

City of Clearwater

*Main Library - Council Chambers
100 N. Osceola Avenue
Clearwater, FL 33755*



Meeting Minutes

Wednesday, February 26, 2025

1:30 PM

Main Library - Council Chambers

Municipal Code Enforcement Board

Roll Call

Present 6 - Board Member David Farrar, Board Member Robert Kenne, Board Member Greg Brown, Board Member C. Daniel Engel, Board Member Pam Ryan-Anderson, and Board Member Raymond Plumb

Also Present – Andy Salzman – Attorney for the Board, Jerrod Simpson – Assistant City Attorney, and Nicole Sprague – Secretary to the Board

1. Call To Order

The Chair called the meeting to order at 1:30 p.m. at the Main Library followed by the Pledge of Allegiance.

2. Approval of Minutes

2.1 Approve the minutes of the December 18, 2024 and January 22, 2025 Municipal Code Enforcement Board meetings as submitted in written summation.

Member Engel moved to approve the minutes of the December 18, 2024 and January 22, 2025 Municipal Code Enforcement Board meetings as submitted in written summation. The motion was duly seconded and carried unanimously.

3. Citizens to be Heard Regarding Items Not on the Agenda: None.

4. New Business Items

4.1 Case 08-25 - Find respondent(s) Clearwater Assets LLC at 1880 N Belcher Rd. in violation of Code for Sign Maintenance; and issue an order with the compliance deadline and fine if compliance is not met. (Burghardt)

No one was present to represent the Respondent

Inspector Burghardt presented a PowerPoint presentation. He said there is peeling paint and rust and mildew on the sign structure. He said as of right now, the rust has been removed from the sign structure, and it is painted, but the sign panel still needs attention. He said the store manager did not know how long the rest of the work would take to complete.

Member Farrar moved to find the Respondent in violation of the City of Clearwater Code as referred to in the affidavit in this case. The motion was duly seconded and carried unanimously.

Member Farrar moved to enter an order requiring the Respondent to correct the violations on or before March 26, 2025. If the Respondent does not comply within the time specified, the Board may order a fine of \$150.00 per day per violation for each day each violation continues

to exist. After 3 months from the recordation date of such lien, if the fines and fees remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.

5. Old Business Items

5.1 Accept the Affidavits of Compliance as listed.

- 5.1.1 Case 30-24 Affidavit of Compliance
Bilgutay, Ilhan
503 N Garden Ave.
Lot Clearing - Kasman
- 5.1.2 Case 85-24 Affidavit of Compliance
Sheila Kilmartin
1430 Wilson Rd.
Exterior Storage - Dixon
- 5.1.3 Case 97-24 Affidavit of Compliance
Byrd J Smith Est
2080 Douglas Ave.
Fences and Exterior Surfaces - Dixon
- 5.1.4 Case 117-24 Affidavit of Compliance
Timothy & Tori Charles
609 Alden Ave.
Exterior Storage and Exterior Surfaces - Kasman
- 5.1.5 Case 139-24 Affidavit of Compliance
David Abbott
305 Pennsylvania Ave.
Lot Clearing - Dixon
- 5.1.6 Case 170-24 Affidavit of Compliance
Frederic Picard
1032 N Missouri Ave.
Lot Clearing - Dixon
- 5.1.7 Case 07-25 Affidavit of Compliance
1200 Edenville Land Trust
1200 Edenville Ave.
Lot Clearing - Mattocks

Member Farrar moved to accept the Affidavits of Compliance as listed. The motion was duly seconded and carried unanimously.

- 5.2** Continued from January 22, 2025 - Case 03-24 - Accept the Affidavit(s) of Non-Compliance for respondent(s) Patricia DePriest at 1631 Tuscola Rd. for Exterior Surfaces. (Jehnzen)

No one was present to represent the Respondent.

Inspector Jehnzen said the property continues to deteriorate. He said the property owner has health issues, and he has had little contact with her.

Member Farrar moved to accept the Affidavit of Non-Compliance and issue an order that states after 3 months from the recordation date of such lien, if the fines and fees remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.

- 5.3** WITHDRAWN - Continued from November 20 and December 18, 2024, and January 22, 2025 - Case 85-24 - Accept the Affidavit(s) of Non-Compliance for respondent(s) Sheila M Kilmartin at 1430 Wilson Rd. for Exterior Storage. (Dixon)

Case 85-24 was withdrawn.

- 5.4** Case 86-24 - Accept the Affidavit(s) of Non-Compliance for respondent(s) Robert Cox at 1204 Claire Dr. for Exterior Surfaces, Abandoned Building, and Roof Maintenance. (Dixon)

No one was present to represent the Respondent.

Inspector Dixon said there has been no change at the property and he has had no contact with the property owners

Member Farrar moved to accept the Affidavit of Non-Compliance and issue an order that states after 3 months from the recordation date of such lien, if the fines and fees remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.

