



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, March 10, 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. 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 or remove structure.
 - B. Case No. 20240494
City of St. Pete Beach v. Richard J Jacobson & Richard W Jacobson
Address: 168 31st Ave St. Pete Beach, FL 33706
Sec. 20.03 Permitted principal uses and structures
Subject to the provisions or restrictions contained in this section and elsewhere in this Code, permitted uses and structures in the PAG Overlay District are as follows:
(b) Transient occupancy in single-family or multi-family dwellings, so long as any such transient occupancy of less than thirty (30) days does not occur more than three times in any 12-month period on any parcel.
4. Repeat Violations -
5. New Cases
 - A. Case No. 20250089
City of St. Pete Beach v. David J Tucker
Address: 7605 Coquina Way St. Pete Beach, FL 33706

Sec. 30.5. - Prohibited uses and structures.

All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the TC-1 Town Center Core District.

B. Case No. 20250148

City of St. Pete Beach v. 2500 Sunset Way LLC

Address: 2500 Sunset Way St. Pete Beach, FL 33707

Sec. 25.9. - Permit required.

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

(b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.

Sec. 94-73. - Vehicle permits.

(a) Required. No person, municipality, county or other public agency shall drive any vehicle on, over or across any beach unless such motor vehicle has been issued a "vehicle on the beach" permit under this section, except in emergency situations as approved by the police department or fire department.

(b) Criteria for issuance. Permits for the operation of vehicles on the beach shall be issued for the following purposes:

- (1) Public works and public safety;
- (2) Permitted commercial activities;
- (3) Special events; and
- (4) Mechanical beach cleaning.

(c) Issuance; additional federal, state or county permits. Permits shall be issued by application to the department of planning and development based on the scope of activity. Where necessary, the applicant shall obtain whatever additional permits that may also be required by either federal, state or county law. Where federal, state or county approval is necessary, no permit issued by the department shall become effective until such approval has been granted.

(d) Bond; insurance. Based on the scope of activity, the department may require the posting of a bond or a liability insurance policy protecting against damage to property or persons.

(e) Compliance. In reviewing the application for a permit, the department shall be authorized to require the applicant to provide all information necessary to determine whether the vehicle will be operated to comply with the requirements of this article or to set reasonable conditions to ensure compliance.

(f) Safe operation. Operating vehicles permitted under this section shall be subject to all of the regulations set forth in this article and other ordinances governing the safe operation of vehicles.

C. Case No. 20250149

City of St. Pete Beach v. 2502 Sunset Way LLC

Address: 2502 Sunset Way St. Pete Beach, FL 33706

Sec. 25.9. - Permit required.

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

(b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.

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6. Cases Complied -
7. Old Cases
8. Lien Reductions
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

Agenda Title Name: 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

Action Request: N/A

Strategic Objective:

Date: March 10, 2025

Prepared By: Luis Cruz, Code Enforcement Officer

Through: Peyt Dewar, Code Enforcement Manager

Summary of Issue: Status hearing on a 30-day extension to secure an after-the-fact permit or remove structure.

Funding: N/A

Attachments:

1. Special Magistrate Order 7/8/2024
2. Special Magistrate 11/13/2024
3. Special Magistrate Order 12/6/2024
4. Special Magistrate Order 1/15/2025

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240287

ADDRESS: 7801 Boca Ceiga Dr., #5

**THOMAS M. CUDDIHY REV TRUST
and THOMAS M. CUDDIHY TRE,**

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER

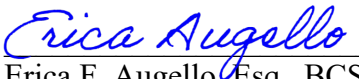
This case came before the Special Magistrate on July 8, 2024, and after hearing testimony and receiving evidence, the Special Magistrate makes the following findings of fact and issues the following order:

1. The City was represented by Assistant City Attorney Matthew R. McConnell and Code Enforcement Officer Luis Cruz.
2. Mr. Thomas M. Cuddihy appeared on behalf of Respondent. Mr. Cuddihy possessed the requisite authority to represent Respondent.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Section 123.1 for failing to secure a permit prior to the erection of a tiki hut in the rear of the property.
5. Code Enforcement Officer Cruz submitted photographic evidence demonstrating the erection of the tiki hut.
6. Respondent testified his contractor represented that a permit was unnecessary as it was being erected by a member of the Seminole Indian Tribe, however, he understands that does not exempt him from permitting. He has already applied for a permit for the tiki hut.

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

7. Respondent is found to be in violation of Section 98-123.1 for failing to secure a permit prior to erecting a tiki hut structure on the property.
8. Respondent shall have **thirty (30) days** from the date of this Order, or by **Wednesday, August 7, 2024**, to secure an after-the-fact permit for the structure.
9. A hearing is set for **September 9, 2024, at 10:00 a.m.** to determine compliance and to assess any authorized fines and costs.
10. No decision on fines and administrative costs is being made as a part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
11. It is Respondent's responsibility to notify the City once the property is in compliance.
12. Should Respondent be found 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 7801 Boca Ciega Dr., Apt. #5, St. Pete Beach, Florida 33706-1848.

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.

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240287

ADDRESS: 7801 Boca Ciega Dr., #5

**THOMAS M. CUDDIHY REV TRUST
& THOMAS M. CUDDIHY TRE,**

Respondent.

_____ /

FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on September 9, 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. Thomas M. Cuddihy appeared on behalf of Respondent. Mr. Cuddihy possessed the requisite authority to represent Respondent.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Section 98-123.1 for failing to secure a permit prior to the erection of a tiki hut in the rear of the property.
5. In a Final Administrative Order dated July 8, 2024, the Magistrate found Respondent to be in violation of the stated code section and required compliance by way of securing an after-the-fact permit for the tiki hut by August 7, 2024.
6. The Magistrate set a hearing for September 9, 2024, to determine compliance and to assess any authorized fines and costs.
7. Code Enforcement Officer Cruz testified that as of the date of the hearing he does not know the status of the permit.
8. Mr. Cuddihy relayed that he applied for the after-the-fact permit over 2 months ago and never heard back from the City if it was denied or approved. He also testified that he never

received any comments from the City regarding any additional information required for review.

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

9. Respondent attempted to comply with the Final Administrative Order dated July 8, 2024, however, based on credible testimony, through no fault of his own, has not yet received an after-the-fact permit from the City.
10. Respondent has been granted an extension until the next hearing scheduled for **October 14, 2024, at 10:00 a.m. to** secure the permit for the structure. The City shall make a reasonable effort to timely review the request for the after-the-fact permit.
11. A hearing is set for **October 14, 2024, at 10:00 a.m.** to determine compliance and to assess any authorized fines and costs.
12. No decision as to fines and administrative costs is being made as a part of this Order, and the City reserves the right to request the imposition of fines and administrative costs at a later hearing before the Special Magistrate.
13. It is Respondent's responsibility to notify the City once the property is in compliance.
14. Should Respondent be found to be in violation of the same provision within five (5) years of the date of this order, it may be considered a repeat violation, and Respondent may be subject to a fine of up to \$500 per day for each day the violation exists.

