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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, July 8, 2024
10:00 AM

Call to Order
Pledge of Allegiance

CASE DOCKET

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

A. Case No. 20240205
City of St. Pete Beach v. Charles Mackert
Address: 206 58th Ave St. Pete Beach FL 33706
Status hearing on a 60-day extension to apply for and secure a permit.

B. Case No. 20240081
City of St. Pete Beach v. 4401 Gulf Blvd LLC
Address: 4401 Gulf Blvd. St. Pete Beach FL 33706
Status hearing on the 30-day extension to secure a permit and bring property into compliance.

C. Case No. 20240155
City of St. Pete Beach v. Stephen Boyle
Address: 3672 Belle Vista Dr. E St. Pete Beach FL 33706
Status hearing on a 30-day extension to obtain a permit for the erection of a permanent basketball hoop.

D. Case No. 20240283
City of St. Pete Beach v. Gulf West Properties LLC
Address: 7060 Boca Ciega Dr. St. Pete Beach FL 33706
Sec. 98-66. - Residential and commercial property maintenance.
(a) All premises shall be maintained in compliance with the standards in this section.
(b) Standards for improved property.

(20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

E. Case No. 20240168
City of St. Pete Beach v. Family International Home Builders LLC
Address: 7210 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:
(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.
Sec. 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.
(20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.
(e) Outdoor storage. Outside storage of materials and equipment shall be restricted to the rear yard area and screened by an opaque fence or hedge so that such materials are not visible from any public right-of-way or adjoining lot.

F. Case No. 20240014
City of St. Pete Beach v. Stephen G. Parks
Address: 420 80th Ave. St. Pete Beach FL 33706
Sec. 23.2. - Residential parking restricted.
Residential parking restrictions shall apply within the RU-1, RU-2, RLM-1, RLM-2 and RM zoning districts. For the purpose of this section, the term "stored" shall be construed to include parking for a period exceeding 48 hours.
(b) Boats and trailers. Boats and trailers may be stored in accordance with the following:
(2) No more than one boat and/or trailer may be stored in a front yard, provided that the following regulations are met:
a. On an improved surface or on an unimproved area adjacent to the side property line; and
b. Such that the length of the boat and/or trailer is perpendicular to the front property line of the zoning lot; and
c. Located a minimum of ten feet from the back of the curb on any public street.
Sec. 98-65. - Unsightly conditions.
The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:
(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

G. Case No. 20240275
City of St. Pete Beach v. Hasani Capital LLC
Address: 3505 Gulf Blvd South St Pete Beach FL 33706
Sec. 78-96. - Business tax receipt—Required.
No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of

the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

H. Case No. 20240247
City of St. Pete Beach v. Sungold LLC
Address: 3815 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:
(1) Vegetation as follows:
b. Dead branches or fronds on trees or shrubs.
(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.
(3) Any condition which provides harborage for rats, mice, snakes and other vermin.
Sec. 98-65 - Unsightly Conditions.
The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:
(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.
Sec. 98-66 - Residential and Commercial Property Maintenance
(a) All premises shall be maintained in compliance with the standards in this section.
(b) Standards for improved property.
24) Fences and walls. Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.
(c) Litter.
(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.

I. Case No. 20240214
City of St. Pete Beach v. SW-GOM LTD PTNERSHP
Address: 2705 Sunset Way 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.

J. Case No. 20240089
City of St. Pete Beach v. Patrick Thomas McNulty & Annette Weis-McNulty
Address: 104 46th Ave. St. Pete Beach FL 33706
Sec. 22.4. - Type, quality and size of plant material.
(f) Ground covers. Vegetative ground covers in lieu of grass, in whole or in part, shall be

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

Gallardia Pullchella (Gallardia)*
Helianthus Debius (Beach Sunflower)*
Lantana Camara (Dwarf Yellow Lantana)*
Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*
Trachelospernum Jasmine Minima Varegated (Varegated Dwarf Confederated Jasmine)*
Trachelospernum Jasminoides (Confederate Jasmine)*
Licania michauxii (Gopher Apple)
Scaevola plumieri (Inkberry)
Stachytarpheta jamaicensis (Prone Porterweed)*
Zamia pumila (Coontie)*
Muhlenbergia capillaris (Muhley Grass)*

Sec. 23.11. - Parking construction and design requirements.

(a) General construction requirements.

(1) All driveway and off-street parking areas shall be constructed of concrete, concrete, pavers or equal on a properly constructed and compacted base unless an alternative is approved by the city.

(2) No slag, rock, pea gravel or other loose type of material shall be used.

4. Repeat Violations -

A. Case No. 20240285
City of St. Pete Beach v. Michael A Zara & Chia-Yi Liang
Address: 108 18th Ave. St. Pete Beach FL 33706
Sec. 20.03 Permitted principal uses and structures

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

(a) All uses permitted in the underlying zoning district; and

(b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

5. New Cases

A. Case No. 20240305
City of St. Pete Beach v. Family International Home Builders LLC
Address: 7210 Gulf Blvd. St. Pete Beach FL 33706
Sec. 78-96. - Business tax receipt—Required.

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

B. Case No. 20240277
City of St. Pete Beach v. Alexander Engelman & Adrienne Timmel

Address: 3110 Pass A Grille Way St. Pete Beach FL 33706
Sec. 20.03 Permitted principal uses and structures
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:
(b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

C. Case No. 20240280
City of St. Pete Beach v. William W Adams
Address: 1805 Pass A Grille Way 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:
(1) Vegetation as follows:
a. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds or any other vegetation, other than trees, ornamental bushes, flowers or other ornamental plants, with a height exceeding 12 inches.
(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.
(3) Any condition which provides harborage for rats, mice, snakes and other vermin.
Sec. 98-65 - Unsightly Conditions.
The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:
(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.
Sec. 98-72. - Vacant buildings, vacant structures and vacant or unimproved lots.
`(c) Structures, unimproved lots.
(1) Every owner of a building, structure or lot, vacant or occupied, shall keep the premises in clean and sanitary condition, including yards, lawn, courts and driveways.
(2) Exterior premises shall be kept free from the excessive growth of weeds, grass and other flora.
(12) Every owner of a vacant building, structure or lot, shall provide and maintain all unpaved areas of the site with grass, ground cover, shrubbery, or other suitable plant material. Paving of vacant lots shall be prohibited unless a site plan has been approved by the planning and zoning department.

D. Case No. 20240292
City of St. Pete Beach v. Myna Investments LLC
Address: 562 71st Ave. St. Pete Beach FL 33706
Sec. 78-96. - Business tax receipt—Required.
No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

E. Case No. 20240287
City of St. Pete Beach v. Thomas M. Cuddihy REV Trust & Thomas M. Cuddihy TRE
Address: 7801 Boca Ciega Dr. # 5 St. Pete Beach FL 33706

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

F. Case No. 20240011
City of St. Pete Beach v. Colonnades Apt Condo Assn
Address: Sunset Way St. Pete Beach FL 33706 Parcel # 36-31-15-17525-000-0001
Sec. 98-123.1. - Permits required.
Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the building official and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

G. Case No. 20240172
City of St. Pete Beach v. NXT Aquisitions Corp
Address: 369 41st Ave. St. Pete Beach FL 33706
Sec. 98-123.1. - Permits required.
Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the 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.

H. Case No. 20240278
City of St. Pete Beach v. Blagoje Savic & Ljubomir Savic & Slobodan Gojkovic
Address: 6901 Gulf Winds Dr. St. Pete Beach FL 33706
Sec. 8.2. - Permitted principal uses and structures.
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:
(a) Residential dwellings —Detached single-family only. Such dwellings shall not be used for transient occupancy.

6. Cases Complied -

7. Old Cases

8. Lien Reductions

A. Case No. 20230616
City of St. Pete Beach v. Anthony J Perrone
Address: 8151 Blind Pass Rd. #8 St. Pete Beach FL 33706

Lien Reduction Request

B. Case No. 20230513
City of St. Pete Beach v. April Elliott & David Rybarczyk
Address: 423 Corey Ave. St. Pete Beach FL 33706
Lien Reduction Request

C. Case No. 20190452
City of St. Pete Beach v. Ling Lei & Xi Ye
Address: 135 58th Ave. St. Pete Beach FL 33706
Lien Reduction Request

9. Next Meeting:

10. Adjournment -

APPEAL: Florida Statutes Chapter 286.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AMERICANS WITH DISABILITIES ACT: Florida Statutes 286.26. Accessibility of public meetings to the physically handicapped. In accordance with the Americans with Disabilities Act and Florida Statutes, persons needing special accommodations to participate in a meeting should contact City Hall at (727) 367-2735 no later than forty-eight (48) hours prior to the meeting for assistance.

CODE OF ORDINANCES, SECTION 1-15: Award of attorney's fees and other costs. In all instances where a lawsuit is instituted or defended on behalf of the city to enforce any provision of the Code of Ordinances, to collect fees, liens, assessments or fines, or otherwise secure compliance with any provision of the Code of Ordinances, the city shall be entitled to recover all costs incurred, including reasonable attorney's fees and court costs through the trial and appellate levels. This section shall apply to all instances where the city is required to defend an appeal from any order, notice or determination by the city or its officials.

For meetings that require materials to be submitted, the deadline to submit materials to the City is a minimum of 24 business hours in advance of the meeting. Materials including electronic media are to be submitted to cityclerk@stpetebeach.org. The Clerk's Office will then scan the agenda packet with the new documents and repost on the website for transparency purposes.

All agenda material is available for review at City Hall.

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

Agenda Report

Issue Considered:	**Case No. 20240205** **City of St. Pete Beach v. Charles Mackert** **Address: 206 58th Ave St. Pete Beach FL 33706**
Date:	July 8, 2024
Prepared By:	Rita Bishop, Executive Assistant to the City Manager
Through:	Peyt Dewar, Code Enforcement Manager
Summary of Issue:	Status hearing on a 60-day extension to apply for and secure a permit.
Funding:	N/A
Requested Motion:	N/A
Attachments:	1. Special Magistrate Order 5/20/2024

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v. **CASE NO.: CE20240205**
ADDRESS: 206 58th Ave.

CHARLES MACKERT,

Respondent.
_____/

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on May 13, 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. Also present via telephone was Respondent's attorney, Milton Barrington Grey, Jr., of Insurance Litigation Group, PA.

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 46-33, 98-65, and 98-66 of the City's Code of Ordinances for failing to maintain structure by allowing siding and exterior wall underneath to be in disrepair.

5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the siding being in disrepair and missing on the side of house under the top roofline.

6. Respondent testified that his home was damaged during Hurricane Ian and has been embattled with his insurance company on receiving payment to cover the damage to same. Upon advice of counsel, he was directed not to repair the siding until the insurance company completed its investigation and there was a formal denial of coverage.

7. Mr. Grey indicated that formal denial should be forthcoming in the next several weeks and once that is secured, Mr. Mackert can have the house repaired.

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

8. Respondent is found to be in violation of Sections 46-33, 98-65, and 98-66 of the City's Code of Ordinances for inadequately maintaining the property.

9. Respondent shall have **sixty (60) days** from the date of this Order, or by **Friday, July 19, 2024**, to apply for and secure a permit.

10. A status hearing is set for **July 8, at 10:00 a.m.** to determine the status of the matter.

11. 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.

12. It is Respondent's responsibility to notify the City once the property is in compliance.

13. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to $500 per day for each day the violation exists.

Order entered on May 20, 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Counsel for Respondent, Milton Grey, Jr., at milton@ilgpa.com, and via US Mail to Respondent at 206 58th Ave., St. Pete Beach, FL 33706, on May 20, 2024.

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

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on the 30-day extension to secure a permit and bring property into compliance.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing
5. Special Magistrate order 5-20-2024

St. Pete Beach
The Sunset Capital of Florida

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

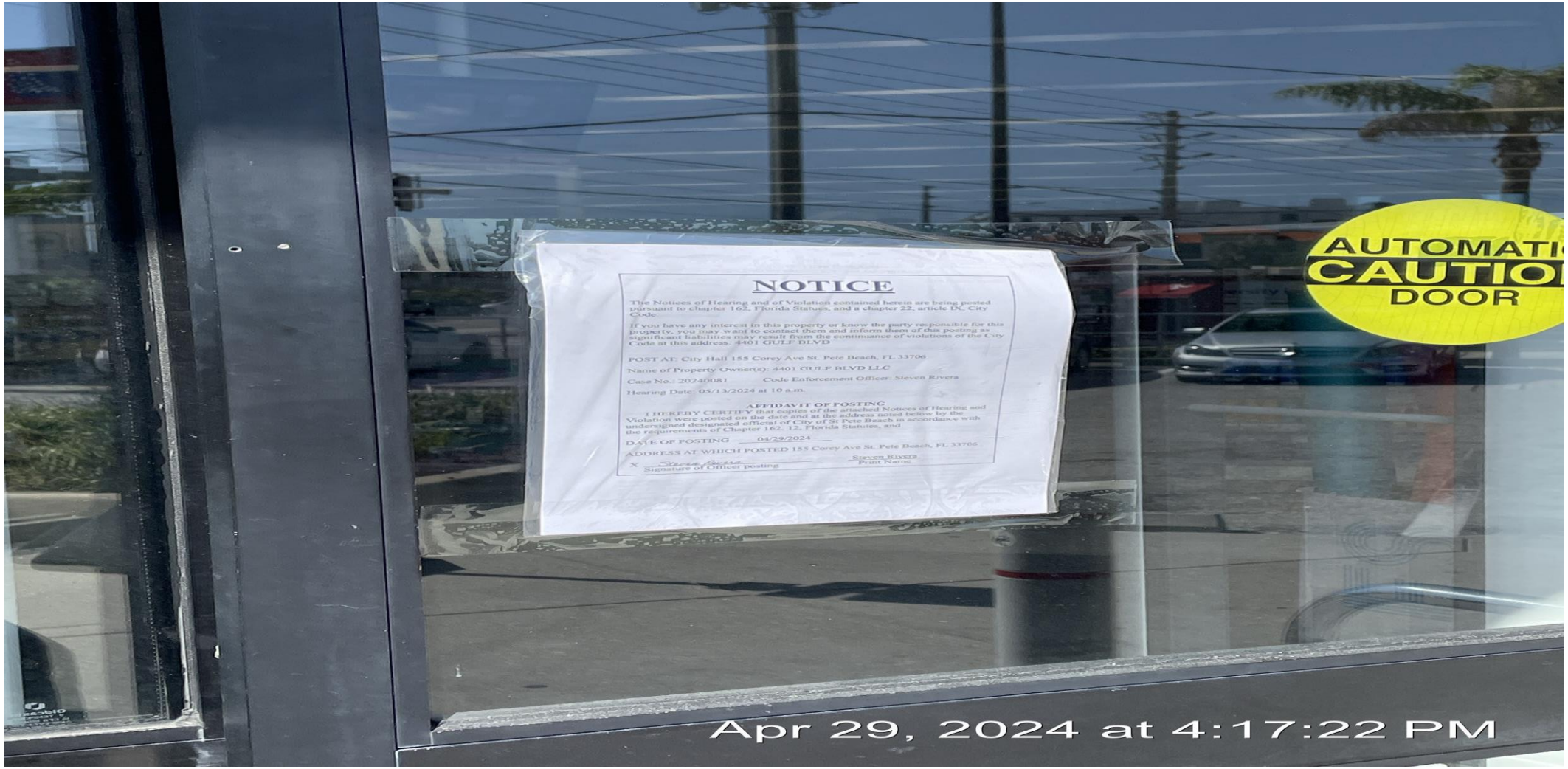
- **Respondent(s): 4401 Gulf Blvd LLC**
- **Violation address: 4401 Gulf Blvd.**
- **Violation(s) description: The property is in violation of section 98-64 General Maintenance (a), 46-33 Enumeration (4)b, 98-65 Unsightly Conditions (1)a & b, 98-66 Residential and Commercial Property Maintenance (a),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

CE20240081

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

4401 Gulf Blvd.

CE20240081
Railing in disrepair

4401 Gulf Blvd.

CE20240081
Railing in disrepair

4401 Gulf Blvd.

CE20240081
Railing in disrepair

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 Statues, 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 meting for assistance.

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v. **CASE NO.: CE20240081**
ADDRESS: 4401 Gulf Blvd.

4401 GULF BLVD, LLC,

Respondent.
_____/

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on May 13, 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 failed to appear.

3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.

4. Respondent was notified that it was in violation of Sections 46-33, 98-64, and 98-66 of the City's Code of Ordinances by failing to maintain a railing system that should have attached to a retaining wall in the parking lot that poses a danger to patrons and pedestrian traffic.

5. Code Enforcement Officer Rivera submitted photographic evidence demonstrating the railings in disrepair and separating from the concrete retaining wall.

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

6. Respondent is found to be in violation of Sections 466-33, 98-64, and 98-66 of the City's Code of Ordinances for maintain the railings in a manner that poses a danger to the public.

7. Respondent shall have **thirty (30) days** from the date of this Order, or by **Wednesday, June 19, 2024**, to apply for and secure a permit, and bring the property into compliance.

8. A status hearing is set for **July 8, 2024, at 10:00 a.m.** to determine the imposition of fines and costs.

9. 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.

10. It is Respondent's responsibility to notify the City once the property is in compliance.

11. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to $500 per day for each day the violation exists.

Order entered on May 20, 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 11575 Cedar Bend Dr., Pinckney, MI 48169 on May 20, 2024.

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

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on a 30-day extension to obtain a permit for the erection of a permanent basketball hoop.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of posting
4. Notice of Hearing
5. Special Magistrate order 5/21/2024

St. Pete Beach
The Sunset Capital of Florida

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 Statues, 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,
vs.
BOYLE, STEPHEN
Respondent(s)

Case Number: 20240155

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 meting for assistance.

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240155
ADDRESS: 3672 Belle Vista Dr. E

STEPHEN BOYLE,

Respondent.
_____/

AMENDED *FINAL ADMINISTRATIVE ORDER
(*Correction to status hearing date only)

This case came before the Special Magistrate on May 13, 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 erecting a basketball hoop that is permanently fixed to the ground with a concrete base without a permit, and potentially impeding the City's right-of-way.

5. Code Enforcement Officer Rivera submitted photographic evidence demonstrating the basketball hoop installed in concrete on Respondent's property but overhanging above the City's parking lot.

6. Respondent testified that there had been a basketball hoop there for nine years, but it was a temporary one that could be moved wherein you put sand or water in the base. This hoop is permanent and installed into a concrete foundation and is located in the same place as the prior hoop on Respondent's property.

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

7. Respondent is found to be in violation of Section 98-123.1 of the City's Code of Ordinances for installing a permanent basketball hoop without the required permit.

8. Respondent shall have **thirty (30) days** from the date of this Order, or by **Wednesday, June 19, 2024**, to apply for and secure a permit for the erection and installation of the basketball hoop.

9. A status hearing is set for **July 8, 2024, at 10:00 a.m.** to determine the status of the matter.

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 May 20, 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Amended Order was sent via email to Respondent at smboylefam@gmail.com on May 21, 2024.

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. 20240283**
City of St. Pete Beach v. Gulf West Properties LLC
Address: 7060 Boca Ciega Dr. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **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.
(20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

The property has overgrown grass which was found to be in violation previously by a Special Magistrate. Stated in that final order was "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."

Funding: N/A

Requested Motion: N/A

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

5. Special Magistrate Order 11/14/2023
6. Special Magistrate Order 6/10/2024

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF REPEAT VIOLATION

5/7/2024

GULF WEST PROPERTIES LLC
250 COREY AVE
ST PETERSBURG FL 33706

RE: Case Number 20240283
Violation: Overgrown Grass
Violation Address: 7060 BOCA CIEGA DR
Parcel ID#: 363115050940270040

Dear Property Owner:

Your property has overgrown grass which was found to be in violation previously by a Special Magistrate. Stated in that final order was "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."

Your property was found in violation by the Special Magistrate on 11/14/2023, for the same violation (98-66 Residential and commercial property maintenance (a)(b)(20). This constitutes a repeat violation of the section mentioned above and will not be allowed to continue. Once you are cited for a violation of the Code for a specified activity, such citation remains in effect for repeat violations.

Please be advised that this matter is being referred to the Special Magistrate for hearing on 6/10/2024 at 10am.

If you require further information, please contact Code Enforcement at (727) 363-9211 or (727) 363-9209 between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday.

Sincerely,

Luis Cruz 727-589-2564

Luis Cruz
Code Enforcement Officer

CE20240283

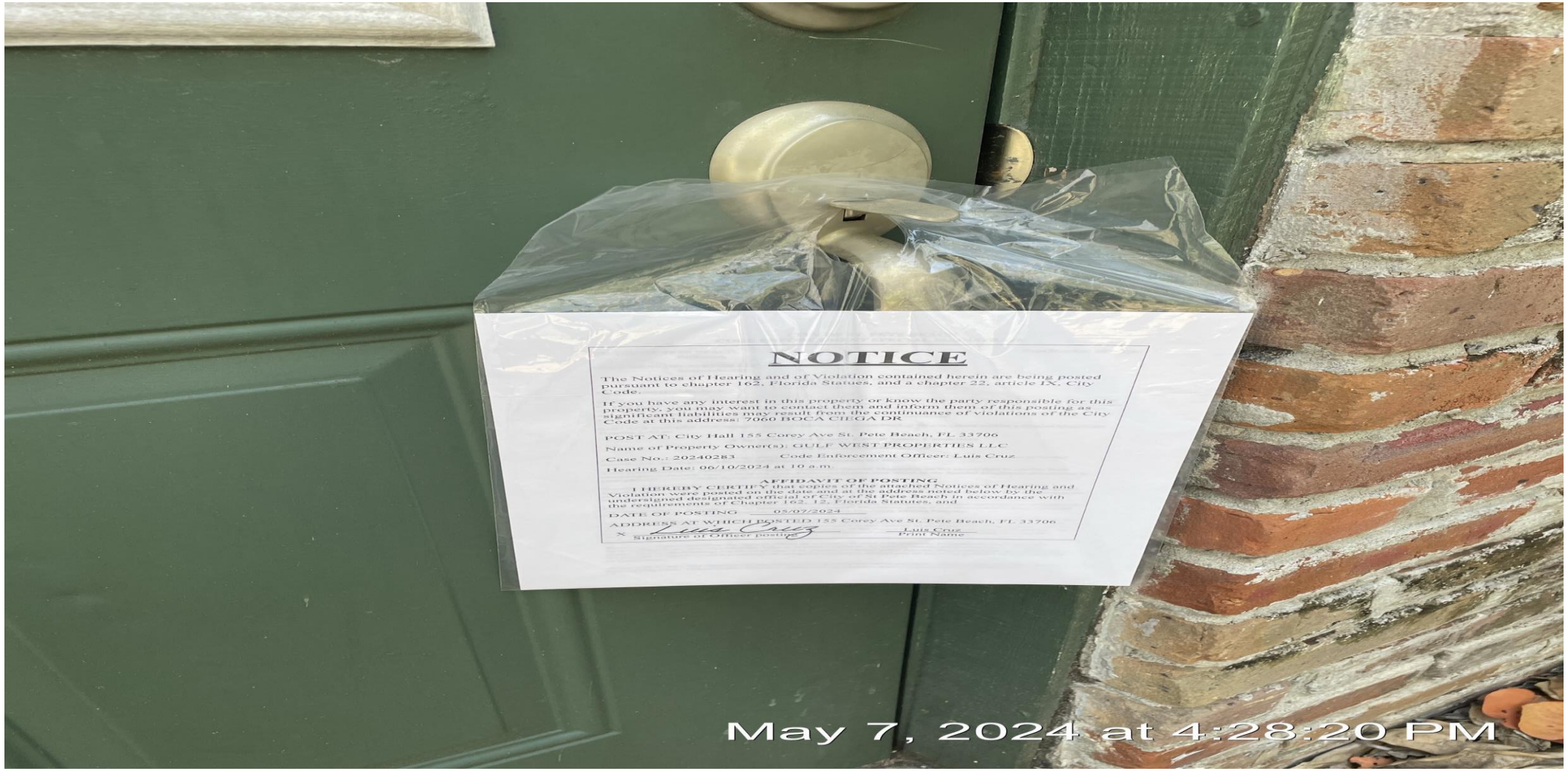
- **Respondent(s): Gulf West Properties LLC**
- **Violation address: 7060 Boca Ciega Dr.**
- **Violation(s) description: The property is in violation of sections 98-66 Residential and commercial property maintenance (a), (b), and (20) of the Code of Ordinances of the City of St. Pete Beach**

CE20240283

Case Summary

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

CE20240283
Affidavit of Posting



7060 Boca Ciega Dr.

CE20240283
Overgrown grass

7060 Boca Ciega Dr.

CE20240283
Overgrown grass / strewn palm fronds

7060 Boca Ciega Dr.

CE20240283
Overgrown grass

7060 Boca Ciega Dr.

CE20240283
Overgrown grass

7060 Boca Ciega Dr.

CE20240283
Overgrown grass

7060 Boca Ciega Dr.

CE20240283
Overgrown grass

7060 Boca Ciega Dr.

CE20240283
Overgrown grass

7060 Boca Ciega Dr.

CE20240283
Property compliant

7060 Boca Ciega Dr.

CE20240283
Property compliant

7060 Boca Ciega Dr.

CE20240283
Property compliant

7060 Boca Ciega Dr.

CE20240283
Property compliant

7060 Boca Ciega Dr.

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 7060 BOCA CIEGA DR

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

Name of Property Owner(s): GULF WEST PROPERTIES LLC

Case No.: 20240283 Code Enforcement Officer: Luis Cruz

Hearing Date: 06/10/2024 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 05/07/2024

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

X Luis Cruz Luis Cruz

Signature of Officer posting Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
GULF WEST PROPERTIES LLC
Respondent(s)

Case Number: 20240283

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 **06/10/2024** 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 **7060 BOCA CIEGA DR** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 05/07/2024

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 meting for assistance.

