

**NOTICE OF HEARING  
MUNICIPAL CODE ENFORCEMENT BOARD  
CITY OF CLEARWATER, FLORIDA  
Case 48-24**

**Certified Mail**  
**March 14, 2024**

Owner: **Nicholas Stewart**  
**1915 Macomber Ave.**  
**Clearwater, FL 33755-1420**

Violation Address: **1915 Macomber Ave.**  
**03-29-15-83970-000-0030**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, April 24, 2024, at 1:30 p.m.** there will be a public hearing before the Municipal Code Enforcement Board in the Council Chambers, Clearwater Main Library at 100 North Osceola Avenue, Clearwater, Florida, concerning violation of Section(s) **3-808, 3-808.A.1, 3-808.A.4, 3-808.A.2, 3-808.A.3, 3-808.A.5, 3-808.A.6, 3-1502.B, 3-1503.A, 3-1503.B.1, 3-1503.B.2, 3-1503.B.3, & 3-1503.B.9** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent you before the Board. If you are absent but represented at the hearing, your representative must present to the Board your letter authorizing your representative to speak on your behalf. You will have the opportunity to present witnesses as well as question witnesses against you prior to the Board making a determination. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violations should you be found to be in violation of the City Code.

The case shall be presented to the Board even if the violations described in the attached Affidavit(s) of Violation are corrected prior to the Board hearing.

Should you be found in violation of the City Code, the Municipal Code Enforcement Board has the power by law to levy fines of up to \$250 a day per violation against you and your property for every day each violation continues beyond the date set for compliance in an Order of the Board.

If you wish to have any witnesses subpoenaed, please contact the Secretary of the Municipal Code Enforcement Board within five (5) days at 727-444-7155. If you have any questions regarding the cited violations or if the violations are corrected prior to the hearing, please contact the Inspector whose name appears on the Affidavit(s) of Violation.

Sincerely,

  
SECRETARY TO THE MUNICIPAL CODE ENFORCEMENT BOARD

The Municipal Code Enforcement Board was created pursuant to General Act 80-300, General Laws of Florida, 1979, and Ordinance 2169-80 of the City of Clearwater.

The City of Clearwater strongly supports and fully complies with the Americans with Disabilities Act (ADA). Please advise us at least 48 hours prior to the hearing if you require special accommodations at 727-562-4090. Assisted Listening Devices are available. **Kindly refrain from private conversations, cellular phone use, etc. that distract meeting participants.**

**Any party may appeal a final order of this Board by filing an appeal with the Circuit Court within 30 days of entry of the order. Appellants need a record of proceedings; a verbatim record of testimony and evidence that is the basis for the appeal may be required. F.S. § 286.0105, CDC Sec 7-104**

**MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA**  
**AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING**

NAME OF VIOLATOR: NICHOLAS J STEWART  
MAILING ADDRESS: 1915 MACOMBER AVE  
CLEARWATER, FL 33755-1420

CITY CASE#: CDC2024-00119

VIOLATION ADDRESS: 1915 MACOMBER AVE  
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 1/23/2024

LEGAL DESCRIPTION OF PROPERTY: SOUTH BINGHAMTON PARK N 50FT OF LOT 3 & N 50FT OF LOT 4

PARCEL #: 03-29-15-83970-000-0030

DATE OF INSPECTION: 3/5/2024 8:54:00 AM

SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE SECTION VIOLATED

3-808 - **\*\*FENCES AND WALLS\*\*** All fences and walls shall be maintained in a structurally sound and aesthetically attractive manner.

3-808.A.1. - **\*\*FENCE SHALL BE MAINTAINED IN VERTICAL POSITION\*\*** A fence or wall shall be maintained in a vertical position and shall not be allowed to sag or lean at more than 10 degrees from vertical.

3-808.A.4. - **\*\*FENCE STRINGERS SHALL BE SECURELY FASTENED\*\*** Each fence stringer shall be securely fastened to the support posts and face of the fence.

3-808.A.2 - **\*\*ROTTEN BOARDS\*\*** Rotten boards in a fence shall be replaced.

3-808.A.3. - **\*\*SUPPORT POST OR FOOTER SOLIDLY ATTACHED TO GROUND\*\*** Each support post or footer shall be solidly attached to the ground.