6. Other Board Action

- 6.1** Case 221-19 - Consider request by petitioner(s) Zante of Palm Harbor LLC at 1808 Drew St. to reduce the fine re Business Tax Receipt; and if approved, issue an order that specifies a fine that includes administration costs and establishes a date payable or the lien will revert to its original amount.

Attorney Representative Tony Damianakis and property owner Dennis Kappas were present.

Mr. Damianakis said there was a coffee shop tenant who incurred the violation and never obtained a Business Tax Receipt. He said notice was never received by his client as there was an error on the Pinellas County Property Appraiser website and the mailing address was incorrect. He said the coffee shop was sold and a new tenant moved in and obtained a Business Tax Receipt.

Member Farrar moved to enter an order reducing the amount of the lien for Case 221-19 to administration costs of \$1,187.20, payable within 30 days or the lien will revert to its original amount. The motion was duly seconded and carried unanimously.

- 6.2** Case 125-23 - Consider request by petitioner(s) Oakmont Reserve Properties LLC at 3010 Oakmont Dr. to reduce the fine re Lot Clearing and Public Health, Safety, or Welfare Nuisance; and if approved, issue an order that specifies a fine that includes administration costs and establishes a date payable or the lien will revert to its original amount.

Property representative David Covert was present. He said a contractor and landscaper was supposed to maintain the property. He lives out of state and was unaware of the violations. Once he was aware, he contacted the inspector who worked with him and the violations were corrected. He said the lagoon is being drained for final repairs to be made. He said all vegetation, including the bamboo along the sidewalk, has been cleaned up. In response to questions, Mr. Covert said the property will no longer be used as a rental. Assistant City Attorney Jerrod Simpson said if the property falls into disrepair again, a new case will be opened.

Member Farrar moved to enter an order reducing the amount of the lien for Case 125-23 to administration costs of \$2,747.20, payable within 30 days or the lien will revert to its original amount. The motion was duly seconded and carried unanimously.

7. Nuisance Abatement Lien Filings

- 7.1** Case 17-25 (PNU2025-00047 & PNU2025-00048) - Accept the Nuisance Abatement Lien for respondent(s) Lemuel Smith at 1344 Parkwood St. for Lot Clearing and Inoperable Vehicle; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Dixon)

No one was present to represent the Respondent.

Inspector Dixon provided a PowerPoint presentation. He said there are two inoperable vehicles on the property, a gray and black vehicle has an expired tag and a black vehicle has no tag. There is an accumulation of junk and scrap on the property that appears to be getting cleared out but remains an issue.

Member Farrar moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If the Respondent does not comply within the time specified, the City may take all reasonable actions, including entry onto the property, to abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.

- 7.2** Case 18-25 (PNU2025-00188) - Accept the Nuisance Abatement Lien for respondent(s) Newstep LLC Tre at 929 Bruce Ave. for Lot Clearing; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Kasman)

No one was present to represent the Respondent.

Inspector Kasman provided a PowerPoint presentation. He said the complaint came from a neighbor. He said the property does not appear to have been cleaned up since the hurricanes. There is a dock piling sitting in the driveway. He said he had contact with the property owner who said there is no money to clean up the place.

Member Farrar moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If the Respondent does not comply within the time specified, the City may take all reasonable actions, including entry onto the property, to abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.

- 7.3** WITHDRAWN - Case 19-25 (PNU2025-00174) - Accept the Nuisance Abatement Lien for respondent(s) 1130 Cleveland LLC at 1130 Cleveland St. for Inoperative Vehicle; and issue an order with the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Stephens)

Case 19-25 was withdrawn.

- 7.4** Case 20-25 (PNU2025-00063) - Accept the Nuisance Abatement Lien for respondent(s) DHDD LLC at 131 Devon Dr. for Lot Clearing; and issue an order with

the compliance deadline and authorize the City to mitigate the violation if compliance is not met. (Kasman)

No one was present to represent the Respondent.

Inspector Kasman provided a PowerPoint presentation. He said the house was recently demolished and debris piles of plywood and a silt fence were left behind. He said he spoke to the property owner who said they would get the issues taken care of.

Member Farrar moved to enter an order finding the Respondent in violation of the City of Clearwater Code and requiring the Respondent to correct the violations within five days of the Board's written order. If the Respondent does not comply within the time specified, the City may take all reasonable actions, including entry onto the property, to abate and maintain the nuisance, and charge the Respondent with the reasonable costs which will become a lien on the property. After 3 months from the recordation date of such lien, if the costs remain unpaid, the City Attorney's office is authorized to foreclose, collect or settle such lien using any legal or equitable remedies available under the law. The motion was duly seconded and carried unanimously.

8. Adjourn

The meeting adjourned at 2:10 p.m.

Chair, Municipal Code Enforcement Board

Attest:

Secretary to the Board