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230437
ADDRESS: 7060 Boca Ciega Dr.

GULF WEST PROPERTIES, LLC

Respondent.

_____/

FINAL ADMINISTRATIVE ORDER

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

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.

2. Respondent's authorized agent, Ms. Shiela Hutman, appeared via telephone. Ms. Hutman possesses the requisite authority to represent Respondent.

3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.

4. Respondent was notified that it was in violation of Section 98-66 of the City's Code of Ordinances by allowing overgrowth of trees to impede the sidewalk, allowing for the overgrowth and ill maintenance of grass on the property, as well as other landscaping debris.

5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating landscaping debris (palm fronds, etc.) strewn about the property, the overgrowth of trees impeding travel on the surrounding sidewalks, as well as dead or dying palm fronds that needed to be pared back from trees on the property. Though Mr. Cruz submitted photographic evidence of some overgrowth of grass, he did not know and could not testify if that overgrowth amounted to 10 inches of growth.

6. Ms. Hutman testified on behalf of Respondent that she accepts responsibility for the status of the property, that it was partly due to a hurricane event that passed through, but that the property has now been cleared.

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

7. At the time of the hearing the Respondent and its property were compliant with the cited sections of Code.

8. No fines shall be assessed, but Respondent will be responsible for paying the reasonable administrative costs of the City.

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.

Order entered on November 14, 2023.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent by US Mail to Respondent at 250 Corey Ave, St. Petersburg, 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.

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v. **CASE NO.: CE20240283**
ADDRESS: 7060 Boca Ciega Dr.

GULF WEST PROPERTIES, LLC,

Respondent.
_____/

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on June 10, 2024. The Special Magistrate, based on the information presented at the hearing relating to technical issues with the presentation of evidence, issues the following order:

IT IS ADJUDGED that this matter is continued until the **July 8, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 10th day of June 2024.

Erica Augello
Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 250 Corey Ave, St. Petersburg, FL 33706.

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

Agenda Report

Issue Considered: **Case No. 20240168**
City of St. Pete Beach v. Family International Home Builders LLC
Address: 7210 Gulf Blvd. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 46-33. - Enumeration.**
The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is declared to be and constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:
(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.
Sec. 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.
(20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.
(e) Outdoor storage. Outside storage of materials and

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

There is graffiti on the concrete wall bordering the vacant lot and the building on the property that must be covered, the property has overgrown grass on the vacant lot and outside the chain-link fence, and there is materials/equipment/debris on the vacant lot by the trailer that must be removed as well.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing
5. Special Magistrate Order 6/10/2024

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

3/20/2024

FAMILY INTERNATIONAL HOME BUILDERS LLC
2338 NW 51st ST
MIAMI, FL 33142-3677

RE: Case Number 20240168
Violation Address: 7210 GULF BLVD
Parcel ID#: 363115591520000010

Dear Property Owner:

You have graffiti on the concrete wall bordering the vacant lot and the building on your property that must be covered, the property has over grown grass on the vacant lot and outside the chain-link fence, and there is materials/equipment/debris on the vacant lot by the trailer that must be removed as well. 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:
(2) Accumulation of trash, litter, debris, garbage, bottles, paper, cans, rags, dead or decayed fish, fowl, meat or other animal matter; fruit, vegetables, offal, bricks, concrete, scrap lumber or other building debris or other refuse of any nature.

Sec. 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.
(20) Grass, weeds and uncultivated vegetation. All grasses or weeds, and uncultivated vegetation, shall not exceed ten inches in height on improved property, including the area between the edge of the pavement in the street and the lot line.

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

These violation(s) must be corrected **no later than 4/5/2024.** If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to $250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Luis Cruz 727-589-2564

Luis Cruz
Code Enforcement Officer

CE20240168

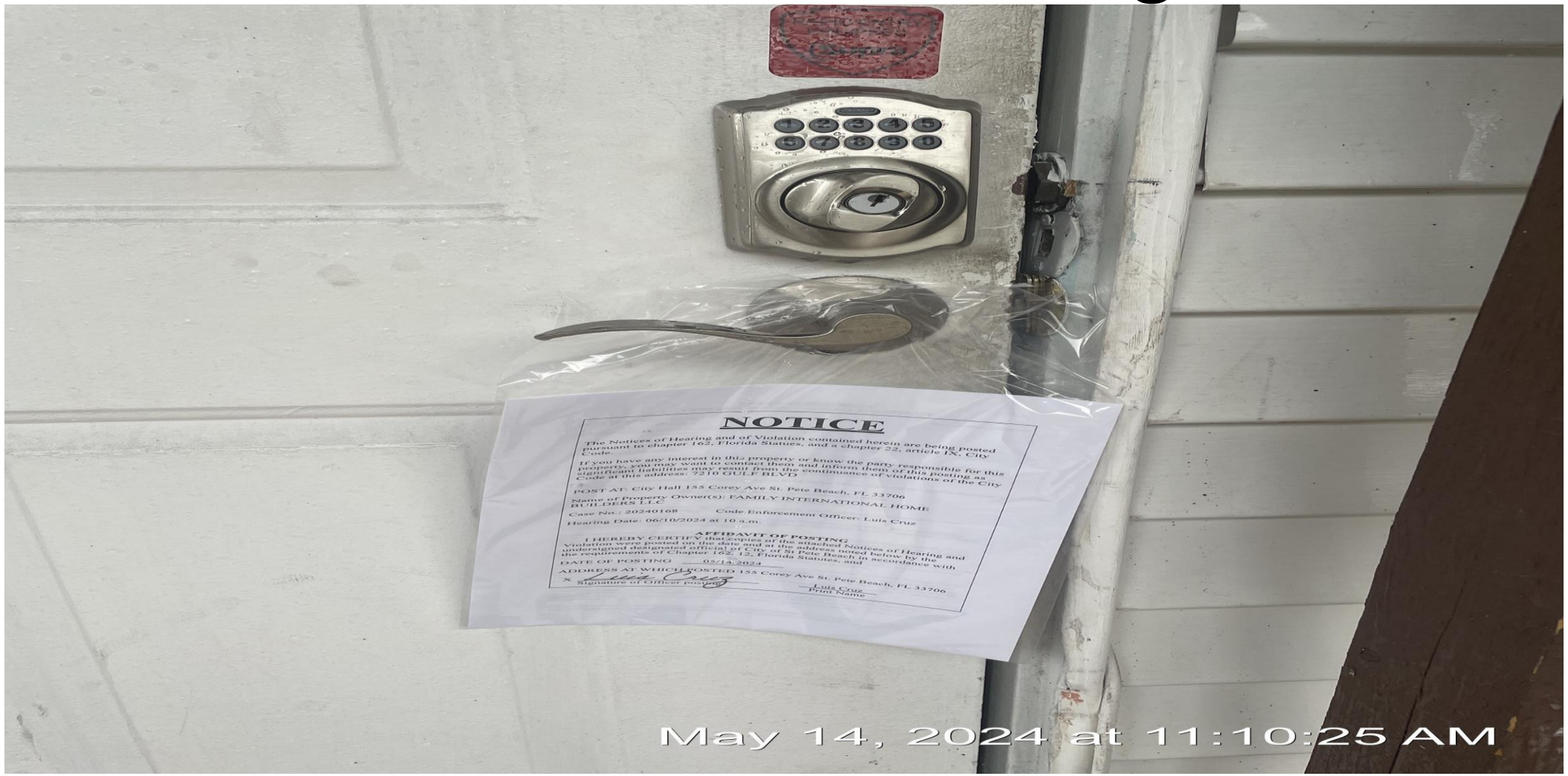
- **Respondent(s): Family International Home Builders LLC**
- **Violation address: 7210 Gulf Blvd.**
- **Violation(s) description: The property is in violation of sections 46-33 Enumeration (2), 98-64 General Maintenance (a), & 98-66 Residential and commercial property maintenance (a), (b), (20) and (e) of the Code of Ordinances of the City of St. Pete Beach**

CE20240168

Case Summary

- **Initial inspection: 3/19/2024**
- **Notice of Violation dated: 3/20/2024**
- **Notice of Violation compliance date: 4/5/2024**
- **Notices of Hearing dated and posted on the property: 5/14/2024**

CE20240168
Affidavit of Posting



7210 Gulf Blvd.

CE20240168
Graffiti on concrete wall

7210 Gulf Blvd.

CE20240168
Outside storage of trash and equipment

7210 Gulf Blvd.

CE20240168
Overgrown grass

7210 Gulf Blvd.

CE20240168
Overgrown grass

7210 Gulf Blvd.

CE20240168
Graffiti on concrete wall

7210 Gulf Blvd.

CE20240168
Overgrown grass

7210 Gulf Blvd.

CE20240168
Outside storage of trash and equipment

7210 Gulf Blvd.

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 7210 GULF BLVD

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

Name of Property Owner(s): FAMILY INTERNATIONAL HOME BUILDERS LLC

Case No.: 20240168 Code Enforcement Officer: Luis Cruz

Hearing Date: 06/10/2024 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 05/14/2024

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

X Luis Cruz Luis Cruz

Signature of Officer posting Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
FAMILY INTERNATIONAL HOME BUILDERS LLC
Respondent(s)

Case Number: 20240168

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 **06/10/2024** 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 **7210 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 05/14/2024

Luis Cruz
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240168
ADDRESS: 7210 Gulf Blvd.

FAMILY INTERNATIONAL HOME BUILDERS, LLC,

Respondent.
_____/

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on June 10, 2024. The Special Magistrate, based on the information presented at the hearing relating to technical issues with the presentation of evidence, issues the following order:

IT IS ADJUDGED that this matter is continued until the **July 8, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 10th day of June 2024.

Erica Augello
Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 2338 NW 51st Street, Miami, FL 33142.

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

Agenda Report

Issue Considered: **Case No. 20240014**
City of St. Pete Beach v. Stephen G. Parks
Address: 420 80th Ave. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 23.2. - Residential parking restricted.**
Residential parking restrictions shall apply within the RU-1, RU-2, RLM-1, RLM-2 and RM zoning districts. For the purpose of this section, the term "stored" shall be construed to include parking for a period exceeding 48 hours.
(b) Boats and trailers. Boats and trailers may be stored in accordance with the following:
(2) No more than one boat and/or trailer may be stored in a front yard, provided that the following regulations are met:
a. On an improved surface or on an unimproved area adjacent to the side property line; and
b. Such that the length of the boat and/or trailer is perpendicular to the front property line of the zoning lot; and
c. Located a minimum of ten feet from the back of the curb on any public street.
Sec. 98-65. - Unsightly conditions.
The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:
(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall

keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

There is a fridge that is stored on the driveway that must be removed as well as parking the boat in a restricted manner. The proper way to park the boat is shown in the Notice of Violation. The driveway may not be big enough to have the boat parked in a manner that does not violate the code.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing
5. Special Magistrate Order 6/10/2024

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

4/11/2024

PARKS, STEPHEN G
420 80TH AVE
ST PETE BEACH , FL 33706-1604

RE: Case Number 20240014
Violation Address: 420 80TH AVE
Parcel ID#: 363115781740840100

Dear Property Owner:

You have a fridge that is stored on your driveway that must be removed as well as parking your boat in a restricted manner. The proper way to park your boat is below, your driveway may not be big enough to have the boat parked in a manner that does not violate the code. You are in violation of the following sections:

Sec. 23.2. - Residential parking restricted.

Residential parking restrictions shall apply within the RU-1, RU-2, RLM-1, RLM-2 and RM zoning districts. For the purpose of this section, the term "stored" shall be construed to include parking for a period exceeding 48 hours.
(b) Boats and trailers. Boats and trailers may be stored in accordance with the following:
(2) No more than one boat and/or trailer may be stored in a front yard, provided that the following regulations are met:
a. On an improved surface or on an unimproved area adjacent to the side property line; and
b. Such that the length of the boat and/or trailer is perpendicular to the front property line of the zoning lot; and
c. Located a minimum of ten feet from the back of the curb on any public street.

Sec. 98-65. - Unsightly conditions.

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

These violation(s) must be corrected **no later than 4/28/2024.** If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to $250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Luis Cruz 727-589-2564

Luis Cruz
Code Enforcement Officer

CE20240014

- **Respondent(s):Stephen G. Parks**
- **Violation address: 420 80th Ave.**
- **Violation(s) description: The property is in violation of sections 98-65 Unsightly conditions (4) & 23.2 Residential parking restricted (b) (2) a., b., and c. of the Code of Ordinances and Land Development Code of the City of St. Pete Beach**

CE20240014

Case Summary

- **Initial inspection: 4/2/2024**
- **Notice of Violation dated: 4/11/2024**
- **Notice of Violation compliance date: 4/28/2024**
- **Notices of Hearing dated and posted on the property: 5/16/2024**

CE20240014
Affidavit of Posting

420 80th Ave.

CE20240014
Boat stored not in accordance with parking regulations

420 80th Ave.

CE20240014
Boat stored not in accordance with parking regulations

420 80th Ave.

CE20240014
Appliance stored outside

420 80th Ave.

CE20240014
Boat stored not in accordance with parking regulations

420 80th Ave.

CE20240014
Appliance stored outside

420 80th Ave.

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 420 80TH AVE

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

Name of Property Owner(s): PARKS, STEPHEN G

Case No.: 20240014 Code Enforcement Officer: Luis Cruz

Hearing Date: 06/10/2024 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 05/16/2024

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

X Luis Cruz Luis Cruz

Signature of Officer posting Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
PARKS, STEPHEN G
Respondent(s)

Case Number: 20240014

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 **06/10/2024** 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 **420 80TH 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 05/16/2024

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 meting for assistance.

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v. **CASE NO.: CE20240014**
ADDRESS: 420 80th Ave.

STEPHEN G. PARKS,

Respondent.
_____/

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on June 10, 2024. The Special Magistrate, based on the information presented at the hearing relating to technical issues with the presentation of evidence, issues the following order:

IT IS ADJUDGED that this matter is continued until the **July 8, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 10th day of June 2024.

Erica Augello
Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 420 80th Ave., St. Pete Beach, FL 33706.

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

Agenda Report

Action Request: N/A

Strategic Objective:

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 78-96. - Business tax receipt—Required.**
No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

Your BTR (Business Tax Receipt) is overdue. Please contact Joanne Bolland, who is the Permitting Administrator to make a payment.
Phone: 727-363-9214 email: jbolland@stpetebeach.org

Funding: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing
5. Special Magistrate order 6/10/24

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

5/3/2024

HASANI CAPITAL LLC
360 CENTRAL AVE STE 800
ST. PETERSBURG, FL 33701

RE: Case Number 20240275
Violation Address: 3505 GULF BLVD # SOUTH
Parcel ID#: 073216218520080030

Dear Property Owner:

Your BTR (Business Tax Receipt) is overdue. Please contact Joanne Bolland, who is the Permitting Administrator to make a payment.
Phone: 727-363-9214 email: jbolland@stpetebeach.org

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

> Sec. 78-96. - Business tax receipt—Required.
> No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

These violation(s) must be corrected **no later than 5/13/2024.** 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

CE202400275
Affidavit of Posting

3505 Gulf Blvd South

CE20240275

- Respondent(s): Hasani Capital LLC
- Violation address: 3505 Gulf Blvd South
- Violation(s) description: The property is in violation of sections 78-96 Business tax receipt – Required, of the Code of Ordinances of the City of St. Pete Beach

CE20240275

Case Summary

- Initial inspection: 5/2/2024
- Notice of Violation dated: 5/3/2024
- Notice of Violation compliance date: 4/25/2024
- Notices of Hearing dated and posted on the property: 5/13/2024

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 3505 GULF BLVD # SOUTH

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

Name of Property Owner(s): HASANI CAPITAL LLC

Case No.: 20240275 Code Enforcement Officer: Steven Rivera

Hearing Date: 06/10/2024 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 05/14/2024

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
HASANI CAPITAL LLC
Respondent(s)

Case Number: 20240275

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 **06/10/2024** 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 **3505 GULF BLVD # SOUTH** 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 05/14/2024

Steven Rivera

Steven Rivera
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v. **CASE NO.: CE20240275**
ADDRESS: 3505 Gulf Blvd. South

HASANI CAPITAL, LLC,

Respondent.
_____/

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on June 10, 2024. The Special Magistrate, based on the information presented at the hearing relating to technical issues with the presentation of evidence, issues the following order:

IT IS ADJUDGED that this matter is continued until the **July 8, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 10th day of June 2024.

Erica Augello
Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 360 Central Ave., Ste. 800, St. Petersburg, FL 33701.

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

Agenda Report

Issue Considered: **Case No. 20240247**
City of St. Pete Beach v. Sungold LLC
Address: 3815 Gulf Blvd St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: 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 **Sec. 46-33 - Enumeration.**
constitutes a nuisance, provided this enumeration shall not be construed as a designation of all nuisances:
(1) Vegetation as follows:
b. Dead branches or fronds on trees or shrubs.
(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.
(3) Any condition which provides harborage for rats, mice, snakes and other vermin.
Sec. 98-65 - Unsightly Conditions.
The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:
(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its

control or occupancy in a clean and sanitary condition.

Sec. 98-66 - Residential and Commercial Property Maintenance

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

(b) Standards for improved property.

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

(c) Litter.

(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 property has miscellaneous trash and debris scattered about that needs to be cleaned up and disposed of properly. The fence on the Gulf Blvd side is in disrepair and needs to be repaired, replaced or removed. The dead palm fronds on the tress and on the ground need to be cleaned ups removed.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice Of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing
5. Special Magistrate order 6/10/2024

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

4/19/2024

SUNGOLD LLC
3618 EL CENTRO ST
ST PETE BEACH FL 33706-3908

RE: Case Number 20240247
Violation Address: 3815 GULF BLVD
Parcel ID#: 073216073980010230

Dear Property Owner:

The property has miscellaneous trash and debris scattered about that needs to be cleaned up and disposed of properly. The fence on the Gulf Blvd side is in disrepair and needs to be repaired, replaced or removed. The dead palm fronds on the tress and on the ground need to be cleaned ups removed.

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:
(1) Vegetation as follows:
b. Dead branches or fronds on trees or shrubs.

(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.
(3) Any condition which provides harborage for rats, mice, snakes and other vermin.

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:
(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.
24) Fences and walls. Fences and walls shall be maintained in a safe and structurally sound condition, in good repair with the surface coated or painted. Fences shall be free from loose or rotting materials. Metal fencing shall be free from rust or deterioration.
(c) Litter.
(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 5/3/2024.** 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

CE20240247

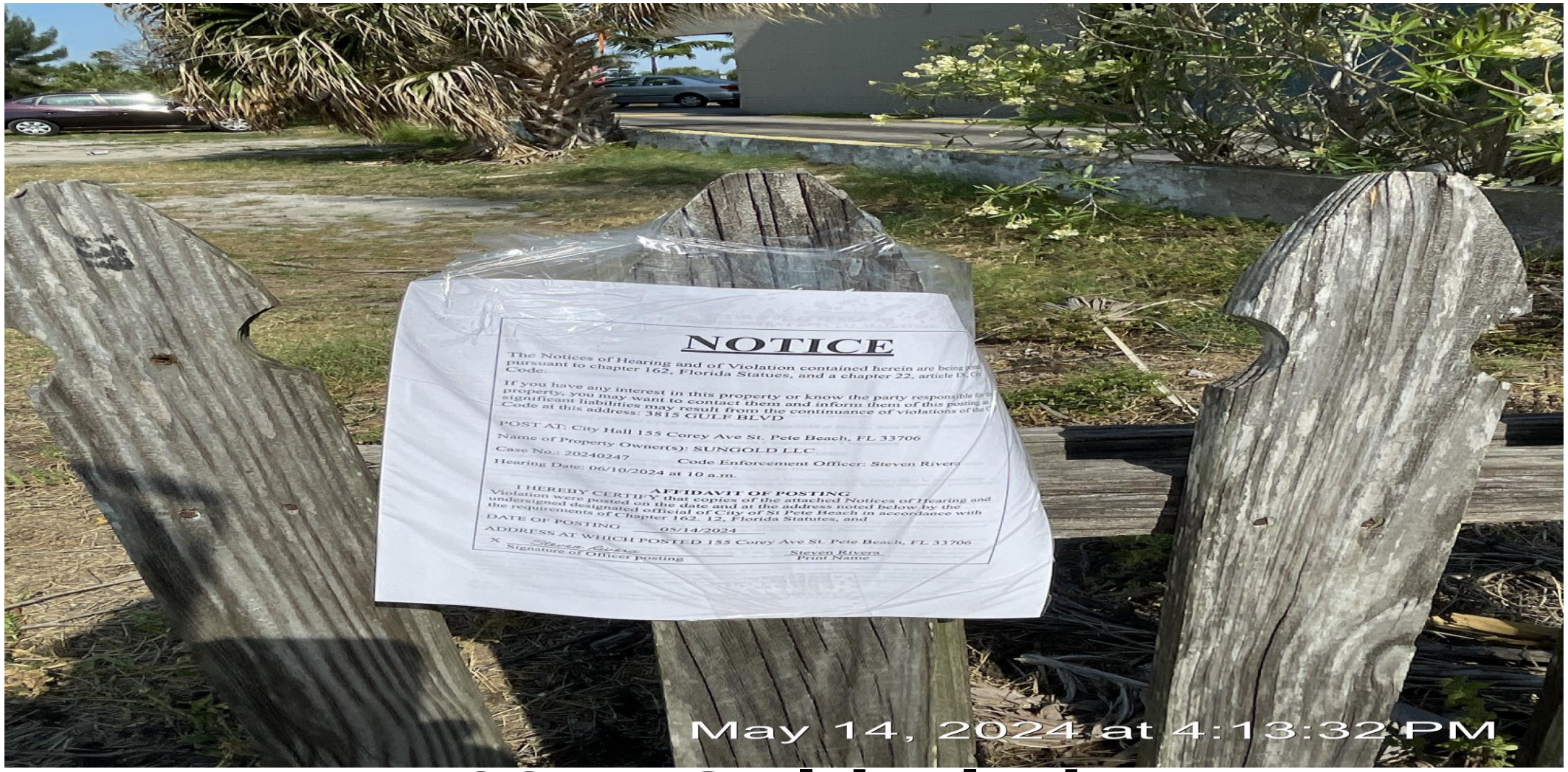
- **Respondent(s): Sungold LLC**
- **Violation address: 3815 Gulf Blvd.**
- **Violation(s) description: The property is in violation of section(s) 46-33 (1)b, (2) & (3) Enumeration, 98-65 (4) Unsightly Conditions, 98-66 (a) (b) (24) (c) & (3) Residential and Commercial Property Maintenance of the Code of Ordinances of the City of St. Pete Beach**

CE20240247

Case Summary

- **Initial inspection: 4/19/2024**
- **Notice of Violation dated: 4/19/2024**
- **Notice of Violation compliance date: 5/3/2024**
- **Notices of Hearing dated and posted on the property: 5/14/2024**

CE202400247
Affidavit of Posting



3815 Guld Blvd.

CE20240247
Dead palm fronds on tree and ground

3815 Gulf Blvd.

CE20240247
Dead palm fronds

3815 Gulf Blvd.

CE20240247
Fence in disrepair and trash on property

3815 Gulf Blvd.

CE20240247
Trash on property

3815 Gulf Blvd.

CE20240247
Trash on property

3815 Gulf Blvd.

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 3815 GULF BLVD

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

Name of Property Owner(s): SUNGOLD LLC

Case No.: 20240247 Code Enforcement Officer: Steven Rivera

Hearing Date: 06/10/2024 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 05/14/2024

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
SUNGOLD LLC
Respondent(s)

Case Number: 20240247

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 **06/10/2024** 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 **3815 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 05/14/2024

Steven Rivera

Steven Rivera
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v. **CASE NO.: CE20240247**
ADDRESS: 3815 Gulf Blvd.

