

CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING MINUTES

June 8, 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 the dismissal of 5b, Repeat Violation Case #20260160.

3. Cases Continued

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

A. Case # 20260150 City of St. Pete Beach v. JSC Group LLC

Address: 510 79th Ave St. Pete Beach, FL 33706

Status hearing to determine compliance and to assess any authorized fines.

Code Enforcement Officer Ayako Ruckdeschel testified that the Respondent was ordered to apply for a permit by April 24th and secure a permit by June 1st. No permit has been opened to date.

JSC Group Owner Sourabh Arora testified to having submitted forms via email on 4/24/26 and his contractor is working with Same Day Permits company trying to get additional documents submitted.

Building Official Luke Curtis testified that the permit application is still not complete as fees have not been paid; the permit package does not go into review until permit fees are paid. Mr. Arora indicated that he could pay the fees today and hopes his contractors have the submission in order by the end of the week. Ms. Ruckdeschel testified that a title company contacted her and a sale is pending for 7/1/26; the City would like to recover fines and fees.

Special Magistrate Augello found that the property was in violation of stated code section and assessed a \$250 per day fine until compliant plus \$330 in reasonable administrative costs and any recording fees.

B. Case # 20260112 City of St. Pete Beach v. Lemke Ranch LLC

Address: 8840 Gulf Blvd St. Pete Beach, FL 33706

Status hearing to determine compliance and to assess any authorized fines.

Code Enforcement Officer Ruckdeschel testified that the Respondent secured the permit on 4/20/26 and the City was seeking administrative costs only. Respondent Chelsey Lemke had no objection.

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

C. Case # 20250612 City of St. Pete Beach v. H & J Capital LLC

Address: 610 78th Ave St. Pete Beach, FL 33706

Status hearing to determine compliance and to assess any authorized fines.

Officer Ruckdeschel testified that the property is still in disrepair and no contact has been made with the owners as of this morning. No one was present for the Respondent.

Special Magistrate Augello found that the property was in violation of her order and assessed \$250 per day until compliant plus \$330 in administrative costs and any recording fees.

D. Case # 20260129 City of St. Pete Beach v. Care, Tammy Sadlier, Tracy

Address: 618 78th Ave St. Pete Beach, FL 33706

Hearing to determine costs associated with abatement.

Officer Ruckdeschel testified that she spoke with the owner on the property when getting quotes for the necessary fencing. A survey is necessary for the fencing permit, and he may not want to pursue that. The City will proceed with obtaining survey quotes and will need additional time to do so. No one was present for the Respondent.

Special Magistrate Augello continued the case to the July 13, 2026 hearing.

E. Case # 20260046 City of St. Pete Beach v. Pardo, Robert E

Address: 3593 Belle Vista Dr E St. Pete Beach, FL 33706

Status hearing to determine compliance and assess any authorized fines and costs.

Code Enforcement Officer Lucy Knight testified that the property was not in compliance on 5/6/26 but was compliant on her 6/5/26 visit. She provided photos. The City requested fines, costs, and fees.

Respondent Robert Pardo testified as to the reasons he did not meet the ordered deadline of 5/8/26.

Special Magistrate Augello found that the property was in violation of her order but came into compliance on 6/5/26. She assessed a \$100 per day fine from 5/9/26 through 6/5/26 plus \$330 in reasonable administrative costs and any necessary recording fees.

F. Case # 20250220 City of St. Pete Beach v. Starkus, Svajunas

Address: 1104 Pass A Grille Way St. Pete Beach, FL 33706

Status hearing to determine compliance and to assess any authorized fines and costs.

Code Enforcement Officer Steven Rivera asked the Respondent to provide an update on the sale of the property. Svajunas Starkus testified that the 6/1/26 closing had an option to extend for two months, and the buyer requested to do so as the lender asked for an increased down payment.

Special Magistrate Augello continued the case to the 8/10/26 hearing; if not closed by that date, fines may be imposed.

G. Case # 20240563 City of St. Pete Beach v. Dolphin Watch III LLC

Address: 400 71st Ave St. Pete Beach, FL 33706

Status hearing to determine compliance and assess any authorized fines and costs.

