

NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 86-23

Certified Mail
August 17, 2023

Owner: Circle K Stores Inc
Attn: Real Estate Dept
PO Box 52085 DC-17
Phoenix, AZ 85072-2085

Violation Address: 1501 Gulf to Bay Blvd., Clearwater
14-29-15-22770-000-0010

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, September 27, 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 violation of Section(s) **3-1804, 3-1804.M, and 3-1806.A** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

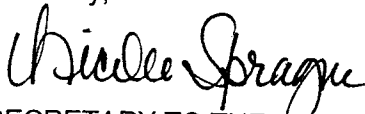
You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent 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 727-562-4097. 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

City Case Number: BIZ2023-00449

NAME OF VIOLATOR: CIRCLE K STORES INC
MAILING ADDRESS: ATTN: REAL ESTATE DEPT
PO BOX 52085 DC-17
PHOENIX, AZ 85072-2085

VIOLATION ADDRESS: 1501 GULF TO BAY BLVD

LEGAL DESCRIPTION OF PROPERTY: See "Exhibit "A", Pinellas County Property Records Printout, attached, for legal description

PARCEL #: 14-29-15-22770-000-0010

DATE OF INSPECTION: 5/25/2023 2:32:00 PM

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

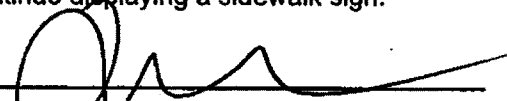
3-1804. - **PROHIBITED SIGNAGE** Signage exists which is prohibited by the Sign Code.

3-1804.M. - **SIGNAGE ON PUBLIC PROPERTY OR THE RIGHT-OF-WAY** Signs located on or inside street rights of way or publicly-owned property or easements are prohibited.

3-1806.A. - **Temporary Sign Criteria & Limitations Table** Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b.

Permit information:

a. A permit shall be obtained on a yearly basis. Sidewalk sign permits expire on September 30th of each year and shall be renewed yearly to continue displaying a sidewalk sign.


Stefan Burghardt

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 1st day of August, 2023, by Stefan Burghardt.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION


(Notary Signature)

Type of Identification





Name of Notary (typed, printed, stamped)

FILED THIS 16th DAY OF August, 2023

MCEB CASE NO.

86-23

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

CIRCLE K STORES INC
ATTN: REAL ESTATE DEPT
PO BOX 52085 DC-17
PHOENIX, AZ 85072-2085

BIZ2023-00449

ADDRESS OR LOCATION OF VIOLATION: **1501 GULF TO BAY BLVD**

LEGAL DESCRIPTION: DRUID HILLS LOTS 1, 2, 4 & 18 LESS T/A IN NW COR OF LOT 1 FOR RD R/W

DATE OF INSPECTION: 5/25/2023

PARCEL: 14-29-15-22770-000-0010

Section of City Code Violated:

3-1804. - ****PROHIBITED SIGNAGE**** Signage exists which is prohibited by the Sign Code.

3-1804.M. - ****SIGNAGE ON PUBLIC PROPERTY OR THE RIGHT-OF-WAY**** Signs located on or inside street rights of way or publicly-owned property or easements are prohibited.

3-1806.A. - ****Temporary Sign Criteria & Limitations Table**** Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b.
Permit information:

a. A permit shall be obtained on a yearly basis. Sidewalk sign permits expire on September 30th of each year and shall be renewed yearly to continue displaying a sidewalk sign.

Specifically: Temporary signs are allowed to be erected at a property as long as they follow all the guidelines presented in Table 3-1806.1b. At a non-residential property no more than 2 commercial temporary signs which are no greater than 16 square feet in total sign face area and no closer than 5 feet away from any property line, along with all other ordinances on Table 3-1806.1b. are allowed to be erected at the property. At the property there are more than the allowed two signs erected, some of which are closer than the 5 feet away from property lines or in the public right-of-way. Some of the signs are attached to light poles, near the gas pumps and erected in the ground. To avoid fines starting at \$143.00 or having this case brought in front of the Municipal Code Enforcement Board please meet compliance by the compliance date. Please contact me with any questions. Thank you.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 6/30/2023. 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.

Stefan Burghardt Code Inspector
727-562-4730
stefan.burghardt@myclearwater.com

Date Printed: 5/26/2023

NOV_PropOwn

Section 3-1804. - Prohibited signs.