SUNGOLD, LLC,

Respondent.
_____/

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on June 10, 2024. The Special Magistrate, based on the information presented at the hearing relating to technical issues with the presentation of evidence, issues the following order:

IT IS ADJUDGED that this matter is continued until the **July 8, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 10th day of June 2024.

Erica Augello
Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 3618 El Centro St., St. Pete Beach, FL 33706.

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

Agenda Report

Action Request: N/A

Strategic Objective:

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

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

The stairs that were replace required a permit. As of 4/24/24 there are no permit applications for the stairs. Please obtain an after the fact permit for the stairs that were replaced. The vegetation on the Sunset Way side of the property is overgrown and encroaching on the street and power lines. Please have the vegetation cut back.

Funding: N/A

Attachments:
1. Notice of violation
2. Evidence

3. Affidavit of Posting
4. Notice of Hearing
5. Special Magistrate order 6/10/2024

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

4/25/24

SW-GOM LTD PTNSHP
172 GARY RD
STAMFORD CT 06903-4829

RE: Case Number 20240214
Violation Address: 2705 SUNSET WAY
Parcel ID#: 183216610020040030

Dear Property Owner:

The stairs that were replace required a permit. As of 4/24/24 there are no permit applications for the stairs. Please obtain an after the fact permit for the stairs that were replaced. The vegetation on the Sunset Way side of the property is overgrown and encroaching on the street and power lines. Please have the vegetation cut back.

Sec. 98-123.1. - Permits required.

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

Sec. 98-66 - Residential and Commercial Property Maintenance

Sec. 98-66. - Residential and commercial property maintenance.
(a) All premises shall be maintained in compliance with the standards in this section.
(b) Standards for improved property.
(22) Trees. Trees shall be maintained or removed as follows:
b. Prohibited conditions. The following conditions are prohibited:

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

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

CE20240214

- **Respondent(s): SW-GOM LTD PTNERSHP**
- **Violation address: 2705 Sunset Way**
- **Violation(s) description: The property is in violation of section(s) 123.1 Permits required, of the Code of Ordinances of the City of St. Pete Beach**

CE20240214

Case Summary

- **Initial inspection: 4/9/2024**
- **Notice of Violation dated: 4/25/2024**
- **Notice of Violation compliance date: 5/3/2024**
- **Notices of Hearing dated and posted on the property: 5/14/2024**

CE202400214
Affidavit of Posting

2705 Sunset Way

CE20240214
Unpermitted staircase

2705 Sunset Way

CE20240205
Unpermitted staircase

2705 Sunset Way

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 2705 SUNSET WAY

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

Name of Property Owner(s): SW-GOM LTD PTNSHP

Case No.: 20240214 Code Enforcement Officer: Steven Rivera

Hearing Date: 06/10/2024 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 05/14/2024

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
SW-GOM LTD PTNSHP
Respondent(s)

Case Number: 20240214

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

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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 **2705 SUNSET WAY** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 05/14/2024

Steven Rivera

Steven Rivera
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v. **CASE NO.: CE20240214**
ADDRESS: 2705 Sunset Way

SW-GOM LTD PTNERSHP,

Respondent.
_____/

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on June 10, 2024. The Special Magistrate, based on the information presented at the hearing relating to technical issues with the presentation of evidence, issues the following order:

IT IS ADJUDGED that this matter is continued until the **July 8, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 10th day of June 2024.

Erica Augello
Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 172 Gary Road, Stamford, CT 06903-4829.

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

Agenda Report

Issue Considered: **Case No. 20240089**
City of St. Pete Beach v. Patrick Thomas McNulty & Annette Weis-McNulty
Address: 104 46th Ave. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 22.4. - Type, quality and size of plant material.**
(f) Ground covers. Vegetative ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall nonvegetative pervious material (for the purposes of this section, stone, shell, gravel, and artificial turf only) be utilized for more than 20 percent of the minimum required pervious area, nor shall such material adversely affect abutting properties, waterways, or the right-of-way. The 20 percent maximum nonvegetative portion of the required pervious area may be increased administratively if the property owner installs an innovative landscape design that incorporates features that retain stormwater onsite, reduces the need for ground water irrigation, or increases the tree canopy as determined by professional best practices which include, but are not limited to, Florida-friendly landscaping, xeriscaping, and low-impact development. New construction that exceeds 10% of the zoning lot area, or the granting of an undue and unnecessary hardship variance or practical difficulty variance, shall require full compliance with this section. A recommended list of vegetative ground covers to be used includes, but is not limited to, the following:
Gallardia Pullchella (Gallardia)*
Helianthus Debius (Beach Sunflower)*

Lantana Camara (Dwarf Yellow Lantana)*
Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*
Trachelospernum Jasmine Minima Varegated (Varegated Dwarf Confederated Jasmine)*
Trachelospernum Jasminoides (Confederate Jasmine)*
Licania michauxii (Gopher Apple)
Scaevola plumieri (Inkberry)
Stachytarpheta jamaicensis (Prone Porterweed)*
Zamia pumila (Coontie)*
Muhlenbergia capillaris (Muhley Grass)*

Sec. 23.11. - Parking construction and design requirements.

1. General construction requirements.
   (1) All driveway and off-street parking areas shall be constructed of concrete, concrete, pavers or equal on a properly constructed and compacted base unless an alternative is approved by the city.
   (2) No slag, rock, pea gravel or other loose type of material shall be used.

The non vegetated materials are exceeding the 20 percent limit that is permitted. Loose materials are not permitted to be used for driveway parking.

Funding: N/A

Requested Motion: N/A

Attachments:

1. Notice of Violation
2. Evidence
3. Affidavit of Posting
4. Notice of Hearing
5. Special Magistrate order 6/10/2024

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

2/9/2024

MCNULTY, PATRICK THOMAS WEIS-MCNULTY, ANNETTE
1100 BOCA CIEGA ISLE DR
ST PETE BEACH, FL 33706

RE: Case Number 20240089
Violation Address: 104 46TH AVE
Parcel ID#: 063216655200000070

Dear Property Owner:

The non vegetated materials are exceeding the 20 percent limit that is permitted. Loose materials are not permitted to be used for driveway parking.

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

Sec. 22.4. - Type, quality and size of plant material.
(f) Ground covers. Vegetative ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage. In no instance shall nonvegetative pervious material (for the purposes of this section, stone, shell, gravel, and artificial turf only) be utilized for more than 20 percent of the minimum required pervious area, nor shall such material adversely affect abutting properties, waterways, or the right-of-way. The 20 percent maximum nonvegetative portion of the required pervious area may be increased administratively if the property owner installs an innovative landscape design that incorporates features that retain stormwater onsite, reduces the need for ground water irrigation, or increases the tree canopy as determined by professional best practices which include, but are not limited to, Florida-friendly landscaping, xeriscaping, and low-impact development. New construction that exceeds 10% of the zoning lot area, or the granting of an undue and unnecessary hardship variance or practical difficulty variance, shall require full compliance with this section. A recommended list of vegetative ground covers to be used includes, but is not limited to, the following:
Gallardia Pullchella (Gallardia)*
Helianthus Debius (Beach Sunflower)*
Lantana Camara (Dwarf Yellow Lantana)*
Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*
Trachelospernum Jasmine Minima Varegated (Varegated Dwarf Confederated Jasmine)*
Trachelospernum Jasminoides (Confederate Jasmine)*
Licania michauxii (Gopher Apple)

Scaevola plumieri (Inkberry)
Stachytarpheta jamaicensis (Prone Porterweed)*
Zamia pumila (Coontie)*
Muhlenbergia capillaris (Muhley Grass)*

Sec. 23.11. - Parking construction and design requirements.

Sec. 23.11. - Parking construction and design requirements.
(a) General construction requirements.
(1) All driveway and off-street parking areas shall be constructed of concrete, concrete, pavers or equal on a properly constructed and compacted base unless an alternative is approved by the city.
(2) No slag, rock, pea gravel or other loose type of material shall be used.

These violation(s) must be corrected **no later than 3/1/2024.** If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to $250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Steven Rivera 727-235-5398

Steven Rivera
Code Enforcement Officer

CE20240089

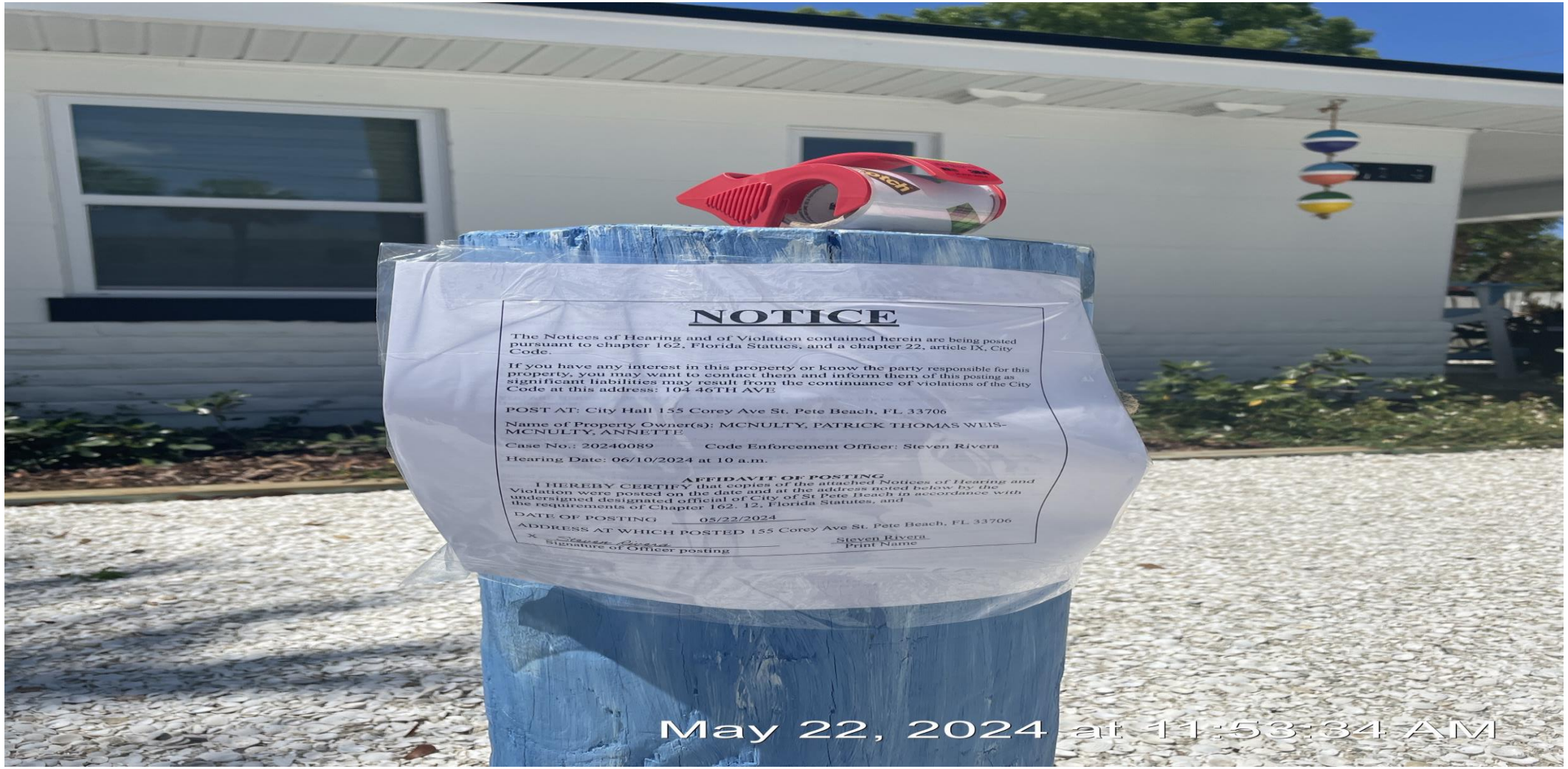
- **Respondent(s): Thomas McNulty & Annette Weis-McNulty**
- **Violation address: 104 46th Ave.**
- **Violation(s) description: The property is in violation of section(s) 23.4 (f), Type, quality and size of plant material, 23.11 (a)(1) & (2) Parking construction and design requirements of the Land Development Code of the City of St. Pete Beach**

CE20240089

Case Summary

- **Initial inspection: 2/7/2024**
- **Notice of Violation dated: 2/9/2024**
- **Notice of Violation compliance date: 3/1/2024**
- **Notices of Hearing dated and posted on the property: 5/22/2024**

CE202400089
Affidavit of Posting



104 46th Ave.

CE20240089
Google image May 2022

104 46th Ave.

CE20240089
Shelled front yard

104 46th Ave.

CE20240089
Shelled front yard

104 46th Ave.

CE20240089
Shelled front yard

104 46th Ave.

CE20240089
Shelled front yard

104 46th Ave.

CE20240089
Shelled front yard

104 46th Ave.

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 104 46TH AVE

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

Name of Property Owner(s): MCNULTY, PATRICK THOMAS WEIS-MCNULTY, ANNETTE

Case No.: 20240089 Code Enforcement Officer: Steven Rivera

Hearing Date: 06/10/2024 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 05/22/2024

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.
MCNULTY, PATRICK THOMAS WEIS-MCNULTY, ANNETTE
Respondent(s)

Case Number: 20240089

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 **06/10/2024** 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 **104 46TH 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 05/22/2024

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 meting for assistance.

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v. **CASE NO.: CE20240089**
ADDRESS: 104 46th Ave.

PATRICK THOMAS MCNULTY
and ANNETTE WEIS-MCNULTY,

Respondents.
_____/

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on June 10, 2024. The Special Magistrate, based on the information presented at the hearing relating to technical issues with the presentation of evidence, issues the following order:

IT IS ADJUDGED that this matter is continued until the **July 8, 2024**, Code Enforcement Special Magistrate Hearing.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 10th day of June 2024.

Erica Augello
Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondents at 1100 Boca Ciega Isle Dr., St. Pete Beach, FL 33706.

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

Agenda Report

Issue Considered: **Case No. 20240285**
City of St. Pete Beach v. Michael A Zara & Chia-Yi Liang
Address: 108 18th Ave. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 20.03 Permitted principal uses and structures**
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:
(a) All uses permitted in the underlying zoning district; and
(b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

You have exceeded the 3-short term rentals permitted within a 12-month period in the RU2/PAG zoning district. This violation is considered to be irreparable and irreversible in nature. This property was also found to be in violation in 2022 for exceeding the short-term rental ordinance making this a repeat violation.

Funding: N/A

Requested Motion: N/A

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

5. Special Magistrate Order 11/7/2022

St. Pete Beach
The Sunset Capital of Florida
155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

Irreparable or Irreversible Notice of Violation

06/25/2024

ZARA, MICHAEL A and LIANG, CHIA-YI
834 S BAYSIDE DR TAMPA FL 33609-3634
TAMPA FL 33609-3634

Re: **Case Number 20240285**
Violation Address: 108 18TH AVE, ST PETE BEACH FL 33706
Parcel ID#: 183216686340060950

Dear Property Owner:

Amended You have exceeded the 3-short term rentals permitted within a 12-month period in the RU2/PAG zoning district. This violation is considered to be irreparable and irreversible in nature. This property was also found to be in violation in 2022 for exceeding the short-term rental ordinance making this a repeat violation.

> **Sec. 20.03 Permitted principal uses and structures**
> Sec. 20.03. - Permitted principal uses and structures.
> Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:
> (a) All uses permitted in the underlying zoning district; and
> (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **07/08/2024, at 10 A.M.**

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

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

Sincerely,

Steven Rivera 727-235-5398

Steven Rivera
Code Enforcement Officer

CE20240285

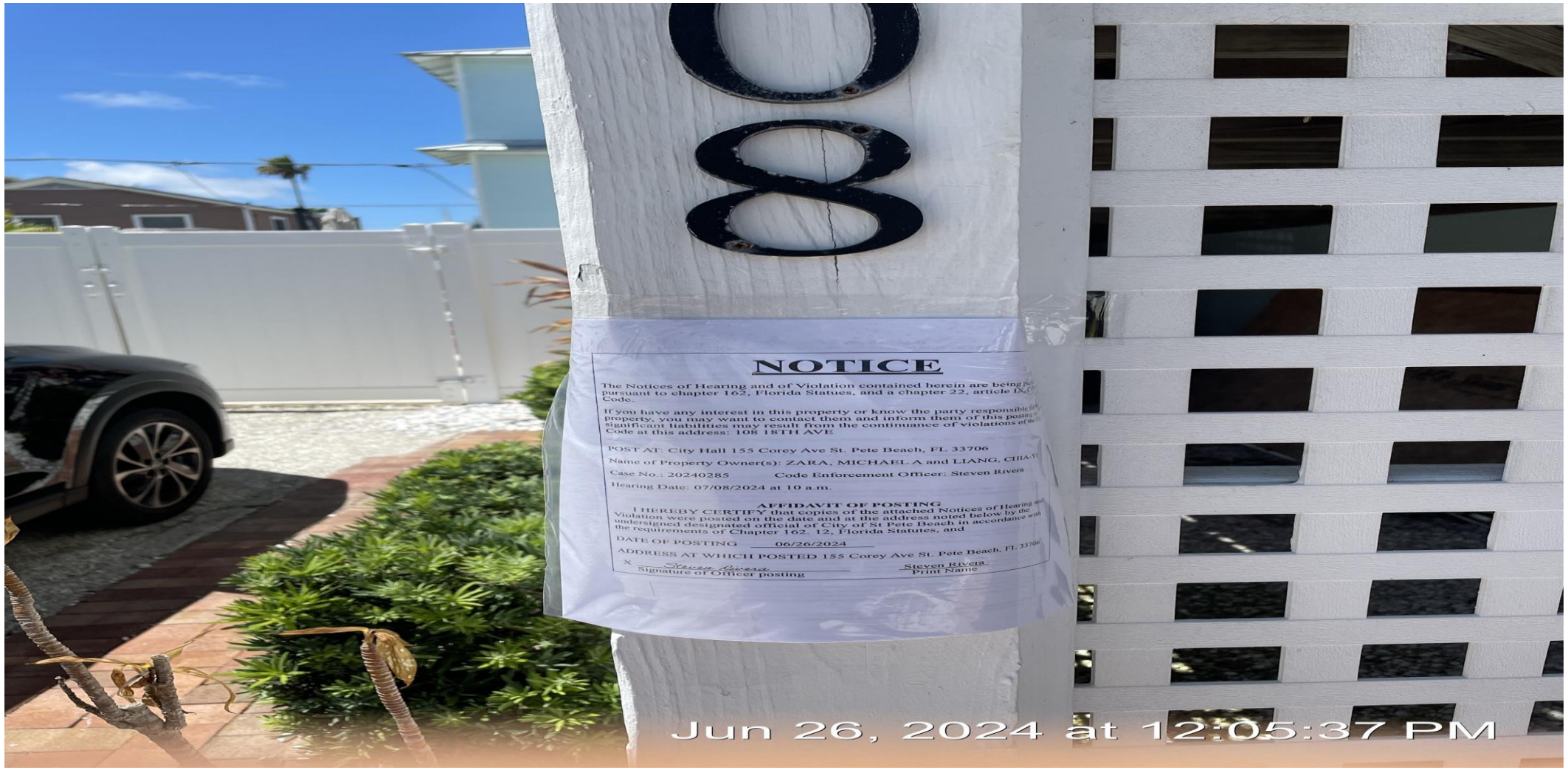
- **Respondent(s): Michael A Zara & Chia-Yi Liang**
- **Violation address: 108 18th Ave.**
- **Violation(s) description: The property is in violation of section 20.03 (b) Permitted principle uses and structures of the Land Development Code of the city of St. Pete Beach**

CE20240285

Case Summary

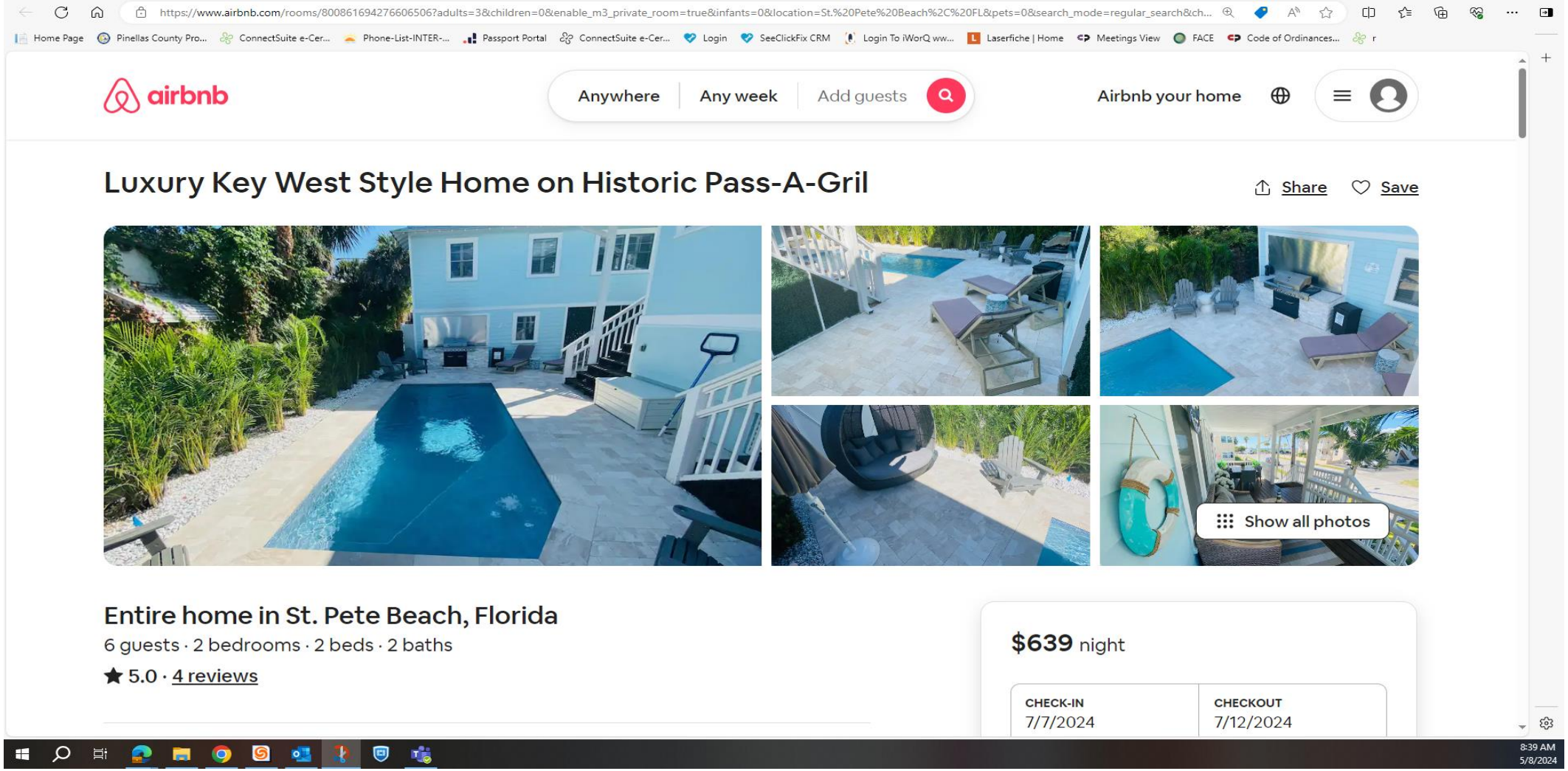
- **Initial inspection: 5/8/2024**
- **Notice of Irreparable or Irreversible Violation dated: 6/25/2024**
- **Notices of Hearing dated and posted on the property: 6/26/2024**

CE20240285
Affidavit of Posting



108 18th Ave.