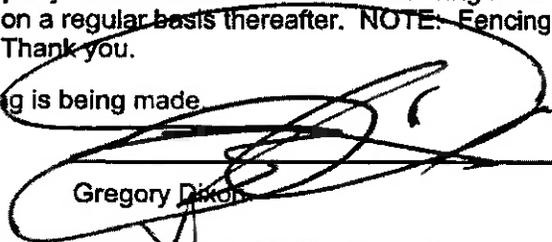
3-808.A.5. - **\*\*FENCE FACE SHALL BE SECURELY FASTENED\*\*** Each fence face shall be securely fastened to the support post and fence stringers.

3-808.A.6. - **\*\*FENCES SHALL BE MAINTAINED FOR UNIFORM APPEARANCE\*\*** All fence or wall surfaces shall be painted, stained, treated or otherwise maintained so as to present a uniform appearance.

SPECIFICALLY,

During a recent inspection, the above listed condition(s) existed at this property, and must be addressed in accordance with property maintenance ordinances. Fencing needs to be repaired to code, and maintained on a regular basis thereafter. NOTE: Fencing can also be removed to achieve compliance. Thank you.

A violation exists and a request for hearing is being made

  
Gregory Dixon

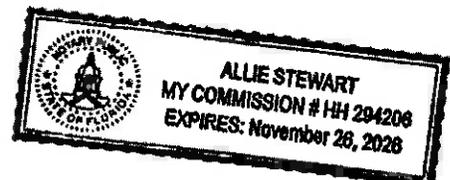
SWORN AND SUBSCRIBED before me by means of  physical presence or  online notarization on this 6th day of March, 2024, by Gregory Dixon.

STATE OF FLORIDA  
COUNTY OF PINELLAS

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

  
Allie Stewart  
Type of Identification



(Notary Signature)  
Allie Stewart

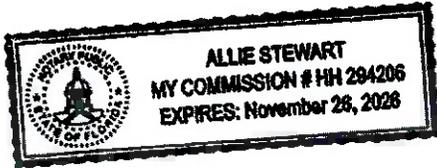
Name of Notary (typed, printed, stamped)

FILED THIS 6 DAY OF March, 2024

MCEB CASE NO. 48.24

Wesley Sprague

Secretary, Municipal Code Enforcement Board



**MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA**  
**AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING**

NAME OF VIOLATOR: NICHOLAS J STEWART  
MAILING ADDRESS: 1915 MACOMBER AVE  
CLEARWATER, FL 33755-1420

CITY CASE#: CDC2024-00120

VIOLATION ADDRESS: 1915 MACOMBER AVE  
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 1/23/2024

LEGAL DESCRIPTION OF PROPERTY: SOUTH BINGHAMTON PARK N 50FT OF LOT 3 & N 50FT OF LOT 4

PARCEL #: 03-29-15-83970-000-0030

DATE OF INSPECTION: 3/5/2024 8:48:00 AM

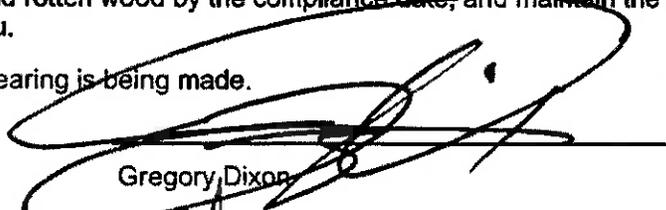
SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE  
SECTION VIOLATED

3-1502.B. - **\*\*EXTERIOR SURFACES\*\*** All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. Exterior surfaces shall be free of mildew; rust; loose material including peeling paint; and patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to material, color, bond and joining. All exterior surfaces other than decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained in accord with manufacturer's specifications and otherwise treated in a consistent manner.

SPECIFICALLY,

During a recent inspection, the above listed condition(s) existed at this property, and must be addressed in accordance with property maintenance ordinances. To avoid further action and/or fines, please address any visible mildew and/or dirt, peeling or failing paint and/or damaged exterior surfaces and rotten wood by the compliance date, and maintain the property on a regular basis. Thank you.

A violation exists and a request for hearing is being made.

  
Gregory Dixon

SWORN AND SUBSCRIBED before me by means of  physical presence or  online notarization on this 6th day of March, 2024, by Gregory Dixon.

