not consider the costs associated with operating the property. Her gross revenue is lower than her gross expenses, and therefore she was operating the Airbnb at a loss. She simply cannot afford the current levied fine, which does not promote equity.

We believe equity promotes a reduction in the fine to \$250/per violation plus administrative costs. This would create a total lien amount of \$1,325.00, which is around 6% of gross revenue. Given the fact our client was operating at a loss and she was unaware of the restrictions on short term rentals in the area, we believe a total fine of \$1,325.00 is an amicable, equitable solution for both parties.



[Search](#) > Account Summary

Real Estate Account #R400078

Owner:

JONES, REBECCA

Situs:

8125 BOCA CIEGA DR
ST PETE BEACH

[Parcel details](#)

[Property Appraiser](#)



[Get bills by email](#)

Amount Due

Your account is **paid in full**. There is nothing due at this time.
Your last payment was made on 11/27/2023 for \$15,740.21.

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

Account History

BILL	AMOUNT DUE
2023 Annual Bill ⓘ	\$0.00 Print (PDF)
2022 Annual Bill ⓘ	\$0.00 Print (PDF)
2021 Annual Bill ⓘ	\$0.00 Print (PDF)
2020 Annual Bill ⓘ	\$0.00 Print (PDF)
2019 Annual Bill ⓘ	\$0.00 Print (PDF)
2018 Annual Bill ⓘ	\$0.00 Print (PDF)
2017 Annual Bill ⓘ	\$0.00 Print (PDF)
2016 Annual Bill ⓘ	\$0.00 Print (PDF)
2015 Annual Bill ⓘ	\$0.00 Print (PDF)
2014 Annual Bill ⓘ	\$0.00 Print (PDF)
2013 Annual Bill ⓘ	\$0.00 Print (PDF)
2012 Annual Bill ⓘ	\$0.00 Print (PDF)
2011 Annual Bill ⓘ	\$0.00 Print (PDF)
2010 Annual Bill ⓘ	\$0.00 Print (PDF)
2009 ⓘ	
2009 Annual Bill	\$0.00 Print (PDF)
Total Amount Due	\$0.00

BILL

AMOUNT DUE

Refund

- [2008 Annual Bill](#) ⓘ
- [2007 Annual Bill](#) ⓘ
- [2006 Annual Bill](#) ⓘ
- [2005 Annual Bill](#) ⓘ
- [2004 Annual Bill](#) ⓘ
- [2003 Annual Bill](#) ⓘ
- [2002 Annual Bill](#) ⓘ
- [2001 Annual Bill](#) ⓘ
- [2000 Annual Bill](#) ⓘ
- [1999 Annual Bill](#) ⓘ

Total Amount Due

 [Print \(PDF\)](#)

Paid \$4,483.12

- \$0.00
 [Print \(PDF\)](#)
- \$0.00
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- \$0.00**



Modern Bear Loft

Omaha, NE



Modern Luxury Home on the water

St. Pete Beach, FL





Earnings

You made
\$14,084.25
in March



\$20,000

\$10,000

\$0

Dec

Jan

Feb

Mar

Apr

May

Jun

Year-to-date summary

Upcoming

No upcoming reservations at the moment.



Earnings

You've made
\$4,719.05
this month



Year-to-date summary

Upcoming

No upcoming reservations at the moment.

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20240185

Rebecca Jones

8125 Boca Ciega Dr.

Employee/Associate	Hourly Rate	Total Hours	Total
Code Enforcement Officer	\$25.00	1.00	\$25.00
City Attorney	\$200.00	0.50	\$100.00
Special Magistrate	\$200.00	1.00	\$200.00
\$1000.00 for 4 stays (4 reviews) totaling a \$4,000 fine plus \$325 in admin. costs.	Total hours	3.00	\$325.00

Total Administrative Fines	\$325.00
Lien	\$4,000.00
Total	<u>\$4,325.00</u>