CE20240285
Airbnb listing



108 18th Ave.

CE20240285
Airbnb Reviews

https://www.airbnb.com/rooms/800861694276606506?check_in=2024-07-11&check_out=2024-07-12&guests=1&adults=3&s=67&unique_share_id=99bd22cd-8cf3-4e9b-9fec-105f6532fc4f&source...

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

Photos Amenities Reviews Location

Change dates

Kelly
Franklin, Indiana

★★★★★ · May 2024 · Stayed with kids

Kitchen was well stocked. Beautiful decor, comfortable beds.

Show more

Jorge
3 months on Airbnb

★★★★★ · April 2024 · Stayed a few nights

Phenomenal host home and we had an amazing time. I loved every day waking up to the waves and beach sounds and smells and walking pass a grille and st pete beach. The...

Show more

3

John
Huntington Station, New York

★★★★★ · April 2024 · Stayed a few nights

House was perfect location to beach house was perfectly decorated and clean

Show more

1

John
Parkland, Florida

★★★★★ · April 2024 · Stayed a few nights

I can't say enough about this unit. It's super clean, excellent location, made the perfect escape. I highly recommend.

Show more

4

Tim
Cleveland, Ohio

★★★★★ · April 2024 · Stayed about a week

Great place in a wonderful location. Nice and quiet.

Show more

2

Learn how reviews work

2:19 PM
6/20/2024

108 18th Ave.

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 108 18TH AVE

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

Name of Property Owner(s): ZARA, MICHAEL A and LIANG, CHIA-YI

Case No.: 20240285 Code Enforcement Officer: Steven Rivera

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 06/26/2024

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.
ZARA, MICHAEL A and LIANG, CHIA-YI
Respondent(s)

Case Number: 20240285

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 **07/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to $250.00 per day against your property located at **108 18TH 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 06/26/2024

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 meting for assistance.

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20220597
ADDRESS: 108 18th Ave.

MICHAEL A. ZARA and CHIA-YI LIANG,

Respondent(s).

_____/

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on November 7, 2022, 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 McConnell and Code Enforcement Supervisor Peyt Dewar.

2. Respondents were represented by their attorney, R. Quincy Bird. Mr. Bird possessed the requite authority to represent Respondents.

3. The Respondents own the subject property, and legally required notice of this proceeding was served on the Respondents in accordance with applicable law.

4. The Respondents were notified of the following violation of the City's Land Development Code but failed to bring the property into compliance within the period required by the City.

   Section 20.03. – Permitted principal uses and structures.

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

   (a) All uses permitted in the underlying zoning district; and
   (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

(c) **Uses that are in existence, upon date of adoption, shall be permitted as limited uses within an existing structure. Additions, improvements and renovations will be permitted, if the building meets the standards set forth in this division of the Code.**

5. The City presented evidence establishing the property had been advertised and rented for a period of less than thirty (30) days more than three (3) times in a 12-month period in violation of the City's Code. The evidence demonstrated the property had been rented short-term one (1) time in February 2022, two (2) times in March 2022, three (3) times in April 2022, three (3) times in May 2022, and two (2) times in June 2022.

6. The City also presented evidence that the property had been advertised for transient occupancy in violation of the City's Code through the property manager's website.

7. The Respondent's attorney presented evidence that the City's Notice of Violation sent on October 6, 2022 via certified mail reflected a compliance date of October 11, 2022 in order to avoid a hearing before the Special Magistrate. Evidence was presented demonstrating the certified mailing was not received by Respondents until 3:48pm on October 11, 2022. Counsel for Respondents argued this presented a procedural due process issue. Counsel also presented evidence demonstrating that on October 7, 2022, Respondents' property manager deleted a nightly rental advertisement and created a new advertisement to reflect a thirty (30) night minimum stay. There is no evidence to suggest this information was ever relayed to the City prior to hearing on the matter. Counsel argued this evidence demonstrates there was no violation.

8. Counsel for Respondents did not provide any evidence to combat the City's evidence demonstrating the multiple short-term stays occurring between March 2022 and June 2022 that exceeded the allowable transient rentals in the zoning district, namely three (3) per calendar year.

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

9. The Special Magistrate finds the notice argument advanced by Respondents' counsel to be unpersuasive. The evidence presented by Respondents' counsel demonstrating the advertising was made compliant prior to the cure date set forth in the Notice of Violation infers that Respondents or its property manager were aware of the advertising violation prior to Respondents' receipt of the Notice of Violation on October 11, 2022, as the changes were made on October 7, 2022. Further, regardless of the change in advertising, the property had still been rented in excess of the allotted time period allowed for under the City's Code and as the past rentals cannot be cured, they are irreparable in nature.

10. Based on the evidence presented, and the status of the law, the City's Notice of Violation and Notice of Hearing were both properly served.

11. Respondents and the subject property were in violation of the cited provision but are now in compliance. Respondents will not be assessed any fines but will be responsible for all reasonable administrative costs of the City related to the investigation and prosecution of this case.

12. Respondents are ordered to immediately cease renting the property for a term less than thirty (30) days until June 2023.

13. Within ten (10) days of this Order, Respondents shall provide proof to the City that there are no transient bookings from the date of this order through June 2023.

14. It is the Respondents' responsibility to inform the City that the property has come into compliance, if applicable.

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

16. Should Respondents be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondents may be subject to a fine of up to $500 per day for each day the violation exists.

Order entered on November 7, 2022.

Erica F. Augello

Erica F. Augello, BCS
Special Magistrate

A copy of this Order was sent via email to Respondents' Attorney, R. Quincy Bird at quincey.bird@webbercrabb.com on November 8, 2022.

APPEALS

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

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

Agenda Report

Issue Considered: **Case No. 20240305**
City of St. Pete Beach v. Family International Home Builders LLC
Address: 7210 Gulf Blvd. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 78-96. - Business tax receipt—Required.**
No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

There is a business on the property that has not obtained the proper Business Tax Receipt to operate within the city.

Funding: N/A

Requested Motion: N/A

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

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

5/14/2024

FAMILY INTERNATIONAL HOME BUILDERS LLC
2338 NW 51st ST
MIAMI, FL 33142-3677

RE: Case Number 20240305
Violation Address: 7210 GULF BLVD
Parcel ID#: 363115591520000010

Dear Property Owner:

You have a business on your property that has not obtained the proper Business Tax Receipt to operate within the city. You are in violation of the following code section:

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

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

These violation(s) must be corrected **no later than 5/27/2024.** If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to $250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Luis Cruz

727-363-9214

Luis Cruz
Code Enforcement Officer

CE20240305

- **Respondent(s): Family International Home Builders LLC**
- **Violation address: 7210 Gulf Blvd**
- **Violation(s) description: The property is in violation of section 78-96 Business tax receipt – Required, of the Code of Ordinances of the City of St. Pete Beach**

CE20240305

Case Summary

- **Initial inspection: 5/14/2024**
- **Notice of Violation dated: 5/14/2024**
- **Notice of Violation compliance date: 5/27/2024**
- **Notices of Hearing dated and posted on the property: 6/7/2024**

CE20240305
Affidavit of Posting

7210 Gulf Blvd

CE20240305

St. Pete Beach
The Sunset Capital of Florida

#:	2200045
Date:	05/16/22
Type:	Rental
Application Type:	
Description:	APARTMENTS
Received By:	JBOLAND
Application Status:	Pending
Application Status Date:	05/16/2022
Application Classification:	
Location:	7210 GULF BLVD
# of Employees:	4
# of Rental Units:	10
Seating Count:	
Signage ?:	NO
Inventory Amount:	
Business Name:	FAMILY INTERNATIONAL HOME BUILDERS LLC
Business Phone:	561-860-3446
Business Address:	7210 GULF BLVD
Business C/S/Z:	ST. PETE BEACH, FL 33706
Suite # (if applicable):	
Business Email:	WALDENRANDELL@YAHOO.COM
Billing Address:	2338 NW 51st ST
Billing C/S/Z:	MIAMI, FL 33142-3677
Created By:	JBOLAND
B1_PER_ID3:	
B1_PER_ID1:	
Usable Square Footage:	6011
Parking:	

7210 Gulf Blvd

CE20240305

FEIN NUMBER:
Status: Pending

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
363115591520000010	7210 GULF BLVD	MORRISSEY COMMERCIAL CENTER LOT 1	FAMILY INTERNATIONAL HOME BUILDERS LLC		

Fees

Fee	Description	Notes	Amount
Fire Inspection			$50.00
Apartment/Hotel/Motel/Guest House Non Transient Occupancy (30 days or more)	Enter number of units		$30.00
Application Fee			$10.00
BTR Penalty 4			$22.50
Penalty			$250.00
		Total	**$362.50**

Notes

Date	Note	Created By:
05/16/2022	need fire inspection	Joanne Boland

7210 Gulf Blvd

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 7210 GULF BLVD

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

Name of Property Owner(s): FAMILY INTERNATIONAL HOME BUILDERS LLC

Case No.: 20240305 Code Enforcement Officer: Luis Cruz

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 06/07/2024

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

X Luis Cruz Luis Cruz

Signature of Officer posting Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
FAMILY INTERNATIONAL HOME BUILDERS LLC
Respondent(s)

Case Number: 20240305

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 **07/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to $250.00 per day against your property located at **7210 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 06/07/2024

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 meting for assistance.

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

Agenda Report

Issue Considered: **Case No. 20240277**
City of St. Pete Beach v. Alexander Engelman & Adrienne Timmel
Address: 3110 Pass A Grille Way St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 20.03 Permitted principal uses and structures**
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:
(b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

You are only permitted to have 3-short term rentals (less than 30 days) in a 12-month period. You have exceeded the permitted short-term rentals allowed in the PAG Overlay district.

Funding: N/A

Requested Motion: N/A

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

St. Pete Beach
The Sunset Capital of Florida
155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

Irreparable or Irreversible Notice of Violation

05/06/2024

ENGELMAN, ALEXANDER TIMMEL, ADRIENNE
825 BAYSHORE BLVD
TAMPA FL 33606-2733

Re: **Case Number 20240277**
Violation Address: 3110 PASS A GRILLE WAY, ST PETE BEACH FL 33706
Parcel ID#: 073216609480000020

Dear Property Owner:

You are only permitted to have 3-short term rentals (less than 30 days) in a 12-month period. You have exceeded the permitted short-term rentals allowed in the PAG Overlay district.

> **Sec. 20.03 Permitted principal uses and structures**
> Sec. 20.03. - Permitted principal uses and structures.
> Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:
> (b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **06/10/2024, at 10 AM.**

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

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

Sincerely,

Steven Rivera 727-235-5398

Steven Rivera
Code Enforcement Officer

CE20240277

- **Respondent(s): Alexander Engelman & Adrienne Timmel**
- **Violation address: 3110 Pass A Grille Way**
- **Violation(s) description: The property is in violation of section 20.03 (b) Permitted principle uses and structures of the Land Development Code of the city of St. Pete Beach**

CE20240277

Case Summary

- **Initial inspection: 5/3/2024**
- **Notice of Irreparable or Irreversible Violation dated: 5/6/2024**
- **Notices of Hearing dated and posted on the property: 5/9/2024**

CE20240277
Affidavit of Posting

3110 Pass A Grille Way

CE20240277
Airbnb Host

https://www.airbnb.com/rooms/832488427771159978?adults=3&children=0&enable_m3_private_room=true&infants=0&location=St.%20Pete%20Beach%2C%20FL&pets=0&check_in=2024-05-04&ch...

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Entire home in St. Pete Beach, Florida

9 guests · 3 bedrooms · 4 beds · 1 bath

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

5.0 ★★★★★ | 12 Reviews

Hosted by Adrienne
Superhost · 1 year hosting

Top 10% of homes
This home is highly ranked based on ratings, reviews, and reliability.

Self check-in
Check yourself in with the keypad.

Adrienne is a Superhost
Superhosts are experienced, highly rated Hosts.

Live your dream beach life in dazzling, peaceful Pass-a-Grille! This historic 3-bedroom bungalow is steps away from the beach & a 4-min. walk from the luxurious Don Cesar hotel. Surrounded by all comforts of home, chic shopping & delightful restaurants/bars,

$415 night

CHECK-IN	CHECKOUT
5/4/2024	5/9/2024

GUESTS
3 guests

Reserve

You won't be charged yet

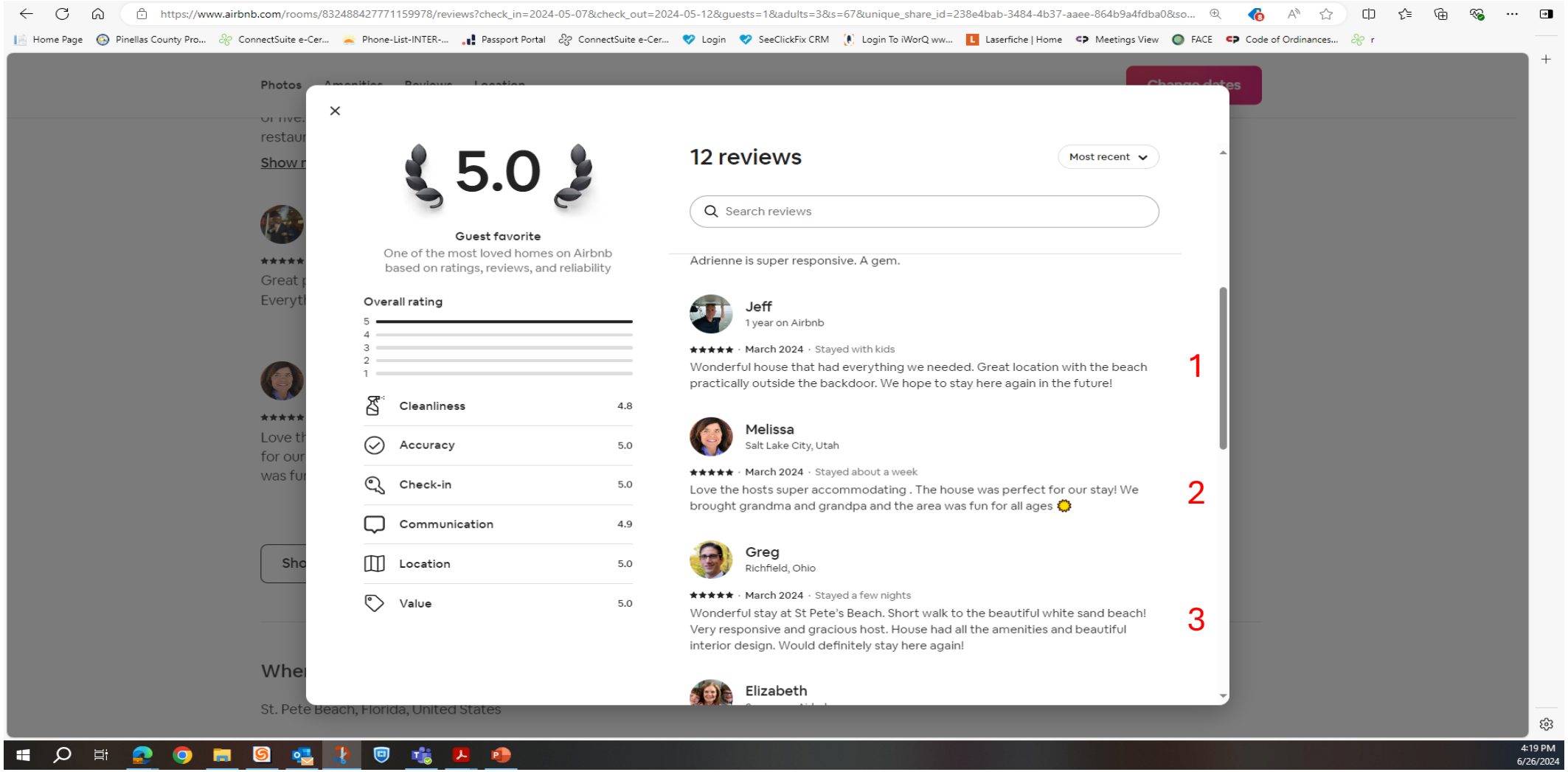
$415 x 5 nights	$2,075
Cleaning fee	$250
Airbnb service fee	$328
Total before taxes	**$2,653**

Only 12 hours left to book
The host will stop accepting bookings for your dates soon.

11:29 AM
5/3/2024

3110 Pass A Grille Way

CE20240277
Airbnb Reviews



3110 Pass A Grille Way

CE20240277
Airbnb Reviews

https://www.airbnb.com/rooms/832488427771159978/reviews?check_in=2024-05-07&check_out=2024-05-12&guests=1&adults=3&s=67&unique_share_id=238e4bab-3484-4b37-aaee-864b9a4fdba0&so...

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Photos

5.0

Guest favorite

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

Overall rating

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

12 reviews

Most recent

Search reviews

Billy
5 months on Airbnb
★★★★★ · April 2024 · Stayed with kids
We had a great vacation- the house was perfect for our family of five. The beach was within a minutes walk and the restaurants were close. The house was just what we needed, a cute beach house that was clean and well maintained. Our kids loved the fire pit! We will be back.

4

Sabina
San Francisco, California
★★★★★ · April 2024 · Stayed with kids
One of the best airbnbs I've ever stayed in. Didn't feel like an empty house with bare minimum, instead was what an airbnb should be - well stocked with personality above and beyond a hotel. Especially great for kids - high chair, travel cribs, toys. Tons of towels and beach stuff. Location was fantastic and beach is so nice. Beds comfortable. Good water pressure. Outdoor space super nice. Only thing I didn't realize is one bedroom didn't have a full door but instead a curtain, but it wasn't a big deal for us.

5

Francis
Kensington, Maryland
★★★★★ · April 2024 · Stayed with kids
Great place. Landscaping is super, nicely decorated. Everything you need. Adrienne is super responsive. A gem.

6

St. Pete Beach, Florida, United States

4:20 PM
6/26/2024

3110 Pass A Grille Way

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 3110 PASS A GRILLE WAY

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

Name of Property Owner(s): ENGELMAN, ALEXANDER TIMMEL, ADRIENNE

Case No.: 20240277 Code Enforcement Officer: Steven Rivera

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 05/09/2024

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.
ENGELMAN, ALEXANDER TIMMEL, ADRIENNE
Respondent(s)

Case Number: 20240277

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 **07/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to $250.00 per day against your property located at **3110 PASS A GRILLE WAY** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 05/09/2024

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 meting for assistance.

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

Agenda Report

Issue Considered: **Case No. 20240280**
City of St. Pete Beach v. William W Adams
Address: 1805 Pass A Grille Way St. Pete Beach FL 33706

Date: July 8, 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:
(1) Vegetation as follows:
a. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds or any other vegetation, other than trees, ornamental bushes, flowers or other ornamental plants, with a height exceeding 12 inches.
(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.
(3) Any condition which provides harborage for rats, mice, snakes and other vermin.
Sec. 98-65 - Unsightly Conditions.
The following conditions are hereby deemed to be unsightly conditions and are prohibited. The following conditions are prohibited on any real property in the City:
(4) Property exteriors with trash, litter, debris, packing boxes, lumber, construction material, solid waste, horticulture debris, salvage materials, appliances, machinery, equipment and any furniture, excluding

furniture specifically designed for outdoor use. Failure to maintain the premises in a clean, safe and sanitary condition is a violation. The owner and operator shall keep that part of the exterior property subject to its control or occupancy in a clean and sanitary condition.

Sec. 98-72. - Vacant buildings, vacant structures and vacant or unimproved lots.

`(c) Structures, unimproved lots.

(1) Every owner of a building, structure or lot, vacant or occupied, shall keep the premises in clean and sanitary condition, including yards, lawn, courts and driveways.

(2) Exterior premises shall be kept free from the excessive growth of weeds, grass and other flora.

(12) Every owner of a vacant building, structure or lot, shall provide and maintain all unpaved areas of the site with grass, ground cover, shrubbery, or other suitable plant material. Paving of vacant lots shall be prohibited unless a site plan has been approved by the planning and zoning department.

The north half of the property has inadequate vegetation and needs to meet the standards outlined in Sec. 22.4. The south half of the property has overgrown vegetation and needs to be cut back and maintained regularly. The pile of palm fronds on the south side of the property needs to 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

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

5/7/2024

ADAMS, WILLIAM W
1805 PASS A GRILLE WAY
ST PETE BEACH FL 33706-4242 ,

RE: Case Number 20240280
Violation Address: 1805 PASS A GRILLE WAY
Parcel ID#: 183216686340000011

Dear Property Owner:

The north half of the property has inadequate vegetation and needs to meet the standards outlined in Sec. 22.4. The south half of the property has overgrown vegetation and needs to be cut back and maintained regularly. The pile of palm fronds on the south side of the property needs to be cleaned up and disposed of properly.

