



CITY OF ANNA MARIA

P.O. Box 779, 10005 Gulf Drive, Anna Maria, FL 34216

Phone (941) 708-6130 Fax (941) 708-6134

AGENDA CODE ENFORCEMENT HEARING

Special Magistrate: Gerald T. Buhr, P.A.
April 19, 2022
10:00 a.m.

CALL TO ORDER
OPENING COMMENTS
MOMENT OF SILENCE FOLLOWED BY THE PLEDGE OF ALLEGIANCE
SWEARING IN OF ALL PERSONS TESTIFYING OR SPEAKING BEFORE THE BOARD

1. ADDITIONS OR DELETIONS TO AGENDA

2. APPROVE MINUTES

N/A

3. PUBLIC HEARINGS

A. Compliance Cases

Magistrate will hear cases that came into compliance after the April 19, 2022 agenda was posted.

STIPULATION:

4. OLD BUSINESS

5. NEW BUSINESS

A. Case No. 220419-01

Beach to Bay Investments, Inc.
P.O. Box 1182
Holmes Beach, FL 34218-1182

Beach to Bay Investments, Inc.
P.O. Box 499
Anna Maria, FL 34216

Shawn Kaleta
102 48th Street
Holmes Beach, FL 34217

AMI Locals, LLC
P.O. Box 919
Anna Maria, FL 34216

Violation Location: 205 South Bay Boulevard, Anna Maria, FL 34216

Code(s) Violated: **City of Anna Maria Code of Ordinances Chapter 26 – ENVIRONMENT, ARTICLE IV – NOISE, Section 26-90 – Pool, spa, hot tub quiet hours.** Swimming pools, spas and hot tubs may be utilized at any time of day or night; provided, however, no noise shall be generated from such use or related to such use that can be heard beyond the property lines of the property on which the pool, spa or hot tub is located, between

the hours of 10:00 p.m. and 8:00 a.m. the next day. Generation of such noise during such prohibited hours shall be considered to be a violation of pool, spa, hot tub quiet hours.

Description of Violation: Manatee County Sheriff's Office was dispatched to 205 South Bay Boulevard, Anna Maria, Florida on September 5, 2021, January 22, 2022, and March 5, 2022, due to violations of the City of Anna Maria noise ordinance prohibiting generation of loud noise from the pool, spa or hot tub area of the property between the hours of 10:00 p.m. and 8:00 a.m. the next day. The occupant of the property on each occasion was issued a citation.

B. Case No. 220419-02

Mangoes on Magnolia
1211 Elegance Court
Orlando, FL 32828

Mangoes on Magnolia
201 West Thomas Street
Tampa, FL 33604

Mukesh and Rejendra Patel
1211 Elegance Court
Orlando, FL 32828

Hemangini Patel
1203 Shagrock Court
Orlando, FL 32828

Smita Patel
14444 Saint Georges Hill Rd
Orlando, FL 32828

Vacasa, LLC
3004 Avenue C
Holmes Beach, FL 34217

Amanda Davis
3004 Avenue C
Holmes Beach, FL 34217

Violation Location: 313 Magnolia Avenue, Anna Maria, FL 34216

Code(s) Violated: **City of Anna Maria Code of Ordinances Chapter 26 – ENVIRONMENT, ARTICLE IV – NOISE, Section 26-90 – Pool, spa, hot tub quiet hours.** Swimming pools, spas and hot tubs may be utilized at any time of day or night; provided, however, no noise shall be generated from such use or related to such use that can be heard beyond the property lines of the property on which the pool, spa or hot tub is located, between the hours of 10:00 p.m. and 8:00 a.m. the next day. Generation of such noise during such prohibited hours shall be considered to be a violation of pool, spa, hot tub quiet hours.

Description of Violation: Manatee County Sheriff's Office was dispatched to 313 Magnolia Avenue, Anna Maria, Florida on June 5, 2021, August 28, 2021, October 9, 2021, October 22, 2021 and March 16, 2022, due to violations of the City of Anna Maria noise ordinance prohibiting generation of loud noise from the pool, spa or hot tub area of the property between the hours of 10:00 p.m. and 8:00 a.m. the next day. The occupant of the property on each occasion was issued a citation.

C. Case No. 220419-03

Edward Chiles
P.O. Box 1478
Anna Maria, FL 34216

Charles Wolfe
P.O. Box 1478
Anna Maria, FL 34216

W.E.L.D.
P.O. Box 1478
Anna Maria, FL 34216

Violation Location: 9902 Gulf Drive, Anna Maria, FL 34216

Code(s) Violated: **City of Anna Maria Code of Ordinances Chapter 74 – BUILDING AND BUILDING REGULATIONS, ARTICLE XIII – Development Review Procedures, Section 74-351 – Site plan approval required.** "Site plan approval in accordance with this article is required for any proposed use or changes in use of land, buildings, and other structures."

Description of Violation: The use of the parking lot at 9902 Gulf Drive, Anna Maria, Florida was changed from un-paid parking specifically supporting the on-site restaurant and pavilion to Pay-to-Park

use utilizing extensive signage (including signs indicating “All Day Beach Parking” and “Paid Public Parking”) and a kiosk to support such Pay-to Park use without site plan approval as required by the Anna Maria City Code. Such Pay-to-Park use reduced the required parking for the on-site restaurant and pavilion as previously approved through site plan approval of the City and the Pay-to-Park use constitutes a change of use requiring site plan approval.

Code(s) Violated: **City of Anna Maria Code of Ordinances Chapter 98 – SIGNS, ARTICLE II – Permits, Section 98-31 – Permits required.** “Except as otherwise provided in this chapter, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the city, or cause such acts to be done, without first obtaining a sign permit for each such sign from the building official as required by this article.”

Description of Violation: The erection of extensive signage in the parking lot at 9902 Gulf Drive, Anna Maria, Florida which is used in conjunction with the Pay-to-Park operation at that location without obtaining required sign permits from the building official.

6. ADJOURNMENT

If any person desires to appeal any decision of the Code Enforcement Hearing, or of any other Board of the City, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Fla. Stat. §286.0105).

The City of Anna Maria does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or handicapped status in employment or in the provision of services. Handicapped individuals may receive special accommodation in services with a forty-eight hour notice (Fla. Stat. §286.26).

Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact the City Clerk at 941-708-6130, fax 941-708-6134 or e-mail amadmin@cityofannamaria.com or amclerk@cityofannamaria.com

POSTED: April 12, 2022

CANCELLED