



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, August 12, 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. 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.

B. Case No. 20240305

City of St. Pete Beach v. Family International Home Builders LLC

Address: 7210 Gulf Blvd. St. Pete Beach FL 33706

Status hearing on a 14-day extension to bring the property in compliance

C. Case No. 20240014

City of St. Pete Beach v. Stephen G. Parks

Address: 420 80th Ave. St. Pete Beach FL 33706

Status hearing to assess any authorized fines and costs.

D. Case No. 20240168

City of St. Pete Beach v. Family International Home Builders LLC

Address: 7210 Gulf Blvd. St. Pete Beach FL 33706

Status hearing on a 14-day extension to bring the property in compliance.

E. Case No. 20240205

City of St. Pete Beach v. Charles Mackert

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

Status hearing on an additional 30-day extension to apply for and secure a permit.

F. Case No. 20240275

City of St. Pete Beach v. Hasani Capital LLC

Address: 3505 Gulf Blvd South St Pete Beach FL 33706

Status hearing on the 3-day extension to secure a business tax receipt.

G. Case No. 20240247

City of St. Pete Beach v. Sungold LLC

Address: 3815 Gulf Blvd St. Pete Beach FL 33706

Status hearing on 14-day extension to remove all debris and repair or remove the fence on the property.

H. Case No. 20240280

City of St. Pete Beach v. William W Adams

Address: 1805 Pass A Grille Way St. Pete Beach FL 33706

Status hearing on the 14-day extension to bring the property into compliance.

I. 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 Debis (Beach Sunflower)*

Lantana Camara (Dwarf Yellow Lantana)*

Trachelospernum Jasmine Varigated (Varegated Confederate Jasmine)*

Trachelospernum Jasmine Minima Varegated (Varegated Dwarf Confederate Jasmine)*

Trachelospernum Jasminoides (Confederate Jasmine)*

Licania michauxii (Gopher Apple)

Scaevola plumieri (Inkberry)

Stachytarpheta jamaicensis (Prone Porterweed)*

Zamia pumila (Coontie)*

Muhlenbergia capillaris (Muhley Grass)*

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.

J. 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.

4. Repeat Violations -

5. New Cases

A. Case No. 20240342

City of St. Pete Beach v. B R E Mariner Dolphin Village LLC

Address: 4665 Gulf Blvd. St. Pete Beach FL 33706

Sec. 26.25. - All districts.

The regulations in this division apply in every zoning district in the city, except where otherwise specified or indicated. Sign permits are not required for signs and sign-types described and identified in this section, below.

(r) Window signs. For each parcel within the city, one or more window signs may be displayed. On parcels that are in residential use, the window sign(s) shall not exceed an aggregate of three square feet in sign area. On parcels that are in nonresidential use, the window sign(s) shall not be restricted from the date of adoption of this ordinance until December 31, 2012; following which such signage shall not exceed an aggregate of more than 50 percent of any window surface.

Sec. 26.38. - AC District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the AC District may have up to three of the following signs in [subsections] (a)—(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)—(f):

(a) Freestanding monument signs. Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.

(b) Attached signs. subject to the following:

(1) Maximum size. An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) Height restrictions. An attached sign may not appear above the second floor of a building.

(c) Drive-thru menu signs. For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within the AC District, one drive-thru menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a freestanding sign or an attached sign and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(d) Attached menu display signs. For each parcel within the AC Commercial District with a restaurant without drive-thru service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) Theater signs. For each parcel with a theater within the AC District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(f) Waterside identification signs. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.

In addition to the number and types of signs listed in [subsections] (a)–(f) above, multi-tenant shopping centers in the AC District may have one additional monument sign listing each individual tenant all within the same sign face. The sign shall be no taller than ten feet and no larger than 100 square feet per sign face. The sign shall not be located within any setback or within any pedestrian or utility easement.

Sec. 26.4. - Prohibited signs.

The following signs and sign types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign type which is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

(e) Wind signs.

(f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.

B. Case No. 20240368

City of St. Pete Beach v. 3511 Gulf Blvd LLC

Address: 3511 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.

(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.

(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.

C. Case No. 20240382

City of St. Pete Beach v. Nicolas Brian Kirsch & Stephanie Kirsch

Address: 2130 E Vina Del Mar Blvd.

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.

(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.

(21) Shrubbery, plants, and ground cover. All real property shall be maintained in a condition to prevent erosion of soil by:

- a. Landscaping with grass, trees, shrubs or other planted ground cover; or
- b. Such other suitable means as shall be approved by the building official.

D. Case No. 20240157

City of St. Pete Beach v. 1008 Airport Rd LLC

Address: 8010 Blind Pass Rd. St. Pete Beach FL 33706

Sec. 46-33. - Enumeration.

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

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

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

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

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

- a. All dumpsters, commercial waste and refuse containers shall be located as far from public streets and adjacent property as is practical, and dumpsters shall be located on a properly constructed concrete pad.
- b. All dumpsters, commercial waste and refuse containers shall be located within a proper opaque enclosure of sufficient height to fully screen the dumpster, commercial waste or refuse container.

(3) Dumpster enclosures shall require a building permit and shall be constructed to meet all applicable building standards.

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.

(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.

E. Case No. 20240381

City of St. Pete Beach v. Jason Gabay & Janelle Gabay

Address: 6 Mangrove PT. St. Pete Beach FL 33706

Sec. 98-123.1. - Permits required.

Any applicant who intends to undertake any development activity within the scope of this section, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the floodplain administrator and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a

permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

F. Case No. 20240281

City of St. Pete Beach v. Richard Allen Long Revocable Trust & Richard Allen Long TRE

Address: 6800 Gulf Blvd. St. Pete Beach FL 33706

Sec. 26.11. - Sign permit required.

(c) Unless exempt from permitting, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and appropriate fee paid to the city.

Sec. 26.35. - CC-1 and CC-2 Districts.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose to four signs from [subsection] (a)–(f):

(e) Wall signs subject to the following:

(1) Maximum size. A wall sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

G. Case No. 20240265

City of St. Pete Beach v. Barbara A McMahon EST

Address: 500 79th Ave. St. Pete Beach FL 33706

Sec. 46-33. - Enumeration.

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

(1) Vegetation as follows:

b. Dead branches or fronds on trees or shrubs.

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

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

Sec. 98-65. - 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.

(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.

(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.

H. Case No. 20240150

City of St. Pete Beach v. Russell W Zimmerman

Address: 327 72nd Ave. St. Pete Beach FL 33706

Sec. 46-33. - Enumeration.

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

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

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

Sec. 98-65. - Unsightly conditions.

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

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

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

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

(b) Standards for improved property.

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

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

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

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

(9) Porches and balconies. All exterior porches, balconies, stairs and fire escapes shall include banisters or railings properly designed and maintained to minimize the hazard of falling and installed to withstand the loads prescribed by the Florida Building Code. All exterior porches, landings, balconies, stairs and fire escapes shall be kept structurally sound, in good repair and free from defects. Paint and other finishes shall be in good condition.

(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.

6. Cases Complied -

7. Old Cases

A. Case No. 20240081

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

4401 Gulf Blvd. St. Pete Beach FL 33706

Respondent requesting a hearing to challenge the fine amount.

8. Lien Reductions

A.

Case No. 20240190

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

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

Lien Reduction Request

B. 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

C. Case No. 20230685

City of St. Pete Beach v. Billie G Lambert

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

Lien Reduction Request

D. Case No. 20240133

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

Address: 85 Corey Cir St. Pete Beach FL 33706

Lien Reduction Request

E. Case No. 20230559

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

Address: 636 Corey 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. 20240292**
 City of St. Pete Beach v. Myna Investments LLC
 Address: 562 71st Ave. St. Pete Beach FL 33706

Date: August 12, 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. Special Magistrate Order 7/8/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240292

ADDRESS: 562 71st Ave.

MYNA INVESTMENTS, LLC,

Respondent.

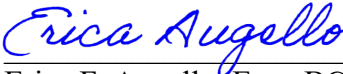
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ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on July 8, 2024. The Special Magistrate, based on the information and argument presented at the hearing, issues the following order:

IT IS ADJUDGED that this matter, at the request of the City and unopposed by Respondent by virtue of non-appearance, is continued until the hearing of the Code Enforcement Special Magistrate on **August 12, 2024, at 10:00 a.m.**

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 8th day of July 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 301 W. Platt St., Unit A343, Tampa, FL 33606-2292 on July 8, 2024.

**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: August 12, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on a 14-day extension to bring the
 property in compliance

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Amended Order 7/12/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

**CASE NO.: CE20240305
ADDRESS: 7210 Gulf Blvd.**

**FAMILY INTERNATIONAL HOME
BUILDERS, LLC,**

Respondent.

_____ /

AMENDED FINAL ADMINISTRATIVE ORDER
(amended as to compliance date only)

This case came before the Special Magistrate on July 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 it was in violation of Section 78-96 for operating a business without the required business tax receipt.
5. Code Enforcement Officer Cruz submitted evidence demonstrating Respondent was operating an apartment complex without the required business tax receipt and corresponding fire department inspection. The evidence also demonstrated that Respondent was delinquent in payment of the prior year's business tax receipt.

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

6. Respondent is found to be in violation of Section 78-96 of the City's Code of Ordinances for operating a business without the required business tax receipt.

7. Respondent shall have **fourteen (14) days** from the date of this Order, or by **Monday, July 22, 2024**, to bring the property in compliance.
8. A hearing is set for **August 12, 2024, at 10:00 a.m.** to determine compliance and to assess any authorized 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 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 July 8, 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 33142-3677 on July 12, 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 thirty (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. 20240014**
 City of St. Pete Beach v. Stephen G. Parks
 Address: 420 80th Ave. St. Pete Beach FL 33706

Date: August 12, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing to assess any authorized fines and costs.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 7/8/2024

**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.

_____ /

FINAL ADMINISTRATIVE ORDER

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

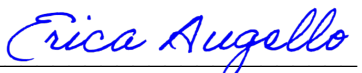
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that he was in violation of Sections 23.2 and 98-65 of the City's Code of Ordinances for storing a refrigerator and other mechanical equipment on the driveway as well as parking a boat and trailer in a restricted manner.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the existence of the refrigerator and mechanical equipment on the driveway as well as a boat and trailer parked on the property contrary to the City's Code.
6. Code Enforcement Officer Cruz testified that he reinspected the property the morning of the hearing and found the property was in compliance.

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

7. Respondent is found to be in violation of Sections 23.2 and 98-65 of the City's Code of Ordinances from **April 29, 2024, until July 8, 2024.**

8. A hearing is set for **August 12, 2024, at 10:00 a.m.** to assess any authorized 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, if applicable.
11. Should Respondent be found 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 July 8, 2024.


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 33706-1604.

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 thirty (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. 20240168**
 City of St. Pete Beach v. Family International
 Home Builders LLC
 Address: 7210 Gulf Blvd. St. Pete Beach FL
 33706

Date: August 12, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on a 14-day extension to bring the
 property in compliance.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 7/8/2024

**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.

_____ /

FINAL ADMINISTRATIVE ORDER

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

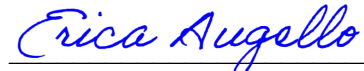
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Sections 46-33, 98-64, and 98-66 of the City's Code of Ordinances for having graffiti on the concrete wall bordering the vacant lot and the building on the property, failing to maintain the grass such that it is overgrown on the vacant lot and outside the chain-link fence, and maintaining materials, debris, and equipment on the vacant lot.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the graffiti on the white brick wall, as well as the overgrown grass and the debris and equipment located on the vacant lot.

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

6. Respondent is found to be in violation of Sections 46-33, 94-64, and 98-66 of the City's Code of Ordinances for failing to adequately maintain the property.

7. Respondent shall have **fourteen (14) days** from the date of this Order, or by **Monday, July 22, 2024**, to bring the property in compliance.
8. A hearing is set for **August 12, 2024, at 10:00 a.m.** to determine compliance and to assess any authorized 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 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 July 8, 2024.


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 33142-3677 on July 8, 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 thirty (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. 20240205**
 City of St. Pete Beach v. Charles Mackert
 Address: 206 58th Ave St. Pete Beach FL 33706

Date: August 12, 2024

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

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on an additional 30-day extension to
 apply for and secure a permit.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 7/8/2024

**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.

_____ /

ORDER TO CONTINUE

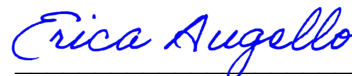
This case came before the Special Magistrate on July 8, 2024, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent was represented by counsel, Milton Barrington Grey, Jr., of Insurance Litigation Group, PA, who appeared remotely.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that he was in violation of Sections 46-33, 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. In a Final Administrative Order dated May 20, 2024, the Magistrate found Respondent to be in violation of the stated code sections and required compliance by way of securing a permit by July 19, 2024.
6. Officer Cruz testified that no permit has been applied for to date.
7. Mr. Grey relayed that he sent the insurance company a formal notice of intent to pursue litigation and the insurance company responded with a demand for mediation. According to Mr. Grey, the insurance company has ninety (90) days to mediate the case. In the meantime, Mr. Grey stated that Respondent should have a temporary fix for the siding on the home.
8. Mr. Grey then requested a continuance of the case for the ninety (90) day period.

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

9. While the Magistrate finds the request for a continuance to be made in good faith, the City has a right to prosecute its case and see it to finality.
10. Therefore, the Magistrate shall grant a continuance of this matter until **August 12, 2024, at 10:00 a.m.** No further continuance shall be granted unless agreed upon by the parties. This continuance serves to abate the deadline for compliance issued in the May 20, 2024, Final Administrative Order.
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 July 8, 2024.



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 on July 8, 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

Action Request: N/A

Strategic Objective:

Date: August 12, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on the 3-day extension to secure a business tax receipt.

Funding: N/A

Attachments: 1. Special Magistrate Oder 7-8-2024

**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.

_____ /

FINAL ADMINISTRATIVE ORDER

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

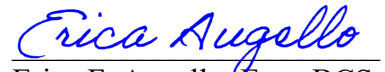
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Steven Rivera.
2. Respondent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Section 78-96 for operating a business without the required business tax receipt.
5. Code Enforcement Officer Rivera provided evidence that Respondent is operating a rental property and has failed to secure or maintain a business tax receipt for its operation.

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

6. Respondent is found to be in violation of Section 78-96 of the City's Code of Ordinances.
7. Respondent shall have **three (3) days** from the date of this Order, or by **Thursday July 11, 2024**, to secure a business tax receipt from the City.
8. A hearing is set for **August 12, 2024, at 10:00 a.m.** to assess any authorized 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, if applicable.
11. Should Respondent be found 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 July 8, 2024.


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.

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 thirty (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. 20240247**
City of St. Pete Beach v. Sungold LLC
Address: 3815 Gulf Blvd St. Pete Beach FL
33706

Date: August 12, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on 14-day extension to remove all debris and repair or remove the fence on the property.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 7/8/2024

**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.

_____ /

FINAL ADMINISTRATIVE ORDER

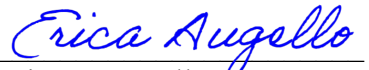
This case came before the Special Magistrate on July 8, 2024, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Steven Rivera.
2. Respondent 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, 98-65, and 98-66 of the City's Code of Ordinances for maintaining miscellaneous trash and debris scattered on the property as well as a dilapidated fence on the Gulf Blvd. side of the property.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the debris and trash on the property, as well as strewn palm fronds and a fence in disrepair that is falling over.
6. Respondent contacted the City prior to the hearing and requested a reinspection for compliance, which was conducted by Officer Rivera the week prior to the hearing, however, the property was still non-compliant.
7. Code Enforcement Officer Cruz reinspected the property the morning of the hearing and submitted additional photographic evidence demonstrating the trash had been removed, however, there was some debris remaining and the fence was still falling over and in disrepair.

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 maintaining a dilapidated fence in disrepair on the property.
9. Respondent shall have **fourteen (14) days** from the date of this Order, or by **Monday, July 22, 2024**, to bring the property into compliance by removing all debris and repairing or removing the fence on the property.
10. A hearing is set for **August 12, 2024, at 10:00 a.m.** to determine compliance and to assess any authorized fines and costs.
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 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 July 8, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Luke Lirot, Esq. at luke2@lirotlaw.com and via US Mail to Respondent at 3618 El Centro St., St. Pete Beach, FL 33706-3908.

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 thirty (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. 20240280**
 City of St. Pete Beach v. William W Adams
 Address: 1805 Pass A Grille Way St. Pete Beach
 FL 33706

Date: August 12, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on the 14-day extension to bring the
 property into compliance.

Funding: N/A

Requested Motion: N/A

Attachments: 1. Special Magistrate Order 7/8/2024

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240280

ADDRESS: 1805 Pass A Grille Way

WILLIAM W. ADAMS,

Respondent.

_____/

FINAL ADMINISTRATIVE ORDER

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

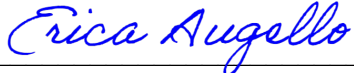
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Steven Rivera.
2. Respondent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that he was in violation of Sections 46-33, 98-65, and 98-72 of the City's Code of Ordinances for maintaining overgrown vegetation on the property, as well as construction and silt fences that are improperly maintained.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the overgrown vegetation and grass, as well as an orange construction fence that is falling in several areas, as well as a silt fence that is falling in several areas.

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

6. Respondent is found to be in violation of Sections 46-33, 98-65, and 98-72 of the City's Code of Ordinances for maintaining overgrown vegetation and improperly erected construction and silt fences.