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

Sec. 22.4. - Type, quality and size of plant material.
(a) Quality. Plant materials used in conformance with the provisions of this article shall conform to the standard for Florida No. 1 or better, as given in Grades and Standards for Nursery Plants, part I, 1963, and part II, published by the Florida Department of Agriculture, or equal.
(g) Lawn grass. Grass areas shall be planted in species normally grown in permanent lawns in the city area. Grass areas may be sodded, plugged or sprigged, except that solid sod shall be used in swales or other areas subject to erosion. A recommended list of ground covers to be used includes but is not limited to, the following:
Stenotaphrum secundatum (St. Augustine)
Paspalum vaginatum (Seashore Paspalum)

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:
(1) Vegetation as follows:
a. Any weeds such as broom grass, jimson, burdock, ragweed, sandspur or other similar weeds or any

other vegetation, other than trees, ornamental bushes, flowers or other ornamental plants, with a height exceeding 12 inches.
(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.
(3) Any condition which provides harborage for rats, mice, snakes and other vermin.

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:
(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. 98-72. - Vacant buildings, vacant structures and vacant or unimproved lots.

Sec. 98-72. - Vacant buildings, vacant structures and vacant or unimproved lots.
(c) Structures, unimproved lots.
(1) Every owner of a building, structure or lot, vacant or occupied, shall keep the premises in clean and sanitary condition, including yards, lawn, courts and driveways.
(2) Exterior premises shall be kept free from the excessive growth of weeds, grass and other flora.
(12) Every owner of a vacant building, structure or lot, shall provide and maintain all unpaved areas of the site with grass, ground cover, shrubbery, or other suitable plant material. Paving of vacant lots shall be prohibited unless a site plan has been approved by the planning and zoning department.

These violation(s) must be corrected **no later than 5/21/2024.** 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

CE20240280

- **Respondent(s): William W Adams**
- **Violation address: 1805 Pass A Grille Way**
- **Violation(s) description: The property is in violation of section 46-33 (1),(2), & (3) Enumeration, 98-65 (4) Unsightly Conditions, 98-72 (c)(1), (2), & (12) Vacant buildings, vacant structures and vacant unimproved lots of the Code of Ordinances of the City of St. Pete Beach**

CE20240280

Case Summary

- **Initial inspection: 5/6/2024**
- **Notice of Violation dated: 5/7/2024**
- **Notice of Violation compliance date: 5/21/2024**
- **Notices of Hearing dated and posted on the property: 6/25/2024**

CE20240280
Affidavit of Posting

1805 Pass A Grille Way

CE20240280
Pile of palm fronds

1805 Pass A Grille Way

CE20240280
Construction fence in disrepair

1805 Pass A Grille Way

CE20240280
Overgrown vegetation

1805 Pass A Grille Way

CE20240280
Overgrown vegetation and silt fence failing

1805 Pass A Grille Way

CE20240280
Overgrown vegetation and silt fence failing

1805 Pass A Grille Way

CE20240280
Overgrown vegetation and silt fence failing

1805 Pass A Grille Way

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 1805 PASS A GRILLE WAY

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

Name of Property Owner(s): ADAMS, WILLIAM W

Case No.: 20240280 Code Enforcement Officer: Steven Rivera

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 06/25/2024

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.
ADAMS, WILLIAM W
Respondent(s)

Case Number: 20240280

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 **07/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to $250.00 per day against your property located at **1805 PASS A GRILLE WAY** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 06/25/2024

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 meting for assistance.

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

Agenda Report

Issue Considered: **Case No. 20240292**
City of St. Pete Beach v. Myna Investments LLC
Address: 562 71st Ave. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 78-96. - Business tax receipt—Required.**
No person shall engage in any business, trade or profession in the city without first obtaining a business tax receipt issued by the city manager and paying the tax required pursuant to this article. The issuance of a business tax receipt for a business on any premises within the city shall not constitute, nor be construed as, approval by the city of the land use, zoning or other developmental approval of the particular business on the premises for which such receipt was issued. Businesses operating in association with city sponsored special events may be exempted from this requirement upon approval of the city manager.

There is a business on the property that has not acquired the proper Business Tax Receipt through the city to operate.

Funding: N/A

Requested Motion: N/A

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

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

5/10/2024

MYNA INVESTMENTS LLC
301 W PLATT ST UNIT A343
TAMPA, FL 33606-2292

RE: Case Number 20240292
Violation Address: 562 71ST AVE
Parcel ID#: 363115059400010250

Dear Property Owner:

You have a business on your property that has not acquired the proper Business Tax Receipt through the city to operate. You are in violation of the following code section:

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

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

These violation(s) must be corrected **no later than 5/23/2024.** If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to $250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely, Luis Cruz 727-363-9214

Luis Cruz
Code Enforcement Officer

CE20240305

- **Respondent(s): Family International Home Builders LLC**
- **Violation address: 7210 Gulf Blvd**
- **Violation(s) description: The property is in violation of section 78-96 Business tax receipt – Required, of the Code of Ordinances of the City of St. Pete Beach**

CE20240305

Case Summary

- **Initial inspection: 5/14/2024**
- **Notice of Violation dated: 5/14/2024**
- **Notice of Violation compliance date: 5/27/2024**
- **Notices of Hearing dated and posted on the property: 6/7/2024**

CE20240305
Affidavit of Posting

7210 Gulf Blvd

CE20240305

St. Pete Beach
The Sunset Capital of Florida

#:	2200045
Date:	05/16/22
Type:	Rental
Application Type:	
Description:	APARTMENTS
Received By:	JBOLAND
Application Status:	Pending
Application Status Date:	05/16/2022
Application Classification:	
Location:	7210 GULF BLVD
# of Employees:	4
# of Rental Units:	10
Seating Count:	
Signage ?:	NO
Inventory Amount:	
Business Name:	FAMILY INTERNATIONAL HOME BUILDERS LLC
Business Phone:	561-860-3446
Business Address:	7210 GULF BLVD
Business C/S/Z:	ST. PETE BEACH, FL 33706
Suite # (if applicable):	
Business Email:	WALDENRANDELL@YAHOO.COM
Billing Address:	2338 NW 51st ST
Billing C/S/Z:	MIAMI, FL 33142-3677
Created By:	JBOLAND
B1_PER_ID3:	
B1_PER_ID1:	
Usable Square Footage:	6011
Parking:	

7210 Gulf Blvd

CE20240305

FEIN NUMBER:
Status: Pending

Property

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
363115591520000010	7210 GULF BLVD	MORRISSEY COMMERCIAL CENTER LOT 1	FAMILY INTERNATIONAL HOME BUILDERS LLC		

Fees

Fee	Description	Notes	Amount
Fire Inspection			$50.00
Apartment/Hotel/Motel/Guest House Non Transient Occupancy (30 days or more)	Enter number of units		$30.00
Application Fee			$10.00
BTR Penalty 4			$22.50
Penalty			$250.00
		Total	**$362.50**

Notes

Date	Note	Created By:
05/16/2022	need fire inspection	Joanne Boland

7210 Gulf Blvd

NOTICE

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If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 562 71ST AVE

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

Name of Property Owner(s): MYNA INVESTMENTS LLC

Case No.: 20240292 Code Enforcement Officer: Luis Cruz

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 06/06/2024

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

X Luis Cruz Luis Cruz

Signature of Officer posting Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
MYNA INVESTMENTS LLC
Respondent(s)

Case Number: 20240292

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to $250.00 per day against your property located at **562 71ST 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 06/06/2024

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 meting for assistance.

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

Agenda Report

Issue Considered: **Case No. 20240287**
City of St. Pete Beach v. Thomas M. Cuddihy REV Trust & Thomas M. Cuddihy TRE
Address: 7801 Boca Ciega Dr. # 5 St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

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

The property has erected a tiki hut in the rear of the property that requires a permit. The property owner must obtain a permit for this structure.

Funding: N/A

Requested Motion: N/A

Attachments:

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

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

5/10/2024

CUDDIHY, THOMAS M REV TRUST CUDDIHY, THOMAS M
TRE
7801 BOCA CIEGA DR APT 5
ST PETE BEACH FL 33706-1848

RE: Case Number 20240287
Violation Address: 7801 BOCA CIEGA DR # 5
Parcel ID#: 363115051480010010

Dear Property Owner:

You have erected a tiki hut in the rear of the property that requires a permit. You must obtain a permit for this structure. You are in violation of the following code section:

Sec. 98-123.1. - Permits required.

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

These violation(s) must be corrected **no later than 5/31/2024.** If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to $250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Luis Cruz 727-589-2564

Luis Cruz
Code Enforcement Officer

CE20240287

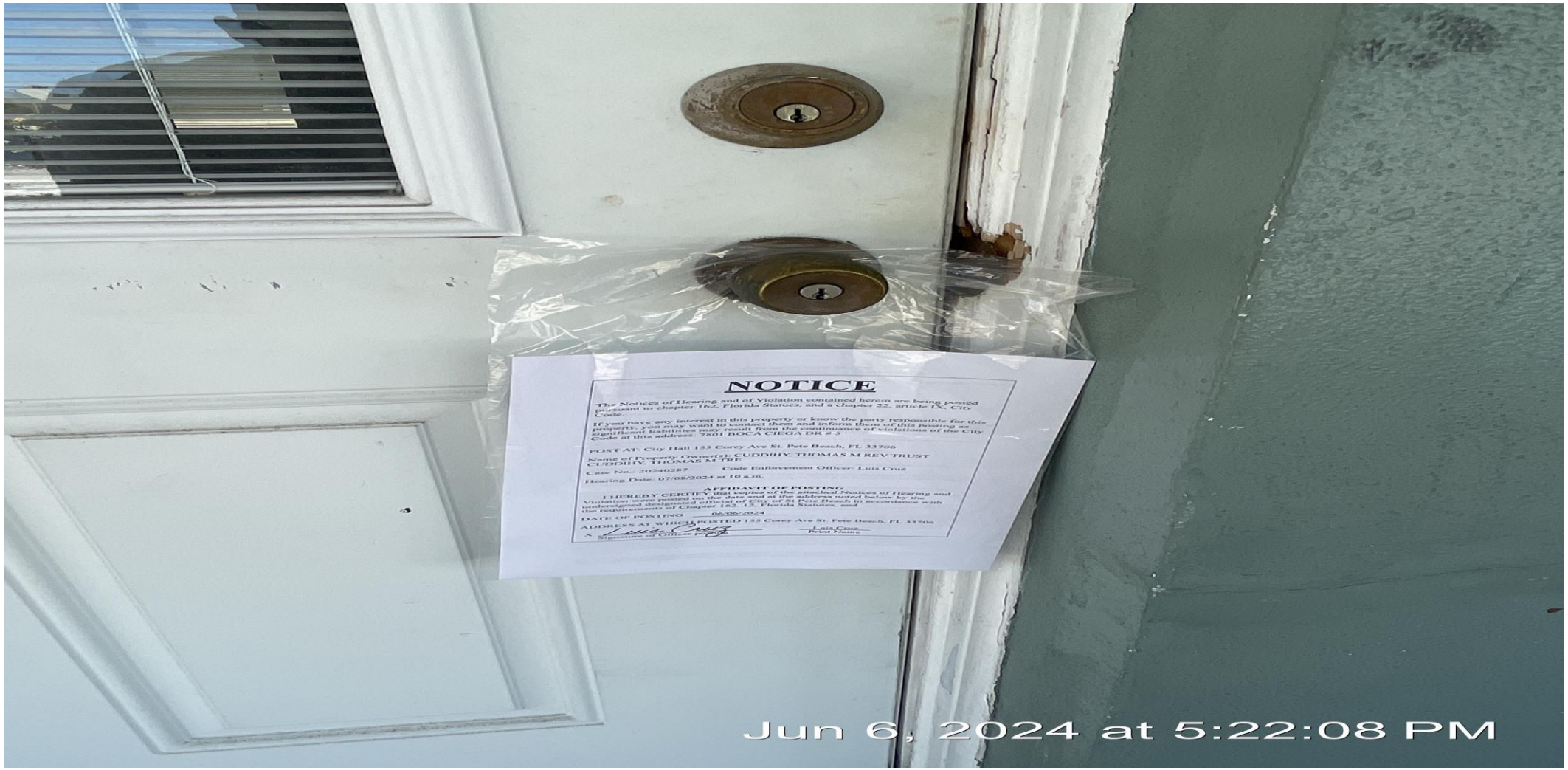
- **Respondent(s): Thomas M. Cuddihy REV Trust & Thomas M. Cuddihy TRE**
- **Violation address: 7801 Boca Ciega Dr. # 5**
- **Violation(s) description: The property is in violation of section(s) 98-123.1 Permits required, of the Code of Ordinances of the City of St. Pete Beach**

CE20240287

Case Summary

- **Initial inspection: 5/9/2024**
- **Notice of Violation dated: 5/10/2024**
- **Notice of Violation compliance date: 5/31/2024**
- **Notices of Hearing dated and posted on the property: 6/6/2024**

CE20240287
Affidavit of Posting



7801 Boca Ciega Dr. #5

CE20240287
Unpermitted tiki hut/gazebo

7801 Boca Ciega Dr. #5

CE20240287
Unpermitted tiki hut/gazebo

7801 Boca Ciega Dr. #5

CE20240287
Unpermitted tiki hut/gazebo

7801 Boca Ciega Dr. #5

NOTICE

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

Name of Property Owner(s): CUDDIHY, THOMAS M REV TRUST
CUDDIHY, THOMAS M TRE

Case No.: 20240287 Code Enforcement Officer: Luis Cruz

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 06/06/2024

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

X Luis Cruz Luis Cruz
Signature of Officer posting Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH, Case Number: 20240287
Petitioner,
vs.
CUDDIHY, THOMAS M REV TRUST CUDDIHY, THOMAS M TRE
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

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

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 **7801 BOCA CIEGA DR # 5** 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 06/06/2024

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 meting for assistance.

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

Agenda Report

Issue Considered: **Case No. 20240011**
City of St. Pete Beach v. Colonnades Apt Condo Assn
Address: Sunset Way St. Pete Beach FL 33706
Parcel # 36-31-15-17525-000-0001

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

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

The property has a fence that has been erected on the backside of the condominium without the proper permit. Property must obtain an After-the-Fact permit for the fence and fulfill all approvals for that permit.

Funding: N/A

Requested Motion: N/A

Attachments:

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

St. Pete Beach
The Sunset Capital of Florida

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

AMENDED NOTICE OF VIOLATION

3/13/2024

COLONNADES APT CONDO ASSN
52C COREY AVE
ST PETE BEACH FL 33706

RE: Case Number 20240011
Violation Address: SUNSET WAY
Parcel ID#: 363115175250000001

Dear Property Owner:

You have erected fencing in the common area without proper permits. Permit must be obtained and have a Licensed Contractor pull the permit. You are in violation of the following sections:

Sec. 98-123.1. - Permits required.

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

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

(a) All premises shall be maintained in compliance with the standards in this section.
(b) Standards for improved property.
(22) Trees. Trees shall be maintained or removed as follows:
b. Prohibited conditions. The following conditions are prohibited: 1. Trees, plants, shrubs, vegetation, or parts thereof, which overhang any sidewalk, street, alley or fire hydrant, and obstruct or impair the free and full use of the sidewalk, street, alley or fire hydrant by the public.
3. Removal of obstruction. The owner of any real property shall trim trees, plants, shrubs or vegetation, or any parts thereof as follows: which overhang any sidewalk, alley or street as determined by the

building official, and which interfere with the use of any sidewalk, alley, street, poles, wires, pipes, fixtures or any other part of any public utility situated in the right-of-way.

These violation(s) must be corrected **no later than 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 727-589-2564

Luis Cruz
Code Enforcement Officer

CE20240011

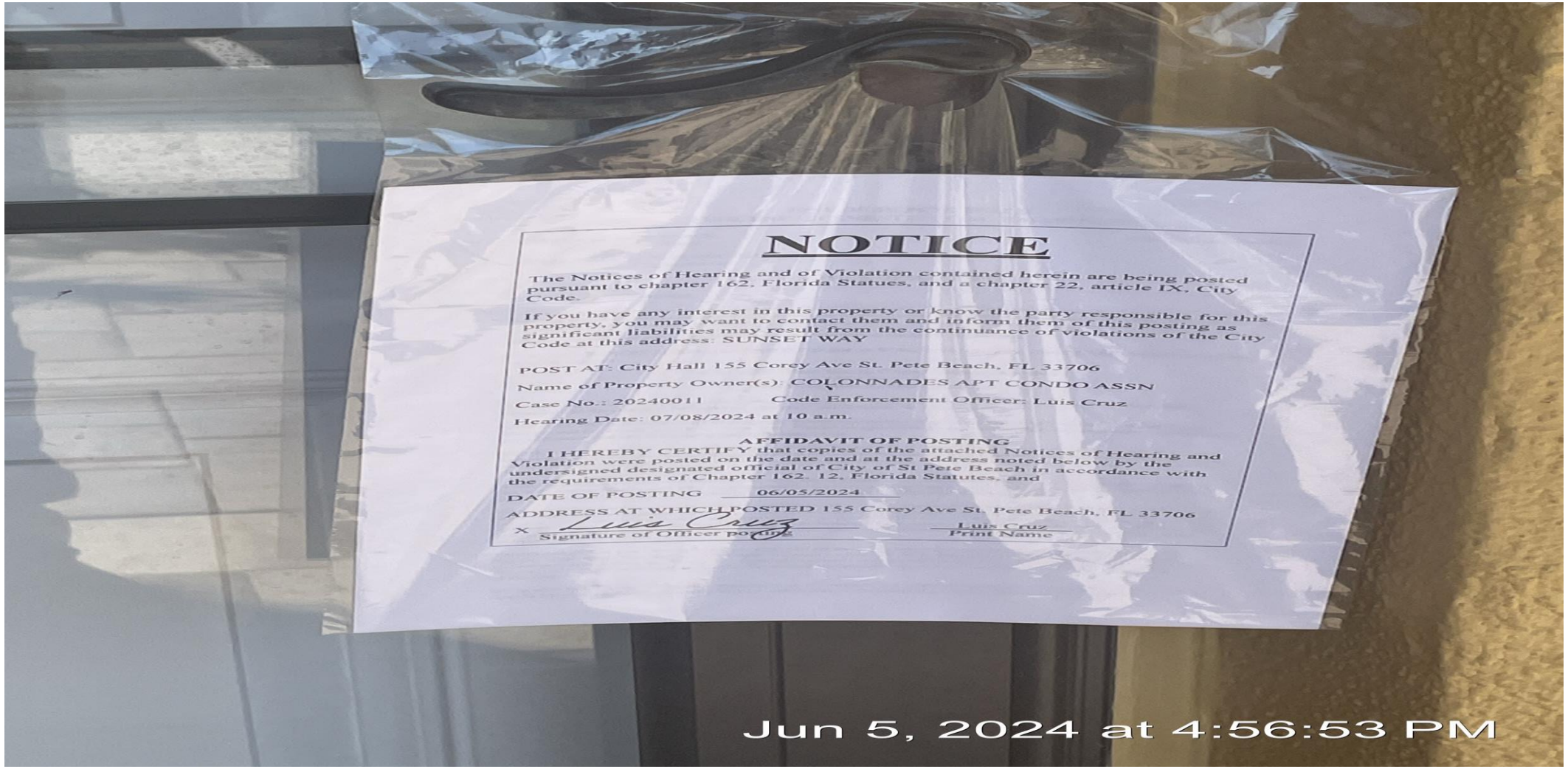
- **Respondent(s): Colonnades Apt Condo Assn**
- **Violation address: Sunset Way Parcel # 36-31-15-17525-000-0001**
- **Violation(s) description: The property is in violation of section(s) 98-123.1 Permits required, of the Code of Ordinances of the City of St. Pete Beach**

CE20240011

Case Summary

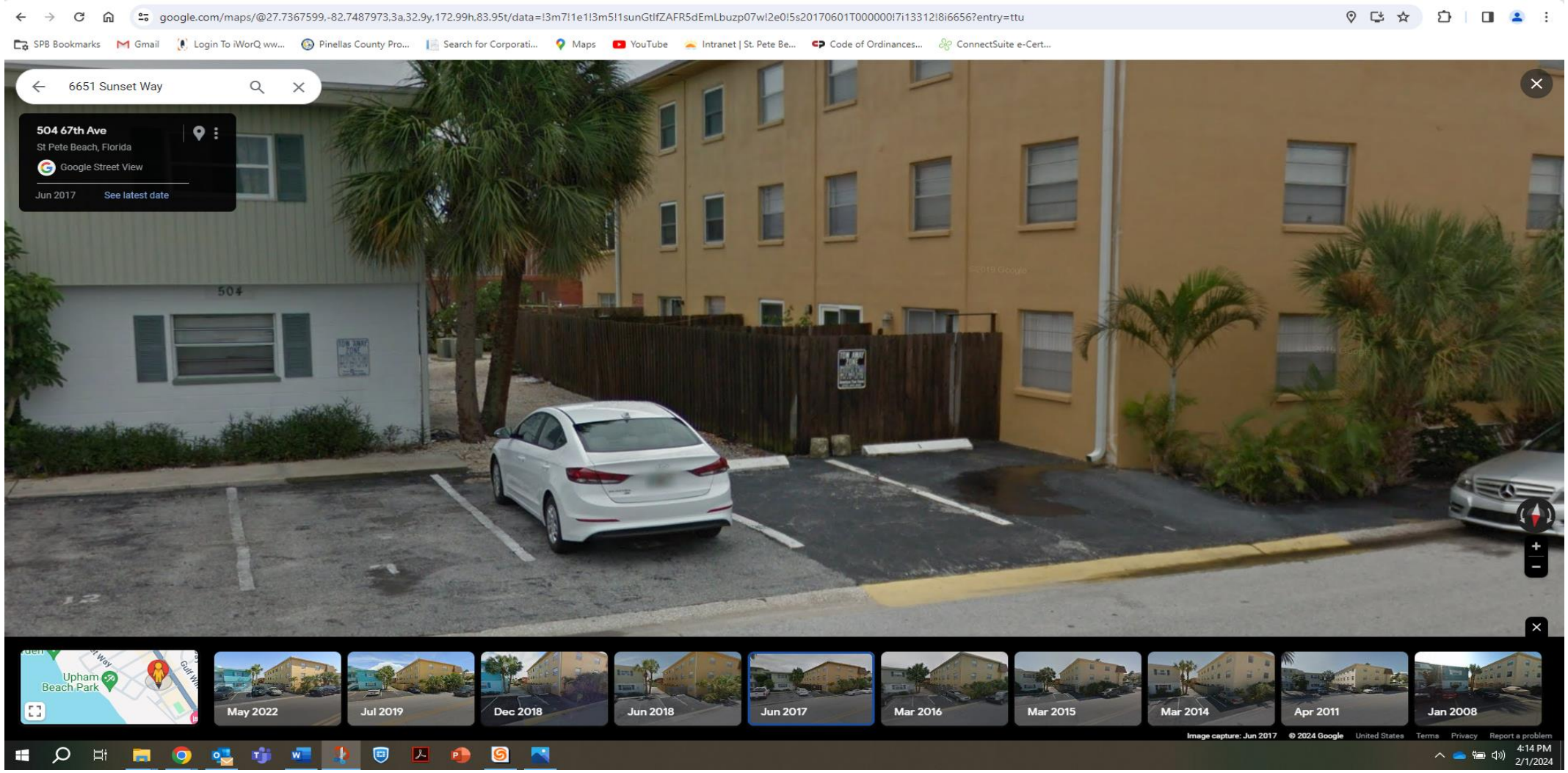
- **Initial inspection: 2/6/2024**
- **Notice of Violation dated: 3/13/2024**
- **Notice of Violation compliance date: 3/22/2024**
- **Notices of Hearing dated and posted on the property: 6/5/2024**