Officer Knight called Mr. Curtis to testify; this property is one on the list that estimated storm damages have not yet been rectified; no permit has been issued, and no proof of ‘no damage’ has been received. Either one of those things needs to happen. The City is still awaiting supplemental documents for the after-the-fact permit for non-conditioned space that has been turned into conditioned space.

Special Magistrate Augello found that the property was in violation of the cited code section and the June 7th ordered deadline was not met. She assessed fines of \$250 day from today until compliant plus \$330 in reasonable administrative costs and any related recording fees.

H. 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

Hearing to determine case status update to assess deadlines and a path forward.

Officer Rivera indicated that he spoke with the Respondent who explained that he has a case pending with the Board of Adjustment for 6/29/26. The Respondent’s Attorney Martha Bolton confirmed.

Special Magistrate Augello continued the case until the 8/10/26 hearing.

I. Case # 20260138 City of St. Pete Beach v. Wheeler, Timothy Dudley William J Est

Address: 520 72nd Ave St. Pete Beach, FL 33706

Status hearing to determine compliance and assess any authorized fines and costs.

Officer Knight provided a summary report of the violations including proof of noticing, Zillow rental listing with photographs, and corrective actions. The City recommended fines, costs, and fees.

Mr. Curtis testified that the dwelling was built in 1984, post FIRM, which does not allow habitable living space on the ground floor if it is below base flood elevation. The Pinellas County Property Appraiser indicates the space on the first floor is for a garage and an enclosed porch. He testified the City has no permits for the conversion, construction, or renovation of the first floor into habitable living space.

The Magistrate recessed the hearing at 10:39 and reconvened at 10:43 AM.

Senior Planner Brandon Berry testified that a “dwelling unit” is defined by LDC Section 2.1 and requires that it not have more than one kitchen and must have internal access to all rooms in the unit. He stated, after reviewing the photographs, that the property would exceed density requirements by having two kitchens, therefore not meeting the definition of a single dwelling unit.

Daniel Disbro testified that the owner purchased the property about 20 years ago and the first floor was as it is now, with habitable living space. He has lived in the upstairs unit for 7 years.

Special Magistrate Augello found that the property was in violation of the cited code sections and allowed 30 days to determine if the property has legal non-conforming status or to otherwise bring the property into compliance. A compliance hearing was set for 7/13/26.

J. Case # 20260096 City of St Pete Beach v. Crook, Michelle Crook, Jaymie

Address: 4381 Poinsettia Dr St. Pete Beach, FL 33706

Status hearing to determine compliance and assess any authorized fines and costs.

Officer Knight provided a summary report of the violations including proof of postings, and photographs. The property has been compliant since 5/1/26.

Special Magistrate Augello found that the property had been in violation and assessed \$330 in reasonable administrative costs.

4. New Cases

A. Case # 20260196 City of St. Pete Beach v. Aspen Home Solutions LLC

Address: 3500 Casablanca Ave St. Pete Beach, FL 33706

Sec. 12.2.

Officer Rivera reviewed a presentation that included noticing, posting, and Airbnb reviews. Three stays were permitted; two additional stays were indicated. The Airbnb review policy was reviewed. The property is currently compliant. The City requested fines, costs, and fees.

Attorney Candice Rojas-Colucci appeared on behalf of the respondent and contended the City had failed to meet its burden as it did not present evidence of the check-in or check-out dates of the stays, the specific duration of the stays, or how a 12-month period is calculated to determine the violation. Owner William Dienes testified that he purchased the property about a year ago.

Special Magistrate Augello found that the property was in irreparable and irreversible violation of the cited code sections and the Airbnb policy. She assessed \$1000 for each violation (\$2000) plus reasonable administrative costs and any recording fees.

B. Case # 20250177 City of St. Pete Beach v. Spencer, Chris

Address: 7290 Bay St. St Pete Beach, FL 33706

Sec. 98-123.1.

Officer Ruckdeschel presented a summary report of the violation including posting of notices, photographs of fencing, and a stop work order dated 6/9/25. An after-the-fact permit is required for the fencing. Mr. Curtis testified that no permit was applied for the fence at this property. An after-the-fact permit could likely be reviewed within a week.

Owner Chris Spencer testified that he hired a contractor to apply for the permit for the fence, paid the contractor, and then the contractor left with his money. He also testified that he had permits, and that he thought he had a fence permit for this property but realized it was for another property. Shawn Ross appeared with the Respondent.