7. Respondent shall have **fourteen (14) days** from the date of this Order, or by **Monday, July 22, 2024**, to bring the property in compliance.
8. A hearing is set for **August 12, 2024, at 10:00 a.m.** to determine compliance and to assess any authorized 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 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 July 8, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 1805 Pass A Grille Way, St. Pete Beach, Florida 33706-4242 on July 8, 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 thirty (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. 20240089**
 City of St. Pete Beach v. Patrick Thomas
 McNulty & Annette Weis-McNulty
 Address: 104 46th Ave. St. Pete Beach FL 33706

Date: August 12, 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 Debilus (Beach Sunflower)*

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

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
6. Special Magistrate order 7/8/2024



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 Debilus (Beach Sunflower)*

Lantana Camara (Dwarf Yellow Lantana)*

Trachelospermum Jasmine Varigated (Varegated Confederate Jasmine)*

Trachelospermum Jasmine Minima Varegated (Varegated Dwarf Confederate Jasmine)*

Trachelospermum Jasminoides (Confederate Jasmine)*

Licania michauxii (Gopher Apple)

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

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**

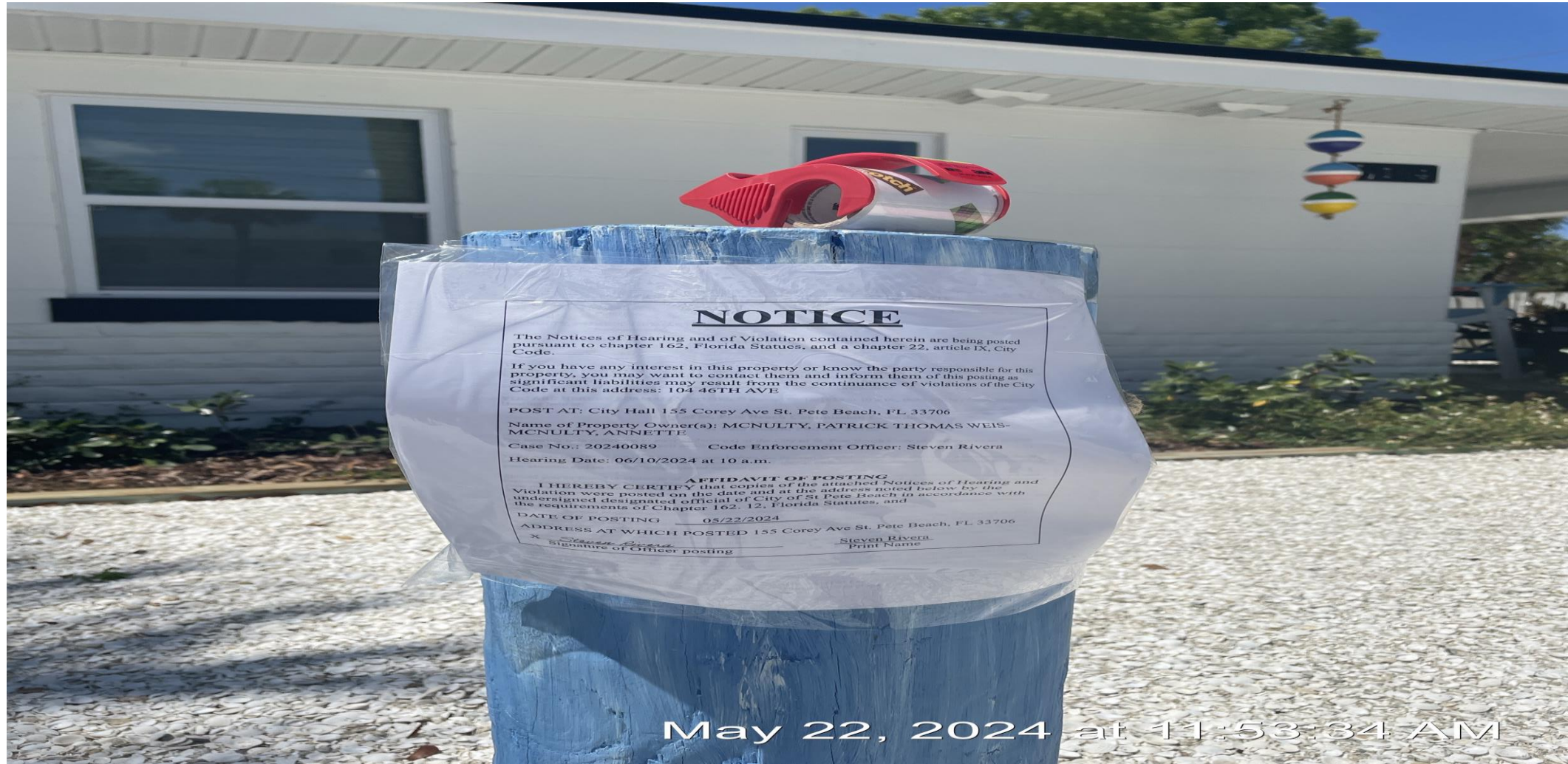
CE20240089

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



May 22, 2024 at 11:53:34 AM

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 Statutes, and a chapter 22, article IX, City Code.

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

Case Number: 20240089

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

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

YOU ARE HEREBY FORMALLY NOTIFIED that on **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 meeting 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.

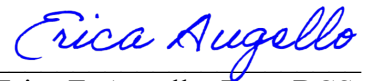
_____ /

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 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.

**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.

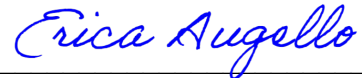
_____ /

ORDER GRANTING SECOND CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on July 8, 2024. The Special Magistrate, based on the information and argument presented at the hearing, issues the following order:

IT IS ADJUDGED that this matter, by agreement of the parties, is continued until the hearing of the Code Enforcement Special Magistrate on **August 12, 2024, at 10:00 a.m.**

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 8th day of July 2024.



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. 20240278**
 City of St. Pete Beach v. Blagoje Savic &
 Ljubomir Savic & Slobodan Gojkovic
 Address: 6901 Gulf Winds Dr. St. Pete Beach FL
 33706

Date: August 12, 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
 5. Special Magistrate Order 7/8/2024



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,

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

Beautiful family beach house!

Entire home in St. Pete Beach, Florida

6 guests · 3 bedrooms · 2 baths

★ 5.0 · [4 reviews](#)

Hosted by Ag

2 months hosting

Dedicated workspace

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

Add dates for prices

CHECK-IN

8/12/2024

CHECKOUT

Add date

GUESTS

1 guest

Check availability

9:35 AM

6/6/2024

6901 Gulf Winds Dr.

CE20240278

Airbnb listing

Beautiful family beach house! - x Property Details | Pinellas County - x

airbnb.com/rooms/1125583010306429692?source_impression_id=p3_1717677206_8mLApJKpy0X%2Fr626&check_in=2024-08-12&guests=1&adults=1#availability-calendar

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...



Entire home in St. Pete Beach, Florida
6 guests · 3 bedrooms · 2 baths
★ 5.0 · [4 reviews](#)

Hosted by Ag
2 months hosting

- Dedicated workspace**
A room with wifi that's well-suited for working.
- Great check-in experience**
100% of recent guests gave the check-in process a 5-star rating.
- Great communication**
100% of recent guests rated Ag 5-star in communication.

Welcome to this wonderful St. Pete beach house! This classic Florida beach house features a large pool, a glass enclosure, and a private beach access.

Add dates for prices

Select dates
Minimum stay: 3 nights

CHECK-IN 8/12/2024 X CHECKOUT Add date

August 2024							September 2024						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

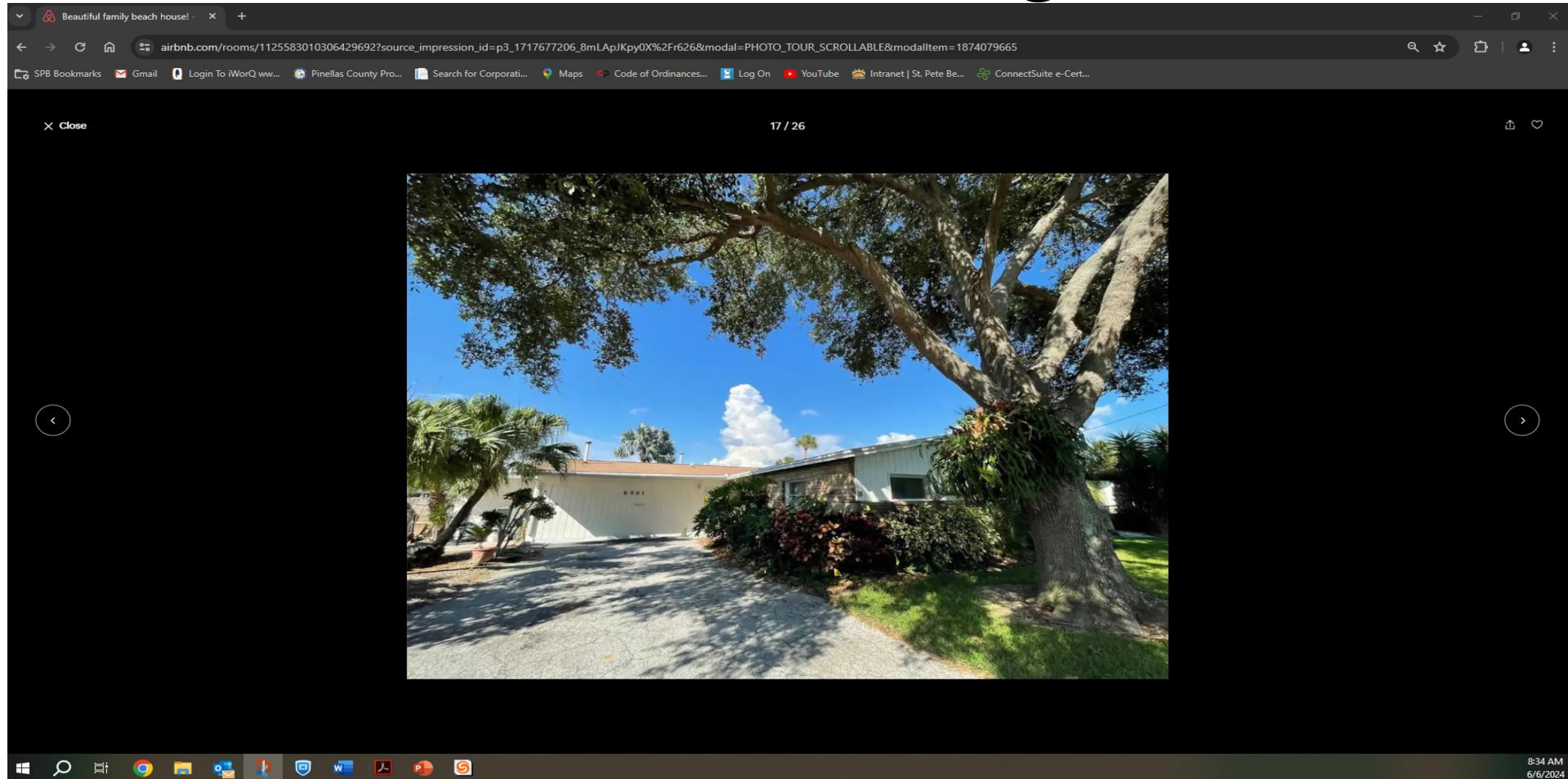
[Clear dates](#) **Close**

9:35 AM 6/6/2024

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! - x +

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

Vladimir
Chicago, Illinois

★★★★★ · 4 days ago · Stayed a few nights

Easy check in, clean and quiet. Ag was very helpful and responsive. I will come back.

1

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](#)

2

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](#)

3

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.

4

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](#)

5

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

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

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

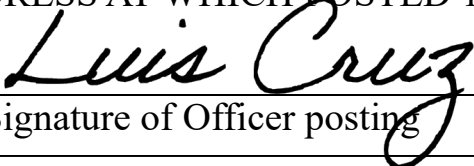
Hearing Date: 07/08/2024 at 10 a.m.

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 
Signature of Officer posting

Luis Cruz
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20240278

vs.
SAVIC, BLAGOJE SAVIC, LJUBOMIR GOJKOVIC, SLOBODAN
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

YOU ARE HEREBY FORMALLY NOTIFIED that on **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 **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,

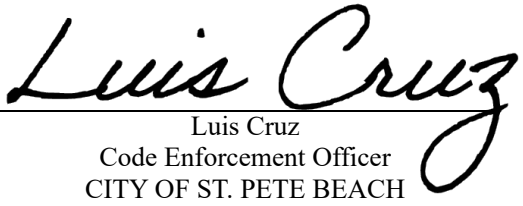
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special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

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 meeting for assistance.

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240278

ADDRESS: 6901 Gulf Winds Dr.

**BLAGOJE SLAVIC, LJUBOMIR
SLAVIC, and SLOBODAN GOJKOVIC,**

Respondents.

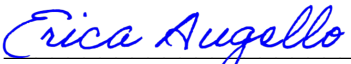
_____/

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This case came before the Special Magistrate on July 8, 2024. The Special Magistrate, based on the information and argument presented at the hearing, issues the following order:

IT IS ADJUDGED that this matter, at the request of the City and unopposed by Respondent by virtue of non-appearance, is continued until the hearing of the Code Enforcement Special Magistrate on **August 12, 2024, at 10:00 a.m.**

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 8th day of July 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondents at 26 Idle Ridge Ct., Kitchener ON, N2A 3W3, Canada.

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

Agenda Report

Issue Considered: **Case No. 20240342**
 City of St. Pete Beach v. B R E Mariner Dolphin
 Village LLC
 Address: 4665 Gulf Blvd. St. Pete Beach FL
 33706

Date: August 12, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: **Sec. 26.25. - All districts.**
The regulations in this division apply in every zoning district in the city, except where otherwise specified or indicated. Sign permits are not required for signs and sign-types described and identified in this section, below.

(r) Window signs. For each parcel within the city, one or more window signs may be displayed. On parcels that are in residential use, the window sign(s) shall not exceed an aggregate of three square feet in sign area. On parcels that are in nonresidential use, the window sign(s) shall not be restricted from the date of adoption of this ordinance until December 31, 2012; following which such signage shall not exceed an aggregate of more than 50 percent of any window surface.

Sec. 26.38. - AC District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the AC District may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)–(f):

(a) Freestanding monument signs. Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area is not taller than eight feet in height, and is not located

within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.

(b) Attached signs. subject to the following:

(1) Maximum size. An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) Height restrictions. An attached sign may not appear above the second floor of a building.

(c) Drive-thru menu signs. For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within the AC District, one drive-thru menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a freestanding sign or an attached sign and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(d) Attached menu display signs. For each parcel within the AC Commercial District with a restaurant without drive-thru service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) Theater signs. For each parcel with a theater within the AC District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(f) Waterside identification signs. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in

sign area.

In addition to the number and types of signs listed in [subsections] (a)–(f) above, multi-tenant shopping centers in the AC District may have one additional monument sign listing each individual tenant all within the same sign face. The sign shall be no taller than ten feet and no larger than 100 square feet per sign face. The sign shall not be located within any setback or within any pedestrian or utility easement.

Sec. 26.4. - Prohibited signs.

The following signs and sign types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign type which is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

(e) Wind signs.

(f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.

Sandwich boards are not permitted in the AC Zoning District. There are several units in the shopping center that are in violation.

Unit #4775 Dolphin Liquors must remove the sandwich board and 50% of their window advertisement.

Unit #4615 113 Beach Vide Cycle Rentals has several sandwich boards around the property and a wind sign near the fountain that are not permitted.

Unit #4685 CVS has a sandwich board that is unpermitted and must be removed.

Unit #4677 Swim City has a sandwich board that is unpermitted and must be removed.

Unit #4615 101 Verizon Wireless has a sandwich board that is unpermitted and must be removed.

Unit #4615 111 Hello Sweetie Sweets has a sandwich board that is unpermitted and must be removed.

Top Shape has a wind sign that is unpermitted and must be removed..

Funding: NA

Requested Motion: NA

Attachments:

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



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

AMENDED NOTICE OF VIOLATION

7/1/24

B R E MARINER DOLPHIN VILLAGE LLC
200 E Broward Blvd STE 1410
FT LAUDERDALE, Florida 33301

RE: Case Number 20240342
Violation Address: 4665 Gulf Blvd
Parcel ID#: 063216000003300500

Dear Property Owner:

Sandwich boards are not permitted in the AC Zoning District. There are several units in the shopping center that are in violation.

Unit #4775 Dolphin Liquors must remove the sandwich board and 50% of their window advertisement.

Unit #4615 113 Beach Vide Cycle Rentals has several sandwich boards around the property and a wind sign near the fountain that are not permitted.

Unit #4685 CVS has a sandwich board that is unpermitted and must be removed.

Unit #4677 Swim City has a sandwich board that is unpermitted and must be removed.

Unit #4615 101 Verizon Wireless has a sandwich board that is unpermitted and must be removed.

Unit #4615 111 Hello Sweetie Sweets has a sandwich board that is unpermitted and must be removed.

Top Shape has a wind sign that is unpermitted and must be removed.

Sec. 26.25. - All districts.

Sec. 26.25. - All districts.

The regulations in this division apply in every zoning district in the city, except where otherwise specified or indicated. Sign permits are not required for signs and sign-types described and identified in this section, below.

(r) Window signs. For each parcel within the city, one or more window signs may be displayed. On parcels that are in residential use, the window sign(s) shall not exceed an aggregate of three square feet in sign area. On parcels that are in nonresidential use, the window sign(s) shall not be restricted from the date of adoption of this ordinance until December 31, 2012; following which such signage shall not exceed an aggregate of more than 50 percent of any window surface.

Sec. 26.38. - AC District.

Sec. 26.38. - AC District.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business within the AC District may have up to three of the following signs in [subsections] (a)—(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose up to four signs from [subsections] (a)—(f):

(a) Freestanding monument signs. Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area but shall not exceed eight feet in height. However, this sign shall be counted as two of the three or four permitted.

(b) Attached signs. subject to the following:

(1) Maximum size. An attached sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) Height restrictions. An attached sign may not appear above the second floor of a building.

(c) Drive-thru menu signs. For each parcel with a lawful nonresidential use that utilizes a drive-thru lane within the AC District, one drive-thru menu sign shall be allowed for each drive-thru lane. An allowed drive-thru menu sign may be either a freestanding sign or an attached sign and shall not exceed 40 square feet in sign area and ten feet in height. Drive-thru menu signs shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(d) Attached menu display signs. For each parcel within the AC Commercial District with a restaurant without drive-thru service or with a transient lodging facility that has restaurant facilities open to the general public, one attached menu display sign shall be allowed. An attached menu display sign shall be a wall sign not exceeding 12 square feet in sign area. An attached menu display sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(e) Theater signs. For each parcel with a theater within the AC District, one attached theater sign shall be allowed. An attached theater sign shall be a wall sign not exceeding 15 square feet in sign area for each auditorium within the theater. An attached theater sign shall be in addition to the freestanding and attached signage otherwise allowed pursuant to the other provisions of this division.

(f) Waterside identification signs. For facades of a building that can only be viewed from a navigable waterway, one waterside identification sign shall be allowed. A waterside identification sign may be either a freestanding sign or an attached sign. A waterside identification sign shall not exceed 40 square feet in sign area.