STATE OF FLORIDA  
COUNTY OF PINELLAS

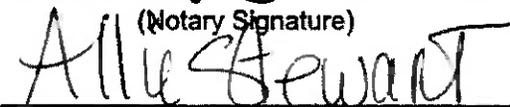
PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION



\_\_\_\_\_  
Type of Identification

(Notary Signature)



\_\_\_\_\_  
Name of Notary (typed, printed, stamped)



FILED THIS 6 DAY OF March, 2024

MCEB CASE NO. 48-24

Wendee Sprague

Secretary, Municipal Code Enforcement Board



**MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA**  
**AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING**

NAME OF VIOLATOR: NICHOLAS J STEWART  
MAILING ADDRESS: 1915 MACOMBER AVE  
CLEARWATER, FL 33755-1420

CITY CASE#: PNU2024-00075

VIOLATION ADDRESS: 1915 MACOMBER AVE  
CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 1/23/2024

LEGAL DESCRIPTION OF PROPERTY: SOUTH BINGHAMTON PARK N 50FT OF LOT 3 & N 50FT OF LOT 4

PARCEL #: 03-29-15-83970-000-0030

DATE OF INSPECTION: 3/5/2024 8:35:00 AM

SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE SECTION VIOLATED

3-1503.A. - **\*\*NUISANCE\*\*** No person owning, leasing, operating, occupying or having control of any premises within the City shall maintain, keep or permit any nuisance (as defined in Section 8-102.) affecting the citizens of the City.

3-1503.B.1. - **\*\*PUBLIC NUISANCE CONDITION\*\*** A condition or use that exists on this property causes a substantial diminution of value of property in the vicinity of this condition or use and is considered a public nuisance.

3-1503.B.2. - **\*\*ABANDONED BUILDINGS\*\*** Buildings which are abandoned, boarded up, partially destroyed, or left for a period of six (6) months in a state of partial construction are declared to be a public nuisance.

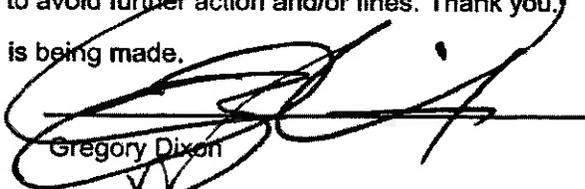
3-1503.B.3. - **\*\*ATTRACTIVE NUISANCE\*\*** Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.

3-1503.B.9. - **\*\*Other Nuisance Condition\*\*** Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.

SPECIFICALLY,

During a recent inspection, the above listed conditions existed at this property and must be addressed in accordance with the property maintenance ordinances. The building and or structure on your property shows signs of being deserted by the owner and is not being maintained. Evidence of desertion and lack of maintenance shall include, but not be limited to: unaddressed code violation; lack of required building permits or certificate of occupancy; lack of business tax receipt; and lack of active utilities. Please bring property into compliance AND have current utilities turned on and the property occupied, OR have the property sold, OR demolished by the compliance date to avoid further action and/or fines. Thank you.

A violation exists and a request for hearing is being made.

  
Gregory Dixon

SWORN AND SUBSCRIBED before me by means of  physical presence or  online notarization on this 6th day of March, 2024, by Gregory Dixon.

STATE OF FLORIDA  
COUNTY OF PINELLAS

PERSONALLY KNOWN TO ME

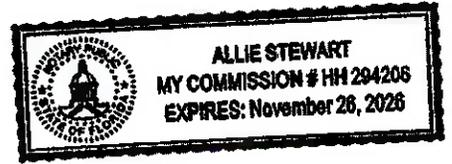
PRODUCED AS IDENTIFICATION

Allie Stewart Type of Identification

(Notary Signature)

Allie Stewart

Name of Notary (typed, printed, stamped)



FILED THIS 6 DAY OF March, 2024

MCEB CASE NO. 48-24

Wendee Sprague  
Secretary, Municipal Code Enforcement Board



# CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4720 FAX (727) 562-4735

## Notice of Violation

NICHOLAS J STEWART  
1915 MACOMBER AVE  
CLEARWATER, FL 33755-1420

PNU2024-00075

ADDRESS OR LOCATION OF VIOLATION: **1915 MACOMBER AVE**

LEGAL DESCRIPTION: SOUTH BINGHAMTON PARK N 50FT OF LOT 3 & N 50FT  
OF LOT 4

DATE OF INSPECTION: 1/23/2024

PARCEL: 03-29-15-83970-000-0030

### Section of City Code Violated:

3-1503.A. - **\*\*NUISANCE\*\*** No person owning, leasing, operating, occupying or having control of any premises within the City shall maintain, keep or permit any nuisance (as defined in Section 8-102.) affecting the citizens of the City.

