

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

April 13, 2026 - 10:00 A.M.

PRESENT: Erica Augello, Special Magistrate
Attorney Nancy Stuparich, City Attorney's Office
Ginny Bodkin, Deputy City Clerk
Peyt Dewar, Code Enforcement Manager
Ayako Ruckdeschel, Code Enforcement Officer
Lucy Knight, Code Enforcement Officer
Steven Rivera, Code Enforcement Officer
Luke Curtis, Building Official

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 that item 5a., repeat violation Case #20250047, be continued to the May 11th hearing with the consent of the Respondent. He requested that item 5b., Case# 20260166, be heard first as the respondent is visually impaired.

3. Cases Continued

All staff case summary presentations are part of the meeting record.

A. Case # 20250100 City of St. Pete Beach v. Quintero, Armando Placido Jr & Tiffany J Address: 3771 Belle Vista Dr E St. Pete Beach, FL 33706-2626

Code Enforcement Officer Steven Rivera testified that the property is currently compliant and requested an Order to Dismiss; the Special Magistrate will prepare and send.

B. Case # 20250731 City of St. Pete Beach v. Dolphin Watch II LLC Address: 1405 Gulf Way St. Pete Beach, FL 33706

Officer Rivera explained that the parties were waiting for a determination from the Special Magistrate based upon her March 9, 2026 order. Attorney Luke Lirot, representing Dolphin Watch II LLC was present and added remarks regarding their Motion to Dismiss.

Special Magistrate Augello stated that she had received the briefs from both parties and had determined that she does not have jurisdiction to rule on the constitutionality of the ordinance 2016-19, but those arguments are preserved for appeal. She rejected the Respondent's Motion to Dismiss, agreeing with the City that the procedural/adoption challenges were not sufficient to invalidate the ordinance. Arguments that the ordinance was improperly adopted (lack of notice, inconsistency with the comprehensive plan, or state law preemption) were considered but not persuasive at this stage. The Magistrate clarified that hearsay is allowed in quasi-judicial proceedings, though it cannot be the sole basis unless it meets certain standards. The City relied primarily on Airbnb reviews and platform policy to show short-term rental activity.

Special Magistrate Augello found that reviews are tied to confirmed guests, lending credibility. The timing of reviews supported the conclusion that at least three rentals violated the cited codes.

The property owner did not appear or provide testimony, which the Magistrate noted could have clarified the issue. The Magistrate ruled that the City provided competent, substantial evidence and due process was satisfied (notice and opportunity to be heard). The property was in violation of the City's code for short-term rentals, and the violations were irreparable/irreversible, based on completed rental activity. She assessed fines of \$500 for each of the three violations (\$1500) plus administrative costs of \$330. A written order will be issued with detailed findings and final determinations.

**C. Case # 20240563 City of St. Pete Beach v. Dolphin Watch III LLC
Address: 400 71st Ave St. Pete Beach, FL 33706**

Code Enforcement Officer Lucy Knight presented the case summary for the City which included noticing, photographs, and a Substantial Damage letter to the owner. Mini split air conditioners were installed without a permit; the Respondent has applied for an after-the-fact permit, but it has not been secured. The City asked for fines from the date on the last order until compliant.

Respondent Attorney Luke Lirot argued that the mini-split units were purchased and installed before the hurricanes, therefore should not be subject to the City's SD/SI determination. The owner was unaware that a permit was required, but one was applied for in January.

Building Official Luke Curtis clarified that mini-split systems do require permits prior to installation. He noted that the after-the-fact permit application is incomplete, lacking required documentation. The permit is also being held due to the SD/SI determination, since unpermitted work must be included in that calculation. To move forward, the owner must provide sufficient documentation (photos, contractor estimates, or access for inspection) to verify the extent of damage. Attorney Lirot asked if simpler documentation (like affidavits or photos) could suffice instead of hiring professionals.

Special Magistrate Augello clarified that her only role was to determine whether a violation exists and set a compliance timeline. She found the property to be in violation of the cited code section due to the unpermitted installation. The owner is required to obtain an after-the-fact permit within 45 days from the date of her order and resolve the issue with the City. A status check was set for June 8, 2026.