Order entered on November 13, 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 7801 Boca Ciega Dr. Apt #5, St. Pete Beach, Florida 33706-1848 on November 13, 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.: CE20240287

ADDRESS:7801 Boca Ciega Dr., #5.

**THOMAS M. CUDDIHY REV TRUST
& THOMAS M. CUDDIHY TRE,**

Respondent.

_____ /

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This matter having come before the Special Magistrate on **September 11, 2024**, was set for **October 14, 2024**, which was cancelled due to the effects of hurricane Helene and Milton. In consideration of the information presented, the Special Magistrate issues the following order:

IT IS ADJUDGED that this matter is continued until the **January 13, 2025**, Code Enforcement Special Magistrate Hearing beginning at **10:00 a.m.**

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 6th day of December 2024.



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 7801 Boca Ciega Dr. Apt #5, St. Pete Beach, Florida 33706-1848 on December 6th, 2024.

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240287

ADDRESS: 7801 Boca Ciega Dr., #5

**THOMAS M. CUDDIHY REV TRUST
& THOMAS M. CUDDIHY TRE,**

Respondent.

_____ /

EXTENSION OF FINAL ADMINISTRATIVE ORDER

This case came before the Special Magistrate on January 13, 2025 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 City Attorney Ralf Brookes and Code Enforcement Officer Luis Cruz.
2. Thomas M. Cuddihy appeared on behalf of Respondent. Mr. Cuddihy possessed the requisite authority to represent Respondent.
3. Respondent owns the subject property, and legally required notice of this proceeding was served on Respondent in accordance with applicable law.
4. Respondent was notified that it was in violation of Section 123.1 for failing to secure a permit prior to the erection of a tiki hut in the rear of the property.
5. In a Final Administrative Order dated July 8, 2024, the Magistrate found Respondent to be in violation of the stated code section and required compliance by way of securing an after-the-fact permit for the tiki hut by August 7, 2024.
6. The Magistrate set a hearing for September 9, 2024, to determine compliance and to assess any authorized fines and costs. At that hearing, Respondent testified that he applied for the after-the-fact permit and never received any comments or any response from the City. Based on that testimony, Respondent was granted an extension until the October 14, 2024, hearing in order to secure the after-the-fact permit.
7. On September 24-17, 2024, Hurricane Helene devastated the City of St. Pete Beach, followed by additional destruction from October 5-10, 2024, caused by Hurricane Milton.

8. In the immediate aftermath of the hurricanes, the City was not able to review or process permits, and properties located in the City were severely impacted.
9. The hearing set for October 14, 2024, was continued due to the effects of the storms, and reset for January 13, 2025.
10. Code Enforcement Officer Cruz testified since the last hearing no actions have been taken to secure the permit.
11. Respondent testified that after the permit was denied he considered applying for a handicap permit back in September. However, due to the storms, he did not take further action. He stated that the property is now uninhabitable and he no longer wishes to pursue obtaining the permit but intends to proceed with removing the tiki hut. He does not know when that will take place.

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

12. Due to the impact of the hurricanes and the testimony of the City and Respondent, Respondent shall have **thirty (30) days** from the date of this Order, or by **Friday, February 14, 2025**, to remove the tiki hut.
13. A hearing is set for **March 10, 2025, at 10:00 a.m.** to determine compliance and to assess any authorized fines and costs.
14. No decision as to 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.
15. It is Respondent's responsibility to notify the City once the property is in compliance.
16. 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 January 15, 2025



Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via US Mail to Respondent at 7801 Boca Ciega Dr. Apt #5, St. Pete Beach, Florida 33706-1848 on January 15, 2025.

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

Agenda Title Name: **Case No. 20240494**
City of St. Pete Beach v. Richard J Jacobson & Richard W Jacobson
Address: 168 31st Ave St. Pete Beach, FL 33706

Action Request: NA

Strategic Objective:

Date: March 10, 2025

Prepared By: Jennifer Daunch

Through: Peyt Dewar, Code Enforcement Manager

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

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

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

Transient occupancy is only permitted three times in a 12-month period in the PAG OVRLAY district. Any rentals less than 30-days after the three that are permitted is a violation of the code. These violations are Irreparable or irreversible in nature and therefore this case is being referred to our Special Magistrate for a hearing. Your property is in violation of the following code(s).

Funding: NA

Attachments:

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

5. Irreparable or Irreversible Notice of Violation
Banner Page
6. Order to Continue (CE20240494 - Jacobson)



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

Irreparable or Irreversible Notice of Violation

01/16/2025

JACOBSON, RICHARD J JACOBSON, RICHARD W
W11455 490TH AVE
PRESCOTT WI 54021-7729

Re: **Case Number 20240494**
Violation Address: 168 31ST AVE, ST PETE BEACH FL 33706
Parcel ID#: 073216609660000081

Dear Property Owner:

Transient occupancy is only permitted three times in a 12-month period in the PAG OVERLAY district. Any rentals less than 30-days after the three that are permitted is a violation of the code. These violations are Irreparable or irreversible in nature and therefore this case is being referred to our Special Magistrate for a hearing. Your property is in violation of the following code(s).

Sec. 20.03 Permitted principal uses and structures

Sec. 20.03. - Permitted principal uses and structures.

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

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

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **02/10/2025, at 10 am.**

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

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

Sincerely,

Steven Rivera 727-235-5398

Steven Rivera
Code Enforcement Officer

CE20240494

- **Respondent(s): Richard J Jacobson & Richard W Jacobson**
- **Violation address: 168 31St Ave.**
- **Violation(s) description: The property is in violation of section 20.03 Permitted principal uses and structures of the Land Development code of the city of St. Pete Beach**

CE20240494

Case Summary

- Initial inspection: 8/30/2024**
- Notice of Irreparable or Irreversible Violation dated: 1/16/2025**
- Notices of Hearing dated and posted on the property: 1/16/2025**

CE20240494

Affidavit of Posting

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: 168 31ST AVE

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

Name of Property Owner(s): JACOBSON, RICHARD J JACOBSON, RICHARD W
Code Enforcement Officer: Steven Rivera

Case No.: 20240494
Hearing Date: 02/10/2025 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 01/16/2025
ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X Steven Rivera Steven Rivera
Signature of Officer Posting Print Name

Jan 16, 2025 at 2:56:16 PM

168 31st Ave.

CE20240494

Airbnb advertisement

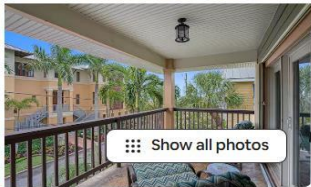
https://www.airbnb.com/rooms/1039951195367110823?adults=3&children=2&enable_m3_private_room=true&infants=0&location=St.%20Pete%20Beach%2C%20FL&pets=0&search_mode=regular_search&check_in=2024-09-0...

Home Page Pinellas County Pro... ConnectSuite e-Cert... Phone-List-INTER-O... ConnectSuite e-Cert... Date Duration Calcu... Login To iWorQ ww... Login SeeClickFix CRM Laserfiche | Home Meetings View FACE Code of Ordinances... Pinellas County - AL...

airbnb St. Pete Beach, FL Any week 5 guests Airbnb your home

The Beach House - Steps from Coastal Sanctuary!

