

NOTICE OF HEARING
MUNICIPAL CODE ENFORCEMENT BOARD
CITY OF CLEARWATER, FLORIDA
Case 124-24

Certified Mail
August 16, 2024

Owner: **Ferman of Countryside LLC**
1306 W Kennedy Blvd.
Tampa, FL 33606-1849

Violation Address: **24825 US Highway 19 N., Clearwater**
32-28-16-46279-001-0010

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, September 25, 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) **3-1804, 3-1804.J, and 3-1804.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 727-444-7155. 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

City Case Number: BIZ2024-00403

NAME OF VIOLATOR: FERMAN OF COUNTRYSIDE LLC
MAILING ADDRESS: 1306 W KENNEDY BLVD
TAMPA, FL 33606-1849

VIOLATION ADDRESS: 24825 US HIGHWAY 19

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

PARCEL #: 32-28-16-46279-001-0010

DATE OF INSPECTION: 5/31/2024 10:37:00 AM

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.J. - **SIDEWALK SIGNS** Sidewalk Signs, Except Permitted in Section 3-1807.B.4.
- 3-1804.A. - **Feather/flutter signs; Wind-activated signs; Air-dancer signs; Sky-dancer signs.



Stefan Burghardt

STATE OF FLORIDA
COUNTY OF PINELLAS

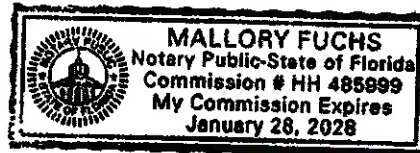
SWORN AND SUBSCRIBED before me by means of X physical presence or _____ online notarization on this 6th day of August, 2024, by Stefan Burghardt.

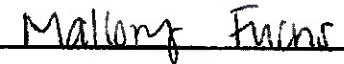
- PERSONALLY KNOWN TO ME
- PRODUCED AS IDENTIFICATION

Type of Identification



(Notary Signature)





Name of Notary (typed, printed, stamped)

FILED THIS 6 DAY OF August, 2024

MCEB CASE NO. 124-24



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

FERMAN OF COUNTRYSIDE LLC
1306 W KENNEDY BLVD
TAMPA, FL 33606-1849

BIZ2024-00403

ADDRESS OR LOCATION OF VIOLATION: **24825 US HIGHWAY 19**

LEGAL DESCRIPTION: KEN MARKS FORD BLK A, LOT 1 & KEN MARKS FORD
FIRST ADD, LOT 1

DATE OF INSPECTION: 5/31/2024

PARCEL: 32-28-16-46279-001-0010

Section of City Code Violated:

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

3-1804.J. - ****SIDEWALK SIGNS**** Sidewalk Signs, Except Permitted in Section 3-1807.B.4.

3-1804.A. - ****Feather/flutter signs; Wind-activated signs; Air-dancer signs; Sky-dancer signs.**

Specifically: Primary retail businesses, restaurants and parking lots/garages are allowed to erect one sidewalk sign out front of their places of business if all of the criteria can be abided by. Some of these limitations and criteria are: The sidewalk sign must have an annual permit and must be erected no farther than 2 feet away from the building wall it is advertising for and be permitted. At the property, there is a sidewalk sign erected, advertising for FERMAN FORD that doesn't have a permit and is located more than the allowed 2 feet from the business wall. Compliance can be met by abiding by all the criteria or by removing the sidewalk sign from the property and refrain from re-erecting one until a permit is obtained and all the criteria and limitations can be abided by.

Feather signs and portable signs are prohibited styles of signage and shall not be allowed to be erected anywhere within the city limits of Clearwater. At the property, FERMAN FORD has erected multiple feather signs. Whether or not they are erected on private or public property, the sign style itself is prohibited and shall not be erected. Compliance can be met by removing all prohibited style signage from the property and refrain from re-erecting any prohibited style signs at the property in the future.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 6/27/2024. 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.

Stefan Burghardt Code Inspector
727-444-8722
stefan.burghardt@myclearwater.com

Date Printed: 6/13/2024

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.

Re: 24825 US 79

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.

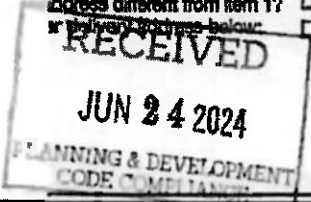
COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
 X *M. Puno*

B. Received by (Printed Name) *M. Puno*

C. Date of Delivery *6/20/24*

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



FERMAN OF COUNTRYSIDE LLC
 1306 W KENNEDY BLVD
 TAMPA, FL 33606-1849

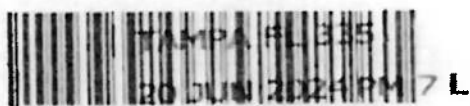


3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Mail Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery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

2. Article Number (Transfer from service label)
 7019 2970 0001 6189 8769

PS Form 3811, July 2015 PSN 7530-02-000-9083 *B. 2024-00403* Domestic Return Receipt

USPS TRACKING#



9590 9402 5667 9308 6029 32



First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

United States Postal Service

* Sender: Please print your name, address, and ZIP+4® in this box.*
CITY OF CLEARWATER
CODE COMPLIANCE
POST OFFICE BOX 4748
CLEARWATER, FL 33758-4748
 INITIALS: STB





Parcel Summary (as of 06-Aug-2024) | **Parcel Map**

Parcel Number [Map Image](#)

32-28-16-46279-001-0010

Owner Name
FERMAN OF COUNTRYSIDE LLC

Property Use
2742 Automobile, Motorcycle, Farm Machinery,
Tractor Trailer Dealership

Site Address
24825 US HIGHWAY 19 N
CLEARWATER, FL 33763

Mailing Address
1306 W KENNEDY BLVD
TAMPA, FL 33606-1849

Legal Description
KEN MARKS FORD BLK A, LOT 1 & KEN MARKS
FORD FIRST ADD, LOT 1

Current Tax District
CLEARWATER (CW)

Year Built
1984 | 1984 | 1990 | 1990

Heated SF	Gross SF	Living Units	Buildings
30,986	50,279	0	4

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
18501/2230		<u>268.13</u>	<u>NON EVAC</u>	<u>Current FEMA Maps</u>	<u>Check for EC</u>	Zoning Map	74/16

2024 Preliminary Values

Year	Just/Market Value	Assessed Value/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2024	\$5,490,000	\$4,750,088	\$4,750,088	\$5,490,000	\$4,750,088

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
2023	N	\$5,665,000	\$5,665,000	\$5,665,000	\$5,665,000	\$5,665,000
2022	N	\$5,355,000	\$5,355,000	\$5,355,000	\$5,355,000	\$5,355,000
2021	N	\$5,135,000	\$5,135,000	\$5,135,000	\$5,135,000	\$5,135,000
2020	N	\$4,915,000	\$4,915,000	\$4,915,000	\$4,915,000	\$4,915,000
2019	N	\$4,810,000	\$4,810,000	\$4,810,000	\$4,810,000	\$4,810,000