

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

August 18, 2025 - 10:00 A.M.

PRESENT: Erica Augello, Special Magistrate
Chloe Berryman, City Attorney
Ginny Keeter-Bodkin, Deputy City Clerk
Peyt Dewar, Code Enforcement Manager
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, with the approval of respondent Babette Simon, to continue 4.a., Case # 20250299, to October 6, 2025. He requested an Order to Dismiss for Case # 20250339, City of St. Pete Beach v. Schroeder, 640 59th Ave.

3. Cases Continued

A. 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

Code Enforcement Officer Ayako Ruckdeschel testified that the property was not in compliance, but it was her understanding that the respondent was not going to continue with the project and was removing unpermitted materials.

Respondent Jason Bowrey testified that he was no longer moving forward with the permits for the outdoor bar and seating area. He has permits for the smokers that are there, but the rest of the items will be removed within two weeks. He had shut off the power breakers to the outdoor electrical boxes.

Special Magistrate Augello allowed 14 days from date of her order to become compliant, including the disconnecting of electrical boxes. The respondent must contact Code Enforcement to inspect. The case will be returned to the September 8, 2025 hearing if not compliant.

B. Case# 20250312 City of St. Pete Beach, v. Sungold LLC Address: 3855, 3859, and 3861 Gulf Blvd St. Pete Beach, FL 33706

Special Magistrate Augello stated that the next three cases, 20250312, 20250417, and 20250418 had been consolidated at the July hearing. Officer Steven Rivera testified that he received an email from the Respondent's Attorney Lirot, that he would be unable to attend today and asked for a second continuance.

Special Magistrate Augello continued the three combined cases to the October 6, 2025 hearing.

C. Case# 20250417 City of St. Pete Beach v. Sungold LLC Address: Gulf Blvd Lot 07-32-16-18143-001-0020

Consolidated Case No. 20250417 was continued to the October 6, 2025 hearing.

**D. Case# 20250418 City of St. Pete Beach v. Sungold LLC
Address: Sungold LLC 07-32-16-18143-001-0010**

Consolidated Case No. 20250418 was continued to the October 6, 2025 hearing.

**E. Case# 20240699 City of St. Pete Beach v. Franco, Jennifer C
Address: 490 82nd Ave St. Pete Beach, FL 33706**

Special Magistrate Augello disclosed that she has received an email from the respondent, Ms. Franco, asking that fines not be assessed. The Magistrate forwarded the email to the City Attorney and the Code Enforcement Manager.

Officer Ruckdeschel testified that no after-the-fact permit has been applied for since the last hearing.

Ms. Franco testified via Zoom that she had secured a contractor who is preparing to apply for the necessary permits by Tuesday, 8/19/25. She explained the hardships that delayed her securing the permits. Her primary residence is in Las Vegas.

Special Magistrate Augello allowed an extension of 14 days to apply for the after-the-fact permits. A hearing was set for September 8, 2025 to determine compliance and/or fines and costs.

**F. Case# 20240707 City of St. Pete Beach v. Spencer, Chris
Address: 140 Corey Ave St. Pete Beach, FL 33706**

Officer Ruckdeschel testified that no permit application had been submitted as of this morning. No one was present for the respondent.

Special Magistrate Augello found that the respondent failed to comply with the administrative order of 7/16/25 and assessed fines of \$250. per day from 12/29/24 until compliant plus administrative costs of \$330 and any associated recording fees.

**G. Case# 20250069 City of St. Pete Beach, v. Nguyen, Annie Truong, Jimmy C
Address 205 55th Ave St. Pete Beach, FL 33706**

Officer Ruckdeschel spoke with the respondent this morning who has a contractor working on the property on the weekend and requested an extension.

Special Magistrate Augello granted a 30-day extension from the date of her order; status will be heard on October 6, 2025, if necessary.

**H. Case# 20250275 City of St. Pete Beach v. Hurricane Lounge Inc
Address: 809 Gulf Way St. Pete Beach, FL 33706**

Officer Rivera testified that the property is compliant and presented photos, which are part of the meeting record. Respondent Rick Falkenstein was present.

Special Magistrate Augello found the respondent to be compliant with the order dated 7/31/25; she did not assess fines, only administrative costs of \$330.

**I. Case# 20250279 City of St. Pete Beach v. Coconut Inn LLC
Address: 113 11th Ave St. Pete Beach, FL 33706**

Officer Rivera testified that the property is compliant and presented photos, which are part of the meeting record. Respondent Maggie LeBlanc was present.

