

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

June 9, 2025 - 10:00 A.M.

PRESENT: Erica Augello, Special Magistrate
Nancy Stuparich, 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 – There were no changes.

3. Cases Continued

**A. Case No. 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**
Status hearing to determine compliance and to assess any authorized fines and costs.

Code Enforcement Officer Ayako Ruckdeschel introduced Building Official Luke Curtis, who testified that revisions to the permit have been submitted but not yet reviewed. Officer Ruckdeschel stated that the City was seeking fines of \$250 per day from March 3rd, 2025.

Tenant/Respondent Jason Bowrey testified that he has complied with everything that was asked at the last hearing.

Special Magistrate Augello did not impose any fines or fees as the Respondent had submitted the permit application. A status check was set for the July 14, 2025 hearing.

**B. Case No. 20250014 City of St. Pete Beach v. Parks, Stephen G
Address: 420 80th Ave. St. Pete Beach, FL 33706**
Status hearing to determine if the property is in compliance and to assess fines.

Code Enforcement Officer Luis Cruz reported that no one from the property has reached out despite postings and mailings. He showed additional photos taken this morning. He testified that some bags of debris were removed, but there is still trash and debris throughout the property. The City was asking \$250 per day in fines plus administrative costs.

No one was present for the Respondent.

Special Magistrate Augello found that the property was not compliant. She imposed fines of \$250 per day from today until compliant plus \$329 in administrative costs and recording fee should one be required.

**C. 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 requested to continue the case as the permit is in review.

Special Magistrate Augello granted a continuance until July 14, 2025.

- D. Case No. 20250084 City of St. Pete Beach v. Dicks, Linda a Tre Dicks Family Trust**
Address: 106 2nd Ave. St. Pete Beach, FL 33706
Status hearing to determine compliance and to assess any authorized fines and costs.

Code Enforcement Officer Rivera testified that the property is compliant and showed current photographs. The City was asking for administrative costs.

Jennifer Burg appeared on behalf of her mother, the Respondent.

Special Magistrate Augello found that the property was compliant and assessed \$330 in reasonable administrative costs.

- E. Case No. 20250212 City of St. Pete Beach v. Heck, Horacio Montalvan Burke, Sheila**
Address: 3207 E De Bazan Ave. St. Pete Beach, FL 33706
Status hearing to determine compliance and to assess any authorized fines and costs.

Code Enforcement Officer Rivera presented current photos showing the property to be compliant. He noted that the property owner had failed to update their mailing address with the Property Appraiser. The City asked for administrative costs.

No one was present for the Respondent.

Special Magistrate Augello found the property to be compliant and assessed \$330 in reasonable administrative costs.

- F. Case No. 20250035 City of St. Pete Beach v. Castle, Lydia S**
Address: 3111 S 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 reviewed the corrective actions. The City requested fines dating from 4/1/25 until compliant plus administrative costs and recording fees, should they be necessary. The owner was not present; Mr. Rivera testified that she said that she is in the process of selling the property. He showed current photos that indicate that some progress has been made.

No one was present for the Respondent.

Special Magistrate Augello found the property to be in violation of the cited codes. She granted 30 days from the date of her order to bring the property into compliance. The case will be returned for the July 14, 2025 to assess fines or whether the property has come into compliance.

4. Repeat Violations –

- A. Case No. 20250264 City of St. Pete Beach v. Simon, Babette W**
Address: 305 Gulf Way St. Pete Beach, FL 33706

Code Enforcement Officer Rivera presented the case summary for the City, which is part of the meeting record. He reviewed the inspection and repeat violation dates. He reviewed the corrective actions. The property is currently compliant. The City recommended fines of \$500 per day from 5/9/25 until compliant plus administrative fees and recording fees, should they be necessary.

Respondent Babette Simon was present; neighbor Thomas Simmons of 103rd Avenue testified on behalf of the Respondent. The requested turtle compliant lightbulbs are being used, and the lights are on a timer. He asked that any fines be excused.

Special Magistrate Augello asked that the Respondent verify that the lights are turtle compliant to avoid returning for a future violation. She found the property to be in violation based upon staff testimony. Based upon Mr. Simmons testimony, she did not impose daily fines, but assessed administrative costs of \$330 and recording costs, should they be required. She added that as this is a repeat violation, there will be fines.

