

City of Clearwater

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



Meeting Minutes

Wednesday, March 26, 2025

1:30 PM

Main Library - Council Chambers

Municipal Code Enforcement Board

Roll Call

Present 7 - Board Member David Farrar, Board Member Dean Strickland, 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 February 26, 2025 Municipal Code Enforcement Board meeting as submitted in written summation

Member Engel moved to approve the minutes of the February 26, 2025 Municipal Code Enforcement Board as submitted in written summation. The motion was duly seconded and carried unanimously.

3. Citizens to be Heard Regarding Items Not on the Agenda

Code Compliance Supervisor Sarah Green introduced the new Code Enforcement Inspector Jerrid Daniels.

4. New Business Items

4.1 Case 09-25 - Find respondent(s) Tanner Tillung at 1233 Sedeeva Cir S. in violation of Code for Fences and Walls, Residential Rental Business Tax Receipt, and Lot Clearing; and issue an order with the compliance deadline and fine if compliance is not met. (Dixon)

No one was present to represent the Respondent.

Inspector Dixon provided a PowerPoint presentation. He said a tree is pushing over the fence in the back corner of the property and the yard is growing into the neighboring property. He said the house is renter occupied. The grass has been cut, and one fence panel has been picked up but the violations still exist. In response to a question, he said he has had no contact with the property owner.

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 May 1, 2025. If the Respondent does not comply within the time specified, the Board may order a fine of \$150.00 per day for the fence violation and \$50.00 per day for the Residential Rental Business Tax Receipt 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.

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 cost 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.

- 4.2 WITHDRAWN - Case 10-25 - Find respondent(s) FOG C P LLC at 1237 S Missouri Ave. in violation of Code for Temporary Signage; and issue an order with the compliance deadline and fine if compliance is not met. (Burghardt)**

Case 10-25 was withdrawn.

- 4.3 Case 11-25 - Find respondent(s) Riti Investments LLC at 1915 Drew St. in violation of Code for Sign Maintenance; and issue an order with the compliance deadline and fine if compliance is not met. (Burgardt)**

No one was present to represent the Respondent.

Inspector Burghardt provided a PowerPoint presentation. He said there is a free-standing sign pole beam that had rust and was bent and the sign cabinet has missing panels. He said he has had contact with the property owner. A sign permit application was submitted 3 days ago.

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 April 26, 2025. If the Respondent does not comply within the time specified, the Board may order a fine of \$150.00 per day for the fence violation and \$50.00 per day for the

Residential Rental Business Tax Receipt fore 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.

- 4.4 Case 12-25 - Find respondent(s) Thomas Rizkovsky at 1384 Seabreeze St. in violation of Code for Grass Parking and Lot Clearing; and issue an order with the compliance deadline and fine if compliance is not met. (Jehnzen)**

No one was present to represent the Respondent.

Inspector Jehnzen provided a PowerPoint presentation. He said an RV is parked in the grass on the property and is sitting partially on the neighbor's yard. Accumulation of junk and debris has been an issue at this property for a couple of years. After the Notice of Violation was given, the property owner placed rail road ties and potted plants behind the RV to try to block the view of it from the street. The owner bungy strapped a black tarp to the bottom portion of the RV to hide the tires and brought in concrete air conditioner pads to park the RV on. He said he has been in contact with property owner several times.

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 April 9, 2025. If the Respondent does not comply within the time specified, the Board may order a fine of \$150.00 per day 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.

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 cost 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.

- 4.5** Case 13-25 - Find respondent(s) Iris Valentin at 1446 Thames Ln. in violation of Code for Short Term Rental; and issue an order with the compliance deadline and fine if compliance is not met. (Green)

Property owner Iris Valentin was present and admitted to the violation.

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.

Code Compliance Supervisor Sarah Green provided a PowerPoint presentation. She said the online listing shows a minimum of a two night stay.

Ms. Valentin said she has not been in town due to a death in the family and said she didn't see any of the violation notifications. She said she checked the website that morning and it was set for a 31-night minimum. She said she is planning on moving back into the house in May.