Special Magistrate Augello found that the property was in violation of the cited code and allowed 30 days to obtain a permit or take the fence down. A status hearing was set for July 13, 2026.

5. Repeat Violations

A. Case # 20260257 City of St. Pete Beach v. Hurricane Lounge Inc
Address: 809 Gulf Way St. Pete Beach, FL 33706
Sec. 44.5

Officer Rivera reviewed a presentation of the violation that included noticing, posting, photos of lights visible from the beach, and corrective actions. The city recommended fines, costs, and fees.

Respondent Rick Falkenstien of 809 Gulf Way testified that he did not receive copies of the photos and that the lights would not be visible from the level of a turtle. He showed the orange tint he has for the lights. Officer Rivera clarified which lights were visible and will send copies of the photos.

Special Magistrate Augello found that the property was in repeat violation and allowed 30 days to become compliant and set a status hearing for 7/13/26 if necessary.

B. Case # 20260160 City of St Pete Beach v. Johnson, Kathleen M
Address: 620 64th Ave St. Pete Beach, FL 33706
Sec. 46-33; Sec. 98-65; Sec. 98-66; 98-67

Special Magistrate Augello will send an Order of Dismissal at the City's request.

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
Nuisance – City to abate

Officer Knight reviewed a presentation of the chronic nuisance violation that included noticing, posting, and photos showing a fallen pool frame, cracked bay window, numerous broken windows, debris in front yard, fences down, stagnant pool, fallen roofing, and siding off; a pattern of nuisance exits. She referred to Final Administrative Order for Case 20250056 dated 6/10/2025 and a lien recorded 12/9/25. The building has been deemed to be unsafe by the Building Official. The property was declared a chronic nuisance by the City pursuant to Section 46-143 of the City's Code for maintaining a pattern of nuisance activity, specifically for failing to correct code violations on or before the date specified in a notice of violation and by the time ordered by the Special Magistrate. No one was present for the Respondent. The City would like to abate the nuisance. Officer Knight entered estimates into evidence.

Special Magistrate Augello ordered that the City may enter the Respondent's property to abate the chronic nuisance after 14 days. The City must give the Respondent 48 hours' notice that it intends to enter the property. The City may bill the actual reasonable costs of any chronic nuisance services to the property owner as provided in Chapter 46 of the City's Code of Ordinances and any other applicable law. A quote for the abatement services was submitted by the City, which totals

approximately \$20,000.00. The Magistrate's Office will record her order, and the Special Magistrate will retain jurisdiction on the matter for a one year from the date of the order, unless the chronic nuisance activity persists within the year.

C. Case # 20250069 City of St. Pete Beach v. Nguyen Annie, Truong Jimmy
Address: 205 55th Ave St Pete Beach FL 33706
Nuisance – City to abate (DEMO).

Officer Ruckdeschel reviewed a presentation of the chronic nuisance violation that included noticing, posting, and photos of worsening conditions with a stagnant pool, collapsed roof and walls, and debris. The Respondents have failed to bring the property into compliance in accordance with orders dating back to 7/16/25. No action plan has been received from the owner. The property has been determined to be an unsafe structure by the City's Building Official and poses a threat to the health, safety, and welfare of the public. The property was declared a chronic nuisance by the City pursuant to Section 46-143 of the City's Code for maintaining a pattern of nuisance activity, specifically for failing to correct code violations on or before the date specified in a notice of violation and by the time ordered by the Special Magistrate. No one was present for the Respondent.

Special Magistrate Augello ordered that the City may enter the Respondent's property to abate the chronic nuisance after 14 days. The City must give the Respondent 48 hours' notice that it intends to enter the property. The City may bill the actual reasonable costs of any chronic nuisance services to the property owner as provided in Chapter 46 of the City's Code of Ordinances and any other applicable law. A quote for the abatement services was submitted by the City, which totals approximately \$35,000.00. The Magistrate's Office will record her order, and the Special Magistrate will retain jurisdiction of the matter for a one year from the date of the order, unless the chronic nuisance activity persists within the year.

8. Lien Reductions – None.

9. Next Meeting/Adjournment -

The next hearing will be on July 13, 2026. There being no further business, the hearing was adjourned at 11:44 A.M.

Attest:



Renee Rose, City Clerk