Share Save



Show all photos

Entire home in St. Pete Beach, Florida
8 guests · 4 bedrooms · 6 beds · 2 baths

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

5.0 ★★★★★ 15 Reviews

CHECK-IN 9/8/2024	CHECKOUT 9/13/2024
GUESTS 5 guests	

50°F Sunny 1:31 PM 1/24/2025

168 31st Ave.

CE20240494 Reviews

airbnb.com/rooms/1039951195367110823/reviews?adults=3&children=2&enable_m3_private_room=true&infants=0&location=St.%20Pete%20Beach%2C%20FL&pets=0&search_mode=regular_search&check_in=2024-09-08&check_out=2024-09-1...

SPB Bookmarks SeeClickFix Adobe Acrobat

Google Chrome isn't your default browser Set as default

Photos Amenities Reviews Location

5.0

Guest favorite

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

Overall rating

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

15 reviews

Search reviews

Most recent

Heather

Tallahassee, Florida

★★★★★ · July 2024 · Group trip

This is a gem of the house in pass a grille in St Pete. We had an amazing time in this spacious and well appointed house. The beach is phenomenal and literally a 1 min walk. Would highly recommend and stay here again in a heartbeat!

Martin

8 years on Airbnb

★★★★★ · June 2024 · Group trip

Everything is perfect. The super cute house and close to the beach. William was quick to respond to the questions and "issues" that arose. 100% recommended.

Translated from Spanish Show original

Steve

Sonoma, California

★★★★★ · June 2024 · Stayed with kids

Great place just steps from the beach. We loved staying here!

Imran

Kissimmee, Florida

★★★★★ · May 2024 · Group trip

We enjoyed our stay!

56°F Cloudy

5:56 PM 1/15/2025

168 31st Ave.

CE20240494

Reviews

airbnb.com/rooms/1039951195367110823/reviews?adults=3&children=2&enable_m3_private_room=true&infants=0&location=St.%20Pete%20Beach%2C%20FL&pets=0&search_mode=regular_search&check_in=2024-09-08&check_out=2024-09-1...

Google Chrome isn't your default browser [Set as default](#)

Photos Amenities Reviews Location

5.0

Guest favorite

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

Overall rating

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

15 reviews

Search reviews

Most recent

Jose
7 months on Airbnb
★★★★★ · August 2024 · Group trip
This place had everything our family needed and then some. The owners put a lot of thought into making it a very comfortable and relaxing home. From the available parking, outdoor grill and seating, two kayaks, beach chairs, and other toys, to all the amenities one can think of indoors; just a beautiful place!

Andrew
7 years on Airbnb
★★★★★ · July 2024 · Stayed with kids
This home and location hit all the marks for our family. We highly recommend.

Todd
4 years on Airbnb
★★★★★ · July 2024 · Group trip
Had a great experience staying at this house! The house was located in an extremely nice area, publix only a short drive away and many amazing options places to dine out at. The beach was extremely close and the beach was never busy. The outdoor shower was extremely handy when coming back from the beach. Inside of the house was exactly as pictured, lots of space. Plenty of towels and blankets. We did have an issue with the oven not working, but the stove and microwave worked fine for the week. Absolutely perfect for a beach getaway, we hope to be back!

56°F Cloudy

5:56 PM 1/15/2025

168 31st Ave.

CE20240494 Reviews

airbnb.com/rooms/1039951195367110823/reviews?adults=3&children=2&enable_m3_private_room=true&infants=0&location=St.%20Pete%20Beach%2C%20FL&pets=0&search_mode=regular_search&check_in=2024-09-08&check_out=2024-09-1...

Google Chrome isn't your default browser [Set as default](#)

Photos Amenities Reviews Location

5.0

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

Overall rating

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

15 reviews

Search reviews

Most recent

Travis
Winter Garden, Florida

★★★★★ - August 2024 · Group trip

This place is awesome. can easily walk to the beach which wasn't crowded like other parts of the beach. Good restaurants nearby. House was clean and plenty of space to relax. We really enjoyed our stay there.

9

Response from William
August 2024

Thank you for the fantastic review! We'd love to welcome you back anytime!

Collin
Pasadena, Maryland

★★★★★ - August 2024 · Stayed with kids

Great get away spot!

8

Holly
Largo, Florida

★★★★★ - August 2024 · Group trip

William was a great host and very accommodating! The house was beautiful! The location was perfectly tucked away close to the beach with beautiful white sand and not a lot of people. It felt like our very own private beach! Sunsets were stunning! They even had a free beach ride to local restaurants and shops. We would definitely stay again. Thank you William!

7

56°F Cloudy

5:57 PM 1/15/2025

168 31st Ave.

CE20240494

Reviews

airbnb.com/rooms/1039951195367110823/reviews?adults=3&children=2&enable_m3_private_room=true&infants=0&location=St.%20Pete%20Beach%2C%20FL&pets=0&search_mode=regular_search&check_in=2024-09-08&check_out=2024-09-1...

Google Chrome isn't your default browser [Set as default](#)

Photos Amenities Reviews Location

5.0

Guest favorite

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

Overall rating

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

15 reviews

Search reviews

Most recent

Mark
3 years on Airbnb
***** - September 2024 - Group trip
An amazing location right on the beach. This place is a great value, with a quality house in a prime location. 10/10 recommend

Elena
Asheville, North Carolina
***** - September 2024 - Stayed a few nights
Our family enjoyed our stay, the house was clean, was well stocked and the location was perfect!

Louis
9 months on Airbnb
***** - September 2024 - Stayed with kids
Amazing stay, for big family gathering. Clean, quiet area, beautiful views.

Robert
Arlington, Virginia
***** - August 2024 - Stayed with kids
Loved it. Easy to the beach, five minute walk to the Don, quiet neighborhood.

56°F Cloudy 5:58 PM 1/15/2025

168 31st 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: 168 31ST AVE

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

Name of Property Owner(s): JACOBSON, RICHARD J JACOBSON,
RICHARD W

Case No.: 20240494 Code Enforcement Officer: Steven Rivera

Hearing Date: 02/10/2025 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 01/16/2025

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: 20240494

vs.
JACOBSON, RICHARD J JACOBSON, RICHARD W
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 **02/10/2025** 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 **168 31ST 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 01/16/2025



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.

City of St Pete Beach
155 Corey Ave
St Pete Beach FL 33706

USPS CERTIFIED MAIL



9214 8901 9403 8396 9213 87

JACOBSON, RICHARD J JACOBSON, RICHARD W
W11455 490TH AVE
PRESCOTT WI 54021-7729

II NOV 20240494 SR
Jennifer Daunch

\$8.1600

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

CITY OF ST. PETE BEACH,

Petitioner,

v.

CASE NO.: CE20240494

ADDRESS: 168 31st Ave.

**RICHARD J. JACOBSON and
RICHARD W. JACOBSON,**

Respondents.

_____ /

ORDER GRANTING CONTINUANCE TO DATE CERTAIN

This matter having come before the Special Magistrate on February 10, 2025. In consideration of the information presented, and at the agreement of the parties, the Special Magistrate issues the following order:

IT IS ADJUDGED that this matter is continued until the **March 10, 2025**, Code Enforcement Special Magistrate Hearing beginning at **10:00 a.m.**

DONE AND ORDERED in St. Pete Beach, Pinellas County, Florida on this 12th day of February 2025.

