

NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 28-23

Certified Mail
July 14, 2023

Owner: Lowell Kelly
1445 Cleveland St.
Clearwater, FL 33755-5235

Violation Address: 1445 Cleveland St.
14-29-15-47016-002-0100

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, August 23, 2023, 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) **3-1502.G.2** 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)

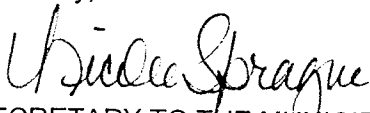
You may appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent you before the 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

RECEIVED

City of Clearwater, Florida

CITY CLERK DEPARTMENT

MCEB Case Number: 28-23

Petitioner

City Case Number: CDC2023-00006

vs.

LOWELL KELLY
1445 CLEVELAND ST
CLEARWATER, FL 33755-5235

Respondent

Re: 1445 CLEVELAND ST

I, John Stephens, have personally examined the property described in the Municipal Code Enforcement Board Order dated May 24, 2023 in the above mentioned case, and find that as of June 30, 2023 said property is NOT in compliance with

3-1502.G.2. - **Exterior Storage/Not For Use Outdoors** Equipment, materials or furnishings not designed for use outdoors, such as automobile parts and tires, building materials and interior furniture, may not be stored outdoors.

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

John Stephens

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 5th day of July, 2023, by John Stephens.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

Type of Identification

Allie Stewart

Allie Stewart

(Notary Signature)

Name of Notary (typed, printed, stamped)