Member Farrar moved to enter an order requiring the Respondent to correct the violations on or before April 26, 2025. If the Respondent does not comply within the time specified, the Board may order a fine of \$150.00 per day 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. The motion was duly seconded and carried by the following vote:

Ayes: 5 - Board Member Farrar, Board Member Strickland, Board Member Kenne, Board Member Brown and Board Member Plumb

Nays: 2 - Board Member Engel and Board Member Anderson

- 4.6** Case 14-25 - Find respondent(s) Minh Van Le and Thuy Truong at 1563 Misty Plateau Trl in violation of Code for Short Term Rental; and issue an order with the compliance deadline and fine if compliance is not met. (Green)

No one was present to represent the Respondent.

Code Compliance Supervisor Sarah Green said the property came into compliance prior to the meeting.

Member Farrar moved to find the Respondent was in violation of the City of Clearwater Code as referred to in the affidavit in this case, the violation was corrected prior to today's hearing, and to enter an order

that no fine be imposed against the Respondent. If the Respondent repeats the violation, the Board may order a fine of up to \$500 for each day the violation continues to exist. The motion was duly seconded and carried unanimously.

- 4.7** WITHDRAWN - Case 15-25 - Find respondent(s) Ideal Natural Dental Holdings at 1825 Sunset Pointy Rd. in violation of Code for Landscaping; and issue an order with the compliance deadline and fine if compliance is not met. (Robicheau)

Case 15-25 was withdrawn.

- 4.8** Case 16-25 - Find respondent(s) Christine Dorcelus at 214 Highland Ave. in violation of Code for Fences and Walls; and issue an order with the compliance deadline and fine if compliance is not met. (Stephens)

No one was present to represent the Respondent.

Inspector Stephens provided a PowerPoint presentation. He said a fence was knocked down by hurricanes and the panels are laying in the yard. He said he has had no contact with the property owner.

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 April 26, 2025. If the Respondent does not comply within the time specified, the Board may order a fine of \$150.00 per day 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 70-23 Affidavit of Compliance
Ayad Elayyan
1383 Gulf to Bay Blvd.
Graffiti - Stephens

5.1.2 Case 85-24 Affidavit of Compliance
Sheila Kilmartin
1430 Wilson Rd.
Exterior Storage - Dixon

- 5.1.3 Case 08-25 Affidavit of Compliance
Clearwater Assets LLC
1880 N Belcher Rd.
Sign Maintenance - Burghardt

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

- 5.2 WITHDRAWN - Case 122-24 - Accept the Affidavit(s) of Non-Compliance for respondent(s) Boris Zeller at 305 Baker Ave. for Short Term Rental and Residential Rental Business Tax Receipt. (Green)

Case 122-24 was withdrawn.

- 5.3 Case 150-24 - Accept the Affidavit(s) of Non-Compliance for respondent(s) Carucci Development LLC at 51 Verbena St. for Abandoned Building. (Kasman)

No one was present to represent the Respondent.

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 56-24 - Consider request by petitioner(s) Clearwater Res Trust, Ficken, James R Tre at 1608 N Osceola Ave. to reduce the fine re Abandoned Building, Roof Maintenance, and Exterior Surfaces; 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 owner James Ficken was present and said he finally got the job done and is requesting a reduction in fines.

Code Compliance Manager Rebecca Mulder said an inspector went out to the property and it now meets minimum compliance standards.

Attorney for the Board Andy Salzman said the administrative costs are \$1,456.20.

Mr. Ficken requested 60 days to pay.

Member Farrar moved to enter an order reducing the amount of the lien for Case 56-24 to administrative costs of \$1,456.20, payable within 60

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 28-25 (PNU2025-00184) - Accept the Nuisance Abatement Lien for respondent(s) Floretta Jefferson Est at 1325 Woodbine St. for Lot Clearing; 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 the property is vacant and he thinks a neighbor may be cutting down the front yard. The backyard has grass as tall as the chain link fence and needs to be cut.

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 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 2:17 p.m.

Chair, Municipal Code Enforcement Board

Attest:

Secretary to the Board