Erica Augello

Erica F. Augello, Esq., BCS
Special Magistrate

A copy of this Order was sent via email to Counsel for the Respondent, Christopher M. Sierra, Esq. at chris@sierralawfirm.com on February 12, 2025.

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

Agenda Report

Agenda Title Name: Case No. 20250089
City of St. Pete Beach v. David J Tucker
Address: 7605 Coquina Way St. Pete Beach, FL
33706

Action Request: N/A

Strategic Objective:

Date: March 10, 2025

Prepared By: Jennifer Daunch

Through: Peyt Dewar, Code Enforcement Manager
Laura Canary, Community Development Director

Summary of Issue: **Sec. 30.5. - Prohibited uses and structures.**
All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the TC-1 Town Center Core District.

The property is located in the TC-1 zoning district and is only permitted to be rented on a monthly basis. As for the Short-Term-Rental stays that have occurred on the property, this is prohibited and irreparable or irreversible in nature. Due to this violation, the case is being referred to a Special Magistrate.

Funding: N/A

Attachments:

1. Irreparable or Irreversible
2. Evidence
3. Affidavit of Posting
4. Notice Of Hearing



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

Irreparable or Irreversible Notice of Violation

02/03/2025

TUCKER, DAVID J
7605 COQUINA WAY
ST PETE BEACH FL 33706

Re: **Case Number 20250089**
Violation Address: 7605 COQUINA WAY, ST PETE BEACH FL 33706
Parcel ID#: 363115779940730010

Dear Property Owner:

Your property is located in the TC-1 zoning district and is only permitted to be rented on a monthly basis. As for the Short-Term-Rental stays that have occurred on your property, this is prohibited and irreparable or irreversible in nature. Due to this violation, your case is being referred to a Special Magistrate. You are in violation of the following Code Section:

Sec. 30.5. - Prohibited uses and structures.

Sec. 30.5. - Prohibited uses and structures

All uses and structures not of a nature specifically or conditionally permitted herein are hereby prohibited in the TC-1 Town Center Core District.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **03/10/2025, at 10 am.**

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

If you require further assistance and/or information, please contact (727) 363-9216 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

Ayako Ruckdeschel

Ayako Ruckdeschel
Code Enforcement Officer

CE20250089

- Respondent(s): David J Tucker**
- Violation address: 7605 Coquina Way**
- Violation(s) description: The property is in violation of section 30.5 Prohibited uses and structures of the Land Development code of the city of St. Pete Beach**

Case Summary

- Initial inspection: 1/31/2025**
- Notice of Irreparable or Irreversible Violation dated: 2/3/2025**
- Notices of Hearing dated and posted on the property: 2/3/2025**

CE20250089

Affidavit of Posting



7605 Coquina Way

CE20250089

Airbnb advertisement

https://www.airbnb.com/rooms/1174887956281220774?adults=1&enable_m3_private_room=true&location=St.%20Pete%20Beach%2C%20Florida%2C%20United%20States&search_mode=regular_search&check_in=2025-04-1...

SPB Bookmarks Rec 1 - CivicRec Suggested Sites Parks & Rec | St. Pet... Google St. Pete Beach, FL PRM Government A... Sign In Pinellas County Pro... Division of Corporat... iWorQ www.iworq.net St. Pete Beach, FL [... Certified Wildlife Lig... Other favorites

airbnb

Anywhere Any week Add guests

Airbnb your home

Old world charm, minutes from the beach

Share Save



Entire home in St. Pete Beach, Florida
5 guests · 2 bedrooms · 2 beds · 1 bath
★ 5.0 · 3 reviews

Hosted by Anna
6 years hosting

10 min walk to the beach

\$273 night

CHECK-IN 4/14/2025	CHECKOUT 4/16/2025
GUESTS 1 guest	

Reserve

66°F
Mostly sunny

Search

3:06 PM
1/31/2025

7605 Coquina Way

CE20250089

Airbnb advertisement

SPB Bookmarks Rec1 - CivicRec Suggested Sites Parks & Rec | St. Pet... Google St. Pete Beach, FL PRM Government A... Sign In Pinellas County Pro... Division of Corporat... iWorQ www.iworq.net St. Pete Beach, FL |... Certified Wildlife Lig... Other favorites

https://www.airbnb.com/rooms/1174887956281220774?adults=1&enable_m3_private_room=true&location=St.%20Pete%20Beach%2C%20Florida%2C%20United%20States&search_mode=regular_search&check_in=2025-05-2...

Entire home in St. Pete Beach, Florida
5 guests · 2 bedrooms · 2 beds · 1 bath
★ 5.0 · 3 reviews

Hosted by Anna
6 years hosting

10-min walk to the beach
This home is by Pass-a-Grille Beach.

Self check-in
Check yourself in with the smartlock.

Great restaurants nearby
This area has excellent options for dining out.

Old world charm spacious home 2 bd and 1 bath within walking winning sandy beaches of St Pete Beach! Perfect for up to 4 gue pull-out futon in the living room for extra guests. This home is lo neighborhood, within steps to some of St Pete Beach's best seafood restaurants, waterfront open air establishments, shopping, golfing and much more! Enjoy your private backyard with a cozy patio, seating area and BBQ....
[Show more >](#)

