

# CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

May 12, 2025 - 10:00 A.M.

**PRESENT:** Erica Augello, Special Magistrate  
Ralf Brookes, City Attorney  
Ginny Keeter-Bodkin, Deputy City Clerk  
Peyt Dewar, Code Enforcement Manager  
Luis Cruz, Code Enforcement Officer  
Steven Rivera, Code Enforcement Officer  
Ayako Ruckdeschel, Code Enforcement Officer

Special Magistrate Erica Augello called the hearing to order at 10:00 AM, explained the hearing process, and administered the oath to all those parties who would be testifying.

## 2. Changes to the Agenda –

Code Enforcement Manager Peyt Dewar requested an order of continuance for Case No. 20250035 City of St. Pete Beach v. Castle, to the June 9, 2025 hearing.

## 3. Cases Continued

- A. Case No. 20240580 City of St. Pete Beach v. John O. Kiley & Kostandinos Vartsakis**  
**Address: 423 85th Ave. St. Pete Beach FL 33706**  
Status hearing on progress of securing a permit.

Code Enforcement Officer Luis Cruz reported the property is now compliant and a permit has been issued. Respondent Kostandinos Vartsakis was present.

Special Magistrate Augello found that the property was compliant; she imposed the administrative cost of \$329.

- B. Case No. 20240539 City of St. Pete Beach v. Thomas Simmons**  
**Address: 100 3rd Ave. St. Pete Beach FL 33706**  
Status hearing on the permit status for unpermitted repairs.

Code Enforcement Officer Steven Rivera testified that the City is working with the Respondent.

Special Magistrate Augello continued the case to the June 9, 2025 hearing. No one was present for the Respondent.

## 4. Repeat Violations – None.

## 5. New Cases –

- A. Case# 20250035 City of St. Pete Beach v. Castle, Lydia S.**  
**Address: 3111 S De Bazan Ave St. Pete Beach, FL 33706**

Special Magistrate Augello continued the case to the June 9, 2025 hearing.

- B. Case # 20250045 City of St. Pete Beach v. Curtis, Genevieve W.**

**Address: 3307 E De Bazan Ave St. Pete Beach, FL 33706**

Code Enforcement Officer Rivera presented the case summary for the City, which is part of the meeting record. He presented a letter from the City's arborist stating the trees were dead or in decline. He presented a photo of a boat and trailer with no registrations. No one was present for the property owner.

Special Magistrate Augello found that the property and owner to be in violation of the cited code sections and allowed 14 days for removal or registration of the boat and trailer and 30 days for removal of the trees except the Norfolk Island Pines, which are in good condition. She ordered a status check for the case at the July 14, 2025 hearing.

**C. Case# 20250084 City of St. Pete Beach v. Dicks, Linda a Tre Dicks Family Trust  
Address: 106 2nd Ave St. Pete Beach, FL 33706**

Code Enforcement Officer Rivera presented the case summary for the City.

Respondent's daughter and POA Lindsay Penaranda and her sister Jennifer Berg were present. Ms. Penaranda testified that the property manager did not properly do their job and their lawn service company was no longer servicing the property. When they received the notice they immediately took steps toward compliance by hiring a new lawn company and are hiring a general contractor for repairs. She showed photos of the repaired soffits.

Special Magistrate Augello found the property to be in violation of the cited code sections and allowed the Respondents until May 26, 2025 to bring the property into compliance; she set a status hearing for June 9, 2025.

**D. Case # 20250189 City of St. Pete Beach v. Nolan, Marilyn L rev Trust Nolan, Marilyn L Tre Address: 103 1st Ave St. Pete Beach, FL 33706**

Code Enforcement Officer Rivera presented the case summary for the City. City Building Official Luke Curtis testified that the buildings may be historic, but they need to apply for permits to make them safe or demolish them. The city has been unable to contact the owners. No one was present.

Special Magistrate Augello found the property to be in violation of the cited code sections. She allowed 60 days for the property owner to apply for a permit to demolish or otherwise make the buildings safe. A status hearing was set for August 11, 2025.