CE20240011
Affidavit of Posting



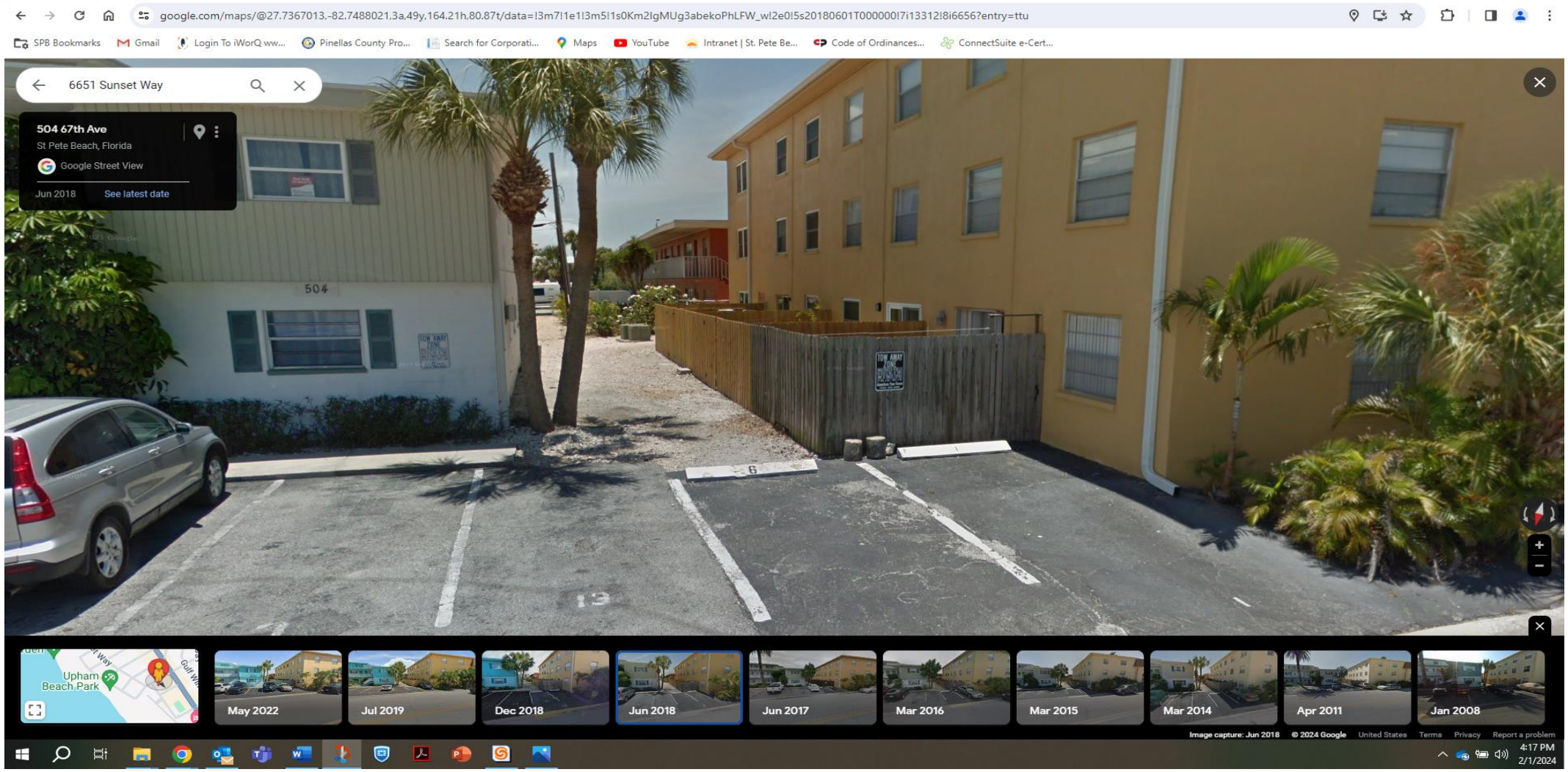
Sunset Way

CE20240011
2017 Google image of old/previous fence



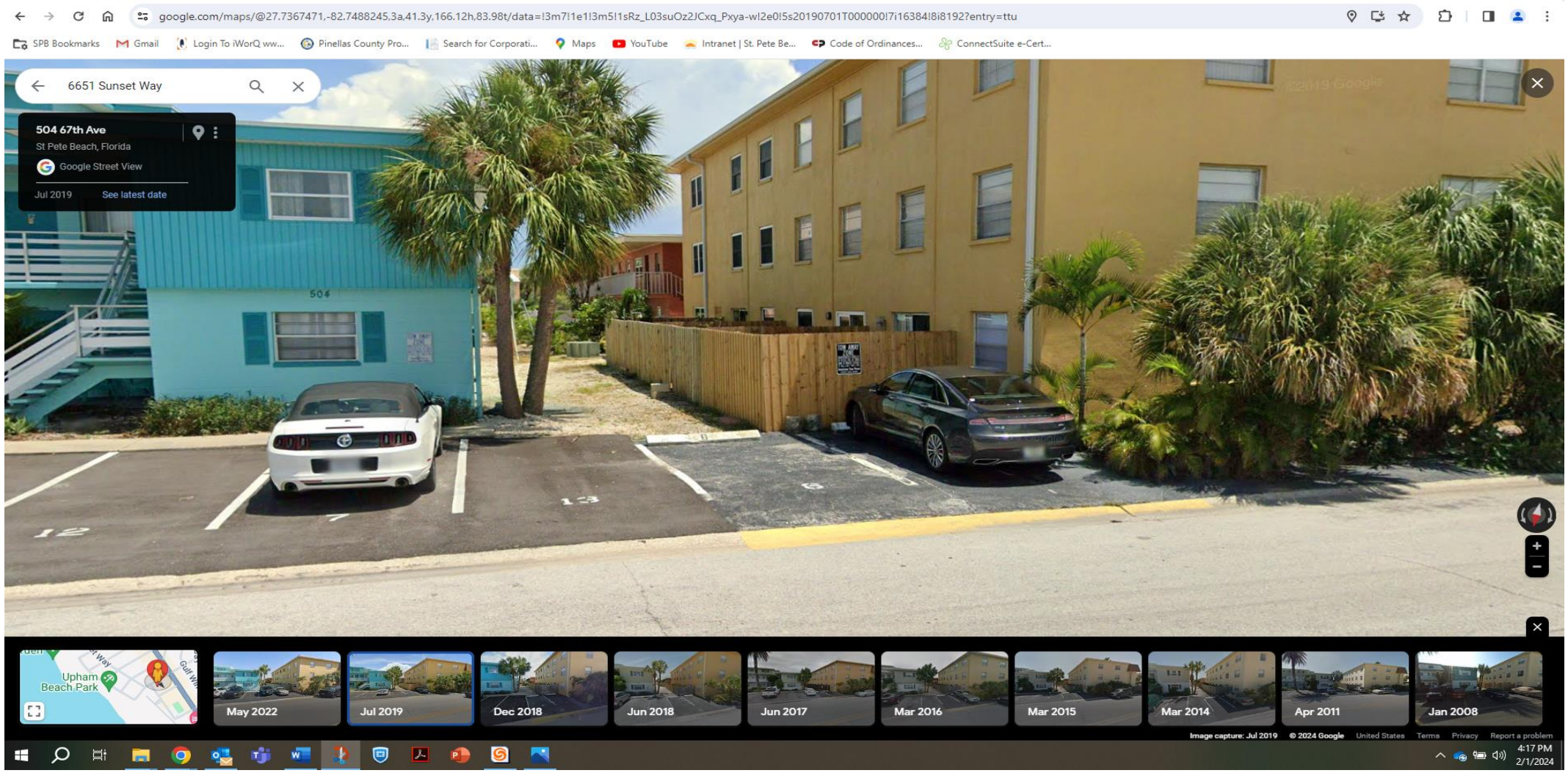
Sunset Way

CE20240011
2018 Google image of unpermitted fence



Sunset Way

CE20240011
2019 Google image of finished unpermitted fence



Sunset Way

CE20240011
Unpermitted fence

Sunset Way

CE20240011
Unpermitted fence

Sunset Way

CE20240011
Unpermitted fence

Sunset Way

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: SUNSET WAY

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

Name of Property Owner(s): COLONNADES APT CONDO ASSN

Case No.: 20240011 Code Enforcement Officer: Luis Cruz

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 06/05/2024

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

X Luis Cruz Luis Cruz

Signature of Officer posting Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
COLONNADES APT CONDO ASSN
Respondent(s)

Case Number: 20240011

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 **07/08/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

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

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 06/05/2024

Luis Cruz

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 meting for assistance.

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

Agenda Report

Issue Considered: **Case No. 20240172**
City of St. Pete Beach v. NXT Aquisitions Corp
Address: 369 41st Ave. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

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

The plumbing, electrical, drywall, pool repairs, rear slider, and soffits all require a permit prior to the commencement of work. Please contact the permit department and obtain all necessary permits.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Notice of Violation

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

St. Pete Beach
The Sunset Capital of Florida

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

NOTICE OF VIOLATION

3/20/2024

NXT ACQUISITIONS CORP
153 E FLAGLER ST UNIT 1670
MIAMI FL 33131-1101

RE: Case Number 20240172
Violation Address: 396 41ST AVE
Parcel ID#: 073216075240090400

Dear Property Owner:

The plumbing, electrical, drywall, pool repairs, rear slider, and soffits all require a permit prior to the commencement of work. Please contact the permit department and obtain all necessary permits.

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 4/5/2024.** If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to $250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Steven Rivera 727-235-5398

Steven Rivera
Code Enforcement Officer

CE20240172

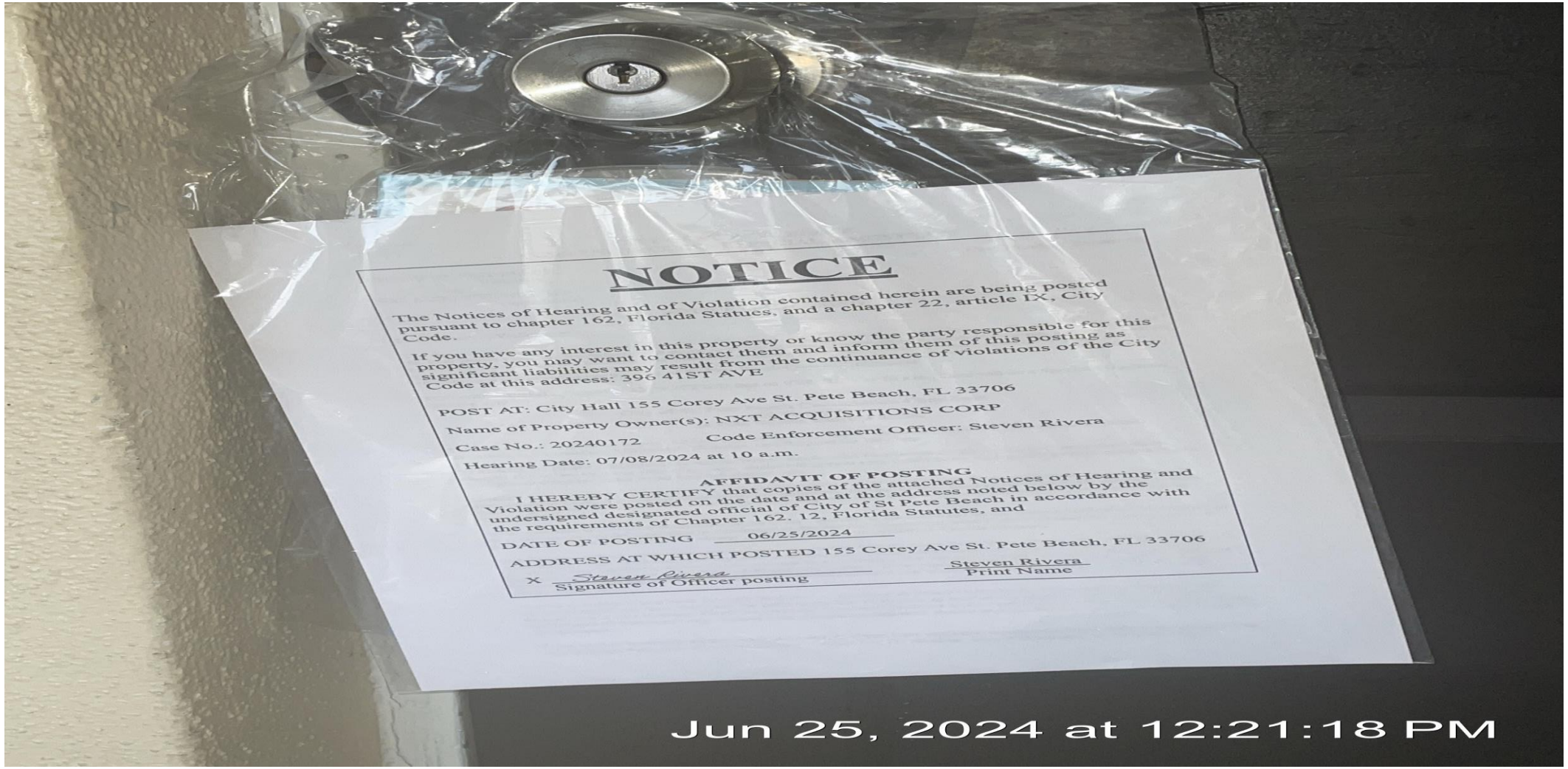
- **Respondent(s): NXT Acquisitions Corp**
- **Violation address: 396 41st Ave.**
- **Violation(s) description: The property is in violation of section(s) 98-123.1 Permits required, of the Code of Ordinances of the City of St. Pete Beach**

CE20240172

Case Summary

- **Initial inspection: 3/20/2024**
- **Notice of Violation dated: 3/20/2024**
- **Notice of Violation compliance date: 4/5/2024**
- **Notices of Hearing dated and posted on the property: 6/25/2024**

CE20240172
Affidavit of Posting



396 41st Ave

CE20240172
Unpermitted work

396 41st Ave.

CE20240172
Dumpster full of construction debris

396 41st Ave.

CE20240172
Unpermitted work

396 41st Ave.

CE20240172
Unpermitted work

396 41st Ave.

CE20240172
Unpermitted work

396 41st Ave.

CE20240172
Unpermitted work

396 41st Ave.

CE20240172
Unpermitted work

396 41st Ave.

NOTICE

The Notices of Hearing and of Violation contained herein are being posted pursuant to chapter 162, Florida Statues, 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: 396 41ST AVE

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

Name of Property Owner(s): NXT ACQUISITIONS CORP

Case No.: 20240172 Code Enforcement Officer: Steven Rivera

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 06/25/2024

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.
NXT ACQUISITIONS CORP
Respondent(s)

Case Number: 20240172

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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155 Corey Ave
St Pete Beach, Florida 33706

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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.

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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.

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 06/25/2024

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.

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

Agenda Report

Issue Considered: **Case No. 20240278**
City of St. Pete Beach v. Blagoje Savic & Ljubomir Savic & Slobodan Gojkovic
Address: 6901 Gulf Winds Dr. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 8.2. - Permitted principal uses and structures.**
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:
(a) Residential dwellings —Detached single-family only. Such dwellings shall not be used for transient occupancy.

The property is located in the RU-1 zoning district and is only permitted to be advertised and rented on a monthly basis. The property is currently advertised for a 3-night minimum stay, which is not permitted. As for the five short-term stays in 2024, 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

St. Pete Beach
The Sunset Capital of Florida
155 Corey Avenue St. Pete Beach, FL 33706 www.stpetebeach.org

Irreparable or Irreversible Notice of Violation

06/06/2024

SAVIC, BLAGOJE SAVIC, LJUBOMIR GOJKOVIC, SLOBODAN
26 IDLE RIDGE CT KITCHENER ON N2A 3W3 CANADA

Re: **Case Number 20240278**
Violation Address: 6901 GULF WINDS DR, ST PETE BEACH FL 33706
Parcel ID#: 363115906660000030

Dear Property Owner:

Your property is located in the RU-1 zoning district and is only permitted to be advertised and rented on a monthly basis. The property is currently advertised for a 3-night minimum stay which is not permitted. As for the four short term stays in 2024, this is prohibited and irreparable and irreversible in nature. You are in violation of the following Code Section:

> **Sec. 8.2. - Permitted principal uses and structures.**
> Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the RU-1 Residential District are as follows:
> (a) Residential dwellings —Detached single-family only. Such dwellings shall not be used for transient occupancy.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **7/8/2024, at 10am**

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

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

Sincerely,

Luis Cruz 727-589-2564

Luis Cruz
Code Enforcement Officer

CE20240278

- **Respondent(s): Blagoje Savic & Ljubomir Savic & Slobodan Gojkovic**
- **Violation address: 6901 Gulf Winds Dr.**
- **Violation(s) description: The property is in violation of section 8.2 (a) Permitted principle uses and structures of the Land Development Code of the city of St. Pete Beach**

CE20240278

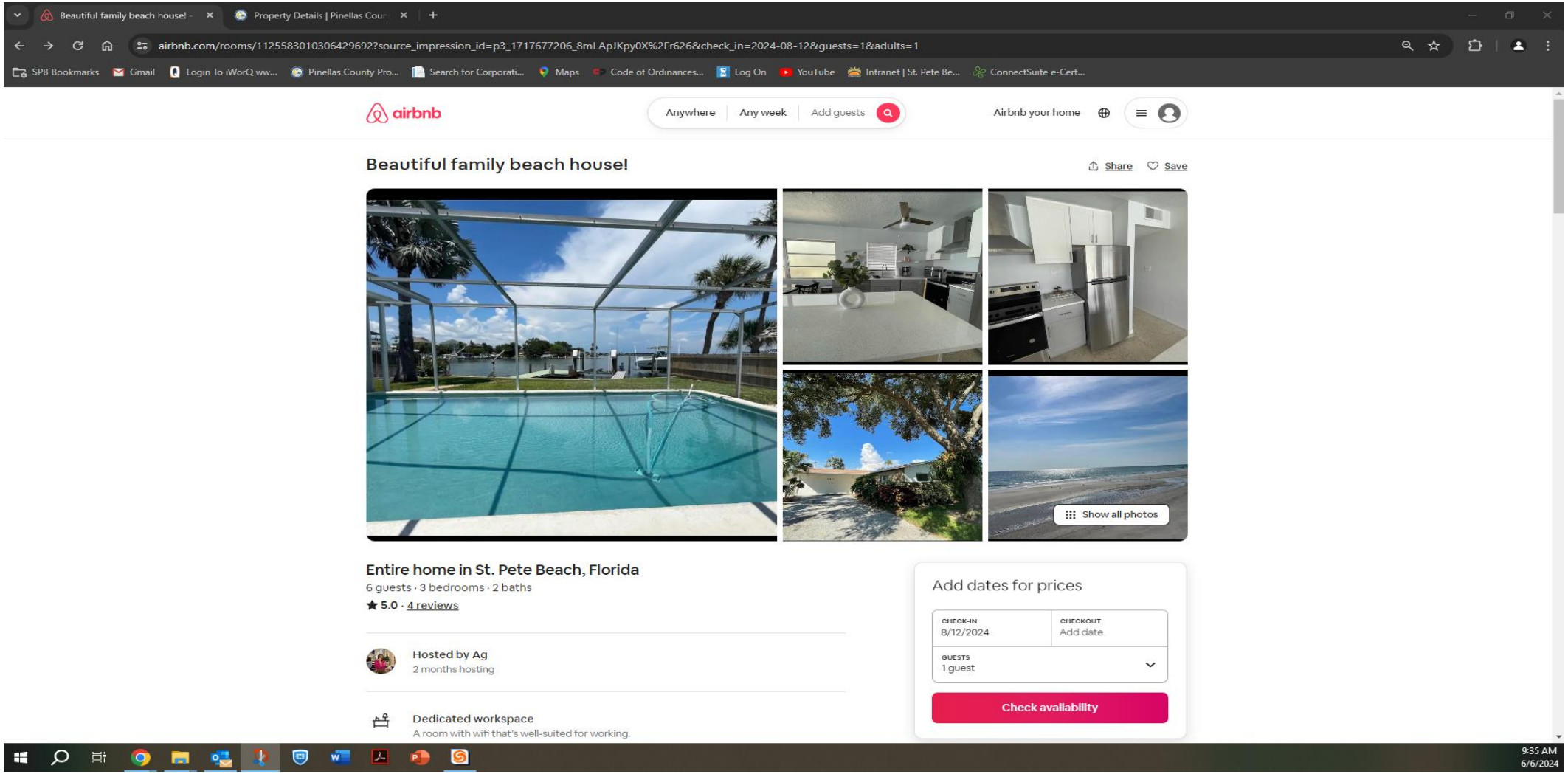
Case Summary

- **Initial inspection: 6/6/2024**
- **Notice of Irreparable or Irreversible Violation dated: 6/6/2024**
- **Notices of Hearing dated and posted on the property: 6/6/2024**

CE20240278
Affidavit of Posting

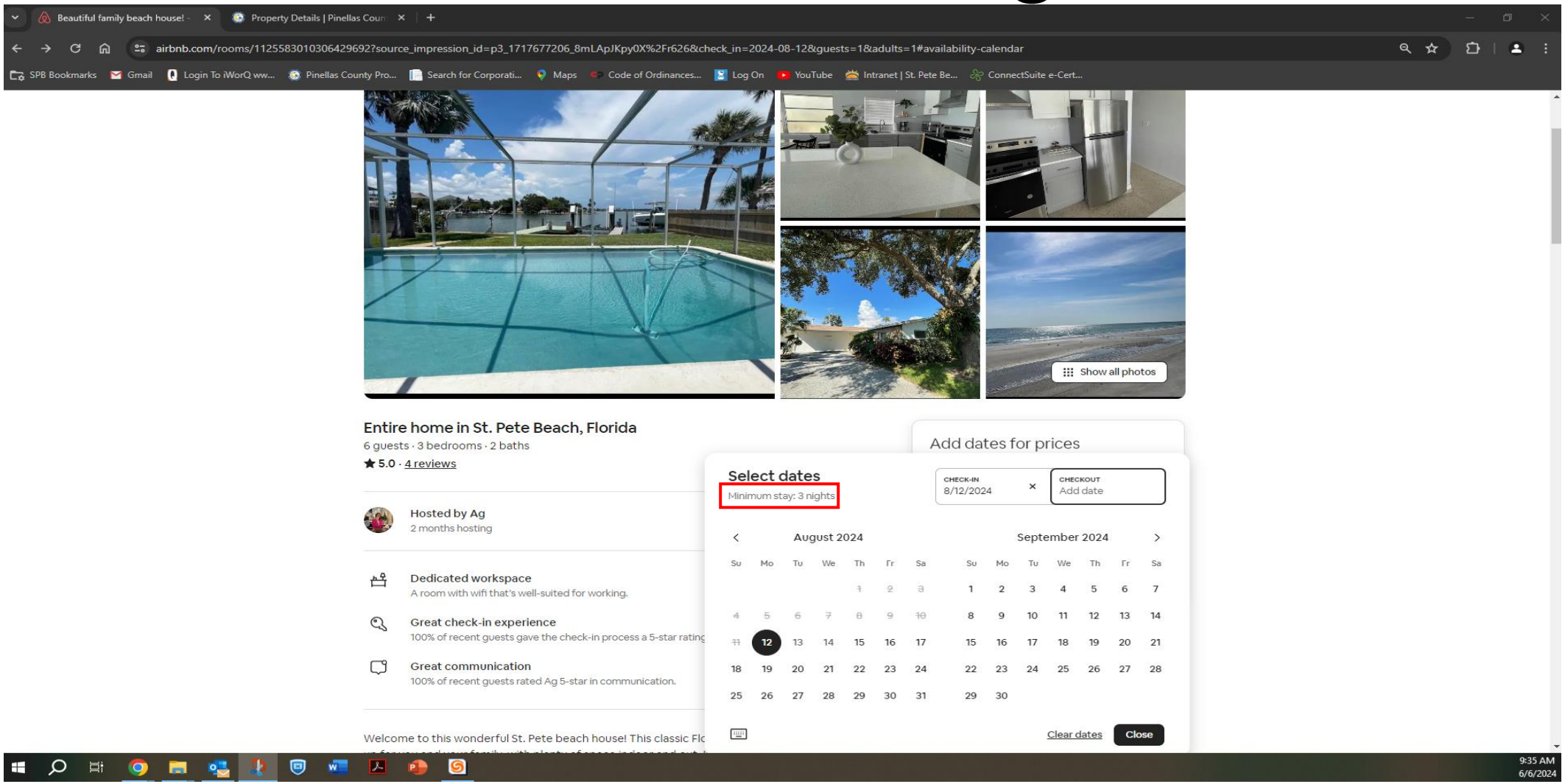
6901 Gulf Winds Dr.