What this place offers

Kitchen Wifi

66°F Mostly sunny 3:09 PM 1/31/2025

Add dates for prices

Select dates
Minimum stay: 2 nights

CHECK-IN 5/22/2025 X CHECKOUT Add date

May 2025 June 2025

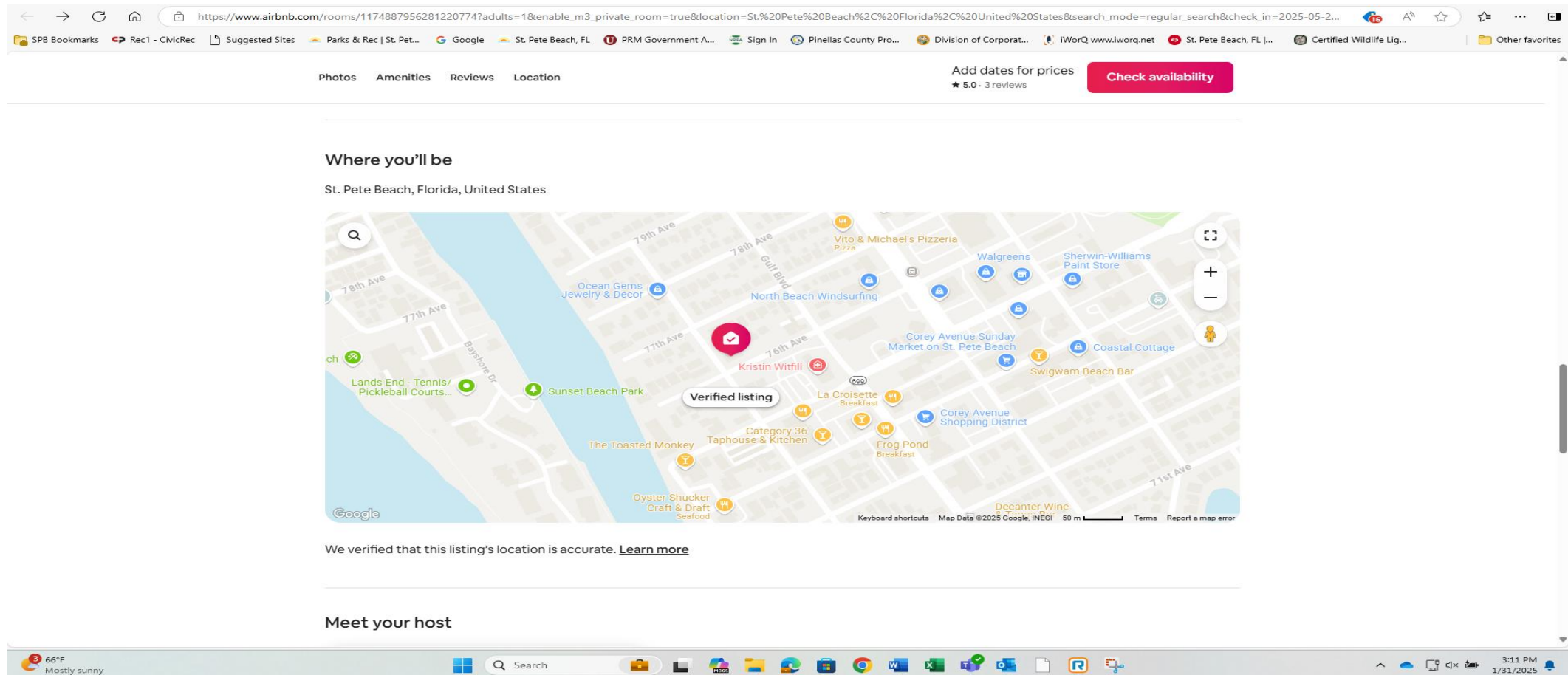
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