**D. Case # 20250220 City of St. Pete Beach v. Starkus, Svajunas
Address: 1104 Pass A Grille Way St. Pete Beach, FL 33706**

Officer Rivera testified that there had been no changes to the property as ordered; the City was seeking fines beginning today. Respondent Svajunas Starkus appeared and testified that the property is under contract and buyer is dealing with lender; a closing is set for June 1, 2026. A real estate purchase agreement was entered into evidence. The Special Magistrate set a status hearing for June 8, 2026.

**E. Case# 20250705 City of St. Pete Beach v. Lawya, Marc
Address: 2782 W Vina Del Mar Blvd St Pete Beach FL, 33706**

Officer Rivera presented photos from March 24th showing a pickup truck and trailer with out-of-date tags plus overgrown vegetation on the property. The City requested fines plus administrative costs. No one was present for the Respondent and Officer Rivera testified there was no contact.

The Special Magistrate found the property to be in violation of the cited code section and assessed fines of \$250 per day from March 25th until compliant plus administrative costs of \$330 and any recording fees incurred.

**F. Case# 20250079 City of St. Pete Beach v. Bosela, Paulette
Address: 1706 Pass A Grille Way St. Pete Beach, FL 33706**

Officer Rivera requested a continuance to the July hearing; permits were applied for, but a variance is required and that cannot be heard until June. Respondent Paulette Bosela was present and had no objection. The Special Magistrate will issue a continuance until July 13, 2026.

**G. Case# 20250218 City of St. Pete Beach v. Putnam, Robert N II
Address: 1401 Pass A Grille Way St. Pete Beach FL, 33706**

Officer Rivera testified that the back porch of the dwelling is still collapsed. He had received one email from the Respondent's representative, but nothing further. A buyer for the property may be pending, but there has been a lack of communication. No demolition permit has been applied for and no determination of plans for the property. No one was present for the Respondent.

Special Magistrate found the property to be in violation of the cited city codes and imposed fines of \$250 per day beginning today until compliant plus administrative costs of \$330, as there is no evidence to support any action being taken.

**H. Case # 20230682 City of St. Pete Beach v. Czyszczo Ventures LLC
Address: 4105 Gulf Blvd St. Pete Beach, FL 33706**

Officer Rivera testified that a permit for a sewer line was issued as of 4/3/26. He presented photographic evidence of brush removal, repaired soffits, and touch ups by the tenant. The property is compliant. No one was present for the Respondent; an incorrect hearing date was noted on the notice. Special Magistrate Augello found property to be compliant and assessed no fines.

**I. Case# 20230606 City of St. Pete Beach v. Broderick, Mark B Broderick, Lynn M
Address: 3535 Belle Vista Dr E St. Pete Beach, FL 33706-2622**

Officer Rivera testified that the Respondent is applying for a variance and that the permit application is incomplete. The City requested fines and costs.

Attorney Martha Bolton appeared with owner Mark Broderick and testified that they were in contact with the Planning Department regarding the variance; a new survey was required, which was completed on March 26th. They anticipate being before the Board of Adjustment in May.

Special Magistrate Augello set a status hearing for June 8, 2026 and advised the Respondent to stay in communication with Code Enforcement.

**J. Case # 20250591 City of St. Pete Beach v. Beach House 78th LLC
Address: 310 78th Ave St. Pete Beach FL 33707**

Code Enforcement Officer Ayako Ruckdeschel testified that the property is compliant. She presented photos from today. No one was present for the Respondent. Special Magistrate Augello found the property compliant and assessed \$330 in administrative costs.

4. New Cases

A. Case # 20260150 City of St. Pete Beach v. JSC Group LLC
Address: 510 79th Ave St. Pete Beach, FL 33706

Officer Ruckdeschel presented the case summary for the City which included inspection and posting dates, affidavit of posting, and sales history. The property is currently listed for sale. The property owner had submitted a letter to the city claiming there was no damage from the storms and the City asked for pre-storm photos; she presented pre- and post-storm photos of the property showing differences to window, doors and interior. Photos of the renovated interior and back lanai were presented. Corrective action would be to obtain an after-the-fact permit for the renovations. The City requested fines, costs, and fees.

Building Official/Flood Plain Manager Luke Curtis testified that claims were paid through NFIP and there had been an estimated 36” of stormwater inside the home. At 36” there is significant damage to electrical systems which is a safety hazard; the city is required to ensure safety. No permits had been issued post storms. Permit applications must be made through the portal.