**E. Case # 20250212 City of St. Pete Beach v. Heck, Horacio Montalvan Burke, Sheila  
Address: 3207 E De Bazan Ave St. Pete Beach, FL 33706**

Code Enforcement Officer Rivera presented the case summary for the City, which is part of the meeting record. No one was present for the Respondent; the City has been unable to make contact.

Special Magistrate Augello found the property to be in violation of the cited city codes. She allowed 14 days from the date of her order to bring the property into compliance by removing trash, debris, palm fronds and removing the fence. She set a status hearing of June 9, 2025 with a possible imposition of fines and fees.

**F. Case # 20250165 City of St. Pete Beach v. NXT Acquisitions Corp  
Address: 396 41st Ave St. Pete Beach, FL 33706**

Code Enforcement Officer Rivera presented the case summary for the City.

Kayley Arn, Office Manager and POA was present. She provided photo evidence of the cleanup and repair. She testified that the fence was demolished, dock decking removed, pool cover replaced, and that a pool contractor had been hired to demolish. The Respondent's Contractor, Muhammet Agirbes, testified that they are waiting for an engineer's stamp to apply for a permit.

Special Magistrate Augello found the property to be in violation of the cited codes and allowed until the June 9, 2025 hearing for the property owner to secure pool and general contractor permits for the soffit, pool, window, and any others that the City requested.

**G. Case# 20250211 City of St. Pete Beach v. Starlight Tower Incorporated  
Address: 7000 Beach Plz St. Pete Beach, FL 33706**

Code Enforcement Officer Luis Cruz presented the case summary for the City, which is part of the meeting record.

Joy Clark and Edward Wolfe, Starlight Tower condominium board members, were present and testified as to the hurricane damages, difficulty with contractors and permitting, and requested additional time. They are meeting with a potential general contractor tomorrow.

Building Official Luke Curtis testified regarding a truck having hit the garage wall in question and that the original contractor was unlicensed.

Special Magistrate Augello found the Respondent to be in violation of the cited city codes and allowed 30 days for them to secure a contractor and apply for a permit. She set July 14, 2025 for a status check or for additional time if needed. She advised the Respondents to work with the City.

**H. Case# 20250010 City of St. Pete Beach v. Hagan, Emily B TRE Hagan, Emly B Rev  
Liv Trust Address: 321 77th Ave St. Pete Beach, FL 33706**

Code Enforcement Officer Cruz presented the case summary for the City, which is part of the meeting record. No one was present for the Respondent; Officer Cruz testified as to no contact.

Special Magistrate Augello found the property and Respondent to be in violation of the cited city codes and allowed 14 days from the date of her order for cleanup and to apply for a permit. A status check was set for the June 9, 2025 hearing.

**I. Case # 20250014 City of St. Pete Beach v. Parks, Stephen G  
Address: 420 80th Ave St. Pete Beach FL, 33706**

Code Enforcement Officer Cruz presented the case summary for the City, which is part of the meeting record. He testified as to no contact with the Respondent.

Special Magistrate Augello found the property and Respondent to be in violation of the cited city codes and allowed 14 days from the date of her order to clean up the property and apply for a permit if necessary.

**J. Case# 20240529 City of St. Pete Beach v. Long, Richard Allen Revocable Trust Long, Richard Allen Tre Address: 6700 Gulf Blvd St. Pete Beach, FL 33706**

Court Reporter Brenda Cannon of Titanium Reporting Group was present for this case.

Code Enforcement Officer Ayako Ruckdeschel presented the case summary for the City, which is part of the meeting record. Photos included advertisements for outdoor music, an unpermitted bar, a stop work order posted in September, a roof structure over the bar, and a stage for live music. The corrective action would be to obtain an after the fact permit for the bar installation and cease live music and entertainment. A conditional use permit would be required for an outdoor bar. Complaints regarding live music have been received from a neighboring condominium. Ms. Ruckdeschel showed a video of live music being played on the property on April 20, 2025. The bar has been closed.