The following types of signs are prohibited:

- A. Feather/flutter signs; wind-activated signs; air-dancer signs; sky-dancer signs.
- B. Bench signs.
- C. Billboards.
- D. Discontinued signs. A discontinued sign and/or sign structure which is determined to be nonconforming with the provisions of this Division 18 shall not be required to be removed if it is brought into conformity with the provisions of this Division 18 within three months after receipt of notification, or refusal to accept delivery of notification by certified mail that removal is required upon failure to bring the structure into conformity.
- E. Electronic changeable message signs unless otherwise allowed herein or those that are existing, legally nonconforming message signs. Legally nonconforming message signs shall only be either those that have general messages that change no more frequently than once every one hour and meet the requirements of this Division 18, or they are signs that only display a change in time and/or temperature no more frequently than once every minute, as necessary to correctly reflect accurate information and not be misleading.
- F. Reserved.
- G. Pavement markings, except street addresses.
- H. Portable signs.
 - I. Roof and above roof signs.
 - J. Sidewalk signs, except as provided herein.
- K. Signs attached to or painted on piers or seawalls, other than official regulatory or warning signs.
- L. Signs in or upon any river, bay, lake, or other body of water.
- M. Permanent signs located on publicly-owned land or easements or inside street rights-of-way. This prohibition does not apply to government signs or transit shelter signage authorized by law.
- N. Signs that emit sound, vapor, smoke, odor, particles, or gaseous matter.
- O. Signs that have unshielded illuminating devices or which reflect lighting onto public rights-of-way thereby creating a potential traffic or pedestrian hazard.
- P. Signs that move, revolve, twirl, rotate, flash, scintillate, blink, flutter, or appear to display motion in any way whatsoever, including animated signs, multi-prism signs, tri-vision signs, floodlights and beacon lights (except when beacon lights are required by the Federal Aviation

Agency or other governmental agency for a public purpose involving public safety), unless otherwise expressly allowed by another provision within this Division 18.

- Q. Signs that obstruct, conceal, hide, or otherwise obscure from view any traffic control device sign or official traffic signal.
- R. Signs that present a potential traffic or pedestrian hazard, including signs which obstruct visibility.
- S. Signs attached to or placed on any tree or other vegetation.
- T. Signs carried, waved or otherwise displayed by persons either on public rights-of-way or in a manner visible from public rights-of-way. This provision is directed toward such displays intended to draw attention for a commercial purpose, and is not intended to limit the display of placards, banners, flags or other signage by persons participating in demonstrations, political rallies and similar events.
- U. Snipe signs.
- V. Three-dimensional objects that are used as signs.
- W. Vehicle signs, and portable trailer signs.
- X. Any permanent sign that is not specifically described or enumerated as permitted within the specific zoning district classifications in this Community Development Code.

(Ord. No. 8343-12, § 2(Exh. 1), 8-16-12; Ord. No. 9029-17, § 2(Exh. A), 7-20-17)

Section 3-1806. - Temporary signs.

- A. Within its zoning districts and subject to any applicable provisions with Section 3-1806, general provisions for signs, the city shall allow temporary signs that meet the criteria and limitations set forth in Table 3-1806.1a and Table 3-1806.1b, shown below.
- B. A temporary sign displayed on a window surface must be displayed on the inside of the window surface, shall cover no more than 25 percent of the aggregate window surface area, and shall not be illuminated. This temporary sign allowance shall be reduced by any window surface area already covered by signage allowed in Section 3-1805.O.

TABLE 3-1806.1a. CRITERIA AND LIMITATIONS FOR SIDEWALK SIGNS

Location	In front of primary retail and restaurants within the linear footage of the storefront. Also in the immediate vicinity of parking garages/lots and valet stands. ¹
Maximum Number of Signs	1 per business
Maximum Width	2 feet
Maximum Height	3½ feet
Maximum Distance from Building Wall (as measured at the nearest point of sidewalk sign)	2 feet, except 5 feet in the Cleveland Street Café District in the Downtown zoning District and 2 feet from the entryway of a parking garage/lot and valet stands.
Maximum Width of Public Sidewalk that the Sign May Obstruct	4 foot clear path on the sidewalk shall be maintained
Duration Allowed	Only during hours while business or valet service is operating
Allowed on Public Property and Right-of-Way	Yes
Allowed in a Sight Visibility Triangle	No

Design Criteria	Restricted ²
Permit Required	Yes ³

- ¹ Properties adjacent to a public construction project scheduled to last 180 days may also erect sidewalk signs in compliance with the following:
- a. No more than two sidewalk signs per parcels.
 - b. Parcels with multiple businesses shall coordinate copy on the signs.
 - c. Sign size is limited to 4 feet in height and 8 square feet in area.
 - d. Signs must be constructed in a professional and workmanlike manner from treated wood or other durable material. Sign copy shall not be spray painted onto the signs.
 - e. No sidewalk sign shall block any public right-of-way, shall maintain a 4 foot clear path and shall not be located within the visibility triangle of intersections or driveways.
 - f. Sidewalk signs shall be removed within 7 days after City's final acceptance of the improvements or completion of the public project.

² Design criteria.

