



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

155 Corey Avenue
St. Pete Beach, FL 33706

Monday, April 14, 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 a dumpster enclosure permit by 3/14/2025.

C. 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.

D. 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.

E. 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.

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.

4. Repeat Violations -

5. New Cases

6. Cases Complied -

7. Old Cases

8. Lien Reductions

A. Case No. 20250089

City of St. Pete Beach v. David Tucker

Address: 7605 Coquina Way 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.