In addition to the number and types of signs listed in [subsections] (a)—(f) above, multi-tenant shopping centers in the AC District may have one additional monument sign listing each individual tenant all within the same sign face. The sign shall be no taller than ten feet and no larger than 100 square feet per sign face. The sign shall not be located within any setback or within any pedestrian or utility easement.

Sec. 26.4. - Prohibited signs.

Sec. 26.4. - Prohibited signs.

The following signs and sign types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign type which is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

(e) Wind signs.

(f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.

These violation(s) must be corrected **no later than 7/6/24**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the

hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Steven Rivera

727-235-5398

Steven Rivera
Code Enforcement Officer

- **Respondent(s): B R E Mariner Dolphin Village LLC**
- **Violation address: 4665 Gulf Blvd**
- **Violation(s) description: The property is in violation of section 26.25 (r) All districts , and 26.4 (e) , & (f) Prohibited signs of the Land Development Code of the city of St. Pete Beach**

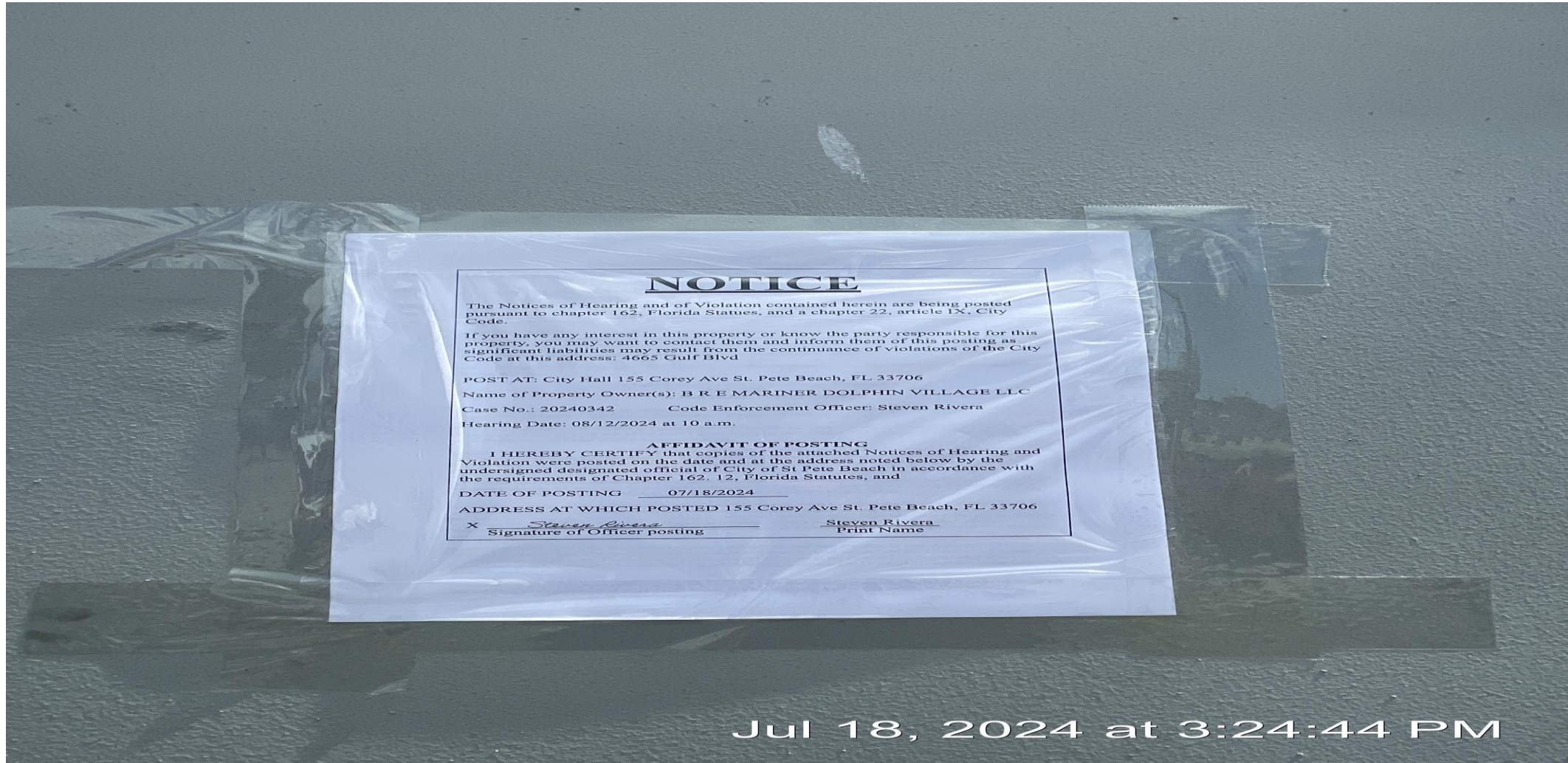
CE20240342

Case Summary

- Initial inspection: 5/30/2024**
- Notice of Violation dated: 7/1/2024**
- Notice of Violation compliance date: 7/6/2024**
- Notices of Hearing dated and posted on the property: 7/18/2024**

CE20240342

Affidavit of Posting



4665 Gulf Blvd.

CE20240342

Window advertisement



4665 Gulf Blvd.

CE20240342

Window advertisement



4665 Gulf Blvd.

CE20240342

Sandwich boards on property



4665 Gulf Blvd.

CE20240342

Sandwich boards on property



4665 Gulf Blvd.

Sandwich boards on property



CE20240342

Sandwich boards on property



4665 Gulf Blvd.

CE20240342

Sandwich board follow-up



4665 Gulf Blvd.

CE20240342

Advertisement follow-up



4665 Gulf Blvd.

CE20240342

Sandwich board follow-up



4665 Gulf Blvd.

CE20240342

Sandwich board follow-up



4665 Gulf Blvd.

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 4665 Gulf Blvd

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

Name of Property Owner(s): B R E MARINER DOLPHIN VILLAGE LLC

Case No.: 20240342 Code Enforcement Officer: Steven Rivera

Hearing Date: 08/12/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 07/18/2024

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20240342

vs.

B R E MARINER DOLPHIN VILLAGE LLC
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

YOU ARE HEREBY FORMALLY NOTIFIED that on **08/12/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **4665 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 07/18/2024

Steven Rivera

Steven Rivera
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

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

Agenda Report

Issue Considered: **Case No. 20240368**
 City of St. Pete Beach v. 3511 Gulf Blvd LLC
 Address: 3511 Gulf Blvd. St. Pete Beach FL
 33706

Date: August 12, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Kristin Coman, Community Development Director

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.

(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.

(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 is overgrown and needs to be cut and maintained regularly. Palms fronds scattered thru-out the property needs to be cleaned up and disposed of. The silt fence along the Gulf Blvd side of property needs to be removed.

Funding: NA

Requested Motion: NA

Attachments:

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



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

NOTICE OF VIOLATION

7/2/2024

3511 GULF BLVD LLC
2103 BAYSHORE BLVD UNIT 906
TAMPA, FL 33606-3257

RE: Case Number 20240368
Violation Address: 3511 GULF BLVD
Parcel ID#: 073216218520080060

Dear Property Owner:

The property is overgrown and needs to be cut and maintained regularly. Palms fronds scattered thru-out the property needs to be cleaned up and disposed of. The silt fence along the Gulf Blvd side of property needs to be 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:

(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.

(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.

These violation(s) must be corrected **no later than 7/16/2024**. 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

- **Respondent(s): 3511 Gulf Blvd LLC**
- **Violation address: 3511 Gulf Blvd**
- **Violation(s) description: The property is in violation of section 46-33 (2) & (3) Enumeration, 98-65 (4) Unsightly conditions, 98-66 (a), (b), & (20) Residential and Commercial Property Maintenance of the Code of Ordinances of city of St. Pete Beach**

CE20240368

Case Summary

- Initial inspection: 7/1/2024**
- Notice of Violation dated: 7/2/2024**
- Notice of Violation compliance date: 7/16/2024**
- Notices of Hearing dated and posted on the property: 7/18/2024**

CE20240368

Affidavit of Posting



3511 Gulf Blvd.

CE20240368

Overgrown vegetation



3511 Gulf Blvd.

CE20240368

Overgrown vegetation



3511 Gulf Blvd.

CE20240368

Overgrown vegetation



3511 Gulf Blvd.

CE20240368

Palm fronds on property



3511 Gulf Blvd.

CE20240368

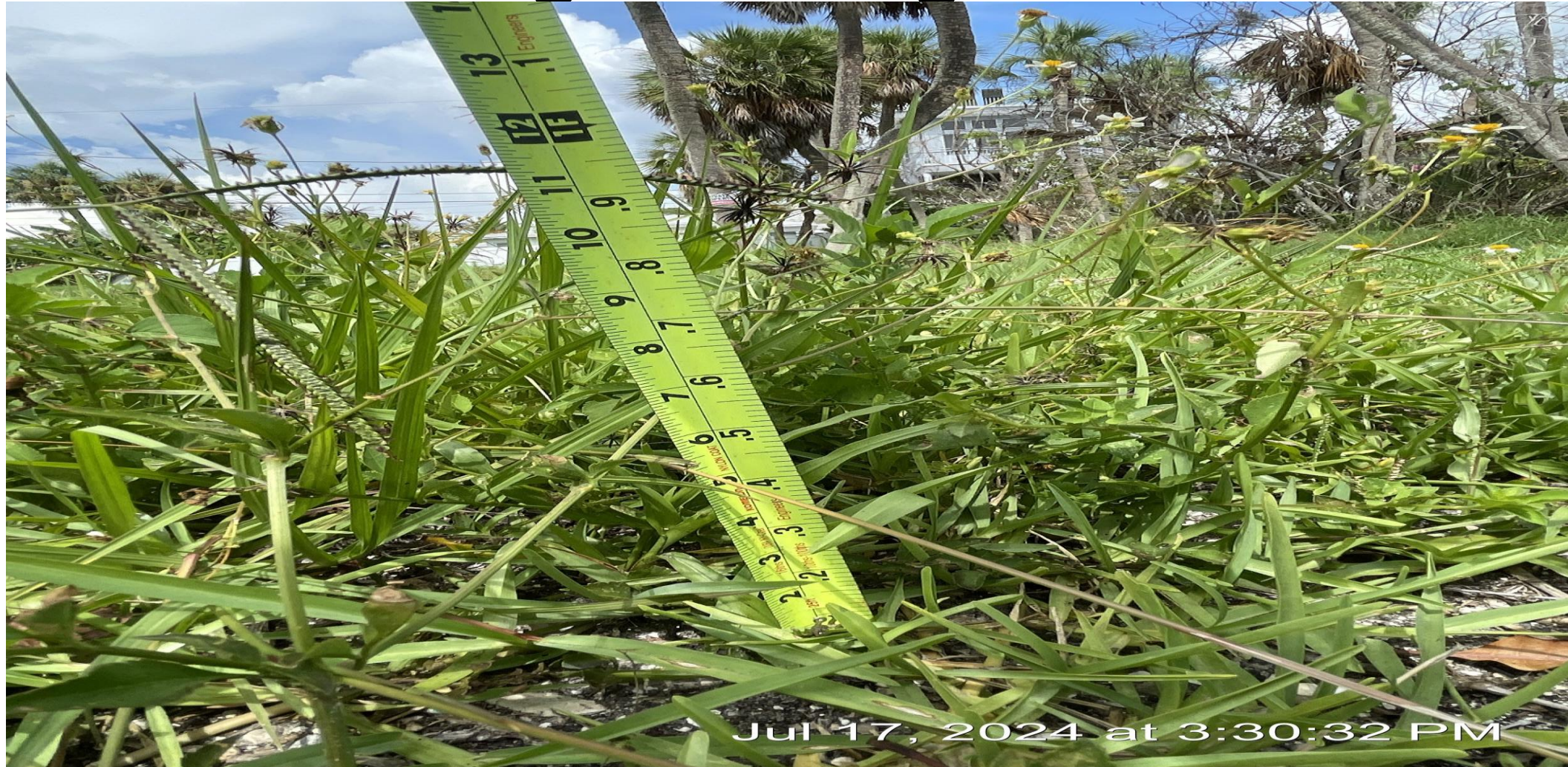
Overgrown vegetation



3511 Gulf Blvd.

CE20240368

Overgrown vegetation



3511 Gulf Blvd.

CE20240368

Failing silt fence



3511 Gulf Blvd.

CE20240368

Failing silt fence



3511 Gulf Blvd.

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 3511 GULF BLVD

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

Name of Property Owner(s): 3511 GULF BLVD LLC

Case No.: 20240368 Code Enforcement Officer: Steven Rivera

Hearing Date: 08/12/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 07/18/2024

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20240368

vs.
3511 GULF BLVD LLC
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

YOU ARE HEREBY FORMALLY NOTIFIED that on **08/12/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **3511 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 07/18/2024

Steven Rivera

Steven Rivera
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

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

Agenda Report

Issue Considered: **Case No. 20240382**
 City of St. Pete Beach v. Nicolas Brian Kirsch &
 Stephanie Kirsch
 Address: 2130 E Vina Del Mar Blvd.

Date: August 12, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Kristin Coman, Community Development Director

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

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

**Sec. 98-66 - Residential and Commercial
Property Maintenance**

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

(b) Standards for improved property.

(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.

(21) Shrubbery, plants, and ground cover. All real
property shall be maintained in a condition to prevent
erosion of soil by:

a. Landscaping with grass, trees, shrubs or other

planted ground cover; or

b. Such other suitable means as shall be approved by the building official.

The silt fence surrounding the property is in disrepair and needs to be removed. The property has areas of vegetation that that is overgrown and needs to be cut and maintained regularly.

Funding: NA

Requested Motion: NA

Attachments:

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



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

NOTICE OF VIOLATION

7/8/2024

KIRSCH, NICHOLAS BRIAN KIRSCH, STEPHANIE
8206 BIG BEND DR
CORPUS CHRISTI, TX 78414-4415

RE: Case Number 20240382
Violation Address: 2130 E VINA DEL MAR BLVD
Parcel ID#: 183216941400050030

Dear Property Owner:

The silt fence surrounding the property is in disrepair and needs to be removed. The property has areas of vegetation that that is overgrown and needs to be cut and maintained regularly.

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.

(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.

(21) Shrubbery, plants, and ground cover. All real property shall be maintained in a condition to prevent erosion of soil by:

- a. Landscaping with grass, trees, shrubs or other planted ground cover; or
- b. Such other suitable means as shall be approved by the building official.

These violation(s) must be corrected **no later than 7/22/2024**. 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,

Steven Rivera

727-235-5398

Steven Rivera
Code Enforcement Officer

- **Respondent(s): Nicolas Brian Kirsch & Stephanie Kirsch**
- **Violation address: 2130 E Vina Del Mar Blvd**
- **Violation(s) description: The property is in violation of section 98-65 (4) Unsightly conditions, 98-66 (a), (b), (20), & (21) Residential and Commercial Property Maintenance of the Code of Ordinances of city of St. Pete Beach**

CE20240382

Case Summary

- Initial inspection: 7/3/2024**
- Notice of Violation dated: 7/8/2024**
- Notice of Violation compliance date: 7/22/2024**
- Notices of Hearing dated and posted on the property: 7/24/2024**

CE20240382

Affidavit of Posting



2130 E Vina Del Mar Blvd.

CE20240382

Overgrown vegetation



2130 E Vina Del Mar Blvd.

CE20240382

Overgrown vegetation



2130 E Vina Del Mar Blvd.

CE20240382

Overgrown vegetation



2130 E Vina Del Mar Blvd.

CE20240382

Overgrown vegetation & silt fence



2130 E Vina Del Mar Blvd.

CE20240382

Overgrown vegetation



2130 E Vina Del Mar Blvd.

CE20240382

Silt fence in disrepair



2130 E Vina Del Mar Blvd.

CE20240382

Silt fence in disrepair



2130 E Vina Del Mar Blvd.

CE20240382

Silt fence in disrepair



2130 E Vina Del Mar Blvd.

CE20240382

Overgrown vegetation



2130 E Vina Del Mar Blvd.

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 2130 E VINA DEL MAR BLVD

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

Name of Property Owner(s): KIRSCH, NICHOLAS BRIAN KIRSCH, STEPHANIE

Case No.: 20240382 Code Enforcement Officer: Steven Rivera

Hearing Date: 08/12/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 07/24/2024

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

X Steven Rivera
Signature of Officer posting

Steven Rivera
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20240382

vs.
KIRSCH, NICHOLAS BRIAN KIRSCH, STEPHANIE
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

YOU ARE HEREBY FORMALLY NOTIFIED that on **08/12/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **2130 E VINA DEL MAR 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 07/24/2024



Steven Rivera
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

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

Agenda Report

Issue Considered: **Case No. 20240157**
City of St. Pete Beach v. 1008 Airport Rd LLC
Address: 8010 Blind Pass Rd. St. Pete Beach FL
33706

Date: August 12, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
Kristin Coman, Community Development Director

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

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

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

a. All dumpsters, commercial waste and refuse containers shall be located as far from public streets and adjacent property as is practical, and dumpsters shall be located on a properly constructed concrete pad.

b. All dumpsters, commercial waste and refuse

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

(3) Dumpster enclosures shall require a building permit and shall be constructed to meet all applicable building standards.

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.

(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 are dumpsters on the property that are not properly shielded from public view. These containers must be enclosed and this will require a permit to have this done. Also, you have outside storage of paint and other debris that are visible and must be stored or removed so they may not be viewed by the public.

Funding: N/A

Requested Motion: N/A

Attachments:

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



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

NOTICE OF VIOLATION

3/15/2024

1008 AIRPORT RD LLC
1008 AIRPORT RD STE F
DESTIN, FL 32541-2822

RE: Case Number 20240157
Violation Address: 8010 BLIND PASS RD
Parcel ID#: 363115782100930010

Dear Property Owner:

You have two dumpsters on your property that are not properly shielded from public view. These containers must be enclosed and this will require a permit to have this done. Also, you have outside storage of paint and other debris that are visible and must be stored or removed so they may not be viewed from public. 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. 6.12. - Commercial accessory and temporary equipment, structures, portable buildings and trailers, dumpsters and commercial tents.

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

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

a. All dumpsters, commercial waste and refuse containers shall be located as far from public streets and adjacent property as is practical, and dumpsters shall be located on a properly constructed concrete pad.