5. New Cases –

**A. Case No. 20250056 City of St. Pete Beach v. 5411 Pali Way Land Trust Macmillan, Christopher Tre
Address: 5411 Pali Way St. Pete Beach, FL 33706**

Code Enforcement Officer Cruz presented the case summary for the City, which is part of the meeting record. He reviewed the corrective actions. The City requested fines and fees. The City has been unable to communicate with the owner. No one was present for the Respondent.

Special Magistrate Augello found the property to be in violation of the cited city codes. She granted 30 days from date of her order to secure the necessary permits, complete the repairs, and remove the lanai. The case will be returned on July 14, 2025 to determine fines or whether the property has become compliant.

**B. Case No. 20250223 City of St. Pete Beach v. Johnson, Kathleen M
Address: 620 64th Ave St. Pete Beach, FL 33706**

Code Enforcement Officer Cruz presented the case summary for the City and reviewed the corrective actions and requested fines. The City has been unable to contact the Respondent; the debris was placed outside the residence after the City's pickup time had passed. No one was present for the Respondent.

Special Magistrate Augello found that the property to be in violation of the cited codes and granted 30 days from the date of her order to remove trash and debris and have the boat trailer removed or registered. The case will be reheard on July 14, 2025, if necessary.

**C. Case No. 20250064 City of St. Pete Beach v. Donovan, Kenneth F. & Wilma Donovan
Address: 820 59th Ave. St. Pete Beach, FL 33706**

Code Enforcement Officer Cruz presented the case summary for the City, which is included in the meeting record. He reviewed the corrective actions and the City's recommended fines and costs.

Respondent Ken Donovan appeared and testified that the motorcycle and RV are registered and compliant; he provided copies of the registrations. He is in the process of making repairs. He testified about the type of surface that the RV is parked on.

Mr. Cruz testified that the parking space surface appeared to be grass, but he will recheck. He testified to previous violations of the same codes at this property.

Special Magistrate Augello found the property to be in violation of city codes 46.33, 98.65, and 98.66 and granted 30 days from the date of her order for the Respondent to have the outdoor storage removed and notify the City. The case will return to the July 14, 2025 hearing for status check and imposition of fines, if necessary.

D. Case No. 20250224 City of St. Pete Beach v. Develop St Pete LLC
Address: 8090 Gulf Blvd St. Pete Beach, FL 33706

Code Enforcement Officer Cruz presented the case summary for the City, which is part of the meeting record. He reviewed the corrective actions and the City's recommended fines and costs. There has been no communication with the owners. No one was present for the Respondent.

Special Magistrate Augello found the property to be in violation of the stated code sections. She granted 14 days from the date of her order to comply, or the case will be brought back on July 14, 2025 to assess fines and fees.

E. Case No. 20250139 City of St. Pete Beach v. Moosapanah Mielad
Address: 406 72nd Ave. St. Pete Beach, FL 33706

Code Enforcement Officer Ruckdeschel presented the case summary for the City, which is part of the meeting record. She reviewed the corrective actions and recommended fines and fees. All notices have been returned; the Property Appraiser's Office shows an address in Arizona; the Tax Assessor has no other address – the taxes were paid in November of 2024. There was no other means to locate the owner. No one was present for the owner.

Special Magistrate Augello found the property to be in violation of the stated code sections and granted 14 days from the date of her order to bring the property into compliance. The case will be heard on July 14, 2025, to assess fines and fees should the property still be non-compliant.

F. Case No. 20250173 City of St. Pete Beach v. Blind Pass Properties III LLC
Address: 420 77th Ave. St. Pete Beach, FL 33706

Code Enforcement Officer Ruckdeschel presented the case summary for the City, which is part of the meeting record. She reviewed the corrective actions and recommended administrative costs. She testified that she spoke to the property owner on 4/8/25 and he said he was going to demolish the house. A demolition permit was applied for and is under review; a site inspection is required.

Jack Buns of Blind Pass Properties was present and testified to applying for a permit a week ago. Contractor Bill Majewski testified to having a permit number but no approval yet.

Special Magistrate Augello found the property to be in violation and granted 30 days from the date of her order to secure the demolition permit, or the case will return for the July 14, 2025 hearing.

6. **Cases Complied** – None.
7. **Old Cases** – None.
8. **Lien Reductions** – None.
9. **Next Meeting/Adjournment** – The next hearing will be July 14, 2025. There being no further business, the hearing was adjourned at 11:25 AM.

Attest:



Renee Rose, City Clerk