3-1503.B.1. - **\*\*PUBLIC NUISANCE CONDITION\*\*** A condition or use that exists on this property causes a substantial diminution of value of property in the vicinity of this condition or use and is considered a public nuisance.

3-1503.B.2. - **\*\*ABANDONED BUILDINGS\*\*** Buildings which are abandoned, boarded up, partially destroyed, or left for a period of six (6) months in a state of partial construction are declared to be a public nuisance.

3-1503.B.3. - **\*\*ATTRACTIVE NUISANCE\*\*** Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.

3-1503.B.9. - **\*\*Other Nuisance Condition\*\*** Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.

Specifically: During a recent inspection, the above listed conditions existed at this property and must be addressed in accordance with the property maintenance ordinances. The building and or structure on your property shows signs of being deserted by the owner and is not being maintained. Evidence of desertion and lack of maintenance shall include, but not be limited to: unaddressed code violation; lack of required building permits or certificate of occupancy; lack of business tax receipt; and lack of active utilities. Please bring property into compliance AND have current utilities turned on and the property occupied, OR have the property sold, OR demolished by the compliance date to avoid further action and/or fines. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 2/23/2024. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.

NOV\_PropOwn



# CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT  
POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748  
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756  
TELEPHONE (727) 562-4720 FAX (727) 562-4735

## Notice of Violation

NICHOLAS J STEWART  
1915 MACOMBER AVE  
CLEARWATER, FL 33755-1420

CDC2024-00119

ADDRESS OR LOCATION OF VIOLATION: **1915 MACOMBER AVE**

LEGAL DESCRIPTION: SOUTH BINGHAMTON PARK N 50FT OF LOT 3 & N 50FT  
OF LOT 4

DATE OF INSPECTION: 1/23/2024

PARCEL: 03-29-15-83970-000-0030

### Section of City Code Violated:

3-808 - **\*\*FENCES AND WALLS\*\*** All fences and walls shall be maintained in a structurally sound and aesthetically attractive manner.

3-808.A.1. - **\*\*FENCE SHALL BE MAINTAINED IN VERTICAL POSITION\*\*** A fence or wall shall be maintained in a vertical position and shall not be allowed to sag or lean at more than 10 degrees from vertical.

3-808.A.4. - **\*\*FENCE STRINGERS SHALL BE SECURELY FASTENED\*\*** Each fence stringer shall be securely fastened to the support posts and face of the fence.

3-808.A.2 - **\*\*ROTTEN BOARDS\*\*** Rotten boards in a fence shall be replaced.

3-808.A.3. - **\*\*SUPPORT POST OR FOOTER SOLIDLY ATTACHED TO GROUND\*\*** Each support post or footer shall be solidly attached to the ground.

3-808.A.5. - **\*\*FENCE FACE SHALL BE SECURELY FASTENED\*\*** Each fence face shall be securely fastened to the support post and fence stringers.

3-808.A.6. - **\*\*FENCES SHALL BE MAINTAINED FOR UNIFORM APPEARANCE\*\*** All fence or wall surfaces shall be painted, stained, treated or otherwise maintained so as to present a uniform appearance.

Specifically: During a recent inspection, the above listed condition(s) existed at this property, and must be addressed in accordance with property maintenance ordinances. Fencing needs to be repaired to code, and maintained on a regular basis thereafter. NOTE: Fencing can also be removed to achieve compliance. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 2/23/2024, FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.



# CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT  
POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748  
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756  
TELEPHONE (727) 562-4720 FAX (727) 562-4735

## Notice of Violation

NICHOLAS J STEWART  
1915 MACOMBER AVE  
CLEARWATER, FL 33755-1420

CDC2024-00120

ADDRESS OR LOCATION OF VIOLATION: **1915 MACOMBER AVE**

LEGAL DESCRIPTION: SOUTH BINGHAMTON PARK N 50FT OF LOT 3 & N 50FT  
OF LOT 4

DATE OF INSPECTION: 1/23/2024

PARCEL: 03-29-15-83970-000-0030

### Section of City Code Violated:

**3-1502.B. - \*\*EXTERIOR SURFACES\*\*** All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. Exterior surfaces shall be free of mildew; rust; loose material including peeling paint; and patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to material, color, bond and joining. All exterior surfaces other than decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained in accord with manufacturer's specifications and otherwise treated in a consistent manner.