- a. All sidewalk sign frames shall:
 - i. Be made of durable wood, plastic, or metal only and shall present a finished appearance, and the color of such frames shall be limited to metallic silver/grey, black, white or stained wood.
 - ii. Support only black or green colored chalk boards, black, wet marker boards or professional design advertisement/posters made of durable material with clear, non-glare protective covering.
- b. Sidewalk signs shall not be illuminated or incorporate fluorescent colors.
- c. Sidewalk signs shall not be attached to any structure, pole, object, building, or other sign or contain moving parts or have balloons, streamers, pennants or similar adornment attached.
- d. Only wind signs may be allowed to have wheels.
- e. Flexibility with regard to sign style and size may be considered, provided the sign is designed as part of the architectural theme of the property and/or use using similar and coordinated design features, materials, and colors.

³ Permit information.

- a. A permit shall be obtained on a yearly basis. Sidewalk sign permits expire on September 30th of each year and shall be renewed yearly to continue displaying a sidewalk sign.
- b. A sketch, photo or drawing of the proposed sidewalk sign, along with the required fee, shall be submitted and approved prior to the placement of the sidewalk sign.
- c. If proposed to be placed in a public right-of-way, evidence of general liability insurance in the amount of \$1,000,000.00 in a form acceptable to the city, with the city named as additional insured shall also be provided.

TABLE 3-1806.1b. CRITERIA AND LIMITATIONS FOR ALL OTHER TEMPORARY SIGNS IN ALL ZONING DISTRICTS

CRITERIA	Residential Zoning Districts	Non-Residential Zoning Districts
Maximum number of temporary signs per parcel ¹	8	4
Maximum sign size (area) for a temporary sign ²	4 sq. ft.	16 sq. ft.
Maximum sign height for a temporary freestanding sign ³	6 ft.	6 ft.
Maximum sign height for a temporary attached sign (inclusive of a window sign)	15 ft.	15 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from any property line ⁴	5 ft.	5 ft.
Minimum sign setback required to be maintained by a temporary freestanding sign from the edge of any paved street or road	5 ft.	5 ft.

Minimum radial spacing that is required to be maintained by a temporary freestanding sign from any other temporary freestanding sign ⁵	15 ft.	15 ft.
Maximum aggregate surface area allocated for all temporary signs on a parcel ⁶	64 sq. ft.	128 sq. ft.
Whether temporary sign is allowed on public property or public right-of-way	No	No
Whether temporary sign is allowed within a sight visibility triangle	No	No
Whether direct illumination of surface of a temporary sign is allowed	No	No
Whether fluorescent color on a temporary sign is allowed	No	No
Duration allowed after event ends	3 calendar days	3 calendar days

- 1 The number of temporary commercial signs per parcel shall be no more than two signs; however, no more than one temporary commercial sign per parcel may be a banner sign and a temporary commercial banner sign is limited to a maximum duration of display of no more than 30 days per calendar year per parcel.
- 2 The square footage limitation is per side for a back-to-back sign. For example, a four square foot limitation means that there is a limit of four square feet of surface area per side of a back-to-back sign, and an aggregate limit of eight square feet is allowed if the sign is a back-to-back temporary sign.
- 3 Not applicable to signs displayed on flagpoles.
- 4 Minimum sign setbacks do not apply to attached signs. Except as set forth in Section 3-1806 for sidewalk signs as allowed herein and for valet stands as allowed herein, all temporary signs are prohibited on public property and from public rights-of-way.
- 5 Not applicable to signs displayed on flagpoles.

- ⁶ There is no limit to the number of separate messages that may appear on the allowable surface(s) of any temporary sign. The maximum aggregate surface area allowed is subject to circumstances that may reduce the maximum aggregate surface area allowable on some parcels.

(Ord. No. 9029-17, § 2(Exh. A), 7-20-17; Ord. No. 9643-23, § 11, 4-4-23)

Editor's note— Ord. No. 9029-17, § 2(Exh. A), adopted July 20, 2017, repealed the former § 3-1806, and enacted a new § 3-1806 as set out herein. The former § 3-1806 pertained to general standards and derived from Ord. No. 8343-12, § 2(Exh. 1), adopted Aug. 16, 2012; Ord. No. 8402-13, § 1, adopted June 6, 2013.