Permit Administrator Joanne Boland testified to a denied permit in-house that was submitted on 2/28/25. Reviews were done and denied two times; she provided the details for the denials. No conditional use permit was applied for.

Mr. Dewar testified that the property owner contacted him and agreed to cease and desist the violating actions until a permit is secured. Senior Planner Brandon Berry testified that a bar is allowed with a state alcohol license, but a conditional use permit is required for outdoor music.

Respondent Richard Allen Long and his tenant Jason Bowrey, owner of Grillin n Chillin appeared. Mr. Bowrey testified that he has had bar seating since 2021, but he did not pull permits. He has had music on Sundays. Since he found he was not in compliance, he has been working with the State and City to rectify. He indicated he submitted plans to the City three times. He has a beer and wine license. He reviewed the fines and fees that he has paid. He is working with the city to obtain an after the fact permit. The Health Dept. approved the indoor bathroom.

City Attorney Brookes asked questions about the access to the back, outside area of the restaurant. The bar and stage have been removed.

Mr. Long testified to not receiving a Notice of Violation/Hearing until April 30th. Grillin' n Chillin' is at 6708 Gulf Blvd. He testified that the owners of 6702, 6704, and 6706 Gulf Blvd. have no problems with the businesses.

The City called Building Official Luke Curtis as a witness. He testified to visiting the site prior to the hurricanes with a code officer, who posted a stop work order. Permits have been applied for, but there are concerns about meeting city codes for accessibility, electric, and plumbing for expanding the business outside. He testified that the means of egress would not comply with ADA requirements. An inspection would be required once permit applications are approved. There is a backlog of planning reviews, but they are generally done within 10 business days.

Attorney Brookes expressed the City's concerns with accessibility. Magistrate Augello stated she can only adjudicate the issues that have been brought before her.

Special Magistrate Augello found that there was a conditional use violation, which has been cured. There was a violation for outdoor dining and drink, 98-123.1 and 98-75. Based on credible testimony today the violations of 33.4 and 6.24 have ceased. The after the fact testimony is in progress. She allowed until June 5, 2025 to obtain the necessary permits and reconvene on June 9, 2025 for a status hearing. No outdoor live music or patrons may be in that area until permits are obtained.

**K. Case # 20250193 City of St. Pete Beach v. Long, Richard Allen Revocable Trust Long, Richard Allen Tre Address: 6800 Gulf Blvd St. Pete Beach, FL 33706**

Court Reporter Brenda Cannon of Titanium Reporting Group was present for this case.

Code Enforcement Officer Cruz presented the case summary for the City, which is part of the meeting record.

Attorney Joseph Melendi appeared for the Respondent and testified that there had been a violation but the subject banner and structures have been removed. He suggested the City change the definition of ‘violator’ and notice both owner and tenant. Tenant Stevan Todorcevic testified to the removal of the violating structures on May 8, 2025.

Special Magistrate Augello found there was a violation of stated Code 98-123.1 and that the property came into compliance on May 8<sup>th</sup>. She assessed the reasonable administrative costs of \$329.

6. **Cases Complied** – None.

7. **Old Cases** – None.

8. **Lien Reductions** –

**A. Case No. 20210123 91 0 City of St Pete Beach, v. Sava Radosavac  
Address: 7150 Blind Pass Road**

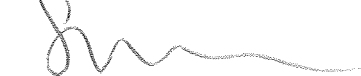
Code Enforcement Manager Peyt Dewar presented the lien reduction request. The City had no objection to the request.

Slavica Rodosavac as POA for the Respondent appeared and testified to compliance.

Special Magistrate Augello granted the lien reduction to \$1,000 plus \$525 in administrative costs.

9. **Next Meeting/Adjournment** – The next hearing will be June 9, 2025. There being no further business, the hearing was adjourned at 12:36 PM.

Attest:

  
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Renee Rose, City Clerk