Subcontractor Glen Alexander appeared for Respondent JSC and presented a Power of Attorney. He entered a letter from the CEO of JSC requesting an extension of time for their contractor to obtain the requested permit now that city staff have clarified requirements. The current owner purchased the home in February of 2025.

Special Magistrate Augello found that the renovations were done without a permit. She allowed 7 days for the Respondent to apply for an after-the-fact permit and 45 days for it to be secured. A status update will be heard at the May 11th hearing. She advised that JSC group to send someone that can answer specific questions for the June 8, 2026 hearing.

B. Case # 20260058 City of St Pete Beach v. Rimvydas & Ruta Balkus
Address: 8380 Gulf Blvd St. Pete Beach, FL 33706

Officer Ruckdeschel presented the case summary for the City including violation descriptions, inspections, noticing, and posting, and photos of a large dead tree and unregistered trailer. The property is now compliant; the City requested administrative costs. Owner Rimvydas Balkus was present. The Special Magistrate found the property was in violation of the cited city codes and assessed \$330 in administrative costs.

C. Case # 20260112 City of St. Pete Beach v. Lemke Ranch LLC
Address: 8840 Gulf Blvd St. Pete Beach, FL 33706

Officer Ruckdeschel presented the case summary for the City including violation descriptions, inspections, noticing, posting, and photos of unsightly material such as dumpsters and building supplies; there were no valid permits on record. A paver permit was applied for on 4/2/26 which is still in review. Mr. Curtis testified that a review was completed on 4/7/26 but no response has been received to the comments that were sent to the applicant.

Chelsey Lemke, a principal of the LLC, testified that they are waiting to hear from city staff; they cannot put pavers over a utility easement. Mr. Curtis testified that comments were sent regarding setbacks and the utility easement and waiting for owner response.

Special Magistrate Augello found the property to be in violation of sited code sections. The property must become compliant within 30 days of the date of her order. A status hearing will take place June 8, 2026, if necessary.

D. Case # 20260170 City of St. Pete Beach v. Moraski, Kharisma K
Address: 425 78th Ave St. Pete Beach FL, 33706

Officer Ruckdeschel asked for a continuation of the case until the May 11, 2026 hearing as staff did not have a presentation available.

E. Case # 20260171 City of St. Pete Beach v. JDH Florida Holdings LLC
Address: 9111 Gulf Blvd St Pete Beach FL 33706

Officer Ruckdeschel presented a case summary for the City including violation description, posting, and photos of reviews from Airbnb for short term rentals in March. She included the Airbnb policy. The property can only be rented monthly. The City requested fines and costs. James House, principal of the LLC, appeared and testified that he was unaware of the code; he had removed the listing following the notice.

Special Magistrate Augello found that the property had been in irreparable and irreversible violation of the cited city code and assessed \$1000 per each of the three violations (\$3000) plus administrative costs of \$330 and any recording fees.

F. Case # 20260133 City of St. Pete Beach v. Griffey, Marc & Shannon Revocable Trust
Address: 2101 E Vina Del Mar Blvd, St Pete Beach FL 33706

Officer Rivera presented the case for the City including violation description, posting, and photos of reviews from VRBO for a short-term rental; he included the VRBO review policy, The property can only be rented monthly. The property is currently compliant.

Owner Marc Griffey appeared and testified that he needs to speak to the rental company as all their rentals have been 30 days or more to date. He flew from California for the hearing and requested a continuance for time to confer with their management company. The City had no objection. The Special Magistrate continued the case until May 11, 2026 for status if necessary.

G. Case # 20260125 City of St. Pete Beach v. LVD Homes LLC
Address: 2962 E Vina Del Mar Blvd St Pete Beach, FL 33706

Officer Rivera presented the case for the City including violation description, posting, and photos of reviews from Airbnb for a short-term rental. The property can only be rented monthly and is currently compliant. Code Enforcement spoke to the owner, who agreed to remove the listing. No one was present for the owner.

Special Magistrate Augello found the property had been in irreparable and irreversible violation of the cited city code and assessed a \$1000 fine plus \$330 in administrative costs and any recording fees.

**H. Case # 20260096 City of St Pete Beach v. Crook, Michelle Crook, Jaymie
Address: 4381 Poinsettia Dr St. Pete Beach, FL 33706**

This case was continued to the May 11, 2026 hearing.