Clear dates Close

7605 Coquina Way

CE20250089

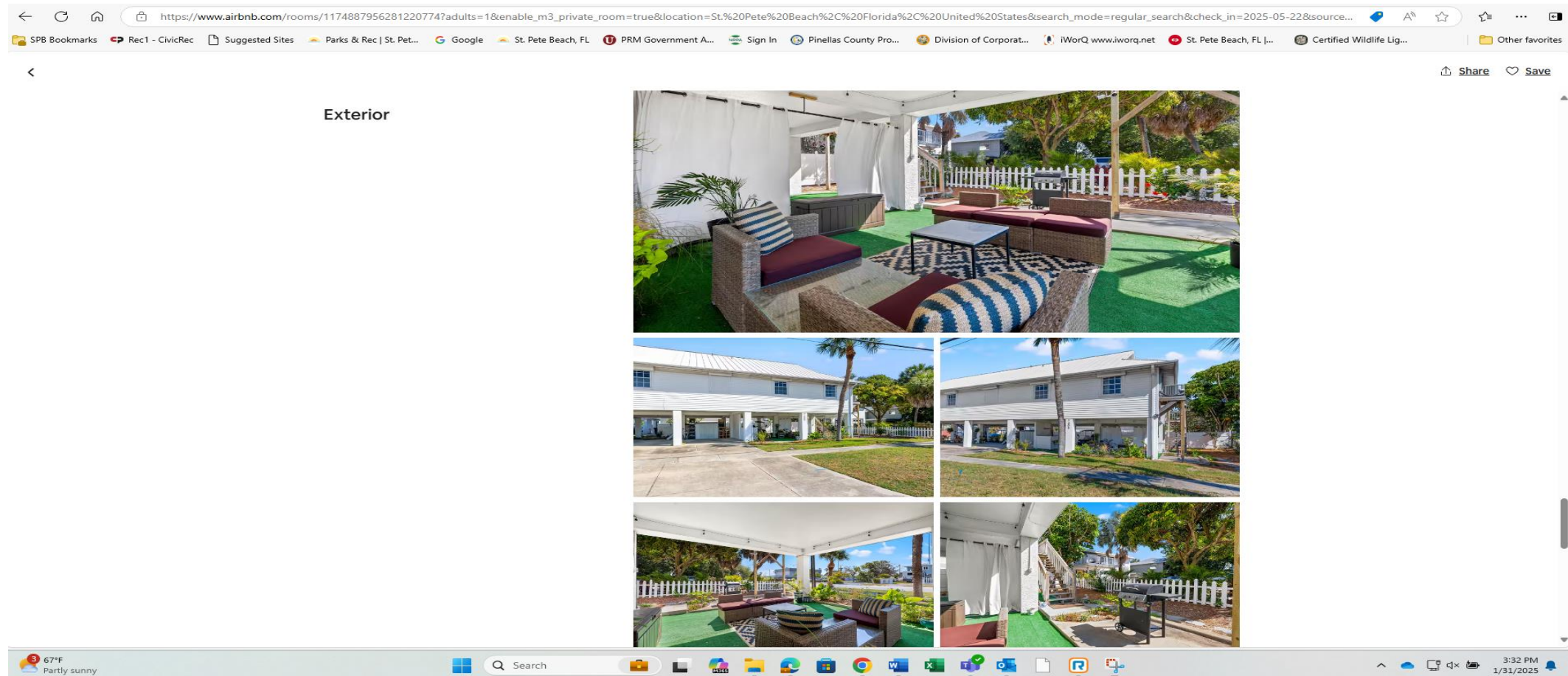
Airbnb advertisement



7605 Coquina Way

CE20250089

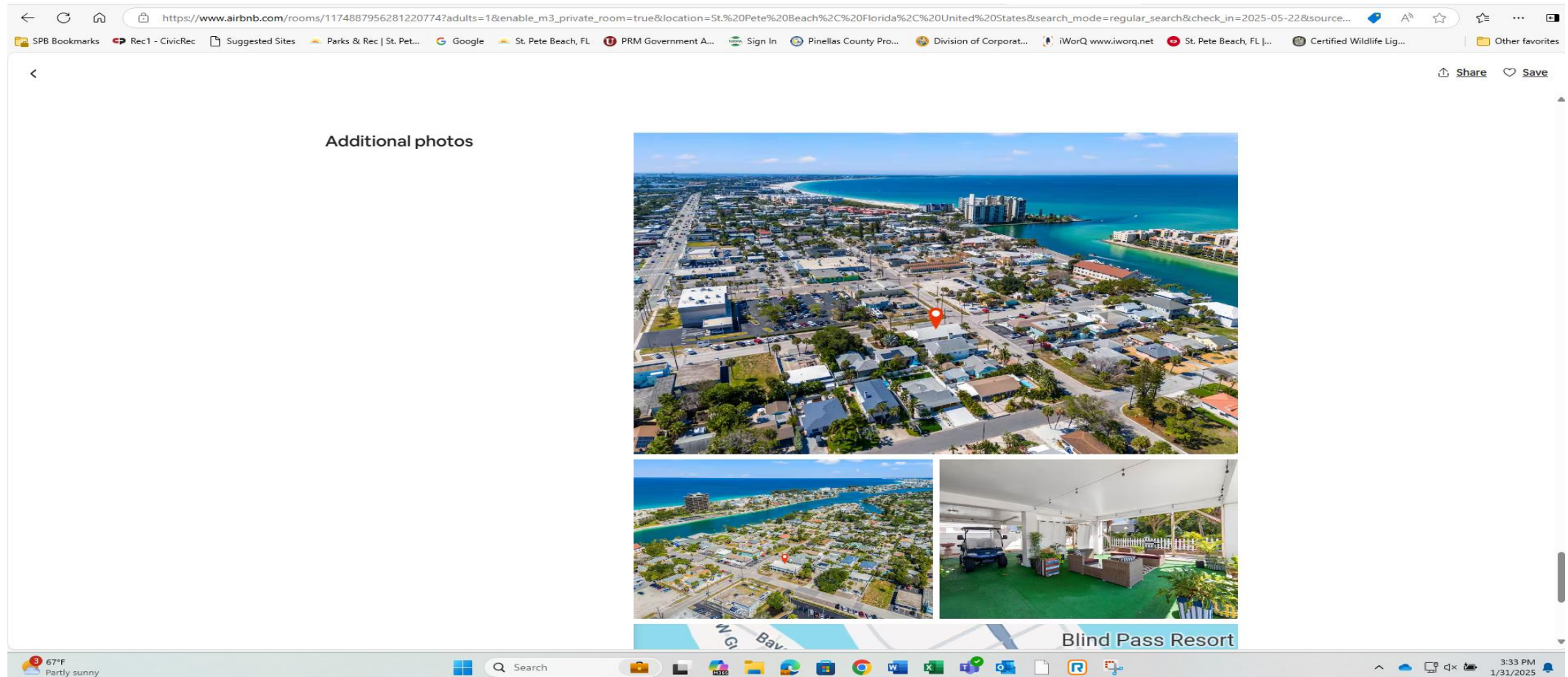
Airbnb advertisement



7605 Coquina Way

CE20250089

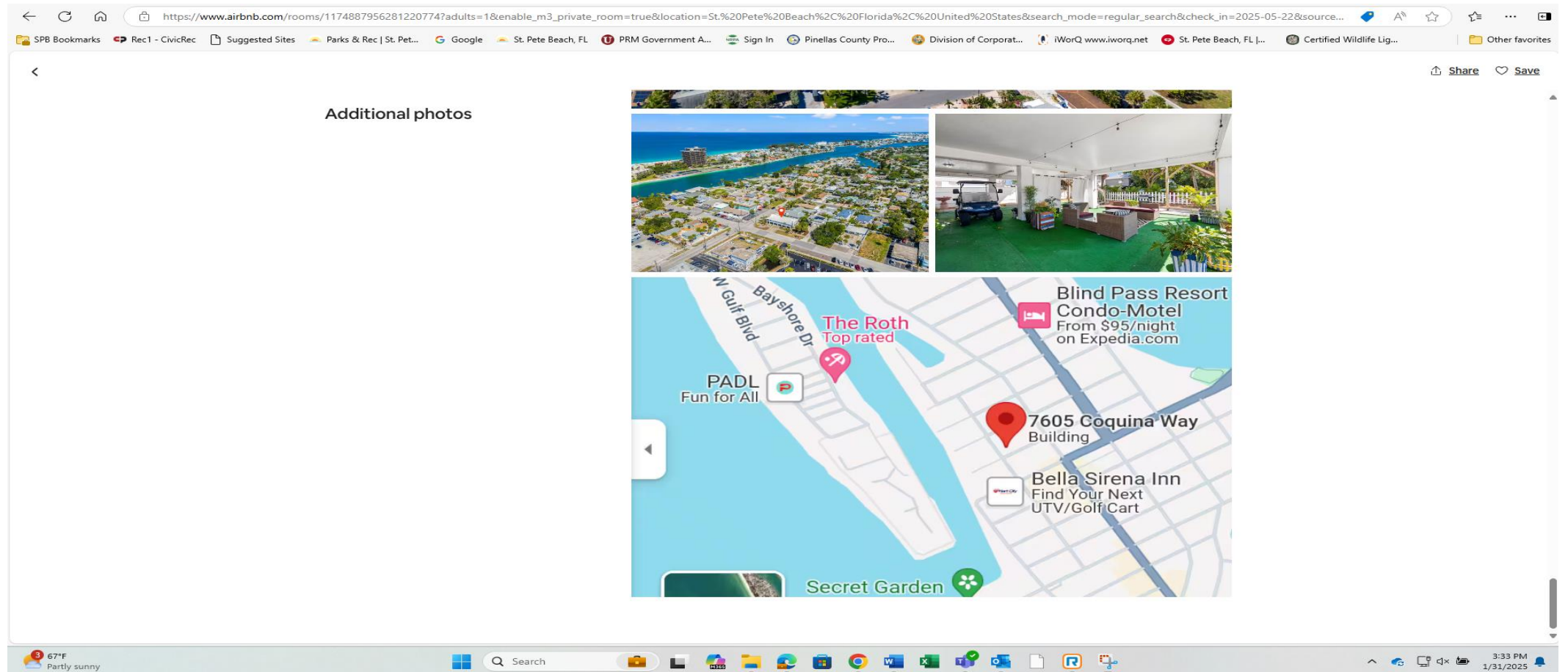
Airbnb advertisement



7605 Coquina Way

CE20250089

Airbnb advertisement



7605 Coquina Way

CE20250089

Reviews

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https://www.airbnb.com/rooms/1174887956281220774?adults=1&enable_m3_private_room=true&location=St.%20Pete%20Beach%2C%20Florida%2C%20United%20States&search_mode=regular_search&check_in=2025-05-2...

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SPB Bookmarks

Rec1 - CivicRec

Suggested Sites

Parks & Rec | St. Pet...

Google

St. Pete Beach, FL

PRM Government A...

Sign In

Pinellas County Pro...

Division of Corporat...

iWorQ www.iworq.net

St. Pete Beach, FL |...

Certified Wildlife Lig...

Other favorites

Photos

Amenities

Reviews

Location

Add dates for prices

★ 5.0 · 3 reviews

Check availability

★ 5.0 · 3 reviews

Overall rating

5

4

3

2

1

Cleanliness

5.0

Accuracy

5.0

Check-in

5.0

Communication

5.0

Location

5.0

Value

5.0

1

Kevin

Evergreen Park, Illinois

★★★★★ · December 2024 · Stayed a few nights

Anna was extremely helpful with all the information provided prior to arrival and kindly checked in to ensure all was well. Great experience and perfect location close to everything!

Show more

2

Vladimir

Shakopee, Minnesota

★★★★★ · July 2024 · Stayed about a week

I enjoyed my stay at Anna's airbnb very much and will definitely come back for my next trip. location was great because it was peaceful and still walking distance to...

Show more

Learn how reviews work

3

Shawna

Boston, Massachusetts

★★★★★ · October 2024 · Stayed about a week

Anna and her team were super accommodating and so kind! My bf and I had a trip booked trip that ended up falling a few days after the hurricane and Anna kept us up to date on how...

