

**NOTICE OF HEARING  
MUNICIPAL CODE ENFORCEMENT BOARD  
CITY OF CLEARWATER, FLORIDA  
Case 46-24**

**Certified Mail**  
**July 19, 2024**

Owner: **Clearwater Town Center LLC**  
**214 Coe Rd.**  
**Belleair, FL 33756-1916**

Violation Address: **511 S Ft. Harrison Ave., Clearwater**  
**16-29-15-94626-002-0040**

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday, August 28, 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) **3-808, 3-808.A.1, 3-808.A.4, 3-808.A.2, 3-808.A.3, 3-808.A.5, and 3-808.A.6** 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

JUL 02 2024

City of Clearwater, Florida

CITY CLERK DEPARTMENT

MCEB Case Number: 46-24

Petitioner

City Case Number: CDC2023-01766

vs.

CLEARWATER TOWN CENTER LLC  
214 COE RD  
BELLEAIR, FL 33756-1916

Respondent

Re: 511 S FT HARRISON AVE

I, Daniel Kasman, have personally examined the property described in the Municipal Code Enforcement Board Order dated April 24, 2024 in the above mentioned case, and find that as of November 14, 2023 said property is NOT in compliance with

3-808 - **\*\*FENCES AND WALLS\*\*** All fences and walls shall be maintained in a structurally sound and aesthetically attractive manner.

3-808.A.1. - **\*\*FENCE SHALL BE MAINTAINED IN VERTICAL POSITION\*\*** A fence or wall shall be maintained in a vertical position and shall not be allowed to sag or lean at more than 10 degrees from vertical.

3-808.A.4. - **\*\*FENCE STRINGERS SHALL BE SECURELY FASTENED\*\*** Each fence stringer shall be securely fastened to the support posts and face of the fence.

3-808.A.2 - **\*\*ROTTEN BOARDS\*\*** Rotten boards in a fence shall be replaced.

3-808.A.3. - **\*\*SUPPORT POST OR FOOTER SOLIDLY ATTACHED TO GROUND\*\*** Each support post or footer shall be solidly attached to the ground.

3-808.A.5. - **\*\*FENCE FACE SHALL BE SECURELY FASTENED\*\*** Each fence face shall be securely fastened to the support post and fence stringers.

3-808.A.6. - **\*\*FENCES SHALL BE MAINTAINED FOR UNIFORM APPEARANCE\*\*** All fence or wall surfaces shall be painted, stained, treated or otherwise maintained so as to present a uniform appearance.

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.



Daniel Kasman

STATE OF FLORIDA  
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of X physical presence or \_\_\_\_\_ online notarization on this 2nd day of July, 2024, by Daniel Kasman.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

\_\_\_\_\_  
Type of Identification

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

**AFFIDAVIT OF NON - COMPLIANCE**

MCEB Case Number: 46-24

City Case Number: CDC2023-01766

Mallory Fuchs

(Notary Signature)

Mallory Fuchs

Name of Notary (typed, printed, stamped)