Special Magistrate Augello found the respondent to be compliant with the order dated 7/31/25; she did not assess fines, only administrative costs of \$330.

**J. Case# 20250388 City of St Pete Beach v. Gulf West Properties LLC
Address: 7060 Boca Ciega Dr. St. Pete Beach, FL 33707**

Officer Ruckdeschel asked for a continuation until September.

Special Magistrate Augello granted a continuance to the September 8, 2025 hearing.

**K. 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**

Officer Rivera testified that the property is not compliant. He presented photos, which are part of meeting record. No permits have been applied for and there has been no communication. There is a new violation and notice has been sent. The city was seeking fines and costs.

Special Magistrate Augello found that the property was not compliant and assessed fines of \$250 per day from 7/16/25 until compliant plus \$330. In reasonable administrative costs plus any associated recording fees.

**L. Case# 20240584 City of St. Pete Beach v. Park Shore Investments LLC
Address: 523 72nd Ave. Sec. 98-123.1. - Permits required.**

Officer Ruckdeschel stated that this case was on the 7/18/25 docket but was not heard. She presented the case summary for the city. She reviewed the notices of violation, affidavits of posting, and evidence at the property. The City requested proper permits and recommended fines and administrative costs. As of 7/24/25, the Fire Department denied a submitted application; staff sent questions to the contractor but received no responses.

Special Magistrate Augello found the property to be in violation and allowed 14 days from the date of her order to secure an after-the-fact permit. A hearing was set for September 8, 2025 to determine compliance and/or assess any fines or fees.

4. New Cases –

**A. Case # 20250299 City of St. Pete Beach v. Simon, Babette W
Address: 305 Gulf Way St. Pete Beach, FL 33706
Sec. 98-123.1. - Permits required.**

This case was continued until the 10/6/2025 Code Enforcement hearing.

B. Case # 20250185 City of St. Pete Beach v. Ruhlman, Robert E
Address: 401 Gulf Way St. Pete Beach, FL 33706
Sec. 98-65. - Unsightly conditions. Sec. 98-66. – Res-Comm prop. maint.

Officer Rivera reviewed the case summary for the city including inspections, violations, affidavit of posting, photos of the violations at the property, and corrective actions. His presentation is part of the meeting record. The city recommended fines and costs. He communicated with owner; some fencing has been removed but the property is not compliant.

Robert Ruhlman testified that the windows have been completed and had a list of completed items. He explained hardships he has been having. He has been in communication with Code Enforcement.

Special Magistrate Augello found the respondent to be in violation and granted 14 days from the of her date of order to become compliant and notify the city. A status update will be heard on 9/8/25.

C. Case # 20250368 City of St. Pete Beach v. Vigneault, Ronald Mones, Lauren
Address: 1109 Gulf Way St. Pete Beach, FL 33706
Sec. 23.4. - General parking requirements.

Officer Rivera presented the case summary for the city including violations, noticing, affidavit of posting, and photos of parking solicitation. Officer Ruckdeschel read an email she sent on 6/14/25 to Code Enforcement into the record; she testified that she spoke to individuals who said they paid to park at the property. Mr. Rivera read further testimony of his own into the record regarding the violations and his conversation with the owner. The city was seeking fines and costs.

Special Magistrate Augello swore in Jacob Holehouse of 109 13th Ave. He testified that he lives across the street and shared his observations of paid parking at the property and conversations with the owners. He entered Venmo payment transactions into the record.

Respondents Vigneault and Mones testified and cited excerpts of FS 715.075 and rights to the use of private property; they contended they are within their rights to allow the parking. They commented on the need for more parking in Pass-A-Grille and stated that the city's action plan mentions working with private property owners to allow public parking on vacant private lots.

Special Magistrate Augello stated that she would take the presented comments under advisement; FS 715.075 was enacted in 2024 and there is minimal case law to date. She allowed the respondents 7 days from today to submit any further legal briefings to her, and the city would be allowed an additional 7 business days for a response or rebuttal brief. She would make a ruling after that time. There are to be no ex-parte communications in this matter.

D. Case # 20250341 City of St. Pete Beach v. Schaming, Scott R Schaming, Lisa M
Address: 2817 Pass A Grille Way St. Pete Beach, FL 33706
Sec. 23.11. - Parking construction and design requirements.

Officer Rivera presented the case summary for the city including violations, inspections, notices of violation, affidavit of posting, and photos of the property. The city requires a driveway permit. The city recommended fines and costs. There has been no permit applied for at this time.

Respondent Scott Schaming testified that the permit was not applied for on time. He has received estimates, and work will begin in 2-4 weeks.

Special Magistrate Augello found the respondent to be in violation and allowed four weeks from her order to become compliant. She set a hearing for October 6, 2025 to determine compliance and/or fines and fees.

**E. Case # 20250420 City of St. Pete Beach, v. Hutman, Kenneth
Address: 2893 W Vina Del Mar Blvd St. Pete Beach, FL 33706
Sec. 46-33. - Enumeration. Sec. 98-66. – Res-Comml property maintenance.**

Officer Rivera presented the case summary for the city which included violations, inspections, affidavit of posting, photographs of the violations at the property. and corrective actions. The city requested fines and costs. One of the owners called Code Enforcement with an update that they have cleaned up overgrowth, but the retaining wall is still not compliant.

Special Magistrate Augello found the respondent to be in violation of the stated code section and allowed 14 days from the date of her order to bring it into compliance; a status hearing was set for October 6, 2025.

**F. Case # 20250504 City of St. Pete Beach v. Murphy, Paul V & Donna J Tre
Address: 253 41st Ave. St. Pete Beach, FL 33706
Sec. 8.2. - Permitted principal uses and structures.**

Officer Rivera presented the case summary for the city which included violations, inspections, affidavit of posting, and reviews of stays at the property. He presented the Airbnb policies.

Angela Ross appeared as representative and property manager for St. Pete Beach Vacation Rentals; a Power of Attorney was submitted. The Magistrate explained that stays in that zoning district must be for 30 days or more.

Special Magistrate Augello found that the property was in violation of Section 8.2 of the city's code of ordinances; The rentals in question were determined to be irreparable or irreversible. As this is a first offense, she assessed \$500 in fines for each of the two stays in May of 2025 plus administrative costs of \$330 plus any necessary recording fees.

**G. Case # 20250503 City of St. Pete Beach v. Guyer, James T M Tre Trust
Address: 3302 E Maritana Dr. St. Pete Beach, FL 33706
Sec. 9.2. - Permitted principal uses and structures.**

Officer Rivera presented the case summary for the city which included violations, inspections, affidavit of posting, reviews of stays at the property, and corrective actions. The city requested fines and costs.

Respondent James Guyer testified that he was advised by his insurer that short term rentals were under three days. He immediately changed his advertisements when he received the notice of violation. He cancelled the shorter reservations but still has someone booked for 8/15 – 8/31 due to short notice. The property is for sale.

Special Magistrate Augello found the property to be in violation of Section 9.2 of the city's code of ordinances. The rentals in question were determined to be irreparable or irreversible. She assessed \$500 for each of the two stays (May and June 2025) plus administrative costs of \$330 plus any necessary recording fees.

H. Case # 20250426 City of St. Pete Beach v. Rimar, Marilyn D
Address: 5404 Pali Way St. Pete Beach, FL 33706
Sec. 46-33. - Enumeration. Sec. 98-66. – Res-Comm property maintenance.

Officer Ruckdeschel presented the case summary for the city, which included violations, inspections, affidavit of posting, photos of violations at the property, and corrective actions. The city requested fines and costs. On October 7th, the owner had landscapers on the property.

Armando Quintero, general contractor, testified that they are on site this morning and requested an extension of 14 business days to complete.

Special Magistrate Augello found the property in violation and allowed 20 days from the date of her order to become compliant and notify the city. The case will be returned for a status hearing on 10/6/25 if necessary.

I. Case # 20250401 City of St. Pete Beach v. Gedz, Matthew
Address: 429 70th Ave. St. Pete Beach, FL 33706
Sec. 46-33. - Enumeration. Sec. 98-64. – Gen. maint. Sec. 98-65. - Unightly conditions. Sec. 98-66. - Residential and commercial property maintenance.

Officer Ruckdeschel presented the case for the city, which included violations, inspections, affidavit of posting, and photos of violations at the property. The trailer has been removed, but not the overgrowth. She reviewed corrective actions. The city requested fines and costs. She has had no contact with the owner. No one was present for the owner.

Special Magistrate Augello found the property to be in violation and allowed 14 days from the date of her order to become compliant. A hearing was set for September 8, 2025 to determine compliance and/or fines and fees.

5. **Cases Complied** – None.

6. **Old Cases** – None.

7. **Lien Reductions** – None.

8. **Repeat Violations** – None.

9. **Next Meeting/Adjournment** – The next hearing will be September 8, 2025. There being no further business, the hearing was adjourned at 11:45 A.M.

Attest:



Renee Rose, City Clerk