

**NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 06-24**

Certified Mail
March 14, 2024

Owner: **Mesa Verde Assets LLC**
5001 Plaza on the Lk Ste 200
Austin, TX 78746-1053

Violation Address: **18 S Jupiter Ave., Clearwater**
14-29-15-82368-001-0050

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 your ongoing violation of Section(s) **3-1503.B.2, 3-1503.A, 3-1503.B.1, 3-1503.B.3, and 3-1503.B.9** of the Clearwater City Code. You previously were found to have violated the Clearwater City Code and, to date, you have failed to correct the violation(s) within the time set for compliance by Order of the Municipal Code Enforcement Board. (See attached Affidavit of Non-Compliance)

You may 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.

The case shall be presented to the Board even if the violation(s) described in the Affidavit of Non-Compliance is/are corrected prior to the Board hearing.

If the Municipal Code Enforcement Board finds you did not correct the violation(s) by the date set for compliance in the Board's Order, the Board has the power by law to levy fines against you and your property for each day each violation continues beyond the compliance date and may do so at the hearing.

If you wish to have witnesses subpoenaed, please contact the Secretary of the Municipal Code Enforcement Board within five (5) days at (727) 562-4097. If you have any questions regarding the cited violation or if the violation is corrected prior to the hearing, please contact the Inspector whose name appears on the Affidavit of Non-Compliance.

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 NON - COMPLIANCE

City of Clearwater, Florida

MCEB Case Number: 06-24

Petitioner

City Case Number: PNU2023-00170

vs.

MESA VERDE ASSETS, LLC
5001 PLAZA ON THE LAKE SUITE
200
AUSTIN, TX 78746

RECEIVED

MAR 05 2024

Respondent

CITY CLERK DEPARTMENT

Re: 18 S JUPITER AVE 1

I, John Stephens, have personally examined the property described in the Municipal Code Enforcement Board Order dated January 24, 2024 in the above mentioned case, and find that as of November 2, 2023 said property is NOT in compliance with

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.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.

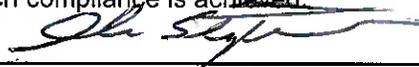
3-1503.B.1. - ****PUBLIC NUISANCE CONDITION**** A condition or use that exists on this property causes a substantial diminution of value of property in the vicinity of this condition or use and is considered a public nuisance.

3-1503.B.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.

Abandoned building means a building or structure that is deserted by the owner and left unsecured or that is not maintained. Evidence of desertion and lack of maintenance shall include, but not be limited to: unaddressed code violations; lack of required building permits or certificate of occupancy; lack of business tax receipt; and lack of active utilities.

This shall result in a fine to run daily until the violator notifies the Code Compliance Division. After notification from the violator, the inspector will complete an inspection to determine compliance and the fine shall cease upon the date of the inspection in which compliance is achieved.



John Stephens

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 4th day of March, 2024, by John Stephens.



MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF NON - COMPLIANCE

MCEB Case Number: 06-24

City Case Number: PNU2023-00170

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

 Type of Identification

Allie Stewart

(Notary Signature)

Allie Stewart

Name of Notary (typed, printed, stamped)