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

(3) Dumpster enclosures shall require a building permit and shall be constructed to meet all applicable building standards.

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.

(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
Code Enforcement Officer

 727-589-2564

CE20240157

- **Respondent(s): 1008 Airport Rd LLC**
- **Violation address: 8010 Blind Pass Rd**
- **Violation(s) description: The property is in violation of section 46-33 Enumeration (2), 6.12 Commercial accessory and temporary equipment, structures, portable buildings and trailers, dumpsters and commercial tents (d) (2) a. , b. & (3), 98-65 Unsightly conditions (4) and 98-66 Residential and commercial property maintenance (a), (b), & (e) of the Land Development Code and Code of Ordinances of the city of St. Pete Beach**

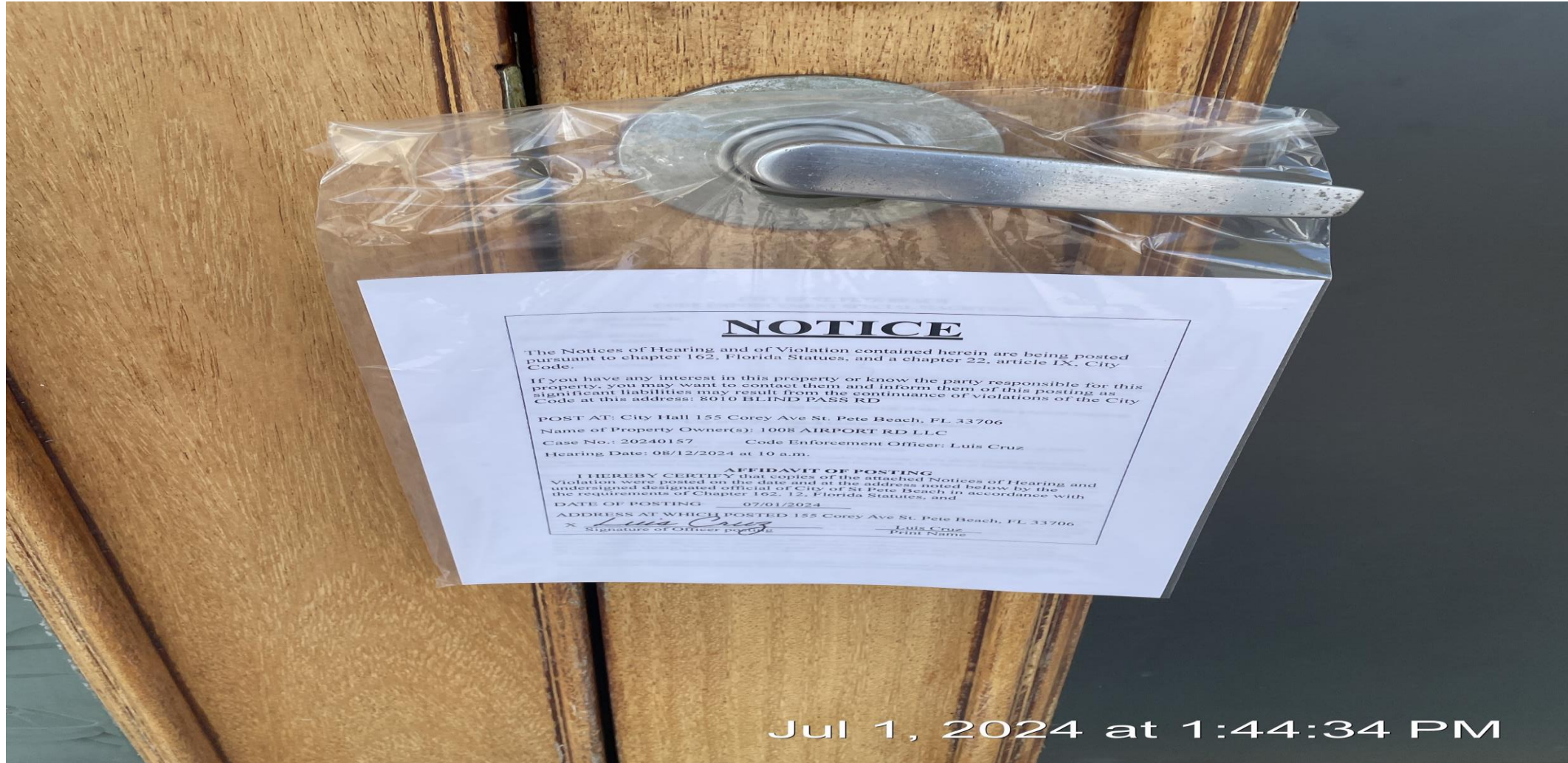
CE20240157

Case Summary

- Initial inspection: 3/12/2024**
- Notice of Violation dated: 3/15/2024**
- Notice of Violation compliance date: 4/5/2024**
- Notices of Hearing dated and posted on the property: 7/1/2024**

CE20240157

Affidavit of Posting



Jul 1, 2024 at 1:44:34 PM

8010 Blind Pass Rd

CE20240157

Dumpsters not placed in an enclosure, outside storage, & debris



8010 Blind Pass Rd

CE20240157

Outside storage and debris



8010 Blind Pass Rd

CE20240157

Dumpster not in an enclosure



8010 Blind Pass Rd

CE20240157

Outside storage and debris



8010 Blind Pass Rd

CE20240157

Dumpster not placed in an enclosure and debris



8010 Blind Pass Rd

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 8010 BLIND PASS RD

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

Name of Property Owner(s): 1008 AIRPORT RD LLC

Case No.: 20240157 Code Enforcement Officer: Luis Cruz

Hearing Date: 08/12/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 07/01/2024

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

X *Luis Cruz*
Signature of Officer posting

Luis Cruz
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,
vs.
1008 AIRPORT RD LLC
Respondent(s)

Case Number: 20240157

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 **08/12/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **8010 BLIND PASS RD** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 07/01/2024


Luis Cruz
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

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

Agenda Report

Issue Considered: **Case No. 20240381**
 City of St. Pete Beach v. Jason Gabay & Janelle Gabay
 Address: 6 Mangrove PT. St. Pete Beach FL 33706

Date: August 12, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Kristin Coman, Community Development Director

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 additional fence that was erected in the rear yard was not permitted. Please obtain a permit for the new section of fence that was erected.

Funding: N/A

Requested Motion: N/A

Attachments:

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



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

NOTICE OF VIOLATION

7/3/2024

GABAY, JASON / GABAY, JANELLE
6 MANGROVE PT
ST PETE BEACH, FL 33706-3801

RE: Case Number 20240381
Violation Address: 6 MANGROVE PT
Parcel ID#: 073216548590000060

Dear Property Owner:

The additional fence that was erected in the rear yard was not permitted. Please obtain a permit for the new section of fence that was erected.

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 7/18/2024**. 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

CE20240381

- Respondent(s): Jason & Janelle Gabay**
- Violation address: 6 Mangrove Pt.**
- Violation(s) description: The property is in violation 98-123.1 permits required of the Code of Ordinances of the city of St. Pete Beach**

CE20240381

Case Summary

- Initial inspection: 7/3/2024**
- Notice of Violation dated: 7/3/2024**
- Notice of Violation compliance date: 7/18/2024**
- Notices of Hearing dated and posted on the property: 7/22/2024**

CE20240381

Affidavit of Posting



6 Mangrove Pt.

CE20240381

Unpermitted fence



6 Mangrove Pt.

CE20240381

Unpermitted fence removed



Jul 29, 2024 at 5:31:27 PM

6 Mangrove Pt.

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: 6 MANGROVE PT

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

Name of Property Owner(s): GABAY, JASON / GABAY, JANELLE

Case No.: 20240381 Code Enforcement Officer: Steven Rivera

Hearing Date: 08/12/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 07/22/2024

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,

Case Number: 20240381

vs.

GABAY, JASON / GABAY, JANELLE
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

YOU ARE HEREBY FORMALLY NOTIFIED that on **08/12/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **6 MANGROVE PT** 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,

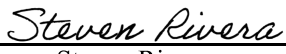
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 07/22/2024



Steven Rivera
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

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

Agenda Report

Issue Considered: **Case No. 20240281**
 City of St. Pete Beach v. Richard Allen Long
 Revocable Trust & Richard Allen Long TRE
 Address: 6800 Gulf Blvd. St. Pete Beach FL
 33706

Date: August 12, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Kristin Coman, Community Development Director

Summary of Issue: **Sec. 26.11. - Sign permit required.**
 (c) Unless exempt from permitting, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and appropriate fee paid to the city.

Sec. 26.35. - CC-1 and CC-2 Districts.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business may have up to three of the following signs in [subsections] (a)–(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose to four signs from [subsection] (a)–(f):

(e) Wall signs subject to the following:

(1) Maximum size. A wall sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

The property has erected a sign on the building with "Breakfast-Lunch-Dinner-Full Bar" which needs to have a permit for this to be allowed.

Funding: N/A

Requested Motion: N/A

Attachments:

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



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

NOTICE OF VIOLATION

5/7/2024

LONG, RICHARD ALLEN REVOCABLE TRUST LONG,
RICHARD ALLEN TRE
12915 RIVER RD
MYAKKA CITY FL 34251-8950

RE: Case Number 20240281
Violation Address: 6800 GULF BLVD
Parcel ID#: 363115783360030080

Dear Property Owner:

You have two banner signs on the building with the writing "Branzini Mediterranean Food" that must be removed due these signs being prohibited, you are also using a sandwich board sign that is not allowed in your zoning district and must be removed, and you have erected the sign on your building with "Breakfast-Lunch-Dinner-Full Bar" which needs to have a permit for this to be allowed. You must contact Planning/Zoning to acquire the proper permit for the one sign you have erected (727-363-9229). You are in violation of the following code sections:

Sec. 26.11. - Sign permit required.

(c) Unless exempt from permitting, no permanent sign shall be erected, altered, relocated, maintained or displayed until a sign permit is obtained from and appropriate fee paid to the city.

Sec. 26.35. - CC-1 and CC-2 Districts.

In addition to the permanent and temporary signs and sign-types that are allowed pursuant to section 26.25, each business may have up to three of the following signs in [subsections] (a)—(f) below, subject to permit approval and compliance with the conditions for each type of sign (businesses with more than 300 feet of frontage may choose to four signs from [subsection] (a)—(f):

(a) Freestanding monument signs. Up to two freestanding monument signs are permitted, provided that the sign face does not exceed 50 square feet in area, is not taller than eight feet in height, and is not located within the visibility triangle as required by this Code. The sign may be located within the front yard setback but shall be located at least ten feet from the front lot line, and shall not be located within any easement dedicated for pedestrian or utility improvements. If the business owner chooses to have one monument sign instead of two, the sign may be up to 100 square feet in area but shall not exceed

eight feet in height. However this sign shall be counted as two of the three or four permitted.

(b) A marquee or canopy sign;

(c) A menu display sign not to exceed 12 square feet;

(d) A projecting sign, provided that the sign is no larger than 12 square feet in area does not project within two feet of any curb and has a minimum ground clearance of seven feet;

(e) Wall signs subject to the following:

(1) Maximum size. A wall sign shall not exceed a sign face area equal to one square foot for each linear foot of building frontage.

(2) Internally illuminated signs are discouraged but not prohibited. Externally illuminated signs are preferable with lighting from above or below casting light on the sign but the lighting shall not shine directly onto adjacent properties or onto the right-of-way.

Sec. 26.4. - Prohibited signs.

The following signs and sign types are prohibited within the city limits and shall not be erected. Any lawfully existing permanent sign or sign type which is among the prohibited signs and sign types listed below shall be deemed a nonconforming sign subject to the provisions of section 26.5.

(d) Banners, except those used to advertise special events, approved with a special event permit. The banner may not be placed on the property in which the event is to take place more than 21 days prior to the special event.

(f) Portable signs, other than sandwich board signs as allowed within certain zoning districts pursuant to this division.

These violation(s) must be corrected **no later than 5/24/2024**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Luis Cruz
Code Enforcement Officer

 727-589-2564

CE20240281

- Respondent(s): Richard Allen Long
Revocable Trust, Richard Allen Long TRE**
- Violation address: 6800 Gulf Blvd**
- Violation(s) description: The property is in
violation of section 26.11 Sign permit
required (c) and 26.35 CC-1 and CC-2
Districts (e) (1) of the Land Development
Code of the city of St. Pete Beach**

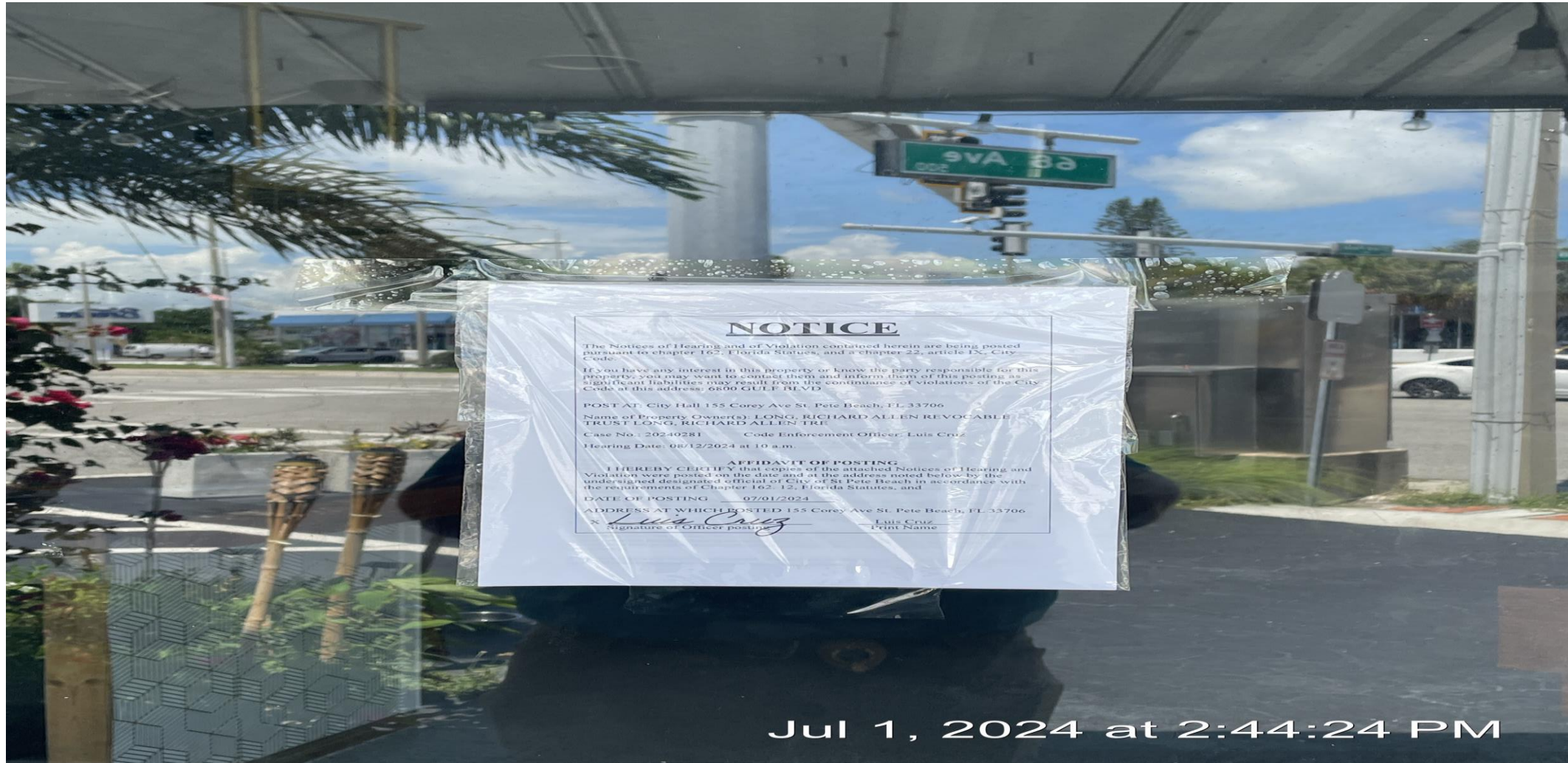
CE20240281

Case Summary

- Initial inspection: 4/29/2024**
- Notice of Violation dated: 5/7/2024**
- Notice of Violation compliance date: 5/24/2024**
- Notices of Hearing dated and posted on the property: 7/1/2024**

CE20240281

Affidavit of Posting



6800 Gulf Blvd

CE20240281

Unpermitted sign on building



6800 Gulf Blvd

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 6800 GULF BLVD

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

Name of Property Owner(s): LONG, RICHARD ALLEN REVOCABLE TRUST LONG, RICHARD ALLEN TRE

Case No.: 20240281 Code Enforcement Officer: Luis Cruz

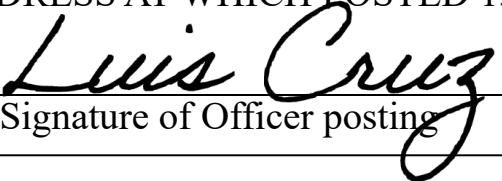
Hearing Date: 08/12/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 07/01/2024

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

X 
Signature of Officer posting

Luis Cruz
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20240281

vs.

LONG, RICHARD ALLEN REVOCABLE TRUST LONG, RICHARD ALLEN TRE
Respondent(s)

NOTICE OF HEARING

Dear Owner(s)/Violator(s):

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

YOU ARE HEREBY FORMALLY NOTIFIED that on **08/12/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **6800 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,

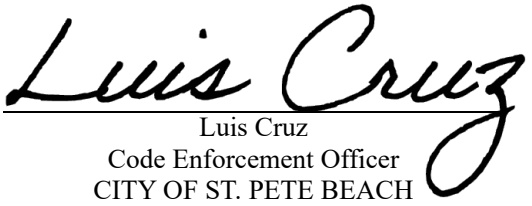
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 07/01/2024


Luis Cruz
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

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

Agenda Report

Issue Considered: **Case No. 20240265**
 City of St. Pete Beach v. Barbara A McMahon
 EST
 Address: 500 79th Ave. St. Pete Beach FL 33706

Date: August 12, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Kristin Coman, Community Development Director

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:
 b. Dead branches or fronds on trees or shrubs.
 (12) Any wornout, scrapped, partially dismantled, nonoperative, unusable or discarded materials or objects, such as automobiles or parts thereof, building materials, machinery, metal, wastepaper, rags, glassware, tinware, vehicles, boats or parts thereof, or other items of junk.
 (13) The storage of any vehicle, whether motorized or nonmotorized, including but not limited to automobiles, trucks, trailers, campers, recreational vehicles, motor homes, boats, boat trailers, or parts thereof, without a valid license plate or valid vehicle or trailer or boat-trailer or other registration certificate, showing the vehicle or part thereof to be titled in the name of the owner or occupier of the property upon which the vehicle or part thereof is located. Failure to have such license or other registration certificate specifically attached to the vehicle or part thereof shall be prima facie evidence that the property is worn out, scrapped, nonoperative, unusable or discarded, as

provided in subsection (12) of this section.