[Interactive Map of this parcel](#)

[Sales Query](#)

[Back to Query Results](#)

[New Search](#)

[Tax Collector Home Page](#)

[Contact Us](#)

14-29-15-22770-000-0010

Compact Property Record Card

Tax Estimator

Updated August 3, 2023

[Email](#) [Print](#)

[Radius Search](#)

[FEMA/WLM](#)

Ownership/Mailing Address Change Mailing Address	Site Address
CIRCLE K STORES INC ATTN: REAL ESTATE DEPT PO BOX 52085 DC-17 PHOENIX AZ 85072-2085	1501 GULF TO BAY BLVD CLEARWATER



Property Use: 1122 (Convenience Store)

Current Tax District: CLEARWATER (CW)

Total Heated SF: 2,448 Total Gross SF: 2,748

[\[click here to hide\]](#) Legal Description

DRUID HILLS LOTS 1, 2, 4 & 18 LESS T/A IN NW COR OF LOT 1 FOR RD R/W

File for Homestead Exemption			2023 Parcel Use	
Exemption	2023	2024		
Homestead:	No	No	Homestead Use Percentage: 0.00%	
Government:	No	No	Non-Homestead Use Percentage: 100.00%	
Institutional:	No	No	Classified Agricultural: No	
Historic:	No	No		

Parcel Information Latest Notice of Proposed Property Taxes (TRIM Notice)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone <small>(NOT the same as a FEMA Flood Zone)</small>	Flood Zone <small>(NOT the same as your evacuation zone)</small>	Plat Book/Page
15534/2487	Sales Query	121030265012	NON EVAC	Current FEMA Maps	10-52

2023 Preliminary Value Information

Year	Just/Market Value	Assessed Value / Non-HX Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$815,000	\$815,000	\$815,000	\$815,000	\$815,000

[\[click here to hide\]](#) Value History as Certified (yellow indicates correction on file)

Year	Homestead Exemption	Just/Market Value	Assessed Value	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	No	\$795,000	\$795,000	\$795,000	\$795,000	\$795,000
2021	No	\$780,000	\$780,000	\$780,000	\$780,000	\$780,000
2020	No	\$750,000	\$750,000	\$750,000	\$750,000	\$750,000
2019	No	\$730,000	\$730,000	\$730,000	\$730,000	\$730,000
2018	No	\$715,000	\$715,000	\$715,000	\$715,000	\$715,000
2017	No	\$690,000	\$690,000	\$690,000	\$690,000	\$690,000
2016	No	\$670,000	\$670,000	\$670,000	\$670,000	\$670,000
2015	No	\$640,000	\$640,000	\$640,000	\$640,000	\$640,000
2014	No	\$598,000	\$598,000	\$598,000	\$598,000	\$598,000
2013	No	\$566,000	\$566,000	\$566,000	\$566,000	\$566,000
2012	No	\$560,000	\$560,000	\$560,000	\$560,000	\$560,000
2011	No	\$562,000	\$562,000	\$562,000	\$562,000	\$562,000
2010	No	\$607,500	\$607,500	\$607,500	\$607,500	\$607,500
2009	No	\$689,000	\$689,000	\$689,000	\$689,000	\$689,000
2008	No	\$711,700	\$711,700	\$711,700	\$711,700	\$711,700
2007	No	\$727,900	\$727,900	\$727,900	N/A	\$727,900
2006	No	\$754,400	\$754,400	\$754,400	N/A	\$754,400
2005	No	\$621,100	\$621,100	\$621,100	N/A	\$621,100
2004	No	\$590,700	\$590,700	\$590,700	N/A	\$590,700
2003	No	\$546,000	\$546,000	\$546,000	N/A	\$546,000
2002	No	\$373,300	\$373,300	\$373,300	N/A	\$373,300
2001	No	\$367,100	\$367,100	\$367,100	N/A	\$367,100
2000	No	\$362,100	\$362,100	\$362,100	N/A	\$362,100
1999	No	\$359,500	\$359,500	\$359,500	N/A	\$359,500
1998	No	\$340,100	\$340,100	\$340,100	N/A	\$340,100
1997	No	\$312,100	\$312,100	\$312,100	N/A	\$312,100
1996	No	\$312,800	\$312,800	\$312,800	N/A	\$312,800

2022 Tax Information

2022 Tax Bill	Tax District: CW
2022 Final Millage Rate	19.3921
Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of	

Ranked Sales (Only are Ranked Sales) See all transactions

Sale Date	Book/Page	Price	Q/U	V/I
15 Dec 2006	15534 / 2487	\$1,300,000	U	I
24 Dec 1998	10351 / 2053	\$603,200	U	I
11 Oct 1989	07106 / 2389	\$1,489,091	U	I

RE: 1501 Golf to Bay Road Clearwater, FL

SENDER: COMPLETE THIS SECTION

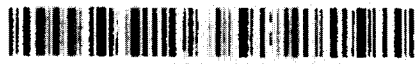
- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Handwritten Signature] Agent
 Addressee
 B. Received by (Printed Name) [Handwritten Name] C. Date of Delivery JUN 18 2015

Address different from item 1? Yes
 or delivery address below: No

CIRCLE K STORES INC
 ATTN: REAL ESTATE DEPT
 PO BOX 52085 DC-17
 PHOENIX AZ 85072-2085



9590 9402 5668 9308 1340 29

2. Article Number (Transfer from service label)

7019 2970 0001 6082 6626

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - First-Class® Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery