



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, January 13, 2025
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. 20240089

City of St. Pete Beach v. Patrick Thomas McNulty & Annette Weis-McNulty

Address: 104 46th Ave. St. Pete Beach FL 33706

Status hearing on the 90-day extension to apply and secure a permit for the driveway and ISR violation.

B. Case No. 20240157

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

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

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

C. Case No. 20240287

City of St. Pete Beach v. Thomas M. Cuddihy REV Trust & Thomas M. Cuddihy TRE

Address: 7801 Boca Ciega Dr. # 5 St. Pete Beach FL 33706

Status hearing on a 30-day extension to secure an after-the-fact permit for the structure.

D. Case No. 20240475

City of St. Pete Beach v. Bayside Shops LLC

Address: 5501 Gulf Blvd. St. Pete Beach FL 33706

Sec. 38.5. - Prohibited uses and structures

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the AC Activity Center District.

4. Repeat Violations -
5. New Cases

A. Case No. 20240502

City of St. Pete Beach v. Kimberly Piepmeier

Address: 504 70th Ave. St. Pete Beach FL 33706

Sec. 33.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or provisionally permitted herein are hereby prohibited in the CC2 Commercial Corridor Gulf Blvd District.

B. Case No. 20240557

City of St. Pete Beach v. Donald R. Flassing TRE, Julie L. Durhman TRE, & Flassing Family Trust

Address: 6439 2nd Palm 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 building official and shall obtain the required permit(s) and approval(s). Permits shall include a condition that all other applicable city, state or federal permits be obtained before commencement of the permitted development. Issuance of a permit by the city does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the city for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

C. Case No. 20240539

City of St. Pete Beach v. Thomas Simmons

Address: 100 3rd Ave. St. Pete Beach FL 33706

Sec. 98-123.1. - Permits required.

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

D. Case No. 20240580

City of St. Pete Beach v. John O. Kiley & Kostandinov Vartsakis

Address: 423 85th Ave. St. Pete Beach FL 33706

Sec. 98-123.1. - Permits required.

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E. Case No. 20240636

City of St. Pete Beach v. Marian Czerwien & Bogumila Czerwien

Address: 141 72nd Ave. St. Pete Beach FL 33706

Sec. 98-64. - General Maintenance

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

Sec. 98-65 - Unsightly Conditions.

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.

(c) Litter.

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

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

F. Case No. 20240633

City of St. Pete Beach v. Nancy Gibbs Roy & Janet Gibbs Skelley Hayden

Address: 190 73rd Ave. St. Pete Beach FL 33706

Sec. 98-64. - General Maintenance

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Sec. 98-65 - Unsightly Conditions.

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Sec. 98-66 - Residential and Commercial Property Maintenance

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

G.

Case No. 20240650

City of St. Pete Beach v. Valerie Powell-Stafford

Address: 350 80th Ave. St. Pete Beach FL 33706

Sec. 98-64. - General Maintenance

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

H. Case No. 20240664

City of St. Pete Beach v. IGI FL LLC

Address: 7200 Bay St. St. Pete Beach FL 33706

Sec. 98-64. - General Maintenance

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Sec. 98-65 - Unsightly Conditions.

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(3) Accumulation of litter. Any accumulation of litter in or upon any property, vacant or

improved, is deemed a nuisance and is prohibited. Failure to remove the accumulation by the property owner, tenant, occupant, agent, manager or other person who owns, maintains, or controls any premises or portion thereof, whether improved or unimproved, is a violation.

I.

Case No. 20240668

City of St. Pete Beach v. Transformme LLC

Address: 6305 Gulf Blvd. St. Pete Beach FL 33706

Sec. 98-64. - General Maintenance

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

J.

Case No. 20240663

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

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

Sec. 98-64. - General Maintenance

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Sec. 98-65 - Unsightly Conditions.

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

6. Cases Complied -

A. Case No. 20240214

City of St. Pete Beach v. SW-GOM LTD PTNERSHP

Address: 2705 Sunset Way St. Pete Beach FL 33706

Sec. 98-123.1. - Permits required.

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7. Old Cases

A. Case No. 20240430

City of St. Pete Beach v. Christopher Smith & Briana S. Smith

Address: 7700 Boca Ciega Dr. St. Pete Beach FL 33706

Request for hearing to challenge fine.

8. Lien Reductions

A. Case No. 20240429

City of St. Pete Beach v. Cast Holdings LLC

Address: 3612 Gulf Blvd 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.