Sec. 98-65. - 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.

(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.

(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.

There is overgrown grass on the property and on the Right-of-Way that must be cut, your metal fence is rusted and this must be fixed/cleaned/painted, there are piles of dead branches/palm fronds on the ground as well as dead branches and dead palm fronds in the trees that must be cleaned, and there is a vehicle on the property that has expired tags and must be removed completely off the property or have the registration renewed.

Funding: N/A

Requested Motion: N/A

Attachments:

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



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

NOTICE OF VIOLATION

4/30/2024

MCMAHON, BARBARA A EST
433 76TH AVE
ST PETERSBURG, FL 33706-1803

RE: Case Number 20240265
Violation Address: 500 79TH AVE
Parcel ID#: 363115781740820070

Dear Property Owner:

You have overgrown grass on your property and in the Right-of-Way that must be cut, your metal fence is rusted and this must be fixed/cleaned/painted, there are piles of dead branches/palm fronds on the ground as well as dead branches and dead palm fronds in the trees that must be cleaned, and there is a vehicle on the property that has expired tags and must be removed completely off the property or have the registration renewed. You are in violation of the following code section:

Sec. 46-33. - Enumeration.

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

(1) Vegetation as follows:

b. Dead branches or fronds on trees or shrubs.

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

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

Sec. 98-65. - 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.

(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.

(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 5/17/2024**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Luis Cruz
Code Enforcement Officer

 727-589-2564

CE20240265

- Respondent(s): Barbara A McMahon EST**
- Violation address: 500 79th Ave.**
- Violation(s) description: The property is in violation of section 46-33 Enumeration (1) b. , (12), & (13), 98-65 Unsightly conditions (4), and 98-66 Residential and commercial property maintenance (a), (b), (20), & (24) of the Code of Ordinances of the city of St. Pete Beach**

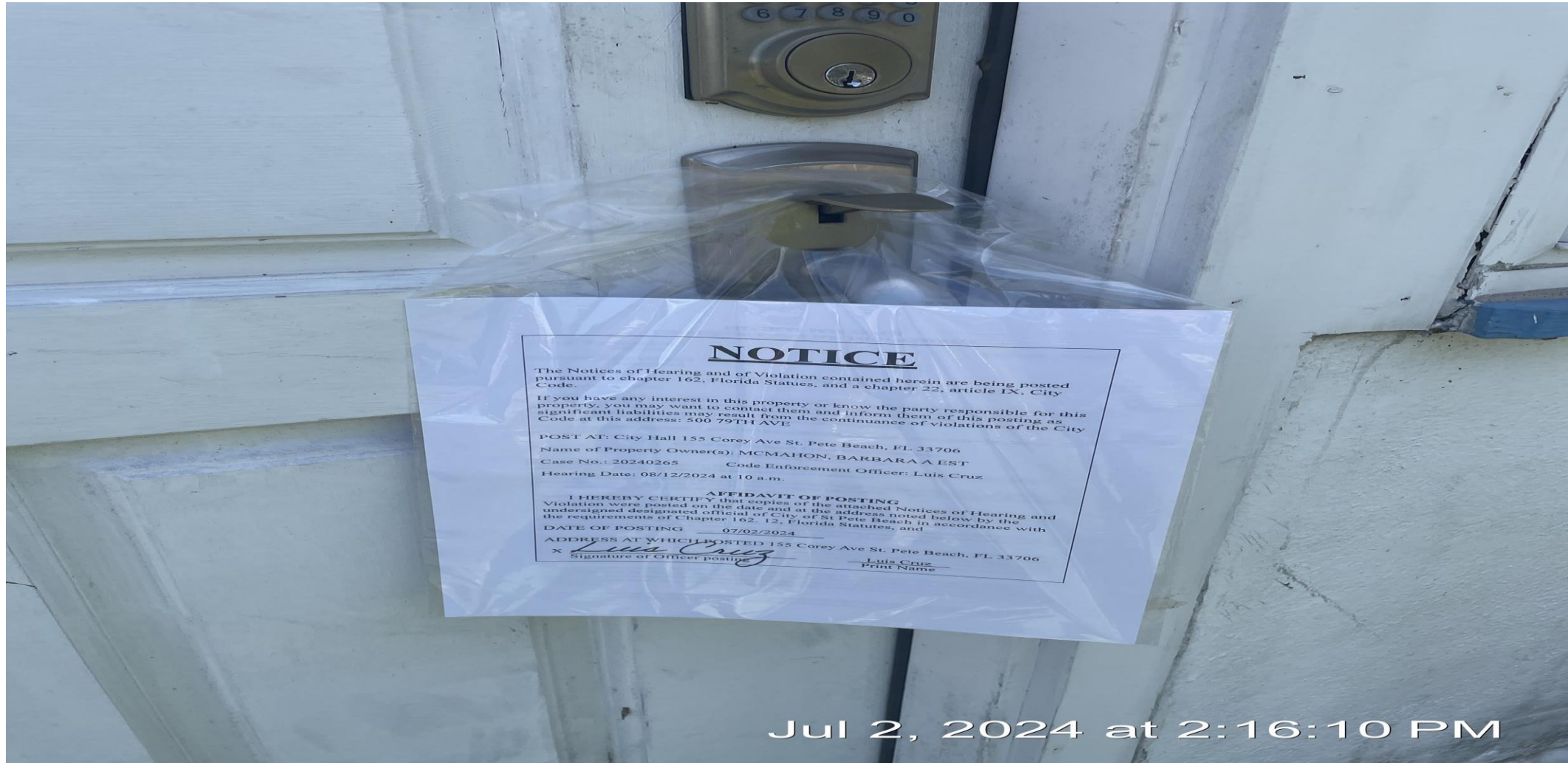
CE20240265

Case Summary

- Initial inspection: 4/29/2024**
- Notice of Violation dated: 4/30/2024**
- Notice of Violation compliance date: 5/17/2024**
- Notices of Hearing dated and posted on the property: 7/2/2024**

CE20240265

Affidavit of Posting



500 79th Ave.

CE20240265

Rusted fence and debris in back yard



500 79th Ave

CE20240265

Pile of dead branches/palm fronds



500 79th Ave

CE20240265

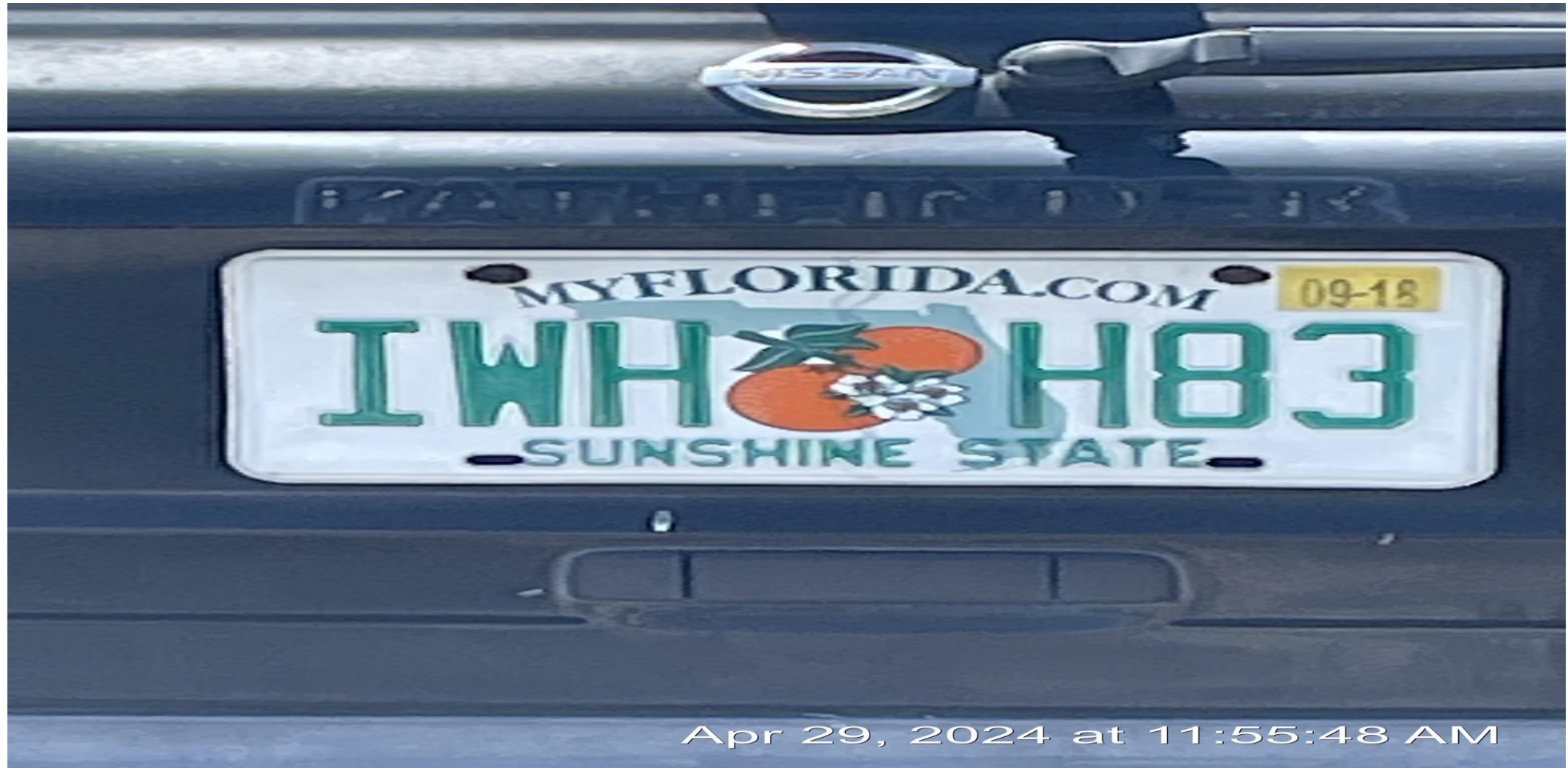
Dead palm fronds in trees and overgrown grass/weeds



500 79th Ave

CE20240265

Unregistered vehicle on property



500 79th Ave

CE20240265

Unregistered vehicle on property



500 79th Ave

CE20240265

Piles of dead palm fronds/branches



500 79th Ave

CE20240265

Dead palm fronds in trees/rusted fence



500 79th Ave

CE20240265

Overgrown weeds/grass



500 79th Ave

CE20240265

Overgrown weeds/grass



500 79th Ave

CE20240265

Overgrown weeds/grass



500 79th Ave

CE20240265

Overgrown weeds/grass



500 79th Ave

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 500 79TH AVE

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

Name of Property Owner(s): MCMAHON, BARBARA A EST

Case No.: 20240265 Code Enforcement Officer: Luis Cruz

Hearing Date: 08/12/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 07/02/2024

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

X

Luis Cruz
Signature of Officer posting

Luis Cruz
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,
vs.
MCMAHON, BARBARA A EST
Respondent(s)

Case Number: 20240265

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 **08/12/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **500 79TH 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,

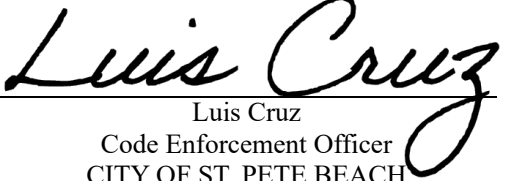
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special 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 07/02/2024


Luis Cruz
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

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

Agenda Report

Issue Considered: **Case No. 20240150**
 City of St. Pete Beach v. Russell W Zimmerman
 Address: 327 72nd Ave. St. Pete Beach FL 33706

Date: August 12, 2024

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Kristin Coman, Community Development Director

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

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

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

Sec. 98-65. - Unsightly conditions.

The following conditions are hereby deemed to be

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

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

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

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

(b) Standards for improved property.

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

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

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

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

(9) Porches and balconies. All exterior porches, balconies, stairs and fire escapes shall include banisters or railings properly designed and maintained to minimize the hazard of falling and installed to withstand the loads prescribed by the Florida Building Code. All exterior porches, landings, balconies, stairs and fire escapes shall be kept structurally sound, in good repair and free from defects. Paint and other finishes shall be in good condition.

(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.

The property has trash, debris, and refuse on the porch and in the yard. There is an unregistered/nonoperative vehicle on the property that must be registered and in an operable condition. Also, there is rotted wood on the exterior of the building that must be fixed and painted.

Funding: N/A

Requested Motion: N/A

Attachments:

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



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

NOTICE OF VIOLATION

3/12/2024

ZIMMERMAN, RUSSELL W
327 72ND AVE
ST PETE BEACH FL 33706-1912

RE: Case Number 20240150
Violation Address: 327 72ND AVE
Parcel ID#: 363115779940480110

Dear Property Owner:

Your property has trash, debris, dead branches, overgrown vegetation that needs to be cut, and refuse on the porch and in the yard. There is an unregistered/nonoperative vehicle on the property that must be registered and in an operative condition. Also, there is rotted wood on the exterior of the building that must be fixed and painted. 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:

(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.

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

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

that the property is worn out, scrapped, nonoperative, unusable or discarded, as provided in subsection (12) of this section.

Sec. 98-65. - Unsightly conditions.

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

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

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

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

(b) Standards for improved property.

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

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

b. Maintained, weatherproofed and surfaces properly coated as needed to prevent deterioration.

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

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

(9) Porches and balconies. All exterior porches, balconies, stairs and fire escapes shall include banisters or railings properly designed and maintained to minimize the hazard of falling and installed to withstand the loads prescribed by the Florida Building Code. All exterior porches, landings, balconies, stairs and fire escapes shall be kept structurally sound, in good repair and free from defects. Paint and other finishes shall be in good condition.

(19) Rodent harborage. All structures and exterior premises shall be kept free from rodent harborage and infestation. Where rodents are found, the owner shall promptly exterminate rodents through a process which will not be injurious to human health.

(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 3/26/2024**. If the violation(s) are corrected and then recurs or if the violation(s) are not corrected by the time specified for correction by the Code Enforcement Officer, the case may be presented to the Special Magistrate, even if the violation(s) have been corrected prior to the hearing. In accordance with Florida Statutes, the Special Magistrate may assess fines up to \$250.00 per day for each day the violation(s) continue beyond the date set for compliance or for each day the violation is repeated.

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

Sincerely,

Luis Cruz
Code Enforcement Officer

A handwritten signature in black ink that reads "Luis Cruz". The signature is written in a cursive, flowing style. The first name "Luis" is written with a large, looped 'L' and a small 'i'. The last name "Cruz" is written with a large, looped 'C' and a small 'z'.

727-589-2564

CE20240150

- **Respondent(s): Russell W Zimmerman**
- **Violation address: 327 72nd Ave.**
- **Violation(s) description: The property is in violation of section 46-33 Enumeration (12) & (13), 98-65 Unsightly conditions (4), and 98-66 Residential and commercial property maintenance (a), (b), (2) a. & b., (7), (9), (20), & (e) of the Code of Ordinances of the city of St. Pete Beach**

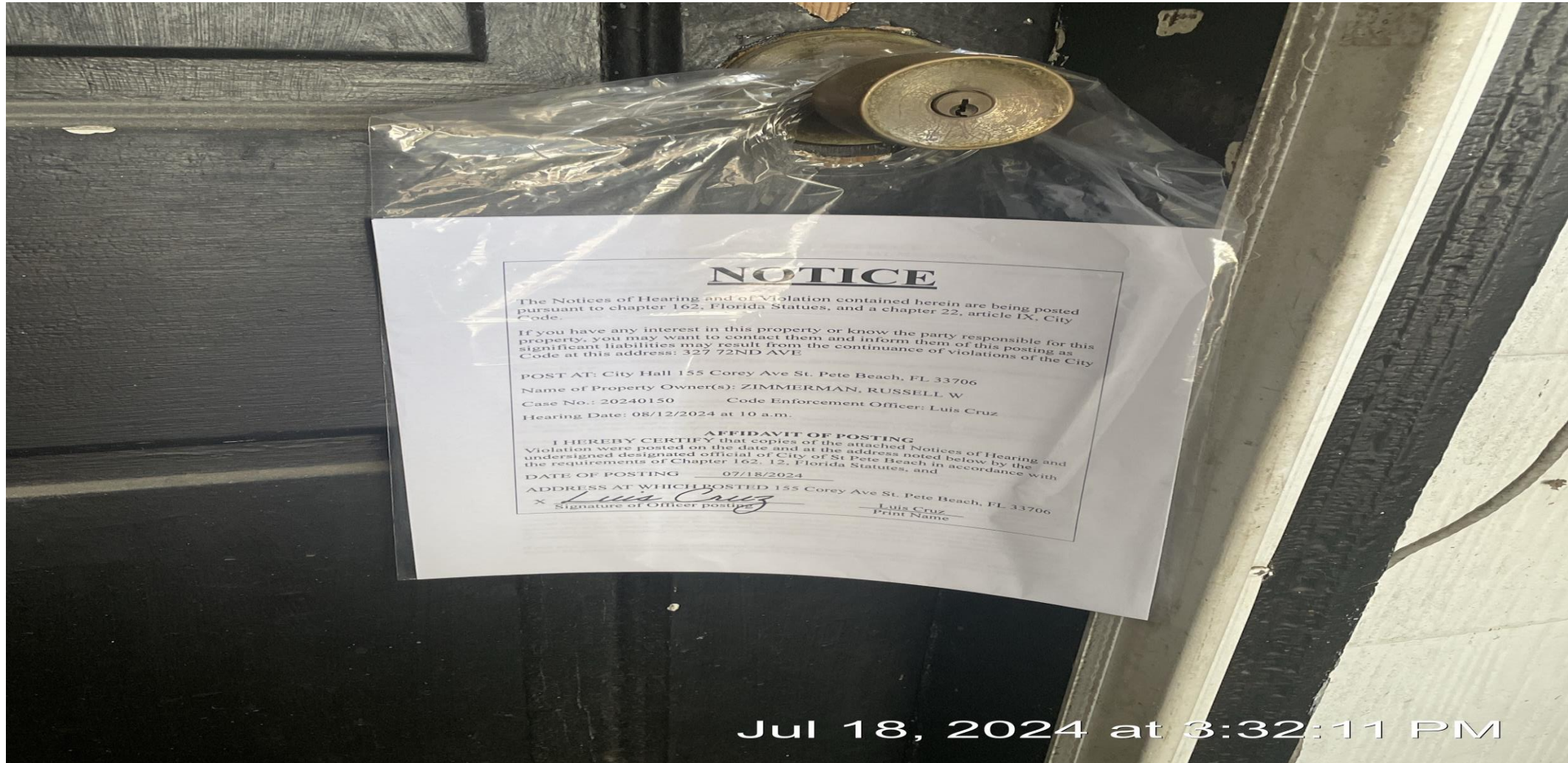
CE20240150

Case Summary

- Initial inspection: 3/11/2024**
- Notice of Violation dated: 3/12/2024**
- Notice of Violation compliance date: 3/26/2024**
- Notices of Hearing dated and posted on the property: 7/18/2024**

CE20240150

Affidavit of Posting



327 72nd Ave.