**I. Case # 20260046 City of St. Pete Beach v. Pardo, Robert E
Address: 3593 Belle Vista Dr E St. Pete Beach, FL 33706**

Officer Knight presented the case for the City including violation descriptions, inspections, noticing, posting, and photos of fallen fencing, overgrowth, a trailer, a boat, and debris. The City requested fines, costs, and fees.

Owner Robert Pardo appeared and testified to obstacles to repairs; he is waiting for city inspections. He has retained someone to begin work at the property. Mr. Curtis testified that the city does allow temporary living accommodations, such a trailers, post-storm, if properly applied for.

Special Magistrate Augello allowed 21 days to become compliant by clearing the property; the trailer can stay if properly applied for. A status hearing was set for May 11, 2026.

**J. Case # 20260119 City of St. Pete Beach v. Leaf, Ty Jacob
Address: 4111 Miller Dr St. Pete Beach, FL 33706**

Officer Knight presented the case for the City including violation descriptions, inspections, noticing, posting, and photos of overgrown vegetation, building materials, fallen fence, and an unregistered trailer. The property is compliant as of this morning. The Special Magistrate found property was in violation of the cited city codes and imposed administrative costs of \$330.

5. Repeat Violations

**A. Case # 20260047 City of St Pete Beach v. Curtis, Genevieve W
Address: 3307 E De Bazan Ave St Pete Beach, FL 33706**

This case was continued to the May 11, 2026 hearing.

**B. Case # 20260166 City of St Pete Beach v. Jeffrey Myers
Address: 191 73rd Ave St Pete Beach FL 33706**

Officer Ruckdeschel presented the case summary for the City including a description of violations, noticing, and photographs of outdoor debris - a full dumpster, trailer with golfcart, furniture, etc. She referenced Magistrate final orders from January 12, 2022, January 11, 2024, and July 17, 2025. She testified to the property being clear today, but there is a pattern where the items will be moved back out of the garage. The City viewed this as a chronic nuisance and asked for fines, administrative and abatement costs.

Respondent Jeffrey Myers appeared and testified that he is still trying to keep property clean and sell the home. He acknowledged receipt of the chronic nuisance order from July of 2025.

Special Magistrate Augello found the property to be compliant, based upon testimony. As the Chronic Nuisance Order from July 17, 2025 is still in effect, there is no repeat violation; that will be reflected in an order. She allowed the Respondent 15 days to submit a written action plan to the City for the property. An Amended Chronic Nuisance Order will reflect that.

6. Cases Complied - None

7. Nuisance Abatement Cases

A. Case # 20260080 City of St. Pete Beach v. 5411 Pali Way Land Trust and its trustee Christopher Macmillan TRE
Address: 5411 Pali Way St. Pete Beach, FL 33706

Officer Knight presented the case summary for the City including a description of violations, noticing, posting, and a lien recorded in December of 2025. Photographs presented an unsafe structure with a collapsed pool enclosure, cracked windows, collapsed fencing and debris. The City would like to board the structure up due to health and safety hazards. The City requested fines, costs to abate, and fees. No one was present for the Respondent, and no contact was made.

Special Magistrate Augello read the definition of chronic nuisance activity from City Code Ch. 46 into the record. She agreed with it being an unsafe structure but not a chronic nuisance activity per Code. Mr. Curtis testified that he visited the site and there appears there has been no action since the storm and it appears vacant. The Special Magistrate continued the case to the May 11, 2026 hearing for the City to gather more information.

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

Officer Ruckdeschel presented the case summary for the City including a description of violations, noticing, and posting. As this case is in the same situation as previous case, the Special Magistrate continued the case to May 11, 2026 hearing.

8. Lien Reductions

A. Case # 20250711 City of St. Pete Beach v. Doyle, Brendan D Doyle, Kourtney
Address: 107 4th Ave St. Pete Beach, FL 33706

Officer Rivera testified that an individual had been present with a Power of Attorney to represent the Respondent for this case but left. As no one was present, the Special Magistrate denied the Lien Reduction request.

B. Case # 20250712 City of St. Pete Beach v. Team B Equities
Address: 463 85th Ave St. Pete Beach, FL 33706

Officer Ruckdeschel testified that the lien has been paid, so there is no longer a need for a reduction.

9. Next Meeting/Adjournment -

The next hearing will be May 11, 2026. There being no further business, the hearing was adjourned at 12:45 P.M.

Attest:



Renee Rose, City Clerk