CE20240278
Airbnb listing



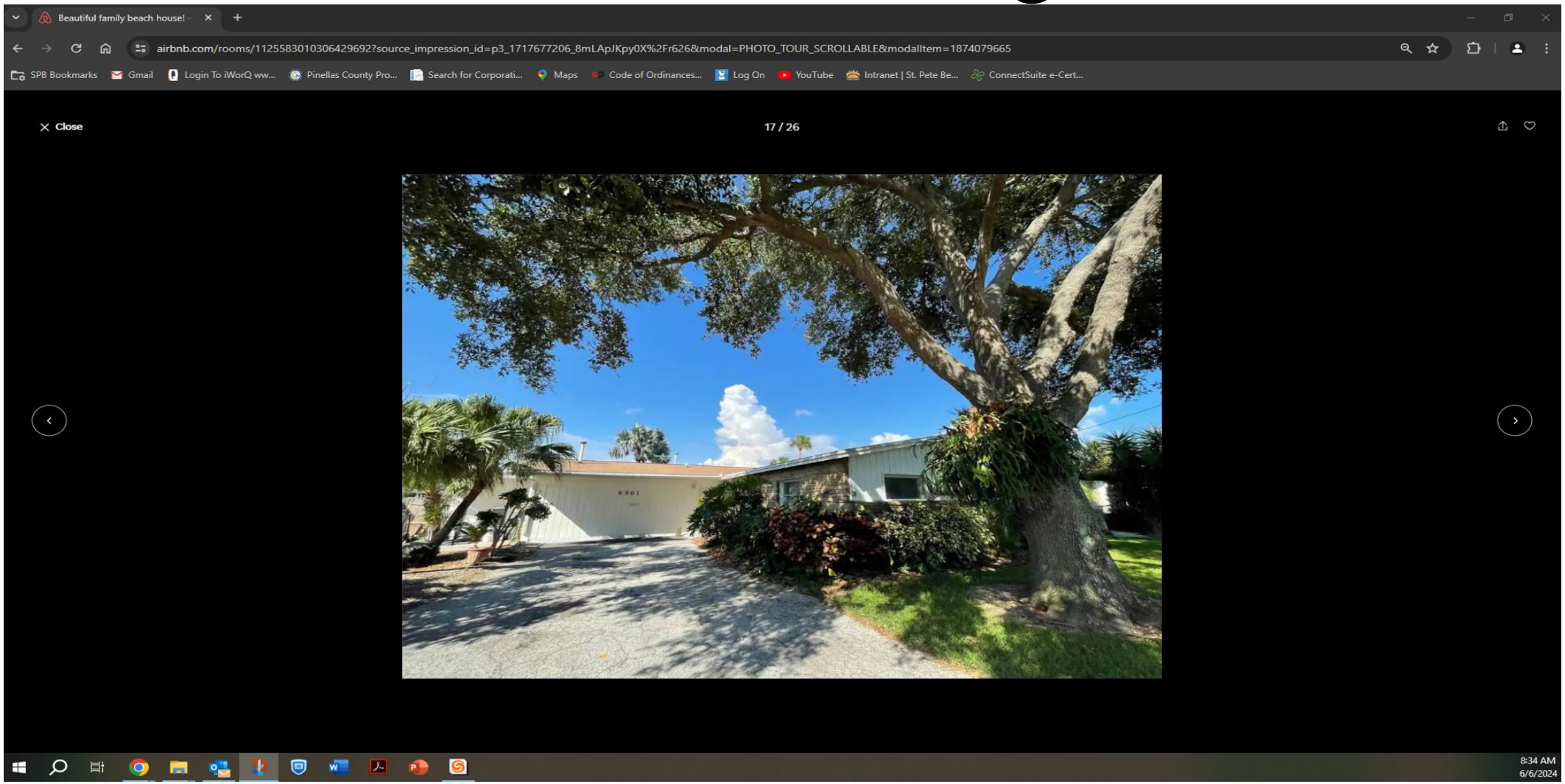
6901 Gulf Winds Dr.

CE20240278
Airbnb listing



6901 Gulf Winds Dr.

CE20240278
Airbnb listing



6901 Gulf Winds Dr.

CE20240278
Front of property

6901 Gulf Winds Dr.

CE20240278
Airbnb reviews (Stays)

Beautiful family beach house! -

airbnb.com/rooms/1125583010306429692?source_impression_id=p3_1714828813_EXaTp%2Blw4C%2BJunGZ

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

Add dates for prices
★ 5.0 · 5 reviews

Check availability

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5 4 3 2 1	5.0	4.6	5.0	5.0	4.8	5.0

1

Vladimir
Chicago, Illinois
★★★★★ · 4 days ago · Stayed a few nights
Easy check in, clean and quiet. Ag was very helpfull and reaponsive. I will come back

2

Nathan
Orlando, Florida
★★★★★ · May 2024 · Stayed a few nights
The house is exactly as advertised. Centralized location, the beach, restaurants, tourist shops, and convenience store are all within walking distance. The nearest grocery store(s) is onl...
Show more

3

Nicole
New York, United States
★★★★★ · May 2024 · Stayed with kids
We had a great time at this home for a long weekend. I stayed with my young toddler and it was ready with a pack and play and high chair available which was super useful. The pool was...
Show more

4

Samuel
Anchorage, Alaska
★★★★★ · April 2024 · Stayed a few nights
Absolute best place I have stayed, the location is perfect for anything you want to do and the rooms are spacious and super clean. Responses were prompt and straightforward.

5

April
Plaistow, New Hampshire
★★★★★ · April 2024 · Stayed with kids
Ag was a wonderful host! The house was exactly as advertised. We were immediately struck by how clean the house was. The view out by the pool was gorgeous! The...
Show more

8:45 AM
6/20/2024

6901 Gulf Winds Dr.

CE20240278

- 2024 Reviews (Stays)

April – 2 Stays

May – 2 Stays

June – 1 Stay

6901 Gulf Winds Dr.

NOTICE

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If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 6901 GULF WINDS DR

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

Name of Property Owner(s): SAVIC, BLAGOJE SAVIC, LJUBOMIR GOJKOVIC, SLOBODAN

Case No.: 20240278 Code Enforcement Officer: Luis Cruz

Hearing Date: 07/08/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 06/06/2024

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

X Luis Cruz Luis Cruz

Signature of Officer posting Print Name

CITY OF ST. PETE BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF ST. PETE BEACH,
Petitioner,
vs.
SAVIC, BLAGOJE SAVIC, LJUBOMIR GOJKOVIC, SLOBODAN
Respondent(s)

Case Number: 20240278

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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City of St. Pete Beach Commission Chambers
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St Pete Beach, Florida 33706

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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 **6901 GULF WINDS DR** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 06/06/2024

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 meting for assistance.

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

Agenda Report

Issue Considered:	**Case No. 20230616** **City of St. Pete Beach v. Anthony J Perrone** **Address: 8151 Blind Pass Rd. #8 St. Pete Beach FL 33706**
Date:	July 8, 2024
Prepared By:	Luis Cruz, Code Enforcement Officer
Through:	Peyt Dewar, Code Enforcement Manager
Summary of Issue:	Lien Reduction Request
Funding:	N/A
Requested Motion:	N/A
Attachments:	1. Special Magistrate Order 4/10/2024 2. Lien Reduction Request Application 3. Fine & Lien Assesment Sheet

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,
Petitioner,
v. **CASE NO.: CE20230616**
ADDRESS: 8151 Blind Pass, #8

ANTHONY PERRONE,

Respondent.
_____/

FINAL ORDER IMPOSING FINES AND COSTS

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 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 Section 98-123.1 of the City's Code of Ordinances for installing windows and sliding glass doors without first securing a permit.

5. In a Final Administrative Order dated February 14, 2024, Respondent was allotted thirty (30) days to apply for and secure an after-the-fact permit for the replacement of the exterior doors and windows.

6. Code Enforcement Officer Cruz testified that while the permit was applied for, it was denied, and the property still remains non-compliant.

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

7. Respondent has failed to comply with the Final Adminstrative Order dated February 14, 2024, and remains in violation of Section 98-123.1 of the City's Code of Ordinances.

8. A **$250** per day fine shall be assessed beginning **November 18, 2023,** and continue to accrue until the property comes into compliance. Respondent shall also be assessed **$325** for the reasonable adminstrative costs of the City.

9. It is Respondent's responsibility to notify the City once the property is in compliance.

10. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to $500 per day for each day the violation exists.

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

Order entered on 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 167 National Blvd., Long Beach, NY 11561-3324.

APPEALS

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

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: 20230616

2. Date: 6-06-2024

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

Company (if applicable): _____

Name: Anthony J Perrone

Mailing Address: 167 National Blvd

City: Long Beach State: NY Zip Code: 11561-3324

Phone #: 516-458-4562 Fax #: _____

Mobile #: 516-541-6549 E-mail: tperrone@dsj.us

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

Parcel ID: 36-31-15-00981-000-0080

Tax Account Number: R399926

Existing Use(s) on Property: condo - owner occupant

Date Fine or Lien Imposed: 04/10/2024 - Final Order Imposing Fines & Costs

Fine/Lien Amount: $42,750 Administrative Fees: $325 Total Fine/Lien Amount: $43,075

Amount you are requesting that the lien be reduced to: $ $0

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

Date upon which the subject property was brought into compliance: 05/06/2024

The factual basis upon which the application for reduction of the lien should be granted:
Licensed contractor pulled permit to replace rear sliding glass door and bedroom window, plan was approved by City, work passed inspection, and permit was closed

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:
Was not aware permit was required, but upon notification acquired a contractor to obtain an after-the-fact permit; however, process took much longer than anticipated.

Provide proof that the taxes are paid in full:
See attached Account History from Pinellas Co Tax Collector

6. Signatures and Notarization.

STATE OF NEW YORK COUNTY OF NASSAU. 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.

(APPLICANT SIGNATURE) ANTHONY PERRONE (Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification

Type of I.D. Produced DRIVER'S LICENSE

BOB JAHELKA NOTARY PUBLIC NO. 01JA4914272 QUALIFIED IN NASSAU COUNTY COMM. EXP. 12/07/2025 STATE OF NEW YORK

(NOTARY PUBLIC SIGNATURE)

STATE OF ~~FLORIDA~~ NEW YORK, COUNTY OF ~~PINELLAS~~ NASSAU

Sworn and subscribed to before me this 6 day JUNE 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

Real Estate Account #R399926

Owner:
PERRONE, ANTHONY J

Situs:
8151 BLIND PASS RD 8
ST PETE BEACH

Parcel details
Property Appraiser

Amount Due

Your account is **paid in full.** There is nothing due at this time.
Your last payment was made on **11/29/2023** for **$2,001.27**.

Account History

BILL	AMOUNT DUE	STATUS		
2023 Annual Bill	$0.00	**Paid** $2,001.27	11/29/2023	**Receipt** #0-23-153109
2022 Annual Bill	$0.00	**Paid** $1,887.51	11/29/2022	**Receipt** #1665-22-067149
2021 Annual Bill	$0.00	**Paid** $1,556.03	11/29/2021	**Receipt** #1655-21-076690
2020 Annual Bill	$0.00	**Paid** $1,524.22	11/30/2020	**Receipt** #1655-20-085505
2019 Annual Bill	$0.00	**Paid** $1,372.78	11/29/2019	**Receipt** #755-19-083293
2018 Annual Bill	$0.00	**Paid** $1,563.48	11/27/2018	**Receipt** #755-18-070466
2017 Annual Bill	$0.00	**Paid** $1,405.24	11/22/2017	**Receipt** #755-17-060435
2016 Annual Bill	$0.00	**Paid** $1,307.82	11/30/2016	**Receipt** #755-16-096808
2015 Annual Bill	$0.00	**Paid** $1,173.40	11/30/2015	**Receipt** #916-15-002005
2014 Annual Bill	$0.00	**Paid** $1,052.85	11/28/2014	**Receipt** #755-14-084995
2013 Annual Bill	$0.00	**Paid** $944.70	11/27/2013	**Receipt** #755-13-099451
2012 Annual Bill	$0.00	**Paid** $1,036.42	11/29/2012	**Receipt** #756-12-048347
2011 Annual Bill	$0.00	**Paid** $1,134.44	11/30/2011	**Receipt** #756-11-023686
2010 Annual Bill	$0.00	**Paid** $1,179.10	11/30/2010	**Receipt** #755-10-106243
2009 Annual Bill	$0.00	**Paid** $1,369.11	11/30/2009	**Receipt** #755-09-102929

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20230616

Anthony Perrone

8151 Blind Pass Rd # 8

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
	Total hours	3.00	$325.00

A $250 per day fine starting 11/18/2023-5/6/2024 (171 days) plus $325 in admin. costs.

Total Administrative Fines	$325.00
Lien	$42,750.00
Total	$43,075.00

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

Agenda Report

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

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: N/A

Requested Motion: N/A

Attachments:

1. Special Magistrate Order 3/13/2024
2. Special Magistrate Order Denying Challenge to Fine Amount 4/11/2024
3. Lien Reduction Request Application
4. Fine & Lien Assesment Sheet

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230513
ADDRESS: 423 Corey Ave.

APRIL ELLIOT and DAVID RYBARCZYK,

Respondents.

_____/

FINAL ORDER IMPOSING FINES AND COSTS

This case came before the Special Magistrate on March 11, 2024, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.

2. Respondents failed to appear.

3. Respondents own the subject property, and legally required notice of this proceeding was served on Respondents in accordance with applicable law.

4. Respondents were notified that they were in violation of Sections 46-33, 6.12, and 98-66 of the City's Code of Ordinances for failing to maintain a dumpster enclosure and fence in good condition.

5. In a Final Admisntrative Order dated February 14, 2024, Respondents were given until March 11, 2024, to make a good faith effort to come into compliance regarding the dumpster enclosure located on their property.

6. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the dilapidated wood dumpster enclosure remains on the property and testified that he did speak with Respondents and confirmed that the enclosure could be removed. He testified that Respondents called him the morning of the hearing stated they have received a quote from a contractor but would not proceed with the removal until showings of the property slowed down.

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

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

8. Respondents have failed to comply with the Final Administrative Order dated February 14, 2024, and remain in violation of Sections 46-33, 6.12, and 98-66 of the City's Code of Ordinances.

9. A **$250** per day fine shall be assessed, beginning on **March 11, 2024**, and run until the property comes into compliance, as well as the reasonable administrative costs of the City.

10. It is Respondents' responsibility to notify the City once the property is in compliance.

11. Should Respondents be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondents may be subject to a fine of up to $500 per day for each day the violation exists.

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

Order entered on March 13, 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

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

APPEALS

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

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

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

APRIL ELLIOT and DAVID RYBARCZYK,

Respondents.
_____/

ORDER DENYING CHALLENGE TO FINE AMOUNT

This case came before the Special Magistrate on April 8, 2024, on Respondent's Request to Challenge Fine Amount pursuant to Section 22-279 of the City's Code of Ordinances. The Special Magistrate, based on the information and argument presented at the hearing, issues the following order:

1. Respondent, April Elliot, testified that due to a family emergency they were unable to attend the Special Magistrate hearing on March 10, 2014, where fines were imposed due to failure to comply with the Final Administrative Order dated February 14, 2024; and

2. Ms. Elliot testified that if she had been present, she would have relayed that they had received word from the City that the dumpster enclosure could be demolished, but that they hadn't taken steps to do so until there was a slowdown in the showings on their property as it is listed for sale; and

3. The Special Magistrate does not find this evidence would have changed the imposition of fines or the amount thereof, as Respondents could have complied with the Final Administrative Order by applying for the permit and taking steps to remove the dumpster regardless of the showings on the property.

IT IS ADJUDGED that Respondents' Request to Challenge the Fine Amount Pursuant to Section 22-179 of the City's Code of Ordinances is hereby **DENIED** as Respondents have failed to provide sufficient evidence to cause the Special Magistrate to reduce or otherwise alter the fine amount.

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 11th day of April 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

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

APPEALS

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

Lien Reduction Request Application

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

1. Code Enforcement Case Number: CE20230513

2. Date: 5/23/24

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

Company (if applicable): _____

Name: April Elliott and David Rybarczyk

Mailing Address: 180 N Tessier Drive

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

Phone #: 720-548-8866 Fax #: N/A

Mobile #: same E-mail: elliott.april@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): N/A

Name: same as above

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Information for property on which lien occurs:

Street Address: 423 Corey Avenue, St. Pete Beach, FL 33706

Parcel ID: 36-31-15-77994-060-0110

Tax Account Number: R401570

Existing Use(s) on Property: None currently - building is vacant and listed on the market

Date Fine or Lien Imposed: 3/11/24

Fine/Lien Amount: $5500. Administrative Fees: $325. Total Fine/Lien Amount: $5825.

Amount you are requesting that the lien be reduced to: $ 325.00

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

Date upon which the subject property was brought into compliance: 3/29/2024

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

see attached supplement

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

see attached supplement

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.

STEVEN FURROW
Notary Public - State of Florida
Commission # HH 282858
My Comm. Expires Oct 23, 2026
Bonded through National Notary Assn.

April Elliott (April Elliott) Steven Furrow

(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)

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 12 day June 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

SUPPLEMENT TO LIEN REDUCTION REQUEST APPLICATION

The factual basis upon which the application for reduction of the lien should be granted* and *The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

I will start by saying that we have always done what we could to be compliant, above board, and "in front of the ball" with the City of St. Pete Beach and code enforcement. We purchased this building in early August 2022. We physically moved here on August 8, 2022. The following week, anticipating renovations to the building, we emailed and met with the Zoning Department seeking answers to our questions regarding zoning, signage, and renovations prior to contacting potential general contractors. (Email attached as Att. 1.) Similarly, around May 2023 we had another in-person meeting with members of City Hall regarding a potential historical designation for the building, as well as "pre-approval" for potential changes to the façade of the building. We have consistently sought permission in advance of doing any work on the building.

This property has been completely vacant since we purchased it in August 2022. In October 2023, we were cited by code enforcement for having "a dumpster enclosure and fence that is in disrepair as well as metal barricade fencing and a tank that need to be removed from visibility from the alley." We immediately responded to this notice – we promptly had the tank removed and went to City Hall to advise code enforcement that the metal barricades were left by a city subcontractor following completion of the surface parking lot immediately behind our building. The City's subcontractor removed the metal barricades that same day. Finally, I called Luis Cruz and explained to him that the fence for which we were cited was not on our property, but that the dumpster enclosure was admittedly ours (though we did not believe that to be in violation of any code given that it was safe and structurally sound). We agreed to discuss what could be done regarding the dumpster enclosure, but with respect to the fence, Mr. Cruz said something to the effect of "tell it to the judge" as he was not in a position to make such determinations. Our case was set for a hearing before the special magistrate, so no further action was taken on our part.

Our first hearing was on February 12, 2024. I provided a boundary survey and the special magistrate ruled that the fence was not on our property. I further provided and submitted into evidence photographs of the dumpster enclosure. I explained to the special magistrate that we were in the process of listing this property for sale and would prefer not to change or rebuild a structure when we were completely unaware of who or what type of business would purchase this commercial/residential property. The special magistrate seemed to agree and said something to the effect of it not being the city's intention to interfere with or hinder property sales.

On February 15, 2024, the special magistrate issued a written ruling. (Order attached as Att. 2.) Paragraph 9 continued this matter to March 11, 2024, and read, "At that time it will be determined what the status of the property is, what actions are being taken to remedy the violation, and *whether an extension of time is needed to complete those tasks*, or if fines and administrative costs will be imposed as a result of failure to make a good-faith attempt to comply with the Code" (emphasis added).

Following issuance of this Order, we contacted Mr. Cruz to discuss options for the dumpster enclosure. It was agreed that we would simply have the dumpster enclosure removed by our general contractor. We confirmed with our GC that he could complete this work and discussed and agreed to his fees. Property showings were quite frequent at that time, so we elected to delay the demolition and removal of the dumpster enclosure to ensure the safety of those walking in and around the property.

We were prepared to provide these updates to the Court at the March 11, 2024, hearing, and planned to request one final extension of time to complete the work. Unfortunately, my father had a medical emergency so we flew to Texas late on Sunday night before the Monday, March 11 hearing. I emailed Mr. Cruz on the morning of March 11, 2024 explaining to him the situation and asking if there was some way we could appear virtually or if there was a number we could call to provide updates to the Court. (Email attached as Att. 3.) I advised Mr. Cruz that while we could not be there in person, we were simply requesting one extension to remove the dumpster. I also advised Mr. Cruz that I had just spoken with our GC that morning and confirmed his continued availability to do this work, which could begin the same week.

When we did not hear back regarding a virtual appearance or a call-in number, we logged in and were able to watch the hearing on a live feed. We listened to Mr. Cruz's rendition of the facts when our case was called, and then listened as he referred to only select portions of my email. Specifically, he represented to the Court that we would not be appearing at the hearing, that we were waiting to remove the dumpster enclosure until showings slowed down, and that I mentioned our GC's fees but did not identify the specific amount. When the special magistrate asked if respondents were present, Mr. Cruz simply sat down and the courtroom was silent. Mr. Cruz did not mention the fact that we had asked to appear virtually, were watching via live feed, or that we were asking for one final extension as our GC was ready and able to complete the work beginning that same week.

The special magistrate found that we had not acted in good faith and we were fined a $325 administrative fee plus $250/day until the work was completed. This fine amounts to $5,825.00. Essentially, **21 of the 22 days for which we were fined were days when the permit was pending approval by the City**.

Our GC submitted a notarized permit application to the City within about three hours of the Court's order. (My husband and I were in a very remote part of Texas, so this could have been submitted much sooner had it not been so difficult for us to find a notary public in rural Texas.) It took over three weeks for the permit to be approved by the City. Once the permit was approved, the dumpster enclosure was fully demolished and removed that same afternoon.

We notified Mr. Cruz when the work was complete and asked if we could be added to the next hearing docket. I emailed Mr. Cruz a detailed timeline of events in advance of that hearing. (Email attached as Att. 4.) We explained the circumstances to the special magistrate, who ruled that none of this information changed her position and found that we had not acted in good faith. We respectfully disagree.

Again, we have requested and attended meetings with City officials on two separate occasions to make sure we understood local code and procedures prior to performing any substantial work on the building. We have in fact done what we could to comply with code enforcement, and we fully believe we acted in good faith in accordance with the Court's orders. Any delay in removing the dumpster enclosure was more to ensure public safety as multiple parties were walking through what was otherwise a vacant property. The enclosure was structurally sound, in good repair and completely free of loose or rotting materials. It did not pose any risk whatsoever to the general public, but a "construction" zone and demolition site may have, which is why we elected to wait just a couple of weeks until showings slowed down. We believe we were acting in good faith in seeking one further extension of time and in fact the work was completed in what would have been a one-month extension.