CE20240150

Rotted wood on the exterior wall and faded paint



Mar 11, 2024 at 2:04:49 PM

327 72nd Ave.

CE20240150

Rotted wood on the exterior wall and faded paint



327 72nd Ave.

CE20240150

Outside storage and debris



327 72nd Ave.

CE20240150

Faded / deteriorated paint



327 72nd Ave.

CE20240150

Rotted wood and deteriorated paint



327 72nd Ave.

CE20240150

Outside storage, debris, and faded paint



327 72nd Ave.

CE20240150

Rusted metal surface and faded paint



327 72nd Ave.

CE20240150

Rusted metal surface and faded paint



327 72nd Ave.

CE20240150

Rusted metal surface and faded/deteriorated paint



327 72nd Ave.

CE20240150

Rusted metal surface and faded paint



327 72nd Ave.

CE20240150

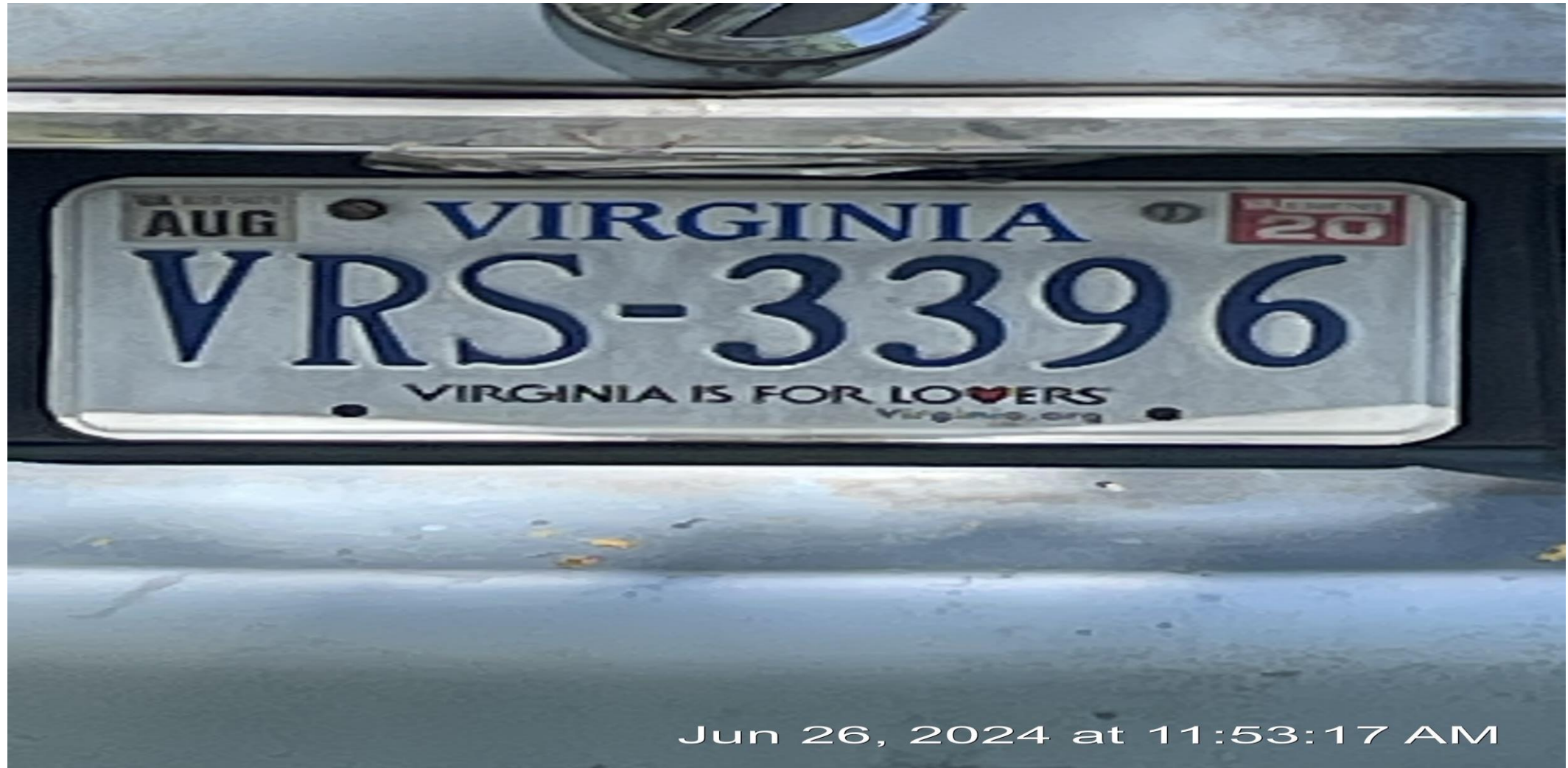
Deteriorated paint



327 72nd Ave.

CE20240150

Unregistered / inoperable vehicle



327 72nd Ave.

CE20240150

Unregistered / inoperable vehicle



327 72nd Ave.

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 327 72ND AVE

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

Name of Property Owner(s): ZIMMERMAN, RUSSELL W

Case No.: 20240150 Code Enforcement Officer: Luis Cruz

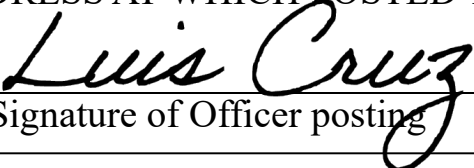
Hearing Date: 08/12/2024 at 10 a.m.

AFFIDAVIT OF POSTING

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

DATE OF POSTING 07/18/2024

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

X 
Signature of Officer posting

Luis Cruz
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,
vs.
ZIMMERMAN, RUSSELL W
Respondent(s)

Case Number: 20240150

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 **08/12/2024** at 10 a.m., there will be a Special Magistrate Hearing held at:

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

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

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

Should you be found in violation of any section of the City of St. Pete Beach Code of Ordinances and/or Land Development Code, the Special Magistrate has the power, by law, to levy fines of up to \$250.00 per day against your property located at **327 72ND AVE** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

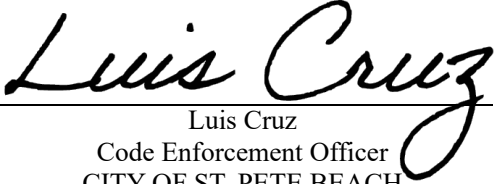
Any violation of the same code of Respondent(s) within five (5) years from the date an Order is imposed shall be treated as a repeat violation. As a repeater violation, the Special Magistrate may impose a fine of up to \$500.00 per day. Cases involving repeat violations may be presented to the Special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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 07/18/2024


Luis Cruz
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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

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

Agenda Report

Issue Considered: **Case No. 20240081**
 City of St. Pete Beach v. 4401 Gulf Blvd LLC
 4401 Gulf Blvd. St. Pete Beach FL 33706

Date: August 12, 2024

Prepared By: Steven Rivera, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager
 Kristin Coman, Community Development Director

Summary of Issue: Respondent requesting a hearing to challenge the fine amount.

Funding: NA

Requested Motion: NA

Attachments: 1. Special Magistrate Order 5/20/2024
 2. Special Magistrate Order 7/8/2024

**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:

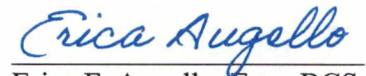
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Steven Rivera.
2. Respondent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. 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 46-33, 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 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.

**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 ORDER IMPOSING FINES AND COSTS

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

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Steven Rivera.
2. Respondent 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. In a Final Administrative Order dated May 20, 2024, Respondent was allotted thirty (4) days to apply for and secure a permit, and to bring the property into compliance.
6. Code Enforcement Officer Rivera testified that no permit has been applied for and the property remains non-compliant.

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

7. Respondent failed to comply with the Final Administrative Order dated May 20, 2024, and remains in violation of the cited Code sections.

8. A **\$250 per day** fine shall be assessed beginning **March 1, 2024**, and continue to accrue until the property comes into full compliance. Respondent will also be assessed **\$325.00** for the reasonable administrative costs of the City.
9. It is Respondent's responsibility to notify the City once the property is in compliance.
10. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.
11. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on July 8, 2024.


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 July 8, 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. 20240190**
 City of St. Pete Beach v. Jeffrey T. Weeks
 Address: 535 68th Ave #10 St. Pete Beach FL
 33706

Date: August 12, 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 5/20/2024
 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.: CE20240190
ADDRESS: 535 68th Ave, #10**

JEFFREY T. WEEKS,

Respondent.

_____ /

AMENDED* FINAL ADMINISTRATIVE ORDER AND ORDER IMPOSING FINES

(*Correction to case number 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 Luis Cruz.
2. Jeffrey T. Weeks 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 of the following violation of the City's Land Development Code.

Section 36.4 – Prohibited uses and structures.

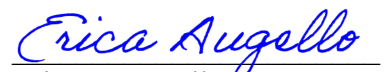
All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the Upham Beach Village District.

5. The City presented evidence of three (3) reviews from the VRBO website specifically indicating they were for “few days stay”. Mr. Cruz also submitted the VRBO review policy.
6. Ms. Weeks testified that he does not contest the evidence presented and that this is a learning experience for him as he did not realize he could not rent short-term.

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

7. The Special Magistrate finds the Respondent and the subject property were in violation of Section 36.4 of the City's Code of Ordinances. The rentals in violation of the Code are determined to be irreparable or irreversible in nature, and Respondent is assessed **\$1,000 for each of the 3 stays, totaling \$3,000** plus the reasonable administrative costs of the City in the amount of **\$325**.
8. Respondent is ordered to immediately cease renting the property for a term less than thirty (30) days.
9. With ten (10) days of the date of this Order, Respondent shall provide the City with proof that there are no future bookings of less than thirty (30) days.
10. Pursuant to Section 22-279 (a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of the original order.
11. It is Respondent's responsibility to notify the City once the property is in compliance, if applicable.
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 F. Augello, BCS
Special Magistrate

A copy of this Amended Order was sent to Respondent via email at jeff.weeks@live.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.



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: CE20240109

2. Date: 05/22/2024

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

Company (if applicable): _____

Name: Jeffrey Weeks

Mailing Address: 535 68th Ave #10

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

Phone #: 618 792-3769 Fax #: _____

Mobile #: _____ E-mail: jeff.weeks@live.com

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

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

Company (if applicable): _____

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: 535 68th Ave, Apt 10, St Pete Beach, FL

Parcel ID: 36/31/15/60129/000/0100

Tax Account Number: R401288

Existing Use(s) on Property: RESIDENTIAL

Date Fine or Lien Imposed: 05/13/2024

Fine/Lien Amount: 3000.00 Administrative Fees: 325 Total Fine/Lien Amount: 3325

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

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

Date upon which the subject property was brought into compliance: 04/02/2024

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

St. Pete Beach, Florida - Code of Ordinances Chapter 22 - BOARDS, COMMITTEES, COMMISSIONS
ARTICLE IX. - SPECIAL MAGISTRATE SUPPLEMENTAL CODE ENFORCEMENT Sec. 22-279. -
Administrative fines; costs; liens.

Rentals were family and with knowledge, would not have been made on VRBO for purpose of establishing reviews

The fine will cause hardship; my violation was a first offence, immediately and permanently resolved upon notice

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

it was rectified immediately upon initial notice provided by the City

Provide proof that the taxes are paid in full:

Paid \$3,304.15 11/29/2023 Receipt #0-23-152879

6. Signatures and Notarization.

STATE OF Missouri COUNTY OF St Louis. I, being first
duly sworn, depose and say that:

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

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

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

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

[Signature]
(APPLICANT SIGNATURE)

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

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced Florida Drivers License



(NOTARY PUBLIC SIGNATURE) Kristin Lee Branson

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 31st day May 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 _____



[Search](#) > Account Summary

Real Estate Account #R401288

Owner:
WEEKS, JEFFREY T

Situs:
535 68TH AVE 10
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 **\$3,304.15**.

Account History

BILL	AMOUNT DUE	STATUS	ACTION
2023 Annual Bill ⓘ	\$0.00 Paid \$3,304.15	11/29/2023 Receipt #0-23-152879	Print (PDF)
2022 Annual Bill ⓘ	\$0.00 Paid \$2,852.61	11/29/2022 Receipt #0-22-149632	Print (PDF)
2021 Annual Bill ⓘ	\$0.00 Paid \$2,727.64	11/22/2021 Receipt #0-21-126659	Print (PDF)
2020 Annual Bill ⓘ	\$0.00 Paid \$2,578.78	11/30/2020 Receipt #0-20-118648	Print (PDF)
2019 Annual Bill ⓘ	\$0.00 Paid \$1,956.45	11/13/2019 Receipt #755-19-035885	Print (PDF)
2018 Annual Bill ⓘ	\$0.00 Paid \$1,842.05	11/29/2018 Receipt #0-18-064545	Print (PDF)
2017 Annual Bill ⓘ	\$0.00 Paid \$2,067.64	11/16/2017 Receipt #911-17-000497	Print (PDF)
2016 Annual Bill ⓘ	\$0.00 Paid \$1,771.48	11/25/2016 Receipt #755-16-080479	Print (PDF)
2015 Annual Bill ⓘ	\$0.00 Paid \$1,476.95	11/19/2015 Receipt #0-15-000811	Print (PDF)
2014 Annual Bill ⓘ	\$0.00 Paid \$1,342.35	11/12/2014 Receipt #755-14-039205	Print (PDF)
2013 Annual Bill ⓘ	\$0.00 Paid \$1,210.48	11/22/2013 Receipt #755-13-073671	Print (PDF)
2012 Annual Bill ⓘ	\$0.00 Paid \$1,285.33	11/30/2012 Receipt #756-12-057592	Print (PDF)
2011 Annual Bill ⓘ	\$0.00 Paid \$1,323.88	11/09/2011 Receipt #756-11-004974	Print (PDF)
2010 Annual Bill ⓘ	\$0.00 Paid \$1,197.25	11/16/2010 Receipt #755-10-055067	Print (PDF)
2009 Annual Bill ⓘ	\$0.00 Paid \$999.74	11/20/2009 Receipt #755-09-063432	Print (PDF)
2008 ⓘ			
2008 Annual Bill	\$0.00 Paid \$1,275.08	11/07/2008 Receipt #704-08-000192	Print (PDF)
Refund	Processed \$51.00	11/25/2008	
	Paid \$1,275.08		
2007 Annual Bill ⓘ	\$0.00 Paid \$1,141.64	11/27/2007 Receipt #016-07-00007637	Print (PDF)
2006 Annual Bill ⓘ	\$0.00 Paid \$1,377.69	11/20/2006 Receipt #012-06-00007057	Print (PDF)
2005 Annual Bill ⓘ	\$0.00 Paid \$1,109.69	11/30/2005 Receipt #013-05-00007124	Print (PDF)
2004 Annual Bill ⓘ	\$0.00 Paid \$881.31	11/30/2004 Receipt #055-04-00125555	Print (PDF)
2003 Annual Bill ⓘ	\$0.00 Paid \$734.02	11/26/2003 Receipt #013-03-00012051	Print (PDF)
2002 Annual Bill ⓘ	\$0.00 Paid \$747.95	11/27/2002 Receipt #010-02-00004237	Print (PDF)
2001 Annual Bill ⓘ	\$0.00 Paid \$732.93	11/30/2001 Receipt #009-01-00002281	Print (PDF)
2000 Annual Bill ⓘ	\$0.00 Paid \$634.42	11/29/2000 Receipt #010-00-00003711	Print (PDF)
1999 Annual Bill ⓘ	\$0.00 Paid \$683.64	11/23/1999 Receipt #011-99-00004764	Print (PDF)
Total Amount Due	\$0.00		

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20240190

Jeffrey T. Weeks

535 68th Ave. #10

Employee/Associate	Hourly Rate	Total Hours	Total
Code Enforcement Officer	\$25.00	1.00	\$25.00
City Attorney	\$200.00	0.50	\$100.00
Special Magistrate	\$200.00	1.00	\$200.00
\$1000 for each of the 3 stays totaling \$3,000 plus \$325 in admin. costs.	Total hours	3.00	\$325.00

Total Administrative Fines	\$325.00
Lien	\$3,000.00

Total \$3,325.00

**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: August 12, 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 Request Application
 3. Fine & Lien Assessment Sheet

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

CITY OF ST. PETE BEACH,

CASE NUMBER: 20190452

Petitioner,
vs.

LING LEI AND XI YE,

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

Respondent(s).

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
SPECMAG CASE # 20190452 on file in the office of
the City Clerk, City of St. Pete Beach, Pinellas County, FL

Ginny Keeter-Bodkin
Ginny Keeter-Bodkin, Deputy City Clerk

3/16/2020
Date



Lien Reduction Request Application

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

1. Code Enforcement Case Number: CE 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: 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: 36/31/15/78336/014/00/0

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: _____

Amount you are requesting that the lien be reduced to: \$ 200

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

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

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

Originally I didn't know this house can't do short term rental, then the code enforcement sent me violation and brought me to the court, I immediately correct this violation from that time, I didn't do it 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 the house can't do short term rental, that's why got this fine, but already you corrected.