Specifically: During a recent inspection, the above listed condition(s) existed at this property, and must be addressed in accordance with property maintenance ordinances. To avoid further action and/or fines, please address any visible mildew and/or dirt, peeling or failing paint and/or damaged exterior surfaces and rotten wood by the compliance date, and maintain the property on a regular basis. Thank you.

**THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 2/23/2024. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.**

Gregory Dixon Code Inspector  
727-444-8717  
gregory.dixon@myclearwater.com

Date Printed: 1/23/2024

NOV\_PropOwn

## Section 3-1503. - Nuisances.

- A. No person owning, leasing, operating, occupying or having control of any premises within the city shall maintain, keep or permit any nuisance affecting the citizens of the city.
- B. The existence of any of the following specific conditions or conduct is hereby declared to constitute a public nuisance:
1. A condition or use that causes a substantial diminution of value of property in the vicinity of the condition or use.
  2. Buildings which are abandoned, boarded up for a period of six months, partially destroyed for any period of time, or left for a period of three months in a state of partial construction, provided that any unfinished building or structure which has been under construction six months or more shall be deemed and presumed to have been left for an unreasonably long period of time in the sense of this subsection.
  3. Any attractive nuisance dangerous to children in the form of abandoned or broken equipment, accessible artificial bodies of water, excavations, or neglected machinery.
  4. Overt blocking of drainage pipes, ditches, channels, and streams, so as to cause flooding and adversely affect surrounding property.
  5. Accumulation and placement of nuisances.
    - a. Any accumulation of weeds, debris, trash, garden trash, junk, untended growth of vegetation, or undergrowth of dead or living vegetation or hazardous swimming pools, or hazardous trees upon any private property, or on any public property without authorization to the extent and manner that such property contains or is likely to contain rodents, reptiles or other vermin, or furnishes a breeding place for flies, mosquitoes, or wood-destroying insects, or otherwise threatens the public health, safety or welfare.
    - b. The placement of trash, debris or other items on public property without authorization.
  6. Except as provided in section 3-1506, the outdoor storage of all or part of any dismantled, partially dismantled, inoperative or discarded vehicle, recreational vehicle, machinery, appliance, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, bicycle, or scrap metal, on any public or private property, or of any abandoned vehicle, recreational vehicle, farm equipment, aircraft, boat, personal watercraft, trailer, truck, or motorcycle on any private property, within the city limits. This provision shall not apply to any vehicle, recreational vehicle, machinery, farm equipment, aircraft, construction equipment, boat, personal watercraft, trailer, truck, motorcycle, or bicycle which is located on the premises of a lawfully established storage yard or which is on the premises of a lawfully established vehicle service establishment and is in the process of repair or maintenance by that establishment.

7. Excessive growth or accumulation of weeds, grass, undergrowth or other similar plant materials, reaching a height of more than 12 inches, or the accumulation of debris upon property within the City of Clearwater.
8. The lack of maintenance by a property owner of property abutting any dedicated right-of-way in the city in a condition such that weeds or trash are found in and on the right-of-way or such that the weeds, shrubs, vegetation, trash, or any other accumulation extend over the sidewalk, bicycle path, curblin or edge of pavement of an improved right-of-way or private accessway or roadway by more than four inches.
9. Any other condition or use that constitutes a nuisance to the public, generally, which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety and welfare of the citizens of the city.
10. The lack of maintenance by a property owner abutting any dedicated right-of-way or easement in the city where a height clearance of less than eight feet from the sidewalk pavement measured vertically from the pavement surface is maintained, unless an exception has been granted by the urban forester.
11. Any shopping carts, as defined in Florida Statutes Section 506.502(10), as amended from time to time, or parts of such carts, which are abandoned on public property including but not limited to streets, sidewalks, public rights-of-way, bus stops, municipal parking lots, parks, and similar places owned, leased, or operated by any public body, or are abandoned on private property where said carts or parts thereof are visible from public property may be removed by the city manager or designee. Such shopping carts or parts thereof shall be impounded and stored by the city at an appropriate location. Whenever the city shall impound a shopping cart of [or] part thereof containing identification of ownership or right to possession, a notice shall be sent by ordinary mail to such person advising that the shopping cart of [or] part thereof may be redeemed within thirty days upon payment of costs for removal and storage. Any shopping cart or part thereof so held shall be returned to its owner or person having right of possession upon proof of ownership or right to possession and payment of costs for removal and storage. If not claimed, a shopping cart or part thereof may be sold, destroyed, or otherwise disposed of by the city 31 days following impoundment. This section shall not be applicable to:
  - a. Shopping carts or parts thereof which are located on private property and are completely enclosed within a building where they are not visible from public property;
  - b. Shopping carts which are stored in a lawful manner on public or private property owned or leased by a retail business in connection with which the shopping carts are authorized to be used;
  - c.