Show more

66°F

Mostly sunny

Search

3:10 PM

1/31/2025

7605 Coquina Way.

NOTICE

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

If you have any interest in this property or know the party responsible for this property, you may want to contact them and inform them of this posting as significant liabilities may result from the continuance of violations of the City Code at this address: 7605 COQUINA WAY

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

Name of Property Owner(s): TUCKER, DAVID J

Case No.: 20250089 Code Enforcement Officer: Ayako Ruckdeschel

Hearing Date: 03/10/2025 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 02/03/2025

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

X *Ayako Ruckdeschel*
Signature of Officer posting

Ayako
Ruckdeschel
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,

Case Number: 20250089

vs.
TUCKER, DAVID J
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 **03/10/2025** 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 **7605 COQUINA WAY** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 02/03/2025

Ayako Ruckdeschel

Ayako Ruckdeschel
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

Agenda Title Name: Case No. 20250148
City of St. Pete Beach v. 2500 Sunset Way LLC
Address: 2500 Sunset Way St. Pete Beach, FL
33707

Action Request: N/A

Strategic Objective:

Date: March 10, 2025

Prepared By: Jennifer Daunch

Through: Peyt Dewar, Code Enforcement Manager
Laura Canary, Community Development Director

Summary of Issue: **Sec. 25.9. - Permit required.**
(a) Dunes. In no instance shall any person, municipality, county or other public or private agency excavate or otherwise cause damage to a dune or conduct or cause to be conducted any activity to improve or enhance a dune without obtaining the necessary permits from the Florida Department of Environmental Protection and the city.
(b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.
Sec. 94-73. - Vehicle permits.
(a) Required. No person, municipality, county or other public agency shall drive any vehicle on, over or across any beach unless such motor vehicle has been issued a "vehicle on the beach" permit under this section, except in emergency situations as approved by the police department or fire department.
(b) Criteria for issuance. Permits for the operation of vehicles on the beach shall be issued for the following

purposes:

- (1) Public works and public safety;
- (2) Permitted commercial activities;
- (3) Special events; and
- (4) Mechanical beach cleaning.

(c) Issuance; additional federal, state or county permits. Permits shall be issued by application to the department of planning and development based on the scope of activity. Where necessary, the applicant shall obtain whatever additional permits that may also be required by either federal, state or county law. Where federal, state or county approval is necessary, no permit issued by the department shall become effective until such approval has been granted.

(d) Bond; insurance. Based on the scope of activity, the department may require the posting of a bond or a liability insurance policy protecting against damage to property or persons.

(e) Compliance. In reviewing the application for a permit, the department shall be authorized to require the applicant to provide all information necessary to determine whether the vehicle will be operated to comply with the requirements of this article or to set reasonable conditions to ensure compliance.

(f) Safe operation. Operating vehicles permitted under this section shall be subject to all of the regulations set forth in this article and other ordinances governing the safe operation of vehicles.

Mini tractor evidence was seen in the dune system causing irreparable and irreversible damage to the dunes.

Funding:

N/A

Attachments:

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



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

Irreparable or Irreversible Notice of Violation

02/21/2025

2500 SUNSET WAY LLC
101 S 3RD ST STE 360
GRAND JUNCTION CO 81501-2477

Re: **Case Number 20250148**

Violation Address: 2500 SUNSET WAY, ST PETE BEACH FL 33706

Parcel ID#: 183216880560010050

Dear Property Owner:

Mini tractor evidence was seen in the dune system causing irreparable and irreversible damage to the dunes. You are in violation of the following code(s):

Sec. 25.9. - Permit required.

Sec. 25.9. - Permit required.

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

(b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.

Sec. 94-73. - Vehicle permits.

(a) Required. No person, municipality, county or other public agency shall drive any vehicle on, over or across any beach unless such motor vehicle has been issued a "vehicle on the beach" permit under this section, except in emergency situations as approved by the police department or fire department.

(b) Criteria for issuance. Permits for the operation of vehicles on the beach shall be issued for the following purposes:

- (1) Public works and public safety;
- (2) Permitted commercial activities;
- (3) Special events; and
- (4) Mechanical beach cleaning.

(c) Issuance; additional federal, state or county permits. Permits shall be issued by application to the department of planning and development based on the scope of activity. Where necessary, the applicant shall obtain whatever additional permits that may also be required by either federal, state or county law. Where federal, state or county approval is necessary, no permit issued by the department shall become effective until such approval has been granted.

(d) Bond; insurance. Based on the scope of activity, the department may require the posting of a bond or a liability insurance policy protecting against damage to property or persons.

(e) Compliance. In reviewing the application for a permit, the department shall be authorized to require the applicant to provide all information necessary to determine whether the vehicle will be operated to comply with the requirements of this article or to set reasonable conditions to ensure compliance.

(f) Safe operation. Operating vehicles permitted under this section shall be subject to all of the regulations set forth in this article and other ordinances governing the safe operation of vehicles.

Please be advised that this matter is being referred to the Special Magistrate for a hearing on **03/10/2025, at 10 am.**

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

If you require further assistance and/or information, please contact (727) 363-9216 between the hours of 8:00 and 4:30 pm Monday through Friday. Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Ayako Ruckdeschel".

Ayako Ruckdeschel
Code Enforcement Officer

CE20250148

- Respondent(s): 2500 Sunset Way LLC**
- Violation address: 2500 Sunset Way**
- Violation(s) description: The property is in violation of section 25.9 (a) & (b), Permit required and section 94-73 (a)-(f), Vehicle permits of the Land Development code of the city of St. Pete Beach**

CE20250148

Case Summary

- Initial inspection: 2/19/2025**
- Notice of Irreparable or Irreversible Violation dated: 2/21/2025**
- Notices of Hearing dated and posted on the property: 2/21/2025**

CE20250148

Affidavit of Posting

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: 2500 SUNSET WAY

POST AT: City Hall 155 Corey Ave St. Pete Beach, FL 33706
Name of Property Owner(s): 2500 SUNSET WAY LLC
Case No.: 20250148 Code Enforcement Manager: Ayako Ruckdeschel
Hearing Date: 03/10/2025 at 1 p.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 02/21/2025
ADDRESS AT WHICH POSTED 155 Corey Ave St. Pete Beach, FL 33706

X Ayako Ruckdeschel Ayako
Signature of Officer posting Print Name

Feb 21, 2025 at 1:43:47 PM

2500 Sunset Way

CE20250148



2500 Sunset Way

CE20250148



2500 Sunset Way

CE20250148



2500 Sunset Way

CE20250148



2500 Sunset Way

CE20250148



2500 Sunset Way

CE20250148



2500 Sunset Way

CE20250148



2500 Sunset Way

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

Name of Property Owner(s): 2500 SUNSET WAY LLC

Case No.: 20250148 Code Enforcement Officer: Ayako Ruckdeschel

Hearing Date: 03/10/2025 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 02/21/2025

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

X *Ayako Ruckdeschel*
Signature of Officer posting

Ayako
Ruckdeschel
Print Name

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

CITY OF ST. PETE BEACH,
Petitioner,
vs.
2500 SUNSET WAY LLC
Respondent(s)

Case Number: 20250148

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 **03/10/2025** 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 **2500 SUNSET WAY** for every day that each violation continues beyond the date set by the Special magistrate for compliance.