We are respectfully asking for the fines to be reduced to the $325 administrative fee to account for the Court and all parties' time on this matter.

Thank you in advance for your consideration,

Amie Eell

Gmail

April Elliott <elliott.april@gmail.com>

Zoning questions on Corey Ave.

12 messages

April Elliott <elliott.april@gmail.com> Tue, Aug 16, 2022 at 1:22 PM
To: jledford@stpetebeach.org

Good afternoon, Ms. Ledford. I just left you a voicemail but am emailing you in case this is easier.

My family and I have just moved back to St. Pete Beach - we lived here for one year in 2015 and loved it and are so excited to be back! We also purchased the building at 423 Corey Ave. - the "green chalet" which features commercial spaces on the bottom and an apartment upstairs. I have some questions regarding zoning, signage, renovations/ improvements, etc. Would it be possible to schedule an in-person appointment with someone in your department so I can field these questions before even contacting contractors?

Thank you so much in advance. I look forward to hearing from and working with you!
April

--
The Law Office of April M. Elliott, P.C.
1040 S. Gaylord Street, Suite 74
Denver, CO 80209
Phone: 720.548.8866
Fax: 303.586.6232

Jennifer Ledford <jledford@stpetebeach.org> Tue, Aug 16, 2022 at 1:25 PM
To: April Elliott <elliott.april@gmail.com>

Hi April,

I forwarded you voicemail to Brandon. He is a Senior Planner with the city. Brandon's number is 727-363-9229.

Thank you,

St. Pete Beach

Jennifer Ledford

ATT. 1

April Elliott <elliott.april@gmail.com> Tue, Aug 16, 2022 at 1:36 PM
To: Jennifer Ledford <jledford@stpetebeach.org>

Great - thank you so much! Should I wait to hear back from Brandon or reach out to him directly?
[Quoted text hidden]

Brandon Berry <bberry@stpetebeach.org> Tue, Aug 16, 2022 at 1:46 PM
To: "elliott.april@gmail.com" <elliott.april@gmail.com>

April,

We'd be happy to set up a meeting with you. Are you planning a conversion of the uses in the building, from retail and personal services to another use, or were you planning to keep them the same?

I can meet with you this Friday morning if you are keeping the uses the same. If you are changing them, or are exploring doing so, a meeting next week would probably work best so I could get the building and fire officials involved.

Sincerely,
Brandon

From: Jennifer Ledford <jledford@stpetebeach.org>
Sent: Tuesday, August 16, 2022 1:26 PM
To: Brandon Berry <bberry@stpetebeach.org>
Subject: FW: Zoning questions on Corey Ave.

Hi Brandon,

This is the April from the message I just forwarded you.

Thank you,

St. Pete Beach

Good afternoon, Ms. Ledford. I just left you a voicemail but am emailing you in case this is easier.

[Quoted text hidden]

The city of St. Pete Beach uses SeeClickFix for residents to submit issues to the city. To report an issue, please click here.

[Quoted text hidden]

April Elliott <elliott.april@gmail.com> Tue, Aug 16, 2022 at 2:39 PM
To: Brandon Berry <bberry@stpetebeach.org>

Good afternoon, Brandon, and thank you for getting back to me so quickly! I am planning to open a bookstore on the bottom and will continue to use the top floor as an apartment. So I would think meeting on Friday will work?
[Quoted text hidden]

April Elliott <elliott.april@gmail.com> Thu, Aug 18, 2022 at 5:52 PM
To: Brandon Berry <bberry@stpetebeach.org>

Hi there! Just following up on this - are you still available tomorrow? I'm meeting someone on Corey at 11 but am free after that for an in person meeting. I'd be free for a phone call around 10, or I'm free almost anytime next week. Please let me know what works for you!!

My main question for you at this point is how is the second floor of 423 Corey zoned? For annual or vacation rental, or does it matter?

Thank you and I look forward to hearing from you!
April
[Quoted text hidden]

Brandon Berry <bberry@stpetebeach.org> Fri, Aug 19, 2022 at 7:19 AM
To: April Elliott <elliott.april@gmail.com>

April,

Apologies for not getting back with you. Would a meeting today around 1 PM or 2 PM work? Either will be fine with me. I will look into your question about the rental unit between now and then.

Sincerely,
Brandon

[Quoted text hidden]
[Quoted text hidden]

April Elliott <elliott.april@gmail.com> Fri, Aug 19, 2022 at 8:21 AM
To: Brandon Berry <bberry@stpetebeach.org>

Yes either of those times work for me! How about if I plan on 1:00?
[Quoted text hidden]

Brandon Berry <bberry@stpetebeach.org> Fri, Aug 19, 2022 at 8:24 AM
To: April Elliott <elliott.april@gmail.com>

That will work fine. I will see you then.

Sincerely,
Brandon

[Quoted text hidden]
[Quoted text hidden]

Brandon Berry <bberry@stpetebeach.org> Fri, Aug 19, 2022 at 1:50 PM
To: April Elliott <elliott.april@gmail.com>

It was nice to meet you both earlier.

Below is the link to the webpage explaining what is exempt from the FEMA 50% valuation of the residence (see under 'Permit Required'). When you speak with the Building Official I'd strongly recommend noting all possible improvements you would like to make to the structure to ensure that they are viable and account for any potential ADA or other upgrades that will need to be made.

Link: https://www.stpetebeach.org/664/Substantial-ImprovementSubstantial-Damag

Mark Vasquez mvasquez@stpetebeach.org is our Building Official, and Kelly Intzes kintzes@stpetebeach.org our Fire Marshal. I'd recommend speaking with both about your intended improvements to make sure there are no unexpected requirements. If you prefer, I'd be happy to set up an in-person meeting with both of them. We just ask for about a week lead time to make sure we are all available.

If you have any questions please feel free to reach out to me at any time.

Sincerely,
Brandon

From: April Elliott <elliott.april@gmail.com>
Sent: Friday, August 19, 2022 8:21 AM

[Quoted text hidden]

[Quoted text hidden]
[Quoted text hidden]

April Elliott <elliott.april@gmail.com> Fri, Aug 19, 2022 at 2:08 PM
To: Brandon Berry <bberry@stpetebeach.org>

Thank you so much. I'll likely try to meet with a contractor first to see if they have any additional thoughts or suggestions, THEN I will request a meeting with these two individuals to discuss proposed changes. Just seems the most efficient way to do this! It was a pleasure to meet you and I'll be in touch again soon!
[Quoted text hidden]

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20230513
ADDRESS: 423 Corey Ave.

APRIL ELLIOT and DAVID RYBARCZYK,

Respondents.

_____/

FINAL ADMINISTRATIVE ORDER

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

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.

2. Respondents were present and represented themselves.

3. Respondents own the subject property, and legally required notice of this proceeding was served on Respondents in accordance with applicable law.

4. Respondents were notified that they were in violation of Sections 46-33, 6.12, and 98-66 of the City's Code of Ordinances for failing to maintain a dumpster enclosure and fence in good condition.

5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating a 6' wood fence that is dilapidated and in disrepair, as well as a wood fence dumpster enclosure that is dilapidated and in disrepair.

6. Ms. Elliot testified and produced evidence demonstrating that the 6' wood fence is not on the Respondents property and is neither owned nor maintained by Respondents. Photographs were submitted demonstrating that the wood fence was not attached to the dumpster enclosure and is in fact attached to the neighboring property. Ms. Elliot also produced a recent survey that demonstrates the wood fence is not located on their property. Ms. Elliot has offered to remove the dumpster enclosure or replace it. The replacement is

Att. 2

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

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

7. Respondents are found to be in violation of Sections 46-33, 6.12, and 98-66 of the City's Code of Ordinances only for the dumpster enclosure as the fence is not owned nor maintained by the Respondents.

8. Respondents shall have until **Monday, March 11, 2024**, to meet with the City to determine if the dumpster enclosure can be removed or if it needs to be replaced, and to make a good faith effort to complete the removal or replacement before that date.

9. A status hearing is set for **March 11, 2024, at 10:00 a.m.** At that time it will be determined what the status of the property is, what actions are being taken to remedy the violation, and whether an extension of time in needed to complete those tasks, or if fines and administrative costs will be imposed as a result of failure to make a good-faith attempt to comply with the Code.

10. No decision on fines and administrative costs is being made as part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.

11. It is Respondents' responsibility to notify the City once the property is in compliance.

12. Should Respondents be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondents may be subject to a fine of up to $500 per day for each day the violation exists.

Order entered on February 15, 2024.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

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

APPEALS

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

Gmail

April Elliott <elliott.april@gmail.com>

423 Corey Ave Survey

3 messages

April Elliott <elliott.april@gmail.com> Mon, Feb 12, 2024 at 11:09 AM
To: srivera@stpetebeach.org

Good morning. Attached is the boundary survey for the property located at 423 Corey Avenue. Please let me know if you need anything further. I can also be reached at 720-548-8866.

We look forward to bringing this property into compliance.

Sincerely,
April and David

423 Corey Boundary Survey.pdf
1911K

Steven Rivera <srivera@stpetebeach.org> Mon, Feb 12, 2024 at 11:29 AM
To: April Elliott <elliott.april@gmail.com>, Luis Cruz <lcruz@stpetebeach.org>

Thank you.

Get Outlook for iOS

From: April Elliott <elliott.april@gmail.com>
Sent: Monday, February 12, 2024 11:09:29 AM
To: Steven Rivera <srivera@stpetebeach.org>
Subject: 423 Corey Ave Survey

CAUTION: This message has originated from **Outside of the Organization. Do Not Click** on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe

[Quoted text hidden]

The city of St. Pete Beach uses SeeClickFix for residents to submit issues to the city. To report an issue, please click here.

All government correspondence is subject to the public records laws.

April Elliott <elliott.april@gmail.com> Mon, Mar 11, 2024 at 9:24 AM
To: Steven Rivera <srivera@stpetebeach.org>
Cc: Luis Cruz <lcruz@stpetebeach.org>

Good morning, Mr. Rivera and Mr. Cruz. I am emailing in reference to case CE20230513, which I believe is set on this morning's docket for an update.

Unfortunately neither my husband nor I are able to attend this morning's hearing as planned as we are out of state at the moment. But we are able to call in or appear virtually if that is a possibility?

If not, we are requesting one final extension of time to have the dumpster enclosure removed from the property. After conferring with Mr. Cruz after last month's hearing, it is David's understanding that we are able to simply remove the enclosure altogether. As you know, we just recently listed the building for sale. There has been substantial interest

ATT. 3

from both in and out-of-state buyers, so showings have been frequent and delayed the demolition and removal of that enclosure. But we have conferred with our GC, gotten a satisfactory price quote for the project, and he is able to complete the removal as soon as there is a lull in showings. That may even be a possibility this week or next given that it's Spring Break.

Hopefully one final extension will not be an issue as we are eager to resolve this matter and bring the property into compliance.

Sincerely,
April Elliott and David Rybarczyk
720-548-8866
[Quoted text hidden]

Gmail

April Elliott <elliott.april@gmail.com>

Update for 423 Corey Ave - WE ARE PRESENT VIRTUALLY

2 messages

April Elliott <elliott.april@gmail.com> Mon, Mar 11, 2024 at 10:08 AM
To: Steven Rivera <srivera@stpetebeach.org>, Luis Cruz <lcruz@stpetebeach.org>

Good morning. David and I are appearing virtually - may we speak at the hearing so we can update the court?

If not, just confirming that I spoke with our GC this morning to confirm that he has the availability and manpower to commit this project in a timely fashion. He does - he said once he pulls the permit he can do

---

April Elliott <elliott.april@gmail.com> Mon, Mar 11, 2024 at 10:20 AM
To: Steven Rivera <srivera@stpetebeach.org>, Luis Cruz <lcruz@stpetebeach.org>

I hit send too soon - was trying to let you both know that we were "present" and watching the meeting in the hopes we could address the court. In any event, I've already called our GC and he is going to apply for the permit today. He is able to complete this project as soon as he has the permit in hand so hopefully this will be a quick turnaround. I will keep you posted.
[Quoted text hidden]

ATT 3 (cont.)

Gmail

April Elliott <elliott.april@gmail.com>

423 Corey Ave Dumpster Enclosure

1 message

April Elliott <elliott.april@gmail.com> Tue, Apr 2, 2024 at 9:01 AM
To: Luis Cruz <lcruz@stpetebeach.org>
Cc: David Rybarczyk <david_rybarczyk@yahoo.com>

Good morning, Luis. I just wanted to update you on the status of the dumpster enclosure removal at this site and provide you with a timeline in anticipation of next Monday's hearing.

3/11/24:
The last hearing was on March 11 - you may recall that David and I flew to Dallas on Sunday evening due to a family medical emergency. Due to flight delays we did not get to my parents' house until after midnight so I did not send anything to you that evening. I did, however, set my alarm for the following morning so I could at least attempt to reach you in the morning and let you know that we could not attend the hearing in person and why. I attempted to find a number for the court clerk to see if David and I could appear virtually or by phone, but I was not able to reach anyone with that information.

David and I did watch the hearing and were therefore immediately aware of the fines requested and assessed against us. I immediately contacted our contractor, who in turn immediately prepared a permit for the demolition. That permit had to be notarized, so David and I drove around rural Dallas (my parents live over an hour north of Dallas proper in horse country) looking for a notary. We finally found one and were able to scan and email that back to our GC.

The application for the permit was filed on or before 1:00 p.m. that same day and our GC requested an expedited process to the extent possible.

3/14/24:
Zoning approved the permit and it moved to the "building review" stage of processing.

3/25/24:
We still had not heard anything, and our GC offered to email the building official for an update as apparently a number of permits were held up or slow to process.

3/29/24:
I received a text from our GC at 9:07 a.m. saying the permit had been approved. The enclosure was removed before 3:00 p.m. that same day.

4/2/24:
I believe the final inspection is scheduled or has been requested for today. I will update you once that has taken place!

We really are doing everything in our power to comply with the city's demands in regards to this matter. It is unfortunate that we could not be physically present at the last hearing, but we will be there on Monday prepared to update all parties and assure compliance.

Please feel free to contact me with any questions in the interim at 720-548-8866.
April and David

ATT. 4

2023 REAL ESTATE TAX

Charles W. Thomas, CFC, Pinellas County Tax Collector
P.O. Box 31149, Tampa, FL 33631-3149
(727) 464-7777 | pinellastaxcollector.gov

Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

Pay online at **pinellastaxcollector.gov**
• E-check - no fee • Credit card - 2.95% convenience fee

If Received By	May 31, 2024				
Pay this Amount	$13899.70				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R401570		SPB

PARCEL NO.: 36/31/15/77994/060/0110
SITE ADDRESS: 423 COREY AVE, ST PETE BEACH
PLAT: 5 PAGE: 28
LEGAL:
ST PETERSBURG BEACH REPLAT
BLK 60, LOT 11 LESS ALLEY

ELLIOTT, APRIL
RYBARCZYK, DAVID
3820 GULF BLVD APT 1008
ST PETERSBURG, FL 33706-3945

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAXES LEVIED
GENERAL FUND	4.7398	830,000	0	830,000	3,934.03
HEALTH DEPARTMENT	0.0713	830,000	0	830,000	59.18
EMS	0.8418	830,000	0	830,000	698.69
SCHOOL-STATE LAW	3.1900	830,000	0	830,000	2,647.70
SCHOOL-LOCAL BD.	2.7480	830,000	0	830,000	2,280.84
ST PETE BEACH	3.0913	830,000	0	830,000	2,565.78
SW FLA WTR MGMT.	0.2043	830,000	0	830,000	169.57
PINELLAS COUNTY PLN.CNCL.	0.0210	830,000	0	830,000	17.43
JUVENILE WELFARE BOARD	0.8250	830,000	0	830,000	684.75
TOTAL MILLAGE	15.7325			GROSS AD VALOREM TAXES	$13,057.97

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	AMOUNT
ST PETE BEACH STORMWATER SVCS FIXED COST	64.32
ST PETE BEACH STORMWATER SVCS VARIABLE COST	346.35
GROSS NON-AD VALOREM ASSESSMENTS	$410.67

TAXES BECOME DELINQUENT APRIL 1ST COMBINED GROSS TAXES AND ASSESSMENTS $13,468.64

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 Received By	May 31, 2024				
Pay this Amount	$13899.70				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R401570		SPB

PARCEL NO.: 36/31/15/77994/060/0110
SITE ADDRESS: 423 COREY AVE, ST PETE BEACH
PLAT: 5 PAGE: 28
LEGAL:
ST PETERSBURG BEACH REPLAT
BLK 60, LOT 11 LESS ALLEY

ELLIOTT, APRIL
RYBARCZYK, DAVID
3820 GULF BLVD APT 1008
ST PETERSBURG, FL 33706-3945

Duplicate N/A 05/16/2024
Paid 05/07/2024 Receipt # 1653-23-TAX-004426$13,899.70

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20230513

April Elliot & David Rybarczyk

423 Corey 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
	Total hours	3.00	$325.00

A $250 per day fine starting 3/11/2024 - 4/1/2024 plus
$325 in admin. costs.

Total Administrative Fines	$325.00
Lien	$5,500.00
Total	$5,825.00

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

Agenda Report

Issue Considered: **Case No. 20190452**
City of St. Pete Beach v. Ling Lei & Xi Ye
Address: 135 58th Ave. St. Pete Beach FL 33706

Date: July 8, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Lien Reduction Request

Funding: N/A

Requested Motion: N/A

Attachments:
1. Special Magistrate Order 3/13/2020
2. Lien Reduction Application
3. Fine & Lien Assessment Sheet

113

CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF ST. PETE BEACH, FLORIDA

CITY OF ST. PETE BEACH,

Petitioner,

vs.

LING LEI AND XI YE,

Respondent(s).

CASE NUMBER: 20190452

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2020090885 03/18/2020 12:26 PM
OFF REC BK: 20927 PG: 1337-1338
DocType:LN RECORDING: $18.50

FINDINGS OF FACT AND ORDER
IMPOSING ADMINISTRATIVE FINE AND CERTIFYING LIEN

THIS CAUSE came on to be heard for public hearing before the undersigned Special Magistrate on March 9, 2020, after due notice to the Respondent(s), and the Special Magistrate having heard testimony under oath, received evidence, and otherwise being advised in the premises, it is hereby finds that:

The Special Magistrate makes the following findings of fact:

1. The City was represented by the City Attorney, Matthew McConnell, and its Code Enforcement Officer, Aaron Marceron.

2. Ling Lei appeared behalf of the Respondent(s).

3. The property is located 135 58th Avenue, St. Pete Beach, Florida 33706 and is owned by the Respondent(s).

4. Proper notice was served upon the Respondent(s) via certified mail, regular mail, posting or hand delivery in accordance with Chapters 162 and 166, Florida Statutes.

5. The Respondent(s) was notified that Respondent(s) was in violation of the following sections of the Land Development Code of the City of St. Pete Beach:

Sec. 8.2. - Permitted principal uses and structures.
(a)Residential dwellings —Detached single-family only. Such dwellings shall not be used for transient occupancy

6. The violations set forth in Paragraph 5 above existed on January 26, 2020, January 30, 2020, February 6, 2020, and March 6, 2020 ("Violation Dates") and the property is in compliance as of the date of this hearing.

ORDERED and ADJUDGED:

1. The Respondent(s) and the property listed above are found in violation of Section 8.2 of the Land Development Code of the City of St. Pete Beach, Florida on each of the Violation Dates.

3. Because the property was in violation on the Violation Dates, a fine is imposed in the amount of $250.00 for each of the Violation Dates, without further hearing. In addition, there shall be an administrative fine imposed in an amount to be determined to cover costs associated to bringing this matter to hearing.

4. That the City of St. Pete Beach may record this Findings of Fact and Order Imposing Administrative Fine and Certifying Lien in the Official Records of Pinellas County.

5. That upon recording this Order Imposing Administrative Fine/Lien in the amount of $1000.00 and the administrative costs as imposed herein, shall be and become a lien upon the above described real property, and other real property of Respondent(s) in Pinellas County and any personal property of the Respondent(s), as provided by law.

6. The Special Magistrate does hereby retain jurisdiction over this matter to enter such other and further orders as may be just and proper.

DONE AND ORDERED March 13, 2020.

/s/ Norman Nash
Norman W. Nash
Special Magistrate

A true and correct copy of this Order Imposing Administrative Fine and Certifying Lien was delivered by certified and regular mail to: **Ling Lei, 10621 Hatteras Drive, Tampa, Florida 33615-4275 and Xi Ye, 10621 Hatteras Drive, Tampa, Florida 33615-4275,** on March 16, 2020.

/s/ Norman Nash
Norman N. Nash

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order of a Special Magistrate to the circuit court. Such an appeal shall not be a hearing de nova 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 to be appealed. Ss. 162-11.

I hereby certify this to be a true and exact copy of SPEC MAG CASE # 20190452 on file in the office of the City Clerk, City of St. Pete Beach, Pinellas County, FL

Ginny Keeter-Bodkin, Deputy City Clerk

3/16/2020
Date

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: 20190452

2. Date: _____

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

Company (if applicable): _____

Name: Ling Lei

Mailing Address: ~~abeautifulbaby@yahoo.com~~ 135 58th Ave

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

Phone #: 201-981-6898 Fax #: _____

Mobile #: 201-981-6898 E-mail: abeautifulbaby@yahoo.com

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

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

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Information for property on which lien occurs:

Street Address: 135 58th Ave

Parcel ID: 36/31/15/78336/014/0010

Tax Account Number: R401941

Existing Use(s) on Property: Rental

Date Fine or Lien Imposed: 4/2020

Fine/Lien Amount: 1500 Administrative Fees: _____ Total Fine/Lien Amount: 1500

Amount you are requesting that the lien be reduced to: $ 100

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

Date upon which the subject property was brought into compliance: imidately after the court da

The factual basis upon which the application for reduction of the lien should be granted:
originally I didn't know this House coulda't do short term rental, then the code enforcement sent me violation and brought me to the court, I imedatly correct the violation. from that time, I never did the short term anymore

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:
I just bought the house, didn't know this House can't do short term rental, that's why get the fine but already corrected.

Provide proof that the taxes are paid in full:
see attachement.

6. Signatures and Notarization.

STATE OF Florida COUNTY OF Sarasota. 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.

Notary Public State of Florida
Sabrina Leach
My Commission HH 493434
Expires 2/15/2026

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

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced DL

(NOTARY PUBLIC SIGNATURE) Sabrina Leach

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this_____ day_____ of, 20____

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

1:01 5G E

Charles W. Thomas
pinellas county tax collector

Menu

Search > Account Summary

Real Estate Account #R401941

Owner:
LAND TRUST SERVICE CORP TRE
TRUST NO 135-58

Situs:
135 58TH AVE
ST PETE BEACH

Parcel details
Property Appraiser

Get bills by email

Amount Due

Your account is **paid in full**. There is nothing due at this time.
Your last payment was made on **11/29/2023** for **$12,316.86**.

AA county-taxes.net

Property Deed
10.16.2019

St. Pete Beach
The Sunset Capital of Florida

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20190452

Respondent: Ling Lei and Xi Ye

Address: 135 58th Ave

Employee/Associate	Hourly Rate	Total Hours	Total
Code Enforcement	$23.00	6.00	$138.00
City Attorney	$250.00	1.00	$250.00
Special Magistrate	$175.00	1.00	$175.00
	Total hours	8.00	$563.00

Fines were assessed at $250 a day, Jan 26, 30, Feb 6, and Mar 6, and totaled $1,000.00:

Total Administrative Fines	$563.00
Lien Reduction Amount	$1,000.00
Total	$1,563.00

Lien ~~not~~ filed 3.18.20

BK 20927 Pg: 1337-1338