Provide proof that the taxes are paid in full:

see attachment

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.

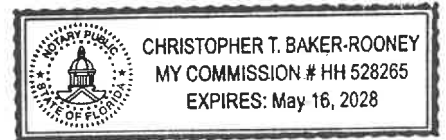
I further understand that this application must be complete and accurate prior to the advertising of a public hearing.

Ling Cai
(APPLICANT SIGNATURE)

Ling Cai / Christopher T. Baker-Rooney
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced FL Driver's



(NOTARY PUBLIC SIGNATURE) [Signature]

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 16 day July 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 _____

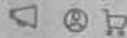
Signature _____

1:01

5G

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



FLORIDA DURABLE POWER OF ATTORNEY

On the 12th day of August 2024 I, Ling Lei the principal, of Tampa State of Florida hereby designate Chris Torunski of Clearwater State of Florida my attorney-in-fact (hereinafter my "attorney-in-fact"), to act as initialed below, in my name, in my stead and for my benefit, hereby revoking any and all financial powers of attorney I may have executed in the past.

EFFECTIVE DATE

I grant my attorney-in-fact the powers set forth herein immediately upon the execution of this document. These powers shall not be affected by any subsequent disability or incapacity I may experience in the future.

POWERS OF ATTORNEY-IN-FACT

My attorney-in-fact shall exercise powers in my best interests and for my welfare, as a fiduciary. My attorney-in-fact shall have the following powers:

(Choose the applicable power(s) by placing your initials in the preceding space)

[INITIALS] **BANKING** - With regard to banking and other financial institution transactions, my agent shall have the authority to conduct banking transactions as provided in § 709.2208(1), Florida Statutes. Without limiting the foregoing, my agent shall have the general authority to engage in the following transactions with financial institutions:

Continue, modify, and terminate an account or other banking arrangement made by or on behalf of the Principal;

Establish, modify, and terminate an account or other banking arrangements with a bank, trust company, savings and loan association, credit union, thrift company, brokerage firm, or other financial institution selected by the Agent;

Contract for services available from a financial institution, including renting a safe deposit box or space in a vault;

Withdraw, by check, order, electronic funds transfer, or otherwise, money or property of the Principal deposited with or left in the custody of a financial institution;

Receive statements of account, vouchers, notices, and similar documents from a financial institution and act with respect to them;

Enter a safe deposit box or vault and withdraw or add to the contents;

Borrow money and pledge as security personal property of the Principal necessary to borrow money or pay, renew, or extend the time of payment of a debt of the Principal or a debt guaranteed by the Principal;

Make, assign, draw, endorse, discount, guarantee, and negotiate promissory notes, checks, drafts, and other negotiable or nonnegotiable paper of the Principal or payable to the Principal or the Principal's order, transfer money, receive the cash or other proceeds of those transactions, and accept a draft drawn by a person upon the Principal and pay it when due;

Receive for the Principal and act upon a sight draft, warehouse receipt, or other document of title whether tangible or electronic, or other negotiable or nonnegotiable instrument;

Apply for, receive, and use letters of credit, credit and debit cards, electronic transaction authorizations, and traveler's checks from a financial institution and give an indemnity or other agreement in connection with letters of credit; and

Consent to an extension of the time of payment with respect to commercial paper or a financial transaction with a financial institution.

[INITIALS] **SAFE DEPOSIT BOX** - To have access at any time or times to any safe-deposit box rented by me or to which I may have access, wheresoever located, including drilling, if necessary, and to remove all or any part of the contents thereof, and to surrender or relinquish said safe-deposit box; and any institution in which any such safe-deposit box may be located shall not incur any liability to me or my estate as a result of permitting my attorney-in-fact to exercise this power.

[INITIALS] **LENDING OR BORROWING** - To make loans in my name; to borrow money in my name, individually or jointly with others; to give promissory notes or other obligations therefor; and to deposit or mortgage as collateral or for security for the payment thereof any or all of my securities, real estate, personal property, or other property of whatever nature and wherever situated, held by me personally or in trust for my benefit.

L.L. GOVERNMENT BENEFITS - To apply for and receive any government benefits for which I may be eligible or become eligible, including but not limited to, Social Security, Medicare and Medicaid.

[INITIALS] **RETIREMENT PLAN** - To contribute to, select payment option of, roll-over, and receive benefits of any retirement plan or IRA I may own, except my attorney-in-fact shall not have power to change the beneficiary of any of my retirement plans or IRAs.

[INITIALS] **TAXES** - To complete and sign any local, state and federal tax returns on my behalf, pay any taxes and assessments due and receive credits and refunds owed to me and to sign any tax agency documents necessary to effectuate these powers.

[INITIALS] **INSURANCE** - To purchase, pay premiums and make claims on life, health, automobile and homeowners' insurance on my behalf, except my attorney-in-fact shall not have the power to cash in or change the beneficiary of any life insurance policy.

[INITIALS] **REAL ESTATE** - To acquire, purchase, exchange, lease, grant options to sell, and sell and convey real property, or any interests therein, on such terms and conditions, including credit arrangements, as my attorney-in-fact shall deem proper; to execute, acknowledge and deliver, under seal or otherwise, any and all assignments, transfers, deeds, papers, documents or instruments which my attorney-in-fact shall deem necessary in connection therewith.

[INITIALS] **PERSONAL PROPERTY** - To acquire, purchase, exchange, lease, grant options to sell, and sell and convey personal property, or any interests therein, on such terms and conditions, including credit arrangements, as my attorney-in-fact shall deem proper; to execute, acknowledge and deliver, under seal or otherwise, any and all assignments, transfers, titles, papers, documents or instruments which my attorney-in-fact shall deem necessary in connection therewith; to purchase, sell or otherwise dispose of, assign, transfer and convey shares of stock, bonds, securities and other personal property now or hereafter belonging to me, whether standing in my name or otherwise, and wherever situated.

[INITIALS] **POWER TO MANAGE PROPERTY**- To maintain, repair, improve, invest, manage, insure, rent, lease, encumber, and in any manner deal with any real or personal property, tangible or intangible, or any interests therein, that I now own or may hereafter acquire, in my name and for my benefit, upon such terms and conditions as my attorney-in-fact shall deem proper.

[INITIALS] **STOCKS AND BONDS** - With regard to stocks and bonds, to conduct investment transactions as provided in section 709.2208(2), Florida Statutes. Without limiting the foregoing, my agent shall have the general authority with respect to investment instruments to take the following actions:

Buy, sell, and exchange stocks and bonds;

Establish, continue, modify, or terminate an account with respect to stocks and bonds;

Pledge stocks and bonds as security to borrow, pay, renew, or extend the time of payment of a debt of the Principal;

Receive certificates and other evidence of ownership with respect to stocks and bonds; and

Exercise voting rights with respect to stocks and bonds in person or by proxy, enter into voting trusts, and consent to limitations on the right to vote.

[INITIALS] **COMMODITIES AND OPTIONS** - In regards to commodities and options, the Principal authorizes the Agent to buy, sell, exchange, assign, settle, and exercise commodity futures contracts and call or put options on stocks or stock indexes traded

on a regulated option exchange; and establish, continue, modify, and terminate option accounts.

[INITIALS] GIFTS - To make gifts, grants, or other transfers (including the forgiveness of indebtedness and the completion of any charitable pledges I may have made) without consideration, either outright or in trust to such person(s) (including my attorney-in-fact hereunder) or organizations as my attorney-in-fact shall select, including, without limitation, the following actions: (a) transfer by gift in advancement of a bequest or devise to beneficiaries under my will or in the absence of a will to my spouse and descendants in whatever degree; and (b) release of any life interest, or waiver, renunciation, disclaimer, or declination of any gift to me by will, deed, or trust

[INITIALS] LEGAL ADVICE AND PROCEEDINGS - To obtain and pay for legal advice, to initiate or defend legal and administrative proceedings on my behalf, including actions against third parties who refuse, without cause, to honor this instrument.

SPECIAL INSTRUCTIONS: On the following lines are any special instructions limiting or extending the powers I give to my attorney-in-fact (Write "None" if no additional instructions are given):

[INSTRUCTIONS]

AUTHORITY OF ATTORNEY-IN-FACT: Any party dealing with my attorney-in-fact hereunder may rely absolutely on the authority granted herein and need not look to the application of any proceeds nor the authority of my attorney-in-fact as to any action taken hereunder. In this regard, no person who may in good faith act in reliance upon the representations of my attorney-in-fact or the authority granted hereunder shall incur any liability to me or my estate as a result of such act. I hereby ratify and confirm whatever my attorney-in-fact shall lawfully do under this instrument. My attorney-in-fact is authorized as he or she deems necessary to bring an action in court so that this instrument shall be given the full power and effect that I intend on by executing it.

LIABILITY OF ATTORNEY-IN-FACT: My attorney-in-fact shall not incur any liability to me under this power except for a breach of fiduciary duty.

REIMBURSEMENT OF ATTORNEY-IN-FACT: My attorney-in-fact is entitled to reimbursement for reasonable expenses incurred in exercising powers hereunder, and to reasonable compensation for services provided as attorney-in-fact.

AMENDMENT AND REVOCATION: I can amend or revoke this power of attorney through a writing delivered to my attorney-in-fact. Any amendment or revocation is ineffective as to a third party until such third party has notice of such revocation or amendment.

STATE LAW: This Power of Attorney is governed by the laws of the State of Florida. This durable power of attorney is not terminated by subsequent incapacity of the principal except as provided in chapter 709, Florida Statutes. All of the powers and

provisions of said Statute shall be in addition to the powers and provisions thereof and not in limitation thereof.

PHOTOCOPIES: Photocopies of this document can be relied upon as though they were originals.

IN WITNESS WHEREOF, I have on this [DAY] day of [MONTH] 20[YEAR] executed this Financial Power of Attorney.



Principal's Signature

We, the witnesses, each do hereby declare in the presence of the principal that the principal signed and executed this instrument in the presence of each of us, that the principal signed it willingly, that each of us hereby signs this Power of Attorney as witness at the request of the principal and in the principal's presence, and that, to the best of our knowledge, the principal is eighteen years of age or over, of sound mind, and under no constraint or undue influence.



Witness's Signature *Christ Baker-Rooney*

[ADDRESS]

Address *5447 Haiker Rd, St. Pete FL 33714*



Witness's Signature

[ADDRESS]

Address *5447 Haiker Rd, St. Pete FL 33714*

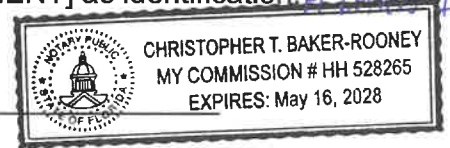
STATE OF [STATE] *Florida*

[COUNTY] County, ss. *Pine Har*

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this [DAY] day of [MONTH], [YEAR], by [NAME] Christopher T. Baker-Rooney who is personally known to me or who has produced [DOCUMENT] as identification. FL Driver's ID



Notary Public



My commission expires: [DATE] May 16, 2028

SPECIMEN SIGNATURE AND ACCEPTANCE OF APPOINTMENT

I, Chris Torunski the attorney-in-fact named above, hereby accept appointment as attorney-in-fact in accordance with the foregoing instrument.



Attorney-in-Fact's Signature

STATE OF [STATE] *Florida*

[COUNTY] County, ss. *Pinehills*

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this [DAY] day of [MONTH], [YEAR], by [NAME] who is personally known to me or who has produced [DOCUMENT] as identification.



Notary Public *Christopher T Baker-Rooney*



My commission expires: [DATE]

May 16, 2028



Property sold
10.16.2019

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 209 27

PG:
1337-1338

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

Agenda Report

Issue Considered: **Case No. 20230685**
 City of St. Pete Beach v. Billie G Lambert
 Address: 7951 Gulf Blvd. St. Pete Beach FL
 33706

Date: August 12, 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. Lien Reduction Request Application
 2. Special Magistrate Order 5/20/2024
 3. Fine & Lien Assesment Sheet



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: 20230685

2. Date: 6-30-2024

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

Company (if applicable): _____

Name: Billie g Lambert

Mailing Address: 7625 132nd Way

City: Seminole State: FL Zip Code: 33776

Phone #: _____ Fax #: _____

Mobile #: 727-772-3928 E-mail: Billieg63@gmail.com

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

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

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Information for property on which lien occurs:

Street Address: 7951 Gulf Blvd. St. Pete Beach Fl. 33706

Parcel ID: 363115781740840150

Tax Account Number: R401779

Existing Use(s) on Property: -

Date Fine or Lien Imposed: May 10, 2024

Fine/Lien Amount: _____ Administrative Fees: _____ Total Fine/Lien Amount: \$ 12,500

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: 6/10/2024

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

SEE ATTACHED

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

Contractor time frames.

Provide proof that the taxes are paid in full:

SEE ATTACHED / TAXES ARE PAID QUARTERLY

6. Signatures and Notarization.

STATE OF FLORIDA COUNTY OF Pineellas. I, being first duly sworn, depose and say that:

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

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

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

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

[Signature]

(APPLICANT SIGNATURE)

Christine Trigonoplos

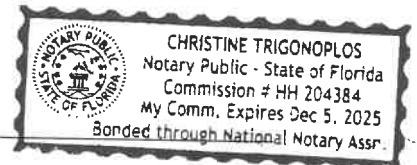
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☐ OR Produced Identification ☒

Type of I.D. Produced FLDL

(NOTARY PUBLIC SIGNATURE)

[Signature]



STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 2 day July 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 _____



Search > Account Summary

Real Estate Account #R401779

Owner:

LAMBERT, BILLIE G

Situs:

7951 GULF BLVD

ST PETE BEACH

Parcel details

Property Appraiser [↗](#)

[🚩](#) Installments



Get bills by email

Amount Due

Your account is **paid to date**. Your next bill will be available for payment by 09/01/2024.

Your last payment was made on **06/24/2024** for **\$1,369.87**.



ESTIMATE

CLIENT:

Billie Lambert
7951 Gulf Blvd
St. Pete Beach, FL 33706

DATE: 6/12/2024

DESCRIPTION		
	Exterior of Home & Doors	
	• Purchase 2 exterior doors with impact	\$ 1,382.00
	• Door installation (Including labor, trim, jam, knob)	\$ 1,200.00
	• Siding repair	\$ 1,200.00
	• Stucco	\$ 4,290.00
	• Painting	\$ 3,360.00
		TOTAL AMOUNT: \$ 11,432.00

Please Note: Any alteration or deviation from the above conditions involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the invoice. All agreements are contingent on strikes, accidents, and delays beyond our control. Owner to carry fire, tornado, and other necessary insurance upon above work. Workman's compensation and public liability insurance on above work taken out by CRUE DEMOLITION & CONSTRUCTION.

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

REMIT PAYMENT TO:

Phone: (727) 270-3018
Email: info@constructioncrue.com
Address: Crue Demolition & Construction,
9042 130th Avenue N
Largo, FL 33773

(no subject)

Billie Lambert <billieg63@gmail.com>
To: theupsstore1538@gmail.com

Tue, Jul 2, 2024 at 2:29 PM

Factual Basis

Original Posting 2/27

Contractor Hired 3/22

Mr Cruz said permit must be applied for by 3/29
Contractor applied for permit 3/26

Permit approved 4/19

New Doors and repairs to doors were finished by 4/26

The lag in the project was a back order on the windows. The contractor said they did not want to Stucco the house before the new windows were put in.

Because it was taking so long I asked them to get it done. The stucco was finished on 5/21

Then there was a lag in getting it painted. Contractor said the painter did not show up. It took them until 6/11 to finally get it painted.

I called Mr Cruz on 6/17 to let him know everything was finished.

I have a deposit with the contractor if I had not getting someone else would have been an option.

If I was ignorant to what the City of St Pete Beach was asking of me I could understand the fines. But I have been diligent in getting the house looking really good. The neighbors come by and are constantly complimenting. That house sat for over 7 years unoccupied and unkempt. It is unfair to place such a huge financial burden on someone that is working towards not only making the place look great but doing what has been asked.

The time frames given are unrealistic. Even your permit took 3 1/2 weeks. I came down to city hall to the building department to speak on my behalf and ask what I could do to make this better and your inspector said you've been given ample time to finish.

I asked why the permit took so long and he said, we are short handed and busy. I understand. But the same courtesy should be given to my contractors.

As for my missed court date. All I can do is apologize. It was not out of ignorance.

Sincerely
Billie Lambert

P.S I just hired a landscaper.
Billie

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

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

BILLIE G. LAMBERT,

Respondent.

_____ /

FINAL ORDER IMPOSING FINES AND COSTS

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:

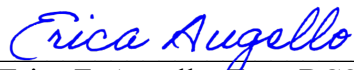
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Respondent failed to appear.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that she was in violation of Sections 98-65 and 98-66 of the City's Code of Ordinances for failing to adequately maintain the property by having deteriorating paint, broken siding, and a rotting doorframe.
5. In a Final Administrative Order dated April 10, 2024, Respondent was allotted thirty (30) days to secure a permit and complete the repairs.
6. Code Enforcement Officer Cruz testified that the Respondent had secured a permit on April 19, 2024, and was working on the repairs, but the repairs had not yet been completed.

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

7. Respondent has failed to fully comply with the Final Administrative Order dated April 10, 2024, and remains in violation of Section 98-65 of the City's Code of Ordinances.

8. A **\$250.00** per day fine shall be assessed beginning **May 10, 2024**, and continue to accrue until the property comes into compliance. Respondent shall also be assessed **\$325.00** for the reasonable administrative costs of the City.
9. It is Respondent's responsibility to notify the City once the property is in compliance.
10. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.
11. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on May 20, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Respondent at billieg63@gmail.com 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.