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 02/21/2025

Ayako Ruckdeschel

Ayako Ruckdeschel
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

Agenda Title Name: Case No. 20250149
City of St. Pete Beach v. 2502 Sunset Way LLC
Address: 2502 Sunset Way St. Pete Beach, FL
33706

Action Request: N/A

Strategic Objective:

Date: March 10, 2025

Prepared By: Jennifer Daunch

Through: Peyt Dewar, Code Enforcement Manager
Laura Canary, Community Development Director

Summary of Issue: **Sec. 25.9. - Permit required.**
(a) Dunes. In no instance shall any person, municipality, county or other public or private agency excavate or otherwise cause damage to a dune or conduct or cause to be conducted any activity to improve or enhance a dune without obtaining the necessary permits from the Florida Department of Environmental Protection and the city.
(b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.
Sec. 94-73. - Vehicle permits.
(a) Required. No person, municipality, county or other public agency shall drive any vehicle on, over or across any beach unless such motor vehicle has been issued a "vehicle on the beach" permit under this section, except in emergency situations as approved by the police department or fire department.
(b) Criteria for issuance. Permits for the operation of vehicles on the beach shall be issued for the following

purposes:

- (1) Public works and public safety;
- (2) Permitted commercial activities;
- (3) Special events; and
- (4) Mechanical beach cleaning.

(c) Issuance; additional federal, state or county permits. Permits shall be issued by application to the department of planning and development based on the scope of activity. Where necessary, the applicant shall obtain whatever additional permits that may also be required by either federal, state or county law. Where federal, state or county approval is necessary, no permit issued by the department shall become effective until such approval has been granted.

(d) Bond; insurance. Based on the scope of activity, the department may require the posting of a bond or a liability insurance policy protecting against damage to property or persons.

(e) Compliance. In reviewing the application for a permit, the department shall be authorized to require the applicant to provide all information necessary to determine whether the vehicle will be operated to comply with the requirements of this article or to set reasonable conditions to ensure compliance.

(f) Safe operation. Operating vehicles permitted under this section shall be subject to all of the regulations set forth in this article and other ordinances governing the safe operation of vehicles.

Observed a flagged pathway through the dune system causing irreparable and irreversible damage to the dunes.

Funding:

N/A

Attachments:

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



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

Irreparable or Irreversible Notice of Violation

02/21/2025

HUNTER BEACH HOUSE LLC
665 14TH AVE NE
ST PETERSBURG FL 33701-1316

Re: **Case Number 20250149**

Violation Address: 2502 SUNSET WAY, ST PETE BEACH FL 33706

Parcel ID#: 183216880560010040

Dear Property Owner:

Observed a flagged pathway through the dune system causing irreparable and irreversible damage to the dunes.

Sec. 25.9. - Permit required.

Sec. 25.9. - Permit required.

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

(b) Other non-exempt activities. All other non-exempt activities, including construction, excavation, fill placement, repair of shore protection structures, and other activities seaward of the coastal construction setback line and activities that would alter the topography or disturb the vegetation of the beach/dune system, including vehicular traffic relating thereto, are required to obtain a permit from both the Florida Department of Environmental Protection and the city.

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- (1) Public works and public safety;
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Please be advised that this matter is being referred to the Special Magistrate for a hearing on **03/10/2025, at 10 am.**

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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,

Ayako Ruckdeschel 727-363-9216

Ayako Ruckdeschel
Code Enforcement Officer

CE20250149

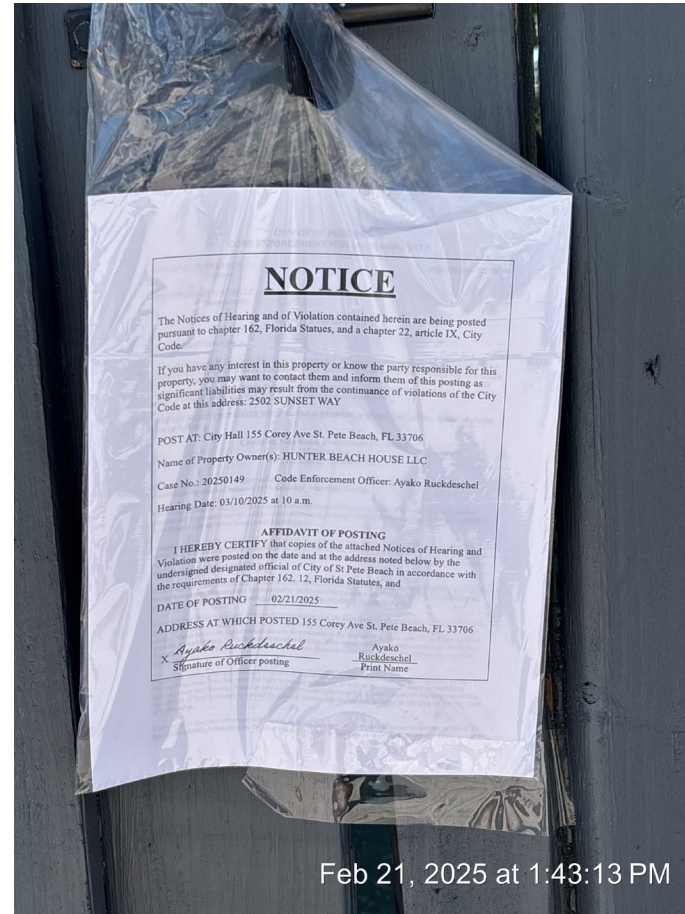
- Respondent(s): 2502 Sunset Way LLC**
- Violation address: 2502 Sunset Way**
- Violation(s) description: The property is in violation of section 25.9 (a) & (b), Permit required and section 94-73 (a)-(f), Vehicle permits of the Land Development code of the city of St. Pete Beach**

Case Summary

- Initial inspection: 2/19/2025**
- Notice of Irreparable or Irreversible Violation dated: 2/21/2025**
- Notices of Hearing dated and posted on the property: 2/21/2025**

CE20250149

Affidavit of Posting



2502 Sunset Way

CE20250149



2502 Sunset Way

CE20250149



Feb 24, 2025 at 9:38:27 AM

2502 Sunset Way

CE20250149



2502 Sunset Way

CE20250149



2502 Sunset Way

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

Name of Property Owner(s): HUNTER BEACH HOUSE LLC

Case No.: 20250149 Code Enforcement Officer: Ayako Ruckdeschel

Hearing Date: 03/10/2025 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 02/21/2025

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

X *Ayako Ruckdeschel*
Signature of Officer posting

Ayako
Ruckdeschel
Print Name

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

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

Case Number: 20250149

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

PLEASE GOVERN YOURSELF ACCORDINGLY,

DATED 02/21/2025

727-363-9216

Ayako Ruckdeschel

Ayako Ruckdeschel
Code Enforcement Officer
CITY OF ST. PETE BEACH

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

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