Shopping carts or parts thereof which are stored in a lawful manner on private property in connection with the business of a licensed dismantler or junk dealer when such storage is necessary to the operation of a lawfully conducted business.

12. *Newsracks and vending machines.* Any newsrack on public property not in compliance with the provisions of section 3-909, other than subsection 3-909(A)(5), or any newsrack or vending machine installed, used or maintained at a location which constitutes an imminent danger or safety hazard to pedestrians or vehicles or otherwise unreasonably interferes with the safe use of any public right-of-way.
13. *Seawalls.* Any seawall in a condition where the structural integrity is not maintained.
14. *Graffiti.* Graffiti on any wall, post, column, or other building or structure, or to a tree, or other exterior surface, publicly or privately owned, within the City of Clearwater.

C. Violations of this Section may be enforced by action before the municipal code enforcement board as "nuisance cases" or "non-nuisance cases" pursuant to the corresponding procedures set forth in Section 7-102, or by citation pursuant to Code of Ordinances Section 1.12.

(Ord. No. 6417-99, § 9, 8-19-99; Ord. No. 6526-00, § 1, 6-15-00; Ord. No. 6573-00, § 2, 8-3-00; Ord. No. 6928-02, §§ 76—79, 5-2-02; Ord. No. 7449-05, §§ 21—23, 12-15-05; Ord. No. 7605-06, § 27, 4-20-06; Ord. No. 8211-10, § 12, 10-5-10)

**Section 3-808. - Maintenance of fences and walls.**

- A. All fences and walls constructed pursuant to this division shall be maintained in a structurally sound and aesthetically attractive manner. Specifically:
1. A fence or wall shall be maintained in a vertical position, and shall not be allowed to sag or lean at more than ten degrees from vertical, unless the fence or wall is specifically designed and permitted to be maintained at such an angle.
  2. Rotten boards in a fence shall be replaced.
  3. Each support post or footer shall be solidly attached to the ground.
  4. Each fence stringer shall be securely fastened to the support posts and face of the fence.
  5. Each fence shall be securely fastened to the support post and fence stringers.
  6. All fence or wall surfaces shall be painted, stained, treated or otherwise maintained so as to present a uniform appearance; however, this section is not intended to prohibit the maintenance of fences in which a deteriorated section of the fence is replaced with new material which will take some time to "age" or "weather" to replicate the appearance of the original fence.
- B. Fence boards may be replaced on any nonconforming fence provided the posts are not replaced.

(Ord. No. 6526-00, § 1, 6-15-00)

## Section 3-1502. - Property maintenance requirements.

- A. *Minimum building and fire code requirements.* All buildings shall be maintained in accordance with the Florida Building Code, the Florida Fire Prevention Code, and the International Property Maintenance Code.
- B. *Exterior surfaces.* All building walls shall be maintained in a secure and attractive manner. All defective structural and decorative elements of any building wall shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building. All exterior surfaces shall be free of:
1. Mildew;
  2. Rust;
  3. Loose material, including peeling paint; and
  4. Patching, painting or resurfacing shall be accomplished to match the existing or adjacent surfaces as to materials, color, bond and joining.

All cornices, trim and window frames that are damaged, sagging or otherwise deteriorated shall be repaired or replaced to be made structurally sound. All exterior surfaces other than decay-resistant wood and other weather durable finishes, shall be protected from the elements by paint or other protective covering applied and maintained according to manufacturer's specifications and otherwise treated in a consistent manner.