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20230685

Billie G. Lambert

7951 Gulf Blvd.

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
\$250 per day fine starting 5/10/2024 until 6/17/2024 totaling \$9,750 plus \$325 in admin. costs.	Total hours	3.00	\$325.00

Total Administrative Fines	\$325.00
Lien	\$9,750.00
Total	<u>\$10,075.00</u>

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

Agenda Report

Issue Considered: **Case No. 20240133**
 City of St. Pete Beach v. Patricia E Little TRE
 Address: 85 Corey Cir St. Pete Beach FL 33706

Date: August 12, 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. Lien Reduction Request Application
 2. Special Magistrate Order 5/20/2024
 3. Fine & Lien Assesment Sheet



Lien Reduction Request Application

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

1. Code Enforcement Case Number: 20240133

2. Date: 6/27/24

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

Company (if applicable):

Name: Patricia E Little

Mailing Address: 7100 Sunset way #612W

City: St. Pete Beach State: FL Zip Code: 33707

Phone #: 727 340 8541 Fax #: _____

Mobile #: 727 320 6420 E-mail: Chef. Jackie. Smit@gmail.com

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

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

Company (if applicable):

Name: ✓

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Information for property on which lien occurs:

Street Address: 85 Corey Circle

Parcel ID: 36-31-15-13590-000-0010

Tax Account Number: 151-32 4388

Existing Use(s) on Property: Restaurant

Date Fine or Lien Imposed: 3/16/2024 - 6/27/2024

Fine/Lien Amount: 26,000 Administrative Fees: 325.00 Total Fine/Lien Amount: 26,325.00

Amount you are requesting that the lien be reduced to: \$ all but admin. Fees

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

Date upon which the subject property was brought into compliance: 6/26/2024

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

I own the property and lease it to Blue Parrot. I was not aware of what he was being summoned for. My Daughter just passed away so I've been taking care of her. Once I was aware of what was happening I jumped onto situation. He had a car parked in a spot for years and was asked to move it. I got it moved right after. The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded: I knew abt this

Frank has been notified to move this, ever

Provide proof that the taxes are paid in full:

no taxes or

6. Signatures and Notarization.

STATE OF FL 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.

Patricia E. Little

(APPLICANT SIGNATURE)

Patricia E. Little

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

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____

(NOTARY PUBLIC SIGNATURE)

Barbara M. Rodgers

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 26 day July 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 _____





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

Real Estate Account #R400315

Owner:

LITTLE, PATRICIA E TRE

Situs:

85 COREY CIR
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 **11/21/2023** for \$6,692.65.

Account History

BILL	AMOUNT DUE	STATUS	ACTION
2023 Annual Bill ⓘ	\$0.00	Paid \$6,692.65 11/21/2023	Receipt #208-23-002565 Print (PDF)
2022 Annual Bill ⓘ	\$0.00	Paid \$6,298.57 11/21/2022	Receipt #235-22-001329 Print (PDF)
2021 Annual Bill ⓘ	\$0.00	Paid \$5,969.61 11/16/2021	Receipt #255-21-000874 Print (PDF)
2020 Annual Bill ⓘ	\$0.00	Paid \$6,689.17 03/05/2021	Receipt #210-20-001220 Print (PDF)
2019 Annual Bill ⓘ	\$0.00	Paid \$6,231.88 11/19/2019	Receipt #214-19-002424 Print (PDF)
2018 Annual Bill ⓘ	\$0.00	Paid \$5,762.25 11/26/2018	Receipt #207-18-002688 Print (PDF)
2017 Annual Bill ⓘ	\$0.00	Paid \$5,711.50 11/15/2017	Receipt #213-17-002405 Print (PDF)
2016 Annual Bill ⓘ	\$0.00	Paid \$5,453.35 11/18/2016	Receipt #213-16-003102 Print (PDF)
2015 Annual Bill ⓘ	\$0.00	Paid \$5,214.32 11/18/2015	Receipt #222-15-004518 Print (PDF)
2014 Annual Bill ⓘ	\$0.00	Paid \$4,913.28 11/10/2014	Receipt #213-14-002077 Print (PDF)
2013 Annual Bill ⓘ	\$0.00	Paid \$4,668.28 11/25/2013	Receipt #232-13-002487 Print (PDF)
2012 Annual Bill ⓘ	\$0.00	Paid \$4,622.83 11/26/2012	Receipt #219-12-001963 Print (PDF)
2011 Annual Bill ⓘ	\$0.00	Paid \$4,319.75 11/15/2011	Receipt #232-11-002739 Print (PDF)
2010 Annual Bill ⓘ	\$0.00	Paid \$4,351.83 11/05/2010	Receipt #209-10-000222 Print (PDF)
2009 Annual Bill ⓘ	\$0.00	Paid \$5,130.95 02/16/2010	Receipt #203-09-000535 Print (PDF)
2008 Annual Bill ⓘ	\$0.00	Paid \$5,296.48 11/25/2008	Receipt #204-08-000346 Print (PDF)
2007 Annual Bill ⓘ	\$0.00	Paid \$5,132.46 11/05/2007	Receipt #011-07-00000598 Print (PDF)
2006 Annual Bill ⓘ	\$0.00	Paid \$5,539.34 11/06/2006	Receipt #011-06-00001013 Print (PDF)
2005 Annual Bill ⓘ	\$0.00	Paid \$4,734.17 11/22/2005	Receipt #009-05-00001722 Print (PDF)
2004 Annual Bill ⓘ	\$0.00	Paid \$4,228.00 11/16/2004	Receipt #011-04-00002285 Print (PDF)
2003 Annual Bill ⓘ	\$0.00	Paid \$3,594.41 11/12/2003	Receipt #011-03-00002276 Print (PDF)
2002 Annual Bill ⓘ	\$0.00	Paid \$2,964.99 11/05/2002	Receipt #010-02-00001684 Print (PDF)
2001 Annual Bill ⓘ	\$0.00	Paid \$3,059.84 03/27/2002	Receipt #011-01-00007195 Print (PDF)
2000 Annual Bill ⓘ	\$0.00	Paid \$3,002.86 02/28/2001	Receipt #009-00-00005243 Print (PDF)

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

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

PATRICIA E. LITTLE, TRE.,

Respondent.

_____/

FINAL ORDER IMPOSING FINES AND COSTS

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:

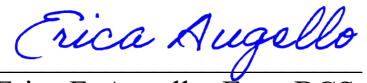
1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. No one appeared on behalf of Respondent.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Sections 46-33, 78-96, and 98-67 of the City's Code of Ordinances for maintaining a junked or abandoned vehicle on the property as well as operating a business without the required Business Tax Receipt.
5. In a Final Administrative Order dated April 10, 2024, Respondent was allotted three (3) days to secure a Business Tax Receipt and fourteen (14) days to remedy the junked vehicle on the property.
6. Code Enforcement Officer Cruz submitted photographic evidence demonstrating a junked or abandoned, non-registered was still located on the property and that no Business Tax Receipt had been applied for, but the business remains in operation.

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

7. Respondent has failed to comply with the Final Administrative Order dated April 10, 2024, and remains in violation of Sections 46-33 and 78-96 of the City's Code of Ordinances.

8. A **\$250.00** per day fine shall be assessed beginning **March 16, 2024**, and continue to accrue until the property comes into compliance. Respondent shall also be assessed **\$325.00** for the reasonable administrative costs of the City.
9. It is Respondent's responsibility to notify the City once the property is in compliance.
10. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.
11. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on May 20, 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

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

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20240133

Patricia E. Little TRE

85 Corey Cir.

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
\$250 per day fine starting 3/16/2024 until 6/27/2024 totaling \$26,000 plus \$325 in admin. costs.	Total hours	3.00	\$325.00

Total Administrative Fines	\$325.00
Lien	\$26,000.00
Total	\$26,325.00

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

Agenda Report

Issue Considered: **Case No. 20230559**
 City of St. Pete Beach v. Lake Merritt Partners
 LLC
 Address: 636 Corey Ave. St. Pete Beach FL
 33706

Date: August 12, 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. Lien Reduction Request Application
 2. Special Magistrate Order 2/15/2024
 3. Fine & Lien Assesment Sheet



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: CE20230559

2. Date: July 26, 2024

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

Company (if applicable): Lake Merritt Partners, LLC

Name: Jason Matthews

Mailing Address: 301 W Platt St. #A343

City: Tampa State: FL Zip Code: 33606

Phone #: (412) 414-4405 Fax #: _____

Mobile #: _____ E-mail: jmatt@teamabv.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): same as above

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

5. Information for property on which lien occurs:

Street Address: 636 Corey Avenue

Parcel ID: 36-31-15-77994-057-0080

Tax Account Number: Real Estate Account #R401546

Existing Use(s) on Property: Hotel/Motel/Transient Apartment

Date Fine or Lien Imposed: February 15, 2024

Fine/Lien Amount: \$37,750 Administrative Fees: \$350 Total Fine/Lien Amount: \$38,100

Amount you are requesting that the lien be reduced to: \$ \$9437.50 (75% reduction)

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

Date upon which the subject property was brought into compliance: July 10, 2024

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

Applicant has diligently worked to obtain a permit once directed to do so. However, turn around time
by the City Building Department at various stages was time consuming.

Attached is a timeline of applicant's efforts.

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

Shortly before February Code Enforcement hearing, applicant's previous contractor was advised that
his license was insufficient for the project; which necessitated a new contractor.

Provide proof that the taxes are paid in full:

Proof of Payment is attached.

6. Signatures and Notarization.

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

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

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

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

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

[Signature]

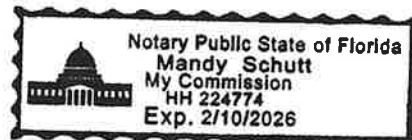
(APPLICANT SIGNATURE)

Mandy Foley aka Schutt

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

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced _____



[Signature]

(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF PINELLAS

Sworn and subscribed to before me this 26 day July 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 _____

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

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

Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

Pay online at pinellastaxcollector.gov

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

If Postmarked By	Dec 31, 2023				
Pay this Amount	\$4114.88				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R401546		SPB

LAKE MERRITT PARTNERS LLC
301 W PLATT ST UNIT A343
TAMPA, FL 33606-2292

PARCEL NO.: 36/31/15/77994/057/0080
SITE ADDRESS: 636 COREY AVE, ST PETE BEACH
PLAT: 5 PAGE: 28
LEGAL:
ST PETERSBURG BEACH REPLAT
BLK 57, LOT 8

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	TAXES LEVIED
GENERAL FUND	4.7398	240,545	50,000	190,545	903.15
HEALTH DEPARTMENT	0.0713	240,545	50,000	190,545	13.59
EMS	0.8418	240,545	50,000	190,545	160.40
SCHOOL-STATE LAW	3.1900	342,674	25,000	317,674	1,013.38
SCHOOL-LOCAL BD.	2.7480	342,674	25,000	317,674	872.97
ST PETE BEACH	3.0913	240,545	50,000	190,545	589.03
SW FLA WTR MGMT.	0.2043	240,545	50,000	190,545	38.93
PINELLAS COUNTY PLN.CNCL.	0.0210	240,545	50,000	190,545	4.00
JUVENILE WELFARE BOARD	0.8250	240,545	50,000	190,545	157.20
TOTAL MILLAGE 15.7325 GROSS AD VALOREM TAXES					\$3,752.65

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	AMOUNT
ST PETE BEACH STORMWATER SVCS FIXED COST	64.32
ST PETE BEACH STORMWATER SVCS VARIABLE COST	425.17
GROSS NON-AD VALOREM ASSESSMENTS	
	\$489.49

TAXES BECOME DELINQUENT APRIL 1ST	COMBINED GROSS TAXES AND ASSESSMENTS	\$4,242.14
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PLEASE RETAIN TOP PORTION FOR YOUR RECORDS

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

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

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

Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments

Pay online at pinellastaxcollector.gov

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

If Postmarked By	Dec 31, 2023				
Pay this Amount	\$4114.88				

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
R401546		SPB

LAKE MERRITT PARTNERS LLC
301 W PLATT ST UNIT A343
TAMPA, FL 33606-2292

PARCEL NO.: 36/31/15/77994/057/0080
SITE ADDRESS: 636 COREY AVE, ST PETE BEACH
PLAT: 5 PAGE: 28
LEGAL:
ST PETERSBURG BEACH REPLAT
BLK 57, LOT 8

Lake Merritt Timeline:

11/1/2023 – Plans uploaded to City
11/6/2023 – City provided Application package to Eddie Diaz/Arbor Construction.
11/10/2023 – Permit documents sent to City Permit Administrator via email
11/11/2023 – Permit Administrator requested Application signed by Contractor and Notice of Commencement.
11/13/2023 – Contractor Affidavit and NOC provided to City

11/13/2023 – Code Hearing held and continued to 12/11/2023

11/16/2023 - Permit Administrator advises Eddie Diaz that permit is in review with Planning then will go to Fire & Building and can take up to 30 days.

11/28/2023 - Eddie Diaz sent follow up email to City for Status.

12/6/2023- Attorney Kenny reached out to City Permit Administrator for update and was advised that Permit was denied on 1st review on 11/16/2023 by Kelly Intzes: Description: Are there hardwired smoke alarms inside the bedroom and outside the bedroom? (NFPA 101 2018Section 29.3.4.5)

12/7/2023- Eddie Diaz writes to Permit Administrator to find out why he wasn't notified of the denial. City responds that the notification was sent by the reviewer, Kelly Intzes. Eddie Diaz denies receipt of email from Kelly.

12/12/2023 – City Kristin Coman noted in the permit system: Please be advised that zoning is unable to approve the review due to the following reason(s):

-The conversion of the storage closet into a bathroom could potentially create an additional separate unit which is not permitted. The portion of the floor plan provided shows exterior doors and interior doors that could be utilized to create an individual unit.

If that is not the intent, then the project scope should be amended to show that an additional unit will not be created and provide a floor plan of the entire building(s) indicating the layout otherwise a permit will need to be obtained to reconstruct the prior closet and appropriate plans submitted.

12/13/2023 – Order entered giving 60 days by 2/9/2024 to obtain after-the-fact permits.

2/8/2024 – New plans submitted to City and city confirmed they were submitted to P&Z.

2/8/2024 Eddie Diaz receives email from City: This is a 4 unit commercial building. A CRC cannot pull permits for anything over 3 units

2/12/2024 – Second Code Hearing Held.

2/15/2024 – Final Order Imposing Fines and Costs Entered

2/13/2024- New Contractor, Barnhardt, emailed City about taking over permit and job. City responded with additional required documents – New Application / New FEMA Pkg/Affidavit.

2/27/2024- Additional Documents uploaded to City. Updated FEMA Review Package & New Contractor's Affidavit.

2/29/2024- Documents sent to City via email to Permits@stpetebeach.org

3/1/2024- email from City Norma Jean Hollo Permit Tech II requesting additional information.

3/15/2024- Per Barnhardt, the City Site shows Permit is supposed to be reviewed by Luke Curtis by 4/1/2024. Noted a permit fee was due.

3/22/2024 – Permit Fee Paid to City

4/1/2024- email from Kelly Intzes from City to Barnhardt requesting smoke alarms.

4/4/2024- per Email from Barnhardt – The Review denied due to issues from 12/2023: Zoning review is to ensure that that an additional unit is not created with the proposed renovation, which requires the submission of revised plans showing:

1. The plan be amended to remove the proposed exterior door so that the area functions as one unit.
2. A floor plan of the entire layout building showing each unit to confirm unit count as 5.
3. Or reconstruct the prior closet to be shown on amended plans that would be submitted.

4/16/2024- Permit Denied – 2nd Review by Luke Curtis. 1) FBC 107.1 Chapter 471, Florida Statutes or Chapter 481, Florida Statutes. The plans are not legally signed and sealed 2) FBC 109.3 Please provide a more precise cost breakdown of the materials and labor for this project. 3) FBC 107.1 Please provide an engineers detail for the way the door opening will be resize.

Email from Barnhardt: They are now stating we have to have engineer plans. When I called initially they stated a sketch/site plan would be accepted. This decision was from Luke Curtis, they are asking for a more in depth project cost.

6/4/2024- contractor confirmed all plans were submitted and pending review by City.

6/26/2024- Contractor had meeting with Luke Curtis at City on another matter – and was going to ask about this permit.

7/10/2024- per Zach/contractor – Permit APPROVED! “For your own information, Luke Curtis, did say during the meeting that the reason for the delay in the process was due to, “technical difficulties,” after all of our information was inputted.”

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

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

LAKE MERRITT PARTNERS, LLC

Respondent.

_____ /

FINAL ORDER IMPOSING FINES AND COSTS

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

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Attorney Joseph Kenny of Weber Crabb Wien appeared on behalf of Respondent, as well as Jason Matthews, who is a partner in Lake Merritt Partners, LLC.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Section 98-123.1 of the City's Code of Ordinances by conducting unpermitted work on the structure, allowing for an exterior door to be replaced, as well as unpermitted interior renovations.
5. Code Enforcement Officer Cruz testified that Respondent did not receive an after-the-fact permit by February 9, 2024, as required by the Special Magistrate's Order dated December 13, 2023, and still has not received the required permit.
6. Respondent testified that a permit application was submitted however, it was notified after review that the contractor submitting the application was a residential contractor and a general or commercial contractor would be required as the property did not qualify for a residential contractor to complete the work.
7. The City's Permit Administrator, Joann Boland, testified as to the timeline of the permit application and reviews. The permit application was originally submitted on November 6, 2023, was reviewed by Planning & Zoning on November 14, 2023, and did not pass review;

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

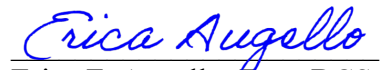
8. Ms. Boland further testified that a revised application was submitted per the comments on February 8, 2024, which was then reviewed concurrently, but ultimately failed as the product placement listed on the coversheet was expired and it was at this time that the building department reviewed the application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

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

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

16. For this reason, the Special Magistrate will not impose costs at this time but reserves jurisdiction to determine the amount of and types of costs at a future hearing should the City desire to pursue same.
17. It is Respondent's responsibility to notify the City once the property is in compliance.
18. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation and Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.
19. Pursuant to Section 22-279(a) of the City's Code of Ordinances, Respondent may request a hearing to challenge the fine amount within twenty (20) days of the date of this Order.

Order entered on February 15, 2024.


Erica F. Augello, Esq., BCS
Special Magistrate

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

APPEALS

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

CODE ENFORCEMENT SPECIAL MAGISTRATE

Fine and Lien Assessment Worksheet

Case Number: 20230559

Lake Merritt Partners LLC

636 Corey Ave.

Employee/Associate	Hourly Rate	Total Hours	Total
Code Enforcement Officer	\$25.00	2.00	\$50.00
City Attorney	\$200.00	0.50	\$100.00
Special Magistrate	\$200.00	1.00	\$200.00
Administrative fees totaling \$350 plus \$250 per day starting 2/10/24 until 7/9/2024 totaling 151 days (\$37,750 fine).	Total hours	3.00	\$350.00

Total Administrative Fines	\$350.00
Lien	\$37,750.00

Total

\$38,100.00