C. *Door and window openings.*

1. All windows and doors shall be secured in a tight fitting and weatherproof manner and have sashes of proper size and design.
2. Sashes with rotten wood, broken joints or deteriorated mullions or muntins must be repaired or replaced.
3. Windows shall be maintained in an unbroken, and clean state. No windows shall be permanently removed and enclosed, covered or boarded up unless treated as an integral part of the building façade using wall materials and window detailing comparable with any upper floors and the building façade in general. All damaged or broken windows shall be promptly restored, repaired or replaced. All awnings, screens or canopies facing or visible from the public right-of-way or any other parcel shall be maintained in a good and attractive condition and torn, loose and/or bleached awnings, screens or canopies shall be promptly replaced, repaired or removed.
4. Doors and windows not facing the public right-of-way and upper level window and door openings fronting a public right-of-way shall be similarly maintained and repaired as the doors and windows facing the public right-of-way, except that such doors and windows may

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

**AFFIDAVIT OF POSTING**

City Case Number: PNU2024-00075

Site of Violation: 1915 MACOMBER AVE

RECEIVED

JAN 23 2024

CITY CLERK DEPARTMENT

1. Gregory Dixon, being first duly sworn, deposes and says:
2. That I am a Code Inspector employed by the City of Clearwater.
3. That on the 23rd day of January, 2024, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1915 MACOMBER AVE, Clearwater, Florida.



Gregory Dixon Code Inspector  
727-444-8717  
gregory.dixon@myclearwater.com

STATE OF FLORIDA  
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of  physical presence or  online notarization on this 23rd day of January, 2024, by Gregory Dixon.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

Allie Stewart \_\_\_\_\_  
Type of Identification

(Notary Signature)

Allie Stewart

Name of Notary (typed, printed, stamped)



MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

**AFFIDAVIT OF POSTING**

City Case Number: CDC2024-00119

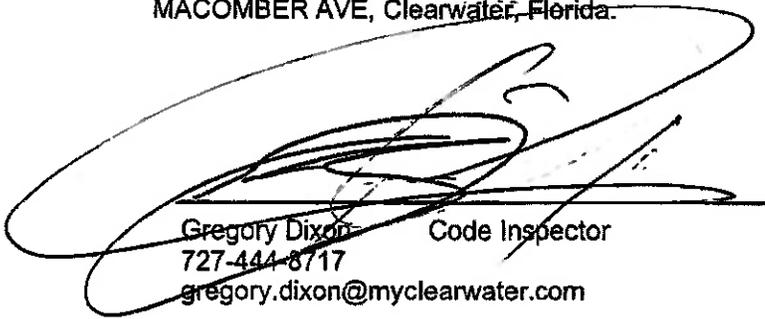
Site of Violation: 1915 MACOMBER AVE

RECEIVED

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CITY CLERK DEPARTMENT



Gregory Dixon Code Inspector  
727-444-8717  
gregory.dixon@myclearwater.com

STATE OF FLORIDA  
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of  physical presence or  online notarization on this 23rd day of January, 2024, by Gregory Dixon.

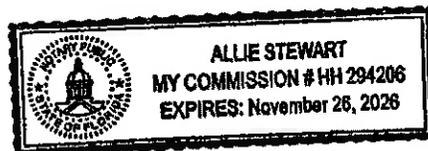
PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

Allie Stewart \_\_\_\_\_  
Type of Identification

(Notary Signature)

Allie Stewart  
Name of Notary (typed, printed, stamped)



MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

**AFFIDAVIT OF POSTING**

City Case Number: CDC2024-00120

Site of Violation: 1915 MACOMBER AVE

RECEIVED

JAN 23 2024

- 1. Gregory Dixon, being first duly sworn, deposes and says:
- 2. That I am a Code Inspector employed by the City of Clearwater. CITY CLERK DEPARTMENT
- 3. That on the 23rd day of January, 2024, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1915 MACOMBER AVE, Clearwater, Florida.

  
 \_\_\_\_\_  
 Gregory Dixon Code Inspector  
 727-444-8717  
 gregory.dixon@myclearwater.com

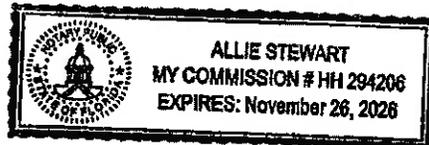
STATE OF FLORIDA  
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of X physical presence or \_\_\_\_\_ online notarization on this 23rd day of January, 2024, by Gregory Dixon.

- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION

Allie Stewart \_\_\_\_\_  
 (Notary Signature) Type of Identification

Allie Stewart  
 Name of Notary (typed, printed, stamped)





**Parcel Summary (as of 06-Mar-2024)**

Parcel Number

**03-29-15-83970-000-0030**

Owner Name

STEWART, NICHOLAS J

Property Use

0110 Single Family Home

Site Address

1915 MACOMBER AVE  
CLEARWATER, FL 33755

Mailing Address

1915 MACOMBER AVE  
CLEARWATER, FL 33755-1420

Legal Description

SOUTH BINGHAMTON PARK N 50FT OF LOT 3 & N  
50FT OF LOT 4

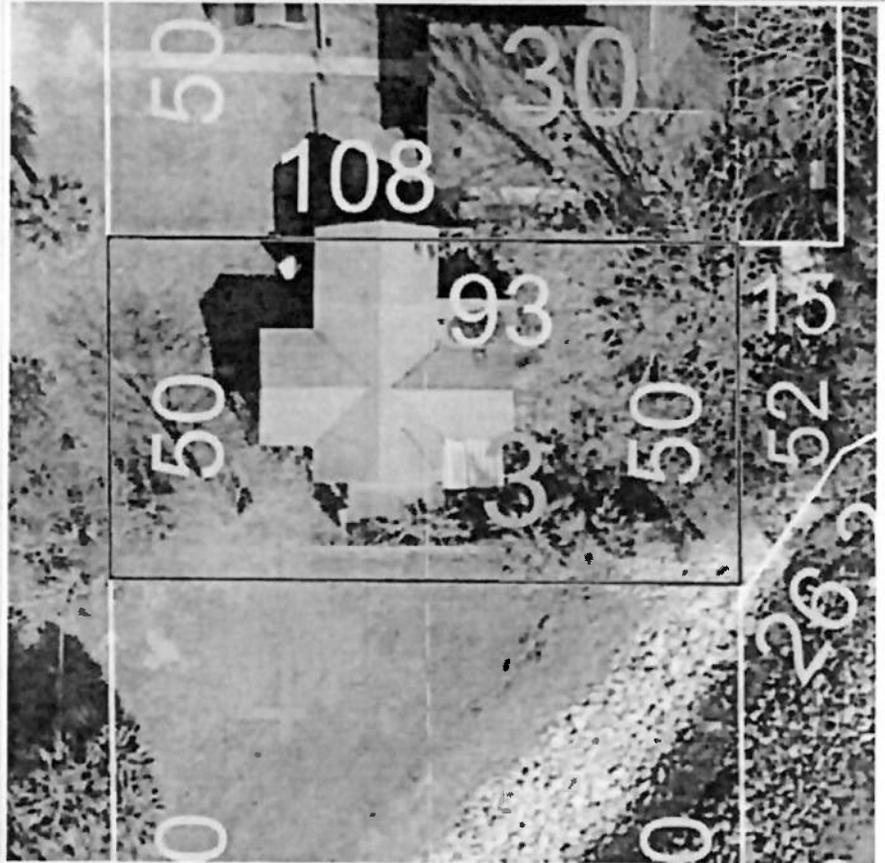
Current Tax District

CLEARWATER (CW)

Year Built

1932

**Parcel Map**



Living SF	Gross SF	Living Units	Buildings
610	986	1	1

**Exemptions**

Year	Homestead	Use %	Status	Property Exemptions & Classifications
2025	No	0%		No Property Exemptions or Classifications found. Please note that Ownership Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc... will not display here).
2024	No	0%		
2023	No	0%		

**Miscellaneous Parcel Info**

Last Recorded Deed	Sales Comparison	Census Tract	Evacuation Zone	Flood Zone	Elevation Certificate	Zoning	Plat Bk/Pg
18144/1954	\$128,700	121030263001	C	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	12/81

**2023 Final Values**

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$109,499	\$109,499	\$109,499	\$109,499	\$109,499

**Value History (yellow indicates corrected value)**

Year	Homestead Exemption	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	N	\$109,377	\$109,377	\$109,377	\$109,377	\$109,377
2021	Y	\$71,931	\$30,986	\$5,486	\$5,486	\$5,486
2020	Y	\$61,858	\$30,558	\$5,058	\$5,058	\$5,058
2019	Y	\$63,752	\$29,871	\$4,371	\$4,371	\$4,371
2018	Y	\$64,473	\$29,314	\$3,814	\$3,814	\$3,814